

**CITY OF MARSHALL, MINNESOTA**

**RESOLUTION NUMBER 21-016**

**RESOLUTION CALLING PUBLIC HEARINGS ON STREET  
RECONSTRUCTION PLAN, CAPITAL IMPROVEMENT PLAN,  
TAX ABATEMENTS AND ISSUANCE OF GENERAL  
OBLIGATION BONDS**

BE IT RESOLVED By the City Council of the City of Marshall, Lyon County, Minnesota (the “City”) as follows:

Section 1.     Background.

1.01.   The City is authorized under Minnesota Statutes, Section 475.58, subdivision 3b, as amended (the “Street Reconstruction Act”), to prepare a plan for reconstruction of streets in the City over the next five years, which includes a description of the affected streets and estimated costs (the “Street Reconstruction Plan”), and to issue general obligation bonds to finance the cost of street reconstruction activities described in the Street Reconstruction Plan (the “Street Reconstruction Bonds”).

1.02.   Pursuant to the Street Reconstruction Act, before adopting a Street Reconstruction Plan or issuing Street Reconstruction Bonds, the City Council is required to hold a public hearing regarding the Street Reconstruction Plan and issuance of the Street Reconstruction Bonds.

1.03.   The City now finds that it is necessary to prepare a five-year Street Reconstruction Plan setting forth proposed street reconstruction projects in the City, and to provide for the issuance of Street Reconstruction Bonds thereunder in an aggregate principal amount not to exceed \$2,000,000, to finance certain costs of the Street Reconstruction Plan, and further finds and determines that it is in the best financial interests of the City that the City hold a public hearing on the Street Reconstruction Plan and the issuance of Street Reconstruction Bonds as provided in the Street Reconstruction Act.

1.04.   Under the proposed Street Reconstruction Plan, the City will issue Street Reconstruction Bonds to finance a portion of the costs described in the Street Reconstruction Plan, including the projects designated by the City as: N 1st Street/W Marshall/W Redwood Reconstruction, Madrid Street Bridge Repair, Safe Routes to School, and James Ave Reconstruction & Storm Outfall Improvement.

1.05.   Pursuant to Minnesota Statutes, Section 475.521, as amended (the “CIP Act”), the City may issue general obligation bonds to finance capital improvements under a five-year capital improvement plan without an election provided that, among other things, prior to issuing the bonds the City holds a public hearing regarding adoption of the plan and the issuance of bonds thereunder.

1.06.   Capital improvements include the acquisition or betterment of public lands, buildings, or other improvements for the purpose of a city hall, library, public safety facility, and public works facility. A capital improvement does not include light rail transit, or any activity related to it, or a park, road, bridge, administrative building other than a city hall, or land for any of those facilities.

1.07.   The City has determined to prepare a five-year capital improvement plan for the City (the “Capital Improvement Plan”), pursuant to the CIP Act. The Capital Improvement Plan shall provide for the undertaking of certain capital improvements, including the construction of a new roof on a fire station in the City (the “Capital Improvements”). Under the Capital Improvement Plan, the City plans to issue general obligation capital improvement bonds in a principal amount not to exceed \$250,000, as more

specifically set forth in the Capital Improvement Plan, to finance the Capital Improvements (the “CIP Bonds”).

1.08. The City is authorized by Minnesota Statutes, Sections 469.1812 through 469.1815 (the “Abatement Act”) to grant an abatement of all or a part of the taxes levied by the City on real property within its boundaries (the “Abatement”) and to issue general obligation bonds to finance public improvements (the “Abatement Bonds”).

1.09. Pursuant to the Abatement Act, before approving a property tax abatement, the City Council is required to hold a public hearing regarding the Abatement.

1.10. The City proposes to issue Abatement Bonds in a principal amount not to exceed \$275,000 to finance public improvements, including a restroom at Patriot Park in the City.

Section 2. Hearings Scheduled.

2.01. The City Council will hold a public hearing regarding the approval of the Street Reconstruction Plan and issuance of the Street Reconstruction Bonds on Tuesday, March 23, 2021, at approximately 5:30 PM at the MERIT Center. The City Clerk is authorized and directed to publish a notice substantially in the form attached hereto as EXHIBIT A, to be published in the official newspaper of the City at least 10 days but not more than 28 days before the date of the hearing.

2.02. The City Council will hold a public hearing regarding the Capital Improvement Plan and issuance of the Capital Improvement Bonds on Tuesday, March 23, 2021, at approximately 5:30 PM at the MERIT Center. The City Clerk is authorized and directed to publish a notice substantially in the form attached hereto as EXHIBIT B in the official newspaper of the City or in a newspaper of general circulation in the City at least 14 days but not more than 28 days before the date of the public hearing.

2.03. The City Council will hold a public hearing regarding the approval of the Abatement on Tuesday, March 23, 2021 at approximately 5:30 PM at the MERIT Center. The City Clerk is authorized and directed to publish a notice substantially the form attached as EXHIBIT C, to be published in a newspaper of general circulation in the City more than 10 days but less than 30 days before the date of the hearing.

2.04. City staff and consultants are authorized to take all other actions needed with respect to the Street Reconstruction Plan, the Capital Improvement Plan, and the proposed Abatement and the issuance of the Street Reconstruction Bonds, Capital Improvement Bonds, and Abatement Bonds before the City Council.

Approved this February 23, 2021 by the City Council of the City of Marshall, Minnesota.

**CITY OF MARSHALL, MINNESOTA**

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Mayor

Attest:

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City Clerk

**EXHIBIT A**

**NOTICE OF PUBLIC HEARING**

**CITY OF MARSHALL, MINNESOTA  
NOTICE OF PUBLIC HEARING  
REGARDING THE ADOPTION OF A FIVE-YEAR STREET RECONSTRUCTION PLAN AND THE  
ISSUANCE OF GENERAL OBLIGATION BONDS THEREUNDER**

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall, Minnesota (the “City”), will meet on Tuesday, March 23, 2021 at approximately 5:30 PM at the MERIT Center located at 1001 West Erie Road in Marshall, Minnesota, to hold a public hearing concerning: (1) the adoption of a five-year street reconstruction plan (the “Plan”); and (2) the proposed issuance of general obligation bonds (the “Bonds”) to finance certain street reconstruction projects described in the Plan, all pursuant to Minnesota Statutes, Section 475.58, subdivision 3b. The maximum principal amount of the Bonds to be issued under the Plan is \$2,000,000. The City may accept an offer by a bidder to purchase the Bonds, and the City may sell the Bonds, at a price that results in the receipt by the City of an original issue premium (the portion of the price that exceeds the principal amount of the Bonds) in any amount.

If a petition requesting a vote on the issuance of the Bonds, signed by voters equal to five percent (5%) of the votes cast in the City in the last general election, is filed with the City Clerk within 30 days after the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question at an election.

At the time and place fixed for the public hearing, the City Council will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may direct any questions or file written comments respecting the proposal with the City Clerk, at or prior to said public hearing.

Due to the ongoing COVID-19 pandemic, members of the City Council and City staff will either participate in the meeting by telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, or in-person at the MERIT Center. Please refer to the City of Marshall’s website at or call City Hall at 507-537-6760 to learn how to attend the public hearing via telephone or electronically.

Published: \_\_\_\_\_, 2021

**BY ORDER OF THE CITY COUNCIL OF  
THE CITY OF MARSHALL, MINNESOTA**

**EXHIBIT B**

**NOTICE OF PUBLIC HEARING**

**NOTICE OF PUBLIC HEARING  
REGARDING THE ADOPTION OF A FIVE-YEAR CAPITAL IMPROVEMENT PLAN AND THE  
ISSUANCE OF GENERAL OBLIGATION BONDS THEREUNDER**

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall, Lyon County, State of Minnesota (the “City”), will hold a public hearing beginning at approximately 5:30 p.m., on Tuesday, March 23, 2021 at approximately 5:30 PM at the MERIT Center located at 1001 West Erie Road in Marshall, Minnesota, on the proposals that the City: (1) the adopt a five-year capital improvement plan for the City prepared in compliance with Minnesota Statutes, Section 475.521, as amended (the “Plan”); and (2) issue general obligation bonds (the “Bonds”) to finance certain capital projects described in the Plan, including the construction of a new roof on a fire station in the City (the “Project”). The maximum principal amount of the Bonds to be issued under the Plan to finance the Project is \$250,000. The City may accept an offer by a bidder to purchase the Bonds, and the City may sell the Bonds, at a price that results in the receipt by the City of an original issue premium (the portion of the price that exceeds the principal amount of the Bonds) in any amount.

If a petition requesting a vote on the issuance of the Bonds signed by voters equal to five percent (5%) of the votes cast in the City in the last municipal general election is filed with the City Clerk within thirty (30) days after the public hearing, the City may issue the Bonds only after obtaining approval of a majority of voters voting on the question of the issuance of the Bonds at an election.

At the time and place fixed for the public hearing, the City Council will give all persons who appear at the hearing an opportunity to express their views with respect to the proposal. In addition, interested persons may direct any questions or file written comments respecting the proposal with the City Clerk, at or prior to said public hearing.

Due to the ongoing COVID-19 pandemic, members of the City Council and City staff will either participate in the meeting by telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, or in-person at the MERIT Center. Please refer to the City of Marshall’s website at or call City Hall at 507-537-6760 to learn how to attend the public hearing via telephone or electronically.

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**EXHIBIT C**

**NOTICE OF PUBLIC HEARING**

**CITY OF MARSHALL, MINNESOTA  
NOTICE OF PUBLIC HEARING  
REGARDING PROPOSED PROPERTY TAX ABATEMENTS**

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall, Minnesota (the “City”), will meet on Tuesday, March 23, 2021 at approximately 5:30 PM at the MERIT Center located at 1001 West Erie Road in Marshall, Minnesota, to hold a public hearing on the proposal that the City abate property taxes levied by the City on the property identified as tax parcel numbers (collectively, the “Property”):

[insert PID nos.]

The total amount of the taxes proposed to be abated by the City on the Property is estimated to be not more than \$275,000. The City Council will consider the property tax abatement in connection with financing certain public improvements, including improvements to a restroom at Patriot Park in the City.

All interested persons may appear and be heard at the public hearing either orally or in writing, or may file written comments with the City Clerk before the hearing.

Due to the ongoing COVID-19 pandemic, members of the City Council and City staff will either participate in the meeting by telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, or in-person at the MERIT Center. Please refer to the City of Marshall’s website at or call City Hall at 507-537-6760 to learn how to attend the public hearing via telephone or electronically.

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