

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

FROM: Sharon Hanson, City Administrator

DATE: October 10, 2023

SUBJECT: Administrative Brief

CITY ATTORNEY

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

- Attended meetings.
- Participated in discussions about farm leases.
- Worked with staff to coordinate annual charter commission meeting.
- Updated staff on PUCE park dedication case and new data opinions.
- Reminder to staff for municipal liquor to register by Oct. 1 for continuing with lower level hemp product sales.
- Assist public works with snow removal agreement.
- Participated in Rental Ordinance Review Committee and continued to revise ordinance based on Committee feedback.
- Worked collaboratively with staff on Planning Commission items.
- Conversations with Public Safety regarding the SRO (school resource officer) situation and possible legislative next steps.
- Updated staff on status of PFAS national litigation.
- Continued discussions about Cannabis Use in Public. Met with Parks Advisory Board. Discussed County approach with County Attorney.
- Worked with MMU to answer some employment questions and assist with employment policies.
- Sent staff sample PowerPoint for staff to use to train Planning Commission.

Work of other K&G Attorneys:

- Attorney Gilchrist reviewed contract documents.
- Attorney Gilchrist provided insight on connection to sewer question.
- Sarah Sonsalla prepared deed restriction.

CITY PROSECUTOR:

	ASSAULT	OFP	DWI	OTHER	TRAFFIC	THEFT	OTHER	TOTAL	2022
		VIOL.		ALCOHOL				2023	Comparison
Prosecution			4		8	7	5	24	16
Dismissed									
Non-	1	1			1	2	3	8	8
Prosecution									
Refer to									1
County									

ADMINISTRATION

- Met with MMU regarding the annual partnership agreement. This agreement will be presented to the Council in the month of October by MMU General Manager.
- Met with citizen led group to discuss Redwood River bank erosion and possible future collaboration with MN DNR, Soil and Water Conservation District, Area II and Lyon County to find solutions for funding and best management practices. A future meeting will be arranged with all in attendance.
- Staff continues to share information on the aquatic center, especially election/voting information. We have planned advertising in newspapers, Facebook and final coffee conversation events. A grant application for Bremer Otto Foundation was also submitted this past week—but feel that any grant will be very competitive based on overall need by every entity and goals of the grantor organization.
- Met with Baker Tilly regarding general finance matters and also met with Southwest West Central Cooperative (SWWC) on a pre-development agreement for a new SWWC Office building. Currently the SWWC must undergo a MN Dept of Education review which will not be concluded until the end of the year for this project.
- Wrote newspaper column for Marshall Area YMCA and their 20th anniversary.
- Met with Community Services Advisory Board with a good discussion on cannabis use in parks. City
 Attorney Pam Whitmore presented information on cannabis authority for the state and the city. The
 Advisory Board may provide a recommendation to the L&O Commission and City Council but was not
 able to reach a clear consensus and will consider again in the near future.
- Other meetings and work this past month: attended Taste of Marshall, Avera meeting to discuss pension
 agreement from the sale of the hospital as part of an annual requirement, EDA Board meeting, League of
 MN Cities Board meeting, various staff meetings.

Economic Development Authority

- Project Horizon Public Hearing was held on September 13th for the developer's Job Creation Fund request. The application will now be sent to the DEED Commissioner for final approval for \$760,000 in assistance.
- Main Street Revitalization Grant All but four applications have been sent onto the SWIF for review and applications have started being sent to MNDEED for final approval.
- Hotel Tax abatement estimates are being negotiated. Architect has started discussions with plan review department on the development of the final site plan.
- CTI- Business drive has started.
- Kwik Trip- Slated to open 2024.
- Housing Development Staff was notified that neither application was selected.
- by the State. The developer intends to resubmit for the next funding cycle.
- SWWC- Staff is working through a predevelopment agreement for a site located on London Road.
- Daycare- Staff has a group interested in opening a daycare center so we are completing facility assessments on existing businesses in partnership with SWIF.

Human Resources

• Staffing: the City will welcome Kim Swalboski in the position of Training Facility Coordinator at the MERIT Center on October 16th. Staff will initiate recruitment for the Mechanic position in our public works division; the employee in this position will be retiring at year end. Recruitment efforts continue for the Police Officer positions and a variety of temporary/seasonal positions.

- Safety: all staff will be trained in Fire Safety, Fire Extinguishers, and our Emergency Action Plan.
- Benefits administration: Staff will be meeting with the Employee Insurance Advisory Committee on
 October 6th to review our health and dental renewal information. A work session is scheduled for
 October 10th to review this information with the Council; our National Insurance Services broker, Bill
 Chukuske, will present the renewal information. Staff will then present the benefit information with the
 Council at the regular meeting on October 24. A benefit fair for employees will be held on October 31st
 and our open enrollment period will be from November 1-13, 2023.

Clerk

- Absentee voting began on September 22 and is in full swing. Absentee voting will continue until November 6th.
- Updated various forms and application to be more consistent with city branding.
- Licenses and permits for Tobacco, Liquor, Special Vehicle, and Taxi renewals are going out.

Finance

- Staff continues to review upcoming possible capital projects and had conversations with various staff
 about timing/scheduling, project costs, and cash flows and had conversations with BakerTilly about
 financing options, as necessary.
- Quote for auditing services from BerganKDV (current auditors) will be on the agenda. The quote is for 2 years (year-ends 2023 and 2024).
- Farm lease proposals will be on the agenda. If approved by Council, rental income collected in 2023 of \$63,564.90 will increase to \$121,800.95 in 2024.
- The Director of Administrative Services and the Finance Director continue to participate in meetings and training sessions with Questica to implement their budget suite for operating, personnel and capital modules.

Assessing

No Report

Liquor Store

- September Financials: Sales 631,216 + 4.65%, Customer Count 18,358 + 3.08%, Ticket Average \$34.38 + 3%. Overall a good month for financials considering September is one of the slower months in the year.
- THC edibles/seltzers continue to pick up steam with customer trial and purchasing. Sales for the month was \$17,000, an increase from August. We brought in a few more brands with this category recently.
- Staff is getting the store set for the change in seasons (Oktoberfest/Thanksgiving) and also the holiday shopping season.

COMMUNITY SERVICES

Parks & Recreation

- Work is moving along quickly on the new Picnic Pavilion at Amateur Sports Complex.
- Applied for 2 DNR Grants for tree related funds and Emerald Ash Borer.
- Continue to talk to groups and businesses on Aquatic Center project.
- Starting to winterize facilities for the season.
- A new backstop for Legion Field has been ordered with installation hopefully this fall yet working with contractors on pricing.
- Continuing to help with the new court area at SMSU installation of hoops will take place in the next week this has been great community effort with local contractors and suppliers.
- Thank you to Andrew Suby State Farm for hosting the local Punt, Pass & Kick competition, 91 youth competed in this yearly Fall event.

• 30 new skaters ages four to nine are trying "intro to hockey" this Fall at the Red Baron Arena, thank you to the Tiger girls hockey athletes and coaches for helping these future players.

Community Education

- DEI Welcome Week was held on September 19th with an excellent turnout.
- Community Education classes continue to be held for the Fall session.
- Gathering information and details for the Winter/Spring brochure.
- Driver's Education Session 4 starts on October 23rd and is full with a waiting list.
- 35th Anniversary Celebration at the Adult Community Center Friday, Oct 13th.
- Gathering data for State Annual Report.

Studio 1

No report.

COMMUNITY PLANNING

Building Services / Planning & Zoning

- About 200 open permits.
- Two Avera projects, Family Dollar, Kaukauna mall built out, and Kwik Trip (E College Dr) are the largest projects under construction.
- Sign ordinance is being reviewed.

PUBLIC WORKS DIVISION

Engineering

- Project ST-002-2023: Bituminous Overlay Project (Duininck, Inc.) Final change order and payment at the 10/10/2023 Council meeting.
- 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-008: Channel Parkway Resurfacing (Duininck, Inc.) Will be meeting with the contractor the week of 10/09/23 to review final punch list items.
- Project ST-009: N. 3rd St./W. Lyon St. Reconstruction (R&G Construction Co.) Sidewalk and street light
 installation is complete. Concrete paving on Lyon Street is completed thru the intersection of 4th Street
 including asphalt patches. Concrete paving should be completed the week of 10/09/23 up to 5th Street.
- Project SWM-002: Legion Field Stormwater Project Phase II (Parkway Basin) (Towne & Country Excavating LLC) Site restoration in the pond is complete. Asphalt paving will take place the week of 10/09/23 followed by more site restoration. A punch list will be created on the project.
- Project MMU-001: TH 23 Watermain Crossing Project (TE Underground LLC) Anticipated final change order and payment by MMU to TE this month.

Building Maintenance

No report.

Street Department

No report.

Airport/Public Ways Maintenance

No report.

Wastewater

- Completed the review of the draft NPDES permit. The MPCA will now prepare the permit for the 60-day public comment period which should start on October 16th.
- The EPA has given preliminary approval for our chloride variance.
- Staff have completed 250 preventative maintenance work orders in the last 30 days.
- The water softening rebate program is now open to do-it-yourself installations and a rebate is being offered for water softener removals.
- Sampled biosolids and preparing equipment for fall biosolids application.
- Taking down an ATAD reactor for inspection.
- Replaced a sidewalk in the plant.
- Running a trial with sodium aluminate instead of ferric chloride for phosphorus removal.
- Adding a second permanent chemical injection point to increase efficiency for phosphorus removal.
- Soil sampling various fields for biosolids application when crops are removed.

PUBLIC SAFETY DIVISION

Fire Department

- The Fire Department responded to twenty-two (22) calls for service. Total calls for service included:
 - o Fire/CO2 Alarm (11)
 - o Fire; Structure (6)
 - Medical Assist (0)
 - Vehicle Accident (5)
 - Other Assist (0)

The Fire department will be coordinating with the schools in October to talk about Fire Prevention Week. On October 12th, the MFD will be hosting their open house event and fundraiser.

Police Department

The Marshall Police Department responded to a total of 901 calls for the month of September. 79
criminal offenses were reported with a total number of 35 adults and 1 juvenile arrested.

OFFICER'S REPORT

- Alarms (27)
- o Accidents (40)
- Alcohol involved incidents (4)
- o Assaults (9)
- Domestic Assaults (15)
- Burglaries (3)
- Criminal Sexual Conduct (0)
- Damage to Property (1)
- Keys Locked in Vehicles (28)
- Loud Party (4)/ Public Disturbances (7)
- o Thefts (33)
- Traffic Related Complaints (150)
- Vandalism (3)
- Warrant Pickups (12)
- Welfare Checks/Mental Health (25)
- The police department currently has two full-time police officer positions open. Applications will be received until the positions are filled.

- The 9/11 memorial service was held and had a nice turn-out from the public. Kelly Wasberg of the Minnesota National Guard was the keynote speaker.
- Marshall Police Officers participated in the SMSU Career Fair and the Community Services Welcoming Event in September. Officers also were invited to a walk-through of Turkey Valley Farms and had discussion on procedures related to responding to emergency events at their facility.
- Police Department Administration continues to follow state discussion related to SRO Programs and how new legislation has impacted SRO programs in many communities. Communication with the Marshall Public School District regarding concerns raised will continue.

Detective Report

- Detectives assisted agents with the Brown-Lyon-Redwood-Renville Drug Task Force with the arrest of a 20-year-old St Paul man on the campus of Southwest Minnesota State University on arrest warrants for second degree murder and controlled substance crime.
- The death of a Marshall baby is under investigation. Two additional death investigations were completed during the month by the Detectives.
- A 36-year-old Minneapolis man was arrested for Predatory Offender Registration Violations at the completion of an investigation.
- Twenty cases of theft, seven cases of theft by swindle, and two identity theft cases were investigated in September.
- Nineteen child protection reports and three reports from the Minnesota Adult Abuse Reporting Center were investigated jointly with Southwest Health and Human Services.
- Sgt. Buysse attended the BCA's Threat Liaison Officer Certification in Rochester on September 27th.

MERIT Center

• The MERIT Center Coordinator position was reposted after adjusting the desirable qualifications for the positions. Candidates were interviewed and Kim Swolboski was offered the position. Her start date is October 16th, 2023.