

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, March 10, 2026**

The regular meeting of the Common Council of the City of Marshall was held March 10, 2026, 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: James Lozinski, Craig Schafer, See Moua-Leske, and Amanda Schwartz. Absent: Amanda Schroeder and John Alcorn. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney (remote); Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Preston Stensrud, Park and Recreation Superintendent; Scott Pryzbilla, Wastewater Superintendent; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

**Consider Approval of the Minutes of the Meeting Held on February 24th**

There were no requests to amend the minutes from February 24.

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to approve the minutes from February 24, 2026, as presented. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Project WW-001: Sanitary Sewer Rehabilitation/Lining Project - Consider Award of Bid**

Numerous segments of public sewer main were identified for cured-in-place-pipe (CIPP) lining improvements. The CIPP method is trenchless, and good candidate segments are not located in areas that would be scheduled for reconstruction in the 10-to-15-year capital improvement project. CIPP lining is considered a “structural lining”, which meant the final product could bear the weight of the ground above the pipe on its own. The final product would be watertight, smooth (excellent flow characteristics), and structural. Locations for consideration included sewers on Elm Street, College Drive, Walnut Street, a location at the WWTF, and some backyard sewers in the Robert/Lawrence/Viking/Roosevelt neighborhoods. Three bids were received on February 2, 2026, with the apparent low bid coming from SAK Construction, LLC from O’Fallon Missouri in the amount of \$1,099,911.80 (Base Bid \$1,033,161.80 + Alternate Bid \$66,750.00). The engineer’s estimate for construction was \$1,282,127. The project was identified in the CIP for \$1,600,000. Councilmember Lozinski requested that Director Anderson expand on the cost savings from using the CIPP improvement versus complete replacement. Mayor Byrnes also noted that the lining would help prevent groundwater from infiltrating and overwhelming the sanitary sewer system.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to adopt Resolution 26-021 Accepting Bid for Project WW-01: Sanitary Sewer Rehabilitation/Lining Project to SAK Construction, LLC of O’Fallon, Missouri, in the amount of \$1,099,911.80 which included bid alternates. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Acceptance of Quotes for Equipment and Services for The Splash – Marshall Aquatic Park**

Several items for the aquatic park are to be provided for and furnished by the City of Marshall. City staff had been working with the Mattress Barn of Marshall to provide poly patio furniture and umbrellas for the concession area. Staff proposed purchasing 10 sets of tables, 10 umbrellas, and 60 chairs. The furniture is made from recycled plastic, has UV protection and would require no maintenance. Total cost for the equipment was \$62,480. However, the Mattress Barn offered a \$27,000 donation to make the City’s total cost \$35,480. \$200,000 was budgeted for FFE of which this purchase would be applied towards. Staff had also been working with MTI Distributing on an irrigation plan for the aquatic park site. The city would purchase all the materials from MTI, and the materials would then provided to an installer. Three quotes were received from local irrigation installers with the low quote coming from DeSaer Outdoor Creations, LLC in the amount of \$29,587. Installation and material costs for the irrigation system would come to \$52,675. Stensrud was nearing completion of final landscaping choices which included seeding, sodding, 21 trees, 187 shrubs and 323 perennials. Landscaping and irrigation were budgeted to be \$215,000.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schwartz to accept the quotes for furniture equipment from the Mattress Barn of Marshall and irrigation installation service from DeSaer Outdoor Creations, LLC of Marshall for The Splash – Marshall Aquatic Park. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Consider Approval of the Bills/Project Payments**

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to approve the bills/project payments. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Wilke-Miller-Buesing Sixth Addition - 1) Approval of Preliminary Plat; 2) Resolution Approving the Final Plat**

The purpose of the plat was to create lots adjacent to a pond behind Canoga Park Drive. The developer desired to construct twin townhomes on Lots One-Six. The 20-to-25-foot access easement would be the location of a driveway to access each lot. Water and sewer service would need to be extended from Canoga Circle to service these development lots. It was anticipated that a development agreement would be required because the water and sewer mains that need to be installed would become public infrastructure. City staff would continue to work with the developer, post-plat, to execute a developer's agreement that identified the roles of each party. The preliminary plat was initially introduced at the City Council meeting on April 22, 2025. The developer submitted a signed request for a 12-month extension of the applications for platting, rezoning and variance on March 21, 2025. The developer has now resumed the development process.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the Preliminary Plat of Wilke-Miller-Buesing Sixth Addition. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to adopt Resolution 26-022 Approving the Final Plat of Wilke-Miller-Buesing Sixth Addition. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Adoption of Ordinance for the Request of Greg Taylor to Rezone the Property Located at 1301 Canoga Circle from B-3 to R-2**

Greg Taylor requested to rezone his properties at 1301 Canoga Circle from B-3 General Business District to R-2 One-to-Four-Family Residence District for potential future residential development of several twin townhouses. The new Comprehensive Plan showed the area to be used as medium density residential use, meaning 6 to 12 dwelling units per acre. The proposed development would be within this density range. On April 9, 2025, the Planning Commission held a public hearing and recommend approval to the City Council for the request to rezone property at 1301 Canoga Circle and along the Canoga Park pond from B 3 General business District to R-3 Low to medium density residence District. Originally, the applicant requested a rezoning to R-3 but then revised his request to R-2, which would be a lower density district. The Comprehensive plan views both R-2 and R-3 as medium density areas and either zoning designation would be appropriate.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to adopt Ordinance 26-002 Rezoning 1301 Canoga Circle from B-3 General Business District to R-2 One to Four Family Residence District. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Consider the Request for a Variance Adjustment Permit for a Reduced Rear Yard at 1301 Canoga Circle**

The developer requested to build multiple twin townhome buildings as close to the pond as possible. The lot in question has an irregular rear property line that follows the pond edge. It is subdivided into five lots, with a duplex to be built on each of them. Even though the lot depth varies along the pond, it is not deep, and, if the access drives

along the edge opposite the pond and all required setbacks are taken into consideration, the buildable area is restricted. In addition, the owner wants to take full advantage of the water feature, which means shifting buildings closer to it. Zoning Ordinance requires a rear yard of twenty five percent of the property depth in an R-3 district. Considering the existing lot depth and its irregular shape, the required rear yard depth will vary from 23.5 feet to 32 feet. City ordinance allows decks to project 8 feet into the required rear yard, in effect the required rear yard for decks would vary from 15.5 feet to 24 feet. By State Statute and City Ordinance, granting of a variance may be permitted only if the request meets the “practical difficulties” test, which required that the proposed use is reasonable, that the problem is caused by conditions that are unique to this property, and that granting the variance would not change the character of the area. Upon review, city staff believe that the argument could be made that the proposal generally meets all three parts of the test: building duplexes is reasonable, the lot is unique due to the pond in the back, and building closer to that water line will not change the character of the area. The rear property lot line could be moved into the pond to allow for a deeper lot and creating a setback line at the water edge, but this option was opposed by staff. The developer, Greg Taylor, provided additional information to the council for his plans for the development.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to approve the request to grant a Variance Adjustment Permit for reducing rear yard to 10 feet for buildings and extending a deck to the rear property line. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**Selection of Koch Hazard Architects for Architectural and Engineering Services for Design and Construction of New Bandshell at Liberty Park**

Requests for Proposals (RFP) were solicited for architectural services for the design of a new bandshell structure at Liberty Park starting in early January 2026 with all submittals due January 30th, 2026. A total of 11 RFPs were received. City staff reviewed and rated all proposals and on February 26th, staff interviewed five firms. After review and deliberation, staff recommended moving forward with Koch Hazard Architects of Sioux Fall, SD to lead the project through design, engineering, acoustics, and construction. Koch Hazard’s team brings vast experience in outdoor performance structures as well as park related projects. Once a contract has been put into place the Bandshell Advisory Committee will be brought in to provide input on design and landscaping. Bidding and construction would occur sometime in 2027.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schwartz to authorize staff to work with Koch Hazard Architects for Architectural Services for design of the bandshell at Liberty Park and finalize an agreement. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

**US Army Corps of Engineers (USACE) FCCE PL84-99 Repairs 2023 and 2024 – Rights of Entry Agreements**

During routine reviews of the city flood control project, staff identified two areas of concern due to erosion along armored segments of the flood control project. City staff completed aerial survey of the flood control project via drone and submitted information and a request for review to the US Army Corps of Engineers (USACE). Following review and discussions, the USACE agreed to design and administer a repair project for our federal flood control system under Public Law 84-99. Public Law 84-99 is the Corps of Engineers’ basic authority to provide support to local governments prior to, during, and after a flood event. The Flood Control and Coastal Emergencies (FCCE) appropriation provides funding for Public Law 84-99 and authorized activities. The USACE required that City staff secure the access to the project locations. In addition, they required the City of Marshall to grant right of entry to city property for repairs of the damaged segments of the flood control project. The USACE provided template documents for staff to use, and City Attorney Whitmore made some amendments to the USACE template files. Access routes and four Right of-Entry documents were requested for the following locations: 406 Airport Road; 410 Airport Road; Lake Marshall Township 260th Street; City of Marshall property along the Redwood River. The documents allow the federal government and its contractors access to the two project locations that are scheduled for repair. The remote nature of the project locations necessitates accessing the sites through private property or a township road. City staff met with

representatives of the Lake Marshall Township, S&R Auto, and the Evangelical Free Church. Staff expect a final review of plans, with a schedule to be bid in April and construction beginning in the summer. With the construction the Camden Regional Bike Trail would be temporarily closed along the portions of the trail where machinery would be working.

Motion made by Councilmember Schafer, Seconded by Councilmember Schwartz to authorize city staff to submit rights-of-entry agreements to the U.S. Army Corps of Engineers. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schwartz. The motion **Carried. 5-0.**

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

This agenda item from removed from the agenda by Mayor Byrnes.

**Commission/Board Liaison Reports**

Byrnes	No report.
Alcorn	No report.
Lozinski	MMU Commission gave a tour of the Marshall water plant.
Moua-Leske	No report.
Schafer	Airport discussed the fuel system project, and the ILS was certified but some local pilots had some follow-up questions with MnDOT Aeronautics.
Schroeder	No report.
Schwartz	No report.

**Councilmember Individual Items**

Councilmember Moua-Leske visited Mrs. Pavik’s third grade class and explained local government.

**City Administrator**

Administrator Hanson requested Director Moberg to update council on bond payoffs. Moberg indicated that the bonds for Tall Grass Liquor and the Marshall Lyon County Library had been paid off earlier this year.

**Director of Public Works/City Engineer**

A bid opening for North High Street will take place on March 17<sup>th</sup>, and on March 20<sup>th</sup> the Marshall High School will be holding a career fair and the City of Marshall will have several departments in attendance.

**City Attorney**

No report.

**Information Only**

There were no questions about the Information Only items.

**Upcoming Meetings**

There were no questions or comments about the Upcoming Meetings.

**Adjournment**

At 6:08 PM Motion made by Councilmember Lozinski, Seconded by Councilmember Schwartz. Voting Yea: Mayor Byrnes, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schwartz. Voting Nay: Councilmember Schafer. The motion **Carried. 5-0.**

Attest:

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City Clerk

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Mayor