

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

FROM: Sharon Hanson, City Administrator

DATE: January 14, 2025

SUBJECT: Administrative Brief

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**CITY ATTORNEY**

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

- Attended meetings.
- Answered rental ordinance questions and code compliance.
- Worked on assisting City with finding neutral.
- Prepared informational memo for Council regarding Closure Statement and statutory process for manufactured park closings.
- Touched base with staff regarding necessary Charter Commission annual meeting and attended Charter Commission meeting.
- Review MOA No. 697DCM-25-L-00010 between City and FAA and provide feedback.
- Worked on legal agreement.
- Discussed emergency service aid and next steps.
- Revised proposed amendments to graffiti ordinance and discuss with staff/City Administrator.
- Reviewed garbage hauler contract.
- Answered Facebook posing questions.
- Reviewed question from I. Gutman regarding a CUP for 212 Carrow Circle.
- Reviewed Marshall Golf Club Agreement, revise and send to client.
- Discussed of joining meeting remotely and requirements.
- Discussed Chicken Ordinance with staff.
- Reviewed MPCA resiliency grant.
- Drafted Temporary Cannabis Event ordinance.
- Reached out to litigation attorneys for Schierholz to get payments for deposition time.
- Worked on press releases with staff.
- Updated staff on OCM's decision to abandon the pre-approval process and providing OCM's new timelines.
- Answered questions about Resolutions versus Ordinances and sent overview.
- Reviewed MMU commission agenda.
- Drafted Resolution for Lease Agreement.
- Drafted Resolution for approval of Golf Course contract.
- Discussed comments at meetings related to Broadmoor.
- Reviewed planning commission materials for meeting.
- Reviewed and have meeting on public works question.
- Discussed with Preston and Sharon regarding CVB and Marshall Sports commission.
- Reviewed LSS contract for Katie Brusven.

- Reviewed fire contracts city has with townships and opine on interpretation of certain provisions.
- Responded to attorneys for Schierholz & Associates related to trial subpoenas.
- Answered question from I. Gutman regarding public hearing in front of PC which did not get published with sufficient time because of paper's holiday schedule.
- Sent clerk template for Order for court to fill Charter Commission vacancy.
- Responded to question about reselling bleachers (and learned about a relevant statute from Sharon all at the same time!)

**CITY PROSECUTOR:**

**October:**

	ASSAULT	OFF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2024	2023 Comparison
Prosecution	2		4		8	8	2	24	23
Dismissed									
Non-Prosecution	3	1			1			5	10
Refer to County								1	1

**November:**

	ASSAULT	OFF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2024	2023 Comparison
Prosecution	4		14		7	9	1	35	21
Dismissed									
Non-Prosecution	1						1	2	8
Refer to County									

**December:**

	ASSAULT	OFF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2024	2023 Comparison
Prosecution	4		7	1	4	7	1	24	30
Dismissed									
Non-Prosecution	4	1				1	2	8	
Refer to County			1					1	

**ADMINISTRATION**

- This past month several conversations regarding the Broadmoor Valley closure notice and subsequent planning for upcoming public hearing.
- The city has settled and approved union agreements with Law Enforcement Labor Services (LELS), AFSMCE union has been scheduled for mediation on Tuesday January 21<sup>st</sup>.
- Township representatives have requested a meeting with city officials to discuss annual township fire contracts. Staff have been discussing the formula and its history. In recent years, townships have pursued

less expensive options for fire service with neighboring fire departments that have resulted in questions on the cost of Marshall Fire Department service to township. Marshall Fire Department utilizes a formula most identical to League of MN Cities/Assn of Townships formula/model agreement. However, this formula- which is based on population, service calls, taxable value of property, operational budget-has meant a much higher rate than surrounding fire departments rates. Staff have argued that the level of service is different in ways that result in higher costs. An existing mutual aid contract among all fire departments means that one fire department can serve as a safety net for another fire department and thus the true costs of fire service are not entirely reflected in certain township contracts. One important item that we need to be aware of for 2025 is that townships are likely to reduce the number of sections contracted with the Marshall Fire Department, which in turn will mean less revenue than budgeted for in 2025.

- Leadership team have been discussing the year ahead in terms of goals and projects. We will review in the upcoming month as to how it relates to the city's recently adopted Strategic Plan.
- State of the City has been set for February 26<sup>th</sup> and initial discussions have occurred on topics and presentation material.

### **Economic Development Authority**

- Staff attended Community Venture Network in Lakeville and heard business pitches from eight companies looking to expand.
- Staff continues to work with Revocity on the development of a hotel adjacent to the Red Baron Arena. The developer is pursuing incentives but staff has requested additional financial information on the projects proforma.
- Work continues at the former Shopko building for the new Marshalls department store. Interior framing is complete and contractors were on site this week installing roof units.
- Solugen representative will be attending EDA Board meeting in January to provide project updates.
- Staff continues to work with MNDEED on three State RFI's that Marshall is flagged as finalists for site selection. The State has provided incentive proposals to all three developers for review.
- 20 of the 26 East College Grant recipients have been issued payment.
- Staff is currently reviewing and updating the EDA Strategic Plan from 2023.

### **Human Resources**

- Staff are completing the many various reporting requirements due on an annual basis: completion and distribution of W-2's, annual PERA reporting, 1095 audit and prep, GASB 75 reporting, workers compensation audit, and OSHA 300 logs.
- The AFSCME union agreement expired on 12/31/2024; however, in accordance with the law, the existing contract remains in place until a successor contract is agreed upon. Staff have had two negotiations sessions with the AFSCME representatives to date. The City filed for mediation in December. The Bureau of Mediation Services has scheduled mediation for January 21, 2025.
- The new MN law on paid leave benefits will be effective on January 1, 2026. The statute outlining this new benefit is in place, but the rule-making process has not yet been completed by the State. Staff continue to monitor the progress and will be prepared to implement a personnel policy that complies with the law, as well as provide the necessary information to supervisors and employees to educate them on this benefit. This paid leave program is different than the earned sick and safe time leave approved by the State in 2023. The new paid leave program will provide job protections and partial wage replacement to employees who are unable to work due to a qualifying condition lasting at least 7 days. The benefit payments will be paid directly to an employee by the State of MN.
- Safety program: employees received training on AWAIR, employee right to know, hazard communication, bloodborne pathogens, and personal protective equipment---each of these topics are required by OSHA on an annual basis for all employees.

## **Clerk**

- The Marshall Charter Commission met and nominated Nathan Doose as chair, Mark Mather as vice-chair and Mike Fox as secretary. The commission recommended that James Zmeskal be appointed to the commission as there were openings and recommended that an annual report be submitted to the Chief Judge of the Fifth District Court.
- The Ways and Means Committee discussed alley reconstruction projects and a cost share policy amendment with property owners.
- Met with the Director of Public Safety, Fire Chief and City Administrator to review upcoming township fire service agreements.
- Renewals of liquor and tobacco licenses were completed. 15 On-Sale Intoxicating Liquor, 3 On-Sale Wine, 3 On-Sale 3.2% Malt Liquor, 12 3.2% Off-Sale Malt Liquor, and 13 tobacco licenses were reissued for 2025. Two low-potency THC edible licenses were also issued until the Office of Cannabis Management begins their new licensing process.
- Renewals of animal, UTV, and mobile food vendors continues.

## **Finance**

- 2025 Budget – The 2025 budget was adopted in December 2024. The Finance Director has generated electronic copies of the budget book. Copies have been sent to Council and staff and posted on the City's website.
- 2024 Audit – Staff will be working to close out 2024 and will continue to prepare information for our auditors over the next few months.
- 2025 Bonding – The bonding process to ensure funding is secured for 2025 projects has started. The tentative plan is our yearly project bonding will be completed at the same time as any aquatic center bonding (with separate issuances). The current plan for timing includes resolutions authorizing the sales in March, with sale of the obligations in April and receipt of the proceeds and settlement of the obligations in May.

## **Liquor Store**

- December Financials: Sales \$774,128 (8.7%), Ticket Count 19,117 (7.46%), Ticket Average \$40.49 (1.34%). December numbers were not as good as 2023. For the year total sales for 2024 were slightly higher than 2023.
- Staff have started the annual dusting/detail cleaning of floor display shelves.
- *Cold Days Hot Deals* marketing focus will run January and February in an effort to drive customers back into the store after the holiday season.

## **COMMUNITY SERVICES**

### **Parks & Recreation**

- Work continues on redesign of The Splash – new rendering has been received and will be meeting with construction manager(s) and architect and engineers in coming weeks to work towards re-bid.
- Completed reimbursement for Re-Leaf Grant through DNR.
- Working on Tree City Application for 2024-25.
- Finalizing bid documents for Independence Shelter and Restroom – staff is reviewing options for interior as this restroom is open year-round.
- A claw vending machine has been added at Red Baron Arena and Expo.
- Working with associations on upcoming tournaments for summer of 2025 – we have already been awarded a new baseball tournament that hasn't been hosted in Marshall previously.
- Schools back in session and programming has resumed after the holiday break! Make sure to take some time to flip thru our new winter/spring brochure which covers the months of January – May.
- 17 large ash trees were removed from Legion Field Park in December – EAB signs and symptoms continue to be noticed throughout the community.

- Learn to skate lessons, junior boys' and girls' basketball, indoor soccer and gymnastics all have started for youth activities, with adult curling leagues and pickleball resuming for adult options.
- Open community skating at the Red Baron Arena was well attended over the holiday break with January having many more opportunities to hit the ice on the weekends.

### **Community Education**

- Community Education had a successful fall programming season! Classes, programs and events impacted approximately 358 members of our community as well as surrounding communities.
- The second annual Santa Event held at the Marshall Lyon County Library was another well-attended event with approximately 129 children and their families that stopped by to visit Santa!
- Changes and improvements to the Driver's Education program continue with our transition to our partner organization (A+ Driving School) on track to begin taking over the program as of July 1, 2025. We continue to receive registrations in our February in-person session which is nearly full (2/25 open seats remaining). Forty-three students registered through MCS for the online classroom session. As of January 2025 we are directing new students to register through A+ Driving School. We will be adding one more in-person session offered in June 2025.
- Updates were made to the Joint Powers Agreement between the City of Marshall and Marshall Public Schools. The agreement was approved by the school board and is on the agenda for the January 14<sup>th</sup> City Council meeting.
- Community Education offered the Mayor for a Day Essay contest offered by the League of MN cities. The winner will be announced at the January 14<sup>th</sup> City Council meeting and on social media.
- Planning has begun on the Juneteenth celebration event to take place this summer.
- Several new courses and programs are being offered in the Winter/Spring brochure including online social media/technology courses, a sourdough 101 class, amigurumi crochet and an intro to graphic design class for teens. As always, some of our community favorites return as well. Some of those classes include Early Out Theater, Babysitting training, Valentine's Egg roll cooking class, cookie and cake pop decorating and more!
- We have started taking registrations for Garden Plots and are working on improvements to the plots and the communication of planting location and guidelines.

### **Studio 1**

- On December 3rd, we provided a multi-camera live broadcast of the Southwest Minnesota Orchestra "Holiday Cheer!" performance. This performance was then replayed on the SMSU Media and Studio 1 channels many times over the holiday season.
- We provided a live broadcast of the MAHA Bantam A tournament as well as the Fairbanks Ice Dogs games on December 6th through 8th.
- We also covered several school holiday concerts, varsity basketball, hockey and wrestling games throughout the month as well.
- We have been working closely with BluePeak to upgrade our cable channels on their system from standard definition to high definition. This will also allow for our closed captioning to be available on those channels as well. We are about 95% complete with this upgrade process at this point and are still in the early stages of upgrading the channels on Spectrum as well.
- A calendar of all scheduled live broadcasts can be found at [www.marshallstudio1tv.com](http://www.marshallstudio1tv.com).
- We continue to cover sporting and community events throughout town and produce our recurring monthly shows such as Tiger Talk and Community Connect.

### **COMMUNITY PLANNING**

#### **Building Services / Planning & Zoning**

- Over 200 open permits.

- An SRE building, Les Schwab's tires, Marshall's, SWWC building, and Stone Meadow apartments are the largest projects under construction.
- Over 500 Rental registrations have been issued. Over 100 are in the Pending status.
- Sign ordinance is being reviewed.
- The department web page and access to information have been updated and improved.

## **PUBLIC WORKS DIVISION**

### **Engineering**

- Project ST-010: Lyon Circle Reconstruction Project – A&C Excavating, LLC of Marshall, Minnesota - Project is complete and open to the public. City staff working with contractor on punch list items, final reconciling change order and final payment.
- Project ST-012-2024: South Whitney Street Reconstruction Project (East College Drive to Jean Avenue) – D&G Excavating, Inc. of Marshall, Minnesota – Final Reconciling Change Order and Final Payment on 01/14/2025 City Council.
- Project ST-012-2025: S Hill Street / S Minnesota Street / Charles Avenue Reconstruction Project – 01/14/2025 Council items: 1) Public Hearing on Improvement; 2) Consider Resolution Ordering Improvement and Preparation of Plans; 3) Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids

### **Wastewater**

- Staff have completed 321 296 preventive maintenance work orders in the last 30 days.
- Working on annual MPCA reports due in November and January, February, and March.
- Jetting of the sanitary lines have been completed for the season.
- Triannual generator emissions testing has been completed.
- Four lift stations have been upgraded to cellular alarm systems.
- Biosolids reports have been completed, all equipment has been washed, serviced and parked for the season.
- Working with the Street Department on removal of invasive trees on the North and east of City WWTF Property.

## **PUBLIC SAFETY DIVISION**

### **FIRE DEPARTMENT**

- The Fire Department responded to seventeen (17) calls for service in the month of December. In 2024 the Marshall Fire Department responded to 225 calls for service. December calls for service included:
  - Fire/CO2 Alarm (7)
  - Fire; Structure (6)
  - Medical Assist (0)
  - Vehicle Accident (4)
  - Other – Assist (0)



### **POLICE DEPARTMENT**

- The Marshall Police Department responded to 966 calls for the month of December. In 2024 the Marshall Police Department received 11,716 calls for service. December calls resulted in 67 criminal cases with 35 adults and 1 juvenile being arrested.

#### OFFICER'S REPORT

- Alarms (13)
- Accidents (44)
- Alcohol involved incidents (6)
- Assaults (3)
- Domestic Assaults (17)
- Burglaries (4)
- Criminal Sexual Conduct (4)
- Damage to Property (2)
- Keys Locked in Vehicles (33)
- Loud Party (5)/ Public Disturbances (4)
- Thefts (24)
- Traffic Related Complaints (223)
- Vandalism (4)
- Warrant Pickups (10)
- Welfare Checks/Mental Health (64)

#### DETECTIVE REPORT

- A 43-year-old Marshall man was arrested for Predatory Offender Registration Violation at the completion of an investigation.
- A case of mail theft where a package was stolen from a Marshall apartment building was investigated and referred to the Lyon County Attorney's Office for formal charges against a Marshall man.
- Five cases of criminal sexual conduct, three thefts by swindle cases, and an identity theft case were investigated during the month.
- Twenty-seven child protection reports and one report from the Minnesota Adult Abuse Reporting Center were investigated.



#### MERIT Center

- In December, MN West held Hazwoper refresher courses and CDL training utilizing the driving track at the MERIT Center.
- On December 5<sup>th</sup> MN PHCC conducted Plumbing, Heating & Cooling training with 29 attendees.
- On December 10<sup>th</sup> the USDA/NRC held a meeting with 42 people attending.
- On December 10<sup>th</sup> North Star Training and Consulting held firefighter re-tests.
- On December 11<sup>th</sup> BYTR held a meeting with 12 people attending.
- From December 12<sup>th</sup> to December 19<sup>th</sup> ARMOR Training Services held GWO training with 3 people attending each day.
- On December 17<sup>th</sup> Ralco held meetings with 35 people attending.
- On December 18<sup>th</sup> a PSAP Leadership meeting was held with 7 people attending.
- On December 19<sup>th</sup> ADM held their monthly contractor safety meeting with 50 attendees.
- The MERIT Center was utilized on 8 out of 31 days with 12 reservations in December with 207 attendees.