

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, July 14, 2026**

The regular meeting of the Common Council of the City of Marshall was held July 14, 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, John Alcorn, Craig Schafer, See Moua-Leske and Amanda Schroeder. Absent: None. Staff present included: Sharon Hanson; City Administrator; Zac DesAutels, City Attorney (remote); Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Ryan Hoffman, Police Captain; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes of Meetings Held on June 23rd

There were no requests to amend the minutes.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to approve the minutes from June 23, 2026, as presented. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

New On-Sale Liquor License 1) Public Hearing for Liquor License; 2) Consider Granting Liquor License for Aruma Marshall LLC

Aruma Tacos and Tequila applied for an On-Sale and Sunday Intoxicating Liquor license. Under city ordinance section 6-51 all new On-Sale Intoxicating Liquor licenses must hold a public hearing before a license may be granted. The request was for 900 Clarice Avenue, which was the former “The Gym” restaurant and “AJ’s Arcade”. According to the manager the AJ’s Arcade and The Gym parts of the building would both be utilized as restaurant space. The building was undergoing renovation and if approved the restaurant owner would be able to set up a site inspection time with Minnesota Alcohol Gambling Enforcement once construction was completed.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to approve an On-Sale Intoxicating Liquor and Sunday Liquor License for Aruma Marshall, LLC. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

Approval of the Consent Agenda

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

- Consider a Temporary Extension of Alcohol License Area for Crazy Days
- Consider Approval of a Temporary Liquor License for the Marshall Area Chamber of Commerce on August 4, 2026
- Consider Approval of a Raffle Permit for Holy Redeemer Church
- Consider Approval of a Raffle Permit for SMSU Foundation
- Consider Approval Declaring the Sounds of Summer a Community Festival
- Sounds of Summer - Consider Request Private Use of Public Streets and Parking Lots (August 19-23, 2026)
- Consider Liability Coverage – Waiver for 2026-2027 League of Minnesota Cites Insurance Trust Property/Casualty and Liability Insurance
- Consider Approval of the Data Practice Policies

- Consider Request of Lyon County Fair Board for Use of Bud Rose Lot (1001 W College Dr) for Overflow Fair Parking on August 12-16, 2026 (Weds-Sun)
- Consider Request for Street Closure for Arts & Living Festival (September 25-26, 2026)
- Consider Approval of the Bills/Project Payments

Consider the Request of Turkey Valley Farms for a Variance Adjustment Permit for a Reduced Side Yard for New Structure

The request from the owner was to build a condenser platform five feet off the property line. The platform would be built next to the existing building along the railroad. The lot was located on a corner so the rear and side yard could be selected based on convenience. In this case, the side yard was considered along the railroad right of way since the other side could meet the requirement for a rear yard. The building was in an I-2 General Industrial district which meant the minimum side yard was ten feet. Under state statutes and city ordinance, granting of a variance may be permitted only if the request met the “practical difficulties” test, which required that proposed use was reasonable, that the problem was caused by conditions that are unique to the property, and that granting the variance would not change the character of the area. Upon review, city staff believed that the application met all three parts of the test. The lot was unique as it borders the railroad right-of-way, which ruled out any buildings next to the property line on an adjacent lot, and there are other structures already very close to the railroad in the area.

Motion made by Councilmember Schroeder, Seconded by Councilmember Schafer to grant the request of Turkey Valley Farms for a Variance Adjustment Permit for a reduced side yard for a new structure. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder

Powell Kuecker Addition - 1) Approval of Preliminary Plat; 2) Consider Resolution Adopting the Final Plat

These are two residential lots north of the Marshall Animal Clinic. The owner/applicant, Scott Kuecker, planned on selling the residential property located on the northernmost lot. The purpose of the plat was to move the existing lot line, so the residential property included an existing out-building. Moving a lot line constituted a split/subdivision of land, and city ordinance does not allow for subdivision of land that was not located in a platted subdivision. Lot 2 would become a standalone parcel. City staff confirmed that the parcel would meet the requirements of a buildable lot.

Motion made by Councilmember Schroeder, Seconded by Councilmember Lozinski to approve the Preliminary Plat of Powell Kuecker Addition. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to adopt Resolution 26-049 Approving the Final Plat of Powell Kuecker Addition. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

Encroachment Agreement for Land in Commerce Industrial Park Second Addition (Block Seven, Lot 2)

Lot 2, Block 7 of Commerce Park Second Addition is the southeastern-most lot within Commerce Park Second Addition. The lot had been identified for many years as a possible future location for Marshall Municipal Utilities (MMU) to locate improvements. In 2017, an option contract was signed by the City of Marshall and Marshall Municipal Utilities which granted MMU the exclusive option to purchase the property for the next 50 years at a cost of \$1.00 and other good and valuable considerations. In 2019, the option contract was amended to reflect the new designation of the lot after the development was re-platted from Commerce Industrial Park to Commerce Industrial Park Second Addition. It was at this time that the lot was identified as Lot 2, Block 7. The intent of selling the land to MMU was to enable MMU to place, in the future, water or electric utility infrastructure in this location. It has been discussed that this could be land for a new water tower or perhaps a future water treatment plant. The city

also recognizes other good and valuable consideration for the purchase by MMU through MMU's significant investment in Marshall's industrial development in this area. This included funding support for stormwater treatment facilities on the MERIT property, which did not directly benefit the utility. The land had not been transferred to MMU to date because the City of Marshall utilized State BDPI grant dollars for the construction of Commerce Park, and state statute prohibited specific land uses when state dollars were utilized.

However, 10 years after the date of grant agreement (October 2, 2027), the restriction on land use would no longer apply. In the meantime, MMU desired to utilize the property at Lot 2, Block 7 to store construction materials, such as gravel, topsoil, or other materials. To get access, MMU would like to construct two driveways onto the property. MMU's need for the site stems from their upcoming Erie Road Substation project, just south of the Wastewater Treatment Facility. MMU stored materials where the substation project would take place and needed to find a new location. During the substation project MMU would like to use the Commerce Industrial Park space as a laydown yard for substation project equipment and materials. Since Lot 2, Block 7 would ultimately be transferred to MMU, it was staff opinion that MMU be allowed to utilize our land for use as a materials storage yard temporarily, with the likely result being that the city would transfer the land to MMU later. To facilitate this plan, an encroachment agreement had been prepared and reviewed by the City Attorney.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to authorize the execution of an Encroachment Agreement with Marshall Municipal Utilities for Land in Commerce Industrial Park Second Addition. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. The motion **Carried. 6-0.**

Salaries and Compensation of Mayor and Councilpersons

The City of Marshall Charter required that salaries of the Councilmembers and Mayor be discussed as an agenda item at the first council meeting in July of each year. After said discussions, the council shall set and determine said salaries in accordance with applicable state law. Minnesota State Statute 415.11 allows for the governing body to fix their own salaries by ordinance in such amount as they deem reasonable. No change in salary would take effect until after the next succeeding municipal election. In 2024 City Council adopted Ordinance 24-015 setting council salaries for 2025 and 2026 using a 3% increase. Councilmembers discussed the pros and cons on adjusting salaries and the need to control costs for the city as well as attracting prospective candidates.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to increase council and mayor salaries by 1.5% in 2027 and 1.5% in 2028. Voting Yea: Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder. Voting Nay: Mayor Byrnes. The motion **Carried. 5-1.**

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

Interviews were held prior to the regular meeting. Mayor Byrnes offered the following appointments:

Joyce Strootman to the Library Board with a partial term to end December 31, 2027;
Traci Seifert to the Planning Commission for a first term to end May 31, 2029.

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

Commission/Board Liaison Reports

Byrnes	The Library Board decided on a budget to recommend to the City of Marshall and Lyon County. Library Director Leininger would be presenting the request to the city during an upcoming work session.
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Alcorn	Public Housing held a special meeting to accept the resignation of their director, Mark Farrel. Bill Mulso was asked to act as interim director until the commission could find a permanent replacement.
Lozinski	No report.
Moua-Leske	Adult Community Center discussed rental space within the city and would be doing an informal survey to determine rental costs. A suspension policy was also considered and would be administered by the Marshall Area Senior Citizens group.
Schafer	Airport Committee was unable to meet but a summary of events was sent by Jason Anderson. Snow blower bids came in favorable
Schroeder	No report.

Councilmember Individual Items

Councilmember Lozinski attended the League of Minnesota Cities conference and was able to make new connections and learn new things. Lozinski also would like to remind citizens once again to stop at street crossings when people push the buttons indicate they need to cross. The PI&T Committee met and discussed stop signs as several citizens wanted stop signs added in their neighborhood due to increased traffic because of Highway 19 construction. Director Anderson reviewed the criteria needed before signs would be installed at intersections. The streets being requested for signs didn't meet any of the criteria.

Councilmember Moua-Leske updated the council on the aquatic center. A soft opening was hoped to occur the last week in July with a ribbon cutting the following week.

City Administrator

The 250th Celebration went great even with rain the firework show was still able to occur. A survey for the bandshell and bikes were available for citizens to provide feedback.

Director of Public Works/City Engineer

Updates were given on the following projects: Redwood River levee repair, airport fuel farm relocation, South 5th Street, Southview bike trail, and College Drive.

City Attorney

No report.

Administrative Brief

There were no questions about the Administrative Brief.

Information Only

There were no questions about the Information Only items.

Upcoming Meetings

There were no questions on the Upcoming Meetings.

Adjournment

At 6:10 PM Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adjourn the meeting.
Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske,
Councilmember Schafer, Councilmember Schroeder

Attest:

City Clerk

Mayor