



CITY OF MARSHALL
City Council Meeting
Agenda
Tuesday, August 27, 2024 at 5:30 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 and Work Session Held on August 12th

PUBLIC HEARING

2. 1) Conduct Public Hearing for Proposed Assessments for Unpaid Services 2) Consider Resolution Adopting Unpaid Assessments to be Certified to the Auditor/Treasurer

CONSENT AGENDA

3. Consider Approval for a Temporary Liquor License for the Chamber of Commerce on September 3rd
4. Consider Temporary Extension of Alcohol License Area for Brau Brothers Brewing Company
5. Consider Approval for a Raffle Permit for Tracy Area Animal Rescue on September 7, 2024
6. Consider Request of Southwest Minnesota State University for Homecoming Parade (Saturday-October 12, 2024).
7. Preliminary Plat of Stone Meadow – Introduction of Preliminary Plat
8. Consider the Approval of Modifications to the Restrictive Covenants for Stone Meadows Subject to Wal-Mart Real Estate Business Trust Approval
9. Call for a Public Hearing Regarding Proposed Property Tax Abatement for SR Auto Repair Garage
10. Introduce the Request of Turkey Valley Farms to Rezone Two Lots from R-1 One Family District to R-2 One to Four Family District
11. Consider Approval of the Bills/Project Payments

APPROVAL OF ITEMS PULLED FROM CONSENT

NEW BUSINESS

12. Consider the Request of Paul and Joanne Stoneberg for a Conditional Use Permit for Three Multifamily Apartment Buildings in a B-3 General Business District
13. Consider the Request of Independent Lumber for a Conditional Use Permit for a Lumberyard in a B-3 General Business District
14. Legion Baseball Field Improvements Discussion and Authorization to Proceed

COUNCIL REPORTS

15. Commission/Board Liaison Reports
16. Councilmember Individual Items

STAFF REPORTS

17. City Administrator
18. Director of Public Works/City Engineer
19. City Attorney

INFORMATION ONLY

20. Building Permits
21. August Planning Commission Minutes

MEETINGS

22. Upcoming Meetings

ADJOURN

Councilmember Schafer will be attending virtually from a public location at 2668 Peachtree Rd., Statesville, NC 58625



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Mayor Byrnes
Meeting Date:	Monday, August 12, 2024
Category:	APPROVAL OF MINUTES
Type:	ACTION
Subject:	Copy of Consider Approval of the Minutes from the Regular Meeting and Work Session Held on July 23rd
Background Information:	Enclosed are the minutes from the previous meetings.
Fiscal Impact:	
Alternative/ Variations:	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
Recommendations:	That the minutes from the meeting held on July 23rd be approved as filed with each member and that the reading of the same be waived.

**CITY OF MARSHALL
WORK SESSION
M I N U T E S
Tuesday, August 12, 2024**

The work session of the Common Council of the City of Marshall was held July 23, 2024, at City Hall, 344 West Main Street. The meeting was called to order at 4:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Amanda Schroeder, John Alcorn, James Lozinski and See Moua-Leske. Absent: Steve Meister. Staff present included: Sharon Hanson; City Administrator; E.J. Moberg, Director of Administrative Services; Lauren Deutz, Economic Development Director; and Steven Anderson, City Clerk.

Economic Development Presentation

Mayor Byrnes introduced Lauren Deutz who provided a brief background on the proposed development and introduced representatives of the proposed project. The representatives gave a broad overview of their company and of the proposed development site options. Councilmembers asked various questions regarding their processes and timelines.

Adjournment

At 5:19 PM Mayor Byrnes adjourned the meeting.

Attest:

Steven Anderson, City Clerk

Robert Byrnes, Mayor

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Monday, August 12, 2024**

The regular meeting of the Common Council of the City of Marshall was held August 12, 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, Steve Meister, John Alcorn, James Lozinski and See Moua-Leske. Absent: None. Staff present included: Sharon Hanson; City Administrator; Pamela Whitmore, City Attorney (via Zoom); Peter Mikhail, Kennedy & Graven Attorney; Jason Anderson, Director of Public Works/ City Engineer; Preston Stensrud, Park & Rec Supervisor; Karla Drown, Finance Director; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes from the Regular Meeting and Work Session Held on July 23rd

There were no requested amendments to the minutes from July 23, 2024.

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

Project ST-009: W Lyon St. / N 3rd St. Reconstruction Project -- 1) Continuation of July 9, 2024 Public Hearing for Limited Purpose of Consideration of Assessment of Property for Which Council Previously Received an Objection Identified as: Parcel# 27-677104-0; 2) Consider Resolution Adopting Assessment Amount Specific to Property Identified as Parcel# 27-677104-0 and Acknowledgment that Pursuant to Minn. Stat. 426.061, the Assessment on those Specific Properties Becomes a Part of the Assessment Roll Adopted on July 9, 2024

At the July 9, 2024, meeting, the City Council conducted a public hearing and heard proposed objections on the proposed assessment for the above-referenced project. One objection to the proposed assessment was received from Dereck Deutz regarding Parcel Number 27-677104-0. At said meeting, City Council passed Resolution 24-065 and accepted the assessment roll minus the proposed assessment for the Deutz property and continued the assessment hearing to August 12, 2024. City staff had spent over a year working with property owners to be affected by the project to get feedback and to educate the public about the project. Which included facilitating discussions at the Downtown Business Association meetings on a regular basis. The feedback of the property owners included a desire for streetscaping, one-way street and other portions of the improvement in addition to the street, water, drainage, and sanitary sewer work. City staff found, from meeting with business owners and the public, that the community wanted a plaza area and electrical infrastructure to host events on the block. The newly constructed 28-footwide sidewalk and plaza was located along the Property's frontage and the plaza and streetscaping draw attention to the Deutz business, as well as provides outdoor public seating adjacent to the business on the Property. All businesses on the Third Street block paid the same per foot rate for the assessment as Mr. Deutz. City staff found that the streetscaping cost the city \$986.67 per lineal foot and the city had assessed only 20 percent of actual streetscaping costs, with the city picking up the other 80 percent of the costs. Mr. Deutz, the current property owner of Parcel Number 27-677104-0 participated in these meetings as a tenant and knew about the project and purchased the Property in April 2023, before the assessment. City staff found costs to city for street improvement to equal \$210.71 per lineal foot. The Deutz property had 108 feet of street frontage which resulted in a cost of \$45,514.38. Because of the City's current special assessment policy formula which limited street assessment amounts, the assessment for the Deutz property was only \$13,675.32. Mr. Deutz mentioned that a few garbage receptacles and benches were missing from the design of the project. Director Anderson did confirm that some of the receptacles and benches were not installed yet as the city wanted to first see how the space was going to be utilized once it opened before drilling additional holes into the concrete. Anderson would meet with Deutz to discuss possible locations for the missing elements.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski 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 Lozinski to adopt Resolution 24-075 adopting Project ST-009 assessment for parcel 27-677104-0. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. Voting Nay: Councilmember Meister. The motion **Carried. 6-1.**

Authorization to Purchase 48' Shelter from Flagship Recreation

In July of 2023 the Parks Department was awarded an Outdoor Recreation Grant from the Minnesota Department of Natural Resources in the amount of \$210,274 towards the construction of a new restroom facility and shelter at Independence Park. The total cost of the project was estimated to be \$420,548.00. Staff had contacted numerous vendors for a 48' hexagonal shaped steel shelter kit, all of which were more expensive than the proposal by Flagship Recreation who holds a state contract. As Flagship held the contract none of the vendors could come close in price and were not interested in bidding. Staff recommended the purchase of a new 48' ICON Shelter from Flagship Recreation in the amount of \$72,456.07 with half the amount being reimbursed by the Outdoor Recreation Grant as it is a 1:1 match. Prior to the new shelter arriving staff will work with local contractors on bidding the installation of the new shelter and a new restroom to complete the grant. Construction was intended to start late fall of 2024. Meister asked for clarification on the grant and if the shelter had been a budgeted item. Stensrud did confirm that the park shelter and bathroom construction costs were part of the budget.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Lozinski to authorize purchase through the Outdoor Recreation Grant of a shelter from Flagship Recreation in the amount of \$72,456.07. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Approval of the Consent Agenda

There were no requests to remove an item from the consent agenda for additional discussion.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister to approve the items on the consent agenda. 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 a LG220 Lawful Gambling Permit for Ducks Unlimited
- Consider Approval for a Temporary On-Sale Liquor License for Visit Marshall -Prairie Jam
- Resolution Declaring Property as Surplus and Authorizing Sale - Public Works Items
- Consider Resolution Declaring Tables as Surplus for the Adult Community Center
- Consider Amended Request for Street Closure of Marvin Schwan Memorial Drive for Arts & Living Festival
- Project AP-003: Airport Snow Removal Equipment (SRE) Building - FAA Grant Agreement MML-GLG-3-27-0056-021-2024 for Funding of Airport Development
- Consider Approval for a Temporary Liquor License for the SMSU Foundation on September 7
- Consider Approval for a Temporary Liquor License for the SMSU Foundation on September 21
- Consider Approval of the Bills/Project Payments

Consider Resolution Approving the amendments to the 2024 Fee Schedule

Drown explained that the Ways & Means Committee reviewed the amendments to the Fee Schedule for Administrative Citations and Event Electrical Hookup during their meeting on May 21, 2024. The Ways & Means Committee had recommended these items be moved to Council for discussion and approval amending the 2024 Fee Schedule. Councilmember Lozinski expressed his desire to not include additional fees. Gutman answered that the Administrative Citation fee was to cover items not specifically listed in the fee schedule that still required enforcement. Stensrud and Director Anderson explained the process for setting up electrical boxes and the need to cover state inspection fees per setup.

Motion made by Councilmember Meister, Seconded by Councilmember Lozinski to have the Private Events- Electricity Hookup fee be reviewed by Ways and Means once more. 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 Meister to approve the addition of Administrative Citation Fine to the 2024 fee schedule. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Consider the Request to Extend a Conditional Use Permit for an Advertising Sign (Billboard) at 511 South Highway 23

A request was made by the applicant to extend a Conditional Use Permit for an advertising sign (billboard) at 511 South Highway 23 for six months. The original Conditional Use Permit was approved on August 18, 2023, and one of the conditions attached to it stated that “If within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been initiated, the CUP shall become null and void unless a petition for an extension of time in which to complete the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.” The applicant had contacted staff on July 11, 2024, and indicated that the project would be done in the fall and requested an extension to allow for construction to take place. Councilmember questioned why the delay on building the advertising sign, but Gutman was unaware of the circumstances of the applicant.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister to approve an extension of six months for the Conditional Use Permit that was granted for 511 South Highway 23. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Project PK-015: Independence Park Parking Lot & Entrance Road Project – Consider Change Order No. 1 (Final) and Acknowledgement of Final Pay Request (No. 2)

The project consisted of excavation, fabric, gravel, storm sewer, curb & gutter, concrete paving, and construction of the Independence Park entrance road and parking lot east of the intersection of Nuese Lane & G Street. The items on Change Order No. 1 (Final Reconciling Change Order) for the project were the result of final measurements and changes in item quantities during construction. All work had been completed in accordance with the specifications. Change Order No. 1 (Final) resulted in a contract decrease in the amount of (\$5,472.00). Final Pay request No. 2 in the amount of \$9,587.20 resulted in a total contract amount of \$191,744.00, a net decrease of (\$5,472.00) from the original contract amount of \$197,216.00.

Motion made by Councilmember Meister, Seconded by Councilmember Lozinski to approve Change Order No. 1 (Final) resulting a contract decrease of \$5,472.00 and acknowledge Final Pay Request No. 2 in the amount of \$9,587.20 to Towne & Country Excavating LLC. 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	Airport Commission met to talk about the various projects going on at the airport that included the Instrument Landing System and Snow Removal Equipment Building. Lozinski asked about the sign request from Enterprise if the Airport

Commission had continued with the follow up. Anderson said that talks had stalled with Enterprise after some back and forth.

Meister	No report.
Schroeder	No report.
Alcorn	No report.
Moua-Leske	No report.
Lozinski	No report.

Councilmember Individual Items

Councilmember Schafer requested that citizens be good neighbors and trim bushes and hedges that overhand sidewalks.

Councilmember Lozinski requested that chickens be reviewed by the Legislative and Ordinance Committee.

Mayor Byrnes would like to see a small committee formed to discuss chickens in addition to the council committee. A workgroup was formed with various municipalities to discuss cannabis.

City Administrator

A work session to discuss cannabis would be scheduled for August 27th. On August 23rd a ceremonial groundbreaking would take place for the new aquatic center and there were talks to postpone the bid opening a few days as a couple other pools had bid openings scheduled for the same day. A rebate program was in the works for purchasing trees and removal of trees.

Director of Public Works/City Engineer

Provided an update on the seal coating project.

City Attorney

No update.

Administrative Brief

There were no questions on the Administrative Brief.

Information Only

City staff recommended to UCAP to the award D&G Excavating, Inc. in the amount of \$102,920.40 for the construction of bus shelters at various locations as follows: Camden Drive/Riverview Apartments, Freedom Park/Dogwood Ave, Susan Drive/Baseline Road, N 4th Street/Darlene Drive. Most of the improvements would be in city right-of-way. UCAP Transit would be responsible for all capital outlay for this project, and the City would serve as the project sponsor for the grant and the engineer of record for the project.

No additional remarks were had for the remaining Information Only items.

Upcoming Meetings

There were no questions on the Upcoming Meetings.

Adjournment

At 6:22 PM Motion made by Councilmember Schroeder, Seconded by Councilmember Moua-Leske 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

Presenter:	Steven Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	1) Conduct Public Hearing for Proposed Assessments for Unpaid Services 2) Consider Resolution Adopting Unpaid Assessments to be Certified to the Auditor/Treasurer
Background Information:	<p>Pursuant to City of Marshall Code Section 62-2 (ice and snow on public sidewalks) and pursuant to City of Marshall Code Section 82-1 (grass and weeds on private property), said ice and snow or grass and weeds have been removed from various locations within the City.</p> <p>Minnesota Statue 429.101 does set forth the various types of City charges that can be assessed against property taxes pursuant to the special assessment process. Assessments must be certified yearly to the Lyon County Auditor/Treasurer’s Office by November 30 to be added to the tax rolls payable in 2025.</p> <p>Notices were mailed to affected property owners and three have paid their past due invoice and have been crossed off the assessment list. The properties located at 607 W. College Drive and 116 S. 10th Street are under new ownership. Staff recommend that these two properties (Parcel #27-156027-0 & 27-600100-0) be removed from the assessment list for certification.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	1) To close the public hearing. 2) To adopt Resolution 24- Adopting Assessments for Unpaid Services

RESOLUTION NUMBER 24-076

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met and heard and passed upon all objections to the proposed assessments for the following:

Unpaid Services for Grass and Snow Removal, and Unpaid Fire Call Services.

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

1. Such proposed assessments, as outlined below, are hereby accepted, and shall constitute the special assessments against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

Parcel Number	Property Owner	Property Address	Amount	Reason
09-020002-1	Bradley Cauwels	2457 250th St.	\$ 2,156.79	Fire Call
09-020002-1	Janet Flood	2457 250th St.	CFD Owner	Fire Call
27-110003-0	Ubonphan Tonglim	108 N. 1st St.	-\$ 750.00	Fire Call
27-156027-0	Greg & Amy Wymer	607 W. College Dr.	\$ 55.00	Snow Removal
27-164001-0	Aldi	1400 Boyer Dr.	\$ 240.00	Fire Call
27-177003-0	Rogers Rentals & Home Improvement	305 S. 1st St.	-\$ 75.00	Mowing
27-210025-0	Judith Williams	619 W. Thomas Ave	-\$ 750.00	Fire Call
27-600100-0	Select Genetics LLC	116 S. 10th St.	\$ 350.00	Mowing
27-751003-0	John Menting c/o Paul Cleveland	513 E. Main St.	\$ 65.00	Mowing
27-837043-0	Hope Reyna	305 Sunrise Ln.	\$ 85.00	Mowing

2. Such assessments are proposed to be payable in equal annual principal installments extending over a period of one (1) year, the first of the installments to be payable on or before the first Monday in January 2025 and shall bear interest at the rate of 3.87% per annum from November 30, 2024. To the first installment shall be added interest on the entire assessment from November 30, 2024, to December 31, 2024. To each subsequent installment when due shall be added interest for one year on all unpaid installments.
3. The owner of any property may at any time prior to certification of the assessment to the County Auditor, pay the entire assessment on such property, with interest accrued from October 15, 2023, to the date of payment, to the City Clerk. No interest shall be charged if the entire assessment is paid by November 30, 2024. If you decide not to prepay the assessment before the date given above, the rate of interest that will apply is 3.87% per year. The right to partially prepay the assessment to the City Clerk is available.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on property tax lists of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Passed and adopted by the Council this 27th day of August 2024.

Attest:

City Clerk

Mayor

May 12, 2023

NOTICE TO PROPERTY OWNERS

YOU ARE REQUIRED BY LAW TO CUT OR OTHERWISE DESTROY ALL WEEDS AND GRASSES ON YOUR PROPERTY.

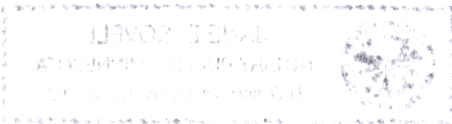
Minnesota Statutes Chapter 18, provides that all owners of property within the corporate limits of the City of Marshall, are required to eliminate all noxious weeds by cutting, or spraying, before the same shall bloom, or acquire mature seeds, or shall spread by roots, stocks, or other means.

Section 82-1 of the Marshall City Code further provides that it is unlawful for any owner, occupant or agent of any lot or parcel of land in the City, to allow any weeds or grass growing upon any such lot or parcel of land to grow to a greater height than eight (8) inches, unless such grass is brome grass or alfalfa, which is cut, baled and removed from the premises according to normal farming practices. The Marshall City Code further provides if any such owner, occupancy or agent fails to comply with this height limitation and, after notice given by the City Clerk, has not within seven (7) days of such notice complied, the City shall cause such weeds or grass to be cut and the expenses thus incurred shall be a lien upon such real estate. The City Clerk shall certify to the Lyon County Auditor/Treasurer, a statement of the amount of the cost incurred by the City. Such amount, together with interest, shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

Every person found to be in violation shall be guilty of a misdemeanor.

Dated: May 12, 2023

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



May 8, 2024

NOTICE TO PROPERTY OWNERS

YOU ARE REQUIRED BY LAW TO CUT OR OTHERWISE DESTROY ALL WEEDS AND GRASSES ON YOUR PROPERTY.

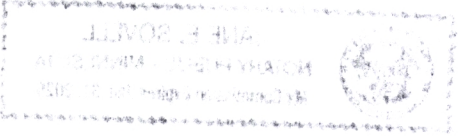
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Every person found to be in violation shall be guilty of a misdemeanor.

Dated: May 8, 2024

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



Sec. 62-2. - Ice and snow on public sidewalks.

- (a) *Declared a nuisance.* All snow and ice remaining upon public sidewalks is hereby declared to constitute a public nuisance and shall be abated by the owner or tenant of the abutting private property within 12 hours after such snow and ice has ceased to be deposited.
- (b) *City to remove.* The city may cause to be removed from all public sidewalks, beginning 24 hours after snow or ice has ceased to fall, all snow and ice which may be discovered thereon, and it shall keep a record of the cost of such removal and the private property adjacent to which such accumulations were found and removed.
- (c) *Cost of removal to be assessed.* The city administrator shall, upon direction of the council, and on receipt of the information provided for in subsection (b) of this section, extend the cost of such removal of snow or ice as a special assessment against the lots or parcels of ground abutting on walks which were cleared, and such special assessments shall, at the time of certifying taxes to the county auditor, be certified for collection as other special assessments are certified and collected.
- (d) *Civil suit for cost of removal.* The city administrator shall, in the alternative, upon direction of the council, bring suit in a court of competent jurisdiction to recover from the persons owning land adjacent to which sidewalks were cleared, as provided in subsection (b) of this section, the cost of such clearing and the cost and disbursements of a civil action therefor.
- (e) *City administrator to report sidewalks cleared.* The city administrator shall present to the council at its first meeting after snow or ice has been cleared from the sidewalks, as provided in subsection (b) of this section, the report of the city thereon, and shall request the council to determine by resolution the manner of collection to be used as provided in subsections (c) and (d) of this section.
- (f) *Placing snow or ice in public street, walks or on other city property.* It is a misdemeanor for any person, not acting under a specific contract with the city, to remove snow from private property or alleys and place the snow on a public street or walks in such quantity, or in such manner, as to cause a hazard to travel, without adequate arrangements for the immediate removal of the snow. It is also a misdemeanor for any person not acting under a contract with the city to dump snow on other city property.

(Code 1976, § 7.04)

State Law reference— Special assessments for snow and ice removal, Minn. Stat. § 429.101.

Sec. 82-1. - Grass and weeds on private property.

- (a) It is unlawful for any owner, occupant or agent of any lot or parcel of land in the city, to allow any weeds or grass growing upon any such lot or parcel of land to grow to a greater height than eight inches or to allow such weeds or grass to go to seed, unless such grass or seed is brome grass or alfalfa, which is cut, baled and removed from the premises according to normal farming practices.
- (b) If any such owner, occupant or agent fails to comply with this height limitation and, after notice given by the city clerk, has not within seven days of such notice complied, the city shall cause such weeds or grass to be cut and the expenses thus incurred shall be a lien upon such real estate. The finance director shall certify to the county auditor a statement of the amount of the cost incurred by the city. Such amount, together with interest, shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

(Code 1976, § 10.25; Ord. No. 723 2nd Series, § 1, 8-8-2017)

State Law reference— Minnesota Noxious Weed Law, Minn. Stat. § 18.75 et seq.; special assessment authorized, Minn. Stat. § 429.101.

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Steven Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Approval for a Temporary Liquor License for the Chamber of Commerce on September 3rd
Background Information:	The Marshall Area Chamber of Commerce will be hosting an event on September 3rd at SMSU. All temporary liquor licenses require municipal approval and final approval from the Alcohol and Gambling Enforcement Division.
Fiscal Impact:	
Alternative/ Variations:	None recommended.
Recommendations:	To approve the temporary on-sale liquor license for the Marshall Area Chamber of Commerce on September 3, 2024.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Name of organization Date organized Tax exempt number
Marshall Area Chamber of Commerce 02/11/1930 41-03915440

Address City State Zip Code
317 West Main Street, Suite 2 Marshall MN 56258

Name of person making application Business phone Home phone
Brad Grubot 507-532-4484

Date(s) of event Type of organization
September 3, 2024
 Club Charitable Religious Other non-profit

Organization officer's name City State Zip Code
Ellen Griebel Marshall MN 56258

Organization officer's name City State Zip Code
 MN

Organization officer's name City State Zip Code
 MN

Organization officer's name City State Zip Code
 MN

Location where permit will be used. If an outdoor area, describe.
 Southwest Minnesota State University
 1501 State Street
 Marshall, MN 56258

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.
 No

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
 No

APPROVAL
 APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Date Fee Paid	City or County E-mail Address
	City or County Phone Number

Signature City Clerk or County Official Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.
PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BY EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

Presenter:	Steven Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Temporary Extension of Alcohol License Area for Brau Brothers Brewing Company
Background Information:	<p>Attached is an application for the Hop Fest Celebration to be held at Brau Brothers Brewing Company on September 6-7, 2024. The current alcohol license approved by the City and State is for a taproom and identifies the area to include the inside of the brewery and the exterior areas under the overhangs.</p> <p>The State does allow the City to allow for a temporary extension of the designated area if they are contiguous with the other areas of the license holder. The City has complete discretion of any approval or conditions that may be applied as determined necessary.</p>
Fiscal Impact:	
Alternative/ Variations:	Propose any conditions or changes as may be determined necessary to ensure the compliance to public sanitation, safety, or peace.
Recommendations:	To approve the temporary extension of alcohol license area for Brau Brothers Brewing Company, 1010 East Southview Drive for Hop Fest on September 6-7, 2024.

TEMPORARY EXTENSION OF ALCOHOL LICENSE AREA APPLICATION

City of Marshall ~ 344 West Main Street ~ Marshall MN 56258

Phone (507) 537-6763 ~ Fax (507) 537-6830

1. Title, Purpose and Brief Description of Event:

Name and Type of Event: Mapfest 2024
Location: Brau Brothers Brewing 1010 E Southview Dr.
Date: Sept. 6-7th, 2024
Description: Beer & Music Festival, Live Bands, Food, Music

2. Applicant Authorization:

Attach a written communication from the organization in whose name the event will be advertised which authorized you, the applicant, to apply for this special event permit on its or their behalf.

Applicants Name and Title: Brau Brothers Brewing Co. LLC
Address: 1010 E Southview Dr, Marshall
Affiliation: Brewery CEO
Contact Information: Ph: 507-929-2337 Email: dustin@braubeer.com

3. Requested Event Components:

Dates of Event: Sept 6-7, 2024
Requested Hours of Operation: 6-midnight + Friday, 10 a.m. -midnight Sat.
Anticipated Number of Participants: 3,000

4. Insurance

Attached a certificate of insurance

5. Sanitation - Plan for Clean-up/Material Preservation.

Number, type and location of trash containers to be provided for the event: main dumpster and 15 additional garbages
Number, type and location of portable (or permanent) to be used for this event: 3 portable toilets & brewery bathrooms
Other plans insurance post-event cleanliness and material preservation of premises and parking lot: Festival Area cleaned nightly

6. Location Map:

Indicate items on attached maps:

- a. Entertainment Locations
- b. Alcoholic beverage concessions areas
- c. Portable toilet facilities (number 3)
- d. Event participant parking areas
- e. Temporary or permanent structures constructed for the event
- f. Site of electrical wiring to be installed for the event
- g. Trash containers (number 15)
- h. Other. _____

7. Availability of Food, Beverage and Entertainment:

Food and/or non-alcoholic beverages to be served: Yes No

If yes, you made to have a health permit issued from the State of Minnesota Department of Health.

If music, sound amplification or any other noise impact please describe, included the intended hours: live music to-midnight Friday,
noon - midnight Saturday

8. Security and Safety Procedures

Describe proposed procedures for set up, operation, internal security and crowd control.

Festival area roped off. Specific
staff designated as security.

Will the event take place at night? Yes No

If yes, how will you light the event area in order to increase the safety or participants coming to and leaving the event. Parking lot lights and
additional lights in tent area

Attached a copy of any permits obtained regarding the installation of any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures.

Attach a copy of any obtained permits from the Fire Department.

Attach a list of names, address and contact information of the agency or agencies, which will provide first aid staff and equipment.

9. Vendors or Concessionaires

List each vendor or concessionaire that will be allowed in conjunction with the event.
Attach a separate form if necessary.

none

10. Services/Equipment

List (if any) city services and/or equipment that is being requested for this event.

Stage

11. Other Information

very similar to previous years.

(X or N/A, not applicable) – (City Use)

- ____ 1. Final check has been made of application requirements.
- ____ 2. Event is approved by City Administrator.
- ____ 3. All required permits are issued and on file.
- ____ 4. Insurance certificate is on file.
- ____ 5. Application is complete.
- ____ 6. Special conditions are attached: # ____.

REVOCATION: The City Administrator, or her or his designated official, may revoke a special event permit if the conditions set forth in the permit application are not being followed.

 Permit is hereby revoked

Signature/Title

Date/Time

DEPARTMENT DUE DATE: _____

Within ten (10) working days of the routing date of this application, please review it and notify the City Administrator of any difficulties expected to be caused by the proposed event. Otherwise, the application will be approved by default. Return to City Clerk.

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Steven Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Approval for a Raffle Permit for Tracy Area Animal Rescue on September 7, 2024
Background Information:	Brau Brother Brewing will be holding a BINGO fundraiser event on September 7, 2024, with the proceeds being donated to the Tracy Area Animal Rescue. Gambling permits are issued by the State of MN but require local approval before submittal.
Fiscal Impact:	
Alternative/ Variations:	None recommended.
Recommendations:	To approve the LG240B Excluded Bingo application for Tracy Area Animal Rescue for an event at 1010 E Southview Drive on September 7, 2024.

ORGANIZATION INFORMATION

Organization Name: Tracy Area Animal Rescue (TAAR) Previous Gambling Permit Number: XB-95302-23-001

Minnesota Tax ID Number, if any: 2535510 Federal Employer ID Number (FEIN), if any: 45-2668947

Mailing Address: 1029 Elmwood Ave

City: Luverne State: MN Zip: 56156 County: Rock

Name of Chief Executive Officer (CEO): Catherine Nelson

CEO Daytime Phone: 507-828-5244 CEO Email: cathyn56115@yahoo.com
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): liz.struve3@gmail.com

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

Fraternal Religious Veterans Other Nonprofit Organization

Attach a copy of at least one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

Current calendar year Certificate of Good Standing
Don't have a copy? This certificate must be obtained each year from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767

Internal Revenue Service-IRS income tax exemption 501(c) letter in your organization's name
Don't have a copy? Obtain a copy of your federal income tax exempt letter by having an organization officer contact the IRS at 877-829-5500.

Internal Revenue Service-Affiliate of national, statewide, or international parent nonprofit organization (charter)
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

EXCLUDED BINGO ACTIVITY

Has your organization held a bingo event in the current calendar year? Yes No

If yes, list the dates when bingo was conducted: _____

The proposed bingo event will be:

one of four or fewer bingo events held this year. Dates: September 7, 2024
-OR-

conducted on up to 12 consecutive days in connection with a:

county fair Dates: _____

civic celebration Dates: _____

Minnesota State Fair Dates: _____

Person in charge of bingo event: Liz Struve Daytime Phone: 605-359-3690

Name of premises where bingo will be conducted: Brau Brothers Brewing Company

Premises street address: 1010 E Southview Drive

City: Marshall If township, township name: _____ County: Lyon

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

<p style="text-align: center;">CITY APPROVAL for a gambling premises located within city limits</p> <p>On behalf of the city, I approve this application for excluded bingo activity at the premises located within the city's jurisdiction.</p> <p>Print City Name: <u>Marshall</u></p> <p>Signature of City Personnel: _____</p> <p>Title: _____ Date: _____</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 20px;"> <p>The city or county must sign before submitting application to the Gambling Control Board.</p> </div>	<p style="text-align: center;">COUNTY APPROVAL for a gambling premises located in a township</p> <p>On behalf of the county, I approve this application for excluded bingo activity at the premises located within the county's jurisdiction.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>Title: _____ Date: _____</p> <p>TOWNSHIP (if required by the county)</p> <p>On behalf of the township, I acknowledge that the organization is applying for excluded bingo activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes, Section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date: _____</p>
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CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge.

Chief Executive Officer's Signature: _____ Date: _____
(Signature must be CEO's signature; designee may not sign)

Print Name: _____

MAIL OR FAX APPLICATION & ATTACHMENTS

<p>Mail or fax application and a copy of your proof of nonprofit status to:</p> <p style="padding-left: 20px;">Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113 Fax: 651-639-4032</p> <p>An excluded bingo permit will be mailed to your organization. Your organization must keep its bingo records for 3-1/2 years.</p> <p>Questions? Call a Licensing Specialist at 651-539-1900.</p>	<p>Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo. Otherwise, bingo hard cards, bingo paper, and bingo number selection devices must be obtained from a distributor licensed by the Minnesota Gambling Control Board. A list of licensed distributors is available on the Gambling Control Board's website at www.mn.gov/gcb.</p> <p style="text-align: center;">This form will be made available in alternative format (i.e. large print, braille) upon request.</p>
--	--

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board

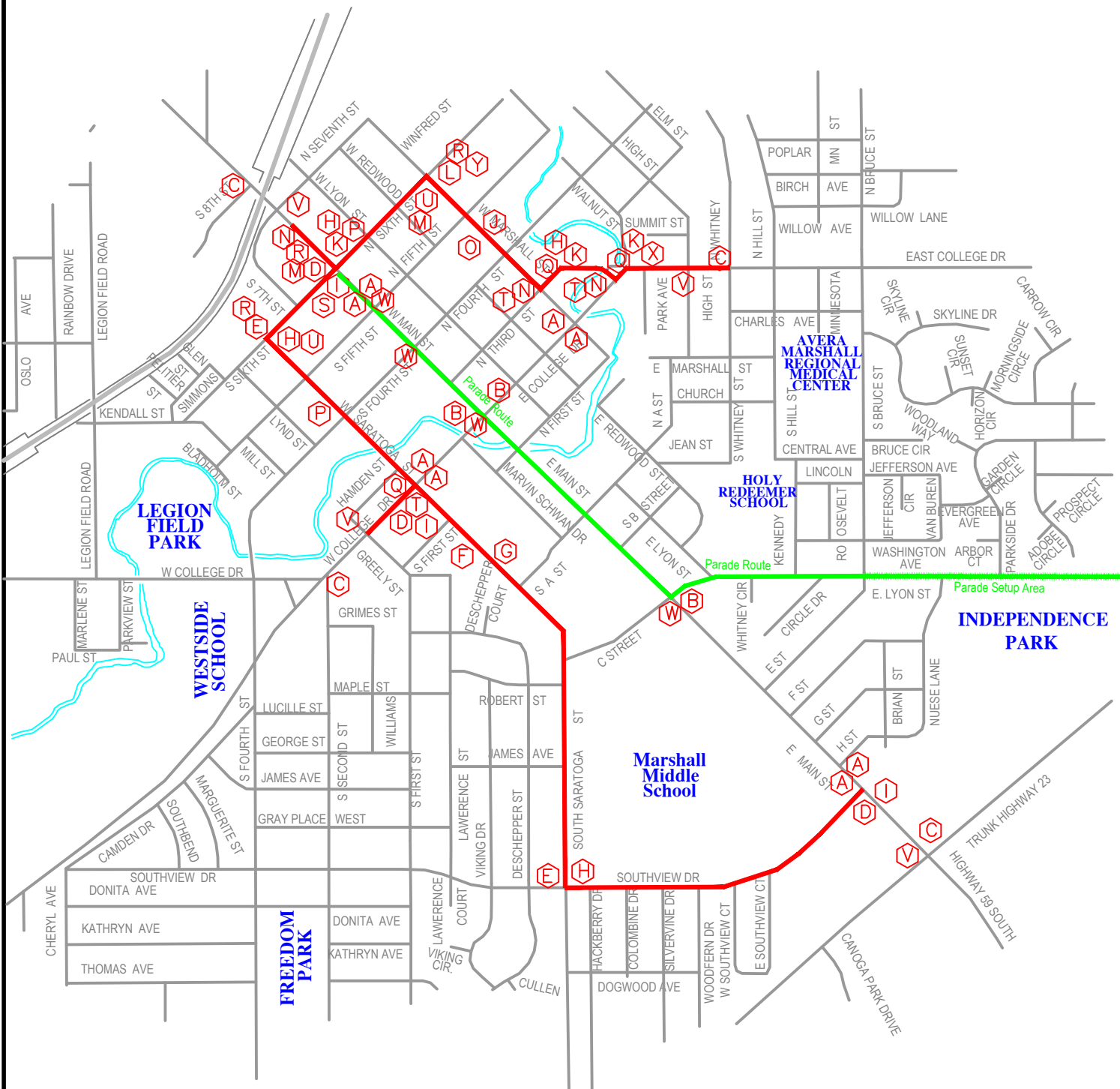
will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board

members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Jason Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Request of Southwest Minnesota State University for Homecoming Parade (Saturday-October 12, 2024).
Background Information:	<p>Attached is a request from Southwest Minnesota State University requesting street closure for the Homecoming Day Parade on Saturday, October 12, 2024. Line-up would begin at 10:00 a.m., with the parade start at 11:00 a.m. and ending at approximately 12:30 p.m. Line-up would begin at Jewett Street and East Lyon Street to Bruce Street and beginning there, proceeding to East Main Street (T.H. 59) northwest to downtown Marshall and ending at 5th and 6th Streets.</p> <p>If the request is approved by Council, the request will then be submitted to Mn/DOT for their approval and implementation of the detour route. This request has presented no significant public safety problems in the past, and it is not expected to be a problem this year either. The Street Department is responsible for the appropriate barricades and signage. If the request is approved, area public safety agencies will be advised of the event so that they are aware of the road blockage/detour.</p>
Fiscal Impact:	There will be costs involved for overtime for personnel for set-up and take-down of the detours, barricades, traffic control and street sweeping. Staff is proceeding with plans not to charge fees for this event based on past practice. Costs for operations attributed to the parade only are estimated at less than \$5,000.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	that the Council approves the SMSU Homecoming Day Parade on Saturday, October 12, 2024, subject to Mn/DOT approval of the permit.

DETOUR SIGNING PLAN



Red Line: CITY OF MARSHALL DETOUR ROUTE
Green Line: PARADE ROUTE

THIS MAP SHOWS DETOUR ROUTE CLOSURES, ALL LOCAL SIDE STREETS WILL ALSO BE CLOSED WITH NO TRAFFIC ALLOWED WITHIN CLOSED ZONE

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

ALL NECESSARY TRAFFIC CONTROL DEVICES AND DETOUR DEVICES ON THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CITY OF MARSHALL. ALL TRAFFIC CONTROL DEVICES SHALL HAVE RETROREFLECTIVE SHEETING.

Item 6.

MARSHALL

CITY ENGINEERS OFFICE
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 56258

CITY OF MARSHALL
 LYON COUNTY
 MINNESOTA

NOT TO SCALE

FLASHERS NOT SHOWN

FLASHERS NOT SHOWN

*1500' FROM INT.

*1500' FROM INT.

A	ROAD CLOSED	R11-2			
B	ROAD CLOSED	G20-2			
C	DETOUR AHEAD	W20-2	1500 FEET		
D	DETOUR SOUTH	M4-8 M3-3 M1-4-US59 M5-1R			
E	DETOUR SOUTH	M4-8 M3-3 M1-4-US59 M5-1L			
F	DETOUR SOUTH	M4-8 M3-3 M1-4-US59 M6-3			
G	DETOUR NORTH	M4-8 M3-1 M1-4-US59 M6-3			
H	DETOUR NORTH	M4-8 M3-1 M1-4-US59 M5-1R			
I	DETOUR NORTH	M4-8 M3-1 M1-4-US59 M5-1L			
J	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN68-024BL M6-3-021BL			
K	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN68-024BL M5-1R-021BL			
L	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN68-024BL M5-1L-021BL			
M	DETOUR EAST	M4-8 M3-2-024BL M1-5M-MN68-024BL M5-1R-021BL			
N	DETOUR EAST	M4-8 M3-2-024BL M1-5M-MN68-024BL M5-1L-021BL			
O	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN19-024BL M5-1R-021BL			
P	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN19-024BL M6-3-021BL			
Q	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN19-024BL M5-1R-021BL			
R	DETOUR WEST	M4-8 M3-4-024BL M1-5M-MN19-024BL M5-1L-021BL			
S	DETOUR EAST	M4-8 M3-2-024BL M1-5M-MN19-024BL M6-3-021BL			
T	DETOUR EAST	M4-8 M3-2-024BL M1-5M-MN19-024BL M5-1L-021BL			
U	DETOUR EAST	M4-8 M3-2-024BL M1-5M-MN19-024BL M5-1R-021BL			
V	END DETOUR	M4-8a			
W	Police				
X	DETOUR	M4-8 M1-4-US59 M5-1R			
Y	DETOUR	M4-8 M1-4-US59 M5-1L			

SIGN	SIGN NO.	QUANTITY	SIZE	COLOR	FLASHERS
	TYPE III BARRICADE	11	60"x48"	ORANGE ON WHITE	19
	R11-3	8	60"x30"	BLACK ON WHITE	
	W20-2	4	36"x36"	BLACK ON ORANGE	
	M1-4	15	24"x24"	BLACK ON WHITE	
	M1-5M-MN68-024BL	11	24"x24"	WHITE AND GOLD ON BLUE	
	M1-5M-MN19-024BL	14	24"x24"	WHITE AND GOLD ON BLUE	
	W20-100P	4	30"x24"	BLACK ON ORANGE	
	M3-2-024BL	12	24"x24"	WHITE ON BLUE	
	M3-4-024BL	13	24"x24"	WHITE ON BLUE	
	M5-1R-021BL	10	21"x15"	WHITE ON BLUE	
	M5-1L-021BL	10	21"x15"	WHITE ON BLUE	
	M6-3-021BL	5	21"x15"	WHITE ON BLUE	
	M4-8	40	24"x12"	BLACK ON ORANGE	
	M4-8a	4	24"x18"	BLACK ON ORANGE	

SIGN	SIGN NO.	QUANTITY	SIZE	COLOR
	M3-1	9	24"x24"	BLACK ON WHITE
	M3-3	6	24"x24"	BLACK ON WHITE
	M5-1R	8	21"x15"	BLACK ON WHITE
	M5-1L	5	21"x15"	BLACK ON WHITE
	M6-3	2	21"x15"	BLACK ON WHITE

SMSU Homecoming Parade

Detour Plan

DATE	REVISIONS
	DESCRIPTION

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

DATE _____ REGISTRATION NO. _____ 41557

DATE: 02/23/2022

DRAWN BY: G.J.S.

S.P. NO.

SHEET: Page 26

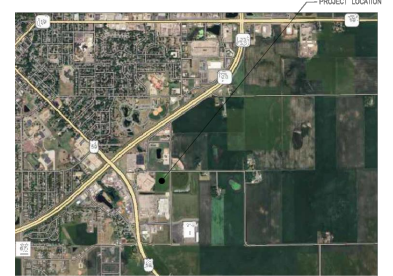
**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Jason Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Preliminary Plat of Stone Meadow – Introduction of Preliminary Plat
Background Information:	<p>Attached please find a copy of the Engineer’s Report of Preliminary Plat Review. Copies of the proposed subdivision has been sent to the local utility companies for their review and comments.</p> <p>A public hearing was held on the preliminary plat at the special Planning Commission meeting on 08/21/2024. Following a brief discussion, Muchlinski made a motion, second by Deutz to recommend approval of the preliminary plat to the City Council. All voted in favor.</p>
Fiscal Impact:	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.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	that the Council introduce the preliminary plat of Stone Meadow.

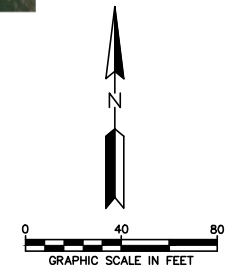
PRELIMINARY PLAT OF STONE MEADOW MARSHALL, MN

PROPERTY INFORMATION	
PLAT NAME	Stone Meadow
OWNER	Paul & Joanne Stoneberg
Legal Description	Outlot B, J-C Boyer Add in City of Marshall, Lyon County, MN
TOTAL PROPERTY AREA	8.45 AC
Clarice Avenue	0.52 AC
NET AREA	7.93 AC
LOT 1	3.47 AC
LOT 2	2.53 AC
LOT 3	1.93 AC

ZONING	
EXISTING ZONING	B-3 General Business
PROPOSED ZONING	B-3 General Business
SETBACKS	
B-3 DISTRICT	
LOT 1	
FRONT YARD - CLARICE AV & SUSAN	25'
REAR YARD - WEST SIDE	25'
SIDE YARD - SOUTH SIDE	10'
LOT 2	
FRONT YARD - SUSAN DR & NORTH S	25'
REAR YARD - SOUTH SIDE	25'
SIDE YARD - EAST & WEST SIDE	10'
LOT 3	
FRONT YARD - CLARICE Av	25'
REAR YARD - SOUTH SIDE	25'
SIDE YARD - NORTH & SOUTH SIDE	10'

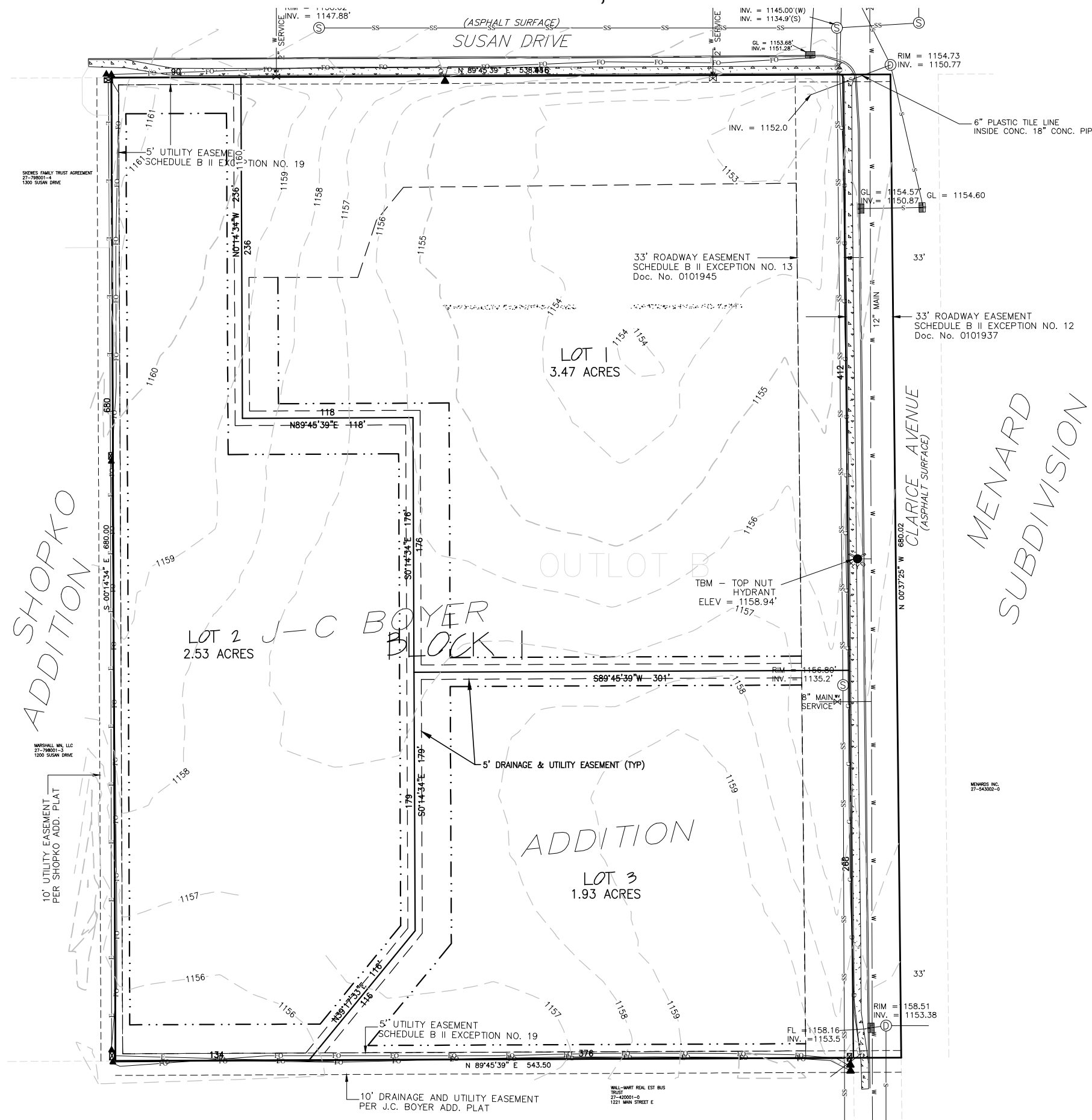


LOCATION MAP



LEGEND

- These standard symbols will be found in the drawing.
- MONUMENTS FOUND
 - MONUMENTS SET - 5/8" IRON W/SEAL #43844
 - BROKEN SCALE
 - ⊕ FIRE HYDRANT
 - ⊕ SANITARY SEWER MANHOLE
 - ⊕ STORM DRAIN MANHOLE
 - ⊕ CATCH BASIN
 - ⊕ WATER VALVE
 - ⊕ ELECTRICAL TRANSFORMER
 - ▲ UTILITY PEDESTAL
 - BURIED ELECTRIC
 - BURIED NATURAL GAS LINE
 - STORM SEWER
 - SANITARY SEWER
 - BURIED FIBER OPTIC
 - WATER LINE
 - ▨ ASPHALT SURFACE
 - ▨ CONCRETE SURFACE
 - - - DRAINAGE & UTILITY EASEMENT LINE
 - - - SETBACK LINE



Item 7.

**ENGINEER'S REPORT
 PRELIMINARY PLAT REVIEW**

Subdivision Name: Stone Meadow

Legal Description: Outlot B, J-C Boyer Addition

Owner's Name: Paul & Joanne Stoneberg

Surveyor: Marty Campion-Campion Engineering Services, Inc. Reg. No. _____

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			

Sec. 66-54. Information required. (1) Preliminary subdivision plat.		Yes	No	N/A	Comments
k.	Utilities	X			
l.	Lot lines, numbers and dimensions	X			
m.	Park land	X			Park Land fees apply.
n.	Setbacks	X			
o.	Natural drainageways	X			
p.	Other related information			X	
q.	Covenants and restrictions	X			Property owner is aware and has been communicating w/Wal-Mart.
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	

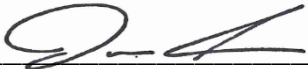
Sec. 66-54. Information required. (2) Other preliminary plans.		Yes	No	N/A	Comments
a.	Drainage and grading plans 1. Existing and proposed drainage.	X			
	2. Drainage flow facility.	X			
b.	Utility plans	X			

CITY ENGINEER'S RECOMMENDATIONS:

DATE RECEIVED: 08/07/2024

DATE REVIEWED: 08/14/2024

PLANNING COMMISSION REVIEW DATE: August 21 2024



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

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Lauren Deutz
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider the Approval of Modifications to the Restrictive Covenants for Stone Meadows Subject to Wal-Mart Real Estate Business Trust Approval
Background Information:	<p>Kuepers Inc, a family-owned and operated development and construction company based out of Brainerd, has approached staff about the development of a 108-unit market rate housing development. The project, Stone Meadows, would include three, 36-unit apartment buildings.</p> <p>The identified project site is parcel 27-420005-0 identified as Outlot B of J-C Boyer Addition located directly behind the former Shopko building. The site has a recorded Declaration of Restrictions controlled by Wal-Mart Stores, Inc which restricts residential development without prior consent from Wal-Mart and surrounding property owners. The City, as the successor declarant of Outlot D and Outlot C, must also approve the release/amendment to the restrictive covenants. The City’s Modification of Declaration of Restrictions will be subject to the consent of Wal-Mart Real Estate Business Trust.</p>
Fiscal Impact:	-
Alternative/ Variations:	
Recommendations:	Approval of Modifications to the Restrictive Covenants for Stone Meadows Subject to Wal-Mart Real Estate Business Trust Approval

MODIFICATION OF DECLARATION OF RESTRICTIONS

The City of Marshall, a municipal corporation and a political subdivision under the laws of the State of Minnesota, is the owner of Lot One (1), Block One (1) of Tall Grass Addition to the City of Marshall, formerly platted as Outlots C and D of J-C Boyer Addition to the City of Marshall. Subject to the consent of Wal-Mart Real Estate Business Trust, the City of Marshall hereby agrees to a modification of the Declaration of Restrictions dated June 2, 2004 recorded June 16, 2004 as Document No. 154414 in the Lyon County Recorder's Office to allow Outlot B of J-C Boyer Addition to the City of Marshall to be used for multi-family residential/apartment purposes.

Dated this ____ day of _____, 2024.

CITY OF MARSHALL

By: _____
Robert J. Byrnes
Its: Mayor

By: _____
Sharon Hanson
Its: City Administrator

State of Minnesota)
) ss
County of Lyon)

The foregoing instrument was acknowledged before me this ___ day of _____, 2024, by Robert J. Byrnes and Sharon Hanson, the Mayor and City Administrator, respectively, of the City of Marshall, a Minnesota Municipal corporation and a political subdivision under the laws of Minnesota.

Notary Public

DRAFTED BY:
Paul E. Stoneberg
300 South O'Connell Street
Marshall, MN 56258
Phone: (507) 537-0591
Email: paul@swabstract.com

154414

OFFICE OF COUNTY RECORDER
LYON COUNTY MINNESOTA

MINNESOTA - Marshall
Store #1722-02

CERTIFIED, FILED, AND/OR
RECORDED ON
06/16/2004 01:20PM

JEANINE M. BARKER
COUNTY RECORDER

BY Mona Hammer
DEPUTY

DECLARATION OF RESTRICTIONS

This Declaration of Restrictions (this "Declaration") is made and entered into as of the 2nd day of JUNE 2004, by CLARICE E. BOYER, as Trustee for the CLARICE E. BOYER LIVING TRUST dated August 28, 1990, hereafter referred to as Declarant.

WHEREAS, Declarant is the owner of that property more particularly described in Exhibit "A" attached hereto and incorporated by reference herein, which property is located in Marshall, Lyon County, Minnesota, such described property being hereafter referred to as Tract 2; and

WHEREAS, Declarant desires to establish certain restrictions upon Tract 2 for the benefit of the parcel legally defined on Exhibit "B" attached hereto and incorporated by reference herein, which property is also located in Marshall, Lyon County, Minnesota, such described property being hereafter referred to as Tract 1;

NOW, THEREFORE, Declarant for herself, her successors and assigns, does hereby agree that Tract 2 shall be subject to and shall be used in conformance with the following covenants and agreements:

1. No building or structure shall be constructed or maintained on Tract 2 unless such building or structure shall conform to the following covenants and requirements:

- a. In developing and using Tract 2, the owner of Tract 2 shall continuously provide and maintain a parking ratio equal to one of the following: (i) one (1) space for every seventy-five (75) gross square feet of building space for any restaurant (the same ratio shall be provided for a McDonald's Restaurant); or (ii) one (1) space per two hundred (200) square feet of building space for any other use.
- b. Subject to the prior written consent of Declarant, any building, structure or improvement on Tract 2 shall be used for commercial or retail purposes only; however, no building, structure or improvement on Tract 2 may be used as a theater, night club, bowling alley, health spa, cafeteria, billiard parlor or other place of recreation or amusement, or as a business serving or selling alcoholic beverages or as a discount department store, a grocery store greater than twenty thousand (20,000) gross square feet, a pharmacy, a gas or gas/convenience store, a wholesale club similar to Sam's Club, or a variety, general or "dollar" store.
- c. If any improvement is built on Tract 2, the owner(s) of Tract 2 shall maintain comprehensive public liability insurance, property damage and all-risk hazard insurance on Tract 2, their buildings, appurtenances and other improvements located thereon. Such insurance shall: (i) be carried with reputable companies licensed to do business in the state in which Tract 2 is located; (ii) have liability limits of at least \$1,000,000.00 for each occurrence, bodily injury and property damage combined; (iii) provide for full replacement value for the buildings and improvements covered thereunder; and (iv) not be subject to change, cancellation or termination without at least thirty (30) days' prior written notice to Declarant.

2. Any of the foregoing restrictions may be waived, amended, modified, released or terminated at any time and from time to time by Declarant; provided, that Declarant shall not waive, amend, modify, release or terminate this Declaration without the prior written consent of Wal-Mart Stores, Inc., during such time that such entity or an affiliate thereof owns any interest in Tract 1.

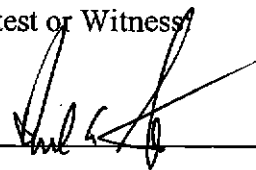
3. The foregoing restrictions and agreements are imposed on Tract 2 for the benefit of Tract 1. Accordingly, all references herein to "Declarant" shall mean the Declarant herein and any successor in title who may become the owner of Tract 1. In the event that another entity shall become the owner of Tract 1, then such entity shall be considered the Declarant for all purposes of this Declaration.

4. The agreements, restrictions and covenants herein made shall be deemed restrictive covenants running with the land and shall be binding upon Tract 2 and any person who may from time to time own, lease or otherwise have an interest in Tract 2.

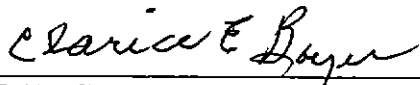
5. This Declaration is made in and shall be construed pursuant to the laws of the State of Minnesota.

IN WITNESS WHEREOF, the undersigned has executed this Declaration as of the day and year above set forth.

Attest or Witness



DECLARANT:



CLARICE E. BOYER, as Trustee of the
CLARICE E. BOYER LIVING TRUST dated
August 28, 1990

List of Exhibits:

Exhibit "A" – Description of Restricted Tract 2

Exhibit "B" – Description of Benefitted Tract 1

This Instrument Was Drafted By:

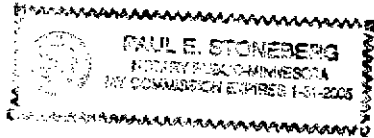
Mayer, Brown, Rowe & Maw LLP
700 Louisiana Street, Suite 3600
Houston, Texas 77002-2730
Attention: Robert L. Morgan

ACKNOWLEDGMENT

STATE OF MINNESOTA §
§ SS
COUNTY OF LYON §

Be it remembered that on this 24th day of MAY, 2004, before me a notary public in and for the county and state aforesaid, came CLARICE E. BOYER, as Trustee of the CLARICE E. BOYER LIVING TRUST dated August 28, 1990, who is personally known to me to be the person who executed the within document on behalf of such living trust, and such persons duly acknowledged the execution of the same to be the act and deed of said living trust.

In testimony whereof, I have hereunto set my hand and affixed my notary seal the day and year last above written.



[Signature]

Notary Public

(SEAL)

My commission expires 1-31, 2005

EXHIBIT "A"
TO
DECLARATION OF RESTRICTIONS

Description of Restricted Tract 2:

All of Outlot A and Outlot B of the J-C BOYER ADDITION, a subdivision in Marshall, Minnesota, according to the plat thereof filed for record in the Office of the County Recorder of Lyon County, Minnesota.

EXHIBIT "B"
TO
DECLARATION OF RESTRICTIONS

Description of Benefitted Tract 1:

All of Lots One (1) and Two (2), in Block One (1), and Outlots C, D and E, of the J-C BOYER ADDITION, a subdivision in Marshall, Minnesota, according to the plat thereof filed for record in the Office of the County Recorder of Lyon County, Minnesota.

TRANSACTION #: 11451

06/16/2004 01:20PM

154414

COUNTER CUSTOMER
DECLARATIONS/RESTRICTIONS

RECORDED DOCUMENTS F: \$30.00

TOTAL: \$30.00

CHECK: \$30.00 9100617

DELIVER TO:

CITY OF MARSHALL
344 W. MAIN ST.
MARSHALL, MN 56258

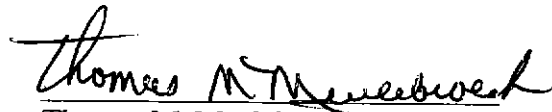
THANK YOU
JEANINE M. BARKER
LYON COUNTY RECORDER
507-537-6722

STATE OF MINNESOTA)

:SS

COUNTY OF LYON)

The undersigned, being the duly qualified City Clerk of the City of Marshall, Minnesota, and as such the custodian of the books and records of said City, hereby certifies and attests that the attached copy of Declaration of Restrictions is a true and correct copy of the original of said Declaration which is on file and of record in my office.

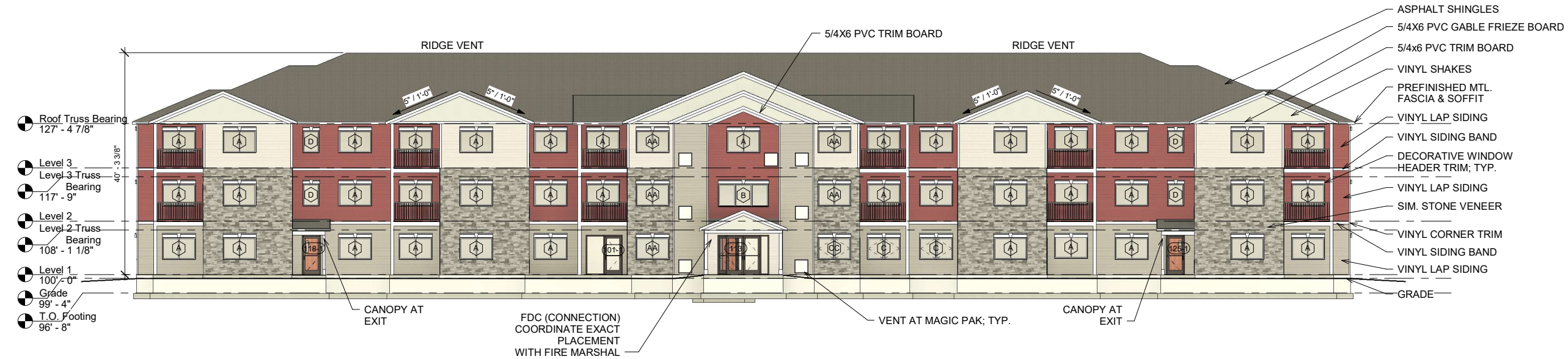


Thomas M. Meulebroeck, CMC
Financial Director/City Clerk
City of Marshall

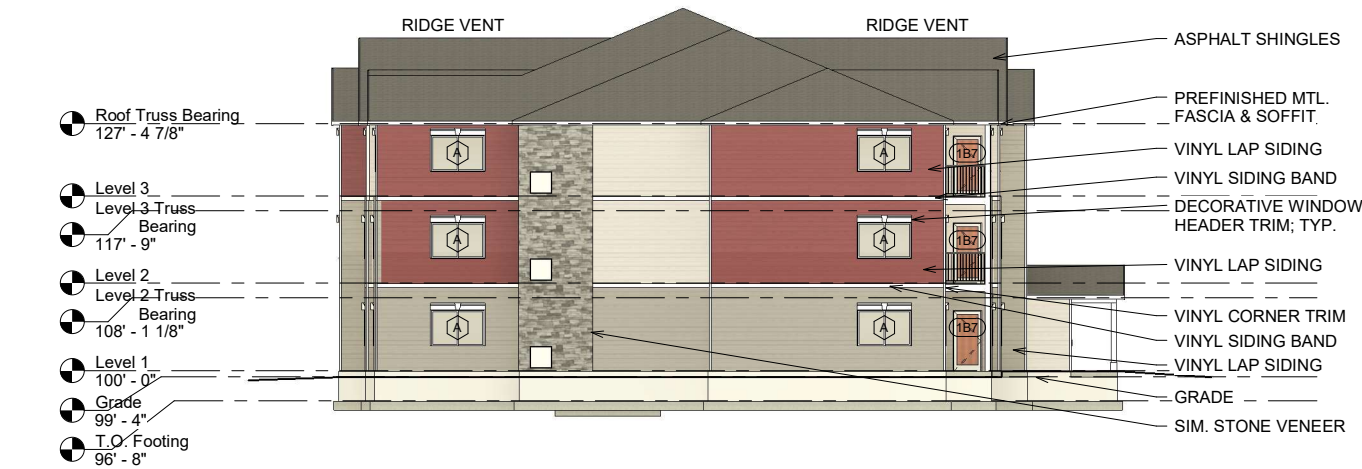


(SEAL)

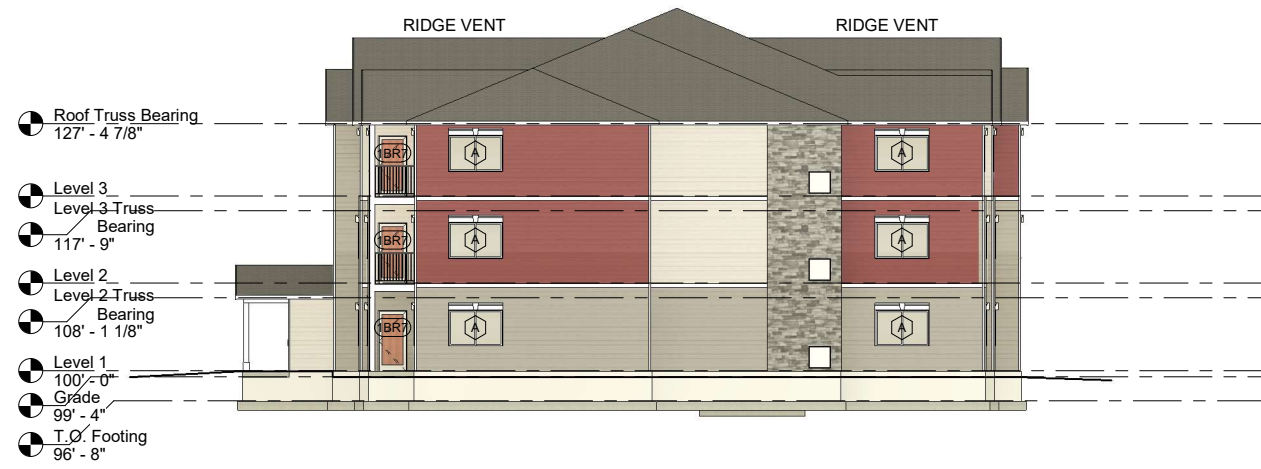




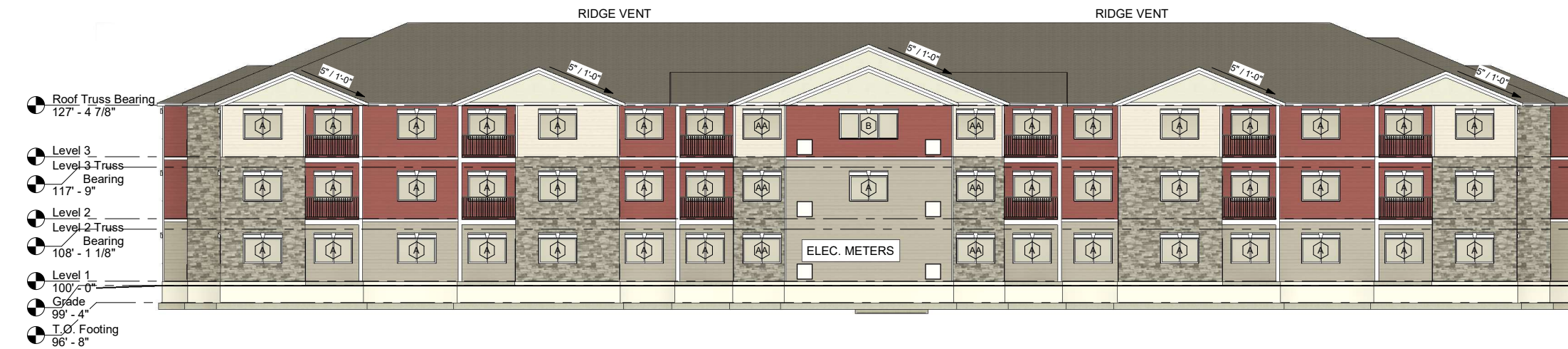
1 South Elevation
3/32" = 1'-0"



2 West Elevation
3/32" = 1'-0"



3 East Elevation
3/32" = 1'-0"



Item 8.
1'-0"

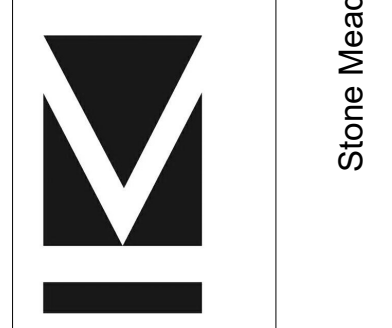
- ASPHALT SHINGLES
- 5/4X6 PVC GABLE FRIEZE BOARD
- 5/4x6 PVC TRIM BOARD
- VINYL SHAKES
- PREFINISHED MTL. FASCIA & SOFFIT
- VINYL LAP SIDING
- VINYL SIDING BAND
- DECORATIVE WINDOW HEADER TRIM; TYP.
- VINYL LAP SIDING
- SIM. STONE VENEER
- VINYL CORNER TRIM
- VINYL SIDING BAND
- VINYL LAP SIDING
- GRADE

No.	Description	Date

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. Name: Christopher J. Raimann, AIA
Signed: _____

Date: 08-15-2022 License #: 46319

KUEPERS INC
ARCHITECTS & BUILDERS
BRAINERD/BAXTER, MN 218-829-0707

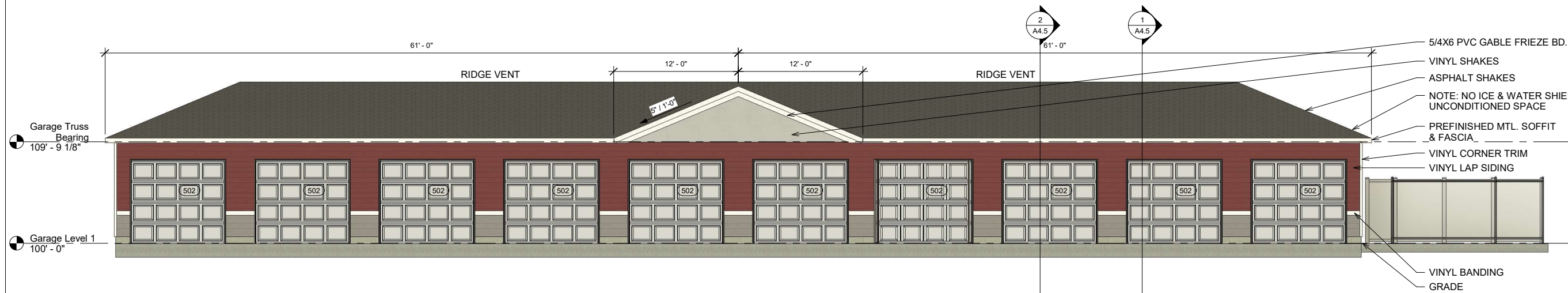


Stone Meadow Apartments - Building A

- GENERAL NOTES:
1. ALL PLUMBING PENETRATIONS MUST TERMINATE AT A MIN. OF 12" ABOVE THE ROOF SURFACE
 2. ADDRESS NUMBERS SHALL BE INSTALLED IN A VISIBLE LOCATION PER IBC 502.1 ADDRESS NUMBER TO BE 12" HT. WITH CONTRASTING COLORS
 3. FDC (CONNECTION) MUST BE LOCATED AT THE ADDRESS SIDE OF THE BUILDING OR AT AN APPROVED LOCATION
 4. WATER FLOW ALARMS MUST BE INSTALLED ON THE EXTERIOR PER IBC 903.4.2
 5. ALL EXIT DISCHARGE SHALL BE ILLUMINATED PER IBC 1008.2.3
 6. GLAZING ADJACENT TO DOORS SHALL BE SAFETY GLAZING PER IBC 2406.4.2 - EXCEPTION 3 AT HVAC CLOSETS

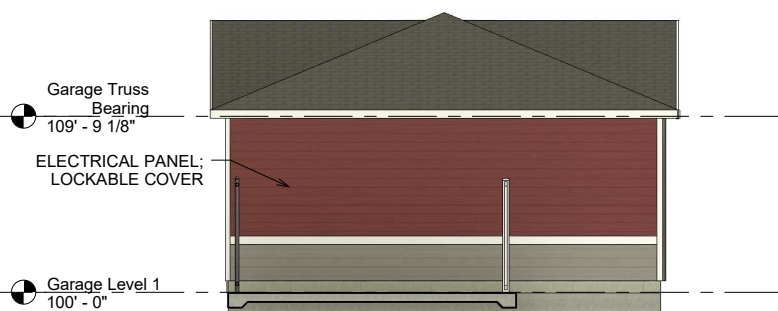
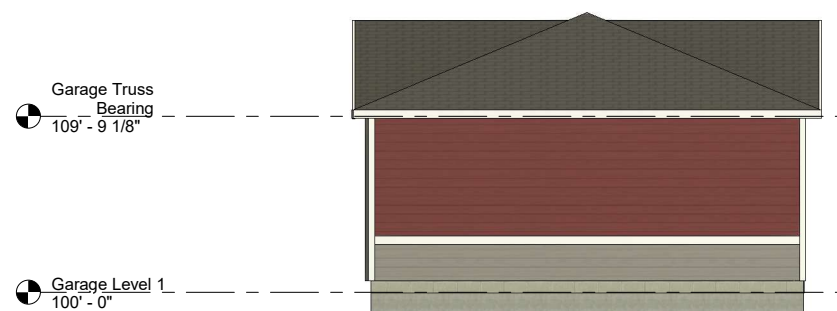
PRELIMINARY NFC

Kuepers Inc.	
Building A	
Project number	xx-xx-xxxx
Date	09-01-2023
Drawn by	RET
Checked by	CJR



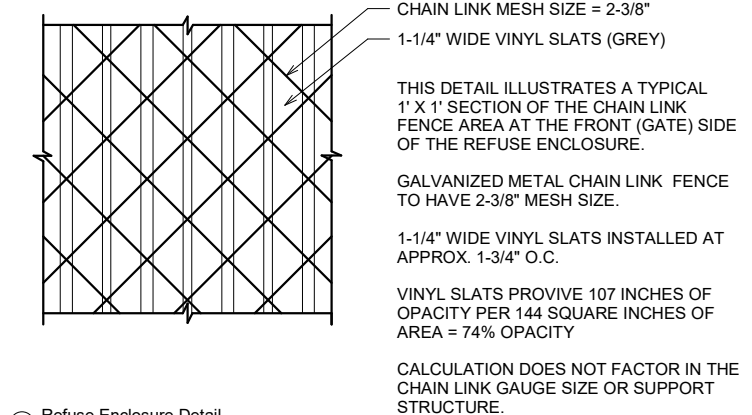
① Garage 1 - Front Elevation
3/16" = 1'-0"

- GENERAL NOTES:
1. GARAGE OCCUPANCY GROUP: U OCCUPANCY
 2. GARAGE CONSTRUCTION TYPE: VB

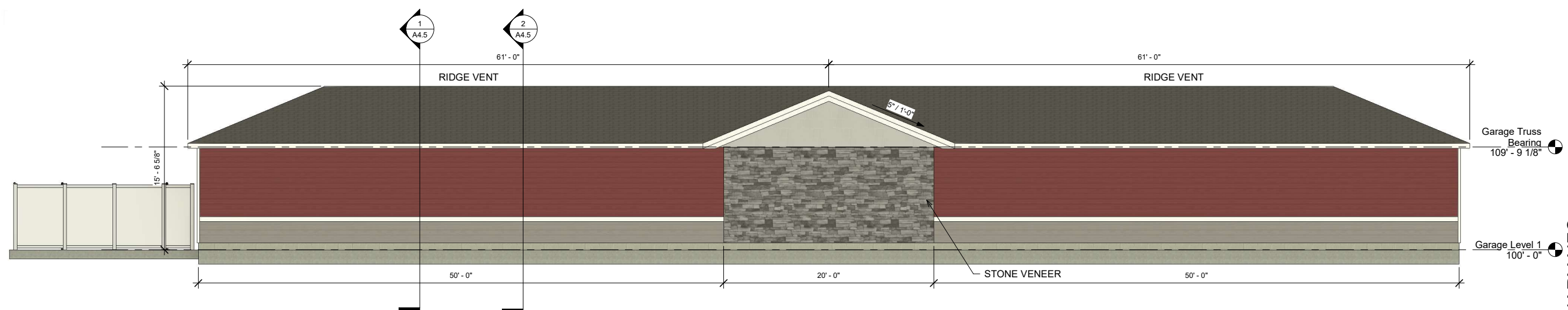


② Garage 1 - Side 1 Elevation
3/16" = 1'-0"

③ Garage 1 - Side 2 Elevation
3/16" = 1'-0"



○ Refuse Enclosure Detail
3" = 1'-0"



④ Garage 1 - Rear Elevation
3/16" = 1'-0"

No.	Description	Date

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota. Name: Christopher J. Raimann, AIA Signed: _____

Date: 08-15-2022 License #: 46319

KUPEPERS^{INC}
ARCHITECTS & BUILDERS
BRAINERD/BAXTER, MN 218-829-0707

Stone Meadow Apartments - Building A

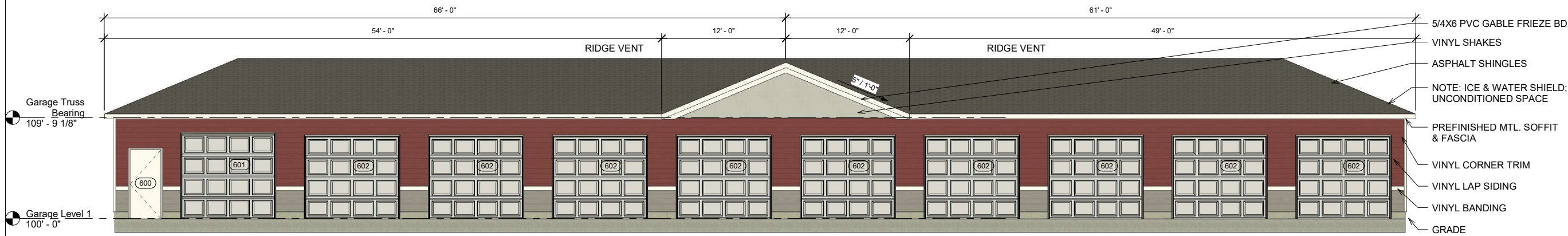
PRELIMINARY NFC

Kuepers Inc.
Building A

Project number	xx-xx-xxxx	Date	09-01-2023
Drawn by	RET	Checked by	CJR

A3.2
Garage 1 Elev

Item 8.



No.	Description	Date

① Garage 2 - Front Elevation
3/16" = 1'-0"

- GENERAL NOTES:
1. GARAGE OCCUPANCY GROUP: U OCCUPANCY
2. GARAGE CONSTRUCTION TYPE: VB

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.
Name: Christopher J. Raimann, AIA
Signed: _____

Date: 08-15-2022 License #: 46319

KUJEPERS^{INC}
ARCHITECTS & BUILDERS
BRainerD/BAXTER, MN 218-829-0707

Stone Meadow Apartments - Building A



Garage Truss Bearing
109'-9 1/8"

Garage Truss Bearing
109'-9 1/8"

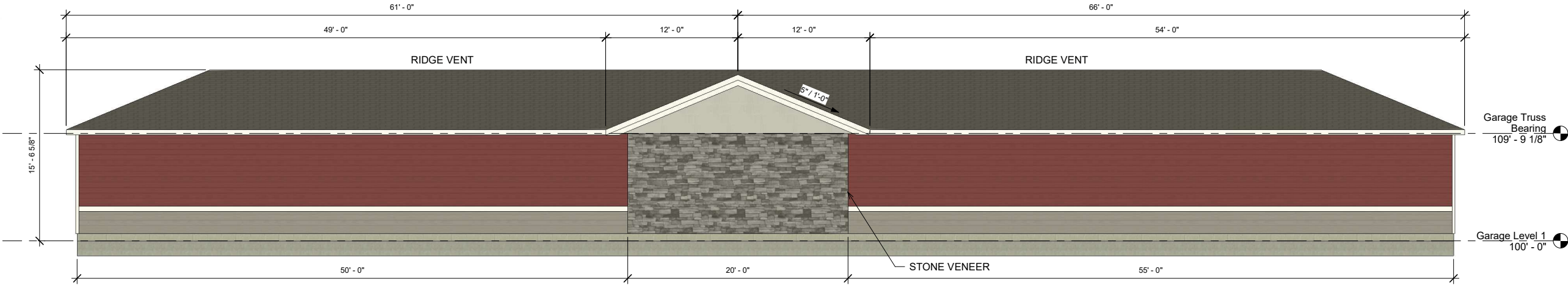
Garage Level 1
100'-0"

Garage Level 1
100'-0"

ELECTRICAL PANEL;
LOCKABLE COVER

② Garage 2 - Side 1 Elevation
3/16" = 1'-0"

③ Garage 2 - Side 2 Elevation
3/16" = 1'-0"



④ Garage 2 - Rear Elevation
3/16" = 1'-0"

PRELIMINARY NFC

Kuepers Inc.
Building A

Project number xx-xx-xxxx Date 09-01-2023
Drawn by RET Checked by CJR

A3.3
Garage 2 Elev Page 46

Presenter:	Steven Anderson
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement for SR Auto Repair Garage
Background Information:	<p>SR Auto Repair Garage is requesting a commercial tax abatement to expand their current garage located at 406 Airport Road. SR Auto is a full service automotive and light duty truck repair shop that opened in the spring of 2017. SR Auto would like to begin construction late Summer/early fall.</p> <p>The public hearing will be scheduled for Tuesday, September 10 at 5:30 PM.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	Call for Public Hearing to be held on September 10th on a Commercial Tax Abatement Request for SR Auto Repair Garage LLC.

Application Review and Approval Process shall be followed as specified in Tax Abatement Policy as specified herein.

Property Information:

Location: 406 Airport Road Access Road: _____
Section: 07 Township: 111 Range: 41 Property Identification Number: 27-602007-0
Legal Description: 2.12 AC PT NE4
(attach if needed)
Parcel Width: _____ (feet) Length: _____ (feet) Acres: 2.12

Applicant Information:

Applicant Name: Scott Regnier Phone: [REDACTED] 507-337-9757 (w)
Mailing Address: 406 Airport Road
Applicant Signature: [Signature]

Owner Information:

Owner Name: Scott Regnier Phone: [REDACTED] (w)
Mailing Address: 2623 State Hwy 23, Marshall MN 56258
Owner Signature: [Signature]
Contractors or Contract for Deed Holders – owner must sign the application.

Company Information:

Owner Name: SR Auto Repair Garage Phone: 507-337-9757 Fax: -
Location: 406 Airport Road
Type of Company: Auto Repair Service Provided: Automotive - light duty truck repair

Please attach the following documentation:

- Map or site plan, prepared by an architect or engineer, showing the boundaries of the proposed development, the size and location of the building(s) and parking areas.
- Written narrative describing the project, the size and type of building(s), business type and use, traffic information (parking capacity, vehicle counts, traffic flow, pedestrian facilities), project timing, and estimated market value.
- A statement identifying the public benefits of the proposal, including estimated increase in property valuation, and other community benefits.
- ~~Statement showing the private investment and any public investment dollars for the project~~
- ~~Financial information including past performance and pro forma future projections for the project.~~
- Application Fee (please see City of Marshall Fee Schedule for current fee amount).
- Other information as requested. \$750

Return Completed Applications to:

City Clerk
City of Marshall
344 West Main St.
Marshall, MN 56258



SR Auto Repair Garage, LLC, is a full-service automotive and light duty truck repair shop. We service all makes and models of vehicles, our facility is used to work on projects that include cars, SUVs, trailers, light duty trucks. We do everything from engine and transmission repairs, oil changes, brakes, and tire sales and service.

SR Auto Repair Garage is located at 406 Airport Road, on a lot that is 2.12 acres. We opened in spring of 2017 and business has increased every year since opening. We are currently a two-bay shop and are operating at maximum capacity. We have chosen to expand on our current location to better meet the needs of our customers who come from Marshall and the surrounding communities. We felt it important to continue operating our business within the city limits of Marshall. We have been a proud member of the Chamber of Commerce since 2017. We also proudly contribute to the local community through donations to the Marshall Public Schools CTI Center, various Marshall athletics programs and other community organizations.

The timing of the project is to begin construction in the summer of 2024 and have it completed in the fall of 2024. The \$480,000 project will expand our operation with a steel framed building attached to the back of our current building, adding an additional three stalls. The addition will include three overhead doors allowing a 20-foot clearance, and three additional hoists. This addition will bring the building up to ADA compliance. The addition will also allow us to have more room to have multiple projects going on, which is a problem we face in our current building.

SR Auto Repair Garage, employs myself, Scott Regnier (owner), and one other employee. After completion of the building project, we will be looking to hire one to two additional mechanics and an office worker.

This project will help to increase the capacity of the automotive repair industry in Marshall. Currently, SR Auto Repair is booked out for several weeks. Upon completion of the project, we will be better able to service our customers' vehicles in a timelier manner. Customers come from Marshall and the surrounding communities to have their vehicles serviced and with this project we will be better suited to complete all their car and light duty truck repair needs. Providing timely service to customers will help to increase and maintain the safety of their vehicles on the roads.

Sincerely,

Scott Regnier, Owner

Code Analysis:

Project: S & R Auto Repair
406 Airport Road
Marionville, Missouri 65858

Code: 2020 IBC

Occupancy: S-1 - Motor Vehicle Repair with Mech.
Quantity: Motor Vehicle Repair Limited to 60 Cars, Class 1A
and 240 Cars, Class 1b, 1c, Firearm, Liquids

Construction Type: II-B

Basic Allowable Area: S-1 Occupancy, Single Story, 17,500 S.F.

Allowable Fire Area w/o Fire Sprinklings: S-1 Repair Garage - 5,000 S.F.

Actual Area: Existing Bldg. = 1,984 S.F.
Addition = 2,920 S.F.
Total = 4,904 S.F.

Fire Sprinklings: No - 903.2.9.1 Repair Garage 5,000 S.F. or more.

Fire Resistivity: II-B = 0 HR

Fire Resistivity based upon Fire Separation Distances:
< 5' = 2 HR
5' ≤ x < 10' = 1 HR
10' ≤ x < 30' = 0 HR
Separation = 10 Feet, Non-Rated Walls.

Occupants: 4,904/100 (Service) = 49.0 Occup.

Exits: S = (2) with more than 20 occupants.

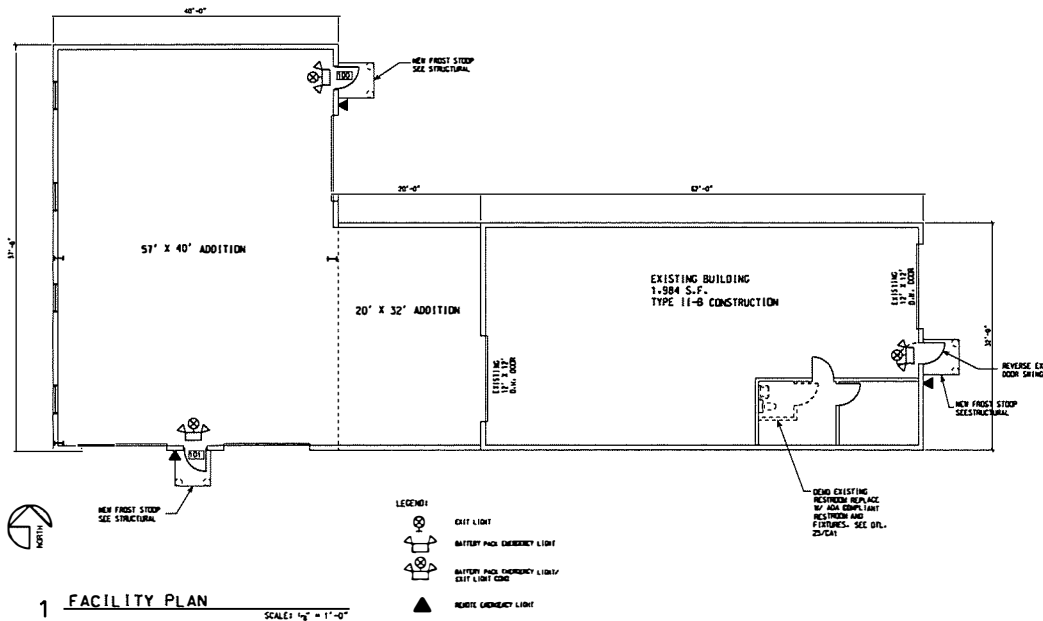
Illuminated Exits Required when (2) or more exits required.

Emergency Power for Illumination Required when (2) or more exits required.

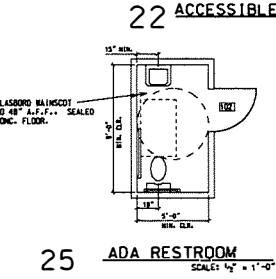
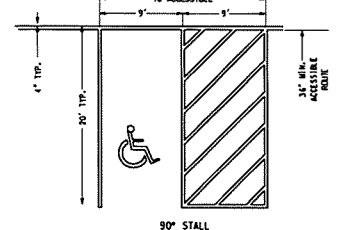
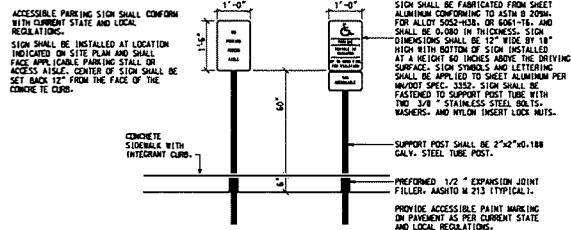
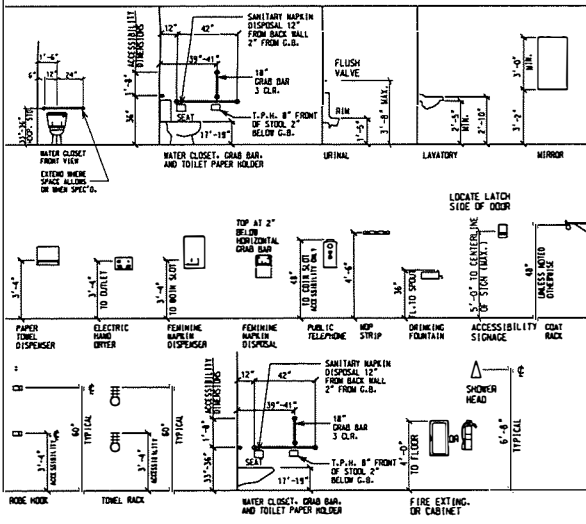
Exit doors shall swing in the direction of travel when occupant load exceeds 50 occupants.

PLUMBING

S-1 occupancy water closets 1/100 = .49 or 1, lavs 1/100 = .49 or 1, Service sinks: 1 req'd., Drinking Fountains not required with less than 50 occupants.

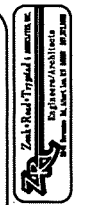


ACCESSIBILITY FIXTURE MOUNTING HEIGHT SCHEDULE



FINISH HARDWARE

- Locksets - Match Existing Manufacturer.
- | | |
|---|-------------------|
| Group 1 Doors 100, 101 | Group 2 Doors 102 |
| 3 Burre 8011 Bearing 4 1/2" x 4 1/2" (1-1/2") | 3 Burre 888 179 |
| 1 Closer 4040 Cushion-Draw | 1 Lockset 80 405 |
| 1 Lockset 80 53 30 | 1 Lockset 80 405 |
| 1 Trimmed 415 A | 1 Doorstop 609 |
| 1 Mechanistic Range 25 75 | |
| 1 Snap Range 101 | |



SPACE DEVELOPMENT
S & R AUTO REPAIR
406 AIRPORT ROAD
MARIONVILLE, MISSOURI 65858



MISSOURI REGISTERED PROFESSIONAL ENGINEER
No. 22028
MICHAEL J. MOORE
1001 N. STATE ST., SUITE 200
ST. LOUIS, MO 63103

CODE ANALYSIS

CA-1
1

NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT
FOR TAX ABATEMENT APPLICANT SR AUTO REPAIR GARAGE

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall Minnesota (the “City”), will hold a public hearing at a meeting of the Council beginning at or after 5:30 p.m., on September 10, 2024 to be held in the Council Chambers at City Hall, 344 West Main St. in Marshall, Minnesota, on the request of a Tax Abatement Applicant that the City abate a portion of property taxes levied by the City in connection with the proposed construction of a new structure. The property is located within the City and is currently identified as Parcel No. 27-602007-0. The amount of assistance is estimated to be \$6,030. The City Council will consider granting a property tax abatement in response to the request.

Information about the proposed tax abatement will be on file and available for public inspection at the office of the City Clerk at City Hall.

All interested persons may appear at the public hearing and present their views orally or in writing. Following the public hearing, the City Council will take action concerning the adoption or rejection of the proposed tax abatement application.

Steven Anderson
City Clerk



CITY OF MARSHALL AGENDA ITEM REPORT COUNCIL 8/27/24

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider the request of the Turkey Valley Farms to rezone two lots from R-1 One Family District to R-2 One to Four Family District
Background Information:	<p>This is a request to rezone this area from R-1 One-Family District to R-2 One-to-Four Family District.</p> <p>The owner wants to build a parking lot on these two lots to reduce the need for street parking. Parking is a Conditional use permit in R-2 zoning district but not in R-1, so this plan needs a rezoning. Rezoning, as an Ordinance change, requires two Council meeting: introduction and adoption.</p> <p>This area is shown as medium density residential use on the Future Use Map in the Marshall 2040 Comprehensive Plan. Consequently, rezoning to R-2 will be in compliance with the new Comprehensive Plan.</p> <p>The Planning Commission conducted a public hearing on August 14, 2024, and the motion passed by a vote of 4:2</p>
Fiscal Impact:	None known
Alternative/ Variations:	None recommended.
Recommendations:	Planning Commission and staff recommend introducing attached ordinance to rezone the area from R-1 Single Family Residence to R-2 One to Four Family Residence.

**Marshall Planning Commission
Report to City Council – Request for Rezoning
306 and 308 South 6th Street, City of Marshall, Lyon County, Minnesota**

WHEREAS, the office of the City of Marshall Zoning Administrator received an application dated July 1, 2024, for rezoning from R-1 single family residence district to R-2 one to four family residence district for properties located at 306 and 308 South 6th Street,

WHEREAS, the applicant for the rezoning was the property owner Turkey Valley Farms,

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the rezoning;

WHEREAS, the 2040 Comprehensive Plan shows medium density residential use for this area;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for rezoning and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that rezoning as requested is consistent with the current Comprehensive Plan and will further City development.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that rezoning from R-1 to R-2 be approved as recommended by staff. The motion offered by DOOM and seconded by PEIPER, and declared carried on the following vote:

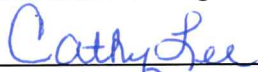
Ayes: 4

Nays: 2

Abstained:

Passed: 4:2

Marshall Planning Commission



By: Cathy Lee

Its: Chair

ORDINANCE NUMBER 24-016

**ORDINANCE AMENDING CHAPTER 86
OF THE CITY CODE RELATING TO ZONING**

The Common Council of the City of Marshall does ordain as follows:

Section 1. Chapter 86 of the City Code and the City of Marshall Zoning Map referred to in Section 86-72, are hereby further amended as follows, to- wit:

**Lot 1 of Gillett and Simmons Addition; Lot 2 of Gillett and Simmons Addition
City of Marshall, County of Lyon, State of Minnesota
(306 and 308 South 6th Street)**

is hereby rezoned from R-1 Single family residence District to R-2 one to four family residence District.

Section 2. Within thirty (30) days after official publication of the Ordinance, the Zoning Administrator of said City is directed to record on the City of Marshall Zoning Map, the changes in zoning resulting from the passage of this ordinance.

Section 3. Except as amended herein, said Chapter 86, as heretofore amended, shall remain in full force and effect.

Section 4. This Ordinance shall take effect from and after its passage and publication.

Passed and adopted by the Common Council this 27th day of August 2024.

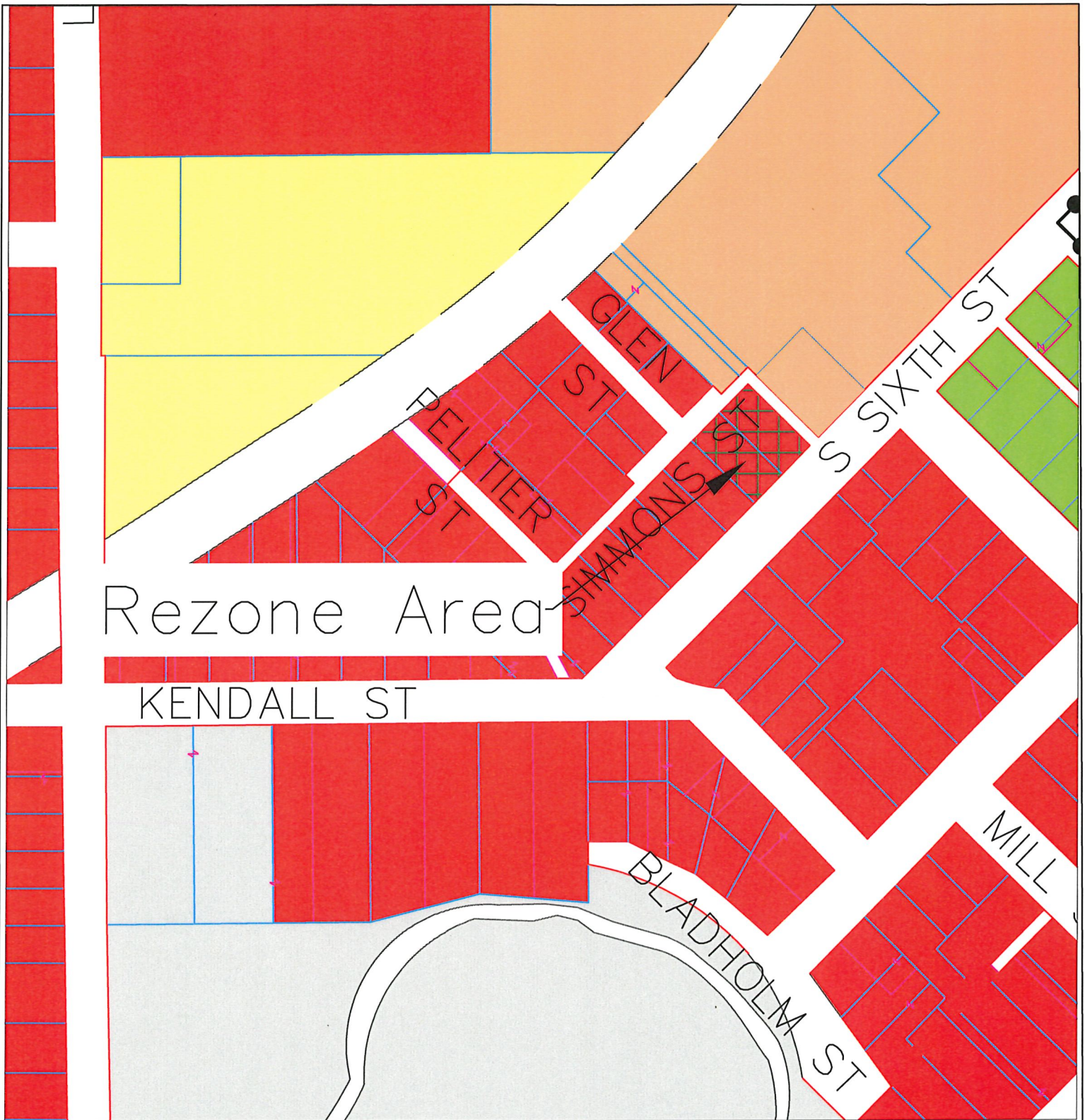
THE COMMON COUNCIL

ATTEST:










Mayor of the City of Marshall, MN

City Clerk

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



Rezoned Area

A		AGRICULTURAL	R-4		HIGHER DENSITY - MULTIPLE FAMILY RESIDENCE	B-3		GENERAL BUSINESS
R-1		ONE FAMILY RESIDENCE	R-5		MANUFACTURED HOME PARK	B-4		SHOPPING CENTER BUSINESS
R-2		ONE TO FOUR FAMILY RESIDENCE	B-1		LIMITED BUSINESS	I-1		LIMITED INDUSTRIAL
R-3		LOW TO MEDIUM DENSITY - MULTIPLE FAMILY RESIDENCE	B-2		CENTRAL BUSINESS	I-2		GENERAL INDUSTRIAL



COMMUNITY PLANNING DEPT.
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 56258

TURKEY VALLEY REZONE

AUGUST 6, 2023

EXISTING ZONING MAP W/ PROPOSED REZONE AREA FROM R-1 TO R-2



**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Karla Drown
Meeting Date:	Tuesday, August 27, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of the bills/project payments
Background Information:	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
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	The following bills and project payments be authorized for payment.



Marshall, MN

Check Report

By Vendor Name

Date Range: 08/16/2024 - 08/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
3764	A & M CONSTRUCTION	08/16/2024	EFT	0.00	3,214.00	17407
6128	ACTION COMPANY LLC	08/16/2024	EFT	0.00	410.00	17408
0560	AFSCME COUNCIL 65	08/23/2024	EFT	0.00	1,384.60	17475
6412	AG PLUS COOPERATIVE	08/16/2024	EFT	0.00	2,769.34	17409
6412	AG PLUS COOPERATIVE	08/23/2024	EFT	0.00	409.03	17476
0567	ALEX AIR APPARATUS 2 LLC	08/23/2024	EFT	0.00	2,686.72	17477
0578	AMAZON CAPITAL SERVICES	08/16/2024	EFT	0.00	783.64	17410
0578	AMAZON CAPITAL SERVICES	08/23/2024	EFT	0.00	2,507.78	17478
0581	AMERICAN ENGINEERING TESTING, INC	08/23/2024	EFT	0.00	751.50	17479
0592	AMERICAN WELDING & GAS, INC.	08/23/2024	EFT	0.00	49.92	17480
3775	ANDERSON, STEVEN	08/23/2024	EFT	0.00	18.96	17481
0630	ARCTIC GLACIER	08/16/2024	Regular	0.00	338.90	124868
0630	ARCTIC GLACIER	08/23/2024	Regular	0.00	337.12	124900
0629	ARNOLD MOTOR SUPPLY, LLP	08/23/2024	EFT	0.29	14.20	17482
6883	AT&T MOBILITY II LLC	08/16/2024	Regular	0.00	38.23	124869
5702	B & H PHOTO & ELECTRONICS CORP	08/16/2024	EFT	0.00	2,372.86	17411
5702	B & H PHOTO & ELECTRONICS CORP	08/23/2024	EFT	0.00	2,299.87	17483
7256	BALDWIN SUPPLY COMPANY	08/16/2024	Regular	0.00	46.80	124870
0688	BELLBOY CORPORATION	08/23/2024	EFT	0.00	3,427.31	17484
0689	BEND RITE CUSTOM FABRICATION, INC.	08/16/2024	Regular	0.00	31.51	124871
0699	BEVERAGE WHOLESALERS, INC.	08/16/2024	Regular	0.00	26,890.45	124872
0699	BEVERAGE WHOLESALERS, INC.	08/23/2024	Regular	0.00	37,888.70	124901
7731	BLOMME, MARTHA	08/16/2024	Regular	0.00	500.00	124873
0724	BOLTON & MENK INC	08/16/2024	EFT	0.00	2,161.00	17412
0018	BORDER STATES INDUSTRIES, INC.	08/16/2024	EFT	0.00	865.18	17413
0018	BORDER STATES INDUSTRIES, INC.	08/23/2024	EFT	0.00	35.80	17485
7733	BOYD, STEVE	08/23/2024	Regular	0.00	50.00	124902
3829	BRAU BROTHERS	08/16/2024	EFT	0.00	230.00	17414
3829	BRAU BROTHERS	08/23/2024	EFT	18.00	333.00	17486
4457	BREAKTHRU BEVERAGE MINNESOTA WINE & SF	08/16/2024	Regular	0.00	6,108.99	124874
4457	BREAKTHRU BEVERAGE MINNESOTA WINE & SF	08/23/2024	Regular	0.00	1,450.31	124903
3684	BRUNS, COLBY	08/23/2024	EFT	0.00	249.94	17487
0763	BSN SPORTS LLC	08/16/2024	Regular	0.00	143.92	124875
7020	BUILDING SPRINKLER, INC.	08/16/2024	EFT	0.00	1,791.73	17415
7736	BW BOTTLING, LLC	08/23/2024	Regular	0.00	240.00	124904
6744	C&L DISTRIBUTING	08/16/2024	EFT	0.00	103.15	17416
0799	CARLOS CREEK WINERY, INC	08/16/2024	Regular	0.00	699.00	124876
0802	CARLSON & STEWART REFRIGERATION, INC.	08/16/2024	EFT	0.00	568.00	17417
0836	CHARTER COMMUNICATIONS, LLC	08/16/2024	EFT	0.00	46.99	17418
0836	CHARTER COMMUNICATIONS, LLC	08/23/2024	EFT	0.00	111.53	17488
7507	CIGNA HEALTH AND LIFE INSURANCE COMPAN	08/16/2024	EFT	0.00	1,401.27	17419
7507	CIGNA HEALTH AND LIFE INSURANCE COMPAN	08/23/2024	EFT	0.00	1,246.43	17489
5733	CLARITY TELECOM, LLC	08/16/2024	EFT	0.00	597.71	17420
5733	CLARITY TELECOM, LLC	08/23/2024	EFT	0.00	2,919.37	17490
3643	CLEAR, CADE	08/16/2024	EFT	0.00	164.95	17421
2758	COEQUYT, PATRICK	08/23/2024	Regular	0.00	500.00	124905
7246	COLEMAN MANAGEMENT LLC	08/16/2024	Regular	0.00	113.00	124877
7394	CRESTED RIVER CANNABIS COMPANY	08/16/2024	EFT	0.00	1,390.00	17422
3819	DACOTAH PAPER CO	08/16/2024	EFT	9.47	937.69	17423
7102	DAHLHEIMER BEVERAGE	08/23/2024	EFT	0.00	3,035.40	17491
7729	DALSGAARD, PETER	08/16/2024	Regular	0.00	500.00	124878
5731	DOLL DISTRIBUTING LLC	08/16/2024	EFT	0.00	15,491.95	17424
5731	DOLL DISTRIBUTING LLC	08/23/2024	EFT	0.00	13,092.90	17492
1020	DUININCK, INC.	08/16/2024	EFT	0.00	1,088.36	17425

Check Report

Date Range: 08/16/2024 - 08/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1020	DUIINCK, INC.	08/23/2024	EFT	0.00	3,889.44	17493
6912	DUIS, NICHOLAS	08/23/2024	EFT	0.00	178.20	17494
1037	ECOWATER SYSTEMS	08/16/2024	EFT	0.00	173.50	17426
1061	EMERGENCY APPARATUS MAINTENANCE INC	08/23/2024	EFT	0.00	5,541.04	17495
7181	ENTERPRISE FLEET MANAGEMENT TRUST	08/20/2024	Bank Draft	0.00	20,970.07	DFT0004212
4753	ENTERPRISE LEASING CO	08/16/2024	EFT	0.00	83.89	17427
3202	ESPING, DEREK	08/23/2024	EFT	0.00	92.05	17496
6822	FALLINE, BRIAN	08/16/2024	Regular	0.00	2,517.71	124879
7718	FARMER'S COOPERATIVE ELEVATOR COMPANY	08/16/2024	Regular	0.00	100.00	124880
1090	FASTENAL COMPANY	08/16/2024	EFT	0.00	393.97	17428
1090	FASTENAL COMPANY	08/23/2024	EFT	0.00	14.96	17497
6944	FAUL, KIRI ANN	08/23/2024	EFT	0.00	1,330.00	17498
7073	FIXEN CHIROPRACTIC	08/16/2024	EFT	0.00	345.00	17429
1158	GALLS INC	08/23/2024	EFT	0.00	1,012.52	17499
6478	GOPHER STATE ONE CALL	08/16/2024	EFT	0.00	198.45	17430
1199	GRAHAM TIRE AND AUTOMOTIVE SERVICES	08/23/2024	EFT	0.00	20.00	17500
1201	GRAINGER INC	08/16/2024	EFT	0.00	56.96	17431
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	08/16/2024	Bank Draft	0.00	411.87	DFT0004188
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	08/16/2024	Bank Draft	0.00	31.92	DFT0004208
7728	HEBRANK, CHRISTOPHER	08/16/2024	Regular	0.00	500.00	124881
1271	HENLE PRINTING COMPANY	08/16/2024	EFT	0.00	315.74	17432
5408	HERITAGE POINTE PARTNERS LLC	08/16/2024	Regular	0.00	23,728.16	124882
4885	HORIZON COMMERCIAL POOL SUPPLY	08/23/2024	EFT	0.00	572.25	17501
1311	HY-VEE ACCOUNTS RECEIVABLE	08/16/2024	Regular	0.00	10.95	124883
1325	ICMA RETIREMENT TRUST #300877	08/16/2024	EFT	0.00	50.00	17433
1358	INTERNAL REVENUE SERVICE	08/16/2024	Bank Draft	0.00	36,623.14	DFT0004198
1358	INTERNAL REVENUE SERVICE	08/16/2024	Bank Draft	0.00	33,070.99	DFT0004199
1358	INTERNAL REVENUE SERVICE	08/16/2024	Bank Draft	0.00	11,007.56	DFT0004200
5017	JIM'S CLOTHING & SPORTING GOODS	08/16/2024	Regular	0.00	3,685.35	124884
1399	JOHNSON BROTHERS LIQUOR COMPANY	08/16/2024	EFT	0.00	11,416.16	17437
1399	JOHNSON BROTHERS LIQUOR COMPANY	08/23/2024	EFT	0.00	2,287.72	17503
2036	JOHNSON BROTHERS LIQUOR COMPANY	08/16/2024	EFT	0.00	11,225.23	17435
2036	JOHNSON BROTHERS LIQUOR COMPANY	08/23/2024	EFT	0.00	7,885.49	17502
2605	JOHNSON BROTHERS LIQUOR COMPANY	08/16/2024	EFT	0.00	1,250.12	17434
2605	JOHNSON BROTHERS LIQUOR COMPANY	08/23/2024	EFT	0.00	1,270.26	17505
5447	JOHNSON BROTHERS LIQUOR COMPANY	08/16/2024	EFT	0.00	3,405.77	17436
5447	JOHNSON BROTHERS LIQUOR COMPANY	08/23/2024	EFT	0.00	3,748.15	17504
1400	JOHNSON CONTROLS INC	08/16/2024	Regular	0.00	2,099.00	124885
5095	KIBBLE EQUIPMENT LLC	08/16/2024	EFT	0.00	264.70	17438
5095	KIBBLE EQUIPMENT LLC	08/23/2024	EFT	0.00	246.78	17506
7393	KINNEY CREEK BREWERY	08/23/2024	EFT	0.00	249.50	17507
4140	KRUSE FORD-LINCOLN-MERCURY, INC	08/23/2024	EFT	0.00	453.19	17508
7730	KULLA, CHAD	08/16/2024	Regular	0.00	500.00	124886
5138	L & A SYSTEMS, LLC	08/23/2024	EFT	0.00	10,654.10	17509
3653	LANGUAGE LINE SERVICES	08/23/2024	EFT	0.00	1,494.08	17510
1480	LAW ENFORCEMENT LABOR SERVICE INC	08/23/2024	EFT	0.00	1,445.25	17511
7371	LLOYD MANAGEMENT	08/16/2024	Regular	0.00	500.00	124887
1508	LOCKWOOD MOTORS INC	08/16/2024	EFT	5.40	14.60	17439
6976	LUBECK, PATRICIA	08/16/2024	Regular	0.00	50.00	124888
1531	LYON COUNTY AUDITOR-TREASURER	08/23/2024	EFT	0.00	7,028.07	17512
1545	LYON COUNTY HIGHWAY DEPARTMENT	08/16/2024	EFT	0.00	12,867.90	17440
1548	LYON COUNTY LANDFILL	08/16/2024	EFT	0.00	11.33	17441
1552	LYON COUNTY RECORDER	08/16/2024	EFT	0.00	92.00	17442
1565	MACQUEEN EQUIPMENT INC.	08/23/2024	EFT	0.00	1,153.70	17513
6292	MADDEN, GALANTER, HANSEN, LLP	08/16/2024	EFT	0.00	322.50	17443
1571	MADISON NATIONAL LIFE INSURANCE COMPAN	08/23/2024	EFT	0.00	1,180.15	17514
6564	MARKS, BRAD	08/16/2024	Regular	0.00	500.00	124889
1602	MARSHALL AMATEUR HOCKEY ASSOCIATION	08/23/2024	EFT	0.00	4,550.00	17515
1604	MARSHALL AREA CHAMBER OF COMMERCE	08/16/2024	EFT	0.00	550.00	17444
1604	MARSHALL AREA CHAMBER OF COMMERCE	08/23/2024	EFT	0.00	1,325.00	17516
6768	MARSHALL AREA YOUTH WRESTLING	08/23/2024	Regular	0.00	300.00	124906

Check Report

Date Range: 08/16/2024 - 08/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1616	MARSHALL CONVENTION & VISITORS BUREAU	08/16/2024	EFT	0.00	20,484.34	17445
1623	MARSHALL INDEPENDENT, INC	08/16/2024	Regular	0.00	210.60	124890
1623	MARSHALL INDEPENDENT, INC	08/23/2024	Regular	0.00	2,572.26	124907
5813	MARSHALL LUMBER CO	08/16/2024	EFT	0.00	463.88	17446
5813	MARSHALL LUMBER CO	08/23/2024	EFT	0.00	75.57	17517
1633	MARSHALL MUNICIPAL UTILITIES	08/16/2024	EFT	0.00	11,338.83	17447
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	08/16/2024	EFT	1.85	90.23	17448
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	08/23/2024	EFT	3.52	172.26	17518
7077	MEDSURETY, LLC	08/16/2024	Bank Draft	0.00	11,240.90	DFT0004192
7077	MEDSURETY, LLC	08/16/2024	Bank Draft	0.00	6,854.58	DFT0004197
7077	MEDSURETY, LLC	08/16/2024	Bank Draft	0.00	229.18	DFT0004207
4980	MENARDS INC	08/16/2024	EFT	0.00	255.11	17449
4980	MENARDS INC	08/23/2024	EFT	0.00	297.79	17519
7593	MILLER, SAMMY JO	08/16/2024	Regular	0.00	180.00	124891
1818	MINNESOTA DEPARTMENT OF REVENUE	08/16/2024	Bank Draft	0.00	15,858.22	DFT0004201
1794	MINNESOTA ELEVATOR INC	08/16/2024	EFT	0.00	1,032.00	17450
3669	MINNESOTA STATE RETIREMENT SYSTEM	08/16/2024	Bank Draft	0.00	30,098.23	DFT0004195
1757	MN CHILD SUPPORT PAYMENT CENTER	08/16/2024	Bank Draft	0.00	414.85	DFT0004190
1757	MN CHILD SUPPORT PAYMENT CENTER	08/16/2024	Bank Draft	0.00	306.87	DFT0004191
1864	MONTES ELECTRIC INC	08/16/2024	Regular	0.00	4,376.30	124892
2512	NATIONWIDE RETIREMENT	08/16/2024	Bank Draft	0.00	100.00	DFT0004185
1923	NCPERS MN GROUP LIFE INS.	08/23/2024	EFT	0.00	224.00	17520
1945	NORM'S GTC	08/16/2024	Regular	0.00	235.96	124893
1945	NORM'S GTC	08/23/2024	Regular	0.00	52.22	124908
1986	NORTH CENTRAL INTERNATIONAL, INC	08/23/2024	EFT	0.00	492.62	17521
1946	NORTH CENTRAL LABS	08/23/2024	EFT	0.00	780.43	17522
5216	NORTHERN BALANCE AND SCALE, INC	08/16/2024	EFT	0.00	200.00	17451
7632	NOTHING BUT HEMP	08/16/2024	Regular	0.00	660.00	124894
6463	OFFICE OF MNIT SERVICES	08/16/2024	Regular	0.00	709.62	124895
5891	ONE OFFICE SOLUTION	08/16/2024	EFT	0.00	52.54	17452
5891	ONE OFFICE SOLUTION	08/23/2024	EFT	0.00	107.99	17523
3809	O'REILLY AUTOMOTIVE STORES, INC	08/16/2024	EFT	0.00	315.39	17453
3809	O'REILLY AUTOMOTIVE STORES, INC	08/23/2024	EFT	0.00	272.99	17524
5205	PAINTED PRAIRIE VINEYARD, LLC	08/23/2024	EFT	0.00	324.00	17525
1243	PATZERS INC	08/16/2024	EFT	0.00	630.44	17454
1243	PATZERS INC	08/23/2024	EFT	0.00	98.99	17526
2019	PAUSTIS WINE COMPANY	08/16/2024	EFT	0.00	5,140.25	17455
2019	PAUSTIS WINE COMPANY	08/23/2024	EFT	0.00	1,791.50	17527
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	08/23/2024	EFT	0.00	78.00	17528
2028	PERA OF MINNESOTA REG	08/16/2024	Bank Draft	0.00	62,831.82	DFT0004193
7053	PERFORMANCE FOOD GROUP, INC.	08/16/2024	EFT	0.00	137.50	17456
2049	PLUNKETTS PEST CONTROL INC	08/23/2024	EFT	0.00	43.50	17529
7732	POLFLIET, TOM	08/23/2024	Regular	0.00	50.00	124909
2064	POWERPLAN	08/16/2024	Regular	0.00	314.37	124896
2096	QUARNSTROM & DOERING, PA	08/23/2024	EFT	0.00	200.00	17530
7725	RED FLINT SAND AND GRAVEL, LLC	08/16/2024	Regular	0.00	29,817.00	124897
3498	ROTH, CONNOR	08/23/2024	EFT	0.00	1,025.56	17531
2201	RUNNING SUPPLY, INC	08/16/2024	EFT	0.00	219.96	17457
2201	RUNNING SUPPLY, INC	08/23/2024	EFT	0.00	145.94	17532
2248	SCOTT'S TREE SERVICE	08/23/2024	EFT	0.00	1,050.00	17533
6251	SHRED RIGHT	08/23/2024	EFT	0.00	42.53	17534
4009	SKY PRINTING, INC.	08/23/2024	Regular	0.00	54.60	124910
4855	SOUTHERN GLAZER'S	08/16/2024	EFT	0.00	20,867.87	17458
4855	SOUTHERN GLAZER'S	08/23/2024	EFT	0.00	18,876.34	17535
2311	SOUTHWEST GLASS CENTER, INC	08/16/2024	EFT	0.00	1,782.16	17459
7663	SPEEDEE DELIVERY SERVICE, INC	08/23/2024	Regular	0.00	12.20	124911
5922	SRF CONSULTING GROUP, INC.	08/16/2024	EFT	0.00	9,862.18	17460
4522	ST LOUIS MRO INC.	08/23/2024	EFT	0.00	27.50	17536
6318	STERLING EQUIPMENT & REPAIR, INC	08/16/2024	EFT	0.00	2,425.38	17461
6800	STOCKWELL ENGINEERS	08/23/2024	EFT	0.00	217,545.00	17537
6706	SUN LIFE FINANCIAL	08/23/2024	EFT	0.00	1,567.73	17538

Check Report

Date Range: 08/16/2024 - 08/27/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
6277	TALKING WATERS BREWING CO, LLC	08/23/2024	EFT	0.00	820.00	17539
4734	TESSMAN COMPANY	08/16/2024	EFT	0.00	3,818.02	17462
0875	THE COMPUTER MAN INC	08/16/2024	EFT	0.00	2,345.50	17463
0875	THE COMPUTER MAN INC	08/23/2024	EFT	0.00	1,549.00	17540
1834	THE MN TRANSPORTATION ALLIANCE, INC.	08/23/2024	EFT	0.00	550.00	17541
2428	TITAN MACHINERY	08/16/2024	EFT	0.00	184.00	17464
6389	TOWNE & COUNTRY EXCAVATING LLC	08/16/2024	EFT	0.00	9,587.20	17465
6156	TRUE BRANDS	08/16/2024	EFT	0.00	414.20	17466
6699	UNIQUE OPPORTUNITIES MARSHALL, LLC	08/16/2024	EFT	0.00	47,032.75	17467
7737	UNITED PENTECOSTAL CHURCH	08/23/2024	Regular	0.00	50.00	124912
2511	USA BLUE BOOK	08/16/2024	EFT	0.00	224.45	17468
3443	VALIC DEFERRED COMP	08/16/2024	Bank Draft	0.00	1,055.77	DFT0004186
3443	VALIC DEFERRED COMP	08/16/2024	Bank Draft	0.00	1,396.15	DFT0004187
4489	VERIZON WIRELESS	08/23/2024	EFT	0.00	1,454.29	17542
4489	VERIZON WIRELESS	08/23/2024	EFT	0.00	440.11	17543
4489	VERIZON WIRELESS	08/23/2024	EFT	0.00	39.02	17544
7734	VERMEIRE, MICHELLE	08/23/2024	Regular	0.00	50.00	124913
6113	VERSA-VEND VENDING INC	08/23/2024	EFT	0.00	483.44	17545
7735	VIDOLOFF, ROBERT	08/23/2024	Regular	0.00	400.00	124914
2538	VIKING COCA COLA BOTTLING CO.	08/16/2024	EFT	0.00	527.75	17469
4594	VINOCOPIA INC	08/16/2024	EFT	0.00	2,297.00	17470
3639	VOS, CHARLIE	08/16/2024	EFT	0.00	1,073.54	17471
6085	VOYA - INVESTORS CHOICE	08/16/2024	Bank Draft	0.00	4,453.26	DFT0004196
7601	WALLEN, DOUGLAS	08/16/2024	Regular	0.00	500.00	124898
6791	WALMART	08/16/2024	Regular	0.00	47.92	124899
6791	WALMART	08/23/2024	Regular	0.00	635.51	124915
7275	WEIS ENTERPRISES, INC.	08/16/2024	EFT	0.00	475.00	17472
2595	WESTERN PRINT GROUP	08/23/2024	EFT	0.00	507.35	17546
7086	WESTMOR INDUSTRIES, LLC	08/23/2024	EFT	0.00	11,519.00	17547
6082	ZEUG, THOMAS	08/16/2024	EFT	0.00	430.00	17473
2632	ZIEGLER INC	08/16/2024	EFT	0.00	802.94	17474

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	81	48	0.00	151,296.66
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	18	18	0.00	236,955.38
EFT's	291	141	38.53	578,734.66
Total	390	207	38.53	966,986.70

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	81	48	0.00	151,296.66
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	18	18	0.00	236,955.38
EFT's	291	141	38.53	578,734.66
	390	207	38.53	966,986.70

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	8/2024	966,986.70
			966,986.70

**CITY OF MARSHALL, MINNESOTA
PRIOR AND CURRENT YEARS CONSTRUCTION CONTRACTS**

8/27/2024

PROJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2022 Prior Payments	2023 Prior Payments	2024 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	66,794.00			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	(67,734.09)	3,777,763.22		3,518,016.32	259,746.90	-	-	100.00%
PK-092	481-45200-55120	4/11/2023	Amateur Sports Center Shelter & Storage-Ball Field	Doom & Cuypers Construction, Inc.	171,642.00	6,078.00	177,720.00		177,000.00	720.00	-	-	100.00%
AP-007	480-43400-55170	2022	Crack Filling w/Sealcoat	City Staff - Street/Airport	75,000.00		75,000.00	51,540.63				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			429,188.43	22,588.87	2,461,322.70	15.51%
ST-012	482-43300-55170	2/27/2024	S Whitney (E College to Jean)	D & G Excavating	1,565,706.60		1,565,706.60			728,133.05	38,322.79	799,250.76	48.95%
ST-001	101-43300-53425	3/26/2024	Chip Seals	Pearson Bros., Inc.	132,504.60		132,504.60					132,504.60	0.00%
ST-002	495-43300-55170	3/26/2024	Bituminous Overlay on Various City Streets	Central Specialties Inc.	587,422.58		587,422.58			523,278.81	33,400.77	30,743.00	94.77%
ST-010	482-43300-55170	4/23/2024	Lyon Circle Reconstruction	A&C Excavating, LLC	161,580.80		161,580.80			79,801.42	4,200.08	77,579.30	51.99%
PK-015	482-45200-55170	4/23/2024	Independence Park parking lot (back)	Towne & Country Excavating LLC	197,216.00	(5,472.00)	191,744.00			182,156.80	9,587.20	-	100.00%
					<u>14,679,869.89</u>	<u>682,231.91</u>	<u>15,362,101.80</u>	<u>118,334.63</u>	<u>3,695,016.32</u>	<u>2,203,025.41</u>	<u>9,587.20</u>	<u>110,334.51</u>	<u>3,524,859.73</u>



CITY OF MARSHALL AGENDA ITEM REPORT COUNCIL 8/27/24

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, August 27, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider the request of Paul and Joanne Stoneberg for a Conditional Use Permit for three multi-family apartment buildings in a B-3 General Business District.
Background Information:	<p>This is a request to have three apartment buildings a B-3 General Business District.</p> <p>Apartment buildings are conditional use in B-3 district.</p> <p>General business district regulations are in Section 86-104. The Conditional Use Permit regulations are found in Section 86-46.</p> <p>Please see attached Resolution/Findings of Fact for more detailed information.</p> <p>The Planning Commission conducted a public hearing on August 14, 2024, and unanimously recommended approval.</p>
Fiscal Impact:	None known
Alternative/Variations:	None recommended.
Recommendations:	Planning Commission and staff recommend approving the request to grant a Conditional Use Permit for three apartment buildings in a B-3 General Business District with the following condition: The buildings and site are constructed per attached drawings.

Marshall Planning Commission
Report to City Council – Request for Conditional Use Permit
1000 Clarice Avenue, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permits dated July 23, 2024, for a multiple unit dwelling to be built on property located at 1000 Clarice Avenue,

WHEREAS, the applicant for the Conditional Use Permits was the property owner Paul and Joanne Stoneberg and a developer Steve Kuepers,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is zoned B-3 General Business District as defined in Ordinance Sec. 86-104 and multiple family dwellings is a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86-49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This is a commercial area so multiple story buildings and significant traffic will be compatible with current use.
- (2) The property will have access from two streets.
- (3) The additional traffic generated by this use will be safely handled by public streets.
- (4) The site will be landscaped in compliance with the landscaping ordinance.
- (5) The standard B-3 outside storage provisions will be applicable, which generally prohibit any outside storage.
- (6) The standard B-3 accessory buildings provisions will be applicable.
- (7) This building size is adequate for proposed use.
- (8) The site area is adequate for proposed development.
- (9) The ordinance parking requirements will be met.
- (10) The density of the area will not change in any significant way.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility are adequate for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The proposed use will not be injurious to surrounding area (see item 1) and will be helpful to the community.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for building apartments in a B-3 General Business District be approved as recommended by staff. The motion offered by MUCHLINSKI and seconded by DOOM, and declared carried on the following vote:

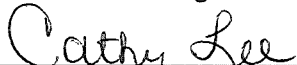
Ayes: 6

Nays:

Abstained:

Passed: 6:0

Marshall Planning Commission



By: Cathy Lee

Its: Chair

RESOLUTION NO. 24-077

**RESOLUTION APPROVING
CONDITIONAL USE PERMIT
WITHIN THE CITY OF MARSHALL, MINNESOTA**

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permit dated July 23, 2024, for three multiple unit dwellings related to property located at:

LOCATION: 1000 Clarice Avenue.

LEGAL DESCRIPTION: OUTLOT B, J-C BOYER ADDITION

WHEREAS, the applicant for the Conditional Use Permit was the property owner Paul and Joanne Stoneberg and a developer Steve Kuepers,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is zoned B-3 General Business District as defined in Ordinance Sec. 86–104 and multiple family dwellings is a Conditional Use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86–49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.

- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This is a commercial area so multiple story buildings and significant traffic will be compatible with current use.
- (2) The property will have access from two streets.
- (3) The additional traffic generated by this use will be safely handled by public streets.
- (4) The site will be landscaped in compliance with the landscaping ordinance.
- (5) The standard B-3 outside storage provisions will be applicable, which generally prohibit any outside storage.
- (6) The standard B-3 accessory buildings provisions will be applicable.
- (7) This building size is adequate for proposed use.
- (8) The site area is adequate for proposed development.
- (9) The ordinance parking requirements will be met.
- (10) The density of the area will not change in any significant way.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility are adequate for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The proposed use will not be injurious to surrounding area (see item 1) and will be helpful to the community.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

WHEREAS, the City Council reviewed the Minutes of the Planning Commission and heard from staff, and

WHEREAS, Staff reiterated its findings to the Council at the August 27, 2024, Council meeting,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Marshall that the City Council accepts and adopts the findings of the Planning Commission and the following findings:

- 1. Because of the nature of the proposed use and its location, the requested Conditional Use will not:
 - a. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
 - b. Violate any Ordinance provisions.
- 2. The Conditional Use will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- 3. The proposal is consistent with existing and future land uses in the area.

FURTHER, BE IT RESOLVED, that the City Council of the City of Marshall hereby approves the requested Conditional Use Permit, subject to on-going compliance with all of the following conditions:

1. If within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been initiated, the CUP shall become null and void unless a petition for an extension of time in which to complete the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
2. Pursuant to Marshall Code Article 86-II, Division 86-II-2, Section 86-49, no application for a condition modification shall be considered by the planning commission or council for at least one-year from the date of a Conditional Use Permit approval or from when circumstance sufficiently change to justify a review.
3. This Conditional Use Permit shall become effective upon filing a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The owner shall maintain the property to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
5. The owner shall obtain all relevant and required permits prior to beginning any work.
6. The City reserves the right to revoke the Conditional Use Permit if the applicant or if ownership of the property has transferred, then the current owner, has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default

Mayor

ATTEST:

City Clerk

CONDITIONAL USE PERMIT

City of Marshall, Minnesota

WHEREAS, the Planning Commission of the City of Marshall has held a Public Hearing for a Conditional Use Permit for three apartment buildings in a B-3 General Business District. The legal description of the property is:

**OUTLOT B, J-C BOYER ADDITION
City of Marshall, State of Minnesota, County of Lyon
(1000 Clarice Avenue)**

in accordance with and pursuant to the provisions of Chapter 86 of the City Code of the City of Marshall related to zoning; and has written findings that the establishment, maintenance or conducting of the use for which a Conditional Use Permit is sought will not under the circumstances be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to any such use or to the public welfare or injurious to property or improvements in the area adjacent to such use; and

WHEREAS, the City staff has designated certain conditions in the granting of such permit,

NOW THEREFORE, Be It Resolved by the Common Council of the City of Marshall, Minnesota, that a Conditional Use Permit be granted to Paul and Joanne Stoneberg to have three multi-family apartment buildings in a B-3 General Business District on the premises described herein subject to the following conditions:

1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the Class of District which such structure is located therein shall be conformed with.
2. That the City reserves the right to revoke the Conditional Use Permit if the applicant has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.
3. That the owner maintains the structure to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
4. The buildings and site are constructed per drawings submitted with an application.

ADOPTED September 10, 2024

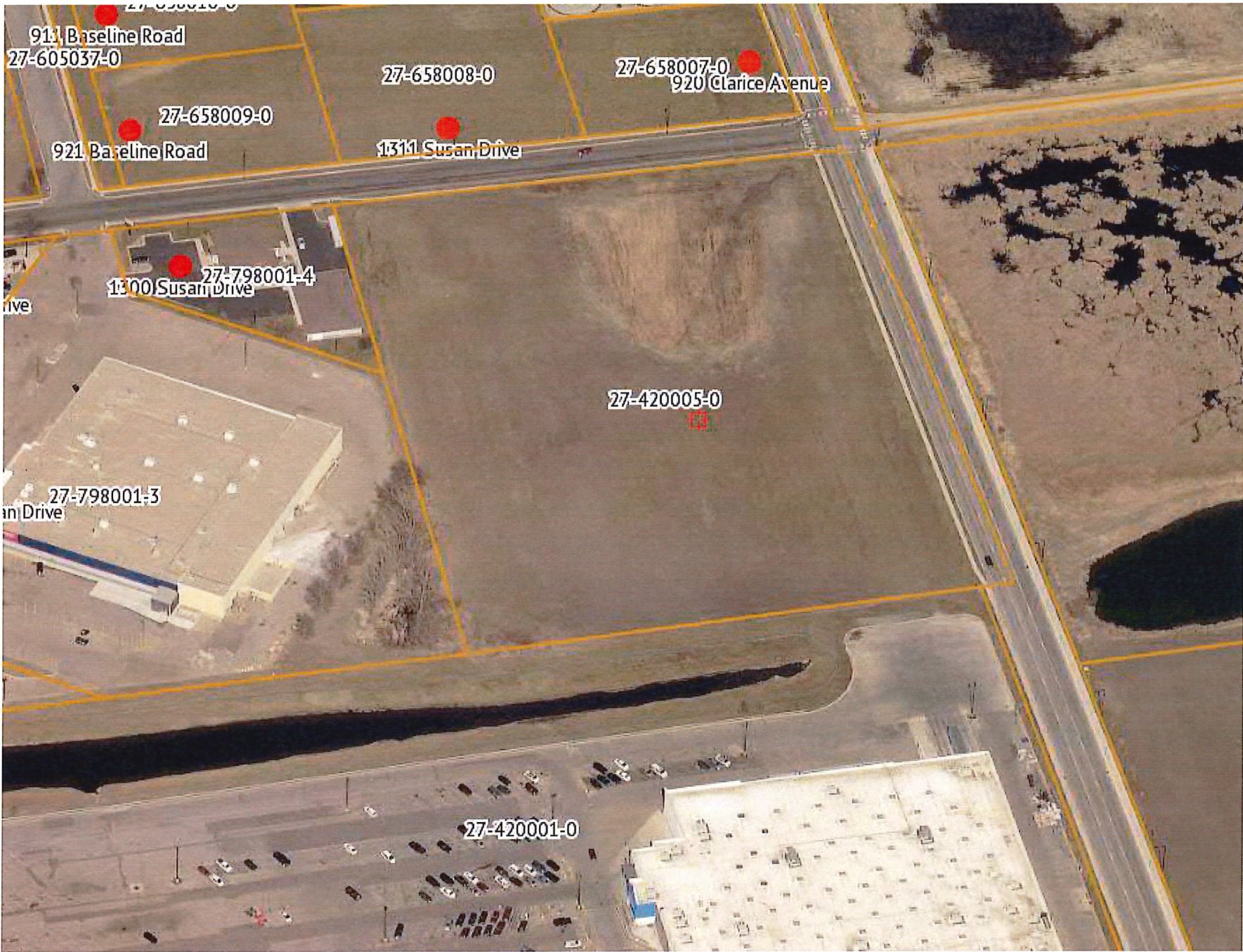
ATTEST:

Mayor

City Clerk

This Instrument Drafted By:
Jason R. Anderson, P.E.
City Engineer/Zoning Administrator
344 West Main Street
Marshall MN 56258

(SEAL)



27-650010-0
911 Baseline Road
27-605037-0

27-658008-0

27-658007-0
920 Clarice Avenue

27-658009-0

921 Baseline Road

1311 Susan Drive

27-798001-4
1300 Susan Drive

27-420005-0

27-798001-3
Susan Drive

27-420001-0



K KUEPERS
ARCHITECTS & BUILDERS
BRANERO/BAXTER, MN 218-829-0707



CITY OF MARSHALL AGENDA ITEM REPORT COUNCIL 8/27/24

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, August 27, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider the request of Independent Lumber for a Conditional Use Permit for a lumberyard in a B-3 General Business District
Background Information:	<p>This is a request to permit a lumberyard in a B-3 general business district.</p> <p>Lumberyards are conditional use in B-3 districts.</p> <p>This existing lumberyard was built before the area was annexed into the city limits. When it was annexed, it was grandfathered in and became a legal non-conforming use, as the ordinance requires. However, this provision does not allow expansion of the use, and the owner wants to build more buildings. Granting a CUP will allow for further development and will remove potential limitations.</p> <p>Menards is considered a lumberyard and was granted a CUP for such use. Generally, new construction in a B-3 district would require multiple site improvements, such as paved parking and landscaping; however, this is not a new construction, which makes this situation different.</p> <p>General business district regulations are in Section 86-104. The Conditional Use Permit regulations are found in Section 86-46.</p> <p>Please see attached Resolution/Finding of Facts for more detailed information.</p> <p>The Planning Commission conducted a public hearing on August 14, 2024, and unanimously recommended approval.</p>
Fiscal Impact:	None known
Alternative/Variations:	None recommended but additional reasonable conditions intended to mitigate the impact of granting a conditional use permit as proposed by the City Council may be added.
Recommendations:	Planning Commission and staff recommend approving the request to grant a Conditional Use Permit for a lumberyard in a B-3 general business district.

Marshall Planning Commission
Report to City Council – Request for Conditional Use Permit
504 and 508 Baseline Road, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for a Conditional Use Permit dated July 8, 2024, for a lumberyard on property located at 504 and 508 Baseline Road,

WHEREAS, the applicant for the Conditional Use Permit was the property owner Independent Lumber of Marshall,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is zoned B-3 General business district as defined in Ordinance Sec. 86-104 and lumberyards are a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86-49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This is a commercial area with Menards lumber yard nearby.
- (2) The property has adequate access from Baseline Road.
- (3) No additional traffic will be generated if this CUP is granted.
- (4) The site has no landscaping currently.
- (5) The standard B-3 Outside Storage provisions will be applicable.
- (6) The standard B-3 Accessory Buildings provisions will be applicable.
- (7) Not applicable.
- (8) The site area is adequate for this use.
- (9) Site has ample parking area.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permit.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility are adequate for current use.
- (14) All standard maintenance provisions will apply.
- (15) The use has been in existence for a long time and will not be injurious to surrounding area and to the community.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for a lumberyard in a B-3 General Business District be approved as recommended by staff. The motion offered by PEIPER and seconded by DOOM, and declared carried on the following vote:

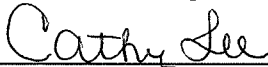
Ayes: 6

Nays:

Abstained:

Passed: 6:0

Marshall Planning Commission



By: Cathy Lee
Its: Chair

RESOLUTION NO. 24-078

**RESOLUTION APPROVING CONDITIONAL USE PERMIT
WITHIN THE CITY OF MARSHALL, MINNESOTA**

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permit dated July 8, 2024, for a lumber yard related to property located at:

LOCATION: 504-508 Baseline Road.

LEGAL DESCRIPTION: See Exhibit A

WHEREAS, the applicant for the Conditional Use Permit was the property owner Independent Lumber of Marshall,

WHEREAS, a written request for a Conditional Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a Conditional Use Permit within 60 days of the time Conditional Use Permit request is submitted. If no action occurs on the request for Conditional Use Permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Conditional Use Permit;

WHEREAS, Conditional Use Permits are granted only for those uses specifically listed as conditional uses for a particular zoning district;

WHEREAS, this property is zoned B-3 General Business District as defined in Ordinance Sec. 86–104 and lumber yards are a conditional use in this district;

WHEREAS, a public hearing was scheduled for August 14, 2024, to consider the request for a Conditional Use Permit and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47 and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the following standard criteria for Conditional Use Permit review as outlined in Ordinance Sec. 86–49:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.

- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed interim use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such proposed use and the community as a whole.

WHEREAS, Staff offered the following information to the Planning Commission with a recommendation for the Planning Commission to recommend approval to the Council:

- (1) This is a commercial area with Menards lumber yard nearby.
- (2) The property has adequate access from Baseline Road.
- (3) No additional traffic will be generated if this CUP is granted.
- (4) The site has no landscaping currently.
- (5) The standard B-3 Outside Storage provisions will be applicable.
- (6) The standard B-3 Accessory Buildings provisions will be applicable.
- (7) Not applicable.
- (8) The site area is adequate for this use.
- (9) Site has ample parking area.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permit.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility are adequate for current use.
- (14) All standard maintenance provisions will apply.
- (15) The use has been in existence for a long time and will not be injurious to surrounding area and to the community.

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting a requested Conditional Use Permit will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

WHEREAS, the City Council reviewed the Minutes of the Planning Commission and heard from staff, and

WHEREAS, Staff reiterated its findings to the Council at the August 27, 2024, Council meeting,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Marshall that the City Council accepts and adopts the findings of the Planning Commission and the following findings:

- 1. Because of the nature of the proposed use and its location, the requested conditional use will not:
 - a. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
 - b. Violate any Ordinance provisions.
- 2. The conditional use will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- 3. The proposal is consistent with existing and future land uses in the area.

FURTHER, BE IT RESOLVED, that the City Council of the City of Marshall hereby approves the requested Conditional Use Permit, subject to on-going compliance with all of the following conditions:

1. Pursuant to Marshall Code Article 86-II, Division 86-II-2, Section 86-49, no application for a condition modification shall be considered by the planning commission or council for at least one-year from the date of a Conditional Use Permit approval or from when circumstance sufficiently change to justify a review.
2. This Conditional Use Permit shall become effective upon filing a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
3. The owner shall maintain the property to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
4. The City reserves the right to revoke the Conditional Use Permit if the applicant or if ownership of the property has transferred, then the current owner, has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default

Mayor

ATTEST:

City Clerk

Exhibit A

Legal description:

A tract of land located in the Northwest Quarter (NW 1/4) of Section Ten (10), Township One Hundred Eleven (111) North, Range Forty- one (41) West, Lyon County, Minnesota, being more particularly described as follows: Commencing at the Northeast corner of said NW1/4, thence South 00° 00' 00" East, assumed bearing, along the east line of said Northwest Quarter 952. 80 feet to the point of beginning, said point being on the southeasterly right of way of Minnesota Trunk Highway Number 23; thence continuing South 00000' 00" East along said east line of the NW1/4 451. 58 feet; thence North 89038' 10" West 675. 23 feet to a point on said southeasterly right of way line; thence North 56028' 40" East along said southeasterly right of way 809. 93 feet to the point of beginning. Said tract of land contains 3. 500 acres more or less and is subject to any existing highways, roadways or easements. EXCEPTING THEREFROM: the Northwesterly Fifty (50) feet thereof parallel with and adjoining the Southeasterly Right of Way of Minnesota Trunk Highway # 23

CONDITIONAL USE PERMIT

City of Marshall, Minnesota

WHEREAS, the Planning Commission of the City of Marshall has held a Public Hearing for a Conditional Use Permit for lumber yard in a B-3 General Business District. The legal description of the property is:

Exhibit A
City of Marshall, State of Minnesota, County of Lyon
(504-508 Baseline Road)

in accordance with and pursuant to the provisions of Chapter 86 of the City Code of the City of Marshall related to zoning; and has written findings that the establishment, maintenance or conducting of the use for which a Conditional Use Permit is sought will not under the circumstances be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to any such use or to the public welfare or injurious to property or improvements in the area adjacent to such use; and

WHEREAS, the City staff has designated certain conditions in the granting of such permit,

NOW THEREFORE, Be It Resolved by the Common Council of the City of Marshall, Minnesota, that a Conditional Use Permit be granted to Independent Lumber of Marshall to have a lumber yard in a B-3 General Business District on the premises described herein subject to the following conditions:

1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the Class of District which such structure is located therein shall be conformed with.
2. That the City reserves the right to revoke the Conditional Use Permit if the applicant has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.
3. That the owner maintains the structure to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.

ADOPTED September 10, 2024

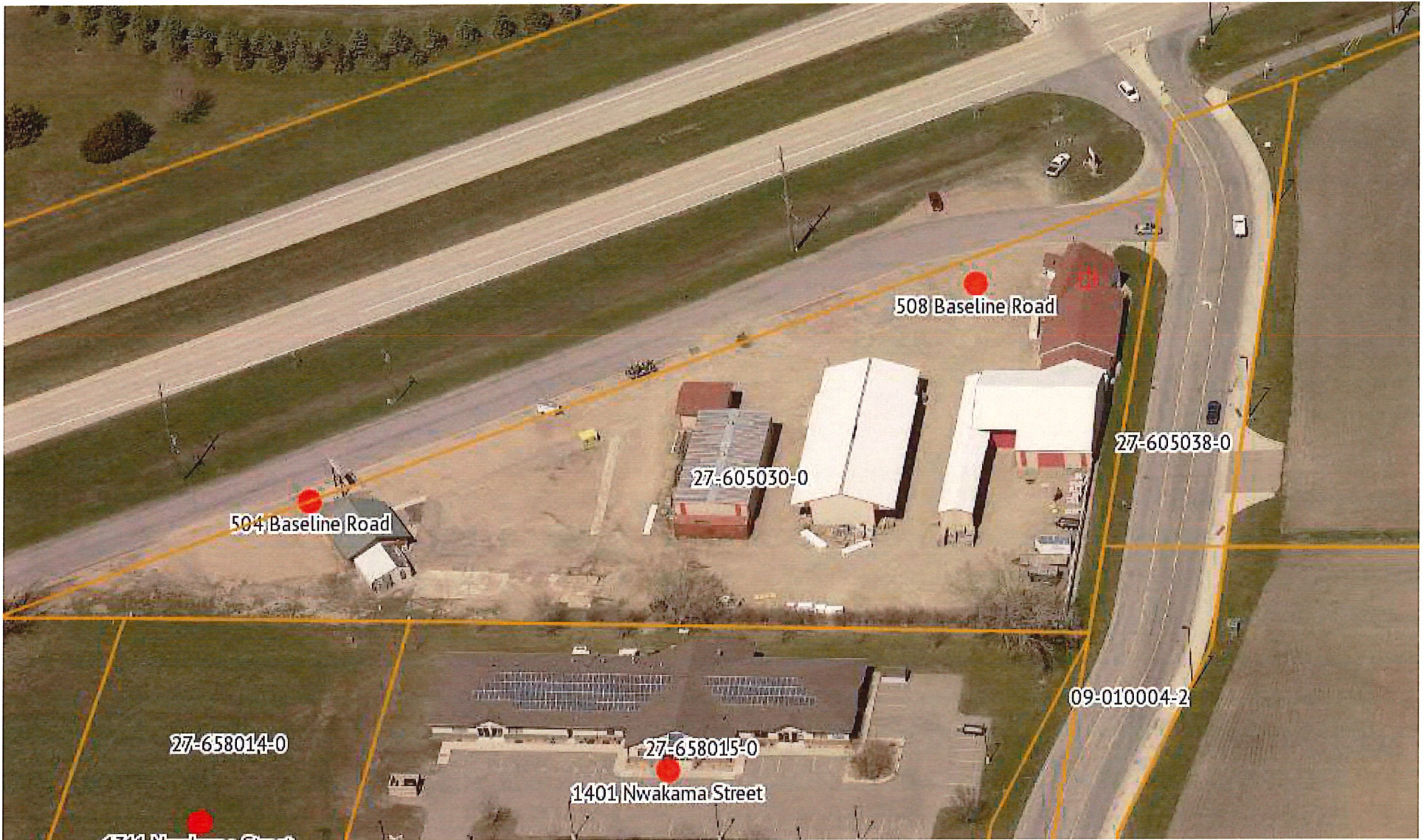
ATTEST:

Mayor

City Clerk

This Instrument Drafted By:
Jason R. Anderson, P.E.
City Engineer/Zoning Administrator
344 West Main Street
Marshall MN 56258

(SEAL)



**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Preston Stensrud
Meeting Date:	Tuesday, August 27, 2024
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Legion Baseball Field Improvements Discussion and Authorization to Proceed
Background Information:	<p>On August 22 staff received quotes for improvements at Legion Field – only one quote was received due to two other local contractors not having time to complete the work this fall. Improvements include the construction of a new dugout and installation and construction of a new backstop netting system. The quote received was in the amount of \$281,300.00.</p> <p>Staff met with the contractor who submitted the only quote to get a better understanding of pricing on each part of the project. It was also made known at that time that the submitted pricing included sheltering and heat for the brick work. After further review and negotiations new pricing was received – Dugout Construction - \$158,589.00, Backstop Construction - \$95,490.00 for a total of \$254,079.00.</p> <p>Currently with bonding dollars and donations there are roughly \$584,000 available in funds. There is an additional \$30,000 in donations pending as well. We still would need to complete the remaining dugout, restrooms, and concession stand next year and there is an additional \$490,000 budgeted for 2025 in the CIP with the remaining funds from 2024.</p> <p>Ideally, we would have liked to have received additional quote(s) but would recommend approval to start construction of the backstop (first priority) and also the 1st base dugout (second priority) yet this fall. Contractor can start promptly if approved.</p> <p>Staff will be present to review options.</p>
Fiscal Impact:	\$254,079.00 if both parts of project are awarded.
Alternative/ Variations:	<p>-Only authorize construction of backstop at this time - \$95,490.00</p> <p>-Do no work this fall and re-quote in 2025, pricing could be higher.</p>
Recommendations:	Authorize staff to proceed with construction of Legion Baseball Field improvements with Bladholm Construction for new dugout and backstop.

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



MARSHALL

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

Applicant Name	Location	Description of Work	Valuation	Approved Date
Abdirahman Hassan Kulmiye	300 OSLO AVE	Deck	16200.00	08/15/2024
ADELMANN CONSTRUCTION LLC	809 NUESE LN	Deck	6000.00	08/14/2024
AHMANN/DEBRAA	303 ELM ST	Accessory Building (Garages, Sheds, Gazebos, etc)	4200.00	08/19/2024
AMERICAN WATERWORKS	601 WINIFRED DR	Interior Remodeling - ANY Work Inside, Except Fireplace	3344.22	08/13/2024
AMERICAN WATERWORKS	805 BRIAN ST, 805 BRIAN ST	Foundation Repair, Interior Remodeling - ANY Work Inside, Except Fireplace	6532.40	08/21/2024
AMERICAN WATERWORKS	201 LUCILLE ST	Interior Remodeling - ANY Work Inside, Except Fireplace	14325.31	08/15/2024
ANTOINE/BRANDON DAVID/&	611 VAN BUREN ST	Building Addition	1200.00	08/13/2024
ARENDS/ROBERT JUSTIN	206 WHITNEY ST N, 206 WHITNEY ST N, 206 WHITNEY ST N	Doors, Re-Siding, Windows	15600.00	08/12/2024
BABCOCK CONSTRUCTION	608 SOUCY DR	Windows	8635.00	08/16/2024
BOCK/WALLACE & BECKY/TRUSTEES	421 4TH ST S	Deck	8932.00	08/14/2024
Dustin Westover	300 BRUCE ST S	Both - Building addition, Interior remodeling AND [New AHU, VAVs, & Ductwork]	0.00	08/14/2024
Dustin Westover	1307 MAIN ST E	Both - New building AND [New RTUs, UHs, Fans]	0.00	08/14/2024
Eric Mathiowetz	1229 COLLEGE DR E	HVAC - Air Conditioning, Furnace	5000.00	08/20/2024
Eric Mathiowetz	1004 SILVERVINE DR	HVAC - Air Conditioning, Furnace	8000.00	08/12/2024
GESKE HOME IMPROVEMENT CO	303 BRUCE ST S	Windows	5600.00	08/12/2024
GRENGS/RONALD & MARY	710 OAK ST	Building Addition	23520.00	08/12/2024
Harveys Five Star Roofing	108 MAIN ST E	Re-Roofing	59760.92	08/14/2024
INNOVATIVE BASEMENT AUTHORITY	515 MAIN ST E	Foundation Repair	7800.00	08/12/2024
JIM BROCK TRUCKING RE LLC	1501 COLLEGE DR W	Re-Siding	12000.00	08/14/2024
Josh Sternke	1303 FAIRVIEW ST E	Plumbing - New bathroom, [New faucet in kitchen]	0.00	08/19/2024
Kasey Holm	406 AIRPORT RD	Both - Building addition AND [Make up Air Unit]	0.00	08/12/2024
KRULL/DAVID J & BRITTANY K	606 PROSPECT CIR	Deck	6000.00	08/19/2024
Mathew Henry Coequyt	703 ONTARIO RD	Plumbing - New bathroom	0.00	08/16/2024
Mathew Henry Coequyt	1127 HORIZON DR	Both - Bathroom remodeling, Fixture replacement, Interior remodeling, Piping replacement, Water heater AND [Mini split in entry / gas heater in garage]	7000.00	08/16/2024
MORTIER/MICHAEL C/REV LIV TRST	401 WOODLAND WAY	Deck	3640.00	08/14/2024
OMAR/KHADIJO/&	611 MARSHALL ST W	Windows	7000.00	08/12/2024
OMEGA EXTERIORS	1305 RIDGEWAY RD	Re-Roofing	21000.00	08/16/2024
OMEGA EXTERIORS	809 WESTMAR CIR	Re-Siding	24000.00	08/12/2024
SCHMIDT ROOFING	508 REDWOOD ST W, 508 REDWOOD ST W	Re-Roofing, Re-Siding	22467.00	08/21/2024
STRAND HOME SERVICES LLC	204 GEORGE ST	Windows	1000.00	08/21/2024
VANLEEUEW CONSTRUCTION LLC	608 ADOBE RD	Re-Roofing	15300.00	08/19/2024

**MINUTES OF THE
SPECIAL MEETING OF THE
MARSHALL PLANNING COMMISSION
AUGUST 21, 2024**

MEMBERS PRESENT: Pieper, Deutz, Muchlinski, Doom, Lee, Stoneberg, Agboola (via Zoom)
MEMBERS ABSENT: None
OTHERS PRESENT: Jason Anderson, Ilya Gutman, Amanda Schroeder,
Steve Kuepers-Kuepers, Inc. (via Zoom)

Call to Order

The meeting was called to order by Chairperson Lee at 5:30 pm.

Conduct a Public Hearing on the Preliminary Plat of Stone Meadow

This is the request of Paul & Joanne Stoneberg for the preliminary plat of Stone Meadow. The existing land is identified as Outlot B of J-C Boyer Addition. The property owner desires to plat this property into three separate parcels for the purpose of constructing three apartment buildings, 36 units in each building.

Anderson presented the item. Muchlinski inquired why three lots instead of just one lot. Kuepers indicated for financing reasons and to keep each lot separate for banking and title purposes.

There being no further input nor inquiries, STONEBERG MADE A MOTION, SECOND BY DEUTZ, to close the public hearing. ALL VOTED IN FAVOR. MOTION PASSED 7:0.

MUCHLINSKI MADE A MOTION, SECOND BY DEUTZ to recommend approval of the preliminary plat of Stone Meadow to the City Council per staff recommendation. ALL VOTED IN FAVOR. MOTION PASSED 7:0.

Other Business

None.

Adjourn

DOOM MADE A MOTION, SECOND BY PIEPER, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 7:0. Chairperson Lee declared the meeting adjourned at 5:32 pm.

Respectfully submitted,
Lona Rae Konold, Administrative Assistant

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
AUGUST 14, 2024**

MEMBERS PRESENT: Pieper, Deutz, Muchlinski, Doom, Lee, Stoneberg
MEMBERS ABSENT: Agboola
OTHERS PRESENT: Jason Anderson, Ilya Gutman, Amanda Schroeder,
Christina Cruz-Jennings (via Zoom)

Call to Order.

The meeting was called to order by Chairperson Lee.

Approval of the Minutes.

Chairperson Lee asked for the approval of the minutes of the July 10, 2024, regular meeting of the Marshall Planning Commission. DOOM MADE A MOTION, SECOND BY STONEBERG, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION. MOTION PASSED 6:0.

Conduct a Public Hearing for a Map Amendment From R-1 One Family Residence District to R-2 One to Four Family Residence District

Gutman presented this is a request to, first, rezone this area from R-1 One-Family District to R-2 One-to-Four Family District, and then, to approve a Conditional Use Permit for a parking lot in an R-2 District. Turkey Valley Farms is looking for a way to provide more off-street parking for its workforce. This area is shown as medium density residential use on the Future Use Map in the Marshall 2040 Comprehensive Plan. Consequently, rezoning to R-2 will be in compliance with the new Comprehensive Plan. Parking lots are conditional uses in R-2. Susan Burnett, 310 South 6th Street, stated she fears this will devalue her property. Susan questioned if this was a request to build a four plex. Gutman informed there will not be any buildings, just a paved parking lot. Larry Vierstraete, 310 South 5th Street, stated he feels his house is also being devalued. Vierstraete shared he has problems on Saturdays when the trucks are being loaded. Vierstraete stated the trucks then sit there all weekend, and all you hear is the noise from the truck refrigeration units. Peggy Baugher, 506 Kendall Street, stated they have lived at this location before Turkey Valley existed and stated the company should be moved to industrial park. Peggy questioned how the rezoning will affect the taxes, how will that affect their home valuation. Gutman informed they are only rezoning the two lots on 306 and 308 South 6th Street. Burnett stated she would like to have some sort of buffer between her property and the proposed parking lot, so she isn't staring at a fence right next to her property. Doom assured changing the district from R-1 to R-2 will provide parking lot with conditions and will allow more parking space and remove all the cars parking on the street and be safer for commute. Deutz asked if they considered tearing down one of their larger buildings to provide extra parking. Terry Vogt, Turkey Valley Representative, stated they use that building for their truck repairs and it also contains office space. Vogt shared they use old Schwan's freezer to park trailers but are still needing extra space to remove the cars being parked on the street. Stoneberg asked how many parking lots this would create. Turkey Valley Representative stated this would create roughly about twenty to twenty-five parking spaces. During the hearing, as concerns unrelated to the rezoning were expressed, Doom explained that the purpose of this meeting was only to approve changing the lots from an R-1 to R-2 zoning district. STONEBERG MADE A MOTION, SECOND BY MUCHLINSKI, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY PEIPER to recommend to City Council an approval of the request to rezone the area from R-1 Single Family Residence to R-2 One to Four Family Residence. VOTING FOR: LEE, PIEPER, DOOM, DEUTZ. VOTING AGAINST: STONEBERG, MUCHLINSKI. The motion passed by a vote of 4 to 2. PEIPER MADE A MOTION, SECOND BY DOOM to recommend to City Council an approval of the request to grant a Conditional Use Permit for a parking lot in an R-2 One to Four Family Residence District with conditions as written by staff. VOTING FOR: LEE, PIEPER, DOOM, DEUTZ. VOTING AGAINST: STONEBERG, MUCHLINSKI. The motion passed by a vote of 4 to 2.

Conduct a Public Hearing for a Conditional Use Permit for a Multiple Family Dwelling in a B-3 Zoning District

Gutman shared this is a request to have three apartment buildings in a B-3 General Business District. Apartment buildings are conditional use in B-3 district. The lot is located at the corner of Clarice Avenue and Susan Drive, North of Walmart. Steve Kuepers, Kuepers Construction Representative – Brainerd, Minnesota, stated there will be three slab on grade buildings. Additionally, all buildings will be three-story, 36-unit buildings equipped with elevators. Kueper shared that each building has a community room, exercise room, library, and a common laundry on the second floor. Kueper also shared there will be detached garage parking, one stall for every two units. There will be an outside playground and dog park in the lower southeast corner. Kueper shared this will be market rate and they are not asking for TIF. Kueper stated there is not a lot of housing on this side of town which made it a perfect fit. STONEBERG MADE A MOTION, SECOND BY DEUTZ, to close the public hearing. ALL VOTED IN FAVOR. MUCHLINSKI MADE A MOTION SECOND BY DOOM to recommend to City Council an approval of the request to grant a Conditional Use Permit for three apartment buildings in a B-3 general business district with the following condition: The buildings and site are constructed per attached drawing. ALL VOTED IN FAVOR. MOTION PASSED 6:0.

-UNAPPROVED-

Conduct a Public Hearing for a Conditional Use Permit for a Lumberyard in a B-3 Zoning District

Gutman presented this is a request to permit a lumberyard in a B-3 general business district. Lumberyards are conditional use in B-3 districts. This existing lumberyard was built before the area was annexed into the city limits. When it was annexed, it was grandfathered in and became a legal non-conforming use, as the ordinance requires. However, this provision does not allow expansion of the use, and the owner wants to build more buildings. Granting a CUP will allow for further development and will remove potential limitations. Menards is considered a lumberyard and was granted a CUP for such use. Generally, new construction in a B-3 district would require multiple site improvements, such as paved parking and landscaping; however, this is not a new construction, which makes this situation different. STONEBERG MADE A MOTION, SECOND BY MUCHLINSKI to close the public hearing. ALL VOTED IN FAVOR. PEIPER MADE A MOTION, SECOND BY DOOM to recommend to City Council an approval of the request to grant a Conditional Use Permit for a lumberyard in a B-3 general business district. ALL VOTED IN FAVOR. MOTION PASSED 6:0.

Other Business

Since there was no other business, STONEBERG MADE A MOTION SECOND BY PEIPER, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 6:0 Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Karla Ellis, Recording Secretary



Upcoming Meetings

August

- 08/27 Work Session, 3:00 PM, City Hall
 - 08/27 Regular Meeting, 5:30 PM, City Hall
 - 08/27 Work Session, to immediately follow the Regular Meeting, City Hall
-

September

- 09/10 Work Session, 4:00 PM, City Hall
- 09/10 Regular Meeting, 5:30 PM, City Hall
- 09/10 Work Session, TBD, City Hall
- 09/24 Regular Meeting, 5:30 PM, City Hall

2024 Regular Council Meeting Dates

2nd and 4th Tuesday of each month *(Unless otherwise noted)*

5:30 P.M.

City Hall, 344 West Main Street

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

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.