

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Monday, November 10, 2025**

The regular meeting of the Common Council of the City of Marshall was held November 10, 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: Craig Schafer, Amanda Schroeder, John Alcorn, See Moua-Leske, Amanda Schwartz and James Lozinski. Absent: None. 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; Sheila Dubs, Human Resource Manager; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes of the Meetings Held on October 28th

There were no requested amendments to the minutes from the meetings held on October 28, 2025.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to approve the minutes from the meetings held on October 28, 2025. 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 Schafer requested that Item 7. Consider Approval of a Raffle Permit for Shades of the Past be removed for additional discussion.

Motion made by Councilmember Lozinski, Seconded by Councilmember Moua-Leske to approve the remaining items on 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 an Ordinance Amending Chapter 70 Article II to Transfer Collection and Enforcement of Lodging Tax to the MN Department of Revenue
- Introduction of an Ordinance Amending Ch. 22, Article VIII, Section 225 Limits on Registrations
- Introduction of an Ordinance Amending Division 18-III-2 Permit to Move into Residential District
- Introduction of an Ordinance Amending Sections 86-161 Height Modifications and 86-162 Yard Modifications
- Consider Approval of a Temporary Liquor License for the Marshall Area Chamber of Commerce
- Consider Approval of a Lease Agreement with Lutheran Social Services
- Consider Approval of an Amendment to the Family and Medical Leave Policy in the Personnel Policy Manual
- Project ST-013: N High Street (N 4th to Oak) Reconstruction Project - Consider Resolution Receiving Feasibility Report and Calling Hearing on Improvement
- Project WW-046: Main Lift Station Renovation Project - Consider Authorization to Advertise for Bids
- Consider Approval of the Bills/Project Payments

Consider Approval of a Raffle Permit for Shades of the Past

Councilmember Schafer is an active member of the Shades of the Past Car Club and needed to abstain from the vote.

Motion made by Councilmember Schroeder, Seconded by Councilmember Lozinski. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schroeder, Councilmember Schwartz. Voting Abstaining: Councilmember Schafer. The motion **Carried. 6-0-1.**

Charter Amendments 1) Introduce Proposed Charter Amendments 2) Call for Public Hearing to Held on December 9th

Many of the recommended amendments from the Charter Commission were to bring the city in compliance with state law. During the 2025 legislative session many law changes were made that affected local governments. One such change under Minn. Stat § 331A.10 modified how a local government must publish notices when a local newspaper closes. If a designated qualified newspaper were to be discontinued, a municipality may satisfy publication requirements by posting required notices on both their own website and on the Minnesota Newspaper Association's website until an alternate qualified newspaper is available.

Staff also found that there were inconsistencies with the Charter and State law regarding Open Meeting Law and setting election dates. Under Section 3.01 of the Charter, members of the council could call a special meeting with twelve hours' written notice for members of the council. Under Open Meeting Law, notice is required to be given at least three days prior to the meeting. Staff recommended that this provision of the Charter be amended to match State law. The Charter was also missing language regarding emergency meetings, which could be called and noticed less than the required three days. Sections 5.16 and 5.24 allowed the council to set a special election not less than thirty nor more than forty-five days after approval. State law only allows special elections to be held on five specific dates (Second Tuesday of February, April, May, August and the First Tuesday after the first Monday in November). Therefore, staff recommended that these sections be changed to match the requirements in statute.

The last recommended amendment was to allow the city to sell real property by resolution in addition to by ordinance. The uncodified ordinance process adds extra cost and time to the buyer. Property held by the Economic Development Authority would still be required to hold a public hearing to sell real property. Councilmember Schroeder as a member of the Charter Commission mentioned that the commissioners felt that nothing was controversial and the amendments would align the Charter with state statutes.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to introduce the proposed charter amendments. 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 Schafer to call for a public hearing to be held on December 9th on the proposed charter amendments. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Proposal for Stormwater Model Updates & Analysis from Bolton & Menk, Inc.

City staff secured a proposal from Bolton & Menk for \$46,200 to update the city-wide stormwater model and to evaluate opportunities for improvements to the drainage system. The modeling efforts would help staff to ensure that drainage/pond projects have good cost-benefit and help with competing for grants as opportunities arise. The city previously had good success with grant proposals, in large part due to preliminary work on project justification through modeling and analysis. The last model was created five years ago, and the city had completed projects since that time that could be entered into the model to allow for more accurate analysis. Once the model is updated, staff will analyze potential system improvements to quantify the benefit of each proposed project. Staff had identified numerous locations to review possible benefits of new ponds or implementing some form of water level management to existing ponds. The total estimated not to exceed hourly fee for the project scope was \$46,200.00. The project would be funded by the Surface Water Management Utility Fund.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to award the Proposal for Stormwater Modeling Management Plan Updates & Analysis to Bolton & Menk, Inc. for a total estimated not to exceed hourly fee of \$46,200.00. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Project AP-008: Instrument Landing System (ILS) Replacement-Runway 12 - Consider Final Pay Estimate No. 4

The Instrument Landing System is a radio navigation system that provides short-range guidance to aircraft and allows them to approach a runway at night or in poor weather conditions. The ILS system reached a point where the manufacturer would no longer service and repair equipment. As a result, the Minnesota Department of Transportation (MnDOT) wants to replace our system. The project required City participation, and the city was responsible for civil sitework and building costs, while MnDOT was responsible for covering the costs of the ILS equipment. All work had been completed according to the consultant's plans and specifications, and TKDA signed off on the Final Pay Estimate No. 4. The 2024 capital budget included the ILS project at a total cost of \$1,000,000, with \$300,000 included for local costs. City Council authorized Amendment #A01 to MnDOT Grant Agreement No. 1056813 / S.P. A4201-110 which resulted in a total project cost of \$581,306.00 with 70% State participation of \$406,914.20 and 30% local participation of \$174,391.80. The Final Pay Estimate No. Four for the project was in the amount of \$20,472.14 which was a contract decrease of \$1,863.12. The final contract amounted to \$409,442.88. Councilmember Schafer asked for clarification about the final inspection and if any problems arose, would an additional change order be needed. Director Anderson and TKDA believed the system would pass all checks and that a change order was very unlikely to happen.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to authorize Final Pay Estimate No. Four for Project AP-008 in the amount of \$20,472.14. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

US Army Corps of Engineers (USACE) FCCE PL84-99 Repairs 2023 and 2024 - Certification of Lands and Authorization

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. Upon discovery, city staff completed aerial survey of the flood control project via aerial drone and submitted the information and a request for review to the U.S. 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 was 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 provided funding for PL 84-99 authorized activities. The USACE asked for execution of a "Certification of Lands and Authorization" to continue the repairs. By executing the document, the City would be acknowledging that we own the land where the project work was going to occur, and we authorized the project to proceed on our property. The requested certification document also required the City Attorney to sign and acknowledge that the Attorney reviewed the title for the parcel and that the City has authority to grant authorization for access to the property. The City Attorney reviewed the title and was prepared to execute the certification. City staff were not aware of any fiscal impact on project design and construction. It was staff's understanding that the USACE will utilize its FCCE appropriation to cover the costs associated with project design, construction, and project administration.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to authorize the execution of the Certification of Lands and Authorization and to direct the City Attorney. Voting Yea: Mayor Byrnes, Councilmember Alcorn, Councilmember Lozinski, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

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

The Public Housing Commission, on April 14, 2025, authorized the city human resources services to conduct a personnel assessment related to organizational personnel strengths and issues. In the interim, Councilmember John Alcorn was to be recommended to be appointed as a voting member of the Public Housing Commission to coincide with and until/or soon thereafter the conclusion of the personnel assessment is completed.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schroeder. Voting Yea: Mayor Byrnes, Councilmember Moua-Leske, Councilmember Schafer, Councilmember Schroeder, Councilmember Schwartz. Voting Abstaining: Councilmember Alcorn, Councilmember Lozinski. The motion **Carried. 5-0-2.**

Commission/Board Liaison Reports

Byrnes	The Redwood One Watershed Plan met and completed their plan for the watershed and recommended the plan to the MN Board of Water and Soil Resources for final approval.
Alcorn	No report.
Lozinski	MMU will be hosting a public hearing on a proposed rate increase on November 19, 4:30PM.
Moua-Leske	No report.
Schafer	No report.
Schroeder	No report.
Schwartz	The library ash tree replacement program was underway, and several trees had recently been replaced through the program.

Councilmember Individual Items

Mayor Byrnes congratulated the Marshall High School Girls Volleyball team for winning the state championship.

Councilmember Schafer wanted to thank all service members and veterans.

City Administrator

No report.

Director of Public Works/City Engineer

A public informational meeting will be held on November 18th at 5:30 PM in the council chambers for residents affected by the North High Street reconstruction project to receive details. Highway 19 was still scheduled to re-open sometime mid-November.

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 5:56 PM 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 Schroeder, Councilmember Schwartz. The motion **Carried. 7-0.**

Attest:

City Clerk

Mayor