

**CITY OF MARSHALL  
LEGISLATIVE AND ORDINANCE COMMITTEE  
M I N U T E S  
Monday, September 19, 2023**

**MEMBERS PRESENT:** See Moua-Leske, James Lozinski, and Steve Meister (via Zoom)  
**MEMBERS ABSENT:** None  
**STAFF PRESENT:** Sharon Hanson, City Administrator; Jason Anderson, Director of Public Works/ City Engineer; Ilya Gutman, Plans Examiner and Steven Anderson, City Clerk.

At 12:45 Chair Lozinski called the meeting to order.

**Consider Approval of the Minutes**

There were no changes to the minutes from August 08, 2023.

Motion made by Moua-Leske, seconded by Lozinski to approve the minutes. All voted in favor.

**86-247 Landscaping, 86-1 Definitions**

During the 2023 Legislative session new law was passed that prevents cities from disallowing pollinator gardens other than adding some restrictions on size and placement. Gutman explained that changes were made to the original ordinance to be in line with the new law and wishes from the committee members. Changes included allowing vegetable, flower, and pollinator gardens in front yards with no limitation on size; vegetable gardens on vacant lots may be permitted only by an interim use permit, and a setback is required from shared property lines with adjacent neighbors. Member Lozinski questioned the distance on the setback requirement. Members discussed how the grasses and plants may creep onto a neighbor's property. Members consented to have a 5-foot setback on lot lines. Questions arose on the sign requirement and was decided to remove the language on having a sign in conjunction with a pollinator garden. Vegetable garden language was discussed and was also decided to be removed. The wording under section (5) "and shall have a clearly delineated physical border or edging" was discussed and decided that it would place undue cost on the homeowner and is to be stricken. Members would like to include language that nothing can be grown in the right of way and to remove the height requirement of 15 inches under the Pollinator Garden or natural landscapes definition.

Motion made by Moua-Leske, seconded by Meister to take the amendments suggested to full council. All voted in favor.

**86-248 Outside Storage: Shipping Containers**

Anderson and Gutman explained that Public Works had drawn a lot of ire from local businesses and the few allowed interim use permits are still not in compliance. After discussion by council during the August 22<sup>nd</sup> meeting consensus was to relax the ordinance a little bit and allow businesses to paint their storage container to match the main building and not have to be screened but only for one storage container. Three shipping containers would still be allowed if screened. Moua-Leske indicated that she was in favor of keeping approval through the interim use permit process for painting and fencing.

Motion made by Meister, seconded by Moua-Leske to bring the amendments to full council. All voted in favor.

**66-33 Process, 66-55 Procedures, and 86-30 Amendments**

Gutman informed members that the changes being made were to make the process more uniform. Re-zoning, variances and conditional use permits went to the Planning Commission for public hearings, but plats and zoning ordinance language changes had public hearings go to city council and this caused confusion for many parties involved. The proposed changes will move the platting and zoning language amendments to the Planning Commission to hold the public hearings. Any ordinance changes that require an introduction and adoption will still go to city council as it does now, but the second meeting will not be a public hearing. Members asked for additional clarification on the process of platting and agreed that uniformity in the ordinance would be welcome.

Motion made by Meister, seconded by Moua-Leske to recommend the changes to council. All voted in favor.

At 1:33 PM Motion by Moua-Leske, seconded by 2 to adjourn the meeting. All voted in favor.

Respectfully Submitted,

Steven Anderson  
City Clerk