



CITY OF MARSHALL
Ways and Means Committee
A g e n d a
Tuesday, May 21, 2024 at 12:45 PM
344 W. Main St., City Hall

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Consider Approval of the Minutes

NEW BUSINESS

- [2.](#) Review and Award the 2024 Fire Department Scholarships
- [3.](#) Administrative Citation Fines
- [4.](#) City Event/Public Property Use Fees
- [5.](#) Mobile Food Unit License Fees
- [6.](#) Liquor License Fees

OTHER BUSINESS ITEMS

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

Presenter:	Chair
Meeting Date:	Tuesday, May 21, 2024
Category:	APPROVAL OF MINUTES
Type:	ACTION
Subject:	Consider Approval of the Minutes
Background Information:	Enclosed are the minutes from the previous meeting.
Fiscal Impact:	
Alternative/ Variations:	Staff encourages Members to provide any suggested corrections to the minutes in writing to City Clerk, Steven Anderson, prior to the meeting.
Recommendations:	That the minutes from the previous meeting be approved as filed with each member and that the reading of the same be waived.

MINUTES
WAYS AND MEANS COMMITTEE MEETING
February 27, 2024 @ 4:30 PM
344 West Main Street
Camden Room

MEMBERS PRESENT: Amanda Schroeder, Steve Meister, See Moua-Leske

STAFF PRESENT: Steven Anderson, City Clerk; Karla Drown, Finance Director; E.J. Moberg, Director of Administrative Services; Sharon Hanson, City Administrator; Jason Anderson, Director of Public Works; Ilya Gutman, Plans Examiner

OTHERS PRESENT: None

The meeting was called to order by Chairman Meister at 4:31 pm.

Chairman Meister asked for approval of the December 4, 2023, minutes of the Ways and Means committee Meeting.

MOTION BY Schroeder SECONDED BY Moua-Leske to approve the December 4, 2023, minutes of the Ways and Means committee Meeting. All voted in favor.

Chairman Meister asked for discussion on Fire Department Scholarship. City Clerk Anderson provided background. Total expendable funds as of 12/31/23 are \$1,169.77. Request was made to start advertising for applications. Application submissions would be due May 1st.

MOTION BY Schroeder, SECONDED BY Moua-Leske to approve the opening of the application process and extend the due date to May 1, 2024. All voted in favor.

Chairman Meister asked for discussion on the Marshall Capstone Endowment Fund annual review. Finance Director Drown provided background. The fund was created with the sale of the hospital. \$2 million, the principal balance that must be preserved. The money is managed by Bremer Wealth. The city has both an ordinance and charter for these funds. The adopted spending policy dedicated funds toward the bond payment for the library, restricted through 2026. The last principal payment on that bond is 2/1/2026. The Council has identified other projects throughout the years as appropriate spending of the available funds. The Director of Administrative Services Moberg provided further explanation of the investment activities over the years. Also requested the committee to consider what they would like to see for information provided to both the committee and council. Chairman Meister stated that if the fund falls below \$2 million dollars that the committee should have a meeting every six (6) months, otherwise annually will work. This information should be provided to the Council through information with a brief explanation. Finance Director Drown stated that the ordinance, charter, spending policy and historical investment and spending will be provided.

Plans Examiner Gutman has an additional item to discuss today that is not on the agenda. Citation ordinance, trying to figure out how to enforce and how much. Gutman recommended a standard \$100 citation fine toward everything. Looking for a balance and reasonable consequence. This would be for anything that doesn't have a specific fee in the City's fee schedule. Director of Public Works Anderson provided additional explanation of the citation. As well as City Clerk Anderson explained that this fee should not be confused with the recently developed \$150 Administrative Fee, providing the difference between these two fees. Chairman Meister has many questions and would like to have this item put onto an agenda for another meeting. This would allow ample time to discuss and have questions answered due to the time crunch of today.

MOTION BY Moua-Leske SECONDED BY Schroeder to adjourn the meeting. Meeting adjourned at 4:52 pm. All voted in favor.

Respectfully Submitted,

Karla Drown
Finance Director

CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Steven Anderson
Meeting Date:	Tuesday, May 21, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Review and Award the 2024 Fire Department Scholarships
Background Information:	<p>A Marshall Fire Department Scholarship Trust Fund originated on December 31, 1997 with an anonymous donation of \$3,000. As of 5/8/202, the Fire Department Trust Fund has a balance of \$18,368.65. In accordance with the administrative policy adopted by the City Council, the City Administrator or their designee has complete authority in awarding the scholarship. In 2009, the Ways and Means Committee was appointed by the City Administrator as the designee.</p> <p>Two applications were received and found to be complete.</p> <p>Per Administrative Policy, Chapter 3, Sec. 1, scholarship awards must meet a minimum of \$100 per student. As of 5/7/2024 the total expendable funds are \$1,458.65.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	To award one or more scholarships.

CITY OF MARSHALL, MINNESOTA
FIRE DEPT. TRUST FUND
SCHOLARSHIP ACCOUNT

FUND 802			EXPENDABLE		SCHOLARSHIPS PAID OUT	INTEREST EARNED	TOTAL EXPENDABLE	BALANCE
DATE	RECEIPT NUMBER		NON-EXPENDABLE	SCHOLARSHIP				
			DONATIONS RECEIVED	DONATIONS RECEIVED				
6/12/2018	CK.#108664	Hennepin Tech - M. Negan			200.00		147.30	\$ 15,957.30
6/12/2018	CK.#108658	Hamline University - S. Antony			100.00		47.30	\$ 15,857.30
1/1 - 12/31/18		Interest through Dec. 2018				244.93	292.23	\$ 16,102.23
4/26/2019	1900879	Anonymous		20.00			312.23	\$ 16,122.23
5/31/2019	CK #113256	MN West - A. Klaith			100.00		212.23	\$ 16,022.23
5/31/2019	CK #113266	SDSU - N. Klaith			100.00		112.23	\$ 15,922.23
5/31/2019		Anonymous		500.00			612.23	\$ 16,422.23
6/21/2019		NDSU - B. Archebold			100.00		512.23	\$ 16,322.23
1/1 - 12/31/19		2019 Interest				310.83	823.06	\$ 16,633.06
7/10/2020	CK#116599	St. Mary's Univ. - J. Antony			350.00		473.06	\$ 16,283.06
1/1 - 12/31/20		2020 Interest				117.17	590.23	\$ 16,400.23
7/23/2021	CK#119444	Northwestern College-J. Mernaugh			350.00		240.23	\$ 16,050.23
7/23/2021	CK#119452	St. Mary's Univ. - J. Antony			200.00		40.23	\$ 15,850.23
1/1 - 12/31/21		2021 Interest				256.05	296.28	\$ 16,106.28
2/3/2022	2006175	Bret Beernaert		500.00			796.28	\$ 16,606.28
2/3/2022	2006175	Jim Felton		117.63			913.91	\$ 16,723.91
2/18/2022	2006303	Anonymous	1,000.00				913.91	\$ 17,723.91
2/28/2022	2006379	Anonymous		100.00			1,013.91	\$ 17,823.91
4/6/2022	2006756	Timothy DeSaer	100.00				1,013.91	\$ 17,923.91
6/3/2022	CK #121269	St. Mary's Univ. - J. Antony			300.00		713.91	\$ 17,623.91
6/10/2022	CK #121294	Northwestern College-J. Mernaugh			300.00		413.91	\$ 17,323.91
10/19/2022	2008570	Karol Jacobson		300.00			713.91	\$ 17,623.91
1/1 - 12/31/22		2022 Interest				228.83	942.74	\$ 17,852.74
			\$ 16,910.00	\$ 5,837.63	\$ 8,650.00	\$ 3,755.11	\$ 942.74	

City of Marshall

Policy Number: Chapter 3 – Section 1 (3-100)

Marshall, Minnesota

Adopted: 05/27/2014

ADMINISTRATIVE POLICY

Revised: 05/26/2016

FIRE DEPARTMENT SCHOLARSHIP TRUST FUND POLICY

Background

The Marshall Fire Department Scholarship Trust Fund originated with an anonymous donation of \$3,000.00 made on December 31, 1997. On January 20, 1998, the City Council accepted the anonymous donation and cited criterion for awarding scholarship funds.

Authority

The City Administrator or his/her designee has complete authority in awarding the scholarship. The City Administrator has officially selected the Ways and Means Committee as the designee for purposes of awarding the scholarships.

Fund Designations

1. Fire Department Scholarship Nonexpendable Designation
This is a nonexpendable (endowment) designation. Only the income, not the principal, of the trust may be expended for scholarships. At the end of each fiscal year, all interest and dividend income will be transferred from the nonexpendable designation to the scholarship expendable designation.
2. Fire Department Scholarship Expendable Designation
This is an expendable designation. Both the principal and the income of the trust may be expended for scholarships.

Future Gifts

All future gifts/donations shall be deposited in the scholarship expendable designation unless the donor specifically states that he/she wants the gift/donation in the scholarship nonexpendable designation.

Scholarship Awards

1. Minimum scholarship amount
\$100/student
2. Maximum scholarship amount
The maximum scholarship amount a student receives shall not exceed 15% of the total tuition and fees currently in effect at the college or university at which the recipient is enrolled.

Applicant Criterion for Awarding Funds

1. Financial need shall not be a consideration in the awarding of this scholarship.
2. Applicant must provide written authorization to his/her respective college/university to release his/her transcript to designated City staff.
3. Preference will be given to full-time students enrolled at Southwest Minnesota State University.
4. One of the applicant's parents must be an active, retired, or deceased member of the Marshall Fire Department.

5. Each applicant must complete the required application form. In addition, each applicant shall compose and submit a written essay on the topic: "How has having a parent on the Marshall Fire Department affected and or influenced my life."
6. Scholarship awards will only be given to students that have successfully completed one (1) full year of post-secondary education. Coursework taken through a post-secondary enrollment option (PSEO) are not eligible to meet the one-year post-secondary education requirement.
7. The maximum number of annual scholarships that any one student may receive is three (3).
8. Applicants pursuing advanced degrees (i.e., master's, doctorate, etc.) are not eligible for this scholarship.

Announcement and Award of Scholarships

The Marshall Fire Department shall have primary responsibility for providing their membership with information concerning the availability of this scholarship.

All applications for the scholarship shall be submitted directly to the City Administrator's Office of the City of Marshall no later than April 1 for consideration of a scholarship for the academic school year beginning in August or September of that same year.

Payments shall be made in a lump sum payment directly to the college/university and applied as credit to the student's tuition and fees. The scholarship must be reapplied for successive years.

Disposition of Funds in the Event the Account is Terminated

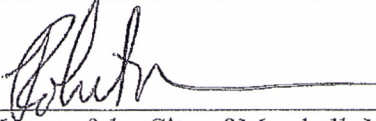
If the Marshall Fire Department should no longer be a part of the City of Marshall government, the funds shall be transferred to the City of Marshall General Fund.

Administrative Procedure

Reference Administrative Procedure: City of Marshall Fire Department Scholarship Fund—
Administrative Procedure for Distribution of Funds

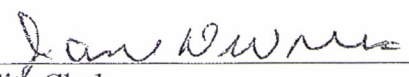
Passed and adopted by the Common Council this 26th day of April, 2016.

THE COMMON COUNCIL



Mayor of the City of Marshall, MN

ATTEST:



City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT
W&M 5/21/24**

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, May 21, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Administrative Citation fines
Background Information:	<p>An Administration Citations ordinance has recently been approved by the Council to offer staff an alternative method of enforcement for city code violations rather than relying on the criminal court system. This new ordinance allows staff to impose administrative fines on ordinance violators thus providing additional tool to deal with noncompliance.</p> <p>The way the new ordinance is written, it is applicable to practically all ordinance provisions with few exceptions. The procedure for applying the new ordinance is very much determined in its text and has also been summarized in the Brochure and Handbook compiled by the City Clerk. The most common violations this ordinance will be used for are the zoning code violations, even though it may be used in cases when people start a construction project without a permit, violate the Building Code, do not secure a required city license, and multiple other minor stuff.</p> <p>Staff proposes to establish administrative citation fine at \$100 unless stated differently otherwise in the fee schedule (there are several types of violations that already have an established fine included in the fee schedule, so those will stay as they are). Research of other cities shows that such fines/fees vary from \$50 to \$200, so proposed amount seems to be reasonable.</p> <p>The new Ordinance calls for potential applicable fines to accumulate daily, as each day of violation is considered another violation. Internal discussion on fine accumulation has led to opinion that the City will not be adding this amount daily, but, instead, every time a new staff action is required, such as a new letter due to violation not being abated.</p>
Fiscal Impact:	N/A
Alternative/ Variations:	None recommended
Recommendations:	Recommend approval to Council of administrative fine amount suggested by staff.

CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Steven Anderson
Meeting Date:	Tuesday, May 21, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	City Event/Public Property Use Fees
Background Information:	<p>The number of requests to use public spaces that provide electrical outlets have increased and previously the city provided the power for private use at zero cost to participants at events. Events such as Sounds of Summer and Crazy Days only required permits to close off streets and electrical power was assumed to be provided at no additional charge. Visit Marshall requires a flat fee of \$100/day at the Red Baron Arena for electrical hook up and \$100/day for other events not located at the arena that Visit Marshall is involved with that require electricity. Community Services/Parks already has fees built into the fee schedule to address facilities that require additional power requirements, such as ballfields with or without lighting.</p> <p>Staff recommend a fee of \$100/day for events to be in line with Visit Marshall and Community Services/Parks.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	To provide comment and direction on fees for events on public property.

CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Steven Anderson
Meeting Date:	Tuesday, May 21, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Mobile Food Unit License Fees
Background Information:	<p>In 2019 the City Council adopted Ordinance 744 Second Series to create a license to regulate Mobile Food Units and most recently on April 9, 2024, amended the Mobile Food Units and Food Carts ordinance to bring it more in line with demands and growth of the city. As such, a few brick-and-mortar businesses have brought up concerns to city staff regarding the number of mobile food trucks and would like to see more done to support local businesses. One such method was to review current fees for mobile food units.</p> <p>A table of comparable and regional cities is attached with fees ranging from \$50 - \$750 for annual licenses.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	To provide comment and direction on fees for Mobile Food Units.

City	Population	Daily	Annual	Note
☞ Sandstone, Minnesota	2,462	\$25.00	\$100.00	
☞ Staples, Minnesota	2,989	N/A	\$50.00	
☞ Ely, Minnesota	3,268	\$25.00	\$300.00	
☞ Pipestone, Minnesota	4,215	\$50.00	\$250.00	Transient Merchant / \$25 Investigation Fee
☞ Luverne, Minnesota	4,946	\$30.00	\$500.00	Transient Merchant
☞ Redwood Falls, Minnesota	5,102	\$75.00	\$175.00	Transient Merchant
☞ Waseca, Minnesota	9,229	\$0.00	\$265.00	Transient Merchant / \$30 Investigation Fee
☞ St. Peter, Minnesota	12,066	\$50.00	\$375.00	Transient Merchant / \$50 Investigation Fee
☞ Cloquet, Minnesota	12,568	\$50.00	\$200.00	Transient Merchant / \$50 Investigation Fee
☞ Marshall, Minnesota	13,628	\$30.00	\$150.00	
☞ Worthington, Minnesota	13,947	\$50.00	\$750.00	
☞ New Ulm, Minnesota	14,120	\$125.00	\$350.00	\$250 investigation fee
☞ Brainerd, Minnesota	14,395	\$50.00	\$300.00	
☞ Alexandria, Minnesota	14,335	N/A	\$300.00	
☞ Hutchinson, Minnesota	14,599	\$30.00	\$125.00	
☞ Hibbing, Minnesota	16,214	\$50.00	\$250.00	
☞ Albert Lea, Minnesota	18,492	N/A	\$250.00	
☞ Willmar, Minnesota	21,015	\$50.00	\$150.00	
☞ Hastings, Minnesota	22,154	\$30.00	\$225.00	
☞ Cottage Grove, Minnesota	38,839	N/A	\$250.00	
☞ Mankato, Minnesota	44,488	N/A	\$75.00	Public right of way
☞ Mankato, Minnesota	44,488	N/A	\$25.00	Privately owned land

State Mobile Food License \$250

CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Steven Anderson
Meeting Date:	Tuesday, May 21, 2024
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Liquor License Fees
Background Information:	<p>The Ways and Means Committee last met on February 8, 2022, to discuss liquor fees and provided directions to the City Clerk at the time to provide an updated fee recommendation later. With turnover and a re-arrangement of the Council Committee members the item had not been brought up.</p> <p>A table of cities of comparable size to Marshall is attached along with the average fee for each municipality. Included in the table are also a few regional cities to provide additional perspective.</p> <p>Liquor fees were last adjusted in 2018 to increase Brewer Tap Room from \$250 to \$500 and to lower On-Sale Liquor from \$4,200 to \$3,000.</p> <p>Staff recommend that Beer Off-Sale, Beer On-Sale and Temporary On-Sale licenses be increased to at least the average for a city our size.</p> <p>Minnesota Statute §340A.408 Subd. 3a does require a public hearing if liquor license fees were to increase for Beer on/off sale and on-sale intoxicating liquor. All license holders would receive notification at least 30 days before the hearing date along with the published notice in the Marshall Independent.</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	To provide comment and direction on fees for Liquor License Fees.

Location	Population	Liquor License	Sunday Liquor	Beer Off-Sale	Beer On-Sale	Wine	Brewer Taproom	Growler	Temp On-Sale	Investigation Fee
🏠 Anoka, Minnesota	17,921	\$ 5,000.00	\$ 200.00	\$ 150.00	\$ 300.00	\$ 400.00	\$ 300.00	\$ 150.00	\$ 100.00	\$160-\$550
🏠 Buffalo, Minnesota	16,168	\$ 3,800.00	\$ 200.00	\$ 60.00	\$ 200.00	\$ 100.00	\$ 500.00	\$ 250.00	\$ 250.00	\$ 300.00
🏠 Hutchinson, Minnesota	14,599	\$ 2,000.00	\$ 125.00	\$ 300.00	\$ 425.00	Not on Fee Schedule			\$ 75.00	\$ 375.00
🏠 Brainerd, Minnesota	14,395	\$ 3,300.00	\$ 150.00	\$ 25.00	\$ 200.00	\$ 300.00	\$ 500.00	\$ 300.00	\$ 135.00	\$ 100.00
🏠 Alexandria, Minnesota	14,335	\$ 3,600.00	\$ 200.00	\$ 375.00	\$ 375.00	\$ 375.00	\$ 375.00		\$ 100.00	\$ 500.00
🏠 North Mankato, Minnesota	14,275	\$ 3,750.00	\$ 200.00	\$ 100.00	\$ 275.00	\$ 275.00			\$ 200.00	\$ 500.00
🏠 New Ulm, Minnesota	14,120	\$ 3,000.00	\$ 200.00	\$ 100.00	\$ 250.00	\$ 300.00	\$ 400.00		\$ 100.00	\$ 250.00
🏠 Fergus Falls, Minnesota	14,119	\$ 2,500.00	\$ 200.00	\$ 275.00	\$ 275.00	\$ 200.00	\$ 275.00	\$ 275.00	\$ 25.00	\$ -
🏠 Worthington, Minnesota	13,947	\$ 3,000.00	\$ 200.00	\$ 100.00	\$ 300.00	\$ 400.00			\$ 150.00	\$ 250.00
🏠 Marshall, Minnesota	13,628	\$ 3,000.00	\$ 200.00	\$ 90.00	\$ 250.00	\$ 600.00	\$ 500.00		\$ 30.00	No Charge
🏠 Rogers, Minnesota	13,295	\$ 8,000.00	\$ 200.00	\$ 250.00	\$ 500.00	\$ 1,000.00	\$ 300.00	\$ 200.00	\$ -	\$ 1,000.00
🏠 Mounds View, Minnesota	13,249	\$ 3,000.00	\$ 200.00	\$ 200.00	\$ 800.00	\$ 800.00	\$ 800.00	\$ 200.00	\$ 120.00	\$ 350.00
🏠 Waconia, Minnesota	13,033	\$ 4,000.00	\$ 200.00	\$ 150.00	\$ 300.00	\$ 500.00	\$ 300.00	\$ 350.00	\$ 150.00	\$ 200.00
🏠 Vadnais Heights, Minnesota	12,912	\$ 3,300.00	\$ 200.00	\$ 150.00	\$ 175.00	\$ 400.00	\$ 600.00	\$ 380.00	\$ 75.00	\$ 300.00
🏠 Cloquet, Minnesota	12,568	\$ 2,500.00	\$ 200.00	\$ 25.00	\$ 125.00	\$ 150.00	\$ 300.00		\$ 50.00	\$ 100.00
🏠 St. Peter, Minnesota	12,066	\$ 2,500.00	Not on Fee Schedule	\$ 155.00	\$ 305.00	\$ 305.00			\$ 30.00	\$ 250.00
Average		\$ 3,515.63	\$ 191.67	\$ 156.56	\$ 315.94	\$ 407.00	\$ 429.17	\$ 263.13	\$ 99.38	\$ 319.64
🏠 Willmar, Minnesota	21,015	\$ 4,000.00	\$ 200.00	Not on Fee Schedule	\$ 150.00	\$ 200.00	\$ 150.00	\$ 150.00	\$ 100.00	\$ 125.00
🏠 Redwood Falls, Minnesota	5,102	\$ 2,750.00	\$ 200.00	\$ 175.00	\$ 250.00	\$ 275.00			\$ 125.00	\$ 109.75
🏠 Cottonwood, Minnesota	1,149	\$ 1,500.00	\$ 200.00	Not on Fee Schedule	Not on Fee Schedule	Not on Fee Schedule	Not on Fee Schedule	Not on Fee Sch	Not on Fee Schedule	Not on Fee Schedule
🏠 Pipestone, Minnesota	4,215	\$ 2,500.00	\$ 15.00							
🏠 Tracy, Minnesota	2,076	\$ 1,550.00	\$ 200.00	\$ 60.00	\$ 110.00	\$ 550.00			\$ 30.00	\$ 75.00
🏠 Montevideo, Minnesota	5,398	\$ 1,500.00	\$ 100.00	\$ 70.00	\$ 160.00	\$ 335.00	\$ 425.00	\$ 70.00	\$ 70.00	
		\$ 2,300.00	\$ 152.50	\$ 101.67	\$ 167.50	\$ 340.00	\$ 287.50	\$ 110.00	\$ 81.25	\$ 103.25