

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, February 25, 2020**

The regular meeting of the Common Council of the City of Marshall was held February 11, 2020 in the Professional Development Room at the Marshall Middle School, 401 South Saratoga 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, 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; Jim Marshall, Director of Public Safety; Preston Stensrud, Parks Superintendent; Dave Parsons City Assessor; Sheila Dubs, Human Resource Manager and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

Mayor Byrnes, with the consensus of the council, asked for items pulled from the consent agenda be moved until after new business. Mayor Byrnes reminded all that the meeting would be adjourned by 6:00 PM per M.S. 204C.03.

**Consider approval of the minutes of the regular meeting held on February 11, 2020.**

Motion made by Councilmember Schafer, Seconded by Councilmember Meister that the minutes of the regular meeting on February 11, 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**

**Authorization to Purchase New Commercial Mower for Parks Department**

Specifications for a new mower were presented and approved by the Equipment Review Committee. Also, discussion was had about moving towards replacing mowers every other year to keep them in warranty – will bring info on doing this to Council for discussion/direction.

Two bids were received on February 20, 2020. Both bids were very competitive. C & B Operations of Tracy, MN was the low bid with a price of \$25,749.00 after trade. Kibble Equipment of Marshall, MN submitted a bid in the amount of \$25,900.00 after trade. Staff are recommending the bid be awarded to Kibble Equipment of Marshall to keep the purchase in Marshall.

\$29,300 was budgeted in the 2020 Parks Department CIP. Net cost of \$25,900 after trade.

Motion made by Councilmember Labat, Seconded by Councilmember DeCramer Authorize the purchase of new 1575 John Deere Mower with Cab, 72” Deck and 47” Snow Blower to Kibble Equipment of Marshall, MN in the amount of \$25,900.00. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried.**  
**7-0**

There was a consensus from the Council to authorize the Parks Maintenance Department to cycle its mowers.

**Approval of the Consent Agenda**

Councilmember Labat requested the item number 5, Consider approval of the amended 2020 and 2021 Employee Wage Schedules, be removed for further discussion.

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

Approval of Resolution Number 4706, Second Series, a Resolution Authorizing Transfer and Closure of Capital Project Fund 413

Approval of Resolution Number 4707, Second Series, a Resolution Authorizing Transfer and Closure of Capital Project Fund 462

Approval to call for a Public Hearing Regarding Proposed Property Tax Abatement at 314 Rainbow Dr.

Approval of the revision of the EMERGENCY OPERATIONS PLAN (EOP), City of Marshall

Approval of the 2020-21 Township Fire Contracts.

Approval of the bills/project payments

**Adopt Resolution Supporting the Construction of a 4-Lane HWY 23 North of Marshall to Green Valley**

Mayor Byrnes commented that he would be abstaining from the vote because of his role with the Highway 23 coalition.

City Administrator Sharon Hanson provided the background information on the agenda item.

Motion made by Councilmember Schafer, Seconded by Councilmember Meister to adopt Resolution Number 4708, Second Series, a Resolution supporting the Construction of a 4-Lane HWY 23 North of Marshall to Green Valley  
Voting Yea: Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Abstaining: Mayor Byrnes. The motion **Passed. 6-0-1**

**2020-2024 Strategic Plan Adoption**

City Administrator Sharon Hanson presented on the 2020-2024 Strategic Plan via PowerPoint.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adopt the 2020-2024 Strategic Plan. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Abstaining: Councilmember Bayerkohler. The motion **Passed. 6-0-1**

**Wastewater Treatment Facility Improvement Project Update.**

WWTF Superintendent Bob VanMoer will provided a construction update on the project via PowerPoint.

**Consider approval of the amended 2020 and 2021 Employee Wage Schedules.**

At the January 14, 2020 City Council meeting, the Council approved for Staff to proceed with filling the Assistant City Engineer position follow a job description review. The job description was reviewed, revised, and submitted to our Hay pointing consultant for re-evaluation. The results of the Hay pointing are as follows:

Current pointing: 588.

Proposed pointing: 496.

The proposed pointing moves the position to a lower pay band on our wage schedule. Therefore, Staff are requesting Council consideration and approval of the 2020 and 2021 amended wage schedules, reflecting the new pointing for the position. Red-lined copies of the wage schedules are included in your background attachment.

Also included in your background attachment is a red-lined job description, showing the amendments that resulted in a lower Hay pointing. Administrator Hanson discussed these proposed amendments in detail with the Personnel Committee at their January 7, 2020 meeting and with the full Council at the January 14, 2020 meeting.

Following approval, Staff will proceed with posting, advertisement, and hiring of an Assistant City Engineer.

Councilmember Labat pulled the item for further discussion on the Assistant City Engineer position. Mayor Byrnes provided an overview and the history of the position.

Councilmember Schafer provided discussion from the Personnel Committee.

City Administrator Sharon Hanson quantified the need of the position along with having a successful succession plan within that department.

Councilmember DeCramer provided the use and need of the position from the Marshall Municipal Utilities perspective.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer that the Council approves the amended 2020 and 2021 Employee Wage Schedules. 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            Regional Development Commission met and discussed a number of transportation and economic development.

Schafer         No Report

Meister         No Report

Bayerkohler    No Report

DeCramer       Economic Development Authority met and reviewed their annual report

Marshall Municipal Utilities met and reviewed its new auto metering within households. The two election charging stations are operational at Tall Grass Liquor.

Labat            No Report

Lozinski         Marshall Area Transit met and discussed a review of their bus routes.

City Hall Committee met and discussed some cost neutral changes to the project.

### **Councilmember Individual Items**

Councilmember DeCramer commented on the construction meeting held for the city hall project.

### **Project Z75 / SAP 139-124-004: South 4<sup>th</sup> Street Reconstruction Project – 1) Public Hearing on Improvement; 2) Resolution Ordering Improvement and Preparation of Plans.**

Property owners affected by the above-referenced project have been notified, according to law, that a hearing would be held on February 25, 2020. A public presentation will be made followed by any discussion.

This project consists of the following: Reconstruction and utility replacement on South 4th Street from the intersection of Elaine Avenue and South 4th Street to the intersection of Country Club Drive and South 4th Street; Sanitary sewer, watermain, and storm sewer replacement on entire road. This project will also include new curb & gutter, driveway aprons, water services, and sewer services to the right-of-way, a proposed 8' bike path along the west side of South 4th Street from Elaine Avenue to Country Club Drive, and new 5' sidewalk on the entire east side of South 4th Street.

A public informational meeting was held on January 23, 2020 at 5:30 p.m. at Marshall Municipal Utilities. At the public informational meeting, the attached petition was provided to the City opposing sidewalks on the east side of South 4th Street.

If the City Council decides to proceed with the project, the attached resolution has been prepared ordering the improvement and the preparation of plans.

The engineer's estimate for the construction portion of the project is \$2,666,700.00. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$3,402,700.00. All improvements will be assessed according to the current Special Assessment Policy including, but not limited to, participation from Municipal State Aid System (MSAS), 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.

Mayor Byrnes opened the agenda item and introduced Jason Anderson, Director of Public Works/ City Engineer to provide the background on the project.

Councilmember Schafer discussed that he spoke with a resident within the project area who was opposed to the sidewalk on the east side. Member Schafer also discussed ordinance and past practice on sidewalks.

Bernard Wing, 712 S. 4<sup>th</sup> St., discussed the heavy traffic S. 4<sup>th</sup> St. already receives and its narrowing with snow and forcing vehicles to park farther into the roadway. Mr. Wing asked if the new road would have restricted parking. Mr. Wing discussed heaving pedestrian traffic. Mr. Wing is concerned that the narrowing of the boulevard would increase residence's efforts in removing snow from the sidewalks when snowplows clear the roads. Mr. Wing also asked the cost to the property owners and if there was going to be tree removal.

Jordon Carstensen, 801 S. 4<sup>th</sup> St., is opposed to the project with the addition of the sidewalk on the east side, narrowing of the road and narrowing of the boulevard. Mr. Carstensen is concerned that the project will result in shorter driveways resulting in more vehicles parked on the road. Mr. Carstensen also added that there is

additional bus traffic on S. 4<sup>th</sup> St. due to the J-turn on Airport Road/County Rd 7. Mr. Carstensen added that there have been exceptions to the sidewalk ordinance/policy.

Councilmember Bayerkohler discussed the sidewalk ordinance within the City's Code Book and that it specifically discusses sidewalks in new subdivisions. Director of Public Works/ City Engineer Jason Anderson responded that staff use past practices and direction from ordinance to place sidewalks within every project.

Amanda Bouwman, 702 S. 4<sup>th</sup> St., discussed the proposed bike path and how much space that will take on the boulevard.

Director of Public Works/ City Engineer, Jason Anderson clarified that the proposed project is to narrow the road, the east curb will remain in relatively the same locations while the narrowing comes from the west curb, widening the boulevard.

Ms. Bouwman asked who would maintain the bike path and is it the responsibility of the properties owners to clear the entire width of the bike path of snow. Ms. Bouwman asked who would maintain the boulevard. Ms. Bouwman commented that she envisions cyclist on that bike path having a difficult time with so many driveways and high traffic.

Mary Ann Hanson, 615 S. 4<sup>th</sup> St., is concerned of the gas line and the cost of moving that utilities. Ms. Hanson also mentioned she was opposed to the sidewalk.

Monty Buncher, 621 S. 4<sup>th</sup> St., has concerns on the east sidewalk and the effects that it would have with parking and questioned the need of the sidewalk if an 8' bike path will be in place on the west side of the street.

Councilmember Labat is opposed to the specifications of the project; east sidewalk and the bike path, narrowing the streets and increased maintenance by Parks Maintenance Department.

Councilmember Meister mentioned that he leans with Councilmember Labat's position. Member Meister is opposed to moving the bike path from the road to the sidewalk.

There was further discussion by the council.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to continue to the public hearing until the next regular council meeting. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**Adjourn Meeting**

At 6:00 PM, Motion made by Councilmember Meister, Seconded by Councilmember Schafer 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