

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

FROM: Sharon Hanson, City Administrator

DATE: September 12, 2023

SUBJECT: Administrative Brief

CITY ATTORNEY

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

- 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.
- Answered contract questions from Public Works.
- Discussed first amendment concerns related to activity in parks.
- Addressed Franchise question related to ROW users.
- Attended Legal Executive Committee.
- Drafted or finalized agreements, including lease agreements.
- Continued discussions about Cannabis Use in Public. Drafted requested ordinances for L&O consideration. Touched base with the county to report back to L&O.
- Continued working with staff on existing and new code violations.
- Worked with MMU to answer some employment questions and assist with employment matter.
- 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 recent conflict of interest question.

CITY PROSECUTOR:

	ASSAULT	OFP	DWI	OTHER	TRAFFIC	THEFT	OTHER	TOTAL	2022
		VIOL.		ALCOHOL				2023	Comparison
Prosecution	2		3		5	5	4	19	15
Dismissed									
Non-									
Prosecution									
Refer to									
County									

ADMINISTRATION

This past month included the following meetings and work:

- Discussed with Stockwell re-use of the current aquatic center site and planned for September 7th Community walk-through.
- Worked with Park and Recreation Superintendent on aquatic center funding discussions-Bremer, Bank local citizen group meeting and researching grant opportunities. Wrote and submitted a local grant request.
- Reviewed MN DNR grants for tree/Ash Borer replacement programs. Also reviewed awarded Independence Park Shelter grant requirements. Due to the Independence Park Shelter grant being federal funds, there will be additional requirements and we will not be able to bid-out the project until 2024.
- Attended with Mayor and Public Safety Director Marshall the Downtown Business Association mtg to discuss crime and community reduction strategies.
- Met with University of MN consultant on an updated sales tax study to determine sales tax paid for by out of Marshall residents. The sales tax paid by individuals outside of Marshall is estimated at 67%, up from 40% in 2012.
- Attended with Mayor meeting with North Memorial Ambulance Service on the City of Marshall's license regarding basic and advanced life support and the changing revenue and expenditure streams.
- Met with Lyon County Administrator Loren Stomberg regarding Lyon County Museum funding as well as general City and County matters.
- Worked with Community Services staff and City Clerk on updating the Aquatic Center webpage to include information regarding voting information for the November 7, 2023, special election.
- Met and discussed numerous times with Administrative Services Director regarding the 2024 Budget and Levy.
- Met with Public Works Director and Airport Commission Liaison Schafer, and airport consultant regarding hangar development, general airport lease rate standards and future agreements.
- Planned and assisted with 1872 Ribbon Cutting with President Pro-Tem Schafer leading the ceremonies.
- Reviewed, discussed and completed several personnel items-policy updates completed by HR Manager, annual performance evaluations, staff discussions regarding policy and general management items, staff discussions regarding projects and issues.

Economic Development Authority

- Presented to the Marshall School Board meeting on the CTI center business sponsorship campaign.
- Continuing to work with industrial developer on State funding programs and workforce development opportunities.
- Scheduled 2023 EDA bus tour for November 3rd.
- Finalizing land sale for Midwest Shop Condos in Commerce Industrial Park.
- Completing predevelopment agreements for two future projects.
- Block 100: Leasing is now open and first tenants have moved in.
- Shopko: Working with building owner on additional site requirements for future tenants.
- East College Grants: Applications have been submitted to SWIF for second phase of review. Starting to send applications onto MNDEED for final review and approval.

Human Resources

- Staffing: applications are being accepted for the MERIT Center Training Facility Coordinator, Police
 Officer, and a variety of temporary/seasonal employees.
- Safety training: select city staff were trained in Lockout Tagout, Bucket Training/Rescue, Fall Protection, Confined Space Entry, and a make-up session for CPR/1st aid training.
- The Minnesota Department of Labor just announced that minimum wage rates in MN will be adjusted for inflation effective 01/01/2024 from \$10.59 to \$10.85, a \$0.26 increase per hour. HR will facilitate a review of our temporary/seasonal wage schedule for 2024. The Personnel Committee will review and consider any recommended amendments.
- The City's Health Care Savings Plan MOU's through the MN State Retirement System for each union and the non-union groups expire on 12/31/2023. HR staff will initiate a review of the agreements for renewal and bring to the full Council for consideration. The Employer (City) realizes substantial savings in payroll taxes as a result of these agreements.

Clerk

- Continued progress during the Rental Ordinance Committee meeting, should be getting close to a final draft to present to the Legislative & Ordinance Committee.
- Attended a MCFOA Region V meeting hosted here in Marshall.
- Finalized ballot proofs for the Aquatic Center Special Election and continuing to make headway on election items.
- A draft ordinance regarding golf cart usage will be coming to the Legislative & Ordinance Committee in October.

Finance

- 2024 Budget: staff continues to review the preliminary budget and levy and will bring recommendations regarding the 2024 preliminary budget and levy for consideration. The information must be certified to Lyon County by 9/30.
- The annual required publication of Tax Increment Financing district activity was published on 8/12 for 2022 transactions.
- A request for proposals for leasing city-owned ag land was published on 8/26 with proposals due and publicly opened and read at 11 AM on 9/21 – the request for proposals, instructions to responders, proposal forms, locations, and farming lease documents are available at http://ci.marshall.mn.us/farm

Assessing

- Staff continues to work on the 2023 quintile inspections and has begun work reviewing building permits issued thus far.
- Continue to assist with budget items as requested.
- We have been busy processing sales as we enter the last month of our yearly sales period to be used to determine 2024 EMVS (10-1-2022 to 9-30-2023)
- Any new/newer council members that wish to learn more about the assessment process are invited to stop by and visit Dave. Also don't forget to enroll in the LBAE training!

Liquor Store

- August Financials: Sales \$655,356 +7.1%, Customer Count 19,091 +4.35%, Ticket Average \$34.33 +2.63%. Summer is still hanging on with increased traffic at the store.
- THC Seltzer/Edibles have seen a dramatic increase in demand from July. Sales were \$13,500 for the
 month of August. We are seeing about a 50/50 split between liquid form and gummies/ chocolates.
 Many customers are trying the single serve cans to see if they like it the product. Overall a favorable
 reaction to these products from "repeat" customers.

COMMUNITY SERVICES

Parks & Recreation

- Marshall schools are back in session with many opportunities for youth to get involved with thru the
 recreation department this Fall including, soccer, tennis, bicycling, rugby, gymnastics, curling, hockey,
 volleyball and football.
- 2nd-8th grade flag and tackle football continues to be the most popular Fall sport with 236 players participating.
- Construction has begun on the new picnic pavilion at the Amateur Sports Complex.
- Additional staff time has been dedicated to watering plants and trees with lack of rain.
- Continuing to educate and inform groups on the Sales Tax Vote for the Aquatic Center.
- Reviewing DNR Grants for assistance in Emerald Ash Borer, currently 2 grants that City staff will apply for that require no matching funds.
- Working to finalize agreement for shared facility use with SMSU.
- Putting specs together for bidding documents on Legion Field improvements.
- Setting up Stage for Hopfest and Prairie Jam events.

Community Education

- The Adult Community Center continues to develop and implement programming for older adults. The Senior Gardens Grant is complete, gardens are doing well- free produce through the garden and community donations is available to all guests in the facility. The ACC was recently awarded a \$1600 grant to begin a new program, "Bingocize." Staff will become trained instructors and hope to begin a series of the program later this fall. Facility needs and a 5-year plan are being developed over the next several months. Plans are underway for the facility's 35-year anniversary celebration on October 13th.
- Jasmine DeSmet started as the new Community Education Coordinator on August 28th.
- Fall CE Community Education Classes will start the week of Sept 11th. There are sixteen course offerings ranging from Robot Adventures a Pioneer Camp!
- The DEI Commission is hosting Welcoming Week on September 21st from 5-7pm at Justice Park.

Studio 1

- In the month of August, we added wireless internet access to more security cameras throughout our parks allowing easier access to playback footage in a timely manner. This also allows the cameras to be maintained and updated automatically, saving staff time several times per year. We will continue to work on solutions to add internet connectivity to more cameras in the future.
- Studio 1 attended the Sounds of Summer events to capture still photos and video clips to create a highlight film of the whole weekend to share on social media and the Studio 1 channel.
- I attended the MN Statewide Emergency Communications Exercise at Camp Ripley and served as an event planner and evaluator. I worked directly with over 70 emergency communications staff from around the state as well as the Air Force and MN National Guard to exercise joint interoperability communications paths that would be used during disasters or other significant events. A short video about the event can be found at https://www.youtube.com/watch?v=7acpmwLRAp4
- 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.
- Two Avera projects, Family Dollar, Kaukauna mall built out, and Kwik Trip (E College Dr) are the largest projects under construction.
- 1 new duplex approved.

PUBLIC WORKS DIVISION

Engineering

- Project ST-001-2023: Chip Seal Project (Allied Blacktop Company) Final change order and payment at the 09/12/2023 Council meeting.
- Project ST-002-2023: Bituminous Overlay Project (Duininck, Inc.) Anticipated final change order and payment at the 09/26/2023 Council meeting.
- Project ST-004: Halbur Road Reconstruction (Duininck, Inc.) Anticipated final change order and payment at the 09/26/2023 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.) Concrete work is complete, bituminous paving, striping, and site restorations will take place the week of 9/11/23.
- Project ST-009: N. 3rd St./W. Lyon St. Reconstruction (R&G Construction Co.) Underground utility work is complete on the project. The gravel is graded and sidewalk removals are complete so the electrical and concrete work can proceed along Lyon Street.
- Project ST-032: Ralco Parking Lot Project (D&G Excavating, Inc.) Project is complete. Final change order and payment at the 09/12/2023 Council meeting.
- Project SWM-002: Legion Field Stormwater Project Phase II (Parkway Basin) (Towne & Country Excavating LLC) Anticipate excavation (clay removal) to be completed by 9-12-23 on the pond. Towne & Country will then lay the drain tile in the bottom of the dry pond and connect the storm sewer from the railroad crossing to the pond. Site restoration will start following the completion of the excavation.
- Project MMU-001: TH 23 Watermain Crossing Project (TE Underground LLC) Project is 90% complete. TE Underground has to do final connections from new to existing pipes, and then start site restoration.

Building Maintenance

No report.

Street Department

- Asphalt patching various streets throughout the city.
- Painting crosswalks, stop bars, turn- arrows and bike chevrons throughout the city.
- Repairing catch basins
- Street sweeping
- Crack filled North 7th St, Jewett St, 3rd St, C St, Library parking lot, the Atlantic Place parking lot and bike trail from Airport Rd to Victory Park. Will be doing more this fall as time permits.
- Tree trimming and removal.
- Sir Lines-A-Lot painting company will be in town to paint the seal coat and overlayed streets next week or the beginning of the following week.
- Receiving road salt bids which are due September 12, 2023

Airport/Public Ways Maintenance

- Turf maintenance on City-owned property throughout the city.
- Painting threshold lights and control boxes on the ILS landing system.
- Replacing T Hangar area lights with LED fixtures.
- Replacing 9 hanging electric heaters in the Red Baron hangar to infrared heaters.
- E and K Construction will be replacing the exterior metal on Hangar 1622 (old Midwest shop) later this month.
- Crack filling runways, apron area and parking lots this fall.
- Replaced two overhead doors in T Hangars.
- Weed spraying Corps levee system and City-owned property throughout the city.

Wastewater

- Staff have completed 277 preventative maintenance work orders in the last 30 days.
- Commercial visits to promote the water softening grant program are ongoing.
- Televising of sanitary on 3rd & Lyon complete, some storm remaining.
- Various exterior painting is underway.
- We have received our draft permit and are reviewing it.
- Working on our chemical addition system piping.

PUBLIC SAFETY DIVISION

Fire Department

- The Fire Department responded to twenty-three (23) calls for service. Total calls for service included:
 - o Fire/CO2 Alarm (14)
 - Fire; Structure (8)
 - Medical Assist (0)
 - Vehicle Accident (1)
 - Other Assist (0)

Police Department

• The Marshall Police Department responded to a total of 938 calls for the month of August. 111 criminal offenses were reported with a total number of 39 adults and 2 juveniles arrested.

Officer's Report

- The Police Department responded to the following:
 - o Alarms (22)
 - Accidents (28)
 - Alcohol involved incidents (1)
 - Assaults (8)
 - Domestic Assaults (11)
 - o Burglaries (10)
 - Criminal Sexual Conduct (2)
 - Damage to Property (4)
 - Keys Locked in Vehicles (24)
 - Loud Party (6)/ Public Disturbances (9)
 - o Thefts (37)
 - Traffic Related Complaints (123)
 - Vandalism (22)
 - Warrant Pickups (18)
 - Welfare Checks/Mental Health (38)
- The police department currently has two full-time police officer positions open. Applications will be received until the positions are filled.
- A new community service officer was hired. Chase Dagan began his employment on September 5th, 2023.
- The Marshall Police Department held the annual National Night Out event in August.
- Police Department personnel also met with downtown business owners to address the trespassers on their roof tops and recent break-ins to their businesses. Since the meeting, four juveniles have been caught on the roofs and charges are pending. Additional discussions will take place at a "lunch & learn" event hosted by the Marshall Chamber Office in October.

Detective Report

- A 29-year-old Marshall man was arrested at the completion of multiple criminal damage to property investigations involving vandalism to City of Marshall Parks and property owned by a Marshall business. The man was charged with felony criminal damage to property.
- A 26-year-old homeless man was arrested for 2nd degree assault. Detectives assisted with a search warrant.
- Multiple incidents of theft from a Marshall store are under investigation. Twenty-four cases of theft and ten burglaries were investigated during the month of August.
- Four auto theft cases are under investigation.
- Four deaths were investigated during the month.
- Fifteen child protection reports and nine reports from the Minnesota Adult Abuse Reporting Center were investigated jointly with Southwest Health and Human Services.
- A pre-employment background investigation was completed on a candidate for a Community Service Officer position.
- Sgt. Buysse and Det. Sandgren assisted with National Night Out at Independence Park on August 1st.
- Det. Kopitski completed Internal Affairs Investigation training on August 15th.

MERIT Center

• Interviews were conducted of applicants for the MERIT Center Coordinator position. After much consideration, it was determined the position would be re-opened for more applicants.