

CITY OF MARSHALL
COUNCIL LEGISLATIVE & ORDINANCE COMMITTEE MEETING
March 1, 2022 at 12:00 PM
On Main, City Hall
344 West Main Street

MEMBERS PRESENT: John DeCramer, Jim Lozinski, and Steven Meister (12:37 P.M.)

MEMBERS ABSENT: None

STAFF PRESENT: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney, Jason Anderson, Director of Public Works/ City Engineer; Jessie Dehn Assistant City Engineer; and Kyle Box, City Clerk, Robert Byrnes, Mayor (Joined at 12:17 P.M., Excused at 12:37 P.M.)

At 12:00 PM Chairman DeCramer called the meeting to order.

Chairman DeCramer asked approval of the minutes from the December 7, 2021 meeting. Motion by Lozinski, Seconded by DeCramer to approve the minutes. All voted in favor.

Chairman DeCramer asked for discussion on an Ordinance Amending Chapter 62 of the City Code establishing Sec. 62.11 - Access Management (Driveway Ordinance).

Jason Anderson Director of Public Works/ City Engineer provided an overview of the proposed ordinance. City staff is proposing to establish a set of driveway regulations that more explicitly describes the requirements and limitations for driveways in various land uses. The proposed ordinance would apply to new properties or applications for modifying existing driveways. Applications to replace driveways, as they are currently, would be exempt from the requirements in the ordinance.

The proposed ordinance describes the requirements for materials and geometrics (size, slope, etc.) for residential, commercial, and industrial-zoned properties. The ordinance also identifies an exemption process, should a property owner wish to install a driveway that does not conform to the requirements in the proposed ordinance.

Staff believes that the proposed ordinance would provide clear direction to property owners regarding driveway installations. Limiting driveway width and spacing between driveways can improve safety by helping to reduce vehicle/pedestrian interaction area and by reducing and limiting street access/conflict points, help ensure good gutter drainage, reduce unnecessary storm water runoff, help ensure compliance with vegetative cover ordinance requirements, and help maintain character of a neighborhood. Establishment of driveway regulations are typical for many other communities in Minnesota. Staff can review requirements of other communities as needed.

This item was presented to the Public Improvement/Transportation Committee at their meeting on January 25, 2022, with a recommendation from the Committee for approval of the driveway ordinance to the City Council.

Member DeCramer commented on section 4 b, Commercial and Industrial-Zoned Properties

All Commercial and Industrial properties will be granted one (1) curb cut access per parcel for driveway. Staff will review that item before it is brought to the full council.

DeCramer asked a clarifying question on the appeal process. There was a consensus from the committee to have the Planning Commission review the appeals first and then to the City Council with a recommendation.

Member Lozinski asked a clarifying question on why the City requires driveways to be concrete. Director Anderson commented that concrete driveways are only required in the right of way.

Member Lozinski requested the concrete and asphalt be added to the options in the introduction ordinance brought before the council.

Motion by Lozinski, seconded by DeCramer to recommend that the Council introduce the Ordinance Amending Chapter 62 of the City Code establishing Sec. 62.11 - Access Management (Driveway Ordinance) at their March 8, 2022 meeting and call for public hearing to be held March 22, 2022. All voted in favor. 2-0

Chairman DeCramer asked for a review of the 2020 Census Redistricting Data for the purpose of redistricting City Precincts and Wards. City Clerk Kyle Box provided the background information.

Redistricting is the process of redrawing the boundaries of election districts to ensure that the people of each district are equally represented.

Redistricting is done in the United States after the completion of Congressional reapportionment, which decides how many seats each state has in the 435 member House of Representatives. Reapportionment happens following the Decennial Census.

In Minnesota, the state legislature has constitutional responsibility for redistricting Minnesota's Congressional districts, as well as Minnesota Senate and House districts, and Metropolitan Council districts. Local governments are responsible for redistricting other election districts:

- County boards are responsible for redistricting county commissioner districts
- City councils are responsible for redistricting city wards
- School boards are responsible for redistricting board member districts

In addition, during the redistricting time period, cities and townships will establish (or reestablish) their precinct boundaries as part of the redistricting process, as will counties that have unorganized territory.

After review of our 2020 Census redistricting data, we believe that the accuracy of the Census Tract 3605, which overlaps with our Ward 1 voting district, is wrong. This tract encompasses SMSU and a large amount of rental housing that was unoccupied due to the timing of COVID-19.

Under Section 2.10 of our City Charter, The Council shall, by ordinance, provide for the establishment of wards, define, or change their boundaries, and increase or eliminate the

number of wards in the City. No change, increase, or elimination shall be made within three (3) months prior to any election held in the City governmental offices. Within six (6) months following the official certification of the decennial census of the United States and the filing of the census list with the City, the Council shall, by ordinance, re-determine ward boundaries so as to make said wards as nearly equal in population as practical.

It is staff's opinion that with the current data provided by the Census Bureau, the City of Marshall will not need to redistrict its precincts or wards, even with the undercounted population count located in Ward 1.

However, the results received from the 2020 will affect voting districts for Lyon County if the City of Marshall chooses to reestablish its currently voting districts.

Staff have had meetings with Lyon County staff to discuss options to minimize the impact of redistricting by redrawing precinct and ward lines within Marshall.

Three options will be presented to the Committee:

Option 1: Reestablish the City of Marshall Precincts and Wards (No Changes)

Option 2: Move 89 people from Ward 3 to Ward 1. This change will allow Lyon County to keep its current voting districts with minimal impact the City of Marshall voting districts.

Option 3: Move 191 people from Ward 3 to Ward 1. This change will reestablish neighborhoods and make the Ward lines between Ward 3 and Ward 1 easier to identify. This change will allow Lyon County to keep its current voting districts with a slightly larger impact, compared to Option 2, to the City of Marshall voting districts.

There was continued discussion by the Committee and staff. It was agreed upon by the Legislative and Ordinance Committee that our 2020 Census count in Ward 1, which is located in Census tract 3605 is undercounted and that the population continues to be accurately represented.

Motion by Lozinski, Seconded by Meister to recommend that the City Council Reestablish the City of Marshall Precincts and Wards and Polling Locations. All voted in favor. 3-0

At 1:07 PM motion Lozinski by, Seconded by Meister to adjourn. All voted in favor.

Respectfully Submitted,

Kyle Box
City Clerk