

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

FROM: Sharon Hanson, City Administrator

DATE: November 11, 2024

SUBJECT: Administrative Brief

CITY ATTORNEY

Some highlights from the office of City Attorney for the month of October

- Attended meetings.
- Answered rental ordinance questions and code compliance.
- Reviewed zoning amendments for Cannabis Businesses and locations drafted by staff.
- Attend L&O for meeting in which zoning discussions occurred.
- Attend additional committee regarding fee schedule.
- Discuss food trucks and special events with fees.
- Review questions about additional Schierholz requests.
- Answer Facebook posing questions.
- Discussion of reasonable accommodations.
- Discussion of sober homes.
- Responded to question regarding graffiti and revise ordinance.
- Discuss birthday parties and insurance.
- Respond to question about election signs.
- Send sample of CVB agreements.
- Review and revise ACC contracts.
- Review agreements related to Walmart and answer additional questions.
- Answer questions about golf carts and chickens.
- Review monitoring site leases.
- Review red baron agreements.
- Discuss college drive special assessment process.
- Review planning commission materials

Work of other K&G Attorneys:

- Attorney Lykke assisted with Walmart documents.

ADMINISTRATION

- These past few weeks attended Taste of Marshall, PIT Committee mtg, Community Services staff mtg, met with Jessica Dahms to learn more about YMCA Director transition, attended canning of SMSU Brau Brothers designated brew, toured Missouri River Energy Services 10 megawatt solar farm, attended monthly League of Mn Cities Board mtg, attended SWWC Service Cooperative and Marshall School District shared space in Social Sciences bldg. at SMSU, met with Marshall Golf Club representatives to discuss land lease renewal of the driving range-city of Marshall owns the range land and leases to Golf

Club for their use, met with SMSU representatives to discuss World Fest planning if it would be an event in 2025.

- Continued discussions on 2025 budget and levy, prepared for upcoming AFSCME and LELS Union negotiations for second week in November, attended L&O and Ways and Means Committee mtgs, met with Community Services staff on a variety of topics, attended Coalition of Greater MN Cities Zoom Board mtg, met with Marshall School district to discuss shared grounds position as well as various Community Education programs and services.
- On October 29th, attended Congresswoman Michelle Fischbach Military Academy Interview Committee interviewed 7 candidates to recommend for nomination to the Academy.
- Presented to Marshall Leadership Academy on November 7th.
- On November 6th, Aquatic Center Committee met with Contegrity to get an updated schedule on Aquatic Center next steps. Contegrity plans on presenting an update at December 10th Council mtg and plans are for bidding in late January.

Economic Development Authority

- Presented at Careers Day for Marshall Public Schools (freshman) and at the Adult Community Center.
- EDA Bus Tour had approximately 70 participants.
- Working with hotel developer on Tax Abatement request.
- Construction is starting on Borchs (expansion) and Stone Meadows. Marshalls interior permit is submitted but payment has not been received.
- Construction is nearing completion on Kwik Trip Site 2 with grand opening on November 14th.
- Daycare study continues, staff is looking to set up a tour time of daycare pod model before the end of the year.
- EDA Day for Marshall Leadership Academy was held November 7th.

Human Resources

- Staffing:
 - The city welcomes Chelsey Mathiowetz as our Assessing Technician/Economic Development Assistant.
 - Staff are reviewing applications for our wastewater Plant Operator position.
 - Testing to establish a Police Officer eligible roster will begin on November 27.
- Each of our three employee union contracts expire on 12/31/24. Staff will be meeting with union business agents and employee representatives to negotiate new draft contracts. Negotiations meetings are scheduled with AFSCME and LELS-190 on November 13.
- Staff have scheduled a Personnel Committee meeting to discuss the personnel policy on cell phone allowance rates, and the 2025 temporary/seasonal pay schedule. Effective 01/01/2025, Minnesota's minimum wage will increase to \$11.13 per hour. Pay rates on the temporary/seasonal schedule below that amount will require adjustment. Department supervisors are reviewing the schedule and will present recommendations to the Personnel Committee.
- Safety program: In November, MMUA will provide training on machine guarding and hand tool safety for field personnel. In December, training for all employees will be provided on the topics of Hazard identification and analysis, ladder safety, and slips/trips/falls.

Clerk

- Attended the public accuracy test of the Lyon County voting machines.
- Assisted with absentee ballot voting at Hill Street Place, Heritage Pointe, Boulder Estates, and Morningside Heights.
- Met with the Ways and Means Committee to update the 2025 fee schedule with proposed City Cannabis Registration fees and mobile food vendor fees.

- Legislative and Ordinance Committee met to discuss zoning changes for the new cannabis licenses and registrations that will be effective beginning January 1, 2025.

Finance

- 2025 budget: staff continues to review and update the 2025 proposed budget. A Council work session has been scheduled for after the 11/26 regular council meeting. The truth-in-taxation meeting is set for 6:00 PM on 12/10. Final adoption of the 2025 budget will be recommended at the 12/17 Council meeting.
- 2025 proposed bonding: staff have been working to firm up estimated project costs and bonding needs as we work to secure funding for 2025 projects.
- Use of American Rescue Plan Act (ARPA) monies: Director of Administrative Services is working with BakerTilly regarding the requirements to obligate any unspent ARPA monies by 12/31/24 and spend those monies prior to 12/31/26. The federal government has determined the following are NOT considered acceptable obligation methods: an adopted budget or budget amendment; a resolution or ordinance; and claiming funds under the revenue loss category.

Liquor Store

- October Financials: Sales \$580,162 +.60%, Customer Count 17,074 +.33%, Ticket average \$33.98 +.30%. All financials are slightly up compared to 2023.
- Liquor staff have been working with finance department on obtaining RFP's for installing an ATM in the front area of the store.
- All exclusive beers in partnership with Brau Brother Brewery and SMSU Athletics have launched and are selling well. Brew 1872 Amber Ale, Jiminey Jumper Juicy Light Apple Lager, Cultivate Pale Ale and SMSU Golden Ale have all been received well by customers. In store tasting and advertising of these custom beers is in full swing.
- Liquor store staff are busy with setting the sales floor for the upcoming holiday season. On the schedule for November is a Thanksgiving Wine Tasting Walk About on November 20th and on December 13th we will have the 'Tis the Season' Holiday sampling event. Both are In-Store tastings with many holiday wines and liquors to 'Try before you buy'.

COMMUNITY SERVICES

Parks & Recreation

- Transitioning to indoor programming, mini tiger volleyball camp, junior Fall basketball, intro to wrestling camp, and recreation gymnastics all have started their sessions recently.
- The Red Baron Arena is also busy with learn to skate lessons, adult curling leagues, adult hockey and weekend open skate sessions all back up and running for the season.
- Adult basketball and co-rec, women's and men's volleyball leagues start this month with over 40 teams participating, with leagues running November – March.
- Winter/Spring brochure content has been solidified with 18 different sports being offered in the brochure which covers the months of January – April.

Studio 1

- On October 1st, we provided a live broadcast of the Chamber Candidate Forum at the Marshall/Lyon County Library. We replayed the event several times over the remainder of the month as well.
- On October 9th, we recorded the Community Services after-school theater performance at the middle school.
- On October 12th, we partnered with the SMSU Broadcasting & Digital Media students to provide a live broadcast of the SMSU Homecoming parade from outside of City Hall.

- On October 18th, Alex attended a FEMA “UAS in Disaster Management” class held in the Sioux Falls Emergency Operations Center.
- We covered many regular and post-season sporting events for soccer, volleyball, and football.
- A calendar of all scheduled live broadcasts can be found at www.marshallstudio1tv.com.
- 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 250 open permits.
- An SRE building, Les Schwab’s tires, Marshall’s, SWWC Coop building, and Kwik Trip are the largest projects under construction.
- Over 420 Rental registrations have been issued. Over 100 are in the Pending status.
- Sign ordinance is being reviewed.

PUBLIC WORKS DIVISION

Engineering

- Project ST-001-2024: Chip Sealing on Various City Streets – Pearson Bros., Inc. of Hanover, Minnesota – Final paperwork has been received and project is complete.
- Project ST-002-2024: Bituminous Overlay Project - Central Specialties, Inc. of Alexandria, Minnesota – Project is complete and open to the public. City staff working with contractor on final reconciling change order and final payment.
- Project ST-007: UCAP Bus Shelter Installations – D&G Excavating, Inc of Marshall Minnesota – Final reconciling change order has been submitted to UCAP. UCAP invoiced for Engineering services per MOU dated 03/18/2024.
- 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.
- Project ST-012-2024: South Whitney Street Reconstruction Project (East College Drive to Jean Avenue) – D&G Excavating, Inc. of Marshall, Minnesota – Project is complete and open to the public. City is working on final reconciling change order and final payment.

Wastewater

- Staff have completed 276 preventive maintenance work orders in the last 30 days.
- rapping up the fall projects and working on winterizing in both the facility and the collection system.
- Working on annual MPCA reports due in November and January.
- Fall jetting of the sanitary lines continues.
- Staff have land applied 2,038,627 gallons of biosolids. The second batch, 600,000 gallons of biosolids have been sampled. Once the results have been received, staff will land apply it.
- Fall cleaning of all small sanitary lift stations has been completed.
- Fairgrounds lift station rehab has been completed.

PUBLIC SAFETY DIVISION

FIRE DEPARTMENT

- The Fire Department responded to twenty-six (26) calls for service. Total calls for service included:
 - Fire/CO2 Alarm (12)
 - Fire; Structure (8)
 - Medical Assist (0)

- Vehicle Accident (6)
- Other – Assist (0)



POLICE DEPARTMENT

- The Marshall Police Department responded to 1071 calls for the month of October. 108 criminal offenses were reported with a total number of 51 adults and 1 juvenile arrested.

OFFICER'S REPORT

- Alarms (15)
- Accidents (29)
- Alcohol involved incidents (7)
- Assaults (10)
- Domestic Assaults (13)
- Burglaries (4)
- Criminal Sexual Conduct (7)
- Damage to Property (0)
- Keys Locked in Vehicles (19)
- Loud Party (6)/ Public Disturbances (13)
- Thefts (53)
- Traffic Related Complaints (291)
- Vandalism (3)
- Warrant Pickups (12)
- Welfare Checks/Mental Health (41)

DETECTIVE REPORT

- A 25-year-old Marshall man and a 24-year-old Marshall man were arrested for 2nd Degree Assault and Threats of Violence at the completion of a threat with a deadly weapon investigation. Two firearms were recovered. A 23-year-old Marshall woman was also arrested for 5th Degree Controlled Substance Crime as part of the investigation.
- A 29-year-old Lynd woman and a 29-year-old Marshall woman were arrested for assault stemming from a fight in a Marshall store. The case was also referred to the Marshall City Attorney's Office for consideration of charges against a third female involved in the fight.
- Five criminal sexual conduct cases are under investigation.
- Four burglary reports, seven thefts by swindle cases, and an identity theft case were investigated during the month.
- Check forgery, issuance of a dishonored check, and wrongfully obtaining assistance cases are under investigation.
- Thirty child protection reports and six reports from the Minnesota Adult Abuse Reporting Center were investigated.

- Detective Sandgren attended a REID Interview training hosted at the MERIT Center in Marshall on October 15-17th.



MERIT Center

- In October MN West held meetings, Emergency Vehicle Operator Course (EVOC), Industrial Safety Confined Space Entry training and CDL training continues to utilize the driving track at the MERIT Center.
- On October 1st Women's Rural Advocacy Programs (WRAP) held a meeting with 16 attendees.
- On October 8th the Lyon and Murray County CEO Program held training with 70+ attendees.
- On October 10th Ralco held Leadercast with 35 attendees.
- On October 12th a Masters Gardeners Regional Meeting was held with 35 attendees.
- On October 13th Southwest Emergency Medical Services held the CEVO4 Driving Class with 12 attendees.
- On October 15th the Marshall Fire Department utilized the driving track.
- From October 16th to October 17th the REID Technique of Interview and Interrogation training was held with 18 attendees each day.
- On October 16th the SW Emergency Communication Board held a PSAP Leadership Meeting with 12 attendees.
- On October 23rd ADM held their monthly Contractors Safety meeting with 50 attendees.
- On October 24th the Natural Resources Conservation Services – USDA held a meeting with 42 attendees.
- On October 29th LG Seeds held a meeting with 15 attendees.
- On October 29th the City of Marshall held a Tailgating Potluck.
- On October 30th Southwest Emergency Medical Services held a meeting with 20 attendees.
- On October 30th the Mankato Police Department held EVOC with 8 attendees.
- On October 30th the USDA/FSA held a meeting with 17 attendees.
- The MERIT Center was utilized 13 out of 31 days with 20 reservations in October. There was a total of 522 attendees.