

CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, March 08, 2022

The regular meeting of the Common Council of the City of Marshall was held March 8, 2022, 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, John DeCramer, and James Lozinski. Absent: Steve Meister and Russ Labat. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Jessie Dehn, Assistant City Engineer; Preston Stensrud, Parks Superintendent and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

There was a general consensus to operate under the amended agenda.

Consider a Resolution Declaring a Vacancy

The City of Marshall recognizes the passing of former Councilmember Donald L. Edblom and his last day as a City Councilmember on February 22, 2022. Pursuant to City Charter and State Statute the City of Marshall will declare the unexpired term of former Councilmember Edblom Ward 1 seat vacant.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer That the Council approves the Resolution Declaring a Vacancy on the Marshall City Council. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Consider approval of the minutes from the regular meeting held on February 22, 2022.

Motion made by Councilmember DeCramer, Seconded by Councilmember Schafer that the minutes from the regular meeting held on February 22, 2022 as filed with each member and that the reading of the same be waived be approved Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

General Obligation Bonds, Series 2022A. 1) Conduct a Public Hearing 2) Resolution approving property tax abatement to finance certain public improvements in the City.

On February 8, 2022 the City Council Called for a Public Hearing to be held on March 8, 2022.

At its March 8, 2022 meeting, the Marshall City Council is being asked to consider the following resolution in anticipation of the issuance of General Obligation Bonds, Series 2022A:

Resolution approving property tax abatement to finance certain public improvements in the City

Property tax abatement to finance certain public improvements in the City

The City is proposing property tax abatement to aid in financing certain public improvements, including the Rose and Addison downtown city parking lots adjacent to W. Lyon Street, all pursuant to Minnesota Statutes, Sections 469.1812 through 469.1815, as amended. The City intends to issue one or more series of general obligation bonds, a portion of which will be designated as tax abatement bonds, in the aggregate principal amount estimated not to exceed \$575,500 to pay the costs of the project. The abatement bonds are expected to be paid primarily through the collection of abatement revenues. Prior to approval of the granting of a property tax abatement, the City is required to hold a public hearing. The City Council has scheduled March 8 as the date of the public hearing. Following the hearing, the resolution would authorize the City to finance the

identified public improvements with property tax abatements through the issuance and sale of general obligation tax abatement bonds.

Terri Heaton with Baker Tilly provided the background information on the agenda item.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to Close the Public Hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Councilmember Lozinski asked a clarification on the number of votes needed with a majority of the council or a majority of the quorum present.

City Administrator Sharon Hanson commented that per the Charter that four members of the council would need to vote yea in order to pass bonding resolutions.

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer to Approve Resolution Number 22-035, a Resolution Approving Property Tax Abatement to Finance Certain Public Improvements in the City. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

General Obligation Bonds, Series 2022A. 1) Conduct a Public Hearing 2) Consider a Resolution approving a five-year street reconstruction plan and the issuance of General Obligation Street Reconstruction Bonds. On February 8, 2022 the City Council Called for a Public Hearing to be held on March 8, 2022.

At its March 8, 2022 meeting, the Marshall City Council is being asked to consider the following resolution in anticipation of the issuance of General Obligation Bonds, Series 2022A:

Resolution approving a five-year street reconstruction plan and the issuance of General Obligation Street Reconstruction Bonds

Five-Year Street Reconstruction Plan and Issuance of General Obligation Street Reconstruction Bonds

The City is authorized under Minnesota Statutes, Section 475.58, subdivision 3b, as amended (the "Act"), to prepare a plan for street reconstruction or bituminous overlay of streets in the City over the next five years, which includes a description of the street reconstruction or overlay to be financed, the estimated costs, and any planned reconstruction or overlay of other streets in the City over the next five years. Pursuant to the Act, the City may issue general obligation bonds to finance the cost of street reconstruction activities described in such plan.

Before the approval of the street reconstruction plan and the issuance of any bonds under the Act, the City is required to hold a public hearing on the plan and the issuance of bonds thereunder. The City Council has scheduled March 8 as the date of the public hearing. Following the hearing, the resolution would authorize the issuance and sale of general obligation street reconstruction bonds pursuant to the Act in the maximum principal amount of \$400,000 to finance the costs of the Project, as described in the Plan.

Terri Heaton with Baker Tilly provided the background information on the agenda item.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to Close the Public Hearing
Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Motion made by Councilmember DeCramer, Seconded by Councilmember Schafer to Approve Resolution Number 22-036, a Resolution approving a five-year street reconstruction plan and the issuance of General Obligation Street Reconstruction Bonds. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Consider Approval of the Consent Agenda

Councilmember Lozinski requested the item number 5, Introduction of Ordinance Amending Chapter 62 of the City Code establishing Sec. 62-11 - Access Management (Driveway Ordinance) be removed from the consent agenda.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer to approve the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Approval of Resolution Number 22-037, a Resolution Calling for a Public Hearing on the Modification of the Redevelopment Plan for Redevelopment Project No. 1.

Approval of the bills/project payments

Introduction of Ordinance Amending Chapter 62 of the City Code establishing Sec. 62-11 - Access Management (Driveway Ordinance).

City staff is proposing to establish a set of driveway regulations that more explicitly describes the requirements and limitations for driveways in various land uses. The proposed ordinance would apply to new properties or applications for modifying existing driveways. Applications to replace driveways, as they are currently, would be exempt from the requirements in the ordinance.

The proposed ordinance describes the requirements for materials and geometrics (size, slope, etc.) for residential, commercial, and industrial-zoned properties. The ordinance also identifies an exemption process, should a property owner wish to install a driveway that does not conform to the requirements in the proposed ordinance.

Staff believes that the proposed ordinance would provide clear direction to property owners regarding driveway installations. Limiting driveway width and spacing between driveways can improve safety by helping to reduce vehicle/pedestrian interaction area and by reducing and limiting street access/conflict points, help ensure good gutter drainage, reduce unnecessary storm water runoff, help ensure compliance with vegetative cover ordinance requirements, and help maintain character of a neighborhood. Establishment of driveway regulations are typical for many other communities in Minnesota. Staff can review requirements of other communities as needed.

This item was presented to the Public Improvement/Transportation Committee at their meeting on January 25, 2022, with a recommendation from the Committee for approval of the driveway ordinance to the City Council.

This item was presented to the Legislative & Ordinance Committee at their meeting on March 1, 2022. At L&O Committee, Councilman Lozinski suggested that the City Council discuss allowing bituminous paving as an accepted driveway material in the City right of way. City staff prefers to require concrete in City right of way but can make this amendment if the Council desires. After discussion, motion passed with the recommendation from the Committee to Council to introduce the Ordinance Amending Chapter 62 of the City Code establishing Sec. 62-11 - Access Management (Driveway Ordinance) and call for public hearing to be held March 22, 2022.

Councilmember Lozinski pulled the item from consent to further clarify that this proposed ordinance is limited to the city right of way. Member DeCramer added that the Legislative and Ordinance Committee wanted to have the discussion with the full council on allowing both concrete and asphalt.

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer that the Council introduce the Ordinance Amending Chapter 62 of the City Code establishing Sec. 62-11 - Access Management (Driveway Ordinance) and call for public hearing to be held March 22, 2022. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

General Obligation Bonds, Series 2022A, Consider a Resolution authorizing the issuance of General Obligation Airport Bonds.

At its March 8, 2022 meeting, the Marshall City Council is being asked to consider the following resolution in anticipation of the issuance of General Obligation Bonds, Series 2022A:

Resolution authorizing the issuance of General Obligation Airport Bonds

General Obligation Airport Bonds

The City is authorized by Minnesota Statutes, Chapter 475, as amended, and Minnesota Statutes, Section 360.036, as amended (collectively, the "Airport Act"), to issue general obligation bonds to finance the costs of investigating, surveying, planning, acquiring, establishing, constructing, enlarging, or improving or equipping airports and other navigation facilities, and the sites therefor, including structures and other property incidental to their operation.

The resolution authorizes the issuance and sale of general obligation bonds, a portion of which will be designated as airport bonds in the currently anticipated principal amount of \$70,000, pursuant to the Airport Act, to provide financing for certain improvements to the Southwest Minnesota Regional Airport, including apron reconstruction with respect to the WPA hangar area and apron and taxiway sealcoat/crack filling.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer to approve Resolution Number 22-038, a Resolution authorizing the issuance of General Obligation Airport Bonds. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Consider approval to prepare and submit a Minnesota DNR Outdoor Recreation Grant

To increase and enhance outdoor recreation facilities in local and community parks throughout the state. This program is established in Minnesota Statutes 85.019.

The Outdoor Recreation Grant Program provides matching grants to local units of government for up to 50% of the cost of acquisition, development and/or redevelopment of local parks and recreation areas. Only one park may be included in an application and only one application per park.

As part of an ongoing effort to Cultivate the Best in Play, our Parks Department is planning to add additional Inclusive Play components to Independence Park (similar to the Legion Field Park project completed in Fall 2021). Visual images of potential components are attached. If awarded, the project could begin as early as November, 2022 and must be completed by June 30, 2024.

Playgrounds are places where children can go to learn, play, and enjoy the outdoors. These areas promote the development of physical and cognitive skills while building social relationships. Inclusive Playgrounds break down barriers and create an atmosphere where all children can play and grow together in a welcoming environment.

Project estimate is \$60,000. City match would be 50%. If awarded, revenue is available in the Park Land Development Fund for matching funds.

Project has potential to come in at lower cost based on material and/or cash donations.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve, prepare and submit grant application for Cultivating Best in Play project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Consider a Resolution Reestablishing Voting Precincts, Wards, and Polling Locations.

Redistricting is the process of redrawing the boundaries of election districts to ensure that the people of each district are equally represented.

Redistricting is done in the United States after the completion of Congressional reapportionment, which decides how many seats each state has in the 435 member House of Representatives. Reapportionment happens following the Decennial Census.

In Minnesota, the state legislature has constitutional responsibility for redistricting Minnesota's Congressional districts, as well as Minnesota Senate and House districts, and Metropolitan Council districts. Local governments are responsible for redistricting other election districts:

- County boards are responsible for redistricting county commissioner districts
- City councils are responsible for redistricting city wards
- School boards are responsible for redistricting board member districts

In addition, during the redistricting time period, cities and townships will establish (or reestablish) their precinct boundaries as part of the redistricting process, as will counties that have unorganized territory.

After review of our 2020 Census redistricting data, we believe that the accuracy of the Census Tract 3605, which overlaps with our Ward 1 voting district, is undercounted. This tract encompasses SMSU and a large amount of rental housing that was unoccupied due to the timing of COVID-19.

Under Section 2.10 of our City Charter, The Council shall, by ordinance, provide for the establishment of wards, define, or change their boundaries, and increase or eliminate the number of wards in the City. No change, increase, or elimination shall be made within three (3) months prior to any election held in the City governmental offices. Within six (6) months following the official certification of the decennial census of the United States and the filing of the census list with the City, the Council shall, by ordinance, re-determine ward boundaries so as to make said wards as nearly equal in population as practical.

It is staff's opinion that with the current data provided by the Census Bureau the City of Marshall will not need to redistrict its precincts or wards, even with the inaccurate population undercount located in Ward 1.

On Tuesday March 1 staff met with the legislative and Ordinance Committee to present the above information and three options for the Legislative and Ordinance Committee to consider for the full council.

- **Option 1:** Reestablish the City of Marshall Precincts and Wards (No Changes).
- **Option 2:** Move 89 people from Ward 3 to Ward 1.
- **Option 3:** Move 220 people from Ward 3 to Ward 1. This change will reestablish neighborhoods and make the Ward lines between Ward 3 and Ward 1 easier to identify.

Options 2 and 3 were presented to the L&O Committee the results received from the 2020 Census will not allow voting districts for Lyon County to keep the same boundaries if the City of Marshall chooses to reestablish its currently voting districts.

Staff have had meetings with Lyon County staff to discuss options to minimize the impact of redistricting by redrawing precinct and ward lines within Marshall Ward 1 and Ward 3.

At the March 1 Legislative and Ordinance Committee - Motion by Lozinski, Seconded by Meister to recommend that the City Council Reestablish the City of Marshall Precincts and Wards and Polling Locations. All voted in favor. 3-0

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer that the Council approves the Resolution Reestablishing Voting Precincts, Wards, and Polling Locations. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Consider a Resolution Declaring a Special Election.

The City Council will consider a Resolution to declare a vacancy for Ward 1 seat held by Councilmember Edblom.

If the unexpired term of such Councilmember or Mayor is one hundred eighty (180) days or more, the vacancy shall be filled by special election within the area to be represented. The special election shall be ordered by the Council within thirty (30) days after vacancy is declared and reasonable public notice of the election shall be given according to the City Charter.

Due to a redistricting year, municipalities are further limited to when a special election can be held and are not permitted to hold a special election in April or May of 2022. The next uniform election dates available in 2022 are August 9, State primary election day or November 8, 2022, General election day.

After staff review and conformation from the Minnesota Secretary of State's Office it is recommended that the Council order the special election for Ward 1 be held in conjunction with the State Primary Election on Tuesday, August 9, 2022/ General Election on Tuesday, November 8, 2022.

Because the City will be holding a special election in conjunction with regularly scheduled election the City will follow the predetermined scheduled for filling and notices as defined in Minnesota statute.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski That the Council approves the Resolution Declaring a Special Election to be held on August 9, 2022 in conjunction with the State Primary Election. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Project ST-023: W. Lyon Street (College to 1st) Reconstruction Project - Consider Resolution Receiving Feasibility Report and Calling Hearing on Improvement.

The proposed project limits include W. Lyon Street (E. College Drive to N. 1st Street). The proposed project was originally included in the scope of the Z82 (N. 1st/ Redwood/Marshall) Reconstruction Project constructed in 2021. In consideration of the unknown status regarding the potential development of the Block 11 property, the block of W. Lyon Street between E. College Drive and N. 1st Street was removed from the scope of the project.

This Feasibility Report as authorized by the City Council covers the proposed improvements including scope, background/existing conditions, proposed improvements, probable costs, proposed assessments, feasibility, and proposed project schedule.

The proposed improvements as described in the report are necessary, cost-effective, and feasible from an engineering standpoint.

The project was presented to the Public Improvement/Transportation Committee at their meeting on January 25, 2022, with the Committee recommending approval of the project to the City Council.

The engineer's estimate for the construction portion of the project is \$338,000. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$432,000. All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem. Final approval of the project must include determination of funding sources.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer that the Council adopt RESOLUTION NUMBER 22-041, which is the Resolution Receiving Feasibility Report and Calling Hearing on Improvement for the above-referenced project and setting the public hearing on improvement date for April 12, 2022. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Project AP-003: Snow Removal Equipment (SRE) and Aircraft Rescue Firefighting Facility (ARFF) - Consider Agreement for the Transfer of Airport Federal Entitlement Funds and Authorize Execution and Filing of FAA Form 5100-110.

The Airport receives \$150,000 annually in FAA entitlement funding. Those funds may be accumulated for up to four years. This caps the availability of federal entitlements at \$600,000 unless entitlement transfers are utilized. The Airport currently has \$600,000 available in 2022, of which \$150,000 will expire if not used or transferred this year.

The City of Marshall desires to construct a new Snow Removal Equipment (SRE) and Maintenance Equipment Storage Building at the Southwest Minnesota Regional Airport. The existing building does not adequately accommodate all airport maintenance equipment storage needs. The new facility is planned to be constructed on the East Building Area of the airport, as shown on the recently completed Airport Master Plan.

A joint city fire station and ARFF (Aircraft Rescue and Fire Fighting) facility is ultimately planned to be co-located on the site with the SRE/Maintenance Building. The facilities would share common use amenities and utilities. The joint city fire station and ARFF facility is not planned for final design or construction at this time.

The Project has been identified on the airport CIP for several years. Below is the proposed timeline in the most recent airport CIP.

Project Timeline

Phase 1 – 2021: Preliminary Design Study and Funding Plan

Phase 2 – 2022: Design and Site Preparation

Phase 3 – 2023: Construction

Based on this timeline, the City's consultant, TKDA, includes the proposal of two \$150,000 entitlement transfers to ensure that those entitlements do not expire. The first transfer was authorized by the City Council at their meeting on March 23, 2021, to TOB (Dodge Center). These entitlement transfers will provide the City and TKDA with enough time to prepare the necessary pre-project planning documents to secure state aeronautics funding while also helping the City to secure enough FAA entitlement funds to facilitate the construction of this improvement in 2023.

This item was presented to the Airport Commission at their meeting on March 1, 2022 with a recommendation to Council for approval of the transfer of 150,000 of MML Airport 2022 Federal Entitlement Funds to ACQ (Waseca).

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council authorize the execution of the attached "Agreement between the City of Marshall, Minnesota, and the City of Waseca, Minnesota" for the transfer of 150,000 of MML Airport 2022 Federal Entitlement Funds to ACQ (Waseca) in use in constructing a multi-unit hangar. Waseca will in turn transfer back to Marshall \$150,000 in entitlements in 2023 and that the Council authorize the transfer of Airport Federal Entitlement Funds and authorize execution and filing of FAA Form 5100-110 for the transfer of 150,000 of MML Airport 2022 Federal Entitlement Funds to ACQ (Waseca). Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Project ST-009: W. Lyon Street/N. 3rd Street Reconstruction Project - Consider Acceptance of Proposal for Consultant Services.

The above-referenced project is currently identified for 2023 in the City Capital Improvement Plan (CIP). The project limits include:

- W. Lyon Street (E. College Drive to N. 5th Street)
- N. 3rd Street (W. Main Street to W. Redwood Street).

The proposed project includes the complete reconstruction of the street, curb, sidewalk, driveways, watermain, sanitary sewer, and storm sewer collection system. The street pavement and utilities are in poor condition and City staff believes a reconstruction is necessary.

Brad Meulebroeck has expressed interest in possible changes to the function of N. 3rd Street between W. Main Street and W. Lyon Street. After discussion with staff, his request would include Council considering of the following:

- Remove the signal light at the intersection of N. 3rd Street (City) and W. Main Street (MnDOT). This signal is currently owned and operated by MnDOT, and any changes would need to be approved by MnDOT Traffic.
- In lieu of traffic signal, the addition of an enhanced pedestrian crossing at the intersection of N. 3rd Street and W. Main Street, including a pedestrian refuge island and Rectangular Rapid Flashing Beacon (RRFB) signage. As this installation would be in MnDOT Right-of-Way, this installation would need to be approved by MnDOT Traffic.
- Reconfiguration of N. 3rd Street from the existing two-way travel into a one-way street moving from Main Street to Lyon Street.
- Narrowing of N. 3rd Street to accommodate several additional features including but not limited to landscaping, string lighting, artwork, and sitting areas.

Staff has also considered the possibility of including some aesthetic and/or landscaping/hardscaping upgrades to the remaining blocks of the downtown project. Some of these upgrades may or may not include planter boxes, vegetative strips along the curb and at corners, and tree planting.

With the scheduled timeline of construction in 2023, staff would like the Council to provide authorization to continue forward with the aid of an engineering consultant. Aesthetic features would likely require the services of a landscape architect to assist with the scoping and design of included features.

At the City Council meeting on February 8, 2022, Council authorized staff to request for proposals for consultant services for downtown aesthetic improvements. Consultant assistance with aesthetic options will be critical if the downtown business community or City Council want these types of enhancements. City staff would plan to work with the Downtown Business Association and Chamber to help us manage input. The request included four tasks for the consultant to scope and provide pricing. Task 1 included an Intersection Control Evaluation (ICE) study and report of the N. 3rd/W. Main intersection signal. Task 2 was to provide public information gathering and scoping of the streetscaping elements of the project. Task 3 included preparing design sheets of the streetscaping elements determined through Task 2. Task 4 was an optional task to provide design services of the street reconstruction and utility improvement portion of the project.

City staff met with the DBA at their March 2, 2022 meeting to discuss the project and the current status of the project and the possibility of securing a consulting engineer if Council approves.

Three proposals were received on March 3, 2022. Proposals were reviewed at the Public Improvement/Transportation Committee meeting on March 8, 2022, by the Committee, and a proposal review group consisting of two City staff members, the PI/T Committee, and Brad Gruhot, the Chamber President. The Committee recommended award of a contract to Bolton & Menk. Bolton & Menk, while having the lowest cost fee proposal of the three, also provided a strong proposal of services.

All costs would be billed against the 2023 construction project.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer that the Council accept the proposal of Bolton & Menk for Tasks 1, 2 and 3 at the approximate cost of \$67,920 per the recommendation of the Public Improvement/Transportation Committee. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

Commission/Board Liaison Reports

Byrnes Mayor Byrnes temporally reassigned the council liaison position for the Public Housing Commission to member DeCramer, Mayor Byrnes assigned himself as the temporary liaison for the Planning Commission and Comprehensive Plan Committee.

Schafer Airport Commission met and discussed items acted on at this council meeting.

DeCramer Marshall Municipal Utilities Commission met and reviewed the final pay request for the Water Treatment Plant. That project is now complete.

Diversity, Equity, and Inclusion Commission met and reviewed 2022 Welcome Week event in September, appointed a new co-chair and will hold another World Café Community event on Saturday, April 30.

Lozinski No Report

Councilmember Individual Items

Councilmember DeCramer reminded the public to be mindful while driving of significant deer population along Birch Street.

Councilmember Lozinski commented on the Coalition of Greater Minnesota Cities Conference.

Mayor Byrnes discussed his attendance at the Coalition of Greater Minnesota Cities Conference and the City's involvement with the CGMC. Byrnes also discussed the Southwest Minnesota Mayors Council and its main focus of economic competitiveness with our neighboring states. Byrnes commented that a lobbyist has been retained by the group to advance their issues, including a program similar to a South Dakota program for tuition forgiveness. Mayor Byrnes also discussed the City's sales tax extension and that after discussion with our legislators that the aquatic center will be the only project proposed on the bills that are introduced in the house and senate.

There were comments made at a previous meeting by Representative Chris Swedzinski to potentially expand the sales tax to distribute out to surrounding communities.

Administrator Hanson asked the Council for their opinions on revenue sharing when it comes to the city's sales tax extension.

Councilmember Schafer commented not in favor of revenue sharing. Member Schafer added that this option wasn't presented to the public when asked for their opinions and support. Schafer commented that business outside of Marshall would collect from revenue sharing and would have an advantage over businesses in Marshall that would be required to collect the .5% sales tax. Schafer added that he questions the credibility of the council if they change the plan at this time.

Councilmember Lozinski commented not in favor of revenue sharing adding that it would be difficult to ask Marshall businesses to raise their sales tax to then send funds to communities with businesses that are not required to raise their own sales tax.

Councilmember DeCramer commented not in favor of revenue sharing and questioned why this amendment is being proposed with the project being both a community and region asset.

Mayor Byrnes added that current legislation is for an extension, not an addition, to the current sales tax. Byrnes also commented that there is a request to eliminate the one-year requirement of not collecting the .5% sales tax between the existing sales tax and proposed sales tax.

City Administrator

City Administrator Sharon Hanson commented that her focus has been on the sales tax extension and State of City Address.

Director of Public Works

Director of Public Works/ City Engineer Jason Anderson commented that the City has received a grant for a future bike trail from Jewett to Main Street, this project will take place in 2026. The chloride grant agreement has been executed by the MPCA and Bolton and Menk, staff will meet with the consultant in the future to discuss the use of funds. Director Anderson added that there will likely be an amended to the College Drive project to include the Bruce Street intersection.

City Attorney

City Attorney, Dennis Simpson discussed recent and ongoing items. The Block 11 project continues to move forward, and the Council will be asked to take action at a future meeting on TIF. Documents have been provided to the Minnesota National Guard for the land transfer located in the industrial Park. Simpson provided an update on the Helen Chemical property and that he Minnesota Dept. of Ag has received a work plan from an environmental consultant to remain in the voluntary clean up program. Additionally, the North 7th Street Annexation is continuing to develop and that a conversation has been held with the MRES Attorney. Simpson will ask for a Public Improvement and Transportation meeting to convene for additional discussion regarding annexation. Lastly, Simpson commented that progress is being made on the nuisance properties located along East Main Street.

Conduct a closed session pursuant to Minnesota Statutes, section 13D.05, subdivision 3(b) to engage in an attorney-client privileged discussion with the City's attorney regarding Broadmoor Valley Mobile Home Park.

At 6:52 P.M., Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer to go into closed session. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski. The motion **Carried. 4-0**

At 7:06 P.M., the Council came back into closed session.

Representative Chris Swedzinski joined the meeting to discuss the proposed bill at the legislator for sales tax extension. Mayor Byrnes provided a summary from discussion held by the Council earlier in the meeting and that the Council is not in support of revenue sharing with this sales tax extension.

Representative Swedzinski provided a background on the tax committee process, and he would have an opportunity to amend and update the proposed bill.

Councilmember Schafer asked Representative Swedzinski how he sees the revenue sharing work.

Representative Swedzinski commented that with this revenue sharing multiple communities would be able to receive percentage of the dollars collected Marshall through the .5% sales tax.

There was continued discussion from the Council that it would be a tough ask for the Council to ask voters to send money collected in the community back out to the surrounding communities. The Council added that this ask doesn't seem to fit with the aquatic center as it is viewed as a regional asset.

Additional concerns from the Council are losing support from the voters for changing the terms, allowing competing businesses outside of the city to have an advantage of not collecting Marshall sales tax and to then send money to those communities.

Representative Swedzinski added that if it truly is a regional project that it should be up to the region to vote on the project. The Council wasn't sure if the legislator allowed that action to be taken and if that applied to a sales tax extension or a new sales tax collection.

Swedzinski commented that the proposed amendment includes 10% revenue sharing of the sales tax that is collected for communities within approximately 35-mile radius.

Representative Swedzinski and the Council agreed that this topic deserves the conversation and is a unique idea.

The City Council strongly feel that it is too late in the process to change the project.

Information Only

There were no questions on the information items.

Upcoming Meetings

There were no questions on the upcoming meetings.

Adjourn

At 7:23 P.M., Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adjourn.
Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember DeCramer, Councilmember Lozinski

Mayor

Attest:

City Clerk