



CITY OF MARSHALL

City Council Meeting

A g e n d a

Tuesday, July 25, 2023 at 5:30 PM  
City Hall, 344 West Main Street

**OPENING ITEMS**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

- [1.](#) Consider Approval of the Minutes from the Regular Meeting Held on July 11, 2023

**CONSENT AGENDA**

- [2.](#) Consider a Resolution Calling for a Public Hearing on Proposed Assessments for Unpaid Services and Ordering Preparation of Proposed Assessments
- [3.](#) Call for Public Hearing for an On-Sale Liquor License Application for Wing Axe Company
- [4.](#) Consider Declaring Two Grass Rig Skid Units for Marshall Fire Department as Surplus
- [5.](#) Consider Approval for the Joint Powers Agreement with the Minnesota Anti-Heroin Task Force Program
- [6.](#) Consider a Resolution for the Transfer of Property to the Economic Development Authority
- [7.](#) Consider a Resolution of Support for a Job Creation Fund Application
- [8.](#) Consider Approval of Off-Site Bingo for American Legion at the Lyon County Fair
- [9.](#) Consider Approval for Holy Redeemer to Conduct a Raffle on January 29, 2024
- [10.](#) Consider Approval of a Raffle Permit for SMSU Homecoming on October 14, 2023
- [11.](#) Introduction of Ordinance Article 2-VII Administrative Citations
- [12.](#) Introduction of an Ordinance Amending Article 42-V to Prohibit the Use of Cannabis and Hemp in Public Places
- [13.](#) Acknowledgement and Acceptance of the Updated Stormwater Pollution Prevention Program (SWPPP) for the City of Marshall
- [14.](#) Call for Public Hearing for the Sale of Land Located at 116 S. 10th St.
- [15.](#) Consider Approval of the Bills/Project Payments

**APPROVAL OF ITEMS PULLED FROM CONSENT**

**NEW BUSINESS**

- [16.](#) Consider the Request for a Variance Adjustment Permit for Reduced Setbacks for an Accessory Building at 710 South Bend Avenue
- [17.](#) Tall Grass Liquor Annual Report

**COUNCIL REPORTS**

- [18.](#) Commission/Board Liaison Reports
19. Councilmember Individual Items

**STAFF REPORTS**

20. City Administrator
21. Director of Public Works/City Engineer
22. City Attorney

**INFORMATION ONLY**

- [23.](#) Cash & Investments
- [24.](#) Planning Commission June Minutes
- [25.](#) Building Permits

**MEETINGS**

- [26.](#) Upcoming Meetings

**ADJOURN**

**Disclaimer: These agendas have been prepared to provide information regarding an upcoming meeting of the Common Council of the City of Marshall. This document does not claim to be complete and is subject to change.**



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Mayor Byrnes
<b>Meeting Date:</b>	Tuesday, July 11, 2023
<b>Category:</b>	APPROVAL OF MINUTES
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of the Minutes from the Regular Meeting Held on June 27, 2023
<b>Background Information:</b>	Enclosed are the minutes from the previous meeting.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
<b>Recommendations:</b>	That the minutes from the meetings held on June 27 be approved as filed with each member and that the reading of the same be waived.

**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, July 11, 2023**

The regular meeting of the Common Council of the City of Marshall was held June 27, 2023, 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, Steve Meister, Amanda Schroeder, John Alcorn, See Moua-Leske and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Pamela Whitmore, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Lauren Deutz, Economic and Development Director; Dean Coudron, Public Ways Supervisor; Scott Truedson, Wastewater Superintendent; and Steven Anderson, City Clerk.

The Pledge of Allegiance was recited at this time.

There was a consensus to operate under the current agenda.

**Approval of the Minutes from the Regular Meeting Held on June 27, 2023**

There were no requests for amendments to the minutes from June 27, 2023.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to approve the minutes as read. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Project ST-032: Lot 2, Block 1, Schwan's Corp I Addition Parking Lot Repaving Improvement Project (Ralco) - 1) Resolution Declaring Official Intent Regarding the Reimbursement of Expenditures with the Proceeds of Tax-Exempt Bonds; 2) Resolution Accepting Bid (Awarding Contract).**

Jason Anderson gave a summary of the project that consisted of the installation of new 6" concrete pavement surface over the existing aggregate base section. To accommodate the new pavement surface, the existing bituminous pavement surface will be removed, and the spot-removal of existing curb and gutter will be completed as needed to ensure positive drainage. The existing curb and gutter and drainage structures would remain in-place to the maximum extent practicable. Additional aggregate base may be added to the in-place aggregate base section as needed to ensure proper grade on the new parking lot surface. Additional curb and gutter and concrete sidewalk replacement may be completed on the southeast side of the parking lot area to provide better definition between the parking and walking areas, and to promote positive drainage.

On July 6, 2023, four bids were received. The low bid was from D&G Excavating, Inc. of Marshall, Minnesota, in the amount of \$221,243.20. The engineer's estimate for the construction portion of the project was \$234,374.00. The concrete construction project will be 100% assessed to the owner, Knochenmus Enterprises, LLC with the special assessments paid back over eight years and bearing interest at a rate of two points over the bond rate. The assessment period and interest rate are consistent with existing special assessments and the fee schedule, respectively. A portion of the 2023 abatement bonds issued were for this parking lot project. The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$269,474.22.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer to approve Resolution 23-052 and Resolution 23-053 awarding the contract to D&G Excavating. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Replace Exterior Siding of Airport Hangar Located at 1622 W College Drive**

Jason Anderson provided background information. The project consisted of a complete re-tin of exterior sidewalls and renew two walk doors on hangar 1622 at the Marshall Airport by furnishing all labor, materials, and equipment. The building size is 90'x80'x 20' high. The north end of the hangar has a 20'x60' bi-fold door which will also be re-tinned.

Three quotes were received, and the low quotation was from E&K Construction Inc. of Redwood Falls, Minnesota, in the amount of \$68,055.00. This project is included in the City's 10-year CIP in the amount of \$80,000 funded by Capital Equipment Fund Levy.

Councilmember Lozinski asked if it was possible to accept the bid from the local contractor instead since the amounts were close. Anderson stated that the city has typically always awarded projects to the lowest bidder regardless of location to ensure the process is consistent and fair. Attorney Whitmore clarified that this was a request for quotes because of the amount so there was a bit more leeway for council to make that decision to go with the local contractor.

Motion made by Councilmember Meister, Seconded by Councilmember Alcorn to accept the intent to accept the low bid. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Motion made by Councilmember Alcorn, Seconded by Councilmember Meister to accept the bid from E&K Construction in the amount of \$68,055.00. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske. Voting Nay: Councilmember Lozinski. The motion **Carried. 6-1.**

#### **Project WW-005: Highway 23 Lift Station Improvements Project - Pump Selection**

Jason Anderson provided summary information. At the May 9, 2023, meeting the City Council rejected the single bid for the Highway 23 Lift Station Improvement Project and directed staff to proceed with phases one & two. Phase two included the purchase and installation of two submersible pumps on the existing guide rail systems. Budget estimate for this work was \$135,000. Two quotes for replacement pumps were received. One quote was submitted by Electric Pump and include Flygt pumps, and another quote was submitted by Minnesota Pump Works and include ABS/Sulzer pumps. Phase two from BMI's memo identifies the purchase of two submersible pumps to be installed on the existing guide rail systems. The estimate for this phase is \$135,000. The Wastewater Treatment Facility currently has Flygt pumps at this lift station and have had very good service life from them. Two of the pumps are from 1993 and two are from 2003. Flygt pumps have very durable components with stainless steel lifting handles, superior "wet ends" with high chrome content impellers and built in cooling jackets to reduce motor operating temperatures. The motors are highly efficient which reduces electrical operating costs. The quote for purchasing two Flygt pumps was \$101,904. The second quote is for two Sulzer pumps and, while the cost is lower at \$55,335.83, the Sulzer pumps are not as robust as the Flygt pumps. The motors are less efficient and are estimated to cost an additional \$1,900/year in energy costs to operate. Cooling jackets are not included and are an additional \$2,500 per pump. The "wet ends" are not as durable requiring bi-annual impeller adjustments and an estimated \$7,900 for a rebuild midway through the life of the pump. Cast iron lifting handles would need to be replaced with staff manufactured stainless steel.

The Wastewater Department has \$350,000 in the 2023 budget for Hwy 23 lift station improvements which has now been broken into four phases over multiple years. Leftover funds will be built into the 2024 CIP for phases 3 & 4.

Councilmember Schafer mentioned his support of the Flygt pumps and the reliability of them that will serve the city well.

Motion made by Councilmember Schafer, Seconded by Councilmember Moua-Leske to award the pump selection to Electric Pump to purchase Flygt pumps. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

#### **Approval of the Consent Agenda**

Motion made by Councilmember Meister, Seconded by Councilmember Schroeder to approve the items on the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder,

Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

- Consider Liability Coverage – Waiver for 2023-2024 League of Minnesota Cities Insurance Trust Property/Casualty and Liability Insurance
- Consider Approval for a Raffle Permit for Tracy Area Animal Rescue on September 9, 2023
- Consider Resolution for Signage for ADA Parking Stalls at 100 West College Drive
- Consider Approval of the Bills/Project Payments

**Adoption of Ordinance for Map Amendment (Rezone) of 1000, 1010, 1020, & 1030 East Southview Drive**

This was a request by Vesta, LLC, of Marshall, MN to rezone property at 1030 East Southview Drive from a B-4 Shopping Center Business District to B-3 General Business District. Since shopping centers are not a common use anymore, staff believe that B-4 zoning district has become obsolete. Staff also suggest rezoning the other B-4 properties in this area to B-3 as well at this time. All properties around this area are currently zoned B-3 General Business District. The new Comprehensive Plan shows this entire area as commercial. All businesses in the rezone area are permitted uses in B-3 districts, so there would be no adverse impacts. At the June 14, 2023, Planning Commission meeting, a public hearing was held, and a motion was made to recommend approval to City Council to rezone the property as recommended by staff. The rezone was introduced at the City County Council meeting on June 27, 2023.

Motion made by Councilmember Schafer, Seconded by Councilmember Schroeder to adopt Ordinance 23-017 Re-Zoning 1000 – 1030 Southview Drive to a B-3 General Business District. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Adoption of Ordinance for Map Amendment (Rezone) at Various London Road Properties**

This was a request by the City of Marshall to rezone the area as shown on the attached map from B-1 Limited Business District to R-4 Higher Density – Multi Family Residence District for potential future development of multi-unit residential building. The new Comprehensive Plan shows this entire area as Neighborhood Mix use with intent to allow for both commercial and residential uses. At the June 14, 2023, Planning Commission meeting, a public hearing was held, and a motion was made to rezone the B-1 Limited Business District to R-4 Higher Density – Multi Family Residence District and leave the R-1 One Family Residence District strip along London Road as a buffer between the new R-4 Higher Density – Multi Family Residence District and the single-family homes on the other side of London Road. The rezone was introduced at the City Council Meeting on June 27, 2023.

Councilmember Schroeder shared that the concerns from the Planning Commission were addressed with the Paris Road extension. Councilmember Moua-Leske asked for clarification on where the single-family homes were being placed. Councilmember Meister shared a letter that he received asking for additional amenities such as underground parking for the possible project.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adopt Ordinance 23-018 Re-Zoning a portion of London Road to R-4 Higher Density Multi Family Residence District. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

**Broadmoor Valley Paving Project - Consider City Cost Participation**

The owner of the Broadmoor Valley Community, Schierholz and Associates, had been awarded a \$500,000 grant through Minnesota's Manufactured Home Community Redevelopment Program. This grant was awarded to improve the conditions of the street and utilities. Schierholz and Associates has hired Bolton & Menk (BMI) to complete construction plans for resurfacing of Timberlane Drive, a portion of Lilac Drive, and Ash Drive in the manufactured home community. The reconstruction will result in 20-FT bituminous street, with 5-FT gravel shoulders on each side. The street is proposed

to be signed for no parking on both sides. Park ownership explained that parking was not allowed on the street, so City staff advised that the street should be signed to be certain that park residents were aware of the restriction. Identifying the street parking restrictions was a key consideration for City staff to approve the narrower paved street section. In addition to the paving of the streets, the project included the installation of approximately 628-FT of 36" RCP storm sewer pipe. The piping system is city drainage that passes through the park and drains some of the park area. City staff had identified this pipe replacement as a need for the city. Staff would propose to participate in the project by expending Surface Water Management Utility funds to replace the existing 18" pipe with a 36" pipe. It is proposed that city cost participation mirrors the way city utilities typically participate in street reconstruction projects—by also paying for the street section above the pipe. The City's consultant, Bolton & Menk, Inc., has estimated the cost at \$156,000. The city will pay actual bid prices for our cost participation.

Mayor Brynes asked for clarification on where the city storm sewer passes through. Council also asked where the ditch currently drains and if the residents on Genesis Avenue would benefit. Anderson stated the ditch would not affect Genesis as the ditch drains into Tiger Pond near Windstar.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve Resolution 23-055 city cost participation for the Broadmoor Valley Paving Project. Voting Yea: Mayor Brynes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

#### **Salaries and Compensation of Mayor and Councilpersons**

Chapter 2, Sec. 2.07 of the City of Marshall Charter requires salaries of the Councilmembers and Mayor to be discussed as an agenda item at the first council meeting in July of each year. Minnesota State Statute 415.11 allows for the governing body fix their own salaries by ordinance in such amount as they deem reasonable. No change in salary shall take effect until after the next succeeding municipal election. In 2022 City Council adopted Ordinance 22-008 setting council salaries for 2023 and 2024.

Administrator Hanson mentioned that in 2022 consultation was provided by Kennedy & Graven on Ordinance 22-008 that was passed. Based on the data from comparable cities the Mayor and Council salaries fall into the middle of the data sets. Councilmembers discussed salaries and how compensation is needed to attract people to the position for time needed to be on council.

#### **Commission/Board Liaison Reports**

Brynes	Fire Relief Association Board of Trustees will have their quarterly meeting soon. On July 13 the SWRD will hold their annual meeting.
Schafer	No report.
Meister	No report.
Schroeder	No report.
Alcorn	No report.
Moua-Leske	The DEI Commission met and discussed engagement and the purpose of the commission. Library Board met and approved budgets.
Lozinski	Joint LEC held their annual meeting, and no items were on the agenda.

**Councilmember Individual Items**

Councilmember Moua-Leske expressed her concern with the vandalism on the Highway 23 overpass bridge.

Councilmember Schafer mentioned how well the Fourth of July celebration went and encouraged citizens to attend Tunes on the Terrace when available.

Mayor Brynes gave a brief update on the Emerald Ash Borer situation in Marshall and options for residents.

**City Administrator**

Fourth of July was successful, and a future item will be coming to council for a multi-year contract with the firework provider. The Terrace 1872 is still under construction and plans to be finished by Sounds of Summer. Hanson gave a presentation to the Minnesota Association of City Attorneys on Marshall's DEI Commission. The Chamber of Commerce favors the Aquatic Center and submitted a letter of support.

**Director of Public Works/City Engineer**

Project updates were given on: SRE Building at the Airport, JAZB called for a public hearing on a new airport zoning ordinance, mill & overlay will begin on July 17, and the Legion Park/Parkway Addition retention pond will begin before the end of July.

**City Attorney**

Thanked Administrator Hanson for attending and presenting at the MACA conference. The rental code ordinance committee met July 11 and is progressing on their refinements. An administrative penalties policy will be presented to council soon along with an ordinance prohibiting cannabis use in public spaces.

**Administrative Brief**

There were no questions on the Administrative Brief.

**Information Only**

There were no questions on the Information Only items.

**Upcoming Meetings**

There were no questions on the Upcoming Meetings.

**Adjournment**

At 6:17 PM Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adjourn the meeting. Voting Yea: Mayor Brynes, Councilmember Schafer, Councilmember Meister, Councilmember Schroeder, Councilmember Alcorn, Councilmember Moua-Leske, Councilmember Lozinski. The motion **Carried. 7-0.**

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider a Resolution Calling for a Public Hearing on Proposed Assessments for Ice, Snow and Weed Elimination.
<b>Background Information:</b>	<p>Pursuant to City of Marshall Code Section 62-2 (ice and snow on public sidewalks) and pursuant to City of Marshall Code Section 82-1 (grass and weeds on private property), said ice and snow or grass and weeds have been removed from various locations within the City.</p> <p>Minnesota Statute 429.101 does set forth the various types of City charges that can be assessed against property taxes pursuant to the special assessment process.</p> <p>Attached is a resolution declaring costs to be assessed for ice and snow removal and for weed elimination and ordering preparation of proposed assessments.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To adopt the resolution Calling for a Public Hearing on the Proposed Assessment to be held on August 22, 2023, in the Council Chambers, City Hall Building located at 344 West Main Street at or after 5:30 P.M.

Sec. 82-1. - Grass and weeds on private property.

- (a) It is unlawful for any owner, occupant or agent of any lot or parcel of land in the city, to allow any weeds or grass growing upon any such lot or parcel of land to grow to a greater height than eight inches or to allow such weeds or grass to go to seed, unless such grass or seed is brome grass or alfalfa, which is cut, baled and removed from the premises according to normal farming practices.
- (b) If any such owner, occupant or agent fails to comply with this height limitation and, after notice given by the city clerk, has not within seven days of such notice complied, the city shall cause such weeds or grass to be cut and the expenses thus incurred shall be a lien upon such real estate. The finance director shall certify to the county auditor a statement of the amount of the cost incurred by the city. Such amount, together with interest, shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

(Code 1976, § 10.25; Ord. No. 723 2nd Series, § 1, 8-8-2017)

**State Law reference**— Minnesota Noxious Weed Law, Minn. Stat. § 18.75 et seq.; special assessment authorized, Minn. Stat. § 429.101.

Sec. 62-2. - Ice and snow on public sidewalks.

- (a) *Declared a nuisance.* All snow and ice remaining upon public sidewalks is hereby declared to constitute a public nuisance and shall be abated by the owner or tenant of the abutting private property within 12 hours after such snow and ice has ceased to be deposited.
- (b) *City to remove.* The city may cause to be removed from all public sidewalks, beginning 24 hours after snow or ice has ceased to fall, all snow and ice which may be discovered thereon, and it shall keep a record of the cost of such removal and the private property adjacent to which such accumulations were found and removed.
- (c) *Cost of removal to be assessed.* The city administrator shall, upon direction of the council, and on receipt of the information provided for in subsection (b) of this section, extend the cost of such removal of snow or ice as a special assessment against the lots or parcels of ground abutting on walks which were cleared, and such special assessments shall, at the time of certifying taxes to the county auditor, be certified for collection as other special assessments are certified and collected.
- (d) *Civil suit for cost of removal.* The city administrator shall, in the alternative, upon direction of the council, bring suit in a court of competent jurisdiction to recover from the persons owning land adjacent to which sidewalks were cleared, as provided in subsection (b) of this section, the cost of such clearing and the cost and disbursements of a civil action therefor.
- (e) *City administrator to report sidewalks cleared.* The city administrator shall present to the council at its first meeting after snow or ice has been cleared from the sidewalks, as provided in subsection (b) of this section, the report of the city thereon, and shall request the council to determine by resolution the manner of collection to be used as provided in subsections (c) and (d) of this section.
- (f) *Placing snow or ice in public street, walks or on other city property.* It is a misdemeanor for any person, not acting under a specific contract with the city, to remove snow from private property or alleys and place the snow on a public street or walks in such quantity, or in such manner, as to cause a hazard to travel, without adequate arrangements for the immediate removal of the snow. It is also a misdemeanor for any person not acting under a contract with the city to dump snow on other city property.

(Code 1976, § 7.04)

**State Law reference**— Special assessments for snow and ice removal, Minn. Stat. § 429.101.

**RESOLUTION NUMBER 23-056**

**RESOLUTION DECLARING COSTS TO BE ASSESSED  
AND ORDERING PREPARATION OF PROPOSED ASSESSMENTS**

WHEREAS, pursuant to City of Marshall City Code Section 62-2 (Ice and snow on public sidewalks) and pursuant to City of Marshall Code Section 82-1 (Grass and weeds on private property), said ice and snow or grass and weeds have been removed from various locations within the City, and

WHEREAS, said City Code and Minnesota Statutes provide for the assessment of the costs for ice and snow removal and for weed elimination to be assessed against the benefiting properties, and

WHEREAS, the following is a list of those properties where ice and snow has been removed from public sidewalks or where weed elimination from private property has been initiated by City action, and the cost of said City action is set forth below:

<b>Parcel Number</b>	<b>Property Owner</b>	<b>Property Address</b>	<b>Amount</b>	<b>Reason</b>
27-714020-0	Alexander & Amanda Castro	1300 Parkside Drive	\$60.00	Snow Removal
27-440016-0	Rodney & Diane Winter	701 E. Main St.	\$70.00	Snow Removal
27-170001-0	Meagan Tolk	705 E. Main St.	\$65.00	Snow Removal
27-510009-0	Vonnie Orsot	220 Legion Field Rd	\$55.00	Snow Removal
27-600054-0	Cory Brown	507 Lynd St.	\$110.00	Mowing
27-100008-0	Robert Anderson	303 S. 4th St.	\$110.00	Mowing
27-164001-0	Aldi Inc.	1400 Boyer Dr.	\$60.00	Fire Call
27-837008-0	Vicki Beckler	214 Carrow Cir.	\$150.00	Mowing
27-757034-0	Andrew Hemish	705 N. 4th St.	\$130.00	Mowing
27-598033-0	Todd Bierschenk	1300 E. College Dr.	\$120.00	Fire Call
27-677134-0	Judith McCann %Jennifer McCann	102 W. Lyon St.	\$95.00	Snow Removal
27-599046-0	Heather Moore	121 E. Redwood St.	\$20.00	Snow Removal

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

1. The portion of the cost to be assessed against benefited property owners is declared to be the amounts as set forth above.
2. Assessments shall be payable in equal annual principal installments extending over a period of one (1) year, the first of the installments to be payable on or before the first Monday in January 2024, and shall bear interest at the rate of 2.5% per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the Finance Director shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece, or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall file a copy of such proposed assessment in their office for public inspection.
4. The City Clerk shall upon the completion of such proposed assessment, notify the City Council thereof.

Passed and Adopted by the Council this 25<sup>th</sup> day July 2023.

ATTEST:

CITY OF MARSHALL

\_\_\_\_\_  
Steven Anderson  
City Clerk

\_\_\_\_\_  
Robert J. Byrnes  
Mayor

**RESOLUTION NUMBER 23-057**

**RESOLUTION FOR PUBLIC HEARING ON PROPOSED ASSESSMENT**

WHEREAS, the City Clerk has prepared a proposed assessments of the costs of the City incurred bills for unpaid services for various properties located in the City of Marshall:

AND WHEREAS, the City Clerk has notified the City Council that such proposed assessments have been completed and filed in the Clerk’s office for public inspection.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA:

1. A hearing shall be held on the 22nd day of August 2023 in the Council Chambers at City Hall located at 344 West Main Street to pass upon such proposed assessments, and at such time and place all persons owning property affected by such assessments will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessments to be published once in the official newspaper at least two weeks prior to the hearing and shall state in the notice the total cost of the individual assessments. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment to the City of Marshall, except that no interest shall be charged if the entire assessment is paid. Such payment must be made before November 30<sup>th</sup> or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council this 25<sup>th</sup> day of July, 2023.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Call for Public Hearing for an On-Sale Liquor License Application for Wing Axe Company
<b>Background Information:</b>	Attached is an application for a On-Sale and Sunday Liquor License for Wing Axe Company. City Ordinance section 6-51 requires that a hearing be set within 20 days but not less than 10 days in advance.
<b>Fiscal Impact:</b>	N/A
<b>Alternative/ Variations:</b>	None recommended
<b>Recommendations:</b>	To set a public hearing date of August 8, 2023, for consideration of a On-Sale Liquor License for Wing Axe Company.



# Intoxicating Liquor License Application

License Period From: \_\_\_\_\_ To: \_\_\_\_\_

Receipt Number: \_\_\_\_\_ Amount Paid: \_\_\_\_\_

If applicant is an individual, it shall be completed by such person; if a corporation, by an officer; if a partnership, by one of the general partners; if an unincorporated association, by the manager or managing officer.

1.

<input checked="" type="checkbox"/> New Application	<input type="checkbox"/> Renewal Application	
Type of License (Select all that apply)		Fee
<input checked="" type="checkbox"/> On-Sale Liquor		\$3,000.00
<input checked="" type="checkbox"/> On-Sale Sunday		\$200.00
<input type="checkbox"/> On-Sale 3.2 % Malt Liquor		\$250.00
<input type="checkbox"/> Off-Sale 3.2 % Malt Liquor		\$90.00
<input type="checkbox"/> Brewer Taproom		\$500.00
<input checked="" type="checkbox"/> Wine		\$600.00
<input type="checkbox"/> Club License		\$275.00

2. Type of applicant  Individual  Corporation  Club  Partnership  Other organization

3. Legal name of licensee (individual, partnership, corporation, organization or club) Douglas Wing  
Address 2259 County Road 25 Lynd MN 56157 Phone [REDACTED]  
Street City State Zip

4. Business name Wings Axe Company Phone \_\_\_\_\_  
Address 100 West College Drive Marshall MN 56258  
Street City State Zip

5. Minnesota Business Tax ID Number (Per Minnesota Statute Section 270C.72) [REDACTED]  
Federal Business Tax ID Number [REDACTED]  
Individual - Social Security Number [REDACTED]

6. Proof of Workers' Compensation Insurance Coverage  
Insurance company name \_\_\_\_\_ Dates of coverage \_\_\_\_\_  
Policy number/Self-insurance permit number (Per Minnesota Statute Section 176.182) \_\_\_\_\_

I am **not** required to have workers' compensation liability coverage because  
 I have no employees covered by the law  Other (Specify on an attached document.)

### Section 1: Building/premises

All applicants complete this section.

7. Since the license was last issued, have there been any changes in the ownership of the building where the licensed establishment is located?  Yes  No

If yes:  
Building owner Knochenmus Enterprises LP Phone \_\_\_\_\_

Business address \_\_\_\_\_  
Street City State Zip

**Intoxicating Liquor License Application**

8. Describe any changes or additions since the last renewal in the serving areas for intoxicating liquor and/or wine. Attach a drawing, if necessary.

9. Are any of the following taxes or charges for the licensed premises unpaid or delinquent?

State sales taxes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	State withholding taxes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Real estate taxes	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Special assessments	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	City utility bills	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

10. During the past license year, has a summons been issued under the Liquor Civil Liability (Dram Shop) Law? If yes, attach a copy of the summons pursuant to Minnesota State Statute 340A.802.  Yes  No

11. Are there any changes in (a) finance or interest in premises; (b) contracts between the applicant and any persons, partnerships, corporations; or (c) any new loans since the license was last issued? If yes, explain.  Yes  No

*Complete only if you intend to apply for an Under 21 Exemption Permit*

12. What were combined sales of food, including non-alcoholic beverages, and alcoholic beverages for the most recent fiscal year ending prior to this application?  
 Fiscal year from 2023 to New Venture:

	Gross sales	Percentage
Food	-	-
Liquor/wine/beer	-	-
Total	-	100%

**Section 2: Employees**

*All applicants complete this section.*

13. General manager, proprietor, food/beverage manager, managing partner, or any individual in charge of the licensed premises.

Full name Jettison D. Wing Position \_\_\_\_\_  
 Residence address 2259 County Road 25 Lynd MN 56157 Phone [REDACTED]

Full name Douglas M. Wing Position \_\_\_\_\_  
 Residence address 2259 County Road 25 Lynd. MN 56157 Phone [REDACTED]

Full name \_\_\_\_\_ Position \_\_\_\_\_  
 Residence address \_\_\_\_\_ Phone \_\_\_\_\_

14. Does the current manager have management duties at any other establishment?  Yes  No  
 If yes, list name and address of establishment.

15. Do you provide alcohol awareness training for your staff on responsible alcohol service techniques?  Yes  No  
 If yes, how often is training provided and who provides training? waiters will be TIPS certified

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Quentin Brunsvold, Fire Chief
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Declare 2 Grass rig skid unit's as surplus equipment
<b>Background Information:</b>	The Marshall City Council approved the purchase of 2 new grass rig skid units, replacing 25-year-old equipment previously installed in current fire department apparatus. This approval was included in the 2022 Capital improvement plan. Those 2 units have been delivered and installed, and the old units need to be sold. Staff has had discussions with other city departments to see if there's a need for re-purposing and to date, there isn't. Proceeds from the sale will go back into the city's general fund.
<b>Fiscal Impact:</b>	\$0
<b>Alternative/ Variations:</b>	None
<b>Recommendations:</b>	Consider the approval of the surplus equipment.



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Jim Marshall
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Joint Powers Agreement / Minnesota Anti-Heroin Task Force Program
<b>Background Information:</b>	<p>The attached joint powers agreement is between the State of Minnesota and the City of Marshall. The JPA allows the Minnesota Bureau of Criminal Apprehension (BCA) to provide overtime reimbursement to city personnel who investigates illicit activities related to the distribution of heroin, or unlawful distribution of opioids or any opioid related death.</p> <p>The City of Marshall is part of the BLRR Drug Task Force which focuses on these types of narcotics cases in our community. All records and documentation of cases will be submitted to the BCA through the BLRR Drug Task Force. The JPA authorizes the Director of Public Safety, James Marshall, to be the authorized representative for the City of Marshall.</p>
<b>Fiscal Impact:</b>	Reimbursement
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approval of the Joint Powers Agreement between the State of Minnesota and the City of Marshall to participate in the Minnesota Anti-Heroin Task Force Program.



# STATE OF MINNESOTA

## JOINT POWERS AGREEMENT MINNESOTA ANTI-HEROIN TASK FORCE PROGRAM

This Joint Powers Agreement ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension ["BCA"] ("State"), and the City of Marshall on behalf of its Police Department ("Governmental Unit").

### Recitals

Under Minnesota Statutes § 471.59, the BCA and the Governmental Unit are empowered to engage in agreements that are necessary to exercise their powers. The parties wish to work together to investigate illicit activities related to the distribution of heroin or unlawful distribution of prescription opioids. The Governmental Unit wants to participate in the Minnesota Anti-Heroin Task Force Program (AHTF) and receive overtime reimbursement as allowed under the Community Oriented Policing Services (COPS) Anti-Heroin Task Force Program.

### Agreement

#### 1. Term of Agreement

- 1.1 **Effective Date.** This Agreement is effective on the date BCA obtains all required signatures pursuant to Minnesota Statutes § 16C.05, subdivision 2.
- 1.2 **Expiration Date.** This Agreement expires five years from the date of execution, unless terminated earlier pursuant to clause 12.

#### 2. Purpose

The Governmental Unit and BCA enter into this Agreement to provide overtime reimbursement to the Governmental Unit who investigates illicit activities related to the distribution of heroin, or unlawful distribution of prescription opioids or any opioid-related overdose death. Priority will be given to those investigations with a nexus to Minnesota Indian Country.

#### 3. Standards

The Governmental Unit will adhere to the AHTF Program standards identified below.

- 3.1 Investigate illicit activities related to the distribution of heroin or unlawful distribution of prescription opioids with a nexus to Indian Country. Indian Country is defined as "(a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same." (see 18 U.S.C. 1151).
- 3.2 Investigate traffickers linked to fatal opioid-related overdose deaths.
- 3.3 Investigate practitioners prescribing opioids in violation of state or federal law.
- 3.4 Investigators will follow appropriate state and/or federal laws in obtaining arrest warrants, search warrants, and civil and criminal forfeitures. Investigators will follow proper legal procedures in securing evidence, including electronic devices.
- 3.5 Investigators will understand and use appropriate legal procedures in the use of informants including documentation of identity, monitoring of activities, and use and recordation of payments.
- 3.6 Investigators will use, as appropriate, the most current investigative technologies and techniques.
- 3.7 Investigators must be licensed Minnesota peace officers.
- 3.8 Governmental Unit must de-conflict case investigations with Regional Information Sharing Systems (RISS).

- 3.9 Investigators will comply with the guidelines of the COPS Anti-Heroin Task Force Program as outlined in the 2017 COPS Office Anti-Heroin Task Force Program Grant Owner's Manual. This manual is located at <https://cops.usdoj.gov/pdf/2017AwardDocs/ahtf/AOM.pdf>. If Governmental Unit receives funding from a grant awarded to the BCA subsequent to the 2017 grant, Governmental Unit will comply with the guidelines established by the later grant.

#### 4. Responsibilities of the Governmental Unit and the BCA

##### 4.1 The Governmental Unit will:

- 4.1.1 Assign a Governmental Unit point of contact to act as the liaison between it and the AHTF Project Coordinator to assist in case submissions for overtime, monthly reporting and meeting overtime reimbursement deadlines.
- 4.1.2 Submit an AHTF case submission form for pre-approval of funds. This request shall include a case synopsis, an explanation of how it qualifies under the required criteria in clauses 3.1, 3.2, 3.3, and 3.4 above, and an operational plan.
- 4.1.3 Conduct investigations in accordance with provisions of the AHTF Program Standards, identified in clause 3 above, and conclude such investigations in a timely manner.
- 4.1.4 Maintain accurate records of enforcement activities to be collected and forwarded monthly to the BCA for statistical reporting purposes.
- 4.1.5 Submit case data as required by the AHTF Program on a monthly basis. This information will include a case synopsis and demographic information on cases submitted for overtime, the number of heroin or unlawful distribution of prescription opioids investigations, search warrants, arrests, seizures and NARCAN@/naloxone deployments.
- 4.1.6 Prepare an operational briefing sheet for each active operation.
- 4.1.7 Allow BCA to inform participating agencies of potential case connections based on data submitted to BCA through the AHTF Program.
- 4.1.8 Refrain from comingling AHTF funds with any other existing federal or state grant funded overtime or additional local Governmental Unit funding.
- 4.1.9 De-conflict case investigations with RISS.
- 4.1.10 Enter suspect traffickers telephone numbers into the DEA Internet Connectivity Endeavor (DICE) database system as a means of deconfliction of case investigations. The BCA is available to assist in this process.
- 4.1.11 Certify that it is in compliance with 8 U.S.C. §1373(a) and (b) and will remain in compliance for the life of this Agreement.

##### 4.2 The BCA will:

- 4.2.1 Provide a Senior Special Agent who will serve as the Project Coordinator.
- 4.2.2 Provide a Special Agent who will be assigned to the Drug Enforcement Administration's (DEA) Drug Diversion Team.
- 4.2.3 Provide a Criminal Intelligence Analyst (CIA) who will provide analytical support to heroin and prescription opioid investigations.
- 4.2.4 Certify it is compliance with 8 U.S.C. §1373 (a) and (b) and will remain in compliance for the life of this Agreement.

- 4.3 Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by a Governmental Unit acting through its employees.

#### 5. Payment

- 5.1 To receive reimbursement for overtime expense, Governmental Unit must make an AHTF case submission by providing a case synopsis, an explanation of how the case qualifies under the required criteria for case acceptance and an operational plan. The BCA will review the case submission and grant or deny the reimbursement request within seven (7) business days of receipt by the BCA Authorized Representative.
- 5.2 To receive approved reimbursement, Governmental Unit must submit an overtime expense form no later than 15 business days after the end of the month during which the expense is incurred. The form must be submitted to [bca.heroingrant@state.mn.us](mailto:bca.heroingrant@state.mn.us).
- 5.3 The BCA will pay the Governmental Unit within thirty (30) calendar days of the submission of the expense form.
- 5.4 The Governmental Unit may receive payment for an AHTF case submission for overtime expense approved prior to the effective date of this Agreement if the Governmental Unit had a joint powers agreement in place with the BCA that expired prior to the effective date of this Agreement. Reimbursement will occur as provided in Clause 5.2.

**6. Authorized Representatives**

The BCA's Authorized Representative is the following person or his successor:

Name: Scott Mueller, Deputy Superintendent  
Address: Department of Public Safety; Bureau of Criminal Apprehension  
1430 Maryland Street East  
Saint Paul, MN 55106  
Telephone: 651.793.7000  
E-mail Address: [scott.d.mueller@state.mn.us](mailto:scott.d.mueller@state.mn.us)

The Governmental Unit's Authorized Representative is the following person or his/her successor:

Name: James Marshall, Director of Public Safety  
Address: 611 W Main St  
Marshall, MN 56258  
Telephone: 507.929.6300  
E-mail Address: [jim.marshall@ci.marshall.mn.us](mailto:jim.marshall@ci.marshall.mn.us)

If the Governmental Unit's Authorized Representative changes at any time during this Agreement, the Governmental Unit must immediately notify the BCA.

**7. Assignment, Amendments, Waiver, and Agreement Complete**

- 7.1 **Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this Agreement.
- 7.2 **Amendments.** Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original Agreement, or their successors in office.
- 7.3 **Waiver.** If the BCA fails to enforce any provision of this Agreement, that failure does not waive the provision or its right to enforce it.
- 7.4 **Agreement Complete.** This Agreement contains all negotiations and agreements between the BCA and the Governmental Unit. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

**8. Liability**

The BCA and the Governmental Unit agree each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The BCA's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes §§ 466.01-466.15, and other applicable law.

**9. Audits**

Under Minnesota Statutes, § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the BCA and/or the State Auditor and/or Legislative Auditor, as appropriate, for a minimum of six (6) years from the end of this Agreement.

**10. Government Data Practices**

The Governmental Unit and the BCA must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, and other applicable law, as it applies to all data provided by the BCA under this Agreement and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this Agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the BCA.

If the Governmental Unit receives a request to release the data referred to in this Clause, the Governmental Unit must immediately notify the State. The State will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

**11. Venue**

The venue for all legal proceedings out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

**12. Expiration and Termination**

- 12.1** Either party may terminate this Agreement at any time, with or without cause, upon 30 days written notice to the other party. To the extent funds are available, the Governmental Unit shall receive reimbursement in accordance with the terms of this Agreement through the date of termination.
- 12.2** In the event that federal funding is no longer available, the BCA will notify the Governmental Unit and terminate the Agreement.
- 12.3** In the event the Governmental Unit breaches this Agreement, it will not be eligible to receive any further grant funds.

**13. Continuing Obligations**

The following clauses survive the expiration or cancellation of this Agreement: 8, Liability; 9, Audits; 10, Government Data Practices; and 11, Venue.

**THE REMAINDER OF THE PAGE IS INTENTIONALLY BLANK**

**The parties indicate their agreement and authority to execute this Agreement by signing below.**

**1. STATE ENCUMBRANCE VERIFICATION**  
*Individual certifies that funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

SWIFT PO Number: 3-79700

**3. DEPARTMENT OF PUBLIC SAFETY; BUREAU OF CRIMINAL APPREHENSION**

By: \_\_\_\_\_  
(with delegated authority)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**2. GOVERNMENTAL UNIT**  
*Governmental Unit certifies that the appropriate person(s) has(have) executed this Agreement on behalf of the Governmental Unit and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions or ordinances.*

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**4. COMMISSIONER OF ADMINISTRATION**  
*As delegated to the Office of State Procurement*

By: \_\_\_\_\_

Date: \_\_\_\_\_



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Lauren Deutz
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Transfer of Property 1101 Michigan Road to the Economic Development Authority
<b>Background Information:</b>	The Economic Development Authority is requesting the transfer for 1101 Michigan Road (27-159007-0), located in Commerce Industrial Park, from the City. Staff has received a purchase agreement for the 5-acre parcel from Midwest Shop Condos, LLC for the development of commercial/industrial shop condominiums. The City Attorney has advised the EDA complete the transaction in accordance with State Statute 469.105.
<b>Fiscal Impact:</b>	None
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approve the transfer of 1101 Michigan Road to the EDA.

**RESOLUTION NO. 23-058**

**RESOLUTION AUTHORIZING THE TRANSFER OF PROPERTY LOCATED IN THE CITY OF MARSHALL, FROM THE CITY OF MARSHALL TO THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF MARSHALL**

**WHEREAS**, the City of Marshall (“City”) is the fee owner of certain real property legally described as Lot 1, Block 7 except the Westerly 1,326 feet thereof, Commerce Industrial Park Second Addition to the City of Marshall, Lyon County, Minnesota (PID No. 27-159007-0) (the “Property”); and

**WHEREAS**, the City desires to transfer the property to the Economic Development Authority of the City of Marshall (the “EDA”) in order for the phased development of the Property, with four buildings that will provide housing in the form of condominiums, associated with the Contractor Shop Condo project; and

**WHEREAS**, the City has determined that it is necessary and appropriate for the Property to be owned by the EDA rather than the City.

**NOW, THEREFORE BE IT RESOLVED**, that the City authorizes the transfer of the Property to the EDA.

**ALSO, BE IT RESOLVED**, that the Mayor and the City Clerk, and other City staff as necessary are hereby authorized to execute any documents required to complete the transfer of the Property to the EDA.

Approved by the City Council of the City of Marshall, Minnesota this 25<sup>th</sup> day of July, 2023

**City of Marshall, Minnesota**

\_\_\_\_\_  
Robert J. Byrnes, Mayor

ATTEST:

\_\_\_\_\_  
Steven Anderson, City Clerk

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Lauren Deutz
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Resolution of Support for Job Creation Fund Application
<b>Background Information:</b>	<p>Staff has been working with Houston-based Solugen on a potential industrial development project in Marshall. Solugen specializes in decarbonizing solutions for the creation of sustainable chemicals. The company is looking to construct a Bioforge facility for the production of bio-based chemicals. As the world’s first carbon negative molecular manufacturing platform, Solugen produces no wastewater discharge or air emission in its process.</p> <p>The Bioforge would add 38 new jobs to the community including operators, QA/QC, maintenance, engineers, logistics, and administrative positions with a median hourly wage of \$34.66. Solugen also intends to support local workforce development and advancement initiatives including programs at SMSU and MPS.</p> <p>Solugen is looking for a Resolution of Support for its application for the MNDEED Job Creation Fund. The Job Creation Fund provides financial incentives to new and expanding businesses that meet certain job creation and capital investment targets.</p> <p>Solugen is in the process of finalizing contracts and, due to confidentiality provisions, is unable to share additional project details at this time. When contracts and site design are finalized, a presentation will be given to the Council and local stakeholders.</p>
<b>Fiscal Impact:</b>	None
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approve the Resolution of Support

**RESOLUTION NO. 23-059**

**RESOLUTION REGARDING THE SUPPORT OF A JOB CREATION FUND APPLICATION IN CONNECTION WITH SOLUGEN**

WHEREAS, the City of Marshall, Minnesota (the “City”), desires to assist Solugen, a carbon negative green manufacturing company, which is proposing to construct a facility in the City; and,

WHEREAS, the City of Marshall understands that Solugen, through and with the support of the City, intends to submit to the Minnesota Department of Employment and Economic Development an application for an award and/or rebate from the Job Creation Fund Program; and,

WHEREAS, the City of Marshall held a city council meeting on July 25th, to consider this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, Minnesota, that, after due consideration, the Mayor and Council of the City of Marshall, Minnesota, hereby adopts the following findings of fact related to the project proposed by Solugen and its application for an award and/or rebate from the Job Creation Fund Program and express their approval.

The City Council hereby finds and adopts the reasons and facts supporting the following findings of fact for the approval of the Job Creation Fund Program application:

1. Finding that the project is in the public interest because it will encourage the growth of commerce and industry, prevent the movement of current or future operations to locations outside Minnesota, result in increased employment in Minnesota, and preserve or enhance the state and local tax base.
  - a. Solugen will create 38 jobs that will exceed the average living wage of the region.
  - b. Solugen will make a \$90M Capex investment in the community.
  - c. Solugen will diversify the region’s current industry mix, providing more opportunities for employment and advancement.
  - d. With a three-phase project approach, Solugen will make additional employment and economic impact on the Marshall community and Southwest Minnesota.
2. Finding that the proposed project, in the opinion of the City Council, would not reasonably expected to occur solely through private investment within the reasonably foreseeable future.
  - a. Solugen has made a concerted effort to raise capital need of the project to meet workforce development and R & D needs for sustainability and growth.
3. Finding that the proposed project conforms to the general plan for the development or redevelopment of the City as a whole.

- a. The development will help the City’s goal of developing and attracting a qualified and varied workforce.
  - b. The development will help position Marshall as a green manufacturing hub and respond to the need for decarbonization.
4. Finding that the proposed project will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment or development of the project by private enterprise.
- a. Solugen will create an attainable amount of new job opportunities in the community in a new industrial sector.
  - b. Solugen will partner with local stakeholders on workforce development and career training opportunities, supporting continued growth for the University, Public School system and development organizations.
  - c. Solugen will make a large capital investment in the community, increasing tax capacity and opportunities for future expansion.

Approved by the City Council of the City of Marshall, Minnesota this 25th day of July 2023

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of Off-Site Bingo for American Legion at the Lyon County Fair
<b>Background Information:</b>	The Marshall America Legion will be holding a BINGO event on August 8, 2023 at the Lyon County Fair.  Gambling permits are issued by the State of MN but require local approval before submittal.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the LG230 Application to Conduct Off-Site Gambling.

LG230 Application to Conduct Off-Site Gambling

No Fee

ORGANIZATION INFORMATION

Organization Name: American Legion Post 113 License Number: 00746
Address: PO Box 284 City: Marshall, MN Zip: 56258
Chief Executive Officer (CEO) Name: Bruce Fuhrman Daytime Phone: 507-829-2116
Gambling Manager Name: Deane Stangeland Daytime Phone: 507-530-1854

GAMBLING ACTIVITY

Twelve off-site events are allowed each calendar year not to exceed a total of 36 days.
From 8/13/23 to 8/13/23
Check the type of games that will be conducted:
Raffle Pull-Tabs Bingo Tipboards Paddlewheel

GAMBLING PREMISES

Name of location where gambling activity will be conducted: Lyon Co. Fairgrounds
Street address and City (or township): 504 Fairgrounds Rd Zip: 56258 County: Lyon
Do not use a post office box.
If no street address, write in road designations (example: 3 miles east of Hwy. 63 on County Road 42).

Does your organization own the gambling premises?
Yes If yes, a lease is not required.
No If no, the lease agreement below must be completed, and signed by the lessor.

LEASE AGREEMENT FOR OFF-SITE ACTIVITY (a lease agreement is not required for raffles)

Rent to be paid for the leased area: \$ 0 (if none, write "0")
All obligations and agreements between the organization and the lessor are listed below or attached.
Any attachments must be dated and signed by both the lessor and lessee.
This lease and any attachments is the total and only agreement between the lessor and the organization conducting lawful gambling activities.
Other terms, if any:

Lessor's Signature: [Signature] Date: [Date]
Print Lessor's Name: [Name]

CONTINUE TO PAGE 2





## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval for Holy Redeemer to Conduct a Raffle on January 29, 2024
<b>Background Information:</b>	Holy Redeemer Church will be holding a raffle event on January 29, 2023, at the Holy Redeemer School.  Gambling permits are issued by the State of MN but require local approval before submittal.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the LG220 Application Exempt Permit.

MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.  
 Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Holy Redeemer Church Previous Gambling Permit Number: [REDACTED]  
 Minnesota Tax ID Number, if any: 8382653 Federal Employer ID Number (FEIN), if any: [REDACTED]  
 Mailing Address: 503 W Lyon St  
 City: Marshall State: MN Zip: 56258 County: Lyon  
 Name of Chief Executive Officer (CEO): Fr. Anthony J. Stubeda  
 CEO Daytime Phone: 507-532-5711 CEO Email: [REDACTED]  
 (permit will be emailed to this email address unless otherwise indicated below)  
 Email permit to (if other than the CEO): [REDACTED]

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):  
 Fraternal  Religious  Veterans  Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

**A current calendar year Certificate of Good Standing**  
 Don't have a copy? Obtain this certificate from:  
 MN Secretary of State, Business Services Division  
 60 Empire Drive, Suite 100  
 St. Paul, MN 55103  
 Secretary of State website, phone numbers:  
[www.sos.state.mn.us](http://www.sos.state.mn.us)  
 651-296-2803, or toll free 1-877-551-6767

**IRS income tax exemption (501(c)) letter in your organization's name**  
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
 If your organization falls under a parent organization, attach copies of both of the following:  
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and  
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Holy Redeemer School  
 Physical Address (do not use P.O. box): 501 S Whitney St  
 Check one:  
 City: Marshall Zip: 56258 County: Lyon  
 Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_  
 Date(s) of activity (for raffles, indicate the date of the drawing): January 29, 2024  
 Check each type of gambling activity that your organization will conduct:  
 Bingo  Paddlewheels  Pull-Tabs  Tipboards  Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

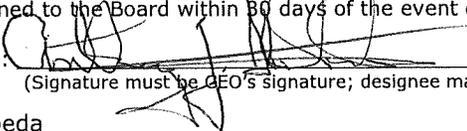
# LG220 Application for Exempt Permit

## LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

<p style="text-align: center;"><b>CITY APPROVAL</b> for a gambling premises located within city limits</p> <p><input checked="" type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print City Name: <u>Marshall</u></p> <p>Signature of City Personnel: _____</p> <p>_____ Title: _____ Date: _____</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;"> <p><b>The city or county must sign before submitting application to the Gambling Control Board.</b></p> </div>	<p style="text-align: center;"><b>COUNTY APPROVAL</b> for a gambling premises located in a township</p> <p><input type="checkbox"/> The application is acknowledged with no waiting period.</p> <p><input type="checkbox"/> The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.</p> <p><input type="checkbox"/> The application is denied.</p> <p>Print County Name: _____</p> <p>Signature of County Personnel: _____</p> <p>_____ Title: _____ Date: _____</p> <p><b>TOWNSHIP (if required by the county)</b> On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)</p> <p>Print Township Name: _____</p> <p>Signature of Township Officer: _____</p> <p>_____ Title: _____ Date: _____</p>
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### CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: 7/6/2023

(Signature must be CEO's signature; designee may not sign)

Print Name: Fr. Anthony J. Stubeda

<p><b>REQUIREMENTS</b></p> <p><b>Complete a separate application for:</b></p> <ul style="list-style-type: none"> <li>all gambling conducted on two or more consecutive days; or</li> <li>all gambling conducted on one day.</li> </ul> <p>Only one application is required if one or more raffle drawings are conducted on the same day.</p> <p><b>Financial report to be completed within 30 days after the gambling activity is done:</b> A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.</p> <p>Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).</p>	<p><b>MAIL APPLICATION AND ATTACHMENTS</b></p> <p><b>Mail application with:</b></p> <p>_____ a copy of your proof of nonprofit status; and</p> <p>_____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is <b>\$100</b>; otherwise the fee is <b>\$150</b>. Make check payable to <b>State of Minnesota</b>.</p> <p><b>To:</b> Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p> <p><b>Questions?</b> Call the Licensing Section of the Gambling Control Board at 651-539-1900.</p>
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Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Steven Anderson
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Approval of a Raffle Permit for SMSU Homecoming on October 14, 2023
<b>Background Information:</b>	Southwest Minnesota State University will be holding a raffle event on October 14, 2023 for SMSU Homecoming.  Gambling permits are issued by the State of MN but require local approval before submittal.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the LG220 Application Exempt Permit.

MINNESOTA LAWFUL GAMBLING  
**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Southwest Minnesota State University Foundation Previous Gambling Permit Number: [REDACTED]

Minnesota Tax ID Number, if any: [REDACTED] Federal Employer ID Number (FEIN), if any: [REDACTED]

Mailing Address: 1501 State Street

City: Marshall State: MN Zip: 56258 County: Lyon

Name of Chief Executive Officer (CEO): Nathan Polfliet

CEO Daytime Phone: 507/ 537-6285 CEO Email: [REDACTED]  
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): [REDACTED]

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

Fraternal       Religious       Veterans       Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

**A current calendar year Certificate of Good Standing**  
Don't have a copy? Obtain this certificate from:  
MN Secretary of State, Business Services Division      Secretary of State website, phone numbers:  
60 Empire Drive, Suite 100      [www.sos.state.mn.us](http://www.sos.state.mn.us)  
St. Paul, MN 55103      651-296-2803, or toll free 1-877-551-6767

**IRS income tax exemption (501(c)) letter in your organization's name**  
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
If your organization falls under a parent organization, attach copies of both of the following:  
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and  
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Southwest Minnesota State University (SMSU) Campus

Physical Address (do not use P.O. box): 1501 State Street

Check one:

City: Marshall Zip: 56258 County: Lyon

Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): October 14, 2023 (SMSU Homecoming)

Check each type of gambling activity that your organization will conduct:

Bingo       Paddlewheels       Pull-Tabs       Tipboards       Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [mn.gov/gcb](http://mn.gov/gcb) and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

# LG220 Application for Exempt Permit

## LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)

### CITY APPROVAL for a gambling premises located within city limits

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- The application is denied.

Print City Name: Marshall

Signature of City Personnel: \_\_\_\_\_

Title: Clerk \_\_\_\_\_ Date: \_\_\_\_\_

**The city or county must sign before submitting application to the Gambling Control Board.**

### COUNTY APPROVAL for a gambling premises located in a township

- The application is acknowledged with no waiting period.
- The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- The application is denied.

Print County Name: \_\_\_\_\_

Signature of County Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

### TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

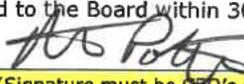
Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

### CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature:  Date: \_\_\_\_\_  
*(Signature must be CEO's signature; designee may not sign)*

Print Name: Nathan Polfliet

### REQUIREMENTS

#### Complete a separate application for:

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

#### Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

### MAIL APPLICATION AND ATTACHMENTS

#### Mail application with:

- \_\_\_\_\_ a copy of your proof of nonprofit status; and
- \_\_\_\_\_ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

#### Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

<p align="center"><b>How You May Spend Gambling Funds</b></p>	<p align="center"><b>How You May Not Spend Gambling Funds</b></p>
<p><b>Allowable expenses</b> - Gambling funds may be spent for allowable expenses, such as:</p> <ul style="list-style-type: none"> <li>• gambling equipment (pull-tabs, bingo paper, bingo blower, paddlewheel tickets, tipboard games);</li> <li>• advertising;</li> <li>• printing raffle tickets; or</li> <li>• any services or goods that are directly related to the conduct of your gambling.</li> </ul> <p><b>Charitable contributions</b> - Gambling funds may be spent for the following charitable contributions (lawful purpose):</p> <ul style="list-style-type: none"> <li>• to or by 501(c)(3) organization and 501(c)(4) festival organizations;</li> <li>• relieving the effects of poverty, homelessness, or disability;</li> <li>• problem gambling programs approved by the Minnesota Department of Human Services;</li> <li>• public or private nonprofit school;</li> <li>• scholarships (if a contribution is made to a scholarship fund, it must be made to a nonprofit organization whose primary mission is to award scholarships);</li> <li>• church;</li> <li>• recognition of military service (open to public) or active military personnel in need;</li> <li>• activities and facilities benefiting youth under age 21;</li> <li>• citizen monitoring of surface water quality, with data submitted to Minnesota PCA;</li> <li>• unit of government (NOTE: A direct contribution to a law enforcement or prosecutorial agency is not allowed);</li> <li>• wildlife management projects or activities that benefit the public-at-large, with DNR approval;</li> <li>• grooming and maintaining snowmobile or all-terrain trails that are grant-in-aid trails, or other trails open to public use, with DNR approval;</li> <li>• supplies and materials for DNR training and educational programs;</li> <li>• nutritional programs, food shelves, and congregate dining programs primarily for persons who are 62 or older or disabled;</li> <li>• community arts organizations or programs;</li> <li>• humanitarian service recognizing volunteerism or philanthropy; and</li> <li>• acquisition and repair of real property and capital assets (contact the Gambling Control Board for requirements).</li> </ul>	<ol style="list-style-type: none"> <li>1. <b>Controlled contribution</b> - An organization may not retain any control over any contribution made from gambling funds. The only exception is for expenditures by a 501(c)(3) organization or a 501(c)(4) festival organization to its general fund.</li> <li>2. <b>Financial gain</b> - A contribution or expenditure may not be made if it results in any monetary, economic, financial, or material benefit to the organization making the contribution or expenditure.</li> <li>3. <b>Government</b> - An expenditure may not be made for: <ul style="list-style-type: none"> <li>• influencing the nomination or election of a candidate for public office;</li> <li>• promoting or defeating a ballot question; or</li> <li>• any activity intended to influence an election or a governmental decision-making process.</li> </ul> </li> <li>4. <b>Law enforcement</b> - A direct contribution may not be made to a law enforcement or prosecutorial agency.</li> <li>5. <b>Pension</b> - A contribution may not be made to a government pension or retirement fund, such as a fire relief association.</li> <li>6. <b>Conflict of interest</b> - A contribution or expenditure may not be made if it is not allowed under the conflict of interest provisions of the Minnesota Nonprofit Corporation Act, Minnesota Statutes, Section 317A.255.</li> <li>7. <b>Alcohol</b> - An expenditure may not be made for the purchase of any intoxicating liquor, wine, or malt beverages.</li> <li>8. <b>Fundraising</b> - An expenditure may not be made for fundraising costs, except as allowed for a 501(c)(3) organization or 501(c)(4) festival organization from its general fund.</li> <li>9. <b>Other organizations</b> - With few exceptions, gambling funds may not be contributed to other organizations or clubs such as veterans, fraternal, Lions, etc. unless it is a 501(c)(3) organization.</li> <li>10. <b>Other contributions</b> - A contribution may not be made to a 501(c)(3) organization or another entity with the intent or effect of not complying with lawful purpose restrictions or requirements.</li> </ol>

<b>Presenter:</b>	Pamela Whitmore
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Introduction of Ordinance Article 2-VII Administrative Citations
<b>Background Information:</b>	<p>An alternative method of enforcement for city code violations is being sought rather than relying on the criminal court system. The formal criminal prosecution process does not provide an environment to adequately address the unique and sensitive issues that are involved in City Code violations, including, but not limited to, neighborhood concerns, livability issues, economic impact, physical limitations of the offenders and the stigma and unintended consequences of being charged with or convicted of a misdemeanor offense. In addition, the court system is a slow, overburdened, and methodical process that is not conducive to dealing with the violations in a prompt and timely manner.</p> <p>Finally, the penalties afforded the criminal court system are restricted to fines or physical confinement, which are not always effective solutions to address Code violations. To provide more flexibility in addressing Code violations on an individualized basis that will be more efficient and effective an alternative enforcement process is necessary. Therefore, to protect the health, safety, and welfare of the citizens of the city, a process for the use and imposition of administrative civil penalties will provide the public and the city with a more effective alternative method for addressing city code violations.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To introduce ordinance Article 2-VII Administrative Citations per Section 3.07 of the City Charter.

## **Chapter 2**

### **Article 2-VII ADMINISTRATIVE CITATIONS.**

#### **Section 2-400 Purpose**

The City Council seeks to offer an alternative method of enforcement for city code violations rather than relying on the criminal court system. The formal criminal prosecution process does not provide an environment to adequately address the unique and sensitive issues that are involved in City Code violations, including, but not limited to, neighborhood concerns, livability issues, economic impact, physical limitations of the offenders and the stigma and unintended consequences of being charged with or convicted of a misdemeanor offense. In addition, the court system is a slow, overburdened and methodical process that is not conducive to dealing with the violations in a prompt and timely manner. Finally, the penalties afforded the criminal court system are restricted to fines or physical confinement, which are not always effective solutions to address Code violations. In order to provide more flexibility in addressing Code violations on an individualized basis that will be more efficient and effective, the City Council finds that an alternative enforcement process is necessary. Therefore, to protect the health, safety, and welfare of the citizens of the city, it is the City Council's intent to create a process for the use and imposition of administrative civil penalties that will provide the public and the city with a more effective alternative method for addressing city code violations.

#### **Section 2-401 Authority**

The City is authorized to enact this administrative citation scheme pursuant to §1-8 of the Marshall City Code, §12.08 of the Marshall City Charter, Minn. Stat. §§410.33, 412.221, 412.861, and 412.871.

- (a) **Administrative offense.** A violation of any provision of the City code is an administrative offense that may be subject to an administrative citation and civil penalties. Each day a violation exists constitutes a separate offense.
- (b) **Exemption.** Alcohol and tobacco license violations, and motor vehicle violations are not subject to administrative citation under this ordinance.

#### **Section 2-402 Alternative Methods of Enforcement**

A violation of the Code is a misdemeanor pursuant to §1-8 of the Code; however, this section seeks to gain compliance with the Code as an alternative to the commencement of any formal civil or criminal court action. The administrative civil penalties proceedings are in addition to any other legal or equitable remedy available to the city for Code violations. The city may, in its discretion, choose not to issue an administrative citation and may initiate criminal charges instead.

#### **Section 2-403 Authority to Issue Compliance Letters and Administrative Citations**

Any person authorized to enforce provisions of the Code is authorized to issue compliance letters and administrative citations for violations under this Section.

**Section 2-404 Compliance letter.**

- (a) If a city employee or agent determines that a City Code violation has occurred, when appropriate, a compliance letter shall be issued. The compliance letter shall contain the following information:
  - (1) A description or address of the property on which the Code violation has occurred;
  - (2) The nature of the violation, including a reference to the appropriate Code section;
  - (3) A compliance deadline, providing a reasonable time for compliance based on the nature of the violation; and
  - (4) A statement that failure to correct the violation may result in the imposition of an administrative citation, including a civil penalty and stating the amount of the penalty as provided in the fee schedule.
  
- (b) *Service of compliance letter.* The compliance letter may be served on the offender by regular mail, by electronic mail with proof of delivery confirmation and receipt requested, by personal service or by posting a copy in a conspicuous place in or about the building or property affected by the letter.
  
- (c) *Reasonable extensions.* Following service of the compliance letter, the city shall attempt to work to resolve the violation, including, but not limited to, offering reasonable extensions for compliance.
  
- (d) *Exceptions to issuance of a compliance letter.* For violations of any of the following sections, the city shall not be required to issue a compliance letter and may proceed directly to issuance of an administrative citation as provided in §2-405 below.
  - (1) If the same offender commits a subsequent violation within 12 months after a compliance letter has been issued for a same or similar offense. If the offense involves a property related offense, then the subsequent violation must occur at the same property within this 12-month period for this subsection to apply.
  - (2) For any license violations, including, but not limited to, not having a license.
  - (3) For traffic or parking violations issued under Chapter 74 of the Code.
  - (4) For violations involving animals at large and potentially dangerous or dangerous animals under Chapter 14 of the Code.
  - (5) For any violation of §42-89, Loud Noise.
  - (6) For violations of Chapter 34, Fire Prevention Code.
  - (7) When a condition exists that requires immediate action to protect the public health, safety, and welfare, including any condition that represents a life-threatening condition.
  - (8) Disorderly conduct or other similar behavior that tends to disrupt, injure, or annoy a reasonable person for which a compliance letter would be moot, as the conduct or behavior has terminated.

**Section 2-405 Administrative Citation**

- (a) Upon the failure to correct the violation specified in the compliance letter within the time frame established in the compliance letter or any extension thereof granted by the city, or for any offense for which a compliance letter is not required, an administrative citation may be issued.
  
- (b) The administrative citation shall be served by certified mail or by personal service and shall contain the following information:
  - (1) A description or address of the property on which the Code violation has occurred;
  - (2) Reference to the Code that is alleged to be violated;
  - (3) The amount of the administrative civil penalty for the specific Code violation, which shall be due and payable to the city within 30 days of the date the citation is mailed or personally served;
  - (4) A statement that the violation must be corrected or a subsequent administrative or a criminal citation may be issued;
  - (5) A statement that the Code violation and the amount of the administrative civil penalty may be contested to be heard before an independent hearing officer by notifying the City Clerk in writing within ten days after the citation was mailed or personally served; and
  - (6) A statement that failure to pay the administrative civil penalty may constitute a lien upon the property where the violation occurred or a personal obligation on the violator.
  
- (c) No peace officer will issue an administrative citation in violation of Minn. Stat. §169.999

**Section 2-406 Payment of Penalty and Correction of Violation**

If the offender pays the administrative civil penalty and corrects the Code violation, no further action will be taken for that same violation.

**Section 2-407 Payment of Penalty Without Correction of Violation**

If the offender pays the administrative civil penalty but fails to correct the Code violation, the city may issue a subsequent administrative citation, initiate criminal proceedings, or initiate any other proceedings or remedies available in order to enforce correction of the Code violation.

**Section 2-408 No Payment of Penalty and No Correction of Violation**

- (a) If the offender fails to pay the administrative civil penalty and fails to correct the Code violation, the city may do any of the following, or any combination thereof:
  - (1) Issue a subsequent administrative citation, thereby commencing a new administrative penalties process;
  - (2) Find that the unpaid fee constitutes a lien upon the real property where the violation occurred, if the property or the improvements of the same were the subject of the violation;
  - (3) Find that the unpaid fee constitutes a personal obligation of the violator;

- (4) Suspend or revoke any licenses or permits issued by the city related to the violation;
- (5) Initiate criminal proceedings; and/or
- (6) Initiate other enforcement action authorized by law, including the cost of unpaid special charges as special assessments against the property benefitted to the extent allowed under Minn. Stat. 429.101.

### **Section 2-409 Contesting an Administrative Citation**

(a) An offender receiving an administrative citation may contest the alleged Code violation and the amount of the administrative civil penalty.

(b) In order to contest any part of the administrative citation, the offender must notify the City Clerk in writing within ten calendar days after the citation is mailed or personally served, stating that the offender contests the alleged violation, the amount of the penalty, or both, and pay the filing fee as listed in the fee schedule. If the violation is ultimately not upheld by the hearing officer after the Administrative Hearing Procedure, then City will refund the filing fee paid by the offender.

### **Section 2-410 Administrative Hearing Procedure**

- (a) *Hearing officers.* The City Council will periodically approve a list of lawyers or former judges, from which the City Clerk will randomly select a hearing officer to hear and determine a matter for which a hearing is requested. The hearing officer will be considered a public officer as defined by Minn. Stat. §609.415. The hearing officer must not be a city employee. The City Administrator or their designee must establish a procedure for evaluating the competency of the hearing officers, including comments from accused violators and city staff. These reports must be provided to the City Council.
- (b) *Notice of hearing.* Within ten (10) days of the request for a hearing, the City Clerk will schedule the hearing and will notify the violator of the date, time, and place for the hearing. Parties are expected to be available for two (2) hours. Notice of the hearing must be mailed to the violator or the property owner, if different from the violator, and the hearing officer at least ten (10) days in advance of the scheduled hearing, unless a shorter time is accepted by all parties. The notice must contain the names of the violator or property owner, the identity of the hearing officer, the location of the alleged violation and the type of alleged violation.
- (c) *Removal of hearing officer.* No later than five (5) days before the date of the hearing, the violator may make a written request that the assigned hearing officer be removed from the case. The City Clerk will automatically grant one (1) request for removal. A subsequent request must be directed to the assigned hearing officer who will decide whether they can fairly and objectively review the case. If the hearing officer determines they cannot fairly and objectively review the case, the hearing officer shall notify the City Clerk in writing at least one (1) day before the scheduled hearing date. The City Clerk will then assign another hearing officer. If the City Clerk is unable to assign a hearing officer from the City's approved Hearing Officer list, the City Clerk, upon approval by

City Council, may schedule a hearing before an independent hearing officer from the office of administrative law judges.

- (d) *Continuance*. A request for a continuance must be made to the City Clerk at least five (5) days prior to the scheduled date. Continuances will be granted only for good cause shown and for no more than ten (10) days from the originally assigned date.
- (e) *File transmittal*. Upon receipt of any request for a hearing the City Administrator or their designee will compile a file on each case consisting of the following:
  - (1) Copy of Compliance letter, if applicable;
  - (2) Copy of the citation issued;
  - (3) Copy of any case history in the issuing employee's department;
  - (4) Photographs and/or videotape of property or Code violation where available;
  - (5) Supplemental report detailing the facts in support of any determination that the offense constitutes a serious threat of harm to the public health, safety, or welfare; and
  - (6) Proof of mailing and/or posting of notice on the property if citation was not personally served on the violator

The file must be ready for the hearing officer to pick up on the business day preceding the scheduled hearing. Upon the request of the hearing officer, the City may send the file to the hearing officer electronically.

- (f) *Presentation of case*. At the hearing, the parties will have the opportunity to present testimony and question any witnesses, but strict rules of evidence will not apply. The hearing officer must record the hearing and may receive testimony and exhibits. The officer must receive and give weight to evidence, including hearsay evidence, that possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.
- (g) *Decision*. The decision of the hearing officer must be in writing and contain findings of fact, conclusions of law, and an order. The decision will be mailed to the parties within ten (10) days after the hearing. The hearing officer has the authority to determine that a violation occurred, to dismiss a citation, to impose the scheduled fine, or to reduce, stay, or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the hearing officer may consider any or all of the following factors:
  - (1) The duration of the violation;
  - (2) The frequency or reoccurrence of the violation;
  - (3) The seriousness of the violation;
  - (4) The history of the violation;
  - (5) The violator's conduct after issuance of the Compliance Letter;
  - (6) The violator's conduct after issuance of the notice of hearing;
  - (7) The good faith effort by the violator to comply;
  - (8) The impact of the violation upon the community;
  - (9) Prior record of Code violations; and
  - (10) Any other factors appropriate to a just result.

The hearing officer may not impose a fine greater than the established fine, except that the hearing officer may impose a fine for each week that the violation continues if the violation caused a serious threat of harm to the public health, safety, or welfare as determined by the hearing officer, or if the violator intentionally and unreasonably refused to comply with the code requirement. The hearing officer's decision and supporting reasons must be in writing.

- (h) *Failure to appear.* The failure to attend the hearing constitutes a waiver of the violator's rights to an administrative hearing and an admission of the violation. A hearing officer may waive this result upon good cause shown. "Good cause" is limited to: death in the immediate family or documented incapacitating illness of the accused; a court order requiring the accused to appear for another hearing at the same time; and lack of proper service of the citation or notice of the hearing.
- (i) *Owner found in violation.* If the violation is upheld, then the violator must pay a fee toward the cost of the hearing in the amount listed in the fee schedule.

### **Section 2-411 Judicial review**

An aggrieved party may obtain judicial review of the decision of the hearing officer as provided in state law.

### **Section 2-412 Schedule of Administrative Civil Penalties.**

- (a) The city shall adopt a fee schedule of administrative civil penalties for city code violations by resolution.
- (b) The maximum amount of an administrative civil penalty may not exceed twice the maximum fine authorized by state law for misdemeanor offenses or the maximum fine authorized by state law for an administrative process.
- (c) Non-payment. If a civil penalty is not paid within the time specified, it will constitute:
  - a. A lien on the real property upon which the violation occurred if the property or improvements on the property was the subject of the violation; or
  - b. A personal obligation of the violator in all other situations.
- (d) Lien. A lien may be assessed against the property and collected in the same manner as taxes.
- (e) Personal obligation. A personal obligation may be collected by appropriate legal means.
- (f) Late Fees/Charges.
  - a. The fine will increase by ten percent (10%) for each week, starting ten (10) days after the citation was issued, that no action is taken to correct the violation.

- b. If payment arrives more than one (1) week after it was due, an additional ten percent (10%) of the fine may be assessed, together with interest, for each seven-day period, or part thereof, that the fine remains unpaid after the due date.
- (g) License revocation or suspension. Failure to pay a fine is grounds for suspending or revoking a license or permit related to the violation

**Section 2-413 Additional Criminal Penalties**

The following are misdemeanors, punishable in accordance with state law:

- (1) Failure, without good cause, to pay a fine or request a hearing within ten (10) days after issuance of an administrative citation;
- (2) Failure, without good cause, to appear at a hearing that was scheduled under §2-410;
- (3) Failure to pay a fine imposed by a hearing officer within ten (10) days after it was imposed, or such other time as may be established by the hearing officer.

If the final adjudication in the administrative penalty procedure is a finding of no violation, then the city may not prosecute a criminal violation in district court based on the same set of facts. This does not preclude the city from pursuing a criminal conviction for a violation of the same provisions based on a different set of facts. A different date of violation will constitute a different set of facts.

<b>Presenter:</b>	Pamela Whitmore
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Introduction of an Ordinance Amending Article 42-V to Prohibit the Use of Cannabis and Hemp in Public Places
<b>Background Information:</b>	<p>Chapter 63 (HF 100*/SF 73) legalized adult-use cannabis in Minnesota, establishes a statewide regulatory framework including requirements for each type of license under this chapter, establishes taxes on the regulated products, amends criminal penalties, expunges certain prior convictions related to cannabis, and provides for temporary regulation of hemp-derived edible cannabinoid products.</p> <p>Under the new law unless a local ordinance prohibits outdoor smoking, Cannabis and Hemp products can be used in most locations with a few exceptions. The State Statute definition of "Public Place" does not include outdoor areas such as parks.</p> <p>144.413 Definitions. Subd.2. Public place. "Public place" means any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; retail stores and other commercial establishments; educational facilities other than public schools, as defined in section 120A.05, subdivisions 9, 11, and 13; hospitals; nursing homes; auditoriums; arenas; meeting rooms; and common areas of rental apartment buildings.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To introduce an ordinance amending Article 42-V to Prohibit the Use of Cannabis and Hemp in Public Places.

**CITY OF MARSHALL  
LYON COUNTY, MINNESOTA**

**ORDINANCE NO. XXXX**

**AN ORDINANCE AMENDING ARTICLE 42-V OF THE MARSHALL CITY CODE  
TO PROHIBIT THE USE OF CANNABIS AND HEMP IN PUBLIC PLACES**

THE COMMON COUNCIL OF THE CITY OF MARSHALL DO ORDAIN:

**SECTION 1.** The City Council of the City of Marshall hereby supplements Article 42-V of the Marshall City Code by adding a new Section 42-114 as follows:

**SECTION 42-114 – CANNABIS AND HEMP**

**(a) Definitions.**

(i) For purposes of this article, the terms “cannabis flower,” “cannabis products,” “lower-potency hemp edibles,” and “hemp-derived consumer products” shall have the definitions given to them in Minnesota Statutes, section 342.01, as it may be amended from time to time.

(ii) For purposes of this article, “public place” is defined as any indoor or outdoor area that is used or held out for use by the public whether owned or operated by public or private interests. Pursuant to Minnesota Statutes, section 152.0263, subd. 5, “public place” does not include the following: (i) a private residence, including the person's curtilage or yard; (ii) private property not generally accessible by the public; and (iii) the premises of an establishment or event licensed to permit on-site consumption of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.

**(b) Prohibition. Use of cannabis and hemp prohibited in public places.**

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place. A violation of this section shall be considered a petty misdemeanor notwithstanding any other penalty provision in the city code, and the city council may establish, by resolution, a corresponding **fine in its fee schedule** for violations of this section.

**SECTION 2.** This ordinance shall take effect on MONTH, DATE 2023, after its passage and publication in accordance with City Charter.

Adopted by the Marshall City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Bob Byrnes, Mayor

Attest:

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Steven Anderson, City Clerk

<b>Presenter:</b>	Jason Anderson
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Acknowledgement and Acceptance of the Updated Stormwater Pollution Prevention Program (SWPPP) for the City of Marshall
<b>Background Information:</b>	<p>The Environmental Protection Agency’s (EPA) Storm Water Phase II Rule establishes a Municipal Separate Storm Sewer System (MS4) storm water management program for the reduction of pollutants that storm water picks up and carries into the storm sewer systems and ultimately to the waters of the state. Minnesota Rules Chapter 7090 became effective on August 15, 2005. These rules are in response to the EPA’s Phase II stormwater rules. Minnesota Rules Chapter 7090 require permit coverage for municipally-owned/operated industrial facilities, publicly-owned/operated MS4s and construction activities that disturb one acre or more of soil.</p> <p>The City of Marshall is a designated MS4 by the State, and therefore we are required to submit a National Pollutant Discharge Elimination System (NPDES) MS4 General Permit. The MS4 General Permit requires the City to develop, implement, and enforce a Stormwater Pollution Prevention Program (SWPPP). The SWPPP is designed to reduce the discharge of pollutants from MS4s to protect water quality, and to satisfy the water quality requirements of the Clean Water Act to the maximum extent practicable.</p> <p>The MS4 permit has been previously revised since our SWPPP adoption in 2007. The statewide general MS4 permit was updated in both 2013 and 2020. With each update of the statewide general permit, there are numerous additional requirements and duties for the City to meet. The City’s updated SWPPP acknowledges the manner in which the City intends to meet the requirements of the statewide general permit. Using the SWPPP as a guide, it is incumbent on City staff to administer the programs and processes to meet the requirements of the MS4 general permit.</p>
<b>Fiscal Impact:</b>	None.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	that the Council acknowledge and accept the updated Stormwater Pollution Prevention Program (SWPPP) for the City of Marshall.

# CITY OF MARSHALL

## STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.



Eric R Hanson, P.E.  
Assistant City Engineer

License No. 53316

Original SWPPP: February 2007  
Latest Revision: June 2023

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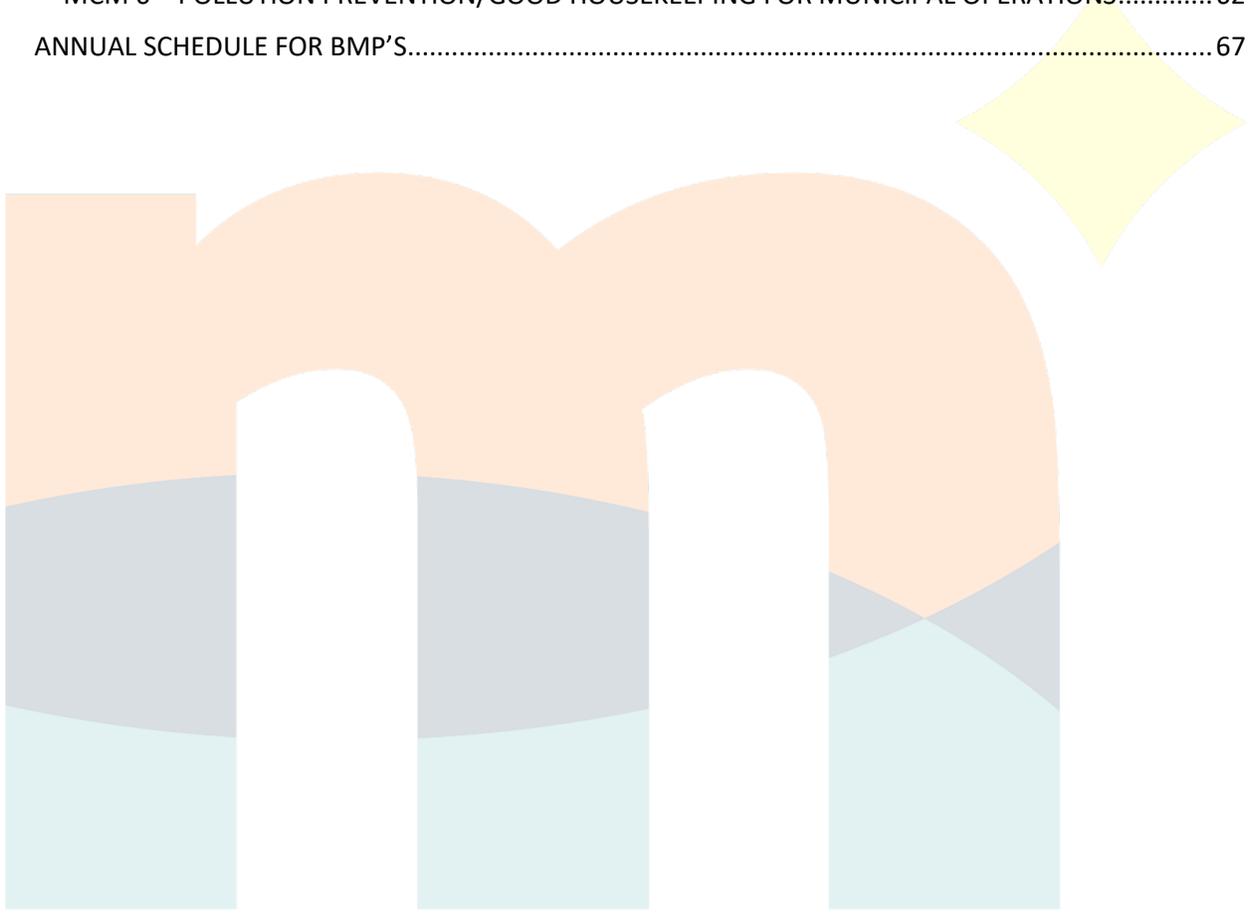
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## EXECUTIVE SUMMARY

The City of Marshall must develop, implement and enforce a Stormwater Pollution Protection Plan (SWPPP) that is designed to minimize the discharge of pollutants from its storm sewer system in order to protect the water quality of the receiving waters in accordance with the Federal Clean Water Act (CWA) and its recent amendments.

This Storm Water Pollution Prevention Plan has been prepared with the purpose of meeting the requirements of the National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) program permit as outlined in the Minnesota Pollution Control Agency (MPCA) General Permit and the most recent modifications to the Federal Clean Waters Act (CWA).

This document is also intended to provide a cursory layout of the steps required to implement the assigned TMDL (Total Maximum Daily Load) requirements for the Redwood, Cottonwood and Minnesota Rivers. Future revisions to the SWPPP will be required as the Waste Load Allocations (WLA) for TMDL's (existing or new) are created, eliminated or modified.

The purpose of this SWPPP is to aim, attain and maintain compliance with current water quality standards. This SWPPP addresses actions that can be taken to help change practices to bring waters that do not meet water quality standards into compliance by minimizing the discharge of pollutants to the Maximum Extent Practicable (MEP). To meet this goal, the City's storm sewer system must be managed, operated and maintained in such a way that minimizes the discharge of pollutants.

## INTRODUCTION

The City covers 6,575 acres of land which support an estimated 14,000 residents. There are nearly 100 miles of paved roadways including local streets, county and state highways. The City of Marshall is in a state of continuous change and this steady growth and development impact the land use within the city. Approximately 4,700 acres (76%) of Marshall's area is developed. The developed land uses are approximately 23% residential, 7% commercial, 11% industrial, 23% transportation, and 36% public/semi public space.

The City of Marshall lies in the Redwood and Cottonwood River drainage basins. Both the Redwood and Cottonwood Rivers drain to the Minnesota River. The Redwood River enters the Minnesota River near Redwood Falls and the Cottonwood River enters the Minnesota River near New Ulm. The Redwood River meanders through the city from the southwest to the northeast and receives the majority of the MS4 storm water runoff. The City has a bypass channel for the Redwood River built by the US Army Corps of Engineers to provide flood protection for much of the city. Marshall has an extensive storm sewer system to collect the storm water runoff throughout the city.

## BACKGROUND

### MS4 NPDES GENERAL PERMIT

The National Pollution Discharge Elimination System/State Disposal System (NPDES/SDS) program is a federally mandated program established by the Environmental Protection Agency (EPA) to implement and maintain storm water management activities for small Municipal Separate Storm Sewer Systems (MS4s). The goal of the NPDES Permit is to restore and maintain the chemical, physical, and biological quality of waters of the state through management and treatment of urban storm water runoff.

This program requires that MS4s develop a Storm Water Pollution Prevention Program (SWPPP). An effective SWPPP program consists of a system of Best Management Practices (BMPs). BMPs include education, maintenance, pollution control techniques, system designs and engineering methods as well as local provisions deemed appropriate. BMPs are to be used to meet the minimum requirements of the NPDES General Permit.

Best Management Practices fall into two categories:

- Structural: including detention ponds, infiltration designs, etc.
- Non-structural: including operational practices like street sweeping, educational programs, etc.

When implementing the required BMPs, the City must consider the sources of the targeted pollutants, the potential pollution creating activities in the various watersheds, and the sensitivity of the receiving waters.

### MARSHALL'S STORMWATER PROGRAM

City of Marshall has enacted the following Municipal Codes to Enforce and Regulate our Storm Water Pollution Prevention Program.

Article 30-II Surface Water Management, Ordinance # 693, Adopted in April, 2015

Division 1 Section 1 = Generally

Section 30-21 = Definitions

Section 30-22 = Findings of Fact

Section 30-23 = Purpose of Article

Section 30-24 = Exemptions

Section 30-25 = Waiver

Section 30-26 = Lawn Fertilizer Regulations

Section 30-41 = Applicability

Section 30-42 = Application

Section 30-43 = Surface Water Management Plan

Section 30-44 = Plan Review Procedure

Section 30-45 = Surface Water Management Criteria Ordinance # 22-007, Adopted July 2022

Section 30-46 = Illicit Connection

Article 14-1 = Animals Ordinance # 591 2<sup>nd</sup> Series Adopted April 2008

Section 14-1 = Definitions

Section 14-2 = General Regulations

## GENERAL INFORMATION

The City of Marshall lies within the Lower Minnesota River Drainage Basin and has been determined to be a designated MS4. This mandates the City to apply for and operate within the requirements of the NPDES General Permit. One of those requirements is that the City develops a SWPPP plan. The City of Marshall's SWPPP identifies the goals and the Best Management Practices (BMPs) that will be implemented to meet the requirements of the NPDES General Permit. Measurable goals have been established for each of the BMPs included in the SWPPP along with an implementation plan and the persons responsible for implementing the BMPs.

## DEPARTMENTS WITH STORMWATER RESPONSIBILITIES

The City has identified internal departments and divisions that will have some responsibilities in regard to the SWPPP plan and stormwater in general. Those departments and potential responsibilities include:

- Administration Division
  - Provide annual financial resources for SWPPP implementation
  - Collection of fees and disbursement of funds
  - Supply adequately trained individuals to various departments via Human Resources
- Public Works Division
  - Engineering/Community Planning Department
    - Review permit applications and inspection responsibilities for infrastructure projects and building permits
    - Enforce standards through zoning laws
    - Administers development agreements including setting and enforcing development standards for the city
    - Inspect and enforce requirements for private utility operations

- Provide annual budgets for labor, equipment and materials required for enforcement of the SWPPP
    - Create, monitor and update ordinances relating to the implementation of the SWPPP
  - Street Department
    - General street maintenance including tasks such as sweeping, etc.
    - Provide maintenance to the city's storm sewer system and minor repairs to drainage structures
  - Wastewater Department
    - Provide assistance to the Street Department in maintenance of the storm sewer system including tasks such as camera inspection, jetting, etc.
- Community Services Division
  - Park Maintenance Department
    - General park maintenance

## MS4 SELF-ASSESSMENT EVALUATION

An evaluation of the storm sewer system was completed to determine the factors affecting the Maximum Extent Practicable (MEP) standards set forth within the NPDES General Permit requirements. Factors which were used in developing the BMPs outlined in the SWPPP were as follows:

- Source of pollutants
- Potential polluting activities being conducted in the watershed
- Sensitivity of receiving waters and wetlands within the system
- Intended uses of receiving waters
- Local concerns and storm water issues
- The size of the MS4, the available staff, and the number of residents
- BMP implementation schedules
- Ability to finance storm water related programs
- Hydraulics and hydrology of the watershed
- Geology
- Ability to finance and perform operation and maintenance of the MS4
- Land uses
  - Development and redevelopment expectations
  - Watershed characteristics
  - Organizational structure of the municipal operator

In conformance with the requirements for the preparation of the SWPPP, a number of non-storm water discharges were evaluated to determine if they are significant contributors of pollutants to the storm sewer system. Non-storm water discharges which were evaluated include:

- Flushing of municipal waterlines
- Residential, commercial and agricultural landscape irrigation
- Stream flow diversions
- Groundwater outputs and rising elevations
- Uncontaminated pumped ground water
- Uncontaminated groundwater infiltration
- Filtration backwash from municipal water treatment facility
- Discharge of foundation drains into the MS4
- Potable water source discharges
- Condensation from air conditioning units
- Car washing by individual residents
- Discharges from the chlorinated swimming pools
- Wash water from street sweeping activities
- Water discharged from firefighting activities

These sources of non-storm water inputs into the municipal separate storm sewer system were determined not to be significant contributors of pollutants. Therefore, BMPs will not be prepared to address these storm water discharges.

The City of Marshall has developed the SWPPP, and the BMPs within it, to reach the goal of reducing the discharge pollutants to the maximum extent practicable. This SWPPP incorporates new activities and existing practices to develop a program, designed to protect water quality as required by the Clean Water Act. The BMPs included within this SWPPP, are the results of the City carefully and thoughtfully evaluating the storm water discharges within the jurisdiction of the City. As a result, the City believes the implementation of these BMPs meet the prescribed maximum extent practicable standard.

### **MINIMUM CONTROL MEASURES (MCM'S)**

Marshall's SWPPP was first created and implemented in 2007. The SWPPP has been prepared to manage and reduce the discharge of pollutants from our MS4 to the maximum extent practicable (MEP). This will be accomplished through the implementation of the BMPs outlined within this SWPPP. BMPs have been prepared to address each of the six minimum control measures (MCM's) outlined in the General Permit. These six minimum controls measures (MCM's) are:

- Public education and outreach on stormwater impacts.
  - Distribute educational materials and perform outreach activities to inform residents of Marshall about how stormwater becomes polluted and the impacts polluted stormwater discharges can have on water quality.
- Public participation and involvement.
  - Provide opportunities for the residents of Marshall to participate in program development and implementation, including holding public hearings.
- Illicit discharge detection and elimination.

- Develop and implement a plan to detect and eliminate illicit discharges to the storm sewer system including updating the current storm sewer system map and informing the residents of Marshall about illegal discharges and improper disposal of waste.
- Construction site stormwater runoff control.
  - Develop, implement, and enforce an erosion and sediment control program including ordinances for construction activities.
- Post-construction stormwater management in new development and redevelopment.
  - Develop, implement, and enforce a program to address discharges of post-construction storm water run-off from new development and redevelopment areas.
- Pollution prevention/good housekeeping for municipal operations.
  - Develop and implement a program that either reduces or eliminates pollutant runoff from the City's operations.

For each of these six minimum control measures, appropriate BMPs have been identified along with measurable goals, an implementation schedule, and the persons responsible to complete each measure. The City of Marshall reserves the right to amend and/or delete the described BMPs based on the availability of funding for this program. Furthermore, the City may coordinate the responsibility of selected BMPs with other governing agencies such as community groups, non-profit organizations, soil and water conservation districts, watershed districts, watershed management organizations, school districts, University of Minnesota Extension, or county, regional, state, and federal government programs, which represent storm water within the City.

**MCM 1 - PUBLIC EDUCATION AND OUTREACH ON STORM WATER IMPACTS**

The public education program has been developed to distribute educational materials to the community or conduct equivalent outreach activities. The BMPs identified will focus of the impact of storm water discharges on streams, rivers, and wetlands, and the steps that the public can take to reduce pollutants in storm water runoff.

These activities have been prepared to individually address each of the six minimum control measures. For each minimum control measure, the education program identifies the audience or audiences involved, educational goals for each audience, activities used to reach educational goals for each audience, activity implementation plans, including responsible persons in charge, entities responsible for given activities, and schedules and performance measures that can be used to determine success in reaching educational goals.

The public education and outreach BMPs that will be undertaken include:

- 1) Produce and distribute information on illicit discharges, erosion, shoreline management, composting and pollution prevention and other applicable BMPs

- utilized in the SWPPP. This information may be distributed through City mailings, newsletters, utility bill stuffing, and on the City's Public Works website.
- 2) Incorporate public information on the SWPPP issues into a separate page on the City's website. The web page would specifically describe the SWPPP, each minimum control measure, the goals and actions planned by the City, provide links to BMPs, articles on each control measure, and collect feedback from site visitors.
  - 3) Provide training opportunities for the City Public Works and Community Services Department staff including erosion control, BMPs, good housekeeping, and pollution prevention. Training topics could include, but are not limited to:
    - a) MnDOT Erosion Control Certification
    - b) Storm Water Pollution Prevention Program Workshops
    - c) Best Management Practices Workshops
    - d) Brochures and publications distributed to staff
    - e) Smart Salting Training and Certification

## MCM 2 - PUBLIC PARTICIPATION/INVOLVEMENT

This minimum control measure requires that the City provide measures to receive public input and opinion on the adequacy of the SWPPP. This input can be received from public meetings, oral testimony, and written correspondence. To reach this goal, the City anticipates implementing the following BMPs:

- 1) Conduct an annual public meeting of the City's Storm Water Pollution Prevention Program and solicit opinion on the plan and consider written and oral input on the adequacy of the SWPPP.
- 2) The City intends to incorporate public information on SWPPP issues into a separate page on the City's website. The web page would specifically describe the SWPPP, each minimum control measure, the goals and actions planned by the City, provide links to BMPs, articles on each control measure, and collect feedback from site visitors.

## MCM 3 - ILLICIT DISCHARGE DETECTION AND ELIMINATION

A number of BMPs have been developed to implement and enforce a program to detect and eliminate illicit discharges into the municipal separate storm sewer system. These BMPs include:

- 1) Review existing city ordinances relating to illicit discharges and enforce illicit discharge ordinance(s).
- 2) Annually update all identified City-owned storm sewer conveyances (12" or greater) to reflect changes or additions to the storm sewer system. This will also identify all outfalls and discharge points leaving the City.
- 3) Continue to visually inspect and record all reported non-stormwater discharges within 24 hours of discovery and/or report.

- 4) Train City staff, implement procedures, and incorporate BMPs in handling equipment and hazardous materials used by the City.

#### MCM 4 - CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

A number of the BMPs have been developed and will be implemented and enforced to reduce pollutants and storm water runoff construction activities. These BMPs include:

- 1) Review and update current permit stipulations/City codes relating to project specific erosion and sediment control.
- 2) Every applicant for a City permit to allow land disturbing activities must submit a project specific stormwater management plan (if applicable) and/or erosion control plan to the City.
- 3) Provide a phone number, website, and point of contact for the public to report storm water pollution issues. Staff procedures for stormwater non-compliance are included in the BMP Summary Sheets.
- 4) Construction site operators must conform to NPDES Permit requirements and City ordinances pertaining to erosion and sediment controls and waste controls.
- 5) All erosion control inspections, violations, and remedial action taken by the City will comply with NPDES construction permit guidelines. New City Public Works and Community Services Department staff will be provided erosion control training within 3 years of the individual's hire date.

#### MCM 5 - POST CONSTRUCTION STORM WATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT

A program of BMPs has been prepared to address storm water runoff from new development and redevelopment projects that disturb equal to or greater than one acre of land. This program ensures that controls are in place that would prevent or minimize water quality impacts from development activities. These BMPs include:

- 1) Continue to use existing development review policies currently in place to address water quality, erosion control, and BMPs
- 2) City staff will document and record all repairs, maintenance or new construction of structural and non-structural BMPs used on City construction projects.
- 3) Annually review and document modifications to the BMP schedule as defined in the Public Works work schedule.

#### MCM 6 - POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

To meet the requirements of the pollution prevention and good housekeeping for municipal operations, a number of BMPs have been prepared. These BMPs include:

- 1) Perform annual inspection in a rotating schedule for the outfalls, sediment basins, and ponds within the city's storm sewer system as to all structural BMPs will have

- been inspected a minimum of once per permit cycle. The results of these inspections will be compiled in a report and include sediment levels, watershed information and record recommended maintenance and maintenance schedules.
- 2) Evaluating, annually inspecting, and modifying (if necessary) current BMPs in place on all exposed stockpiles, storage, and materials located within City owned property.
  - 3) The City will annually evaluate landscaping and lawn-care practices, which may include the use of fertilizers, pesticides, herbicides, lawn mowing, grass clipping collection, mulching and composting, and develop BMPs to reduce storm water pollution.
  - 4) The City will annually review practice and policies of road salt applications. The City will consider alternative products, calibration of equipment, inspection of vehicles and staff training to reduce pollutants from road deicing activities.
  - 5) The City will continue with the current street sweeping program, identify improvements, and implement changes to reduce storm water pollutants.
  - 6) The City will continue to utilize "Snow and Ice Management Policy, dated Jan 2023.
  - 7) The City will continue annual inspections of designated Salt Storage Sites, to ensure they are maintained to meet compliance.

## SWPPP PROGRAM

### GENERAL INFO

Marshall's SWPPP has been prepared to manage and reduce the discharge of pollutants from our MS4 to the maximum extent practicable (MEP) and to protect water quality. This will be accomplished through the implementation of a number of Best Management Practices (BMPs). BMPs have been prepared for each of the six minimum control measures. A description of each BMP, an implementation schedule, measurable goals that determine the success of benefit, and the person responsible to complete each BMP is included in the Appendix.

### TOTAL MAXIMUM DAILY LOADS (TMDL'S)

Specific water resources are especially sensitive to certain pollutants and the responsibility to protect, preserve and maintain these resources has been assigned, by law, statute and rule, to be borne by all or part of the upstream watersheds. Assignment of proportionate responsibility is accomplished by regulatory establishment of a Total Maximum Daily Load (TMDL), a scientific study process that determines the capacity of the water resource to accommodate specific pollutants and/or water quality components.

Several TMDLs have been established and approved that apply to the City of Marshall's MS4. Each TMDL addresses specific pollutants and the requirements of the city to reduce its contribution of those pollutants to certain water resources. Below are the approved TMDLs that apply to Marshall:

<b>TMDL Project Name</b>	<b>Pollutant</b>	<b>Approval Date</b>
Cottonwood River Watershed Fecal Coliform	Fecal Coliform	1/8/2014
Lower Minnesota River – Dissolved Oxygen	Phosphorus	Orig. 9/28/2004, modified 6/5/19
Redwood River Fecal Coliform	Fecal Coliform	1/21/2014
South Metro Mississippi TSS	Suspended Solids	4/26/2016
Minnesota River and Greater Blue Earth River TMDL for TSS	Suspended Solids	2/12/2020

Currently, there are two pending TMDL projects that will likely include the City of Marshall in the studies. The Statewide Chloride Management Plan is a statewide study aimed to help local government units, winter maintenance professionals, decision-makers, and others take action to protect Minnesota's water resources from chloride pollution. The other project in progress is the Lake Pepin Watershed – Excess Nutrients: TMDL project. This TMDL will likely include requirements for reduction of phosphorus into the Minnesota River Basin that drain into Lake Pepin.

#### STORMWATER MAPPING

MPCA requires that all permittees develop, update and maintain a storm sewer map that includes the following:

- 1) The permittee's entire MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes;
- 2) Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinates;
- 3) Structural stormwater BMPs that are part of the permittee's MS4; and
- 4) All receiving waters.

Marshall, in coordination with Marshall Municipal Utilities (MMU), maintains a GIS map that depicts all of the requirements as outlined by the MPCA. The city continually aims to update information included in the map including corrections, additions of new infrastructure, and addition of additional details as necessary.

#### STORMWATER MODELING

In 2020, the city contracted with Bolton & Menk to prepare a city-wide storm water model. There were several objectives of the development of the model including:

- Evaluation of the function and efficiency of the current storm sewer system
- Identification of watershed areas and creation of watershed map of the city
- Areas of concern during variable precipitation events
- Recommendations for improvements for storm sewer main

- Function, treatment volume, and analysis of structural BMPs within the city's MS4 (both city-owned and privately-owned)
- Ascertain the City's level of compliance with existing TMDL's associated with Total Suspended Solids (TSS) and Total Phosphorous (TP)

Development and utilization of the stormwater model allows City staff to evaluate the existing system and identify current inefficiencies that exist within the storm water system. Staff will also be able to identify, prioritize, and scope stormwater improvement projects and their effect on the overall storm sewer system. This model will also allow for more effective evaluation of proposed BMPs within the MS4 and weighing their potential benefit against estimated cost. With these improvements to efficiency and evaluation, City staff can more effectively identify projects with limited funding sources and evaluate the current level of compliance with MPCA-mandated TMDL's.

### TYPES OF BMP'S

As mentioned previously, BMPs are categorized in two ways, Structural and Non-Structural. All of the city's BMPs are described in the BMP Summary Sheets included in the Appendix.

The potential number of Non-Structural BMPs available for implementation is incredibly large. Non-Structural BMPs focus on operational practices like street sweeping, educational programs, etc. MS4s have the potential to create and implement countless non-structural BMPs based on facets including targeted pollutants, involved parties, funding potential, targeted audiences, and other considerations.

The MPCA has released a list of Structural BMPs that have quantifiable reductions to several pollutants. Structural BMPs include infrastructure such as constructed basins, filters, infiltrators, swales/strips, manufactured devices, chemical treatment systems, and others. As of 2022, within the City of Marshall MS4, there are 37 wet detention ponds, 13 dry ponds, 9 wetlands, and several other structural BMPs.

### SWPPP FUNDING

The City of Marshall uses a combination of funding mechanisms to finance various stormwater projects within the MS4 system. The Surface Water Management Utility fund was implemented to finance the administration, planning, implementation and maintenance of surface water programs. The utility can finance water quality monitoring, sediment and erosion control projects, stream and pond management activities, drainage system maintenance and improvement, and wetland protection. The utility fee is typically charged against all parcels within a city. The fee is based on how much water runoff is contributed by a particular parcel.

Stormwater projects that provide benefit to only a few properties may be partially funded through Special Assessments. Those assessments will be calculated based upon several factors including, but not limited to, construction cost, contributing property area, and implied

benefit. When City staff prioritizes stormwater improvement projects and selects those projects for construction, a thorough review of the estimated cost will be completed including identification of appropriate funding sources and availability of funds.

## SUMMARY

The city values public involvement both in the implementation of the SWPPP but also in the planning and review of the plan. Each year, staff will hold an annual meeting to collect public input on the plan to identify potential improvements from its citizens. Outside of the public meeting, public input will be collected whenever residents, property owners and other interested parties provide comments regarding the SWPPP. Any comments collected will be evaluated and potentially included in future revisions of the city's SWPPP to ensure that the plan continues to be up-to-date and relevant to the needs of the community and environment.

The City of Marshall has prepared this SWPPP plan to provide an approach to restrict, reduce and potentially eliminate sources of pollutant and illicit discharges into area wetlands, streams, ditches and rivers. The approach laid out throughout this SWPPP includes the combination of public education, operational practices, enforcement of regularly mechanisms, infrastructural components, and other Best Management Practices.





# APPENDIX

## GLOSSARY AND ACRONYMS

The following glossary has been prepared as part of the League of Minnesota Cities (LMC) NPDES Guide Plan and contains terms used within the NPDES permit document, the LMC Guide Plan Material, and this Storm Water Pollution Prevention Plan. Although some specific terms have been added from the Minnesota Pollution Control Agency (MPCA) pertaining to the general permit requirements, most came directly from the Environmental Pollution Control Agency (EPA) Compliance Assistance Guide.

**Best Available Treatment (BAT)/Best Control Technology (BCT):** A level of technology based on the very best (state of the art) control and treatment measures that have been developed or are capable of being developed and that are economically achievable within the appropriate industrial category.

**Best Management Practices (BMPs):** Activities or structural improvements that help reduce the quantity and improve the quality of storm water runoff. BMPs include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Clean Water Act (Water Quality Act):** (formerly the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972). Public law 92-500; 33 U.S.C. 1251 et seq.; legislation which provides statutory authority for the NPDES program. Also known as the Federal Water Pollution Control Act.

**Common Plan of Development or Sale:** Means a contiguous area where multiple separate and distinct construction activities are planned to occur at different times on different schedules under one plan, e.g., a housing development of five ¼ acre lots (40 CFR Sec. 122.26 (b)(15)(i)).

**Conveyance:** The process of water moving from one place to another.

**Discharge:** The volume of water (and suspended sediment if surface water) that passes a given location within a given period of time.

**Discharge Monitoring Report:** The required annual report to be submitted by an MS4.

**Discretionary MS4:** A small MS4 who is required to comply with the NPDES General Permit due to the permitting agency's (MPCA's) designated criteria.

**Dry Weather Flow:** Continued flow through the storm sewer system drains during dry weather conditions that usually indicate illicit connections into the storm sewer system.

**Erosion:** When land is diminished or worn away due to wind, water, or glacial ice. Often the eroded debris (silt or sediment) becomes a pollutant via storm water runoff. Erosion occurs

naturally but can be intensified by land clearing activities such as farming, development, road building, and timber harvesting.

**Excavation:** The process of removing earth, stone, or other materials from land.

**General Permit:** A permit issued under the NPDES program to cover a certain class or category of storm water discharges whose operations, emissions, discharges, or facilities are the same or substantially similar. These permits reduce the administrative burden of permitting storm water discharges.

**Grading:** The cutting and/or filling of the land surface to a desired slope or elevation.

**Illicit Discharge:** Any discharge to a municipal separate storm sewer that is not composed entirely of storm water, has measurable flow and are significant contributors of pollutants; and is not authorized by a separate NPDES permit or included in an approved SWPPP.

**Industrial Activity:** Any activity that is directly related to manufacturing, processing, or raw materials storage at an industrial plant.

**Large Municipal Separate Storm Sewer System (MS4):** An MS4 located in an incorporated place or county with a population of 250,000 or more, as determined by Appendix A Page A-3 Storm Water Phase II Compliance Assistance Guide the latest U.S. Census.

**Light Manufacturing Facilities:** Described under Category (xi) of the definition of "storm water discharges associated with industrial activity." [40 CFR 122.26(b)(14)(xi)] Under the Phase I NPDES Storm water Program, these facilities were eligible for exemption from storm water permitting requirements if certain areas and activities were not exposed to storm water. As a result of the Phase II Final Rule, these facilities must now certify to a condition of no exposure.

**Mandatory MS4:** A small MS4 who is required to comply with the NPDES General Permit due to the criteria set by the USEPA. Any publicly owned MS4 with a population greater than 10,000 located in an UA (Urbanized Area).

**Maximum Extent Practicable (MEP):** A standard for water quality protection that applies to all MS4 operators regulated under the NPDES Storm water Program. Since no precise definition of MEP exists, it allows for flexibility on the part of MS4 operators as they develop and implement their programs.

**Measurable Goals:** Goals required for the NPDES Phase II permit under each Minimum Control Measure and intended to gauge permit compliance and program effectiveness.

**Medium Municipal Separate Storm Sewer System (MS4):** MS4 located in an incorporated place or county with a population of 100,000 or more but less than 250,000, as determined by the latest U.S. Census.

**Minimum Control Measure:** If coverage is obtained under a general permit or an individual permit under the Phase II regulations, the operator of a regulated small MS4 is required to implement a storm water management program that includes, at a minimum, the six minimum control measures.

**Municipal Separate Storm Sewer System (MS4):** A publicly-owned conveyance or system of conveyances that discharges to waters of the U.S. or waters of the State, and is designed or used for collecting or conveying storm water, is not a combined sewer, and is not part of a publicly-owned treatment works (POTW).

**No exposure:** All industrial materials or activities that are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product or waste product.

**Non-authorized States:** Any State that does not have the authority to regulate the NPDES Stormwater Program.

**Non-point Source (NPS) Pollutants:** Pollutants from many diffuse sources. NPS pollution is caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters, and even our underground sources of drinking water.

**Notice of Intent (NOI):** An application to notify the permitting authority of a facility's intention to be covered by a general permit; exempts a facility from having to submit an individual or group application.

**NPDES (National Pollutant Discharge Elimination System):** The name of the surface water quality program authorized by Congress as part of the 1987 Clean Water Act. This is EPA's program to control the discharge of pollutants to waters of the United States (see 40 CFR 122.2). In Minnesota, the MPCA is the permitting authority and also controls the discharge of pollutants to the waters of the State.

**O&M Expenditures:** The operating and maintenance costs associated with the continual workings of a project.

**Outfall:** The point where storm water discharges from a sewer pipe, ditch, or other conveyance to a receiving body of water.

**Permitting Authority (PA):** The NPDES-authorized state agency or EPA regional office that administers the NPDES Storm water Program. PAs issue permits, provide compliance assistance, and inspect and enforce the program.

**Physically interconnected MS4:** This refers to an MS4 that is connected to a second MS4 in such a way that it allows for direct discharges into the second system.

**Point Source Pollutant:** Pollutants from a single, identifiable source such as a factory or refinery.

**Pollutant Loading:** The total quantity of pollutants in storm water runoff discharged to receiving waters.

**Regulated MS4:** Any MS4 covered by the NPDES Storm water Program (regulated small, medium, or large MS4s).

**Retrofit:** The modification of storm water management systems through the construction and/or enhancement of wet ponds, wetland plantings, or other BMPs designed to improve water quality.

**Runoff:** Surface water drainage or flood discharge that leaves an area as surface flow or as pipeline flow and can reach a channel or pipeline by either surface or sub-surface routes.

**Sanitary Sewer:** A system of underground pipes that carries sanitary waste or process wastewater to a treatment plant.

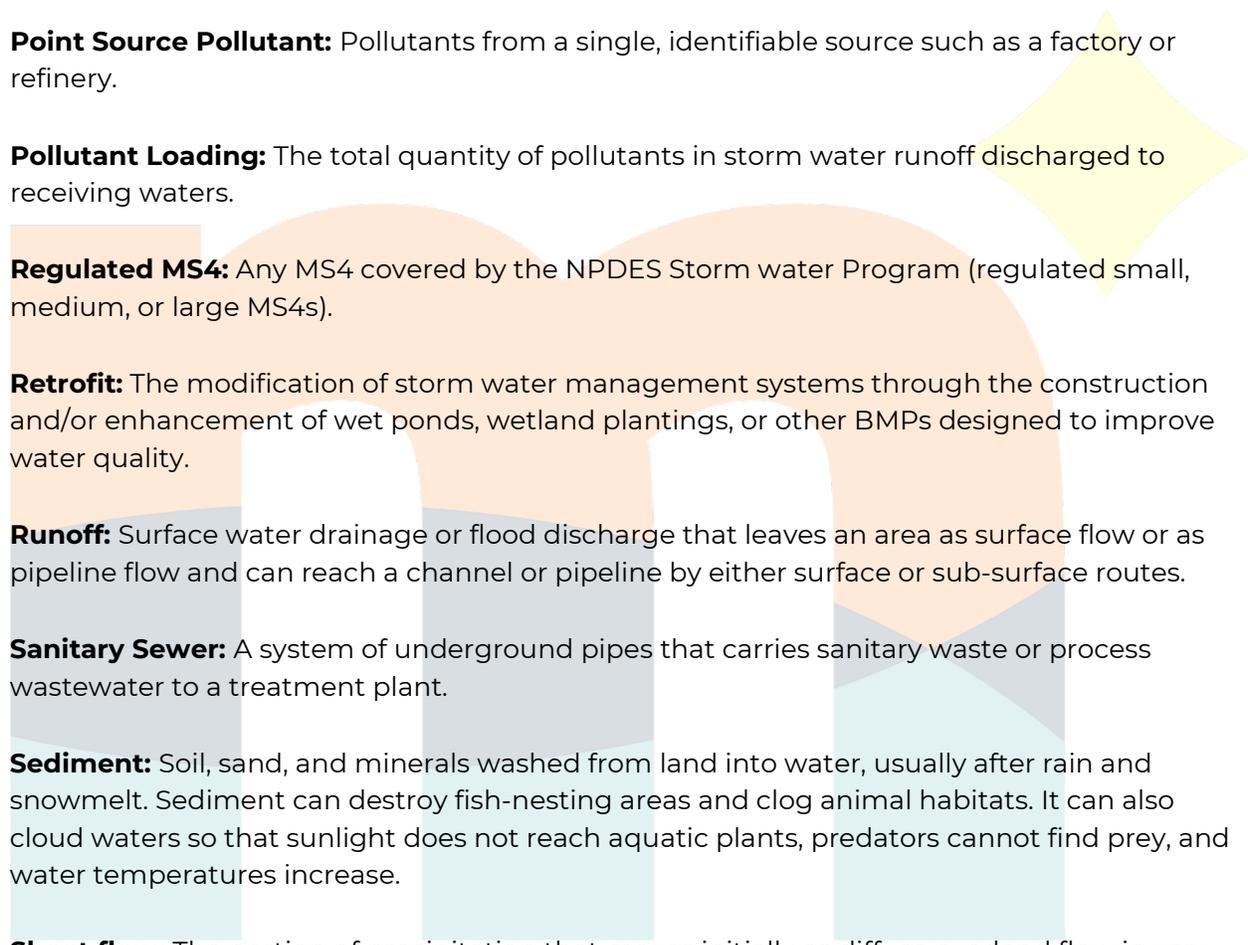
**Sediment:** Soil, sand, and minerals washed from land into water, usually after rain and snowmelt. Sediment can destroy fish-nesting areas and clog animal habitats. It can also cloud waters so that sunlight does not reach aquatic plants, predators cannot find prey, and water temperatures increase.

**Sheet flow:** The portion of precipitation that moves initially as diffuse overland flow in very shallow depths before eventually reaching a stream channel.

**Site Plan:** A graphical representation of a layout of buildings and facilities on a parcel of land.

**Site Runoff:** Any surface drainage or flood discharge that is released from a specified area.

**Small Municipal Separate Storm Sewer System (MS4):** Any MS4 that is not regulated under Phase I of the NPDES Storm water Program and Federally-owned MS4s.



**Stakeholder:** An entity that holds a special interest in an issue or program -- such as the storm water program -- since it is or may be affected by it.

**Standard Industrial Classification (SIC) Code:** A four-digit number, which is used to identify various types of industries.

**Storm Drain:** A slotted opening leading to an underground pipe or an open ditch intended to carry surface water runoff, such as a catch basin.

**Storm water Management:** Functions associated with planning, designing, constructing, maintaining, financing, and regulating the facilities (both constructed and natural) that collect, store, control, and/or convey storm water.

**Storm water Pollution Prevention Program (SWPPP):** A program to describe a process whereby an MS4 thoroughly evaluates potential pollutant sources and selects and implements appropriate measures designed to prevent or control the discharge of pollutants in storm water runoff.

**Surface Water:** Water that remains on the surface of the ground, including rivers, lakes, reservoirs, streams, wetlands, impoundments, seas, estuaries, etc.

**Total Maximum Daily Load (TMDL):** The maximum amount of pollutants that can be released into a water body without adversely affecting the water quality.

**Tool Box:** A term to describe the activities and materials that EPA plans to perform/produce to facilitate implementation of the storm water program in an effective and cost-efficient manner. The eight components include: 1) fact sheets; 2) guidance documents; 3) menu of BMPs; 4) compliance assistance; 5) information clearing house; 6) training and outreach efforts; 7) technical research; and 8) support for demonstration projects.

**Urbanized Area (UA):** A Census Bureau determination of a central place (or places) and the adjacent densely settled surrounding territory that together have a minimum residential population of 50,000 people and a minimum average density of 1,000 people/square mile. This is a simplified definition of a UA, the full definition is very complex.

**Urban Runoff:** Storm water from urban areas, which tends to contain heavy concentrations of pollutants from urban activities.

**Watershed:** That geographical area which drains to a specified point on a watercourse, usually a confluence of streams or rivers (also known as drainage area, catchment, or river basin).

**Waters of the State:** All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or

accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

**Waters of the US:** All waters that are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide and all interstate waters including interstate wetlands. For a full description, visit the US Army Corps of Engineering website (40 CFR 122.2) at [www.usace.army.mil](http://www.usace.army.mil)

**Wet Weather Flows:** Flow that enters storm drains during rainstorms or wet weather events.

## ACRONYMS

As the regulatory world develops, it becomes increasingly difficult to remember acronyms. The following list has been prepared as part of the League of Minnesota Cities (LMC) NPDES Guide Plan and contains acronyms used within the NPDES permit document, the LMC Guide Plan Material and this Storm Water Pollution Prevention Plan.

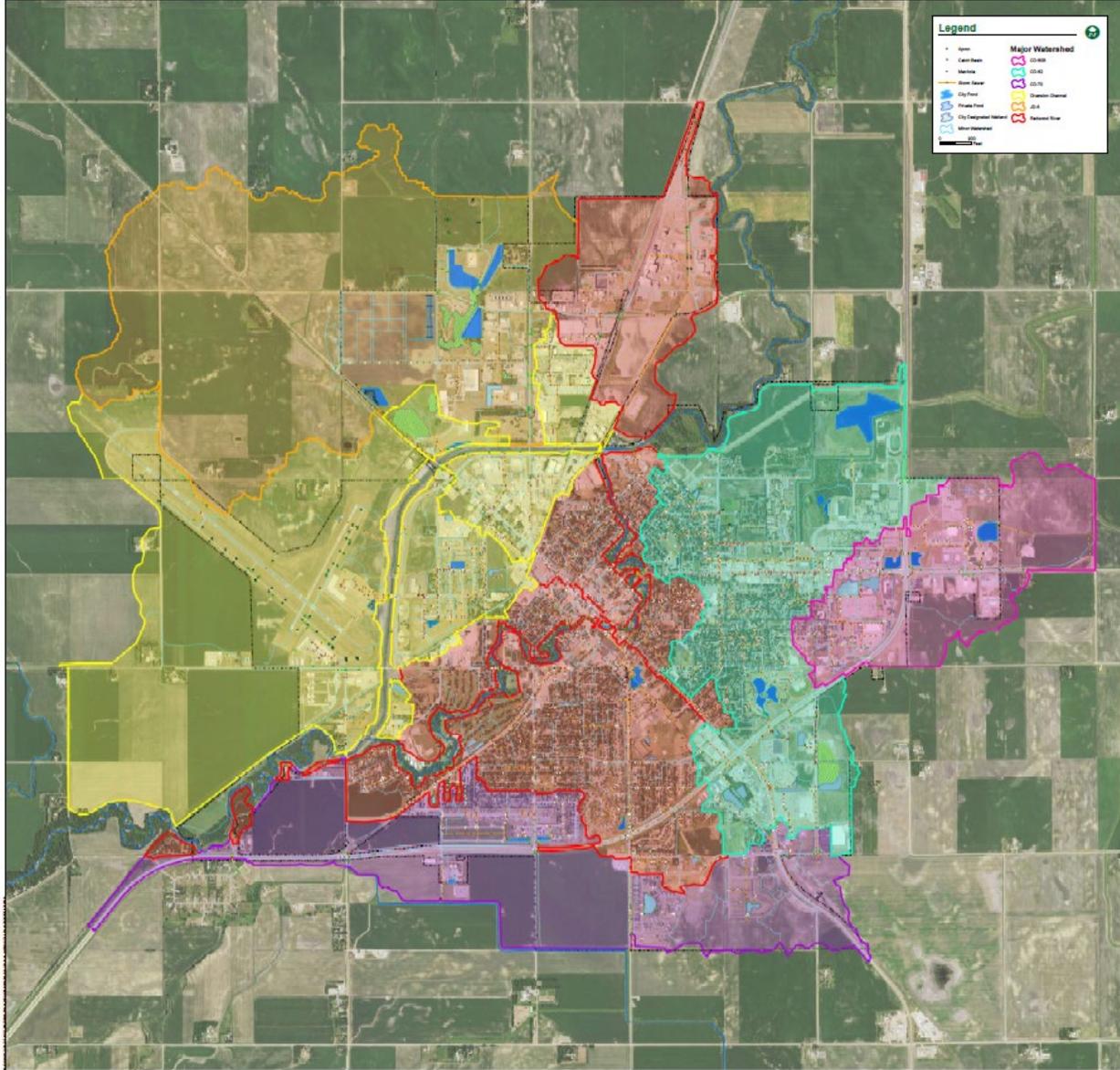
- BAT** ..... Best Available Technology Economically Achievable (applies to non-conventional and toxic pollutants)
- BCT** ..... Best Conventional Pollutant Control Technology (applies to conventional pollutants)
- BMP** ..... Best Management Practice
- BPJ** ..... Best Professional Judgment
- BPT** ..... Best Practicable Control Technology Currently Available (generally applies to conventional pollutants and some metals)
- CFR** ..... Code of Federal Regulations
- COD** ..... Chemical Oxygen Demand
- CSO** ..... Combined Sewer Overflow
- CWA** ..... Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972)
- CZARA** ... Coastal Zone Act Reauthorization Amendments
- D.O.** ..... Dissolved Oxygen
- DMR** ..... Discharge Monitoring Report
- ELG** ..... Effluent Limitations Guidelines
- EPA** ..... Environmental Protection Agency
- FR** ..... Federal Register
- GIS** ..... Geographic Information Systems
- HAZMAT** Hazardous Material
- LMC** ..... The League of Minnesota Cities
- MCD** ..... Minor Civil Division

**MCM** ..... Minimum Control Measure  
**MEP** ..... Maximum Extent Practicable  
**MEPA** ..... Minnesota Environmental Policy Act  
**MPCA** ..... Minnesota Pollution Control Agency  
**MS4** ..... Municipal Separate Storm Sewer System  
**MSGP** ..... Multi Sector General Permit  
  
**NEPA** ..... National Environmental Policy Act  
**NOI** ..... Notice of Intent  
**NOT** ..... Notice of Termination  
**NPDES** .... National Pollutant Discharge Elimination System  
**NPS** ..... Non-point Source  
  
**O&M** ..... Operation and Maintenance  
**OW** ..... Office of Water  
**OWM** ..... Office of Wastewater Management  
**ORVW** .... Outstanding Resource Value Waters  
  
**PA** ..... Permitting Authority  
**POTW** .... Publicly Owned Treatment Works  
  
**SIC** ..... Standard Industrial Classification  
**SWPPP** .... Storm Water Pollution Prevention Program  
  
**TMDL** ..... Total Maximum Daily Load  
**TSS** ..... Total Suspended Solids  
  
**UA** ..... Urbanized Area  
**USEPA** .... United States Environmental Protection Agency  
**USGS** ..... United States Geological Survey

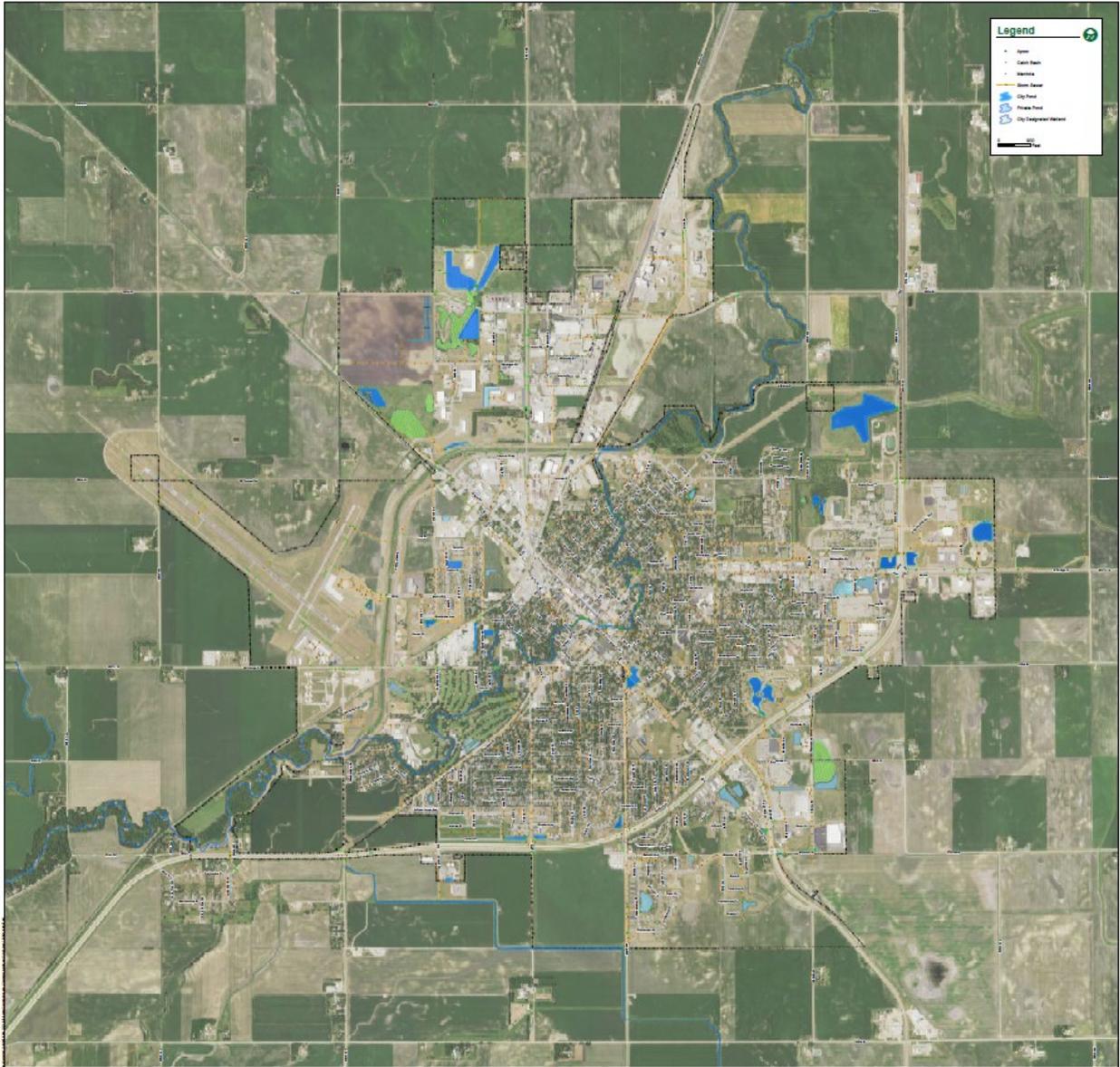


# STORMWATER MODELING

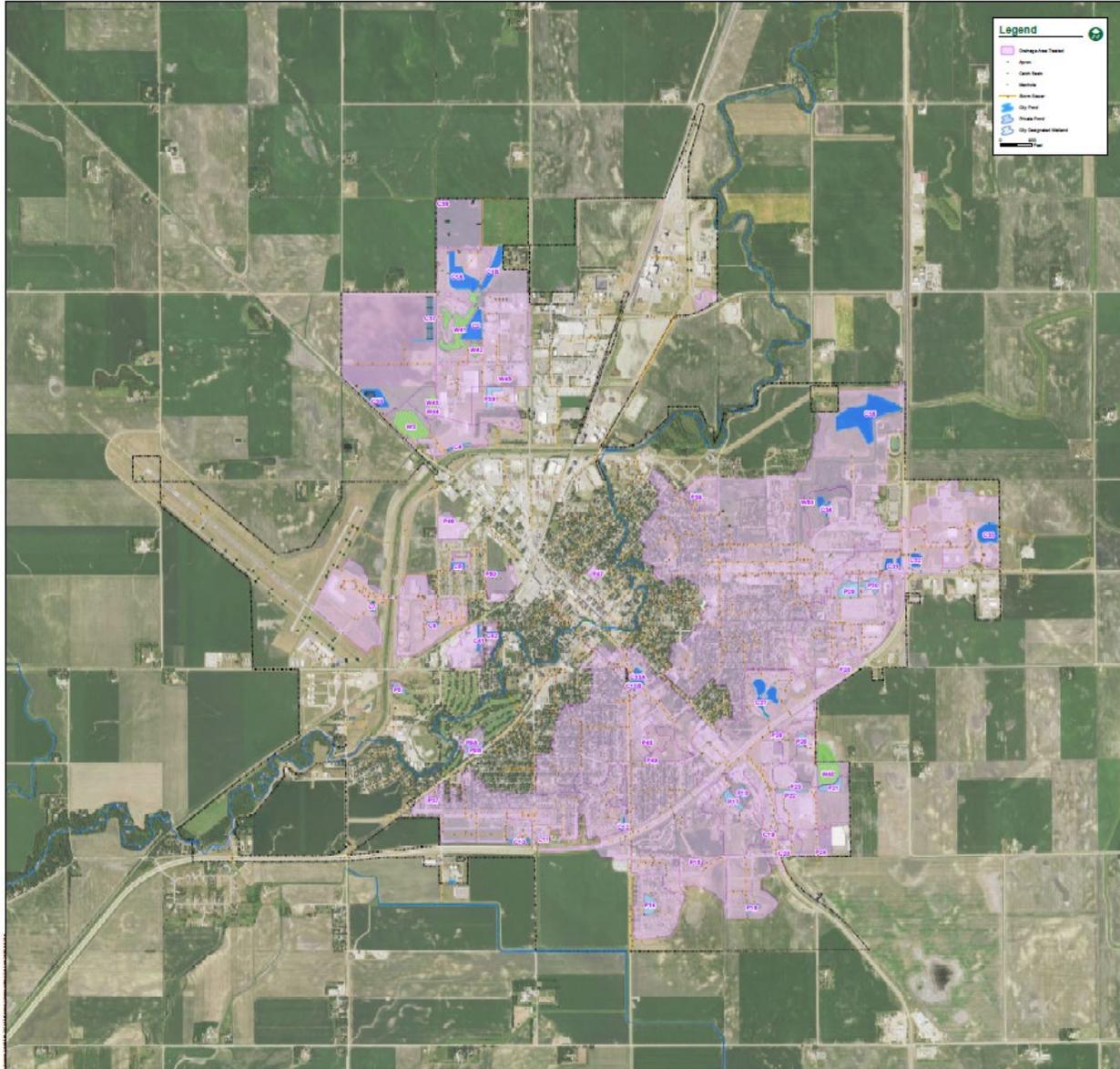
## WATERSHED MAP



# STORMWATER SYSTEM MAP



# STORMWATER TREATMENT MAP



# STRUCTURAL BMP INVENTORY

## Stormwater BMP Inventory City of Marshall, Minnesota 4/16/2021



BMP ID Number	BMP Type	BMP Common Name	Drainage Area (Acres)	Impervious Area (Acres)	Pervious Area (Acres)	TSS Loading (Lbs)	TP Loading (Lbs)	TH Loading (Lbs)	TSS Removed (Lbs)	TP Removed (Lbs)	TH Removed (Lbs)
C-1A	Pond (Dry)	Merit Track Pond #1 West of Driving Track	47.96	1.29	46.67	1,105	5.3	41	939	8.2	21
C-1B	Pond (Dry)	Merit Track Pond #1 East of Driving Track	26.09	0.32	25.38	502	2.4	18	427	1.4	9
C-2	Pond (Wet)	Merit Center Pond South of CORO 33 adjacent to Merit Office Bldg	132.47	62.58	69.89	19,538	93.2	717	16,807	46.6	215
W-3	Wetland	North of TH 68 and West of Lake Road Wetland Bank	21.86	2.29	19.57	979	4.7	36	715	1.8	11
C-4	Pond (Dry)	Senstogard Pond # 2 East of Lake Road (hot dog pond)	31.30	3.29	28.01	1,405	6.7	52	1,194	4.0	26
C-5	Pond (Dry)	Abraxton Park Pond north of Dublin Street	5.40	0.44	4.96	207	1.0	8	176	0.6	4
C-6	Pond (Wet)	South and adjacent to Stockholm Ave	65.47	16.55	48.92	5,639	26.9	207	4,793	13.5	62
C-7	Pond (Dry)	Alport Ind. Park Pond	70.86	7.30	63.56	3,139	15.0	115	2,868	9.0	58
P-8	Pond (Wet)	Marshall Golf Course West of Fairgrounds Road	2.17	0.04	2.13	45	0.2	2	38	0.1	1
P-9A	Pond (Wet)	Marshall Golf Course East of Club House North of Country Club Drive North Pond	5.27	0.51	4.76	224	1.1	8	190	0.6	2
P-9B	Pond (Wet)	Marshall Golf Course East of Club House North of Country Club Drive South Pond	3.00	0.21	2.79	105	0.5	4	89	0.3	1
C-10	Pond (Wet)	Cam Sub One Addition Pond North of TH 23 and West of Iowa State Drive	86.57	31.50	55.07	30,143	48.4	372	8,622	24.2	112
C-11	Pond (Wet)	Stephen Ave Pond east of south 4th street near TH 23	51.48	18.75	32.73	6,037	28.8	222	5,131	14.4	67
C-12	Pond (Wet)	Saratoga Street Pond west of Saratoga Street and North of TH 23	46.76	16.69	30.07	5,388	25.7	198	4,580	12.9	59
C-13A	Pond (Dry)	Tiger Lake Pond East side of rock weir	18.51	8.92	9.59	2,779	13.3	102	2,362	8.0	51
C-13B	Pond (Wet)	Tiger Lake Pond West side of rock weir also Outfall for both ponds located north side of this pond	402.44	147.32	255.12	47,399	226.1	1,739	40,289	113.1	522
P-14	Pond (Wet)	Majestic Pond East side of Thunderbird Road near intersection of Denall Street	45.54	14.10	31.44	4,646	22.2	170	3,949	11.1	51
P-15	Pond (Wet)	Windstar Pond North of Windstar Street and West of Iowa State Drive	27.90	4.05	23.85	1,564	7.5	57	1,329	3.8	17
P-16	Pond (Wet)	Stonebridge Pond North of Granite Trail and East of Gnyx Drive	53.09	12.79	40.30	4,397	21.0	161	3,737	10.5	48
P-17	Pond (Wet)	Canoga Park Pond East of Canoga Park Drive and North of Canoga Park Circle	45.03	12.37	32.66	4,154	19.8	152	3,531	9.9	46
P-18	Pond (Wet)	Lyon Coop Addition Pond West side of Parcel South of TH 23	16.22	8.44	7.78	2,609	12.4	96	2,218	6.2	29
C-19	Pond (Wet)	Floyd Wild Drive Pond South of Boyer Drive West of TH 59	12.61	6.86	5.75	2,112	10.1	78	1,795	5.1	23
C-20	Pond (Wet)	East Main Pond, East of TH 59 and South of Windstar Street	12.61	6.16	6.45	1,916	9.1	70	1,629	4.6	21
P-21	Pond (Wet)	Minerals Pond North of Boyer Drive and East of Clarice Ave	25.96	0.27	25.68	478	2.3	18	406	1.2	5
P-22	Pond (Wet)	Walmart Pond North of Store Parking Lot	36.17	30.68	5.49	9,076	43.3	333	7,715	21.7	100
P-23	Pond (Wet)	Shoiko Pond located behind store in the South East Corner of Parcel	7.62	4.27	3.35	1,311	6.3	48	1,114	3.2	14
P-24	Pond (Wet)	Clarice Ave Pond East of Clarice Ave and North of Windstar Street	15.75	8.83	6.92	2,711	12.9	99	2,304	6.5	30
P-25	Pond (Wet)	Baseline Road Pond West of Clarice Ave North of Susan Drive Newkama Addition	29.53	8.12	21.41	2,727	13.0	100	2,318	6.5	30
P-26	Pond (Wet)	Running Pond South of TH 23 and West of Baseline Road	14.75	5.55	9.20	3,779	8.5	65	3,512	4.3	20
C-27	Pond (Wet)	Independence Park Pond North of TH 23 and South of East Lyon Street	175.83	88.12	87.71	27,345	130.5	1,008	23,243	65.3	301
P-28	Pond (Wet)	American Inn Pond South of East Lyon Street and North of TH 23	16.42	6.79	9.63	2,152	10.3	79	1,829	5.2	24
P-29	Pond (Wet)	KMH Radio Pond South of East College Drive and West of Market Street	10.54	3.29	7.25	1,083	5.2	40	921	2.6	12
P-30	Pond (Wet)	McFarland Pond South of East College Drive and West of Oconnell Street	111.25	59.44	51.81	18,331	87.5	673	15,581	43.8	202
C-31	Pond (Wet)	SMSU Pond North of East College Drive and West of TH 23	34.54	22.48	12.06	6,816	32.5	250	5,794	16.3	75
C-32	Pond (Wet)	Minnesota Pond East of TH 23 and North of TH 19	38.14	19.84	18.30	6,134	29.3	225	5,214	14.7	68
C-33	Pond (Wet)	Arenator Football Complex North of TH 19 and East Tiger Drive	110.84	37.36	73.48	12,296	58.7	451	10,452	29.4	125
C-34	Pond (Wet)	SMSU Metrix Stadium Complex West of Stadium North of Birch Street	26.56	1.01	25.55	894	3.3	25	590	1.7	8
C-35	Pond (Wet)	University Pond West of TH 23 and North of SMSU Complex	717.36	246.93	470.43	80,113	382.2	2,940	68,096	191.1	882
C-36	Pond (Wet)	Merit Center Pond Northwest corner of Parcel	42.64	0.00	42.64	662	3.2	24	563	1.6	7
P-36	Pond (Wet)	North Street Pond West of Dano Circle South of North 4th Street	15.46	4.70	10.76	1,553	7.4	57	1,320	3.7	17
P-37	Pond (Wet)	On the Golden Pond South of Country Club Drive and West Travis Road	2.98	0.88	2.10	237	1.1	9	201	0.6	3
C-37	Pond (Dry)	Commerce Industrial Park South of CORO 33 and West of Merit Center Office Complex	120.51	3.58	116.93	3,610	14.4	110	2,558	8.6	45
C-38	Pond (Dry)	Commerce Industrial Park North TH 68 and West of Lake Road	72.06	4.72	67.33	2,437	11.6	89	2,071	7.0	45
P-39	Pond (Dry)	Titan Machinery Pond West of TH 68 and South of Michigan Road	34.63	7.96	26.67	2,781	13.2	101	2,347	7.9	51
W-41	Wetland	Merit Center Wetland South and North of CORO 33	39.87	1.87	38.00	1,141	5.4	42	833	2.1	13
W-42	Wetland	MMIA Wetland North of Michigan Road and West of Halbur Road	6.08	0.45	5.63	220	1.0	8	161	0.4	2
W-43	Wetland	Beverage Wholesaler Wetland West of Lake Road west portion of their Parcel	9.86	0.00	9.86	153	0.7	6	112	0.3	2
W-44	Wetland	Action Track Chain Wetland West of Lake Road west portion of their Parcel	2.96	0.00	2.96	46	0.2	2	34	0.1	1
W-45	Wetland	Westman Freightliner Pond West of TH 59 and South of Michigan Road	3.47	1.55	1.92	487	2.3	18	356	0.9	5
P-46	Pond (Wet)	Marshall Truss East of London Road North of Paris Road	10.97	8.67	2.30	2,592	12.4	95	2,203	6.2	29
P-47	Pond (Wet)	Heritage Point Pond West of North 4th Street and located in front of their Main Building	2.58	2.58	0.00	761	3.6	28	647	1.8	8
P-48	Pond (Dry)	Southview School Site South Pond North of Southview Drive and Northwest of Building	8.53	6.43	2.10	1,529	9.2	71	1,640	5.5	26
P-49	Pond (Dry)	Southview School Site South Pond North of Southview Drive and Southwest of Building	13.00	13.00	0.00	3,833	18.3	141	3,258	11.0	71
P-50	Pond (Wet)	Legion Field Apartment Complex Pond east of Legion Field Road North of Madrid Road	14.25	1.06	13.19	517	2.5	19	439	1.3	6
W-48	Wetland	Wetland East Clarice Ave and South of Susan Drive Township Road which is heading East	11.11	0.64	10.47	351	1.7	13	256	0.6	4
W-49	Wetland	Verkhoren Wetland Area East of Clarice Ave North of Susan Drive Township Road Heading East	23.93	1.17	22.76	698	3.3	26	510	1.3	8
W-50	Wetland	SMSU Wetland West of Stadium Complex	1.70	0.00	1.70	26	0.1	1	19	0.0	0
C-41	Pond (Dry)	Legion Field	20.91	17.30	3.61	5,157	24.6	189	4,363	14.8	95
C-42	Pond (Dry)	Legion Field	5.28	0.15	5.13	124	0.6	5	105	0.4	3
<b>BMP Totals</b>			<b>3,074.23</b>	<b>1,403.54</b>	<b>2,070.69</b>	<b>127,773</b>	<b>1,554.8</b>	<b>12,828</b>	<b>116,114</b>	<b>794.5</b>	<b>3,823</b>
<b>City of Marshall Totals</b>			<b>6,579.04</b>	<b>2,096.00</b>	<b>4,473.04</b>	<b>687,526</b>	<b>3,279.9</b>	<b>25,230</b>	<b>276,114</b>	<b>794.5</b>	<b>3,823</b>
Estimated Total Suspended Solids Removal =										40.5%	
Estimated Total Phosphorus Removal =										24.2%	
Estimated Total Suspended Solids Removal =										15.2%	



# STORMWATER OUTFALL INVENTORY

## Stormwater Outfall Inventory City of Marshall, Minnesota 4/16/2021



Outfall ID	DESC.	Total Drainage Area (Acres)	Impervious Area (Acres)	Pervious Area (Acres)	BMFs	Treated Area (Acres)	TSS Loading (lb/d)	TP Loading (lb/d)	TN Loading (lb/d)	TSS Removal (lb/d)	TP Removal (lb/d)	TN Removal (lb/d)
1	Unknown	4.49	0.10	4.39	-		162	0.8	6			
2	Unknown	3.99	0.71	3.28	-		158	1.6	12			
3	2-1/2" RCP	4.30	0.01	4.29	-		98	0.8	2			
4	Unknown	2.84	0.09	2.75	-		75	0.2	2			
5	Unknown	2.91	0.16	2.75	-		90	0.4	3			
6	Unknown	1.45	0.06	1.39	-		10	0.2	1			
7	12" RCP	26.45	4.29	22.16	-		1,296	6.4	49			
8	30" RCP	11.00	4.80	6.20	-		1,452	6.9	51			
9	5" In	715.79	54.88	660.91	-		17,025	128.9	992			
10	18" RCP	1.86	1.49	0.37	-		445	2.1	16			
11	24" RCP	2.49	1.45	1.04	-		581	2.8	21			
12	30" RCP	70.85	7.40	63.45	C-7	70.85	4,128	19.0	115	1,608	6.0	18
13	2-Unknown	65.31	51.52	13.79	-		15,404	78.5	565			
14	12" RCP	1.81	0.35	1.46	-		76	0.6	5			
15	54" RCP	187.84	65.52	122.32	C-5, C-6, P-62	85.12	18,818	94.5	727	5,408	15.4	72
16	24" RCP	1.81	0.25	1.56	-		46	0.3	2			
17	48" RCP	551.36	21.44	529.92	-		14,544	68.4	534			
18	30" RCP	14.03	4.03	10.00	-		1,384	6.4	49			
19	30" RCP	20.46	5.52	14.94	-		1,859	8.8	68			
20	Unknown	187.76	5.21	182.55	-		4,129	19.4	148			
21	30" RCP	3.44	1.43	2.01	-		162	2.7	21			
22	30" RCP	75.43	6.52	68.91	C-88	75.05	2,281	11.8	106	2,071	7.0	45
23	24" RCP	21.86	3.29	18.57	W-3	21.86	679	4.7	36	715	1.8	11
24	Unknown	31.40	6.29	25.11	C-4	31.40	1,405	6.7	52	1,194	4.0	26
25	24" RCP	15.52	6.81	8.71	-		2,085	14.2	109			
26	18" RCP	2.78	2.44	0.34	-		647	3.4	26			
27	24" RCP	4.93	0.81	4.12	-		163	0.8	6			
28	18" RCP	0.38	0.08	0.30	-		51	0.4	3			
29	54" RCP	85.41	55.77	29.64	P-65	85.87	16,611	80.7	631	2,309	6.2	29
30	18" RCP	2.14	1.49	0.65	-		145	2.7	21			
31	42" RCP	97.30	64.53	32.77	-		20,452	98.5	758			
32	30" RCP	26.50	4.47	22.03	-		1,680	7.8	61			
33	30" RCP	14.70	6.99	7.71	-		2,145	10.2	79			
34	30" RCP	28.00	6.11	21.89	-		2,145	10.2	79			
35	48" RCP	261.69	144.45	117.24	-		16,021	79.4	1,489			
36	24" RCP	0.90	0.62	0.28	-		1,109	5.6	42			
37	60" R-54" RCP	1,422.86	444.76	978.10	C-17, C-18, C-19, P-17, P-18, P-21, P-22, P-23, P-25, P-26, P-28, W-41, W-42, W-45	1,187.02	144,434	699.8	5,802	112,848	216.7	1,484
38	18" RCP	39.21	24.99	14.22	-		2,299	16.8	129			
39	18" RCP	17.48	6.15	11.33	-		2,544	12.1	93			
40	30" RCP	106.77	103.93	2.84	C-81, C-82, C-83, P-28, P-29, P-30	421.73	50,761	252.1	1,920	36,791	112.0	516
41	18" RCP	36.44	18.27	18.17	-		1,670	27.0	208			
42	30" RCP	18.69	17.28	1.41	P-34	45.54	3,748	27.4	211	3,949	11.1	53
43	24" RCP	4.49	1.79	2.70	-		154	2.4	20			
44	12" RCP	4.21	2.43	1.78	-		76	0.8	7			
45	24" RCP	64.98	33.88	31.10	C-11	54.48	2,679	26.6	202	5,181	14.4	67
46	42" RCP	161.30	60.19	101.11	C-92	85.57	18,217	92.3	708	8,622	24.2	112
47	24" RCP	6.89	6.20	0.69	-		1,826	8.8	67			
48	12" RCP	11.88	6.59	5.29	-		1,045	6.4	51			
49	24" CMP	150.80	14.09	136.71	-		4,827	23.4	183			
50	24" RCP	12.99	4.44	8.55	-		1,834	6.7	52			
51	24" RCP	17.61	7.14	10.47	-		2,288	10.8	83			
52	24" RCP	6.96	2.07	4.89	-		720	2.5	20			
53	30" RCP	10.80	12.54	23.32	P-64, P-68, P-27	11.25	4,025	19.2	148	480	1.5	6
54	Unknown	1.43	0.95	0.48	-		269	1.4	11			
55	Unknown	13.29	1.95	11.34	-		751	4.6	36			
56	15" RCP	424.45	79.52	344.93	C-5A, C-5B, C-4, C-47, P-26, W-41, W-42, W-45	420.68	28,829	147.5	1,058	24,229	71.1	371
57	30" RCP	36.79	36.81	0.02	-		11,599	53.8	426			
58	12" RCP	4.81	1.05	3.76	-		129	2.5	19			
59	8" PVC	0.38	0.22	0.16	-		67	0.9	7			
60	12" CMP	1.12	0.71	0.42	-		239	1.0	8			
61	12" HDPE	1.21	1.77	1.88	-		543	2.6	20			
62	30" RCP	26.48	19.61	6.87	C-41, C-42	36.29	4,969	24.6	202	4,480	15.2	68
63	Unknown	1.48	0.54	0.94	-		176	0.8	6			
64	Unknown	0.06	0.06	0.00	-		10	0.1	1			
65	Unknown	0.40	0.29	0.11	-		87	0.4	3			
66	8" PVC	7.42	2.27	5.15	-		1,017	4.9	38			
67	12" RCP	2.70	1.81	0.89	-		549	2.8	22			
68	24" RCP	19.83	23.09	26.74	-		10,256	48.9	376			
69	Unknown	4.44	1.25	3.19	-		438	2.0	15			
70	30" RCP	40.62	23.98	16.64	-		2,290	14.8	108			
71	30" RCP	16.41	9.92	6.49	-		2,827	14.6	104			
72	18" RCP	4.17	5.00	1.82	-		1,530	7.4	57			
73	18" RCP	4.12	3.12	1.00	-		637	4.5	34			
74	15" RCP	2.51	2.11	0.40	-		782	3.5	27			
75	Unknown	0.25	0.21	0.04	-		64	0.3	3			
76	Unknown	0.85	0.28	0.57	-		80	0.4	3			
77	48" RCP	15.25	15.25	0.00	-		4,687	23.5	185			
78	12" HDPE	1.09	1.09	0.00	-		421	5.5	42			
79	Unknown	0.45	0.45	0.00	-		161	0.6	4			
80	30" RCP	118.76	104.75	14.01	C-13, C-14, C-15, P-15, P-16, P-19	517.14	49,401	251.0	3,161	10,418	34.8	256
81	Unknown	4.47	4.76	0.29	-		1,118	5.4	41			
82	12" RCP	2.90	2.90	0.00	-		855	4.1	31			
83	Unknown	5.69	4.25	1.44	-		1,276	6.1	47			
84	18" RCP	0.90	0.29	0.61	-		95	0.5	4			
85	30" RCP	45.69	18.36	27.33	-		2,265	14.5	105			
86	Unknown	2.58	1.72	0.86	-		521	2.5	19			
87	6" Arch RCP	17.07	7.54	9.54	-		2,071	11.8	87			
88	15" RCP	2.16	0.08	2.08	-		187	0.8	6			
89	48" RCP	44.49	23.85	20.64	-		2,282	14.7	107			
90	Unknown	1.29	0.66	0.63	-		259	1.0	7			
91	8" PVC	1.54	0.84	0.70	-		259	1.2	9			
92	18" RCP	2.87	1.41	1.46	-		431	2.1	16			
93	15" RCP	11.46	9.41	2.05	-		2,862	14.7	107			
94	15" RCP	0.48	0.27	0.21	-		82	0.4	3			
95	Unknown	6.44	2.34	4.10	-		1,038	4.9	38			
96	30" RCP	19.04	13.99	5.05	P-27	1.08	4,296	20.1	154	647	1.8	8
97	15" RCP	3.47	3.00	0.47	-		611	2.8	22			
98	54" RCP	46.26	42.07	4.19	-		12,780	62.0	489			
99	30" RCP	17.73	8.44	9.29	-		2,419	12.4	97			
100	15" RCP	2.77	0.81	1.96	-		269	1.3	10			
101	30" RCP	29.86	33.85	34.23	-		3,438	18.4	128			
102	Unknown	1.27	0.99	0.28	-		285	1.3	10			
103	Unknown	21.50	3.79	17.71	-		1,096	5.2	40			
104	30" RCP	42.67	0.00	42.67	C-80	42.64	662	2.2	18	564	1.4	7
105	12" Tilt	18.11	12.76	5.35	P-38	5.00	4,897	23.0	181	8,787	10.8	48
106	24" RCP	25.22	14.22	11.00	C-19, C-20	25.22	4,029	19.2	148	3,424	9.7	44
107	15" Tilt	15.73	8.84	6.89	P-36	15.73	2,724	12.9	100	2,404	6.5	30
108	Unknown	4.17	0.04	4.13	P-2	4.17	212	0.9	7	18	0.1	1
109	Unknown	12.82	0.00	12.82	W-41, W-44	12.82	199	0.9	7	166	0.4	3
Outfall Totals		6,407.29	1,987.22	4,420.07		8,074.29	661,066	3,104.8	24,155	276,114	794.3	5,429

Estimated Total Suspended Solids Removal = 43.1%  
 Estimated Total Phosphorus Removal = 35.2%  
 Estimated Total Suspended Solids Removal = 15.8%

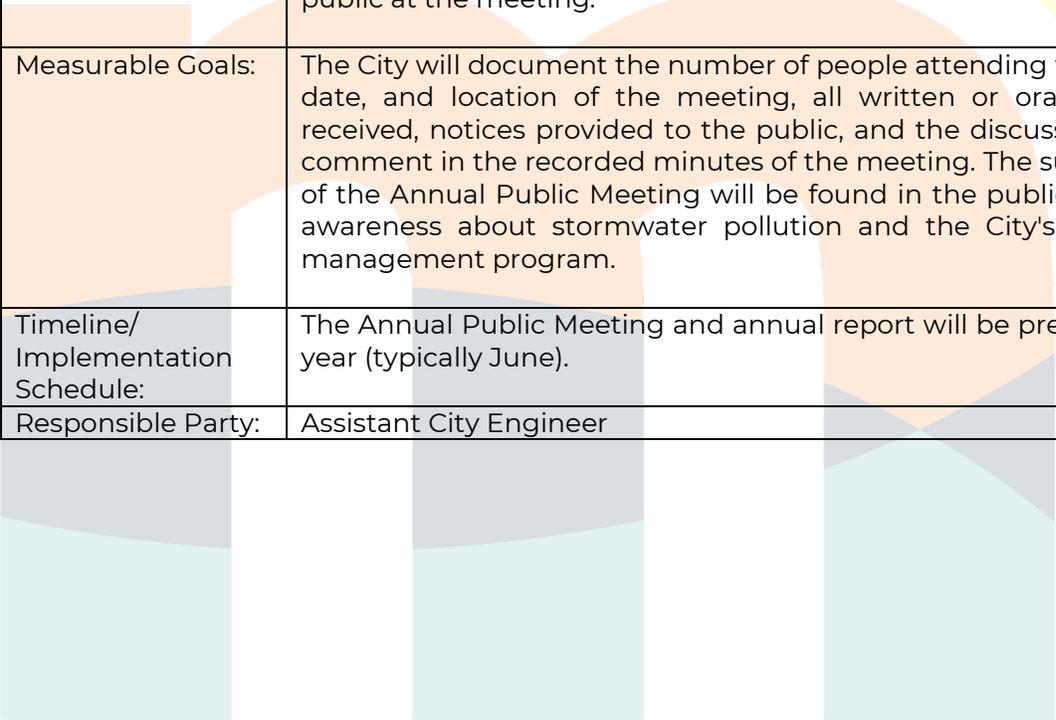
**BMP SUMMARY SHEETS**

**MCM 1 – PUBLIC EDUCATION AND OUTREACH**

MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	16.3, 16.8
BMP ID Number:	1-1
BMP Title:	Distribute Educational Materials
BMP Description:	<p>The City will distribute educational materials to the community or equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps the public can take to reduce pollutants in the storm water runoff.</p> <p>The City will work collaboratively with Community Services and local organizations like the Lyon County Public Works Department, Lyon County Soils Conservation, and the Redwood Cottonwood River Control Area in distributing educational materials and outreach programs within the City of Marshall and the surrounding area. Programs will consist of website development, distribution of flyers with the utility billings, public presentations, storm water educational materials, etc.</p>
Measurable Goals:	<ol style="list-style-type: none"> <li>1. Generate support for storm water management programs.</li> <li>2. Increase public awareness and understanding of the impacts of storm water pollution on public waters.</li> <li>3. Achieve greater compliance with the storm water management programs by the public and the development community.</li> </ol>
Timeline/ Implementation Schedule:	Annual - Post SWPPP and related information on the City's website. Publish articles related to BMPs in the Public Works Division's Quarterly Newsletter. Develop educational materials for distribution to the public directly including flyers and brochures. Conduct the Annual Public Meeting to report the programs status and collect public comments. Revisions to the educational materials will be performed annually whenever relevant changes are needed.
Additional Comments:	The City will document the number of publications and households served by the outreach programs. The effectiveness of this BMP will be measured by the number of articles and brochures published in newsletters and distributed via City mailings/website. Success of this BMP will be derived by developing then implementing the educational materials and outreach methods throughout the year.
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	16.2, 16.4, 16.5, 16.6, 16.7, 16.9
BMP ID Number:	1-2
BMP Title:	Implement an Education Program
BMP Description:	<p>The City will develop and implement an educational program providing an overview of the MS4 program and the six minimum control measures contained within the City's SWPPP. Educational materials shall cover storm water issues, potentially consisting of (but not limited to) non-point source pollution, construction site erosion and sediment control, post-construction storm water management for new development and redevelopment, illicit discharge detection and elimination, deicing salt reduction, management of pet waste, and pollution prevention and good housekeeping operations. The educational program will also outline the storm water pollution goals of the City, provide local agency contact information and additional storm water information website links.</p> <p>The Public Works Staff will be responsible for the development of all storm water education and outreach activities within the City. Responsibilities will consist of the following:</p> <ol style="list-style-type: none"> <li>1. Develop educational activities schedule and materials (webpage, brochures, articles, workshops, etc.)</li> <li>2. Collaborate educational activities and outreach programs with other County and Watershed entities.</li> <li>3. Determine the annual funding budget for the educational program.</li> <li>4. Annually implement the education programs.</li> <li>5. Conduct an annual assessment of the program and make revisions to continue relevancy and compliance.</li> </ol>
Measurable Goals:	Provide public education and outreach programs which will generate public participation and increase public awareness and knowledge of storm water pollution issues and prevention methods. The City will document the number and types of outreach activities, and the number of attendees as a way of measuring their success. The City will then evaluate the effectiveness of the programs and revise them if necessary.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will develop the educational program including materials, staff, budget, and timeline for each activity. All activities will be posted to the City's website for accessibility.</p> <p>Subsequent Years – City staff will evaluate the program for effectiveness. Revisions will include activity details, budgeting, and other considerations.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	16.9, 17.3, 17.5, 17.7
BMP ID Number:	1-3 / 2-1
BMP Title:	Annual Public Meeting
BMP Description:	<p>The City will hold an Annual Public Meeting to present an overview of the MS4 program and the City's SWPPP. The date for the public hearing will be scheduled by City Council action. A notice will be published for the public with date, time, location and contact information regarding the meeting.</p> <p>The Public Works staff report will include a brief summary of the City's stormwater management strategies as well as report on the accomplishments of the preceding year. The City will accept written or oral statements from the public concerning the current stormwater policies and will consider their inclusion in the SWPPP by City staff. The City will also distribute any appropriate educational materials to the public at the meeting.</p>
Measurable Goals:	The City will document the number of people attending the meeting, date, and location of the meeting, all written or oral comments received, notices provided to the public, and the discussion on each comment in the recorded minutes of the meeting. The success of the of the Annual Public Meeting will be found in the public's increased awareness about stormwater pollution and the City's stormwater management program.
Timeline/ Implementation Schedule:	The Annual Public Meeting and annual report will be presented each year (typically June).
Responsible Party:	Assistant City Engineer



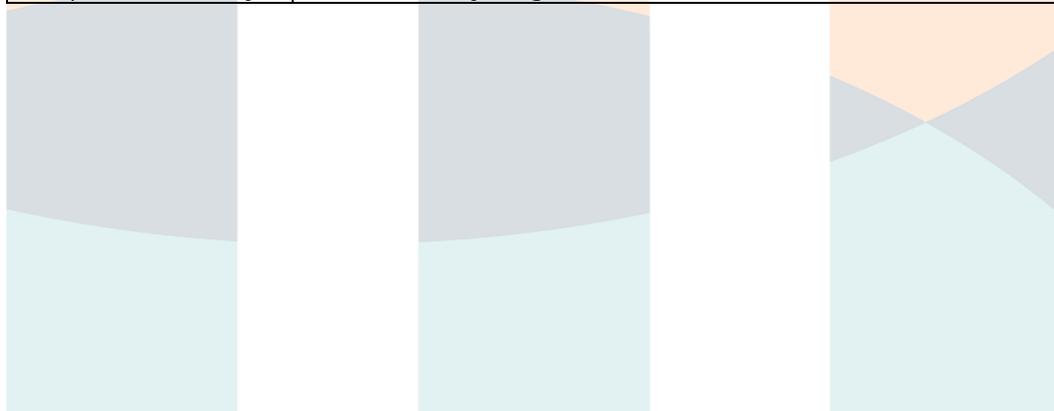
MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	16.2, 16.3, 16.4, 16.5, 16.6
BMP ID Number:	1-4
BMP Title:	MS4 Website and Social Media
BMP Description:	<p>The City has developed a MS4 web page on the City's website that contains information regarding Marshall's MS4 program. General information regarding the program is available on this page. City staff will work to include additional items for public information including a copy of the updated SWPPP, Annual Report, comment web form, and other relevant information.</p> <p>The Public Works Staff is reviewing the concept and thus establishment of a social media page (FACEBOOK) that could include posts of various storm water topics, public educational stormwater related event announcements, stormwater related public outreach events, and additional outreach activities across the City.</p>
Measurable Goals:	<p>Provide public education and outreach via electronic mediums which will generate public participation and increase public awareness and knowledge of storm water pollution issues and prevention methods. The City will document the number and types of outreach mediums, and the number of views, followers, and other measurements of traffic as a way of measuring their success. The City will then evaluate the effectiveness of the programs and revise them if necessary.</p>
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will develop the educational program including staff time, budget, and timeline for each activity.</p> <p>Subsequent Years – City staff will evaluate the program for effectiveness. Revisions will include activity details, frequency of updates and posts, budgeting, and other considerations.</p>
Responsible Party:	Assistant City Engineer



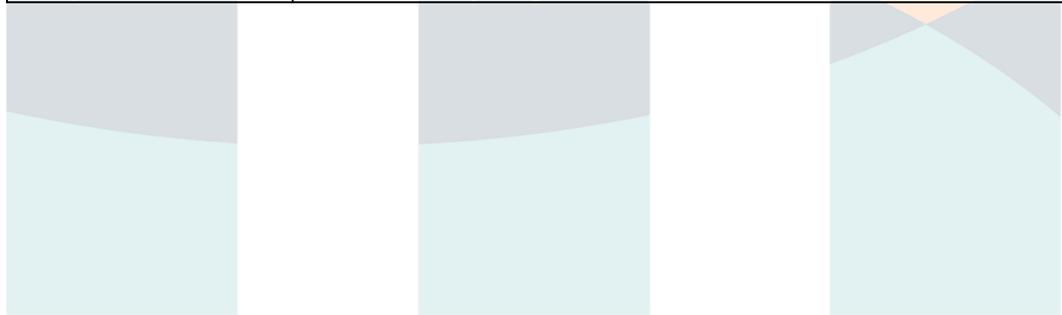
MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	16.2, 16.3, 16.5, 16.6
BMP ID Number:	1-5
BMP Title:	Public Works Quarterly Newsletters
BMP Description:	<p>The City has developed a Quarterly Newsletter that includes information from various areas of Public Works (Streets, Wastewater, Water, MS4/Stormwater). The MS4/Stormwater section will highlight a stormwater topic relevant to the season. For example, reducing deicing salt in winter, grass clippings/pet waste in the spring/summer, leaf collection in fall, etc.</p> <p>The newsletter is currently posted on the City's Public Works web page on the City's website. City staff will evaluate if the newsletter will also be included in a mailer to all addresses within the municipality.</p>
Measurable Goals:	Distribute newsletters via the City's web page which will generate public participation and increase public awareness and knowledge of storm water pollution issues and prevention methods. The City will document the distribution mediums, number of views/mailings, and other measurements of distribution as a way of measuring their success. The City will then evaluate the effectiveness of the newsletter and revise the distribution medium if necessary.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will continue distribution of the newsletter electronically through the website. Additional mediums of distribution will be evaluated for potential inclusion, including materials, staff, and budget for each medium.</p> <p>Subsequent Years – City staff will evaluate the newsletter distribution for effectiveness. Revisions will include distribution mediums, budgeting, and other considerations.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	16.2
BMP ID Number:	1-6
BMP Title:	Utility Bill Brochures
BMP Description:	<p>The City has developed a brochure titled “Resident’s Guide to Stormwater Pollution”. This brochure is distributed bi-annually within Marshall Municipal Utilities (MMU) monthly utility billing (typically April and September). An electronic copy of the brochure is also made available on the City’s MS4 web page.</p> <p>The brochure describes stormwater, runoff, nearby watersheds, MS4 requirements, and other relevant information. The City explains the effects of polluted stormwater and the two watersheds that the City’s area discharges to. The brochure lists several best management practices that residents and property owners can implement to help prevent stormwater pollution.</p>
Measurable Goals:	Distribute brochures via MMU’s monthly utility billing at least once annually. The brochure will also be made available electronically via the City’s web page which will generate public participation and increase public awareness and knowledge of stormwater pollution issues and prevention methods. The City will document the number of mailings and other measurements of distribution as a way of measuring their success. The City will then evaluate the relevance of the information included, effectiveness of the distribution, and revise the brochure if necessary.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will post the flyers in the City Hall and refresh the distribution with seasonally appropriate informational sheets.</p> <p>Subsequent Years – City staff will evaluate the program for effectiveness. Flyers will be updated as updated information becomes available. Revisions will include flyer information, program updates, and other considerations.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	
BMP ID Number:	1-7
BMP Title:	Newspaper Notices
BMP Description:	The City publishes several regulatory mechanisms, specifically ordinances, related to seasonal issues within the municipality. The ordinances are published twice annually, once in spring and once in the fall. Many of these ordinances are related to stormwater issues. For example, construction stormwater controls, lawn fertilizer and clippings, illicit connections, and salt storage sites.
Measurable Goals:	Provide public education and outreach via newspaper printed and electronic mediums which will generate public participation and increase public awareness and knowledge of storm water ordinances. The City will document the dates of publishment and number of subscribers to the distribution. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will continue publishing the selected ordinances through the local newspaper.  Subsequent Years – City staff will evaluate the newspaper publishment for effectiveness. Revisions will include selected ordinances, budgeting and other considerations.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	1 – Public Education and Outreach
Permit Section(s):	
BMP ID Number:	1-8
BMP Title:	Fact Sheet Flyer Distribution
BMP Description:	The City will display and make available to the public several fact sheet flyers including, but not limited to, Marshall's SWPPP, Public Works Quarterly Newsletters, Rain Barrel information, Adopt-a-Storm Drain information, Smart Salting information, and others. The City will display seasonal appropriate flyers and change them as seasons change. Flyers will likely include informational sheets from the MPCA and EPA.
Measurable Goals:	Distribute informational sheets via display in City Hall. The flyers will be changed out according to the appropriate season. The City will document the type and number of flyers and other measurements of distribution as a way of measuring their success. The City will then evaluate the relevance of the information included, effectiveness of the distribution, and revise the flyers if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will develop the educational program including materials, staff, budget, and timeline for each activity. All activities will be posted to the City's website for accessibility.  Subsequent Years – City staff will evaluate the program for effectiveness. Revisions will include activity details, budgeting and other considerations.
Responsible Party:	Assistant City Engineer



**MCM 2 – PUBLIC PARTICIPATION/INVOLVEMENT**

MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	16.9, 17.3, 17.5, 17.7
BMP ID Number:	1-3 / 2-1
BMP Title:	Annual Public Meeting
BMP Description:	<p>The City will hold an Annual Public Meeting to present an overview of the MS4 program and the City's SWPPP. The date for the public hearing will be scheduled by City Council action. A notice will be published for the public with date, time, location and contact information regarding the meeting.</p> <p>The Public Works staff report will include a brief summary of the City's stormwater management strategies as well as report on the accomplishments of the preceding year. The City will accept written or oral statements from the public concerning the current stormwater policies and will consider their inclusion in the SWPPP by City staff. The City will also distribute any appropriate educational materials to the public at the meeting.</p>
Measurable Goals:	The City will document the number of people attending the meeting, date, and location of the meeting, all written or oral comments received, notices provided to the public, and the discussion on each comment in the recorded minutes of the meeting. The success of the of the Annual Public Meeting will be found in the public's increased awareness about stormwater pollution and the City's stormwater management program.
Timeline/ Implementation Schedule:	The Annual Public Meeting and annual report will be presented each year, typically June.
Responsible Party:	Assistant City Engineer



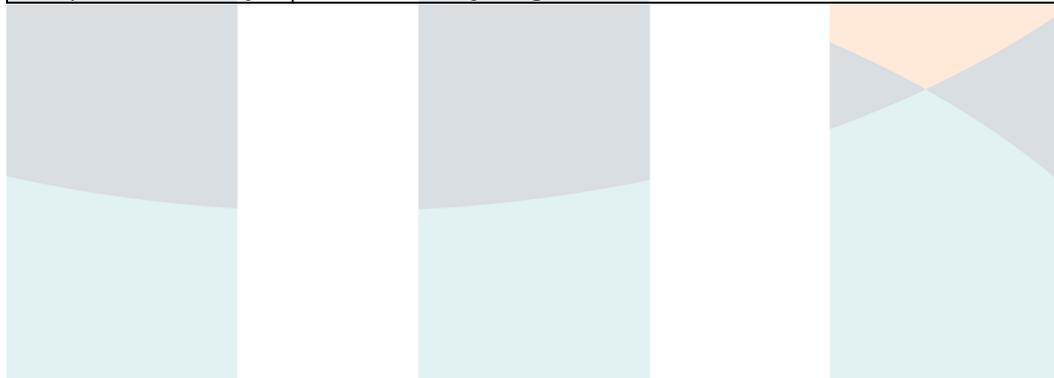
MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	17.2, 17.4, 17.7
BMP ID Number:	2-2
BMP Title:	Solicit & Consider Public Input and Opinion on the City's SWPPP
BMP Description:	<p>The City will host a public meeting annually to report and discuss the City's Stormwater Pollution Prevention Program. At the annual meeting, the City will make a presentation on the purpose, goals, and requirements of the SWPPP to educate, inform, and encourage citizens to provide input and comment on the SWPPP. The City will an opportunity for interested persons to make oral statements or provide written comments on the SWPPP at the meeting. A reasonable amount of time will be provided at the meeting for questions and comments relating to the SWPPP. Persons not able to attend the meeting may submit written comments on the SWPPP within the time identified in the public notice for the meeting.</p> <p>The City will also solicit public input and provide the opportunity for comments on the SWPPP via alternative methods. The City will post the most current SWPPP, Annual Report and other relevant documentation on an MS4 web page on the City's website. That webpage will also have the ability to provide input on the SWPPP using an online form. Interested parties will also be provided the Public Works phone number and e-mail address, if those methods are preferred.</p>
Measurable Goals:	The City will document the number of people attending the meeting, date and location of the meeting, all written or oral comments received, notices provided to the public, and the discussion on each comment in the recorded minutes of the meeting. The success of the of the Annual Public Meeting will be found in the public's increased awareness about stormwater pollution and the City's stormwater management program. All comments collected through the City's website or via phone/e-mail will also be documented and included in the Annual Report.
Timeline/ Implementation Schedule:	The Annual Public Meeting and annual report will be presented each year, typically June.
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	17.6
BMP ID Number:	1-11 / 2-3
BMP Title:	Rain Barrel Program
BMP Description:	<p>The City will develop and implement a public educational and participation program providing informational materials on benefits, construction, operation, and maintenance of rain barrels. Staff will also post these informational materials on the Stormwater page on the Public Works website.</p> <p>In addition to the educational program, the City will develop a cost participation program for citizens to implement rain barrels on their properties. Staff would develop a form to be filled out and returned with proof of purchase and installation. Proof of installation would be accomplished by photo or City inspection. Once verification is complete, the City would issue a check to the property owner for an amount to be determined and reviewed annually.</p>
Measurable Goals:	The City will document the number of participants in the program including name and address. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will develop the educational program including materials, website updates, budget, and timeline for each activity. City staff will provide an annual budget, create, and post the form for the cost participation program.</p> <p>Subsequent Years – City staff will evaluate the program for effectiveness. Revisions will include revising informational materials, budgeting, and other considerations.</p>
Responsible Party:	Assistant City Engineer

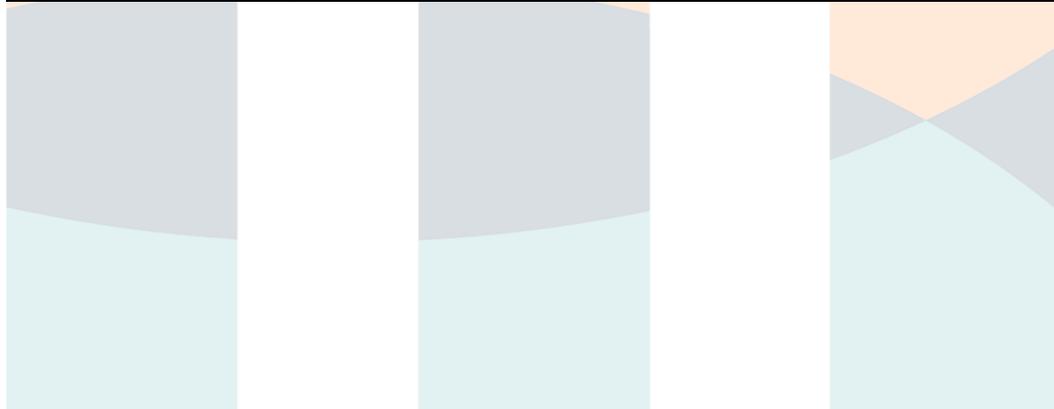
MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	17.6
BMP ID Number:	1-12 / 2-4
BMP Title:	Rain Garden Program
BMP Description:	<p>The City will develop and implement a public educational and participation program providing informational materials on benefits, construction, operation, and maintenance of rain gardens. Staff will also post these informational materials on the Stormwater page on the Public Works website.</p> <p>Annually, the City will host a Rain Garden workshop. The workshop will include a quick presentation on rain gardens. Information will be presented as well as a step-by-step example for sizing a rain garden for a home. After the presentation, staff will be made available for residents to come in and receive assistance with sizing, layout, and designing their rain garden. A recording of this presentation will be posted to the Stormwater page on the Public Works website.</p> <p>In addition to the educational program, the City will develop a cost participation program for citizens to implement rain gardens on their properties. Staff would develop a form to be filled out and returned with proof of purchase and installation/construction. Proof of installation would be accomplished by photo or City inspection. Once verification is complete, the City would issue a check to the property owner for an amount to be determined and reviewed annually.</p>
Measurable Goals:	<p>The City will document the number of participants in the program including name and address. The City will also document the number of people attending the workshop, date, and location of the workshop, all written or oral comments received, and notices provided to the public.</p> <p>The success of the of the rain garden program will be found in the public's increased awareness about stormwater pollution, the City's stormwater management program, and participation in the cost participation program. The City will then evaluate the effectiveness of the programs and revise them if necessary.</p>
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will develop the educational program including materials, website updates, budget, and timeline for each activity. City staff will provide an annual budget, create, and post the form for the cost participation program. Staff will also schedule and post notifications for the annual rain garden workshop (typically in April).</p> <p>Subsequent Years – City staff will evaluate the program for effectiveness. Revisions will include revising informational materials, budgeting, and other considerations.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	17.6
BMP ID Number:	2-5
BMP Title:	Adopt-a-Storm Drain Program
BMP Description:	<p>The City will develop and implement a public participation program providing opportunity to residents to “adopt” a storm drain inlet within the City’s stormwater system. Staff will advertise, provide information, and encourage participation on the Adopt-a-Drain.org website. Residents will be able to use mapping to identify a storm drain and provide their information to adopt storm drains in the Marshall.</p> <p>Residents who adopt storm drains would be committing to keep the drain and area around it clear of leaves, trash and other debris for a period of time (likely one year). Guidance would be given to residents on frequency of inspection and cleaning.</p>
Measurable Goals:	The City will document the number of participants in the program including name and address. Staff will document any reported quantities of debris removal from program participants. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will develop the participation program including informational materials, budget, and timeline. City staff will provide the Adopt-a-Drain website and informational materials on the Public Works website.</p> <p>Subsequent Years – City staff will evaluate the program for effectiveness. Staff will add storm drains to the Adopt-a-Drain map when able. Revisions will include revising informational materials, budgeting, and other considerations.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	17.6
BMP ID Number:	2-6
BMP Title:	Community Clean-Up Event
BMP Description:	Marshall Green-Step hosts an annual Community Cleanup event where community members, local businesses, and students volunteer to clean up areas of the city that accumulate unwanted debris throughout the year. Areas in need are highlighted by City Staff and volunteer groups are assigned to each location. All debris is collected and weighed at the end of the clean-up event. Multiple dates may be provided based on need and participation.
Measurable Goals:	The City will document the number of participants in the event. Staff will document any reported quantities of debris removal from the event. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will continue to notify the public of the participation program including flyers annually (typically June). Staff will provide the areas of need for cleanup.  Subsequent Years – City staff will evaluate the program for effectiveness. Staff will revise areas of need for subsequent events. Revisions will include revising dates/times, budgeting, and other considerations.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	2 – Public Participation/Involvement
Permit Section(s):	17.6
BMP ID Number:	2-7
BMP Title:	Community Leaf Raking Event
BMP Description:	City staff will host an annual Community Leaf Raking event where residents, businesses, and others volunteer to assist with raking leaves in areas where leaf buildup occurs in the city. Areas in need are highlighted by City Staff and volunteer groups are assigned to each location. All leaf debris is collected and weighed at the end of the event and disposed of at the city compost site.
Measurable Goals:	The City will document the number of participants in the event. Staff will document any reported quantities of leaf debris removal from the event. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will publish notice to the public of the participation program including flyers annually (typically November). Staff will provide the areas of need for leaf raking.  Subsequent Years – City staff will evaluate the program for effectiveness. Staff will revise areas of need for subsequent events. Revisions will include revising dates/times, budgeting, and other considerations.
Responsible Party:	Assistant City Engineer



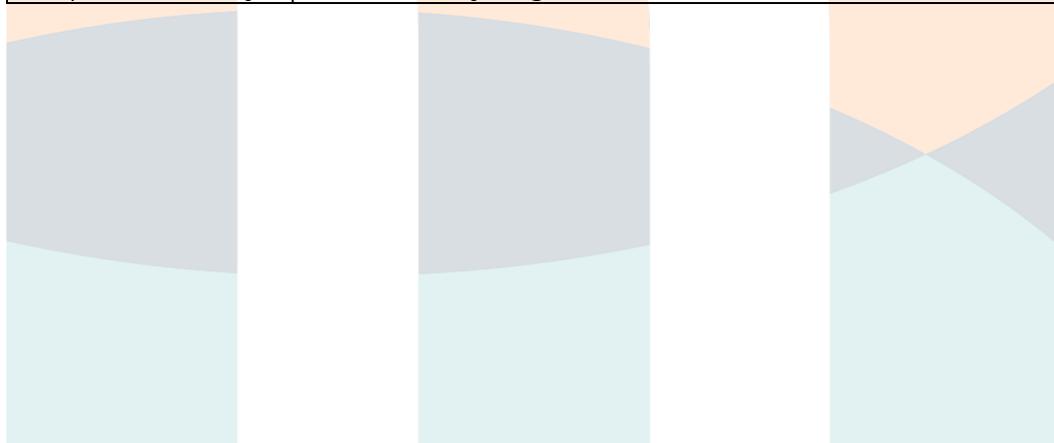
**MCM 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)**

MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.4, 18.6
BMP ID Number:	3-1
BMP Title:	Illicit Discharge Regulatory Mechanisms
BMP Description:	<p>The City will update and enforce ordinances and other regulatory mechanisms to prohibit illicit connections, illegal dumping and other non-stormwater discharges. The ordinances and codes shall provide authority to inspect systems and facilities, prevent illicit connections and discharges and allow for punitive measures.</p> <p>The City ordinance review shall include the enforcement procedures and actions associated with illicit discharges. The City will then develop enforcement procedures, policies, and remedial actions as necessary to address the illicit connections or discharge.</p>
Measurable Goals:	Review current ordinances. Adopt new ordinances or amend existing ones to address illicit discharges as needed. In conjunction with the development of new or amended ordinances the City shall distribute educational materials on illicit discharges to property owners, businesses, and the general public.
Timeline/ Implementation Schedule:	<p>Initial Year – Review existing regulatory ordinances and mechanisms and review external examples for comparison. Draft new ordinances or amendments to existing ones. Conduct Public Hearings on new or amended ordinances. Adopt new ordinances or amendments to existing ordinances as needed. Enact necessary enforcement procedures, policies, and remedial actions.</p> <p>Subsequent Years – Review existing regulatory ordinances and mechanisms for relevance and compliance with the City’s MS4 and SWPPP program.</p>
Responsible Party:	Assistant City Engineer

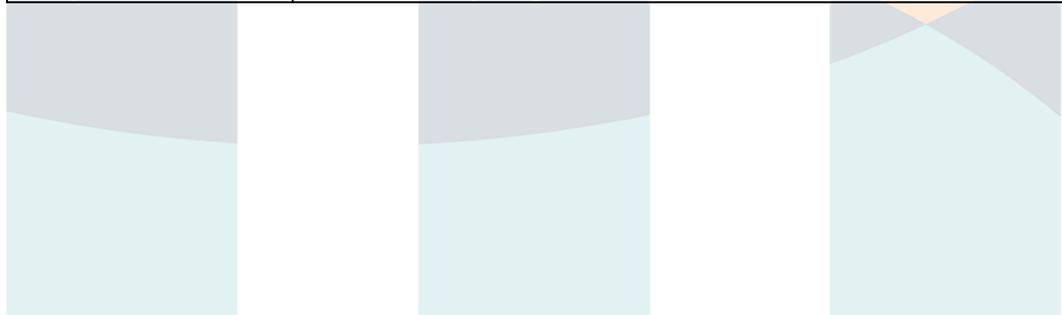
MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.5
BMP ID Number:	3-2
BMP Title:	Pet Waste Regulatory Mechanisms
BMP Description:	<p>The City will update and enforce ordinances and other regulatory mechanisms to require owners or custodians of pets to remove and properly dispose of feces on permittee owned land areas.</p> <p>The City will review the pet waste regulatory mechanisms to ensure that they shall include the enforcement procedures and actions associated with pet waste on city-owned lands. The City will then develop enforcement procedures, policies, and remedial actions as necessary.</p>
Measurable Goals:	Review current ordinances. Adopt new ordinances or amend existing ones to address pet waste on city-owned lands as needed. In conjunction with the development of new or amended ordinances the City shall distribute educational materials on pet waste to the general public.
Timeline/ Implementation Schedule:	<p>Initial Year – Review existing regulatory ordinances and mechanisms and review external examples for comparison. Draft new ordinances or amendments to existing ones. Conduct Public Hearings on new or amended ordinances. Adopt new ordinances or amendments to existing ordinances as needed. Enact necessary enforcement procedures, policies, and remedial actions.</p> <p>Subsequent Years – Review existing regulatory ordinances and mechanisms for relevance and compliance with the City’s MS4 and SWPPP program.</p>
Responsible Party:	Assistant City Engineer



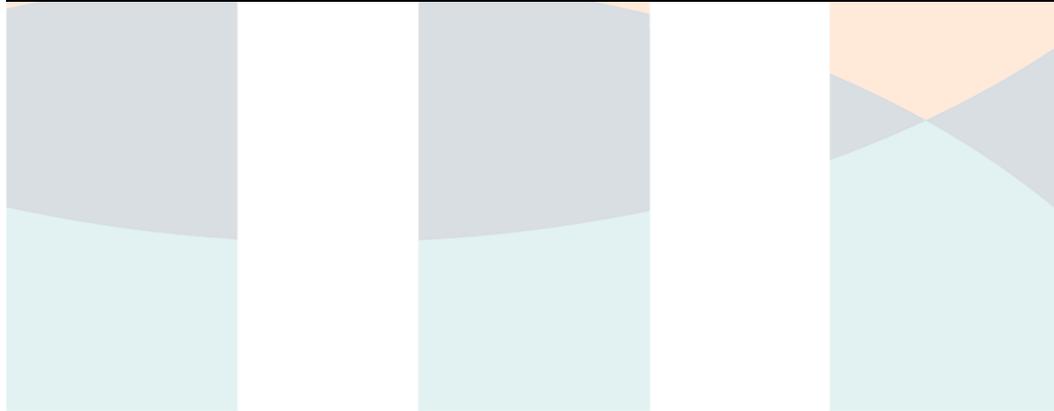
MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.8, 18.9, 18.16
BMP ID Number:	3-3
BMP Title:	Illicit Discharge Recognition Training
BMP Description:	The City will develop a program to provide training to City staff. The training will focus on activities out in the community conducted by the Public Works, Engineering, or Parks and Recreation Departments which may impact stormwater quality. Training will include illicit discharge recognition, reporting, eliminating, and/or enforcement. Training will be provided at least once every 3 calendar years.
Measurable Goals:	The City will document the subject matter, names and departments of participants, and date of the training event. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will develop training handouts and presentation materials. Required staff will be notified of the date and time of the training event.  Subsequent Years – Review of the training materials to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



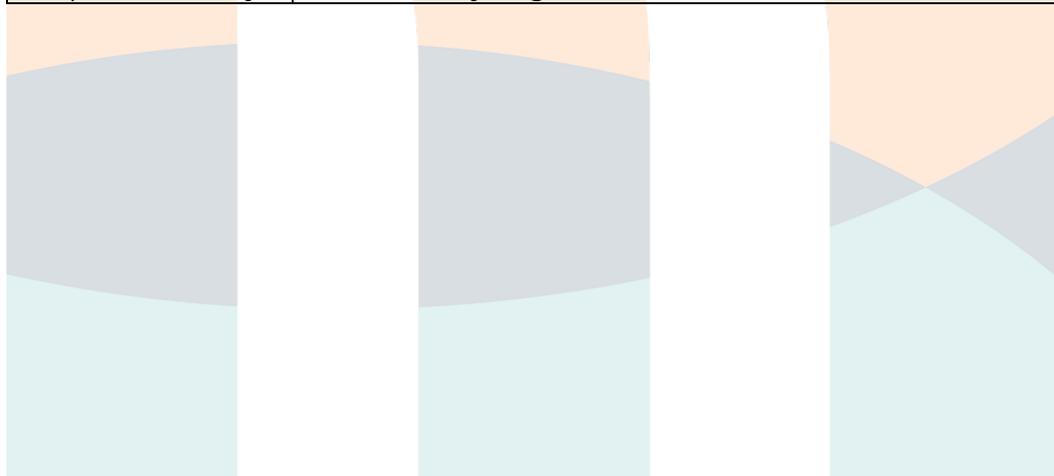
MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.7, 18.11, 18.12, 18.15
BMP ID Number:	3-4
BMP Title:	IDDE Inspection Program
BMP Description:	The City will develop a program for performing illicit discharge detection inspections within the city. Staff will have a set of written procedures for investigating, locating, and eliminating the source(s) of illicit discharges. Frequent inspections will include structural BMP's, areas around business or industrial activities, areas of past illicit discharges, and storage areas that could result in illicit discharge(s).
Measurable Goals:	The City will document the date/location of IDDE inspections, reports of alleged illicit discharges, date of discovery of illicit discharges, identification of areas where illicit discharges have been discovered, sources of illicit discharges, and actions taken by City staff to address discovered illicit discharges. The City will evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will review the existing inspection program to ensure relevance and compliance with the City's MS4 and SWPPP program. Inspection roles will be clearly identified with City staff.  Subsequent Years – Review of the inspection program and procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.13, 18.14, 18.17
BMP ID Number:	3-5
BMP Title:	IDDE Emergency Response Procedures (ERP's)
BMP Description:	The City will develop procedures for responding to spills within the city. Those procedures will include responses to prevent spills from entering the City's MS4. The ERP's will also include enforcement tools, guidelines of those tools, timeframes for corrective actions, and responsible person(s) for conducting enforcement.
Measurable Goals:	The City will document the name of the person violating the City's ordinances relating to illicit discharges, date/location of observed violation(s), description, corrective action (including dates), referrals to other regulatory organizations, and date(s) of resolution. The City will evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will review the existing emergency response procedures to ensure relevance and compliance with the City's MS4 and SWPPP program. Inspection and enforcement roles will be clearly identified with City staff.  Subsequent Years – Review of the inspection and enforcement procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.7, 21.8, 21.9, 21.10, 21.11
BMP ID Number:	3-6 / 6-4
BMP Title:	Structural BMP Inspection Program
BMP Description:	The City will develop a program for performing inspections on city-owned ponds, outfalls, and other structural BMP's. Staff will have a set of written procedures, forms, and schedule for performing inspections. Inspections will include treatment effectiveness, structural integrity, function, maintenance needs, and other necessary items.
Measurable Goals:	The City will document the date/location of inspections, repair, replacement, or maintenance requirements, date of completed maintenance, and evidence of illicit discharges. The City will evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will review the existing inspection program to ensure relevance and compliance with the City's MS4 and SWPPP program. Inspection roles will be clearly identified with City staff.  Subsequent Years – Review of the inspection program and procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	14.2, 18.2
BMP ID Number:	3-7
BMP Title:	Stormwater GIS Map
BMP Description:	The City will maintain and update a GIS map of the city's stormwater infrastructure system within the entire MS4. Included in the map will be all the stormwater pipes, flow direction, outfalls, structural BMP's, and receiving waters. Staff will also develop a method of quality control to ensure that mapped information is accurate and updated.
Measurable Goals:	The City will continue to update the map to include any changes, additions, or removals to the storm sewer system. The City will evaluate the effectiveness of GIS map and revise if necessary.
Timeline/ Implementation Schedule:	City staff will continuously review the existing GIS map throughout the year including updates based on City or private construction projects.
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	3 – Illicit Discharge Detection and Elimination (IDDE)
Permit Section(s):	18.10, 21.3
BMP ID Number:	3-8 / 6-5
BMP Title:	SWPPP GIS Map
BMP Description:	The City will develop, maintain, and update a GIS map that includes information specifically regarding the city's SWPPP program. The map will include the city's stormwater infrastructure system within the entire MS4 (including pipes and flow direction), illicit discharge priority areas, outfalls, structural BMP's, receiving waters, city-owned facilities that contribute pollutants to stormwater discharges, waste load allocations, and other relevant items. Staff will also develop a method of quality control to ensure that mapped information is accurate and updated.
Measurable Goals:	The City will continue to update the map to include any changes, additions, or removals to the storm sewer system. The City will evaluate the effectiveness of GIS map and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will develop the SWPPP GIS map utilizing existing stormwater GIS map elements.  Subsequent Years – Staff will continuously review the SWPPP GIS map for updates and accuracy throughout the permit cycle according to the City's quality control methods.
Responsible Party:	Assistant City Engineer

**MCM 4 – CONSTRUCTION SITE STORMWATER RUNOFF CONTROL**

MS4 Name:	City of Marshall
MCM:	4 – Construction Site Stormwater Runoff Control
Permit Section(s):	19.3, 19.4, 19.5
BMP ID Number:	4-1
BMP Title:	Construction Site Runoff Control Regulatory Mechanisms
BMP Description:	<p>The City will update and enforce ordinances and other regulatory mechanisms which address construction site erosion and sediment control within the City of Marshall. City staff will review the current regulatory mechanisms to determine if existing ordinances must be revised or new ordinances adopted. Regulatory mechanisms that establish requirements for erosion, sediment, and waste controls will be at least as stringent as the City's most current Construction Stormwater General Permit.</p> <p>Planning for erosion and sediment control measures and procedures in advance of beginning construction is crucial in reducing sediment in public waters. The City works proactively with property owners, developers, consultants, and contractors to require and review site plans and ensure the appropriate erosion and sediment control measures are incorporated into the plans. The City further evaluates the effectiveness of the control measures once they have been installed.</p>
Measurable Goals:	Review current ordinances. Adopt new ordinances or amend existing ones to address construction site erosion and sediment control as needed. In conjunction with the development of new or amended ordinances the City shall distribute educational materials on construction site erosion and sediment control to property owners, developers, consultants, and contractors.
Timeline/ Implementation Schedule:	<p>Initial Year – Review existing regulatory ordinances and mechanisms and review external examples for comparison. Draft new ordinances or amendments to existing ones. Conduct Public Hearings on new or amended ordinances. Adopt new ordinances or amendments to existing ordinances as needed. Enact necessary enforcement procedures, policies, and remedial actions.</p> <p>Subsequent Years – Review existing regulatory ordinances and mechanisms for relevance and compliance with the City's MS4 and SWPPP program.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	4 – Construction Site Stormwater Runoff Control
Permit Section(s):	19.6, 19.11, 19.13, 19.14
BMP ID Number:	4-2
BMP Title:	Site Plan Review Program
BMP Description:	<p>Every applicant for a City permit to allow land disturbing activities is required to submit a project specific stormwater management plan (if applicable) and/or erosion control plan to the City Public Works/Engineering/Planning Department for review and approval. The City's review process must consider the potential impact(s) to stormwater quality posed by the proposed land disturbing activities. The review process provides an opportunity for the City to discuss with owners and developers the erosion and sediment control requirements and other construction site permit requirements as they apply to each individual project.</p> <p>Construction projects disturbing one or more acres of area are required to have a NPDES Phase II Permit from the MPCA and all requirements for erosion and sediment control shall apply as well as any applicable City ordinances and codes.</p> <p>The City will develop a program to provide training to City staff. The training will focus on site plan reviews conducted by the Public Works staff. Training will include site plan review requirements, process, and other requirements as needed. Training will be provided at least once every 3 calendar years.</p>
Measurable Goals:	<p>Define the criteria needed for plan reviews and establish the requirements for stormwater management plan and/or erosion control plan submittals, including a timeline for plan review.</p> <p>Ensure owners and developers understand the requirements of the NPDES Phase II Permit and the BMPs needed to address erosion and sediment control.</p> <p>Work pro-actively with owners and developers to design and implement the appropriate BMPs for their project.</p> <p>The City will document the subject matter, names of participants, and date of the training event. The City will then evaluate the effectiveness of the program and revise if necessary.</p>
Timeline/ Implementation Schedule:	<p>Initial Year – The City will implement the plan review process immediately.</p> <p>Subsequent Years – Review process will be evaluated and revised as necessary. This BMP will continue until the expiration of this permit. Ongoing training will be provided to site plan reviewers as required.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	4 – Construction Site Stormwater Runoff Control
Permit Section(s):	19.7, 19.8, 19.9, 19.10, 19.11, 19.12, 19.14, 19.15
BMP ID Number:	4-3
BMP Title:	Construction Site Inspection Program
BMP Description:	<p>The City has established procedures for construction site inspection and enforcement (land disturbance permitting and inspection) as related to the stormwater management and/or erosion control plan. The inspection program shall review the compliance of the applicable City ordinances and codes or construction site permit requirements.</p> <p>The City will develop an inspection report form to record the pertinent data regarding the inspection of construction site compliance. The inspection report will be copied to all relevant parties to the construction site and will identify all deficiencies requiring maintenance or remediation. The responsible parties shall then correct the deficiencies within 24 hours of notice and/or in accordance with the permit or other contract provisions which govern the work.</p> <p>The inspection process will provide an opportunity to further educate owners, developers, and contractors on the need for erosion and sediment control practices. Construction sites must conform to all NPDES Phase II requirements (if applicable) and the appropriate City ordinances and codes pertaining to construction site erosion control and waste disposal. Inspection procedures established shall also meet the requirements of the NPDES Phase II Permit. Non-compliance for any requirements shall be enforced by the MPCA or the City.</p> <p>The City will develop a program to provide training to City staff. The training will focus on construction site inspections conducted by the Public Works staff. Training will include site inspection procedures, requirements, documentation, enforcement, and other requirements as needed. Training will be provided at least once every 3 calendar years.</p>
Measurable Goals:	<p>The City will annually evaluate the effectiveness of site inspections and enforcement procedures via the enforcement actions taken during the year. Additional and/or revised procedures will be added if necessary or found to be in non-compliance with the current NPDES Phase II requirements.</p> <p>The City will document the subject matter, names of participants, and date of the training event. The City will then evaluate the effectiveness of the program and revise if necessary.</p>
Timeline/ Implementation Schedule:	Initial Year – The City will continue the Construction Site Inspection program using the procedures and forms as currently operating under.

	Subsequent Years – The Site Inspection Program will be evaluated and revised as necessary. This BMP will continue until the expiration of this permit. Ongoing training will be provided to site plan reviewers as required.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	4 – Construction Site Stormwater Runoff Control
Permit Section(s):	
BMP ID Number:	4-4
BMP Title:	Residential Construction Erosion and Sediment Control (ESC) Standards
BMP Description:	<p>The City will develop and implement a set of standard erosion and sediment control practices for typical residential construction. These standards will be established for contractors performing residential construction to understand the City's requirements, contractor responsibilities, typical BMP's, and other pertinent information.</p> <p>These standards will be provided for each residential construction permit. Staff will also post these informational materials on the Stormwater page on the Public Works website.</p>
Measurable Goals:	Provide contractor education and outreach via printed and electronic mediums which will generate contractor participation and increase awareness and knowledge of erosion and sediment control practices on residential construction sites. The City will document the number of printed and electronic materials distributed to new housing construction projects. The City will then evaluate the effectiveness of the land disturbance program and revise if necessary.
Timeline/ Implementation Schedule:	<p>Initial Year – The City will revise the Residential Construction ESC Standards and post those standards to the Public Works website. Standards will also be provided to residential construction permit applicants.</p> <p>Subsequent Years – The Residential Construction ESC Standards will be evaluated and revised as necessary.</p>
Responsible Party:	Assistant City Engineer

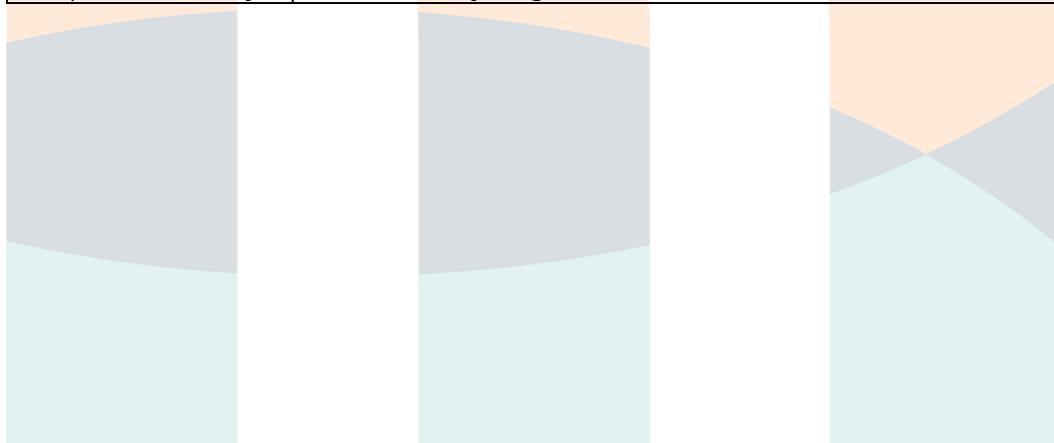
MS4 Name:	City of Marshall
MCM:	4 – Construction Site Stormwater Runoff Control
Permit Section(s):	
BMP ID Number:	4-5
BMP Title:	Annual Construction Site Contractor Training
BMP Description:	<p>The City will hold an annual training session for local contractors that perform most of the building and site construction within Marshall. The training is intended to present an overview of the MS4 program and the City's SWPPP, regulatory mechanisms, site BMP's, and other relevant information. The date for the training will be scheduled by City staff and distributed to contractors.</p> <p>The City will also distribute any appropriate educational materials to contractors at the meeting. A recording of the annual training will be made available on the Public Works web page for those unable to attend at the time and date of the training.</p>
Measurable Goals:	The City will document the number of people attending the training, date, and location of the training. The success of the of the annual training will be found in the contractors' increased awareness about stormwater pollution and the City's stormwater management program.
Timeline/ Implementation Schedule:	<p>Initial Year – The annual training will be presented each year. The City will post the presentation, distribution materials, and recording of the training on the City's Public Works web page.</p> <p>Subsequent Years – The annual training and distribution materials will be evaluated for effectiveness and revised as necessary.</p>
Responsible Party:	Assistant City Engineer

**MCM 5 – POST-CONSTRUCTION STORMWATER MANAGEMENT**

MS4 Name:	City of Marshall
MCM:	5 – Post-Construction Stormwater Management
Permit Section(s):	20.1, 20.16
BMP ID Number:	5-1
BMP Title:	Development and Implementation of Structural and/or Non-Structural BMP's
BMP Description:	<p>The City has several ordinances in place to provide for the development and implementation of Structural and/or Non-structural BMPs as the City continues to grow. The City has ordinance provisions governing Surface Water Management Plans, Zoning District Regulations for construction/development in the Floodway District, and requirements for a drainage and surface water management plan in the Final Plans for new development and redevelopment areas for Subdivisions.</p> <p>The City's stormwater management policy implements structural BMPs which offset the impacts of increased impervious surfaces and their associated sediment and pollution attributes effecting surface water quality. Regional wet detention ponds or on-site ponds in areas not served by a regional pond are constructed to reduce the peak discharges to pre-development conditions, settle suspended solids, and pre-treat the pollutants by promoting biological activity prior to discharging the stormwater runoff into the receiving stream. Additional structural BMPs may include swales, buffer strips, infiltration basins, etc.</p> <p>The City also promotes non-structural BMPs such as parks, green space, preservation of wetlands, stream bank stabilization, etc.</p>
Measurable Goals:	The City will evaluate all structural and non-structural BMPs during plan reviews for all new development and redevelopment projects in the city. The City will actively consider new BMP opportunities when feasible. Records will be kept for the additional impervious areas created by new projects and the amount of wet detention ponds and other BMPs implemented each year.
Timeline/ Implementation Schedule:	<p>Start evaluating, promoting, and implementing both structural and non-structural BMPs during the plan reviewing process.</p> <p>Annually record the BMP's incorporated into the City's stormwater management program and consider new or revised BMPs for implementation on future projects.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	5 – Post-Construction Stormwater Management
Permit Section(s):	20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 20.10, 20.11, 20.12, 20.13, 20.14, 20.15
BMP ID Number:	5-2
BMP Title:	Construction Site Runoff Control Regulatory Mechanisms
BMP Description:	<p>The City will update and enforce ordinances and other regulatory mechanisms which address construction site erosion and sediment control within the City of Marshall. City staff will review the current regulatory mechanisms to determine if existing ordinances must be revised or new ordinances adopted. Regulatory mechanisms that establish requirements for stormwater management will be at least as stringent as the City's most current Construction Stormwater General Permit.</p> <p>The City works proactively with property owners, developers, consultants, and contractors to require and review site plans and ensure the appropriate post-construction stormwater management measures are incorporated into the plans. The City further evaluates the effectiveness of the management measures once they have been installed.</p>
Measurable Goals:	Review current ordinances. Adopt new ordinances or amend existing ones to address post-construction stormwater management as needed. In conjunction with the development of new or amended ordinances, the City shall distribute educational materials on post-construction stormwater management to property owners, developers, consultants, and contractors.
Timeline/ Implementation Schedule:	<p>Initial Year – Review existing regulatory ordinances and mechanisms and review external examples for comparison. Draft new ordinances or amendments to existing ones. Conduct Public Hearings on new or amended ordinances. Adopt new ordinances or amendments to existing ordinances as needed. Enact necessary enforcement procedures, policies, and remedial actions.</p> <p>Subsequent Years – Review existing regulatory ordinances and mechanisms for relevance and compliance with the City's MS4 and SWPPP program.</p>
Responsible Party:	Assistant City Engineer

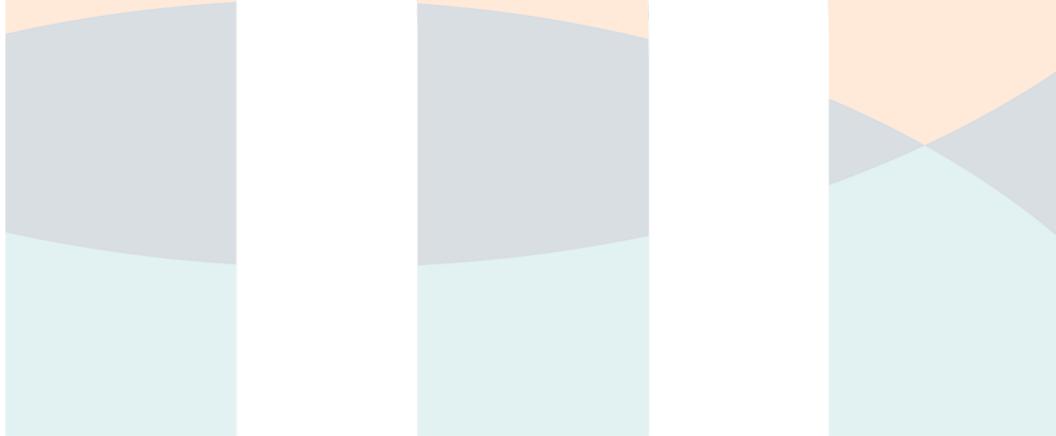
MS4 Name:	City of Marshall
MCM:	5 – Post-Construction Stormwater Management
Permit Section(s):	20.17, 20.18, 20.20, 20.21
BMP ID Number:	5-3
BMP Title:	Post-Construction Stormwater Management Inspection Training
BMP Description:	The City will develop a program to provide training to City staff. The training will focus on post-construction stormwater management site plan reviews and site inspections conducted by the Public Works staff. Training will include site plan review requirements and documentation, inspection procedures, enforcement, and other requirements as needed. Training will be provided at least once every 3 calendar years.
Measurable Goals:	The City will document the subject matter, names and departments of participants, and date of the training event. The City will then evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will develop training handouts and presentation materials. Required staff will be notified of the date and time of the training event.  Subsequent Years – Review of the training materials to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	5 – Post-Construction Stormwater Management
Permit Section(s):	20.19, 20.20, 20.22
BMP ID Number:	5-4
BMP Title:	BMP Enforcement Response Procedures (ERP's)
BMP Description:	The City will develop a program for performing inspections on post-construction stormwater management BMP's to ensure compliance with the City's requirements. Staff will have a set of written procedures, forms, and schedule for performing inspections. Inspections will include treatment effectiveness, structural integrity, function, maintenance needs, violations, corrective actions, and other necessary items.
Measurable Goals:	The City will document the name of the person violating the City's ordinances relating to stormwater management, date/location of observed violation(s), description, corrective action (including dates), referrals to other regulatory organizations, and date(s) of resolution. The City will evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will review the existing enforcement response procedures to ensure relevance and compliance with the City's MS4 and SWPPP program. Inspection and enforcement roles will be clearly identified with City staff.  Subsequent Years – Review of the inspection and enforcement procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	5 – Post-Construction Stormwater Management
Permit Section(s):	20.19, 20.20, 20.22
BMP ID Number:	5-5
BMP Title:	Long-Term Operation and Maintenance of BMP's
BMP Description:	The City will develop a program to implement the routine inspection and maintenance of the City owned facilities. City staff will inspect post-construction BMPs, then evaluate inspection records for the corrective maintenance actions (if required) for the long-term operation of all storm water management facilities owned and operated by the City. A complete list of long-term BMPs, their locations, along with the reported site conditions will be recorded and filed for reference during the next annual inspection.
Measurable Goals:	The City will continue to annually inspect all the storm sewer outfalls, detention ponds and other storm water management facilities, then evaluate and record the required maintenance measures taken (if any). The program will be modified as needed to provide the adequate operation of all storm water management facilities.
Timeline/ Implementation Schedule:	The post-construction inspections will be done on an annual basis for the term of the permit. The inspection schedule will be evaluated and revised if necessary.
Responsible Party:	Assistant City Engineer



**MCM 6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS**

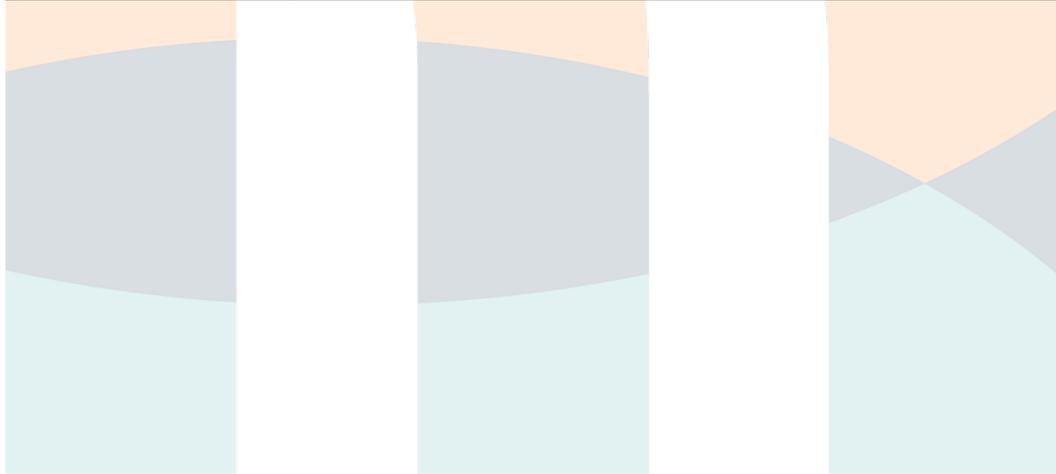
MS4 Name:	City of Marshall
MCM:	6 – Pollution Prevention/Good Housekeeping for Municipal Operation
Permit Section(s):	21.2, 21.4, 21.13
BMP ID Number:	6-1
BMP Title:	Municipal Operations and Maintenance Program
BMP Description:	<p>The City's Public Works Department will develop and implement a municipal operations pollution prevention control program consistent with the BMPs included in the City's SWPPP.</p> <p>The program will consist of training materials, workshops and operational procedures on the implementation of appropriate BMPs for the reduction of stormwater pollution. The program will address such pollution issues caused by street maintenance, fleet and building maintenance, park and other City greenspace maintenance, new construction and land disturbances, and storm sewer system maintenance.</p>
Measurable Goals:	<p>Train the City staff on the appropriate BMPs and their implementation for the reduction of stormwater pollution.</p> <p>The City staff will meet annually to evaluate their conformance to the municipal operations pollution prevention control program and revise the plan components if needed.</p>
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will review the existing operations and maintenance program to ensure relevance and compliance with the City's MS4 and SWPPP program. Performance roles will be clearly identified with City staff.</p> <p>Subsequent Years – Review of the operations and maintenance program and procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.</p>
Responsible Party:	Assistant City Engineer

MS4 Name:	City of Marshall
MCM:	6 – Pollution Prevention/Good Housekeeping for Municipal Operation
Permit Section(s):	
BMP ID Number:	6-2
BMP Title:	Street Sweeping
BMP Description:	<p>The City currently sweeps City owned streets and parking lots a minimum of two times per year to pick up sediment, leaves, trash, and other debris from these surfaces and reduce the amount of pollutants reaching the storm sewer system. Typically, the first sweeping effort begins at the completion of the spring thaw (April-May) and the second sweeping begins in the fall (September-November). Due to the variety of tree species and tree density the fall sweeping usually requires multiple sweeping cycles over much of the City to collect the fallen leaves. All the sweepings are taking to a City owned dumping site.</p> <p>In addition, the City sweeps the downtown business district more frequently (weather permitting) due to the concentrated traffic and pedestrian use. City staff will also sweep areas as necessary needs arise or in response to specific complaints which are reported to City Hall.</p>
Measurable Goals:	The City will update its current program to include record keeping of all sweeping activities and quantify the amount of sediment, trash and debris collected per day of operation. This data will be summarized in the City's SWPPP Annual Report.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will continue sweeping City streets throughout the duration of the current permit term.</p> <p>Subsequent Years – City staff will evaluate the frequency and areas of street sweeping for effectiveness.</p>
Responsible Party:	Assistant City Engineer

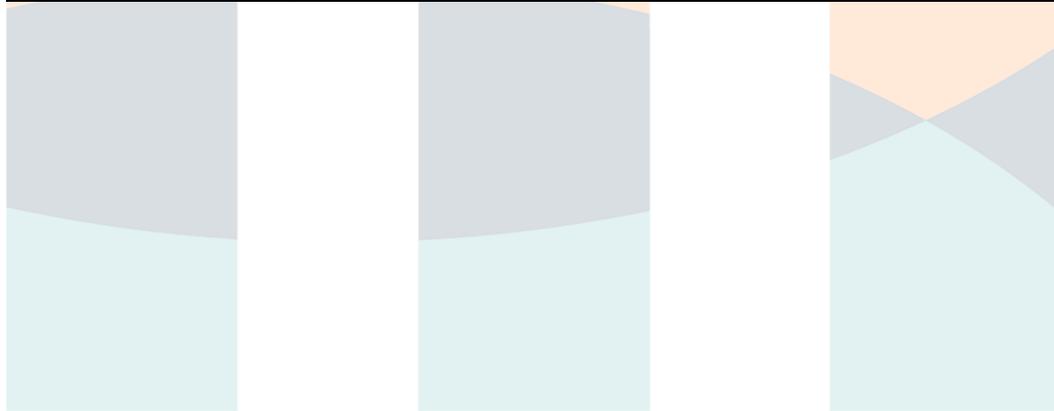
MS4 Name:	City of Marshall
MCM:	6 – Pollution Prevention/Good Housekeeping for Municipal Operation
Permit Section(s):	21.5, 21.6, 21.7
BMP ID Number:	6-3
BMP Title:	Snow and Ice Management Program
BMP Description:	<p>The City currently owns, operates, and maintains a salt and sand storage area for snow and ice control operations during the winter season. Public Works staff has implemented BMP's to minimize risk of pollutant discharge into the City's stormwater system.</p> <p>The City will develop a program to provide training to City staff involved with snow and ice control operations. This training will likely include the Smart Salting training course. The training will focus on winter practices and operations, BMP's, and other pertinent information. Training will be provided at least once every 3 calendar years.</p>
Measurable Goals:	The City will document the number of people attending the training, date, and location of the training. The success of the of the annual training will be found in staff's awareness of stormwater-related issues related to snow and ice control operations and conformance to the snow and ice management policy.
Timeline/ Implementation Schedule:	<p>Initial Year – City staff will review the existing operations and maintenance program to ensure relevance and compliance with the City's MS4 and SWPPP program. Performance roles will be clearly identified with City staff.</p> <p>Subsequent Years – Review of the operations and maintenance program and procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.</p>
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	6 – Pollution Prevention/Good Housekeeping for Municipal Operation
Permit Section(s):	18.7, 21.8, 21.9, 21.10, 21.11
BMP ID Number:	3-6 / 6-4
BMP Title:	Structural BMP Inspection Program
BMP Description:	The City will develop a program for performing inspections on city-owned ponds, outfalls, and other structural BMP's. Staff will have a set of written procedures, forms, and schedule for performing inspections. Inspections will include treatment effectiveness, structural integrity, function, maintenance needs, and other necessary items.
Measurable Goals:	The City will document the date/location of inspections, repair, replacement, or maintenance requirements, date of completed maintenance, and evidence of illicit discharges. The City will evaluate the effectiveness of the program and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will review the existing inspection program to ensure relevance and compliance with the City's MS4 and SWPPP program. Inspection roles will be clearly identified with City staff.  Subsequent Years – Review of the inspection program and procedures to ensure relevance and compliance with the City's MS4 and SWPPP program.
Responsible Party:	Assistant City Engineer



MS4 Name:	City of Marshall
MCM:	6 – Pollution Prevention/Good Housekeeping for Municipal Operation
Permit Section(s):	18.10, 21.3
BMP ID Number:	3-8 / 6-5
BMP Title:	SWPPP GIS Map
BMP Description:	The City will develop, maintain, and update a GIS map that includes information specifically regarding the city's SWPPP program. The map will include the city's stormwater infrastructure system within the entire MS4 (including pipes and flow direction), illicit discharge priority areas, outfalls, structural BMP's, receiving waters, city-owned facilities that contribute pollutants to stormwater discharges, waste load allocations, and other relevant items. Staff will also develop a method of quality control to ensure that mapped information is accurate and updated.
Measurable Goals:	The City will continue to update the map to include any changes, additions, or removals to the storm sewer system. The City will evaluate the effectiveness of GIS map and revise if necessary.
Timeline/ Implementation Schedule:	Initial Year – City staff will develop the SWPPP GIS map utilizing existing stormwater GIS map elements.  Subsequent Years – Staff will continuously review the SWPPP GIS map for updates and accuracy throughout the permit cycle according to the City's quality control methods.
Responsible Party:	Assistant City Engineer



## ANNUAL SCHEDULE FOR BMP'S

- January
    - Public Works Quarterly Newsletter
  - February
    - Illicit Discharge Recognition Training
  - March
    - Construction Site Inspection Training
    - Construction Site Contractor Training
    - Update City Hall Educational Distribution Materials
  - April
    - Public Works Quarterly Newsletter
    - Utility Bill Brochure
    - Street Sweeping
  - May
    - Rain Garden Workshop
  - June
    - Annual Public Hearing
  - July
    - Public Works Quarterly Newsletter
  - September
    - Post-Construction Stormwater Management Inspection Training
    - Structural BMP Inspections
  - October
    - Public Works Quarterly Newsletter
    - Utility Bill Brochure
    - Street Sweeping
    - Snow and Ice Management Training
    - Update City Hall Educational Distribution Materials
  - November
    - Community Leaf Raking Event
- 

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Lauren Deutz
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Call for Public Hearing for 27-485012-0
<b>Background Information:</b>	<p>Staff received an offer for the City-owned property (27-485012-0) located on S 10<sup>th</sup> St.</p> <p>The offer was made by 2<sup>nd</sup> Avenue Investments LLC who recently purchased the adjacent property located at 116<sup>th</sup> 10<sup>th</sup> St S. The intent is to use 27-485012-0 for an additional access into the 116 10<sup>th</sup> St S property.</p> <p>The parcel is 0.237 total acres and 2<sup>nd</sup> Avenue Investments LLC has agreed to a \$10,000 sale price.</p> <p>Kennedy and Graven has drafted an Purchase Agreement included in the packet.</p>
<b>Fiscal Impact:</b>	None
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Call for Public Hearing

## PURCHASE AGREEMENT

This Purchase Agreement (this “Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2023 by and between the City of Marshall, a Minnesota municipal corporation (“Seller”), and 2<sup>nd</sup> Avenue Investments, LLC., a Minnesota corporation (“Buyer”).

**1. PROPERTY.** Seller is the owner of certain real estate located in the City of Marshall, Lyon County, Minnesota (PID No. 27-485012-0), legally described as follows:

Outlot A, LEGION FIELD ROAD 2ND ADDITION, according to the recorded plat thereof

(the “Property”).

**2. OFFER/ACCEPTANCE.** In consideration of the mutual agreements herein contained, Buyer offers and agrees to purchase, and Seller agrees to sell and hereby grants to Buyer the exclusive right to purchase the Property. Buyer acknowledges that no items of personal property are included in the sale of the Property.

**3. CONTINGENCIES.** This Agreement is subject to the following contingencies:

- A. Approval of this Agreement by Seller’s governing body.
- B. Approval by Seller of Buyer’s intended use of the Property.
- C. Buyer having determined that it is satisfied with the results of and matters disclosed by Buyer’s investigations, surveys, soil tests, engineering inspections, and hazardous substance and environmental reviews of the Property, if any.

If the above contingencies are satisfied in a timely manner, then Buyer and Seller shall proceed to close the transaction as contemplated herein. If, however, any of the contingencies at subparagraphs A, B, or C above is not satisfied, this Agreement shall be void and Buyer and Seller shall execute and deliver to each other the termination of this Agreement. As a contingent purchase agreement, the termination of this Agreement is not required pursuant to Minnesota Statutes Section 559.21, et seq.

**4. PURCHASE PRICE AND TERMS:**

- A. **PURCHASE PRICE:** The total Purchase Price for the Property is \$10,000.00.
- B. **TERMS:**
  - (1) **BALANCE DUE SELLER.** Buyer agrees to pay the Purchase Price to Seller by certified or cashier’s check or by wire transfer on the Closing Date according to the terms of this Agreement.

- (2) **DEED/MARKETABLE TITLE.** Subject to performance by Buyer, Seller agrees to execute and deliver a Quit Claim Deed conveying marketable title to the Property to Buyer, subject only to the following exceptions:
  - a. Building and zoning laws, ordinances, state, and federal regulations; and
  - b. Reservation of minerals or mineral rights to the State of Minnesota, if any.
  
- (3) **DOCUMENTS TO BE DELIVERED AT CLOSING.** In addition to the Quit Claim Deed required at Paragraph 4(B)(2) above, Seller shall deliver to Buyer:
  - a. Standard form Affidavit of Seller;
  - b. FIRPTA affidavit that Seller is not a “foreign person” as such term is defined within Section 1445 of the Internal Revenue Code.
  - c. Such other documents as may be reasonably required by Buyer’s title examiner or title insurance company.

**5. REAL ESTATE TAXES AND SPECIAL ASSESSMENTS.**

- A. General real estate taxes applicable to the Property due and payable in the year of closing, if any, shall be prorated between Seller and Buyer on a daily basis with Seller paying those allocable to the period prior to the closing date and Buyer being responsible for those allocable to the closing date and thereafter.
  
- B. Seller shall be responsible for paying any levied or pending special assessments as of the date of closing, if any. Buyer shall be responsible for any special assessments levied or pending after the date of closing, if any.

**6. SURVEY AND TITLE MATTERS.** Buyer may order a survey of the Property at Buyer’s expense. If Buyer orders a survey, Buyer will provide a copy of the survey to Seller at no cost to Seller. Buyer may obtain at Buyer’s sole cost, a commitment for an owner’s policy of title insurance for the Property, naming Buyer as the proposed insured. Buyer shall have 10 days following the receipt of the title commitment and the survey, whichever is later, to make its objections in writing to Seller. If the title to the Property or any part thereof, shall be found to be unmarketable, Seller agrees to cure such defects and render the title marketable by the closing date; provided, that nothing in this Agreement shall require Seller to exercise its power of eminent domain to make title marketable. It is further understood and agreed that if the title to the Property or any part thereof is found to be unmarketable at date of closing, Buyer may, at its option: (a) waive the title defects and proceed to closing; or (b) declare this Agreement null and void and neither Buyer nor Seller shall be liable for damages hereunder. If the title to the Property is found marketable and Buyer shall default in any of the covenants or agreements herein provided, then

and in that case, Seller may at its option, deem this Agreement terminated by giving written notice thereof to Buyer. Neither party may enforce this Agreement by specific performance.

**7. CLOSING DATE.** The closing of the sale of the Property shall take place on a date to be mutually agreed upon by Seller and Buyer, but no later than September 29, 2023. The closing shall take place at Marshall City Hall, located at 344 Main Street West, Marshall, Minnesota, or such other location as mutually agreed upon by the parties.

**8. CLOSING COSTS AND RELATED ITEMS.** Seller will be responsible for paying: a) recording fees of instruments required to establish marketable title in Seller; b) any special assessments, pending or levied, prior to the Closing Date; c) one-half of the Closing fee charged by the Title Company. Buyer shall be responsible for paying: a) the costs of any reports and for any surveys, testing, or inspections conducted by Buyer on and of the Property; b) the state deed tax and the recording fee for the Quit Claim Deed transferring title to the Property to Buyer; and c) one-half of the Closing fee charged by the Title Company. In the event that Buyer orders a title commitment and title insurance, Buyer shall be responsible for payment of the costs of the title commitment, including all title search and examination fees, and the payment of the title insurance premium, if any. Each party shall be responsible for its own attorneys' fees and costs.

**9. APPROVALS.** Buyer shall be responsible for obtaining any governmental approvals that are necessary for its intended use of the Property. Seller agrees that it will cooperate with Buyer in providing any information or authorization needed in order for Buyer to apply for any governmental approvals. Seller acknowledges that it will allow access to the Property off of 10<sup>th</sup> Street. This acknowledgment shall survive Closing.

**10. "AS-IS" SALE.** Buyer acknowledges that it has inspected or has had the opportunity to inspect the Property and agrees to accept the Property "AS IS" with no right of set off or reduction in the purchase price. Such sale shall be without representation of warranties, express or implied, either oral or written, made by Seller or any official, employee, contractor, or agent of Seller with respect to the physical condition of the Property, including but not limited to, the existence or absence of petroleum, hazardous substances, pollutants or contaminants in, on, or under, or affecting the Property or with respect to the compliance of the Property or its operation with any laws, ordinances, or regulations of any government or other body, except as stated above. Buyer acknowledges and agrees that Seller has not made and does not make any representations, warranties, or covenants of any kind or character whatsoever, whether expressed or implied, with respect to warranty of income potential, operating expenses, uses, habitability, tenant ability, or suitability for any purpose, merchantability, or fitness of the Property for a particular purpose, all of which warranties Seller hereby expressly disclaims, except as stated above.

**11. POSSESSION/CONDITION OF PROPERTY.** Seller shall deliver possession of the Property to Buyer on the closing date, in the same condition as existed on the date of this Agreement.

**12. DISCLOSURE; INDIVIDUAL SEWAGE TREATMENT SYSTEM.** Seller discloses that there is not an individual sewage treatment system on or serving the Property.

**13. WELL DISCLOSURE.** Seller certifies that Seller does not know of any wells on the Property.

**14. BROKER COMMISSIONS.** Seller represents and warrants to Buyer that Seller has not involved a broker in this transaction or agreed to pay a broker commission to any broker. Buyer represents and warrants to Seller that Buyer has not involved a broker in this transaction or agreed to pay a broker commission to any broker. Each party agrees to indemnify, defend, and hold each other harmless for any and all claims for brokerage commissions or finders' fees in connection with negotiations for purchase of the Property.

**15. SURVEYING, ENVIRONMENTAL INSPECTION AND SOIL TESTS.** Buyer and its contractors shall have the right to enter upon the Property after the date of this Agreement for the purpose of surveying and inspecting the Property and conducting such environmental examination and soil tests as Buyer deems necessary. Buyer agrees to indemnify and defend Seller against any liens, claims, losses, or damage directly attributable by Buyer's exercise of its right to enter and work upon the Property. Buyer agrees to provide Seller with a copy of any report or survey prepared as a result of such surveying, inspection, examination, or testing, upon request by Seller.

**16. NO MERGER OF REPRESENTATIONS, WARRANTIES.** All representations and warranties contained in this Agreement shall not be merged into any instruments or conveyance delivered at Closing, and the parties shall be bound accordingly.

**17. ENTIRE AGREEMENT; AMENDMENTS.** This Agreement constitutes the entire agreement between the parties, and no other agreement prior to this Agreement or contemporaneous herewith shall be effective except as expressly set forth or incorporated herein. Any purported amendment shall not be effective unless it shall be set forth in writing and executed by both parties or their respective successors or assigns.

**18. BINDING EFFECT; ASSIGNMENT.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, executors, administrators, successors, and assigns. Buyer shall not assign its rights and interest hereunder without the written approval of Seller.

**19. NOTICE.** Any notice, demand, request, or other communication which may or shall be given or served by the parties shall be deemed to have been given or served on the date the same is deposited in the United States Mail, registered or certified, postage prepaid and addressed as follows:

- A. If to Seller: City of Marshall  
Attn: City Administrator  
344 West Main St.  
Marshall, MN 56258
  
- With a copy to: Kennedy & Graven, Chartered  
Attn: Sarah Sonsalla  
150 South Fifth Street, Suite 700  
Minneapolis, MN 55402
  
- B. If to Buyer: Service Restoration Inc.  
Attn: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**20. COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall constitute one and the same instrument.

**21. GOVERNING LAW.** The provisions of this Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

**22. SEVERABILITY.** If any provision of this Agreement is held to be unenforceable or void by a court of competent jurisdiction, such provision shall be deemed severable and shall not affect the validity of the remaining terms of this Agreement.

**23. PARTNERSHIP OR JOINT VENTURE.** Nothing in this Agreement shall be construed or interpreted as creating a partnership or joint venture between Seller and Buyer relative to the Property.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the date written above.

**SELLER**

**CITY OF MARSHALL**

By: \_\_\_\_\_  
Robert J. Byrnes, Mayor

By: \_\_\_\_\_  
Sharon Hanson, City Administrator

**BUYER**

**2<sup>ND</sup> AVENUE INVESTMENTS LLC**

By: \_\_\_\_\_

Its: \_\_\_\_\_

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Karla Drown
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of the bills/project payments
<b>Background Information:</b>	Staff encourage the City Council Members to contact staff in advance of the meeting regarding these items if there are questions. Construction contract questions are encouraged to be directed to Director of Public Works, Jason Anderson at 537-6051 or Finance Director, Karla Drown at 537-6764
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	The following bills and project payments be authorized for payment.



Marshall, MN

# Council Check Report

By Vendor Name

Date Range: 07/14/2023 - 07/25/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
4549	A & B BUSINESS, INC	07/14/2023	EFT	0.00	2,421.15	13574
6128	ACTION COMPANY LLC	07/21/2023	EFT	0.00	144.00	13633
6412	AG PLUS COOPERATIVE	07/21/2023	EFT	0.00	88.08	13634
0578	AMAZON CAPITAL SERVICES	07/14/2023	EFT	0.00	1,367.30	13575
0578	AMAZON CAPITAL SERVICES	07/21/2023	EFT	0.00	1,264.18	13635
6694	ARAMARK UNIFORM & CAREER APPAREL GROUP,	07/14/2023	EFT	0.00	124.96	13576
0630	ARCTIC GLACIER	07/14/2023	Regular	0.00	1,268.76	123052
0630	ARCTIC GLACIER	07/21/2023	Regular	0.00	411.55	123089
0656	AVERA MARSHALL	07/21/2023	Regular	0.00	8.75	123090
0658	AWARDS PLUS, INC.	07/14/2023	EFT	0.00	79.42	13577
4764	BCA TRAINING	07/14/2023	Regular	0.00	1,500.00	123053
0688	BELLBOY CORPORATION	07/14/2023	EFT	0.00	6,944.76	13578
0688	BELLBOY CORPORATION	07/21/2023	EFT	0.00	2,766.53	13636
0689	BEND RITE CUSTOM FABRICATION, INC.	07/14/2023	Regular	0.00	22.50	123054
0689	BEND RITE CUSTOM FABRICATION, INC.	07/21/2023	Regular	0.00	978.09	123091
0699	BEVERAGE WHOLESALERS, INC.	07/14/2023	Regular	0.00	95,937.79	123055
0699	BEVERAGE WHOLESALERS, INC.	07/21/2023	Regular	0.00	43,193.56	123092
0724	BOLTON & MENK INC	07/14/2023	EFT	0.00	289.50	13579
0018	BORDER STATES INDUSTRIES, INC.	07/14/2023	EFT	0.00	21.80	13580
0018	BORDER STATES INDUSTRIES, INC.	07/21/2023	EFT	0.00	234.92	13637
3829	BRAU BROTHERS	07/14/2023	EFT	0.00	855.50	13581
4457	BREAKTHRU BEVERAGE MINNESOTA WINE & SPIR	07/14/2023	Regular	0.00	19,313.33	123058
4457	BREAKTHRU BEVERAGE MINNESOTA WINE & SPIR	07/21/2023	Regular	0.00	828.28	123093
6857	BRUSVEN, KATHERINE	07/21/2023	EFT	0.00	30.00	13638
0763	BSN SPORTS LLC	07/14/2023	Regular	0.00	324.96	123062
0763	BSN SPORTS LLC	07/21/2023	Regular	0.00	63.92	123096
0728	BUFFALO RIDGE CONCRETE,INC	07/21/2023	EFT	0.00	139.00	13639
5511	C&R FIRE SUPPRESSION	07/14/2023	Regular	0.00	5,634.05	123063
6798	CAMPION, MIKAYLA	07/14/2023	Regular	0.00	521.56	123064
6798	CAMPION, MIKAYLA	07/21/2023	Regular	0.00	254.72	123097
6791	CAPITAL ONE	07/14/2023	Regular	0.00	109.63	123065
6791	CAPITAL ONE	07/21/2023	Regular	0.00	35.76	123098
0815	CATTOOR OIL COMPANY, INC	07/14/2023	EFT	0.00	2,480.60	13582
0836	CHARTER COMMUNICATIONS, LLC	07/14/2023	EFT	0.00	11.99	13583
0836	CHARTER COMMUNICATIONS, LLC	07/21/2023	EFT	0.00	106.81	13640
5733	CLARITY TELECOM, LLC	07/14/2023	EFT	0.00	347.72	13584
5733	CLARITY TELECOM, LLC	07/21/2023	EFT	0.00	2,864.29	13641
6294	CREDIT BUREAU OF ALEXANDRIA	07/21/2023	EFT	0.00	35.00	13642
0920	CULLIGAN WATER CONDITIONING OF MARSHALL	07/14/2023	Regular	0.00	78.25	123066
0934	D & G EXCAVATING INC	07/21/2023	EFT	0.00	1,943.33	13643
3819	DACOTAH PAPER CO	07/14/2023	EFT	3.27	322.86	13585
3819	DACOTAH PAPER CO	07/21/2023	EFT	2.97	293.99	13644
7102	DAHLHEIMER BEVERAGE	07/14/2023	EFT	0.00	1,698.04	13586
7309	DETECTACHEM, INC.	07/21/2023	Regular	0.00	53.23	123099
7313	DEUEL, MARTIN & KATHLEEN	07/21/2023	Regular	0.00	300.00	123100
0990	DIAMOND VOGEL, INC	07/21/2023	EFT	0.00	6,065.70	13645
5731	DOLL DISTRIBUTING LLC	07/14/2023	EFT	0.00	44,668.20	13587
5731	DOLL DISTRIBUTING LLC	07/21/2023	EFT	0.00	13,689.32	13646
1020	DUIINCK, INC.	07/21/2023	EFT	0.00	3,871.12	13647
1037	ECOWATER SYSTEMS	07/14/2023	EFT	0.00	104.50	13588
4753	ENTERPRISE LEASING CO	07/14/2023	EFT	0.00	223.14	13589
6700	EYEMED VISION CARE	07/14/2023	Regular	0.00	608.92	123067
1090	FASTENAL COMPANY	07/14/2023	EFT	0.00	188.21	13590
1090	FASTENAL COMPANY	07/21/2023	EFT	0.00	8.95	13648

Council Check Report

Date Range: 07/14/2023 - 07/25/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
6832	FIRST DAKOTA NATIONAL BANK	07/14/2023	Regular	0.00	39,509.19	123071
6882	FRIEDRICHS, MELISSA	07/14/2023	EFT	0.00	453.69	13591
1199	GRAHAM TIRE AND AUTOMOTIVE SERVICES	07/14/2023	Regular	0.00	410.72	123072
1199	GRAHAM TIRE AND AUTOMOTIVE SERVICES	07/21/2023	Regular	0.00	1,426.42	123101
1201	GRAINGER INC	07/21/2023	EFT	0.00	169.37	13649
6379	GRAPE BEGINNINGS, INC.	07/14/2023	EFT	0.00	1,438.96	13592
6269	HANSON, SHARON	07/14/2023	EFT	0.00	632.95	13593
1256	HAWKINS INC	07/21/2023	EFT	0.00	14,058.59	13650
1271	HENLE PRINTING COMPANY	07/14/2023	EFT	0.00	296.33	13594
5408	HERITAGE POINTE PARTNERS LLC	07/14/2023	Regular	0.00	24,746.38	123073
7306	HERNANDEZ, ERIKA	07/14/2023	Regular	0.00	100.00	123074
7273	HINTERLAND VINEYARDS	07/14/2023	Regular	0.00	110.00	123075
4885	HORIZON COMMERCIAL POOL SUPPLY	07/21/2023	EFT	0.00	4,556.20	13651
1325	ICMA RETIREMENT TRUST #300877	07/21/2023	EFT	0.00	50.00	13652
6540	INTERNATIONAL CHEMTEX, LLC	07/21/2023	EFT	0.00	976.97	13653
5333	JOHANSSON SALES & SERVICE	07/21/2023	Regular	0.00	225.42	123102
1399	JOHNSON BROTHERS LIQUOR COMPANY	07/14/2023	EFT	0.00	36,368.13	13597
1399	JOHNSON BROTHERS LIQUOR COMPANY	07/21/2023	EFT	0.00	7,853.13	13654
2036	JOHNSON BROTHERS LIQUOR COMPANY	07/14/2023	EFT	0.00	26,686.67	13598
2036	JOHNSON BROTHERS LIQUOR COMPANY	07/21/2023	EFT	0.00	5,902.96	13655
2605	JOHNSON BROTHERS LIQUOR COMPANY	07/14/2023	EFT	0.00	4,142.22	13596
5447	JOHNSON BROTHERS LIQUOR COMPANY	07/14/2023	EFT	0.00	1,904.85	13595
5447	JOHNSON BROTHERS LIQUOR COMPANY	07/21/2023	EFT	0.00	623.75	13656
7176	JOHNSON LAFFEN GALLOWAY ARCHITECTS, LTD	07/21/2023	Regular	0.00	2,125.00	123103
6199	JONES, DAVID	07/21/2023	Regular	0.00	175.00	123104
1417	KENNEDY & GRAVEN, CHARTERED	07/21/2023	EFT	0.00	7,312.50	13657
5095	KIBBLE EQUIPMENT LLC	07/14/2023	EFT	0.00	138.23	13599
5095	KIBBLE EQUIPMENT LLC	07/21/2023	EFT	0.00	1,935.07	13658
1423	KIEFER	07/21/2023	Regular	0.00	310.23	123105
4140	KRUSE FORD-LINCOLN-MERCURY, INC	07/21/2023	EFT	0.00	279.95	13659
3653	LANGUAGE LINE SERVICES	07/14/2023	EFT	0.00	353.78	13600
7308	LARSON, DONNA	07/21/2023	Regular	0.00	40.00	123106
1483	LEAGUE OF MINNESOTA CITIES INS TRUST	07/21/2023	Regular	0.00	318.01	123107
6567	LINCOLN CO SHERIFF'S OFFICE	07/21/2023	Regular	0.00	1,030.04	123108
1508	LOCKWOOD MOTORS INC	07/14/2023	EFT	0.00	383.68	13601
1508	LOCKWOOD MOTORS INC	07/21/2023	EFT	0.00	691.10	13660
6323	LUTHER, ERIC	07/21/2023	EFT	0.00	34.95	13661
3816	LUTHERAN SOCIAL SERVICES	07/14/2023	Regular	0.00	20.00	123076
4685	LYON COUNTY 4-H FEDERATION	07/14/2023	Regular	0.00	243.75	123077
4685	LYON COUNTY 4-H FEDERATION	07/21/2023	Regular	0.00	315.00	123109
1531	LYON COUNTY AUDITOR-TREASURER	07/14/2023	EFT	0.00	26,835.15	13602
1531	LYON COUNTY AUDITOR-TREASURER	07/21/2023	EFT	0.00	676.33	13662
1545	LYON COUNTY HIGHWAY DEPARTMENT	07/21/2023	EFT	0.00	12,719.92	13663
1552	LYON COUNTY RECORDER	07/14/2023	EFT	0.00	104.80	13603
1553	LYON COUNTY SHERIFF'S DEPT.	07/21/2023	Regular	0.00	725.46	123110
1555	LYON LINCOLN ELECTRIC COOPERATIVE INC	07/21/2023	Regular	0.00	36.76	123111
1570	MADDEN UPHOLSTERY & HOME DECORATING INC	07/14/2023	Regular	0.00	127.00	123078
6292	MADDEN, GALANTER, HANSEN, LLP	07/21/2023	EFT	0.00	640.00	13664
1575	MAILBOXES & PARCEL DEPOT	07/21/2023	EFT	0.00	16.87	13665
1603	MARSHALL ANIMAL CLINIC	07/14/2023	Regular	0.00	673.03	123079
1604	MARSHALL AREA CHAMBER OF COMMERCE	07/21/2023	EFT	0.00	20.00	13666
1616	MARSHALL CONVENTION & VISITORS BUREAU	07/14/2023	EFT	0.00	16,481.13	13604
5813	MARSHALL LUMBER CO	07/14/2023	EFT	0.00	181.90	13605
5813	MARSHALL LUMBER CO	07/21/2023	EFT	0.00	149.19	13667
5813	MARSHALL LUMBER CO	07/21/2023	EFT	0.00	600.00	13668
1633	MARSHALL MUNICIPAL UTILITIES	07/14/2023	EFT	0.00	89,504.11	13606
1633	MARSHALL MUNICIPAL UTILITIES	07/21/2023	EFT	0.00	14,975.67	13669
3545	MARSHALL RADIO	07/14/2023	EFT	0.00	2,150.00	13609
7307	MCFOA REGION 5	07/21/2023	Regular	0.00	25.00	123112
7077	MEDSURETY, LLC	07/14/2023	Bank Draft	0.00	3,462.00	DFT0003097
4980	MENARDS INC	07/14/2023	EFT	0.00	435.43	13610

Council Check Report

Date Range: 07/14/2023 - 07/25/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4980	MENARDS INC	07/21/2023	EFT	0.00	273.75	13670
1818	MINNESOTA DEPARTMENT OF REVENUE	07/19/2023	Bank Draft	0.00	73,507.00	DFT0003125
0969	MN DEPT OF LABOR & INDUSTRY	07/21/2023	Regular	0.00	2,766.50	123113
6422	MN STATE LOTTERY	07/20/2023	Bank Draft	0.00	279.59	DFT0003103
1864	MONTES ELECTRIC INC	07/14/2023	Regular	0.00	2,411.80	123080
1864	MONTES ELECTRIC INC	07/21/2023	Regular	0.00	2,111.06	123114
7311	MOORSE, FRANCIS & MARIE	07/21/2023	Regular	0.00	300.00	123115
1887	MTI DISTRIBUTING INC	07/14/2023	EFT	0.00	286.21	13611
5216	NBS CALIBRATIONS	07/21/2023	EFT	0.00	183.00	13671
7235	NIELSEN, SAMANTHA	07/14/2023	EFT	0.00	280.00	13612
7305	NO APOLOGIES LLC	07/14/2023	Regular	0.00	8,390.07	123082
1945	NORM'S GTC	07/14/2023	Regular	0.00	631.97	123083
1945	NORM'S GTC	07/21/2023	Regular	0.00	76.06	123116
1946	NORTH CENTRAL LABS	07/14/2023	EFT	0.00	11.59	13613
7230	NORTHERN STATES SUPPLY, INC	07/14/2023	EFT	0.00	118.95	13614
7230	NORTHERN STATES SUPPLY, INC	07/21/2023	EFT	0.00	6.99	13672
6820	NORTHWESTERN COLLEGE	07/14/2023	Regular	0.00	300.00	123084
4566	NSI SOLUTIONS	07/21/2023	EFT	0.00	219.00	13673
6463	OFFICE OF MNIT SERVICES	07/21/2023	Regular	0.00	695.15	123117
5891	ONE OFFICE SOLUTION	07/14/2023	EFT	0.00	3.27	13615
3809	O'REILLY AUTOMOTIVE STORES, INC	07/21/2023	EFT	0.00	313.81	13674
1243	PATZERS INC	07/14/2023	EFT	0.00	55.97	13616
1243	PATZERS INC	07/21/2023	EFT	0.00	77.97	13675
2019	PAUSTIS WINE COMPANY	07/21/2023	EFT	0.00	5,582.75	13676
5707	PAYPAL INC	07/17/2023	Bank Draft	0.00	29.99	DFT0003102
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	07/14/2023	EFT	0.00	54.00	13617
7053	PERFORMANCE FOOD GROUP, INC.	07/21/2023	Regular	0.00	5,244.85	123118
4007	PETE'S ELECTRIC MOTOR REPAIR	07/21/2023	EFT	0.00	369.33	13677
2037	PHOTOWORKS	07/21/2023	Regular	0.00	840.00	123119
6569	PIPESTONE COUNTY SHERIFF'S OFFICE	07/21/2023	Regular	0.00	462.19	123120
2044	PITNEY BOWES INC	07/17/2023	Bank Draft	0.00	100.00	DFT0003099
2044	PITNEY BOWES INC	07/21/2023	Bank Draft	0.00	350.00	DFT0003101
6166	PULVER MOTOR SVC, LLC	07/14/2023	EFT	0.00	80.00	13618
6267	RATWIK, ROSZAK & MALONEY, PA	07/14/2023	EFT	0.00	2,473.36	13619
6570	REDWOOD COUNTY SHERIFF	07/21/2023	Regular	0.00	1,126.69	123121
6571	REDWOOD FALLS POLICE DEPARTMENT	07/21/2023	Regular	0.00	1,324.04	123122
0707	ROADSIDE DEVELOPERS INC	07/21/2023	Regular	0.00	23.50	123123
7108	ROSELAND, ROLLAND & MARY	07/21/2023	Regular	0.00	300.00	123124
2201	RUNNING SUPPLY, INC	07/14/2023	EFT	0.00	523.77	13620
2201	RUNNING SUPPLY, INC	07/21/2023	EFT	0.00	19.96	13678
2244	SCHWANS SALES ENTERPRISES	07/14/2023	Regular	0.00	561.20	123085
2244	SCHWANS SALES ENTERPRISES	07/21/2023	Regular	0.00	116.90	123125
2248	SCOTT'S TREE SERVICE	07/21/2023	EFT	0.00	680.00	13679
4641	SDSU	07/14/2023	Regular	0.00	600.00	123086
6425	SEEHUSEN, WAYNE DBA	07/21/2023	Regular	0.00	600.00	123126
2253	SEELYE PLASTICS INC	07/14/2023	EFT	0.00	460.62	13621
3495	SMSU	07/21/2023	EFT	0.00	250.00	13680
4855	SOUTHERN GLAZER'S	07/14/2023	EFT	0.00	32,841.47	13622
4855	SOUTHERN GLAZER'S	07/21/2023	EFT	0.00	13,829.15	13681
2311	SOUTHWEST GLASS CENTER, INC	07/14/2023	EFT	0.00	130.00	13623
2318	SOUTHWEST SANITATION INC.	07/14/2023	EFT	0.00	4,065.40	13624
4522	ST LOUIS MRO INC.	07/21/2023	EFT	0.00	137.50	13682
5823	STAN MORGAN & ASSOCIATES, INC	07/14/2023	Regular	0.00	2,000.00	123087
5823	STAN MORGAN & ASSOCIATES, INC	07/21/2023	Regular	0.00	620.63	123127
2373	STREICHERS	07/21/2023	EFT	0.00	490.70	13683
6277	TALKING WATERS BREWING CO, LLC	07/14/2023	EFT	0.00	1,420.00	13625
6137	TEIGS LAWN CARE & LANDSCAPING, LLC	07/21/2023	Regular	0.00	515.00	123128
1366	TELEDYNE ISCO INC	07/14/2023	EFT	0.00	1,055.14	13626
0875	THE COMPUTER MAN INC	07/21/2023	EFT	0.00	1,967.00	13684
2143	THOOFT ENTERPRISES LLC	07/21/2023	EFT	0.00	1,050.00	13685
2428	TITAN MACHINERY	07/21/2023	EFT	0.00	5,446.99	13686

Council Check Report

Date Range: 07/14/2023 - 07/25/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
6786	TRUCK CENTER COMPANIES EAST LLC	07/21/2023	EFT	0.00	213.15	13687
6156	TRUE BRANDS	07/14/2023	EFT	0.00	439.15	13627
5106	ULINE	07/21/2023	EFT	0.00	241.42	13688
7036	US BANK	07/21/2023	EFT	0.00	506,018.77	13689
4489	VERIZON WIRELESS	07/14/2023	EFT	0.00	35.01	13628
4489	VERIZON WIRELESS	07/21/2023	EFT	0.00	39.02	13691
4489	VERIZON WIRELESS	07/21/2023	EFT	0.00	1,456.34	13692
6113	VERSA-VEND VENDING INC	07/14/2023	EFT	0.00	77.00	13629
2538	VIKING COCA COLA BOTTLING CO.	07/14/2023	EFT	0.00	1,317.10	13630
2538	VIKING COCA COLA BOTTLING CO.	07/21/2023	EFT	0.00	961.00	13693
5288	WEST CENTRAL COMMUNICATIONS, INC	07/14/2023	EFT	0.00	117.50	13631
7310	WESTERN MN MUNICIPAL POWER AGENCY	07/21/2023	Regular	0.00	113.82	123129
2591	WESTERN PRINT GROUP	07/14/2023	EFT	0.00	145.25	13632
2624	YMCA	07/14/2023	Regular	0.00	120.00	123088
7312	ZIMMER, KEVIN	07/21/2023	Regular	0.00	300.00	123130

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	159	68	0.00	276,691.45
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	6	6	0.00	77,728.58
EFT's	252	117	6.24	964,247.76
	<b>417</b>	<b>191</b>	<b>6.24</b>	<b>1,318,667.79</b>

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	159	68	0.00	276,691.45
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	6	6	0.00	77,728.58
EFT's	252	117	6.24	964,247.76
	<b>417</b>	<b>191</b>	<b>6.24</b>	<b>1,318,667.79</b>

### Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	7/2023	1,318,667.79
			<b>1,318,667.79</b>

CITY OF MARSHALL, MINNESOTA  
 PRIOR AND CURRENT YEARS CONSTRUCTION CONTRACTS  
 7/25/2023

PROJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2020 Prior Payments	2021 Prior Payments	2022 Prior Payments	2023 Prior Payments	PYMTS THIS MEETING:	RETAINAGE	BALANCE:	PERCENT COMPLETE	
CH1	494-43300-55120	11/12/2019	City Hall Renovation	Brennan Companies	5,030,200.00	749,360.00	5,779,560.00	3,039,722.04	2,661,221.96	66,794.00		11,822.00	-	100.00%	
ST-004	480-43300-55170	2/22/2022	Halbur Road Reconstruction	Duininck, Inc	1,142,009.72	27,473.66	1,169,483.38			1,068,756.45	42,723.29	11,227.07	46,776.57	96.00%	
ST-006 (Z79)	495-43300-55130	5/10/2022	School Pedestrian Crossing Improvements	Duininck, Inc	480,250.35	15,028.32	495,278.67			376,682.76	118,595.91	-	-	100.00%	
ST-002	495-43300-55170	3/14/2023	Bituminous Overlay on Various City Streets	Duininck, Inc	887,990.20		887,990.20				23,472.60	1,235.40	863,282.20	2.78%	
ST-008	401-43300-55170	3/14/2023	Channel Parkway Pavement Replacement	Duininck, Inc	1,374,151.96		1,374,151.96						1,374,151.96	0.00%	
ST-009	481-43300-55170	3/14/2023	W. Lyon Street/N. 3rd Street Reconstruction	R & G Construction Co.	3,845,497.31		3,845,497.31			1,160,810.96		61,095.31	2,623,591.04	31.77%	
SWM-002	630-49600-55170	3/14/2023	Legion Field Road Stormwater Study: Phase 2	Towne & Country Excavating LLC	703,749.60		703,749.60						703,749.60	0.00%	
PK-092	481-45200-55120	4/11/2023	Amateur Sports Center Shelter & Storage-Ball Field	Doom & Cuyper's Construction, Inc.	171,642.00		171,642.00						171,642.00	0.00%	
AP-007	480-43400-55170	2022	Crack Filling w/Sealcoat	City Staff - Street/Airport	75,000.00		75,000.00			51,540.63			23,459.37	68.72%	
ST-032	481-43300-53425	7/11/2023	L2,BLK1, Schwans Corp I Addition Prkng Lot Improv	D & G Excavating, Inc.	221,243.20		221,243.20						221,243.20	0.00%	
							13,931,734.34	791,861.98	14,723,596.32	3,039,722.04	2,661,221.96	1,563,773.84	0.00	85,379.78	6,027,895.94

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Ilya Gutman
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider the Request for a Variance Adjustment Permit for Reduced Setbacks for an Accessory Building at 710 South Bend Avenue
<b>Background Information:</b>	<p>This is a request from the property owner to construct a new detached garage in the rear corner of their property with a 5-FT rear setback and a 2-FT side yard setback. There is an existing detached garage in this location today. The property owner desires to demolish the existing 22' x 22' structure and replace it with a larger structure, likely 24' wide by 36' deep. See attached drawing.</p> <p>Granting of a variance may be permitted only if the request meets the “practical difficulties” test, which requires that proposed use is reasonable, that the problem is caused by conditions that are unique to this property, and that granting the variance will not change the character of the area.</p> <p>Upon review, city staff believes that the argument could be made that this proposal generally meets the practical difficulties test for a rear yard variance. There are numerous structures in this neighborhood and area that do not meet minimum setbacks and there is a garage located here today. This makes the request both reasonable and doesn't change the character of the area. Staff believe that the lot is unique due to the orientation of the lot. The rear yard of this lot aligns with the side yard of 604 W. Southview Drive. In a more typical lot orientation, the neighbor at 604 W. Southview Drive could expect a structure within 5-FT of the lot line.</p> <p>As for the side yard request, staff questions the reasonableness of placing a larger structure so close to the lot line. The existing building is smaller than the proposed building, and the proposed detached garage will be quite close to the neighboring structure. It would appear that the property owner could construct the new detached garage in a manner that meets the required 5-FT side yard setback.</p> <p>The variance regulations and procedures are found in Section 86-29. A property aerial photo with proposed site plan is attached for reference.</p> <p>At the Planning Commission meeting on July 12, 2023, a public hearing was held and Pieper MADE A MOTION, SECOND BY Doom to recommend to City Council to approve the 5' rear and 2' side yard variance adjustment permit for reduced setbacks for accessory building at 710 South Ben Avenue and directing City staff to prepare the Finding of Facts document that outlines the basis for the decision. . ALL VOTED IN FAVOR OF THE MOTION.</p> <p>During the Planning Commission meeting, Owner presented some evidence for this application satisfying all three components of the “practical difficulty” test. Meeting minutes include his arguments.</p>

<b>Fiscal Impact:</b>	None known.
<b>Alternative/ Variations:</b>	Follow staff recommendation and allow 5-foot rear yard instead of 12 feet but maintain required 5-foot side yard.
<b>Recommendations:</b>	The Planning Commission recommends that the Council approve the request of Bradin Wyffels for a Variance Adjustment Permit to have reduced setbacks for an accessory building as follows: 5 feet for rear yard and 2 feet for side yard.

**VARIANCE ADJUSTMENT PERMIT**  
City of Marshall, Minnesota

**WHEREAS**, The Planning Commission of the City of Marshall has held a Public Hearing for a Variance Adjustment Permit to have reduced yards, on the premises described as:

**Lot 16, Block 4, Eatros Place  
City of Marshall, County of Lyon, State of Minnesota  
710 South Bend Avenue**

and; in accordance with and pursuant to the provisions Chapter 86 of City Code of Ordinances related to zoning; and has written findings that the establishment, maintenance or conducting of the use for which the permit is sought will not under the circumstances be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the area adjacent to the use, or to the public welfare, or injurious to property or improvements in the area adjacent to such use, and;

**WHEREAS**, The Planning Commission has designated certain conditions in the granting of such permit.

**NOW THEREFORE**, be it resolved by the Common Council of the City of Marshall, Minnesota, that a variance adjustment permit be granted to build a garage with five-foot rear yard and \_\_\_\_-foot side yard, subject to the following conditions:

1. Pursuant to Marshall Code Article 86-II, Division 86-II-1, Section 86-29, no application for a condition modification shall be considered by the planning commission or council for at least one-year from the date of a variance adjustment permit approval or from when circumstance sufficiently change to justify a review.
2. The owner shall maintain the property to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
3. The owner shall obtain all relevant and required permits prior to beginning any work and meet all applicable codes.
4. The City reserves the right to revoke the variance if the applicant, or if the ownership of the property has changed, then the current owner, has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.

**ADOPTED: JULY 25, 2023**

ATTEST:

\_\_\_\_\_

Mayor

\_\_\_\_\_

City Clerk

(SEAL)

Item 16.

This Instrument Drafted By:  
Jason R. Anderson, P.E., City Engineer/Zoning Administrator  
File No. 1155

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**FINDING OF FACTS  
A VARIANCE ADJUSTMENT PERMIT  
FOR 710 SOUTH BEND AVENUE  
WITHIN THE CITY OF MARSHALL, MINNESOTA**

**WHEREAS**, an application has been submitted by Bradin Wyffels, (“Applicant”) to the City Council requesting approval of a variance adjustment permit under the Zoning Code, Article 86-II, Section 86-29, in the City of Marshall for the following location:

**LOCATION:** 710 South Bend Avenue.

**LEGAL DESCRIPTION:** Eatros Addition, Block 4, Lot 16.

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING:** A variance adjustment permit to install an accessory garage building within required yards on the property located at 710 South Bend Avenue and legally described above, and

**WHEREAS**, notice required pursuant to Minnesota Statutes Section 462.357 including the time, place and purpose of the hearing was published in the official newspaper at least ten days prior to the day of the hearing; and

**WHEREAS**, notice required pursuant to Minnesota Statutes Section 462.357 was mailed at least ten days before the day of the hearing to each owner of affected property and property situated wholly or partly within 350 feet of the property to which the variance adjustment permit relates; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on July 12, 2023, and

**WHEREAS**, Zoning Ordinance requires 12 feet rear yard and five feet side yard for all accessory buildings, and

**WHEREAS**, Zoning Ordinance provides for considerations for granting a variance as follows: the applicant shall prove that the literal enforcement of the provisions of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and the granting of the variances will be in keeping with the spirit and intent of this chapter. The term "practical difficulties," as used in connection with the granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality, and

**WHEREAS**, staff presented the Planning Commission with information that the applicant wants to install a garage with five feet rear yard and two feet side yard, and

**WHEREAS**, staff believe this proposal meets the practical difficulties test for a rear yard variance for the following reasons:

- There are numerous structures in this neighborhood and area that do not meet minimum setbacks so the new garage will fit with the essential character of the locality.
- There is a garage located here today.
- The lot is unique due to the orientation of the lot. The rear yard of this lot aligns with the side yard of 604 W. Southview Drive. In a more typical lot orientation, the neighbor at 604 W. Southview Drive could expect a structure within 5-FT of the lot line, and

**WHEREAS**, staff believe this proposal does not meet the practical difficulties test for a side yard variance, specifically placing a larger structure so close to the side lot line. The existing building is smaller than the proposed building, and the proposed detached garage will be quite close to the neighboring structure. Staff believe there is nothing unique to the property that makes it so the property owner could not construct the new detached garage in a manner that meets the required 5-FT side yard setback, and

**WHEREAS**, the applicant indicated he is requesting the variance mainly for the side yard to decrease setback in order to make the garage more accessible to pull into for both stalls because of the uniqueness of the lot. The lot is such that the house is about 13' away from the property line and with the City setback of 5' plus an additional 2' bump out of garage and door, there is practical difficulties for the property owner to access the garage as well as second stall with vehicles if required to follow that setback. The applicant states that he had talked to neighbors to south and north and they do not have a problem. Additionally, the proposed new garage would still sit 10' away from the neighbor's house, and

**WHEREAS**, the Planning Commission has discussed the above findings and, after discussion, held a vote on the request, and

**WHEREAS**, the Planning Commission, based on the above findings, has recommended to the City Council to approve a request for a variance adjustment permit to build a garage with five feet rear yard and two feet side yard, arising out of the motion offered by Pieper and seconded by Doom, and declared carried on the following vote Ayes: 7 Nays: 0 , and

**WHEREAS**, the City Council reviewed the Minutes of the Planning Commission and heard from staff, and

**WHEREAS**, Staff reiterated its findings to the Council at the July 25, 2023, Council meeting,

**NOW THEREFORE, THE COUNCIL HAS RESOLVED**, that the City Council accepts and adopts the following findings:

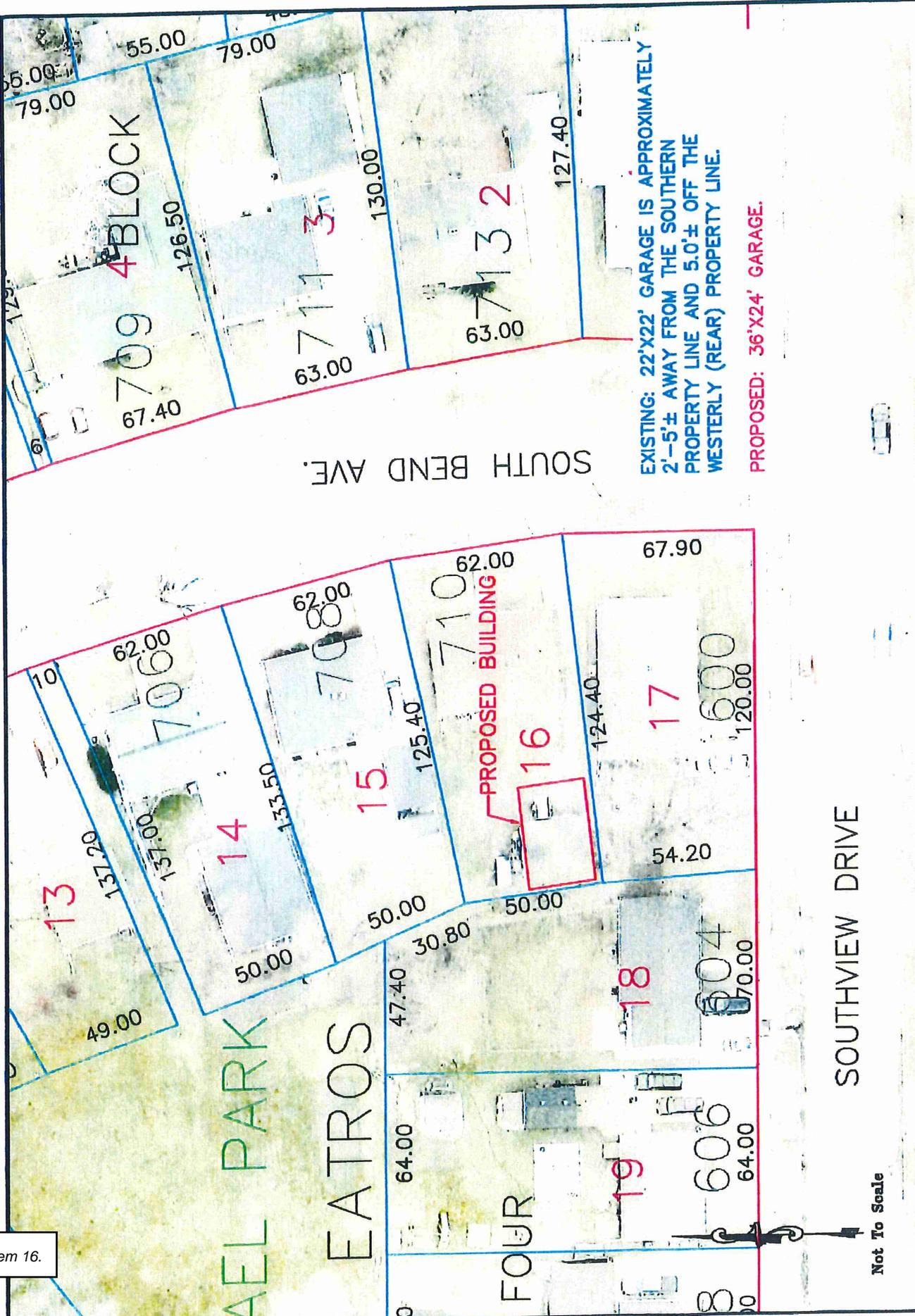
1. Because of the nature of the proposed use and its location, the request meets the practical difficulties test:
  - a. Property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
  - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
  - c. The variance, if granted, will not alter the essential character of the locality.

**FURTHER, THE COUNCIL HAS RESOLVED**, that the City Council of the City of Marshall hereby approves the request for a variance adjustment permit to build a garage with five-foot rear yard and [redacted] side yard, subject to on-going compliance with all of the following conditions:

1. Pursuant to Marshall Code Article 86-II, Division 86-II-1, Section 86-29, no application for a condition modification shall be considered by the planning commission or council for at least one-year from the date of a variance adjustment permit approval or from when circumstance sufficiently change to justify a review.
2. The owner shall maintain the property to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.



Item 16.



SOUTH BEND AVE.

SOUTHVIEW DRIVE

EXISTING: 22'X22' GARAGE IS APPROXIMATELY 2'-5"± AWAY FROM THE SOUTHERN PROPERTY LINE AND 5.0'± OFF THE WESTERLY (REAR) PROPERTY LINE.

PROPOSED: 36'X24' GARAGE.

Not To Scale

 <b>MARSHALL</b>	ENGINEERING DEPARTMENT 344 WEST MAIN STREET MARSHALL, MINNESOTA 56258	EXHIBIT A SETBACK VARIANCE 710 SOUTH BEND AVE.	DATE: 6/29/2023 SHEET NO.
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## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Presenter:</b>	Eric Luther
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Tall Grass Liquor annual report
<b>Background Information:</b>	Tall Grass Liquor Store Manager Eric Luther will present the annual report
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	



MARSHALL

## Tall Grass Liquor

# 2022 Annual Report



This report is the City of Marshall's Municipal Liquor Operations Report outlining the liquor activities of Tall Grass Liquor over the past year. The information herein also provides a history of sales data and past events. This report includes analysis over the past five (5) calendar years.

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## I. Liquor Operations

The Marshall Municipal Liquor store has been in operation since 1934. The current liquor store is located at 1410 Boyer Drive and has been operating at this location since November 2016. To this day, the profits from the liquor operations provide a much-needed revenue source for the Marshall community. Profits from the municipal liquor store help to reduce the property tax levy and provide funds for special projects.

### Organizational Structure



### Mission Statement

The business is designed and intended to control the sale of alcohol by following all statutes established by the State of Minnesota, by providing the best quality shopping experience for our customers, at a profit that is reinvested back into the community, and by providing an environment that is positive for customers, associates, and managers.

### Store Priorities

- Working clean and safe
- Store Tours by all staff to identify areas for improvement throughout shift
- Friendly and helpful to all customers/co-workers
- Keeping all areas of the store organized/stocked/faced

## II. Sales & Profits

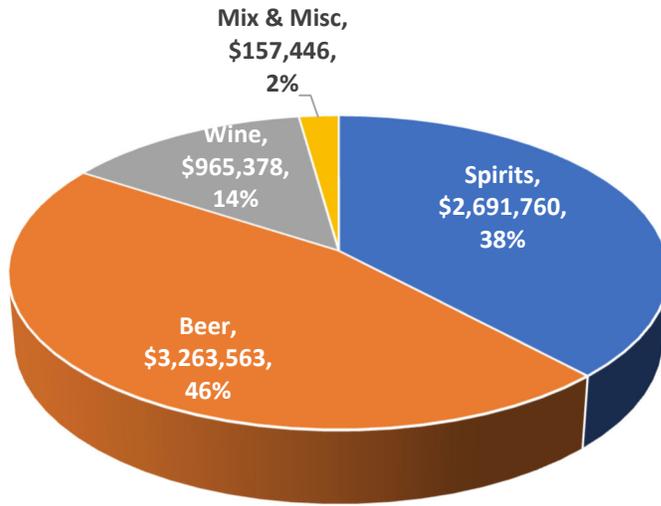
In 2022, the overall sales of the Liquor Operation were \$7,078,147 with a net profit of \$944,305. This was an increase of total sales by \$352,468 and a net profit decrease of \$54,891 when compared to 2021.



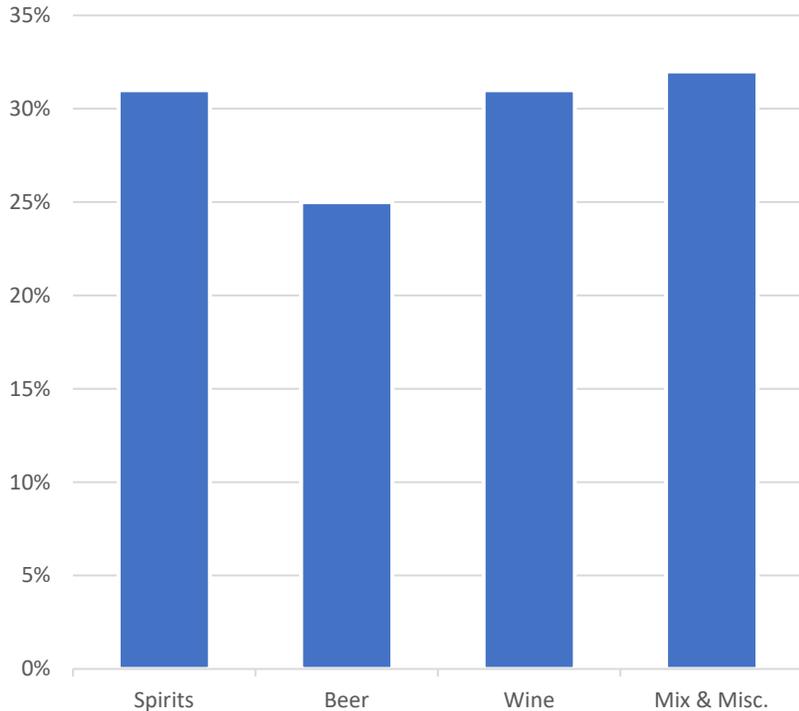
Sales & Gross Profit by Category

The adjacent chart shows the distribution of the 2022 annual sales based upon the four categories of: Beer, Spirits, Wine & Mix & Miscellaneous. Beer Sales account for 46% of total sales, with Spirits accounting for 38%.

2022 Sales by Category

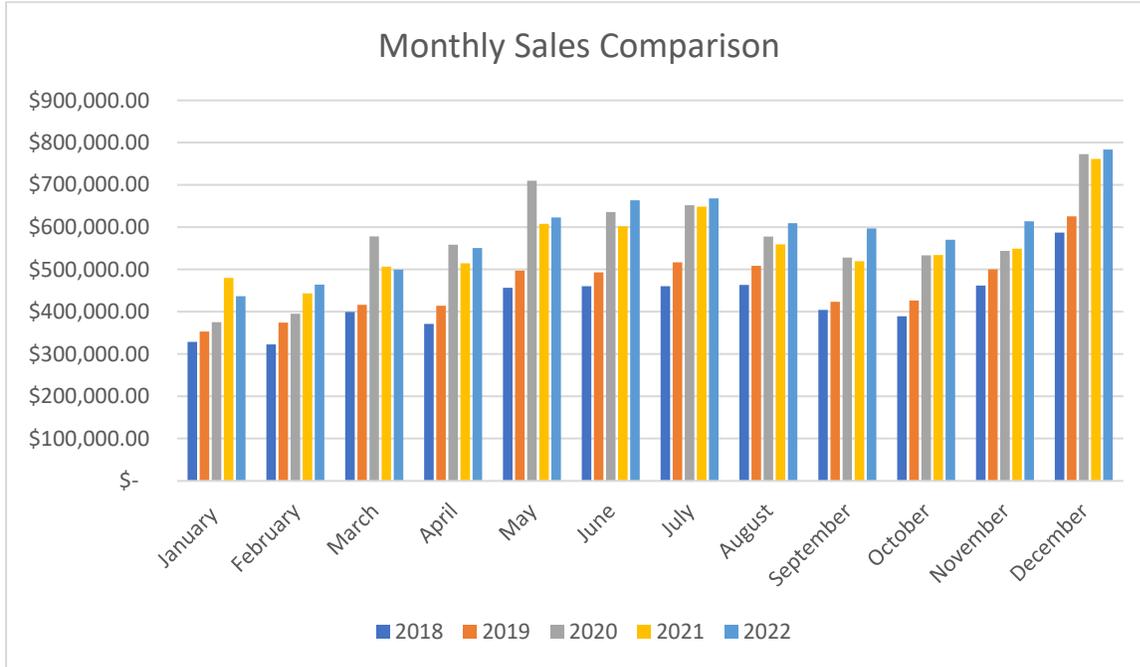


2022 Gross Profit by Category



The adjacent chart shows gross profit percentage by category. Even though Beer has the highest sale dollars, wine and spirits have the higher gross profit percentage.

Monthly Sales 2018-2022



III. Trends

RTD’s (Ready to Drink) Cocktails continue to have a strong ‘pull’ with our customers. RTD’s continued strength has impacted the wine purchaser this past year. Our wine category has been ‘soft’ with a decreased share of total sales for the year. Craft beer, especially Minnesota made, continues to be popular among the beer customers.

IV. Events

In-store sampling continues to help drive trial/sales over all categories. Tall Grass hosts the in-store Fall Wine walkabout and the Tis the Season Holiday sampling event to promote trial/purchasing during the Fall. Tall Grass Liquor co-sponsors with Visit Marshall the Made in Minnesota Craft Beer and Wine Festival held at the Red Barron Arena/Expo. 32 vendors and 400 attendees sample breweries and wineries from across the state.

V. Community Service Support

- Sponsored a panel at the Marshall-Lyon County Library Story Board Walk
- Marshall Pet Rescue donation
- SMSU Foundation donation through supplier donated items used at several fundraising events
- MHS post-prom & PTA 5K run donation

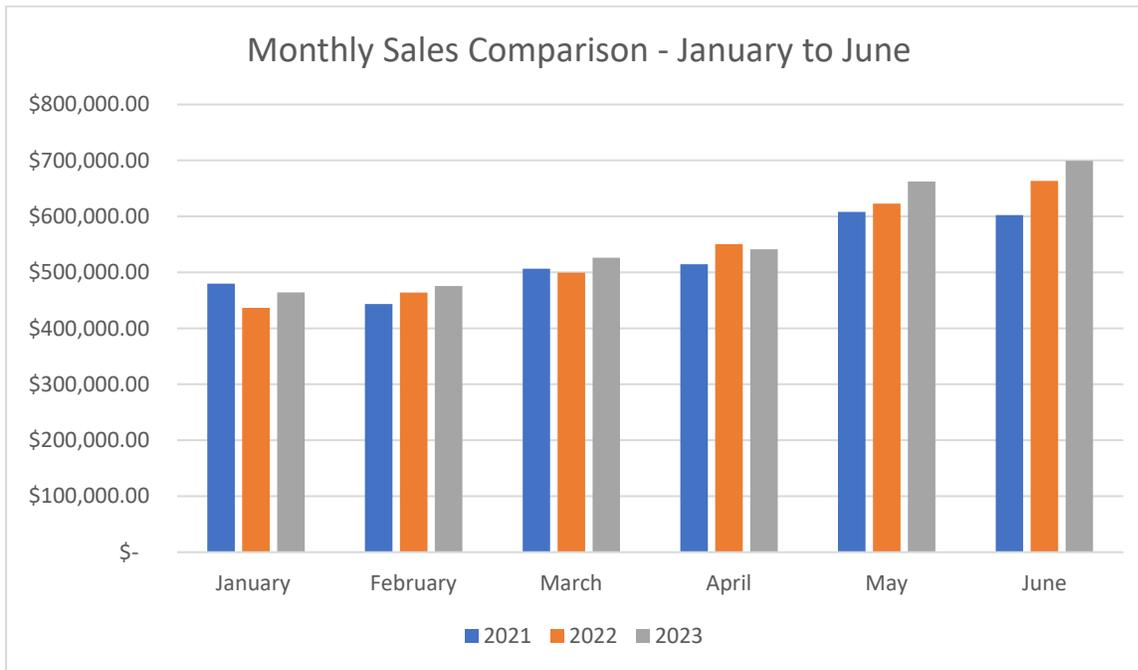
VI. Accomplishments

- Completed beverage alcohol off-sale training/carding for all staff.

- Attendance at the Minnesota Municipal Beverage Association regional meeting and annual meeting.
- Manager completed WSET level 1 training and certification.

### VII. Semi Annual Review (January – June)

	2021	2022	2023	2022/2023 % Change
Sales	\$3,154,402	\$3,236,617	\$3,368,694	4.1%
Customer Count	96,284	96,645	98,222	1.6%
Average Ticket	\$32.76	\$33.49	\$34.30	2.4%



### VIII. Proposed 2024 Budget

2024 sales estimates are at a 3% increase over 2023. Currently we are trending about 4% ahead in sales for 2023. Customers are continuing to see the value and selection that Tall Grass offers with their shopping experience.

Gross Profit margin is targeted at 28%+ for 2024. Monthly reporting and attention to product costs will ensure we are on track to hit this goal. Tall Grass continues to see the benefit of the investments made earlier with the free-standing 50ml merchandiser, 2 self-serve open-air coolers for displaying single cans,

cold wine and RTD's and the Pick Six Mix & Match area. All these investments are designed for customers to 'add on' purchases or make an 'impulse' purchase benefitting the store with a higher ticket average and increased gross profit dollars.

The on-line ordering platform through City-Hive has been successful. Tall Grass rolled this out in the Fall of 2022 and continues to grow in usage.

A video surveillance upgrade began in Fall 2022 and was completed in early 2023 with a recorder server and additional cameras added to the existing configuration to give better coverage of the building exterior and the sales floor.

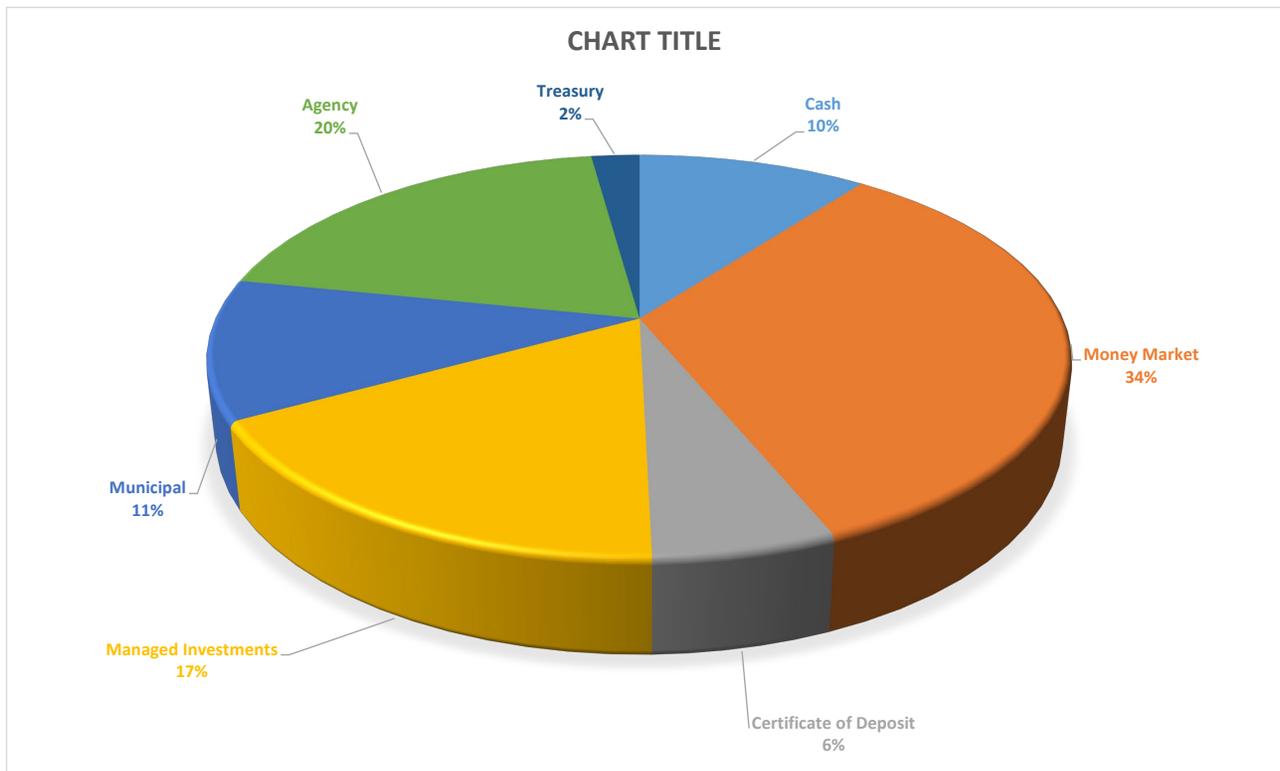
Plans are being made to add a locked display cabinet for allocated/high end spirits so that customers can shop these products out on the floor. This cabinet will be in the Scotch section. We are also looking at adding 2 more open-air refrigerated merchandisers to increase the offerings of cold RTD's and single serve cans. Tall Grass is also looking at installing 2-3 large message monitors around the store. Messages would be programmed about monthly specials, in-store tastings, and new products.

**CITY OF MARSHALL  
AGENDA ITEM REPORT**

<b>Presenter:</b>	Mayor Byrnes
<b>Meeting Date:</b>	Tuesday, July 25, 2023
<b>Category:</b>	COUNCIL REPORTS
<b>Type:</b>	INFO
<b>Subject:</b>	Commission/Board Liaison Reports
<b>Background Information:</b>	<p><b>Byrnes</b> - Fire Relief Association and Regional Development Commission</p> <p><b>Schafer</b> – Airport Commission, Joint LEC Management Committee, MERIT Center Commission, SW Amateur Sports Commission</p> <p><b>Meister</b> – Adult Community Center, Cable Commission, Economic Development Authority</p> <p><b>Schroeder</b> – Economic Development Authority, Planning Commission, Public Housing Commission</p> <p><b>Alcorn</b> – Community Services Advisory Board, MMU Commission</p> <p><b>Moua-Leske</b> – Convention &amp; Visitors Bureau; Diversity, Equity &amp; Inclusion Commission; Library Board</p> <p><b>Lozinski</b> – Marshall Area Transit Committee, Joint LEC Management Committee, Police Advisory Board</p>
<b>Fiscal Impact:</b>	
<b>Alternative/Variations:</b>	
<b>Recommendations:</b>	

**City of Marshall, Minnesota**  
**Cash & Investments**  
6/30/2023

	<u>Par</u>	<u>Rate</u>
CASH & INVESTMENTS:		
Checking - Bremer	4,755,048.05	0.00%
Money Market - US Bank	5,834,335.91	5.04%
Money Market - Wells Fargo	80,674.54	5.05%
Money Market - 4M	9,573,652.24	5.03%
Agency - 4M	3,355,000.00	4.33%
Certificate of Deposit - Wells Fargo	1,470,000.00	3.11% Average
Investment Portfolio - General Fund	2,619,880.25	
Investment Portfolio - WW/SW Capital Reserve	3,493,992.77	
Investment Portfolio - Endowment Fund	1,909,556.12	
Municipal - US Bank	5,205,000.00	2.37% Average
Certificate of Deposit - US Bank	1,225,000.00	2.22% Average
Agency - US Bank	5,710,000.00	1.04% Average
Treasury - US Bank	1,000,000.00	2.35%
<b>TOTAL CASH &amp; INVESTMENTS</b>	<u><u>46,232,139.88</u></u>	



**MINUTES OF THE  
MARSHALL PLANNING COMMISSION MEETING  
JUNE 14, 2023**

**MEMBERS PRESENT:** Pieper, Doom, Lee, Deutz, Agboola and Muchlinski  
**MEMBERS ABSENT:** Stoneberg  
**OTHERS PRESENT:** Jason Anderson, Ilya Gutman, and Amanda Schroeder

1. The meeting was called to order by Chairperson Lee. Lee welcomed new member Moshood Agboola to the Planning Commission. She then asked for the approval of the minutes of the May 10, 2023, regular meeting of the Marshall Planning Commission. Doom MADE A MOTION, SECOND BY Deutz, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.
2. Gutman explained this is the request by the Owner for an Interim Use Permit for a shipping container placement in a B-3 General Business District. The Ordinance allows placing a limited number of containers in a General Business District by an Interim Use Permit. The conditions listed below include a reference (condition 4) to a particular Ordinance section that itemizes specific conditions for container placement. This section is attached to the Interim Use Permit to make sure that only its current version is applicable and compliance with future amendments, if any, to this section will not be required. Staff recommends approval to the City Council of the request by James & Patricia Skewes for an Interim Use Permit to have a storage container on the premises at 1300 Susan Drive with the following conditions: 1.) That the regulations, standards, and requirements as set forth in the City Code and as pertains to the class of district in which such premises are located shall be conformed with. 2.) That the City reserves the right to revoke the Interim Use Permit in the event that any person has breached the conditions contained in this permit provided that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable time in which to repair such default. 3.) That this permit expires when the property changes ownership. 4.) That this container meets all conditions of Sec. 86-248(f) dated 05-9-2023 (as attached) by August 31, 2023, including a fence, except side yard requirement. 5.) That this container will have to be moved off the required side yard when adjacent property is developed. Doom asked about the pod on South 4<sup>th</sup> in the driveway where the daycare is. Gutman said he is not aware of that one. But one may have a container for up to a month without a permit. We don't go looking for containers; it is enforced on complaint bases. Muchlinski MADE A MOTION, SECOND BY Deutz to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Pieper MADE A MOTION, SECOND BY Muchlinski to recommend to City Council as recommended by staff.
3. Gutman said this is a request by Vesta, LLC, of Marshall, MN to rezone property at 1030 East Southview Drive from a B-4 Shopping Center Business District to B-3 General Business District. Since shopping centers are not a common use anymore, staff believe that B-4 zoning district has become obsolete and suggest rezoning the other properties around the mall to B-3 as well at this time. All properties around are currently zoned B-3 General Business District. The new Comprehensive Plan shows this entire area as Neighborhood Mix use with intent to allow for both commercial and residential uses, and B-3 General Business District allows for both. All businesses in the area of rezone are permitted in B-3, so there will be no adverse impacts. Staff recommends approval to the City Council of the request to rezone property at 1030 East Southview Drive from a B-4 Shopping Center Business District to B-3 General Business District. Muchlinski asked if the current businesses would fit the B-3 General Business District. Gutman advised yes. Deutz asked the location of the request. Gutman explained the businesses that are currently there. Doom MADE A MOTION, SECOND BY Deutz to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Muchlinski MADE A MOTION, SECOND BY Pieper to recommend to City Council as recommended by staff.
4. Gutman informed that is a request by City of Marshall, Marshall, MN to rezone area at 122 through 216 London Road and as shown on attached map from B-1 Limited Business District and R-1 One Family Residence District to R-4 Higher Density – Multi Family Residence District for potential future development of multi-unit residential building. The new Comprehensive Plan shows this entire area as

Neighborhood Mix use with intent to allow for both commercial and residential uses, and R-4 Higher Density – Multi Family Residence District allows both. Staff Recommend approval to the City Council of the request to rezone properties at 122 through 216 London Road from B-1 Limited Business District and R-1 One Family Residence District to R-4 Higher Density – Multi Family Residence District. Muchlinski asked what the property in red is zoned. Gutman advised it is R-1 One Family Residence District. The area with the crisscross is the area that is proposed to be rezoned to R-4 Higher Density – Multi Family Residence district. Amy Lyons, of 205 London Rd questioned why you would take away the R-1 One Family Residence District across the road. Gutman explained it is for the protentional of future development. Lyon asked what development? Gutman answered apartment. Lyons went over other locations that she felt would be a better fit for apartment. Lauren Deutz, Economic Development, explained that both of those options were offered, and this is the location they chose. She said currently we have a lot of single-family lots that are available to building on; if we continue to build at the current rate, we have enough single-family properties to build for the next 13 years. Tom Larson, 1202 Dublin St, asked if you are going to develop roads. Anderson explained that this is being brought forward at a very primitive stage. Right now, it is just rezoning the property that would allow for the use. Larson asked to keep a strip of single family along London the depth of a row of single-family homes. There is a lot of snow issues on London Road and with an apartment that may increase that problem. Plus, there is a lot of children and that increase in traffic would not be a benefit. He would like to see support the developer build where the other apartments currently exist. Lyons suggested to leave the red as a buffer between the proposed R-4 Higher Density – Multi Family Residence District and the houses that are currently there. Larson said you will take away from their view if an apartment goes up. There are several apartments going up around Marshall. And this area seems to be filling up quickly with single family homes. Muchlinski ask if it would be helpful if they put up trees or shrubs as a buffer. Larson said no, that would not be helpful. Schroeder said that currently it is zoned B-1 Limited Business District, so in theory US Bancorp could expand. Deutz went over the locations where he felt it would be a better location. Muchlinski asked where the driveways would be. Lauren Deutz advised the driveway would be coming off on to London. Erin Barker said she is here for her 2 sons as they couldn't be here. Their addresses are 223 and 225 London Road, and their concern is the decrease in their property value. Erik Lundberg of 200 Athens Avenue explained his concerns are for the additional traffic with all the kids that are in the area along with all the other concerns that have been discussed. Nicole Engel of 201 London Road said her concern is that they purchased with the intent of it being zoned what it was. She hopes that everyone will take into consideration all the concerns that have been addressed here tonight. It was zoned that way for a reason so she would like it left that way. Doom said the blue is currently zoned B-1 Limited Business District and one lot depth for R-1 One Family Residence District. Lyons said yes but that will go away. Pieper asked is that what the developer wants. Lauren Deutz said we can talk some more and possibly be able to leave the buffer of one row of R-1 One Family Residence District. This is a process with all this, and nothing would start until next year. But the developer needs to know by July if it is a possibility for their funding. Anderson said it is possible that if that strip is left it could still work. Engel said keep the apartments together instead of scattering them all over. Keep in mind the thoughts and concerns of the people who live there. Lundberg said if you rezone, and this project does not go through, then what can be built there. Gutman said if rezoned now and this project doesn't go through, whatever is allowed in that zone can go there. Muchlinski MADE A MOTION, SECOND BY Pieper to close the public hearing. ALL VOTED IN FAVOR OF THE MOTION. Doom MADE A MOTION, SECOND BY Deutz to rezone the B-1 Limited Business District to R-4 Higher Density – Multi Family Residence District and leave the R-1 One Family Residence District as a buffer between the apartments and the single-family homes.

5. A MOTION WAS MADE BY Muchlinski, SECOND BY Deutz to adjourn the meeting. ALL VOTED IN FAVOR. Chairperson Lee declared the meeting adjourned.

Respectfully submitted,  
Chris DeVos, Recording Secretary



# MARSHALL

## Permit List - Build/Plumb/HVAC/Sign - For Council

Applicant Name	Location	Description of Work	Valuation	Approved Date.
AMERICAN WATERWORKS	414 2ND ST S	Foundation Repair	12,552.00	07/12/2023
BABCOCK CONSTRUCTION	1004 SILVERVINE DR	Re-Siding	11,100.00	07/18/2023
BABCOCK CONSTRUCTION	100 FREMONT ST	Windows	2,380.00	07/11/2023
Bladholm Construction inc	905 SOUTHVIEW DR E	New Building/House	120,000.00	07/14/2023
CROSSWIND INVESTMENTS LLC	104 5TH ST N, 104 5TH ST N, 104 5TH ST N, 104 5TH ST N	Deck, Doors, Interior Remodeling - ANY Work Inside, Except Fireplace, Re-Roofing, Windows	150,000.00	07/14/2023
Dustin Westover	1406 COLLEGE DR E	Both - Interior remodeling AND [Unit is existing.]	38,000.00	07/07/2023
Dustin Westover	1213 COLLEGE DR E	Plumbing - New building	25,600.00	07/07/2023
Dustin Westover	1104 COLLEGE DR E	Plumbing - Water heater	750.00	07/19/2023
Dustin Westover	305 LONDON RD	Plumbing - Water heater	1,000.00	07/19/2023
Eric Mathiowetz	311 HILL ST N	HVAC - Air Conditioning	4,400.00	07/10/2023
Eric Mathiowetz	1403 COLLEGE DR E	HVAC - Air Conditioning, Furnace	15,500.00	07/14/2023
INDEPENDENT SCHOOL DIST #413	900 HIGHWAY 59 N	Wall Mounted Sign	3,525.00	07/12/2023
Kevin V Goslar	1106 DEVITO ST	HVAC - Air Conditioning, Furnace	6,400.00	07/06/2023
Kevin V Goslar	1112 -1126 BIRCH ST	HVAC - [Boiler replacement], Replacement	8,600.00	07/07/2023
Kevin V Goslar	505 IMPALA CT	Plumbing - Water heater	1,200.00	07/19/2023
LOUWAGIE ALLAN H	1217 LYON ST E	Windows	1,200.00	07/18/2023
N/A	506 CARLSON ST	Doors	1,400.00	07/07/2023
N/A	505 LYON ST E	Re-Roofing	3,000.00	07/06/2023
N/A	805 SILVERVINE DR	Windows	12,000.00	07/17/2023
Nesper Sign Advertising	900 MAIN ST E	Wall Mounted Sign	13,878.00	07/19/2023
Voss Plumbing and Heating of Paynesville Inc.	1001 COLLEGE DR E	Building Demolition - Total Building ONLY	50,000.00	07/10/2023

# 2023 Regular Council Meeting Dates

2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month *(Unless otherwise noted)*

5:30 P.M.

City Hall, 344 West Main Street

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## January

1. January 10, 2023
2. January 24, 2023

## February

1. February 14, 2023
2. February 28, 2023

## March

1. March 14, 2023
2. March 28, 2023

## April

1. April 11, 2023
2. April 25, 2023

## May

1. May 9, 2023
2. May 23, 2023

## June

1. June 13, 2023
2. June 27, 2023

## July

1. July 11, 2023
2. July 25, 2023

## August

1. August 08, 2023
2. August 22, 2023

## September

1. September 12, 2023
2. September 26, 2023

## October

1. October 10, 2023
2. October 24, 2023

## November

1. November 14, 2023
2. November 28, 2023

## December

1. December 12, 2023
2. December 26, 2023

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## 2023 Uniform Election Dates

- February 14, 2023
- April 11, 2023
- May 9, 2023
- August 08, 2023
- November 07, 2023

### 204C.03 PUBLIC MEETINGS PROHIBITED ON ELECTION DAY.

Subdivision 1. School districts; counties; municipalities; special taxing districts. No special taxing district governing body, school board, county board of commissioners, city council, or town board of supervisors shall conduct a meeting between 6:00 p.m. and 8:00 p.m. on the day that an election is held within the boundaries of the special taxing district, school district, county, city, or town. As used in this subdivision, "special taxing district" has the meaning given in section 275.066.



## Upcoming Meetings

### July

- 07/25 Work Session, 4:00 PM, City Hall
  - 07/25 Regular Meeting, 5:30 PM, City Hall
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### August

- 08/08 Rental Code Ordinance Committee, 12:00 PM, City Hall
- 08/08 Work Session, 4:00 PM, City Hall
- 08/08 Regular Meeting, 5:30 PM, City Hall
- 08/22 Regular Meeting, 5:30 PM, City Hall
- 08/29 Work Session, 5:30 PM, City Hall