

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, March 09, 2021**

The regular meeting of the Common Council of the City of Marshall was held March 9, 2021, 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, Steve Meister, Don Edblom, 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; Director; Jim Marshall, Director of Public Safety; Preston Stensrud, Parks 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 a work session and regular meeting held on February 23, 2021.**

Motion made by Councilmember Meister, Seconded by Councilmember Edblom that the minutes of a work session and regular meeting held on February 23, 2021 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 Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**1) Public Hearing regarding a home property tax abatement request 2) Consideration of a resolution approving home property tax abatement.**

On February 23, 2021 a public hearing was called for and to be held on March 9 regarding a home property tax abatement request. Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement. The property is located at 1203 Windstar Road with an estimated market value of \$835,600 with the difference of improvement being \$775,600. The approximate amount of assistance is \$5,776 a year or \$11,552 over a maximum period of 2 years.

Motion made by Councilmember DeCramer, Seconded by Councilmember Lozinski to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Motion made by Councilmember Lozinski, Seconded by Councilmember Labat To approve Resolution Number 21-019, a resolution approving home property tax abatement Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Award of Bids for Construction of Restroom Facility and Picnic Pavilion at Patriot Park**

As part of making our parks more accessible and user friendly the City started replacing outdated restroom facilities in 2018. Justice Park, Liberty Park, and Freedom Park have been completed.

The construction of a Restroom Facility and Picnic Pavilion at Patriot Park is the next proposed project. This project will be new construction, not replacement.

On February 17, 2021 two bids from local contractors were received, a third bid was solicited but not submitted due to work schedule. Bladholm Construction of Marshall, MN submitted the low bid of \$188,886.00 and is recommended for approval. Start date for construction would be in April with a proposed finish date of July 1, 2021.

As part of the construction process the City will need to provide sewer and water line connections to the site. Boring and open cut installation were both considered with boring being the most economical route for installation. D&G Excavating, Inc. of Marshall, MN has submitted an estimate for the installation of these lines in the amount of \$19,685.00.

The City will also need to get power brought into the proposed area. MMU will do this installation with the City paying for the materials estimated at \$1,000.00. Net cost of this restroom facility and picnic pavilion is \$209,571.00 including construction and utility line installations.

\$215,000.00 was budgeted in the 2021 Parks Department CIP for this project. \$209,571.00 is included in the 2021 Parks CIP for this project.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski s: Award bid for Construction of Restroom Facility and Picnic Pavilion at Patriot Park to Bladholm Construction in the amount of \$188,886.00 and authorize D&G Excavating, Inc. to move forward with installation of sewer and water lines in the amount of \$19,685.00 at Patriot Park. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Project Z50-2021: Chip Sealing on Various City Streets - Consider Resolution Accepting Bid (Award Contract).**

Bids were received on March 5, 2021 for the above-referenced project. Five bids were received as shown on the resolution awarding contract. The apparent low bid was received from Asphalt Preservation Company Inc. of Detroit Lakes, Minnesota, in the amount of \$122,134.12. The engineer's estimate for the bituminous chip sealing project is approximately \$138,700. The 2021 budget includes \$140,000 for this work.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council adopt RESOLUTION NUMBER 21-020, which is the "Resolution Accepting Bid (Award Contract)" for Project Z50-2021: Bituminous Chip Sealing on Various City Streets to Asphalt Preservation Company Inc. of Detroit Lakes, Minnesota, in the amount of \$122,134.12, with a not-to-exceed expenditure of \$140,000. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Consider Approval of the Consent Agenda.**

Councilmember Lozinski ask for agenda item number 7, Consider approval of the sale of alcoholic beverages at the Red Baron Arena in coordination with the Fairbanks Ice Dogs Hockey games to be removed for further discussion.

Motion made by Councilmember DeCramer, Seconded by Councilmember Schafer to approve the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom,

Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Approval of a Temporary On-Sale Intoxicating Liquor Licenses for the Convention and Visitors Bureau.

Approval of the Wastewater Treatment Facilities Improvement Project – 1) Consider Application for Payment No. 20 to Magney Construction, Inc.; 2) Consider Payment of Invoice 0263289 to Bolton & Menk, Inc.

Project Z78: Storm Structure Outfall Improvements Project - Approval of Plans and Specifications and Ordering Advertisement for Bids.

Project Z80: TH23 / Independence Park Sewer Realignment Project - Approval of Plans and Specifications and Order Advertisement for Bids.

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

Acceptance of a Hazardous Materials Emergency Preparedness (HMEP) Grant for the Southwest Chemical Assessment Team and to authorize the Director of Public Safety Jim Marshall to administer the grant.

Approval of the bills/project payments

**Consider approval of the sale of alcoholic beverages at the Red Baron Arena in coordination with the Fairbanks Ice Dogs Hockey games.**

At the January 12, 2021 City Council meeting, Visit Marshall/ Marshall CVB applied for and received approval to sell alcoholic beverages at the Red Baron Arena on January 21-23, 30-31, February 3, 19-20 and 26-27 in coordination with the Fairbanks Ice Dogs Hockey games.

At this time the Visit Marshall/Marshall CVB are asking for an amendment to that application to include additional dates in coordination with future Ice Dog Hockey games:

March 13th  
March 19th  
March 26th  
March 27th  
April 1st  
April 2nd  
April 3rd

The vendor supplying the alcoholic beverages is currently licensed by the city of Marshall.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer To approve the permit with amended dates for Marshall CVB/Fuzzy's Bar in coordination with the Fairbanks Ice Dogs Hockey games. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Project Z88: 2021 State Aid Overlay Project - Consider Approval of Plans and Specifications and Ordering Advertisement for Bids.**

The Municipal State Aid Street (MSAS) program provides funding to assist municipalities with the construction and maintenance of community-interest streets on their state aid systems. The program is administered by MnDOT's State Aid for Local Transportation (SALT). A street may be designated as a MSAS route if it is projected to carry a relatively heavier traffic volume or is functionally classified as a collector or arterial, if it is connected points of major interest, and if it provides an integrated and coordinated highway and street system.

The City of Marshall receives an annual allotment of funds for our designated MSAS network. In calendar year 2019, we received \$794,804. In 2020, we received \$865,128. In 2021, we will receive \$787,027; the reduction is a direct result of the impacts of COVID-19 on transportation revenues. As discussed at the 2-23-2021 work session, our current account balance is "advanced" by roughly \$2,887,000.

To improve the current condition on a number of MSAS routes while also paying back our 'advances' with our annual allotment, City engineering staff is proposing to issue local bonds for this surfacing project with the intent to make bond payments with future MSAS Advances. City engineering staff has reviewed this proposal with SALT and we have their approval to execute this plan. Issuing local bonds and making bond payments with MSAS advances allows the city to slowly improve our MSAS account balance while also making improvements to our MSAS routes and not impacting our levy.

The current cost project cost estimate is \$2,303,230. No proposed general fund impact. Bonds will be issued locally but coordinated with State Aid Finance. Our MSAS account will be responsible for making the bond payments. Due to our funds already being "advanced" \$2,887,000, we will need to make "advance requests" to SALT annually. It is possible that our "advance request" will be denied. In this event, staff will need to wait until MSAS funds become available to reimburse ourselves.

Motion made by Councilmember Edblom, Seconded by Councilmember DeCramer that the Council approve the plans and specifications and authorize advertisement for bids for Project Z88: 2021 State Aid Overlay Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed.**  
**6-1**

**Consider Approval of Two-Way Left Turn Lane (TWLTL) Striping and Resolution for Signage on Lyon Street and Southview Drive.**

Southview Drive Lane Adjustments:

SEH performed a traffic analysis of the roadway network around the middle school and new elementary school prior to construction of the new elementary school. To better accommodate the future traffic patterns, SEH's report recommended a two way left turn lane (TWLTL) striping configuration on Southview Drive.

Further, the City of Marshall has received a Federal grant to install Rectangular Rapid Flash Beacons (RRFB's) and pedestrian refuge islands next to various schools in Marshall. Included in the project will be Dynamic Speed Feedback signs that show a driver's speed compared to the speed limit. This project is planned for construction in 2022.

To accommodate the pedestrian refuge island and better accommodate area travel patterns, City engineering staff would like to propose a two-way left turn lane (TWLTL) striping configuration on E. Southview Drive from S. Saratoga Street to US 59/Main Street. The TWLTL fits well in this area and the existing road width can accommodate this striping pattern with some alterations to the painted on-street bikes lanes. From S.

Saratoga Street to E. Southview Court, staff is proposing to remove the on-street bike lanes and remove parking on the north side of E. Southview Drive. The new elementary school project includes 8-FT shared use path that will take the place of the painted on-street bike lanes. From E. Southview Court to US 59/Main Street, staff is proposing to remove parking from both sides of the street and to include painted on-street bike lanes.

#### East Lyon Street Lane Adjustments:

In 2022, the City will be completing an enhanced pedestrian crossing project on E. Lyon Street adjacent to Adobe Road to provide a safer pedestrian crossing between Independence Park and Parkside Elementary School. The project will incorporate the use of new school zone signage, radar speed signage, a rectangular rapid flashing beacon (RRFB), and a pedestrian refuge island.

To accommodate the pedestrian refuge island and better accommodate area travel patterns, City engineering staff would like to propose a two-way left turn lane (TWLTL) striping configuration on E. Lyon Street from Adobe Road to MN 23. The TWLTL fits well in this area and the existing road width can accommodate this striping pattern and the on-street bike lanes if parking is removed from both sides of E. Lyon Street through this area. Most land uses adjacent to E. Lyon Street through this area do not often utilize on-street parking. There are two residential properties west of Adobe Road that would lose parking directly in front of their homes as a result of the restriping.

These striping projects have been considered by both Public Improvement/Transportation (PI/T) Committee and Council at various points in time. The E. Southview Drive striping was reviewed by PI/T on August 5, 2020 and City Council on August 11, 2020. The E. Lyon Street striping was reviewed by PI/T on January 8, 2021 and City Council on January 26, 2021. Both PI/T Committee and City Council generally supported these changes but requested City staff to reach out to adjacent property owners to ensure that they were made aware of the upcoming changes.

Newsletters were sent to property owners along E. Lyon Street and E. Southview Drive on February 10, 2021. Limited feedback was received, with one property owner from each street reaching out with a question. On E. Lyon Street there was a question about loss of property value due to loss of parking, and on E. Southview Drive there was a question about parking availability in front of their property. Engineering staff is proposing to include traffic marking in our 2021 Municipal State Aid System (MSAS) mill & overlay project. If Council awards a 2021 MSAS Mill & Overlay project, staff will ensure that striping is included with the project. Per City Ordinance Sec. 74-26, staff has included a Council Resolution for City Council consideration in removing parking as required to accommodate the proposed TWLTL striping configurations on E. Lyon Street and E. Southview Drive.

Cost of traffic marking is proposed to be included in MSAS Mill & Overlay project. Project is to be bonded locally with annual bond payments being requested and advanced from State Aid.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer That the Council approve the two-way left turn lane striping for E. Lyon Street from approximately 325-FT west of Adobe Road to MN 23 and for E. Southview Drive from S. Saratoga Street to US 59/Main Street and that the Council adopt RESOLUTION NUMBER 21-021, which is the "Resolution Providing for Control Signage in the City of Marshall" generally described below: "No Parking" signs along Lyon Street and Southview Drive where the street is to be marked with a two-way left turn lane (TWLTL), generally described below:

1. East Lyon Street from MN 23 to a point approximately 325-FT west of Adobe Road, as measured from the center of the intersection.
2. East Southview Drive from US59/East Main Street to South Saratoga Street.

Councilmember Meister was not present for the rollcall vote.

Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0**

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

Mayor Byrnes provided the following nominations for the Diversity, Equity, and Inclusion Commission.

Don Robertson (05/31/23), George Taylor (05/31/22), Joyce Tofte (05/31/22), Marcy Heemeyer (05/31/23), Monica Talamantes (05/31/22)

Member Lozinski requested that future appointments be interviewed by the entire council.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer approval of appointments to the various boards, commissions, bureaus, and authorities. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat. Voting Nay: Councilmember Lozinski. The motion **Passed. 6-1**

**Commission/Board Liaison Reports**

Byrnes	Southwest Regional Development Commission continues to meet and approve loans for COVID 19 relief. The Commission met as part of the Transportation group to submit two grants; 1 for sidewalk/bike trail expansion that was fully funding and 2, for cost participation from MnDOT to future construction projects.
Schafer	No Report
Meister	No Report
Edblom	No Report
DeCramer	No Report
Labat	Library Board met to take next steps in opening the library more to the public and opening its branches in Cottonwood and Balaton.
Lozinski	City Hall Committee met and toured the city hall project.

**Councilmember Individual Items**

Councilmember Lozinski discussed housing development looks positive for the city this year depending the availability of materials.

Councilmember Labat discussed traffic flow surrounding the Marshall Middle School.

Councilmember Schafer commented on the use and benefits of the second street sweeper purchased by the street department.

Councilmember Meister discussed the comprehensive plan review that will be brought to council in the near future. Member Meister commented that Lyon County is ahead of the game in vaccine distribution.

Councilmember Edblom discussed the review of the comprehensive plan review.

**City Administrator**

City Administrator discussed the review of both of the comprehensive plan, aquatic center request for proposals. City Hall Committee will meet on March 15 to review predesign of the downtown plaza. A review of the strategic plan will be presented on March 23 to the City Council. A vaccination site will be conducted by Southwest Health and Human Services held at the MERIT Center.

**Director of Public Works**

Director of Public Works/ City Engineer Jason Anderson committed on the street sweeper productivity. Staff have been watching and monitoring the river level and breaking up ice dams as needed.

**City Attorney**

No Report

**Administrative Brief**

There were no questions on the Administrative Brief.

**Information Only**

There were no questions on the information items.

**Upcoming Meetings**

There were no questions on the upcoming meetings.

**Adjourn**

At 6:49 P.M., Motion made by Councilmember Meister, Seconded by Councilmember Schafer to adjourn. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

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Mayor

Attest:

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City Clerk