



**CITY OF MARSHALL**  
**City Council Meeting**  
**Agenda**

**Tuesday, February 27, 2024 at 5:00 PM**  
**City Hall, 344 West Main Street**

**OPENING ITEMS**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

- [1.](#) Consider Approval of the Minutes from the Regular Meeting Held on February 13th

**AWARD OF BIDS**

- [2.](#) Project ST-012-2024: South Whitney Street Reconstruction Project (E College Dr to Jean Ave) - 1) Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds; 2) Resolution Accepting Bid (Awarding Contract)

**CONSENT AGENDA**

- [3.](#) Consider Approval of License Renewals for Garbage/Refuse Haulers
- [4.](#) Channel Parkway Addition – Introduction of Preliminary Plat
- [5.](#) Project ST-001-2024: Chip Sealing on Various City Streets - Consider Authorization to Advertise for Bids
- [6.](#) Project ST-002-2024: Bituminous Overlay Project - Consider Authorization to Advertise for Bids
- [7.](#) Consider a Resolution of Support for Bioforge Marshall (Solugen) to the MN Forward Fund
- [8.](#) Consider Resolution Calling for a Public Hearing on an Issue of Revenue Bonds on Behalf of Avera Health
- [9.](#) Consider Resolution Calling for a Public Hearing on an Issue of Conduit Revenue Bonds on Behalf of the Foundation for Innovation in Education to be Leased to and Operated by the Southwest West Central Service Cooperative
- [10.](#) Consider Approval of the Bills/Project Payments

**APPROVAL OF ITEMS PULLED FROM CONSENT**

**NEW BUSINESS**

- [11.](#) Wastewater Items – 1) Wastewater NPDES Permit Update; 2) Consider Authorization to Utilize Wastewater Funds to Continue the Water Softener Rebate Program (Project WW-002)
- [12.](#) Project ST-010: Lyon Circle Reconstruction Project - Consider Resolution Receiving Feasibility Report and Calling Hearing on Improvement

**COUNCIL REPORTS**

- [13.](#) Commission/Board Liaison Reports
14. Councilmember Individual Items

**STAFF REPORTS**

15. City Administrator
16. Director of Public Works/City Engineer
17. City Attorney

**INFORMATION ONLY**

- [18.](#) Public Housing Commission Minutes
- [19.](#) Building Permits

**MEETINGS**

- [20.](#) Upcoming Meetings

**ADJOURN**

**Disclaimer: These agendas have been prepared to provide information regarding an upcoming meeting of the Common Council of the City of Marshall. This document does not claim to be complete and is subject to change.**



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Mayor Byrnes
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	APPROVAL OF MINUTES
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of the Minutes from the Regular Meeting Held on February 13th
<b>Background Information:</b>	Enclosed are the minutes from the previous meetings.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
<b>Recommendations:</b>	That the minutes from the meeting held on February 13th be approved as filed with each member and that the reading of the same be waived.

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, February 13, 2024**

The regular meeting of the Common Council of the City of Marshall was held February 13, 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: Craig Schafer, Amanda Schroeder, John Alcorn, See Moua-Leske and Steve Meister and James Lozinski. Absent: None. 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; Jim Marshall, Director of Public Safety; Scott Truedson, Wastewater Superintendent; Ilya Gutman, Plans Examiner; Quentin Brunsvold, Fire Chief; and Steven Anderson, City Clerk.

Members of the Rental Ordinance Committee were in attendance that included John Decramer, Mark Klaith and Jessica Bently.

**Consider Approval of the Minutes from the Regular Meeting Held on January 23rd**

There were no requests to amend the minutes from January 23<sup>rd</sup>.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to approve the minutes as presented. Voting Yea: Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. Voting Abstaining: Mayor Byrnes. The motion **Carried 6-0-1**.

**Public Hearing and Consideration of Adoption of Article 18-VIII Residential Rental Code**

Attorney Whitmore summarized the recent history of the rental code. In January 2023, the city considered a proposed rental ordinance which met push back from the community. The Council decided to not act on the proposed ordinance in January 2023, and directed staff to start a process for creation of a Rental Committee. The City Attorney drafted a registration-based ordinance for review and feedback from the Rental Committee once formed. The Rental Committee met five times to review the newly drafted ordinance – June 13, July 11, August 8, October 10, and October 31. The Rental Committee was made up of representatives of city staff, fire department, council, tenant advocates and landlords and was facilitated by John Decramer and Mark Klaith. The Committee participants included Zachary Gilman, James Carr, Brad Meulebroeck, Shawn Butler, Jessica Bentley, Angela Larson, Quentin Brunsvold, Steven Anderson, Jason Anderson, Sharon Hanson, Craig Schafer, and James Lozinski. The Rental Committee engaged in thoughtful and thorough discussion regarding the goals of the city, the interests of the community and the protections of the public. These discussions led to productive collaboration and revisions. On October 31, 2023, the Rental Committee approved, by unanimous vote, to recommend the residential rental registration ordinance. Attorney Whitmore suggested that if a motion were to be made that the term bi-annual be stricken and replaced with biennial. Bi-annual could mean twice in one year or every two years, and the intention of the committee was for registration to occur on even numbered years.

John Decramer, co-chair of the Rental Ordinance Committee, spoke about how the rental code was not a new concept to the City of Marshall. Various council members from at least the past five years have worked on or considered a rental ordinance. Mark Klaith, the other co-chair of the Rental Ordinance Committee, said the ordinance was for landlord and tenants to cooperate first and then bring in city staff for incompliance with city codes. As former Fire Chief, Klaith expressed that he wished the ordinance had more teeth to it than just registration, but it was a good start. Marta Faulkner, a tenant, spoke about her experiences and the conditions of her apartment complex. Curt VanMeveren, a landlord, also spoke about his experiences and asked various questions about the ordinance. Jody Arcand expressed concerns she had with management at Halter Villa Apartments.

Motion made by Councilmember Meister, Seconded by Councilmember Schafer to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0**.

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to adopt Ordinance 24-003 Residential Rental Code. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Motion made by Councilmember Meister, Seconded by Councilmember Moua-Leske to approve Resolution 24-016 amending the 2024 fee schedule to add rental registration fees and penalties. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

### **Public Hearing for an Ordinance Amending the City Charter**

Attorney Whitmore provided a general overview of the proposed changes to the city charter:

- Deleted his/her, he/she and him/her preferred personal pronouns in favor of titles or nongendered pronouns.
- Amend existing language to comply with statutory changes related to special election dates.
- Amend existing language to clarify timing of council resignations and how to proceed if there is a tie on an appointment.
- Amend language regarding process and requirements for redistricting of wards to comply with statutory changes.
- Amend language regarding voting requirements if a member of the decision-making body joins the meeting remotely via interactive technology to comply with recent statutory changes.
- Adding language to provide the Council with authority to create a table for non-substantive ordinances, not of a general or permanent nature, that are not otherwise codified in code.
- Amend language of 5.02, expenditures for Petitioners, to comply with requirements set forth in a United States Supreme Court decision to allow hiring of individuals to go door to door to try to get signatures on a petition but to still prohibit paying individuals people to sign the petition.
- Adding language to Section 7.01 to clarify that Council may, through adoption of policy, create authority for the City to identify and expend funds on expenditures that benefit the community as a whole; are directly related to governmental functions; and primarily benefits the public interest (not private interest). This allows the city more flexibility to promote and support its community.

Councilmember Schroeder who served on the Charter Commission said the commission members all agreed that it was good that the charter was being updated to comply with state laws.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to adopt Ordinance 24-004 amending the City of Marshall charter. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

### **Vacation of Alley and Utility Easement in Schwan's Corp I Addition - 1) Public Hearing on Resolution Granting Petition; 2) Consider Resolution Granting Petition for Vacation**

Jason Anderson informed the council that a petition was received for the vacation of an alley and a utility easement between Lot One and Lot Two, Block Three of Schwan's Corp I Addition. The petition was for the location of the future aquatic center site at the corner of Saratoga and College Drive. All utility companies were contacted regarding the vacation and only Bluepeak responded that they have facilities in the easement area. Bluepeak indicated that a plan was in place to relocate the facilities in 2024.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to approve Resolution 24-017 Granting Petition for Vacation of an Alley and Utility Easement. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Project AP-003: Airport Snow Removal Equipment (SRE) Building – Consider Award of Contract**

Director Anderson said that in 2023 this project had originally been bid out and came in overestimate and was rejected. The existing building did not adequately accommodate all airport maintenance equipment storage needs, therefore the city contracted TKDA the engineering firm that did the original bid to rework the project and come up with a new bid proposal. The new facility was planned to be constructed on the East Building Area of the airport which would be on Madrid Circle. The Project had been identified on the Airport CIP since FFY2011. Bids were received on 01/23/2024 and five bids were received with Sussner Construction, Inc. of Marshall being the low responsive bid. The SRE Building project was presented to the Airport Commission at their meeting on 02/06/2024 and the Airport Commission recommended unanimously to award the contract to Sussner Construction, Inc., including the bid alternate for landscaping, for \$2,913,100.00. Cost share was identified in TKDA's recommendation letter and was estimated at \$646,911.92 for the City of Marshall's local share. The local share included engineering fees for construction project administration. Councilmember Lozinski mentioned that the city council had rejected the bids from last year and the project had now become considerably cheaper. Councilmember Schafer echoed the sentiments of Councilmember Lozinski and commented that a new tenant at the airport had started construction of a hanger that would be located next to the proposed site of the proposed SRE building.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to award the contract of Project AP-003 to Sussner Construction. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. Voting Nay: Councilmember Meister. The motion **Carried. 6-1.**

**Mayor Byrnes at 6:28 PM called for a short recess and at 6:33 PM resumed the meeting.**

**Approval of the Consent Agenda**

No requests were made to have an item from the consent agenda removed for further discussion.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the items on the consent agenda as presented. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

- Consider Approval of an Administrative Hearing Officer
- Consider Request of the Marshall Downtown Business Association for St. Patrick's Day Parade – March 16, 2024
- Redwood River One Watershed, One Plan (1W1P) – Designate Delegate and Alternate Delegate to Policy Committee
- Project ST-010: Lyon Circle Reconstruction Project - Consider Resolution Ordering Preparation of Report on Improvement

- Consider Approval of a Joint Powers Agreement with Minnesota Internet Crimes Against Children Task Force
- Consider Renewal of a Contract with Frontline Warning Systems (Outdoor Warning Sirens) and Replacement of Defective Equipment
- Consider Approval of a Tobacco License for Family Dollar
- Consider Approval to Allow Alcoholic Beverages at City-Owned Facilities and Parks
- Consider Approval of the Bills/Project Payments

**Project WW-005: Highway 23 Lift Station Improvements Project – 1) Phase III Pump Selection; 2) Consider Authorization to Advertise for Bids for Wastewater Highway 23 Lift Phase IV Wet Well Renovation**

Scott Truedson presented the request for Project WW-005. At the May 9, 2023, meeting the City Council rejected the single bid for the Highway 23 Lift Station Improvement Project and adapted a four-phase plan for the improvements. Phase I consisted of installing new VFD drives and a new transfer switch. At the July 11, 2023, meeting the City Council approved the wastewater department to purchase two Flygt pumps for Phase II of the Highway 23 Lift Station Improvements Project. Phases I & II were completed in 2023. Phase III of the project was to purchase the remaining two pumps for the lift station. The Wastewater Department had received an updated quote from the local Flygt pump supplier, Electric Pump, for 2024 and the cost of the pumps had been held to the same price as the pumps that were purchased in 2023.

Phase IV would consist of:

- Removal of the four existing submersible pumps, wet well piping and guide rails.
- Renovation of wet well structure with concrete repairs as needed, and new coating system.
- Installation of the four new pumps supplied by the city.
- Installation of new piping in the wet well structure.
- Bypassing pumping of the lift station while renovations work is being completed.

Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to authorize purchase of two Flygt pumps for \$100,994.00. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion. **Carried. 7-0.**

Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to authorize advertisement for bids for Phase IV of the Highway 23 Lift Station Wet Well Renovation Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Project AP-003: Airport Snow Removal Equipment (SRE) Building – TKDA Professional Services Agreement-Construction Phase**

Director Anderson explained the professional services agreement with TKDA for the Airport SRE Building Construction Phase. The agreement will cover TKDA services to help administer the construction of the SRE Building and ensure compliance will all plans and specifications. The Airport Commission recommended at their February 6, 2024, meeting to enter into the agreement with TKDA. The cost of construction phase and closeout phase was not to exceed \$280,200 for services identified in the scope. Costs would follow the funding split that was identified for the SRE Building with local costs estimated at \$39,277.40 for the services with the rest being covered by State and Federal funding. Councilmember Lozinski questioned if under this contract would TKDA essentially become the construction manager for the project. Director Anderson confirmed that TKDA would oversee the project and work closely with the construction companies, but the city engineering department would be still involved.

Motion made by Councilmember Schafer, Seconded by Councilmember Alcorn to authorize the professional services agreement with TKDA for the SRE Building construction phase for an amount not to exceed \$280,200 and contingent upon State and Federal grant funding. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

#### **Instrument Landing System (ILS) Replacement at the Airport - TKDA Professional Services Agreement**

In January 2023, the city received a letter from MnDOT regarding the replacement of the Instrument Landing System (ILS) at the Municipal Airport, which was owned by MnDOT. The ILS 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 has reached a point where the manufacturer would no longer service and repair equipment, and MnDOT would like to replace our system as soon as they are able. The project requires City participation, and the city is responsible for civil sitework and building costs, while MnDOT is responsible for covering the costs of the ILS equipment. In 2023, the city was asked by MnDOT to send a grant request letter for a civil site work construction project. Following Council authorization at the February 14, 2023, meeting, city staff submitted a grant request letter for a project. MnDOT never responded to the grant request and now a year later MnDOT is ready to proceed with the project. The first step to moving the project forward was to authorize an engineering contract with TKDA for engineering design services. With City Council authorization, city staff would submit again to MnDOT for a grant to help cover costs. The Airport Commission at their meeting on February 6, 2024, voted unanimously to recommend approval of the agreement with TKDA to the City Council. City staff anticipated a 70-30 cost split with MnDOT, resulting in a local cost of \$28,320. The 2024 capital budget included the ILS project at a total cost of \$1,000,000, with \$300,000 included for local costs. Some of the equipment was already on hand from MnDOT and was being stored at the Municipal Airport for Marshall and other airports around the state.

Motion made by Councilmember Meister, Seconded by Councilmember Schafer to approve the professional services agreement with TKDA for the ILS Replacement project at the airport for an amount not to exceed \$94,400 and contingent on MnDOT grant funding. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

#### **Consider Adoption of an Ordinance Amending Interim Cannabis Prohibition**

The City adopted Ordinance 23-015 on July 27, 2023 to allow the City Council time to study and consider adoption or amendment of reasonable restrictions on the operation or location of commercial businesses related to cannabinoid products, including retail stores in the City of Marshall offering Cannabis products, and Lower-Potency Hemp products, for the purpose of protecting the planning process and the health, safety, and welfare of the public. Commercial businesses involved with limited manufacturing, and the transporting, or delivery and distribution of infusion based lower potency hemp beverages did not pose a risk to the health, safety and welfare of the public since the operation of those businesses do not result in an introduction of THC related intoxicating products for off sale use by the public within the City of Marshall. Commercial businesses involved in testing, manufacturing, transporting, or delivery and distribution of lower potency hemp edibles and hemp-derived consumer products would not result in increased exposure or availability of these intoxicating products to youth in the community. Opportunities existed for commercial businesses in the City to provide services involving the manufacturing, transporting, or delivery and distribution of lower potency hemp beverages; and that opportunities existed for commercial on-sale liquor licensed establishments to sell lower potency hemp beverages on their premises, all of which will benefit commerce in the City. The Legislative and Ordinance Committee met on January 9, 2024, and recommended that registration fees be waived during 2024 and a fee/registration process begin in 2025.

Motion made by Councilmember Meister, Seconded by Councilmember Moua-Leske to adopt Ordinance 24-002 Amending the Interim Cannabis Prohibition to allow the manufacture of THC beverages by brewers and distilleries, and to allow on-site consumption of THC beverages for holders of an on-sale intoxicating liquor license issued by the city. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Commission/Board Liaison Reports**

Byrnes	No report.
Schafer	The PI&T Committee met and discussed about a dozen or so projects that would be coming to city council in the next few months.
Meister	No report.
Schroeder	The Housing Commission discussed their five-year capital fund program, and the upcoming March meeting would be opened for public comments.
Alcorn	No report.
Moua-Leske	DEI would be undergoing strategic planning and hope to attract new members. CVB planned on donating to the aquatic center project, but a specific amount had not been determined yet.
Lozinski	Absent.

**Councilmember Individual Items**

Councilmember Moua-Leske attended the “It Begins with Us” conference at SMSU and had a good turnout.

Councilmember Meister brought up a concern a citizen had about a proposed bill to make the State of Minnesota a sanctuary state.

**City Administrator**

No report.

**Director of Public Works/City Engineer**

The city had been granted a concrete paving award from the concrete paving association for the W. Lyon and Third St. reconstruction project. The Whitney reconstruction bid award would occur on February 22, 2024. MnDOT aeronautics had a grant come up for a skid loader at the airport and that application would be coming to city council at some point.

**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**

At 6:54 PM Motion made by Councilmember Meister, Seconded by Councilmember Schroeder to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Attest:

\_\_\_\_\_  
Steven Anderson, City Clerk

\_\_\_\_\_  
Robert Byrnes, Mayor

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	AWARD OF BIDS
<b>Type:</b>	ACTION
<b>Subject:</b>	Project ST-012-2024: South Whitney Street Reconstruction Project (E College Dr to Jean Ave) - 1) Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds; 2) Resolution Accepting Bid (Awarding Contract)
<b>Background Information:</b>	<p>This project consists of: reconstruction of the sidewalk, roadways and utility replacement on South Whitney Street from East College Drive to Jean Avenue. All public utilities will be replaced, including watermain, sanitary sewer, and storm sewer on South Whitney Street. Other items of work included in this project are pavement removal, aggregate base, bituminous surfacing, sidewalks, curb and gutter, and other minor work.</p> <p>On February 22, 2024, bids were received for the above-referenced project. Four bids were received as shown on the attached Resolution Accepting Bid. The low bid was from D&amp;G Excavating, Inc. of Marshall, Minnesota, in the amount of \$1,565,706.60. The engineer’s estimate was approximately \$1,755,700.</p>
<b>Fiscal Impact:</b>	<p>The above-referenced project, or a portion thereof, may be financed by the sale of bonds with repayment coming from assessments and Debt Service Fund Levy. It is required that action be authorized by City Council via Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds.</p> <p>Attached is the “Resolution Accepting Bid” awarding the contract to D&amp;G Excavating, Inc. of Marshall, Minnesota, in the amount of \$1,565,706.60.</p> <p>The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$1,907,030.64.</p> <p>All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem participation.</p> <p>The financing and cost participation will be forthcoming and addressed at the time of the Resolution Declaring Cost to be Assessed.</p>
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	<p>Recommendation No. 1 that the Council adopt RESOLUTION NUMBER 24-020 which is the Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds for Project ST-012-2024.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER 24-021 which is the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement with D&amp;G Excavating, Inc. of Marshall, Minnesota, in the amount of \$1,565,706.60 for Project ST-012-2024.</p>

**RESOLUTION NUMBER 24-020**

**DECLARATION OF OFFICIAL INTENT  
REGARDING THE REIMBURSEMENT OF EXPENDITURES  
WITH THE PROCEEDS OF TAX-EXEMPT BONDS**

WHEREAS, under regulations adopted by the Secretary of the Treasury of the United States of America, the City of Marshall, Minnesota (the "City") is required to make a declaration of its official intent prior to making a capital expenditure, if it intends to be reimbursed for such capital expenditure at a future date from the proceeds of a tax-exempt bond; and

WHEREAS, the City intends to make capital expenditures with respect to the project described below and also intends to reimburse the fund or account described below from which the capital expenditure will be initially paid from the proceeds of an issue of tax-exempt bonds issued at a future date.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City as follows:

1. A general functional description of the project for which the expenditures to be reimbursed are paid is set forth below:

**PROJECT ST-012-2024: SOUTH WHITNEY STREET RECONSTRUCTION PROJECT (E COLLEGE DR TO JEAN AVE)** -- This project consists of: reconstruction of the sidewalk, roadways and utility replacement on South Whitney Street from East College Drive to Jean Avenue. All public utilities will be replaced, including watermain, sanitary sewer, and storm sewer on South Whitney Street. Other items of work included in this project are pavement removal, aggregate base, bituminous surfacing, sidewalks, curb and gutter, and other minor work.

The principal amount of debt expected to be issued for the project referred to above will not exceed \$2,000,000.

2. The fund or account from which the expenditures to be reimbursed are to be paid and the general functional purpose of the fund or account is set forth below:

Public Improvements Capital Projects Fund

3. The City reasonably expects to reimburse the expenditures referred to above with the proceeds of tax-exempt bonds.
4. This statement of the official intent of the City is a declaration of official intent under the regulations adopted by the Secretary of the Treasury of the United States of America.

Passed and adopted by the City Council this 27<sup>th</sup> day of February 2024.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer

**RESOLUTION 24-021  
RESOLUTION ACCEPTING BID (AWARD CONTRACT)**

WHEREAS, pursuant to an advertisement for bids for the following project:

**PROJECT ST-012-2024: SOUTH WHITNEY STREET RECONSTRUCTION PROJECT (E COLLEGE DR TO JEAN AVE)** -- This project consists of: reconstruction of the sidewalk, roadways and utility replacement on South Whitney Street from East College Drive to Jean Avenue. All public utilities will be replaced, including watermain, sanitary sewer, and storm sewer on South Whitney Street. Other items of work included in this project are pavement removal, aggregate base, bituminous surfacing, sidewalks, curb and gutter, and other minor work.

bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Bidder	Bid Amount
D&G Excavating, Inc. Marshall, MN	\$1,565,706.60
Kuechle Underground, Inc. Kimball, MN	\$1,729,482.67
A&C Excavating, LLC Marshall, MN	\$1,755,693.55
Duininck, Inc. Marshall, MN	\$1,830,973.65

AND WHEREAS, it appears that D&G Excavating, Inc. of Marshall, Minnesota, is the lowest responsible bidder.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with D&G Excavating, Inc. of Marshall, Minnesota, in the amount of \$1,565,706.60, in the name of the City of Marshall for the above referenced project, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

Passed and adopted by the City Council this 27<sup>th</sup> day of February 2024.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of License Renewals for Garbage/Refuse Haulers
<b>Background Information:</b>	<p>Annual Garbage/Refuse Haulers licenses expire on March 31, 2024. Applications for licenses were received from the following companies:</p> <p>Southwest Sanitation Waste Management West Central Sanitation</p> <p>Applications and required documents were found to be correct.</p>
<b>Fiscal Impact:</b>	\$160/license
<b>Alternative/Variations:</b>	None Recommended.
<b>Recommendations:</b>	To approve the 2024-2025 Garbage/Refuse Hauler License Renewals

# City of Marshall, Minnesota

## Garbage/Refuse Hauler

TO ALL WHOM IT MAY CONCERN:

LICENSE IS HEREBY GRANTED UNTO

**Southwest Sanitation**

For a **Garbage/Refuse Hauler License**  
from **April 1, 2024 - March 31, 2025**, subject

to the provisions of the Ordinances of the City of Marshall governing such license.

ISSUED BY THE AUTHORITY OF THE CITY COUNCIL

Marshall, Minnesota, **February 27, 2024**

(SEAL)

Mayor

Attest:

City Clerk

# City of Marshall, Minnesota

## Garbage/Refuse Hauler

TO ALL WHOM IT MAY CONCERN:

LICENSE IS HEREBY GRANTED UNTO

**Waste Management**

For a **Garbage/Refuse Hauler License**  
from **April 1, 2024 - March 31, 2025**, subject

to the provisions of the Ordinances of the City of Marshall governing such license.

ISSUED BY THE AUTHORITY OF THE CITY COUNCIL

Marshall, Minnesota, **February 27, 2024**

(SEAL)

Mayor

Attest:

City Clerk

# City of Marshall, Minnesota

## Garbage/Refuse Hauler

TO ALL WHOM IT MAY CONCERN:

LICENSE IS HEREBY GRANTED UNTO

**West Central Sanitation**

For a **Garbage/Refuse Hauler License**  
from **April 1, 2024 - March 31, 2025**, subject

to the provisions of the Ordinances of the City of Marshall governing such license.

ISSUED BY THE AUTHORITY OF THE CITY COUNCIL

Marshall, Minnesota, **February 27, 2024**

(SEAL)

Mayor

Attest:

City Clerk



Sec. 50-24. - Hauler's license required.

It is unlawful for any person to haul garbage, other refuse, or recyclable materials for hire without a license therefor from the city, or to haul garbage or other refuse from his own residence or business property other than as excepted in this article. Such licenses shall expire on March 31 of each year. The annual fee for a garbage and refuse hauler's license shall be established by resolution of the city council.

(Code 1976, § 6.31(2), (3); Ord. No. 554 2nd series, 7-5-2006)

**Cross reference**— Business licenses, § 22-21 et seq.

**State Law reference**— Licensing of solid waste collection, Minn. Stat. § 115A.93.

Sec. 50-25. - Licensee requirements.

- (a) Hauler licenses shall be granted only upon the condition that the licensee have tight packer-type vehicles for garbage and other refuse and vehicles with leakproof bodies for recyclable materials in good condition to prevent loss in transit of liquid or solid cargo; that the vehicle be kept clean and as free from offensive odors as possible and not allowed to stand in any street longer than reasonably necessary to collect garbage, refuse, or recyclable materials; and that the vehicle is dumped or unloaded only at the designated sanitary landfill, or recycling center and strictly in accordance with regulations relating thereto.
- (b) Every vehicle used to collect garbage, refuse, or recyclable shall have the name of the owner or operator and the city license number under which it is being operated on the body of the vehicle, or on a durable metal or wood plaque which shall be fastened to the body, at all times when the vehicle is used for collecting garbage, refuse, or recyclable.
- (c) All licensed haulers shall provide to the city at the city's request, a list of all names and addresses of all their customers within the city.
- (d) All licensed haulers must have a license to haul garbage within the county.

(Code 1976, § 6.31(5); Ord. No. 554 2nd series, 7-5-2006; Ord. No. 723 2nd Series, § 1, 8-8-2017)

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Channel Parkway Addition – Introduction of Preliminary Plat
<b>Background Information:</b>	<p>Attached please find a copy of the preliminary plat of Channel Parkway Addition in Marshall, Minnesota.</p> <p>The Economic Development Authority has been working with the Southwest West Central Service Cooperative (SWWC) to determine a new location for the agency’s administrative offices. The SWWC is currently located in the former Market Street Mall and has explored several relocation and redevelopment opportunities. It was determined that a new facility would best meet the needs of the organization, including the addition of training facilities for staff and the community.</p> <p>SWWC’s proposal includes the construction of a 16,000 sq ft facility on the city-owned property located in Parkway at the corner of London Road and Channel Parkway. SWWC employs 459 people with 52 staff on-site in Marshall with an 18-county service area. SWWC supports schools, cities, counties and government agencies with educational and administrative services including learning centers, special education services, enrichment programming, professional development, technology services, and more.</p> <p>The property that is being considered for development is located at the intersection of Channel Parkway and London Road. Creation of a parcel for this proposed development requires a platting process because this land has never been platted and City Ordinance requires land to be platted prior to the subdivision and sale of land.</p> <p>Attached please find a copy of the Engineer’s Report of Preliminary Plat Review. Copies of the proposed subdivision have been sent to the local utility companies, and their requirements, if any, have been incorporated into the plat.</p> <p>Per adoption of Ordinance 23-024 on 11/14/2023, the public hearing on the preliminary plat is now conducted at the Planning Commission meeting instead of at the City Council meeting.</p> <p>At their meeting on 02/14/2024, Pieper made a motion, second by Agboola, to recommend approval of the preliminary plat of Channel Parkway Addition to the City Council, subject to utility companies review and recommendations. All voted in favor.</p>
<b>Fiscal Impact:</b>	The applicant has paid the \$300 escrow for direct costs relating to the plat and the difference will be refunded or billed to the applicant according to the current Fee Schedule.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	that the Council introduce the preliminary plat of Channel Parkway Addition.

PRELIMINARY PLAT OF  
**CHANNEL PARKWAY ADDITION**  
 IN THE N.E. 1/4, N.W. 1/4, SEC. 5, T. 111 N., R. 41 W.,  
 CITY OF MARSHALL, LYON COUNTY, MINNESOTA

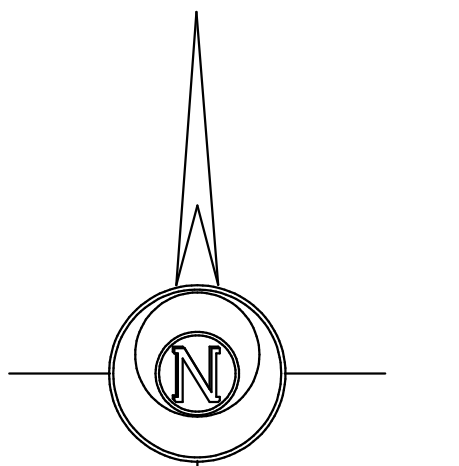
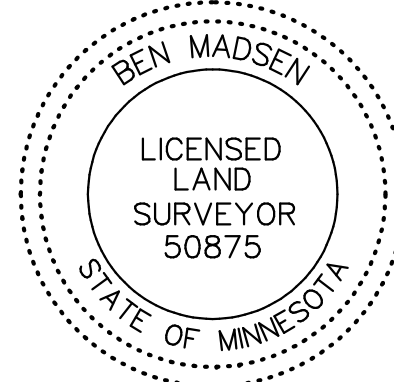
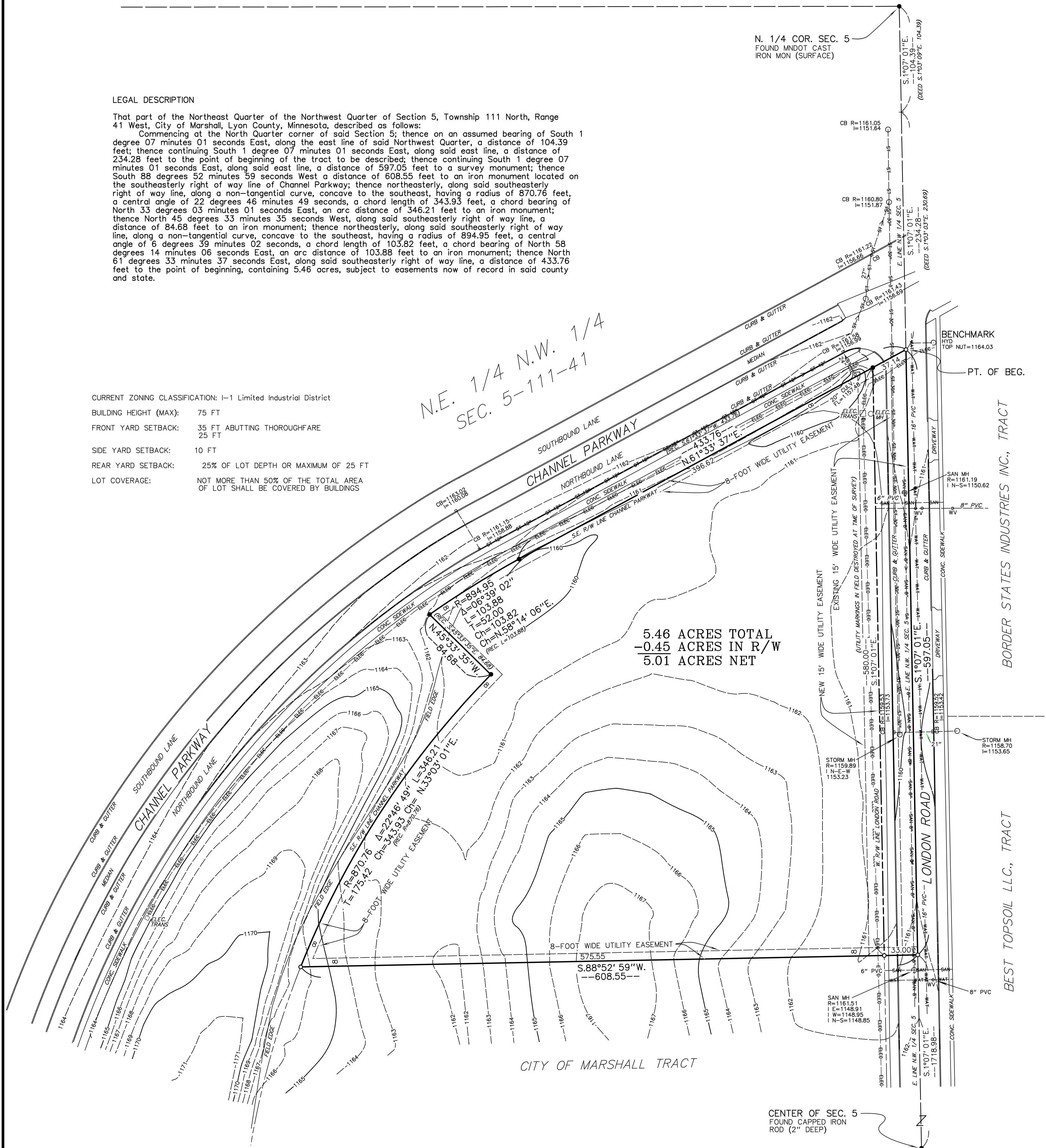
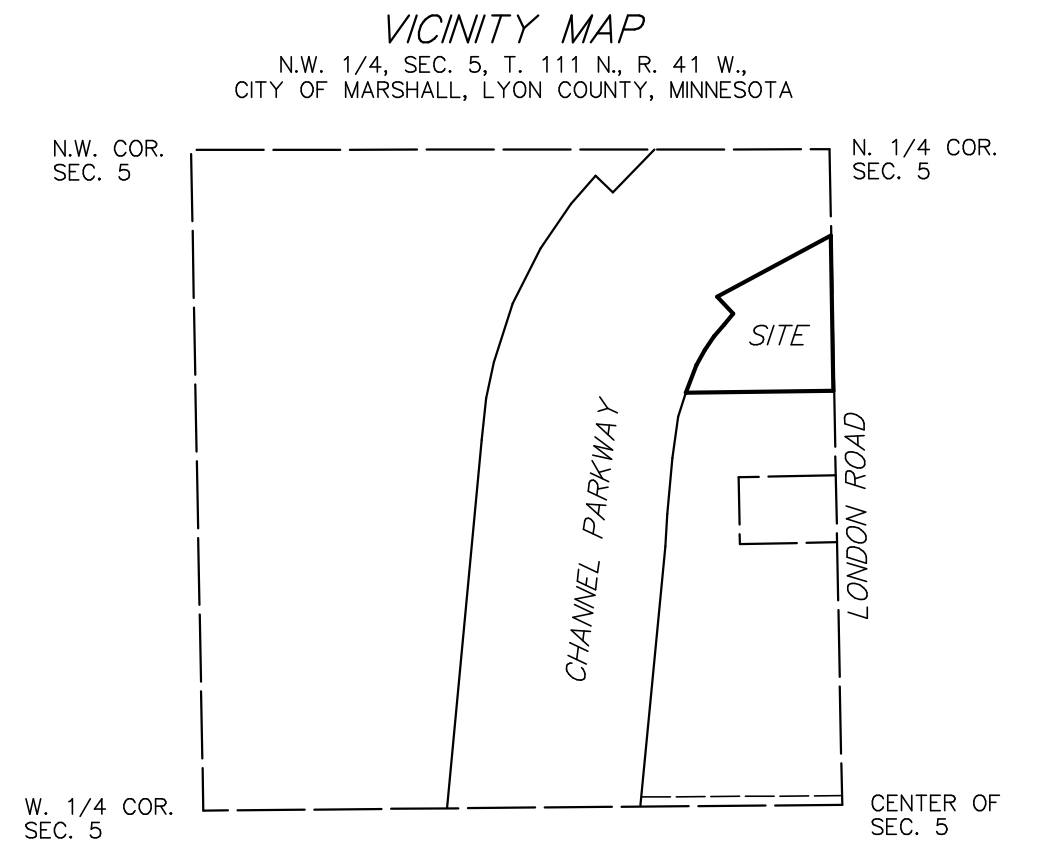
**LEGAL DESCRIPTION**

That part of the Northeast Quarter of the Northwest Quarter of Section 5, Township 111 North, Range 41 West, City of Marshall, Lyon County, Minnesota, described as follows:  
 Commencing at the North Quarter corner of said Section 5; thence on an assumed bearing of South 1 degree 07 minutes 01 seconds East, along the east line of said Northwest Quarter, a distance of 104.39 feet; thence continuing South 1 degree 07 minutes 01 seconds East, along said east line, a distance of 234.28 feet to the point of beginning of the tract to be described; thence continuing South 1 degree 07 minutes 01 seconds East, along said east line, a distance of 597.05 feet to a survey monument; thence South 88 degrees 52 minutes 59 seconds West a distance of 608.55 feet to an iron monument located on the southeasterly right of way line of Channel Parkway; thence northeasterly, along said southeasterly right of way line, along a non-tangential curve, concave to the southeast, having a radius of 870.76 feet, a central angle of 22 degrees 46 minutes 49 seconds, a chord length of 343.93 feet, a chord bearing of North 33 degrees 03 minutes 01 seconds East, an arc distance of 346.21 feet to an iron monument; thence North 45 degrees 33 minutes 35 seconds West, along said southeasterly right of way line, a distance of 84.88 feet to an iron monument; thence northeasterly, along said southeasterly right of way line, along a non-tangential curve, concave to the southeast, having a radius of 894.95 feet, a central angle of 6 degrees 39 minutes 02 seconds, a chord length of 103.82 feet, a chord bearing of North 61 degrees 14 minutes 06 seconds East, an arc distance of 103.88 feet to an iron monument; thence North 61 degrees 33 minutes 37 seconds East, along said southeasterly right of way line, a distance of 433.76 feet to the point of beginning, containing 5.46 acres, subject to easements now of record in said county and state.

CURRENT ZONING CLASSIFICATION: I-1 Limited Industrial District  
 BUILDING HEIGHT (MAX): 75 FT  
 FRONT YARD SETBACK: 35 FT ABUTTING THOROUGHFARE  
 25 FT  
 SIDE YARD SETBACK: 10 FT  
 REAR YARD SETBACK: 25% OF LOT DEPTH OR MAXIMUM OF 25 FT  
 LOT COVERAGE: NOT MORE THAN 50% OF THE TOTAL AREA OF LOT SHALL BE COVERED BY BUILDINGS

N.E. 1/4 N.W. 1/4  
 SEC. 5-111-41

5.46 ACRES TOTAL  
 -0.45 ACRES IN R/W  
 5.01 ACRES NET



SCALE 1" = 60'

- DENOTES IRON MONUMENTS FOUND OR SET IN PREVIOUS SURVEYS.
- DENOTES IRON MONUMENTS SET & MARKED WITH REG. NO. 50875 UNLESS OTHERWISE SHOWN.

BEARINGS ARE ORIENTED TO THE LYON COUNTY COORDINATE SYSTEM, NAD83 2011 ADJUSTMENT. VERTICAL DATUM = NAVD88

I HEREBY CERTIFY THAT THIS PLAN, SURVEY, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 Ben Madsen  
 DATE: 2-08-2024 LICENSE NO. 50875

S.W.W.C. - ADMIN BUILDING  
 TEL: (507) 235-3780  
 318 EAST BLUE EARTH AVENUE  
 FARMONT, MINNESOTA 56031

DRAWN BY	B.M.		PAGE NUMBER <b>1</b> FILE NO.
CHECK BY	B.M.		
SURVEY BY	B.M.		
BY	K.V.		

**ENGINEER'S REPORT  
 PRELIMINARY PLAT REVIEW**

Subdivision Name: Channel Parkway Addition

Quarter NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 5 Township 111N Range 41W

Owner's Name: City of Marshall, MN

Surveyor: Ben Madsen-Madsen Land Surveying, Inc. Reg. No. 50875

Sec. 66-54. Information required. (1) Preliminary subdivision plat.		Yes	No	N/A	Comments
a.	Scale 1" = 100' or larger	X			
b.	Subdivision and owner names	X			
c.	Legal description and location sketch	X			
d.	Date, scale and north arrow	X			
e.	Acreage	X			
f.	Zoning classification	X			
g.	Contours	X			
h.	Boundary line bearings and distances	X			
i.	Easement	X			
j.	Street names, elevations and grades	X			

<b>Sec. 66-54. Information required. (1) Preliminary subdivision plat.</b>		<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Comments</b>
k.	Utilities	X			
l.	Lot lines, numbers and dimensions	X			
m.	Park land		X		No park land; assess fee
n.	Setbacks	X			
o.	Natural drainageways	X			
p.	Other related information			X	
q.	Covenants and restrictions			X	
r.	Improvement plans and financing			X	
s.	Future platting			X	
t.	Variance request			X	
u.	Floodway and flood zone designations			X	
v.	Certificates of approval		X		To be included in Final Plat

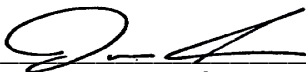
Sec. 66-54. Information required. (2) Other preliminary plans.		Yes	No	N/A	Comments
a.	Drainage and grading plans 1. Existing and proposed drainage.			X	Submitted with final building plans through building permit process
	2. Drainage flow facility.			X	
b.	Utility plans			X	

**CITY ENGINEER'S RECOMMENDATIONS:**

**DATE RECEIVED:** 02/06/2024

**DATE REVIEWED:** 02/06/2024

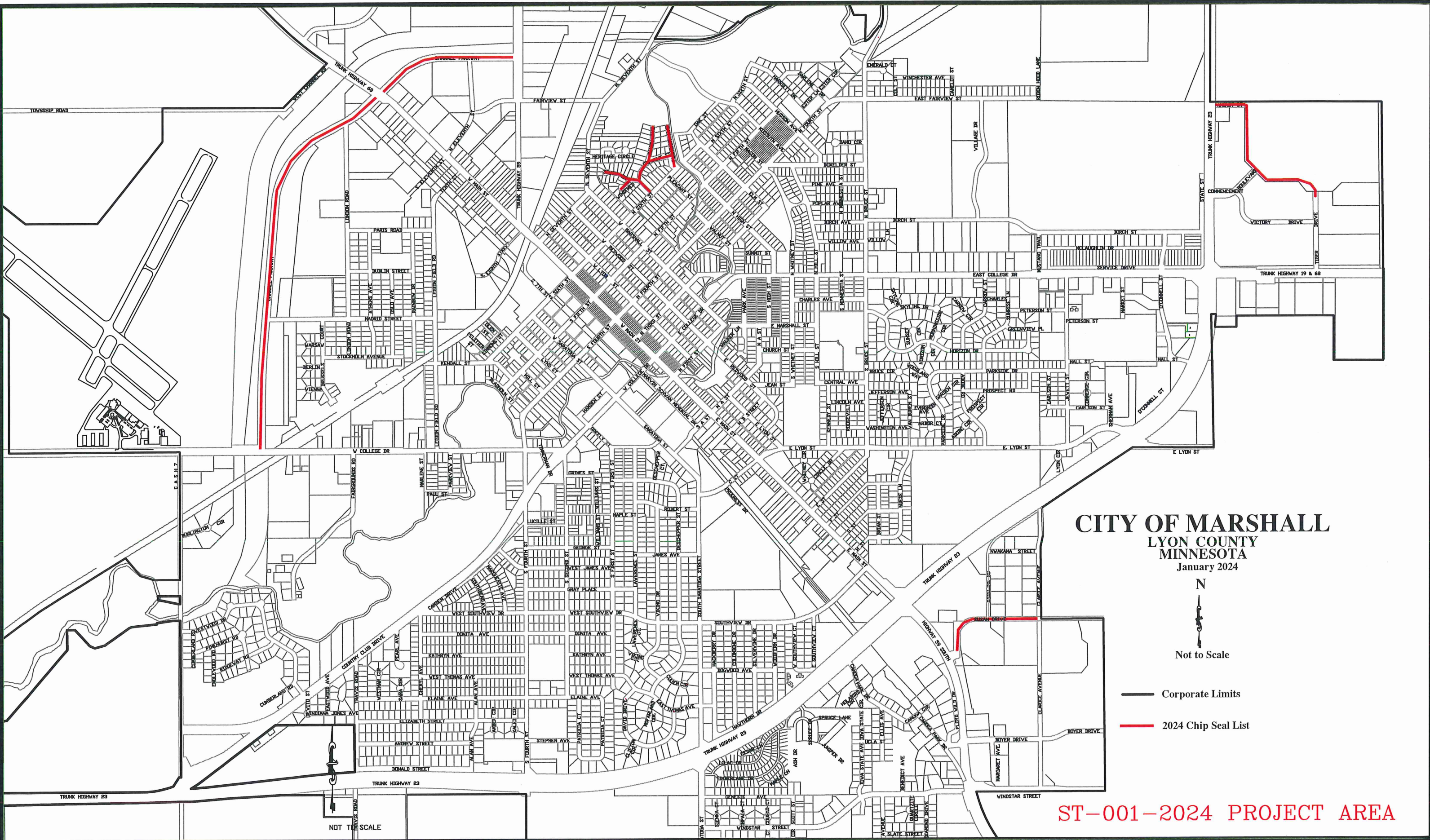
**PLANNING COMMISSION REVIEW DATE:** 02/14/2024

  
 \_\_\_\_\_  
 Jason R. Anderson, P.E.  
 Director of Public Works/Planning & Zoning Administrator

Copies to: City Administrator  
 Building Official  
 Senior Engineering Specialist

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Jason Anderson																																
<b>Meeting Date:</b>	Tuesday, February 27, 2024																																
<b>Category:</b>	CONSENT AGENDA																																
<b>Type:</b>	ACTION																																
<b>Subject:</b>	Project ST-001-2024: Chip Sealing on Various City Streets - Consider Authorization to Advertise for Bids																																
<b>Background Information:</b>	<p>The estimated total project cost is approximately \$161,267, including all streets shown below (excluding "Alternate Streets"). The 2024 Street Department budget includes a \$165,000 line item for this project.</p> <table border="1" data-bbox="472 869 1002 1058"> <thead> <tr> <th>Street</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>Channel Parkway</td> <td>TH 19 to TH 59</td> </tr> <tr> <td>Susan Drive</td> <td>Clarice Avenue to 400' Northeast of TH 59</td> </tr> <tr> <td>Tiger Drive</td> <td>MN Hwy 23 to 400' North of Victory Drive</td> </tr> <tr> <td>Soucy Drive</td> <td>6th Street to end</td> </tr> </tbody> </table> <table border="1" data-bbox="1037 869 1477 1058"> <thead> <tr> <th>Street</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>Fremont</td> <td>Ranch to Pleasant</td> </tr> <tr> <td>Pleasant</td> <td>6th to end</td> </tr> <tr> <td>Ranch</td> <td>Soucy to end</td> </tr> <tr> <td>Winifred Circle</td> <td>Soucy to Soucy</td> </tr> </tbody> </table> <table border="1" data-bbox="472 1083 1002 1167"> <thead> <tr> <th>Alternate Streets</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>North 5th</td> <td>Main Street to Marshall</td> </tr> <tr> <td>West Redwood</td> <td>5<sup>th</sup> to 6<sup>th</sup></td> </tr> </tbody> </table> <table border="1" data-bbox="1037 1083 1477 1167"> <thead> <tr> <th>Alternate Streets</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>West Redwood</td> <td>6<sup>th</sup> to 7<sup>th</sup></td> </tr> <tr> <td>Lyon Street</td> <td>5<sup>th</sup> to 6<sup>th</sup></td> </tr> </tbody> </table> <p>At the Public Improvement/Transportation Committee meeting on 02/13/2024, motion by Schafer, second by Alcorn to recommend to City Council to authorize to advertise for bids for Project ST-001-2024. Voting for: Schafer, Alcorn. Voting against: Lozinski. Motion passed 2:1.</p>	Street	From-To	Channel Parkway	TH 19 to TH 59	Susan Drive	Clarice Avenue to 400' Northeast of TH 59	Tiger Drive	MN Hwy 23 to 400' North of Victory Drive	Soucy Drive	6th Street to end	Street	From-To	Fremont	Ranch to Pleasant	Pleasant	6th to end	Ranch	Soucy to end	Winifred Circle	Soucy to Soucy	Alternate Streets	From-To	North 5th	Main Street to Marshall	West Redwood	5 <sup>th</sup> to 6 <sup>th</sup>	Alternate Streets	From-To	West Redwood	6 <sup>th</sup> to 7 <sup>th</sup>	Lyon Street	5 <sup>th</sup> to 6 <sup>th</sup>
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<b>Fiscal Impact:</b>	Included in project descriptions above.																																
<b>Alternative/ Variations:</b>	No alternative actions recommended.																																
<b>Recommendations:</b>	that the Council authorize advertisement for bids for Project ST-001-2024: Chip Sealing on Various City Streets.																																



**CITY OF MARSHALL**  
 LYON COUNTY  
 MINNESOTA  
 January 2024



Not to Scale

- Corporate Limits
- 2024 Chip Seal List

**ST-001-2024 PROJECT AREA**

DESIGNED BY: JAR	DATE	REVISIONS	INIT.
Item 5.			
SCALE:			

  
**MARSHALL**  
 ENGINEERING DEPARTMENT  
 344 WEST MAIN STREET  
 MARSHALL, MINNESOTA  
 56258

2024 CHIP SEAL  
 TITLE SHEET

CITY PROJECT NO. ST-001-2024	DATE 01/01/2024
STATE AID PROJECT NO.	SHEET Page 24



**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Jason Anderson																										
<b>Meeting Date:</b>	Tuesday, February 27, 2024																										
<b>Category:</b>	CONSENT AGENDA																										
<b>Type:</b>	ACTION																										
<b>Subject:</b>	Project ST-002-2024: Bituminous Overlay Project - Consider Authorization to Advertise for Bids																										
<b>Background Information:</b>	<p>Current project estimate for mill and overlay is \$605,745, including all streets shown below (excluding “Alternate Streets”) and ADA sidewalk ramp work. The 2024 Capital budget includes \$675,000 for this project.</p> <table border="1" data-bbox="511 863 1421 1163"> <thead> <tr> <th>Street</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>Peltier/Glenn/Simmons (Mill All 2")</td> <td>Peltier/Glenn/Simmons area off 6th Street</td> </tr> <tr> <td>O'Connell Street (Mill All)</td> <td>Service Road to Birch Street</td> </tr> <tr> <td>Rainbow Drive</td> <td>Madrid Street south to Railroad Tracks</td> </tr> <tr> <td>Floyd Wild Drive</td> <td>Susan Intersection to Canoga Park Drive.</td> </tr> <tr> <td>Canoga Park Drive</td> <td>T.H. 23 to new Canoga Park Circle seam.</td> </tr> <tr> <td>Market Street</td> <td>E. College Drive to Mall Parking Lot</td> </tr> <tr> <td>N. Whitney Street (Mill All)</td> <td>E. College Drive to N. 4th Street</td> </tr> <tr> <td>Poplar Avenue (Mill All)</td> <td>N. Whitney Street to N. Hill Street</td> </tr> <tr> <td>Boyer Drive (Mill All)</td> <td>TH 23 to Margaret Avenue</td> </tr> <tr> <td>Boyer Drive</td> <td>Leveling 1" - 20' wide estimated</td> </tr> </tbody> </table> <table border="1" data-bbox="511 1190 1421 1245"> <thead> <tr> <th>Alternate Streets</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>Mall Street (Mill All)</td> <td>South entrance off Jewett Street</td> </tr> </tbody> </table> <p>At the Public Improvement/Transportation Committee meeting on 02/13/2024, motion by Lozinski, second by Alcorn, to recommend to City Council to authorize to advertise for bids for Project ST-002-2024. All voted in favor. Motion passed 3:0.</p>	Street	From-To	Peltier/Glenn/Simmons (Mill All 2")	Peltier/Glenn/Simmons area off 6th Street	O'Connell Street (Mill All)	Service Road to Birch Street	Rainbow Drive	Madrid Street south to Railroad Tracks	Floyd Wild Drive	Susan Intersection to Canoga Park Drive.	Canoga Park Drive	T.H. 23 to new Canoga Park Circle seam.	Market Street	E. College Drive to Mall Parking Lot	N. Whitney Street (Mill All)	E. College Drive to N. 4th Street	Poplar Avenue (Mill All)	N. Whitney Street to N. Hill Street	Boyer Drive (Mill All)	TH 23 to Margaret Avenue	Boyer Drive	Leveling 1" - 20' wide estimated	Alternate Streets	From-To	Mall Street (Mill All)	South entrance off Jewett Street
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Mall Street (Mill All)	South entrance off Jewett Street																										
<b>Fiscal Impact:</b>	Included in project descriptions above.																										
<b>Alternative/ Variations:</b>	No alternative actions recommended.																										
<b>Recommendations:</b>	that the Council authorize advertisement for bids for Project ST-002-2024: Bituminous Overlay Project.																										

# State Of Minnesota City of Marshall, Minnesota Project Number ST-002-2024

Construction Plans for Bituminous Overlays & Pedestrian Ramp Improvements with the City of Marshall

## INDEX

SHEET NO.	DESCRIPTION
1	Title Sheet
2-3	Estimated Quantity Sheet
4	Construction Notes Sheet
5	Detail Sheet
6-9	ADA Plan Sheets
10-19	MNDOT Standard Plan Sheets

## LEGEND

ALIGNMENT STATIONS	
GAS LINE	
COMMUNICATION LINE	
FIBER LINE	
UNDERGROUND POWER	
STREET LIGHT	
EXISTING CATCH BASIN	
EXISTING STORM MANHOLE	
EXISTING SANITARY MANHOLE	
EXISTING HYDRANT	
EXISTING WATER VALVE	
NEW CATCH BASIN	
NEW HYDRANT	
NEW WATER VALVE	
NEW SANITARY MANHOLE	
NEW STORM MANHOLE	
BENCHMARK TOP NUT HYDRANT	

## SPECIFICATION REFERENCE

THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND THE SUPPLEMENTAL SPECIFICATIONS DATED SEPTEMBER 2022 SHALL GOVERN

ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING THE LATEST FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.

THE CITY OF MARSHALL STANDARD SPECIFICATIONS AND SPECIAL PROVISIONS.

## DESIGN DATA

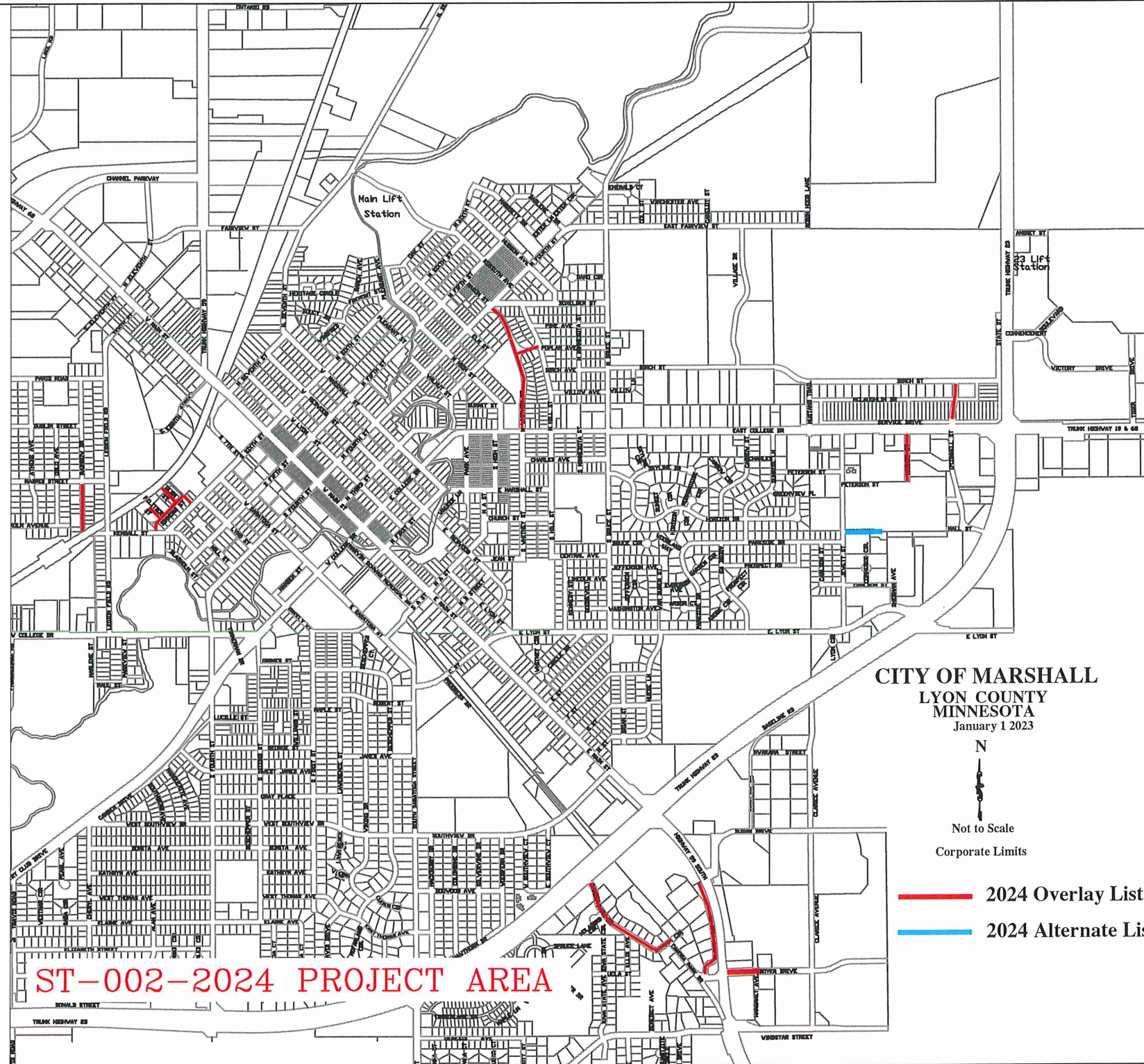
DESIGN SPEED 30 MPH  
STOPPING SIGHT DISTANCE BASED ON  
3.5' HEIGHT OF EYE  
0.5' HEIGHT OF OBJECT

## SCALES

PLAN	1"=20'
PROFILE	NA
INDEX MAP	1"=100'
GENERAL LAYOUT	1"=20'



NOT TO SCALE



**CITY OF MARSHALL**  
LYON COUNTY  
MINNESOTA  
January 1 2023

N

Not to Scale  
Corporate Limits

- 2024 Overlay List
- 2024 Alternate List

ST-002-2024 PROJECT AREA

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSE PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

APPROVED: CITY ENGINEER, MARSHALL MINNESOTA      DATE: \_\_\_\_\_  
REG NO 53322

DESIGNED BY: _____
DRAWN BY: JAR
JRA
Item 6.
ME:

DATE	REVISIONS	INIT.

**ENGINEERING DEPARTMENT**  
344 WEST MAIN STREET  
MARSHALL, MINNESOTA  
56258

MARSHALL

2024 BITUMINOUS OVERLAYS

TITLE SHEET

CITY PROJECT NO. ST-002-2024	DATE 01/01/2024
STATE AID PROJECT NO.	SHEET NO. Page 26



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Lauren Deutz
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Resolution of Support for Bioforge Marshall’s Application to the MN Forward Fund
<b>Background Information:</b>	Bioforge Marshall, along with parent company Solugen, are applying to MNDEED’s Minnesota Forward Fund which requires a resolution of support from the City of Marshall. The Minnesota Forward Fund provides resources that the state can leverage to increase business retention, expansion, and the attraction of projects in both new and existing industries; it also provides funding to meet the state match requirements of federal funding programs. The fund would assist with match requirements from the Department of Energy Loan which is being used for the construction of the Bioforge.
<b>Fiscal Impact:</b>	None
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approve resolution of support for Bioforge Marshall’s application to the MN Forward Fund.

**RESOLUTION NO. 24-023**

**RESOLUTION REGARDING THE SUPPORT OF A MINNESOTA FORWARD FUND APPLICATION IN CONNECTION  
WITH  
BIOFORGE MARSHALL LCC**

WHEREAS, the City of Marshall, Minnesota (the "City"), desires to assist Bioforge Marshall, a limited liability company, which is proposing to construct a facility in the City and purchase machinery and equipment; and,

WHEREAS, the City of Marshall understands that Bioforge Marshall, through and with the support of the City, intends to submit or has submitted to the Minnesota Department of Employment and Economic Development an application for an award from the Minnesota Forward Fund program; and,

WHEREAS, the City of Marshall held a city council meeting on February 27, 2024, to consider this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, Minnesota, that, after due consideration, the Mayor and Council of the City of Marshall, Minnesota, hereby adopts the following findings of fact related to the project proposed by Bioforge Marshall and its application for an award and/or rebate from the Minnesota Forward Fund Program and express their approval.

The City Council hereby finds and adopts the reasons and facts supporting the following findings of fact for the approval of the Minnesota Forward Fund program application:

1. Finding that the project is in the public interest because it will encourage the growth of commerce and industry, prevent the movement of current or future operations to locations outside Minnesota, result in increased employment in Minnesota, and preserve or enhance the state and local tax base.
  - a. Bioforge Marshall will create 38 jobs that will exceed the average living wage of the region.
  - b. Bioforge Marshall will make a \$90M Capex investment in the community.
  - c. Bioforge Marshall will diversify the region's current industry mix, providing more opportunities for employment and advancement.
  - d. With a three-phase project approach, Bioforge Marshall will make additional employment and economic impact on the Marshall community and Southwest Minnesota.
2. Finding that the proposed project, in the opinion of the City Council, would not reasonably expected to occur solely through private investment within the reasonably foreseeable future.
  - a. Bioforge Marshall has made a concerted effort to raise capital need of the project to meet workforce development and R & D needs for sustainability and growth.
3. Finding that the proposed project conforms to the general plan for the development or redevelopment of the City as a whole.

The development will help the City's goal of developing and attracting a qualified and varied workforce.

- a. The development will help position Marshall as a green manufacturing hub and respond to the need for decarbonization.
4. Finding that the proposed project will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment or development of the project by private enterprise.

- a. Bioforge Marshall will create an attainable amount of new job opportunities in the community in a new industrial sector.
- b. Bioforge Marshall will partner with local stakeholders on workforce development and career training opportunities, supporting continued growth for the University, Public School system and development organizations.
- c. Bioforge Marshall will make a large capital investment in the community, increasing tax capacity and opportunities for future expansion.

Passed and adopted by the City Council this 27<sup>th</sup> day of February 2024.

Attest:

\_\_\_\_\_  
Steven Anderson, City Clerk

\_\_\_\_\_  
Robert Byrnes, Mayor

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	E.J. Moberg
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider resolution calling for a public hearing on an issue of revenue bonds on behalf of Avera Health
<b>Background Information:</b>	<p>Attached for consideration is a resolution calling for a public hearing on an issue of revenue bonds on behalf of Avera Health.</p> <p>Avera Health plans to acquire, construct, remodel, renovate and equip certain health care facilities located in the City (the “Project”) owned by Avera Marshall, an affiliate of Avera Health and a Minnesota nonprofit corporation, through the issuance by the South Dakota Health and Educational Facilities Authority of one or more series of revenue bonds, of which an amount not to exceed \$3,000,000 will be applied to finance the Project.</p> <p>Since the Project to be financed by the Bonds is located in the City, Section 147(f) of the Internal Revenue Code of 1986, and regulations promulgated thereunder, require that prior to the issuance of the Bonds, this Council approve the use of proceeds of the Bonds to improve facilities located in the City, after conducting a public hearing thereon. A public hearing on the proposal to issue the Bonds to finance the Project is proposed to be held on March 12, 2024, at 5:30 p.m., in Council Chambers.</p> <p>The City is being asked to provide “host approval” under Section 147(f) of the IRS Code for the issuance of tax-exempt conduit revenue bonds by the South Dakota Health and Educational Facilities Authority. Host approval, which requires the City to hold a public hearing and adopt an approving resolution, must be provided by the City in order for the South Dakota Authority to issue such bonds since the project to be financed by the bonds is located in the City of Marshall.</p> <p>As with all conduit revenue bonds the City will have no obligation to pay the bonds even if the project encounters financial difficulties. And the issuance of the bonds by the South Dakota Authority will not impact the City whatsoever.</p> <p>The Tax Equity and Fiscal Responsibility Act (TEFRA) hearing is an IRS requirement for any non-profit borrower seeking tax-exempt bonds through a conduit issuer. The hearing is held to allow members of the public to comment, contest, oppose, or support the use of tax-exempt bonds for a non-profit borrower that is providing a public benefit.</p> <p>Avera Marshall has completed the City’s application for tax exempt financing and returned the completed form with non-refundable application fee to the Director of Administrative Services.</p> <p>The resolution to be considered and the related notice of public hearing are in the Council packet.</p>

<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approve resolution calling for a public hearing for providing “host approval” on the issuance of revenue bonds on behalf of Avera Health

RESOLUTION 24-022

RESOLUTION CALLING FOR A PUBLIC HEARING ON AN  
ISSUE OF REVENUE BONDS ON BEHALF OF  
AVERA HEALTH

BE IT RESOLVED by the City Council of the City of Marshall, Minnesota (the “City”), as follows:

1. Avera Health, a South Dakota nonprofit corporation (“Avera Health”), has advised this Council of its desire to acquire, construct, remodel, renovate and equip certain health care facilities located in the City (the “Project”) owned by Avera Marshall, an affiliate of Avera Health and a Minnesota nonprofit corporation, through the issuance by the South Dakota Health and Educational Facilities Authority of one or more series of revenue bonds (the “Bonds”) under the authority of Sections 1-16A-1 through 1-16A-92 of the South Dakota Codified Laws, in a principal amount not to exceed \$465,000,000, of which an amount not to exceed \$3,000,000 will be applied to finance the Project.

2. Since the Project to be financed by the Bonds is located in the City, Section 147(f) of the Internal Revenue Code of 1986, and regulations promulgated thereunder, require that prior to the issuance of the Bonds, this Council approve the use of proceeds of the Bonds to improve facilities located in the City, after conducting a public hearing thereon. A public hearing on the proposal to issue the Bonds to finance the Project is hereby called and shall be held on March 12, 2024, at 5:30 p.m., at the City Hall Council Chambers.

3. The City Clerk has caused notice of the public hearing, in substantially the form attached hereto as *Exhibit A*, to be published in the official newspaper of the City and a newspaper of general circulation in the City, once not less than seven days prior to the date fixed for the public hearing, and the City Council hereby authorizes, ratifies and approves such action.

Adopted by the City Council of the City of Marshall, Minnesota on this 27th day of February, 2024.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk



EXHIBIT A

**NOTICE OF PUBLIC HEARING**

Public Notice is hereby given that the City Council of the City of Marshall, Minnesota (the “City”), will meet on March 12, 2024, at 5:30 p.m., or as soon thereafter as the matter can be heard, at the City Hall Council Chambers, 344 West Main Street, Marshall, Minnesota, for the purpose of conducting a public hearing on a proposal that the South Dakota Health and Educational Facilities Authority (the “Authority”) issue bonds in one or more series in an aggregate principal amount not to exceed \$465,000,000 (the “Bonds”) for Avera Health, a South Dakota nonprofit corporation (“Avera Health”), and Avera Marshall (“Avera Marshall”), a Minnesota nonprofit corporation and an affiliate of Avera Health (together, the “Borrowers”). The Bonds will be issued in one or more series pursuant to Sections 1-16A-1 through 1-16A-92 of the South Dakota Codified Laws as part of a plan of finance to provide the Borrowers and certain of their corporate affiliates with moneys to finance or refinance projects located in the States of South Dakota and Minnesota. Public approval by the State of South Dakota and each other local jurisdiction will be obtained following a public notice and public hearing regarding the Bonds and the projects financed or refinanced in the State of South Dakota or such local jurisdiction. In the City, proceeds of the Bonds in an aggregate principal amount not to exceed \$3,000,000 will be used, together with certain other moneys, to pay or reimburse Avera Marshall for the costs of remodeling, renovating and equipping the Avera Marshall Regional Medical Center, an acute care hospital located at 300 South Bruce Street in Marshall, Minnesota, to relocate the pharmacy therein. In addition, a portion of the proceeds of the Bonds will be applied to pay expenses incurred in connection with the issuance of the Bonds. The Bonds will be issued as qualified 501(c)(3) bonds pursuant to Section 145 of the Internal Revenue Code of 1986.

The facilities and assets in the City to be financed with the proceeds of the Bonds are or will be owned or principally used by Avera Marshall and are or will be located at: 300 South Bruce Street, Marshall, Minnesota.

The Bonds shall not be deemed to constitute a debt or liability of the City, the State of Minnesota, the State of South Dakota or of any political subdivision thereof other than the Authority or a pledge of the faith and credit of the City, the State of Minnesota, the State of South Dakota or of any such political subdivision other than the Authority, and neither the City, the State of Minnesota, the State of South Dakota nor any political subdivision thereof will be liable on the Bonds nor will the Bonds be payable out of any funds other than those pledged and assigned under the Loan Agreement between the Authority and Avera Health. The Bonds will not be issued by the City, nor will the City have any liability with respect to the Bonds.

The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986 and the regulations promulgated thereunder. Immediately following the public hearing, the City Council of the City will consider the adoption of the resolution providing host approval for the issuance of the Bonds by the Authority, a portion of which, in the maximum aggregate principal amount of \$3,000,000, will be used to finance the remodeling, renovating and equipping the Avera Marshall Regional Medical Center. Written comments may be submitted to Steven Anderson, City Clerk of the City of Marshall, Minnesota at his office located at 344 West Main

Street, Marshall, Minnesota 56258, until 5:00 p.m. on March 11, 2024. Immediately following the public hearing, the City Council will meet to consider approval of the issuance of the Bonds.

Notice dated: March 5, 2024

BY ORDER OF THE CITY COUNCIL  
Steven Anderson, City Clerk

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	E.J. Moberg
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider resolution calling for a public hearing on an issue of conduit revenue bonds on behalf of the Foundation for Innovation in Education to be leased to and operated by the Southwest West Central Service Cooperative (SWWC)
<b>Background Information:</b>	<p>Attached for consideration is a resolution calling for a public hearing on an issue of conduit revenue bonds for the benefit of Foundation for Innovation in Education.</p> <p>The Foundation for Innovation in Education, a Minnesota nonprofit corporation (Borrower) has requested the City issue one or more series of revenue bonds. Proceeds of the bonds will be applied by Borrower to the following purposes: (i) the acquisition, construction and equipping of an approximately 16,100 square-foot facility in the City; (ii) the funding of capitalized interest; and (iii) the payment of a portion of the costs of issuing the bonds.</p> <p>The facility will be owned for federal tax purposes by the Borrower and will be leased to and operated by the SWWC.</p> <p>SWWC members consist of public schools, non-public schools, charter schools, cities, counties and other governmental agencies. SWWC serves 18 counties in southwest and west central Minnesota, including Big Stone, Swift, Kandiyohi, Meeker, Lac qui Parle, Chippewa, McLeod, Renville, Jackson, Lincoln, Lyon, Redwood, Pipestone, Murray, Cottonwood, Rock, Nobles and Yellow Medicine. These counties cover 12,500 square miles. From member districts and other schools, SWWC programs serve over 200 Level IV special education children.</p> <p>Since the Project to be financed by bonds is located in the City, Section 147(f) of the Internal Revenue Code of 1986, and regulations promulgated thereunder, require that prior to the issuance of the Bonds, this Council approve the use of proceeds of the Bonds to improve facilities located in the City, after conducting a public hearing thereon. A public hearing on the proposal to issue the Bonds to finance the Project is proposed to be held on March 26, 2024, at 5:30 p.m., in Council Chambers.</p> <p>The aggregate face amount of the bonds will not exceed \$11,000,000, subject to the approval of the project by DEED and subject to additional agreement.</p> <p>As with all conduit revenue bonds the City will have no obligation to pay the bonds even if the project encounters financial difficulties.</p> <p>The Tax Equity and Fiscal Responsibility Act (TEFRA) hearing is an IRS requirement for any non-profit borrower seeking tax-exempt bonds through a conduit issuer. The hearing is held to allow members of the public to comment, contest, oppose, or support the use of tax-exempt bonds for a non-profit borrower that is providing a public benefit.</p>

	<p>The Foundation for Innovation in Education has completed a draft of the City's application for tax exempt financing.</p> <p>The resolution to be considered and the related notice of public hearing are in the Council packet.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approve resolution calling for a public hearing on the issuance of conduit revenue bonds on behalf of the Foundation for Innovation in Education.

CITY OF MARSHALL, MINNESOTA

RESOLUTION NO. 24-024

**RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED ISSUANCE OF CONDUIT REVENUE BONDS UNDER MINNESOTA STATUTES, SECTIONS 469.152 THROUGH 469.1655, TO FINANCE A NEW FACILITY IN THE CITY OF MARSHALL, MINNESOTA FOR THE BENEFIT OF FOUNDATION FOR INNOVATION IN EDUCATION AND SOUTHWEST WEST CENTRAL SERVICE COOPERATIVE AND GRANTING PRELIMINARY APPROVAL OF THE PROPOSED ISSUANCE OF SUCH BONDS**

BE IT RESOLVED by the City Council of the City of Marshall, Minnesota (the “City” or “Issuer”) as follows:

Section 1. Recitals.

WHEREAS, Minnesota Statutes, Sections 469.152-469.1655, as amended (the “Act”), authorizes the City to issue revenue bonds to finance, in whole or in part, the costs of the acquisition, construction, reconstruction, improvement, betterment, or extension of a project constituting any properties, real or personal, used or useful in connection with a revenue producing enterprise, whether or not operated for profit; and

WHEREAS, as a condition to undertaking the project and issuing revenue bonds under the Act, the City Council of the City must find that the project furthers the purposes stated in Section 469.152 of the Act and the Commissioner of the Minnesota Department of Employment and Economic Development (“DEED”) must approve the project on the basis of preliminary information the Commissioner of DEED requires, as tending to further the purposes and policies of the Act; and

WHEREAS, prior to submitting an application to DEED requesting approval of a project, the City Council of the City must conduct a public hearing on the proposal to undertake and finance the project, and notice thereof, stating the time and place of the hearing, the general nature of the project and an estimate of the principal amount of bonds or other obligations to be issued to finance the project, and that a draft copy of the proposed application to DEED, together with all attachments and exhibits, will be available for public inspection, must be published at least once not less than 14 days nor more than 30 days prior to the date fixed for the hearing, in the official newspaper and a newspaper of general circulation of the City; and

WHEREAS, in order to issue the revenue bonds or other obligations as obligations the interest on which is not includable in gross income for federal income tax purposes, a public hearing must also be held in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and Treasury Regulations promulgated thereunder (the “Regulations”); and

WHEREAS, Foundation for Innovation in Education, a Minnesota nonprofit corporation (“Borrower”), has requested that the City issue one or more series of revenue bonds, to be designated Public Project Lease Revenue Bonds (SWWC Service Cooperative Project), Series 2024 (the “Bonds”) and loan the proceeds derived from the sale of the Bonds to Borrower, pursuant to the terms of a Loan Agreement between the City and Borrower (the “Loan Agreement”). Proceeds of the Bonds will be

applied by Borrower to the following purposes (collectively, the “Project”): (i) the acquisition, construction, and equipping of an approximately 16,100 square-foot facility (the “Facility”) to be located at or about the intersection of Channel Parkway and London Road in the City of Marshall, Minnesota (the “Facility”); (ii) the funding of capitalized interest; and (iii) the payment of a portion of the costs of issuing the Bonds; and

WHEREAS, the Facility will be owned for federal tax purposes by the Borrower and will be leased to and operated by the Southwest West Central Service Cooperative (“Cooperative” or “SWWC”), a service cooperative and a public corporation and agency established pursuant to Minnesota Statutes, Section 123A.21, as amended (the “Cooperative Act”). SWWC was formed by agreement pursuant to the Cooperative Act as a public corporation and agency for the purpose of providing educational programs and services to its members, including independent school districts, cities, counties, and other governmental agencies, as well as nonprofit organizations, and on its members’ behalf, which activities constitute “essential public and governmental purposes” under the Cooperative Act.; and

WHEREAS, the Borrower has represented to the City that it is exempt from federal income taxation under Section 501(a) of the Internal Revenue Code of 1986, as amended (the “Code”), as a result of the application of Section 501(c)(3) of the Code; and

WHEREAS, the Bonds proposed to be issued by the City to finance the Project and related costs will constitute revenue bonds secured solely by: (i) the lease payments derived from the lease arrangement between the Borrower and the Cooperative (collectively, the “Lease”); (ii) a pledge and assignment of all revenues of the Cooperative, including membership fees and grants; (iii) other revenues pledged to or otherwise received by the Borrower, except for those revenues necessary for ordinary operational expenses and required under Minnesota law; (iv) a debt service reserve fund to be held by the trustee for the benefit of the holders of the Bonds, if applicable; and (v) other security provided or arranged by the Borrower or the Cooperative; and

WHEREAS, the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation; shall not constitute nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers; shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City’s interest in the Loan Agreement; and

WHEREAS, under the Loan Agreement, the Borrower will be required to make payments thereunder in amounts and at times sufficient to pay the principal of, premium (if any), and interest on the Bonds when due, and the loan repayments required to be made by the Borrower to the City under the terms of the Loan Agreement will be assigned by the City to the trustee for the Bonds to secure the payment of the principal of, premium (if any), and interest thereon.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A notice of the public hearing shall be published in accordance with the requirements of the Act and Section 147(f) of the Code and related Regulations. The costs of the preparation and publication of such notice of public hearing shall be paid by the Borrower or the Cooperative. The Borrower and the Cooperative shall work with the staff of the City and Kennedy & Graven, Chartered, as Bond Counsel for the City with respect to the Bonds, to coordinate the publication of such notice in the official newspaper of the City and a newspaper of general circulation in the City. The notice of public hearing shall be published in substantially the form attached hereto as Exhibit A, once on a date not less than 14 days nor more than 30 days prior to the date of the public hearing.

2. The City Council will conduct the public hearing on Tuesday, March 26, 2024, or on another date as is deemed appropriate by City staff, with respect to the proposal of the Borrower and the Cooperative to undertake and finance the Project and related costs and with respect to the issuance of the Bonds, as requested by the Borrower and the Cooperative.

3. The City hereby grants preliminary approval for the issuance of the Bonds for the purposes referenced in this resolution and in an aggregate principal amount not to exceed \$11,000,000, subject to the approval of the Project by DEED, as required by the Act, and subject to the mutual agreement of the City, the Borrower, the Cooperative, and the initial purchaser(s) of the Bonds as to the details of the Bonds and provisions for their payment. In all events, it is understood, however, that the Bonds shall not constitute a pecuniary liability or charge, lien, or encumbrance, legal or equitable, upon any funds, assets, taxing powers, or any other property of the City except the City's interest in the Loan Agreement; and the Bonds, when, as, and if issued shall recite in substance that the Bonds, including interest thereon, are payable solely from the revenues received from the Loan Agreement and other property pledged to the payment thereof, and shall not constitute general or moral obligations of the City. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation. The holder(s) of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal of the Bonds, or the interest thereon or to enforce payment thereof against any property of the City.

4. It is hereby found and determined that the Project furthers the purposes set forth in the Act and the Project constitutes a "project" within the meaning of Section 469.153, subdivision 2(b) of the Act.

5. In accordance with Section 469.154 of the Act, the City shall cooperate with the Borrower and the Cooperative in submitting the proposal for the financing of the Project to DEED, including the execution of necessary documentation by City officials.

6. In accordance with Section 469.154, subdivision 7, of the Act, the officers, employees, and agents of the City are hereby authorized and directed to encourage the Borrower to target employment opportunities to qualified individuals who are unemployed or economically disadvantaged. Such individuals may be identified by mechanisms as are available to the Borrower and the Cooperative, such as a first source agreement in which the Borrower agrees to use a designated employment office as a first source for employment recruitment, referral, and placement, and by other means.

7. The Borrower shall pay to the City any and all costs incurred by the City in connection with the Bonds or the financing of the Project, whether or not the financing of the Project is approved by DEED, whether or not the financing is carried to completion, and whether or not the Bonds or operative instruments are executed and delivered. In addition to the application fee paid by the Borrower or by the Cooperative on behalf of the Borrower to the City on or before the date hereof, the Borrower shall also pay to the City upon closing on the Bonds a one-time administrative fee equal to (A) 0.25% of the original principal amount of the Bonds issued by the City up to \$10,000,000, plus (B) 0.15% of the original principal amount of the Bonds in excess of 10,000,000, which fee shall be set forth in the Loan Agreement.

8. Kennedy & Graven, Chartered is authorized to act as bond counsel ("Bond Counsel") for the City with respect to the Bonds and to assist in the preparation and review of necessary documents relating to the Bonds. The Mayor, the City Administrator, Finance Director, and City Clerk and other officers, employees, and agents of the City are hereby authorized to assist Bond Counsel in the preparation of such documents.

9. The adoption of this resolution does not constitute a guaranty or firm commitment that the City will issue the Bonds as requested by the Borrower and the Cooperative. The City retains the right in its sole discretion to withdraw from participation and accordingly not to issue the Bonds, or issue the Bonds in an amount less than the amount referred to herein, should the City at any time prior to issuance thereof determine not to issue the Bonds, or to issue the Bonds in an amount less than the amount referred to in paragraph 3 hereof, or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents required for this financing transaction.

10. (a) The United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such bonds. Those regulations, Section 1.150-2 of the Regulations, require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

(b) The City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the Bonds. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act.

(c) Based on representations by the Borrower and Cooperative, no expenditures for the Project have been made by the Borrower or the Cooperative more than sixty (60) days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Bonds; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2(j)(2)(i)(B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations; (iv) expenditures in a “de minimis” amount (as defined in Section 1.150-2(f)(1) of the Regulations); or (v) pursuant to a declaration of official intent by the Borrower in accordance with Section 1.150-2 of the Regulations.

(d) Based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long term-basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Bonds, other than pursuant to the issuance of the Bonds. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof.

11. This resolution shall be in full force and effect from and after its passage.

(The remainder of this page is intentionally left blank.)



Adopted by the City Council of the City of Marshall, Minnesota, this 27th day of February, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT A**

**CITY OF MARSHALL, MINNESOTA**

**NOTICE OF PUBLIC HEARING ON THE ISSUANCE OF CONDUIT  
REVENUE BONDS PURSUANT TO MINNESOTA STATUTES,  
SECTIONS 469.152 TO 469.1655**

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall, Minnesota (the “City”) will conduct a public hearing on Tuesday, March 26, 2024, at or after 5:30 p.m. in the Council Chambers of the Marshall City Hall, 344 West Main Street, Marshall, Minnesota, to consider a proposal by the Foundation for Innovation in Education, a Minnesota nonprofit corporation (“Borrower”), for the issuance of one or more series of taxable and/or tax-exempt conduit revenue bonds or other obligations (the “Bonds”), under Minnesota Statutes, Sections 469.152 to 469.1655, as amended, the proceeds of which are proposed to finance all or a portion of the costs of (i) the acquisition, construction, and equipping of an approximately 16,100 square-foot facility to be located at or about the intersection of Channel Parkway and London Road in the City (the “Facility”); (ii) the funding of capitalized interest; and (iii) the payment of a portion of the costs of issuing the Bonds (collectively, the “Project”). The Facility will be owned by the Borrower and will be leased to and operated by Southwest West Central Service Cooperative (the “Cooperative”), a service cooperative established pursuant to Minnesota Statutes, Section 123A.21, as amended, and used by the Cooperative and its members, including public school districts, cities, counties, and other governmental units or nonprofit organizations, as an administration, office, meeting and training center. After the public hearing, the City Council will consider adoption of a resolution giving final approval to the issuance of the Bonds and loaning the proceeds thereof to the Borrower to finance the Project. The aggregate face amount of the Bonds proposed to be issued to finance the Project is presently estimated not to exceed \$11,000,000.

The Bonds if and when issued will be special, limited revenue obligations of the City, and the Bonds and interest thereon will be payable solely from the revenues and assets pledged to the payment thereof. No holder of any Bond will have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon, nor to enforce payment against any property of the City except money payable by the Borrower to the City and pledged to the payment of the Bonds. Before issuing the Bonds, the City will enter into one or more loan agreements with the Borrower, whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on the Bonds when due.

A draft copy of the proposed application to the Department of Employment and Economic Development for approval of the Project, together with all attachments and exhibits, shall be available for public inspection following the publication of this notice, at City Hall during normal business hours. Anyone desiring to be heard during the public hearing will be afforded an opportunity to do so.

Published: March [ ], 2024

**BY ORDER OF THE CITY COUNCIL OF  
THE CITY OF MARSHALL, MINNESOTA**

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Karla Drown
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of the bills/project payments
<b>Background Information:</b>	Staff encourage the City Council Members to contact staff in advance of the meeting regarding these items if there are questions. Construction contract questions are encouraged to be directed to Director of Public Works, Jason Anderson at 537-6051 or Finance Director, Karla Drown at 537-6764
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	The following bills and project payments be authorized for payment.



Marshall, MN

# Council Check Report

By Vendor Name

Date Range: 02/16/2024 - 02/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP-REG AP</b>						
4549	A & B BUSINESS, INC	02/16/2024	EFT	0.00	2,589.13	15691
0548	ACTION SPORTS INC	02/16/2024	EFT	0.00	45.99	15692
6469	ACTIVE911, INC	02/23/2024	Regular	0.00	737.36	124116
2591	ADELMANN, MARK	02/23/2024	EFT	0.00	675.64	15754
5119	ALL FLAGS, LLC	02/16/2024	EFT	0.00	1,362.03	15693
0578	AMAZON CAPITAL SERVICES	02/16/2024	EFT	0.00	1,662.74	15694
0578	AMAZON CAPITAL SERVICES	02/23/2024	EFT	0.00	322.52	15755
0658	AP DESIGN, INC. / NICHOLAS J SCHWARZ OR JILI	02/23/2024	EFT	0.00	750.00	15756
0630	ARCTIC GLACIER	02/16/2024	Regular	0.00	152.10	124084
0629	ARNOLD MOTOR SUPPLY	02/23/2024	EFT	6.74	330.21	15757
6883	AT&T MOBILITY II LLC	02/16/2024	Regular	0.00	38.23	124085
7256	BALDWIN SUPPLY COMPANY	02/16/2024	Regular	0.00	134.04	124086
7256	BALDWIN SUPPLY COMPANY	02/23/2024	Regular	0.00	31.00	124117
7505	BEAM TECHNOLOGIES INC	02/16/2024	Bank Draft	0.00	4,162.54	DFT0003641
7505	BEAM TECHNOLOGIES INC	02/16/2024	Bank Draft	0.00	4,162.32	DFT0003679
7505	BEAM TECHNOLOGIES INC	02/16/2024	Bank Draft	0.00	883.42	DFT0003696
0689	BEND RITE CUSTOM FABRICATION, INC.	02/16/2024	Regular	0.00	10.48	124087
0699	BEVERAGE WHOLESALERS, INC.	02/16/2024	Regular	0.00	18,626.08	124088
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	7,361.40	DFT0003629
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	1,472.28	DFT0003630
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	56,498.96	DFT0003631
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	3,896.48	DFT0003632
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	7,361.40	DFT0003667
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	1,472.28	DFT0003668
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	56,498.38	DFT0003669
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	3,896.44	DFT0003670
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	02/16/2024	Bank Draft	0.00	9,265.20	DFT0003695
0724	BOLTON & MENK INC	02/16/2024	EFT	0.00	417.50	15695
0018	BORDER STATES INDUSTRIES, INC.	02/16/2024	EFT	0.00	156.16	15696
0018	BORDER STATES INDUSTRIES, INC.	02/23/2024	EFT	0.00	1,072.31	15758
3829	BRAU BROTHERS	02/16/2024	EFT	0.00	139.00	15697
2917	BRUNSVOLD, RYAN	02/23/2024	EFT	0.00	76.00	15759
7542	BRUSVEN, NATE & KATIE	02/16/2024	Regular	0.00	500.00	124089
0763	BSN SPORTS LLC	02/16/2024	Regular	0.00	897.95	124090
6791	CAPITAL ONE	02/16/2024	Regular	0.00	231.14	124091
6791	CAPITAL ONE	02/23/2024	Regular	0.00	56.55	124118
0799	CARLOS CREEK WINERY, INC	02/16/2024	Regular	0.00	192.00	124092
0818	CAUWELS, ROGER	02/16/2024	EFT	0.00	40.00	15698
0836	CHARTER COMMUNICATIONS, LLC	02/16/2024	EFT	0.00	46.99	15699
0836	CHARTER COMMUNICATIONS, LLC	02/23/2024	EFT	0.00	104.20	15760
7507	CIGNA HEALTH AND LIFE INSURANCE COMPANY	02/23/2024	EFT	0.00	1,392.37	15761
5733	CLARITY TELECOM, LLC	02/16/2024	EFT	0.00	2,794.71	15700
5733	CLARITY TELECOM, LLC	02/23/2024	EFT	0.00	736.79	15762
7548	COMBELICK, BILLY JOE	02/16/2024	Regular	0.00	250.00	124093
6294	CREDIT BUREAU OF ALEXANDRIA	02/16/2024	EFT	0.00	74.00	15701
7394	CRESTED RIVER CANNABIS COMPANY	02/16/2024	EFT	0.00	875.00	15702
0919	CRYTEEL TRUCK EQUIPMENT INC	02/16/2024	EFT	0.00	3,590.00	15703
0920	CULLIGAN WATER CONDITIONING OF MARSHAL	02/23/2024	Regular	0.00	5,750.96	124119
3819	DACOTAH PAPER CO	02/23/2024	EFT	2.46	243.43	15763
7543	DEMPSEY, JAMES	02/16/2024	Regular	0.00	500.00	124094
0975	DEPUTY REGISTRAR #32	02/23/2024	Regular	0.00	186.25	124120
5731	DOLL DISTRIBUTING LLC	02/16/2024	EFT	0.00	12,618.30	15704
7528	DUE NORTH DEVELOPMENTS LLC	02/16/2024	Regular	0.00	500.00	124095
1035	ECOLAB PEST ELIMINATION SERVICES	02/23/2024	EFT	0.00	306.98	15764

Council Check Report

Date Range: 02/16/2024 - 02/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1037	ECOWATER SYSTEMS	02/23/2024	EFT	0.00	8.50	15765
4581	EMAJNT ENTERPRISES LLC	02/23/2024	EFT	0.00	636.60	15766
1061	EMERGENCY APPARATUS MAINTENANCE INC	02/23/2024	EFT	0.00	323.26	15767
7181	ENTERPRISE FLEET MANAGEMENT TRUST	02/20/2024	Bank Draft	0.00	14,507.53	DFT0003697
4753	ENTERPRISE LEASING CO	02/16/2024	EFT	0.00	428.38	15705
1090	FASTENAL COMPANY	02/16/2024	EFT	0.00	148.64	15706
1090	FASTENAL COMPANY	02/23/2024	EFT	0.00	205.83	15768
7073	FIXEN CHIROPRACTIC	02/23/2024	EFT	0.00	185.00	15769
1122	FLAHERTY & HOOD, P.A.	02/23/2024	EFT	0.00	2,837.50	15770
1149	FRONTLINE PLUS FIRE & RESCUE	02/23/2024	EFT	0.00	6,685.00	15771
6770	GALLAGHER BENEFIT SERVICES, INC	02/16/2024	EFT	0.00	1,000.00	15707
1158	GALLS INC	02/16/2024	EFT	0.00	457.43	15708
1773	GOERGEN, JOSH	02/23/2024	EFT	0.00	794.28	15772
1199	GRAHAM TIRE AND AUTOMOTIVE SERVICES	02/16/2024	EFT	0.00	888.00	15709
3760	GROWMARK INC.	02/16/2024	EFT	0.00	688.05	15710
6291	GUARDIAN FLEET SAFETY, LLC	02/16/2024	EFT	0.00	504.06	15711
6933	HADRONEX	02/16/2024	Regular	0.00	4,171.16	124096
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	02/16/2024	Bank Draft	0.00	393.53	DFT0003636
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	02/16/2024	Bank Draft	0.00	393.53	DFT0003674
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	02/16/2024	Bank Draft	0.00	31.81	DFT0003693
1256	HAWKINS INC	02/16/2024	EFT	0.00	11,908.14	15712
7280	HEARTLAND MECHANICAL, INC.	02/16/2024	EFT	0.00	964.10	15713
1271	HENLE PRINTING COMPANY	02/16/2024	EFT	0.00	76.14	15714
1311	HYVEE FOOD STORES INC	02/23/2024	Regular	0.00	79.92	124121
1325	ICMA RETIREMENT TRUST #300877	02/16/2024	EFT	0.00	50.00	15715
6536	INNOVATIVE OFFICE SOLUTIONS, LLC	02/16/2024	EFT	0.00	430.97	15716
1358	INTERNAL REVENUE SERVICE	02/16/2024	Bank Draft	0.00	38.32	DFT0003663
1358	INTERNAL REVENUE SERVICE	02/16/2024	Bank Draft	0.00	332.80	DFT0003664
1358	INTERNAL REVENUE SERVICE	02/16/2024	Bank Draft	0.00	8.96	DFT0003665
1358	INTERNAL REVENUE SERVICE	02/16/2024	Bank Draft	0.00	29,641.70	DFT0003683
1358	INTERNAL REVENUE SERVICE	02/16/2024	Bank Draft	0.00	22,855.96	DFT0003684
1358	INTERNAL REVENUE SERVICE	02/16/2024	Bank Draft	0.00	8,851.36	DFT0003685
7545	JACOBSON, JAMES	02/16/2024	Regular	0.00	500.00	124097
6383	JASPER ENGINEERING & EQUIPMENT CO	02/23/2024	Regular	0.00	725.00	124122
1399	JOHNSON BROTHERS LIQUOR COMPANY	02/16/2024	EFT	0.00	8,333.72	15719
2036	JOHNSON BROTHERS LIQUOR COMPANY	02/16/2024	EFT	0.00	7,259.68	15717
2605	JOHNSON BROTHERS LIQUOR COMPANY	02/16/2024	EFT	0.00	765.81	15718
5447	JOHNSON BROTHERS LIQUOR COMPANY	02/16/2024	EFT	0.00	1,182.50	15720
5095	KIBBLE EQUIPMENT LLC	02/16/2024	EFT	0.00	16.95	15721
7541	KOENEN, DEAN	02/16/2024	Regular	0.00	500.00	124098
3653	LANGUAGE LINE SERVICES	02/16/2024	EFT	0.00	171.08	15722
1483	LEAGUE OF MINNESOTA CITIES INS TRUST	02/23/2024	Regular	0.00	97.20	124123
1508	LOCKWOOD MOTORS INC	02/16/2024	EFT	0.00	188.88	15723
1508	LOCKWOOD MOTORS INC	02/23/2024	EFT	0.00	318.08	15773
3969	LOUWAGIE, RAYMOND	02/16/2024	Regular	0.00	450.00	124099
3816	LUTHERAN SOCIAL SERVICES	02/23/2024	Regular	0.00	28.00	124124
1539	LYON COUNTY ENVIRONMENTAL OFFICE	02/23/2024	Regular	0.00	25.00	124125
1548	LYON COUNTY LANDFILL	02/16/2024	EFT	0.00	9.00	15724
1552	LYON COUNTY RECORDER	02/16/2024	EFT	0.00	60.00	15725
6292	MADDEN, GALANTER, HANSEN, LLP	02/16/2024	EFT	0.00	473.00	15726
1603	MARSHALL ANIMAL CLINIC	02/16/2024	Regular	0.00	92.50	124100
5813	MARSHALL LUMBER CO	02/16/2024	EFT	0.00	246.90	15727
5813	MARSHALL LUMBER CO	02/23/2024	EFT	0.00	15.99	15774
1631	MARSHALL MACHINE SHOP INC	02/16/2024	EFT	0.00	311.11	15728
1633	MARSHALL MUNICIPAL UTILITIES	02/16/2024	EFT	0.00	7,827.08	15729
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	02/16/2024	EFT	0.26	12.88	15730
5139	MATHESON TRI-GAS INC	02/16/2024	Regular	0.00	152.61	124101
7494	MEIER, DAVID	02/16/2024	Regular	0.00	500.00	124102
2593	MELLENTHIN, BRADY	02/23/2024	EFT	0.00	41.00	15775
4980	MENARDS INC	02/16/2024	EFT	0.00	436.59	15731
4980	MENARDS INC	02/23/2024	EFT	0.00	183.56	15776

Council Check Report

Date Range: 02/16/2024 - 02/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1754	MINNESOTA CHIEFS OF POLICE ASSOCIATION	02/23/2024	EFT	0.00	550.00	15777
1002	MINNESOTA DEPARTMENT OF NATURAL RESOL	02/23/2024	Regular	0.00	40.30	124126
1818	MINNESOTA DEPARTMENT OF REVENUE	02/16/2024	Bank Draft	0.00	217.46	DFT0003666
1818	MINNESOTA DEPARTMENT OF REVENUE	02/16/2024	Bank Draft	0.00	11,736.71	DFT0003686
1818	MINNESOTA DEPARTMENT OF REVENUE	02/20/2024	Bank Draft	0.00	49,657.00	DFT0003699
1797	MINNESOTA FIRE SERVICE CERTIFICATION BOAF	02/23/2024	Regular	0.00	1,008.00	124127
1808	MINNESOTA MUNICIPAL UTILITIES ASSOCIATIOI	02/16/2024	EFT	0.00	82.50	15732
7180	MINNESOTA SOCIETY OF CERTIFIED PUBLIC ACC	02/16/2024	Regular	0.00	365.00	124103
3669	MINNESOTA STATE RETIREMENT SYSTEM	02/16/2024	Bank Draft	0.00	10,567.39	DFT0003680
1839	MINNESOTA VALLEY TESTING LABS INC	02/23/2024	EFT	0.00	141.60	15778
1757	MN CHILD SUPPORT PAYMENT CENTER	02/16/2024	Bank Draft	0.00	386.70	DFT0003675
1757	MN CHILD SUPPORT PAYMENT CENTER	02/16/2024	Bank Draft	0.00	170.74	DFT0003676
1864	MONTES ELECTRIC INC	02/16/2024	Regular	0.00	2,090.37	124104
1894	MURRAY'S AUTO GLASS	02/23/2024	Regular	0.00	500.00	124128
2512	NATIONWIDE RETIREMENT	02/16/2024	Bank Draft	0.00	325.00	DFT0003661
2512	NATIONWIDE RETIREMENT	02/16/2024	Bank Draft	0.00	1,299.67	DFT0003662
2512	NATIONWIDE RETIREMENT	02/16/2024	Bank Draft	0.00	100.00	DFT0003671
1939	NFPA	02/23/2024	Regular	0.00	557.99	124129
1945	NORM'S GTC	02/16/2024	Regular	0.00	185.97	124105
1945	NORM'S GTC	02/23/2024	Regular	0.00	17.65	124130
1986	NORTH CENTRAL INTERNATIONAL, INC	02/23/2024	EFT	0.00	1,703.63	15779
1946	NORTH CENTRAL LABS	02/16/2024	EFT	0.00	45.57	15733
6463	OFFICE OF MNIT SERVICES	02/16/2024	Regular	0.00	709.62	124106
5891	ONE OFFICE SOLUTION	02/16/2024	EFT	0.00	264.19	15734
5205	PAINTED PRAIRIE VINEYARD, LLC	02/23/2024	EFT	0.00	168.00	15780
1243	PATZERS INC	02/23/2024	EFT	0.00	123.44	15781
6496	PEARCY ENTERPRISES INC	02/16/2024	Regular	0.00	6,000.00	124107
2028	PERA OF MINNESOTA REG	02/16/2024	Bank Draft	0.00	56,457.33	DFT0003678
7053	PERFORMANCE FOOD GROUP, INC.	02/16/2024	Regular	0.00	327.14	124109
1141	PETERSON, ALEX	02/16/2024	EFT	0.00	410.20	15735
4007	PETE'S ELECTRIC MOTOR REPAIR	02/16/2024	EFT	0.00	1,589.73	15736
3557	POMP'S TIRE SERVICE, INC.	02/16/2024	EFT	0.00	1,828.32	15737
6166	PULVER MOTOR SVC, LLC	02/16/2024	EFT	0.00	80.00	15738
7322	QUADIENT FINANCE USA, INC	02/16/2024	Regular	0.00	500.00	124110
7546	RAMOS-ZETINO, HECTOR	02/16/2024	Regular	0.00	15.00	124111
7544	RECORD-A-HIT, INC.	02/16/2024	EFT	0.00	1,610.00	15739
0707	ROADSIDE DEVELOPERS INC	02/16/2024	Regular	0.00	4,793.33	124112
1211	ROKEH, JASON	02/23/2024	EFT	0.00	353.25	15782
2201	RUNNING SUPPLY, INC	02/16/2024	EFT	0.00	58.62	15740
3333	SCHULTZ, NICHOLAS	02/23/2024	EFT	0.00	41.00	15783
5772	SLAGEL, MICHAEL	02/16/2024	EFT	0.00	164.91	15741
6963	SLEEPY EYE BREWING COMPANY LLC	02/16/2024	EFT	0.00	166.80	15742
3495	SMSU	02/23/2024	EFT	0.00	482.61	15784
4855	SOUTHERN GLAZER'S	02/16/2024	EFT	0.00	15,032.09	15743
2311	SOUTHWEST GLASS CENTER, INC	02/16/2024	EFT	0.00	329.50	15744
5922	SRF CONSULTING GROUP, INC.	02/16/2024	EFT	0.00	11,278.00	15745
2345	ST CROIX RECREATION FUN PLAYGROUNDS, INC	02/16/2024	EFT	0.00	34,066.00	15746
2954	STAEFFLER, JUSTIN	02/23/2024	EFT	0.00	417.64	15785
1350	STENSRUD, PRESTON	02/23/2024	EFT	0.00	67.44	15786
6315	STEVE'S CURLING SUPPLIES	02/16/2024	Regular	0.00	339.05	124113
4385	STUART C IRBY CO.	02/16/2024	EFT	0.00	64.06	15747
6277	TALKING WATERS BREWING CO, LLC	02/16/2024	EFT	0.00	1,065.00	15748
6137	TEIGS LAWN CARE & LANDSCAPING, LLC	02/16/2024	Regular	0.00	415.00	124114
2722	THOOF, AUSTIN	02/23/2024	EFT	0.00	417.64	15787
6902	TIMOTHY MICHAEL BIRKEMEYER	02/23/2024	EFT	0.00	1,650.00	15788
2428	TITAN MACHINERY	02/23/2024	EFT	0.00	121.20	15789
2429	TKDA	02/16/2024	EFT	0.00	10,918.48	15749
7529	TNT DEVELOPMENTS LLC	02/16/2024	Regular	0.00	500.00	124115
6156	TRUE BRANDS	02/16/2024	EFT	0.00	440.88	15750
2511	USA BLUE BOOK	02/16/2024	EFT	0.00	153.47	15751
3443	VALIC DEFERRED COMP	02/16/2024	Bank Draft	0.00	1,017.31	DFT0003672

Council Check Report

Date Range: 02/16/2024 - 02/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3443	VALIC DEFERRED COMP	02/16/2024	Bank Draft	0.00	1,396.15	DFT0003673
4489	VERIZON WIRELESS	02/23/2024	EFT	0.00	440.11	15790
4489	VERIZON WIRELESS	02/23/2024	EFT	0.00	39.02	15791
4489	VERIZON WIRELESS	02/23/2024	EFT	0.00	1,454.10	15792
4489	VERIZON WIRELESS	02/23/2024	EFT	0.00	35.01	15793
2538	VIKING COCA COLA BOTTLING CO.	02/16/2024	EFT	0.00	704.10	15752
6085	VOYA - INVESTORS CHOICE	02/16/2024	Bank Draft	0.00	2,243.26	DFT0003681
2632	ZIEGLER INC	02/16/2024	EFT	0.00	1,103.16	15753
2632	ZIEGLER INC	02/23/2024	EFT	0.00	176.64	15794

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	69	46	0.00	54,479.95
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	35	35	0.00	369,561.32
EFT's	181	104	9.46	179,333.60
	<b>285</b>	<b>185</b>	<b>9.46</b>	<b>603,374.87</b>

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	69	46	0.00	54,479.95
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	35	35	0.00	369,561.32
EFT's	181	104	9.46	179,333.60
	<b>285</b>	<b>185</b>	<b>9.46</b>	<b>603,374.87</b>

### Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	2/2024	603,374.87
			<b>603,374.87</b>



CITY OF MARSHALL, MINNESOTA  
 PRIOR AND CURRENT YEARS CONSTRUCTION CONTRACTS  
 2/27/2024

PROJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2020 Prior Payments	2021 Prior Payments	2022 Prior Payments	2023 Prior Payments	PYMTS THIS MEETING:	RETAINAGE	BALANCE:	PERCENT COMPLETE
CH1	494-43300-55120	11/12/2019	City Hall Renovation Brennan Companies	5,030,200.00	749,360.00	5,779,560.00						11,822.00	-	100.00%
ST-009	481-43300-55170	3/14/2023	W. Lyon Street/N. 3rd Street Reconstruction R & G Construction Co.	3,845,497.31	39,670.13	3,885,167.44	3,039,722.04	2,661,221.96	66,794.00			35,535.52	331,615.60	91.46%
PK-092	481-45200-55120	4/11/2023	Amateur Sports Center Shelter & Storage-Ball Field Doom & Cuyper's Construction, Inc.	171,642.00	6,078.00	177,720.00				3,518,016.32		-	720.00	99.59%
AP-007	480-43400-55170	2022	Crack Filling w/Sealcoat City Staff - Street/Airport	75,000.00		75,000.00				177,000.00			23,459.37	68.72%
AP-003	482-43400-55120	2/13/2024	SRE Building Sussner Construction	2,913,100.00		2,913,100.00			51,540.63				2,913,100.00	0.00%
				<b>12,035,439.31</b>	<b>795,108.13</b>	<b>12,830,547.44</b>	<b>3,039,722.04</b>	<b>2,661,221.96</b>	<b>118,334.63</b>		<b>0.00</b>	<b>47,357.52</b>	<b>3,268,894.97</b>	

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Scott Truedson
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	INFO/ACTION
<b>Subject:</b>	Wastewater Items – 1) Wastewater NPDES Permit Update; 2) Consider Authorization to Utilize Wastewater Funds to Continue the Water Softener Rebate Program (Project WW-002)
<b>Background Information:</b>	<p>The EPA has approved the City of Marshall’s request for a chloride variance on February 1. The MPCA is now working on issuing our new NPDES permit which should be in place by March 1.</p> <p>To meet new wastewater NPDES chloride discharge limits the City of Marshall has been participating in a water softener optimization/rebate program since July 2022. This has been possible due to an MPCA grant along with funding from the wastewater budget.</p> <p>The rebate grant program will be ending on June 30, 2024, or when funds are depleted. Wastewater has budgeted for the rebate program in 2024 to cover matching and engineering fees.</p> <p>Staff would like to use any remaining wastewater budgeted funds to continue the rebate program after the grant has expired for the rest of 2024 or until funds run out. Further, City staff is requesting to continue funding a water softener rebate program in future years with Wastewater Department funds. Continuing to fund a water softener rebate program will help ensure that the Wastewater Treatment Facility remains in compliance with its NPDES discharge permit. Included in the packet is a Resolution for City Council consideration of continual funding for a local water softener rebate program.</p>
<b>Fiscal Impact:</b>	Wastewater has remaining budgeted funds in 602-49500-58180 Refunds & Reimbursements.
<b>Alternative/ Variations:</b>	None
<b>Recommendations:</b>	that the City Council authorize City staff to utilize any remaining funds to continue the water softener rebate program for 2024 or until those funds are depleted.

## RESOLUTION NUMBER 24-025

### RESOLUTION CREATING WATER SOFTENER REBATE PROGRAM

WHEREAS, the City of Marshall's Municipal Wastewater Treatment Facility (WWTF) is required by the Minnesota Pollution Control Agency (MPCA) to reduce the discharge of chlorides into the Redwood River by 2024; and

WHEREAS, a large portion of chloride discharge comes from water softener salt that is sent into the sanitary sewer collection system which flows to the WWTF and is discharged into the Redwood River; and

WHEREAS, chlorides cannot be removed through conventional mechanical treatment systems, so the City of Marshall and Marshall Municipal Utilities (MMU) worked together and upgraded MMU's Water Treatment Plant to produce a softer water to help attain compliance with the required limits set by the MPCA; and

WHEREAS, the City of Marshall WWTF will be issued a new National Pollutant Discharge Elimination System (NPDES) permit PERMIT# MN0022179 for wastewater effluent discharged into the Redwood River; and

WHEREAS, the new NPDES PERMIT# MN0022179 will take effect on March 1, 2024; and

WHEREAS, the new NPDES permit includes a variance for chloride reduction that includes an interim chloride limit of 468 mg/l; and

WHEREAS, the city will need to meet a final limit of 261 mg/l beginning March 1, 2034 once the variance term expires; and

WHEREAS, water softening units have a useful lifespan that varies from 10-20 years and property owner's are not likely to replace their water softening units frequently enough; and

WHEREAS, studies support a finding that replacing water softening units will decrease chloride concentration levels at the WWTF; and

WHEREAS, reduction of chloride concentration levels promotes health, welfare and safety of the community, and furthers a public purpose; and

WHEREAS, Council has authorization through Section 7.01 of the City Code to adopt this type of program; and

WHEREAS, it is deemed prudent by the City of Marshall to offer a rebate program to help offset the cost of replacing water softening units to incentivize the replacement of water softeners to help meet chloride concentration limits at the WWTF; and

WHEREAS, the WWTF will budget annually for funding the water softener removal and replacement rebates to serve the greater good of the community and the environment and to help the WWTF meet MPCA-required chloride concentration limits at the WWTF; and

WHEREAS, to be considered for a rebate water softeners must be programmed for a minimum 4,000 grains/lb of salt efficiency; and

WHEREAS, the City of Marshall City Council shall have oversight and review of all budgeted dollars for the rebate program annually during city budget preparation.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Marshall as follows:

1. The City shall establish a water softener removal or replacement rebate program.
2. The rebate program shall be effective upon approval of this Resolution.
3. The rebate amount shall be \$500 to remove a water softener or \$500 to replace a water softener with a new, efficient water softener.
4. Rebate amounts shall be reviewed annually and approved with the current City Fee Schedule.

Passed and adopted by the City Council this 27<sup>th</sup> day of February 2024.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

# WWTF NPDES Permit & Water Softener Rebate Updates

February 27, 2024



# NPDES Permit Update: New Limits

## Sulfates

- \* New limit of 968 mg/L which we cannot currently reach.
- \* The City asked for and received a 15-year schedule of compliance (SOC) to allow time to work on source reduction.
- \* The SOC will require reduction work, benchmark goals, & annual reports to be submitted.

# NPDES Permit Update: New Limits

## Phosphorus

- \* New more stringent limits will need to be reached June through September.
- \* Currently the City can just meet the proposed limit but will need to make upgrades to the failing effluent filter system, probably as soon as 2027.
- \* A facility plan will need to be done to find the most cost-effective way of meeting this future limit.

# NPDES Permit Update: New Limits

## Chlorides

- \* Because the City is unable to meet the 261 mg/l chloride limit, we applied for a 10-year variance.
- \* The variance will require reduction work, benchmark goals, & annual reports to be submitted.



# NPDES Permit Update: Current Stage

- \* The EPA needed to approve our request for a variance before the MPCA could issue our new NPDES permit.
- \* On February 1, the MPCA received EPA approval and is currently working on issuing our permit.
- \* The new permit will become effective on March 1, 2024.
- \* Because of the new limits we are currently updating all Significant Industrial agreements.

# Water Softener Rebate Program: Work Done

- \* **Advertising:** Marshall Independent, Marshall Radio, Chamber of Commerce, Social Media, & Utility Bill Inserts.
- \* **Mailings:** 140 letters mailed to business property owners.
- \* **Emails:** All industries, schools, churches, and the hospital were contacted.
- \* **Door Knocking:** Apartment complexes, hotels, car washes, restaurants, SMSU, & retailers were contacted.

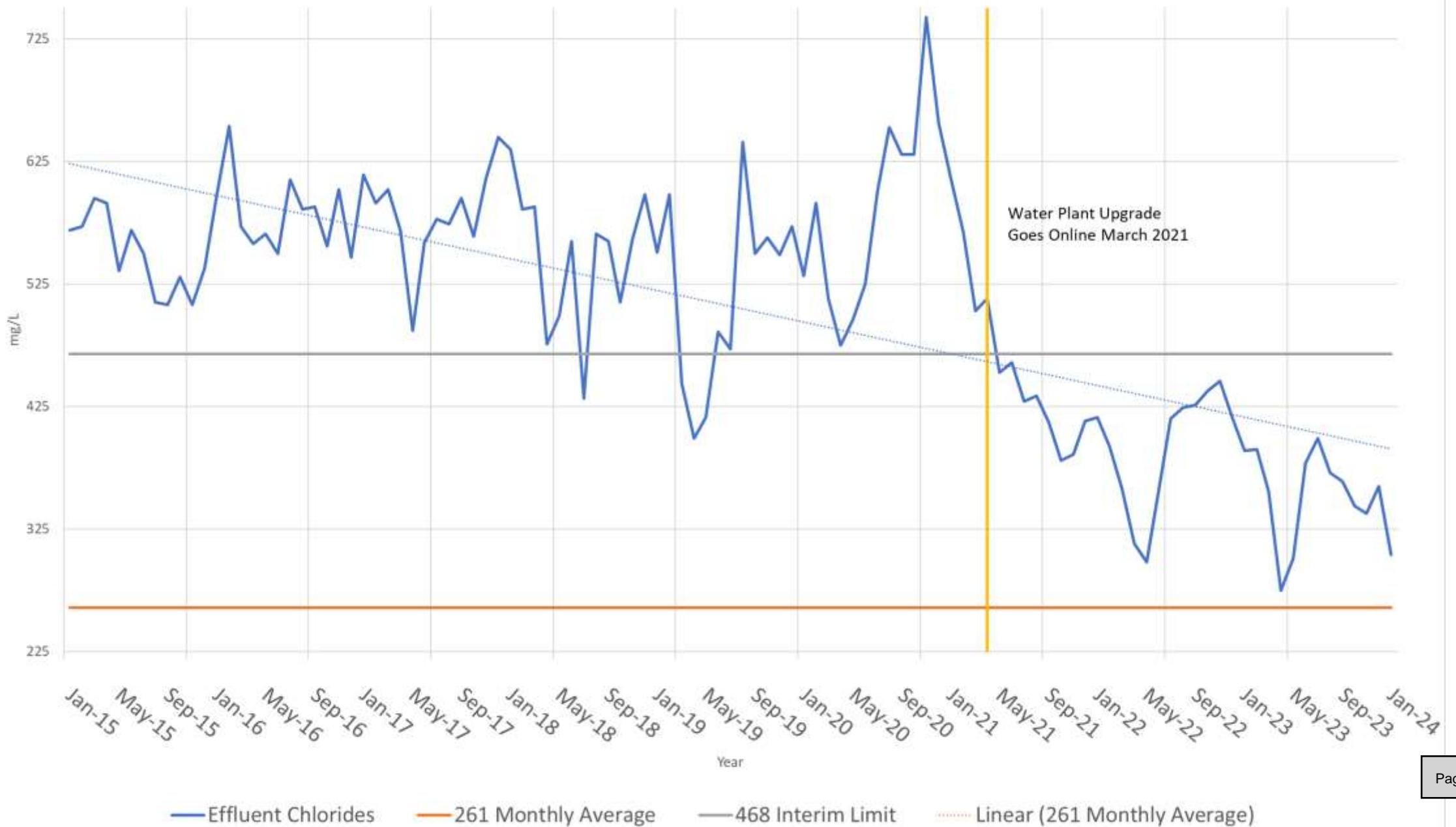
# Water Softener Rebate Program: Participation

- \* Optimizations: 82
- \* Contractor Replacements: 85
- \* DIY Replacements: 10
- \* Removals: 107

**Has the program solved our chloride problem?**

**Not yet but we're getting closer.**

# Chloride Concentration (mg/L) 2015 - Present



# Water Softener Rebate Program: Continue?

- \* The current program has been funded mainly by a MPCA grant with some matching funds from the wastewater budget.
- \* The program started on July 5<sup>th</sup>, 2022, and ends on June 30<sup>th</sup> of 2024 or when grant funds run out: currently \$5,200 left.
- \* Once the grant funds are depleted, we plan to continue the program utilizing dedicated funds currently in the wastewater budget.
- \* The program could continue in future years as a more limited wastewater budgeted item.

# Questions?

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Project ST-010: Lyon Circle Reconstruction Project - Consider Resolution Receiving Feasibility Report and Calling Hearing on Improvement
<b>Background Information:</b>	<p>This project consists of: reconstruction of the street, curb and gutter, and utility replacement work. The sanitary sewer will be replaced, along with service lines, the water main will be extended with a fire hydrant added at the end of the circle, and the storm sewer piping and intakes will be replaced at the intersection of Lyon Circle and E. Lyon Street. Other items of work included in this project are pavement removal, aggregate base, concrete valley gutter, and bituminous surfacing.</p> <p>Lyon Circle has been included in the 2024 CIP for complete reconstruction. The newly constructed road will be narrower than the current circle, a reflection of the very low traffic demand for the dead-end circle. In addition, sanitary sewer will be replaced and the water main in the circle will be extended to the end of the circle and a fire hydrant will be added to the dead end.</p> <p>This Feasibility Report as authorized by the City Council covers the proposed improvements including scope, background/existing conditions, proposed improvements, probable costs, proposed assessments, feasibility and proposed project schedule.</p> <p>The proposed improvements as described in the report are necessary, cost-effective, and feasible from an engineering standpoint.</p> <p>This project has been presented and discussed at the following PI/T meetings: 01/24/2023, 02/14/2023, 10/24/2023 and 02/13/2024. In addition, a public informational meeting was held on 01/18/2024. Notices were mailed to all owners. No property owners attended the meeting.</p>
<b>Fiscal Impact:</b>	The project is identified in our 2024 CIP at a total cost of \$299,860. All improvements are proposed to be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem participation. Final approval of the project must include determination of funding sources.
<b>Alternative/Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	that the Council adopt RESOLUTION NUMBER 24-026, which is the Resolution Receiving Feasibility Report and Calling Hearing on Improvement for the above-referenced project and setting the public hearing on improvement date for March 12, 2024.



**RESOLUTION NO. 24-026**

**RESOLUTION RECEIVING FEASIBILITY REPORT  
AND CALLING HEARING ON IMPROVEMENT**

WHEREAS, pursuant to resolution of the Council adopted February 13, 2024, a report has been prepared by Director of Public Works/City Engineer Jason R. Anderson with reference to:

**PROJECT ST-010: LYON CIRCLE RECONSTRUCTION PROJECT** -- This project consists of: reconstruction of the street, curb and gutter, and utility replacement work. The sanitary sewer will be replaced, along with service lines, the water main will be extended with a fire hydrant added at the end of the circle, and the storm sewer piping and intakes will be replaced at the intersection of Lyon Circle and E. Lyon Street. Other items of work included in this project are pavement removal, aggregate base, concrete valley gutter, and bituminous surfacing.

AND WHEREAS, this report was received by the Council on February 27, 2024.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

1. The Council will consider the improvements in accordance with the report and the assessment of the properties for all or a portion of the cost of the improvements pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvements of \$299,860.
2. A Public Hearing shall be held on such proposed improvements on the 12<sup>th</sup> day of March, 2024 at 5:30 p.m. in the Council Chambers of City Hall located at 344 West Main Street, and the City Clerk shall give mailed and published notice of such hearing and improvements as required by the law.

Passed and adopted by the Council on this 27<sup>th</sup> day of February 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

This Instrument Drafted by:  
Jason R. Anderson, P.E., Director of Public Works/City Engineer



MARSHALL  
CULTIVATING THE BEST IN US

# FEASIBILITY REPORT

Project ST-010

Lyon Circle Reconstruction Project

February 27, 2024

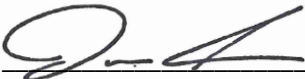


Item 12.

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I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

By:   
Jason R. Anderson, P.E.  
Registration No. 53322

# FEASIBILITY REPORT

## PROJECT ST-010 LYON CIRCLE RECONSTRUCTION PROJECT

### CITY OF MARSHALL, MINNESOTA

#### 1.0 SCOPE

This Feasibility Report as authorized by the City Council, covers the following proposed improvements: reconstruction and utility replacement on Lyon Circle off East Lyon Street West of the intersection of Jewett Street and East Lyon. Utilities will be installed, including watermain and sanitary sewer, Storm Sewer, on Lyon Circle. Other items of work included in this project are pavement removal, aggregate base, concrete surfacing, curb and gutter and other minor work.

#### 2.0 BACKGROUND / EXISTING CONDITIONS

##### Street

City records indicate that this circle was originally constructed in 1981. The existing pavement surface had fallen apart and is currently a mix of millings and gravel.

The existing segment of Lyon Circle measures approximately 41-FT as measured from the back of curb to the back of curb with a 50' radius on the circle. Currently, the existing segment of Lyon Circle is wide enough to accommodate two travel lanes and parallel parking on both sides of the street.

There is currently no sidewalk on Lyon Circle, we do not recommend adding sidewalk to the circle.

##### Utilities

There is currently 6" PVC watermain and 8" VCP sanitary sewer along this segment of Lyon Circle. Properties adjacent to Lyon Circle are serviced by aging sanitary service lines. The existing sanitary main in the circle is 8" vitrified clay pipe (VCP) and is in poor condition. There is 12" RCP storm sewer crossing the north end of Lyon Circle. Storm sewer is recommended to be replaced under a new valley gutter.

### 3.0 PROPOSED IMPROVEMENTS

#### Street

A bituminous pavement section will be proposed and discussed in this feasibility report. Staff is proposing a street section comprised of a 4" thick bituminous surfacing, a 12" thick section of Class 5 aggregate base. A geotextile fabric will be placed on the subgrade prior to the placement of the class 5 aggregate. A 6" perforated drain tile shall be installed at the back of the curb below the aggregate base to provide subsurface drainage for the street section.

The proposed roadway on Lyon Circle (as measured from curb face to curb face) will be 32-FT with a 40.5' radius on the circle. The project proposes two 13-FT travel lanes and two 3' wide recovery areas. It is the opinion of staff that the proposed road width will be adequate to serve the corridor.

A 10-FT sidewalk opening will be installed on the north end of the circle for future 10' wide bike path to be installed.

#### Utilities

The proposed utility improvements include installing new sanitary sewer, sanitary services throughout the block with service lines extended into the adjacent properties.

The watermain improvements will consist of installing a new hydrant for fire protection. The new hydrant will connect to the existing 6" PVC watermain.

The sanitary sewer system improvements will include installing new manhole, sewer main, and sewer services along Lyon Circle. The main will be new 8" PVC main. New sewer services will be installed to the right-of-way (ROW) with a minimum 4" pipe size. Storm sewer will be improved under the new valley gutter.

### 4.0 STATEMENT OF PROBABLE COST

The estimated costs to complete the proposed improvements are shown below. The estimated construction costs include a 10% allowance for contingencies and a 16% allowance for administrative and engineering costs. The unit prices for each item of work used in determining the estimated cost of construction is based on previous projects similar in nature and is subject to change.

<i>Street and Curb and Gutter</i>	<i>\$150,000.00</i>
<i>Watermain Replacement</i>	<i>\$10,000.00</i>
<i>Storm Sewer Replacement</i>	<i>\$24,000.00</i>
<i>Sanitary Sewer Replacement</i>	<i><u>\$51,000.00</u></i>
<i>Subtotal Estimated Construction Cost</i>	<i>\$235,000.00</i>
<i>Contingencies (10%)</i>	<i><u>\$23,500.00</u></i>
<i>Total Estimated Construction Cost</i>	<i>\$258,500.00</i>
<i>Estimated Engineering, &amp; Administration (16%)</i>	<i><u>\$41,360.00</u></i>
<i>Total Estimated Project Cost</i>	<i><u>\$299,860.00</u></i>

## 5.0 PROPOSED ASSESSMENTS

The adjacent properties will not be assessed for the watermain improvements. All costs for watermain and related work will be paid by MMU.

The adjacent properties will not be assessed for sanitary sewer main improvements. All costs for sanitary sewer main will be paid by the City of Marshall Wastewater Department. Sanitary sewer service lines and connection points to the main will be assessed to the adjacent property owners according to current sanitary sewer assessment procedures.

Costs for the street replacements will be partially assessed to the adjacent property owners in accordance with the most recent Special Assessment Policy and partially funded by the Surface Water, Wastewater Department, and MMU.

A preliminary assessment roll showing the estimated assessments for each benefiting parcel, City Participation, and utility participation will be prepared at a later date for consideration by the City Council in accordance with the most recent Special Assessment Policy.

## 6.0 FEASIBILITY/CONDITIONS/QUALIFICATIONS

The proposed improvements as described in this report are necessary, cost-effective, and feasible from an engineering standpoint. The feasibility of this project is contingent upon the findings of the City Council pertaining to project financing and public input.

## 7.0 PROPOSED PROJECT SCHEDULE

The following is the anticipated schedule for the project, assuming the City Council elects to proceed with the proposed improvements.

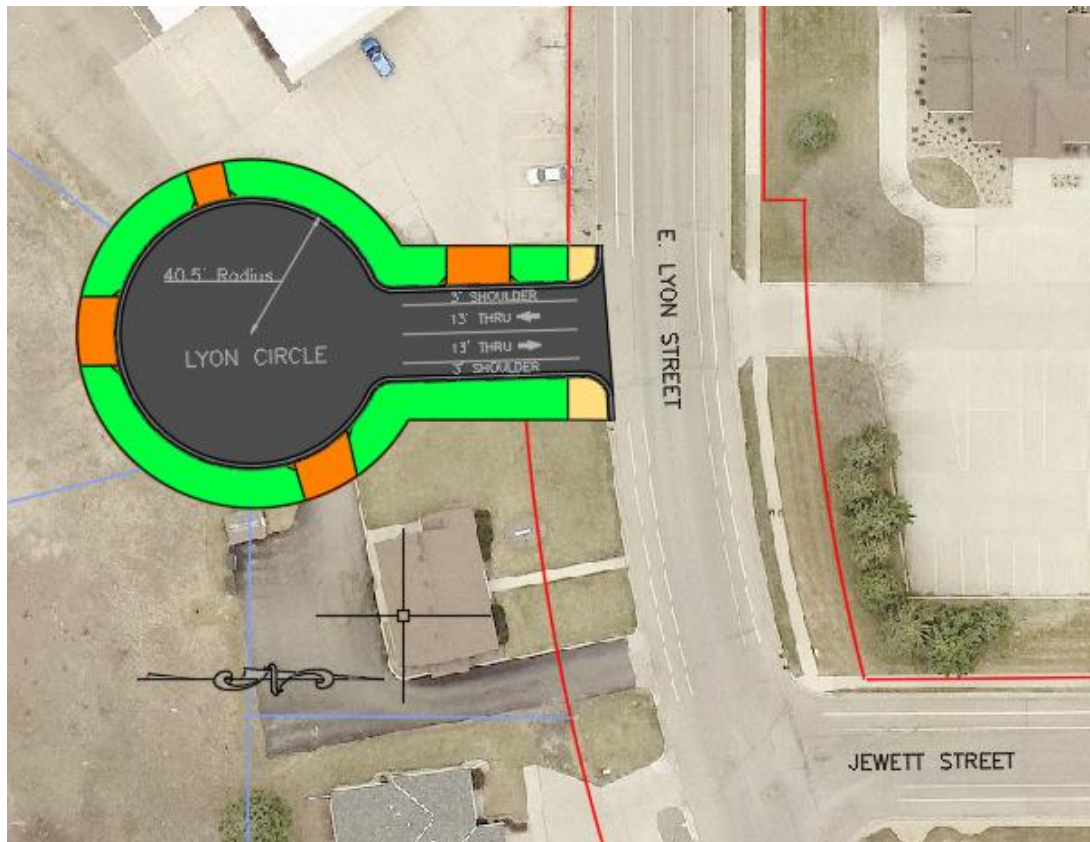
February 27, 2024	Receive Feasibility Report & Call for Hearing on Improvement
March 12, 2024	Public Hearing on Improvement/Order Plans & Specs
March 12, 2024	Approve Plans & Specs/Authorize Call for Bids
March 15-April 5, 2024	Advertise for Bids
April 5, 2024	Bid Opening Date
April 9, 2024	Award Contract
May 2024	Notice to Proceed
June 2024	Begin Construction
October 2024	Public Hearing on Assessment/Adopt Assessment
October 2024	End Construction

# APPENDIX

## PROJECT LIMITS



## PROJECT LAYOUT



<b>Presenter:</b>	Mayor Byrnes
<b>Meeting Date:</b>	Tuesday, February 27, 2024
<b>Category:</b>	COUNCIL REPORTS
<b>Type:</b>	INFO
<b>Subject:</b>	Commission/Board Liaison Reports
<b>Background Information:</b>	<p><b>Byrnes</b> - Fire Relief Association and Regional Development Commission</p> <p><b>Schafer</b> – Airport Commission, Joint LEC Management Committee, MERIT Center Commission, SW Amateur Sports Commission</p> <p><b>Meister</b> – Adult Community Center, Cable Commission, Economic Development Authority</p> <p><b>Schroeder</b> – Economic Development Authority, Planning Commission, Public Housing Commission</p> <p><b>Alcorn</b> – Community Services Advisory Board, MMU Commission</p> <p><b>Moua-Leske</b> – Convention &amp; Visitors Bureau; Diversity, Equity &amp; Inclusion Commission; Library Board</p> <p><b>Lozinski</b> – Marshall Area Transit Committee, Joint LEC Management Committee, Police Advisory Board</p>
<b>Fiscal Impact:</b>	
<b>Alternative/Variations:</b>	
<b>Recommendations:</b>	



**PUBLIC HOUSING COMMISSION  
OF THE CITY OF MARSHALL  
PARKVIEW APARTMENTS**

Minutes of the Meeting of  
December 14th, 2023

Meeting called to Order: 3:36 P.M. by Chair Rickgarn.  
Members Present: Farrell, Rickgarn, Reilly, Katz, Schroeder.  
Absent: Knutson, Juarez, both called in.

MOTION by Reilly, seconded by Rickgarn, to approve the minutes of the November 13th, 2023 meeting. All voted in favor, Motion passed.

**REPORTS: One Month Report, Operating Statement** for FYE 24 was reviewed by the Board. Motion by Rickgarn, second by Katz to approve the one-month report. All voted in Favor, Motion passed to approve the report.

**Account Receivable/Payable: A One-month** report was reviewed; several items were pointed out and discussed to the Board by the Director, including checks from # 021646 to # 021680 in the amount of \$ 40,359.86. Motion by Rickgarn, second by Reilly, to approve the report. All voted in favor.

**Occupancy Report:** Currently working with several applicants for Parkview, and Family Units. Detailed Maintenance report included.

CFP - 2022 Installation this spring  
CFP- 2023, Installation this spring.

**New Business:**

- A. Washer /Dryer Update-payment.
- B. HUD Inspections, switching from HQS to NSPIRE, booklet on hand to show Board.
- C. Board reviewed painting Bids
- D. New Maintenance Person, Matt West, to start on 12/18/2023.
- E. Motion by Rickgarn to award Winchester shrub removal to TSL Tree Service for being low bid, second by Katz, all voted in favor. Director will contact TSL and let them know.
- F. The Board was in favor of the Housing Commission to start looking into other Banking firms for their Checking Acct. Currently with Wells Fargo. Will look at F.I.B. and Minnwest bank

Next Meeting: January 8th, 2024 3:30 p.m.

Chairperson Rickgarn Declared the meeting adjourned at 4:28 p.m.

  
Mark Farrell Executive Director

  
Board Member

**PUBLIC HOUSING COMMISSION**

**202 N. FIRST STREET**

MARSHALL, MN 56258 18th, 2023

February 12, 2024

3:30 P.M Board Meeting

- 1 Call to Order:
2. Roll Call:
3. Approval of Previous Meeting Minutes: December 14<sup>th</sup>, 2023
4. Reports:
  - A. **Three** Month report for Operating Statement for FY 2024
  - B Accounts Receivable/Payable.
  - C. Occupancy/ Maintenance Report
5. CFP. 2022 – Installation this spring.  
2023 – Installation this spring.
6. New Business:
  - A. Washer / Dryer Update. Payment.
  - B. Winchester Lawn- grass seeding this spring
  - C. Past Resident/Board member taking us to small claims court.
  - D. Update on fixing screens at the family units.
  - E. Open Lawn Bids, Award Lawn Contract.
  - F. March Meeting is the CFP 2024 Open Meeting.
  - G. Five year CFP Plan, Upgrade Generator, New Vehicle.
7. Executive Director Items:
  - A.
8. Commissioner Items:
  - A.
9. Date and Time for Next Regular Meeting, March 11th , 2024. 3:30 p.m.
10. ADJOURN TIME



# MARSHALL

## Permit List - Build/Plumb/HVAC/Sign - For Council

<b>Applicant Name</b>	<b>Location</b>	<b>Description of Work</b>	<b>Valuation</b>	<b>Approved Date</b>
Action Company LLC	1420 COLLEGE DR E	Face Replacement	1600.00	02/20/2024
AMERICAN WATERWORKS	1112 BRUCE CIR	Foundation Repair	6845.00	02/13/2024
CHAUNCEY WELVAERT CONSTRUCTION LLC	603 JEFFERSON CIR, 603 JEFFERSON CIR, 603 JEFFERSON CIR	Doors, Re-Siding, Windows	52250.00	02/16/2024
Eric Mathiowetz	224 LEGION FIELD RD	HVAC - Air Conditioning, Furnace	9800.00	02/08/2024
Eric Mathiowetz	302 HILL ST S	HVAC - Air Conditioning, Furnace	12600.00	02/12/2024
fatima arias vilchez	207 REDWOOD ST W	HVAC - Furnace	4000.00	02/08/2024
JEFF GLADIS CONSTRUCTION LLC	809 6TH ST N	Re-Roofing	4400.00	02/08/2024



## Upcoming Meetings

### February

- 02/27 Ways & Means Committee, 4:30 PM, City Hall
  - 02/27 Regular Meeting, 5:00 PM, City Hall
  - 02/29 Public Improvement & Transportation Committee, 5:30 PM, City Hall
- 

### March

- 03/05 Presidential Nomination Primary, Regular Polling Locations
- 03/12 Regular Meeting, 5:30 PM, City Hall
- 03/26 Regular Meeting, 5:30 PM, City Hall

# 2024 Regular Council Meeting Dates

2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month *(Unless otherwise noted)*

5:30 P.M.

City Hall, 344 West Main Street

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## January

1. January 9, 2024
2. January 23, 2024

## February

1. February 13, 2024
2. February 27, 2024

## March

1. March 12, 2024
2. March 26, 2024

## April

1. April 9, 2024
2. April 23, 2024

## May

1. May 14, 2024
2. May 28, 2024

## June

1. June 11, 2024
2. June 25, 2024

## July

1. July 9, 2024
2. July 23, 2024

## August

1. Monday, August 12, 2024
2. August 27, 2024

## September

1. September 10, 2024
2. September 24, 2024

## October

1. October 8, 2024
2. October 22, 2024

## November

1. November 12, 2024
2. November 26, 2024

## December

1. December 10, 2024
2. December 17, 2024

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## 2023 Uniform Election Dates

- February 13, 2024
- March 05, 2024
- April 09, 2024
- May 14, 2024
- August 13, 2024
- November 05, 2024

### 204C.03 PUBLIC MEETINGS PROHIBITED ON ELECTION DAY.

Subdivision 1. School districts; counties; municipalities; special taxing districts. No special taxing district governing body, school board, county board of commissioners, city council, or town board of supervisors shall conduct a meeting between 6:00 p.m. and 8:00 p.m. on the day that an election is held within the boundaries of the special taxing district, school district, county, city, or town. As used in this subdivision, "special taxing district" has the meaning given in section 275.066.