



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, April 12, 2022
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Project ST-023: W. Lyon Street (College to 1st) Reconstruction Project - 1) Public Hearing on Improvement; 2) Consider Resolution Ordering Improvement and Preparation of Plans.
Background Information:	<p>Property owners affected by the above-referenced project have been notified, according to law, that a hearing would be held on April 12, 2022. A public presentation will be made followed by any discussion.</p> <p>The proposed project limits include: W. Lyon Street (E. College Drive to N. 1st Street). The proposed project was originally included in the scope of the Z82 (N. 1st/Redwood/Marshall) Reconstruction Project constructed in 2021. In consideration of the unknown status regarding the potential development of the Block 11 property, the block of W. Lyon Street between E. College Drive and N. 1st Street was removed from the scope of the project.</p> <p>If the City Council decides to proceed with the project, the attached resolution has been prepared ordering the improvement and the preparation of plans. Per Minn. Stat. 429.031, adoption requires a “super-majority” vote, meaning the council can only adopt the resolution by a four-fifths vote of all members of the Council. To achieve a four-fifths vote of all members of the Council, five votes would be required for a “super-majority”.</p>
Fiscal Impact:	The engineer’s estimate for the construction portion of the project is \$338,000. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$432,000. All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem. Final approval of the project must include determination of funding sources.
Alternative/ Variations:	No alternative actions recommended
Recommendation:	<p>Recommendation No. 1: that the Council close the public hearing on improvement for Project ST-023: W. Lyon Street (College to 1st) Reconstruction Project.</p> <p>Recommendation No. 2: that the Council adopt RESOLUTION NUMBER 22-047, which is the Resolution Ordering Improvement and Preparation of Plans” for Project ST-023: W. Lyon Street (College to 1st) Reconstruction Project.</p>

RESOLUTION NUMBER 22-047

**RESOLUTION ORDERING IMPROVEMENT
AND PREPARATION OF PLANS**

WHEREAS, a resolution of the City Council adopted the 8th day of March, 2022, fixed a date for a Council hearing for proposed improvements under the following project:

PROJECT ST-023: W. LYON STREET (COLLEGE TO N. 1ST) RECONSTRUCTION PROJECT – The proposed project includes street and utility reconstruction of W. Lyon Street from College Drive to N. 1st Street to include: street, sidewalk, curb and gutter, driveways, water main, sanitary sewer, and sewer and water service lines to the right of way.

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 12th day of April, 2022, at which all persons desiring to be heard were given an opportunity to be heard thereon.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF MARSHALL, MINNESOTA:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the Council resolution receiving the Feasibility Report adopted the 8th day of March, 2022.
3. Jason R. Anderson, P.E. is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.

Passed and adopted by the Council this 12th day of April, 2022.

Mayor

ATTEST:

City Clerk

This Instrument Drafted by:
Jason R. Anderson, P.E.
Director of Public Works/City Engineer