

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, October 11, 2022**

The regular meeting of the Common Council of the City of Marshall was held October 11, 2022, at City Hall, 344 West Main Street. The meeting was called to order at 5:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Amanda Schroeder, Steve Meister, John DeCramer, Russ Labat and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/City Engineer; E.J. Moberg, Director of Administrative Services; Sheila Dubs, Human Resource Manager; Laura Wing, Payroll/Benefits Specialist; Scott Truedson, Wastewater Superintendent and Steven Anderson, City Clerk.

The Pledge of Allegiance was recited at this time.

Consider Approval of the Minutes from the Regular Meeting Held on September 27, 2022

Councilmember Labat requested that the motion be amended for the fire department grass rig purchase to include language that the fire department request ARPA funds from Lyon County.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to approve the minutes with the included amendment. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Project Z83: James Avenue/Camden Drive Reconstruction Project - 1) Public Hearing on Assessment; 2) Consider Resolution Adopting Assessment

Director of Public Works/City Engineer Jason Anderson presided over the public hearing for project Z83: James Avenue/Camden Drive Reconstructions. The project was completed in the 2021 construction season. 7.2% of the project costs are going towards special assessments to landowners, 7.9% comes from the wastewater fund, 12.5% from MMU, 51.6% from surface water management utility and the remainder from the city general fund. The total project amounted to \$995,217.78. Anderson indicated that he did receive a couple comments right before the council meeting, but the issue was resolved, and no formal objection was filed. Mayor Byrnes opened the public hearing for comments and no comments were made by the public.

Motion made by Councilmember Meister, Seconded by Councilmember DeCramer to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Labat to adopt the assessment resolution. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Public Hearing for an On-Sale and Sunday Liquor License Application for Atlantic Place

City Ordinance requires that an on-sale liquor license can only be at one physical address per license. As Atlantic Place has now taken over the former Bello Cucina location the city needs to transfer the license from Bello Cucina to Atlantic Place. Councilmember Schafer asked for clarification on Knockenmus Enterprises and Atlantic Place. Knockenmus Enterprises originally applied for a liquor license but had since switched business names for the new restaurant and did not submit the original liquor license. The liquor license fee will be prorated for Atlantic Place. No further public comments were made.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Public Hearing for an On-Sale Liquor License Application for The Gambler

Like the previous public hearing City Ordinance requires than an on-sale liquor license can only be at one physical address per license. SLB Enterprises LLC has taken ownership of the Gambler and the city now needs to transfer the license from Pearcy Enterprises LLC to SLB Enterprises LLC. No public comments were made.

Motion made by Councilmember DeCramer, Seconded by Councilmember Meister to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Consider Award of Bid for the Pickup of Refuse for Various City Locations

City Clerk, Steven Anderson presented the bids received on October 6th, 2022, for refuse collection at various city locations. Two bids were received, Southwest Sanitation and Waste Management. An additional bid was solicited from West Central Sanitation, but no bid was received. The low bid of \$30,360.44 came from Southwest Sanitation and is the recommendation for acceptance. Councilmembers had questions on a couple facilities and refuse needs. Scott Truedson, Wastewater Superintendent, gave details to council on why the wastewater portion of the bid had an increase much higher than other locations.

Motion made by Councilmember Schafer, Seconded by Councilmember Labat to accept the bid from Southwest Sanitation for refuse collection. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Approval of the Consent Agenda

Councilmember Labat asked that agenda item number 10) Call for a Public Hearing Regarding Proposed Property Tax Abatement for Daisy and Tulip Holdings LLC be pulled from consent.

Motion made by Councilmember Meister, Seconded by Councilmember Schafer to approve the remaining consent items. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

- Consider Resolution Increasing the Marshall Fire Department Relief Assoc. Benefit Level
- Consider a Resolution Designating Uniform Election Dates and Polling Locations for 2023
- Consider an Application for a LG220 Gambling Permit for a Raffle at SMSU Gold Rush Days
- Consider an Application for a Temp On-Sale License for SMSU Gold Rush Days
- Consider Approval of Agreements with Cigna and Hartford for Voluntary Employee Supplemental Benefits
- Consider Approval of the Bills/Project Payments

APPROVAL OF ITEMS PULLED FROM CONSENT

Councilmember Labat had a question on the length of time for the tax abatement. It was clarified that the term is for 4 years not the 10-year maximum that is allowed that was indicated on a portion of the calculation page.

- Call for a Public Hearing Regarding Proposed Property Tax Abatement for Daisy and Tulip Holdings LLC

Motion made by Councilmember Labat, Seconded by Councilmember Meister to approve the call for public hearing regarding proposed property tax abatement. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Consider a Quote to Upgrade the Camera System and Recording Server at Tall Grass Liquor

E.J. Moberg, Director of Administrative Services, explained the details for the quote from Living Connected. Liquor Store Manager Erik Luther had previously discussed security upgrades and additions with Moberg in September. The quote is for six additional cameras, an upgraded recording server to accommodate the existing cameras and the proposed new ones. The camera upgrade would allow for better image quality, storage capacity and better coverage inside and outside the store. The quote received from Living Connected is good for 20 days due to fluctuating pricing and availability. The purchase would be through the liquor stores cash on hand. Council had questions on the specifications of the proposed cameras.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**

Consider Appointments to Various Boards, Commission, Bureaus, and Authorities

Mayor Byrnes recommended Benjamin Blomme to the EDA with a term ending May 31, 2023. Two interviews for the EDA were conducted on September 27, 2022. Councilmember Meister explained the unusualness of having two applicants for an open position. Council encouraged the public to look for the open positions with the city and apply.

Motion made by Councilmember DeCramer, Seconded by Councilmember Schafer. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer. Voting Nay: Councilmember Lozinski. Voting Abstaining: Councilmember Labat, Councilmember Schroeder. The motion **Carried. 4-1-2.**

Commission/Board Liaison Reports

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| Byrnes | The Fire Relief Association has an upcoming quarterly meeting. Regional Development will meet on Thursday. |
| Schafer | No report. |
| Meister | EDA met, and discussions were had with a developer for the mall. |
| Schroeder | No report. |
| DeCramer | MMU has not met yet, but three members from MMU were in Florida assisting with disaster recovery from the hurricane. DEI met and reviewed the Welcome Week event. To a great surprise for the DEI committee a grant was received that covered the expenses for the whole event. |
| Labat | Library met and talked about increasing room rental rates. The van owned by the library remains unsold and new avenues are being investigated to sell the vehicle. The libraries new Aspen Discovery, online catalog, system is up and running. |
| Lozinski | No report. |

Councilmember Individual Items

Councilmember Labat thanked Public Works for follow-up on some mowing concerns.

Councilmember DeCramer attended Star Watch with Mike Lynch at Patriot Park, the event was well received and had a large crowd.

Mayor Brynes mentioned that last week the 150th Anniversary Book unveiling was the final event for the City of Marshall's 150th Anniversary.

City Administrator

Staff and the Mayor met regarding the census appeal and hopes to have something prepared for the next council meeting.

Director of Public Works/City Engineer

Updates were given on the following street projects within the city: 1st and Greeley reconstructions; Halbur Road is planned to be open by the end of the week, construction was to have been finished by the end of September; the Baldwin Parking lot which is directly behind the city hall is currently in progress and concrete is planned to be poured the week of October 17th; and the signage for the RRFB project are supposed to be arriving shortly. Bids for Channel Parkway surfacing are due October 20th.

City Attorney

A mediation session is scheduled with the Minnesota Attorney General's office on Friday the 14th to come to an agreement with Paul Schierholz on outstanding Broadmoor Valley issues.

Administrative Brief

There were no questions on the Administrative Brief.

Informational Only

There were no questions on the Informational Only items.

Upcoming Meetings

There were no questions on Upcoming Meetings.

Adjourn

At 6:05 PM Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski, Councilmember Schroeder. The motion **Carried. 7-0.**