

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

FROM: Sharon Hanson, City Administrator

DATE: March 12, 2024

SUBJECT: Administrative Brief

CITY ATTORNEY

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

- Attended meetings.
- Attended Legal Executive meeting.
- Discussed code violations under new Administrative Procedure Ordinance.
- Reviewed contracts for Staff.
 - Worked on UCAP MOU
 - Reviewed and revised Ambulance contract
 - Revised ACC facility rental agreements
- Ordinances
 - Assisted with Mobile Food Ordinance
- Work with staff and Attorney Zuelke on deed restriction question.
- Answered questions related to rental ordinance; prepare for meeting where rental ordinance considered.
- Worked on Broadmoor Valley issues that arose related to:
 - Subpoena of former council member
 - Organizational subpoena of city representative
 - Multiple meetings with attorney who noticed subpoena.
 - Internal meetings regarding same
- Worked on (ongoing) document production related to subpoenas; redacted former Council Member's relevant documents and sent to opposing counsel.
- Worked collaboratively with MMU on PFAS litigation and available PFAS settlement.
- Advised about major political party caucus date and meeting date/time.
- Assisted with questions related to cooperative purchasing.
- Assisted with airport zoning ordinances and process.
- Assisted with various data requests and analysis of classifications of data.
- Reached out about Public Purpose Expenditure policy.
- Responded to questions about waivers.
- Worked on template event contract.

Work of other K&G Attorneys:

- Attorney Sonsalla assisted with neighborhood park questions and meeting.
- Attorney Zuehlke assisted with SWWC land sale matter.

CITY PROSECUTOR:

	ASSAULT	OPF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2024	2023 Comparison
Prosecution	4		3		2	4	2	15	24
Dismissed									
Non-Prosecution	1				2		2	5	10
Refer to County									

ADMINISTRATION

This past month included the following meetings and work:

- Attended the It Belongs with Us Conference and it was very well attended and very well done discussions on restorative justice, SMSU student panel, interviews about facing DEI topics with others, poverty simulation was also a part of the conference.
- Attended several meetings and had several conversations regarding North Memorial Ambulance application to EMSRB for a reduction in their license from full-time Advanced Life Support (ALS) to Part-time ALS.
- Met with business representative, Southwest Initiative and Chamber regarding daycare shortage in Marshall. Staff have begun the work on this by enlisting the help of Southwest Initiative as well as childcare experts to look at needs and future solutions.
- Attended Kwik Trip ribbon cutting.
- Met with SMSU President and Mayor to discuss city/University topics.
- Prepped and attended PIT Committee that met with Elaine Park residents regarding maintenance of the green space/park in their neighborhood. Staff will recommend to the PIT Committee a direction and PIT will bring forth a full recommendation to Council in the near future.
- Attend a portion of the aquatic center design meetings. We are working towards 65% completion of designs and would like to have Stockwell give an update to the full Council. Councilmembers Moua Leske. Schafer and Alcorn were able to participate in some of the mtgs.
- Attended several meetings and had several conversations regarding North Memorial Ambulance application to EMSRB for a reduction in their license from full-time Advanced Life Support (ALS) to Part-time ALS.
- Attended League of Mn Cities Legislative Day and heard good presentations on housing legislation, as well as legislative leaders and Governor Walz who spoke at the event.
- Remainder of the month various meetings and planning for future events and work.

Economic Development Authority

- **Solugen** – Staff is assisting with groundbreaking ceremony event details which is scheduled for April 11th. Grading has begun the project site.
- **SWWC** – Platting and land transfer to the EDA is being completed. An initial site plan has been submitted to prepare for Spring/Summer construction. Public hearing will be held at the March EDA meeting held on March 20th. Bond hearing to be held on March 27th.
- **Daycare** – Staff is completing an application for First Children’s Finance’s Rural Child Care Innovation Program. If approved, a community stakeholder team would complete a nine month analysis of the existing daycare conditions and create a strategic plan to add additional capacity.
- **Downtown** – Two new businesses will be opening in downtown Marshall in March. Naptime Play Café and Tranquility Herbal Tea and Wellness.

- **Shopko** – A demolition team is on site to begin work on the future Marshall’s space. A building permit application has not been completed. Woodcrest Capital continues to negotiate a lease with the third and final tenant.

Human Resources

- Staffing update:
 - Plant Operator I: the City will welcome Cade Clear to the position on 04/01/24
 - CSO (part-time): applications accepted until 03/08/24.
 - Liquor Sales Associate: applications accepted until 03/08/24.
 - Police Officer: applications are being accepted to establish an eligibility roster.
 - Temporary/Seasonal: staffing for many positions in public works and community services is ongoing.
- Safety: In March, select staff will receive training in compressed gas and our MMUA Consultant will conduct chemical safety training with wastewater staff.

Clerk

- Received follow-up information from Senator Klobuchar’s office regarding the 2020 Census. Updated numbers may be available in May/June and if not during that time-frame new numbers would be available January 2025.
- Attended the Public Accuracy Test at Lyon County for the Presidential Nomination Primary to be held on March 5, 2024.
- The Ways & Means Committee met and authorized staff to begin advertising for the Fire Department Scholarship.
- Attended a tour of the Marshall Public Schools Career and Technical Institute.
- The Public Improvement & Transportation Committee met with residents to discuss Elaine Park.

Finance

- 2024 Bonding – The sale of bonds and the sale of a grant anticipation note (due to the timing of the state and federal grants for the SRE building) are planned for April 9th. Staff will participate in a bond rating call on March 20th. Proceeds would be received on or about May 9th. Please reach out to E.J. if you have interest in the Preliminary Official Statement (when issued) or have any questions about the issuances.

Assessing

- No Report

Liquor Store

- February Financials: Sales 502,511 +5.02%, Ticket Average \$33.85 (Flat), Customer Count 14,850 +5.22%. A good month for sales due to warmer than average weather temps and an extra day of sales (Leap Year).
- Installed a sink in warehouse to address breakage and spills in this area.
- Completed yearly bottle/shelf dusting on all areas of sales floor.

COMMUNITY SERVICES

Parks & Recreation

- Thank you to Andrew Suby State Farm for sponsoring a free family open skate night for the community which brought in over 200 skaters at the Red Baron Arena.
- We recently held a Winter Carnival at the RBA with broomball, curling, ice bocce and ice bumper cars for all to try out on the ice. Thank you to MAHA for sponsoring this new event, which was well attended!
- Red Baron Arena will be transitioning back to expo space starting March 18th.
- Working on information for the summer brochure.

- Waiting for final contract approval with DNR for Outdoor Recreation grant for construction of new picnic shelter and restroom at Independence Park – starting to work on drawings and specs so we are ready to bid once allowed.
- Continue to meet with businesses to discuss Aquatic Center sponsorships.
- Hiring seasonal staff for Aquatic Center, Recreation, and Parks.
- Finalizing design of the back parking lot at Independence Park.

Community Education

- Community Ed is wrapping up a new Spanish for Beginners course this week that has been well-attended. There are several Winter/Spring courses coming up in the next few weeks along with planning some exciting new summer programs!
- Driver's Education is filling up for the remaining 2024 sessions. The next classroom session is set to begin in April. Behind the Wheel driving has been great with this ideal winter weather!
- We are working on planning several upcoming City events to include Juneteenth, 4th of July celebration and Welcoming Week!

Studio 1

- We provided a live broadcast of the Saturday and Sunday games for the MAHA Squirt A & B tournament in early February.
- Alex attended the annual Homeland Security Emergency Management Governor's conference February 6-7 in Brooklyn Center.
- We produced several videos that were featured at the "It Begins With Us" conference.
- 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.
- A dental clinic and a new airport hangar are the largest projects under construction.
- Rental Ordinance is approved and people have been applying for registration.
- Sign ordinance is being reviewed.

PUBLIC WORKS DIVISION

Engineering

- Project ST-001-2024: Chip Sealing on Various City Streets – Bids to be received 03/21/2024 with anticipated award of contract at 03/26/2024 City Council.
- Project ST-002-2024: Bituminous Overlay Project - Bids to be received 03/21/2024 with anticipated award of contract at 03/26/2024 City Council.
- 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-009: N. 3rd St./W. Lyon St. Reconstruction (R&G Construction Co.) –The Addison Parking lot will be reconstructed in the spring.
- Project ST-010: Lyon Circle Reconstruction Project – Lyon Circle Reconstruction Project - 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 on 03/12/2024 at 03/12/2024 City Council. If authorized, bids to be received 04/05/2024 with anticipated award at 04/09/2024 City Council.

- Project ST-012-2024: South Whitney Street Reconstruction Project (East College Drive to Jean Avenue) – Contract awarded to D&G Excavating, Inc. at 02/27/2024 City Council. Documents have been provided to D&G for their return for City Attorney review/City execution of contract and subsequent issuance of Notice to Proceed.

Building Maintenance

- Installed shelving in city hall.
- Assembled new bookshelves for the library.
- Installing water bottle filling stations at the ACC.

Street Department

- Removing ash trees that are infected with ash borer. (9) to date.
- Trimming trees overhanging streets
- Street sweepers started sweeping on March 1,2024. Did downtown and will continue outward.
- Clearing brush and debris from the inlet and outlets of stormwater ponds.
- Received paint for street painting. Once the weather permits, we will start painting.
- Blading alleys and North Bruce. (Skunk Hollow).
- Pothole patching.

Airport/Public Ways Maintenance

- Removed 19 electric hanging heaters, 10 in Red Baron hangar and 9 in old Midwest shop and replaced with radiant hanging heaters.
- Replacing floor in glide slope building.
- Repairing Nav-aid signs, lights.
- T-hangar maintenance.

Wastewater

- We received our new NPDES permit effective March 1, 2024.
- Starting work on minimization plans outlined in new permit. Chloride, Sulfate, and Mercury.
- Continuing work on updating all five Significant Industrial User agreements.
- Completed all five Significant Industrial User Agreement 2023 annual meetings.
- Staff have completed 268 preventative maintenance work orders in the last 30 days.
- Submitted stormwater annual report and Phosphorus Implementation Plan annual report.
- The collection crew has rebuilt two gearboxes for the solids contact clarifier.
- The collection crew is currently working on repairs and painting our flatbed trailer.
- Plant operators have been working on the west traveling bridge effluent filter.

PUBLIC SAFETY DIVISION

FIRE DEPARTMENT

- The Fire Department responded to eighteen (18) calls for service. Total calls for service included:
 - Fire/CO2 Alarm (10)
 - Fire; Structure (5)
 - Medical Assist (0)
 - Vehicle Accident (3)
 - Other – Assist (0)

POLICE DEPARTMENT

- The Marshall Police Department responded to a total of 809 calls for the month of February. 93 criminal offenses were reported with a total number of 19 adults and 2 juveniles arrested.

OFFICER'S REPORT

- Alarms (14)
 - Accidents (21)
 - Alcohol involved incidents (2)
 - Assaults (3)
 - Domestic Assaults (12)
 - Burglaries (3)
 - Criminal Sexual Conduct (8)
 - Damage to Property (2)
 - Keys Locked in Vehicles (23)
 - Loud Party (6)/ Public Disturbances (11)
 - Thefts (16)
 - Traffic Related Complaints (148)
 - Vandalism (5)
 - Warrant Pickups (7)
 - Welfare Checks/Mental Health (21)
- The Bureau of Criminal Apprehension (BCA) has turned over the officer involved shooting case from December 17th, 2023 to the Lyon County Attorney's Office for review. A finding in the case should be determined in the near future.

DETECTIVE REPORT

- A 52-year-old Marshall man was sentenced to 386 months in prison on February 20th after being convicted of 10 counts including attempted 1st degree murder, 1st degree burglary, assault with a dangerous weapon, and domestic assault by strangulation stemming from a domestic violence incident in April of 2023. All members of the Detective Division contributed to the successful outcome of the case.
- Four separate cases of possession/distribution of child pornography are under investigation. Multiple search warrants have been executed in the cases.
- Two cases of criminal damage to property at City of Marshall parks were investigated and referred to the Lyon County Attorney's Office for charges against juveniles.
- Four cases of criminal sexual conduct were investigated during the month.
- Two auto thefts are under investigation. One of the stolen vehicles was recovered in rural Lynd.
- Three deaths were investigated in February.
- Twenty-four child protection reports and four reports from the Minnesota Adult Abuse Reporting Center were investigated in conjunction with Southwest Health and Human Services.

MERIT CENTER

- In February, MN West held a Pilot Car training course and is continuing CDL training utilizing the driving track at the MERIT Center.
- On February 1st, the SW MN Private Industry Council held a workforce development board meeting with 12 attendees.
- From February 5th to February 9th, ARMOR Training conducted Wind Turbine training, utilizing a classroom and the wind tower with 6 attendees each day.
- On February 6th, the USDA/FSA held D5 PT PL training with 9 attendees.
- On February 12th, the University of Minnesota Extension office held a Private Pesticide Applicator Training with 80 attendees.
- On February 15th, Ziegler Cat held a sales meeting with 30 attendees.
- From February 15th to February 16th ADM held their Scaffolding Training with 30 attendees each day.
- On February 15th, ADM held Contractor Safety Training with 50 attendees.
- A PSAP Leadership meeting was held on February 21st with 20 attendees.

- On February 22nd Western Mental Health conducted SHRA with 28 attendees.
- On February 23rd, R & G Construction held First Aid/CPR Training with 50 attendees.
- The MERIT Center was utilized 12 out of 29 days with 16 reservations in February. There was a total of 393 attendees.

EMERGENCY MANGEMENT

- City personnel completed a Lyon County Local Mitigation Survey and will participate in a Lyon County Mitigation Plan Update scheduled for March 7th, 2024.