

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, September 10, 2024**

The regular meeting of the Common Council of the City of Marshall was held September 10, 2024, 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: Amanda Schroeder, Steve Meister, John Alcorn, James Lozinski and See Moua-Leske. Absent: Craig Schafer. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney (via Zoom); 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; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes from the Regular Meeting and Work Sessions Held on August 27th

There were no amendments to the minutes from August 27, 2024.

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

Public Hearing to Consider a Tax Abatement Application at 406 Airport Road 2)Consider Approval of a Tax Abatement for SR Auto

The City of Marshall received a request from Scott Regnier, owner of SR Auto Repair Garage for financial assistance through tax abatement to assist with the construction of a larger automotive repair shop. The project after completion would add three additional bays to allow for timelier repairs as multiple vehicles could be serviced at once and would bring the need for the addition of one to two mechanics and an officer worker.

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

Motion made by Councilmember Meister, Seconded by Councilmember Alcorn to approve Resolution 24-082 granting a tax abatement to SR Auto Repair Garage. Voting Yea: Mayor Byrnes, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 6-0.**

Approval of the Consent Agenda

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

- Consider Approval for a Temporary Liquor License for the Taste of Marshall Event on October 7th
- Consider Approval of a Tobacco License for Kwik Trip #1273
- Consider Approval for a 3.2% Malt Liquor Off-Sale License for Kwik Trip #1273
- Consider Approval of an Amendment to the Personnel Policy Manual
- Project AP-003: Airport Snow Removal Equipment (SRE) Building - Consider Resolution Authorizing Execution of MnDOT State Companion Grant Agreement No. 1057831 (SP A4201-108 / AIP-3-27-0056-021-24) for Building Construction
- Consider Approval of the Bills/Project Payments

Stone Meadow - 1) Approval of Preliminary Plat; 2) Consider Resolution Approving Final Plat

Director Anderson said the preliminary plat was sent to local utility companies for review and comments and no issues were found. The Planning Commission held a public hearing on August 28, 2024, and all members voted in favor. The developer of the project would like to close in October and hope to begin groundwork if there was a mild winter.

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

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to adopt Resolution 24-080 approving the Final Plat of Stone Meadow. Voting Yea: Mayor Byrnes, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 6-0.**

Adoption of Ordinance for the Request of Turkey Valley Farms to Rezone Two Lots from R-1 One Family District to R-2 One to Four Family District and a Conditional Use Permit for a Parking Lot in an R-2 District

Turkey Valley Farms had requested to rezone 306 and 308 South Sixth Street from an R-1 One-Family District to an R-2 One-to-Four Family District, and then to approve a Conditional Use Permit for a parking lot in an R-2 District. Turkey Valley Farms was looking for a way to provide more off-street parking for its workforce to reduce the need for street parking. Parking lots are permitted by a Conditional Use Permit in an R-2 zoning district but not in R-1. The area was a medium density residential use on the Future Use Map in the Marshall 2040 Comprehensive Plan. Rezoning to R-2 would follow the new Comprehensive Plan. The Planning Commission conducted a public hearing for rezoning and the conditional use permit on August 14, 2024, and the motion for recommend rezoning passed by a vote of 4:2. The adjoining neighbor did express concern about visibility and that was addressed in the CUP that landscaping of would be required along the parking lot. A separate motion to recommend approval of a conditional use permit also passes by a vote of 4:2.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to adopt Ordinance 24-016 Re-zoning Lot 1 and Lot 2 of Gillett and Simmons Addition from R-1 to R-2. Voting Yea: Mayor Byrnes, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. Voting Nay: Councilmember Meister. The motion **Carried. 5-1.**

Motion made by Councilmember Lozinski, Seconded by Councilmember Moua-Leske to approve a Conditional Use Permit for a parking lot in an R-2 district. Voting Yea: Mayor Byrnes, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. Voting Nay: Councilmember Meister. The motion **Carried. 5-1.**

Aquatic Center Bid Review, Request to Reject Bids

Jon Brown and David Locke of Stockwell Engineers reviewed the bids for the aquatic center. The engineers estimate for the project was \$16.5 million with the lowest base bid coming from Breitbach Construction for \$22,375,000. As the lowest bid was vastly over the engineers estimate Stockwell had recommended that all five bids be rejected and redesign the plans. Stockwell explained that the amount of pool work being done around the state, difficulty in hiring skilled laborers, material cost increases, and travel expenses all attributed to higher bids than expected. The Aquatic Center Committee had also met to discuss the bids and what could be done to get the project back into the voter approved amount of \$18.37 million. Redesigning and re-using the existing pool was briefly discussed but was not viable. Hanson mentioned looking into using a Construction Manager to help lower costs, but Brown said that process could add extra time.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Meister to reject all bids and to work with Stockwell Engineers to redesign the aquatic center project and look at possibly using a Construction Manager. Voting Yea: Mayor Byrnes, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 6-0.**

Commission/Board Liaison Reports

Byrnes	No report.
Schafer	No report.
Meister	No report.
Schroeder	No report.
Alcorn	No report.
Moua-Leske	DEI reviewed their strategic plan. The Marshall-Lyon County Library hired a new librarian. CVB was excited for their upcoming Prairie Jam event.
Lozinski	No report.

Councilmember Individual Items

Councilmember Lozinski mentioned that the SRE building also came in way over bid and was pared down and became a good project.

Mayor Byrnes wanted to remind citizens of the 9/11 Memorial event that would be taking place.

City Administrator

MMUA held their lineman rodeo in Marshall. The training center has been in Marshall for 25 years and 2024 was the 7th annual rodeo.

Director of Public Works/City Engineer

Project updates were given on the following: Whitney Street, Lyon Circle, and Snow Removal Equipment building.

City Attorney

No report.

Administrative Brief

There were no questions on the administrative brief.

Information Only

There were no questions on the Information Only items.

Upcoming Meetings

There were no questions on the Upcoming Meetings.

Adjournment

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

Attest:

Steven Anderson, City Clerk

Robert Byrnes, Mayor