

## Regular Meeting – December 11, 2018

The regular meeting of the Common Council of the City of Marshall was held December 11, 2018 in the Professional Development Room at the Marshall Middle School, 401 South Saratoga 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, Steven Meister, Glenn Bayerkohler, John DeCramer, David Sturrock and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Glen Olson, Director of Public Works/City Engineer; Jim Marshall, Director of Public Safety; Karla Drown, Finance Director; Sheila Dubs, Human Resource Manager; Ilya Gutman, Plan Examiner/Assistant Zoning Administrator and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

There was a consensus to operate under the presented agenda.

### **Recognition of David Sturrock for his years of service on the Marshall City Council.**

Thank you to David Sturrock for his dedication to the city of Marshall as a City Council Member.

### **Consider approval of the minutes from the special meeting and regular meeting held on December 11, 2018.**

Member **Steven Meister** Moved, Member **Craig Schafer** Seconded to approve the **ORIGINAL** motion 'that the minutes of the special meeting and regular meeting on December 11, 2018 be approved as filed with each member and that the reading of the same be waived.'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0** Abstain: **1**. The motion **Passed. 6 - 0 - 1** with Lozinski abstaining.

### **Approval of Consent Agenda.**

Member **Steven Meister** Moved, Member **Craig Schafer** Seconded to approve the **ORIGINAL** motion 'the following consent agenda items be approved as presented.'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried. 7 - 0**

Approval of a Computer Information Services (CIS) Local User Agreement between Lyon County - City of Marshall and the City of Tracy and the City of Minneota.

Approval of the Commerce Industrial Park Second Addition - Introduce Plat and Call for Public Hearing.

Approval of Resolution Numbers Second Series regarding City of Marshall Retirements.

Call for a Public Hearing Regarding Proposed Property Tax Abatement.

Approval of the bills/project payments

**Consider Extended Memorandum of Understanding Between City of Marshall Police Department and Avera Marshall for another full-time patrol officer to be funded by Avera Marshall.**

On December 13, 2016, Council approved the Memorandum of Understanding between City and Avera Marshall. Under this MOU, it was agreed that the City would fund one additional position and Avera would fund another police officer position. The Extended MOU now references that Avera will now fund one additional police officer position, for a total of two officer positions funded for the next five years. It is understood that Avera Marshall will completely fund a patrol officer position in addition to the officer position currently being funded. The initial commitment is \$160,000 for the year 2019. This is a five-year commitment for funding 2019, 2020, 2021, 2022 and 2023. Both Avera funded patrol positions are not intended to serve exclusively at Avera. The police department and Avera hope for an enhanced presence by law enforcement at Avera facilities (both Bruce Street and Carlson Street locations), but there is no obligation and no expectation by Avera that additional officers will serve exclusively at the medical facilities. Considerable time and resources are already spent at Avera facilities. The MOU does set forth expectations for an enhanced presence, but there is no mandatory or obligated time provided for Avera medical facilities.

City Administrator Sharon Hanson introduced the item to Council. Director of Public Safety Jim Marshall provided additional information on the current and proposed MOU with Avera Marshall. Avera Regional CEO Mary Maertens discussed the MOU with Council. There was further discussion by Council and Staff.

Member **Craig Schafer** Moved, Member **David Sturrock** Seconded to approve the **ORIGINAL** motion 'Consider and approve the Extended Memorandum of Understanding between City of Marshall Police Department and Avera Marshall for funding an additional full-time patrol officer.'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **0** Abstain: **1**. The motion **Passed. 6 - 0 - 1** with Meister abstaining.

**Introduction of Ordinance Amending Sections 18 101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86 98 R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes and Call for Public Hearing.**

This summer, Paul Schierholz, owner of The Broadmoor Valley manufactured home park, informed the City staff that, in his mind, the City Zoning Ordinance is contradicting the State Statutes in its regulations of placing manufactured homes within residential districts other than R-5 Manufactured Home Park District. The staff reviewed the Ordinance and the State Statutes and concurred with Mr. Schierholz, determining that our Zoning Code is indeed in conflict with the State Statutes. Since the State Statutes always have priority over local ordinances, it was necessary to revise the Zoning Ordinance to match the State Statutes. The staff then made a decision to review the entire Ordinance for regulations pertaining to manufactured homes, beyond Mr. Schierholz request, to better meet the current needs and conditions and allow for improved coordination of provisions within the Ordinance. As a result, Sections 86-101 R-5 Manufactured Home Park District and 18 101 Installation were also significantly revised. State

Statutes require that manufactured homes be permitted in R-1 One Family Residence District with no additional conditions, so the staff removed specific requirements for manufactured homes installed in R-1 One Family Residence District and adjusted those requirements to apply to all residential structures. State Statutes also requires that Manufactured Home Parks be permitted as a Conditional Use in all residential districts allowing multiple family structures and this change was also incorporated into the Ordinance. Ordinances of several other cities have been analyzed and their provisions were considered in changing the City of Marshall Ordinance. During the October 10, 2018, regular Planning Commission meeting, proposed revisions were discussed and tabled to the next regular Planning Commission meeting on November 14, 2018, to allow staff to make some suggested changes. During the November 14, 2018, regular Planning Commission meeting, ordinance amendments, revised by staff to reflect Planning Commission comments, were discussed and recommended for adoption. All voted in favor of the motion. At the meeting on December 5, 2018, Legislative and Ordinance Committee voted to recommend to council the approval of Amendments to sections 18 101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86 98 R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes as recommended by staff with one minor change.

Plan Examiner/Assistant Zoning Administrator Ilya Gutman provided information on the item.

Member **Steven Meister** Moved, Member **John DeCramer** Seconded to approve the **ORIGINAL** motion 'Staff recommends, based on L&O Committee input, that the Council introduce the amendments to City Ordinance Sections 18 101 Installation, 86-71 Classes and enumeration of districts, 86-97 R-1 One Family Residence District, 86 98 R-2 One- to Four-Family Residence District, 86-99 R-3 Low to Medium Density, Multiple-Family Residence District, 86-100 R-4 Higher Density, Multiple-Family Residence District, 86-101 R-5 Manufactured Home Park District, and 86-165 Manufactured Homes and call for Public Hearing to be held on January 8, 2019.'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried. 7 - 0**

**Consider Maintenance Service Proposal with Benson Technical Works for MALSR at Airport.**

The FAA requires that the Airport MALSR be maintained by a certified technician. The current Maintenance Service Proposal for maintenance on the MALSR approach lighting is with Benson Technical Works, Inc. (BTW) for \$2,526.74 per year effective January 1, 2016 to December 31, 2018 (copy attached). The maintenance includes periodic maintenance and certification as defined by the FAA and the support of FAA ground inspections and FAA flight inspections. Per the attached email, we have been informed by BTW that the office is closing in June 2019, and BTW has agreed to continue its services with the City at the same rate through June 2019. As the contract will only be extended for 6 months, the total cost for the remainder of the contract will be \$1,263.37, billed on a quarterly basis. BTW has indicated that he was not aware of anyone providing the services that he provides to the airports for MALSR maintenance. The City will be searching for a certified maintenance person to continue this FAA-required maintenance.

Director of Public Works/City Engineer Glenn Olson presented the information to Council. There was further discussion by Council and Staff.

Member **David Sturrock** Moved, Member **Steven Meister** Seconded to approve the **ORIGINAL** motion 'that the Council authorizes the extension of the Maintenance Service Proposal with Benson Technical Works, Inc. for the “Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights” (MALSR) at the Airport until June 30, 2019.'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried. 7 - 0**

**Website Update/Revision Proposal.**

The City of Marshall website is out of date and in need of an update for the following reasons: When people visit our site, they see it as a reflection of our organization. We need to improve to a more professional and modern look. Information needs to be useful information, if the site looks poorly designed and structured and/or out-of-date they'll make the same assumptions about the City. The City's website needs to more mobile friendly (responsive design). Responsive Web Design is a collection of techniques that allow a website to flex and adapt to the size of screen it's being viewed on. Someone opening our site on a small smartphone could be shown on the same site as the person opening it on their laptop etc. A site redesign gives the City the opportunity to re-address how we communicate with all visitors and to write copy that is simple, on target and more effective – fresh and unique website content is a very important factor in encouraging people to revisit your site more often. A site redesign will increase usability, increasing how fast it is, making it easier to find information and decreasing “friction” when visitors are trying to complete whatever action it is they're trying to complete. The Revize website design allows staff to upload commonly used documents thereby decreasing dependence on others for simplistic tasks. Currently there are numerous websites operating independently causing lack of cohesive messaging and provided via contract with multiple outside vendors. The website updating will allow for a more collaborative website approach to all the City's websites. The City's website would increase citizen engagement-a factor increasing operational excellence. Alex Peterson, Media Communications will present the proposal and provide further information.

City Administrator Sharon Hanson introduced Alex Peterson Media Communication Specialist to present the item to Council. Council member Schafer commented on the translation ability to reach all members of the community. Council member DeCramer commented that this would replace the current provider to the website. Council member Sturrock discussed the ability to add other websites such as the Library's website. There was further discussion on the maintenance agreement.

Member **Steven Meister** Moved, Member **Craig Schafer** Seconded to approve the **ORIGINAL** motion 'Approve the quote from Revize in the amount of \$11,550 for website redesign and \$2,400 annual for a total of \$13,950;'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **1**. The motion **Passed. 6 - 1** with Bayerkohler voting no.

**City Branding and Messaging RFP.**

A simple brand narrative can have a major impact on your decision to visit a city, to buy its products or services, to do business there, or even to relocate there. Decisions, whether they are as trivial as buying an everyday product or as important as relocating a company, are partly rational and partly emotional. No human activity is exempt from this rule, and the brand images of cities underpin the emotional part of every decision connected with those places, which in turn affects the rational part. Branding is a tool that can be used by cities to define themselves and attract positive attention in the midst of an international information glut. Unfortunately, there is the common misconception that branding is simply a communications strategy, a tagline, visual identity or logo. It is much more. It is a strategic process for developing a long-term vision for a place that is relevant and compelling to key audiences. Ultimately, it influences and shapes positive perceptions of a place. Most of all, a branding project is anchored in a community's societal, political or economic objectives by focusing on its relevant differences, identifying the core promise that it makes to key audiences, and developing and consistently communicating the core, positive attributes of the place. Whether a place is looking to rebuild, enhance or reinvigorate its image, the first step is a comprehensive brand strategy. A steering committee was put in place that is comprised of local leaders who would like to see the City of Marshall promote the community in a more positive way. CVB Director Lauren Deutz will present the RFPs and explain background and process going forward.

City Administrator Sharon Hanson introduced Lauren Deutz CVB Director to present the item to Council via power point. There was further discussion by Council and Staff.

Member **James Lozinski** Moved, Member **John DeCramer** Seconded to approve the **ORIGINAL** motion 'approve the Request for Proposals for City of Marshall Branding'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **1**. The motion **Passed. 6 - 1** with Bayerkohler voting no.

**Schwan Regional Amateur Sports Center Service Agreement with Marshall Visitors and Convention Bureau.**

City Administrator Sharon Hanson provided discussion on the item and introduced CVB Director Lauren Deutz who presented the item to Council. Council member Schafer discussed room use the scheduling software could be used at both the Red Baron Arena and MERIT. Council member DeCramer discussed the costs of the proposed agreement. Director Deutz commented that it was the same rate.

Council member Lozinski discussed the revenue brought in from the arena and that the maintenance and operation cost out way that. Council member Schafer commented that the business model of the Red Baron Arena isn't operated as a regular business and it was approved by the voters of Marshall to be operated the way it is, the funds used for the arena are not from the general tax fund they are from the food and beverage tax collected throughout the City. There was continued discussion between Council and Staff.

Member **Craig Schafer** Moved, Member **John DeCramer** Seconded to approve the **ORIGINAL** motion 'to approve the Schwan Regional Amateur Sports Center Service

Agreement with Marshall Visitors and Convention Bureau.'. Upon a roll call vote being taken, the vote was: Aye: **5** Nay: **2**. The motion **Passed. 5 - 2** with Bayerkohler and Lozinski voting no.

**Consider Voluntary Reduction in Hours Program.**

Staff propose a two-year pilot program which would allow employees to voluntarily reduce their hours of work or elect a furlough from work for an identified block of time. The proposed program guidelines are attached. The program would be voluntary. Both the supervisor and employee would be required to come to agreement on the reduction of hours, subject to City Administrator final approval. Staff are proposing to implement this effective January 1, 2019 as a pilot program for two years. If there is interest from employees, and the program is effective in reducing costs without incurring negative operational impacts, staff would bring the program back to the Council as a policy addition for implementation January 2021.

Human Resource Manager Sheila Dubs presented the item to Council. There was continued discussion details of the program by Council and Staff.

Member **John DeCramer** Moved, Member **Craig Schafer** Seconded to approve the **SUBSTITUTE** motion 'that the Council approve a Voluntary Reduction in Hours Program as a two-year pilot program'. Upon a roll call vote being taken, the vote was: Aye: **6** Nay: **1**. The motion **Passed. 6 - 1** with Lozinski voting no.

**Consider Appointments to the Various Boards, Commissions, Bureaus and Authorities.**

Library Board, Three-year term to expire on 12/31/21:

Abbie Beolter

Linda Baun

Member **Steven Meister** Moved, Member **David Sturrock** Seconded to approve the **ORIGINAL** motion 'approval of appointments to the various boards, commissions, bureaus and authorities.'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried. 7 - 0**

**Commission/Board Liaison Reports.**

Byrnes                      Regional Development Commission met with business as usual.

Schafer                      No Report

Meister                      No Report

Bayerkohler              Planning Commission met and discussed the ordinance that was introduced this meeting.

DeCramer                      Marshall Municipal Utilities Commission met and discussed the purchase power agreement over the last four years and provided electrical savings

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throughout the City of Marshall were near \$10 million dollars. MMU passed their 2019 budget and discussed the auto metering system.

Sturrock No Report

Lozinski No Report

### **Councilmember Individual Items.**

Council member DeCramer brought up a concern from a citizen on snow being pushed out into the street then being pushed back up by snow plows and ultimately not being removed. This can become a hazard to others.

Council member Sturrock reminded Council to stay connected to their Wards and to make it a habit to speak with everyone and hear everyone. Member Sturrock also thanked staff for their work.

Mayor Byrnes thanked Council member Sturrock for his continued service to the City.

### **City Administrator**

City Administrator Sharon Hanson discussed the City of Minneota would not be renewing their ambulance license resulting in a territory coverage change. The City of Marshall's ambulance license, which is contracted to North Memorial Ambulance, overlaps with Minneota's previous coverage area. As a result, a majority of the said coverage area will be under the City of Marshall's license with Sanford's ambulance coverage and the City of Cottonwood maintaining the remainder of the coverage area.

Administrator Hanson also thanked Council member Sturrock for his support.

### **Director of Public Works**

Director of Public Works/City Engineer Glenn Olson provided information on future, 2019 projects.

### **City Attorney**

City Attorney Dennis Simpson commented on continued work for Special Assessments, Cable TV Franchise Agreements and real estate deals within the city.

### **Pending Items**

There were no questions regarding the pending items.

### **Information Only**

There were no questions on the information items.

### **Upcoming Meetings**

There were no questions on the upcoming meetings.



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**Adjourn Meeting**

At 7:08 P.M., Member **David Sturrock** Moved, Member **Craig Schafer** Seconded to approve the **ORIGINAL** motion 'Adjourn Meeting'. Upon a roll call vote being taken, the vote was: Aye: **7** Nay: **0**. The motion **Carried. 7 - 0**

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Mayor

Attest:

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City Clerk