

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, March 11, 2025**

The regular meeting of the Common Council of the City of Marshall was held March 11, 2025, at City Hall, 344 West Main Street. The meeting was called to order at 5:33 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: See Moua-Leske, John Alcorn, Craig Schafer, James Lozinski, Amanda Schwartz and Amanda Schroeder. Absent: None. 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; James Marshall, Director of Public Safety; and Steven Anderson, City Clerk.

Consider Approval of the Minutes from the Meeting Held on February 25

There were no requests to amend the minutes from February 25, 2025.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to approve the minutes as presented. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Project ST-002-2025: Bituminous Overlay on Various City Streets – Consider Resolution Accepting Bid (Awarding Contract)

The project estimate for mill and overlay was \$622,184 including all streets listed (excluding “Alternate Streets”) and ADA sidewalk ramp work. The 2025 Capital budget included \$650,000 for the project.

Main Project

Southview Court (Edge Mill): Southview Drive to Southview Drive
DeSchepper Court (Edge Mill): DeSchepper Street
DeSchepper Court Leveling: DeSchepper Street
Commerce Circle (Edge Mill): Carlson Street to Carlson Street
Mall Street (Mill All): Jewett Street to Mall Parking lot
Mall Street (Edge Mill): Mall Parking Lot to Clinic Driveway
Jefferson Avenue (Mill All): Bruce Street to Van Buren Street
Jefferson Circle (Mill All): Jefferson Avenue to Jefferson Avenue
Jefferson Circle Leveling: Jefferson Avenue to Jefferson Avenue
Lawrence Street (Mill All): Maple Street to Southview Drive
Gray Place West (Mill All): South 1st Street to Lawrence Street
Marvin Schwan Memorial Dr. (Mill All): W. College Drive to S. A Street
S.1st Street (Mill All): E. Main Street to Marvin Schwan Memorial Drive

Alternate Streets

Continental Street (Edge Mill): Saratoga Street to Thunderbird Road
Denali Street (Mill All): Saratoga Street to Thunderbird Road
Impala Court (Mill All): Windstar Street
Cougar Court (Mill All): Windstar Street

Two bids were received with the low bid coming from Central Specialties Inc. of Alexandria, Minnesota, in the amount of \$464,044.96. The low bid did not include cost to overlay the alternate streets. Due to advantageous pricing, City staff proposed to capitalize on advantageous pricing and include the alternate streets with the construction project. Councilmember Lozinski opposed adding the alternate streets and wanted to bank the savings. Councilmembers Schafer and Alcorn wanted to take advantage of the low bid that would still come in under budget after adding the alternate streets for mill and overlay.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to adopt Resolution 25-017 authorizing entering into an agreement with Central Specialties Inc. of Alexandria in the amount of \$545,736.42 that included alternate streets. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. Voting Nay: Councilmember Lozinski. The motion **Carried. 6-1**

Approval of the Consent Agenda

Councilmember Lozinski requested that *Consider Approval of License Renewals for Garbage/Refuse Haulers* be removed for additional discussion.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the remainder of the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

- Consider Approval of a New Taxicab License
- Introduce Amendments to Article 42-II, Division 42-II-2 Graffiti
- Consider Approval of a Permit for Alcoholic Beverages at City-Owned Facilities
- Consider a Resolution Adopting the Lyon County 2024 Multi-Hazard Mitigation Plan
- Consider Authorization to Declare Vehicles as Surplus Property for the Marshall Police Department
- Joint Powers Agreement Between the State of Minnesota (BCA) and the City of Marshall (MPD)
- Consider Request of Lyon County Fair Board for Use of Bud Rose Lot (1001 W College Dr) for Overflow Fair Parking on August 13-17, 2025 (Weds-Sun)
- Consider Approval of the Bills/Project Payments

Consider Approval of License Renewals for Garbage/Refuse Haulers

Councilmember Lozinski wanted to raise awareness of garbage trucks, increasing the deterioration of alleys and for the council to start considering possibilities of limiting the issuance of licenses or increasing hauler fees. Administrator Hanson suggested that any far-reaching discussions should involve the city attorney as there have been other cities that strictly limited haulers or have already researched the topic.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to approve the annual license renewals for garbage/refuse haulers. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Introduce Ordinance Regulating Temporary Cannabis Events

Attorney Whitmore explained with the adoption of the state law allowing Cannabis Businesses, the Legislature also established a license for Temporary Cannabis Events. Under Section § 342.39, a Cannabis Event Organizer License entitled the license holder to organize a temporary cannabis event lasting no more than four days. Cities cannot prohibit these events but can regulate them. Staff worked collaboratively with the Legislative & Ordinance Committee on an Ordinance allowing these temporary events in the City of Marshall. The Ordinance established an application process for city authorization of these events and provided a reimbursement mechanism to the City for recovery of any costs arising out of provision of special services from the City to the event organizers. In addition to an application process, the Ordinance allowed onsite consumption of products at these events if certain requirements were followed, many of which are outlined in state law. The Ordinance also set a 1000-foot buffer between events and schools; restricted hours for the event; events could take place indoors at the Red Baron Arena and Expo on non-school days; and prohibited events on public property unless permitted by the city.

Motion made by Councilmember Lozinski, Seconded by Councilmember Moua-Leske to introduce Ordinance 25-028 adopting Chapter 10, Article IV- Temporary Cannabis Events. Voting Yea: Mayor Byrnes, Councilmember Alcorn,

Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Project AP-008: Instrument Landing System (ILS) Replacement-Runway 12 - Consider Amendment #A01 to MnDot Grant Agreement No. 1056813 / S.P. A4201-110

MnDOT Grant Agreement No. 1056813 (S.P. A4201-110) was approved by the Council on April 23, 2024. The grant agreement included funding for the engineering design and project formulation in the amount of \$97,400. Amendment #A01 included Phase Two construction with project administration and engineering (\$432,906) and CO1 to replace MALSF Shelter (\$51,000). The original Grant Agreement plus Amendment #A01 resulted in a total project cost of \$581,306.00 with 70% State participation of \$406,914.20 and 30% local participation of \$174,391.80. The 2024 capital budget included the ILS project at a total cost of \$1,000,000, with \$300,000 included for local costs.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to approve MnDOT Grant Agreement Number 1056813 / S.P. A4201-110 resulting in total project costs of \$581,306.00 with 70% State cost participation of \$406,914.20 and 30% local participation of \$174,381.80. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Project AP-011: WPA Hangar Apron & Taxilanes Reconstruction Project – Consider Authorization to Advertise for Bids

The existing Works Progress Administration (WPA) Hangar Apron and Taxi lane pavement were 30 years old and have reached the end of their useful life. The pavement was in poor condition with distress types summarized as alligator cracking, transverse cracking, patching, and surface weathering. The pavement required full reconstruction to continue safely serving airport operations. The Project would reconstruct 8,830 square yards of Taxi lane D, Taxi lane H and the WPA Hangar Apron pavement and also included grading, drainage improvements, pavement markings, aircraft tie-downs, and turf establishment. The 2025 airport CIP had included the project in the budget for \$750,000 in total cost (including State and Federal share of project expenses). During budget discussions with the Council, it was suggested that the project should not be constructed until 2026. The current cost estimate was \$865,426, including engineering costs. The estimated funding share for the project was projected at \$320,153 Federal, \$377,407.10 State, and \$167,865.90 local. At the January 28, 2025, meeting, the Council authorized execution of a Professional Services Agreement with TKDA for project formulation and design phase services of the WPA Hangar Apron & Taxi lanes Reconstruction Project in an amount not-to-exceed \$70,500.00. Staff indicated that engineering design costs would be grant eligible with a future construction project grant request. The project design included grading the apron area to facilitate better drainage, salvaging existing granular material if possible, and placing a new 4" bituminous surface. The plans and specifications had been prepared by TKDA, and the project was ready to advertise for bids. TKDA planned to begin advertising for bids on March 17th, with a proposed bid opening of April 15th and the project would not be allowed to begin construction until 2026. The city needed to submit a federal grant application prior to April 28th to access fiscal year 2025 Airport Improvement Program (AIP) grant funds. Bids would be reviewed and brought before the City Council for consideration of the award on April 22nd. If Council did not wish to move forward at this time, an alternative would be to wait until Winter 2026 to begin project advertising. The downside to waiting would be there would not be a guarantee of grant awards before August and would shorten the construction season for the project. Councilmembers asked for additional clarification on when bidding would occur, budgets, federal funding, and the capital improvement plan.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to not authorize advertisement for Project AP-011 and to have city staff wait until 2026 when the project is included in the CIP. Voting Yea: Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. Voting Nay: Mayor Byrnes, Councilmember Alcorn, Councilmember Schafer. The motion **Carried. 4-3.**

Consider Resolutions Providing for the Issuance and Sale of General Obligation Bonds, Series 2025A and General Obligation Sales Tax Bonds, Series 2025B

Series 2025A included Street Reconstruction Bonds for South Hill Street/South Minnesota Street and Charles Avenue, Equipment Certificates for the Fire Department aerial truck and Utility Bonds for the Legion Field Stormwater phase III project. The resolution included authority provided to staff, the City's Municipal Advisor (BakerTilly) and the City's Bond Counsel (Kutak Rock LLP) for the Council to consider proposals on the bonds and/or take any other appropriate action with respect to the bonds at 5:30 PM on Tuesday, April 8, 2025. GO Sales Tax Revenue Bonds, Series 2025B includes the issue and sale of sales tax revenue bonds pursuant to a referendum question duly approved by the electorate of the City in November 2023 to authorize the City extend a local sales and use tax of one-half of one percent to finance the construction of a new municipal aquatic center. The resolution includes authority provided to staff, the City's Municipal Advisor and the City's Bond Counsel for the Council to consider proposals on the bonds and/or take any other appropriate action with respect to the bonds at 5:30 PM on Tuesday, April 8, 2025.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve Resolution 25-020 Providing for the Issuance and Sale of GO Bonds 2025A and Resolution 25-021 Providing for the Issuance and Sale GO Sales Tax Revenue Bon 2025B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

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

The council met prior to the regular meeting to conduct interviews. Mayor Byrnes recommended the following:

Bryan Arzdorf be appointed to the Police Advisory Board with a term ending May 31, 2027

Julie Walker was appointed to the Diversity, Equity and Inclusion Commission to fill a partial term ending on May 31, 2026.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schroeder to confirm and appoint Arzdorf to the Police Advisory Board with a term ending May 31, 2027, and Julie Walker to the Diversity Equity and Inclusion Commission for a partial term ending May 31, 2026. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Commission/Board Liaison Reports

Byrnes	MnDOT announced they would be including a reduced conflict intersection in their 2029 construction plan for Tiger Drive and State Street.
Alcorn	Public Housing discussion a number of items that members had issue with and would be meeting again in a special meeting to further discuss the topics brought up.
Lozinski	No report.
Moua-Leske	The Juneteenth Committee was nominated and selected for the <i>President's Community Partner Award</i> by the Seed Coalition. The award was for a community-based organization that had enhanced the quality of life in the community in meaningful and measurable way and has engaged in the development of sustained, reciprocal partnerships with a college or university.
Schafer	Absent.

Schroeder No report.

Schwartz The Library Board began a tree sponsorship program to help replace ash trees on the library property over the next 6-8 years.

Councilmember Individual Items

Councilmembers Schafer, Moua-Leske and Alcorn who were part of the Aquatic Center Selection Committee announced that the bid opening for the new aquatic center was very promising and there was a high chance that all the add alternates could be pursued.

City Administrator

City staff worked diligently over the past couple of months on securing a compromise with nearby townships to retain fire services. Marty Seifert was still working on several items for the city including funding for the band shell replacement, MERIT Center bonding and an extension of TIF funds. David Schelkoph, General Manager of Marshall Municipal Utilities, announced his retirement.

Director of Public Works/City Engineer

The Active Transportation Trail Project bid opening was scheduled for March 13, 2025. MnDot announced that a portion of the Camden Trail was selected for a resurfacing project in 2029.

City Attorney

No report.

Administrative Brief

There were no questions or comments about 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 6:25 PM Motion made by Councilmember Alcorn, Seconded by Councilmember Lozinski to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz.

Attest:

City Clerk

Mayor