



**CITY OF MARSHALL
City Council Meeting
A g e n d a**

**Tuesday, September 10, 2024 at 5:30 PM
City Hall, 344 West Main Street**

OPENING ITEMS

APPROVAL OF AGENDA

APPROVAL OF MINUTES

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

PUBLIC HEARING

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

CONSENT AGENDA

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

APPROVAL OF ITEMS PULLED FROM CONSENT

NEW BUSINESS

9. Stone Meadow - 1) Approval of Preliminary Plat; 2) Consider Resolution Approving Final Plat
10. Adoption of Ordinance for the request of Turkey Valley Farms to Rezone Two Lots from R-1 One Family District to R-2 One to Four Family District and a Conditional Use Permit for a Parking Lot in an R-2 District
11. Aquatic Center Bid Review, Request to Reject Bids

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

Councilmember Schafer will be attending virtually from a public location at 9101 Basil Ct., Upper Marlboro, MD 20774

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

Presenter:	Mayor Byrnes
Meeting Date:	Tuesday, September 10, 2024
Category:	APPROVAL OF MINUTES
Type:	ACTION
Subject:	Consider Approval of the Minutes from the Regular Meeting and Work Sessions Held on August 27 th
Background Information:	Enclosed are the minutes from the previous meetings.
Fiscal Impact:	
Alternative/ Variations:	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
Recommendations:	That the minutes from the meeting held on August 27th be approved as filed with each member and that the reading of the same be waived.

**CITY OF MARSHALL
WORK SESSION
M I N U T E S
Tuesday, August 27, 2024**

The work session of the Common Council of the City of Marshall was held August 27, 2024, at City Hall, 344 West Main Street. The meeting was called to order at 3:00 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Steve Meister, Craig Schafer (via Zoom), Amanda Schroeder, James Lozinski and See Moua-Leske. Absent: John Alcorn. Staff present included: Sharon Hanson; City Administrator; E.J. Moberg, Director of Administrative Services; Jason Anderson, Director of Public Works/City Engineer; Karla Drown, Finance Director; Jim Marshall, Director of Public Safety; Quentin Brunsvold, Fire Chief; Dave Parson, City Assessor; Dean Coudron, Public Ways Supervisor; Preston Stensrud, Park and Recreation Supervisor; and Steven Anderson, City Clerk.

Preliminary 2025 Budget

Hanson began the meeting by reviewing the budget goals that included continued infrastructure improvements and maintenance, meeting required regulations in surface water and wastewater treatment, retaining market competitive salaries and benefits, enhancing the quality of life for citizens through trails, parks, facilities, and public safety. Moberg reviewed various bonding impacts of \$4.7 million on the levy, which included acquisition of Helena Chemical and the new Fire Department Aerial Truck. The Capital Equipment levy had \$600,000 of requests and would need to be pared down to the proposed \$300,000. Parsons continued the discussion by explaining the preliminary tax base changes. Moberg pivoted by talking about the levy history and what made up the largest impacts of the proposed 2025 levy increase. Marshall and Hanson spoke about the need for the Police Department to continue to hire because of leaves, retirements and deployments. Along with the Police Department Hanson mentioned that the city was in discussion with Marshall Public Schools to come to an agreement about a shared maintenance worker. Moberg continued the presentation by breaking down revenue changes, tax abatement requests, and employee salaries. The proposed preliminary levy would be an increase of 14.25% from 2024. Councilmembers expressed their opinions on the levy increase. Lozinski was adamant that the increase should not exceed 9% and Meister was in concurrence. Schroeder asked about pushing the City Band Shell project and investigate soliciting donations. Councilmembers wished to have one additional work session on September 10 after the regular city council meeting to further hash out the levy.

Adjournment

At 4:35 PM Mayor Byrnes adjourned the meeting.

Attest:

Steven Anderson, City Clerk

Robert Byrnes, Mayor

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, August 27, 2024**

The regular meeting of the Common Council of the City of Marshall was held August 27, 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 (via Zoom), 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 & Rec Supervisor; Lauren Deutz, Economic Development Director; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Consider Approval of the Minutes from the Regular Meeting and Work Session Held on August 12th

There were no amendments to the minutes from the meetings held on August 12, 2024.

Motion made by Councilmember Meister, Seconded by Councilmember Schafer to approve the minutes from the Regular Meeting and Work Session from August 12, 2024. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

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

Clerk Anderson opened by explaining that the public hearing was for unpaid services for ice, snow, grass, and weed removal as well as for Fire Call services provided by the Marshall Fire Department. The Finance Department had sent past due invoices to the properties and were requesting the unpaid invoice amounts be certified to the Lyon County Auditor/Treasurer's Office as a special assessment for taxes payable in 2025. Anderson had sent notices of the public hearing pursuant to Minnesota Statutes and three property owners had paid once notice was received. Anderson also mentioned that parcels 27-156027 and 27-600100-0 were under new ownership and recommended that these two properties be removed for the assessment list.

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

Motion made by Councilmember Meister, Seconded by Councilmember Lozinski to approve Resolution 24-076 Adopting Assessments for Unpaid Services and to remove Parcel #s 27-156027-0 and 27-600100-0 from certification. 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 Meister, Seconded by Councilmember Schroeder to approve the items on the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

- Consider Approval for a Temporary Liquor License for the Chamber of Commerce on September 3rd
- Consider Temporary Extension of Alcohol License Area for Brau Brothers Brewing Company
- Consider Approval for a Raffle Permit for Tracy Area Animal Rescue on September 7, 2024
- Consider Request of Southwest Minnesota State University for Homecoming Parade (Saturday-October 12, 2024).
- Preliminary Plat of Stone Meadow – Introduction of Preliminary Plat

- Consider the Approval of Modifications to the Restrictive Covenants for Stone Meadows Subject to Wal-Mart Real Estate Business Trust Approval
- Call for a Public Hearing Regarding Proposed Property Tax Abatement for SR Auto Repair Garage
- Introduce the Request of Turkey Valley Farms to Rezone Two Lots from R-1 One Family District to R-2 One to Four Family District
- Consider Approval of the Bills/Project Payments

Consider the Request of Paul and Joanne Stoneberg for a Conditional Use Permit for Three Multifamily Apartment Buildings in a B-3 General Business District

Gutman explained that the Stoneberg Family and the developer Kuepers Architects and Builders had submitted a building permit to build an apartment complex at 1000 Clarice Avenue, which was adjacent to Runnings and Wal-Mart. A public hearing was held with the Planning Commission on August 14, 2024, and was recommended for approval. Councilmember Lozinski asked if the apartments would hinder the traffic in the area. Gutman replied that because the area was designed as a commercial area the public ways should be more than adequate to handle the additional traffic.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to adopt Resolution 24-077 approving a Conditional Use Permit for 1000 Clarice Avenue for a Three Multi-Family Apartment Building. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Consider the Request of Independent Lumber for a Conditional Use Permit for a Lumberyard in a B-3 General Business District

Gutman began by stating that the request was unique as the existing lumberyard was built before the area was annexed into city limits. As part of the annexation, Independent Lumber was grandfathered in and became a legal non-conforming use, as the ordinance required. However, the provision did not allow expansion of the use, and the owner wanted to build more buildings. Granting a Conditional Use Permit would allow for further development and would remove potential limitations on expansion. Menards was considered a lumberyard and was also granted a Conditional Use Permit for such use.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schroeder to adopt Resolution 24-078 approving a Conditional Use Permit for 504 – 508 Baseline Road for a lumber yard. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Legion Baseball Field Improvements Discussion and Authorization to Proceed

On August 22 staff received quotes for improvements at Legion Field and only one quote was received due to two other local contractors not having time to complete the work this fall. Improvements included the construction of a new dugout and installation and construction of a new backstop netting system. The quote received was \$281,300.00. Staff met with the contractor who submitted the only quote to get a better understanding of pricing on each part of the project. It was made known at that time that the submitted pricing included sheltering and heat for the brick work. After further review and negotiations new pricing was received for the Dugout Construction of \$158,589.00, and Backstop Construction of \$95,490.00 for a total of \$254,079.00. With bonding dollars and donations there was approximately \$584,000 available in funds. There was an additional \$30,000 in donations pending. Staff would need to complete the remaining dugout, restrooms, and concession stand next year and there was an additional \$490,000 budgeted for 2025 in the Capital Improvement Plan with the remaining funds from 2024. Attorney Whitmore clarified that when the project was being put together Stensrud had a good faith estimate less than \$175,000 for the project, thus the reason for going out for quotes instead of competitive bids. It was unexpected that the project would come in so high and with only one bidder. Stensrud also attributed the increased cost and lack of quotes due to the short

construction window between the baseball seasons and deficiency in the number of bricklayers in Southwest Minnesota.

Motion made by Councilmember Meister, Seconded by Councilmember Lozinski to accept the quote of \$158,589 for Dugout Construction, and \$95,490 for Backstop Construction from Bladholm Construction. 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	No report.
Meister	No report.
Schroeder	EDA discussed the tax abatement for SR Auto Repair Garage and held public hearings for the Conditional Use Permits for Independent Lumber and Stone Meadow Plat. Lauren Deutz was considering doing EDA tours sometime in the fall.
Alcorn	No report.
Moua-Leske	No report.
Lozinski	No report.

Councilmember Individual Items

Councilmember Alcorn commented on the Sounds of Summer and Mayor Byrnes thanked the members of the committee and city staff for running another successful event.

City Administrator

No report.

Director of Public Works/City Engineer

Updates were given on the following projects: Whitney Street; Lyon Circle; and United Community Action Partnership bus shelters.

City Attorney

No report.

Information Only

There were no question on the Information Only items.

Upcoming Meetings

There were no question on the Upcoming Meetings.

Adjournment

At 5:53 PM Motion made by Councilmember Meister, Seconded by Councilmember Lozinski 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

**CITY OF MARSHALL
WORK SESSION
M I N U T E S
Tuesday, August 27, 2024**

The work session of the Common Council of the City of Marshall was held August 27, 2024, at City Hall, 344 West Main Street. The meeting was called to order at 6:01 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: John Alcorn, Steve Meister, Craig Schafer (via Zoom), Amanda Schroeder, James Lozinski and See Moua-Leske. Absent: None. Staff present included: Pamela Whitmore, City Attorney; Sharon Hanson; City Administrator; E.J. Moberg, Director of Administrative Services; Jason Anderson, Director of Public Works/City Engineer; Ilya Gutman, Plans Examiner; and Steven Anderson, City Clerk.

Discussion on Cannabis Related Topics

Attorney Whitmore provided a brief overview of Adult Use Cannabis. At the end of the 2023 legislative session, and further amended at the end of the 2024 legislative session, the Legislature legalized the use of Cannabis and what the Legislature now calls Lower Potency Hemp Edible products and established the Office of Cannabis Management (OCM), a state agency, to create and enforce a licensing system throughout the State. Under the State Law, a local jurisdiction must register Cannabis and Lower Potency Hemp Edible retailers and enforce certain zoning regulations within their jurisdiction against all Cannabis and Hemp businesses, but local jurisdiction cannot license these businesses. Use of these products, in certain places, was also legalized, as was the right to grow a certain number of plants at home. Amendments were made to allow for commercial cultivation before OCM even started licensing. Whitmore reviewed the actions that had been taken by the City Council since the legalization of Adult Use Cannabis in Minnesota, which included moratoriums and allowing retail sales of lower-level hemp edibles. The city under the new law had very little control on cannabis use and must allow a minimum of two cannabis retail businesses within city limits. The city however was allowed to restrict location through zoning ordinances and “buffer” zones 1,000 feet from schools, daycares, residential treatment facilities and certain parks. The City of Marshall opted to create buffer zones of 500 feet from schools only. Councilmembers discussed a registration system for higher levels of cannabis, the total number of retail businesses, and hours/time that products could be sold. Members settled on two retail licenses for now as there were two smoke shops already in the city that would more than likely apply and wait and see if an expansion of the limit would be needed in the future. Members also would like the hours/time to mimic the municipal liquor store, including Sunday hours. A municipal dispensary would be a discussion point for a later time.

Adjournment

At 6:55 PM Mayor Byrnes adjourned the meeting.

Attest:

Steven Anderson, City Clerk

Robert Byrnes, Mayor

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Lauren Deutz
Meeting Date:	Tuesday, September 10, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	1) Public Hearing to Consider a Tax Abatement Application at 406 Airport Road 2) Consider Approval of a Tax Abatement for SR Auto
Background Information:	<p>The City of Marshall received a request from Scott Regnier, owner of SR Auto Repair Garage for financial assistance through tax abatement to assist with the construction of a larger automotive repair shop.</p> <p>The project after completion would allow for timelier repairs as multiple vehicles could be serviced at once and would bring the need for the addition of one to two mechanics and an officer worker.</p>
Fiscal Impact:	Up to \$6,030.00 over four years.
Alternative/ Variations:	
Recommendations:	1) Close the public hearing 2) Consider approval of a Tax Abatement for SR Auto Garage located at 406 Airport Road.

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

Property Information:

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

Applicant Information:

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

Owner Information:

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

Company Information:

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

Please attach the following documentation:

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

Return Completed Applications to:

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



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

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

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

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

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

Sincerely,

Scott Regnier, Owner

Code Analysis:

Project: S & R Auto Repair
406 Airport Road
Marion, WI 53583

Code: 2020 NBC

Occupancy: S-1 - Motor Vehicle Repair with Mop.
Quantity: Motor Vehicle Repair Limited to 60 Coi., Class 1A
DND 240 Coi., Class 1b, 1c, Firearm, Liquids

Construction Type: II-B

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

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

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

Fire Sprinklings: NA - 903.2.9.1 Repair Garage 5,000 S.F. or more.

Fire Resistivity: II-B = 0 HR

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

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

Exits: S = 121 with more than 20 occupants.

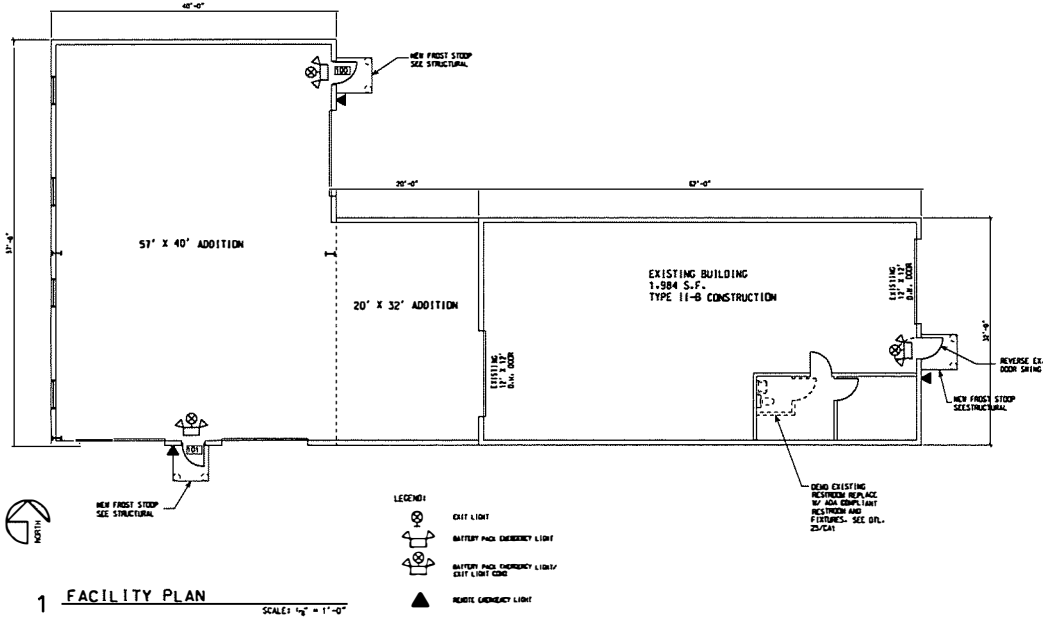
Illuminated Exits Required when 121 or more exits required.

Emergency Power for Illumination Required when 121 or more exits required.

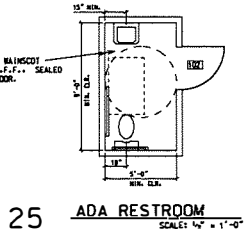
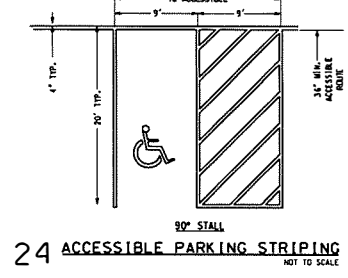
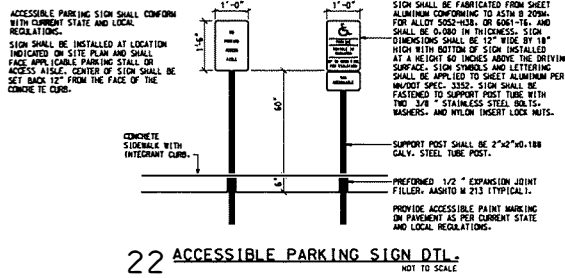
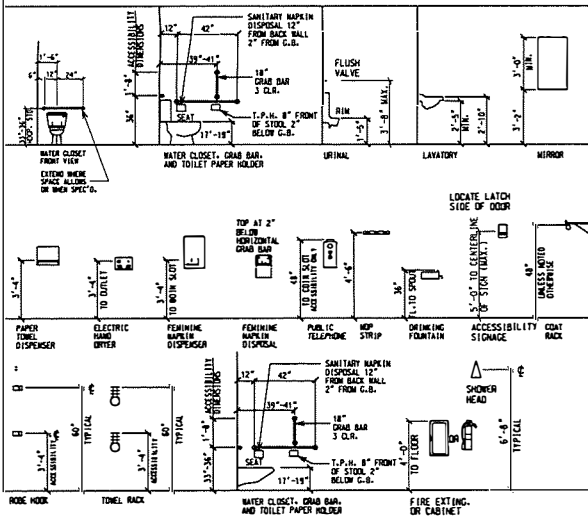
Exit doors shall swing in the direction of travel when occupant load exceeds 50 occupants.

PLUMBING

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



ACCESSIBILITY FIXTURE MOUNTING HEIGHT SCHEDULE



FINISH HARDWARE

Locksets - Match Existing Manufacturer.

Group 1	Doors 100, 101
3	Burris 8011 Bearing Plug 1 1/2" x 4 1/2" (1-1001)
1	Clonier 4240 Cylindrical
1	Lockset 80 53 20
1	Trimmed 423 A
1	Weatherstrip Range 25 75
1	Swing Range 101

Group 2	Doors 102
3	Burris 788 179
1	Lockset 80 425
1	Doorstop 602

Scale: 1/4" = 1'-0" (Vertical)

24" x 36" (Vertical)

SPANE DEVELOPMENT
S & R AUTO REPAIR
406 AIRPORT ROAD
MARION, WI 53583

DATE: 03/20/24
BY: [Signature]
CHECKED: [Signature]
SCALE: 1/4" = 1'-0"

CODE ANALYSIS

Proj. No. 2023
SHEET: CA-1
OF 1

SR Auto Repair

**CALCULATING 2024 EMV AS BASE - ONLY HAVING ABATEMENT
ON IMPROVEMENT EMV
2024 Tax rates**

	EMV	City Taxes	County Taxes	TOTAL TAX BILL
Base EMV	\$ 130,600.00	\$ 1,233.00	\$ 516.00	\$ 2,382.00
Improvement EMV	\$ 244,400.00	\$ 3,015.00	\$ 1,261.00	\$ 7,049.00
Total EMV	\$ 375,000.00	\$ 4,248.00	\$ 1,777.00	\$ 9,431.00

BASED ON OFFICE ESTIMATE	1	2	3	4		
<i>year</i>	2025	2026	2027	2028		
ENTER % OF ABATEMENT HERE	80%	60%	40%	20%		
Base EMV Captured Taxes	\$ 1,233.00	\$ 1,233.00	\$ 1,233.00	\$ 1,233.00		
Improvement EMV Abated Taxes	\$ 2,412.00	\$ 1,809.00	\$ 1,206.00	\$ 603.00		
Improvement EMV Captured Taxes	\$ 603.00	\$ 1,206.00	\$ 1,809.00	\$ 2,412.00		
Amount of Abatement	\$ 2,412.00	\$ 1,809.00	\$ 1,206.00	\$ 603.00	REQUESTED \$\$\$	\$ -
Amount of Taxes the City receives	\$ 1,836.00	\$ 2,439.00	\$ 3,042.00	\$ 3,645.00	BALANCE OF SPECIALS FORGAVE	\$ -
Total Tax Bill (city)	\$ 4,248.00	\$ 4,248.00	\$ 4,248.00	\$ 4,248.00	TAX ABATEMENT	\$ -
						\$ 6,030.00

RESOLUTION NUMBER 24-082

RESOLUTION RELATING TO A TAX ABATEMENT ON PROPERTY BEING DEVELOPED BY SR AUTO REPAIR GARAGE; GRANTING THE ABATEMENT

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

Section 1. AUTHORIZATION AND RECITALS.

- 1.01. The City, pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815, as amended (the "Act"), is authorized to grant an abatement of the property taxes imposed by the County on a parcel of property (Property Tax Abatement) if certain conditions are met, through the adoption of a resolution specifying the terms of the abatement.
- 1.02. The City has adopted the City of Marshall Tax Abatement Policy which further stipulates requirements before an abatement of taxes will be granted for residential development.
- 1.03. Scott Regnier has applied for a Business Tax Abatement pursuant to the City's Tax Abatement Policy on property legally described as: Parcel ID: 27-602007-0, 406 Airport Road, Marshall, MN 56258.
- 1.04. Pursuant to the Act, this Common Council on September 10, 2024, conducted a public hearing on the desirability of granting the abatement. Notice of the public hearing was duly published as required by law in the Marshall Independent, the official newspaper of the City.

Section 2. FINDINGS. On the basis of information compiled by the City and elicited at the public hearing referred to in Section 1.04, it is hereby found, determined and declared:

- 2.01. There is a need for new development on the Property to increase the tax base of the City and to improve the general economy of the state.
- 2.02. The granting of the proposed abatement is in the public interest because it will increase or preserve the tax base of the City.
- 2.03. The Property is not located in a tax increment financing district.
- 2.04. The granting of the proposed abatement will not cause the aggregate amount of abatements granted by the City under the Act to exceed the greater of ten percent (10.00%) of the County's current property tax levy, or \$200,000.
- 2.05. It is in the best interests of the City to grant the tax abatement authorized in this Resolution.

Section 3. GRANTING OF TAX ABATMENT

3.01. A property tax abatement (the “Abatement”) is hereby granted in respect of property taxes levied by the City on the Property for four (4) years, commencing with taxes payable for the assessed value related to the capital improvements on said parcel. The tax abatement period will commence with receipt of the Certificate of Occupancy, or not more than one year following approval of the taxing authority’s resolution, whichever is first.

3.02. The City shall provide the awarded abatement payment following payment of due real estate taxes annually. One single payment shall be made to the owner of record by December 30th of that calendar year.

3.03 The tax abatement shall be for the commercial capital improvements only. Land values and the current base value are not eligible and will not be abated.

3.04. The Abatement may be modified or terminated at any time by the Common Council in accordance with the Act.

3.05. The Abatement total is estimated to be approximately \$6,030.00 and should not exceed that amount. The Abatement scale approved is as follows:

Year 1	80% Abatement
Year 2	60% Abatement
Year 3	40% Abatement
Year 4	20% Abatement

Passed and adopted by the Common Council this 10th day of September 2024.

Mayor, City of Marshall

ATTEST:

City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Steven Anderson
Meeting Date:	Tuesday, September 10, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Approval for a Temporary Liquor License for the Taste of Marshall Event on October 7th
Background Information:	<p>The Marshall Area Chamber of Commerce will be hosting their annual Taste of Marshall event on October 7th at The Red Baron Arena & Expo.</p> <p>https://marshallmn.org/visit/annual-events/</p> <p>All temporary liquor licenses require municipal approval and final approval from the Alcohol and Gambling Enforcement Division.</p>
Fiscal Impact:	
Alternative/ Variations:	None recommended.
Recommendations:	To approve the temporary on-sale liquor license for the Marshall Area Chamber of Commerce on October 7, 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: Marshall Area Chamber of Commerce Date organized: 02/11/2030 Tax exempt number: 41-0395440

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

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

Date(s) of event: October 7, 2024 Type of organization: Club Charitable Religious Other non-profit

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

Organization officer's name: City: State: MN Zip Code:

Organization officer's name: City: State: MN Zip Code:

Organization officer's name: City: State: MN Zip Code:

Location where permit will be used. If an outdoor area, describe.
Taste of Marshall at Red Baron Arena and Expo
1651 Victory Dr.
Marshall, MN 56258

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

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

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

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

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

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

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

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Steven Anderson
Meeting Date:	Tuesday, September 10, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Approval of a Tobacco License for Kwik Trip #1273
Background Information:	<p>Kwik Trip Inc has requested a tobacco license to make retail sales of cigarette and other tobacco products at their new store location at 814 W. Main Street.</p> <p>Under City Ordinance Chapter 42, Article 42 VI – Tobacco, all required forms and insurance have been submitted, reviewed, and be found to be correct.</p>
Fiscal Impact:	\$150.00/application
Alternative/ Variations:	None recommended.
Recommendations:	To approve the new tobacco license for Kwik Trip for retail sales of tobacco products at 814 W. Main Street.

No. T24015



City of Marshall, Minnesota

~ LICENSE TO SELL CIGARETTES AT RETAIL ~

State of Minnesota
County of Lyon
City of Marshall

LICENSE IS HEREBY GRANTED UNTO **Kwik Trip #1273** to sell cigarettes and other tobacco products at **814 W. Main St.**

in the CITY OF MARSHALL in said county and state beginning with the **10th** day of **September 2024**

subject to the laws of the State of Minnesota and the ordinances and regulations of said City of Marshall pertaining thereto

and ending on the 1st day of January 2025.

ISSUED BY THE AUTHORITY OF THE CITY COUNCIL
Marshall, Minnesota, **September 10, 2024**

Attest:

THE COMMON COUNCIL
of the CITY OF MARSHALL

City Clerk

By _____
Mayor

(Seal)

Presenter:	Steven Anderson
Meeting Date:	Tuesday, September 10, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Approval for a 3.2% Malt Liquor Off-Sale License for Kwik Trip #1273
Background Information:	<p>Under Minnesota Statute 340A Liquor, Wine, Club and 3.2% licenses are issued by local municipalities but still require MN DPS Alcohol & Gambling Enforcement Division approval.</p> <p>Kwik Trip, Inc has request that they be allowed to sell 3.2% Alcohol at their new store located at 814 W. Main Street.</p> <p>All forms and documents have been reviewed and found to be in good standing.</p>
Fiscal Impact:	\$90 for 3.2% off-sale.
Alternative/ Variations:	
Recommendations:	To approve the issuance of a 3.2% Malt Liquor Off-Sale license for Kwik Trip at 814 W. Main Street.

City of Marshall, Minnesota

3.2% Off-Sale

TO ALL WHOM IT MAY CONCERN:

LICENSE IS HEREBY GRANTED UNTO

Kwik Trip, Inc dba
Kwik Trip #1273,

For an **3.2% Off-Sale License** at **814 W. Main St.**
from **September 10, 2024 - December 31, 2024**, subject

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

ISSUED BY THE AUTHORITY OF THE CITY COUNCIL

Marshall, Minnesota, **September 10, 2024**

Mayor

Attest:

City Clerk

(Seal)

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, September 10, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of an amendment to the Personnel Policy Manual—Appendices A and B-- Maximum Allowable Reimbursement/Per Diem Rates
Background Information:	<p>On an annual basis, Staff provide recommended amendments to the Employee Personnel Policy Manual—Appendices A and B—the Maximum Allowable Reimbursement / Per Diem Rates. Staff recommendations follow the rates set by the General Services Administration (GSA). A red-lined copy of the proposed revisions is attached for your review and consideration.</p> <p>The proposed amendments in Appendix A are consistent with Council direction in 2023, whereby, the maximum meal allowances align with the GSA Standard Rate per diems for MN. The proposed amendments in Appendix B are consistent with Council direction since August 2009, and consistent with the GSA website per diem rates. The amended rates would be effective 10/01/24.</p> <p>Supplemental background on Appendix B: Since August 2009, the City Council has established the City’s maximum allowable reimbursement and per diem rates for non-local travel in accordance with the rates established by the U.S. General Services Administration (GSA) rate schedule. The GSA per diem rates are set by federal fiscal year, which begins on October 1 and ends on September 30 each year. The rates shown are for in-state travel only. Where employees receive authorization to travel out-of-state, the employee clicks on the web-link provided in this Appendix to find the designated per diem rates.</p> <p>Supplemental background on the Meal Per Diems: the Council will note that the Meal Per Diem column on the City’s schedule reflects a decrease of \$5 from the GSA table (if you were to go to www.gsa.gov). Since August 2009, the Council has approved meal per diems consistent with the GSA schedule, <u>minus</u> the “Incidental Expenses”, which equates to \$5 for all locations. Per the City’s policy, any incidental or miscellaneous expenses require Division Director approval and submission of an itemized bill/receipt from the vendor. Examples of miscellaneous expenses may include, but are not limited to: parking fees, taxi fare, internet access charges, and fax charges.</p> <p>If approved by the City Council, staff would proceed with updating the cover page (date of revision) and table of contents (date of revision).</p>
Fiscal Impact:	
Alternative/ Variations:	None recommended. If the Council desires additional discussion on this amendment, Staff will schedule a Personnel Committee meeting.
Recommendations:	To approve amendment of the Personnel Policy manual

City of Marshall Personnel Policy Manual
SCHEDULE OF FEES AND RATES

Applicable Policy		Fees / Rates
6.6	COBRA Administration Fee	2%
9.2	Safety Equipment/Gear Safety Footwear—initial or replacement	Maximum reimbursement \$150.00 per calendar year applicable to non-union employees
11.7	Maximum Meal Allowance Rates for *Local Travel Breakfast Lunch Dinner *Reference Appendix B for Non-Local Travel Rates	Rates include tax and gratuity \$13.00 16 \$15.00 19 \$26.00 28
11.11	Vehicle Allowance—approved positions: Director of Public Works/City Engineer Director of Public Safety	\$250.00 per month
12.4	Mobile Communication Device Allowances Tier 1--City Administrator and Division Director Tier 2 --Personnel under the management of the City Administrator or Division Director Data Service Plan	\$40 per month \$30 per month \$40 per month

City of Marshall Personnel Policy Manual
MAXIMUM ALLOWABLE REIMBURSEMENT / PER DIEM RATES
FOR NON-LOCAL TRAVEL

Lodging and Meal Expenses – Effective October 1, ~~2023-2024~~ thru September 30, ~~2024~~2025

*To view rates outside of Minnesota, go to www.gsa.gov and reference “Per Diem Rates” for the state of your primary designation to determine which lodging and meal rates apply. When applying meal per diems to out-of-state locations, subtract the incidental per diem from the total per diem rate.						
Primary Destination	County	Season Begin Date	Season End Date	Lodging (not including taxes)	Meal Per Diems	Total Meal Per Diems will be reduced when meals are furnished to travelers as part of conference fees paid by the City.
Standard Rate This rate applies to all MN destinations or counties not specifically listed below.				\$107 <u>110</u>	\$546 <u>3</u>	Breakfast-- \$1316 Lunch-- \$1519 Dinner-- \$2628
Duluth	St. Louis	10/01/ 2324	10/31/ 2324	\$200 <u>220</u>	\$748 <u>1</u>	Breakfast-- \$1822
Duluth	St. Louis	11/01/ 2324	05/31/ 2425	\$148 <u>159</u>		Lunch-- \$2023
Duluth	St. Louis	06/01/ 2425	09/30/ 2425	\$200 <u>220</u>		Dinner--\$36
Minneapolis / St. Paul	Hennepin and Ramsey			\$148	\$748 <u>7</u>	Breakfast-- \$1823 Lunch-- \$2026 Dinner-- \$3638
Rochester	Olmsted			\$133 <u>127</u>	\$597 <u>5</u>	Breakfast-- \$1420 Lunch-- \$1622 Dinner-- \$2933

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Jason Anderson
Meeting Date:	Tuesday, September 10, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Project AP-003: Airport Snow Removal Equipment (SRE) Building - Consider Resolution Authorizing Execution of MnDOT State Companion Grant Agreement No. 1057831 (SP A4201-108 / AIP-3-27-0056-021-24) for Building Construction
Background Information:	Attached is the State companion agreement and resolution for MnDOT Contract #1057831 for funding of the SRE Building Construction in the amount of \$1,070,031.00 State participation and \$541,279.00 local funding. Please see attached "Actions Item Summary" outlining timeline of events relating to this project.
Fiscal Impact:	At the 08/12/2024 meeting, City Council acknowledged acceptance and authorized execution of Federal AIP grant MML-GLG-3-27-0056-021-2024 for Funding of Airport Development of the Airport Snow Removal Equipment (SRE) Building in the amount of \$744,249.00. This State companion grant agreement, Grant Agreement No. 1057831, in the amount of \$1,070,031 covers 70% of the FAA-ineligible project costs for the SRE Building project. With the execution of this State grant agreement, all project funding will now be officially be approved and in place. The required 10% match (\$82,694) of the FAA AIP grant and 30% (\$458,585) match of this State grant agreement will be locally funded in the amount is \$541,279.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	that the Council adopt Resolution 24-079 which is the Resolution of Authorization to Execute MnDOT Grant Agreement No. 1057831 for State funding of the SRE Building Construction in the amount of \$1,070,031 and local funding in the amount of \$541,279.

RESOLUTION 24-079

**AUTHORIZATION TO EXECUTE
MINNESOTA DEPARTMENT OF TRANSPORTATION
GRANT AGREEMENT FOR AIRPORT IMPROVEMENT
EXCLUDING LAND ACQUISITION**

It is resolved by the City of Marshall, MN as follows:

1. That the state of Minnesota Agreement No. 1057831,
"Grant Agreement for Airport Improvement Excluding Land Acquisition," for
State Project No. A4201-108 at the Southwest Minnesota Regional Marshall
Airport is accepted.

2. That the _____ Mayor _____ and _____ City Clerk _____ are
(Title) (Title)
authorized to execute this Agreement and any amendments on behalf of the
City of Marshall, MN.

CERTIFICATION

STATE OF MINNESOTA

COUNTY OF Lyon

I certify that the above Resolution is a true and correct copy of the Resolution adopted by the

_____ City of Marshall _____
(Name of the Recipient)

at an authorized meeting held on the 10th day of September , 2024

as shown by the minutes of the meeting in my possession.

Signature: _____
(Clerk or Equivalent)

CORPORATE SEAL

/OR/

NOTARY PUBLIC

My Commission Expires: _____

**STATE OF MINNESOTA
STATE AIRPORTS FUND
GRANT AGREEMENT**

This agreement is between the State of Minnesota, acting through its Commissioner of Transportation ("State"), and The City of Marshall, 344 West Main Street Marshall, MN 56258-1313 ("Grantee").

RECITALS

1. Minnesota Statutes Chapter 360 authorizes State to provide financial assistance to eligible airport sponsors for the acquisition, construction, improvement, marketing, maintenance, or operation of airports and other air navigation facilities.
2. Grantee owns, operates, controls, or desires to own an airport ("Airport") in the state system, and Grantee desires financial assistance from the State for an airport improvement project ("Project").
3. Grantee represents that it is duly qualified and agrees to perform all services described in this agreement to the satisfaction of the State. Pursuant to [Minn.Stat.§16B.98](#), Subd.1, Grantee agrees to minimize administrative costs as a condition of this agreement.

AGREEMENT TERMS

1 Term of Agreement, Survival of Terms, and Incorporation of Exhibits

- 1.1 **Effective Date.** This agreement will be effective on the date the State obtains all required signatures under [Minn. Stat.§16B.98](#), Subd. 5, whichever is later. As required by [Minn.Stat.§16B.98](#) Subd. 7, no payments will be made to Grantee until this agreement is fully executed. Grantee must not begin work under this agreement until this agreement is fully executed and Grantee has been notified by the State's Authorized Representative to begin the work.
- 1.2 **Expiration Date.** This agreement will expire on December 31, 2028, or when all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3 **Survival of Terms.** All clauses which impose obligations continuing in their nature and which must survive in order to give effect to their meaning will survive the expiration or termination of this agreement, including, without limitation, the following clauses: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 11. Workers Compensation; 12. Publicity and Endorsement; 13. Governing Law, Jurisdiction, and Venue; and 15 Data Disclosure.
- 1.4 **Plans, Specifications, Descriptions.** Grantee has provided the State with the plans, specifications, and a detailed description of the Project **A4201-108**, which are on file with the State's Office of Aeronautics and are incorporated into this Agreement by reference.
- 1.5 **Exhibits.** Exhibit "A" - Grant Request Letter, Exhibit "B": Credit Application, and Exhibit "C": Cost Split are attached and incorporated into this Agreement.

2 Grantee's Duties

- 2.1 Grantee will complete the Project in accordance with the plans, specifications, and detailed description of the Project, which are on file with the State's Office of Aeronautics. Any changes to the plans or specifications of the Project after the date of this Agreement will be valid only if made by written change order signed by the Grantee and the State. Subject to the availability of funds, the State may prepare an amendment to this Agreement to reimburse the Grantee for the allowable costs of qualifying change orders.
- 2.2 If the Project involves construction, Grantee will designate a registered engineer to oversee the Project work. If, with the State's approval, the Grantee elects not to have such services performed by a registered engineer, then the Grantee will designate another responsible person to oversee such work.
- 2.3 Grantee will notify State's Authorized Representative in advance of any meetings taking place relating to the Project.
- 2.4 Grantee will comply with all required grants management policies and procedures set forth through [Minn.Stat.§16B.97](#), Subd. 4 (a) (1).
- 2.5 **Asset Monitoring.** If Grantee uses funds obtained by this agreement to acquire a capital asset, the Grantee is required to use that asset for a public aeronautical purpose for the normal useful life of the asset. Grantee may not sell or change the purpose of use for the capital asset(s) obtained with grant funds under this agreement without the prior written consent of the State and an agreement executed and approved by the same parties who ex

and approved this agreement, or their successors in office.

2.6 **Airport Operations, Maintenance, and Conveyance.** Pursuant to Minnesota Statutes Section 360.305, subdivision 4 (d) (1), the Grantee will operate the Airport as a licensed, municipally-owned public airport at all times of the year for a period of **20 years** from the date the Grantee receives final reimbursement under this Agreement. The Airport must be maintained in a safe, serviceable manner for public aeronautical purposes only. Without prior written approval from the State, Grantee will not transfer, convey, encumber, assign, or abandon its interest in the airport or in any real or personal property that is purchased or improved with State funds. If the State approves such a transfer or change in use, the Grantee must comply with such conditions and restrictions as the State may place on such approval. The obligations imposed by this clause survive the expiration or termination of this Agreement.

3 **Time**

3.1 Grantee must comply with all the time requirements described in this agreement. In the performance of this grant agreement, time is of the essence.

4 **Cost and Payment**

4.1 **Cost Participation.** Costs for the Project will be proportionate and allocated as follows:

<u>Item Description</u>	<u>Federal Share</u>	<u>State Share</u>	<u>Grantee Share</u>
SRE Building Construction AIP	90.0%	0%	10.0%
FAA AIP - Eligible	(\$744,249.00)		(\$82,694.00)
FAA AIP – In-Eligible	0%	70%	30.0%
		(\$1,070,031.00)	(\$458,585.00)

Federal Committed:	<u>\$ 744,249.00</u>
State:	<u>\$ 1,070,031.00</u>
Grantee:	<u>\$ 541,279.00</u>

The federal multiyear amount is an estimate only. These funds are not committed and are only available after being made so by the U.S. Government. Federal funds for the Project will be received and disbursed by the State. In the event federal reimbursement becomes available or is increased for the Project, the State will be entitled to recover from such federal funds an amount not to exceed the state funds advanced for this Project. No more than 95% of the amount due under this Agreement will be paid by the State until the State determines that the Grantee has complied with all terms of this Agreement and furnished all necessary records.

4.2 **Travel Expenses.** Blank

4.3 **Sufficiency of Funds.** Pursuant to Minnesota Rules 8800.2500, the Grantee certifies that (1) it presently has available sufficient unencumbered funds to pay its share of the Project; (2) the Project will be completed without undue delay; and (3) the Grantee has the legal authority to engage in the Project as proposed.

4.4 **Total Obligation.** The total obligation of the State for all compensation and reimbursements to Grantee under this agreement will not exceed \$1,070,031.00.

4.5 **Payment**

4.5.1 **Invoices.** Grantee will submit invoices for payment by **Credit Application via email**. Exhibit “B”, which is attached and incorporated into this agreement, is the form Grantee will use to submit invoices. The State’s Authorized Representative, as named in this agreement, will review each invoice against the approved grant budget and grant expenditures to-date before approving payment. The State will promptly pay Grantee after Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices will be submitted timely and according to the following schedule: Monthly, or as work completion dictates.

4.5.2 **All Invoices Subject to Audit.** All invoices are subject to audit, at State’s discretion.

4.5.3 **State’s Payment Requirements.** State will promptly pay all valid obligations under this agreement as required by Minnesota Statutes §16A.124. State will make undisputed payments no later than 30 days after receiving Grantee’s invoices for services performed. If an invoice is incorrect, defective or otherwise improper, State will notify Grantee within ten days of discovering the error. After State receives the

corrected invoice, State will pay Grantee within 30 days of receipt of such invoice.

4.5.4 Grantee Payment Requirements. Grantee must pay all contractors under this agreement promptly. Grantee will make undisputed payments no later than 30 days after receiving an invoice. If an invoice is incorrect, defective, or otherwise improper, Grantee will notify the contractor within ten days of discovering the error. After Grantee receives the corrected invoice, Grantee will pay the contractor within 30 days of receipt of such invoice.

4.5.5 Grant Monitoring Visit and Financial Reconciliation. During the period of performance, the State will make at least annual monitoring visits and conduct annual financial reconciliations of Grantee's expenditures.

4.5.5.1 The State's Authorized Representative will notify Grantee's Authorized Representative where and when any monitoring visit and financial reconciliation will take place, which State employees and/or contractors will participate, and which Grantee staff members should be present. Grantee will be provided notice prior to any monitoring visit or financial reconciliation.

4.5.5.2 Following a monitoring visit or financial reconciliation, Grantee will take timely and appropriate action on all deficiencies identified by State.

4.5.5.3 At least one monitoring visit and one financial reconciliation must be completed prior to final payment being made to Grantee.

4.5.6 Closeout. The State will determine, at its sole discretion, whether a closeout audit is required prior to final payment approval. If a closeout audit is required, final payment will be held until the audit has been completed. Monitoring of any capital assets acquired with grant funds will continue following grant closeout.

4.5.7 Closeout Deliverables. At the close of the Project, the Grantee must provide the following deliverables to the State before the final payment due under this Agreement will be released by the State: (1) Electronic files of construction plans as a PDF and in a MicroStation compatible format; and (2) Electronic files of as-builts as a PDF and in a MicroStation compatible format. (3) Electronic files of planning documents (Airport Layout Plans – ALP) and Airport Zoning as a PDF and in a MicroStation compatible format and in GIS.

4.6 Contracting and Bidding Requirements. Prior to publication, Grantee will submit to State all solicitations for work to be funded by this Agreement. Prior to execution, Grantee will submit to State all contracts and subcontracts funded by this agreement between Grantee and third parties. State's Authorized Representative has the sole right to approve, disapprove, or modify any solicitation, contract, or subcontract submitted by Grantee. All contracts and subcontracts between Grantee and third parties must contain all applicable provisions of this Agreement. State's Authorized Representative will respond to a solicitation, contract, or subcontract submitted by Grantee within ten business days.

5 Conditions of Payment

All services provided by Grantee under this agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law. In addition, Grantee will not receive payment for Airport's failure to pass periodic inspections by a representative of the State's Office of Aeronautics.

6 Authorized Representatives

6.1 The State's Authorized Representative is:

Luke Bourassa, South Region Airports Engineer; (luke.bourassa@state.mn.us) (651)508-0448 and/or **Brian Conklin**, Regional Airport Specialist Sr.; (brian.conklin@state.mn.us) (651)252-7658, or their successor. State's Authorized Representative has the responsibility to monitor Grantee's performance and the authority to accept the services provided under this agreement. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

6.2 Grantee's Authorized Representative is:

Jason Anderson; Director of Public Works/Airport Manager

Phone (507) 537-6773 jason.anderson@ci.marshall.mn.us

City Marshall

344 West Main Street

Marshall, MN 56258-1313

Or their successor.

If the Grantee's Authorized Representative changes at any time during this agreement, Grantee will immediately notify the State.

7 Assignment Amendments, Waiver, and Grant Agreement Complete

- 7.1 **Assignment.** The Grantee may neither assign nor transfer any rights or obligations under this agreement without the prior written consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this agreement, or their successors in office.
- 7.2 **Amendments.** Any amendments to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office. Notwithstanding the foregoing, when FAA issues a Letter Amendment on a federal grant agreement that results in an increase in federal funds beyond the total amount in this grant agreement (i.e., federal amendment), MnDOT's receipt of the Letter Amendment from FAA has the effect of amending the total amount in this grant agreement.
- 7.3 **Waiver.** If the State fails to enforce any provision of this agreement, that failure does not waive the provision or the State's right to subsequently enforce it.
- 7.4 **Grant Agreement Complete.** This grant agreement contains all negotiations and agreements between the State and Grantee. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.
- 7.5 **Electronic Records and Signatures.** The parties agree to contract by electronic means. This includes using electronic signatures and converting original documents to electronic records.
- 7.6 **Certification.** By signing this Agreement, the Grantee certifies that it is not suspended or debarred from receiving federal or state awards.

8 Liability

In the performance of this agreement, and to the extent permitted by law, Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this agreement by Grantee or Grantee's agents or employees. This clause will not be construed to bar any legal remedies Grantee may have for the State's failure to fulfill its obligations under this agreement.

9 State Audits

Under Minn. Stat. § 16B.98, Subd.8, the Grantee's books, records, documents, and accounting procedures and practices of Grantee, or other party relevant to this grant agreement or transaction, are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later. Grantee will take timely and appropriate action on all deficiencies identified by an audit.

10 Government Data Practices and Intellectual Property Rights

- 10.1 **Government Data Practices.** Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this agreement. The civil remedies of [Minn. Stat. §13.08](#) apply to the release of the data referred to in this clause by either Grantee or the State. If Grantee receives a request to release the data referred to in this section 10.1, Grantee must immediately notify the State. The State will give Grantee instructions concerning the release of the data to the requesting party before the data is released. Grantee's response to the request shall comply with applicable law.
- 10.2 **Intellectual Property Rights.**
- 10.2.1 **Intellectual Property Rights.** State owns all rights, title and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks and service marks in the Works and Documents created and paid for under this agreement. "Works" means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings, specifications, materials, tapes and disks conceived, reduced to practice, created or originated by Grantee, its employees, agents and subcontractors, either individually or jointly with others in the performance of this agreement. Works includes Documents. "Documents" are the originals of any databases, computer programs, reports, notes, studies, photographs, negatives,

designs, drawings, specifications, materials, tapes, disks or other materials, whether in tangible or electronic forms, prepared by Grantee, its employees, agents or subcontractors, in the performance of this agreement. The Documents will be the exclusive property of State, and Grantee upon completion or cancellation of this agreement must immediately return all such Documents to State. To the extent possible, those Works eligible for copyright protection under the United States Copyright Act will be deemed to be “works made for hire.” Grantee assigns all right, title and interest it may have in the Works and the Documents to State. Grantee must, at the request of State, execute all papers and perform all other acts necessary to transfer or record the State’s ownership interest in the Works and Documents.

10.2.2 **Obligations**

10.2.2.1 **Notification.** Whenever any invention, improvement or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by Grantee, including its employees and subcontractors, in the performance of this agreement, Grantee will immediately give State’s Authorized Representative written notice thereof and must promptly furnish State’s Authorized Representative with complete information and/or disclosure thereon.

10.2.2.2 **Representation.** Grantee must perform all acts, and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of State and that neither Grantee nor its employees, agents or subcontractors retain any interest in and to the Works and Documents. Grantee represents and warrants that the Works and Documents do not and will not infringe upon any intellectual property rights of other persons or entities. Notwithstanding Clause 8, Grantee will indemnify; defend, to the extent permitted by the Attorney General; and hold harmless State, at Grantee’s expense, from any action or claim brought against State to the extent that it is based on a claim that all or part of the Works or Documents infringe upon the intellectual property rights of others. Grantee will be responsible for payment of any and all such claims, demands, obligations, liabilities, costs and damages, including but not limited to, attorney fees. If such a claim or action arises, or in Grantee’s or State’s opinion is likely to arise, Grantee must, at State’s discretion, either procure for State the right or license to use the intellectual property rights at issue or replace or modify the allegedly infringing Works or Documents as necessary and appropriate to obviate the infringement claim. This remedy of State will be in addition to and not exclusive of other remedies provided by law.

11 **Workers Compensation**

The Grantee certifies that it is in compliance with [Minn. Stat. §176.181](#), Subd. 2, pertaining to workers’ compensation insurance coverage. The Grantee’s employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers’ Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State’s obligation or responsibility.

12 **Publicity and Endorsement**

12.1 **Publicity.** Any publicity regarding the subject matter of this agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State’s Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this grant agreement. All projects primarily funded by state grant appropriation must publicly credit the State of Minnesota, including on the Grantee’s website when practicable.

12.2 **Endorsement.** The Grantee must not claim that the State endorses its products or services.

13 **Governing Law, Jurisdiction, and Venue**

Minnesota law, without regard to its choice-of-law provisions, governs this agreement. Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14 **Termination; Suspension**

14.1 **Termination.** The State or Commissioner of Administration may unilaterally terminate this agreement at any time, with or without cause, upon written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

- 14.2 **Termination for Cause.** The State may immediately terminate this grant agreement if the State finds that there has been a failure to comply with the provisions of this agreement, that reasonable progress has not been made, that fraudulent or wasteful activity has occurred, that Grantee has been convicted of a criminal offense relating to a state grant agreement, or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.
- 14.3 **Termination for Insufficient Funding.** The State may immediately terminate this agreement if:
- 14.3.1 It does not obtain funding from the Minnesota Legislature; or
- 14.3.2 If funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State will provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.
- 14.4 **Suspension.** The State may immediately suspend this agreement in the event of a total or partial government shutdown due to the failure to have an approved budget by the legal deadline. Work performed by the Grantee during a period of suspension will be deemed unauthorized and undertaken at risk of non-payment.

15 Data Disclosure

Under [Minn. Stat. § 270C.65](#), Subd. 3, and other applicable law, Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

- 16 **Fund Use Prohibited.** The Grantee will not utilize any funds received pursuant to this Agreement to compensate, either directly or indirectly, any contractor, corporation, partnership, or business, however organized, which is disqualified or debarred from entering into or receiving a State contract. This restriction applies regardless of whether the disqualified or debarred party acts in the capacity of a general contractor, a subcontractor, or as an equipment or material supplier. This restriction does not prevent the Grantee from utilizing these funds to pay any party who might be disqualified or debarred after the Grantee's contract award on this Project. For a list of disqualified or debarred vendors, see www.mmd.admin.state.mn.us/debarredreport.asp.

- 17 **Discrimination Prohibited by Minnesota Statutes §181.59.** Grantee will comply with the provisions of Minnesota Statutes §181.59 which requires that every contract for or on behalf of the State of Minnesota, or any county, city, town, township, school, school district or any other district in the state, for materials, supplies or construction will contain provisions by which Contractor agrees: 1) That, in the hiring of common or skilled labor for the performance of any work under any contract, or any subcontract, no Contractor, material supplier or vendor, will, by reason of race, creed or color, discriminate against the person or persons who are citizens of the United States or resident aliens who are qualified and available to perform the work to which the employment relates; 2) That no Contractor, material supplier, or vendor, will, in any manner, discriminate against, or intimidate, or prevent the employment of any person or persons identified in clause 1 of this section, or on being hired, prevent or conspire to prevent, the person or persons from the performance of work under any contract on account of race, creed or color; 3) That a violation of this section is a misdemeanor; and 4) That this contract may be canceled or terminated by the state of Minnesota, or any county, city, town, township, school, school district or any other person authorized to grant contracts for employment, and all money due, or to become due under the contract, may be forfeited for a second or any subsequent violation of the terms or conditions of this Agreement.

- 18 **Limitation.** Under this Agreement, the State is only responsible for receiving and disbursing funds. Nothing in this Agreement will be construed to make the State a principal, co-principal, partner, or joint venturer with respect to the Project(s) covered herein. The State may provide technical advice and assistance as requested by the Grantee, however, the Grantee will remain responsible for providing direction to its contractors and consultants and for administering its contracts with such entities. The Grantee's consultants and contractors are not intended to be third party beneficiaries of this Agreement.

- 19 **Telecommunications Certification.** By signing this agreement, Contractor certifies that, consistent with Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. 115-232 (Aug. 13, 2018), and 2 CFR 200.216, Contractor will not use funding covered by this agreement to procure or obtain, or to extend, renew, or enter into any contract to procure or obtain, any equipment, system, or service that uses “covered telecommunications equipment or services” (as that term is defined in Section 889 of the Act) as a substantial or essential component of any system or as critical technology as part of any system. Contractor will include this certification as a flow down clause in any contract related to this agreement.
- 20 **Title VI/Non-discrimination Assurances.** Grantee agrees to comply with all applicable US DOT Standard Title VI/Non-Discrimination Assurances contained in DOT Order No. 1050.2A, and in particular Appendices A and E, which can be found at: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=11149035. Grantee will ensure the appendices and solicitation language within the assurances are inserted into contracts as required. State may conduct a review of the Grantee’s compliance with this provision. The Grantee must cooperate with State throughout the review process by supplying all requested information and documentation to State, making Grantee staff and officials available for meetings as requested, and correcting any areas of non-compliance as determined by State.
- 21 **Additional Provisions**
[Intentionally left blank.]

[The remainder of this page has intentionally been left blank.]

STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. § 16A.15 and § 16C.05.

Signed: _____

Date: _____

SWIFT Contract/PO No(s). _____

GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

DEPARTMENT OF TRANSPORTATION

By: _____
(with delegated authority)

Title: _____

Date: _____

**DEPARTMENT OF TRANSPORTATION
CONTRACT MANAGEMENT**

By: _____

Date: _____



PUBLIC WORKS DIVISION
344 WEST MAIN STREET
MARSHALL, MN 56258-1313
PHONE: 507-537-6773

February 21, 2024

Mr. Luke Bourassa
South Region Airport Development Engineer
MnDOT Office of Aeronautics
395 John Ireland Boulevard | Mail Stop 410
St. Paul, MN 55155-1800

SP A4201-108 AIP 3-27-0056-021-24
contract#: 1057831

Re: Request for Grant Agreements
Southwest Minnesota Regional Airport / Ryan Field (MML)
Snow Removal Equipment (SRE) Facility Project

Dear Mr. Bourassa:

The City of Marshall hereby requests Grant agreements for Federal and State funding for the Snow Removal Equipment (SRE) Facility project at the Southwest Minnesota Regional Airport. Total project cost is \$3,330,470.00 as shown on the attached Project Cost Summary, and as described below. Federal Airport Improvement Program (AIP) funding for fiscal year 2024 is requested in the amount of \$744,249.42 for 90% of the federally eligible building related costs. Federal Airport Infrastructure Grant (AIG) funding for fiscal year 2024 is requested in the amount of \$832,959.90 for 90% of the federally eligible site improvement costs. State funding is requested in the amount of \$1,104,610.64 for a 70% state funding share on federally ineligible portions of the project. The remainder will be funded with local funds in the amount of \$648,650.04.

It is recognized the requested state share exceeds the maximum \$1.0 million limit identified in the Airport Funding Rates letter for FY 2024, dated May 30, 2023. The City respectfully requests an exception for additional state funding beyond the \$1.0 million due to the airport's critical need for this facility. The existing SRE building is inadequate to store all the airport's snow removal equipment, has exceeded its useful life, and is in need of replacement.

On January 23, 2024, the City opened bids on the project, at which time 5 bids were received (tabulation attached). The bids received vary by 18.2% from low to high, and the low bid is 17.4% below the Engineer's Estimate. The construction bid cost associated with the Project is \$2,913,100.00. On February 13, 2024, the Marshall City Council acknowledged the apparent low bidder, Sussner Construction, and approved a resolution to award a construction contract, contingent upon the receipt of grant funding.

The City of Marshall has included \$98,000 for administration expenses as part of this request. Administrative expenses include advertising for bids, independent fee estimate services, miscellaneous expenses, and electric and gas service installations.

Thank you for your consideration. If you have any questions concerning this request, please contact me at (507) 537-6773 or jason.anderson@ci.marshall.mn.us.

Respectfully,

Director of Public Works/Airport Manager

JRA:lrk / Attachments

c: Kyle Sebesta, P.E. - FAA
Daniel Sherer, P.E. - TKDA

PROJECT COST BREAKDOWN									
SNOW REMOVAL EQUIPMENT (SRE) FACILITY SITE WORK & BUILDING CONSTRUCTION									
SOUTHWEST MINNESOTA REGIONAL AIRPORT - MARSHALL (MML)									
FEDERAL FISCAL YEAR 2024 GRANT APPLICATION									
ID	UNIT OF WORK	COSTS			FUNDING				
		TOTAL COST	AIP ELIGIBLE PERCENTAGE	AIP ELIGIBLE COST	FAA AIP 90.0%	FAA AIG (BIL) 90.0%	STATE AIP MATCH 0.0%	STATE 70.0%	SPONSOR Varies
1	ADMINISTRATIVE								
	Independent Fee Review	\$ 4,000.00	100.00%	\$ 4,000.00	\$ 3,600.00	\$ -	\$ -	\$ -	\$ 400.00
	City Administration	\$ 4,000.00	100.00%	\$ 4,000.00	\$ 3,600.00	\$ -	\$ -	\$ -	\$ 400.00
	Electric / Gas Service	\$ 90,000.00	100.00%	\$ 90,000.00	\$ -	\$ 81,000.00	\$ -	\$ -	\$ 9,000.00
	Subtotal Administrative	\$ 98,000.00	100.00%	\$ 98,000.00	\$ 7,200.00	\$ 81,000.00	\$ -	\$ -	\$ 9,800.00
2	ENGINEERING								
	Bidding Phase Engineering	\$ 39,170.00	100.00%	\$ 39,170.00	\$ 35,253.00	\$ -	\$ -	\$ -	\$ 3,917.00
	Construction Phase Engineering (Building)	\$ 100,389.00	33.78%	\$ 33,911.40	\$ 30,520.26	\$ -	\$ -	\$ 46,534.32	\$ 23,334.42
	Construction Phase Engineering (Site)	\$ 179,811.00	100.00%	\$ 179,811.00	\$ -	\$ 161,829.90	\$ -	\$ -	\$ 17,981.10
	Subtotal Engineering	\$ 319,370.00	79.18%	\$ 252,892.40	\$ 65,773.26	\$ 161,829.90	\$ -	\$ 46,534.32	\$ 45,232.52
3	CONSTRUCTION								
	Building Construction	\$ 2,208,000.00	33.78%	\$ 745,862.40	\$ 671,276.16	\$ -	\$ -	\$ 1,023,496.32	\$ 513,227.52
	Site Work	\$ 655,700.00	100.00%	\$ 655,700.00	\$ -	\$ 590,130.00	\$ -	\$ -	\$ 65,570.00
	Concrete Pads	\$ 8,500.00	0.00%	\$ -	\$ -	\$ -	\$ -	\$ 5,950.00	\$ 2,550.00
	Landscaping	\$ 40,900.00	0.00%	\$ -	\$ -	\$ -	\$ -	\$ 28,630.00	\$ 12,270.00
	Subtotal Construction	\$ 2,913,100.00		\$ 1,401,562.40	\$ 671,276.16	\$ 590,130.00	\$ -	\$ 1,058,076.32	\$ 593,617.52
	TOTAL COST	\$ 3,330,470.00	52.62%	\$ 1,752,454.80	\$ 744,249.42	\$ 832,959.90	\$ -	\$ 1,104,610.64	\$ 648,650.04
				<i>Project Funding Shares</i>	22.35%	25.01%	0.00%	33.17%	19.48%
				<i>Available FAA Entitlement Balance</i>	\$ 914,402.00	\$ 879,000.00			

Funding Balance \$ (170,152.58) \$ (46,040.10)

Notes:

- 1) No State AIP Match shown since state amount exceeds \$400,000 on AIP ineligible, in accordance with the Airport Funding Rates Letter for State FY 2024.
- 2) The City requests an exemption to the \$1.0M state limit on project funding, in accordance with the Airport Funding Rates Letter for State FY 2024.

TABULATION OF BIDS
MML AIRPORT SNOW REMOVAL EQUIPMENT (SRE) FACILITY
CITY OF MARSHALL

ITEM NO.	DESCRIPTION	QUANTITY	ENGINEER'S ENGINEER'S ESTIMATE		SUSSNER CONSTRUCTION, LLC		BRENNAN CONSTRUCTION OF MN, INC.		APX CONSTRUCTION GROUP		TERWISSCHA CONSTRUCTION INC.		VOSS PLUMBING & HEATING VOSS CONCRETE & MASONRY	
			UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
BASE BID														
1	MARSHALL SRE BUILDING, ALL WORK COVERED IN DIV 00-28	1 LS	2,749,495.00	2,749,495.00	2,208,000.00	2,208,000.00	\$2,156,701.53	2,156,701.53	\$2,357,000.00	2,357,000.00	\$2,493,620.00	2,493,620.00	\$2,735,000.00	2,735,000.00
2	MARSHALL SRE SITE WORK, ALL EXTERIOR WORK COVERED IN DIV 31-33	1 LS	616,850.00	616,850.00	655,700.00	655,700.00	\$657,028.13	657,028.13	\$724,000.00	724,000.00	\$641,090.00	641,090.00	\$656,000.00	656,000.00
3	6" REINF. CONCRETE PADS FOR FUEL TANK & TRASH ENCLOSURE	1 LS	7,000.00	7,000.00	8,500.00	8,500.00	\$94,900.35	94,900.35	\$17,000.00	17,000.00	\$52,290.00	52,290.00	\$4,500.00	4,500.00
BID ALT NO. 1														
4	ADD LANDSCAPING	1 LS	71,750.00	71,750.00	40,900.00	40,900.00	44,000.00	44,000.00	65,000.00	65,000.00	51,765.00	51,765.00	55,000.00	55,000.00
			BASE BID	\$3,373,345.00	\$2,872,200.00	\$2,908,630.01	\$3,098,000.00	\$3,187,000.00	\$3,395,500.00					
TOTAL (BASE BID + ALTERNATE)			\$3,445,095.00	\$2,913,100.00	\$2,952,630.01	\$3,163,000.00	\$3,238,765.00	\$3,450,500.00						

DENOTES ERROR ON THIS LINE ON EXECUTED BID PROPOSAL.

MINNESOTA DEPARTMENT OF TRANSPORTATION
 OFFICE OF AERONAUTICS
 395 JOHN IRELAND BOULEVARD, MS 410
 ST. PAUL, MINNESOTA 55155-1800
 airportdevelopment@state.mn.us

Airport Name _____
 State Project No. _____
 Federal Project No. _____
 Mn/DOT Agreement No. _____

CREDIT APPLICATION

TO THE DIRECTOR, OFFICE OF AERONAUTICS:

Itemized statement of cash expenditures for which credit is claimed:

For period beginning _____, 20____; ending _____, 20____.

Warrant Number	Date Issued	Name or Description	Unit	Rate	Total Time or Quantity	Amount
Total Expenditures						

***FINAL/PARTIAL (CIRCLE ONE)**

NOTE: PLEASE SEPARATE ENGINEERING COSTS FROM OTHER COSTS.

Municipality _____
 By _____
 Title _____

Item 7. FOR ALL ITEMS INCLUDED IN THIS AGREEMENT

STATE OF _____

COUNTY OF _____

_____, being first duly sworn, deposes and says that he/she is the _____ of the Municipality of _____, in the County of _____, State of Minnesota; that he/she has prepared the foregoing Credit Application, knows the contents thereof, that the same is a true and accurate record of disbursements made, and that the same is true of his/her own knowledge; and that this application is made by authority of the municipal council (or board) of said Municipality.

Signature

Subscribed and sworn to before me

this _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires: _____

EXHIBIT "C"

Airport: Marshall MML
 Sponsor: City of Marshall
 UEI: EZMLAH2D5XV9
 State Project: A4201-108
 State Agreement #:
 Fed Project: 3-27-0056-21-24 AIP
 Description: **SRE Building Construction AIP**
 Version: 12/14/2023

				AIP/State Eligible		Funding Rates					
Construction	Description			Total		Federal	State	Federal	State	Local	
	Building Construction	AIP Eligible	33.78%	\$ 2,208,000.00	\$ 745,862.40	90%	0%	\$ 671,276.16	\$ -	\$ 74,586.24	\$ 745,862.40
	Building Construction	AIP In-Eligible (State)	66.22%	\$ 2,208,000.00	\$ 1,462,137.60	0%	70%	\$ -	\$ 1,023,496.32	\$ 438,641.28	\$ 1,462,137.60
				CONSTRUCTION SUBTOTAL	\$ 2,208,000.00	\$ 2,208,000.00		\$ 671,276.16	\$ 1,023,496.32	\$ 513,227.52	\$ 2,208,000.00
Engineering	Description			Total		Federal	State	Federal	State	Local	
	TKDA - Bidding Phase SRE Building			\$ 39,170.00		90%	0.0%	\$ 35,253.00	\$ -	\$ 3,917.00	
	TKDA - Construction & Closeout Phases	AIP Eligible	33.78%	\$ 100,389.00	\$ 33,911.40	90%	0.0%	\$ 30,520.26	\$ -	\$ 3,391.14	\$ 33,911.40
	TKDA - Construction & Closeout Phases	AIP In-Eligible	66.22%	\$ 100,389.00	\$ 66,477.60	0%	70.0%	\$ -	\$ 46,534.32	\$ 19,943.28	\$ 66,477.60
				ENGINEERING SUBTOTAL	\$ 139,559.00	\$ 100,389.00		\$ 65,773.26	\$ 46,534.32	\$ 27,251.42	\$ 139,559.00
Administration	Description			Total		Federal	State	Federal	State	Local	
	Independent Fee Estimate			\$ 4,000.00		90%	0%	\$ 3,600.00	\$ -	\$ 400.00	
	City Administration			\$ 4,000.00		90%	0%	\$ 3,600.00	\$ -	\$ 400.00	
				ADMINISTRATION SUBTOTAL	\$ 8,000.00			\$ 7,200.00	\$ -	\$ 800.00	
				Total (before adjustments)	\$ 2,355,559.00			\$ 744,249.42	\$ 1,070,030.64	\$ 541,278.94	
				Grant Amounts	\$ 2,355,559.00			\$ 744,249.00	\$ 1,070,031.00	\$ 541,279.00	\$ 2,355,559.00
				Overall Share Percentages			31.60%	45.43%	22.98%		

03/23/2021 - Council authorized the first transfer of Airport Federal Entitlement Funds and authorized execution and filing of FAA Form 5100-110 for the transfer of \$150,000 of MML Airport 2021 Federal Entitlement Funds to Dodge Center, MN (TOB).
10/12/2021 - Council authorized acceptance of the Proposal with TKDA for a Predesign Study in the amount of \$35,000.00. SRE ARFF Pre Design Study - Proposal (signed).pdf
03/08/2022 - Council authorized the second transfer of Airport Federal Entitlement Funds and authorized execution and filing of FAA Form 5100-110 for the transfer of \$150,000 of MML Airport 2022 Federal Entitlement Funds to Waseca, MN (ACQ).
04/26/2022 - Council authorized TKDA submittal of an FAA Grant Application in the amount of \$135,598.00. Total design cost in the request for grant funding was \$297,000.00. This total included \$7,000 in local project costs and \$35,000 reimbursement for the TKDA pre-design study.
05/10/2022 - City Council authorized acceptance of the Proposal with TKDA for Design Phase Services in the amount of \$255,000 with services under this proposal, contingent on receipt of the federal and State grant agreements. Marshall SRE Design Scope Letter 050222-xTKDA.pdf
08/15/2022 - FAA Grant Agreement 3-27-0056-019-2022 received and electronically signed by Mayor and City Attorney.
09/13/2022 - City Council acknowledgement of FAA Grant Agreement 3-27-0056-019-2022 for Funding of Site and Building Design in the amount of \$135,598.00. MML-GLG-3-27-0056-019-2022-Grant Agreement (part 1) - signed.pdf
09/27/2022 - Consider Resolution of Authorization to Execute MnDOT Grant Agreement No. 1051776 for funding of Site and Building Design in the amount of \$109,968.00. A4201-103 - MML -State Agreement -#23390525-v5.PDF
10/20/2022 - Submission of 2023 Federal Grant Initiation Request to ensure eligible utilization of all Airport entitlements and indicating the project is planned to utilize both the airports AIP and AIG funding available in 2023. At the time of submission of Initiation Request, it was noted that the building design was just beginning, and the funding eligibility and prorates would be revisited prior to the grant application.
02/07/2023 - TKDA presentation of project to the Airport Commission. Commission member Ron Halgerson has served as the Airport Commission representative to the project to help review project plans and offer outside input to the project.
02/14/2023 - Project presented to Public Improvement/Transportation Committee (PI/T) for their information.
02/28/2023 - City Council authorization to advertise for bids.
04/03/2023 - Bids received. One bid was received from Sussner Construction, Inc. in the amount of \$4,346,000, which substantially exceeded the construction cost estimate of \$3,118,023 for construction costs. Total estimated project budget, including construction administration and special testing costs, was \$3,353,023. At the Airport Commission meeting on 04/04/2023, Airport Commission discussed and recommended a re-evaluation of the project scope, bidding requirements and potential cost control measures for the City's review/consideration.

04/25/2023 - PI/T recommends to City Council to reject the one bid received April 3, 2023 and authorize City staff to work with TKDA and the Airport Commission to re-evaluate the Project AP-003 bid package to ensure the project is more economical.
04/25/2023 - City Council rejected the bid received from Sussner Construction, Inc. for construction of the building. The bid received was substantially over the City's budget for the project. Council directed staff to work with TKDA and Airport Commission to re-evaluate the project AP-003 bid package with the goal of making the project more economical.
10/10/2023 - City Council authorized City staff to submit the federal grant initiation request for use of federal dollars on the Airport Snow Removal Equipment (SRE) Building Project.
10/24/2023 - City Council authorized execution of an Architectural and Engineering Services Agreement with TKDA for Bidding Phase Services for a lump sum amount of \$39,170. TKDA Architectural and Engineering Services SRE Building 10.24.23.pdf
12/05/2023 - Project update presented to Airport Commission and PI/T.
12/12/2023 – PI/T reviews project and makes recommendation to Council.
12/12/2023 - City Council authorization to advertise for bids.
01/23/2024 – Bids received.
02/06/2024 – Airport Commission recommends award of bid to Sussner Construction, Inc. in the amount of \$2,913,100.00, per the recommendation from TKDA.
02/13/2024 - City Council authorized entering into a Professional Services Agreement with TKDA for the Airport SRE Building-Construction Phase for an amount not-to-exceed \$280,200.00, per recommendation of the Airport Commission and contingent upon State and Federal grant funding.
02/13/2024 - City Council authorized entering into a Professional Services Agreement with TKDA for the Airport SRE Building-Construction Phase for an amount not-to-exceed \$280,200.00, per recommendation of the Airport Commission and contingent upon State and Federal grant funding. L:\City of Marshall\Departments\Public Works\Airport\Interdepartment\CIP\AP-003 SRE-ARFF\TKDA Agreement - SRE Construction Phase 2024-02-13.pdf
02/21/2024 – Request for State grant agreement submitted to MnDOT-Aeronautics.
04/09/2024 - FAA Grant Agreement MML-GLG-3-27-0056-020-2024 received and electronically signed by Mayor.
04/09/2024 - City Council acknowledgement of Bipartisan Infrastructure Law (BIL) – Airport Infrastructure Grant (AIG) FAA Grant Agreement MML-GLG-3-27-0056-020-2024 for Airport Development in the amount of \$832,959.00 (\$0.00 for planning, \$0 for land acquisition). L:\City of Marshall\Departments\Public Works\Airport\Interdepartment\CIP\AP-003 SRE-ARFF\MML-GLG-3-27-0056-020-2024-Grant Agreement - unsigned.pdf
07/23/2024 – Consider Resolution Authorizing Execution of MnDOT Grant Agreement No. 1057504 (S.P. A4201-107) (AIG 3-27-0056-020-2024) for SRE Construction Site Development in the amount of \$46,276.00. A4201-107 -MML- State Agreement-#38644434-v4 - Resolution 24-068.PDF



PROJECT AP-003
AIRPORT SNOW REMOVAL EQUIPMENT (SRE) BUILDING
ACTION ITEMS SUMMARY

08/12/2024 - Council acknowledge acceptance and authorize execution of Federal AIP Grant MML-GLG-3-27-0056-021-2024 for Funding of Airport Development of the Airport Snow Removal Equipment (SRE) Building in the amount of \$744,249.00.

[MML-GLG-3-27-0056-021-2024-Grant Agreement \(part 1\) - signed.pdf](#)

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Karla Drown
Meeting Date:	Tuesday, September 10, 2024
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of the bills/project payments
Background Information:	Staff encourage the City Council Members to contact staff in advance of the meeting regarding these items if there are questions. Construction contract questions are encouraged to be directed to Director of Public Works, Jason Anderson at 537-6051 or Finance Director, Karla Drown at 537-6764
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	The following bills and project payments be authorized for payment.



Marshall, MN

Check Report

By Vendor Name

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

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
4193	A & C EXCAVATING	08/30/2024	Regular	0.00	38,620.35	124917
6412	AG PLUS COOPERATIVE	08/30/2024	EFT	0.00	77.48	17548
0578	AMAZON CAPITAL SERVICES	08/30/2024	EFT	0.00	2,169.29	17549
3761	AMERICAN BOTTLING CO.	08/30/2024	Regular	0.00	235.35	124918
0658	AP DESIGN, INC. / NICHOLAS J SCHWARZ OR JILI	08/30/2024	EFT	0.00	57.50	17550
0630	ARCTIC GLACIER	08/30/2024	Regular	0.00	408.03	124919
0629	ARNOLD MOTOR SUPPLY, LLP	08/30/2024	EFT	0.00	143.99	17551
7505	BEAM TECHNOLOGIES INC	09/03/2024	Bank Draft	0.00	4,249.42	DFT0004152
7505	BEAM TECHNOLOGIES INC	09/03/2024	Bank Draft	0.00	4,248.72	DFT0004194
7505	BEAM TECHNOLOGIES INC	09/03/2024	Bank Draft	0.00	1,104.51	DFT0004206
0699	BEVERAGE WHOLESALERS, INC.	08/30/2024	Regular	0.00	34,096.33	124920
0018	BORDER STATES INDUSTRIES, INC.	08/30/2024	EFT	0.00	100.04	17552
3829	BRAU BROTHERS	08/30/2024	EFT	0.00	108.00	17553
4457	BREAKTHRU BEVERAGE MINNESOTA WINE & SF	08/30/2024	Regular	0.00	3,760.20	124921
7590	BZDOK, CHARLENE ANN	08/30/2024	Regular	0.00	820.00	124924
7164	CARD CONNECT/MERCHANT BANK CD	09/03/2024	Bank Draft	0.00	47.68	DFT0004239
7164	CARD CONNECT/MERCHANT BANK CD	09/03/2024	Bank Draft	0.00	945.49	DFT0004240
0815	CATTOOR OIL COMPANY, INC	08/30/2024	EFT	0.00	599.68	17554
7165	CITY HIVE, INC.	09/03/2024	Bank Draft	0.00	99.02	DFT0004241
5733	CLARITY TELECOM, LLC	08/30/2024	EFT	0.00	765.22	17555
5733	CLARITY TELECOM, LLC	08/30/2024	EFT	0.00	414.60	17556
7394	CRESTED RIVER CANNABIS COMPANY	08/30/2024	EFT	0.00	565.00	17557
3524	CURRY, TANNYR	08/30/2024	EFT	0.00	101.00	17558
2244	CYGNUS OPERATING LLC	08/30/2024	EFT	0.00	395.28	17559
0934	D & G EXCAVATING INC	08/30/2024	EFT	0.00	210,075.14	17560
3819	DACOTAH PAPER CO	08/30/2024	EFT	2.83	280.65	17561
7102	DAHLHEIMER BEVERAGE	08/30/2024	EFT	0.00	154.00	17562
5731	DOLL DISTRIBUTING LLC	08/30/2024	EFT	0.00	14,494.60	17563
2748	DROWN, KARLA	08/30/2024	EFT	0.00	28.25	17564
6328	ERVASTI, DARRELL	08/30/2024	Regular	0.00	2,512.15	124925
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	48.16	DFT0004140
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	181.80	DFT0004141
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	54.30	DFT0004142
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	41.28	DFT0004182
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	202.00	DFT0004183
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	54.30	DFT0004184
6700	EYEMED VISION CARE	09/05/2024	Bank Draft	0.00	40.84	DFT0004236
1090	FASTENAL COMPANY	08/30/2024	EFT	0.00	786.04	17565
7073	FIXEN CHIROPRACTIC	08/30/2024	EFT	0.00	115.00	17566
3772	FRONTIER PRECISION	08/30/2024	EFT	0.00	512.03	17567
1158	GALLS INC	08/30/2024	EFT	0.00	410.14	17568
1199	GRAHAM TIRE AND AUTOMOTIVE SERVICES	08/30/2024	EFT	0.00	741.38	17569
1201	GRAINGER INC	08/30/2024	EFT	0.00	157.68	17570
1215	GREENWOOD NURSERY	08/30/2024	EFT	0.00	450.00	17571
1256	HAWKINS INC	08/30/2024	EFT	0.00	726.00	17572
0665	HUBER, DORIS	08/30/2024	EFT	0.00	404.57	17573
1325	ICMA RETIREMENT TRUST #300877	08/30/2024	EFT	0.00	50.00	17574
1358	INTERNAL REVENUE SERVICE	08/30/2024	Bank Draft	0.00	75.18	DFT0004215
1358	INTERNAL REVENUE SERVICE	08/30/2024	Bank Draft	0.00	341.95	DFT0004216
1358	INTERNAL REVENUE SERVICE	08/30/2024	Bank Draft	0.00	17.58	DFT0004217
1358	INTERNAL REVENUE SERVICE	08/30/2024	Bank Draft	0.00	34,257.18	DFT0004231
1358	INTERNAL REVENUE SERVICE	08/30/2024	Bank Draft	0.00	26,915.09	DFT0004232
1358	INTERNAL REVENUE SERVICE	08/30/2024	Bank Draft	0.00	10,405.16	DFT0004233
5333	JOHANSSON SALES & SERVICE	08/30/2024	Regular	0.00	91.61	124926

Check Report

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

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1399	JOHNSON BROTHERS LIQUOR COMPANY	08/30/2024	EFT	0.00	26,027.09	17575
2036	JOHNSON BROTHERS LIQUOR COMPANY	08/30/2024	EFT	0.00	8,126.13	17578
5447	JOHNSON BROTHERS LIQUOR COMPANY	08/30/2024	EFT	0.00	1,740.88	17577
1417	KENNEDY & GRAVEN, CHARTERED	08/30/2024	EFT	0.00	1,453.50	17579
5095	KIBBLE EQUIPMENT LLC	08/30/2024	EFT	0.00	81.84	17580
4140	KRUSE FORD-LINCOLN-MERCURY, INC	08/30/2024	EFT	0.00	181.30	17581
7740	LASNETSKI, ANDREW	08/30/2024	Regular	0.00	400.00	124927
1508	LOCKWOOD MOTORS INC	08/30/2024	EFT	0.00	713.78	17582
1532	LYON COUNTY ASSESSOR	08/30/2024	EFT	0.00	6,865.81	17583
1553	LYON COUNTY SHERIFF'S DEPT.	08/30/2024	Regular	0.00	10.00	124928
1565	MACQUEEN EQUIPMENT INC.	08/30/2024	EFT	0.00	4,529.06	17584
1620	MARSHALL FLORAL	08/30/2024	EFT	0.00	120.60	17585
5813	MARSHALL LUMBER CO	08/30/2024	EFT	0.00	132.72	17586
7743	MARSHALL SPECIAL OLYMPICS	08/30/2024	Regular	0.00	50.00	124929
7077	MEDSURETY, LLC	09/04/2024	Bank Draft	0.00	10,960.13	DFT0004225
7077	MEDSURETY, LLC	09/04/2024	Bank Draft	0.00	83.34	DFT0004230
7077	MEDSURETY, LLC	08/30/2024	Bank Draft	0.00	128.71	DFT0004244
4980	MENARDS INC	08/30/2024	EFT	0.00	358.93	17587
1711	MID-AMERICAN RESEARCH CHEMICAL	08/30/2024	Regular	0.00	654.90	124930
7742	MILANOVIC, DUSAN	08/30/2024	Regular	0.00	2,500.00	124931
7605	MILK AND HONEY LLC	08/30/2024	Regular	0.00	328.00	124932
1818	MINNESOTA DEPARTMENT OF REVENUE	08/30/2024	Bank Draft	0.00	202.59	DFT0004218
1818	MINNESOTA DEPARTMENT OF REVENUE	08/30/2024	Bank Draft	0.00	14,051.45	DFT0004234
3669	MINNESOTA STATE RETIREMENT SYSTEM	08/30/2024	Bank Draft	0.00	13,937.16	DFT0004228
1839	MINNESOTA VALLEY TESTING LABS INC	08/30/2024	EFT	0.00	234.40	17588
1757	MN CHILD SUPPORT PAYMENT CENTER	08/30/2024	Bank Draft	0.00	414.85	DFT0004223
1757	MN CHILD SUPPORT PAYMENT CENTER	08/30/2024	Bank Draft	0.00	306.87	DFT0004224
3453	MOBERG, E.J.	08/30/2024	EFT	0.00	61.56	17589
2512	NATIONWIDE RETIREMENT	08/30/2024	Bank Draft	0.00	275.00	DFT0004213
2512	NATIONWIDE RETIREMENT	08/30/2024	Bank Draft	0.00	1,529.26	DFT0004214
2512	NATIONWIDE RETIREMENT	08/30/2024	Bank Draft	0.00	100.00	DFT0004220
1945	NORM'S GTC	08/30/2024	Regular	0.00	363.96	124933
7166	NORTHAMERICAN BANCARD/EPX	09/04/2024	Bank Draft	0.00	13,352.06	DFT0004238
7632	NOTHING BUT HEMP	08/30/2024	Regular	0.00	225.00	124934
3809	O'REILLY AUTOMOTIVE STORES, INC	08/30/2024	EFT	0.00	46.99	17590
4542	P & K FABRICATING, INC	08/30/2024	Regular	0.00	150.00	124935
1243	PATZERS INC	08/30/2024	EFT	0.00	219.44	17591
7163	PAYLIDIFY/MERCHANT BANK	09/03/2024	Bank Draft	0.00	501.64	DFT0004242
7163	PAYLIDIFY/MERCHANT BANK	09/03/2024	Bank Draft	0.00	71.18	DFT0004243
6591	PEARSON BROS, INC	08/30/2024	Regular	0.00	144,861.75	124936
2028	PERA OF MINNESOTA REG	08/30/2024	Bank Draft	0.00	62,057.68	DFT0004226
6166	PULVER MOTOR SVC, LLC	08/30/2024	EFT	0.00	160.00	17592
7322	QUADIENT FINANCE USA, INC	08/30/2024	EFT	0.00	539.16	17593
7741	RAMIREZ, NANCY	08/30/2024	Regular	0.00	500.00	124937
3745	RAYO DE LUZ GATHERING	08/30/2024	Regular	0.00	50.00	124938
0707	ROADSIDE DEVELOPERS INC	08/30/2024	Regular	0.00	125.00	124939
2201	RUNNING SUPPLY, INC	08/30/2024	EFT	0.00	152.21	17594
5995	SHADES OF THE PAST OF MARSHALL INC	08/30/2024	Regular	0.00	50.00	124940
4855	SOUTHERN GLAZER'S	08/30/2024	EFT	0.00	10,735.61	17595
6318	STERLING EQUIPMENT & REPAIR, INC	08/30/2024	EFT	0.00	242.76	17596
2373	STREICHERS	08/30/2024	EFT	0.00	540.00	17597
4385	STUART C IRBY CO.	08/30/2024	EFT	0.00	64.06	17598
3315	SUSSNER CONSTRUCTION	08/30/2024	EFT	0.00	159,497.06	17599
2429	TKDA	08/30/2024	EFT	0.00	21,056.35	17600
7739	TOKHEIM, BENJAMIN	08/30/2024	Regular	0.00	500.00	124941
7184	TRANSAX/GATEWAY	09/04/2024	Bank Draft	0.00	20.00	DFT0004237
6126	UNITED COMMUNITY ACTION PARTNERSHIP	08/30/2024	EFT	0.00	30.00	17601
5023	US GEOLOGICAL SURVEY	08/30/2024	EFT	0.00	2,217.75	17602
3443	VALIC DEFERRED COMP	08/30/2024	Bank Draft	0.00	1,055.77	DFT0004221
3443	VALIC DEFERRED COMP	08/30/2024	Bank Draft	0.00	1,396.15	DFT0004222
6694	VESTIS GROUP, INC.	08/30/2024	Regular	0.00	111.87	124942

Check Report

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

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2538	VIKING COCA COLA BOTTLING CO.	08/30/2024	EFT	0.00	466.55	17603
4594	VINOCOPIA INC	08/30/2024	EFT	0.00	2,894.00	17604
6085	VOYA - INVESTORS CHOICE	08/30/2024	Bank Draft	0.00	4,627.03	DFT0004229
6791	WALMART	08/30/2024	Regular	0.00	123.98	124943
2603	WELSH, TRAVIS	08/30/2024	EFT	0.00	68.69	17605

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	43	25	0.00	231,548.48
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	38	38	0.00	208,400.53
EFT's	129	57	2.83	484,440.79
	210	120	2.83	924,389.80

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	43	25	0.00	231,548.48
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	38	38	0.00	208,400.53
EFT's	129	57	2.83	484,440.79
	210	120	2.83	924,389.80

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	8/2024	888,083.93
999	POOLED CASH FUND	9/2024	36,305.87
			924,389.80

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

9/10/2024

PROJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2022 Prior Payments	2023 Prior Payments	2024 Prior Payments	PYMTS THIS MEETING:	RETAINAGE	BALANCE:	PERCENT COMPLETE	
CH1	494-43300-55120	11/12/2019	City Hall Renovation	Brennan Companies	5,030,200.00	749,360.00	5,779,560.00	66,794.00			11,822.00	-	100.00%	
ST-009	481-43300-55170	3/14/2023	W. Lyon Street/N. 3rd Street Reconstruction	R & G Construction Co.	3,845,497.31	(67,734.09)	3,777,763.22		3,518,016.32	259,746.90	-	-	100.00%	
PK-092	481-45200-55120	4/11/2023	Amateur Sports Center Shelter & Storage-Ball Field	Doom & Cuypers Construction, Inc.	171,642.00	6,078.00	177,720.00		177,000.00	720.00	-	-	100.00%	
AP-007	480-43400-55170	2022	Crack Filling w/Sealcoat	City Staff - Street/Airport	75,000.00		75,000.00	51,540.63				23,459.37	68.72%	
AP-003	482-43400-55120	2/13/2024	SRE Building	Sussner Construction	2,913,100.00		2,913,100.00			429,188.43	159,497.06	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		1,565,706.60			728,133.05	210,075.14	49,379.38	578,119.03	63.08%
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			79,801.42	38,620.35	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>682,231.91</u>	<u>15,362,101.80</u>	<u>118,334.63</u>	<u>3,695,016.32</u>	<u>2,212,612.61</u>	<u>553,054.30</u>	<u>139,442.63</u>	<u>2,942,697.31</u>	

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Jason Anderson
Meeting Date:	Tuesday, September 10, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Stone Meadow - 1) Approval of Preliminary Plat; 2) Consider Resolution Approving Final Plat
Background Information:	<p>Attached please find a copy of the Preliminary Plat of Stone Meadow and the Engineer’s Report of Preliminary Plat Review. Copies of the proposed subdivision has been sent to the local utility companies for their review and comments.</p> <p>A public hearing was held on the preliminary plat at the special Planning Commission meeting on 08/21/2024. Following a brief discussion, Muchlinski made a motion, second by Deutz to recommend approval of the preliminary plat to the City Council. All voted in favor.</p> <p>Also attached is a copy of the Final Plat and Final Plat Checklist for Stone Meadow.</p>
Fiscal Impact:	The applicant has paid the \$300 escrow for direct costs relating to the plat and the difference will be refunded or billed to the applicant according to the current Fee Schedule.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	<p>Recommendation No. 1 that the Council approve the Preliminary Plat of Stone Meadow.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER 24-080, which is the Resolution Approving the Final Plat of Stone Meadow.</p>

RESOLUTION NUMBER 24-080

**RESOLUTION APPROVING THE FINAL PLAT OF
STONE MEADOW**

WHEREAS, the developer has filed with the Common Council, a Preliminary Plat identified as Stone Meadow situated in the City of Marshall, County of Lyon, State of Minnesota, described as follows, to-wit:

STONE MEADOW BLOCK ONE LOTS 1-3

more particularly described as attached Exhibit A.

WHEREAS, the Final Plat of Stone Meadow was presented to the Common Council on September 10, 2024.

NOW THEREFORE BE IT RESOLVED, that said Final Plat of Stone Meadow has been duly found to be in conformity with Chapter 66 of the Code of Ordinances and State Statutes.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Common Council hereby authorizes and directs the City Clerk to certify his approval on the plat.

NOW THEREFORE BE IT FURTHER RESOLVED THAT this resolution shall become void 90 days after adoption and fulfillment of all contingencies of approval, if any, unless the plat is filed for record within such time.

Passed and adopted by the Common Council this 10th day of September, 2024.

ATTEST:

City Clerk

Mayor of the City of Marshall, MN

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer
344 W Main St; Marshall, MN 56258

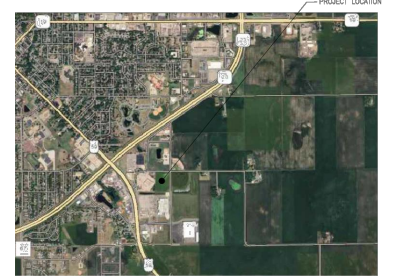
EXHIBIT A

Outlot B of J-C Boyer Addition to the City of Marshall, Lyon County, Minnesota

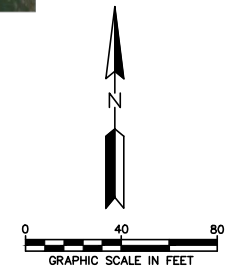
PRELIMINARY PLAT OF STONE MEADOW MARSHALL, MN

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

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

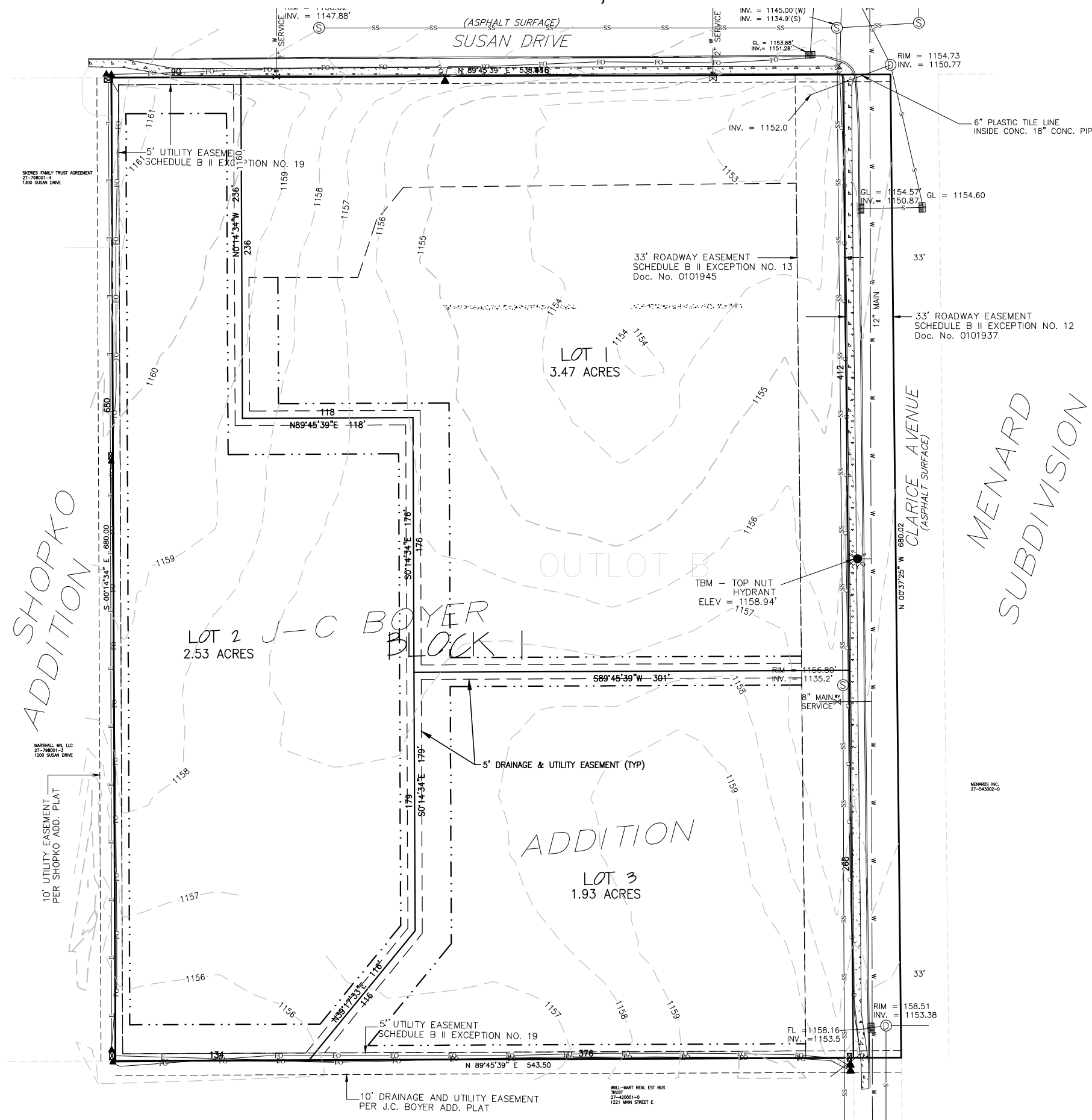


LOCATION MAP



LEGEND

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



Item 9.

**ENGINEER'S REPORT
 PRELIMINARY PLAT REVIEW**

Subdivision Name: Stone Meadow

Legal Description: Outlot B, J-C Boyer Addition

Owner's Name: Paul & Joanne Stoneberg

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

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

Sec. 66-54. Information required. (1) Preliminary subdivision plat.		Yes	No	N/A	Comments
k.	Utilities	X			
l.	Lot lines, numbers and dimensions	X			
m.	Park land	X			Park Land fees apply.
n.	Setbacks	X			
o.	Natural drainageways	X			
p.	Other related information			X	
q.	Covenants and restrictions	X			Property owner is aware and has been communicating w/Wal-Mart.
r.	Improvement plans and financing			X	
s.	Future platting			X	
t.	Variance request			X	
u.	Floodway and flood zone designations			X	
v.	Certificates of approval			X	

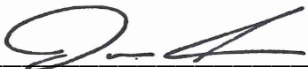
Sec. 66-54. Information required. (2) Other preliminary plans.		Yes	No	N/A	Comments
a.	Drainage and grading plans 1. Existing and proposed drainage.	X			
	2. Drainage flow facility.	X			
b.	Utility plans	X			

CITY ENGINEER'S RECOMMENDATIONS:

DATE RECEIVED: 08/07/2024

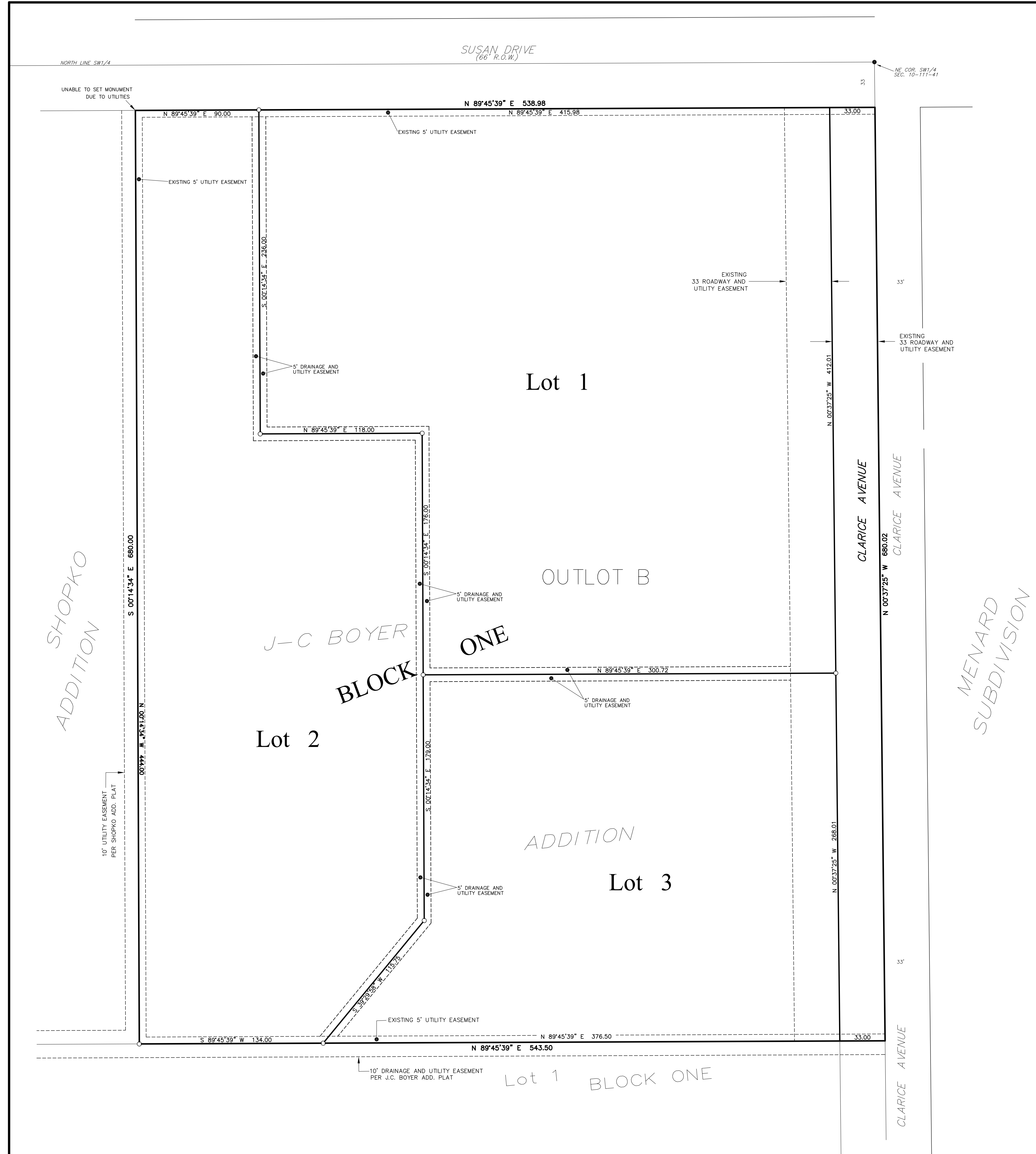
DATE REVIEWED: 08/14/2024

PLANNING COMMISSION REVIEW DATE: August 21 2024



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

STONE MEADOW



KNOW ALL PEOPLE BY THESE PRESENTS: That Paul E. Stoneberg and Joanne B. Stoneberg, Trustees, and Successor Trustees, of the Paul E. Stoneberg Trust Agreement dated July 3, 2008, fee owner of the following described property:

Outlot B of J-C Boyer Addition to the City of Marshall, Lyon County, Minnesota.

Have caused the same to be surveyed and platted as STONE MEADOW, and do hereby donate and dedicate to the public for public use forever the avenue and easements as shown on this plat.

Paul E. Stoneberg Trust Agreement dated July 3, 2008

by _____ by _____
 Paul E. Stoneberg, Trustee Joanne B. Stoneberg, Trustee

**STATE OF MINNESOTA
 COUNTY OF LYON**

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by Paul E. Stoneberg and Joanne B. Stoneberg, Trustees, and Successor Trustees, of the Paul E. Stoneberg Trust Agreement dated July 3, 2008.

Notary Public,
 My Commission Expires _____

SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed and platted the property described on this plat as STONE MEADOW, that this plat is a correct representation of said survey; that all distances are correctly shown on the plat; that all monuments have been correctly placed in the ground as shown on the plat; that the outside boundary lines are correctly designated on the plat and that there are no wetlands or public highways to be designated on this plat other than as shown.

 Daniel L. Bueltel
 Minnesota License Number 43844

**STATE OF MINNESOTA
 COUNTY OF LYON**

The Surveyor's Certificate was acknowledged before me on this _____ day of _____, 20____, by Daniel L. Bueltel, a licensed land surveyor.

Notary Public,
 My Commission Expires _____

CITY COUNCIL

This plat of STONE MEADOW was approved and accepted, by resolution, at a meeting of the City Council of Marshall, Minnesota, held this _____ day of _____, 20____.

 Mayor City Clerk

OFFICE OF THE LYON COUNTY AUDITOR/TREASURER

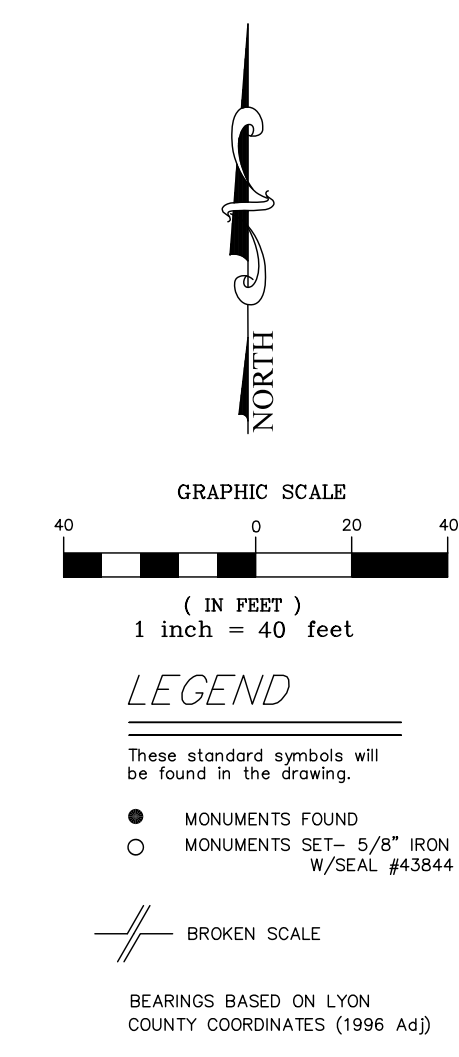
I hereby certify that the tax for the year 20____ on the land described in the foregoing instrument and as shown on the annexed plat has been paid in full.

 Auditor/Treasurer, Lyon County

OFFICE OF THE LYON COUNTY RECORDER

I hereby certify that this instrument was filed and microfilmed in this office for record on the _____ day of _____, 20____, at _____ o'clock _____ m., and was duly recorded as document number _____, envelope number _____.

 Recorder, Lyon County



FINAL PLAT CHECKLIST CHAPTER 66 - SUBDIVISIONS

Subdivision Name: Stone Meadow

Legal Description: Outlot B, J-C Boyer Addition

Owner's Name: Paul & Joanne Stoneberg

Surveyor: Daniel L. Bueltel Reg. No. 43884

		Yes	No	N/A	Comments
Sec. 66-71. Final plans.					
(a)	<i>Generally.</i> Following the approval of the preliminary plat, if the developer wishes to proceed, five copies of the final utility, drainage, grading and erosion control plans shall be submitted to the city engineer for review and approval for the entire development phase as shown on the preliminary plan. Any or all of these plans may be deleted at the city engineer's discretion.	X			
(b)	<i>Final site grading plan.</i> The drainage and grading plans shall show the contours with intervals of one foot. The minimum ground/garage floor elevation shall be shown for buildings on lots. The site grading plan shall also show drainage arrows for each lot and lot corner elevations.			X	Project design plans will have all required information.
(c)	<i>Final street grading plan.</i> The street grading plan shall show percent slope for all proposed streets. Where the developer owns only half the property which makes up a street, and this is the first request for development along the street, the developer shall establish the street grades for the street for approval by the city engineer.			X	Existing
(d)	<i>Final drainage and surface water management plan.</i> An overall drainage plan showing proposed drainageways and storm sewer systems will be required along with 100-year drainageway elevations. The plan shall include calculations of the rainfall duration and intensity and the acreage and proposed volume of flow for the development area and the surrounding drainage basin in accordance with design and development criteria established by the city. The final drainage plan shall provide information for drainageway and detention pond dedication as indicated in section 66-111. The proposed channel and/or pipe sizes with grades and proposed inlet locations and outlet connections shall be shown. All plans for drainage shall be based on and comply with the comprehensive surface water management plan and ordinance of the city.			X	Project design plans will have all required information.

		Yes	No	N/A	Comments
(e)	<i>Final utility plan.</i> The utility plan shall show:				
	(1) The final sewer system layout showing the proposed sizes and the direction of flow, the manhole locations and their approximate depth.			X	Project design plans will have all required information.
	(2) The final water system layout showing the location of existing water lines and the proposed pipe sizes, hydrant and valve locations.			X	
	(3) The final approved street lighting layout in accordance with city policy.			X	
(f)	<i>Erosion control plan.</i> The erosion control plan shall show the following:				
	(1) All proposed land disturbances including areas of excavation, grading, filling, removal or destruction of topsoil, and spreading of earth material.			X	
	(2) Provisions for erosion control during construction. Such provisions shall include the sequence of the operations listed above, with an estimated time of exposure. The proposed temporary measures to control erosion shall be designed to withstand the two-year rain and be shown on the plan.			X	
Sec. 66-72. Procedure.					
(a)	The final plat, in form and number required by state statutes, together with two paper copies and supplementary data and documents, and an abstract of title, registered property certificate, or both, as the case may be, certified within the preceding 30 days, shall be filed with the city engineer. The plats required for filing shall bear the fully executed certificates of the subdivider and surveyor. The supplementary documents shall be in final form and shall be fully executed by the subdivider at the time of such filing.	X			
(b)	The city engineer shall forward the official plat and one paper copy and supplementary engineering documents and data to the city clerk, and one paper copy and supplementary legal and title documents to the city attorney.	X			
(c)	The city engineer shall examine the plat to determine whether or not it conforms to the preliminary plat and is consistent with the action taken by the council and with the requirements of this chapter. The city attorney or assistant, shall examine the title and determine whether or not the proper parties have subdivided the land and whether or not the title is without defects. They shall forward their respective opinions to the council.	X			Attorney, or designee, to examine title and approve prior to recording Final Plat.

		Yes	No	N/A	Comments
(d)	If the final plat and supplementary data and documents are found to be consistent with the action taken by the council and in conformity with this chapter and state statutes, and after payment of plat review charges, the council shall adopt an approving resolution which shall also authorize and direct the city clerk to certify approval on the plat. When certified, the city clerk shall return the official plat and copies required for filing to the subdivider, together with a certified copy of resolution of approval which must be filed with the official plat. An approving resolution shall become void 90 days after adoption, unless the plat is filed for record within such time, provided that the time limitation shall be stated therein. If the final plat and supplementary data and documents are not in conformance with prior council action, this chapter or state statutes, the council shall forthwith return the executed plats and documents and state the requirements necessary for approval of the final plat.	X			To be completed upon approval by Council and verification by City Attorney, or designee, for proper title.
Sec. 66-73. Supplementary data and documents.					
	Every final plat shall be in strict accordance with the state statutes and shall contain the following:				
(a)	The proposed name of the subdivision. The name shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to such subdivision.	X			
(b)	The names of all adjacent subdivisions, all lot and block lines, types of easements, and rights-of-way. Adjoining unplatted property shall be labeled as such.	X			
(c)	A systematic lot and block numbering pattern, lot lines and street/road names, and the square footage of all lots.	X			
(d)	The location and width of all proposed and existing rights-of-way, alleys and easements, as well as the location of any parks and dedicated drainageways.	X			
(e)	The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest established street/road line, section corner, other previously described subdivision, or other recognized permanent monuments which shall be accurately described on the plat.	X			
(f)	Location of all monuments and permanent control points, and all survey pins, either set or located.	X			

		Yes	No	N/A	Comments
(g)	The identification of any portions of the property intended to be dedicated or granted for public use such as school or park land.			X	Property owner and developer notified of required park land fee to be paid.
(h)	All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets/roads, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.	X			
(i)	The radii, chords, length of curves, points of tangency, and central angles for all curvilinear streets/roads and radii for all rounded corners.	X			
(j)	The boundary delineation of the floodway and flood zones, along with the base flood elevation on each lot as determined from the flood insurance rate maps.			X	
(k)	The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all pins and monuments shown.	X			
(l)	Acknowledgement of the owner of the plat of any restrictions, including dedication to public use of all streets/roads, alleys, parks, or other open spaces shown thereon and the granting of easements required.	X			
(m)	All formal irrevocable offers of dedication for all streets/roads, alleys, parks, and other uses as required.	X			
(n)	Certificates of approval for endorsement by the city engineer, the city clerk, the city planning commission, and the city council.			X	
(o)	Protective covenants, if any.			X	
(p)	Letters of approval for highway access points and frontage roads from the commissioner of highways and county engineer, where applicable.			X	
Sec. 66-74 – 66-95. Reserved.					

		Yes	No	N/A	Comments
ARTICLE III. DESIGN STANDARDS AND REQUIRED IMPROVEMENTS.					
Sec. 66-96 – 66-114. SEE ATTACHED.					
Sec. 66-115. Assurances for the completion of minimum improvements.					
(a)	<i>Assurances for subdivisions within the city limits.</i> No plats of any subdivision shall be approved unless the improvements required by this chapter have been installed prior to such approval or unless the developer shall have signed an assurance agreement to establish the responsibility for the construction of such improvements in a satisfactory manner and within a period specified by the city council, such period not to exceed one year. An extension to that one year period may be granted at the discretion of the city council. This assurance agreement shall be recorded with the registrar of deeds at the time of filing the plat			X	
(b)	<i>Assurances for rural subdivisions.</i> No plat of any rural subdivision shall be approved unless the improvements required by this chapter have been installed prior to such approval, or unless the developer shall have posted a surety bond or irrevocable letter of credit or acceptable cash deposit assuring completion of all required improvements. No building permits shall be issued until assurances have been filed or all required road improvements have been completed.			X	



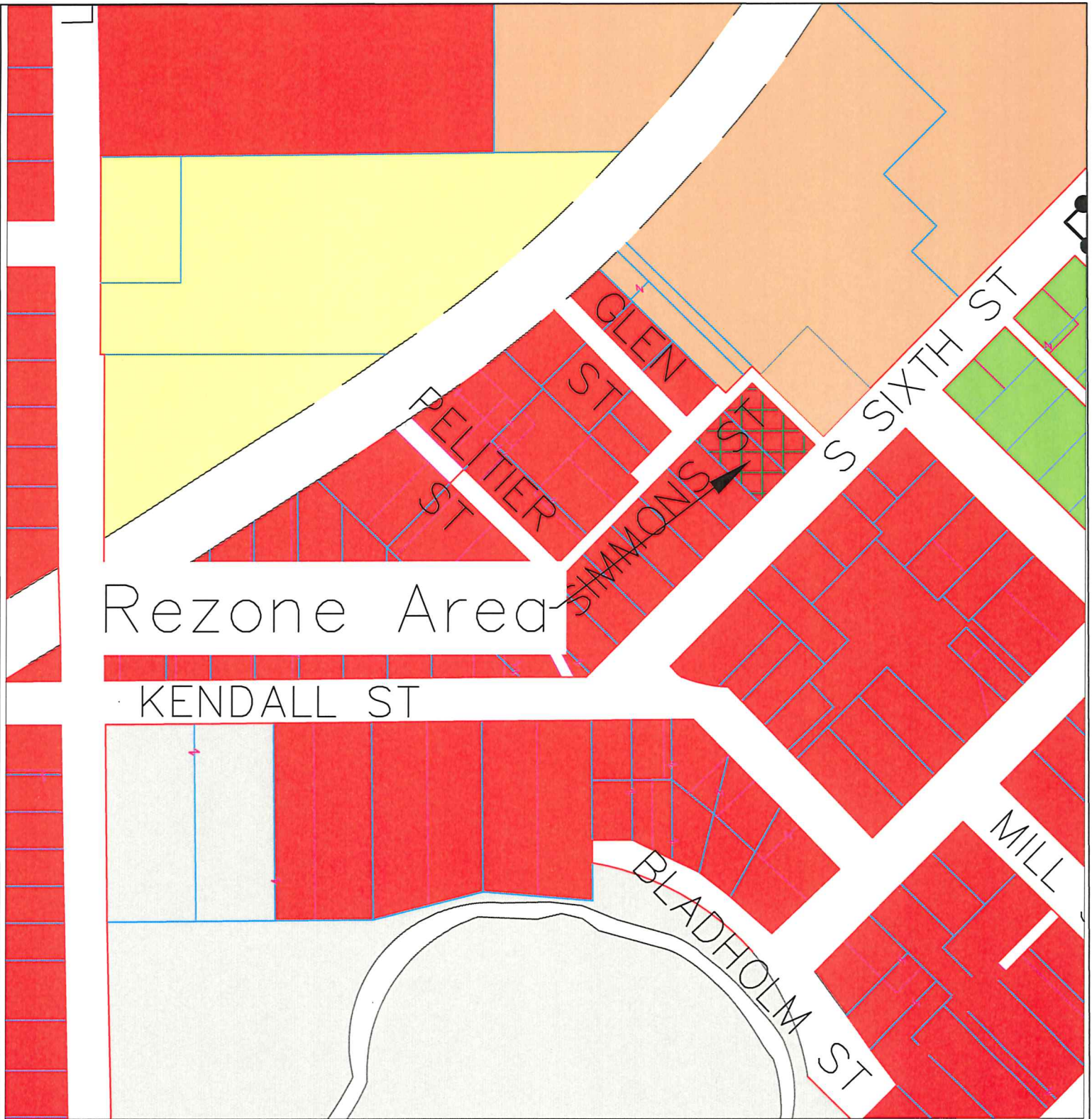
 Jason R. Anderson, P.E.
 Director of Public Works/City Engineer

09/05/2024

 Date


**CITY OF MARSHALL
AGENDA ITEM REPORT
COUNCIL 9/10/24**

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, September 10, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Adoption of Ordinance for the request of Turkey Valley Farms to rezone two lots from R-1 One Family District to R-2 One to Four Family District and a Conditional Use Permit for a parking lot in an R-2 District.
Background Information:	<p>This is a request to, first, rezone this area from R-1 One-Family District to R-2 One-to-Four Family District, and then, to approve a Conditional Use Permit for a parking lot in an R-2 District. Turkey Valley Farms is looking for a way to provide more off-street parking for its workforce to reduce the need for street parking. Parking is a Conditional use permit in R-2 zoning district but not in R-1, so this plan needs a rezoning. Rezoning, as an Ordinance change, requires two Council meeting: introduction and adoption.</p> <p>This area is shown as medium density residential use on the Future Use Map in the Marshall 2040 Comprehensive Plan. Consequently, rezoning to R-2 will be in compliance with the new Comprehensive Plan. Parking lot is a conditional use in R-2.</p> <p>One to Four Family Residence District regulations are in Section 86-98. The Conditional Use Permit regulations are found in Section 86-46 and the Standards for Hearing are found in Section 86-49.</p> <p>The Planning Commission conducted a public hearing for rezoning and conditional use permit on August 14, 2024, and the motion for recommend rezoning passed by a vote of 4:2. A separate motion to recommend approval of a conditional use permit also passes by a vote of 4:2.</p> <p>Rezoning was introduced at the Council meeting on August 27, 2024.</p>
Fiscal Impact:	None known
Alternative/Variations:	None recommended.
Recommendations:	<p>Planning Commission and staff recommend two motions:</p> <ol style="list-style-type: none"> 1. Adopt attached ordinance to rezone the area from R-1 Single Family Residence to R-2 One to Four Family Residence. 2. Grant a Conditional Use Permit for a parking lot in an R-2 One to Four Family Residence District with the following conditions: <ol style="list-style-type: none"> a. The only parking access shall be from South 6th Street; b. Ten-foot landscaped setbacks are required on all four sides; c. A buffer planting screen or fence shall separate parking from adjacent residential lots; d. At least four trees shall be planted; e. Parking shall be paved and not used for commercial vehicles; f. A drawing/layout of parking development shall be presented to the City for approval.



Rezone Area

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



MARSHALL
CULTIVATING THE BEST IN US

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

TURKEY VALLEY REZONE

AUGUST 6, 2023

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



ORDINANCE NUMBER 24-016

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

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

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

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

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

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

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

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

Passed and adopted by the Common Council this 10th day of September 2024.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

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

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

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

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

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

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

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

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

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

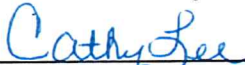
Ayes: 4

Nays: 2

Abstained:

Passed: 4:2

Marshall Planning Commission



By: Cathy Lee

Its: Chair

RESOLUTION NO. 24-081

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

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permit dated July 1, 2024, for a parking lot related to property located at:

LOCATION: 306 and 308 South 6th Street.

LEGAL DESCRIPTION: Lot 1 of Gillett and Simmons Addition; Lot 2 of Gillett and Simmons Addition

WHEREAS, the applicant for the Conditional Use Permit was the property owner Turkey Valley Farms,

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

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

WHEREAS, this property is currently zoned R-1 One Family Residence District but is requested to be rezoned to R-2 One To Four Family Residence District as defined in Ordinance Sec. 86-98, and parking lots are a Conditional Use in this district;

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

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

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

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

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

- (1) This area is located next to a Turkey Valley Farms and other commercial entities, including parking lots.
- (2) The property has adequate access from South 6th Street.
- (3) No additional traffic will be generated if this CUP is granted as this parking lot will accommodate Turkey Valley Farms employees currently parking on the streets.
- (4) Landscaping is to be compliant with the ordinance and is included in conditions.
- (5) The standard R-2 outside storage provisions will be applicable (outside storage is mostly prohibited in an R-2 district).
- (6) The standard R-2 accessory buildings provisions will be applicable, but no accessory buildings are planned.
- (7) Not applicable.
- (8) The parking lot will be designed to fit on the available lots.
- (9) The parking lot will be designed to meet all ordinance requirements.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility will not be utilized for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The use should not be injurious to surrounding area and to the community due to attached conditions and because it will reduce street parking.

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

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

WHEREAS, Staff reiterated its findings to the Council at the September 10, 2024, Council meeting,

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

- 1. Because of the nature of the proposed use and its location, the requested conditional use will not:
 - a. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
 - b. Violate any Ordinance provisions.
 - i. The conditional use will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise

- detrimental to the public welfare.
- ii. The proposal is consistent with existing and future land uses in the area.

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

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

Mayor

ATTEST:

City Clerk

CONDITIONAL USE PERMIT

City of Marshall, Minnesota

WHEREAS, the Planning Commission of the City of Marshall has held a Public Hearing for a Conditional Use Permit for a parking lot in an R-2 One to four family residence District. The legal description of the property is:

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

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

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

NOW THEREFORE, Be It Resolved by the Common Council of the City of Marshall, Minnesota, that a Conditional Use Permit be granted to Turkey Valley Farms to have a parking lot in an R-2 One to four family residence District on the premises described herein subject to the following conditions:

1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the Class of District which such structure is located therein shall be conformed with.
2. That the City reserves the right to revoke the Conditional Use Permit if the applicant has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.
3. That the owner maintains the structure to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
4. The lot construction shall be as follows:
 - a. The only parking access shall be from South 6th Street;
 - b. Ten-foot landscaped setbacks are required on all four sides;
 - c. An opaque buffer planting screen or fence shall separate parking from adjacent residential lots;
 - d. At least four trees shall be planted;
 - e. Parking shall be paved and not used for commercial vehicles;
 - f. A drawing/layout of parking development shall be presented to the City for approval.

ADOPTED September 10, 2024

ATTEST:

_____.
Mayor

City Clerk

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

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

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for Conditional Use Permits dated July 1, 2024, for a parking lot on property located at 306 and 308 South 6th Street,

WHEREAS, the applicant for the Conditional Use Permits was the property owner Turkey Valley Farms,

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

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

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

WHEREAS, this property is currently zoned R-1 one family residence district but is requested to be rezoned to R-2 one to four family residence district as defined in Ordinance Sec. 86-98, and parking lots are a conditional use in this district;

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

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

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

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

- (1) This area is located next to a Turkey Valley Farms and other commercial entities, including parking lots.
- (2) The property has adequate access from South 6th Street.
- (3) No additional traffic will be generated if this CUP is granted as this parking lot will accommodate Turkey Valley Farms employees currently parking on the streets.
- (4) Landscaping is to be compliant with the ordinance and is included in conditions.
- (5) The standard R-2 outside storage provisions will be applicable (outside storage is mostly prohibited in an R-2 district).
- (6) The standard R-2 accessory buildings provisions will be applicable, but no accessory buildings are planned.
- (7) Not applicable.
- (8) The parking lot will be designed to fit on the available lots.
- (9) The parking lot will be designed to meet all ordinance requirements.
- (10) The density of the area will not change.
- (11) Not applicable to Conditional Use Permits.
- (12) The lot is unremarkable and similar to adjacent lots.
- (13) Existing utility and public service facility will not be utilized for proposed use.
- (14) All standard maintenance provisions will apply.
- (15) The use should not be injurious to surrounding area and to the community because it will reduce street parking.

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

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Conditional Use Permit for a parking lot in an R-2 one to four family residence district be approved as recommended by staff with the following conditions:

- (1) The only parking access shall be from South 6th Street;
- (2) Ten-foot landscaped setbacks are required on all four sides;
- (3) A buffer planting screen or fence shall separate parking from adjacent residential lots
- (4) At least four trees shall be planted;
- (5) Parking shall be paved and not used for commercial vehicles
- (6) A drawing/layout of parking development shall be presented to the City for approval.,

The motion offered by PEIPER and seconded by DOOM, and declared carried on the following vote:

Ayes: 4

Nays: 2

Abstained:

Passed: 4: 2

Marshall Planning Commission



By: Cathy Lee

Its: Chair

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Presenter:	Stockwell
Meeting Date:	Tuesday, September 10, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Aquatic Center Bid Review, Request to Reject Bids
Background Information:	<p>City Council authorized the Advertise of Bids for the proposed new Marshall Aquatic Center at the July 23, 2024 Council meeting.</p> <p>A total of five bids were received for the project on Thursday August 29, 2024.</p> <p>Construction estimate of \$16,500,000, not including engineering fees.</p> <p>See attached bid tab sheet and recommendation letter from Stockwell.</p> <p>Aquatic Center has since met with staff and Stockwell and recommend rejection of all bids and consideration to redesign and re-bid in the near future.</p>
Fiscal Impact:	See bid tab sheet
Alternative/ Variations:	Award bid to lowest responsible bidder.
Recommendations:	Reject all bids let on August 29, 2024 for the proposed new Marshall Aquatic Center.

September 4, 2024

21045 | SEI No.
Bid Tabulation | Encl

Ms. Sharon Hanson
City of Marshall
344 West Main Street
Marshall, MN 56258

Re: Marshall Aquatic Center – Site Improvements
Marshall, Minnesota

Dear Sharon:

We have completed our review of bids received for the referenced project. The total bid amounts are as follows for base bid:

Bidders	Bid Bond	Addendums 1,2,3	Base Bid
Breitbach Construction Co. Elrosa, Mn	X	X	\$22,375,000.00
Donlar Construction Company Shoreview, MN	X	X	\$22,788,000.00
McGough Construction Co., LLC St. Paul, MN	X	X	\$23,297,021.00
BCI Construction, Inc. Sauk Rapids, MN	X	X	\$23,490,000.00
Sentry LLC Watertown, SD	X	X	\$24,407,218.27

Our estimate for the project was \$16,500,000. We attribute the difference in price to fluctuating material and labor costs and a competitive bid environment. See attached Bid Tabulation for full results and Alternates pricing.

In regard to the low bidder, our office has researched their past history on similar type projects. No record of suspension or debarment was reported. We consider the bidder to be a responsible contractor.

Upon review, we find the bids to be in order. The City is not bound or obligated to award the contract and may reject all bids at its discretion. Due to the availability of funds, we recommend not awarding to the low bidder, Breitbach Construction Co., and rejecting all bids. Please notify our office how the Council chooses to proceed, and our office will prepare documents appropriately. If there are questions, please contact our office at your earliest convenience.

Recommended Action Items

- **Motion to reject all bids.**

Respectfully submitted,

STOCKWELL ENGINEERS, INC.

David Locke, PLA
Project Landscape Architect

Bid Tabulation

Marshall Aquatic Center-Site Improvements



Owner: City of Marshall
Engineer: Stockwell Engineers
Engineer's Estimate: \$16,500,000.00

Letting Time: August 29, 2024 | 2:00 pm
Venue: Marshall City Hall | 344 W Main St | Marshall, MN

Bidders	Bid Bond	Addendums 1,2,3	Base Bid	Alternate A1	Alternate A2	Alternate A3	Alternate A4	Alternate A5	Alternate A6	Alternate A7	Alternate A8
Breitbach Construction Co. Elrosa, Mn	X	X	\$22,375,000.00	\$432,000.00	\$239,000.00	\$107,000.00	\$90,000.00	\$414,000.00	\$43,000.00	\$24,000.00	\$205,000.00
Donlar Construction Company Shoreview, MN	X	X	\$22,788,000.00	\$446,000.00	\$238,000.00	\$112,000.00	\$92,000.00	\$445,000.00	\$86,000.00	\$12,000.00	\$208,000.00
McGough Construction Co., LLC St. Paul, MN	X	X	\$23,297,021.00	\$375,344.00	\$255,767.00	\$132,871.00	\$93,706.00	\$468,838.00	\$67,521.00	\$51,152.00	\$215,030.00
BCI Construction, Inc. Sauk Rapids, MN	X	X	\$23,490,000.00	\$238,000.00	\$238,000.00	\$127,000.00	\$92,000.00	\$305,000.00	\$61,000.00	\$36,000.00	\$105,000.00
Sentry LLC Watertown, SD	X	X	\$24,407,218.27	\$477,087.05	\$245,350.86	\$124,902.83	\$95,554.05	\$312,454.18	\$64,887.56	\$24,808.70	\$105,196.72

Presenter:	Mayor Byrnes
Meeting Date:	Tuesday, September 10, 2024
Category:	COUNCIL REPORTS
Type:	INFO
Subject:	Commission/Board Liaison Reports
Background Information:	<p>Byrnes - Fire Relief Association and Regional Development Commission</p> <p>Schafer – Airport Commission, Joint LEC Management Committee, MERIT Center Commission, SW Amateur Sports Commission</p> <p>Meister – Adult Community Center, Cable Commission, Economic Development Authority</p> <p>Schroeder – Economic Development Authority, Planning Commission, Public Housing Commission</p> <p>Alcorn – Community Services Advisory Board, MMU Commission</p> <p>Moua-Leske – Convention & Visitors Bureau; Diversity, Equity & Inclusion Commission; Library Board</p> <p>Lozinski – Marshall Area Transit Committee, Joint LEC Management Committee, Police Advisory Board</p>
Fiscal Impact:	
Alternative/Variations:	
Recommendations:	

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

FROM: Sharon Hanson, City Administrator

DATE: September 10, 2024

SUBJECT: Administrative Brief

ADMINISTRATION

This past month activities included-

- Mayor, EDA Director and I visited with Runnings Brian Odegaard, President of Runnings as check-in visit. Challenges with staffing, but still growing with acquisition of additional stores.
- Met with EDA staff to discuss Block 100 progress and future steps. The current apartments are completely rented out, but interest rates have meant some delay with the second phase. We will continue to work with developer on seeking additional construction as originally planned.
- Met with Director of Administrative Services on preliminary budget numbers and presentation.
- Attended the Senior Center's 40th anniversary party/outdoor event. This was well attended and very well done!
- Met with Public Works Director and Park and Rec Superintendent to discuss future trail improvements/projects and funding sources.
- City Clerk and I visited with Minneota City Administrator and Clerk visited to discuss street funding, staffing and other challenges—we had a lot in common and it was a good discussion.
- Continued work with staff and facilitators on strategic plan updates.
- Multiple conversations and meetings regarding the aquatic center bids and next steps in preparation for a recommendation at September 10, 2024 mtg.
- Other work this past week included attending Public Health Community Health Assessment results, reviewed MMU partnership agreement, and a few personnel items were reviewed and discussed.

Economic Development Authority

- EDA Bus Tour to be held on October 22nd to update on current and upcoming projects.
- 3rd Child Care Supply Study meeting held in August to establish tasks for each goal area.
- Met with Solugen to discuss modifying construction timelines due to cost and lead times. Work scheduled to begin in mid to late 2025 with commissioning in 2026.
- Renewed discussions with Revocity on the potential hotel development near Red Baron Arena.
- Attended Greenseam's Workforce Opportunities event in Redwood to learn about immigrant and international student worker programs.
- Attended Lyon County's planning session to discuss EDA strategies for an updated Comprehensive Plan.

Human Resources

- Staffing:
 - New employee hires: Troy Rohde, Jacquelyn Esping, and Kelly Felton will begin employment in September as part-time liquor checkout clerks.

- Applications will continue to be accepted for the position of Police Officer.
- Interviews are scheduled for the Assessing Technician/Economic Development Assistant position. Five candidates were invited to interview.
- Hiring a variety of temporary positions for Community Ed/Rec programs.
- Safety Program: supervisory staff were trained in Reasonable Suspicion. Parks and Public Works employees completed equipment training involving operation, inspection, and loading.
- Policies: draft personnel policies will be coming forward for Council approval following changes in MN law.
- HR staff are participating in webinars and trainings offered on the topic of MN Paid Leave. This is a new law that was passed by the MN legislature in 2023 and will become effective 01/01/2026. We are learning how DEED will be implementing the program, employer responsibilities, how benefits will be coordinated during a leave between the City and the State, and supporting employees returning to work.

Clerk

- The Primary Election was held on August 13th at the usual polling locations.
- Candidate filing for the November General Election ended on August 15th.
 - 2 filings for Mayor.
 - 1 filing for Ward 1, 3 filings for Ward 2 and 1 filing for Ward 3.
- Attended the pre-bid meeting for the proposed Aquatic Center as well as the actual bid opening.
- Met with the new City Administrator of Minnesota along with Administrator Hanson.
- Working on garbage bid documents for the upcoming two years.
- License renewals of various types will be upcoming, and related documents will need to be updated and sent out.
- Various items will be brought to the Legislative and Ordinance Committee including chickens, liquor, golf cart and cannabis.

Finance

- 2025 Budget: staff continues to review the preliminary budget and levy and will bring recommendations regarding the 2025 preliminary budget and levy for consideration at the 9/10 work session and at the 9/24 Council meeting. The information must be certified to Lyon County by 9/30.
- The annual required publication of Tax Increment Financing district activity was published on 8/08 for 2023 transactions.

Assessing

- Staff has been continuing to work on quintile viewing.
- Our new appraiser has been attending courses in order to obtain her license.
- We are preparing for interviews to replace our Assessing Technician/ EDA Assistant position to prep for a future retirement after 47 years with the City of Marshall.
- Staff has been working on 2025 budget items as requested.
- With one month left in our sales period for the 2025 assessment (10/1/2023 – 9/30/2024) we currently have 101 good residential sales, compared to 128 from last year at this time, down 26.7%. Of these current sales, the average sale price is up 2.3% from \$207,379 to \$212,136. These numbers are subject to change as closings and recordings continue to occur.

Liquor Store

- August Financials: Sales \$645,477 (1.2%), Customer Count 18,435 (.15%), Ticket Average \$35.00 + 2%. Sales are flat/slightly down compared to 2023. Overall a pretty good month for financials.

- We are seeing an increase in traffic and sales with SMSU home FB games, Suite orders and students back in town with the start of school.

COMMUNITY SERVICES

Parks & Recreation

- Finishing the construction of the tee pads for disc golf at Independence Park
- Working with Bladholm Construction to order materials for Legion Field, logistics with demo and installation
- Reviewed and considering options for new aquatic center as part of re-bidding.
- Drained and took equipment apart as season wrapped up for Aquatic Center – approximately 19,000 people attended this summer.
- Finalizing plans for restroom and shelter construction at Independence Park.
- Prepping for the 2025 ice season at Red Baron Arena
- Seasonal open skate memberships are now available for purchase with the open skate starting late October.
- Registration opened on August 28th for the fall brochure.
- Footballs are in the air with 220+ players participating in 2nd -8th grade tackle and flag programs.
- Upcoming Fall youth camps include tennis, hockey, cross country, volleyball and soccer for K-8th grades.
- Youth gymnastics kicks off their season next week with approximately 60 gymnasts enrolled.

Community Education

- The Summer season was a success with approximately 943 registrations. We ran all scheduled programs/classes except for one that was canceled due to low enrollment
- Jasmine/DEI Welcoming Week committee are finalizing the plans of our Welcoming Week event. It will be held on September 17th from 5-7pm at Justice Park.
- We are working on a Hybrid version of Driver's Education to include A+ driving school handling a portion of our behind the wheel students.
- The Adult Community Center held its 40th Anniversary celebration of partnering with MASC. They had a great turnout for the full day of events, estimating between 350-450 people in attendance.
- There are several new classes/programs coming up in our Fall season. Cotton Candy Carnival, a holiday make and take spruce workshop, kinetic sand creation and a parent and me hot cocoa bombs class as well as three open welding sessions!

Studio 1

- Alex attended the annual MACTA (Minnesota Association of Community Telecommunications Administrators) conference in Coon Rapids and learned about the latest legislative updates which could bring changes to cable/broadband franchising.
- We finished the installation of additional security cameras in various city-owned facilities.
- We recently needed to purchase a new Tricaster Mini to replace our original one from 2016 due to a motherboard failure. PEG funds were utilized for this purpose.
- Alex also attended the ECN Statewide Emergency Communications Exercise held at Camp Ripley.
- We captured video and photos of the Lyon County Fair and Sounds of Summer to be used in a future marketing video for the City.
- Live broadcasts of Marshall High School sports kicked off starting the week of August 26th. A calendar of all scheduled live broadcasts can be found at 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 – This project has been completed. City staff working with contractor on final reconciling change order and final payment.
- 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 – City is working with the Contractor to schedule the preconstruction meeting.
- Project ST-010: Lyon Circle Reconstruction Project – A&C Excavating, LLC of Marshall, Minnesota - Bituminous paving has been completed. Contractor is currently working on site restoration.
- 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 subgrade preparation between East Marshall Street and Jean Avenue. The intersection of Whitney and Jean is open to allow access to Holy Redeemer School.
- Project PK-015: Independence Park Parking Lot Project – Towne & Country Excavating, LLC of Garvin, Minnesota - Project is complete and final payment has been made.

Wastewater

- Staff have completed 222 preventative maintenance work orders in the last 30 days.
- Submitted our Chloride Investigation & Minimization Plan and Mercury Management Plan to the MPCA.
- Removed the sand media and working on soaking/jetting the underdrains in the west traveling bridge effluent filter.
- Decanting and thickening bio-solids for sampling ahead of the fall application season.
- Working on summer work projects and grounds keeping at the wastewater facility.
- Summer jetting of the sanitary lines continues.
- South Saratoga and Hwy 23 manhole rehabilitation work should be completed by 9-6-2024
- Hwy 23 lift station rehabilitation electrical work should be completed by 9-10-2024

PUBLIC SAFETY DIVISION

FIRE DEPARTMENT

- The Fire Department responded to sixteen (16) calls for service. Total calls for service included:
 - Fire/CO2 Alarm (6)
 - Fire; Structure (5)
 - Medical Assist (0)
 - Vehicle Accident (5)
 - Other – Assist (0)



POLICE DEPARTMENT

- The Marshall Police Department responded to 1033 calls for the month of August. 75 criminal offenses were reported with a total number of 32 adults and 2 juveniles arrested.

OFFICER'S REPORT

- Alarms (19)
- Accidents (44)
- Alcohol involved incidents (4)
- Assaults (9)
- Domestic Assaults (15)
- Burglaries (3)
- Criminal Sexual Conduct (0)
- Damage to Property (2)
- Keys Locked in Vehicles (29)
- Loud Party (4)/ Public Disturbances (12)
- Thefts (21)
- Traffic Related Complaints (293)
- Vandalism (7)
- Warrant Pickups (8)
- Welfare Checks/Mental Health (34)

DETECTIVE REPORT

- An arrest warrant has been issued for a 21-year-old Montevideo man for 2nd Degree Assault and Dangerous Weapon – Discharge Firearm, stemming from the investigation of an assault with a firearm at a Marshall hotel.
- A 35-year-old Chicago, IL man and a 32-year-old Chicago, IL woman were arrested and charged with Organized Retail Theft after a theft from a Marshall business and short vehicle pursuit. The pair are also suspected of thefts from businesses in several other states throughout the Midwest.
- Three cases of auto theft were investigated. Both vehicles were recovered. One case is believed to be unfounded, while additional investigation is being completed on the other two cases.
- Seventeen theft reports and ten assault reports were investigated.
- Four criminal sexual conduct reports were investigated.
- Eight theft by swindle reports involving scams and four identity theft reports were investigated during the month.
- Eleven child protection reports and five reports from the Minnesota Adult Abuse Reporting Center were investigated.
- Detective Kopitski and Detective Sandgren attended Arson Investigation training on August 7th.



MERIT Center

- In August MN West held welding classes, meetings, a CVI Recertification class, Emergency Vehicle Operator Course (EVOC), Basic Rider Motorcycle courses and is continuing CDL training utilizing the driving track at the MERIT Center.
- On August 2nd the Marshall Police Department held interviews.
- On August 7th ARMOR Training Services held a GWO Training Class with 2 attendees.
- On August 8th the USDA Natural Resources Conservation Services held a meeting with 6 attendees.
- From August 8th to August 9th the United Way of Southwest Minnesota held their annual Stuff the Bus School Supply Drive.
- On August 13th ARMOR Training Services held a GWO training class with 2 attendees.
- On August 14th the American Red Cross held a blood drive.
- From August 15th to August 16th ARMOR Training Services held GWO training with 6 attendees each day.
- On August 20th the Mankato Police Department held Emergency Vehicle Operator Course (EVOC) with 10 attendees.
- From August 20th to August 23rd ARMOR Training Services held GWO training with 4 attendees each day.
- On August 21st Minnesota Department of Employment and Economic Development (DEED) held Small Cities Development Implementation training with 28 attendees.
- On August 22nd SW Emergency Communications held Incident Management training with 2 attendees.
- On August 22nd the Minnesota Department of Health Child and Teen Checkups team held a training with 15 attendees.
- On August 22nd ADM held their monthly Contractor Safety training with 50 attendees.
- On August 26th United Community Action Partnership (UCAP) held a staff training with 17 attendees.
- The MERIT Center was utilized 21 out of 31 days with 34 reservations in August. There was a total of 483 attendees.

MONTHLY REPORT OF ACTIVITY FOR MARSHALL POLICE For Month and Year ending August 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					
October					
November					
December					

YTD 2024	641	0	641	259	8
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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		
October		
November		
December		
YTD 2024	7584	3082

Accidents	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept	Oct.	Nov.	Dec.	YTD
Hit and Run	2	3	7	8	6	6	8	10					50
Property Damage	26	15	22	16	17	13	18	28					155
Personal Injury	3	3	5	2	4	5	5	6					33
Fatalities	1	0	0	0	0	0	0	0					1
TOTAL 2024	32	21	34	26	27	24	31	44	0	0	0	0	239

CITATIONS	Jan.	Feb.	Mar	Apr	May	June	July	Aug	Sept	Oct.	Nov.	Dec.	YTD
Citations	17	106	134	70	104	82	55	65					633
Parking Tickets	24	30	72	18	2	5	20	3					174

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					112

Alcohol	1	2	1	1	1	0	2	4					12
Animal Bite	2	2	1	1	3	3	1	3					16
Animal Complaint	8	0	11	13	16	21	15	11					95
Assault	8	3	6	9	4	6	8	9					53
Assists	56	49	53	45	52	50	72	38					415
Auto Theft	0	3	0	1	2	1	0	2					9
Bike Found	1	4	7	6	5	11	6	5					45
Bike Theft	0	2	0	0	1	3	5	1					12
Burglary	4	3	1	4	3	3	6	3					27
Bus Violation	11	2	3	3	2	0	3	0					24
Check Forgery	0	1	0	0	0	0	0	0					1
Check Fraud	1	1	0	0	0	0	0	0					2
Civil Matters	8	8	11	15	18	18	28	26					132
Criminal Sex	4	8	6	0	0	4	2	0					24
Damage to Prp	1	2	3	2	3	5	4	2					22
Death Investigation	3	4	5	2	2	1	2	0					19
Domestics	21	12	12	16	17	17	8	15					118
Drugs/Narcotics	0	2	2	1	2	0	4	3					14
Family Matters	7	8	17	11	9	8	9	8					77
Fire Alarm	0	0	0	0	0	0	0	2					2
Gas Meal Assist	1	2	3	0	3	2	1	7					19
Gun Permits	6	6	18	9	8	8	7	5					67
Harassment	9	12	13	9	10	12	11	13					89
Intoxicated/Detox	0	1	1	1	1	3	2	8					17
Keys Locked In vehicles	26	23	23	21	25	28	27	29					202
Mental Health	12	3	11	8	10	14	24	20					102
Fraud	0	3	2	3	2	5	3	8					26
Parking Complaints	41	75	129	25	23	17	32	13					355
Party Loud Party	4	6	7	7	5	12	5	4					50
Pred - Sex Offender	0	0	0	2	1	2	2	2					9
Property Found	13	4	6	10	16	13	6	16					84
Public Disturbance	8	11	15	14	7	17	18	12					102
Pursuit	0	0	0	0	0	0	0	0					0
Runaway	7	6	2	3	3	6	7	0					34
Escort Funeral,other	7	10	8	11	9	13	18	13					89
Search Warrant	0	0	0	0	1	0	1	0					2
Suspicious Anything	15	12	21	35	43	50	29	27					232
Suspicious Vehicle	6	15	7	10	6	7	10	9					70
Tobacco Violation	4	9	6	4	1	0	0	1					25
Theft	22	16	16	24	18	24	22	21					163
Trains	0	0	0	0	0	0	0	0					0
Transport (Marshall PD etc)	2	1	4	2	4	4	2	3					22
Trespassing	5	8	8	7	7	4	10	9					58
Traffic Related Complaints	111	148	289	203	258	281	238	293					1821
Unsecured Building	0	0	0	1	4	15	4	1					25
Vandalism	4	5	5	7	7	6	4	7					45
Violation of OFP	4	4	2	5	6	6	5	11					43
Warrant Pickups	8	7	14	5	5	9	6	8					62
Welfare Checks	27	18	22	18	22	38	25	14					184
Welfare Fraud	0	0	0	0	0	0	0	0					0
ERU Activated	0	0	0	1	0	0	0	0					1
Weapons Involved	2	2	0	4	0	1	0	8					17
YTD 2024	500	537	781	587	653	760	715	713	0	0	0	0	5246

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							
October							
November							
December							

YTD 2024	82	103	94	72	114	82	94
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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					192
Gross Misdemeanors	36	28	24	20	19	16	18	10					171
Misdemeanors	19	21	18	24	32	23	21	38					196



MARSHALL

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

Applicant Name	Location	Description of Work	Valuation	Approved Date
Allied Outdoor LLC	1604 COLLEGE DR E	Advertising/Billboard	15000.00	08/26/2024
AP Design Inc.	114 3RD ST N	Wall Mounted Sign	475.00	08/27/2024
BABCOCK CONSTRUCTION	606 HIGH ST N	Re-Siding	14605.00	08/26/2024
BOT PROPERTIES LLC	404 SARATOGA ST S	Windows	7200.00	08/29/2024
CentiMark	600 MICHIGAN RD	Re-Roofing	627895.00	08/23/2024
Dan Shortall	1310 MADRID ST	Both - [Remove existing HVAC units servicing data room and install new ac units in new data room. includes some minor plumbing and duct work modifications.] AND Air Conditioning	241960.00	08/28/2024
Dustin Westover	348 MAIN ST W	Plumbing - Water heater	1500.00	09/03/2024
Independent Lumber Co of Marshall	1300 SUSAN DR	Re-Roofing	30000.00	08/29/2024
INDEPENDENT LUMBER OF MARSHALL INC	209 HILL ST N	Deck	6800.00	08/27/2024
Kasey Holm	511 REDWOOD ST W	HVAC - Air Conditioning, Furnace	12000.00	08/26/2024
Kevin V Goslar	1308 PETERSON ST	Plumbing - Water heater	1350.00	08/28/2024
Kevin V Goslar	406 6TH ST N	HVAC - Air Conditioning, [Air Handler]	7750.00	08/28/2024
LAYLE FRENCH CONSTRUCTION INC	308 REDWOOD ST W	Interior Remodeling - ANY Work Inside, Except Fireplace	9300.00	08/26/2024
OMEGA EXTERIORS	107 F ST, 107 F ST	Re-Roofing, Re-Siding	43000.00	09/03/2024
Scenic Sign	407 MAIN ST E	Wall Mounted Sign	10990.00	09/04/2024
Schwickerts	300 BRUCE ST S	Re-Roofing	106290.00	08/26/2024
Strand Home Services	108 MAIN ST E	Deck	1000.00	09/03/2024
SWANSON CONSTRUCTION	404 1ST ST S	Foundation Repair	3000.00	08/28/2024
SWANSON CONSTRUCTION	404 1ST ST S	Deck	3200.00	09/04/2024
WHERRY/BRENT E & MARGO R	611 SOUTHVIEW DR W	Deck	3000.00	08/26/2024



Upcoming Meetings

September

- 09/10 Legislative & Ordinance Committee, 2:00 PM, City Hall
 - 09/10 Work Session, 4:00 PM, City Hall
 - 09/10 Regular Meeting, 5:30 PM, City Hall
 - 09/10 Work Session, immediately after Regular Meeting, City Hall
 - 09/24 Commission Interview, 5:00 PM, City Hall
 - 09/24 Regular Meeting, 5:30 PM, City Hall
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October

- 10/8 Work Session, 4:00 PM, City Hall
- 10/8 Regular Meeting, 5:30 PM, City Hall
- 10/22 Regular Meeting, 5:30 PM, City Hall

2024 Regular Council Meeting Dates

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

5:30 P.M.

City Hall, 344 West Main Street

January

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

February

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

March

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

April

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

May

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

June

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

July

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

August

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

September

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

October

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

November

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

December

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

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

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

5:30 P.M.

City Hall, 344 West Main Street

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

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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