

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, April 08, 2025**

The regular meeting of the Common Council of the City of Marshall was held April 8, 2025, at City Hall, 344 West Main Street. The meeting was called to order at 5:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: See Moua-Leske, John Alcorn, James Lozinski, Amanda Schwartz and Amanda Schroeder. Absent: Craig Schafer. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Jim Marshall, Director of Public Safety; Quentin Brunsvold, Fire Chief; and Steven Anderson, City Clerk.

Consider Approval of the Minutes of the Meetings Held on March 25

There were no amendments to the minutes.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to approve the minutes from the meetings held on March 25, 2025. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Approval of the Consent Agenda

Councilmember Lozinski requested that Aquatic Center 1) Consider Approval of Assignment of Construction Contracts to Contegrity Group Inc; 2) Allow the City's Change Order Policy to be Utilized for the Aquatic Center Project be removed from the consent agenda for additional discussion.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Lozinski to approve the remainder of the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

- Frontline Warning Systems (Outdoor Warning Sirens) Contract with the City of Marshall
- Consider Approval of a LG230 Off-Site Gambling Permit for the Tracy Eagles Club
- Consider Approval of a Temporary Liquor License for the Craft Beer & Wine Festival
- Consider Request of the Marshall Downtown Business Association for a Spring Parade on Saturday - 04/26/2025
- Consider Request for Street Closure of N 3rd Street and a Portion of W Lyon Street for Juneteenth
- Firm Gas Service Extension Agreement with Great Plains Natural Gas - Airpark East
- Project ST-010: Lyon Circle Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment; 2) Resolution for Hearing on Proposed Assessment
- Project SWM-003: Legion Field Stormwater Improvements Project-Phase III – Consider Authorization to Advertise for Bids
- Consider Approval of the Bills/Project Payments

Aquatic Center 1) Consider Approval of Assignment of Construction Contracts to Contegrity Group Inc; 2) Allow the City's Change Order Policy to be Utilized for the Aquatic Center Project

Councilmember Lozinski wanted the change order policy to be further explained for the public to understand the need. Administrator Hanson explained for the Red Baron Arena and Expo a construction manager was used like the aquatic center. During that project every change order whether over or under had to go before the city council for approval and caused large delays with the project and increased costs. The arena project did not go over budget but there were delays and frustrations by the groups working on the project and city council. Several street projects after the arena also ran into similar issues with delays and waiting on approval of change orders. To improve efficiency, in 2019 a change order policy was established that would reduce the number of items that would need to be put on hold that had to wait for approval by the city council. Amounts that exceed the contingency plus \$25,000 would still need to go to the city council for approval.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to adopt Resolution 25-029 assigning aquatic center project contracts to Contegrity Group Inc and to adopt Resolution 25-030 allowing the city's change order policy to apply to the aquatic center project. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Municipal State Aid Street (MSAS) Review – 1) Consider Resolution Revoking Municipal State Aid Streets; 2) Consider Resolution Establishing Municipal State Aid Streets

Director Anderson explained that Municipal State Aid Streets (MSAS) are eligible for State financing for construction and major maintenance items. A street may be selected as a MSAS route if it is projected to carry heavier traffic or is identified as a collector or arterial on the city's functional classification plan, if it connects points of major traffic interest, and if it provides an integrated and coordinated highway and street system. The street must terminate on another Municipal State Aid Street, County State Aid Highway, County road, or a State highway. The recommended revisions would accomplish this goal, while allowing the city to use Municipal State Aid money for these routes. In 2025, the total MSAS allocation was \$1,055,860. Of this allocation, \$422,992 was attributed to population and \$632,868 was attributed to system "needs". With 20.06 miles currently dedicated as MSAS, the city received \$52,635 per mile in funding. Out of \$1,055,860, the city allocated \$29,160 to general maintenance. These general maintenance dollars are revenue to the Street Department budget. An additional \$47,600 was applied to bond interest for the 2021 MSAS overlay project, leaving \$979,100 for our 2025 construction account. The Public Improvement and Transportation Committee met on March 25, 2025, and voted to recommend the revocation of MSA streets and establish new MSA streets to City Council.

Motion made by Councilmember Alcorn, Seconded by Councilmember Lozinski to adopt Resolution 25-033 Revoking Municipal State Aid Streets. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schwartz to adopt Resolution 25-034 Establishing Municipal State Aid Streets. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Project ST-001-2025: Chip Sealing on Various City Streets - Consider Authorization to Advertise for Bids

The estimated total project cost was approximately \$154,422. The 2025 Street Department budget included \$165,000 line item for the project. The purpose of the annual chip seal program was to help prolong the life of bituminous streets. Over time, an untreated bituminous surface that was exposed to air, sun, and water would begin to lose its flexibility. Once a bituminous surface loses flexibility, it begins to crack due to the changing pavement temperatures due to warm summers and cold winters. The cracks then allow for the infiltration of water, and the ever-increasing number of winter freeze-thaw cycles causes these cracks to break and turn into potholes. City staff continue to keep an eye on the research for other, possibly better alternatives to the chip seal for regular bituminous roadway preventative maintenance. There were other promising products being tested, and staff would continue to evaluate the usage of these other products and processes. At this point in time, the chip seal remains as the most widely used and widely accepted method for prolonging pavement life. In coordination with pavement crack sealing, staff believe that the chip seal can extend the life of city pavements. Chip sealing costs approximately \$40,000 per mile for a typical Marshall street width, while a mill and overlay cost approximately \$275,000 per mile. At the Public Improvement and Transportation Committee meeting on March 25, 2025, all three members of the committee recommend a one-year pause on the chip seal project. Councilmember Lozinski explained that the Public Improvement and Transportation Committee recommended the pause because of future budgetary restraints. Councilmember Schroeder expressed her concern about delaying the project and getting further behind on road maintenance.

Motion made by Councilmember Lozinski to pause the chip sealing project for a year and not authorize chip sealing for 2025. Motion died due to failure of a second.

Motion made by Councilmember Schroeder, Seconded by Councilmember Moua-Leske to authorize advertisement for base bid and alternate streets for Project ST-001-2025.

Councilmember Schroeder emphasized that the chip sealing was already included in the approved budget and didn't want to see the street maintenance get behind. Councilmember Alcorn, a member of the Public Improvement and Transportation Committee, mentioned his reticence on voting to pause the chip seal project. Alcorn said his worry stemmed from pricing continually going up and getting less maintenance for more money in the future.

Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. Voting Nay: Councilmember Lozinski. The motion **Carried. 5-1.**

Consider Resolution Awarding the Sale of General Obligation Bonds, Series 2025A and Resolution Awarding the Sale of General Obligation Sales Tax Revenue Bonds, Series 2025B

Director of Administrative Services E.J. Moberg and Mikaela Huot of Baker Tilly gave a short presentation on the bond sale results and credit rating update for the city. The General Obligation Bonds, Series 2025A are to be used for the purchase of equipment, street reconstruction projects and improvements to the city's surface water utility. One bid was received from Robert W. Baird & Co. with a par amount of \$2,590,000 due to a premium bid and a true interest cost of 3.778%. The General Obligation Bonds, Series 2025B are to be used for the construction of a new aquatic center. One bid was also received from Robert W. Baird & Co. with a par amount of \$19,285,000 due to a premium bid with a true interest cost of 4.344%. Standard and Poor's rated both issuances as "AA/Stable". The city's strong operating performance, healthy fund balance and no planned material drawdowns were factors in the city maintaining its AA rating. Management policies, practices and implementation of practices to mitigate cyber risks also played a part according to the comments from Standard & Poor's.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to adopt Resolution 25-035 Awarding the Sale of GO Bonds 2025A to Robert W. Baird & Co. with a par value of \$2,590,000. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Lozinski to adopt Resolution 25-036 Awarding the Sale of GO Bonds 2025B to Robert W. Baird & Co. with a par value of \$19,285,000. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Consider Appointments to Various Boards, Commission, Bureaus, and Authorities

Interviews were conducted prior to the regular meeting. Mayor Byrnes appointed the following individuals:

Leland Sorum to the Airport Commission with a term to end May 31, 2027.

Jana Reilly to the Public Housing Commission with a partial term to end May 31, 2027.

Josh Scholten to the Community Services Advisory Board with a term to end February 28, 2028.

Ryan Anthony to the Community Services Advisory Board with a term to end February 28, 2028.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schroeder to confirm the appointments of Leland Sorum to the Airport Commission and Josh Scholten and Ryan Anthony to the Community Services Advisory Board. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Motion made by Councilmember Alcorn, Seconded by Councilmember Schroeder to confirm the appointment of Jana Reilly to the Public Housing Commission. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. Voting Abstaining: Councilmember Lozinski. The motion **Carried. 5-0-1.**

Commission/Board Liaison Reports

Byrnes	No report.
Alcorn	No report.
Lozinski	No report.
Moua-Leske	CVB met and were informed that the YMCA purchased new indoor play structure equipment.
Schafer	Absent.
Schroeder	No report.
Schwartz	Community Services Advisory Board presented dates of the community services summer catalog.

Councilmember Individual Items

Councilmember Lozinski asked Fire Chief Brunsvold if he could present an update on the new Aerial Apparatus. Brunsvold reported that several firefighters were scheduled to do a final inspection and walk-through of the truck on April 25th at the Rosenbauer factory. If everything looked good and once payment was made the apparatus could be delivered before the end of May. As part of the purchase Rosenbauer would be providing some on-site training. The City of Hibbing asked for assistance from Marshall to use the same building design for their own aerial truck.

City Administrator

Hanson highlighted a few items on the Administrative Brief, strategic plan update and 2025 projects.

Director of Public Works/City Engineer

An open house for the MnDOT Hwy 19 was upcoming and the groundbreaking would occur on May 2nd.

City Attorney

No report.

Closed Session Pursuant to Minn. Stat 13D.05, subd 3(b) for Attorney Client Discussion Regarding Matter with Court File No. 42-CV-AD-21-7

Under Minnesota Statute section 13D.05 subdivision 3(b) city council may move to go into a closed session to have an attorney-client protected discussion with the City Attorney regarding litigation strategy and options for the city.

At 6:16 PM Motion made by Councilmember Lozinski, Seconded by Councilmember Moua-Leske to move into closed session. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

At 6:51 PM the city council came out of closed session.

Administrative Brief

There were no questions on the Administrative Brief.

Information Only

There were no questions on the Information Only items.

Upcoming Meetings

There were no questions or comments about the Upcoming Meetings.

Adjourn

At 6:51 Motion made by Councilmember Lozinski, Seconded by Councilmember Moua-Leske to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 6-0.**

Attest:

City Clerk

Mayor