

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, March 25, 2025**

The regular meeting of the Common Council of the City of Marshall was held March 25, 2025, 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: See Moua-Leske, John Alcorn, Craig Schafer, James Lozinski, Amanda Schwartz and Amanda Schroeder. Absent: None. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Eric Hanson, Assistant City Engineer; Preston Stensrud, Park and Rec Director; and Steven Anderson, City Clerk.

**Consider Approval of the Minutes from the Meeting Held on March 11**

There were no requests to amend the minutes.

Motion made by Councilmember Schroeder, Seconded by Councilmember Lozinski to approve the minutes from March 11, 2025. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

**Project PK-013/SAP 139-590-001: 2024 Marshall AT Improvements Project - 1) Consider Resolution Accepting Bid (Awarding Contract); 2) Consider Resolution Authorizing Execution of MnDOT Grant Agreement No. 1058462.**

The City of Marshall was awarded \$360,381 in Active Transportation (AT) Infrastructure Program grant funds for construction of several city-wide pedestrian improvement projects including an enhanced pedestrian crossing (RRFB) at US Hwy 59/A Street, a shared use trail along US Hwy 59 between Boyer Drive & Windstar, and the re-alignment of the Camden Trail at County Road 7 along with an enhanced crossing (RRFB). The project had been designed to adhere to Municipal State Aid standards, MnDOT standards, and US Army Corps of Engineers standards, where applicable. On November 8, 2024, the city received authorization from MnDOT to advance the status of the project, with the project AT funding capped at \$360,381. Two bids were received, with the low bid submitted by R and G Construction Co. of Marshall, MN in the amount of \$288,777.70. The estimated construction cost would be covered by the grant. Engineering costs were not grant eligible and would be funded with local funds. Engineering costs, as well as any construction costs that go above grant amount, would be funded with municipal state aid street (MSAS) funds, as requested by Resolution 25-007 in the amount of \$150,000 for the project.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to adopt Resolution 25-022 Accepting Bid for Project PK-013/SAP 139-590-001:2024 Marshall AT Improvements Project. To R and G Construction Company in the amount of \$288,777.70. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to adopt Resolution 25-023 Authorizing Execution of MnDOT Grant Agreement No. 1058462 for the grant award in the amount of \$288,777,70 towards construction of the project. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

**Approval of the Consent Agenda**

Councilmember Lozinski requested that Consider Requests of Shades of the Past Car Club – June 6, 2025, Cruise and June 7, 2025, Car Show and Project ST-012-2024: South Whitney Street Reconstruction Project be removed for additional discussion.

Motion made by Councilmember Alcorn, Seconded by Councilmember Schroeder to approve the remainder of the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

- Consider Adoption of Ordinance 25-001 Amending Section 42-II-2 Graffiti
- Consider Adoption of Ordinance 25-002 Regulating Temporary Cannabis Events
- Consider Request of Marshall Downtown Business Association for Shades of the Past Car Club for Roll-In on May 1, 2025 (Thursday)
- Approval of Service Agreement for Concessionaire at Amateur Sports Complex
- Consider Approval of the Bills/Project Payments

**Consider Requests of Shades of the Past Car Club – June 6, 2025, Cruise and June 7, 2025, Car Show**

Shades of the Past Car club had requested and received a City permit for use of Baseline Road between Susan Drive and Nwakama Street for this annual event since 2021. With construction on-going at the Stone Meadow Apartments on Susan Drive, the Shades of the Past Car Club had discussed their event with apartment ownership and they have agreed that the event can occur in front of their project location. Councilmember Lozinski said that another local business owner in the area had expressed concern with the event blocking access to their business. Councilmember Schafer as a member of the car said that he understood the concern of the area businesses and that the event participation had only grown over the years. The club would be exploring new locations as the event was outgrowing the current venue. Councilmember Moua-Leske asked for clarification on what section of the road was blocked off.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to authorize the street closure of Susan Drive and Baseline Road, June 6 from 6:00 PM to 9:00 PM and June 7 from 8:00 AM to 4:00 PM. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. Voting Abstaining: Councilmember Schafer. The motion **Carried. 7-0.**

**Project ST-012-2024: South Whitney Street Reconstruction Project (E College Dr to Jean Ave) - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment; 2) Resolution for Hearing on Proposed Assessment**

Councilmember Lozinski requested the item be pulled because he was listed as a property owner on the assessment roll and wished to abstain. No further discussion was had.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schafer to adopt Resolution 25-024 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment for Project ST-012-2024 and adoption of Resolution 25-025 Calling for a Public Hearing on Proposed Assessments on Project ST-012-2024. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. Voting Abstaining: Councilmember Lozinski. The motion **Carried. 7-0.**

**Set Public Hearing re: New Noticed Closure from Broadmoor Manufactured Home Park**

Attorney Whitmore summarized the previous and forthcoming actions needed by the council. On February 18, 2025, the city received an updated notice from Paul Schierholz, on behalf of Schierholz & Associates, with the intent to cease operation of Broadmoor Valley as a manufactured home park as of March 1, 2026. Schierholz indicated that the costs of maintaining the Park and the lack of public investment in park facilities had triggered the need to close the park. No specific information or insight were given regarding his intentions with the property if the park were to close. The notice received contained the mandatory language typed in the correct font as required under Minn. Stat. §327C.095 and addresses the topics required by Minn. Stat. §327C.015. Accordingly, the city presumed sufficiency of the notice. To date, the city had not heard from the Attorney General that the Notice was not sufficient. Upon receipt of the closure notice by the city, the Planning Commission must submit the closure statement to the governing body of the local government authority and request the governing body to schedule a public hearing. The Planning Commission reviewed the notice at its March 12, 2025, meeting and has asked the City Council to set the date for public hearing

on the proposed closure. Staff have worked with Marshall School District 413 to determine a suitable location and proposed a date of May 7, 2025, at 5:30 PM at the Marshall Middle School for the hearing. The last date on which the city could hold a hearing was May 19, 2025, which represents 90 days from when the city received the notice. Once a date is set, the city must mail a notice of the hearing at least ten days before the hearing to at least one resident of each manufactured home in the park listing the time, place, and purpose of the public hearing. In this notice, as well as at the hearing, the Council must inform displaced residents that they may be eligible for payments from the Minnesota manufactured home relocation trust fund under section 462A.35 as compensation for reasonable relocation costs. The statute defines resident as an owner of a manufactured home who rents a lot in a manufactured home park and includes the members of the resident's household. As a result, tenants, who are not homeowners, appear to not have eligibility for payments. During the hearing, the City Council appoints a neutral third-party arbiter. It is the third-party neutral's role to gather information and serve as an arbitrator for requests from the park residents. Payment of the qualified neutral, based on the neutral's hourly cost, comes from the Fund. After setting the hearing date, the city had to notify Minnesota Housing regarding the hearing date, and it was the hope of staff that Minnesota Housing intended to attend the meeting.

Whitmore mentioned that Minnesota Housing had brought a lawsuit against Schierholz & Associates based on the covenant in a grant from Minnesota Housing accepted by Schierholz & Associates that states Broadmoor Valley must continue as a manufactured home park for twenty-five years. Minnesota Housing filed the case in Ramsey County District Court on February 6, 2025.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to set a public hearing date of May 7, 2025, at 5:30 PM at the Marshall Middle School Auditorium. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

**Aquatic Center 1)-16) Accept Low Bids and Award Contracts for Marshall Aquatic Center 17) Approve Aquatic Center Budget and Authorize Necessary Contracts within that Budget and Per Adopted Finance Policies**

Administrator Hanson provided a brief timeline of the Aquatic Center Project. David Locke of Stockwell Engineering reviewed the elements of the base bid and alternates. Larry Fillipi of Contegrity provided budget information. Fillipi clarified that because the city decided to pursue alternates 1A thru 6B the low bidder for Earthworks/Utilities switched from Duinick Inc to R&G Construction. For category five Masonry the original low bidder found a gross error and requested that their bid be removed. On category eight Aluminum Entrance and Glazing the low bidder did not acknowledge addendums one and two and were deemed nonresponsive. Councilmember Lozinski requested that Moberg provide a more detailed breakout of the budget and where the sources of uses of the funds would come from.

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to accept the low bid for Earthwork/Utilities from R&G Construction for \$2,165,755.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schwartz, Seconded by Councilmember Moua-Leske Leske to accept the low bid for Concrete from Musch Construction Inc. for \$746,305.64 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Alcorn, Seconded by Councilmember Schafer to accept the low bid for Precast Concrete from Teracon Precast for \$647,863.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to accept the low bid for Masonry from Demming Construction Inc. for \$214,500.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Alcorn, Seconded by Councilmember Schwartz to accept the low bid for Carpentry from Doom and Cuypers for \$244,729.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to accept the low bid for Roofing from Gag Sheet Metal Inc. for \$172,000 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schwartz, Seconded by Councilmember Schroeder to accept the low bid for Aluminum Entrance & Glazing from Southwest Glass Center, Inc. for \$74,700.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schroeder, Seconded by Councilmember Schwartz to accept the low bid for Tile from Arnquist Flooring for \$19,000.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Alcorn, Seconded by Councilmember Schroeder to accept the low bid for Acoustical Treatments from Central Suspensions, Inc. for \$9,900.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to accept the low bid for Painting from ToMi LLC for \$30,275.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Alcorn to accept the low bid for Aquatics from Global Specialty Contractors Inc for \$8,511,404.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schroeder, Seconded by Councilmember Schwartz to accept the low bid for Plumbing/HVAC from Bisbee Plumbing and Heating for \$821,025.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to accept the low bid for Electrical from Meier Electric Inc of Marshall for \$591,198.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to accept the low bid for Steel Supply – material only from Marshall Machine Shop Inc for \$67,700.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schroeder, Seconded by Councilmember Schwartz to accept the low bid for Standard Doors/Frames/Hardware – material only from Mid Central Door for \$65,020.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to accept the low bid for Specialties – material only from Building Material Supply, Inc for \$71,110.00 that includes Base Bid with Alternates 1A – 6B. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Jon Brown with Stockwell Engineering provided final comments on the project.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schafer to approve the aquatic center project budget of \$19,170,406.27 and authorize necessary contracts within that budget and per adopted city finance policies. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

**Project SP 4210-61 (TH 68): BNSF Construction on TH 68 – 1) Authorize Execution of MnDOT/City/BNSF Agreement No. 1059392; 2) Consider Resolution Approving MnDOT Construction Plans and Authorizing the Construction to Occur on City Right-of-Way; 3) Authorize Execution of Detour Agreement No. 1059246**

The project was a joint project between MnDOT and Burlington Northern Santa Fe (BNSF) that would replace the railroad crossing of Trunk Highway 68 in Marshall. The project included an 18” drainage pipe crossing beneath BNSF rail, setting new intakes, and 4” drain tile parallel to the track crossing on both sides of the rail. MnDOT would like the City of Marshall to enter into agreement with MnDOT and BNSF regarding each party’s responsibility for the project. The city would not be responsible for any cost participation in the project. The city was involved because MnDOT does not have right-of-way in the proposed work area. MnDOT’s ROW included the center 24-FT at the proposed location, with the remainder of the right-of-way belonging to the City of Marshall. By approving the agreement and Resolution, the city would be allowing the project to occur and for the drainage pipe and intakes to be placed on city right-of-way. The city would be responsible for maintaining the proposed storm sewer facilities as outlined in Mn/DOT Agreement No. 90606-R, Article VI, Section D paragraph 1. MnDOT was considered the owner of the infrastructure and MnDOT was ultimately responsible for capital expenses and large repairs. Additionally, MnDOT would like the city to execute a detour agreement for the duration of the project. The proposed detour would utilize Channel Parkway between Trunk Highway 19 and US Highway 59. MnDOT was estimating a \$2,682,69 payment to the city for our maintenance effort and for road life consumed during the detour. It was anticipated that the project would begin mid-June, but the exact date of construction was uncertain. The project was expected to last three weeks and MnDOT would be providing the city with advance notice prior to beginning construction.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to authorize execution of MNDOT Agreement No. 1059392. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to adopt Resolution 25-026 Approving MnDOT Construction Plans and Authorizing Construction to Occur on City Right-of-Way. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to authorize execution of Detour Agreement No. 1059246 that includes Resolution 25-027 certifying execution of Detour Agreement No. 1059246. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Councilmember Schwartz left the meeting.

**Commission/Board Liaison Reports**

|            |   |
|------------|---|
| Byrnes     | No report.  |
| Alcorn     | No report.  |
| Lozinski   | MMU was working through the process of finding a replacement for their General Manager.   |
| Moua-Leske | Deferred to Administrator Hanson for the DEI Commission. Lauren Mellenthin presented translation services that the City of Marshall was considering using to assist with the growing number of non-native speakers that city staff help with. |
| Schafer    | MERIT Center continued to increase the number of training and rentals.  |
| Schroeder  | The Planning Commission received the notice of closure from Schierholz and Associates and voted to have the city council set a public hearing date. The EDA received a presentation from the Lyon/Murray CEO Program students.                |
| Schwartz   | Absent.   |

**Councilmember Individual Items**

Councilmember Schafer wanted citizens to be aware of the change to leash laws within city limits. Previously dogs only needed to be “under control” of the owner whether by physical leash or by audible control. The ordinance had been changed to control by physical leash only.

Councilmember Lozinski was pleased that the addendums were approved to the Aquatic Center.

Mayor Byrnes, Lauren Deutz, Preston Stensrud and Sharon Hanson would be meeting the legislature on March 26 to testify for projects and requests for the city.

**City Administrator**

Hanson reviewed a number of city indicators that was presented during the “State of the City” presentation.

**Director of Public Works/City Engineer**

Thanked Public Works staff for attending the Marshall Public School Career Fair.

**City Attorney**

No report.

**Information Only**

There were no questions on the Information Only items.

**Upcoming Meetings**

There were no questions or comments about the Upcoming Meetings.

**Adjourn**

At 6:32 PM Motion made by Councilmember Schroeder, Seconded by Councilmember Lozinski. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

Attest:

\_\_\_\_\_  
City Clerk

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Mayor