

TO: Honorable Mayor and Members of the City Council; City Staff

FROM: Sharon Hanson, City Administrator

DATE: December 12, 2023

SUBJECT: Administrative Brief

CITY ATTORNEY

Some highlights from the office of City Attorney for the month of November:

- Attended meetings.
- Reviewed contracts for Staff.
 - CVB contract
 - Begin review of Adult Community Center Contracts (with MASC and LSS)
- Drafted documents
 - Drafted agreement for Administrative Hearing Officers for Council review.
 - Finalize parking lot agreement.
 - Prepare memo for staff regarding questions related to access points and Susan Drive near 59.
- Attended L&O Commission meeting.
 - Finalized rental ordinance from last committee meeting for L&O.
- Responded to question from staff about RFP process.
- Participated in final Rental Ordinance Review Committee and prepared final revision for L&O and Weighs & Means, based on Committee feedback.
- Worked on Charter Commission documents.
- Worked with staff on variance questions.
- Worked collaboratively with staff on Planning Commission items. Discuss next steps regarding containers since ordinance change.
- Answer staff question related to rezoning requirements, and legal descriptions.
- Begin work with staff on Chlorides questions.
- Worked with staff on transition of files from former attorney.
- Discussed with Clerk the heightened vote required for approval of summary publication of ordinances (separate from vote on ordinance itself).
- Worked on finding Administrative Hearing Officers.
- Counseled MMU on PFAS, including reviewing contract for outside counsel. Attended closed meeting. Drafted Resolution delegating authority to General Manager to retain PFAS attorney.

Work of other K&G Attorneys:

- Attorney Mikhail worked on resolution of Qwik Trip matter
- Attorney Gilchrist provided insight on MMU agendas.
- Attorney Lykke drafted documents in anticipation of sales tax.

November criminal prosecution numbers are as follows:

	ASSAULT	OPF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2023	2022 Comparison
Prosecution	3		8		4	5	1	21	21
Dismissed									
Non-Prosecution	4					2	2	8	5
Refer to County									

ADMINISTRATION

- This past month attended the Coalition of Greater MN Cities Fall Conference in Willmar where legislative policies for the upcoming legislative session were discussed and approved as well as general information sessions regarding a variety of city topics.
- Staff continue to work with community partners on the aquatic center project and recently met with a group of citizens who would like to form a committee to provide sponsorship and supporter opportunities to further advance the aquatic center and its amenities. In addition, the Marshall Community Foundation has been meeting to discuss their ability to take in funds specific to the Aquatic Center project.
- Discussed and spoke to future strategic plan facilitator regarding updating our city’s strategic plan. A proposal was received, and future work and dates will be scheduled.
- A committee has been formed to help plan for the Juneteenth celebration in 2024. The city was asked to sponsor the event and take a more active role this upcoming year. We are planning events to take place on the actual day of June 19th.
- Continued discussions on budget, EDA matters, staffing and personnel discussions also occurred this past month.

Economic Development Authority

- **Kwik Trip**- The Quite Claims have been resolved on Kwik Trip’s second location and site review has begun. Demo permits have been issued and construction is anticipated to begin in June.
- **Main Street Revitalization Grant** – Staff is beginning to accept completed applications and are awaiting payment from SWIF/MNDEED.
- **SWWC** – Soil testing has been completed and survey work will be done to begin platting process.
- **On the Horizon** – Staff completed a new video featuring the Block 100 apartment, will be distributed the week of December 18th.
- **Market Street Mall** – Staff is working with building owner on leasing additional spaces.

Human Resources

- Staffing:
 - The city welcomed a new employee, Jonathan Monterroso on November 27th. Jonathan will serve as a part-time police officer. Two additional candidates have accepted conditional offers for full-time Police Officer positions; both candidates are being backgrounded.
 - Mechanic—the city will welcome Anthony Scholten on December 18th.
 - Office Specialist (community services)—recruitment for this position began 12/05/2023 following a voluntary resignation.

- Temporary/seasonal: a variety of temporary and seasonal positions are being recruited and filled by the Community Services department.
- Safety: employees were trained on winter driving safety, accident/near miss investigations, our G.O.A.L. safety program, and an annual review. Our MMUA safety consultant presented a 2024 training curriculum that was approved by the safety committee.
- Staff are also preparing to complete the City's Pay Equity report, which is due by January 31, 2024. Per the Local Government Pay Equity Act, M.S. 471.991-471.999 and Minnesota Rules Chapter 3920, local government jurisdictions are required to submit a Pay Equity Report to the State of Minnesota every three years.
- HR Manager has initiated supervisory training on the new earned sick and safe time leave law that becomes effective 01/01/2024. The Council will consider amended personnel policies at the 12/12/23 meeting to comply with this new law.

Clerk

- Attended the Public Accuracy Test at the Lyon County Courthouse.
- Held the Special Election for the referendum vote of the Marshall Aquatic Center sales tax extension.
- The Equipment Review Committee met to discuss the capital improvement projects budget for 2024.
- The Legislative and Ordinance Committee met to discuss the Rental Registration ordinance and prohibition of smoking and cannabis on public property and city facilities.
- Preparing an Administrative Citation Hearing handbook and associated information to provide to prospective hearing officers.

Finance

- 2024 Budget: Adoption of the final property tax levy and budget, along with approval of the 5-year Capital Improvement Plan, will be recommended to Council at this meeting (12/12).
- 2024 Bonding: Staff continues to update project estimates for items in the Capital Improvement Plan that may be included with 2024 bonding. The process has been initiated to ensure funding is secured for 2024 projects.
- 2023 Audit: Staff has started preparations of the 2023 financial statements and supporting documentation.

Assessing

- No Report

Liquor Store

- November Financials: Sales 620,283 +.8%, Customer Count 17,214 +1.62, Ticket Average \$36.03 -.80. Sales slightly up for the month along with Customer Counts. Ticket average slightly down for the month.
- "Tis the Season" Holiday tasting event scheduled for December 14th 5pm-7pm at the store. This is your chance to try before you buy several liquor, wine and beer products at discounted prices.

COMMUNITY SERVICES

Parks & Recreation

- We are excited for our winter/spring brochure to be released to the public the third week of December, many new and traditional activities and programs offered through the months of January – April for all community members to be part of.
- Open skating and hockey continue to draw big crowds at the Red Baron Arena, there will be offering daytime skating during the holiday week of December 26th-29th from 1:00-4:00pm

- Adult volleyball and basketball leagues are into their respective seasons with over 40 teams participating this winter/spring.
- Construction of new picnic pavilion at Amateur Sports Center is complete and turned out great.
- New inclusive playground equipment for Justice Park will be here next week – tentative plan is for spring 2024 install.
- Working with staff and “Jump In, Make a Splash” committee on fundraising and sponsorship opportunities for new Aquatic Center.
- Baskets have been installed for 18-hole disc golf course at Independence Park – completion of the course will take place next year with ribbon cutting
- Legion Field shelter has been renovated with new siding, electrical, and lighting
- Staff is installing roofing on pergola at Terrace 1872
- Red Baron Arena and Expo has been extremely busy with tournaments, Ice Dogs games as well as Community Services programs.
- Working with CVB on renewed contract for services at Red Baron Arena and Expo – will be presented at 12/12/23 Council meeting.
- Continuing to work towards shared facilities use agreement between City of Marshall and SMSU – near completion and will come to Council for final approval.

Community Education

- Wrapping up the last of the Fall CE courses with Robotics completing on December 30th.
- Starting to gather details/logistics for 4th of July event.
- Finalized Community Education section of Winter/Spring brochure.
- Visit Santa event coming up on Dec 18 and 21 at the Marshall Library.
- Continuing to meet with other CE directors to learn more about program offerings, driver’s education, etc.
- It Begins With Us (formerly Cultures on the Prairie) event February 12 & 13.
- Holiday events are in full swing at the ACC, December activities include Holiday Party, SMSU Planetarium trip, Christmas Tree walk at the Museum, in addition to all regular scheduled programming.

Studio 1

- Hockey broadcast season is in full-swing as of mid-November. We covered several varsity games, the 10u/12u tournament, the MHS Tiger Thanksgiving Classic as well as the Fairbanks Ice Dogs.
- We have also covered several school concerts and plays so far this month.
- We will be commissioning a new broadcast automation server this week as our current one from 2016 has become troublesome and is no longer supported for important security updates. The new server provides 10x more storage space of Video-On-Demand files for internet streaming than our current one.
- We continue to cover sporting and community events throughout town and produce our recurring monthly shows such as Tiger Talk, Community Connect, and Senior Compass.

COMMUNITY PLANNING

Building Services / Planning & Zoning

- About 200 open permits.
- Family Dollar, a dental clinic, and Kwik Trip (E College Dr) are the largest projects under construction.
- Rental Ordinance ready for Council approval

- Sign ordinance is being reviewed.

PUBLIC WORKS DIVISION

Engineering

- Project ST-007: UCAP Bus Shelter Installations – Project plans are complete. Staff is waiting on final contract requirements from UCAP Transit for their MnDOT grant. Once received, staff will recommend advertisement for bids.
- Project ST-009: N. 3rd St./W. Lyon St. Reconstruction (R&G Construction Co.) –The Addison Parking lot will be reconstructed in the spring.
- Project SWM-002: Legion Field Stormwater Project –Staff is currently working on the Final Change Order and Payment on the project.
- Project ST-012-2024: South Whitney Street Reconstruction Project (East College Drive to Jean Avenue) – Staff is currently working on the design and specifications for this project.

Building Maintenance

- No report

Street Department

- No report

Airport/Public Ways Maintenance

- No report

Wastewater

- Staff have completed 225 preventative maintenance work orders in the last 30 days.
- Fall sump pump program work has been completed.
- Interest in the water softening rebate program has been slow but steady. Around \$41,850 of funding is still available.
- We are currently running a series of Whole Effluent Toxicity (WET) testing.
- Biosolids application has been completed, working on clean-up of equipment and year end MPCA and EPA final reporting.
- HWY 23 ATS and VFD replacement started the week of 12-4-2023, should be completed at the end of the week.
- Continuing trial using sodium aluminate for phosphorus removal.

PUBLIC SAFETY DIVISION

FIRE DEPARTMENT

- The Fire Department responded to fourteen (14) calls for service. Total calls for service included:
 - Fire/CO2 Alarm (9)
 - Fire; Structure (3)
 - Medical Assist (0)
 - Vehicle Accident (2)
 - Other – Assist (0)

POLICE DEPARTMENT

- The Marshall Police Department responded to a total of 808 calls for the month of November. 74 criminal offenses were reported with a total number of 34 adults arrested.

OFFICER'S REPORT

- Alarms (13)
 - Accidents (35)
 - Alcohol involved incidents (1)
 - Assaults (2)
 - Domestic Assaults (17)
 - Burglaries (1)
 - Criminal Sexual Conduct (6)
 - Damage to Property (4)
 - Keys Locked in Vehicles (27)
 - Loud Party (5)/ Public Disturbances (8)
 - Thefts (21)
 - Traffic Related Complaints (150)
 - Vandalism (3)
 - Warrant Pickups (14)
 - Welfare Checks/Mental Health (36)
- Jonathon Monterosso has started phase 1 of our Field Training Program. Officer Monterosso has been hired as a part-time police officer.
 - Preliminary discussions have started related to the implementation of MOLLE Vests (Modular Light-weight Load-Carrying Equipment vests) for our officers. These vests will allow for needed equipment to be carried with less stress on officer's hips and backs. The average weight of an officer's duty belt is approximately 20 lbs. or more. Significant research has been done in this area and many departments are transitioning to MOLLE Vests.

DETECTIVE REPORT

- A 28-year-old Marshall woman was arrested and charged with three counts of Criminal Vehicular Operation stemming from an investigation into a traffic incident that resulted in substantial bodily harm to another. Detectives executed several search warrants to gather additional evidence.
- Five cases of Criminal Sexual Conduct were investigated.
- Two separate cases of Predatory Offender Registration Violations were investigated and forwarded to the Lyon County Attorney's Office for charges.
- Nineteen theft reports were investigated during the month of November.
- Two death investigations were completed.
- Twenty-eight child protection reports and eight reports from the Minnesota Adult Abuse Reporting Center were investigated in conjunction with Southwest Health and Human Services.

MERIT CENTER

- In November, MN West conducted Fire & EMS Instructor Meeting, CPR/First Aid/AED training, Lyon County Safety Review, and CDL training utilizing the driving track at the MERIT Center.
- On November 1st North Star Training and Consulting NFPA 1001 with 33 attendees. This is the first of multiple classes.
- ADM held Safety Training on November 6th with 48 people attending.
- On November 7th the USDA/FSA held their D4/D5 Manager's Meeting with 19 people attending.
- On November 8th AFSCME Retirees held their Retiree meeting with 2 people attending.
- The MERIT Commission Meeting was held on November 16th with 8 people attending.
- CENTROL held their Annual Meeting on November 21st with 70 people attending.
- From November 28th to November 30th, Armor Training held Global Wind Organization (GWO) training for QEIS, a company from South Carolina, with 3 people attending each day.
- On November 29th NG 9-1-1 Committee Meeting 2023 was conducted by SW Communication Board with 9 people in attendance and more virtually.
- On November 30th ARMER Train the Trainer was conducted by SW Communication Board.
- The MERIT Center was utilized 15 out of 30 days in November with 278 people attending these training/events.