

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, September 22, 2020**

The regular meeting of the Common Council of the City of Marshall was held September 22, 2020, at the Minnesota Emergency Response and Industrial Training (MERIT) Center, 1001 West Erie Road. 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, Steven Meister, Glenn Bayerkohler, John DeCramer, Russ Labat and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; Annette Storm, Director of Administrative Services; Karla Drown, Finance Director; Jim Marshall, Director of Public Safety; Scott VanDerMillen, Director of Community Services; Lauren Deutz, Economic Development Director; Sheila Dubs, Human Resource Manager; Bob VanMoer, Wastewater Treatment Facility Superintendent and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

There was a consensus to operate under the current agenda.

**Consider approval of the minutes of the work session and regular meeting held on September 8, 2020.**

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer that the minutes of the work session and regular meeting held on September 8, 2020 be approved as filed with each member and that the reading of the same be waived. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Consider Approval of the Consent Agenda.**

Councilmember Labat requested that item number 3, Consider approval of an amendment to the Personnel Policy Manual--Appendix B--Maximum Allowable Reimbursement/Per Diem Rates, be removed for further discussion.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Approval to declare vehicles as surplus property for the Marshall Police Department.

Approval of a Farm Lease between Mortier Farms, Inc. and the City of Marshall.

Approval of a Farm Lease between Ron Verly and the City of Marshall

Approval of Resolution Number, 4751, Second Series, a resolution accepting Jonathan Monterroso as a member of the PERA Public Employees Police and Fire Plan.

Approval of two Temporary On-Sale Intoxicating Liquor Licenses for Marshall Area Chamber of Commerce.

Approval of a LG220 Application for Exempt Permit for Shades of the Past.

Approval of the bills/project payments

**Consider approval of an amendment to the Personnel Policy Manual--Appendix B--Maximum Allowable Reimbursement/Per Diem Rates.**

On an annual basis, Staff provide recommended amendments to the Employee Personnel Policy Manual—Appendix B—the Maximum Allowable Reimbursement / Per Diem Rates based upon the General Services Administration (G.S.A.) per diem rates.

A copy of the Travel policy was also included for reference purposes only; no amendments are being proposed by staff for the Travel policy.

The proposed amendments are consistent with Council direction since August 2009, and consistent with the G.S.A. website per diem rates.

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 GSA schedule includes several rate adjustments for FY2021. 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.

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](http://www.gsa.gov)). Since August 2009, the Council has approved meal per diems consistent with the GSA schedule, minus 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.

Councilmember Labat removed the item from the consent agenda for discussion on the travel policy. There was continued discussion on the agenda item.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to approve amendment of Appendix B, the Maximum Allowable Reimbursement/Per Diem Rates of the Personnel Policy Manual in addition to the Personnel Committee reviewing the travel policy within the document. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

**Consider approval of 2020-2021 League of Minnesota Cities Insurance Trust Property/Casualty and Liability Insurance.**

The City of Marshall carries property and casualty insurance coverage with the League of Minnesota Cities Insurance Trust (LMCIT). The annual renewal is for the coverage period of October 1, 2020 through September 30, 2021. Sheldon Kimpling will be in attendance to review the renewal and coverage in greater detail.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to approve the annual LMCIT property, casualty and liability insurance renewal while seeking for a new quote for boiler coverage. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Nay: Councilmember Meister. The motion **Passed. 6-1**

**Wastewater Treatment Facilities Improvement Project - Project Update Presentation.**

Wastewater Superintendent Bob VanMoer provided a project update to the Wastewater Treatment Facility via PowerPoint.

**Marshall CARES Grant Update and Request**

The Marshall EDA closed the application period for the Marshall CARES Grant on September 11, 2020. Staff received 84 applications (54 applications in 1.0 program and 29 in 2.0 program). Of the applications received, six were deemed ineligible based on the program's qualifications.

In the Marshall CARES Grant 1.0 program, staff awarded \$327,500 in grant funds to 47 businesses and non-profits. The EDA board approved a continuation of the grant program, Marshall CARES Grant 2.0, at the August 8, 2020 EDA meeting.

In the CARES Grant 2.0 program, staff received 29 applications (6 applications rolled over from the 1.0 program to the 2.0 program), 31 of which are eligible, with requests totaling \$223,056.30. With only \$172,500 remaining of the previously approved \$500,000, EDA staff is requesting additional funds in order to award all remaining eligible applicants. Staff is requesting up to an additional \$50,556.30 in grant funds.

Motion made by Councilmember DeCramer, Seconded by Councilmember Meister to approve up to \$50,556.30 of City CARES funds to the CARES Grant 2.0 program. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat  
Voting. Abstaining: Councilmember Lozinski. The motion **Passed. 6-0-1**

**City of Marshall - Lyon County EDA Update.**

Economic Development Direct Lauren Deutz and City Administrator Sharon Hanson provided an update on the EDA discussion between the City of Marshall and Lyon County.

**City Hall Project Update; Consider approval of a Change Order.**

City Administrator Sharon Hanson provided the background information on the agenda item. The council packet includes the proposed rendering of city hall including the back, side (southeast) and front sides. Also included are two change order amounts for;

- 1) Demolition and backfill of southeast wall, \$111,466.00.
- 2) Foundation removal, soil correction and fire damper in louver, \$6,518.00.

A complete change order (PR4) will be provided prior to the council meeting which will include the completed southeast wall redesign and take into consideration cost saving efforts on the front and back of the building.

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer to approve the listed change orders for the City Hall Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Nay: Councilmember Bayerkohler. The motion **Passed. 6-1**

**Preliminary Plat of Carr Estates Fifth Addition - Introduce Plat and Call for Public Hearing.**

The developer approached the City with a request to plat one additional lot onto the end of Continental Street, adjacent to Lot 6, Block 3 of Carr Estates Second Addition. The street and utilities are already installed along the frontage. Staff's only concern is street drainage on Continental Street from the intersection with Cadillac Drive to the east toward the field. The street grade drains east to the field, but drainage is blocked by a small hill. Staff had informed the developer, and the developer, also owner of the adjacent field, indicated that a drainage path will be created to drain surface water runoff from the city street. A

Copies of the proposed subdivision have been sent to the local utility companies for their review and comments. The preliminary plat was presented at the Planning Commission meeting on September 9, 2020. The property owners of 510 Continental Street expressed concerns relating to drainage, and discussion was conducted regarding the topic. Following discussion, Schroeder MADE A MOTION, SECOND BY Lee, to recommend approval of the preliminary plat to the City Council. All voted in favor. The applicant will be billed for all direct costs relating to the platting process.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister that the Council call for public hearing on the Preliminary Plat of Carr Estates Fifth Addition to be held at the October 13, 2020 City Council meeting, as per the recommendation of the Planning Commission. Voting Yea: Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Abstaining: Mayor Byrnes. The motion **Passed. 6-0-1**

**Project Z82: North 1st Street Reconstruction Project - Consider Resolution Ordering Preparation of Report on Improvement.**

The proposed project includes a complete reconstruction of North 1<sup>st</sup> Street between West Main Street and West Marshall Street, and West Lyon Street, West Redwood Street, and West Marshall Streets between East College Drive and North 1<sup>st</sup> Street. The complete reconstruction includes sidewalk, curb and gutter, street surfacing, watermain, sanitary sewer, and storm sewer replacement for all listed streets in the project limits, with exception to West Marshall Street where utility replacement work has already occurred.

The project is identified in the City Capital Improvement Plan (CIP) for 2021.

All improvements are proposed to be assessed according to the current Special Assessment Policy or Policy amended prior to certification of assessments including, but not limited to, Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem participation. Final approval of the project must include determination of funding sources.

Motion made by Councilmember DeCramer, Seconded by Councilmember Schafer that the Council adopt RESOLUTION NUMBER 4752, SECOND SERIES, which is the "Resolution Ordering Preparation of Report on Improvement" for Project Z82: North 1st Street Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Consider Appointments to the Various Boards, Commissions, Bureaus and Authorities.**

Mayor Byrnes recommended the follow applicant to the Police Advisory Board.

Tim Tomasek to an expired term to expire on 5/31/2022.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister approval of appointments to the various boards, commissions, bureaus and authorities. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Commission/Board Liaison Reports**

Byrnes            Southwest Regional Development Commission met to review applications for CARES funding.

Schafer         MERIT Center Commission reviewed previous months use of the facility

- Meister Economic Development Authority met to discuss CARES Act funding, introductions to MMU General Manager.
- Bayerkohler Public Housing Commission met and approved its operating budget, family unit utility allowances, a new maintenance plan and awarded a snow removal contract.
- DeCramer Marshall Municipal Utilities met to discuss 2021 budget, starting in 2023 a time of use rate system will be in place for utility charges.
- Labat Library Board met and reviewed its operations during the COVID-19 pandemic.
- Lozinski No Report

### **Councilmember Individual Items**

Councilmember DeCramer commented on the salt and sand bids and how the city removed the excess salt from city street. Director of Public Works/ City Engineer Jason Anderson provided its process to remove the salt from city streets and using alternative solutions to salt.

Councilmember Schafer commented on the Joint Law Enforcement meeting and that there will be a list of capital items up for review.

Mayor Byrnes commented on the 9/11 memorial event and suggested that the upcoming evaluation of the City Administrator be a 360 evaluation.

### **City Administrator**

City Administrator Sharon Hanson discussed a meeting with staff, council and community members on diversity and equity within the city of Marshall. Administrator Hanson discussed the resignation of Avera Marshall's Mary Maertens.

### **Director of Public Works**

Director of Public Works/ City Engineer Jason Anderson provided a construction update for the city.

### **City Attorney**

No Report

### **Information Only**

There were no questions on the information items.

### **Upcoming Meetings**

There were no questions on the upcoming meetings.

**Adjourn**

At 7:24 P.M., Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to adjourn.  
Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler,  
Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

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Mayor

Attest:

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City Clerk