



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

**Tuesday, October 08, 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 Held on September 24th

**CONSENT AGENDA**

- [2.](#) Consider Approval for an Outdoor Public Fireworks Display for Prairie Home Hospice on November 29, 2024
- [3.](#) Consider Request of Prairie Home Hospice & Community Care for the Light Up The Night Parade on Friday, November 29, 2024
- [4.](#) Consider Approval for a Temporary Liquor License for SMSU Homecoming
- [5.](#) Consider Approval for a Temporary Liquor License for the SMSU Gold Rush Raffle
- [6.](#) Consider Approval for a Temporary Liquor License for the Marshall Chamber of Commerce
- [7.](#) Consider Approval of a LG220 Lawful Gambling Permit for the Marshall Area YMCA
- [8.](#) Consider Approval of the Bills/Project Payments

**APPROVAL OF ITEMS PULLED FROM CONSENT**

**NEW BUSINESS**

- [9.](#) Consider Introduction of an Ordinance Amending Chapter 22, Article VIII Licensing and Registration Requirements for the Sale of Intoxicating Cannabinoid Products
- [10.](#) Consider Approval of an Ordinance Amending Ch. 6 Article II-2 Intoxicating Liquor
- [11.](#) Consider Approval of an Ordinance to Repeal Section 22-213 of the Minnesota Energy Resources Franchise Agreement

**COUNCIL REPORTS**

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

**STAFF REPORTS**

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

**ADMINISTRATIVE REPORTS**

- [17.](#) Administrative Brief

**INFORMATION ONLY**

- [18.](#) Building Permits

**MEETINGS**

- [19.](#) Upcoming Meetings

**ADJOURN**

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



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Mayor Byrnes
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	APPROVAL OF MINUTES
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of the Minutes from the Regular Meeting Held on September 24th
<b>Background Information:</b>	Enclosed are the minutes from the previous meetings.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
<b>Recommendations:</b>	That the minutes from the meeting held on September 24th be approved as filed with each member and that the reading of the same be waived.

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, September 24, 2024**

The regular meeting of the Common Council of the City of Marshall was held September 24, 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 (attended virtually due to being out of the city for a business trip), 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; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Preston Stensrud, Park and Recreation Supervisor; Karla Drown, Finance Director; Eric Hanson, Assistant City Engineer; Jim Marshall, Director of Public Safety; and Steven Anderson, City Clerk.

**Consider Approval of the Minutes from the Regular Meeting and Work Sessions Held on September 10th**

There were no amendments to the minutes from the meetings held on September 10, 2024.

Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to approve the minutes from the meetings held on September 10th. 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 the Consent Agenda**

Motion made by Councilmember Schroeder, Seconded by Councilmember Alcorn 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.**

- Introduce an Ordinance Amending Ch. 6 Article II-2 Intoxicating Liquor
- Introduce an Ordinance to Repeal Section 22-213 of the Minnesota Energy Resources Franchise Agreement
- Project ST-012-2024: S Whitney Street Reconstruction Project - Consider Resolution for Signage
- Consider Authorization to Declare Vehicles as Surplus Property for the Marshall Police Department
- National Highway Safety Grant
- Consider Approval of the Bills/Project Payments

**Coalition of Greater Minnesota Cities Annual Update**

Marty Seifert, a lobbyist for Flaherty and Hood, spoke about the 2024 Coalition of Greater Minnesota Cities outcomes. Seifert touched on local government aid and taxes; emergency medical services; water and wastewater infrastructure; childcare, housing and economic development; and transportation. Many of the priority items of the coalition never came to fruition as the legislature never passed a bonding bill. Traditionally even years for the legislature are bonding bills and odd numbered years were for budget. The legislature did the opposite in 2024 resulting in many cities being able to move forward with projects.

**Approve Construction Manager Advisor Approach for Aquatic Center Project and Adopt Resolution Authorizing Staff to Finalize an Agreement with Contegrity Group, Inc.**

Administrator Hanson provided background information. On September 10, 2024, City Council gave authorization and direction to staff to explore construction management services for the aquatic center following rejecting bids due to being approximately \$6 million over engineers estimate. City staff reached out to five different construction management firms and with the Aquatic Center Committee, interviewed those firms. The Aquatic Center Committee put forth their recommendation to proceed with a contract with Contegrity Group, Inc. who had successfully brought other projects to within construction estimates, but also had existing relationships with local contractors that would be advantageous to the city during the bidding process. It was anticipated that the construction management advisor would save money for construction administration and management as well as key re-design phase cost reductions and eventual project scoping bidding competitive bidding environment. Ron Halgerson, retired architect in the City of Marshall, assisted with the project manager interview process and provided insight into construction manager versus

their dedication to the project. Kim Christensen, KHC Construction, voiced his opinion on the agreement with Contegrity Group and hoped that cost savings could be found.

Motion made by Councilmember Lozinski, Seconded by Councilmember Moua-Leske to approve the Construction Manager Advisor approach for the Marshall Aquatic Center Project and to adopt Resolution 24-087 Approving Hiring Contegrity Group, Inc and Delegating Negotiating Authority of the Agreement to Staff. 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 2024-2025 Property/Casualty and Liability Insurance**

Karla Drown informed the council that the annual property/casualty and liability insurance would be increasing by 3 percent overall. The insurance covers the city, library and Marshall Municipal Utilities.

Motion made by Councilmember Moua-Leske, Seconded by Councilmember Schafer to approve the 2024-2025 Property/Casualty and Liability insurance. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Introduce an Ordinance Amending Chapter 74 Article VII Division 3-2 Permit for Class 2 All-Terrain Vehicles and Utility Task Vehicles**

Attorney Whitmore introduced the topic with Clerk Anderson following up. The Legislative and Ordinance Committee on June 27, 2023, requested to discuss the possibility of adding Golf Carts as an allowable vehicle in Marshall and decided to bring the item to a Work Session for additional input from the full council. During the August 8, 2023, Work Session council directed staff to look at amendments to the ordinance and the application process with changes brought to L&O. Amendments were brought to the L&O Committee during meetings on October 31, 2023, and May 14, 2024, and September 10, 2024. Proposed amendments would allow Golf Carts to operate on the same roads as UTVs and would have the following restrictions: seatbelts for all occupants, headlights, taillights, turn signals, driver side mirror and passenger mirror/rearview mirror, and slow-moving emblem. Clerk Anderson also mentioned that staff would recommend that golf carts specifically not be allowed on roads with speed limits above 30 miles per hour. Councilmember Meister reiterated that the Legislative and Ordinance Committee had talked about the topic numerous times and decided that it was time to bring it to council for final decisions. Councilmember Schafer expressed his concerns with golf carts and seeing golf carts on prohibited roads or being driven by unlicensed minors. Mayor Byrnes noted that any of the residents living south of Highway 23 would not be able access most of the city. Councilmember Moua-Leske also shared her concerns with allowing golf carts on roads.

Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to introduce Ordinance 24-017 and to call for a public hearing on October 22, 2024. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Lozinski. Voting Nay: Councilmember Moua-Leske. The motion **Carried. 6-1.**

**Project ST-001-2024: Bituminous Chip Sealing on Various City Streets - Consider Change Order No. 1 (Final) and Acknowledgement of Final Pay Request (No. 2)**

Change Order No. 1 (Final) resulted in a contract increase in the amount of \$19,981.45 and a total contract amount of \$152,486.05. The original contract/low bid amount was \$132,504.60. The actual authorized contract amount by the City Council at their meeting on March 26,2024 was for an amount not-to-exceed \$165,000.

Motion made by Councilmember Lozinski, Seconded by Councilmember Alcorn to approve Change Order No. 1 (Final) with Pearson Brothers, Inc and acknowledge Final Pay Request (No. 2) in the amount of \$7,624.30. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Adopt City of Marshall Strategic Plan 2024-2027**

The city originally went through a strategic planning process in 2019 that resulted in a Strategic Plan for 2020-2024. Since the Plan needed to be updated, the city engaged Achieve Consultant with facilitator Cheryl Glaeser. The update of the strategic plan began with a survey of Councilmembers and all city staff. Facilitator Glaeser also reviewed other city planning documents such as the City’s Comprehensive Use Plan. In addition, leadership staff met for an all-day session on the city key issues. Results of the survey data and input from staff, a draft strategic plan was presented to Council during a work session on September 10, 2024. Mayor Byrnes commented that the four pillars of the strategic plan: Quality of Life; Community Resilience; Economic Vibrancy and Growth; Informed, Engaged, and Inclusive Community needed to be communicated to the public over time. Councilmember Schroeder remarked that she was glad to see a document that would be referenced to over the years instead of it being an object to place on a shelf.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to adopt the City of Marshall Strategic Plan 2024-2027. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Consider Resolution Adopting Preliminary 2025 Property Tax Levy**

Staff continued to review and revise the proposed budget and tax levy after the August 27th and September 10th budget work sessions. Moberg went over the previous five years of tax levies, and the largest impacts to the proposed levy. The proposed preliminary property tax levy for 2025 was \$9,869,560, which was an increase of 9.8%. The City Council must adopt its proposed property tax levy for taxes payable year 2025 and have staff certify that amount to the home county auditor on or before September 30th. The proposed property tax levy certified should be the taxing jurisdiction’s proposed property tax levy for all purposes, including debt service. The final property tax levy cannot exceed the proposed property tax levy except because of one or more of the allowable “add-on” levies authorized within the state. The City Council was required to hold a public meeting for the proposed levy and must notify the County Auditor/Treasurer of the date, location and start time so it may be included in the parcel-specific notice. Staff proposed to hold the truth-in-taxation meeting at 6:00 PM on Tuesday, December 10th at City Hall. Moberg noted that many comparable size cities had adopted preliminary levies in the double digits.

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to adopt Resolution 24-085 Approving a Preliminary 2025 Tax Levy of \$9,869,560 and setting a truth-in-taxation meeting date of December 10, 2024 at 6:00 PM. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

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

Interviews were held prior to the regular council meeting for openings on the Diversity, Equity, and Inclusion Commission and the Marshall Municipal Utilities Commission. Mayor Byrnes recommended that Jeffrey Cordes be appointed to the DEI Commission and Brandon Antoine be appointed to the MMU Commission.

Motion made by Councilmember Meister, Seconded by Councilmember Moua-Leske to affirm the appointment of Jeffrey Cordes to the Diversity, Equity, and Inclusion Commission with a term ending May 31, 2026, and to affirm the appointment of Brandon Antoine to the Marshall Municipal Utilities Commission with a term ending May 31, 2028. 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	Thanked the Aquatic Center Committee members and city staff on the construction management process.
Meister	EDA discussed childcare in the community, the third retailer for the former Shopko building was coming closer.
Schroeder	No report.
Alcorn	No report.
Moua-Leske	No report.
Lozinski	No report.

**Councilmember Individual Items**

Councilmember Moua-Leske attended Prairie Jam and praised the event. Welcoming Week saw an increase in attendance from last year and thanked Southwest Initiative Foundation for sponsoring the event.

**City Administrator**

No report.

**Director of Public Works/City Engineer**

The Public Improvement and Transportation Committee met to discuss parking and signage along Whitney Street, a culvert crossing on Fourth Street and Marshall, and College Drive assessments that come along with the MnDOT Highway 19 reconstruction project. Project update was given on Whitney Street.

**City Attorney**

No report.

**Information Only**

There were no questions on the Information Only items.

**Upcoming Meetings**

There were no questions on the Upcoming Meetings.

**Adjournment**

At 6:40 PM Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to adjourn the meeting. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Attest:

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

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

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval for an Outdoor Public Fireworks Display for Prairie Home Hospice on November 29, 2024
<b>Background Information:</b>	<p>Prairie Home Hospice has applied for an Outdoor Public Fireworks Display for their 8<sup>th</sup> Annual Light Up the Night event. The permit is requested for the opening night of the event on November 29th.</p> <p>The Light Up the Night event is scheduled to run from November 29 – December 31 on Friday, Saturday and Sundays from 5:00 PM – 9:00 PM at Independence Park.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To approve the permit to allow an Outdoor Public Firework Display for Prairie Home Hospice.

OUTDOOR PUBLIC FIREWORKS DISPLAY

Applicant instructions:

1. This application is for an outdoor public fireworks display only and is not valid for an indoor fireworks display.
2. This application must be completed and returned at least 15 days prior to date of display.
3. Fee upon application is \$ \_\_\_\_\_ and must be made payable to \_\_\_\_\_.

Name of Applicant (Sponsoring Organization): Praise Home Hospice

Address of Applicant: 1108 E Colledge Dr. Marshall, MN 56258

Name of Applicant's Authorized Agent: Cory Brockman

Address of Agent: \_\_\_\_\_

Telephone Number of Agent: 507-337-0080 Date of Display: 11-29-24 Time of Display: 7:00 pm

Location of Display: Independence Park

Manner and place of storage of fireworks prior to display: enclosed trailer under supervision of Pyrotechnician (Paul Tol)

Type and number of fireworks to be discharged: 10 - 1.4 grams 24 - 1.3 grams

MINNESOTA STATE LAW REQUIRES THAT THIS DISPLAY BE CONDUCTED UNDER THE DIRECT SUPERVISION OF A PYROTECHNIC OPERATOR CERTIFIED BY THE STATE FIRE MARSHAL.

Name of Supervising Operator: Paul Tol Certificate No.: 1037

Required attachments. The following attachments must be included with this application:

1. Proof of a bond or certificate of insurance in amount of at least \$ \_\_\_\_\_  
(Suggested Amount: \$1.2 million minimum. \$1.5 million minimum beginning July 1, 2009.)
2. A diagram of the ground at which the display will be held. This diagram (drawn to scale or with dimensions included) must show the point at which the fireworks are to be discharged; the location of ground pieces; the location of all buildings, highways, streets, communication lines and other possible overhead obstructions; and the lines behind which the audience will be restrained.
3. Names and ages of all assistants that will be participating in the display.

The discharge of the listed fireworks on the date and at the location shown on this application is hereby approved, subject to the following conditions, if any: \_\_\_\_\_

I understand and agree to comply with all provisions of this application, MN Statute 624.20 through 624.25, MN State Fire Code, National Fire Protection Association Standard 1123 (2006 edition), applicable federal law(s) and the requirements of the issuing authority, and will ensure that the fireworks are discharged in a manner that will not endanger persons or property or constitute a nuisance.

Signature of Applicant (or Agent): [Signature] Date: 9/24/24

Signature of Fire Chief/County Sheriff: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Issuing Authority: \_\_\_\_\_ Date: \_\_\_\_\_

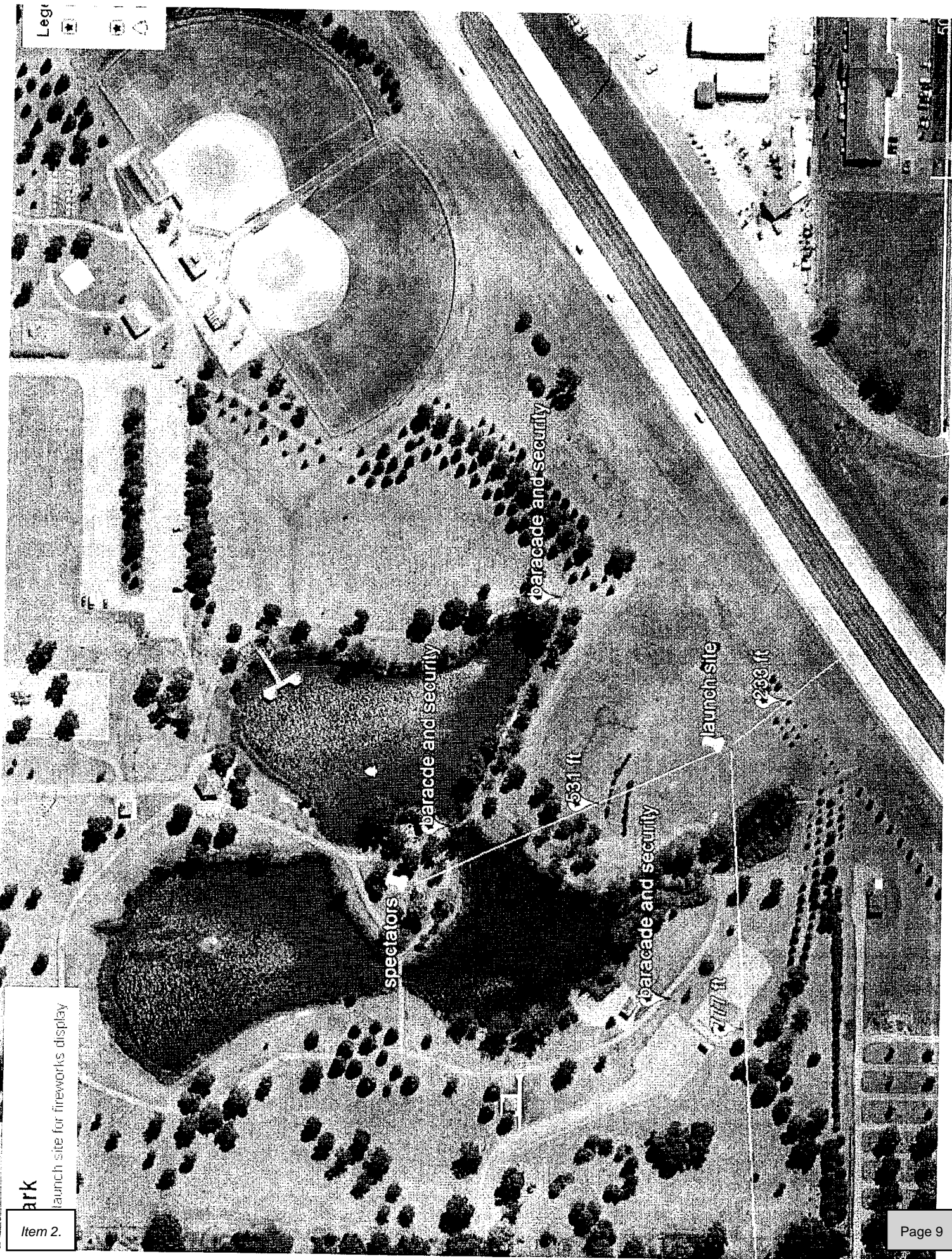
Revised June 2008



ark

Item 2.

launch site for fireworks display





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/23/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Ryder Rosacker McCue & Huston (MGD by Hull & Company) 509 W Koenig St Grand Island NE 68801	<b>CONTACT NAME:</b> Kristy Wolfe <b>PHONE (A/C, No, Ext):</b> 308-382-2330 <b>E-MAIL ADDRESS:</b> kwolfe@ryderinsurance.com		<b>FAX (A/C, No):</b> 308-382-7109
	<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A : SCOTTSDALE INS CO		<b>NAIC #</b> 41297
<b>INSURED</b> Tol LLC Powerhouse Fireworks; P&J Pyrotechnics 1073 210th Ave Canby MN 56220	<b>INSURER B :</b>		
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
	<b>INSURER F :</b>		

**COVERAGES**

CERTIFICATE NUMBER: 1827021328

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			CPS4067843	6/13/2024	6/13/2025	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS	OTHER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)**

Regarding the General Liability coverage, Waiver of Subrogation applies to the entities listed below per attached form CG 24 04 when required by written agreement.  
 Regarding the General Liability coverage, Blanket Additional Insured applies to the entities listed below per attached form GLS-150s when required by written agreement.  
 Additional Insured: City of Marshall  
 Date: November 29, 2024

**CERTIFICATE HOLDER****CANCELLATION**

City of Marshall  
 344 W. Main St.  
 Marshall MN 56258

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Item 2.

(2010/05)

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## WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

### SCHEDULE

**Name Of Person Or Organization:**

Any person or organization with whom the insured has agreed to waive rights of recovery, provided such agreement is made in writing and prior to the loss.

**Additional Premium is Included**

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of Section IV - Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**BLANKET ADDITIONAL INSURED ENDORSEMENT**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART**

With respect to this endorsement, **SECTION II—WHO IS AN INSURED** is amended to include as an additional insured any person or organization whom you are required to add as an additional insured on this policy under a written contract, written agreement or written permit which must be:

- a. Currently in effect or becoming effective during the term of the policy; and
- b. Executed prior to the “bodily injury,” “property damage,” or “personal and advertising injury.”

The insurance provided to these additional insureds is limited as follows:

1. That person or organization is an additional insured only with respect to liability for “bodily injury,” “property damage” or “personal and advertising injury” caused, in whole or in part, by:
  - a. Your acts or omissions; or
  - b. The acts or omissions of those acting on your behalf.

A person’s or organization’s status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

2. With respect to the insurance afforded to these additional insureds, the following exclusions are added to item 2. **Exclusions of SECTION I—COVERAGES:**

This insurance does not apply to “bodily injury,” “property damage” or “personal and advertising injury” occurring after:

- a. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
  - b. That portion of “your work” out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.
3. The limits of insurance applicable to the additional insured are those specified in the written contract, written agreement or written permit or in the Declarations for this policy, whichever is less. These limits of insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations for this policy.
  4. Coverage is not provided for “bodily injury,” “property damage,” or “personal and advertising injury” arising out of the sole negligence of the additional insured.
  5. The insurance provided to the additional insured does not apply to “bodily injury,” “property damage,” or “personal and advertising injury” arising out of an architect’s, engineer’s or surveyor’s rendering of or failure to render any professional services including:

- a. The preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and
  - b. Supervisory, inspection, architectural or engineering activities.
6. Any coverage provided hereunder will be excess over any other valid and collectible insurance available to the additional insured whether primary, excess, contingent or on any other basis unless a

written contract specifically requires that this insurance be primary.

When this insurance is excess, we will have no duty under **SECTION I—COVERAGES** to defend the additional insured against any “suit” if any other insurer has a duty to defend the additional insured against that “suit.” If no other insurer defends, we will undertake to do so, but we will be entitled to the additional insured’s rights against all those other insurers.

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AUTHORIZED REPRESENTATIVE / DATE

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**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Request of Prairie Home Hospice & Community Care for the Light Up The Night Parade on Friday, November 29, 2024
<b>Background Information:</b>	<p>The City has received a request from Prairie Home Hospice &amp; Community Care for street closure on Main Street (US 59) from North 6<sup>th</sup> Street to E. Lyon Street and E. Lyon Street from E. Main Street to Parkside School near Adobe Road from 5:00 pm-7:30 pm for the Light Up The Night Parade to be held on Friday, November 29, 2024.</p> <p>The parade will start at North 5<sup>th</sup> Street (Wooden Nickel corner) and proceed down Main Street (US 59) to East Lyon Street and then down East Lyon Street toward Independence Park ending at Parkside Elementary.</p> <p>A copy of the parade route/detour map is attached.</p> <p>Upon approval of the City Council, the request will be forwarded to Mn/DOT for their approval of the State permit.</p>
<b>Fiscal Impact:</b>	None.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	that the Council authorize the Light Up The Night Parade to be held on Friday, November 29, 2024, subject to Mn/DOT approval of detour and issuance of permit.



APPLICATION FOR PERMIT FOR PRIVATE USE OF PUBLIC STREETS (RIGHTS-OF-WAY) AND PARKING LOTS

Applicant Name: Prairie Home Hospice & Community Care
Applicant Address: 1108 E College Dr, Marshall, MN 56258
Contact Person: Cory Brockman Phone/Cell#: 507-530-4580
Address of Request: Main Street / Lyon Street
Reason for Request: Light Up The Night
Start Date of Request: November 29, 2024 Start Time: 5:00 am/pm
End Date of Request: November 29, 2024 End Time: 7:30 am/pm
Brief Description of Area Requested for Private Use/Closure (attach map): Main Street (Highway 59) from South 6th St (Marshall Independent) to Lyon Street and down Lyon Street to Independence Park (end @ Parkside Elementary)

Does the request involve Mn/DOT Right-of-Way? Yes [checked] No [ ]

The Applicant agrees to assume entire responsibility and liability for all damages or injury to all persons, whether employees or otherwise and to all property, arising out of, resulting from or in any manner connected with the operation of the event.

The Applicant agrees to indemnify the City, its agents and employees from all such claims including, without limiting the generality of the foregoing claims for which the City may be or may be claimed to be liable, and legal fees and disbursements paid or incurred to enforce the provisions this paragraph.

The Applicant will be responsible for any damage done to the public property as a result of the event activities, damages payable upon receipt of invoice.

It is the responsibility of the Applicant to install and maintain the appropriate traffic control devices during the closure period. Traffic control devices shall be in conformance with the Minnesota Manual on Uniform Traffic Control Devices, MUTCD.

- If the event or private use area occurs within Mn/DOT right-of-way:
1. Participants and event officials will obey all Minnesota Laws pertaining to the use of Highway Rights of Way.
2. The event officials will notify the Minnesota State Patrol of the proposed event and will provide law enforcement officers to control and/or detour trunk highway traffic affected by the event.

9/20/2024
Date

Cory Brockman
Digitally signed by Cory Brockman
Date: 2024.09.20 11:29:49 -05'00'
Signature of Applicant

CLICK TO SEND TO PUBLIC WORKS

**RECOMMENDATION**

Minnesota State Statutes 169.04 states in part that any parade or assemblage on Trunk Highways requires the consent of the Commissioner of Highways (or his delegate). In order to validate this permit, the City must obtain consent from the Commissioner of Highways prior to approval of this permit (a copy of which is attached).

RECOMMENDATION: \_\_\_\_\_

Special Provisions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Director of Public Works/City Engineer

=====

**PERMIT FOR  
PRIVATE USE OF PUBLIC STREETS (RIGHTS-OF-WAY)  
AND PARKING LOTS**

According to Section 62-6 of the Code of Ordinances, permit granted by the Common Council of the City of Marshall this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST:

\_\_\_\_\_

City Clerk

\_\_\_\_\_

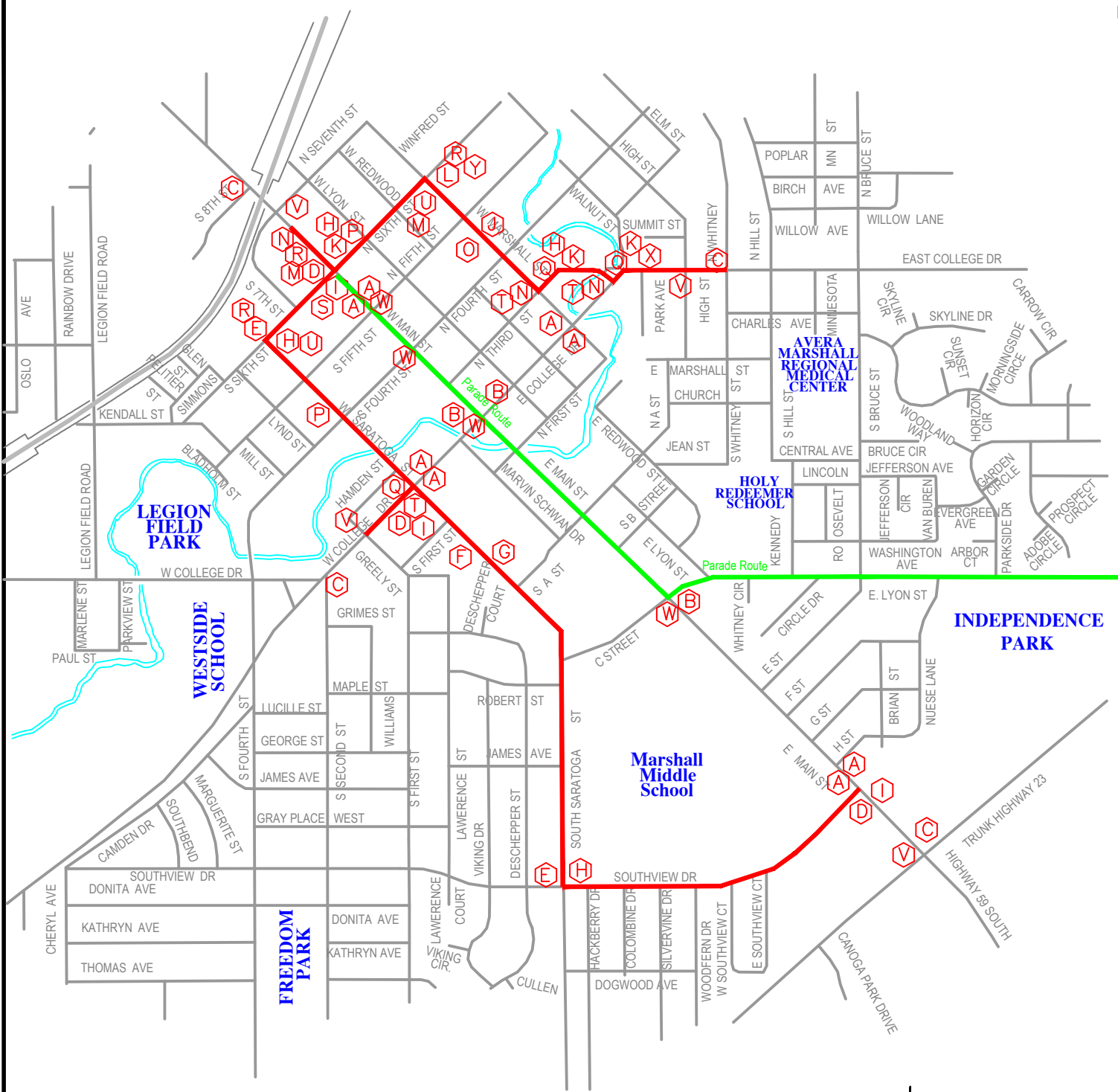
Mayor of the City of Marshall, MN

Attachments

Copies to: Director of Public Safety James Marshall  
Minnesota Department of Transportation



# DETOUR SIGNING PLAN




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

THIS MAP SHOWS DETOUR ROUTE CLOSURES ON STATE AND US HIGHWAYS. ALL LOCAL SIDE STREETS WILL ALSO BE CLOSED WITH NO TRAFFIC ALLOWED WITHIN CLOSED ROAD.

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 IN THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CITY OF MARSHALL. ALL TRAFFIC CONTROL DEVICES SHALL HAVE RETROREFLECTIVE SHEETING.

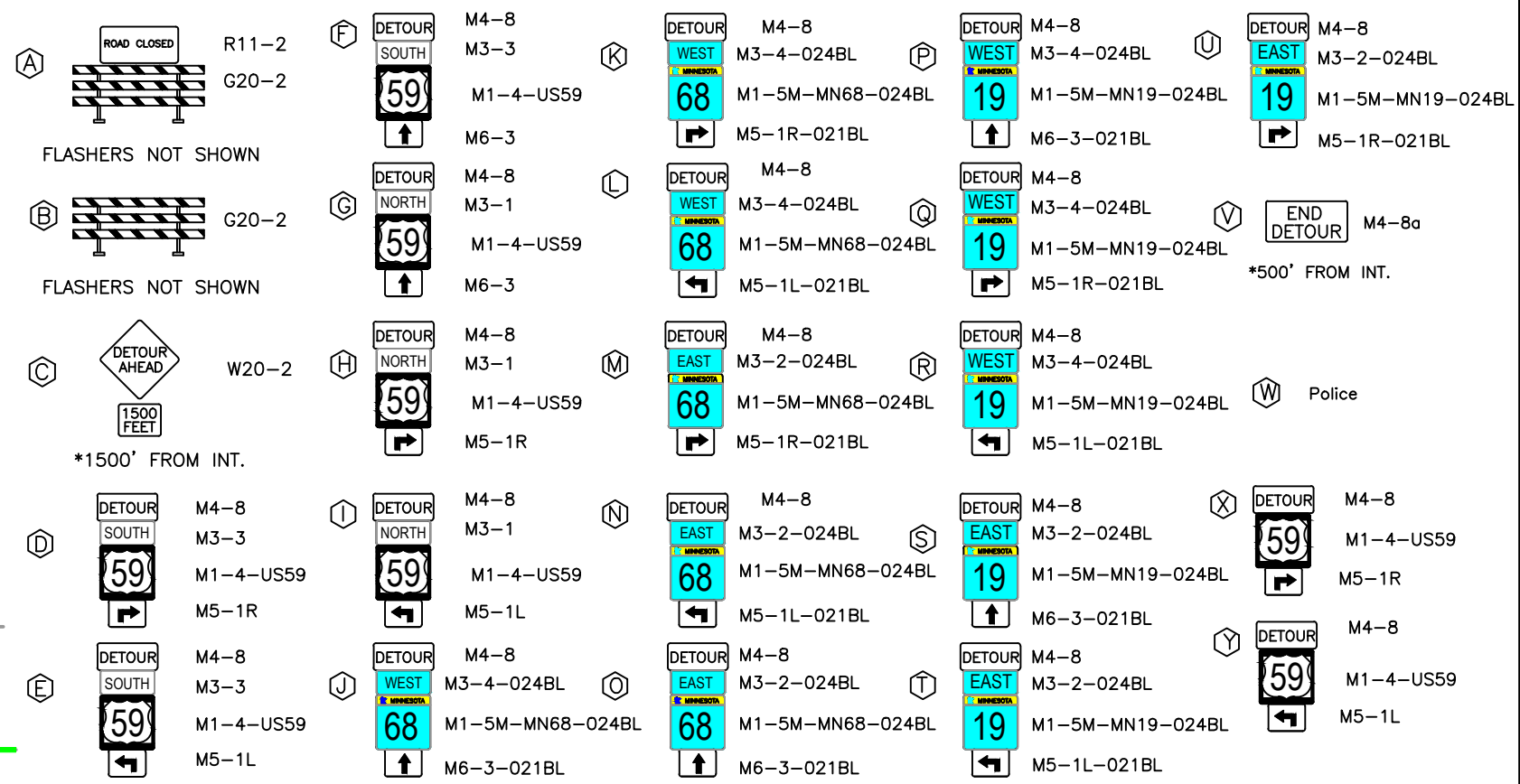
Item 3.



**CITY ENGINEERS OFFICE**  
 344 WEST MAIN STREET  
 MARSHALL, MINNESOTA  
 56258

CITY OF MARSHALL  
 LYON COUNTY  
 MINNESOTA

NOT TO SCALE



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	16	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	41	24"x12"	BLACK ON ORANGE	
	M4-8a	4	24"x18"	BLACK ON ORANGE	

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

Light up the Night Parade

Detour Plan

REVISIONS	
DATE	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: 11/09/2022

S.P. NO. \_\_\_\_\_

DRAWN BY: G.J.S.

SHEET: Page 17

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval for a Temporary Liquor License for SMSU Homecoming
<b>Background Information:</b>	<p>SMSU Homecoming is the week of October 7-13. A part of SMSU’s newest tradition is Game Day Roundup featuring tailgating along Mustang Trail and the R/A Facility parking lot. The homecoming game will be played against Wayne State at the Schwan Regional Event Center on October 12th.</p> <p>All temporary liquor licenses require municipal approval and final approval from the Alcohol and Gambling Enforcement Division.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the temporary on-sale liquor license for the SMSU Foundation on October 12, 2024.



**Minnesota Department of Public Safety**  
**Alcohol and Gambling Enforcement Division**  
 445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
 651-201-7507 TTY 651-282-6555  
**APPLICATION AND PERMIT FOR A 1 DAY**  
**TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date of organization	Tax exempt number
Southwest Minnesota State University Foundation, Inc. (SMSU Fdn)		Oct 17, 1963	31153
Organization Address (No PO Boxes)	City	State	Zip Code
1501 State Street	Marshall	Minnesota	56258
Name of person making application	Business phone	Home phone	
Nathan Polfliet	507-537-6285	605-695-5664	
Date(s) of event	Type of organization		
10/12/2024 (SMSU Homecoming)	<input type="checkbox"/> Microdistillery <input type="checkbox"/> Small Brewer <input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit		
Organization officer's name	City	State	Zip Code
Nathan Polfliet, Executive Director	Marshall	Minnesota	56258
Organization officer's name	City	State	Zip Code
Brad Bacon, President of SMSU Foundation Board	Cold Springs	Minnesota	56320
Organization officer's name	City	State	Zip Code
		Minnesota	

Location where permit will be used. If an outdoor area, describe.  
 SMSU Campus  
 REC Parking Lot/RA Facility Area & NW Corner of Stadium  
 1501 State Street Marshall MN

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.  
 North Risk Partners \$2,000,000 / \$2,000,000

**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
Event in conjunction with a community festival <input type="checkbox"/> Yes <input type="checkbox"/> No	City or County E-mail Address
Current population of city	

\_\_\_\_\_  
 Please Print Name of City Clerk or County Official

\_\_\_\_\_  
 Signature City Clerk or County Official

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

**No Temp Applications faxed or mailed. Only emailed.**

**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 BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY**

**CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval for a Temporary Liquor License for the SMSU Gold Rush Raffle
<b>Background Information:</b>	<p>The Mustang Golf Rush Raffle is the Mustang Club’s largest annual fundraiser. It will be held on February 22, 2025.</p> <p>All temporary liquor licenses require municipal approval and final approval from the Alcohol and Gambling Enforcement Division.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the temporary on-sale liquor license for the SMSU Foundation on February 22, 2025.



**Minnesota Department of Public Safety**  
**Alcohol and Gambling Enforcement Division**  
 445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
 651-201-7507 TTY 651-282-6555  
**APPLICATION AND PERMIT FOR A 1 DAY**  
**TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date of organization	Tax exempt number
Southwest Minnesota State University Foundation, Inc. (SMSU Fdn)		Oct 17, 1963	31153
Organization Address (No PO Boxes)	City	State	Zip Code
1501 State Street	Marshall	Minnesota	56258
Name of person making application	Business phone	Home phone	
Nathan Polfliet	507-537-6285	605-695-5664	
Date(s) of event	Type of organization		
02/22/2025 (SMSU Gold Rush Raffle)	<input type="checkbox"/> Microdistillery <input type="checkbox"/> Small Brewer <input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit		
Organization officer's name	City	State	Zip Code
Nathan Polfliet, Executive Director	Marshall	Minnesota	56258
Organization officer's name	City	State	Zip Code
Brad Bacon, President of SMSU Foundation Board	Cold Springs	Minnesota	56320
Organization officer's name	City	State	Zip Code
		Minnesota	

Location where permit will be used. If an outdoor area, describe.  
 SMSU Campus RA Facility Area 1501 State Street Marshall MN

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.  
 North Risk Partners \$2,000,000 / \$2,000,000

**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
Event in conjunction with a community festival <input type="checkbox"/> Yes <input type="checkbox"/> No	City or County E-mail Address
Current population of city	

\_\_\_\_\_  
 Please Print Name of City Clerk or County Official

\_\_\_\_\_  
 Signature City Clerk or County Official

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

**No Temp Applications faxed or mailed. Only emailed.**

**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 BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY**

**COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US**



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval for a Temporary Liquor License for the Marshall Chamber of Commerce
<b>Background Information:</b>	<p>The Chamber of Commerce will be hosting a business after hours event at AP Design on October 15, 2024.</p> <p>All temporary liquor licenses require municipal approval and final approval from the Alcohol and Gambling Enforcement Division.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the temporary on-sale liquor license for the Marshall Area Chamber of Commerce on October 15, 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

Address 
 City 
 State 
 Zip Code

Name of person making application 
 Business phone 
 Home phone

Date(s) of event 
 Type of organization  Club  Charitable  Religious  Other non-profit

Organization officer's name 
 City 
 State 
 Zip Code

Organization officer's name 
 City 
 State 
 Zip Code

Organization officer's name 
 City 
 State 
 Zip Code

Organization officer's name 
 City 
 State 
 Zip Code

Location where permit will be used. If an outdoor area, describe.

AP Design  
 501 MN-23  
 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

\_\_\_\_\_  
Fee Amount

\_\_\_\_\_  
Date Fee Paid

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Permit Date

\_\_\_\_\_  
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](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of a LG220 Lawful Gambling Permit for the Marshall Area YMCA
<b>Background Information:</b>	<p>The Marshall Area YMCA will be hosting their second annual fundraising Social at the Upper Room on November 7<sup>th</sup>.</p> <p>Gambling permits are issued by the State of MN but require local approval before submittal.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the LG220 Application for Exempt Permit for the Marshall Area YMCA on November 7, 2024, at 100 W. College Drive Suite 300.



MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Marshall Area YMCA Previous Gambling Permit Number: X-95332-23-001

Minnesota Tax ID Number, if any: 5054942 Federal Employer ID Number (FEIN), if any: 41-1984589

Mailing Address: 200 South A. St.

City: Marshall State: MN Zip: 56258 County: Lyon

Name of Chief Executive Officer (CEO): Thomas Bolin

CEO Daytime Phone: 507-532-9622 CEO Email: tbolin@marshallareaymca.org  
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): Jdahms@marshallareaymca.org

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

Fraternal       Religious       Veterans       Other Nonprofit Organization

**Attach a copy of 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.)

- A current calendar year Certificate of Good Standing**  
Don't have a copy? Obtain this certificate 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](http://www.sos.state.mn.us)  
651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**  
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - 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.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): The Upper Room

Physical Address (do not use P.O. box): 100 W. College Drive, Suite 300

Check one:

City: Marshall Zip: 56258 County: Lyon

Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): Thursday, November 7, 2024

Check each type of gambling activity that your organization will conduct:

Bingo       Paddlewheels       Pull-Tabs       Tipboards       Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selections may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [mn.gov/gcb](http://mn.gov/gcb) and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

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

<p style="text-align: center;"><b>CITY APPROVAL for a gambling premises located within city limits</b></p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print City Name: _____</p> <p>Signature of City Personnel: _____</p> <p>Title: _____ Date: _____</p> <div style="border: 1px solid black; padding: 10px; text-align: center; margin-top: 20px;"> <p><b>The city or county must sign before submitting application to the Gambling Control Board.</b></p> </div>	<p style="text-align: center;"><b>COUNTY APPROVAL for a gambling premises located in a township</b></p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>Title: _____ Date: _____</p> <p><b>TOWNSHIP (if required by the county)</b> On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>Title: _____ Date: _____</p>
---	---

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

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

Print Name: \_\_\_\_\_

<b>REQUIREMENTS</b>	<b>MAIL APPLICATION AND ATTACHMENTS</b>
---------------------	---

**Complete a separate application for:**

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**  
A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

**Mail application with:**

\_\_\_\_\_ a copy of your proof of nonprofit status; and  
 \_\_\_\_\_ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
 1711 West County Road B, Suite 300 South  
 Roseville, MN 55113

**Questions?**  
 Call the Licensing Section of the Gambling Control Board at 651-539-1900.

<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</p>	<p>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 Depart-</p>	<p>ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management &amp; 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.</p>
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**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Karla Drown
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of the bills/project payments
<b>Background Information:</b>	Staff encourage the City Council Members to contact staff in advance of the meeting regarding these items if there are questions. Construction contract questions are encouraged to be directed to Director of Public Works, Jason Anderson at 537-6051 or Finance Director, Karla Drown at 537-6764
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	The following bills and project payments be authorized for payment.



Marshall, MN

# Check Report

By Vendor Name

Date Range: 09/27/2024 - 10/08/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP-REG AP</b>						
3764	A & M CONSTRUCTION	10/04/2024	EFT	0.00	300.00	17853
6128	ACTION COMPANY LLC	09/27/2024	EFT	0.00	3,578.09	17817
6128	ACTION COMPANY LLC	10/04/2024	EFT	0.00	30.00	17854
6412	AG PLUS COOPERATIVE	10/04/2024	EFT	0.00	7.81	17855
0567	ALEX AIR APPARATUS 2 LLC	10/04/2024	EFT	0.00	123.49	17856
5959	ALPHA TRAINING, TACTICS & SALES LLC	10/04/2024	EFT	0.00	3,136.12	17857
0578	AMAZON CAPITAL SERVICES	09/27/2024	EFT	0.00	753.65	17818
0578	AMAZON CAPITAL SERVICES	10/04/2024	EFT	0.00	153.57	17858
6775	AMERICAN WATERWORKS	09/27/2024	Regular	0.00	138.83	125030
2701	ANDERSON, JASON	10/04/2024	EFT	0.00	80.00	17859
0658	AP DESIGN, INC. / NICHOLAS J SCHWARZ OR JILI	10/04/2024	EFT	0.00	239.60	17860
0630	ARCTIC GLACIER U.S.A., INC	10/04/2024	Regular	0.00	321.21	125059
0629	ARNOLD MOTOR SUPPLY, LLP	10/04/2024	EFT	0.30	14.68	17861
2362	BAUMANN, ADAM	10/04/2024	EFT	0.00	30.00	17862
1126	BDG INC.	09/27/2024	EFT	0.00	323.90	17819
7505	BEAM TECHNOLOGIES INC	10/03/2024	Bank Draft	0.00	55.15	DFT0004227
7505	BEAM TECHNOLOGIES INC	10/03/2024	Bank Draft	0.00	4,194.26	DFT0004339
7505	BEAM TECHNOLOGIES INC	10/03/2024	Bank Draft	0.00	4,193.56	DFT0004375
7505	BEAM TECHNOLOGIES INC	10/03/2024	Bank Draft	0.00	718.44	DFT0004393
0688	BELLBOY CORPORATION	10/04/2024	EFT	0.00	3,166.59	17863
0699	BEVERAGE WHOLESALERS, INC.	10/04/2024	Regular	0.00	65,085.01	125060
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	974.11	DFT0004219
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	8,097.54	DFT0004323
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	1,840.35	DFT0004324
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	54,550.72	DFT0004325
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	4,870.60	DFT0004326
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	8,097.54	DFT0004359
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	1,840.35	DFT0004360
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	54,550.16	DFT0004361
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	4,870.55	DFT0004362
6909	BLUE CROSS & BLUE SHIELD OF MINNESOTA	09/27/2024	Bank Draft	0.00	6,342.86	DFT0004392
7097	BLUESTEM PRODUCTS LLC	10/04/2024	EFT	0.00	400.00	17864
0726	BORCH'S SPORTING GOODS, INC.	09/27/2024	EFT	0.00	518.00	17820
0018	BORDER STATES INDUSTRIES, INC.	10/04/2024	EFT	0.00	16.92	17865
3829	BRAU BROTHERS	10/04/2024	EFT	30.00	961.00	17866
4457	BREAKTHRU BEVERAGE MINNESOTA WINE & SF	10/04/2024	Regular	0.00	9,552.87	125063
0186	BRUNSVOLD, QUENTIN	10/04/2024	EFT	0.00	30.00	17867
3413	BRUSVEN, KATHERINE	10/04/2024	EFT	0.00	30.00	17868
0763	BSN SPORTS LLC	10/04/2024	Regular	0.00	1,259.90	125067
0728	BUFFALO RIDGE CONCRETE INC	09/27/2024	EFT	0.00	272.50	17821
0204	BUYSSE, JASON	10/04/2024	EFT	0.00	30.00	17869
0216	CALLENS, DAVID	09/27/2024	EFT	0.00	100.00	17822
0216	CALLENS, DAVID	10/04/2024	EFT	0.00	30.00	17870
7164	CARD CONNECT/MERCHANT BANK CD	10/03/2024	Bank Draft	0.00	638.96	DFT0004400
0239	CAUWELS, ROGER	10/04/2024	EFT	0.00	30.00	17871
7633	CHERYL K. GLAESER	09/27/2024	Regular	0.00	1,662.66	125031
7507	CIGNA HEALTH AND LIFE INSURANCE COMPAN	10/04/2024	EFT	0.00	1,246.43	17872
7165	CITY HIVE, INC.	10/02/2024	Bank Draft	0.00	99.22	DFT0004398
5733	CLARITY TELECOM, LLC	10/04/2024	EFT	0.00	178.72	17873
0831	COALITION OF GREATER MINNESOTA CITIES	09/27/2024	Regular	0.00	60.00	125032
0272	COUDRON, DEAN	10/04/2024	EFT	0.00	30.00	17874
0920	CULLIGAN WATER CONDITIONING OF MARSHAI	10/04/2024	Regular	0.00	103.00	125068
0934	D & G EXCAVATING INC	10/04/2024	EFT	0.00	356,314.46	17875
3819	DACOTAH PAPER CO	10/04/2024	EFT	4.47	452.19	17876

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3259	DEUTZ, LAUREN	10/04/2024	EFT	0.00	80.00	17877
4488	DEZURIK, INC	09/27/2024	EFT	0.00	4,782.76	17823
4488	DEZURIK, INC	10/04/2024	EFT	0.00	6,381.00	17878
6589	DOG WASTE DEPOT	10/04/2024	EFT	0.00	559.92	17879
5731	DOLL DISTRIBUTING LLC	10/04/2024	EFT	0.00	23,235.56	17880
0380	DUBS, SHEILA	10/04/2024	EFT	0.00	30.00	17881
1020	DUININCK, INC.	09/27/2024	EFT	0.00	1,922.71	17824
1020	DUININCK, INC.	10/04/2024	EFT	0.00	3,867.05	17882
4706	ESS BROTHERS & SONS INC	09/27/2024	EFT	0.00	2,992.00	17825
7773	FARTUN, ALI	10/04/2024	Regular	0.00	150.00	125069
1090	FASTENAL COMPANY	09/27/2024	EFT	0.00	10.56	17826
1090	FASTENAL COMPANY	10/04/2024	EFT	0.00	45.80	17883
5632	GADDIS INC	09/27/2024	EFT	0.00	3,067.22	17827
1158	GALLS INC	09/27/2024	EFT	0.00	931.40	17828
7767	GARCIA, ROSA	09/27/2024	Regular	0.00	500.00	125033
1201	GRAINGER INC	10/04/2024	EFT	0.00	162.91	17884
1215	GREENWOOD NURSERY	09/27/2024	EFT	93.00	372.00	17829
1230	HACH COMPANY	09/27/2024	EFT	0.00	288.14	17830
7388	HAEN, DAVID CHARLES	09/27/2024	EFT	0.00	119.80	17831
3565	HANSON, ERIC	10/04/2024	EFT	0.00	70.00	17885
2946	HANSON, SHARON	10/04/2024	EFT	0.00	39.20	17886
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	09/27/2024	Bank Draft	0.00	397.04	DFT0004333
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	09/27/2024	Bank Draft	0.00	396.93	DFT0004369
7145	HARTFORD LIFE AND ACCIDENT INSURANCE CO	09/27/2024	Bank Draft	0.00	31.92	DFT0004391
1247	HARTS HEATING & REFRIGERATION INC	09/27/2024	Regular	0.00	398.24	125034
1256	HAWKINS INC	10/04/2024	EFT	0.00	27,830.55	17887
5825	HEFTY SEED CO	09/27/2024	Regular	0.00	1,819.22	125035
1267	HEIMAN INC.	09/27/2024	EFT	0.00	273.00	17832
1267	HEIMAN INC.	10/04/2024	EFT	0.00	683.94	17888
1251	HESS CONCRETE	09/27/2024	Regular	0.00	4,229.66	125036
2153	HOFFMANN, RYAN	10/04/2024	EFT	0.00	30.00	17889
1311	HY-VEE, INC	09/27/2024	Regular	0.00	106.76	125037
1325	ICMA RETIREMENT TRUST #300877	09/27/2024	EFT	0.00	50.00	17833
7218	ILLINOIS CASUALTY COMPANY	09/27/2024	Regular	0.00	2,736.00	125038
1343	INDEPENDENT LUMBER OF MARSHALL INC	10/04/2024	Regular	0.00	99.54	125070
1358	INTERNAL REVENUE SERVICE	09/27/2024	Bank Draft	0.00	31,081.42	DFT0004380
1358	INTERNAL REVENUE SERVICE	09/27/2024	Bank Draft	0.00	24,117.25	DFT0004381
1358	INTERNAL REVENUE SERVICE	09/27/2024	Bank Draft	0.00	9,450.64	DFT0004382
1358	INTERNAL REVENUE SERVICE	09/27/2024	Bank Draft	0.00	49.14	DFT0004386
1358	INTERNAL REVENUE SERVICE	09/27/2024	Bank Draft	0.00	263.35	DFT0004387
1358	INTERNAL REVENUE SERVICE	09/27/2024	Bank Draft	0.00	11.48	DFT0004388
1371	J.J. KELLER & ASSOCIATES, INC.	09/27/2024	Regular	0.00	187.53	125039
5017	JIM'S CLOTHING & SPORTING GOODS	09/27/2024	Regular	0.00	945.00	125040
4734	JM ACQUISITION, LLC DBA THE TESSMAN COMF	09/27/2024	EFT	0.00	2,517.50	17846
1399	JOHNSON BROTHERS LIQUOR COMPANY	10/04/2024	EFT	0.00	39,054.77	17893
2036	JOHNSON BROTHERS LIQUOR COMPANY	10/04/2024	EFT	0.00	32,901.57	17891
2605	JOHNSON BROTHERS LIQUOR COMPANY	10/04/2024	EFT	0.00	1,103.88	17895
5447	JOHNSON BROTHERS LIQUOR COMPANY	10/04/2024	EFT	0.00	2,484.26	17890
7769	JOHNSON, VICKIE	09/27/2024	Regular	0.00	250.00	125041
1417	KENNEDY & GRAVEN, CHARTERED	10/04/2024	EFT	0.00	5,937.00	17896
0785	KOPITSKI, JASON	10/04/2024	EFT	0.00	30.00	17897
2363	KRUK, CHRISTOPHER	10/04/2024	EFT	0.00	30.00	17898
7771	KUEPERS CONSTRUCTION INC	10/04/2024	Regular	0.00	99.54	125071
5138	L & A SYSTEMS, LLC	10/04/2024	EFT	0.00	317.07	17899
1483	LEAGUE OF MINNESOTA CITIES INSURANCE TRU	10/04/2024	Regular	0.00	1,809.40	125072
0265	LEE, JERRED	10/04/2024	EFT	0.00	30.00	17900
1508	LOCKWOOD MOTORS INC	10/04/2024	EFT	20.52	33.48	17901
0542	LOCKWOOD MOTORS, INC.	09/27/2024	Regular	0.00	1,895.00	125042
7764	LUCKENBILL, RICHIE LEE	09/27/2024	Regular	0.00	1,000.00	125043
3065	LUTHER, ERIC	10/04/2024	EFT	0.00	72.79	17902
3816	LUTHERAN SOCIAL SERVICES	10/04/2024	Regular	0.00	28.00	125073

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1531	LYON COUNTY AUDITOR-TREASURER	10/04/2024	EFT	0.00	707.48	17903
1546	LYON COUNTY HISTORICAL SOCIETY	10/04/2024	Regular	0.00	7,009.25	125074
1552	LYON COUNTY RECORDER	10/04/2024	EFT	0.00	127.15	17904
1616	MARSHALL CONVENTION & VISITORS BUREAU	10/04/2024	EFT	0.00	30,919.66	17905
5827	MARSHALL HIGH SCHOOL CROSS COUNTRY BOC	10/04/2024	Regular	0.00	262.50	125075
5813	MARSHALL LUMBER CO	09/27/2024	EFT	0.00	87.49	17834
5813	MARSHALL LUMBER CO	10/04/2024	EFT	0.00	40.89	17906
6018	MARSHALL M CLUB	09/27/2024	Regular	0.00	472.50	125044
1652	MARSHALL VOLUNTEER FIRE RELIEF ASSOCIATIC	10/04/2024	Regular	0.00	134,348.23	125076
0933	MARSHALL, JAMES	10/04/2024	EFT	0.00	80.00	17907
7077	MEDSURETY, LLC	09/27/2024	Bank Draft	0.00	10,883.21	DFT0004373
7077	MEDSURETY, LLC	09/27/2024	Bank Draft	0.00	6,687.90	DFT0004378
7077	MEDSURETY, LLC	09/27/2024	Bank Draft	0.00	229.18	DFT0004390
7077	MEDSURETY, LLC	10/04/2024	Bank Draft	0.00	685.76	DFT0004399
2719	MELLENTIN, CODY	10/04/2024	EFT	0.00	30.00	17908
4980	MENARDS INC	09/27/2024	EFT	0.00	213.41	17835
4980	MENARDS INC	10/04/2024	EFT	0.00	601.50	17909
0973	MEULEBROECK, ANDY	10/04/2024	EFT	0.00	30.00	17910
1818	MINNESOTA DEPARTMENT OF REVENUE	09/27/2024	Bank Draft	0.00	211.91	DFT0004379
1818	MINNESOTA DEPARTMENT OF REVENUE	09/27/2024	Bank Draft	0.00	12,563.00	DFT0004383
1818	MINNESOTA DEPARTMENT OF REVENUE	09/27/2024	Bank Draft	0.00	136.49	DFT0004389
1784	MINNESOTA DEPARTMENT OF TRANSPORTATIC	09/27/2024	Regular	0.00	527.29	125045
1797	MINNESOTA FIRE SERVICE CERTIFICATION BOAF	09/27/2024	Regular	0.00	656.25	125046
1813	MINNESOTA POLLUTION CONTROL AGENCY	09/27/2024	Regular	0.00	150.00	125047
3669	MINNESOTA STATE RETIREMENT SYSTEM	09/27/2024	Bank Draft	0.00	11,094.75	DFT0004376
1839	MINNESOTA VALLEY TESTING LABS INC	09/27/2024	EFT	0.00	481.60	17836
1840	MINNESOTA WEST COMMUNITY & TECHNICAL	09/27/2024	EFT	0.00	900.00	17837
1757	MN CHILD SUPPORT PAYMENT CENTER	09/27/2024	Bank Draft	0.00	414.85	DFT0004371
1757	MN CHILD SUPPORT PAYMENT CENTER	09/27/2024	Bank Draft	0.00	306.87	DFT0004372
3453	MOBERG, E.J.	10/04/2024	EFT	0.00	80.00	17911
7763	MOTZENBECKER, DAVID	09/27/2024	Regular	0.00	450.00	125048
1887	MTI DISTRIBUTING INC	10/04/2024	EFT	0.00	226.18	17912
2512	NATIONWIDE RETIREMENT	09/27/2024	Bank Draft	0.00	100.00	DFT0004366
2512	NATIONWIDE RETIREMENT	09/27/2024	Bank Draft	0.00	275.00	DFT0004384
2512	NATIONWIDE RETIREMENT	09/27/2024	Bank Draft	0.00	1,161.24	DFT0004385
1945	NORMS GTC	09/27/2024	Regular	0.00	99.68	125049
1945	NORMS GTC	10/04/2024	Regular	0.00	21.36	125077
1986	NORTH CENTRAL INTERNATIONAL, INC	09/27/2024	EFT	0.00	362.62	17838
7166	NORTHAMERICAN BANCARD/EPX	10/01/2024	Bank Draft	0.00	11,977.09	DFT0004397
6611	OMAR, AHMED A	10/04/2024	Regular	0.00	650.00	125078
5891	ONE OFFICE SOLUTION	09/27/2024	EFT	0.00	37.68	17839
5891	ONE OFFICE SOLUTION	10/04/2024	EFT	0.00	150.78	17913
7661	PACE ANALYTICAL SERVICES LLC	09/27/2024	EFT	0.00	483.00	17840
1243	PATZERS INC	09/27/2024	EFT	0.00	7.49	17841
2019	PAUSTIS WINE COMPANY	10/04/2024	EFT	0.00	2,729.50	17914
7163	PAYLIDIFY/MERCHANT BANK	10/03/2024	Bank Draft	0.00	185.52	DFT0004401
7163	PAYLIDIFY/MERCHANT BANK	10/03/2024	Bank Draft	0.00	398.70	DFT0004402
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	10/04/2024	EFT	0.00	123.50	17915
2028	PERA OF MINNESOTA REG	09/27/2024	Bank Draft	0.00	61,048.17	DFT0004374
1141	PETERSON, ALEX	09/27/2024	EFT	0.00	213.68	17842
3557	POMP'S TIRE SERVICE, INC.	10/04/2024	EFT	0.00	167.00	17916
5606	PRE-PAID LEGAL SERVICES, INC.	09/27/2024	Bank Draft	0.00	225.83	DFT0004334
5606	PRE-PAID LEGAL SERVICES, INC.	09/27/2024	Bank Draft	0.00	225.72	DFT0004370
5585	PRESTIGE CHEMICALS	09/27/2024	Regular	0.00	937.68	125050
1163	PRZYBILLA, SCOTT	10/04/2024	EFT	0.00	30.00	17917
6166	PULVER MOTOR SVC, LLC	10/04/2024	EFT	0.00	240.00	17918
2096	QUARNSTROM & DOERING, PA	10/04/2024	EFT	0.00	5,684.71	17919
6267	RATWIK, ROSZAK & MALONEY, PA	10/04/2024	EFT	0.00	252.00	17920
7772	REWERTS, SUE	10/04/2024	Regular	0.00	500.00	125079
2125	RIEKE, BENJAMIN	10/04/2024	EFT	0.00	30.00	17921
0707	ROADSIDE DEVELOPERS INC	10/04/2024	Regular	0.00	150.00	125080

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1211	ROKEH, JASON	10/04/2024	EFT	0.00	30.00	17922
5867	ROUND LAKE VINEYARDS & WINERY	10/04/2024	EFT	0.00	150.00	17923
2201	RUNNING SUPPLY, INC	09/27/2024	EFT	0.00	110.78	17843
6576	SAFETYFIRST SPECIALTY CONTRACTING, INC	09/27/2024	Regular	0.00	4,018.00	125051
2470	SANDGREN, KAYLYNN	10/04/2024	EFT	0.00	30.00	17924
7766	SCHOMMER, JUAN ARMONDO	09/27/2024	Regular	0.00	550.00	125052
0137	SHERWIN WILLIAMS	09/27/2024	Regular	0.00	1,962.80	125053
7765	SMALL TOWN EVENTS LLC	09/27/2024	Regular	0.00	175.00	125054
4855	SOUTHERN GLAZER'S WINE AND SPIRITS, LLC	10/04/2024	EFT	0.00	23,559.97	17925
2309	SOUTHWEST COACHES INC	09/27/2024	EFT	0.00	1,312.50	17844
2309	SOUTHWEST COACHES INC	10/04/2024	EFT	0.00	812.50	17926
3940	SOUTHWESTERN CENTER FOR INDEPENDENT LI	09/27/2024	Regular	0.00	50.00	125055
7663	SPEEDEE DELIVERY SERVICE, INC	09/27/2024	Regular	0.00	42.74	125056
7774	SSED PROPERTY LLC	10/04/2024	Regular	0.00	300.00	125081
1334	ST AUBIN, GREGORY	10/04/2024	EFT	0.00	30.00	17927
7711	ST AUBIN, LILIANA	10/04/2024	Regular	0.00	100.00	125082
5823	STAN MORGAN & ASSOCIATES, INC	10/04/2024	EFT	0.00	1,620.29	17928
1659	STELTER, GEOFFREY	10/04/2024	EFT	0.00	30.00	17929
1350	STENSRUD, PRESTON	10/04/2024	EFT	0.00	30.00	17930
6318	STERLING EQUIPMENT & REPAIR, INC	09/27/2024	EFT	0.00	37.94	17845
1378	SWANSON, GREGG	10/04/2024	EFT	0.00	30.00	17931
0875	THE COMPUTER MAN INC	09/27/2024	EFT	0.00	200.00	17847
6709	THERMO KING OF SIOUX FALLS INC	10/04/2024	EFT	0.00	2,066.18	17932
6156	TRUE FABRICATIONS, INC.	10/04/2024	EFT	0.00	770.85	17933
1423	TRUEDSON, SCOTT	10/04/2024	EFT	0.00	30.00	17934
0853	ULTIMATE SAFETY CONCEPTS, INC.	09/27/2024	EFT	0.00	192.73	17848
0853	ULTIMATE SAFETY CONCEPTS, INC.	10/04/2024	EFT	0.00	1,151.20	17935
6126	UNITED COMMUNITY ACTION PARTNERSHIP	09/27/2024	EFT	0.00	40.00	17849
3443	VALIC DEFERRED COMP	09/27/2024	Bank Draft	0.00	1,336.54	DFT0004367
3443	VALIC DEFERRED COMP	09/27/2024	Bank Draft	0.00	1,396.15	DFT0004368
1448	VANLEEUWE, SARA J.	10/04/2024	EFT	0.00	70.00	17936
4489	VERIZON WIRELESS	09/27/2024	EFT	0.00	440.11	17850
4489	VERIZON WIRELESS	09/27/2024	EFT	0.00	39.02	17851
6694	VESTIS GROUP, INC.	10/04/2024	Regular	0.00	111.87	125083
2538	VIKING COCA COLA BOTTLING CO.	10/04/2024	EFT	0.00	811.53	17937
4594	VINOPIA INC	10/04/2024	EFT	0.00	3,187.00	17938
6085	VOYA - INVESTORS CHOICE	09/27/2024	Bank Draft	0.00	4,453.26	DFT0004377
6791	WALMART	09/27/2024	Regular	0.00	15.90	125057
6791	WALMART	10/04/2024	Regular	0.00	192.95	125084
3133	WILSON, SCOTT	10/04/2024	EFT	0.00	205.00	17939
2599	WINE COMPANY	10/04/2024	EFT	0.00	1,074.50	17940
7761	YOUNGS, MICHAEL	09/27/2024	Regular	0.00	500.00	125058
2632	ZIEGLER INC	09/27/2024	EFT	0.00	94.13	17852

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	87	50	0.00	248,691.37
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	47	47	0.00	347,730.68
EFT's	230	122	148.29	618,109.11
	<b>364</b>	<b>219</b>	<b>148.29</b>	<b>1,214,531.16</b>

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	87	50	0.00	248,691.37
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	47	47	0.00	347,730.68
EFT's	230	122	148.29	618,109.11
	<b>364</b>	<b>219</b>	<b>148.29</b>	<b>1,214,531.16</b>

### Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	9/2024	379,248.17
999	POOLED CASH FUND	10/2024	835,282.99
			<b>1,214,531.16</b>



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

10/8/2024

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			588,685.49	30,983.45	2,293,431.06	21.27%	
ST-012	482-43300-55170	2/27/2024	S Whitney (E College to Jean)	D & G Excavating	1,565,706.60	24,150.00	1,589,856.60			938,208.19	345,494.46	67,563.30	238,590.65	84.99%
ST-001	101-43300-53425	3/26/2024	Chip Seals	Pearson Bros., Inc.	132,504.60		132,504.60			144,861.75	7,624.30	(19,981.45)	115.08%	
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			118,421.77	6,232.73	36,926.30	77.15%	
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			191,744.00	-	-	100.00%	
					<u>14,679,869.89</u>	<u>706,381.91</u>	<u>15,386,251.80</u>	<u>118,334.63</u>	<u>3,695,016.32</u>	<u>2,765,666.91</u>	<u>345,494.46</u>	<u>157,626.55</u>	<u>2,603,168.93</u>	

<b>Presenter:</b>	Pamela Whitmore
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	INFO
<b>Subject:</b>	Consider Introduction of an Ordinance Amending Chapter 22, Article VIII Licensing and Registration Requirements for the Sale of Intoxicating Cannabinoid Products
<b>Background Information:</b>	<p>The City of Marshall originally implemented an Emergency THC Moratorium to research and study the topic on July 12, 2022, at the on-set of new cannabis laws passed by the Minnesota Legislature. During the study and research process council had taken steps to loosen and refine the moratorium over the years. Actions included:</p> <ul style="list-style-type: none"> <li>• Allowing the municipal liquor store to sell THC edibles</li> <li>• Manufacture of low-dose THC seltzers by a brewery or distillery</li> <li>• Giving the option of on-sale liquor license holders to allow on-site consumption of THC edibles on their licensed premises</li> <li>• Retail registration of THC edibles for off-site consumption</li> </ul> <p>On August 27, 2024, a work session was held that provided updates on Adult Use Cannabis. During the work session direction was taken from council members regarding the number of retail licenses, odor control, and locations.</p> <p>The proposed ordinance lays the groundwork for city registration of licenses to be issued by the Office of Cannabis Management beginning January 1, 2025. The zoning component of the licensing and registration will come at a later date.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To introduce an ordinance amending Chapter 22, Article VIII Licensing and Registration Requirement for the Sale of Intoxicating Cannabinoid Products.

**CITY OF MARSHALL  
ORDINANCE ADULT USE CANNABIS**

**AN ORDINANCE AMENDING EXISTING REGISTRATION REQUIREMENTS  
FOR THE SALE OF LOWER-LEVEL INTOXICATING CANNABINOID  
PRODUCTS, ARTIFICIAL OR OTHERWISE, AND CREATING REGISTRATION  
REQUIREMENT FOR THE SALE OF ADULT USE CANNABIS PRODUCTS**

The Common Council of the City of Marshall do ordain:

**SECTION 1:**            **AMENDMENT** “Section 22-220 Definitions” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-220 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Adult-use Cannabis Concentrate* means cannabis concentrate that is approved for sale by the Office of Cannabis Management or is substantially similar to a product approved by the Office. Adult-use cannabis concentrate does not include any artificially derived cannabinoid.

*Adult-use Cannabis Flower* means cannabis flower that is approved for sale by the Office or is substantially similar to a product approved by the Office. Adult-use cannabis concentrate does not include any artificially derived cannabinoid.

*Adult-use Cannabis Product* means a cannabis product that is approved for sale by the Office or is substantially similar to a product approved by the Office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles. Adult use products include Adult-use Cannabis Concentrate, Adult-use Cannabis Flower, Adult-use Cannabis Product, Artificially Derived Cannabinoid, Cannabis Concentrate, Cannabis Flower.

*Artificially Derived Cannabinoid* means a cannabinoid extracted from a cannabis plant, cannabis flower, hemp plant, or hemp plant parts with a chemical makeup that is changed after extraction to create a different cannabinoid or other chemical compound by applying a catalyst other than heat or light. Artificially derived cannabinoid includes but is not limited to any tetrahydrocannabinol created from cannabidiol but does not include cannabis concentrate, cannabis products, hemp concentrate, lower-potency hemp edibles, or hemp-derived consumer products.

*Cannabinoid* means any of the chemical constituents of hemp plants or cannabis plants that

are naturally occurring, biologically active, and act on the cannabinoid receptors of the brain. Cannabinoid includes but is not limited to tetrahydrocannabinol and cannabidiol.

**Cannabis Business** means any of the following licensed under Minnesota Statutes Chapter §342:

- (a) cannabis microbusiness;
- (b) cannabis mezzobusiness;
- (c) cannabis cultivator;
- (d) cannabis manufacturer;
- (e) cannabis retailer;
- (f) cannabis wholesaler;
- (g) cannabis transporter;
- (h) cannabis testing facility;
- (i) cannabis event organizer;
- (j) cannabis delivery service;
- (k) medical cannabis combination business.

**Cannabis Retail Business** means any of the following licensed under Minnesota Statutes, §342:

- (a) Cannabis mezzobusiness;
- (b) Cannabis microbusiness;
- (c) Cannabis retailer; and
- (d) Medical cannabis combination business.

**Cannabis Concentrate** means:

- (a) The extracts and resins of a cannabis plant or cannabis flower;
- (b) The extracts or resins of a cannabis plant or cannabis flower that are refined to increase the presence of targeted cannabinoids; or
- (c) A product that is produced by refining extracts or resins of a cannabis plant or cannabis flower and is intended to be consumed by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product.
- (d) Cannabis concentrate does not include hemp concentrate, artificially derived cannabinoid, or hemp-derived consumer products.

**Cannabis Flower** means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

**Cannabis Lounge** means a portion of the premises of a Cannabis Microbusiness licensed or endorsed by the State of Minnesota Office of Cannabis Management for on-site consumption of edible cannabis products and lower-potency hemp edibles.

**Cannabis Mezzobusiness** means a business licensed to perform any or all of the following

within the limits established by Minnesota Statutes, §342.29:

- (a) Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as adult-use cannabis flower or for use in adult-use cannabis products;
- (b) Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant for use as medical cannabis flower or for use in medical cannabinoid products;
- (c) Make cannabis concentrate;
- (d) Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (e) Manufacture artificially derived cannabinoids;
- (f) Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- (g) Process medical cannabinoid products;
- (h) Purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
- (i) Purchase cannabis concentrate, hemp concentrate, and synthetically derived cannabinoids from a cannabis microbusiness, another cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
- (j) Purchase hemp plant parts and propagules from a licensed hemp grower licensed under Minnesota Statutes, Chapter 18K;
- (k) Purchase hemp concentrate from an industrial hemp processor licensed under Minnesota Statutes, Chapter 18K;
- (l) Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- (m) Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers;  
and
- (n) Perform other actions approved by the Office.

**Cannabis Microbusiness** means a business licensed to perform any or all of the following within the limits established by Minnesota Statutes, §342.28:

- (a) Grow cannabis plants from seed or immature plant to mature plant and harvest cannabis flower from a mature plant;
- (b) Make cannabis concentrate;
- (c) Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (d) Manufacture artificially derived cannabinoids;
- (e) Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;

- (f) Purchase immature cannabis plants and seedlings and cannabis flower from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler;
- (g) Purchase hemp plant parts and propagules from an industrial hemp grower licensed under Minnesota Statutes, Chapter 18K;
- (h) Purchase hemp concentrate from an industrial hemp processor licensed under Minnesota Statutes, Chapter 18K;
- (i) Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from another cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, or a cannabis wholesaler for use in manufacturing adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products;
- (j) Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- (k) Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers;
- (l) Operate an establishment that permits on-site consumption of edible cannabis products and lower-potency hemp edibles; and
- (m) Perform other actions approved by the Office.

**CBD** means a compound of the cannabis plant known as cannabidiol.

**Intoxicating Hemp Product** means any product that is intended to be eaten or consumed ~~as a beverage~~ by humans, contains a cannabinoid other than CBD in combination with food ingredients, and is not a drug, and meet the requirements to be sold under Minnesota Statutes, §151.72 or after March 1, 2025, the requirements under Minnesota Statutes, Chapter §342. This does not include any product intended to be consumed by combustion or vaporization of the product, by inhalation of smoke, aerosol, or vapor from the product or through injection or application to a mucus membrane or nonintact skin. A product intended to only contain CBD but which may contain less than trace amounts of tetrahydrocannabinol (THC) as an unintended result of the manufacturing process is not considered an Intoxicating Hemp Product.

**Intoxicating Hemp Product ~~Business~~ Retailer** means a business that sells Intoxicating Hemp Products at retail ~~for off-site consumption~~. In state law, as amended from time to time, these businesses are licensed as Lower Potency Hemp Edible Retailers.

**Premises** means the area from which a Cannabis Retail Business sells Adult Use Cannabis Products or an Intoxicating Hemp Product ~~Retailer~~ **Business** sells Intoxicating Hemp Products and for an On-Site Intoxicating Hemp Product ~~Retailer~~ **Business** and Liquor Store, the area for which shall mean the licensed premises is identified pursuant to its license issued under Minnesota Statutes, Chapter 340A.

**Liquor Store** means a business licensed pursuant to Minnesota Statutes, Chapter 340A to sell alcoholic beverages in original packages for consumption off the licensed premises only.

***Moveable place of business*** means any form of business operated out of a truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions. Movable Place of Business does not include On-Site Intoxicating Hemp Product ~~Retailers~~ **Businesses** selling Intoxicating Hemp Products at a location pursuant to a caterer's permit.

***Medical Cannabis Combination Business*** means a business licensed to perform any or all of the following within the limits established by Minnesota Statutes, §342.515:

- (a) Grow cannabis plants from seed or immature plant to mature plant and harvest adult-use cannabis flower and medical cannabis flower from a mature plant;
- (b) Make cannabis concentrate;
- (c) Make hemp concentrate, including hemp concentrate with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent as measured by weight;
- (d) Manufacture artificially derived cannabinoids;
- (e) Manufacture medical cannabinoid products;
- (f) Manufacture adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for public consumption;
- (g) Purchase immature cannabis plants and seedlings and cannabis flower from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis cultivator, or another medical cannabis combination business;
- (h) Purchase hemp plant parts and propagules from an industrial hemp grower licensed under Minnesota Statutes, Chapter 18K;
- (i) Purchase cannabis concentrate, hemp concentrate, and artificially derived cannabinoids from a cannabis microbusiness, a cannabis mezzobusiness, a cannabis manufacturer, a cannabis wholesaler, a medical cannabis processor, or another medical cannabis combination business;
- (j) Purchase hemp concentrate from an industrial hemp processor licensed under Minnesota Statutes, Chapter 18K;
- (k) Package and label medical cannabis and medical cannabinoid products for sale to medical cannabis processors, medical cannabis retailers, other medical cannabis combination businesses, and patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;
- (l) Package and label adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, and hemp-derived consumer products for sale to customers;
- (m) Sell medical cannabis flower and medical cannabinoid products to patients enrolled in the registry program, registered designated caregivers, and parents, legal guardians, and spouses of an enrolled patient;
- (n) Sell immature cannabis plants and seedlings, adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, hemp-derived consumer products, and other products authorized by law to other cannabis businesses and to customers; and
- (o) Perform other actions approved by the Office.

Office means the Office of Cannabis Management.

Off-Sale Intoxicating Hemp Product Retailer means a business that sells Intoxicating Hemp Products for off-site consumption.

On-Site Intoxicating Hemp Product Retailer**Business** means a business with an on-sale liquor license pursuant to Minnesota Statutes, Chapter 340A and which sells Intoxicating Hemp Products that are intended to be consumed as a beverage, for on-site consumption. A licensed Cannabis Microbusiness may sell Intoxicating Hemp Products and Adult Use Products on-site as part of a Cannabis Lounge.

**Sale** means any transfer of goods for money, trade, barter or other consideration.

**THC** means the chemical compound of the cannabis plant tetrahydrocannabinol.

**SECTION 2:            AMENDMENT** “Section 22-221 Purpose” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-221 Purpose

The eCity recognizes that the sale of certain products containing the psychoactive cannabis compound THC is legal when those sales are to individuals 21 years of age or older, and that the increase of these types of products in the community increases the likelihood that youth will have access to and use products containing THC. The use of those products by individuals under the age of 21 places a burden on all levels of government, resulting in financial and other public resources being needed to address both violations of laws and regulations regarding such use, including the impacts on health . The purpose of this chapter is to regulate the sale of products containing THC for the purpose of enforcing and further existing laws and

**SECTION 3:            AMENDMENT** “Section 22-222 Registration Required” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-222 Registration Required

(a) Intoxicating Hemp Products. Businesses may only sell Intoxicating Hemp Products to customers, for on-site or off-site consumption, if one of the following ~~two~~**three**



conditions apply:

- (1) For on-site consumption, an On-Site Intoxicating Hemp Product ~~Retailers~~**Business** must be registered with the city before making sales to customers and must have an active on-sale liquor license pursuant to Minnesota Statutes Chapter 340A, and once the Office begins licensing, must be licensed by the Office pursuant to Minnesota Statutes Section 342.10 as a lower-potency hemp edible retailer, as that term is defined by Minnesota Statutes Section 342.01, and as those sections are amended from time to time. Once the Office begins licensing, on-site consumption of intoxicating hemp product edibles and Adult-Use edibles are allowed by licensed Cannabis Microbusinesses.
- (2) For off-site consumption an Intoxicating Hemp Products ~~Retailer~~**Business** must be registered with the city before making sales to customers and once the Office begins licensing, must be licensed by the Office pursuant to Minnesota Statutes Section 342.10 as a lower-potency hemp edible retailer, as that term is defined by Minnesota Statutes Section 342.01, and as those sections are amended from time to time, to sell product retail.
- (b) **Adult Use Products.** Only Cannabis Retail Businesses may sell Adult Use Cannabis Products. A Cannabis Retail Business must have an active license issued by the Office pursuant to Chapter 342 of Minnesota Statute Statutes which allows it to sell Adult Use Cannabis Product at retail, and also must be registered with the city before making sales to customers.
- (c) **Hours of Operation.** Cannabis Retail Businesses and Intoxicating Hemp Product Retailers are limited to retail sale between the hours of (insert time here) and (insert time here).
- (d) No city-issued registration is required for a business selling medical cannabis as part of the Minnesota's Medical Cannabis Program described in Minnesota Statutes, §§ 152.22 to 152.37 or for a Liquor Store.

**SECTION 4:****AMENDMENT** “Section 22-223 Registration Application And General Information” of the Marshall Municipal Code is hereby *amended* as follows:

#### AMENDMENT

Section 22-223 Registration Application And General Information

- (a) **General Application Information** – ~~Both Cannabis Retail Businesses, and On-Site Intoxicating Hemp Product Retailers~~**Businesses, whether on-site or off-sale, and Intoxicating Hemp Product Businesses** must submit the following to the City:
  - (1) Complete registration form, including confirmation that the business is registered with the ~~Office~~**Minnesota Department of Health.**
  - (2) A registration fee, which shall be established pursuant to City Council resolution or City Council Fee Schedule. The registration fee shall be non-

refundable once processed.

- (3) Copy of the active license issued by the Office and required in Section 22-222 above;
- (4) Full name of the property owner and applicant;
- (5) The address and parcel ID for the property which the registration is sought;
- (6) If the applicant does not own the business premises, a true and complete copy of the executed lease for the premises, if applicable. The name of the business, if it is to be conducted under a designation, name or style other than the name of the applicant and a certified copy of the certificate as required by Minn. Stat. § 333.01, as it may be amended from time to time;
- (7) Whether all real estate and personal property taxes that are due and payable for the premises have been paid and, if not paid, the years and amounts that are unpaid; and
- (8) A written declaration by the applicant, under penalty of perjury, that the information contained in the application is true. If the applicant is a corporation, an officer must sign the written declaration. If the applicant is a partnership, a general partner must sign the written declaration. If the applicant is an unincorporated association, the manager or managing officer must sign the written declaration.

(b) ***Additional On-Site Intoxicating Hemp Product RetailerBusiness Application Information*** – In addition to the application information contained in §22-223 (a), On-Site Intoxicating Hemp Product RetailersBusinesses must also submit confirmation that the premises either has an on-sale liquor license or a Cannabis Microbusiness license issued pursuant to Minnesota Statutes, Chapter 340A.

(c) Additional Application Information.

- (1) Natural Persons. In addition to (a) above, Natural Person Applicants must also provide:
  - a. Address, email address, telephone number and date of birth of the applicant;
  - b. Street resident addresses of where the applicant has lived during the past five years and telephone numbers and dates for which such addresses and phone numbers were used;
  - c. Whether the applicant has ever been known by a name other than the applicant's name and, if so, the name or names used, including maiden names, and information concerning dates and places used;
  - d. The type, name and location of every business or occupation in which the applicant has been engaged during the preceding five years and the names or addresses of the applicant's employers and partners, if any, for the preceding five years, and corresponding dates of employment;
  - e. A physical description of the applicant; and
  - f. If the applicant does not manage the business, the name of the managers or other persons in charge of the business and all information concerning each of them pursuant to above (i)-(v) in this subsection.

- (2) Partnership. If the applicant is a partnership, the applicant may be required to provide the following information:
- a. The names and addresses of all general and limited partners and all information concerning each general partner pursuant to divisions c(1) above;
  - b. The names of the managing partners and the interest of each partner in the licensed business;
  - c. A copy of the partnership agreement. If the partnership is required to file a certificate as to a trade name pursuant to Minn. Stat. § 333.01, as it may be amended from time to time, a certified copy of the certificate must be attached to the application;
  - d. The applicant's federal tax identification number and state employer identification number; and
  - e. If the applicant does not manage the business, the name of the managers or other persons in charge of the business and all information concerning each of them pursuant to divisions (c)(1) above.
- (3) Corporation. If the applicant is a corporation or other organization, the applicant may be required to provide the following information:
- a. The name of the corporation or business and the state of incorporation;
  - b. A copy of the articles of incorporation or association agreement and bylaws. If the applicant is a foreign corporation, a certificate of authority as required by Minn. Stat. § 303.06, as it may be amended from time to time, must be attached;
  - c. The applicant's federal tax identification number and state employer identification number;
  - d. The name of the managers or other persons in charge of the business and all information concerning each manager, proprietor or agent pursuant to (c)(1)above; and
  - e. A list of all persons who control or own an interest in excess of 5% in the organization or business or who are officers of the corporation or business and all information concerning the persons pursuant to (c)(1) above. This provision, however, does not apply to a corporation whose stock is publicly traded on a stock exchange and the corporation is applying for a license to be owned and operated by itself.
- (d) **No Moveable Place of Business** – No Intoxicating Hemp Product Retailer Moveable Place of Business or movable Cannabis Retail Business is allowed and, as a result, no registration will be issued for a Moveable Place of Business.
- (e) **Term** – Registrations are valid for a term of one year from the date they are issued by the City. Businesses renewing their registration must submit a renewal fee at the time of renewal. A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

- (f) **Registration Conditions** Registrants are subject to the performance standards and penalties in §§ 22-224 - 22-234. Violation of any of the applicable provisions of this chapter is considered a violation of City Code and may result in criminal penalties, administrative fines or the City revoking a registration. A registration shall not be approved or renewed if the registrant is unable to meet the requirements of this ordinance.
- (g) **Renewal** - For all new and renewal registrations, the City shall conduct a preliminary compliance check to ensure compliance with this ordinance and to obtain proof of compliance with required criminal history checks on applicant’s employees as required by Minn. Stat. §§ 342.151. Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from the Office, the City shall certify on a form provided by the Office whether a proposed retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code. The City shall renew an annual registration of a state-licensed Cannabis Retail Business or Intoxicating Hemp Product Retailer, also known in state law as Lower Potency Hemp Edible Retailer, business to correspond, if practicable, with when the Office renews the business’ state license. A state-licensed retail business shall apply to renew registration on a form established by the City. Any renewal retail registration fee imposed by the City shall be charged at the time of the second renewal and each subsequent renewal thereafter. A renewal retail registration fee shall not exceed the limits set forth in state statute, as amended from time to time.

**SECTION 5: AMENDMENT** “Section 22-225 Limit On Registrations” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-225 Limit On Registrations

- (a) **Intoxicating Hemp Product ~~Retailer~~Business**. The City has not established a limit on the number of Intoxicating Hemp Product ~~Retailer~~Business registrations.
- (b) **On-Site Intoxication Hemp Product ~~Retailer~~Businesses**. The City has not established a limit on the number of On-Site Intoxicating Hemp Product ~~Retailer~~Business registrations other than requiring these businesses to have up-to-date on-sale liquor license.
- (c) **Cannabis Retailer Businesses**. The City has established a limit of two (2) Cannabis Retail Business registrations available at one time.

**SECTION 6:            AMENDMENT** “Section 22-226 Responsibility” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-226 Responsibility

All registrants under this article shall be responsible for the actions of their employees in regard to the sale of Adult-Use Cannabis Products and Intoxicating Hemp Products, and the sale of such an item by an employee shall be considered a sale by the registrant. Nothing in this article shall be construed as prohibiting the city from also subjecting the registrant to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation.

**SECTION 7:            AMENDMENT** “Section 22-227 Compliance Checks And Inspections” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-227 Compliance Checks And Inspections

All Cannabis Retail Businesses, On-Site Intoxicating Hemp Product Retailers~~Businesses~~ and Intoxicating Hemp Product Retailers~~Businesses~~ premises shall be open to inspection by the city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging individuals over the age of 17 years old but less than 21 years old, to enter the premises to attempt to purchase Adult-use Cannabis Products or Intoxicating Hemp Products. Prior written parental or guardian consent is required for any person under the age of 18 who participates in a compliance check. Individuals used for the purpose of compliance checks shall be supervised by city designated law enforcement officers or other designated city personnel. Individuals used for compliance checks shall not be guilty of unlawful possession of Adult-use Products or Intoxicating Hemp Products when such items are obtained as a part of the compliance check. No individual used in compliance checks shall attempt to use a false identification misrepresenting the individual's age, and all individuals lawfully engaged in a compliance check shall answer all questions about the individual's age asked by the registrant or their employee, and shall produce any identification, if any exists, for which they are asked. Nothing in this article shall prohibit compliance checks authorized by state or federal laws for educational, research or training purposes, or required for the enforcement of a particular state or federal law.

**SECTION 8:****AMENDMENT** “Section 22-228 Prohibited Sales” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-228 Prohibited Sales

It shall be a violation of this article for any person to sell or offer to sell any Adult-use Cannabis Products or Intoxicating Hemp Product:

- (a) Not meeting the requirement or by the means authorized in Minnesota Statutes, section 151.72, or after March 1, 2025, the requirements of Minnesota Statutes, Chapter 342, including, but not limited to:
  - (1) Packaging - Minn. Stat. § 151.72, subd. 5a., or after March 1, 2025, the requirements of Minn. Stat. §342.62;
  - (2) Secured Storage and Sales - Minn. Stat. § 151.72, subd. 5a (h), or after March 1, 2025, the requirements of Minn. Stat. §342.46, subd. 4;
  - (3) Testing Requirements - Minn. Stat. § 151.72, subd. 4., or after March 1, 2025, the requirements of Minn. Stat. §342.61; and
  - (4) Labeling Requirements - Minn. Stat. § 151.72, subd. 5., or after March 1, 2025, the requirements of Minn. Stat. §342.63;
  - (5) ~~Age Verification - Minn. Stat. §151.72, subd. 5e.~~
  - (6) ~~Packaging, Labeling, and THC Limits - Minn. Stat. §151.72, subd. 5a.~~
  - (7) ~~Secure Storage and Sales - Minn. Stat. §151.72, subd. 5a (h).~~
  - (8) ~~Testing Requirements - Minn. Stat. §151.72, subd. 4.~~
  - (9) ~~Labeling Requirements - Minn. Stat. §151.72, subd. 5.~~
- (b) To any person under the age of 21 years. Prior to initiating a sale or otherwise providing an edible cannabinoid product to an individual, an employee of a retailer must verify that the individual is at least 21 years of age pursuant to Minn. Stat. §151.72, subd. 5c, or after March 1, 2025, the requirements of Minn. Stat. §342.46, subd. 3;
- ~~(c) By any person under the age of 21 years.~~
- (d) For a nominal amount or by means of sampling.
- (e) By internet sales or delivery, unless the business utilizes an independent third-party age verification system.
- (f) By an other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance provision, or other regulation

**SECTION 9:            AMENDMENT** “Section 22-229 On-Site Intoxicating Hemp Business Manufacturing” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-229 On-Site Intoxicating Hemp Business Manufacturing

- (a) On-Site Intoxicating Hemp Product ~~Retailers~~**Businesses** may manufacture Intoxicating Hemp Products intended to be consumed as a beverage as an accessory use only at breweries and distilleries licensed as such under Minnesota Statutes, Chapter 340A, as long as the manufacturing process for the beverages does not involve the cannabis plant and until March 1, 2025. For purposes of this Section, accessory use is defined to mean not accounting for more than 50% of the production of total product produced at the brewery or distillery. The transporting or distribution of such Intoxicating Hemp Products manufactured as an accessory use at a brewery or distillery to locations outside of the City also is allowed as part of the accessory use during this time period.
- (b) After March 1, 2025, On-Site Intoxicating Hemp Product Retailers also licensed as a lower-potency hemp edible manufacturer by the Office, may manufacture Intoxicating Hemp Products intended to be consumed on-site.
- (c) Intoxicating Hemp Products manufactured as described in 22-229 (a) and (b) may ~~only~~**not** be sold at retail for off-sale consumption by ~~the~~**an** On-Site Intoxicating Hemp Product ~~Retailer~~**Business** when that business holds both a current lower-potency hemp edible manufacturer license from the Office and a current lower-potency hemp edible retailer license from the Office.

**SECTION 10:            AMENDMENT** “Section 22-231 Exceptions And Defenses” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-231 Exceptions And Defenses

Nothing in this article shall prevent the providing of Adult-Use Cannabis Products or Intoxicating Hemp Products to an individual under the age of 21 as part of a lawfully recognized religious, spiritual or cultural ceremony. It shall be an affirmative defense to the violation of this article for a person to have reasonably relied on proof of age as described by state law.

**SECTION 11:**            AMENDMENT “Section 22-232 Offenses Involving Individual Under The Age Of 21” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-232 Offenses Involving Individual Under The Age Of 21

- (a) ***Illegal sales.*** It shall be a violation of this article for any person to sell or otherwise provide any Adult-use Cannabis Product or Intoxicating Hemp Product to any individual under the age of 21.
- (b) ***Illegal possession.*** It shall be a violation of this article for any individual under the age of 21 to have in their possession any Adult-use Cannabis Product or Intoxicating Hemp Product. This subsection shall not apply to individual under the age of 21 lawfully involved in a compliance check.
- (c) ***Illegal use.*** It shall be a violation of this article for any individual under the age of 21 to use any Adult-use Cannabis Product or Intoxicating Hemp Product.
- (d) ***Illegal procurement.*** It shall be a violation of this article for any individual under the age of 21 to purchase or attempt to purchase or otherwise obtain any Adult-use Cannabis Product or Intoxicating Hemp Product, and it shall be a violation of this article for any person to purchase or otherwise obtain such items on behalf of an individual under the age of 21. It shall further be a violation for any person to coerce or attempt to coerce an individual under the age of 21 to illegally purchase or otherwise obtain or use any Adult-use Cannabis Product or Intoxicating Hemp Product. This subsection shall not apply to individual under the age of 21 lawfully involved in a compliance check.
- (e) ***Use of false identification.*** It shall be a violation of this article for any individual under the age of 21 to attempt to disguise their true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

**SECTION 12:**            AMENDMENT “Section 22-233 Violations” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-233 Violations

- (a) ***Notice.*** Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which



shall inform the alleged violator of their right to be heard on the accusation.

- (b) **Hearings.** If a person accused of violating this article so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.
- (c) **Hearing officer.** The hearing officer for any violations of this article shall be the city administrator or a person duly designated by the city administrator. It is not necessary that criminal charges be brought in order to support a determination of a registration violation nor does the dismissal or acquittal of such a criminal charge operate as a bar to adverse registration actions under this chapter.
- (d) **Decision.** If the hearing officer determines that a violation of this article did occur, that decision, along with the hearing officer's reasons for finding a violation, and the penalty to be imposed for a violation of this article, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.
- (e) ~~Appeals.~~ ~~Appeals of any decision made by the hearing officer shall be filed in the district court for the city.~~ **Final Decision.** Following the hearing, the City Administrator or their designee will notify the Council of the Decision. If the hearing officer recommended denial, revocation or suspension of the registration, the Council may continue consideration of the registration or renewal to accommodate necessary notification to the Office or may temporarily suspend the registration upon such terms and conditions as it deems reasonable and necessary to accomplish the purposes of this chapter. The decision by the City Council is final and not appealable but is subject to licensing decisions by the Office.
- (f) **Misdemeanor prosecution.** Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this article. If the city elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.
- (g) **Notification to the Office.** Within X days of any decision which impacts a state licensed Cannabis License Holder, as that term is defined in Minn. Stat. §342.01, subd 48, the City Council shall notify the Office of the suspension and shall include the grounds for the suspension. The Office will provide the City and retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.
- (h) **Length of Suspension.** The continuation of consideration of an application or renewal for registration or the suspension of either a Cannabis Retail Business registration or Intoxicating Hemp Product Retailer registration may be for up to 30 calendar days, unless the Office suspends the businesses' corresponding license for a longer period. The business may not make sales to customers if their registration is suspended or not on active status due to a continuation. With respect to suspensions, the City may reinstate a registration if it determines that the violations have been resolved and it has received any necessary notification from the Office that violations have been resolved.
- (i) ~~**Continued violation.** Each violation and every day in which a violation occurs or continues shall constitute a separate offense.~~

**SECTION 13:            AMENDMENT** “Section 22-234 Penalties For Violation Of Article” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-234 Penalties For Violation Of Article

- (a) ~~**Registrants and employees.** Any registrant, and any employee of a registrant, found to have violated this article shall be charged an administrative fine of \$75.00 for a first violation of this article; \$200.00 for a second offense at the same premises within a 24-month period; and \$250.00 for a third or subsequent offense at the same location within a 24-month period. In addition, after the third offense, the shall be suspended for a period to be determined by council resolution. In addition to these administrative fines, the may be suspended or the registration rescinded. Any expenses incurred by the city in appointing and conducting the hearing shall also be added to the administrative fine above stated.~~
- (b) ~~**Other individuals.** Other individuals, other than minors regulated by this article, found to be in violation of this article by providing or selling to minors shall be charged an administrative fee of \$75.00.~~
- (c) ~~**Possession Under 21.** Any individual under the age of 21 found in unlawful possession of, or who unlawfully purchases or attempts to purchase Intoxicating Hemp Product, shall be prosecuted as a misdemeanor.~~
- (d) ~~**Misdemeanor.** Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article.~~

Any registration issued under this chapter may be revoked or suspended. In addition, any person who violates any provision of this chapter is subject to the general penalties section, Article 2-VII of this municipal code. Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article.

**SECTION 14:            ADOPTION** “Section 22-235 Severability” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-235 Severability(*Added*)

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

**SECTION 15: EFFECTIVE DATE** This Ordinance shall take effect following its passage and summary publication in accordance with state law.

**SECTION 16: SUMMARY PUBLICATION** Pursuant to Minn. Stat. § 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance: The ordinance requires a license or registration for the sale of all intoxicating hemp and cannabis products and establishes certain performance standards surrounding the sale of such products.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

\_\_\_\_\_.

Presiding Officer

Attest

\_\_\_\_\_  
Robert Byrnes, Mayor, City of  
Marshall

\_\_\_\_\_  
Steven Anderson, City Clerk, City of  
Marshall

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of an Ordinance Amending Ch. 6 Article II-2 Intoxicating Liquor
<b>Background Information:</b>	<p>Since 1976 the City of Marshall had only allowed 5 types of establishments to possess a liquor license, which at the time were all the allowable types under State law:</p> <ul style="list-style-type: none"> <li>• Hotels</li> <li>• Restaurants</li> <li>• Bowling centers</li> <li>• Clubs</li> <li>• Exclusive liquor stores</li> </ul> <p>As new businesses came into existence and the want to expand retail liquor continued there are now 12 establishment types allowed to be issued an intoxicating liquor license by a municipality. Two of the allowable types not included in the draft ordinance are specific to the Minnesota Sports Facilities Authority and the Metropolitan Sports Commission.</p> <p>Staff had been approached by the Marshall A's about expanding their selection of beverages as the number of 3.2% Malt Liquor varieties were being reduced by local wholesalers. One of the allowable types being proposed includes summer collegiate league baseball teams, or a league established by the Minnesota Baseball Association.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To adopt Ordinance 24-018 amending Chapter 6 Article II-2 Intoxicating Liquor and authorize it's summary publication.

**CITY OF MARSHALL  
ORDINANCE 24-019**

**AN ORDINANCE AMENDING CHAPTER 6 ARTICLE II DIVISION 2  
INTOXICATING LIQUOR**

The Common Council of the City of Marshall do ordain:

**SECTION 1:**AMENDMENT “Section 6-53 Issuance Limitations On Kinds Of Establishments” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 6-53 Issuance Limitations On Kinds Of Establishments

- (a) On-sale intoxicating liquor licenses ~~may shall~~ be issued only to the following establishments: as defined by Minn. Stat. §340A.101, as it may be amended from time to time:
- (1) Hotels;
  - (2) Restaurants;
  - (3) Bowling centers;
  - (4) Clubs or congressionally chartered veterans organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests;
  - (5) Resorts as defined in Minn. State §157.15, subd. 11;
  - (6) Theater;
  - (7) Convention center;
  - (8) Summer collegiate baseball team or baseball team competing in a league established by the Minnesota Baseball Association or a person holding a concession or management contract with the baseball team for beverage sales at a ballpark or stadium;
  - (9) Auto racing facility; and
  - (10) Exclusive liquor stores.
- (b) In addition, the Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises:
- (1) At a community festival held within the city under the provisions of Minn. State §340A.404, subd. 4 subpart (b) as it may be amended from time to time, pursuant to section 6-61 hereof; or
  - (2) At any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the city, under the provisions of Minn. Stat. §340A.404, subd. 4 subpart (a) as it may be amended from time to time; however, the licensee is prohibited from

dispensing intoxicating liquor to any person attending or participating in an amateur athletic event for persons 18 years of age or younger being held on the premises.

(Code 1976, § 5.40(1))

**State law reference(s)**—Similar provisions, Minn. Stat. § 340A.404, subd. 1.

**SECTION 2:**AMENDMENT “Section 6-80 Issuance Of On-Sale Wine License; Restrictions” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 6-80 Issuance Of On-Sale Wine License; Restrictions

- (a) An on-sale wine license may be issued by the city only with the approval of the commissioner to the following:
- (1) a restaurant having facilities for seating at least 25 guests at one time. A wine license permits the sale of wine of up to 14 percent alcohol by volume for consumption with the sale of food. A wine license authorizes the sale of wine on all days of the week unless the issuing authority restricts the license's authorization to the sale of wine on all days except Sundays.
  - (2) Theatre. A wine license authorizes the sale of wine on all days of the week to persons attending events at the theater.
  - (3) Convention center. A wine license authorizes the sale of wine on all days of the week to persons attending events at the convention center.
  - (4) Summer collegiate league baseball team or a baseball team competing in a league established by the Minnesota Baseball Association, or to a person holding a concessions or management contract with the owner for beverage sales at a ballpark or stadium for the purposes of summer collegiate league baseball games, town ball games, and any other events at the ballpark or stadium. A wine license authorizes the sale of wine on all days of the week to persons attending baseball games and any other events at the ballpark or stadium
- (b) The council may by ordinance authorize a holder of an on-sale wine license issued pursuant to subsection (a) of this section who is also licensed to sell 3.2 percent malt liquor at on-sale pursuant to Minn. Stat. § 340A.411, and whose gross receipts are at least 60 percent attributable to the sale of food, to sell intoxicating malt liquors at on-sale without an additional license.
- (c) The city may issue an on-sale wine license with the approval of the commissioner to a licensed bed and breakfast facility. A license under this subsection authorizes a bed and breakfast facility to furnish wine only to registered guests of the facility.
- (d) A farm winery licensed under Minn. Stat. § 340A.315 may be issued a temporary

license for on-sale of intoxicating liquor produced by the farm winery at an approved festival or event pursuant to the provisions of this code. The licenses are subject to the terms, including a license fee, imposed by the city and all laws and ordinances governing the sale of intoxicating liquor. Licenses under this subdivision are not valid unless first approved by the city council.

(Code 1976, § 5.70(2)(A); Ord. No. 658 2nd series, § 3, 5-22-2012)

**State law reference(s)**—Similar provisions, Minn. Stat. § 340A.404, subd. 5.

**SECTION 3:**        **EFFECTIVE DATE** This Ordinance shall take effect after its passage and summary publication.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

\_\_\_\_\_.

Presiding Officer

Attest

\_\_\_\_\_  
Robert Byrnes, Mayor, City of  
Marshall

\_\_\_\_\_  
Steven Anderson, City Clerk, City of  
Marshall

**SUMMARY ORDINANCE NUMBER 24-019**

**AN ORDINANCE AMENDING CHAPTER 6 ALCOHOLIC BEVERAGES**

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

Section 1: City Code of Ordinances, Chapter 6, Article II, Division 2 Intoxicating Liquor is amended in summary as follows:

The allowable types of establishments allowed to be issued an Intoxicating liquor license and on-sale wine license has been expanded to match Minnesota Statute §340A.101.

Section 2: It is hereby determined that publication of this Title and Summary Ordinance will clearly inform the public of the intent and effect of Ordinance No. 24-019.

It is hereby directed that only the above Title and Summary of Ordinance No. 24-019 be published conforming to Minnesota Statutes §331A.01 with the following:

**NOTICE**

Persons interested in reviewing a complete copy of the Ordinance may do so online at [ci.marshall.mn.us](http://ci.marshall.mn.us) or at the office of the City Clerk, City Offices, 344 West Main Street, Marshall, Minnesota 56258.

Section 3: This Ordinance shall take effect after its passage and summary publication.

Passed and adopted by the Common Council this 8th day of October 2024.

THE COMMON COUNCIL  
Robert Byrnes  
Mayor of the City of Marshall, MN

ATTEST:  
Steven Anderson  
City Clerk



<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of an Ordinance to Repeal Section 22-213 of the Minnesota Energy Resources Franchise Agreement
<b>Background Information:</b>	<p>At the end of 2023 Minnesota Energy Resources (MER) had reached out to city staff about the possibility of providing services to a customer along North 7<sup>th</sup> Street. Staff had communicated to MER that a franchise agreement would need to be in place before any work could begin. In May of 2024 MER started up conversations again about implementing a Franchise Agreement so a service line could be put in place for Duininck, Inc.</p> <p>Staff worked with City Attorney Pamela Whitmore and Robert Vose of Kennedy &amp; Graven to model a Franchise Agreement for MER. After much back and forth and finally reaching an agreement with MER, on July 23, 2024, council had passed Ordinance 24-014 Granting a Franchise Agreement to Minnesota Energy Resources in a specified area around North 7<sup>th</sup> Street and ADM.</p> <p>Prior to signing the final certification after the ordinance was approved MER has requested that Section 22-213 be removed from the ordinance. Per Mr. Vose that section was holdover language with Great Plains Natural Gas and was not a common provision in franchise agreements. Minnesota Energy Resources would like to begin construction this fall to begin service to Duininck spring of 2025.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To adopt Ordinance 24-018 Repealing Section 22-213 of the Minnesota Energy Resources Franchise Agreement and authorize its summary publication.

**CITY OF MARSHALL  
ORDINANCE 24-018**

**AN ORDINANCE REPEALING CHAPTER 22 SECTION 22-213 PURCHASE BY  
CITY**

The Common Council of the City of Marshall do ordain:

**SECTION 1:**        **REPEAL** “Section 22-213 Purchase By City” of the Marshall Municipal Code is hereby *repealed* as follows:

**REPEAL**

~~Section 22-213 Purchase By City (Repealed)~~

~~The Council, at the end of any calendar year, upon a 2/3 majority vote of the Council, may acquire and thereafter operate the gas plant and distribution system, and all mains, pipes, services and other appliances thereto appertaining which shall have been constructed, installed, operated, and maintained by the Company, its successors, lessees or assigns, upon paying to the Company, its successors, lessees or assigns, the fair market value of such property. To ascertain the fair market value of such property, the City shall acquire such property by right of eminent domain.~~

**SECTION 2:**        **AMENDMENT** “Section 22-214 Approval Of Transfer” of the Marshall Municipal Code is hereby *amended* as follows:

**AMENDMENT**

Section 22-~~214~~213 Approval Of Transfer

**SECTION 3:**        **AMENDMENT** “Section 22-215 Forfeiture” of the Marshall Municipal Code is hereby *amended* as follows:

**AMENDMENT**

Section 22-~~215~~214 Forfeiture

**SECTION 4:**        **AMENDMENT** “Section 22-216 Abandoned Facilities” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-~~216~~215 Abandoned Facilities

**SECTION 5:**        **AMENDMENT** “Section 22-217 Provisions Of Ordinance” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-~~217~~216 Provisions Of Ordinance

**SECTION 6:**        **AMENDMENT** “Section 22-218 Amendment Procedure” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 22-~~218~~217 Amendment Procedure

**SECTION 7:**        **EFFECTIVE DATE** This Ordinance shall take effect after its passage and publication.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

\_\_\_\_\_.

Presiding Officer

Attest

\_\_\_\_\_  
Robert Byrnes, Mayor, City of  
Marshall

\_\_\_\_\_  
Steven Anderson, City Clerk, City of  
Marshall

**SUMMARY ORDINANCE NUMBER 24-018**

**AN ORDINANCE REPEALING SECTION 22-213 OF THE MINNESOTA ENERGY RESOURCES FRANCHISE AGREEMENT**

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

Section 1: City Code of Ordinances, Chapter 22 Businesses, Article VI, Section 22-213 Purchase by City is repealed.

Section 2: It is hereby determined that publication of this Title and Summary Ordinance will clearly inform the public of the intent and effect of Ordinance No. 24-018.

It is hereby directed that only the above Title and Summary of Ordinance No. 24-018 be published conforming to Minnesota Statutes §331A.01 with the following:

**NOTICE**

Persons interested in reviewing a complete copy of the Ordinance may do so online at [ci.marshall.mn.us](http://ci.marshall.mn.us) or at the office of the City Clerk, City Offices, 344 West Main Street, Marshall, Minnesota 56258.

Section 3: This Ordinance shall take effect after its passage and summary publication.

Passed and adopted by the Common Council this 8th day of October 2024.

THE COMMON COUNCIL  
Robert Byrnes  
Mayor of the City of Marshall, MN

ATTEST:  
Steven Anderson  
City Clerk

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Mayor Byrnes
<b>Meeting Date:</b>	Tuesday, October 8, 2024
<b>Category:</b>	COUNCIL REPORTS
<b>Type:</b>	INFO
<b>Subject:</b>	Commission/Board Liaison Reports
<b>Background Information:</b>	<p><b>Byrnes</b> - Fire Relief Association and Regional Development Commission</p> <p><b>Schafer</b> – Airport Commission, Joint LEC Management Committee, MERIT Center Commission, SW Amateur Sports Commission</p> <p><b>Meister</b> – Adult Community Center, Cable Commission, Economic Development Authority</p> <p><b>Schroeder</b> – Economic Development Authority, Planning Commission, Public Housing Commission</p> <p><b>Alcorn</b> – Community Services Advisory Board, MMU Commission</p> <p><b>Moua-Leske</b> – Convention &amp; Visitors Bureau; Diversity, Equity &amp; Inclusion Commission; Library Board</p> <p><b>Lozinski</b> – Marshall Area Transit Committee, Joint LEC Management Committee, Police Advisory Board</p>
<b>Fiscal Impact:</b>	
<b>Alternative/Variations:</b>	
<b>Recommendations:</b>	

TO: Honorable Mayor and Members of the City Council; City Staff

FROM: Sharon Hanson, City Administrator

DATE: October 08, 2024

SUBJECT: Administrative Brief

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**CITY ATTORNEY**

Some highlights from the office of City Attorney for the month of September

- Attended meetings.
- On site for various meetings.
- Answered rental ordinance questions and code compliance.
- Reviewed zoning amendments for Cannabis Businesses and locations drafted by staff.
- Attend L&O for meeting in which zoning discussions occurred.
- Made additional revisions of registration ordinance based on additional information from OCM and sent to staff.
- Answer open meeting law questions.
- Responded to data questions from the Chief related to body cam
- Discussion of sober homes.
- Responded to question from assessor regarding “legally married” statutory language.
- Discuss questions about BCA and data made available by the BCA.
- Respond to question about election signs.
- Work on construction manager questions and draft delegation of purchasing power to agent.
- Review and revise garbage hauling contract.
- Review letter related to culvert and attend PIT meeting.
- Answer questions about golf carts and chickens. Attend L&O meeting.
- Review rental letter to send out about deadlines.
- Answer parkland fee questions and storage container questions from City Administrator.
- Remind staff about charter commission end of year meeting.
- Answer questions about construction managers generally and bidding process.
- Review letters of support from city related to state funding for Broadmoor.
- Review planning commission materials

Work of other K&G Attorneys:

- Attorney Cruz Jennings assisted with Planning Commission.
- Attorney Weinberg assisted with contract review and construction manager questions.

**CITY PROSECUTOR:**

Criminal prosecution numbers for **August** are as follows:

	<b>ASSAULT</b>	<b>OPF VIOL.</b>	<b>DWI</b>	<b>OTHER ALCOHOL</b>	<b>TRAFFIC</b>	<b>THEFT</b>	<b>OTHER</b>	<b>TOTAL 2024</b>	<b>2023 Comparison</b>
Prosecution	2	1	3		5	1	1	14	19
Dismissed									
Non-Prosecution	3	2	1				1	7	8
Refer to County									

Criminal prosecution numbers for **September** are as follows:

	<b>ASSAULT</b>	<b>OPF VIOL.</b>	<b>DWI</b>	<b>OTHER ALCOHOL</b>	<b>TRAFFIC</b>	<b>THEFT</b>	<b>OTHER</b>	<b>TOTAL 2024</b>	<b>2023 Comparison</b>
Prosecution	5	1	6		9	5	3	29	24
Dismissed									
Non-Prosecution	4	1			1	1		7	8
Refer to County									

**ADMINISTRATION**

This past month included the following meetings and work:

- The Aquatic Center Committee met this past week with Stockwell and Contegrity to begin the initial discussions on how to bid this out within our specified budget. Although we had some initial redesign thoughts already on the table, this meeting went into much more detail on potential money saving options. Everyone still believes this will be challenging, and the need to bring back some of this discussion to the full council is likely to occur before the end of the year.
- The DEI Commission is nearing the end of their process in finalizing a DEI Strategic Plan for the city. Plans are to bring this forward to Council for review and adoption.
- Attended listening sessions with Congresswoman Fischbach regarding health care needs from the perspective of Avera Marshall. In addition, while Congresswoman Fischbach was in Marshall, Mayor and I joined her on a tour Performance Food Group and talked about their industry and their impacts in Marshall. This past week, also visited with Senator Smith’s staff regarding rural transit needs in the area.
- This past month had the following meetings: Coalition of Greater MN Cities (CGMCO Environment and Energy Committee, MPCA Water Quality meeting, DEI Commission meeting, Community Services Advisory meeting, CGMC Board meeting, League of MN Cities Board Retreat, Construction Manager interviews, Aquatic Fundraising Committee meeting, Welcoming Week Event, various other meetings and personnel meetings and discussions.

## **Economic Development Authority**

- Touring upcoming available spaces.
- Held fourth child care supply study meeting. Will provide a report to council as it is finalized.
- Attended child care conference to explore city options for support.
- Attended CVN event and heard pitches from nine different businesses.
- Project Kettle team on site for site visit and stakeholder meeting. Submitting additional information for site selector.
- Visit NorthStar in Redwood to discussion possibility of modular homes.
- Working with hotel developer on potential project.

## **Human Resources**

- Staffing:
  - the City welcomes 4 new part-time employees at Tall Grass liquors, Troy Rohde, Kelly Felton, Jacquelyn Esping, and Jill Schroeder.
  - Assessing Technician/Economic Development Assistant—a conditional offer has been accepted and the candidate is in the pre-screening process—a November 4 hire date is anticipated.
  - Applications are being accepted for a full-time Police Officer position and a variety of temporary/seasonal positions in Community Services.
- Staff are reviewing the insurance renewals for 2025. An employee advisory committee will provide us with feedback on 10/04. Bill Chukuske, our broker with NIS, will present renewal information at the Council work session on 10/08.
- Each of our three employee union contracts expire on 12/31/24. Staff will be meeting with union business agents and employee representatives in the coming months to negotiate new draft contracts.
- Department supervisors are reviewing the wage schedule for temporary and seasonal employees. Staff will schedule a Personnel Committee meeting when the recommendations are ready.

## **Clerk**

- Various license renewals are in the process, including liquor and tobacco.
- Attended the Legislative and Ordinance Committee meetings and discussed draft of ordinances to allow golf carts, chickens, and cannabis businesses within city limits.
- A Public Accuracy Test will be held at the Lyon County Government Center on October 14 to certify voting machines before their use during the November 5<sup>th</sup> General Election.
- Reviewing technology throughout the city for end-of-life replacement.

## **Finance**

- Staff continues to review upcoming possible capital projects and had conversations with various staff about timing/scheduling, project costs, and cash flows and had conversations with BakerTilly about financing options, as necessary.



- The Director of Administrative Services and the Finance Director continue to participate in meetings with Questica to finalize implementation of their budget suite for operating, personnel and capital modules. Items in progress include integration (ERP PRO 10 sending data to Questica), download/upload budget (Questica data back to ERP PRO 10), reports and security.

### **Liquor Store**

- September Financials: Sales \$570,045 (10.73%), Ticket Average \$34.34 -Flat, Customer Count 16,649 (10.26). September financials trended down for sales and customer counts. Road Construction on South highway 59 intersection could possibly have caused traffic patterns to shift from this area away from Boyer Drive and the store. Also, in 2023 there were 5 full weekends of Friday/Saturday sales compared to only 4 weekends in 2024. We will continue to monitor sales/customer counts and make adjustments if necessary.
- 4 new part-time salesclerks started in September. Training of these staff is in full swing currently.

## **COMMUNITY SERVICES**

### **Parks & Recreation**

- Fall youth soccer, tennis and cross-country camps have concluded, thank you to MHS coaching staff and varsity/JV players for taking the time to teach your respective sport to these future Tigers.
- Adult sports leagues are forming with co-rec, women's and men's volleyball, men's basketball and mixed curling being played November thru March.
- Open skate/adult hockey season is upcoming with opening weekend slated to start the weekend of October 25<sup>th</sup>.
- Upcoming programming includes Learn to skate, girls fall basketball league, intro to wrestling, mini tiger volleyball camp, intro to basketball, and rugby minicamp.

### **Community Education**

- Welcoming Week event on Sept 17<sup>th</sup> was a huge success! We had 584 registered attendees with approximately an additional 100-125 in attendance.
- We are about halfway through the fall programming season with great attendance so far in both regular and new classes.
- Driver's Ed online class attendance continues to increase with 23 students currently registered and taking the online classroom portion. We will be releasing the dates for an in-person classroom session in February/March.
- Upcoming classes include planetarium star gazing, Robot Adventures, open shop welding, kinetic sand fun, parent and me hot cocoa bombs and a holiday spruce planter workshop.

### **Studio 1**

- Studio 1 recorded four presentations from Vietnam Veterans at the Lyon County Museum in early September.
- For the "Remembering 9/11" event at Memorial Park, we provided a sound system, a live broadcast and captured still images of the event.

- We captured video clips and shot still photos at the “Welcoming Week” event on 9/17. A short highlight video was edited together and shared on City social media the next day as well.
- We also captured video clips of Thursdays on Third as well as drone video at Prairie Jam on September 19<sup>th</sup>.
- Lastly, we gathered video clips of the Arts & Living History Festival on 9/28.
- A calendar of all scheduled live broadcasts can be found at [www.marshallstudio1tv.com](http://www.marshallstudio1tv.com).
- We continue to cover sporting and community events throughout town and produce our recurring monthly shows such as Tiger Talk, Community Connect, and Senior Compass.

## **COMMUNITY PLANNING**

### **Building Services / Planning & Zoning**

- Over 250 open permits.
- An SRE building, Les Schwab’s tires, Marshall’s, SWWC Coop building, and Kwik Trip are the largest projects under construction.
- Over 350 Rental registrations have been issued. Over 150 are in the Pending status.
- Sign ordinance is being reviewed.

## **PUBLIC WORKS DIVISION**

### **Engineering**

- Project ST-001-2024: Chip Sealing on Various City Streets – Pearson Bros., Inc. of Hanover, Minnesota – Final reconciling change order and final payment approved on 09/26/2024 Council.
- Project ST-002-2024: Bituminous Overlay Project - Central Specialties, Inc. of Alexandria, Minnesota – Project is complete and open to the public. City staff working with contractor on final reconciling change order and final payment.
- Project ST-007: UCAP Bus Shelter Installations – D&G Excavating, Inc of Marshall Minnesota – Contractor has started removals and grading at various sites, the concrete contractor is anticipated to be on site in the next week.
- Project ST-010: Lyon Circle Reconstruction Project – A&C Excavating, LLC of Marshall, Minnesota - Project is complete and open to the public. City staff working with contractor on final reconciling change order and final payment.
- Project ST-012-2024: South Whitney Street Reconstruction Project (East College Drive to Jean Avenue) – D&G Excavating, Inc. of Marshall, Minnesota – Bituminous paving has been installed between E. College Drive and E. Marshall Street. The contractor is currently working on installing concrete sidewalk and driveways with the street paving to follow.

### **Wastewater**

- Staff have completed 275 preventive maintenance work orders in the last 30 days.
- The MPCA approved the City of Marshall PFAS Management Plan.

- West filter underdrains were successfully cleaned, new filter sand was installed, and the filter has been returned to service.
- All Biosolids have been thickened and transferred to storage tanks awaiting field application.
- Started working on fall projects.
- Scott Przybilla finished working with the MPCA Technical Advisory Committee on developing their Smart Salting for Water Softening Training.
- Summer jetting of the sanitary lines continues.
- Biosolids sample has been taken and are working on getting application equipment ready.

## **PUBLIC SAFETY DIVISION**

### **FIRE DEPARTMENT**

- The Fire Department responded to fourteen (14) calls for service. Total calls for service included:
  - Fire/CO2 Alarm (3)
  - Fire; Structure (7)
  - Medical Assist (0)
  - Vehicle Accident (4)
  - Other – Assist (0)



### **POLICE DEPARTMENT**

- The Marshall Police Department responded to 1020 calls for the month of September. 88 criminal offenses were reported with a total number of 45 adults arrested.

### **OFFICER'S REPORT**

- Alarms (8)
- Accidents (33)
- Alcohol involved incidents (1)
- Assaults (10)
- Domestic Assaults (11)
- Burglaries (5)
- Criminal Sexual Conduct (5)
- Damage to Property (3)
- Keys Locked in Vehicles (24)
- Loud Party (7)/ Public Disturbances (10)
- Thefts (25)
- Traffic Related Complaints (292)

- Vandalism (5)
- Warrant Pickups (11)
- Welfare Checks/Mental Health (40)

## DETECTIVE REPORT

- In August an arrest warrant had been issued for a 21-year-old Montevideo man for 2<sup>nd</sup> Degree Assault and Dangerous Weapon – Discharge Firearm, stemming from the investigation of an assault with a firearm at a Marshall hotel. The suspect was arrested and is currently being held in Chippewa County on other pending charges.
- A 49-year-old Marshall woman was arrested at the completion of a theft investigation from a Marshall business and charged with 14 counts of Financial Transaction Card Fraud, 12 counts of Check Forgery, and 1 count of Theft by Check.
- Multiple incidents of package thefts were investigated leading to the arrest of a 20-year-old Marshall man who was charged with multiple counts of Mail Theft. Stolen property from Marshall and Ghent was recovered during a search warrant executed in the case.
- A 59-year-old Tracy woman was arrested at the conclusion of a cell phone theft investigation that included the stolen phone being used to make unauthorized purchases and resulted in felony theft charges.
- A 53-year-old Marshall woman was arrested for 2<sup>nd</sup> Degree Assault and Domestic Assault at the completion of an assault investigation.
- A report of Malicious Punishment of a Child was investigated. A 36-year-old Marshall man was arrested and charged with Malicious Punishment of a Child and Domestic Assault.
- Four deaths were investigated during September.
- Five Criminal Sexual Conduct cases were investigated during the month.
- Nine cases of Theft by Swindle involving scams were investigated.
- Twenty-Four child protection reports and nine reports from the Minnesota Adult Abuse Reporting Center were investigated.



## MERIT CENTER

- In September MN West held welding classes, meetings, Emergency Vehicle Operator Course (EVOC), Basic Rider Motorcycle courses, and MN Department of Labor Testing and is continuing CDL training utilizing the driving track at the MERIT Center.
- From September 3<sup>rd</sup> to September 6<sup>th</sup> ARMOR held GWO Training with 4 attendees each day.
- On September 10<sup>th</sup> Vital Learning Strategies held Emergency Preparedness Training with 32 attendees.
- On September 10<sup>th</sup> Toward Zero Deaths held a meeting with 16 attendees.

- From September 10<sup>th</sup> to September 13<sup>th</sup> ARMOR Training held GWO training with 3 attendees each day.
- On September 16<sup>th</sup> the American Red Cross held a blood drive.
- On September 18<sup>th</sup> North Memorial held first responder training.
- On September 19<sup>th</sup> ADM held their monthly contractor safety training with 50 attendees.
- On September 24<sup>th</sup> a SWAT meeting was held.
- On September 25<sup>th</sup> SW Emergency Communications held their radio board meeting with 10 attendees.
- The MERIT Center was utilized 21 out of 30 days with 15 reservations in September. There was a total of 370 attendees.

**MONTHLY REPORT OF ACTIVITY FOR MARSHALL POLICE For Month and Year ending September 2024 (YTD TOTALS)**

**OFFENSE/ARREST DATA**

	Offenses		Actual	Total Arrests/Excluding traffic	
	Reported	Unfounded	Offenses	Adult	Juvenile
January	75	0	75	33	0
February	93	0	93	19	2
March	66	0	66	33	0
April	98	0	98	36	2
May	115	0	115	48	2
June	69	0	69	35	0
July	50	0	50	23	0
August	75	0	75	32	2
September	88	0	88	45	0
October					
November					
December					

<b>YTD 2024</b>	<b>729</b>	<b>0</b>	<b>729</b>	<b>304</b>	<b>8</b>
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**Averages for all Activities (Calls for Service)**

	#Calls	Time in Hrs
	Total	Spent
January	762	347
February	809	325
March	1061	378
April	865	350
May	981	435
June	1062	420
July	1011	426
August	1033	401
September	1020	437
October		
November		
December		
<b>YTD 2024</b>	<b>8604</b>	<b>3519</b>

Accidents	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sep	Oct.	Nov.	Dec.	YTD
Hit and Run	2	3	7	8	6	6	8	10	6				56
Property Damage	26	15	22	16	17	13	18	28	21				176
Personal Injury	3	3	5	2	4	5	5	6	6				39
Fatalities	1	0	0	0	0	0	0	0	0				1
<b>TOTAL 2024</b>	<b>32</b>	<b>21</b>	<b>34</b>	<b>26</b>	<b>27</b>	<b>24</b>	<b>31</b>	<b>44</b>	<b>33</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>272</b>

CITATIONS	Jan.	Feb.	Mar	Apr	May	June	July	Aug	Sept	Oct.	Nov.	Dec.	YTD
Citations	17	106	134	70	104	82	55	65	71				704

Parking Tickets

24	30	72	18	2	5	20	3	16					190
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**Activities (Calls For Service) \*High Hours Expended**

	Jan.	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct.	Nov.	Dec.	YTD
Alarms	20	14	10	8	8	12	21	19	8				120
Alcohol	1	2	1	1	1	0	2	4	1				13
Animal Bite	2	2	1	1	3	3	1	3	3				19
Animal Complaint	8	0	11	13	16	21	15	11	17				112
Assault	8	3	6	9	4	6	8	9	10				63
Assists	56	49	53	45	52	50	72	38	57				472
Auto Theft	0	3	0	1	2	1	0	2	3				12
Bike Found	1	4	7	6	5	11	6	5	4				49
Bike Theft	0	2	0	0	1	3	5	1	2				14
Burglary	4	3	1	4	3	3	6	3	5				32
Bus Violation	11	2	3	3	2	0	3	0	5				29
Check Forgery	0	1	0	0	0	0	0	0	0				1
Check Fraud	1	1	0	0	0	0	0	0	0				2
Civil Matters	8	8	11	15	18	18	28	26	19				151
Criminal Sex	4	8	6	0	0	4	2	0	3				27
Damage to Prp	1	2	3	2	3	5	4	2	3				25
Death Investigation	3	4	5	2	2	1	2	0	4				23
Domestics	21	12	12	16	17	17	8	15	11				129
Drugs/Narcotics	0	2	2	1	2	0	4	3	2				16
Family Matters	7	8	17	11	9	8	9	8	8				85
Fire Alarm	0	0	0	0	0	0	0	2	1				3
Gas Meal Assist	1	2	3	0	3	2	1	7	4				23
Gun Permits	6	6	18	9	8	8	7	5	6				73
Harassment	9	12	13	9	10	12	11	13	5				94
Intoxicated/Detox	0	1	1	1	1	3	2	8	1				18
Keys Locked In vehicles	26	23	23	21	25	28	27	29	24				226
Mental Health	12	3	11	8	10	14	24	20	14				116
Fraud	0	3	2	3	2	5	3	8	2				28
Parking Complaints	41	75	129	25	23	17	32	13	29				384
Party Loud Party	4	6	7	7	5	12	5	4	7				57
Pred - Sex Offender	0	0	0	2	1	2	2	2	2				11
Property Found	13	4	6	10	16	13	6	16	11				95
Public Disturbance	8	11	15	14	7	17	18	12	10				112
Pursuit	0	0	0	0	0	0	0	0	0				0
Runaway	7	6	2	3	3	6	7	0	6				40
Escort Funeral,other	7	10	8	11	9	13	18	13	12				101
Search Warrant	0	0	0	0	1	0	1	0	1				3
Suspicious Anything	15	12	21	35	43	50	29	27	18				250
Suspicious Vehicle	6	15	7	10	6	7	10	9	13				83
Tobacco Violation	4	9	6	4	1	0	0	1	4				29
Theft	22	16	16	24	18	24	22	21	25				188
Trains	0	0	0	0	0	0	0	0	0				0

Transport (Marshall PD etc)	2	1	4	2	4	4	2	3	6				28
Trespassing	5	8	8	7	7	4	10	9	10				68
Traffic Related Complaints	111	148	289	203	258	281	238	293	292				2113
Unsecured Building	0	0	0	1	4	15	4	1	1				26
Vandalism	4	5	5	7	7	6	4	7	5				50
Violation of OFP	4	4	2	5	6	6	5	11	4				47
Warrant Pickups	8	7	14	5	5	9	6	8	11				73
Welfare Checks	27	18	22	18	22	38	25	14	26				210
Welfare Fraud	0	0	0	0	0	0	0	0	0				0
ERU Activated	0	0	0	1	0	0	0	0	1				2
Weapons Involved	2	2	0	4	0	1	0	8	1				18
<b>YTD 2024</b>	<b>500</b>	<b>537</b>	<b>781</b>	<b>587</b>	<b>653</b>	<b>760</b>	<b>715</b>	<b>713</b>	<b>717</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5963</b>

**OFFENSE ACTIVITY BY DAY OF WEEK**

	Mon	Tues	Wed	Thur	Fri	Sat	Sun
January	13	17	13	8	8	5	11
February	9	16	19	13	20	8	8
March	10	15	11	3	9	12	6
April	17	14	10	16	18	7	16
May	13	9	14	11	26	22	20
June	6	13	10	4	9	6	21
July	3	12	7	7	7	7	7
August	11	7	10	10	17	15	5
September	15	10	9	13	17	14	10
October							
November							
December							

<b>YTD 2024</b>	<b>97</b>	<b>113</b>	<b>103</b>	<b>85</b>	<b>131</b>	<b>96</b>	<b>104</b>
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**DETECTIVE / INVESTIGATIONS ACTIVITIES**

	Jan.	Feb.	Mar	Apr	May	June	July	Aug	Sept	Oct.	Nov.	Dec.	YTD
Felonies	28	23	28	22	29	21	16	25	31				223
Gross Misdemeanors	36	28	24	20	19	16	18	10	25				196
Misdemeanors	19	21	18	24	32	23	21	38	25				221





# MARSHALL

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

Applicant Name	Location	Description of Work	Valuation	Approved Date
AMERICAN WATERWORKS	705 4TH ST N	Foundation Repair	4210.64	09/23/2024
AMERICAN WATERWORKS	1233 FAIRVIEW ST E	Foundation Repair	5844.70	09/23/2024
Eric Mathiowetz	405 MARSHALL ST E	HVAC - Furnace	4000.00	09/30/2024
Eric Mathiowetz	503 LYON ST W	HVAC - Air Conditioning, Furnace	76500.00	09/30/2024
Fagen Inc	1415 7TH ST N	Modular/Prefabricated Building	250000.00	09/23/2024
GESKE HOME IMPROVEMENT CO	405 BRUCE ST S	Windows	800.00	09/27/2024
GESKE HOME IMPROVEMENT CO	508 HIGH ST N	Windows	800.00	09/27/2024
INDEPENDENT LUMBER OF MARSHALL INC	506 DONITA AVE	Deck	11000.00	09/23/2024
INNOVATIVE BASEMENT AUTHORITY	108 CIRCLE DR	Interior Remodeling - ANY Work Inside, Except Fireplace	14000.00	10/01/2024
James Lozinski Construction Inc	202 MAIN ST E	Doors	17500.00	09/27/2024
JONES/CARY MATTHEW	600 PAUL ST, 600 PAUL ST, 600 PAUL ST, 600 PAUL ST	Doors, Re-Roofing, Re-Siding, Windows	6500.00	09/23/2024
Kevin V Goslar	603 HAWTHORN DR	HVAC - Air Conditioning, [air handler and heat bank]	8750.00	09/30/2024
MIKE BUYASSE CONSTRUCTION INC	605 REDWOOD ST W	Deck	2200.00	09/24/2024
MIKE BUYASSE CONSTRUCTION INC	609 REDWOOD ST W	Deck	2200.00	09/30/2024
MIKE BUYASSE CONSTRUCTION INC	1207 CANOGA PARK DR	Building Addition	8000.00	09/23/2024
SORBEL/ROBIN C	604 REDWOOD ST W	Re-Roofing	25000.00	09/25/2024
STRAND HOME SERVICES LLC	608 VIKING DR	Doors	1600.00	09/19/2024
STRAND HOME SERVICES LLC	308 1ST ST S, 308 1ST ST S	Re-Siding, Windows	8800.00	09/27/2024
VANOVERBEKE/CODY B	1400 PARKSIDE DR	Deck	7140.00	09/30/2024



## Upcoming Meetings

### October

- 10/8 Work Session, 4:00 PM, City Hall
  - 10/8 Regular Meeting, 5:30 PM, City Hall
  - 10/14 Lyon County Public Accuracy Testing, 10:00 AM, Lyon County Government Center
  - 10/22 Ways and Means Committee, 3:30 PM, City Hall
  - 10/22 Regular Meeting, 5:30 PM, City Hall
- 

### November

- 11/05 General Election, Polls open 7 AM and Close at 8 PM
- 11/12 Special Meeting, 5:00 PM, City Hall
- 11/12 Regular Meeting, 5:30 PM, City Hall
- 11/26 Regular Meeting, 5:30 PM, City Hall
- 11/26 Work Session, Immediately to Follow Regular Meeting, City Hall

# 2024 Regular Council Meeting Dates

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

5:30 P.M.

City Hall, 344 West Main Street

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## January

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

## February

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

## March

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

## April

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

## May

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

## June

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

## July

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

## August

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

## September

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

## October

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

## November

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

## December

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

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## 2024 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.

# 2025 Regular Council Meeting Dates

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

5:30 P.M.

City Hall, 344 West Main Street

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## January

1. January 14, 2025
2. January 28, 2025

## February

1. February 11, 2025
2. February 25, 2025

## March

1. March 11, 2025
2. March 25, 2025

## April

1. April 8, 2025
2. April 22, 2025

## May

1. May 13, 2025
2. May 27, 2025

## June

1. June 10, 2025
2. June 24, 2025

## July

1. July 8, 2025
2. July 22, 2025

## August

1. August 12, 2025
2. August 26, 2025

## September

1. September 9, 2025
2. September 23, 2025

## October

1. October 14, 2025
2. October 28, 2025

## November

1. Monday, November 10, 2025
2. November 25, 2025

## December

1. December 9, 2025
2. December 23, 2025

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## 2025 Uniform Election Dates

- February 11, 2025
- March 04, 2025
- April 08, 2025
- May 13, 2025
- August 12, 2025
- November 04, 2025

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