

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, June 10, 2025**

The regular meeting of the Common Council of the City of Marshall was held June 10, 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: Craig Schafer, See Moua-Leske, John Alcorn, James Lozinski, and Amanda Schwartz (Arrived at 5:45PM). Absent: Amanda Schroeder. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; James Marshall, Director of Public Safety; E.J. Moberg, Director of Administrative Services; Dean Coudron, Public Ways Supervisor; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

**Consider Approval of the Minutes of the Meeting Held on May 27**

There were no amendments to the minutes.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the minutes as presented from May 27. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer. The motion **Carried. 5-0**

**Approval of the Consent Agenda**

There were no requests to remove an item from the consent agenda for additional discussion.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to approve the items on the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer. The motion **Carried. 5-0**

- Consider Authorization to Declare Vehicles as Surplus Property for the Marshall Police Department
- Project PK-011 / SAP 139-090-006: C Street/Southview Drive Trail Project – Consider Authorization to Advertise for Bids
- Consider Approval of a Raffle Permit for the SMSU Foundation
- Consider Approval of the Bills/Project Payments

**Adoption of Ordinance Amending Section 86-29 Variances and 8648 Procedures**

Gutman explained that variance and conditional use permits may not have time limits, such as sunset provisions under Minnesota Statute. However, it was possible to place a time limit between granting a permit and its commencement or implementation. City attorney Whitmore confirmed that the city may place a limit if the work granted under the permit did not begin. The reason for this approach was that circumstances could change after a year or two, and a request that met the requirements for a variance or conditional use may no longer meet them. As a result, it would become reasonable to apply a “use it or lose it” concept. Notice in writing will be given to the permit holder and an extension may be requested. If an extension is not asked for, or not granted, the property owner would need to re-apply for another variance or conditional use permit. Mayor Byrnes asked for clarification if the time limit would be retroactive for permits or going forward. Attorney Whitmore said the limit would be going forward.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Lozinski to adopt Ordinance 25-004 Amending Section 86-29 Variances and 86-48 Procedures and authorizing its summary publication. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer. The motion **Carried. 5-0**

**Consider Implementation of a Fee for Commercial Use of the City Tree/Leaf Dump Site**

The city tree/leaf dump site was beginning to see a considerable expansion in use. Currently, there is no cost to use the site and is open to all users. With the Emerald Ash Borer being present in Lyon County and our community, staff have seen a significant increase in site utilization. To manage the site, the City Street Department has a staff member that needs to

spend time moving material with a front-end loader, nearly daily in the warm months. Staff estimated over ten hours per week with a front-end loader. Using our Fee Schedule rates for staff person with loader, resulted in an annual cost of \$93,600 for staff and machine time to manage the site. Commercial operators are bringing in the majority of the material and are doing so at a cost to the public. Therefore, staff recommended that a permit for commercial operators who are benefiting from the use of the City's dump site be implemented. City staff would send out notices to all known commercial operators within the area to inform them of the change and the required payment. Additionally, staff would post information at the site regarding the required payment for use by commercial operators. Staff would recommend that city residents' use should continue to remain free of charge. Because the site is always unmanned and open, it would be difficult to institute a fee for all users. Mayor Byrnes suggested that the posted sign also include notice the site was for City of Marshall residents only and permitted commercial operators. Hanson added that other tree sites in the region will only take smaller brushes and grass. Councilmember Lozinski commented on the burn permit with the State of Minnesota and how many trees were coming from county residents. Coudron weighed in on the issue of manning the tree site and monitoring efforts.

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to add a \$1,500 commercial operator permit for the tree dump/compost site use and to install a new sign that the site is for Marshall residents and licensed operators as well that the area is under camera surveillance. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0**

**Project ST-010: Lyon Circle Reconstruction Project - Consider Change Order No. 4 (Final) and Acknowledgement of Final Pay Request (No. 6)**

The project consisted of reconstruction of the street, curb and gutter, and utility replacement work. The sanitary sewer was replaced, along with service lines, and the storm sewer piping and intakes were replaced at the intersection of Lyon Circle and E. Lyon Street. Work also included pavement removal, aggregate base, concrete valley gutter, and bituminous surfacing. All work had been completed in accordance with specifications. Change Order No. 4 (Final) resulted in a contract decrease in the amount of \$7,907.10. Final Pay request No. 6 in the amount of \$15,063.34 resulted in a total contract amount of \$153,673.70, a net decrease of \$7,907.10 or -4.89% from the original contract amount of \$161,580.80.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to approve Change Order No. 4 (Final) and acknowledge Final Pay Request No. 6 in the amount of \$15,063.34 to A&C Excavating, LLC of Marshall. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0**

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

Interviews were held prior to the regular meeting for open positions on boards and commission. Mayor Byrnes appointed the following individuals:

Brienna Deutz to a first term on the Diversity, Equity, and Inclusion Commission with a term to end May 31, 2028.

Brent Snodgrass to a second term on the Airport Commission with a term to end May 31, 2028.

Gabriel Pieper to a second term on the Planning Commission with a term to end May 31, 2028.

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to confirm the appointments to the commissions. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0**

**Commission/Board Liaison Reports**

Byrnes

No report.

Alcorn	Public Housing Commission reviewed some projects that were moving forward that had went out for bid.
Lozinski	No report.
Moua-Leske	DEI Commission wrapped up Juneteenth planning.
Schafer	Airport Commission received a report on the ILS replacement project and talked at length regarding the fueling tanks.
Schroeder	No report.
Schwartz	Community Services Advisory Board discussed an input survey and would be meeting in the fall to review and prioritize future offerings. The Library Board discussed budget items.

#### **Councilmember Individual Items**

Councilmember Moua-Leske gave a presentation to the Adult Community Center members.

Councilmember Schafer commented on the Shades of the Past car show event.

#### **City Administrator**

Hanson also talked about the Shades of the Past show and the work of the street department replacing several dead trees along Lyon and Third Street.

#### **Director of Public Works/City Engineer**

Updates were given on the following projects: Mill and overlay project; Minnesota/Hill Street; and College Drive.

#### **City Attorney**

No report.

#### **Administrative Brief**

There were no questions about the Administrative Brief.

#### **Information Only**

There were no questions about the Information Only items.

#### **Upcoming Meetings**

There were no questions or comments about the Upcoming Meetings.

#### **Adjournment**

At 6:02 PM Motion made by Councilmember Lozinski, Seconded by Councilmember Schwartz to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0**

Attest:

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City Clerk

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Mayor