

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, September 09, 2025**

The regular meeting of the Common Council of the City of Marshall was held September 9, 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, Craig Schafer, John Alcorn, Amanda Schwartz and James Lozinski. Absent: Amanda Schroeder. 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; Sheila Dubs, Human Resource Manager; Lauren Deutz, Economic Development Director; Karla Drown, Finance Director; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes of the Meetings Held on August 26

There were no amendments to the minutes from the meetings held on August 26, 2025.

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to approve the minutes as presented. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0.**

Approval of the Consent Agenda

No requests were made to remove an item from the consent agenda for additional discussion.

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to approve the items on the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0.**

- Call for Public Hearing Regarding Proposed Property Tax at 1310 College Drive W
- Call for Public Hearing Regarding Proposed Property Tax at 1106 W Main St
- Consider Approval of 2025-2026 Liquor Liability Insurance
- Consider Approval of MetLife as the City's Paid Leave Carrier
- Consider Approval of the Bills/Project Payments

Adoption of Ordinance Repealing and Replacing Division 86-VI-2 Signs and Amending Section 86-1 Definitions

The original sign ordinance was adopted in 1976 and had very few amendments. Newer sign types (digital signs) were not addressed in the ordinance, created ambiguity in the allowed sign area, and the ordinance was difficult to follow. Staff suggested completely revising the entire ordinance. The revised ordinance included all existing sign-related definitions, but those definitions would be moved out of Section 86-1 to have all sign-related information in one place. The new ordinance also expanded the list of signs not requiring a sign permit and included requirements for LED signs. Additionally, the new ordinance changed the way maximum signage for a property was calculated, which would make it easier to understand; additional allowances were given for properties located on extra-large lots and/or facing divided highways. In general, the new revisions were less restrictive than sign ordinances of comparable cities. Attorney Whitmore thoroughly reviewed the revisions to ensure it complied with First Amendment requirements and relevant Supreme Court opinions, as signs convey messages and are subject to free speech provisions. Section 86-1 Definitions were reviewed and updated by adding definitions for some terms used but were never properly defined and amending some other definitions to make them concise and consistent.

Motion made by Councilmember Schwartz, Seconded by Councilmember Lozinski to adopt Ordinance 25-011 replacing Division 86-VI-2 Signs in its entirety and amending Section 86-1 Definitions. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0.**

Introduce Amendment to Chapter 86 Related to Cannabis Businesses

Whitmore provided background on the proposed changes. The City of Marshall under Ordinance 24-012 required that a cannabis business cannot be placed within 500 feet from a school when measured from the center of the primary building. Based on the city zoning map many public parks, the exception being Memorial Park, that had attractions regularly used by minors would not be anywhere near the allowed zoning districts for cannabis businesses. As such, the Legislative and Ordinance Committee felt that it was unnecessary to place additional restrictions. With the new aquatic center construction well underway there is now a concern that the businesses near the new pool site would heighten the risk of exposure of cannabis products and marketing to minors. Clerk Anderson pointed out that most cities in the state that had implemented a buffer zone used statutory numbers of 1000 feet from a school and 500 feet from a park or daycare. Marshall was unique in only restricting the buffer zone to schools only and using 500 feet. Councilmember Lozinski added that the Legislative and Ordinance Committee reviewed the distances and compromised on 200 feet to be the least impactful to businesses while still accomplishing the goal of keeping retail cannabis away from the aquatic center. In addition, during the last legislative session, a new lower potency hemp edible wholesaler license type was created and would not be allowed under the zoning ordinance. The lower potency hemp edible wholesaler license was added to the same allowable areas as the cannabis wholesaler license (B3 General Business District, I1 Limited Industrial District, I2 General Industrial District). Councilmember Alcorn asked for clarification with the buffer implemented by Lyon County. Whitmore said that the city did not relinquish authority to the county, so the Lyon County buffer restrictions didn't pertain to the city.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to introduce the amendments to Chapter 86 to place a 200-foot buffer for cannabis retail businesses from the municipal aquatic center and to add lower potency hemp edible wholesaler as a permitted use in the B-3, I-1, and I-2 zoning districts. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0.**

Consider Resolution Approving Airport Maintenance and Operations Grant Agreement No. 1060339 (SFY 2026 & SFY 2027) with the Minnesota Department of Transportation

Director Anderson explained that the City would be paid 75% of eligible maintenance and operation costs not reimbursed by any other source. Eligible maintenance and operations costs would be determined at the sole discretion of State's Authorized Representative. The State had obligated the capped amount of \$91,417.72 in each state fiscal year (SFY 2026-2027). Any funding granted but not requested for reimbursement within the first fiscal year would not roll over into the second fiscal year

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to adopt Resolution 25-065 approving the Airport Maintenance and Operations Grant Agreement with the Minnesota Department of Transportation and authorizing execution of MnDOT State Airports Fund Airport Maintenance and Operations Agreement No. 1060339. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0.**

Commission/Board Liaison Reports

Byrnes	No report.
Alcorn	No report.
Lozinski	No report.
Moua-Leske	Welcoming Week would take place on September 15 th at Justice Park.
Schafer	No report.

Schroeder Absent.

Schwartz Library board discussed budget items and reviewed their annual report.

Councilmember Individual Items

Councilmember Lozinski expressed his frustration with citizens not stopping at school crossings.

Councilmember Moua-Leske expressed her concern with citizens not having leashed dogs and not picking up after them.

Councilmember Schafer reminded everyone that the ceremony for September 11th would be occurring at Memorial Park.

Mayor Byrnes added that on September 11 the ribbon cutting for "The Ponds" disc golf course would be occurring at Independence Park.

City Administrator

Hanson and Mayor Byrnes attended the opening ceremony for the MMUA Rodeo. Provided an update on the bandshell grant application.

Director of Public Works/City Engineer

Updates were given to the following projects: Chip seal, Minnesota/Hill/Charles Street, College Drive, and C Street Southview Bike Trail.

City Attorney

No report.

Administrative Brief

There were no questions on the Administrative Brief.

Information Only

There were no questions about the Information Only items.

Upcoming Meetings

There were no questions or comments about the Upcoming Meetings.

Adjournment

Motion made by Councilmember Schwartz, Seconded by Councilmember Moua-Leske to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 6-0.**

Attest:

City Clerk

Mayor