



**CITY OF MARSHALL
City Council Meeting
A g e n d a**

**Tuesday, June 23, 2020 at 5:30 PM
Minnesota Emergency Response and Industrial
Training (MERIT) Center, 1001 Erie Road**

NOTICE: Pursuant to Minnesota State Statute 13D.021

Some or all members of the City Council may participate by telephone or other electronic means. Regular attendance and meeting location are not feasible due to the Coronavirus Disease (COVID-19) pandemic.

OPENING ITEMS

1. Call to Order/Pledge of Allegiance

APPROVAL OF AGENDA

APPROVAL OF MINUTES

2. Consider approval of the minutes of the regular meeting held on June 9, 2020.

PUBLIC HEARING

3. Conduct Public Hearing of Ordinance Amending Section 86-247 Landscaping and 86-248 Storage
4. Conduct Public Hearing of Ordinance Amending Section 86-161 Height Modifications, 86-162 Yard modifications, 86-163 Accessory buildings, and 86-164 Accessory equipment
5. Vacation of Utility Easement in Wilke-Miller-Buesing 7th Addition – 1) Public Hearing on Resolution Granting Petition to Vacate Utility Easement; 2) Consider Resolution Granting Petition to Vacate Utility Easement.

AWARD OF BIDS

6. Project Z77: Legion Field Stormwater Improvements - Phase I -- Resolution Accepting Bid (Awarding Contract).

CONSENT AGENDA

7. Consider authorization to declare vehicles as surplus property for the Marshall Police Department.
8. Consider authorization to declare bicycles as surplus property for the Marshall Police Department.
9. Consider approval of the bills/project payments

APPROVAL OF ITEMS PULLED FROM CONSENT

NEW BUSINESS

10. Consider approval of City of Marshall COVID-19 Preparedness Plan
11. Introduction of Ordinance amendment to permit some slaughtering of animals in butcher shops in general business district and industrial districts and permit landscaping business in general industrial district and Call for Public Hearing
12. Request for a Variance Adjustment Permit Trent and Becky White at 101 West Marshall Street
13. Request for Map Amendment (rezone) James R Swenson and Teah Swenson at 1111 Canoga Park Drive
14. Request for Map Amendment (Rezone) Action Company LLC at 1209 and 1211 West Main Street
15. Project Z67: Michigan Road/Superior Road Reconstruction Project - Consider Change Order No. 3 (Final) and Acknowledgement of Final Pay Request No. 8.

COUNCIL REPORTS

16. Commission/Board Liaison Reports
17. Councilmember Individual Items

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.

STAFF REPORTS

- 18. City Administrator
- 19. Director of Public Works
- 20. City Attorney

INFORMATION ONLY

- [21.](#) Information Only

MEETINGS

- [22.](#) Upcoming Meetings

ADJOURN

RULES OF CONDUCT

- You may follow the meeting online – www.ci.marshall.mn.us.
- Public Hearing – the general public shall have the opportunity to address the Council.
 - Approach the front podium
 - State you name, address and interest on the subject
- Mayor may choose to allow others to address the Council during other agenda items. Persons who desire to speak should do so only after being recognized by the Mayor.
 - Approach the front podium
 - State you name, address and interest on the subject
- Persons in attendance at the meeting should refrain from loud discussions among themselves, clapping, whistling or any other actions. Our values include mutual respect and civility for all in attendance.
- If you have questions during the Council meeting please see Kyle Box, City Clerk who sits in the front left area of the audience sitting area.



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, June 23, 2020
Category:	APPROVAL OF MINUTES
Type:	ACTION
Subject:	Consider approval of the minutes of the regular meeting held on June 9, 2020.
Background Information:	Enclosed are the minutes of the regular meeting held on June 9, 2020.
Fiscal Impact:	None
Alternative/ Variations:	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk Kyle Box, prior to the meeting.
Recommendations:	that the minutes of the regular meeting held on June 9, 2020 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, June 09, 2020**

The regular meeting of the Common Council of the City of Marshall was held June 9, 2020, at the Minnesota Emergency Response and Industrial Training (MERIT) Center, 1001 West Erie Road. The meeting was called to order at 5:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Steven Meister, Glenn Bayerkohler, John DeCramer, Russ Labat and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; Annette Storm, Director of Administrative Services; Jim Marshall, Director of Public Safety; Preston Stensrud, Parks Superintendent; Cody Me and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

There was a consensus to operate under the current agenda.

Consider approval of the minutes of the work session and regular meeting held on May 26, 2020.

Motion made by Councilmember Meister, Seconded by Councilmember Lozinski that the minutes of the work session regular meeting held on May 26, 2020 be approved as filed with each member and that the reading of the same be waived. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Veteran's Memorial Bids and Update

Staff continues to move forward with the addition of a Veteran's Memorial at Memorial Park. In the past month we have received quotes to complete most of the project. To date, \$159,000 has been received in donations towards the project. This amount does not include the amount the City plans to contribute. Concrete quotes were received from Hess Concrete and Hisken Construction, Inc. Hess Concrete had the low quote of \$57,127.00.

Quotes were received for the fabrication and installation of the War Memorial Wall from Marshall Machine Shop and Bend Rite Fabrication. Bend Rite Fabrication had the low quote of \$42,272.00.

Motion made by Councilmember DeCramer, Seconded by Councilmember Labat to accept the quote from Hess Concrete of Marshall, MN in the amount of \$57,127.00 to complete concrete work at Memorial Park and Accept quote from Bend Rite Fabrication of Marshall, MN in the amount of \$42,742.00 to fabricate and install War Memorial Wall at Memorial Park. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Approval of the Consent Agenda

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

Approval of the Wastewater Treatment Facilities Improvement Project – 1) Consider Application for Payment No. 11 to Magney Construction, Inc.; 2) Consider Payment of Invoice 1302019 to American Engineering Testing, Inc.; 3) Consider Payment of Invoice 0251005 to Bolton & Menk, Inc.

Approval of the Vacation of Utility Easement in Wilke-Miller-Buesing 7th Addition -- Receive Petition for Vacation of Utility Easement and Call for Public Hearing

Approval of the Law Enforcement Center Repairs.

Approval of the bills/project payments.

Consider Resolution No. 4738, Second Series, Awarding the Sale of General Obligation Bonds, Series 2020B

The resolution awarding the sale of the Bonds, which is to be considered by the City Council of the City of Marshall, Minnesota on June 9, 2020. After the sale of the Bonds on that date, Kennedy & Graven (Bond Council) will update the Award Resolution with the post-sale information received from Baker Tilly and circulate an updated version in advance of the meeting that evening.

Director of Administrative Services, Annette Storm, and Terri Heaton, with Baker Tilly Municipal Advisors, will present the findings from the bond sale that is scheduled for June 9, 2020.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer Approve Resolution No. 4738, Second Series, Awarding the Sale of General Obligation Bonds, Series 2020B Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Red Baron Arena Chiller Repairs

Staff has found significant corrosion in refrigeration system leading to the failure of chiller piping. Costs of repairs will vary depending on test results for brine system that we are still waiting on as memo is submitted. Staff will be present to discuss in further detail at meeting.

Quote to repair chiller piping from Midwest Boiler from Sioux Falls, SD is \$34,050. These repairs are very labor intensive and completed with specialized equipment – only one quote was obtained as no other vendors are known to perform this scope of work in our area.

The League of Minnesota Cities Insurance Trust has been informed and staff are awaiting a response as well as gathering more information on total costs. Our deductible is \$25,000 is repairs are approved by insurance and we wish to file a claim.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer to authorize staff to move forward with repairs needed to get Red Baron. Arena operational and open for summer ice. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Nay: Councilmember Bayerkohler. The motion **Passed. 6-1**

Consider the Amendment to the Professional Services Agreement - Marshall Hotel Demolition

City Administrator Sharon Hanson provided the background on the amendment to the professional services agreement for the Marshall Hotel demolition was reviewed by City Hall Committee on June 3, 2020.

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer to approve the Amendment to the professional Services Agreement. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. Voting Nay: Councilmember Bayerkohler. The motion **Passed. 6-1**

Consider the Ratification of a Resolution in Agreement with Temporary Outdoor Dining.

The State of Minnesota has authorized the use of State right of way for outdoor dining during the COVID-19 emergency through Executive Order 20-70. The executive order was approved by the Governor's Office on June 3rd.

MnDOT has determined that they would not like to work with individual restaurants and that they do not wish to assume any liability for the use of their right of way. As a result, they wish to permit each city individually, granting the city the authority to permit the use of State right of way. They required a permit application to be submitted, along with a drawing of specific area to be used and in what manner, a Resolution of support, and a certificate of insurance that lists MnDOT as an additional insured.

The City has submitted the application in with all required documentation. The City needed this permit to authorize Bello Cucina to operate a handful of tables on College Drive sidewalk space, adjacent to their outdoor patio. To expedite the permitting process to enable Bello Cucina to operate on the sidewalk sooner, Administrator Hanson worked with Mayor Byrnes to sign the Resolution prior to the Council meeting.

City staff is asking for the Council to ratify the decision to submit a Resolution of the Council in advance of this

Council meeting on Friday, June 5, 2020. Motion made by Councilmember Meister, Seconded by Councilmember Lozinski that the Council ratify and adopt RESOLUTION NUMBER 4739, SECOND SERIES which is the Resolution in Agreement with Temporary Outdoor Dining. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Amendment #01 to Mn/DOT Airport Maintenance & Operation Agreement No. 1033583 (SFY 2020-2021).

At the May 26, 2020 meeting, the City Council authorized acceptance and execution of the FAA CARES Act Grant Funding (MML-GLG-3-27-0056-016-2020-Grant Agreement) in the amount of \$69,000.00 for roof repairs at the Arrival/Departure Building at the Airport.

At the June 11, 2019 meeting, the City Council adopted RESOLUTION NUMBER 4623, Second Series, which is the Resolution of Authorization to Execute Minnesota Department of Transportation Grant Contract No. 1033583 for Airport Maintenance and Operation.

Amendment #01 to the current M&O Agreement No. 1033583. In order to receive the reimbursements from FAA/MnDOT, the City will need to execute the State Grant Contract Amendment. The FAA grant supplements the MnDOT grant and allows the Office of Aeronautics to make payments under the FAA grant per the Channeling Act.

The FAA grant will not result in the elimination of the current State Airport Grant for Maintenance and Operations No. 1033583 but will supplement it. The amendment will incorporate the additional FAA funds into our existing State Airport Grant for Maintenance and Operations.

Once the amendment is executed, the City will submit Operations Expenses to MnDOT and in partnership with MnDOT, the FAA will determine the Federal eligibility of the submitted expenses under the provisions of the CARES act. For the expenses that are Federally eligible, MnDOT will process for a Federal payment. For those expenses that are not Federally eligible, MnDOT will determine the eligibility under the State M&O agreement and will process for payment of State funds. FAA eligibility for specific expenses may be broader than under the State M&O agreement, but best not to assume so. Per MnDOT, the City should consult with the FAA about eligibility prior to incurring an expense that you are unsure will be allowed as an Operations Expense under the Federal funding.

The amendment will incorporate the additional FAA funds into our existing State Airport Grant 1033583 for Maintenance and Operations. The FAA CARES Act funds do not require a local match.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the City Council authorize execution of the Amendment #01 to Mn/DOT Airport Maintenance & Operation Agreement No. 1033583. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

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

Mayor Byrnes offered the following recommendation:

Economic Development Authority

Brad Strootman to an unexpired term set to expire May 31, 2026.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer to approve the nominations to various boards and commissions. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Commission/Board Liaison Reports

Byrnes Southwest Regional Development Commission will meet and discuss the eligibility for a \$1.48 million COVID relief revolving loan fund.

Schafer No Report

Meister Community Service Advisory Board met and will plan to open the pool June 20

Bayerkohler Public Housing met to go over the monthly bills, occupancy report and held an election of officers.

DeCramer Economic Development Authority met to hold a public hearing for the sale of additional lots in the Parkway addition.

Marshall Municipal Utilities has decided on David Schelkoph as the new General Manager for Marshall Municipal Utilities.

Labat Library Board met and discussed the updates to the library surrounding COVID-19. The Cottonwood and Balaton libraries remain closed but are offering curbside pick in those areas.

Lozinski City Hall Committee met and brought forward the item of the fire wall on the new city hall building to the full council. There was a consensus from the council to have staff begin the process to connect the city hall and Marshall hotel lots. Councilmember Lozinski also introduced Scott VanDerMillen, Director of Community Services as the new City Hall Owners Representative.

Councilmember Individual Items

Councilmember Lozinski thanked Studio 1 for graduation video. Member Lozinski also thanked staff for their continued efforts in helping local restaurants with city picnic tables and the cities presence at a recent protest making sure everyone was able to be safe.

Councilmember Labat acknowledge staff for a quick turn around time on grass removal and street repairs

Councilmember Schafer touched on the community's strength through COVID-19.

Councilmember Meister requested that the council and staff review sidewalk maintenance throughout the city and placing them on the levy. Member Meister commented on an ATV park located in Lyon County and encourage residents to visit it. Councilmember Meister discussed a COVID-19 jump in Lyon County and reminded everyone that this is a very contagious disease and that testing has been expanded. Member Meister also commented that people be diligent about protecting each other's health.

Mayor Byrnes commented on the opening of businesses under the COVID-19 protocols, opening of the pool and peaceful protests.

City Administrator

City Administrator Sharon Hanson corrected the retirement date of Brad Roos mentioned in the Administrative Brief from August 7 to August 21. Administrator Hanson discussed a meeting held with Senator Dahms along with other Administrators in the area about CARES Act. Funding, the grand opening of the archery park on Friday, June 12 at 1:00 PM. Administrator Hanson mentioned that former Director of Public Works/ City Engineer Glenn Olson's retirement party will be held in the SMSU parking lot on Thursday, June 11 at 4:30 PM. Hanson also commented on the next normal and staff work load.

Director of Public Works

Director of Public Works/ City Engineer Jason Anderson provided an update on the mill and overlay project, bid openings for Legion Field project and a washout of a bike trail

City Attorney

City Attorney Dennis Simpson commented on several items is working on, such as; Grass and Junk complaints, South 1st Street, Buffalo Ridge Plat, MMU employment contract and the sale of 4 lots from the EDA to UCAP.

Administrative Brief

There were no questions on the Administrative Brief

Information Only

There were no questions on the information items.

Upcoming Meetings

There were no questions on the upcoming meetings

Adjourn Meeting

6:55 P.M. Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Bayerkohler, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Mayor

Attest:

City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	PUBLIC HEARING
Type:	INFO/ACTION
Subject:	Conduct Public Hearing of Ordinance Amending Section 86-247 Landscaping and 86-248 Storage
Background Information:	<p>These changes are mostly technical in nature caused by the development of the City Tree Policy and creation of an Interim Use permit concept that allows temporary deviations from the Ordinance. It is similar to conditional use permit but allows time limits. It also cleans up some language and clarifies some concepts.</p> <p>At the March 11, 2020, regular Planning Commission meeting, Schroeder made a motion, second by Lee to recommend to city council an approval as recommend by staff. All voted in favor of the motion.</p> <p>At the meeting on April 30, 2020, Legislative and Ordinance Committee voted to recommend to council the approval of revisions to City Ordinance Sections 86-247 Landscaping and 86-248 Storage.</p> <p>At the May 12, 2020, regular meeting, the Council tabled this item citing difficulty in getting public input.</p> <p>The Ordinance Amending Sections 86-247 Landscaping and 86-248 Storage was introduced at May 26, 2020, City Council meeting</p>
Fiscal Impact:	None.
Alternative/ Variations:	None.
Recommendations:	<p>that the Council close the public hearing on the Ordinance Amending Section 86-247 Landscaping and 86-248 Storage.</p> <p>that the Council adopt Ordinance No. XXX, Second Series, which is the Ordinance Amending Section 86-247 Landscaping and 86-248 Storage.</p>

**CITY OF MARSHALL, MINNESOTA
ORDINANCE NO. _____, SECOND SERIES**

**AN ORDINANCE AMENDING
MARSHALL CITY CODE OF ORDINANCES – CHAPTER 86
RELATING TO ZONING**

The Common Council of the City of Marshall does ordain as follows:

Section 1: City Code of Ordinances, Chapter 86, Article VI, Sections 86-247 Landscaping and 86-248 Storage are hereby amended.

Section 2: It is hereby determined that publication of this Title and Summary Ordinance will clearly inform the public of the intent and effect of Ordinance No. _____, Second Series.

It is hereby directed that only the above Title and Summary of Ordinance No. _____, Second Series be published conforming to Minnesota Statutes §331A.01 with the following:

NOTICE

Persons interested in reviewing a complete copy of the Ordinance may do so at the office of the City Clerk, City Offices, 1501 State Street, Social Science Building, Room 213, Marshall, Minnesota 56258.

Section 3: These Ordinances shall take effect after their passage and summary publication.

Passed and adopted by the Common Council this 23rd day of June, 2020.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: May 26, 2020

Final Passage on: June 23, 2020

Published in the Marshall Independent: _____

Sec. 86-247. - Landscaping.

- (a) In all classes of residential and business districts, all exposed ground areas surrounding a principal and accessory use, including street boulevards and easements, and which are not devoted to parking, drives, walks, patios, designated retail display areas or other such uses shall be landscaped except vegetation areas left in a natural state during initial construction may remain if properly maintained. Downtown district is exempted from the landscaping requirements.
- (1) Fences, bushes, shrubs, and any other landscape elements placed upon easements are subject to removal at owner's expense if required for maintenance or improvement of the utility. The city shall not be required to pay compensation for the items to be removed from a utility easement. Retaining walls shall not be placed upon easements.
 - (2) ~~Trees and any other vegetation shall be planted in such a manner that, when fully grown, no projection into the public right-of-way or easements occurs below nine feet above ground.~~ Trees planted within or adjacent to public right-of-way shall comply with the city tree policy.
 - (3) All landscaped areas shall be kept neat, clean, uncluttered and be properly maintained. Landscaped area shall not be used for the recurring parking of vehicles, ~~(except as provided for in section 86-230 for overflow parking.)~~ or the storage or display of materials, supplies, and merchandise.
 - (4) Vegetation within a 25-foot visibility triangle of the property corner at street intersections and within a 10-foot visibility triangle adjacent to alleys and driveways ~~25 feet of the property corner at street intersections~~ shall not be taller than three feet measured from the top of the street curb. All vegetation upon, and adjacent to, boulevards shall comply with the City Tree Policy ~~except one deciduous tree may be planted within that area.~~
 - (5) Vegetable gardens are allowed in R-1 and R-2 residence districts but shall not be located in the front yard or side yards and shall not occupy more than 25 percent of the area of a rear yard; larger gardens may be allowed by an interim conditional use permit. Vegetable gardens must not be placed on a lot where there is no permitted use main building except when such lot is adjacent to the lot where a permitted use main building is located and both lots have the same owner(s), in which case the vegetable garden can occupy 20 percent of the area of a rear yard calculated for these two lots combined. Community gardens may be allowed in all other zoning districts by an interim conditional use permit, only; except interim conditional use permit is not required in agricultural district.
- (b) Landscape area shall occupy not less than 25 percent of the exposed ground area of the lot. Landscape area shall include not less than 50 percent live materials (vegetation) with the balance being permeable landscaping decorative materials such as landscape rock or mulch.
- (1) Grade slope over one-foot in three feet is prohibited unless existing site grading is unique and special measures are taken to prevent erosion.
 - (2) The trees shall be planted at a rate of at least one tree per 5,000 square feet of landscaped area or one tree per 50 feet of lot street frontage, whichever is greater; existing trees protected during construction may be counted toward the total number of trees required. If more than five trees are required, at least two species shall be used.
 - (3) Overgrown vegetation and sizable broken limbs shall be trimmed; dead or severely damaged trees shall be replaced. Infected trees shall be treated in accordance with chapter 828 Vegetation.
 - (4) Elms, ash, and box elder trees shall not be used unless disease resistant species are utilized.
- (c) In all classes of business and industrial zoning districts yards adjoining any of the classes of residence districts or public parks shall be landscaped with buffer planting screens unless an adjacent residence district property contains a non-residential use. In R-3 and R-4 multiple family residence districts, yards adjoining lower classes of residence districts shall be landscaped with

buffer planting screens unless a multiple family residence district property contains exclusively one-to four-family residences.

- (1) Buffer planting screens shall be at least 80 percent opaque year-round and six feet high. Planting screens shall be planted in such manner that, when fully grown, they remain entirely within the property boundaries. A maintenance-free opaque fence or other means deemed comparable to planting screens by the city staff may be used to substitute for the required buffer planting screens provided requirements of subsection (b) are met.

(d) Building enlargement and expansions over 50 percent of existing building footprint area or construction of additional main use buildings on site shall cause an entire site landscaping review by city staff for Ordinance compliance.

- (ed) All requirements of this section shall be satisfied within one year of receiving a temporary certificate of occupancy. All new site work performed on existing occupied sites shall comply with the landscaping requirements.

(Code 1976, § 11.19(3)(A)(1); Ord. No. 687, § 1, 6-10-2014; Ord. No. 727 2nd series, § 1, 4-24-2018)

Sec. 86-248. - Outside sStorage.

- (a) In all classes of residential districts, open storage and accumulation of materials and equipment shall be prohibited. In all other zoning districts, open storage of materials and equipment shall be prohibited in the any required front, and side, and rear yards, except storage shall be allowed in the required rear yard in industrial districts. Unless prohibited elsewhere in the ordinance ~~[this chapter]~~, any other outside storage, including outdoor storage tanks ~~but excluding retail merchandise intended for sale or rent and open to public and displayed in designated areas,~~ shall be located or screened so as not to be visible from public right-of-way, public parks or any lot within 500 feet in any of the classes of business or residence districts, except in industrial and agricultural zoning districts screening from public right-of-way is not required. The screening may be achieved by fencing or landscaping means compliant with section 86-247 Landscaping. In all classes of business districts, the storage area shall be paved to control dust and erosion and shall be properly maintained. Temporary storage of building materials intended for construction use on premises shall be allowed during ongoing construction and up to one week prior to construction and is exempt from the above requirements provided a valid building permit is displayed on site.
- (b) Outdoor display of retail merchandise intended for sale or rent and open to public shall be allowed in all classes of business and industrial zoning districts. In all classes of business districts, the display area, except live plants sales area, shall be so designated and paved to control dust and erosion and facilitate moving of displayed products. Except licensed automobile, motorcycle, off-road vehicle, and boat sales lots, and small motorized farm and lawn care equipment sales, the display area shall not be located in the required front and side yards. Outdoor display areas adjacent to any of the classes of residence districts shall be screened by fencing or landscaping means compliant with section 86-247 Landscaping. Outdoor display area shall be adequately lighted.
- (c) Outdoor display and sale ~~during garage sale only~~ shall be allowed in all classes of residential zoning districts and residential properties within other zoning districts during garage and yard sales only. The display area shall be located entirely within the pertinent residential property. ~~The following conditions shall be complied with unless a conditional use permit for home occupation is obtained.~~
 - (1) Any related signage shall be limited to premises and to other private properties provided permission from the property owners is obtained; all signage shall be erected not earlier than one-day before sale and shall be removed at the termination of the sale. Such signs shall be limited to three square feet each.
 - (2) There shall be no more than four garage sales conducted during any period of 12 calendar months; there shall be no more than two garage sales conducted during any period of 30

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Section 2: It is hereby determined that publication of this Title and Summary Ordinance will clearly inform the public of the intent and effect of Ordinance No. _____, Second Series.

It is hereby directed that only the above Title and Summary of Ordinance No. _____, Second Series be published conforming to Minnesota Statutes §331A.01 with the following:

NOTICE

Persons interested in reviewing a complete copy of the Ordinance may do so at the office of the City Clerk/Finance Director, City Hall, 344 West Main Street, Marshall, Minnesota 56258.

Section 3: These Ordinances shall take effect after their passage and summary publication.

Passed and adopted by the Common Council this 26th day of May, 2020.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: May 12, 2020

Final Passage on: May 26, 2020

Published in the Marshall Independent: _____

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	PUBLIC HEARING
Type:	INFO/ACTION
Subject:	Conduct Public Hearing of Ordinance Amending Section 86-161 Height Modifications, 86-162 Yard modifications, 86-163 Accessory buildings, and 86-164 Accessory equipment
Background Information:	<p>These proposed changes are mostly based on staff experience with applications and voiced concerns. Some changes are purely technical in nature, some are a result of the development of the City Tree Policy, and others are related to the creation of an Interim permit concept that allows temporary deviations from the Ordinance. This opportunity was also used to clean up some language, clarify some concepts, and relax some requirements.</p> <p>Below are the most significant proposed changes.</p> <ul style="list-style-type: none"> • Allowing to build a front door landing without a variance even if a house is located too close to the street. • Requiring at least 3 feet of clearance along alleys for snow removal and more for garages for cars parking in front of them. • Clarifying yard requirements for three street corner lots, flag lots, and lots open to roadway easements rather than streets. • Allowing larger accessory structures for smaller existing houses. • Allowing motor-homes and RV's to be placed on driveways for longer than 10 days by an Interim Use permit, but limiting projection into the right of way. • Allowing secondary detached garages without driveway and limiting required driveway pavement to the required front yard. • Allowing accessory equipment in front yards if fully screened by the fence. <p>At the March 11, 2020, regular Planning Commission meeting, Fox made a motion, second by Knieff to recommend to City Council an approval as recommend by staff. All voted in favor of the motion.</p> <p>At the meeting on April 30, 2020, Legislative and Ordinance Committee voted to recommend to council the approval of revisions to City Ordinance Sections 86-161 Height Modifications, 86-162 Yard modifications, 86-163 Accessory buildings, and 86-164 Accessory equipment.</p> <p>At the May 12, 2020, regular meeting, the Council tabled this item citing difficulty in getting public input.</p> <p>The Ordinance Amending 86-161 Height Modifications, 86-162 Yard modifications, 86-163 Accessory buildings, and 86-164 Accessory equipment was introduced at May 26, 2020, City Council meeting.</p>
Fiscal Impact:	None
Alternative/ Variations:	None
Recommendations:	<p>that the Council close the public hearing on the Ordinance Amending Section 86-161 Height Modifications, 86-162 Yard modifications, 86-163 Accessory buildings, and 86-164 Accessory equipment.</p> <p>that the Council adopt Ordinance No. XXX, Second Series, which is the Ordinance Amending Section 86-161 Height Modifications, 86-162 Yard modifications, 86-163 Accessory buildings, and 86-164 Accessory equipment.</p>

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RELATING TO ZONING**

The Common Council of the City of Marshall does ordain as follows:

Section 1: City Code of Ordinances, Chapter 86, Article VI, Sections 86-161 Height Modifications, 86-162 Yard Modifications, 86-163 Accessory Buildings, and 86-164 Accessory Equipment are hereby amended.

Section 2: It is hereby determined that publication of this Title and Summary Ordinance will clearly inform the public of the intent and effect of Ordinance No. _____, Second Series.

It is hereby directed that only the above Title and Summary of Ordinance No. _____, Second Series be published conforming to Minnesota Statutes §331A.01 with the following:

NOTICE

Persons interested in reviewing a complete copy of the Ordinance may do so at the office of the City Clerk, City Offices, 1501 State Street, Social Science Building, Room 213, Marshall, Minnesota 56258.

Section 3: These Ordinances shall take effect after their passage and summary publication.

Passed and adopted by the Common Council this 23rd day of June, 2020.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: May 26, 2020

Final Passage on: June 23, 2020

Published in the Marshall Independent: _____

Sec. 86-161. - Height modifications.

- ~~(a) Where the average slope of a lot is greater than one foot rise or fall in seven feet of horizontal distance from the established street elevation at the property line, one floor in addition to the number permitted in the district in which the lot is situated shall be permitted on the downhill side of any building.~~
- (ab) Height limitations set forth elsewhere in this chapter may be increased by 100 percent when applied to the following:
- (1) Church spires, belfries or domes which do not contain usable space.
 - (2) Monuments.
 - (3) Water towers.
 - (4) Flagpoles.
 - (5) Chimneys or smokestacks.
 - (6) Cooling towers.
- (b) Height limitations set forth elsewhere in this chapter may be increased by 25 percent when applied to the following:
- (17) Elevator and mechanical penthouses
 - (2) Clearstories and other above roof structures with a footprint less than 10 percent of the roof area.

(Code 1976, § 11.19(4)(A); Ord. No. 466, § 2, 10-15-2001)

Sec. 86-162. - Yard modifications.

Measurements shall be taken from the nearest point of the wall of a building to the lot line in question, subject to the following qualifications:

- (1) Cornices, ~~canopies, awnings, marquees,~~ or eaves may extend into the required front yard a distance not exceeding four feet, six inches, and the required side yard distance not exceeding two feet, ~~six inches.~~ Cornices, canopies or eaves may have a maximum projection of more than four feet, six inches, but not greater than 25 percent of the required or observed front yard setback, by recommendation for adjustment by the board of zoning adjustment and approval of the city council after notice of a public hearing has been given to the owners of lands within 200 feet of the affected property, and such notice has been officially published. The application form and fees shall be the same as for a variance procedure.
- (2) Fire escapes may extend into the required front yard a distance not exceeding four feet, six inches. Basement egress window wells may extend into required front and side yards a distance not to exceed three feet.
- (3) A landing place, deck or uncovered porch may extend into the required front yard to a distance not exceeding eight feet, if the landing place or porch has its floor no higher than the entrance floor of the building, except a landing place installed at the main entrance of existing residential structure and projecting no more than 4 feet from the structure may extend 15 feet into required front yard. A four foot square landing, not including stair, or a five foot square landing serving a ramp, shall always be permitted at the main entrance of existing residential structures if replacing an existing landing; An open railing no higher than three feet, ~~six inches,~~ may be placed around such place.
- (4) A bay window having a bow, or angled sides, with windows on all faces projecting no more than two feet from the building wall may extend 20 feet into required front yard.

- (54) The ~~above enumerated~~ architectural features listed in paragraphs 1 through 4 may also extend into any the required rear yard to the same extent as permitted for extension into the required front yard. If an easement coincides with, or is wider than, a required yard, architectural features listed in paragraphs 1 and 2 may extend into such easement not more than two feet with written approval of the City Engineer.
- (65) ~~Walls, R~~retaining walls, fences, ~~and or~~ other similar structures located in any yard, ~~except signs and as otherwise permitted by this article,~~ shall not exceed seven feet in height in any of the classes of residential and business districts. Barbed wire or electrical fencing materials are prohibited in these locations.
- (76) ~~Walls, R~~retaining walls, fences or any other structures, both permanent and temporary, located in the front any yard of a corner lot at the intersection of streets, except pilon signs and as otherwise permitted by this article, shall not exceed three feet in height as measured above the curb within a 25-foot visibility triangle radius of the property corner at such intersection and within a 10-foot visibility triangle adjacent to alleys and driveways in any of the classes of residential and business districts.
- (87) On double frontage lots, the required front yard shall be provided on both streets. On corner lots, the required front yard shall be provided on all streets.
- (98) In determining the depth of rear yard for any building where the rear yard opens into an alley, one-half the width of the alley, but not exceeding ten feet, may be considered as a portion of the rear yard.
- (10) Any structure, including fences, built in the rear or side yard that opens into an alley, must not be placed less than three feet from the property line defining this alley. Any garage with overhead door facing, and having a direct vehicle access from, an alley must not be placed less than 18 feet from the alley.
- (119) No front, side or rear yard shall be required in the downtown district, which area shall be designated on the official zoning map.
- (120) On a corner lot fronting two intersecting streets, either yard opposite the street may be designated the rear yard. On a corner lot fronting three streets, the fourth yard shall meet the requirements of a side yard.
- (13) On a flag lot, the lot side, which faces the street that this lot has an access from, shall be designated the front yard. For such lots, the lot depth calculations shall not include the length of the narrow access portion of the lot.
- (14) On a lot that faces, and is exclusively accessed from, a public roadway easement or recorded access easement providing access to at least one other property beyond said lot, the lot side facing the easement shall be designated the front yard.
- ~~(11) A bay window having a bow, or angled sides, with windows on all faces may project into the required front yard a distance not exceeding two feet.~~

(Code 1976, § 11.19(4)(B); Ord. No. 374 2nd series, § 1, 8-4-1997; Ord. No. 699 2nd series, § 1, 9-9-2015; Ord. No. 725 2nd series, § 1, 1-23-2018)

Sec. 86-163. - Accessory buildings.

- (a) Purpose. These regulations governing accessory buildings are established to provide for the orderly development ~~of~~ and use of land and to minimize conflicts among land uses by regulating the type, size and location of accessory buildings.

(b) Accessory buildings shall comply with the following regulations in addition to other requirements of this chapter:

- (1) An accessory building must not be placed on a lot where there is no permitted use main building except in a case when such lot is not substandard and is adjacent to the lot where a permitted use main building is located, provided both lots have the same owner(s), and the owner(s) sign and record an agreement prohibiting the sales or transfer of individual lots unless a new main structure is built on a lot where a standalone accessory building, compliant with the city ordinance ~~[this chapter]~~, is located or said accessory building is removed. If such accessory structure is allowed under above conditions, the city ordinance ~~[this chapter]~~ shall be applied as if two adjacent lots are combined into one.
- (2) An accessory building must not be placed less than five feet from the main building or another accessory building.
- (3) An accessory building must not be placed in a required front yard or side yard, or less than 12 feet to the rear property line except one accessory building less than 200 square feet in area and less than ten feet in height may be placed not less than five feet to the side or rear property line. For accessory buildings over 1,000 square feet or over ten feet in height, the distance to the rear property line shall be increased by one-foot for every 100 square feet area increase over 1,000 square feet and every one-foot height increase over ten feet until ordinance required rear yard depth is reached.
- (4) An accessory building must not exceed 1,000 square feet in area in the R-1 one-family residence district, nor exceed 600 square feet in area per dwelling unit in residential structures in any other residential district, nor exceed 80 60 percent of the footprint area of the main use building when its footprint exceeds 1,200 square feet in all classes of residential and business districts, except an accessory building size may be increased 50 percent if located on lots of more than seven-tenths of an acre in the R-1 one-family residence district and the R-2 one- to four-family residence district. In all classes of residential and business districts, all accessory buildings combined must not exceed the area of the main building nor occupy more than 25 percent of the area of a rear or front yard.
- (5) In all classes of residential and business districts an accessory building must not be more than one-story or greater than 15 feet in actual height ~~on lots of less than seven-tenths of an acre~~. An accessory building located 25 feet or more from all property lines on a lot of seven-tenths of an acre or more must not be more than one and one-half stories, nor more than 18 feet in actual height. Accessory buildings must not be greater in height than the main building.
- (6) In the R-1 one-family residence district and the R-2 one- to four-family residence district, an accessory building must not be located a lesser distance to a front property line than the main building except an open gazebo under 200 square feet in area and 12 feet in height may be placed in front of the main building on lots of more than seven-tenths of an acre, provided the house front yard depth is at least two times greater than the required front yard. On double frontage lots one accessory building may be permitted on the side opposite to the lot access point provided it meets applicable front yard requirements and matches the main structure in appearance. In all classes of residential and business districts, accessory buildings located in the front yard shall be finished to match the main use building.
- (7) In the R-1 one-family residence district and the R-2 one- to four-family residence district there must not be more than two accessory buildings placed on a lot of less than seven-tenths of an acre ~~(30,492 square feet)~~, nor more than three accessory buildings placed on a lot of more than seven-tenths of an acre. An open gazebo under 200 120 square feet in area and 12 feet in height may be built in addition to the number of accessory building limitations indicated above.
- (8) All accessory buildings must be constructed to comply with all requirements of the building code including structural requirements.
- (9) No accessory building shall be used, permanently or temporarily, for human habitation; any building containing provisions for human habitation shall be considered a main use. In the R-1

one-family residence district and the R-2 one- to four-family residence district, one travel trailer, camper, motor-home or recreational vehicle may be used as a temporary guest residence for no more than ten days per calendar year ~~provided it complies with all applicable requirements of this section except as may be allowed by a conditional use permit.~~ If placed in the front yard, it shall not project into public right of way or visibility triangles. The 10 days limit may be extended to 30 days by an interim use permit.

- (10) Trailers, semi-trailers, and storage containers (including, but not limited to, cargo and shipping container and PODS or any structures made of the above components) must not be used as accessory buildings in all classes of residential or business zoning-districts. A single unit as described above may be utilized for temporary storage for no more than 30 consecutive days in a calendar year. The 30 days limit may be extended to 180 days by applying for an interim use temporary structure building permit and complying with all requirements of the city and building codes.
- (11) Any accessory building exceeding 300 400 square feet, ~~shall have a floor structure or be installed over a floating concrete slab and,~~ if capable of storing street legal motorized vehicles, shall be provided with a street driveway access to the public right of way in a form of a driveway that shall be paved complying with section 86-206 from the street through the required front yard. No driveway shall be required for secondary garages, provided a minimum double garage is attached to the house; however, if such driveway is installed, it shall be paved within the public right-of-way.
- (12) Accessory buildings, ~~including any projections,~~ must not be located within any utility easements. Overhangs and eaves may extend into such easement not more than two feet with written approval of the City Engineer.
- (13) In all classes of residential and business districts accessory buildings, ~~(including carports)~~ but excluding temporary structures installed for less than 90 days, must not use cloth, canvas, plastic sheathing, tarps, or similar materials as finish building materials.
- (14) Temporary Family Health Care Dwellings are not permitted ~~Opt-out of Minn. Stat. § 462.3593, pursuant to authority granted by Minn. Stat. § 462.3593, Subd. 9.~~

(Code 1976, § 11.19(4)(C); Ord. No. 574, § 1, 6-4-2007; Ord. No. 614, § 1, 10-13-2009; Ord. No. 681 2nd series, § 1, 9-24-2013; Ord. No. 699 2nd series, § 1, 9-9-2015; Ord. No. 711 2nd series, § 1 8-8-2016)

Sec. 86-164. - Accessory equipment.

- (a) In all the classes of residential districts, accessory equipment shall be subject to the following qualifications:
 - (1) Accessory equipment, except a single basketball hoop, shall not be located in any required front yard, side yard, or be located within 12 feet of any rear lot line except accessory equipment cumulatively less than 200 five square feet in area and less than eight four feet in height, ~~children playgrounds,~~ and sport courts may be placed not less than five feet to the side or rear property line.
 - (2) Accessory equipment shall not exceed 12 feet in height when measured from the lowest point of the finished surface of the ground within five feet of the support structure to the top of the equipment, ~~except that e~~Equipment mounted on the roof of the main building shall not project beyond the highest portion of the pitched roof structure of the building nor exceed four feet above the flat roof structure.
 - (3) When the accessory equipment is attached structurally and not just electrically to the main building, it shall comply in all respects with the requirements of this chapter as applicable to the main building and also to the requirements of the building code.

- (4) Accessory equipment must not be placed on a lot where there is no permitted use main building except in a case when such lot is not substandard and is adjacent to the lot where a permitted use main building is located, provided both lots have the same owner(s), and the owner(s) sign and record an agreement prohibiting the sales or transfer of individual lots unless a new main structure is built on a lot where accessory equipment, compliant with the city ordinance ~~[this chapter]~~, is located or said accessory equipment is removed. If such accessory equipment is allowed under above conditions, the city ordinance ~~[this chapter]~~ shall be applied as if two adjacent lots are combined into one, except a sports court may be located at a lesser distance to a front property line than the main building.
- (5) In the R-1 one-family residence district and the R-2 one- to four-family residence district accessory equipment must not be located a lesser distance to a front property line than the main building except accessory equipment less than six five square feet in area and less than four feet in height or ~~(unless fully screened from public right-of-way by solid fence)~~. On double frontage lots accessory equipment may be permitted on the side opposite to the lot access point provided it meets applicable front yard requirements.
- (6) Accessory equipment, including any projections, must not be located within any utility easements.
- (b) In all the classes of business ~~and industrial~~ districts, accessory equipment shall be subject to subsections (a)(1), ~~(2)~~, (3) and (6).
- (c) In all the classes of industrial districts, accessory equipment shall be subject to subsections (a)(1), (3) and (6).

(Code 1976, § 11.19(4)(D); Ord. No. 681 2nd series, § 1, 9-24-2013)



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, June 23, 2020
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Vacation of Utility Easement in Wilke-Miller-Buesing 7th Addition – 1) Public Hearing on Resolution Granting Petition to Vacate Utility Easement; 2) Consider Resolution Granting Petition to Vacate Utility Easement.
Background Information:	<p>A signed petition for vacation of a utility easement has been received from the owners of all the real property that includes the proposed area for utility easement.</p> <p>A map of the petitioned vacation area is attached.</p> <p>At one point in time, a property line was centered on the diagonal easement area that is proposed to be vacated. Once the diagonal property line was relocated with the most recent platting, utility easements were established around the perimeter of the new identified lot.</p> <p>The diagonal easement area is not being used and is no longer necessary. We do not believe any utilities are located in this area.</p> <p>A copy of the procedure for vacation of streets by resolution, included in Sec. 62-4 of the Marshall Code of Ordinances, is also attached.</p> <p>Prior to the public hearing and adoption of the resolution granting a petition for vacation, all utility companies were contacted for notification of the vacation and receipt of requirements they may have.</p>
Fiscal Impact:	Property owner to reimburse the City for all costs associated with the vacation.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	<p>Recommendation No. 1 that the Council close the public hearing.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER XXXX, which is the Resolution Granting Petition to Vacate Utility Easement.</p>

RESOLUTION NUMBER _____, SECOND SERIES

**RESOLUTION GRANTING A PETITION FOR VACATION OF UTILITY EASEMENT
IN THE CITY OF MARSHALL**

WHEREAS, a signed petition for vacation of a utility easement has been received from the owners of all the real property that includes the proposed area for utility easement in the City of Marshall, County of Lyon, State of Minnesota; legally described and shown on the maps, as per attached Exhibit A, to-wit;

AND WHEREAS, such petition was ordered to be filed for record with the City Administrator and a hearing ordered on such petition;

AND WHEREAS, a public hearing was held on June 23, 2020 before the City Council on such petition after due published and posted notice had been given on June 12, 2020, and all persons interested were given an opportunity to be heard.

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

1. The Mayor and City Clerk hereby resolve the granting of the petition for vacation of the utility easements located in the City of Marshall, County of Lyon, State of Minnesota, as legally described above.
2. A copy of this resolution, after the same shall go into effect, duly certified by the City Administrator, shall be filed for record and duly recorded in the office of the Registrar of Deeds in and for Lyon County, Minnesota.

Passed and adopted by the Council this 23rd day of June, 2020.

Robert J. Byrnes, Mayor

ATTEST:

City Clerk

This Instrument Drafted by:
Jason R. Anderson, P.E.; Director of Public Works / City Engineer

EXHIBIT A

The 15-foot-wide utility easement running diagonally on the easterly portion of Lot 1, Block One, Wilke-Miller-Buesing 7th Addition, located between the existing 7.5-ft. perimeter utility easements as shown on Exhibit B, in the City of Marshall, as filed and recorded in the Office of the County Recorder in and for Lyon County, Minnesota.

PETITION FOR VACATION OF UTILITY EASEMENT

Marshall, Minnesota
May 2020

To the City Council of Marshall, Minnesota:

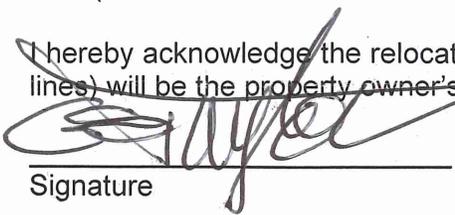
We, the undersigned, owners of all the real property abutting the utility easement as legally described on the attached Exhibit A and as shown on the attached map as Exhibit B, hereby petition that such utility easement be vacated.

	PARCEL # / ADDRESS	OWNER(S)	OWNER(S) SIGNATURE(S)
1.	27-988-001-0 1203 Windstar Street	Gregory S. Taylor Nadine R. Taylor	 Nadine R. Taylor
2.			

THE PETITIONERS SOLD OFF PROPERTY TO THE ADJACENT LAND OWNER
 Purpose of Vacation: TO "SQUARE" OFF THEIR PROPERTY, WHICH ALSO ENLARGED THEIR LOT. THE CITY HAD FOLLOWED THE "NEW" PROPERTY LINES WHEN THE UTILITIES WERE PLACED, SO THIS AREA WAS/IS NO LONGER NEEDED.

Application Fee: \$100.00 -- I hereby submit this Petition for Vacation. I agree to pay the application fee upon filing. In addition, I understand I will be billed for any direct costs related to this application, which are due and payable regardless of approval or denial by the City Council. These direct costs include, but are not limited to, postage, publication/advertising and recording fees (Per current Resolution of Fees & Rates).

I hereby acknowledge the relocation of any utilities (i.e. hydrants, light poles, or communication lines) will be the property owner's expense.



Signature

G. S. TAYLOR

Printed Name

NADINE R. TAYLOR

Nadine R. Taylor

THE TITLE TO THIS PARCEL WILL BE TRANSFERRED TO PHIL THIES ERUDITION TRUST
 Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

 City Clerk

Pl 6-3-2020
 Rec. # 02001002

EXHIBIT A

The 15-foot-wide utility easement running diagonally on the easterly portion of Lot 1, Block One, Wilke-Miller-Buesing 7th Addition, located between the existing 7.5-ft. perimeter utility easements as shown on Exhibit B, in the City of Marshall, as filed and recorded in the Office of the County Recorder in and for Lyon County, Minnesota.

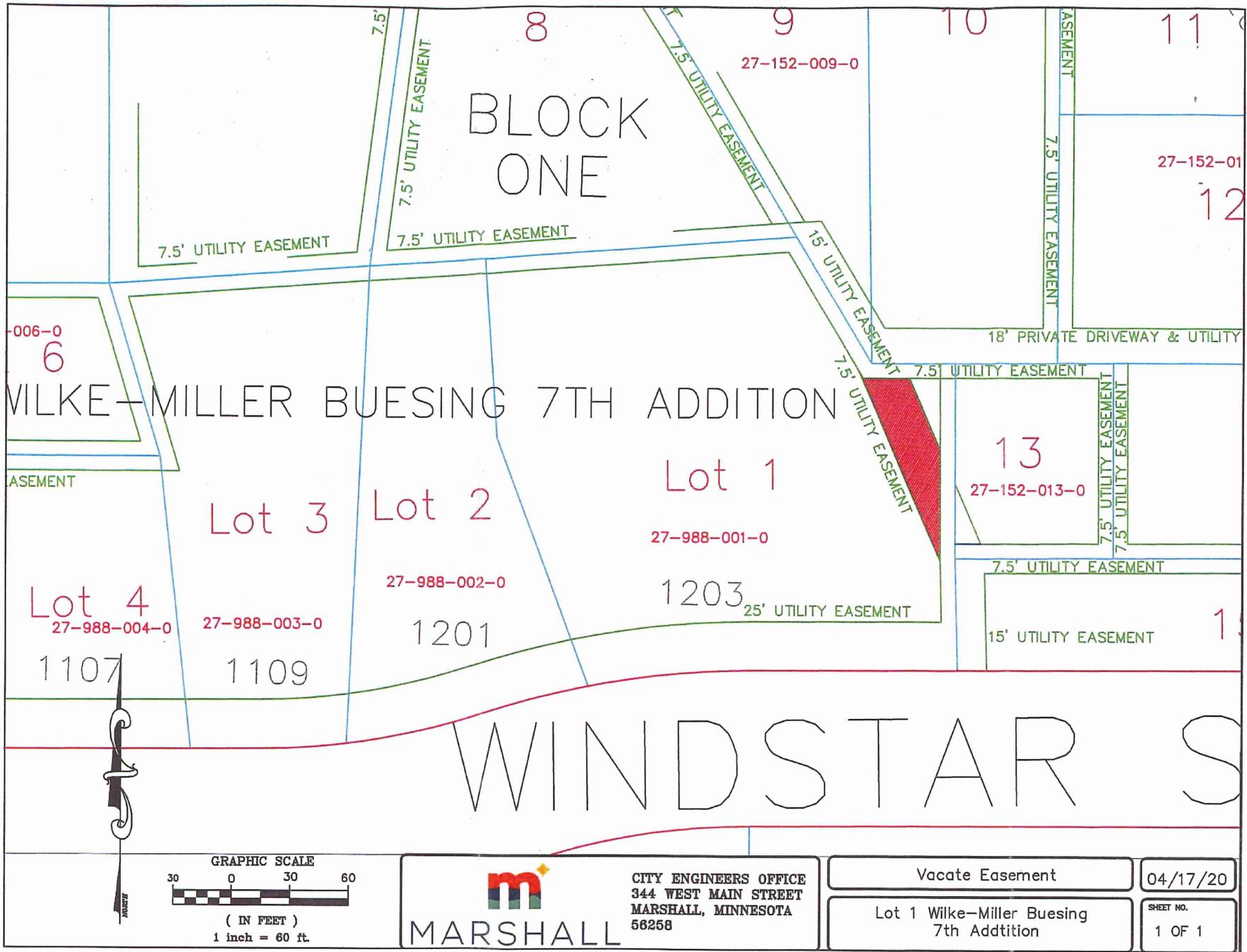
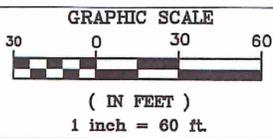


EXHIBIT B



M
MARSHALL

CITY ENGINEERS OFFICE
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

Vacate Easement

Lot 1 Wilke-Miller Buesing
7th Addition

04/17/20

SHEET NO.
1 OF 1

Sec. 62-4. - Vacation of streets, alleys, thoroughfares, public grounds, easements, or any other interest in real estate, or any part.

- (a) No public grounds or streets or other interest in real estate shall be vacated except upon the council's own motion or upon the petition directed to the council of a majority of the owners of property on the line of such property interest residing within the city, and completion of the procedure specified in this section. Such petition shall set forth the reasons for such desired vacation, accompanied by a plat of such property interest proposed to be vacated, and such petition shall be verified by the oath of a majority of the petitioners residing within the city.
- (b) If, in the discretion of the council, it is expedient that the matter be proceeded with, it may order the petition filed for record with the city administrator, order a hearing on such petition and fix the time and place of such hearing.
- (c) The city administrator shall give notice of such hearing by publication once at least ten days in advance of such hearing, and by mail to the last known address of all of the owners of property on the line of such property interest proposed to be vacated at least ten days in advance of such hearing. Such last known addresses shall be obtained from the office of the county auditor. Such notice shall in brief state the object of such hearing; the time, place and purpose of such hearing; and the fact that the council, or a board or commission designated by them shall hear the testimony and examine the evidence of the parties interested.
- (d) The council, after hearing the same, or upon the report of such board or commission designated to hold such hearings, may by resolution, passed by affirmative vote of at least five members, declare such property interest vacated, or deny such petition. The resolution, if granting the petition, shall be certified by the city administrator and shall be filed for record and duly recorded in the office of the registrar of deeds (county recorder) in and for the county.

(Code 1976, § 7.07)

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	AWARD OF BIDS
Type:	ACTION
Subject:	Project Z77: Legion Field Stormwater Improvements - Phase I -- Resolution Accepting Bid (Awarding Contract).
Background Information:	<p>This project consists of the following: Construction of normally dry stormwater detention basin and associated stormwater piping and improvements. Minor street patching and repair will be required. The project will occur on and between Outlot A of Buffalo Ridge Addition and Legion Field Park.</p> <p>On June 16, 2020, bids were received for the above-referenced project. Four bids were received as shown on the attached Resolution Accepting Bid. The low bid was from Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$277,943.00. The engineer's estimate was \$334,000.00.</p>
Fiscal Impact:	<p>Attached is the "Resolution Accepting Bid" awarding the contract to Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$277,943.00.</p> <p>The estimated total project cost including 5% allowance for contingencies and 16% for engineering and administrative costs is \$338,534.57.</p> <p>The above-referenced project will be financed by the 2020B Bonds and will be repaid using the Surface Water Management Utility Fund.</p>
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	that the Council adopt RESOLUTION NUMBER XXXX, which provides for the Resolution Accepting Bid (Awarding Contract) and authorizing entering into an agreement Towne & Country Excavating LLC of Garvin, Minnesota, in the amount of \$277,943.00 for Project Z77: Legion Field Stormwater Improvements - Phase I.

**RESOLUTION NUMBER _____, SECOND SERIES
RESOLUTION ACCEPTING BID (AWARD CONTRACT)**

WHEREAS, pursuant to an advertisement for bids for the following project:

PROJECT Z77: LEGION FIELD STORMWATER IMPROVEMENTS - PHASE I – This project consists of the following: Construction of normally dry stormwater detention basins and associated stormwater piping and improvements. Minor street patching and repair will be required. The project will occur on and between Outlot A of Buffalo Ridge Addition and Legion Field Park.

bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

Bidder	Bid Amount
Towne & Country Excavating LLC Garvin, MN	\$277,943.00
R&G Construction Co. Marshall, MN	\$298,285.79
D&G Excavating, Inc. Marshall, MN	\$327,328.70
Midwest Contracting, LLC Marshall, MN	\$427,392.99

AND WHEREAS, Towne & Country Excavating LLC of Garvin, Minnesota, is the lowest responsible bidder.

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with Towne & Country Excavating LLC of Garvin, Minnesota & R&G Construction Co. of Marshall, Minnesota, in the amount of \$277,943.00, in the name of the City of Marshall for the above referenced project, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.

Passed and adopted by the City Council this 23rd day of June, 2020.

ATTEST:

City Clerk

Mayor

This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, June 23, 2020
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider authorization to declare vehicles as surplus property for the Marshall Police Department.
Background Information:	These vehicles have been abandoned or seized by the Marshall Police Department and have gone through the notification processes and required periods for disposal.
Fiscal Impact:	These vehicles will be auctioned on-line at the state site, sold or will be taken to Alters for disposal.
Alternative/ Variations:	
Recommendations:	That the vehicles be declared as surplus property by the City of Marshall.

20-5592	10 Ford Fusion	GUN 6075	3FAHP0HAXAR132153	Abandoned
19-15191	03 Dodge Caravan	827 WAT	1D4GP24333B259555	Forf (City Atty)
19-20480	05 Mazda 3	ATM 409	JM1BK323151222835	Forf (City Atty)
19-11005	89 Gran Marquis	BXZ 033	2MEBM75F5KX676269	Forf (City Atty)
19-1482	02 Jeep Grand Cherokee	332 MWC	1J4GW58S82C327497	Forf (Co Atty)

20-4826	02 Chevy Blazer	324 TJW	1GNDT13W92K110929	Forf (City Atty)
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CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, June 23, 2020
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider authorization to declare bicycles as surplus property for the Marshall Police Department.
Background Information:	There are 36 bicycles that have been abandoned or seized by the Marshall Police Department and have gone through the notification processes and required periods for disposal.
Fiscal Impact:	These bicycles will be sold, donated or will be taken to Alters for disposal.
Alternative/ Variations:	
Recommendations:	That the bicycles be declared as surplus property by the City of Marshall.



Marshall, MN

Council Check Report

By Vendor Name

Date Range: 06/05/2020 - 06/19/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
4549	A & B BUSINESS, INC	06/10/2020	EFT	0.00	420.97	4546
4549	A & B BUSINESS, INC	06/19/2020	EFT	0.00	1,868.36	4591
5813	ACE HOME & HARDWARE	06/12/2020	Regular	0.00	238.93	116408
5813	ACE HOME & HARDWARE	06/19/2020	Regular	0.00	303.08	116455
6128	ACTION CO LLC	06/19/2020	EFT	0.00	240.00	4592
6046	ADVANCED FIRST AID INC.	06/12/2020	EFT	0.00	2,098.00	4554
0560	AFSCME COUNCIL 65	06/05/2020	EFT	0.00	1,364.98	4480
6412	AG PLUS COOPERATIVE	06/05/2020	Regular	0.00	1,148.40	116345
0567	ALEX AIR APPARATUS INC	06/19/2020	EFT	0.00	2,121.94	4593
0578	AMAZON CAPITAL SERVICES	06/05/2020	EFT	0.00	68.68	4481
0578	AMAZON CAPITAL SERVICES	06/12/2020	EFT	0.00	26.94	4555
4570	AMAZON	06/09/2020	Regular	0.00	419.72	116395
3761	AMERICAN BOTTLING CO.	06/05/2020	Regular	0.00	171.60	116346
3761	AMERICAN BOTTLING CO.	06/19/2020	Regular	0.00	166.32	116456
0581	AMERICAN ENGINEERING TESTING INC	06/05/2020	EFT	0.00	2,071.50	4482
0583	AMERICAN FAMILY LIFE ASSURANCE CO	06/05/2020	EFT	0.00	2,418.63	4483
6155	AMERICAN FENCE CO	06/19/2020	Regular	0.00	6,858.10	116457
0595	AMERIPRIDE SERVICES, INC	06/05/2020	EFT	0.00	9.00	4484
0595	AMERIPRIDE SERVICES, INC	06/19/2020	EFT	0.00	85.04	4594
5880	AMERITAS LIFE INSURANCE CORP	06/05/2020	Regular	0.00	414.53	116347
5837	ANDERSON, JASON	06/05/2020	EFT	0.00	80.00	4485
0606	ANIMAL HEALTH CENTER	06/19/2020	Regular	0.00	180.00	116458
0658	AP DESIGN	06/19/2020	EFT	0.00	40.00	4595
0630	ARCTIC GLACIER	06/05/2020	Regular	0.00	331.23	116348
0630	ARCTIC GLACIER	06/12/2020	Regular	0.00	186.17	116410
0630	ARCTIC GLACIER	06/19/2020	Regular	0.00	402.68	116459
5447	ARTISAN BEER COMPANY	06/05/2020	Regular	0.00	252.25	116349
5447	ARTISAN BEER COMPANY	06/12/2020	Regular	0.00	1,243.25	116411
5447	ARTISAN BEER COMPANY	06/19/2020	Regular	0.00	1,195.00	116460
5327	BAUMANN, ADAM	06/05/2020	EFT	0.00	30.00	4486
0688	BELLBOY CORPORATION	06/12/2020	EFT	0.00	1,829.76	4556
0689	BEND RITE FABRICATION INC	06/05/2020	Regular	0.00	763.63	116350
0689	BEND RITE FABRICATION INC	06/12/2020	Regular	0.00	37.50	116412
0689	BEND RITE FABRICATION INC	06/19/2020	Regular	0.00	240.49	116461
6471	BERGANKDV LTD	06/12/2020	EFT	0.00	9,200.00	4557
0699	BEVERAGE WHOLESALERS	06/05/2020	Regular	0.00	40,939.20	116351
0699	BEVERAGE WHOLESALERS	06/12/2020	Regular	0.00	38,923.70	116413
0699	BEVERAGE WHOLESALERS	06/19/2020	Regular	0.00	29,314.79	116462
0724	BOLTON & MENK INC	06/12/2020	EFT	0.00	34,936.25	4558
0018	BORDER STATES ELECTRIC SUPPLY	06/05/2020	Regular	0.00	22.30	116352
4506	BOT, JOSEPH	06/05/2020	EFT	0.00	696.00	4487
6231	BOX, KYLE	06/05/2020	EFT	0.00	30.00	4488
4457	BREAKTHRU BEVERAGE	06/05/2020	Regular	0.00	9,952.78	116353
4457	BREAKTHRU BEVERAGE	06/12/2020	Regular	0.00	3,562.57	116414
4457	BREAKTHRU BEVERAGE	06/19/2020	Regular	0.00	16,526.75	116463
5696	BROTHERS FIRE PROTECTION	06/05/2020	EFT	0.00	690.00	4489
3568	BRUNSVOLD, QUENTIN	06/05/2020	EFT	0.00	30.00	4490
0728	BUFFALO RIDGE CONCRETE,INC	06/10/2020	EFT	0.00	294.75	4547
0728	BUFFALO RIDGE CONCRETE,INC	06/12/2020	EFT	0.00	451.88	4559
0378	BUYSSE, JASON	06/05/2020	EFT	0.00	30.00	4491
4236	C.E. SIGNS & DESIGNS	06/05/2020	Regular	0.00	48.32	116354
0380	CALLENS, DAVID	06/05/2020	EFT	0.00	30.00	4492
5352	CAMDEN INSURANCE AGENCY	06/05/2020	Regular	0.00	100.00	116355
0799	CARLOS CREEK WINERY	06/12/2020	Regular	0.00	786.00	116415

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0802	CARLSON & STEWART REFRIG INC	06/12/2020	EFT	0.00	2,790.39	4560
0802	CARLSON & STEWART REFRIG INC	06/19/2020	EFT	0.00	230.50	4596
0815	CATTOOR OIL COMPANY INC	06/05/2020	EFT	0.00	1,550.28	4493
0815	CATTOOR OIL COMPANY INC	06/12/2020	EFT	0.00	1,523.75	4561
0818	CAUWELS, ROGER	06/05/2020	EFT	0.00	30.00	4494
5860	CENTRAL STATES GROUP	06/12/2020	Regular	0.00	167.01	116416
0836	CHARTER COMMUNICATIONS	06/19/2020	EFT	0.00	98.71	4597
0875	COMPUTER MAN INC	06/05/2020	EFT	0.00	4,819.50	4495
0875	COMPUTER MAN INC	06/19/2020	EFT	0.00	4,257.25	4598
0384	COUDRON, DEAN	06/05/2020	EFT	0.00	30.00	4496
0920	CULLIGAN WATER CONDITIONING OF MARSHALL	06/12/2020	Regular	0.00	400.00	116417
0920	CULLIGAN WATER CONDITIONING OF MARSHALL	06/19/2020	Regular	0.00	6.00	116464
0934	D & G EXCAVATING INC	06/05/2020	EFT	0.00	4,200.00	4497
3819	DACOTAH PAPER CO	06/05/2020	Regular	0.00	84.84	116356
3819	DACOTAH PAPER CO	06/12/2020	Regular	0.00	103.79	116418
5031	DASH MEDICAL GLOVES, INC	06/05/2020	Regular	0.00	71.90	116357
6204	DAVEY TREE EXPERT COMPANY	06/05/2020	Regular	0.00	2,555.00	116358
4573	DEMCO	06/09/2020	Regular	0.00	176.63	116396
0975	DEPUTY REGISTRAR #32	06/05/2020	Regular	0.00	153.00	116359
6472	DEUTZ, LAUREN	06/05/2020	Regular	0.00	80.00	116360
5731	DOLL DISTRIBUTING	06/19/2020	EFT	0.00	18,248.05	4599
5731	DOLL DISTRIBUTING	06/05/2020	Regular	0.00	34,308.40	116361
5731	DOLL DISTRIBUTING	06/12/2020	Regular	0.00	22,357.99	116419
1020	DUIINCK BROS., INC.	06/05/2020	EFT	0.00	1,421.48	4498
1020	DUIINCK BROS., INC.	06/12/2020	EFT	0.00	505.60	4562
1035	ECOLAB PEST ELIMINATION SERVICES	06/05/2020	Regular	0.00	665.04	116362
6521	EDINA REALTY	06/19/2020	Regular	0.00	500.00	116465
5291	ENVISIONWARE, INC	06/10/2020	EFT	0.00	151.08	4548
4706	ESS BROTHERS & SONS, INC	06/12/2020	EFT	0.00	665.80	4563
1090	FASTENAL COMPANY	06/05/2020	EFT	0.00	588.50	4499
1090	FASTENAL COMPANY	06/12/2020	EFT	0.00	163.99	4564
1090	FASTENAL COMPANY	06/19/2020	EFT	0.00	68.28	4600
0416	FELTON, RANDY	06/12/2020	Regular	0.00	141.70	116420
5780	FIRE CATT,LLC	06/19/2020	EFT	0.00	4,877.15	4601
6415	FOXHOLE BREWHOUSE	06/19/2020	EFT	0.00	144.00	4602
5289	FRANZ REPROGRAPHICS	06/12/2020	Regular	0.00	172.74	116421
1145	FREMONT INDUSTRIES INC	06/05/2020	EFT	0.00	3,870.00	4500
4805	FURTHER	06/12/2020	Bank Draft	0.00	4,333.68	DFT0000155
4805	FURTHER	06/12/2020	Bank Draft	0.00	1,187.52	DFT0000156
4805	FURTHER	06/12/2020	Bank Draft	0.00	1,500.00	DFT0000157
4805	FURTHER	06/12/2020	Bank Draft	0.00	770.85	DFT0000158
4805	FURTHER	06/12/2020	Bank Draft	0.00	9,651.67	DFT0000161
4805	FURTHER	06/12/2020	Bank Draft	0.00	520.84	DFT0000168
6478	GOPHER STATE ONE CALL	06/12/2020	EFT	0.00	344.25	4565
1201	GRAINGER INC	06/19/2020	EFT	0.00	61.50	4603
6127	GRANDVIEW VALLEY WINERY, INC	06/12/2020	Regular	0.00	660.00	116422
1215	GREENWOOD NURSERY	06/05/2020	Regular	0.00	1,500.00	116363
1215	GREENWOOD NURSERY	06/12/2020	Regular	0.00	13,756.71	116423
1243	HARDWARE HANK	06/19/2020	EFT	0.00	21.54	4604
4520	HARRISON TRUCK CENTERS	06/12/2020	EFT	0.00	298.50	4566
6518	HARVEY SIGN SERVICE, LLC	06/19/2020	Regular	0.00	4,017.83	116466
1256	HAWKINS INC	06/12/2020	Regular	0.00	5,471.32	116424
1268	HELENA CHEMICAL COMPANY	06/05/2020	Regular	0.00	1,697.01	116364
1271	HENLE PRINTING COMPANY	06/10/2020	EFT	0.00	67.44	4549
1271	HENLE PRINTING COMPANY	06/12/2020	EFT	0.00	3,527.96	4567
1288	HISKEN CONSTRUCTION INC	06/19/2020	Regular	0.00	18,975.00	116467
5515	HOFFMANN, RYAN	06/05/2020	EFT	0.00	30.00	4501
5900	HONETSCHLAGER, ERIC	06/12/2020	Regular	0.00	173.96	116425
1311	HYVEE FOOD STORES INC	06/05/2020	Regular	0.00	96.91	116365
1322	ICC	06/12/2020	Regular	0.00	99.50	116426
1322	ICC	06/19/2020	Regular	0.00	289.00	116468

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1325	ICMA RETIREMENT TRUST #300877	06/05/2020	Regular	0.00	300.00	116366
1325	ICMA RETIREMENT TRUST #300877	06/19/2020	Regular	0.00	300.00	116469
1343	INDEPENDENT LUMBER OF MARSHALL INC	06/12/2020	Regular	0.00	45.16	116427
4552	INGRAM LIBRARY SERVICES	06/09/2020	Regular	0.00	2,552.73	116397
1358	INTERNAL REVENUE SERVICE	06/12/2020	Bank Draft	0.00	25,094.96	DFT0000164
1358	INTERNAL REVENUE SERVICE	06/12/2020	Bank Draft	0.00	23,465.54	DFT0000165
1358	INTERNAL REVENUE SERVICE	06/12/2020	Bank Draft	0.00	7,733.46	DFT0000166
1393	JH LARSON ELECTRICAL COMPANY	06/12/2020	Regular	0.00	145.93	116428
1399	JOHNSON BROTHERS LIQUOR COMPANY	06/05/2020	Regular	0.00	7,416.60	116367
1399	JOHNSON BROTHERS LIQUOR COMPANY	06/12/2020	Regular	0.00	18,396.95	116429
1399	JOHNSON BROTHERS LIQUOR COMPANY	06/19/2020	Regular	0.00	8,608.14	116470
1417	KENNEDY & GRAVEN, CHARTERED	06/12/2020	EFT	0.00	506.00	4568
3564	KESTELOOT ENTERPRISES, INC	06/05/2020	EFT	0.00	40.38	4502
3564	KESTELOOT ENTERPRISES, INC	06/19/2020	EFT	0.00	336.34	4605
5095	KIBBLE EQUIPMENT	06/05/2020	EFT	0.00	547.00	4503
5095	KIBBLE EQUIPMENT	06/12/2020	EFT	0.00	273.41	4569
5095	KIBBLE EQUIPMENT	06/19/2020	EFT	0.00	245.17	4606
0450	KOPITSKI, JASON	06/05/2020	Regular	0.00	30.00	116368
5377	KRUK, CHRISTOPHER	06/05/2020	EFT	0.00	30.00	4504
4140	KRUSE FORD-LINCOLN-MERCURY, INC	06/12/2020	Regular	0.00	46.10	116431
4140	KRUSE FORD-LINCOLN-MERCURY, INC	06/19/2020	Regular	0.00	237.33	116471
6519	LAGUNAS, CENOVIA	06/19/2020	Regular	0.00	40.00	116472
1480	LAW ENFORCEMENT LABOR SERVICE INC	06/05/2020	EFT	0.00	1,240.00	4505
1483	LEAGUE OF MINNESOTA CITIES INS TRUST	06/12/2020	Regular	0.00	55,996.00	116432
1483	LEAGUE OF MINNESOTA CITIES INS TRUST	06/19/2020	Regular	0.00	1,436.83	116473
6183	LEE, JERRED	06/05/2020	EFT	0.00	30.00	4506
5606	LEGALSHIELD	06/05/2020	Regular	0.00	145.50	116369
5363	LEXIPOL, LLC	06/12/2020	Regular	0.00	3,564.00	116434
1507	LOCHER BROTHERS INC	06/05/2020	EFT	0.00	979.00	4507
1507	LOCHER BROTHERS INC	06/19/2020	EFT	0.00	611.20	4607
1508	LOCKWOOD MOTORS INC.	06/19/2020	EFT	0.00	66.96	4608
6323	LUTHER, ERIC	06/05/2020	EFT	0.00	30.00	4508
1545	LYON COUNTY HIGHWAY DEPARTMENT	06/09/2020	Regular	0.00	8.39	116399
1545	LYON COUNTY HIGHWAY DEPARTMENT	06/12/2020	Regular	0.00	354.28	116435
1548	LYON COUNTY LANDFILL	06/12/2020	Regular	0.00	15.00	116436
1552	LYON COUNTY RECORDER	06/12/2020	Regular	0.00	65.60	116437
1555	LYON LINCOLN ELECTRIC COOPERATIVE INC	06/12/2020	Regular	0.00	38.82	116438
6292	MADDEN, GALANTER, HANSEN, LLP	06/05/2020	EFT	0.00	714.00	4509
1571	MADISON NATIONAL LIFE INSURANCE COMPANY	06/05/2020	EFT	0.00	1,043.21	4510
1574	MAGIC WATER	06/05/2020	Regular	0.00	12.00	116370
5459	MAGNEY CONSTRUCTION, INC	06/05/2020	Regular	0.00	718,359.21	116371
5459	MAGNEY CONSTRUCTION, INC	06/19/2020	Regular	0.00	5,769.77	116474
1575	MAILBOXES & PARCEL DEPOT	06/05/2020	EFT	0.00	16.01	4511
1604	MARSHALL AREA CHAMBER OF COMMERCE	06/05/2020	EFT	0.00	2,284.00	4512
0460	MARSHALL JAMES	06/05/2020	Regular	0.00	80.00	116372
1633	MARSHALL MUNICIPAL UTILITIES	06/10/2020	EFT	0.00	1,956.22	4550
1633	MARSHALL MUNICIPAL UTILITIES	06/12/2020	EFT	0.00	8,459.86	4570
1633	MARSHALL MUNICIPAL UTILITIES	06/19/2020	EFT	0.00	68,099.46	4609
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	06/05/2020	EFT	0.00	51.64	4513
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	06/12/2020	EFT	0.00	55.36	4571
3545	MARSHALL RADIO	06/19/2020	EFT	0.00	405.00	4613
5139	MATHESON TRI-GAS INC	06/05/2020	Regular	0.00	236.03	116373
5139	MATHESON TRI-GAS INC	06/12/2020	Regular	0.00	609.33	116439
6025	MELLENTIN, CODY	06/05/2020	EFT	0.00	30.00	4514
4980	MENARDS INC	06/05/2020	Regular	0.00	32.60	116374
4980	MENARDS INC	06/09/2020	Regular	0.00	49.84	116400
4980	MENARDS INC	06/12/2020	Regular	0.00	374.87	116440
4980	MENARDS INC	06/19/2020	Regular	0.00	73.79	116475
3971	MEULEBROECK, ANDY	06/05/2020	EFT	0.00	30.00	4515
1711	MID-AMERICAN RESEARCH CHEMICAL	06/19/2020	Regular	0.00	445.69	116476
6388	MIDWEST ALARM CO.,INC	06/05/2020	Regular	0.00	600.00	116375

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5925	MIDWEST TAPE	06/09/2020	Regular	0.00	128.19	116401
6230	MILLNER HERITAGE VINEYARD & WINERY	06/05/2020	Regular	0.00	109.80	116376
3649	MINNESOTA COMMUNITY ED ASSOC	06/12/2020	Regular	0.00	209.00	116441
5688	MINNESOTA LIFE	06/05/2020	EFT	0.00	1,534.86	4516
1808	MINNESOTA MUNICIPAL UTILITIES ASSOC	06/12/2020	EFT	0.00	5,087.50	4572
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	837.58	DFT0000140
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	170.00	DFT0000141
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	1,275.00	DFT0000142
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	2,367.12	DFT0000143
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	200.00	DFT0000144
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	47,096.88	DFT0000145
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	1,170.00	DFT0000151
3669	MINNESOTA STATE RETIREMENT SYSTEM	06/12/2020	Bank Draft	0.00	355.00	DFT0000152
1757	MN CHILD SUPPORT PAYMENT CENTER	06/05/2020	Regular	0.00	684.35	116377
1757	MN CHILD SUPPORT PAYMENT CENTER	06/19/2020	Regular	0.00	684.35	116477
1779	MN DEPT OF HEALTH	06/19/2020	Regular	0.00	40.00	116478
1779	MN DEPT OF HEALTH	06/19/2020	Regular	0.00	40.00	116479
1807	MN MUNICIPAL BEVERAGE ASSOCIATION	06/12/2020	Regular	0.00	53.25	116442
6440	MN PEIP-C/O MMB FISCAL SVC	06/05/2020	EFT	0.00	8,668.22	4517
6440	MN PEIP-C/O MMB FISCAL SVC	06/12/2020	EFT	0.00	131,442.70	4573
1818	MN REVENUE	06/12/2020	Bank Draft	0.00	10,871.06	DFT0000167
1787	MN STATE BOARD OF ASSESSORS	06/05/2020	Regular	0.00	85.00	116378
1840	MN WEST COMMUNITY TECHNICAL COLL	06/12/2020	EFT	0.00	100.00	4574
6513	MOBILE BEACON	06/09/2020	Regular	0.00	19,162.00	116402
1864	MONTES ELECTRIC INC	06/12/2020	Regular	0.00	358.82	116443
5857	MORRIS ELECTRONICS	06/05/2020	Regular	0.00	160.00	116379
1887	MTI DISTRIBUTING INC	06/12/2020	EFT	0.00	778.66	4575
1894	MURRAY'S AUTO GLASS	06/12/2020	Regular	0.00	225.00	116444
2512	NATIONWIDE RETIREMENT	06/12/2020	Bank Draft	0.00	875.00	DFT0000146
2513	NATIONWIDE RETIREMENT-FIRE	06/12/2020	Bank Draft	0.00	1,343.87	DFT0000147
1923	NCPERS MN GROUP LIFE INS.	06/05/2020	EFT	0.00	400.00	4518
6515	NELSON'S SALVAGE & TOWING INC	06/12/2020	Regular	0.00	90.00	116445
1938	NEWMAN SIGNS	06/12/2020	EFT	0.00	257.90	4576
6522	NINETY17 LLC	06/19/2020	Regular	0.00	12,000.00	116480
1945	NORMS GTC	06/05/2020	Regular	0.00	96.99	116380
1945	NORMS GTC	06/12/2020	Regular	0.00	165.40	116446
1945	NORMS GTC	06/19/2020	Regular	0.00	11.10	116481
1986	NORTH CENTRAL INTERNATIONAL, INC	06/05/2020	EFT	0.00	1,188.28	4519
1986	NORTH CENTRAL INTERNATIONAL, INC	06/19/2020	EFT	0.00	1,907.74	4614
1946	NORTH CENTRAL LABS	06/12/2020	EFT	0.00	1,348.18	4577
1961	NORTHERN SAFETY COMPANY INC	06/05/2020	EFT	0.00	83.50	4520
1961	NORTHERN SAFETY COMPANY INC	06/19/2020	EFT	0.00	21.95	4615
6463	OFFICE OF MNIT SERVICES	06/05/2020	Regular	0.00	2,263.70	116381
6463	OFFICE OF MNIT SERVICES	06/19/2020	Regular	0.00	467.90	116482
4166	OLSEN, JAKE	06/19/2020	Regular	0.00	91.88	116483
0473	OLSON, GLENN	06/05/2020	EFT	0.00	80.00	4521
5891	ONE OFFICE SOLUTION	06/05/2020	EFT	0.00	8.98	4522
5891	ONE OFFICE SOLUTION	06/10/2020	EFT	0.00	4.99	4551
5891	ONE OFFICE SOLUTION	06/12/2020	EFT	0.00	152.83	4578
6190	OPG-3 INC	06/05/2020	Regular	0.00	8,420.00	116382
5205	PAINTED PRAIRIE VINEYARD	06/12/2020	EFT	0.00	120.00	4579
2019	PAUSTIS WINE COMPANY	06/05/2020	Regular	0.00	5,452.00	116383
2019	PAUSTIS WINE COMPANY	06/19/2020	Regular	0.00	3,154.50	116484
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	06/05/2020	EFT	0.00	23.70	4523
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	06/19/2020	EFT	0.00	94.80	4616
2028	PERA OF MINNESOTA REG	06/12/2020	Bank Draft	0.00	20,981.91	DFT0000136
2028	PERA OF MINNESOTA REG	06/12/2020	Bank Draft	0.00	29,838.85	DFT0000137
2036	PHILLIPS WINE AND SPIRITS INC	06/05/2020	Regular	0.00	10,750.13	116384
2036	PHILLIPS WINE AND SPIRITS INC	06/12/2020	Regular	0.00	11,820.66	116447
2036	PHILLIPS WINE AND SPIRITS INC	06/19/2020	Regular	0.00	13,070.40	116485
2049	PLUNKETTS PEST CONTROL INC	06/12/2020	EFT	0.00	39.27	4580

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2064	POWERPLAN	06/12/2020	Regular	0.00	760.54	116449
0477	PRZYBILLA, SCOTT	06/05/2020	EFT	0.00	30.00	4524
6166	PULVER MOTOR SVC, LLC	06/12/2020	EFT	0.00	150.00	4581
6166	PULVER MOTOR SVC, LLC	06/19/2020	EFT	0.00	75.00	4617
2096	QUARNSTROM & DOERING, PA	06/05/2020	EFT	0.00	10,874.67	4525
2096	QUARNSTROM & DOERING, PA	06/12/2020	EFT	0.00	416.00	4582
2096	QUARNSTROM & DOERING, PA	06/19/2020	EFT	0.00	112.55	4618
2112	R and G CONSTRUCTION COMPANY INC	06/05/2020	EFT	0.00	1,184.00	4526
5965	R&R SPECIALTIES OF WISCONSIN INC	06/05/2020	EFT	0.00	2,305.95	4527
4826	RIEKE, BENJAMIN	06/05/2020	EFT	0.00	30.00	4528
0481	ROKEH, JASON	06/05/2020	Regular	0.00	30.00	116385
2190	ROTARY CLUB OF MARSHALL	06/12/2020	Regular	0.00	163.38	116450
2201	RUNNINGS SUPPLY INC	06/05/2020	EFT	0.00	65.45	4529
2201	RUNNINGS SUPPLY INC	06/12/2020	EFT	0.00	124.00	4583
2201	RUNNINGS SUPPLY INC	06/19/2020	EFT	0.00	224.83	4619
6520	SCHAFFRAN, PATTY	06/19/2020	Regular	0.00	200.00	116486
6286	SCHWEEMAN'S CLEANERS, LLP	06/09/2020	Regular	0.00	32.99	116403
3495	SMSU	06/05/2020	EFT	0.00	23,010.75	4530
5942	SNAP-ON	06/12/2020	Regular	0.00	78.80	116451
4855	SOUTHERN GLAZER'S OF MN	06/05/2020	EFT	0.00	10,907.33	4531
4855	SOUTHERN GLAZER'S OF MN	06/12/2020	EFT	0.00	8,866.02	4584
4855	SOUTHERN GLAZER'S OF MN	06/19/2020	EFT	0.00	10,424.53	4620
2318	SOUTHWEST SANITATION INC.	06/10/2020	EFT	0.00	83.42	4552
0491	ST AUBIN, GREGORY	06/05/2020	EFT	0.00	30.00	4532
4510	STANDARD & POORS FINANCIAL SERVICES,LLC	06/12/2020	Regular	0.00	10,800.00	116452
3808	STELTER, GEOFFREY	06/05/2020	Regular	0.00	30.00	116386
4134	STENSRUD, PRESTON	06/05/2020	EFT	0.00	30.00	4533
5491	STORM, ANNETTE	06/05/2020	EFT	0.00	80.00	4534
0495	SWANSON, GREGG	06/05/2020	Regular	0.00	30.00	116387
6277	TALKING WATERS BREWING CO, LLC	06/12/2020	EFT	0.00	842.00	4585
4734	TESSMAN COMPANY	06/05/2020	EFT	0.00	3,026.35	4535
2423	TIERNEY BROTHERS INC	06/05/2020	Regular	0.00	1,031.10	116388
0503	TOMASEK, TIM	06/05/2020	Regular	0.00	30.00	116389
4648	TRI-COUNTY NEWS	06/09/2020	Regular	0.00	48.00	116404
6156	TRUE BRANDS	06/05/2020	EFT	0.00	97.58	4536
6156	TRUE BRANDS	06/19/2020	EFT	0.00	38.28	4621
3342	TRUEDSON, SCOTT	06/05/2020	EFT	0.00	97.49	4537
6510	TX CHILD SUPPORT, SDU	06/19/2020	Regular	0.00	143.28	116487
3875	TYLER TECHNOLOGIES	06/19/2020	Regular	0.00	5,364.00	116488
6126	UNITED COMMUNITY ACTION PARTNERSHIP	06/05/2020	EFT	0.00	18,259.44	4538
5023	US GEOLOGICAL SURVEY	06/05/2020	EFT	0.00	2,112.50	4539
2511	USA BLUE BOOK	06/19/2020	EFT	0.00	4,773.96	4622
3443	VALIC DEFERRED COMP	06/12/2020	Bank Draft	0.00	1,152.00	DFT0000148
3443	VALIC DEFERRED COMP	06/12/2020	Bank Draft	0.00	141.15	DFT0000149
3443	VALIC DEFERRED COMP	06/12/2020	Bank Draft	0.00	1,250.00	DFT0000150
6092	VANDERMILLEN, SCOTT	06/05/2020	EFT	0.00	80.00	4540
6092	VANDERMILLEN, SCOTT	06/19/2020	EFT	0.00	55.86	4623
0512	VANLEEUE, SARA J.	06/05/2020	EFT	0.00	70.00	4541
0513	VANMOER, ROBERT	06/05/2020	EFT	0.00	30.00	4542
5733	VAST BROADBAND	06/05/2020	Regular	0.00	68.30	116390
5733	VAST BROADBAND	06/09/2020	Regular	0.00	89.86	116405
5733	VAST BROADBAND	06/12/2020	Regular	0.00	133.50	116453
5733	VAST BROADBAND	06/19/2020	Regular	0.00	674.76	116489
4489	VERIZON WIRELESS	06/05/2020	EFT	0.00	1,181.96	4543
4489	VERIZON WIRELESS	06/10/2020	EFT	0.00	60.95	4553
4489	VERIZON WIRELESS	06/19/2020	EFT	0.00	409.13	4624
2538	VIKING COCA COLA BOTTLING COMPANY	06/05/2020	EFT	0.00	241.25	4544
2538	VIKING COCA COLA BOTTLING COMPANY	06/12/2020	EFT	0.00	333.65	4586
2538	VIKING COCA COLA BOTTLING COMPANY	06/19/2020	EFT	0.00	465.80	4625
4594	VINOUCUPIA	06/12/2020	EFT	0.00	1,517.85	4587
4594	VINOUCUPIA	06/19/2020	EFT	0.00	2,751.50	4626

Council Check Report

Date Range: 06/05/2020 - 06/19/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
6085	VOYA - INVESTORS CHOICE	06/12/2020	Bank Draft	0.00	150.00	DFT0000153
6085	VOYA - INVESTORS CHOICE	06/12/2020	Bank Draft	0.00	800.00	DFT0000154
4118	WALMART BUSINESS	06/05/2020	Regular	0.00	346.01	116391
4118	WALMART BUSINESS	06/09/2020	Regular	0.00	118.60	116406
6512	WEBB, BRADY	06/05/2020	Regular	0.00	467.50	116392
0518	WENKER, JEFFREY	06/05/2020	Regular	0.00	30.00	116393
1966	WERNER ELECTRIC SUPPLY	06/12/2020	EFT	0.00	3,656.81	4588
2591	WESTERN PRINT GROUP	06/12/2020	EFT	0.00	1,902.25	4589
2602	WILLOW CREEK CONCRETE PRODUCTS INC	06/05/2020	Regular	0.00	1,429.80	116394
2605	WINE MERCHANTS	06/12/2020	Regular	0.00	14,419.68	116454
6379	WINEBOW	06/05/2020	EFT	0.00	856.00	4545
6379	WINEBOW	06/12/2020	EFT	0.00	992.00	4590
2632	ZIEGLER INC	06/19/2020	EFT	0.00	64.70	4627
6511	ZOOBEAN, INC	06/09/2020	Regular	0.00	949.00	116407

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	300	140	0.00	1,217,060.58
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	27	27	0.00	195,133.94
EFT's	260	145	0.00	470,114.27
	587	312	0.00	1,882,308.79

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	300	140	0.00	1,217,060.58
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	27	27	0.00	195,133.94
EFT's	260	145	0.00	470,114.27
	587	312	0.00	1,882,308.79

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	6/2020	1,882,308.79
			1,882,308.79

**CITY OF MARSHALL, MINNESOTA
PRIOR AND CURRENT YEARS CONSTRUCTION CONTRACTS**

6/23/2020

PROJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2018 Prior Payments	2019 Prior Payments	2020 Prior Payments	PYMTS THIS MEETING:	RETAINAGE	BALANCE:	PERCENT COMPLETE		
Z67	475-43300-55170	6/12/2018	Michigan Road/Superior Road Reconstruction	D & G Excavating	1,022,427.60	3,184.00	1,025,611.60	959,481.14	11,130.87		51,084.84	3,914.75	99.62%		
Z72	630-49600-55170	5/14/2019	Hahn Road Storm Sewer Reconstruction	A & C Excavating, LLC	136,970.00	(11,540.11)	125,429.89	113,279.89	12,150.00		-	-	100.00%		
W13	602-49500-55120	5/28/2019	WWTF Improvement Project	Magney Construction, Inc.	14,074,300.00		14,074,300.00	3,618,459.20	3,332,060.86		365,816.85	6,757,963.09	51.98%		
	401-46400-55130	6/25/2019	Chip Seal of Roadways & Parking Lot - Airport	RH Sealcoating	46,255.80		46,255.80					46,255.80	0.00%		
MER	493-42600-55130	2/12/2019	MERIT Center Track	R & G Construction	2,712,530.50	43,827.46	2,756,357.96	2,636,570.66	89,140.13		55,626.75	(24,979.58)	100.91%		
	401-45200-55120		Liberty Park Restroom	Doom & Cuypers Construction	78,286.12	(475.00)	77,811.12	50,540.81	27,270.25			0.06	100.00%		
Z52	401-41900-55130	8/13/2019	Transit ADA Bus Access Project (UCAP)(MN/DOT)	Hisken Construction Inc.	185,250.15		185,250.15					185,250.15	0.00%		
E22	630-49600-55130	9/24/2019	COE Flood Control 2019 Betterments	U.S. Army Corps of Engineers	190,000.00		190,000.00	150,483.00				39,517.00	79.20%		
CH1	494-41900-55120	11/12/2019	City Hall Renovation	Brennan Companies	5,030,200.00		5,030,200.00		988,257.65		109,806.40	3,932,135.95	21.83%		
CH1	494-41900-55121	11/12/2019	Removal of Hazardous Materials from City Hall	Advanced Health, Safety & Security	67,028.25	23,775.25	90,803.50		86,263.33		4,540.17	-	100.00%		
B20	476-45200-55120	3/10/2020	Fredom Park Restroom	Sussner Construction	122,700.00		122,700.00					122,700.00	0.00%		
Z50	101-43300-53425	3/24/2020	2020 Chip Seal (\$14,300 - Arena Parking Lot)	Pearson Bros., Inc.	154,300.00		154,300.00					154,300.00	0.00%		
Z51	495-43300-55170	3/24/2020	2020 Bituminous Resurfacing	Duininck, Inc	598,912.10		598,912.10					598,912.10	0.00%		
Z75	476-43300-55170	4/14/2020	S 4th St Reconstruction	R & G Construction	2,583,754.90		2,583,754.90					2,583,754.90	0.00%		
	230? Or 494?	5/12/2020	Demolition of Structure at 326 West Main Street	LinnCo, Inc	523,444.00		523,444.00					523,444.00	0.00%		
Z76	476-43300-55170	5/26/2020	S 1st St Reconstruction	Duininck, Inc	617,136.55		617,136.55					617,136.55	0.00%		
				28,143,495.97				58,771.60	28,202,267.57	959,481.14	6,580,464.43	4,535,142.22	0.00	586,875.01	15,540,304.77

CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, June 23, 2020
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider approval of City of Marshall COVID-19 Preparedness Plan
Background Information:	<p>Under Gov. Tim Walz’s Executive Order 20-74, businesses that are in operation during the peacetime emergency are required to establish a COVID-19 Preparedness Plan. Per the order, this includes both critical and non-critical businesses. This plan must be approved by June 29, 2020.</p> <p>The State released a guidance template on preparedness plans on June 15. Staff utilized this template to draft the plan for your consideration. This COVID-19 Preparedness Plan establishes and explains the policies, practices and conditions the City will implement to meet the industry guidance that are based on Centers for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) guidelines, federal Occupational Safety and Health Administration (OSHA) standards and applicable executive orders related to safety and health in the workplace. The plan is required to demonstrate the strong commitment of management and be developed and implemented with the participation of employees. Plans must be communicated to employees and posted at the workplace in a manner that is accessible for employees to review. The Minnesota Department of Labor and Industry (DLI), in consultation with the Minnesota Department of Health (MDH), has the authority to determine whether a plan is adequate.</p> <p>The plan is required to be posted at all city facilities and communicated to all employees.</p>
Fiscal Impact:	
Alternative/ Variations:	None recommended.
Recommendations:	That the Council approves the City of Marshall COVID-19 Preparedness Plan



COVID-19 Preparedness Plan for the City of Marshall

The City of Marshall (City) is committed to providing a safe and healthy workplace for all our employees, customers, and visitors. To ensure we have a safe and healthy workplace, the City has developed the following COVID-19 Preparedness Plan in response to the COVID-19 pandemic. Every employee is responsible for implementing this plan. Our goal is to mitigate the potential for transmission of COVID-19 in our workplaces and communities, and that requires full cooperation among our employees, management, customers, and visitors. Only through this cooperative effort can we establish and maintain the safety and health of all persons in our workplaces.

The COVID-19 Preparedness Plan is administered by the City Administrator, who maintains the overall authority and responsibility for the plan. However, management, supervisors, and employees are equally responsible for supporting, implementing, complying with, and providing recommendations to further improve all aspects of this COVID-19 Preparedness Plan. The City Administrator, managers, and supervisors have our full support in enforcing the provisions of this plan.

Our employees are our most important assets. The City is serious about safety and health and protecting its employees. Employee involvement is essential in developing and implementing a successful COVID-19 Preparedness Plan. The City has implemented a multitude of safety measures since the pandemic began, and each department has provided, and continues to provide, its employees with opportunities to provide input. The City's COVID-19 Preparedness Plan follows the industry guidance developed by the State of Minnesota, which is based upon Centers for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) guidelines for COVID-19, Minnesota's Occupational Safety and Health Administration (Minnesota OSHA) statutes, rules, and standards, and Minnesota's relevant and current executive orders, and addresses:

- Ensuring sick employees stay home and prompt identification and isolation of sick persons;
- Social distancing – Employees must be at least six-feet apart;
- Employee hygiene and source controls;
- Workplace building and ventilation protocol;
- Workplace cleaning and disinfection protocol;
- Drop-off, pick-up and delivery practices and protocol; and
- Communications and training practices and protocol.

The City has reviewed and incorporated the industry guidance applicable to our business provided by the State of Minnesota for the development of this plan, including the following industry guidance. Other conditions and circumstances included in the industry guidance and addressed in the plan that are specific to our business include:

- additional protections and protocols for customers and visitors;
- additional protections and protocols for personal protective equipment (PPE);
- additional protections and protocol for access and assignment;

- additional protections and protocol for sanitation and hygiene;
- additional protections and protocols for work clothes and hand washing;
- additional protections and protocol for distancing and barriers;
- additional protections and protocols for managing occupancy;
- additional protocols to limit face-to-face interaction;
- additional protections for receiving or exchanging payment; and
- additional protections and protocols for certain types of businesses with an industry.

Ensure sick employees stay home and prompt identification and isolation of sick persons

Employees have been informed of and directed to self-monitor for signs and symptoms of COVID-19. The following policies and procedures are being implemented to assess employees' health status prior to entering the workplace and for employees to report when they are sick or experiencing symptoms:

- Employees have been instructed to self-monitor for symptoms of or exposure to COVID-19 or other contagious illness each day; when an employee is experiencing any symptoms of a contagious illness or has been exposed to a confirmed case of COVID-19, he/she has been directed to stay home and report the absence/illness to the Supervisor;
- Employees have been instructed to monitor their household members for symptoms of or exposure to COVID-19 or other contagious illnesses each day; when an employee's household member is experiencing any symptoms of a contagious illness or has been exposed to a confirmed case of COVID-19, he/she has been directed to contact the Supervisor for return to work guidance;
- Employees in high customer contact positions undergo a health screening prior the start of their shift;
- Employees who have reported to work and experience symptoms of illness have been directed to report their symptoms to the Supervisor and leave the workplace immediately;
- Supervisory staff have been provided guidance from Human Resources in making decisions related to directing self-isolation or quarantine of an employee and return to work guidance.

The City has implemented leave policies that promote employees staying at home when they are sick, when household members are sick, or when required by a health care provider to isolate or quarantine themselves or a member of their household. Employees may utilize sick leave accruals for absences or illnesses for self or family members as described in the personnel policy manual. Additionally, employees who are needed to care for children due to school or daycare closures due to COVID-19 are eligible to utilize any available accruals, except funeral/bereavement leave. In addition, the City of Marshall has adopted the Emergency Family and Medical Leave Expansion Act policy and the Emergency Paid Sick Leave policy as per the Families First Coronavirus Response Act. Employees may also take leave under the Family and Medical Leave Act (FMLA). These policies will be administered in accordance with the law. Accommodations for workers with underlying medical conditions or who have household members with underlying health conditions are approved and implemented in accordance with the law. Accommodation requests are reviewed in accordance with the City's policy.

The City will inform employees if they have been exposed to a person with COVID-19 at their workplace and will require them to quarantine for the required amount of time.

The privacy of employees' health status and health information will be protected; employee health information will be maintained as confidential data.

Social distancing – Employees must be at least six-feet apart

Social distancing of at least six feet will be implemented and maintained between employees, customers, and visitors in the workplace through the following engineering and administrative controls:

- Occupancy requirements, numbers of people, flow and interactions will be implemented in accordance with the Governor's orders to ensure social distancing.
- Signage, markings and instructions are being used to address social distancing at each facility, as appropriate.
- Alternative scheduling, flexible work hours, staggered shifts, and telework arrangements are implemented to reduce the number of employees in the workplace at one time. Employee break times have been staggered.
- Protective screening has been installed in areas of high customer contact to protect both the employee and the customer/visitor.
- Employees, customers, and visitors are discouraged from gathering in corridors, meeting rooms, stairways, break rooms, entrances, exits, and elevators.
- Personal protective equipment, phones, pens, computer equipment, desks, cubicles, workstations, offices or other personal work tools and equipment will not be shared and, if used by more than one person, and cleaned and disinfected between users.
- Car-pooling, ride-sharing, or sharing of vehicles is strongly discouraged.
- Employees are encouraged to address questions and concerns with a Supervisor and Human Resources.
- Supervisors will determine the recommended or required protective supplies for each employee under their supervision, such as masks, non-medical cloth face coverings, gloves, disinfectant, and face-shields for employees, and will provide instruction about when and how they should be worn.

Employee hygiene and source controls

Basic infection prevention measures are being implemented at our workplaces at all times. Employees are instructed to wash their hands for at least 20 seconds with soap and water frequently throughout the day, especially at the beginning and end of their shift, prior to any mealtimes, and after using the restroom. All customers and visitors to the workplace are encouraged to wash or sanitize their hands prior to or immediately upon entering the facility. Hand-sanitizer dispensers (that use sanitizers of greater than 60% alcohol) are located at entrances and various other high-touch locations in the workplace so they can be used for hand hygiene in place of soap and water, as long as hands are not visibly soiled. Individual containers of hand sanitizer and disinfecting wipes have been made available to employees. Source controls are being implemented at our workplaces at all times. Face coverings/masks are available to all employees, personal protective equipment needs have been and will continue to be assessed, and screening/barriers have been provided where social distancing is difficult and/or there is high customer interaction.

Employees, customers, and visitors are being instructed to cover their mouth and nose with their sleeve or a tissue when coughing or sneezing, and to avoid touching their face, particularly their mouth, nose and eyes, with their hands. Employees, customers, and visitors are expected to dispose of tissues in provided trash receptacles, and wash or sanitize their hands immediately afterward. Respiratory etiquette will be demonstrated on posters and supported by making tissues and trash receptacles available to all employee and other persons entering the workplace. Instructional/educational flyers from the CDC and MDH websites have been posted in restrooms, meeting rooms, breakrooms, and corridors to communicate these instructions and reminders to employees, customers, and visitors.

Workplace building and ventilation protocol

Operation of the building in which the workplace is located, includes necessary sanitation, assessment and maintenance of building systems including water, plumbing, electrical and HVAC systems. The maximum amount of fresh air is being brought into the workplace, air recirculation is being limited, and ventilation systems are being properly used and maintained. Steps are also being taken to minimize air flow blowing across people.

Workplace cleaning and disinfection protocol

Regular practices of cleaning and disinfecting have been implemented, including a schedule for routine cleaning and disinfecting of work surfaces, equipment, tools and machinery, vehicles, and areas in the work environment including, but not limited to, restrooms, break rooms, lunch rooms, meeting rooms, and checkout stations. Frequent cleaning and disinfecting are being conducted of high-touch areas including, but not limited to, phones, keyboards, touch screens, controls, door handles, elevator panels, railings, copy machines, credit card readers, delivery equipment, etc.

If a person in the workplace is symptomatic or is diagnosed with COVID-19, a supervisor will coordinate the cleaning and disinfection of the office/work area(s). If possible, the office or employee's work area will be closed off from the public and/or general use and will be cleaned after 24 hours have passed. Where closing off an area/office and/or waiting 24 hours to disinfect the workspace is not feasible, available doors/windows will be opened to increase air circulation, all areas used by the person will be cleaned and disinfected, and the space will be vacuumed, if needed, when other people are not present. Once the area has been disinfected, it can be opened for use. If more than 7 days has passed since the person who is sick visited or used the facility, additional cleaning and disinfection is not necessary. Routine cleaning and disinfection will be continued.

Appropriate and effective cleaning and disinfectant supplies have been purchased and are available for use in accordance with product labels, safety data sheets and manufacturer specifications, and are being used with required personal protective equipment for the product. Supplies include Zep Hand Sanitizer, Clorox Disinfecting Wipes, and similar products. Supervisors are responsible to ensure proper use of supplies, proper personal protective equipment are worn, and employees are trained in the use of the supplies.

Drop-off, pick-up and delivery practices and protocol

Deliveries will be received via contactless method whenever possible. Employees must maintain a distance of 6-feet or greater from others during interactions while receiving or exchanging deliveries. When available, the

transaction will be completed electronically to eliminate the need for close contact between employees and delivery personnel. Employees receiving deliveries must minimize the unnecessary exchanging or sharing of scanners, pens, or other tools with delivery personnel.

Communications and training practices and protocol

This COVID-19 Preparedness Plan will be posted at each City facility, emailed to all employees, and necessary training will be provided. Additional communication and training will be provided as needed from managers, supervisors, human resources, and the City Administrator. Training will be provided to all employees who did not receive the initial training and prior to initial assignment or reassignment.

Instructions will be communicated to all regular and temporary employees, independent contractors, subcontractors, vendors, outside technicians, and customers and visitors on protections and protocols, including but not limited to: 1) Social distancing protocols and practices; 2) Drop-off, pick-up, delivery and general in-store shopping; 3) Practices for hygiene and respiratory etiquette; 4) Recommendations or requirements regarding the use of masks, face-coverings, and/or face-shields by employees and customers/guests. All employees, customers, and visitors will also be advised not to enter the workplace if they are experiencing symptoms or have contracted COVID-19. Signage will be posted with appropriate messaging at facility entrances.

Managers and supervisors are expected to monitor how effective the program has been implemented. Input and feedback will be regularly requested from employees. The management team will review and consider the input and feedback from employees, will review Human Resource data on confirmed COVID-19 cases and exposures in the workplace, and will make modifications where deficiencies are identified. All management and employees are to take an active role and collaborate in carrying out the various aspects of this plan, and update the protections, protocols, work-practices, and training as necessary.

Additional protections and protocols

Other conditions and circumstances addressed in the Plan that are specific to our business include:

Additional protections at Tall Grass Liquors:

- Contactless payment procedures have been implemented whenever possible. The customer may fully initiate and complete the payment transaction using a debit or credit card payment method, while separated from the employee.
- Protective barriers have been installed at each payment counter for the protection of the employee and the customer.
- Employees perform stocking and product-facing duties outside of customer-contact hours.

Additional protections at the Marshall Aquatic Center:

These guidelines have been developed to ensure the safety of both MAC visitors and staff. Please review these guidelines with your family in advance of the MAC welcoming you to the facility. We appreciate the patience our community has displayed during these unprecedented times. Despite some necessary changes from any

previous summer at the pool, adherence to these touch-free guidelines by all attendees, assists us in providing the safest experience possible.

- Daily hours of operation will be Monday through Sunday (NOON – 5:45pm).
- Daily access is scheduled for three (3) Open Swim sessions: (NOON – 1:45, 2:00 – 3:45 & 4:00 – 5:45).
- Cleaning and Disinfecting the MAC will be completed prior to opening daily and in-between each session based on Centers for Disease Control (CDC) and Minnesota Department of Health (MDH) guidelines.
- Maximum number of attendees is capped at 160 per session.
- A separate entrance and exit will be designated.
- NO Locker Rooms will be available for use. Attendees are asked to come dressed/swim ready.
- Restrooms will only be available from inside the MAC pool deck.
- BOTH the Playground & Concessions area will be closed for the season.
- NO access to public drinking fountains – personal water bottles are encouraged and permitted.
- Attendees are encouraged to maintain proper 6-foot social distancing in both the pool and deck areas. Chairs and loungers are available while being physically distanced.
- The Main & Kiddie Pools will be divided into zones. Attendees will be assigned a designated swim zone upon arrival.
- The Water Slide and Mushroom within the Kiddie Pool will be unavailable for usage pending further notice.
- Toys, balls, floats, life jackets, etc., will not be permitted in the MAC pending further notice (this includes personally owned toys and MAC lifejackets/toys).
- Unfortunately, NO Swimming Lessons are planned at this time.
- During inclement weather and/or when the temperature drops below 65 degrees, the MAC closes.
- Pricing levels and purchasing information for MAC WristBANDS will be released to the public on Wednesday evening, June 17th.

This COVID-19 Preparedness Plan has been adopted by the City Council. The Plan will be posted throughout the workplace and made readily available to employees on June 24, 2020. It will be updated as necessary by the City Administrator.

Passed by the City Council of Marshall, Minnesota this 23rd day of June, 2020.

Mayor

Attested:

City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Introduction of Ordinance amendment to permit some slaughtering of animals in butcher shops in general business district and industrial districts and permit landscaping business in general industrial district and Call for Public Hearing
Background Information:	<p>There is currently a business owner interested in opening a butcher shop in Marshall. Part of his operations would involve some limited slaughtering of animals. Staff reviewed the Ordinance and determined that no district currently allows slaughtering operations either as a permitted or conditional use. Considering that this type of business is relatively common, it makes sense to add it to appropriate zoning districts. Since slaughtering may seem objectionable in some circumstances, it is added as a conditional use in all districts to retain some control. It is also described as limited in General Business and Limited Industrial districts, mostly to convey the limited nature to applicants, as the final determination of the limitations would be established during the conditional use permit process based on location and other applicable factors. Most other cities do not explicitly list butcher shops in the ordinance.</p> <p>During the same review, it was determined that landscaping business is not listed in any of the zoning districts either. To correct this, it is suggested to add this type of use to general industrial district.</p> <p>Meat processing facilities were also added to the I-2 General Industrial district as a conditional use, since this use is not listed anywhere either. Several other cities allow stockyards, including slaughtering, in industrial districts as a conditional use.</p> <p>At the June 10, 2020, regular Planning Commission meeting Lee made a motion, second by Carstens to recommend to city council an approval as recommend by staff. All voted in favor of the motion.</p> <p>At the meeting on June 18, 2020, Legislative and Ordinance Committee voted to recommend to council the approval of the Ordinance amendment to permit some slaughtering of animals in butcher shops in general business district and industrial districts and permit landscaping business in general industrial district as recommended by staff.</p>
Fiscal Impact:	None.
Alternative/ Variations:	None.
Recommendations:	Staff recommends, based on L&O Committee input, that the Council introduce the Ordinance revisions amending Section 86-104 – general business district and 86-106 limited industrial district by adding butcher shops with limited slaughtering as a conditional use, and 86-107 general industrial district by adding butcher shops and meat processing plants as a conditional use and landscaping business as a permitted use and call for Public Hearing to be held on July 14, 2020

ORDINANCE NO. _____, SECOND SERIES

**ORDINANCE AMENDING
MARSHALL CITY CODE OF ORDINANCES – CHAPTER 86
RELATING TO ZONING**

The Common Council of the City of Marshall does ordain as follows:

Section 1: City Code of Ordinances, in the sections shown below, is hereby amended by adding the following uses as a conditional use:

Sec. 86-104 B-3 – General Business District, (d) Conditional uses;

Meat and butcher shops and cold storage lockers, with limited slaughtering
Sec. 86-106 I-1 – Limited Industrial District, (d) Conditional uses;

Meat and butcher shops and cold storage lockers, with limited slaughtering
Sec. 86-107 I-2 – General Industrial District, (d) Conditional uses;

Meat and butcher shops and cold storage lockers
Meat processing plants
All other listed conditional uses remain unchanged.

Section 2: City Code of Ordinances, in the section shown below, is hereby amended by adding the following use as a permitted use:

Sec. 86-107 I-2 – General Industrial District, (b) Permitted uses;

Landscaping including outside material storage
All other listed permitted uses remain unchanged.

Section 3: This ordinance shall take effect after its passage and publication.

Passed and adopted by the Common Council this 14th day of July, 2020.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: June 23, 2020

Final Passage on: July 14, 2020

Published in the Marshall Independent: _____

Sec. 86-107. - I-2 general industrial district.

- (a) *Intent; scope.* This section applies to the I-2 general industrial district. This I-2 district provides a location for heavier industrial and manufacturing activities, without encroachment by incompatible use areas.
- (b) *Permitted uses.* The following uses shall be permitted in the I-2 industrial district:
- Animal hospitals.
 - Auto parts and accessories sales.
 - Automobile and truck parking lots and garages.
 - Bottling establishments.
 - Building materials sales and storage and lumberyard.
 - Camera and photographic supplies manufacture.
 - Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.
 - Cartage and express facilities.
 - Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.
 - Cleaning and dyeing.
 - Contractor's offices, shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry, electrical and refrigeration supplies.
 - Egg grading, sorting and wholesale business.
 - Electric light or power generating station.
 - Electrical and electronic products manufacture.
 - Electrical service shops.
 - Fallout shelters.
 - Farm equipment sales and service.
 - Farm, feed and seed supply stores.
 - Feed and seed processing.
 - Freight terminal.
 - Fuel and ice sales and storage.
 - Garages and storage, repair and servicing of motor vehicles.
 - Governmental service buildings.
 - Highway maintenance shops and yards.
 - Ice plant.
 - Industrial training schools.

Industrial truck and equipment sales and service shops.

Jewelry manufacture.

Kennels.

Landscaping including outside material storage

Leather goods.

Manufacturing, processing, and associated storage, servicing and testing.

Medical, dental and optical equipment manufacture.

Mobile home and camping trailer sales.

Musical instruments manufacture.

Printing.

Public utility structure (industrial).

Railroad rights-of-way.

Rentals of industrial type equipment.

Research, experimental or testing stations.

Soft drink and bottling establishments (enclosed).

Storage or warehousing, when completely enclosed within a building.

Telephone exchange.

Trophy and award manufacturing or assembling.

Warehouses.

Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.

Wholesale business and office establishments.

- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-2 industry district:

All uses customarily incidental to the uses permitted in subsections (a) and (b) of this section.

Off-street parking and loading as regulated by article VI of this chapter.

Signs, as regulated by article VI of this chapter.

Solar energy collectors and systems.

- (d) *Conditional uses.* All conditional use permits for the I-2 district may only be issued if the proposed use meets the requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-2 industrial district by conditional use permit:

Adult uses complying with the following regulations:

- (1) The use must be contained within a building.
- (2) No sign or exterior graphics permitted except for those written in letters of the English language.
- (3) The use is not permitted within 2,000 feet of another adult use, establishment selling beer or alcoholic beverages, school, church, any residential use, library, park, daycare facility, or residential facility, as measured from property line to property line.
- (4) This use must not be greater than 2,000 square feet in total building floor area and contained in one building on a lot, plot, or property.

Automobile and truck sales or used car lots.

Billboards.

Brewpubs, microbreweries, and breweries.

Day care facility serving any number of individuals.

Processing, or storage and stockpiling of sand, gravel, stone or other raw material.

Greenhouses (commercial).

Gas stations.

Hazardous chemicals (processing/storage).

Heliport.

Junkyards, wrecking yards or auto salvage yards.

Meat and butcher shops and cold storage lockers

Meat processing plants

Municipal or other governmental administration or service buildings, police and fire stations, and post office stations.

Other industrial uses of the same general character as listed in subsection (b).

Outdoor nurseries and tree farms.

Public service structures including power substations, gas regulator stations, sewage disposal plant, elevated tanks and water works.

Recyclable materials processing.

Restaurants.

Truck stops.

(e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations in the I-2 district are as follows:

(1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.

(2) *Front yard regulations.*

a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.

- b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
 - c. No front yard shall be required in the downtown district.
- (3) *Side yard regulations.*
- a. There shall be two side yards, one on each side of a building, each having a width of not less than ten feet.
 - b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
 - c. No side yard shall be required in the downtown district.
- (4) *Rear yard regulations.*
- a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
 - b. No rear yard shall be required in the downtown district.
- (5) *Lot coverage regulations.* There are no lot coverage regulations.
- (f) *General regulations.* Additional regulations in the I-2 general industrial business district are set forth in article VI of this chapter.

(Code 1976, § 11.17; Ord. No. 443, § 3, 11-6-2000; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 606 2nd series, § 2, 3-10-2009; Ord. No. 622 2nd series, § 1, 7-27-2010; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 685, § 1, 1-28-2014; Ord. No. 694 2nd series, § 1, 5-12-2015; Ord. No. 719 2nd series, § 2, 5-9-2017)

Cross reference— Businesses, ch. 22.

Sec. 86-106. - I-1 limited industrial district.

(a) *Intent; scope.* This section applies to the I-1 limited industrial district. This I-1 district provides a location for nonnuisance type manufacturing and/or less intensive commercial uses such as wholesale activities, with only incidental outside storage.

(b) *Permitted uses.* The following uses shall be permitted in the I-1 industrial district:

Ambulance and taxi service, bus, and rail stations or terminals.

Animal hospitals.

Auto parts and accessories sales.

Automobile garages and repair shops, with no long-term outside storage of vehicles or equipment.

Automobile parking lots and garages.

Building materials sales and storage and lumberyards.

Camera and photographic supplies manufacture.

Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.

Cartage and express facilities.

Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.

Commercial greenhouses, nurseries or tree farms.

Contractor's offices shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry and electrical and refrigeration supplies and other construction related trades when completely enclosed within a building.

Electrical and electronic products manufacture.

Electrical service shops.

Fallout shelter.

Farm equipment sales and service.

Farm, feed and seed supply stores.

Garage and storage of motor vehicles.

Governmental service buildings.

Household goods repair and service shops.

Ice plant.

Industrial truck and equipment sales and service shops.

Jewelry manufacture.

Kennels.

Leather goods.

Medical, dental and optical equipment manufacture.

Mobile home and camping trailer sales.

Musical instruments manufacture.

Railroad rights-of-way.

Rentals of industrial type equipment.

Research, experimental or testing stations.

Self-storage warehouse.

Soft drink and bottling establishments (enclosed).

Storage or warehousing, when completely enclosed within a building.

Telephone exchange.

Trade schools.

Transformer and booster stations, transmitters and other utility stations.

Trophy and

award manufacturing or assembling.

Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.

Wholesale business and office establishments.

- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-1 industry district:

All uses customarily incidental to the uses permitted in subsections (a) and (b) of this section.

Off-street parking and loading as regulated by article VI of this chapter.

Signs, as regulated by article VI of this chapter.

Solar energy collectors and systems.

- (d) *Conditional uses.* All conditional use permits for the I-1 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-1 industrial district by conditional use permit:

Automobile and truck sales or used car lots.

Billboards.

Brewpubs and microbreweries.

Day care facility serving any number of individuals.

Heliport.

Meat and butcher shops and cold storage lockers, with limited slaughtering

Municipal or other governmental administration buildings, police and fire stations, community centers, public libraries, museums, art galleries and post office stations.

Other industrial uses of the same general character as listed in subsection (b).

Overnight campgrounds.

Parks and recreational areas owned or operated by governmental agencies.

Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.

Recyclable materials processing when completely enclosed within a building.

Utility stations and structures.

(e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations for the I-1 district are as follows:

(1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.

(2) *Front yard regulations.*

- a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
- b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
- c. No front yard shall be required in the downtown district.

(3) *Side yard regulations.*

- a. There shall be two side yards, one on each side of a building, each having a width of not less than ten feet.
- b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
- c. No side yard shall be required in the downtown district.

(4) *Rear yard regulations.*

- a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
- b. No rear yard shall be required in the downtown district.

(5) *Lot coverage regulations.* Not more than 50 percent of the total area of a lot shall be covered by buildings. No lot coverage restrictions apply in the downtown district.

(f) *General regulations.* Additional regulations in the I-1 limited industrial business district are set forth in article VI of this chapter.

(Code 1976, § 11.16; Ord. No. 401 2nd series, § 1, 10-19-1998; Ord. No. 410 2nd series, § 3, 2-16-1999; Ord. No. 443, § 3, 11-6-2000; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 606 2nd series, § 1, 3-10-2009; Ord. No. 650 2nd series, § 1, 3-27-2012; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 694 2nd series, § 1, 5-12-2015; Ord. No. 719 2nd series, § 2, 5-9-2017)

Cross reference— Businesses, ch. 22.

Sec. 86-104. - B-3 general business district.

(a) *Intent; scope.* This section applies to the B-3 general business district. This B-3 district provides a location for uses that are appropriate to thoroughfare locations, are largely dependent upon thoroughfare traffic, and are not suitable within other business districts.

(b) *Permitted uses.* The following uses shall be permitted in the B-3 business district:

Ambulance, taxi, bus, and rail stations or terminals.

Antique, gift or florist shop.

Apparel shops.

Appliance sales and service stores.

Art, office, school, camera and photography supply stores.

Audio recording sales or rental.

Auto parts and accessories.

Automobile and truck sales or used car lots.

Automobile garages and repair shops, with no outside storage of vehicles or equipment.

Automobile laundries and car washes.

Automobile parking lots and garages.

Automobile service stations, for sale of gasoline, oil and accessories.

Banks and savings institutions.

Barbershops or beauty shops.

Bars, taverns, cocktail lounges, nightclubs, dancehalls and theatres.

Bicycle or motorcycle sales or repair shops.

Billiard or pool halls.

Book or stationery stores.

Bowling alleys.

Business, commercial or dance schools.

Business or professional offices.

Cabinet stores.

Candy, ice cream, soft drinks, or confectionery stores.

Carpenter, plumbing and heating, paint and wallpaper, and janitorial service shops.

Carpet and flooring stores.

Churches.

Day care facility serving any number of individuals.

Department stores.

Drive-in restaurants and other establishments that provide goods and services to patrons in automobiles.

Drive-in retail or service stores.

Drive-in theatres.

Drive-up bank and other offices.

Electric motors service shops.

Fallout shelter.

Furniture stores.

Garden and lawn supply stores.

Gas stations.

Glass sales and service stores.

Grocery stores or supermarkets.

Hardware, hobby, sporting goods or toy stores.

Health clubs.

Ice sales.

Jewelry stores and leather goods or luggage.

Laundromats and dry cleaning or laundry pickup stores.

Leather goods stores.

Liquor stores.

Loan and finance company offices.

Lodge rooms or clubhouses for fraternal organizations.

Marine or boat sales and repair shops.

Meat and butcher shops and cold storage lockers, excluding slaughtering.

Medical clinics.

Medical, dental and optical laboratories.

Miniature golf courses, archery and golf driving ranges; swimming pools serving more than one-family, skating rinks, tennis clubs, but excluding auto, motorcycle or go-cart race tracks.

Monument sales centers.

Mortuaries or funeral homes.

Motels or hotels.

Motion picture theatre.

Municipal or other government administration buildings, police or fire stations, community center buildings, museums or art galleries, and post office stations.

Music studios or musical instrument stores.

Newspaper printing.

Outdoor nurseries and greenhouses.

Paint or wallpaper stores.

Pet shops.

Pet supply store.

Pharmacies or drugstores.

Photography studios.

Pipe or tobacco shops.

Post office stations.

Printing.

Public libraries.

Radio or television broadcasting stations.

Repair and rental of domestic type equipment and items.

Restaurants, cafes, delicatessens or tea rooms.

Retail bakeries or pastry shops.

Retail ice delivery stations.

Retail medical supply stores.

Sales and service centers for farm implements.

Sales and service centers of travel and camping trailers, and motor homes which do not require a special permit to be transported on a public highway.

Sewing machine sales and service.

Shoe stores and repair.

Tailor shops.

Television or radio repair shops.

Tire, battery and automobile accessories shops.

Upholstery and furniture repair shops.

Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.

Video sales or rental.

Water conditioning sales and service.

Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.

Wholesale business and office with no outside storage.

- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the B-3 business district:

Accessory uses generally associated with the uses permitted in subsections (a) and (b) of this section.

Off-street parking and loading as regulated by article VI of this chapter.

Signs as regulated by article VI of this chapter.

Solar energy collectors and systems.

Storage garages where the lot is occupied by an institutional building.

- (d) *Conditional uses.* All conditional use permits for the B-3 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following use may be permitted in the B-3 business district by conditional use permit:

Amusement parks.

Armories, convention or exhibition halls.

Billboards.

Brewpubs.

College, university, post high school education or training institution, or seminary; public or private; with the nearest building line to property line distance of 150 feet to any single family dwelling property.

Convalescent, nursing and rest homes.

Farm feed and seed, or lawn and gardening supply store.

Golf courses, including clubhouses.

Heliport.

Hospitals and medical centers.

Kennels.

Lumberyards.

Meat and butcher shops and cold storage lockers, with limited slaughtering

Multiple-family dwellings, apartment buildings or townhouses.

Municipal or other governmental service buildings.

Other business uses of the same general character as listed in subsection (b).

Parks and recreational areas owned or operated by governmental agencies.

Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.

Residential facilities serving six or fewer individuals.

Self-storage warehouse.

Sports arenas or stadiums, indoor skating rinks and physical culture or health clubs and gymnasiums.

Trophy and award assembly.

Utility stations and structures.

- (e) *Height and yard regulations.* Height and yard regulations for the B-3 district are as follows:
- (1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed 45 feet in height.
 - (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet on a lot or plot that abuts a minor street or a marginal access service street.
 - b. There shall be a front yard having a depth of 35 feet on a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
 - c. There shall be a front yard on each street side of a corner lot. No accessory buildings shall project beyond the front yard line on either street.
 - d. No front yard shall be required in the downtown district.
 - (3) *Side yard regulations.*
 - a. There shall be a side yard on each side of a building, having a width of not less than ten feet.
 - b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.
 - c. No side yard shall be required in the downtown district.
 - (4) *Rear yard regulations.*
 - a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
 - b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
 - c. No rear yard shall be required in the downtown district.
- (f) *Lot coverage regulations.* Not more than 50 percent of a lot shall be occupied by buildings in the B-3 district. No lot coverage restrictions apply in the downtown district.

(g) *General regulations.* Additional regulations in the B-3 general business district are set forth in article VI of this chapter.

(Code 1976, § 11.14; Ord. No. 410 2nd series, § 2, 2-16-1999; Ord. No. 443, § 3, 11-6-2000; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 613 2nd series, § 1, 8-25-2009; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 719 2nd series, § 1, 5-9-2017)

Cross reference— Businesses, ch. 22.

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Request for a Variance Adjustment Permit Trent and Becky White at 101 West Marshall Street
Background Information:	<p>A portion of the existing house is located right against the property line with no setback. The owner desires to add an entryway in front of the main entrance door, which is positioned in the wall that is set back from the front portion of the house. The new addition will not project past the front portion protruding to the property line. A house across Park Avenue is also located at the property line.</p> <p>Based on the above considerations and considering that the current house location is unique, and the new addition will not alter the neighborhood’s essential character, staff believe a variance request is justified.</p> <p>The variance regulations and procedures are found in Section 86-29 https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIV1GE_S86-29VA. A property aerial photo is attached for reference.</p> <p>At the Planning Commission meeting on June 10, 2020, a public hearing was held and a motion was made by Lee, second by Carstens to recommend approval to the City Council of the request by Trent and Becky White for a Variance Adjustment Permit for building an entry addition within required front yard as recommended by staff. All voted in favor of the motion.</p>
Fiscal Impact:	None known.
Alternative/ Variations:	None recommended.
Recommendations:	that the Council approve the request by Trent and Becky White for a Variance Adjustment Permit for building an entry addition within required front yard with the condition that it does not project beyond front wall of the existing front portion of the house already located in the required front 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 building an entry addition within required front yard on the premises described as:

See Exhibit A
City of Marshall, County of Lyon, State of Minnesota
101 West Marshall Street

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 Trent White and Becky White for a Variance Adjustment Permit for building an entry addition within required front yard on the premises described herein subject to 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 Variance Adjustment Permit in the event that any person has breached the conditions contained in this permit provided first, that the City serve the person with written notice specifying items of any default, and allow the applicant a reasonable time in which to cure any such default.
- 3) That the conditions contained in this permit shall be binding upon the successors and assigns of the applicant.
- 4) That the addition does not project beyond front wall of the existing front portion of the house already located in the required front yard.

ADOPTED: June 23, 2020.

ATTEST:

Mayor

City Clerk

(SEAL)

This Instrument Drafted By:
Jason R. Anderson, P.E.
City Engineer/Zoning Administrator
File No. 1132

EXHIBIT A

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13) and Fourteen (14), in Block One (1), of Liberty Park, an addition to the City of Marshall, Minnesota, according to the plat thereof on file and of record in the office of the County Recorder in and for said Lyon County, Minnesota,

EXCEPTING THEREFROM that part of said premises described as, Beginning at the southwest corner of said Lot 14, Block 1, of said Liberty Park Addition; thence North 00 degrees 00'00"

West along the East line of said Block 1, 125.00 feet to the North line of said Lot 10; thence South 88 degrees 27'40" West along the North line of said lot 10, 100.00 feet; thence South 00 degrees 00' 00" East 80.00 feet; thence North 88 degrees 27'40" East 25.00 feet; thence South 00 degrees 00'00" East 45.00 fee to the South line of said Lot 14; thence North 88 degrees 27'40" East 75.00 feet to the Point of Beginning.

Item 12.

CONNECTEXPLORER



map: Auto (Oblique) - Mar 2015 - Apr 2015 - < image 1 of 12 > 03/27/2015

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**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Request for Map Amendment (rezone) James R Swenson and Teah Swenson at 1111 Canoga Park Drive
Background Information:	<p>This is a request by James R Swenson and Teah Swenson Marshall, MN to rezone 1111 Canoga Park Drive from R-2 One to Four Family Residential District to B-3 General Business District. The owner wants to use this lot for parking, together with two lots to the north, which are already zoned B-3 General Business District. Parking lot is a permitted use in a B-3 General Business District. Based on the Parking and Landscaping Ordinance, a fence or planting screen will be required along the south side of the property since it borders residential district.</p> <p>Rezoning procedures are described in Section 86-30 Amendments https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIVIGE_S86-30AM. Attached are an aerial photo, and rezoned area extent for your reference.</p> <p>At the June 10, 2020, Planning Commission meeting, a public hearing was held, and a motion was made by Carstens, second by Lee to recommend approval to City Council to rezone the property as recommended by staff. All voted in favor.</p>
Fiscal Impact:	Costs are to be billed to applicant
Alternative/ Variations:	None recommended
Recommendations:	that the Council introduce the attached ordinance to rezone 1111 Canoga Park Drive from R-2 One to Four Family Residential District to B-3 General Business District

ORDINANCE NUMBER _____, SECOND SERIES

**ORDINANCE AMENDING CHAPTER 86
OF THE CITY CODE RELATING TO ZONING**

The Common Council of the City of Marshall does ordain as follows:

Section 1. Chapter 86 of the City Code and the City of Marshall Zoning Map referred to in Section 86-72, are hereby further amended as follows, to- wit:

**City of Marshall, County of Lyon, State of Minnesota
1111 CANOGA PARK DRIVE
Lot 1, Block 1 and Nwly 32.09' of Lot 2, Block 1 Wilke-Miller-Buesing
2nd Addition**

is hereby rezoned from R-2 One to Four Family Residential District to B-3 General Business District.

Section 2. Within thirty (30) days after official publication of the Ordinance, the Zoning Administrator of said City is directed to record on the City of Marshall Zoning Map, the changes in zoning resulting from the passage of this ordinance.

Section 3. Except as amended herein, said Chapter 86, as heretofore amended, shall remain in full force and effect.

Section 4. This Ordinance shall take effect from and after its passage and publication.

Passed and adopted by the Common Council this 14th day of July, 2020.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

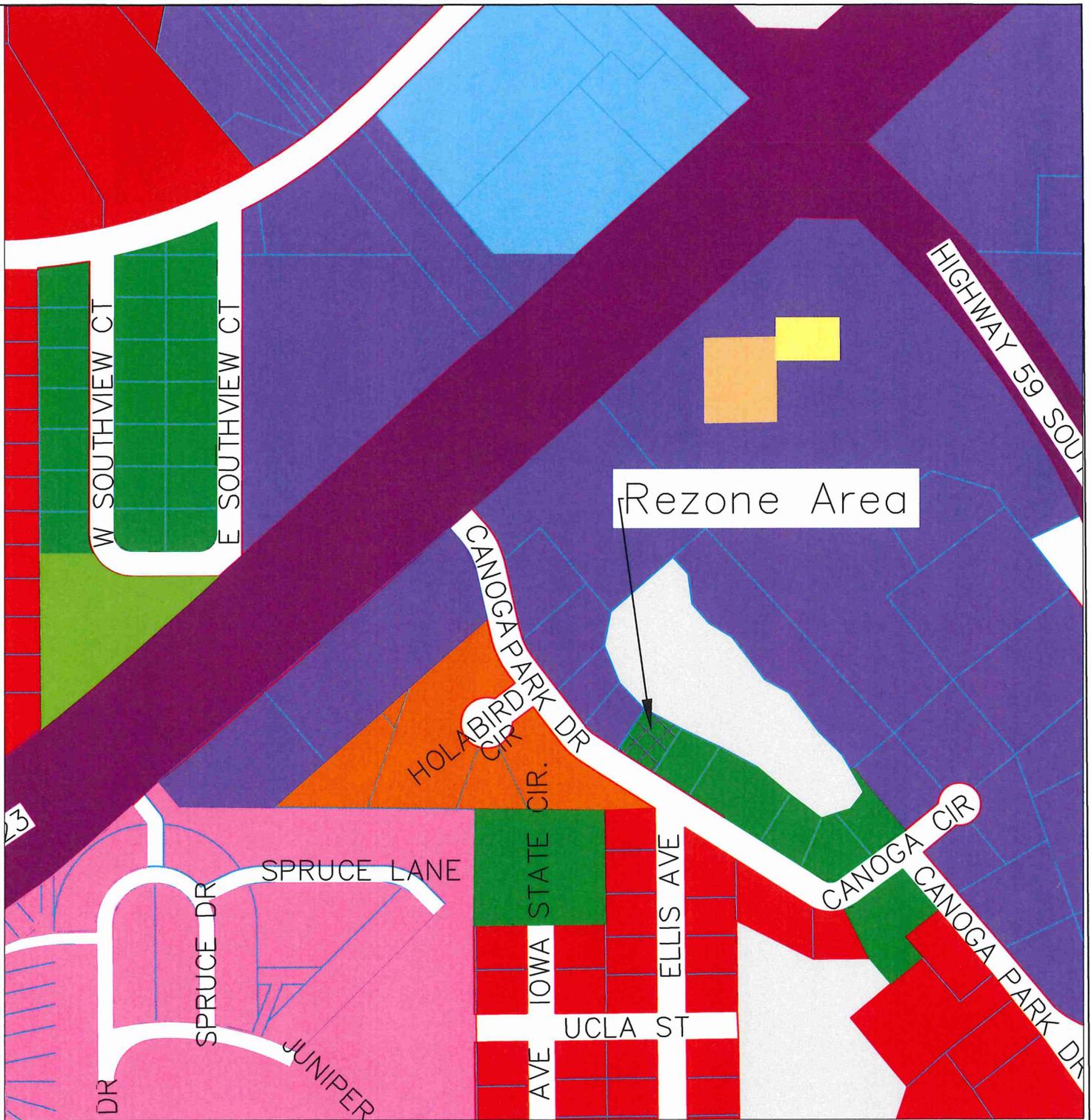
City Clerk

This Instrument Drafted by:
Jason R. Anderson, P.E.
Director of Public Works/City Engineer

Introduced on: June 23, 2020

Final Passage on: July 14, 2020

Published in the Official Newspaper : _____



A		AGRICULTURAL	R-4		HIGHER DENSITY - MULTIPLE FAMILY RESIDENCE	B-3		GENERAL BUSINESS
R-1		ONE FAMILY RESIDENCE	R-5		MANUFACTURED HOME PARK	B-4		SHOPPING CENTER BUSINESS
R-2		ONE TO FOUR FAMILY RESIDENCE	B-1		LIMITED BUSINESS	I-1		LIMITED INDUSTRIAL
R-3		LOW TO MEDIUM DENSITY - MULTIPLE FAMILY RESIDENCE	B-2		CENTRAL BUSINESS	I-2		GENERAL INDUSTRIAL



COMMUNITY PLANNING DEPT.
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 56258

ACTION COMPANY REZONE

MAY 30, 2020

EXISTING ZONING MAP W/ PROPOSED
 REZONE AREA FROM R-2 TO B-3

Meeting Date:	Tuesday, June 23, 2020
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Request for Map Amendment (Rezone) Action Company LLC at 1209 and 1211 West Main Street
Background Information:	<p>This is a request by Action Company, LLC, Marshall, MN to rezone 1209 and 1211 West Main Street from B-3 General Business District to I-2 General Industrial District. The owner wants to use this area for landscaping business that is not a permitted or conditional use in a business district and better fits into industrial district. Area to the north and west is already zoned industrial, as the area across West Main Street.</p> <p>Rezoning procedures are described in Section 86-30 Amendments https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIV1GE_S86-30AM. Attached are an aerial photo, and rezoned area extent for your reference.</p> <p>At the June 10, 2020, Planning Commission meeting, a public hearing was held, and a motion was made by Carstens, second by Lee to recommend approval to City Council to rezone the property as recommended by staff. All voted in favor.</p>
Fiscal Impact:	Costs are to be billed to applicant
Alternative/ Variations:	None recommended
Recommendations:	that the Council introduce the attached ordinance to rezone properties at 1209 and 1211 West Main Street from B-3 General Business District to I-2 General Industrial District

ORDINANCE NUMBER _____, SECOND SERIES

**ORDINANCE AMENDING CHAPTER 86
OF THE CITY CODE RELATING TO ZONING**

The Common Council of the City of Marshall does ordain as follows:

Section 1. Chapter 86 of the City Code and the City of Marshall Zoning Map referred to in Section 86-72, are hereby further amended as follows, to- wit:

**City of Marshall, County of Lyon, State of Minnesota
1209 West Main Street
And
1211 West Main Street
See Exhibit A**

is hereby rezoned from B-3 General Business District to I-2 General Industrial District.

Section 2. Within thirty (30) days after official publication of the Ordinance, the Zoning Administrator of said City is directed to record on the City of Marshall Zoning Map, the changes in zoning resulting from the passage of this ordinance.

Section 3. Except as amended herein, said Chapter 86, as heretofore amended, shall remain in full force and effect.

Section 4. This Ordinance shall take effect from and after its passage and publication.

Passed and adopted by the Common Council this 14th day of July, 2020.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

This Instrument Drafted by:
Jason R. Anderson, P.E.
Director of Public Works/City Engineer

Introduced on: June 23, 2020

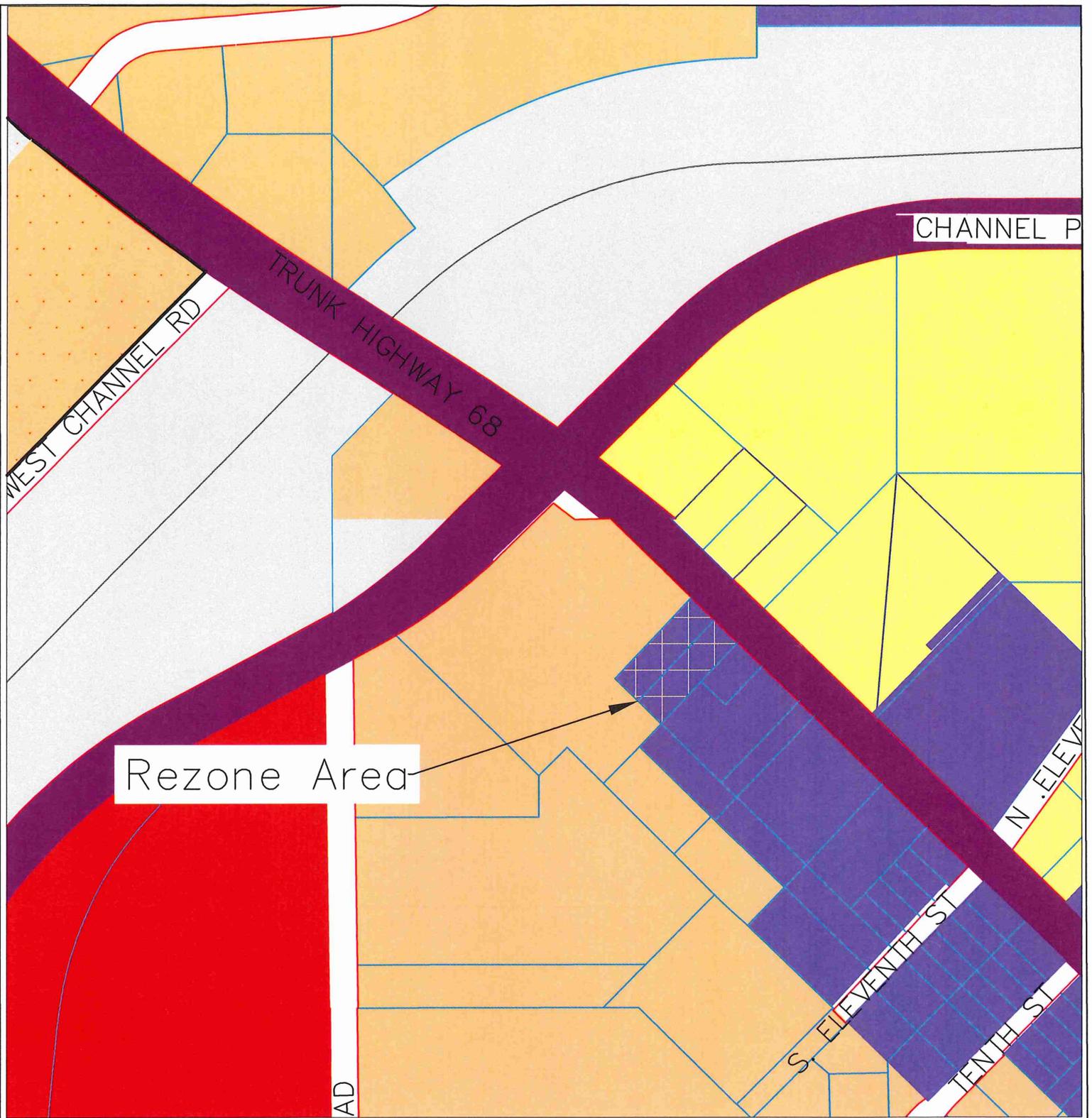
Final Passage on: July 14, 2020

Published in the Official Newspaper : _____

EXHIBIT A

Real property in the City of Marshall, County of Lyon, State of Minnesota, described as follows: PARCEL 1: All that part of the NE 1/4 of Section 5, Township 111 North, Range 41 West, Lyon County, Minnesota, bounded and described as follows: Beginning at a point on the extended southwesterly line of Main Street 2,430 feet Northwesterly from its point of intersection with the east line of Section 5, thence Southwesterly at right angles 264 feet to a point 100 feet northeasterly, measured at right angles, from the center line of the Chicago and Northwestern Railroad; thence northwesterly and parallel with said center line a distance of 77 1/2 feet; thence at right angles and in a northeasterly direction a distance of 264 feet to the extended southwesterly line of Main Street; thence in a southeasterly direction and along said southwesterly line of Main Street a distance of 77 1/2 feet to the place of beginning.

PARCEL 2: All that part of the NE 1/4 of Section 5, Township 111 North, Range 41 West, Lyon County, Minnesota, bounded and described as follows: Beginning at a point on the extended southwesterly line of Main Street 2,430 feet Northwesterly from its point of intersection with the east line of Section 5, thence Southwesterly at right angles 264 feet to a point 100 feet northeasterly, measured at right angles, from the center line of the Chicago and Northwestern Railroad; thence northwesterly and parallel with said center line a distance of 77 1/2 feet which is the true point of beginning, thence northwesterly and parallel with said centerline a distance of 77 1/2 feet; thence at right angles and in a northeasterly direction a distance of 264 feet to the extended southwesterly line of Main Street; thence in a southeasterly direction and along said southwesterly line of Main Street a distance of 77 1/2 feet, thence southwesterly at right angles 264 feet to the said true point of beginning.



Rezone Area

A		AGRICULTURAL	R-4		HIGHER DENSITY - MULTIPLE FAMILY RESIDENCE	B-3		GENERAL BUSINESS
R-1		ONE FAMILY RESIDENCE	R-5		MANUFACTURED HOME PARK	B-4		SHOPPING CENTER BUSINESS
R-2		ONE TO FOUR FAMILY RESIDENCE	B-1		LIMITED BUSINESS	I-1		LIMITED INDUSTRIAL
R-3		LOW TO MEDIUM DENSITY - MULTIPLE FAMILY RESIDENCE	B-2		CENTRAL BUSINESS	I-2		GENERAL INDUSTRIAL

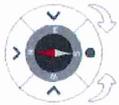


COMMUNITY PLANNING DEPT.
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

ACTION COMPANY REZONE

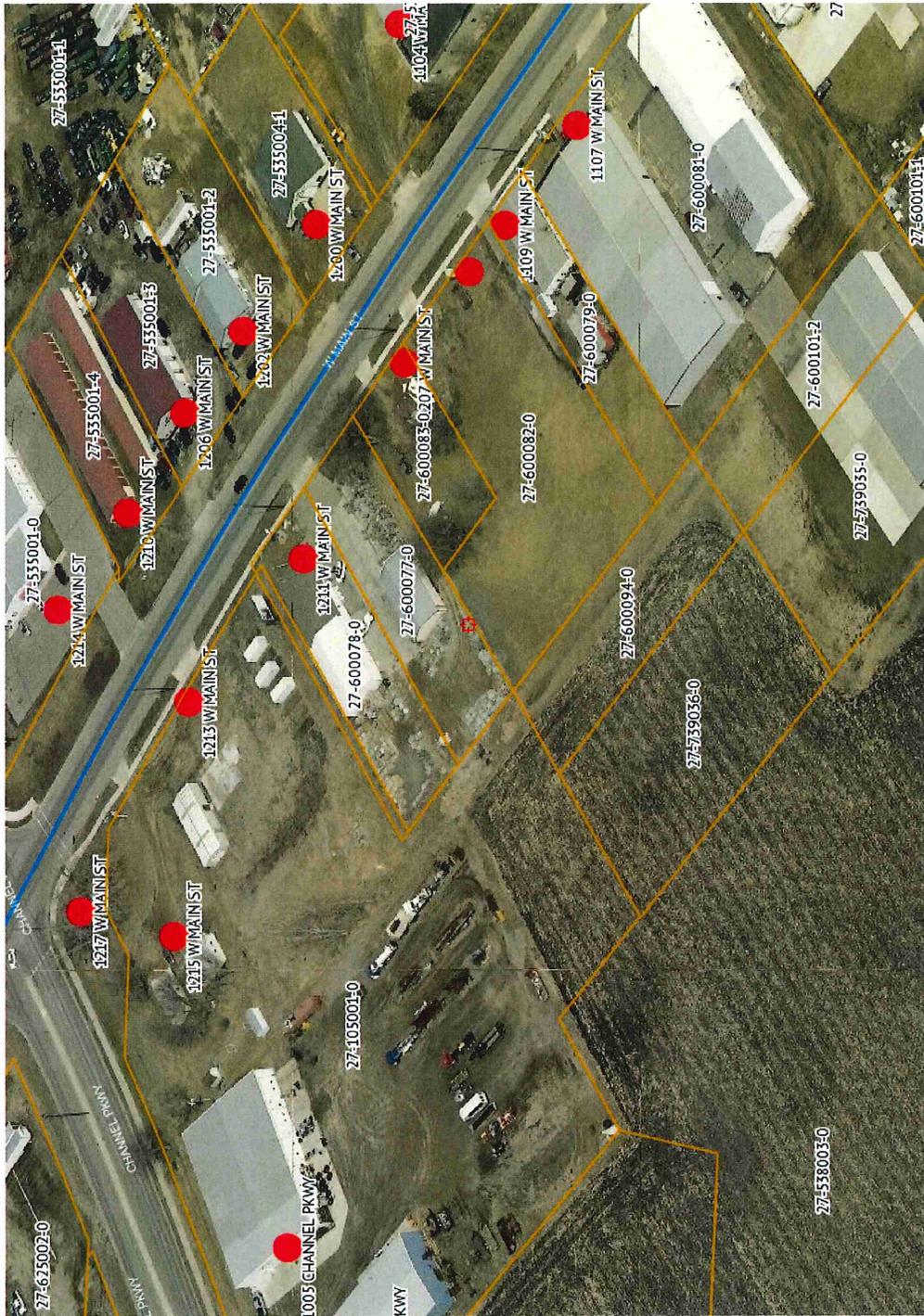
MAY 30, 2020

EXISTING ZONING MAP W/ PROPOSED
REZONE AREA FROM B-3 TO I-2



Workspaces

Item 14.



map: Auto (Oblique) Mar 2015 - Apr 2015 image 1 of 10 03/27/2015

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, June 23, 2020
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Project Z67: Michigan Road/Superior Road Reconstruction Project - Consider Change Order No. 3 (Final) and Acknowledgement of Final Pay Request No. 8.
Background Information:	<p>This project consisted of the following: Reconstruction and utility replacement on Michigan Road between Superior Road and Hahn Road and on Superior Road from a point approximately 175 feet north of Ontario Road to Huron Road. All utilities have been replaced, including watermain, sanitary sewer, and storm sewer.</p> <p>The items on Change Order No. 3 (Final Reconciling Change Order) for the above project are the result of final measurements and changes in item quantities during construction. Each individual line item is shown on the spreadsheet attached to the change order.</p> <p>All work has been completed in accordance with the specifications.</p>
Fiscal Impact:	<p>Change Order No. 3 (Final) results in a contract increase in the amount of \$608.25 and a total contract amount of \$1,026,219.85. The original contract amount was \$1,022,427.60.</p> <p>The final payment, including release of retainage, will be funded from Surface Water Management Utility Fund, Wastewater, Marshall Municipal Utilities, ad valorem and special assessments.</p>
Alternative/Variations:	No alternative actions recommended.
Recommendations:	that the Council approve Change Order No. 3 (Final), resulting in a contract increase in the amount of \$608.25 and acknowledge Final Pay Request (No. 8) in the amount of \$55,607.84 for the above-referenced project to D&G Excavating, Inc. of Marshall, Minnesota.

STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

City/County of City Of Marshall

Change Order No. 3

FEDERAL PROJECT NO.	STATE PROJECT NO.	LOCAL PROJECT NO. Z67	CONTRACT NO. Z67
CONTRACTOR NAME AND ADDRESS D&G Excavating, Inc. 2334 County Road 30 Marshall, MN 56258		LOCATION OF WORK MICHIGAN ROAD/SUPERIOR ROAD RECONSTRUCTION	
		TOTAL CHANGE ORDER AMOUNT \$608.25	

Final Reconciling Change Order

COST BREAKDOWN

Item No.	Item	Unit	Unit Price	Quantity	Amount
Funding Category No. 001					
9999.999	FINAL RECONCILING CHANGE ORDER	LUMP SUM	\$608.25	1	\$608.25
Funding Category No. 001 Total:					\$608.25
Change Order No. 3 Total:					\$608.25

* Funding category is required for federal projects.

CHANGE IN CONTRACT TIME (check one)
Due to this change the Contract Time:

a. Is Increased by _____ Working Days
 Is Decreased _____ Working Days
 by _____ Calendar

b. Is Not Changed

c. May be revised if work affected the controlling operation

Is Increased by _____ Days
 Is Decreased _____ Calendar
 by _____ Days

Approved By Project Engineer: Jason Anderson	Approved By Contractor: D&G Excavating, Inc.
Signed _____	Signed _____
Date: _____ Phone: (507) 537-6773	Date: _____ Phone: (507) 532-2334

The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for FUNDING PURPOSES ONLY and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This work is eligible for: _____ Federal Funding _____ State Aid Funding _____ Local funds

District State Aid Engineer: _____ Date: _____

Item 15.

Item	Contract Quantity	Unit	Cost	Total	Final Quantity	Final Quantity Amount	Final Quantity Difference	Amount Difference
1 501 MOBILIZATION	1.00	LS	\$42,000.00	\$42,000.00	1.00	42,000.00	0.00	\$0.00
2 2104.501 REMOVE CURB AND GUTTER	3,390.00	LIN FT	\$3.00	\$10,170.00	3,390.00	10,170.00	0.00	\$0.00
3 2104.503 REMOVE SIDEWALK	350.00	SQ FT	\$1.50	\$525.00	538.00	807.00	188.00	\$282.00
4 2104.505 REMOVE CONCRETE PAVEMENT	434.00	SQ YD	\$7.50	\$3,255.00	536.43	4,023.23	102.43	\$768.23
5 2104.505 REMOVE BITUMINOUS SURFACING	7,805.00	S Y	\$2.25	\$17,561.25	7,805.00	17,561.25	0.00	\$0.00
6 2104.509 REMOVE MANHOLE	6.00	EACH	\$500.00	\$3,000.00	6.00	3,000.00	0.00	\$0.00
7 2104.509 REMOVE CATCH BASIN	5.00	EACH	\$350.00	\$1,750.00	5.00	1,750.00	0.00	\$0.00
8 2104.511 SAWING CONCRETE PAVEMENT (FULL DEPTH)	619.00	LIN FT	\$5.00	\$3,095.00	657.00	3,285.00	38.00	\$190.00
9 2104.513 SAWING BIT PAVEMENT (FULL DEPTH)	93.00	LIN FT	\$2.15	\$199.95	130.00	279.50	37.00	\$79.55
10 2104.523 SALVAGE WATERMAIN FITTING	2.00	EACH	\$500.00	\$1,000.00	2.00	1,000.00	0.00	\$0.00
11 2105.501 COMMON EXCAVATION (P)	5,034.00	CU YD	\$11.00	\$55,374.00	5,034.00	55,374.00	0.00	\$0.00
12 2105.522 SELECT GRANULAR BORROW (CV) (P)	2,667.00	CU YD	\$13.25	\$35,337.75	2,667.00	35,337.75	0.00	\$0.00
13 2105.526 SELECT TOPSOIL BORROW (LV)	300.00	CU YD	\$23.00	\$6,900.00	300.00	6,900.00	0.00	\$0.00
14 2105.604 GEOTEXTILE FABRIC	8,000.00	SQ YD	\$1.55	\$12,400.00	8,000.00	12,400.00	0.00	\$0.00
15 2211.503 AGGREGATE BASE (CV) CLASS 5 MODIFIED (P)	1,335.00	CU YD	\$22.25	\$29,703.75	1,335.00	29,703.75	0.00	\$0.00
16 2231.603 TIE BAR STITCHING	121.00	EACH	\$22.00	\$2,662.00	32.00	704.00	(89.00)	(\$1,958.00)
17 2301.504 CONCRETE PAVEMENT 7"	6,920.00	SQ YD	\$50.00	\$346,000.00	7,000.00	350,000.00	80.00	\$4,000.00
18 2301.602 1" DOWEL BAR (EPOXY COATED)	2,500.00	EACH	\$8.60	\$21,500.00	2,596.00	22,325.60	96.00	\$825.60
19 2301.602 DRILL & GROUT DOWEL BAR #7 (EPOXY COATED)	39.00	EACH	\$19.30	\$752.70	52.00	1,003.60	13.00	\$250.90
20 2301.608 SUPPLEMENTAL PAVT REINF (EPOXY COATED)	2,117.00	LIN. FT.	\$2.10	\$4,445.70	2,436.50	5,116.65	319.50	\$670.95
21 2360.501 TYPE SP 9.5 WEARING COURSE MIX (3 C)	60.00	TON	\$166.65	\$9,999.00	44.37	7,394.26	(15.63)	(\$2,604.74)
22 2451.609 AGGREGATE FOUNDATION	50.00	TON	\$25.00	\$1,250.00	0.00	0.00	(50.00)	(\$1,250.00)
23 2502.541 6" PERF PVC PIPE DRAIN	3,305.00	LIN FT	\$11.00	\$36,355.00	3,305.00	36,355.00	0.00	\$0.00
24 2503.511 6" PVC PIPE SEWER	105.00	LIN FT	\$40.00	\$4,200.00	92.00	3,680.00	(13.00)	(\$520.00)
25 2503.511 8" PVC PIPE SEWER	100.00	L F	\$45.00	\$4,500.00	72.00	3,240.00	(28.00)	(\$1,260.00)
26 2503.511 12" PVC PIPE SEWER	1,672.00	LIN FT	\$49.50	\$82,764.00	1,699.00	84,100.50	27.00	\$1,336.50
27 2503.602 CONNECT TO EXISTING SANITARY SEWER	4.00	EACH	\$2,000.00	\$8,000.00	4.00	8,000.00	0.00	\$0.00
28 2503.602 CONNECT TO EXISTING STORM SEWER	2.00	EACH	\$1,500.00	\$3,000.00	4.00	6,000.00	2.00	\$3,000.00
29 2503.602 12"x6" PVC WYE	3.00	EACH	\$350.00	\$1,050.00	4.00	1,400.00	1.00	\$350.00
30 2503.602 12"x8" PVC WYE	2.00	EACH	\$250.00	\$500.00	1.00	250.00	(1.00)	(\$250.00)
31 2503.603 24" PVC PIPE SEWER	46.00	LIN FT	\$105.00	\$4,830.00	46.00	4,830.00	0.00	\$0.00
32 2503.603 16" PVC PIPE SEWER	167.00	LIN FT	\$51.00	\$8,517.00	167.00	8,517.00	0.00	\$0.00
33 2504.602 2" WATER SERVICE (COMPLETE)	1.00	EACH	\$1,850.00	\$1,850.00	1.00	1,850.00	0.00	\$0.00
34 2504.602 HYDRANT	2.00	EACH	\$3,200.00	\$6,400.00	2.00	6,400.00	0.00	\$0.00
35 2504.602 8"x6" REDUCER	1.00	EACH	\$375.00	\$375.00	1.00	375.00	0.00	\$0.00
36 2504.602 6" SLEEVE	3.00	EACH	\$300.00	\$900.00	2.00	600.00	(1.00)	(\$300.00)
37 2504.602 8" SLEEVE	3.00	EACH	\$450.00	\$1,350.00	3.00	1,350.00	0.00	\$0.00
38 2504.602 6" PIPE BEND 45 DEGREE	8.00	EACH	\$350.00	\$2,800.00	0.00	0.00	(8.00)	(\$2,800.00)
39 2504.602 8" PIPE BEND 45 DEGREE	7.00	EACH	\$400.00	\$2,800.00	6.00	2,400.00	(1.00)	(\$400.00)
40 2504.602 8"x6" TEE FITTING	4.00	EACH	\$450.00	\$1,800.00	4.00	1,800.00	0.00	\$0.00
41 2504.602 8"x8" TEE FITTING	3.00	EACH	\$500.00	\$1,500.00	3.00	1,500.00	0.00	\$0.00
42 2504.602 12"x8" TEE FITTING	2.00	EACH	\$1,000.00	\$2,000.00	2.00	2,000.00	0.00	\$0.00
43 2504.602 6" GATE VALVE & BOX	4.00	EACH	\$1,150.00	\$4,600.00	4.00	4,600.00	0.00	\$0.00
44 2504.602 8" GATE VALVE & BOX	6.00	EACH	\$1,750.00	\$10,500.00	6.00	10,500.00	0.00	\$0.00
45 2504.602 12" GATE VALVE & BOX	2.00	EACH	\$3,000.00	\$6,000.00	2.00	6,000.00	0.00	\$0.00
46 2504.603 6" PVC WATERMAIN	164.00	L F	\$25.00	\$4,100.00	165.00	4,125.00	1.00	\$25.00
47 2504.603 8" PVC WATERMAIN	1,266.00	L F	\$33.00	\$41,778.00	1,266.00	41,778.00	0.00	\$0.00
48 2504.603 12" PVC WATERMAIN	556.00	L F	\$39.00	\$21,684.00	556.00	21,684.00	0.00	\$0.00
49 2506.502 CONST DRAINAGE STRUCTURE DESIGN A	5.00	EACH	\$2,600.00	\$13,000.00	5.00	13,000.00	0.00	\$0.00
50 2506.603 48" DIA. SANITARY SEWER MANHOLE	38.90	LIN FT	\$475.00	\$18,477.50	39.24	18,639.00	0.34	\$161.50
51 2521.501 4" CONCRETE WALK	400.00	SQ FT	\$8.00	\$3,200.00	585.00	4,680.00	185.00	\$1,480.00
52 2531.501 CONCRETE CURB & GUTTER DESIGN B618	3,410.00	L F	\$20.00	\$68,200.00	3,410.00	68,200.00	0.00	\$0.00
53 2531.507 6" CONCRETE DRIVEWAY PAVEMENT	583.00	S Y	\$48.00	\$27,984.00	608.12	29,189.76	25.12	\$1,205.76
54 2531.604 7" CONCRETE VALLEY GUTTER	119.00	SQ YD	\$53.00	\$6,307.00	119.00	6,307.00	0.00	\$0.00
55 2563.601 TRAFFIC CONTROL	1.00	LS	\$4,000.00	\$4,000.00	1.00	4,000.00	0.00	\$0.00
56 2572.603 TEMPORARY MAILBOX INSTALLATION AND REMOVAL	1.00	LUMP SUM	\$1,500.00	\$1,500.00	1.00	1,500.00	0.00	\$0.00
57 2573.530 STORM DRAIN INLET PROTECTION	7.00	EACH	\$175.00	\$1,225.00	7.00	1,225.00	0.00	\$0.00
58 2573.602 TEMPORARY ROCK CONSTRUCTION ENTRANCE	3.00	EACH	\$1,000.00	\$3,000.00	0.00	0.00	(3.00)	(\$3,000.00)
555 TURF ESTABLISHMENT	1.00	LS	\$2,000.00	\$2,000.00	1.10	2,200.00	0.10	\$200.00
571 RAPID STABILIZATION METHOD 3	4.00	M GAL	\$125.00	\$500.00	5.00	625.00	1.00	\$125.00



CITY OF MARSHALL

344 W. MAIN ST.
MARSHALL, MN 56258

Project Z67 - MICHIGAN ROAD/SUPERIOR ROAD RECONSTRUCTION
Final Pay Request No. 8

Contractor: D&G Excavating, Inc.
2334 County Road 30
Marshall, MN 56258

Contract No. Z67
Vendor No. 01-0934
For Period: 8/3/2019 - 6/16/2020
Warrant # _____ Date _____

Contract Amounts

Original Contract	\$1,022,427.60
Contract Changes	\$3,792.25
Revised Contract	\$1,026,219.85

Funds Encumbered

Original	\$1,022,427.60
Additional	\$3,792.25
Total	\$1,026,219.85

Work Certified To Date

Base Bid Items	\$1,023,035.85
Backsheet	\$0.00
Change Order	\$3,184.00
Supplemental Agreement	\$0.00
Work Order	\$0.00
Material On Hand	\$0.00
Total	\$1,026,219.85

	Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
Z67	\$4,523.00	\$1,026,219.85	\$0.00	\$970,612.01	\$55,607.84	\$1,026,219.85
Percent Retained: 0.0000%						
Amount Paid This Final Pay Request					\$55,607.84	

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, and pursuant to, the terms of the Contract is as shown in this Final Voucher.

Approved By _____

Approved By D&G Excavating, Inc.

County/City/Project Engineer

Contractor

Date

Date

CITY OF MARSHALL
 344 W. MAIN ST.
 MARSHALL, MN 56258
 Project No. Z67
 Final Pay Request No. 8

Z67 Payment Summary

No.	From Date	To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	06/19/2018	07/27/2018	\$33,987.28	\$1,699.36	\$32,287.92
2	07/28/2018	08/31/2018	\$171,757.04	\$8,587.86	\$163,169.18
3	09/01/2018	09/27/2018	\$165,213.53	\$8,260.67	\$156,952.86
4	09/28/2018	11/02/2018	\$456,895.10	\$22,844.76	\$434,050.34
5	11/03/2018	11/29/2018	\$182,127.20	\$9,106.36	\$173,020.84
6	11/30/2018	06/27/2019	\$6,373.70	\$318.68	\$6,055.02
7	06/28/2019	08/02/2019	\$5,343.00	\$267.15	\$5,075.85
8	08/03/2019	06/16/2020	\$4,523.00	(\$51,084.84)	\$55,607.84
Totals:			\$1,026,219.85	\$0.00	\$1,026,219.85

Z67 Funding Category Report

Funding Category No.	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
001	1,026,219.85	0.00	970,612.01	55,607.84	1,026,219.85
Totals:	\$1,026,219.85	\$0.00	\$970,612.01	\$55,607.84	\$1,026,219.85

Z67 Funding Source Report

Accounting No.	Funding Source	Amount Paid This Request	Revised Contract Amount	Funds Encumbered To Date	Paid To Contractor To Date
475	Local	55,607.84	1,026,219.85	1,026,219.85	1,026,219.85
Totals:		\$55,607.84	\$1,026,219.85	\$1,026,219.85	\$1,026,219.85

CITY OF MARSHALL
 344 W. MAIN ST.
 MARSHALL, MN 56258
 Project No. Z67
 Final Pay Request No. 8

Z67 Project Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
base bid									
1	2021.501	MOBILIZATION	LS	\$42,000.00	1	0	\$0.00	1	\$42,000.00
2	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$3.00	3390	0	\$0.00	3390	\$10,170.00
3	2104.503	REMOVE SIDEWALK	SQ FT	\$1.50	350	0	\$0.00	538	\$807.00
4	2104.505	REMOVE CONCRETE PAVEMENT	SQ YD	\$7.50	434	0	\$0.00	536.43	\$4,023.23
5	2104.505	REMOVE BITUMINOUS SURFACING	S Y	\$2.25	7805	0	\$0.00	7805	\$17,561.25
6	2104.509	REMOVE MANHOLE	EACH	\$500.00	6	0	\$0.00	6	\$3,000.00
7	2104.509	REMOVE CATCH BASIN	EACH	\$350.00	5	0	\$0.00	5	\$1,750.00
8	2104.511	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	\$5.00	619	0	\$0.00	657	\$3,285.00
9	2104.513	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	\$2.15	93	0	\$0.00	130	\$279.50
10	2104.523	SALVAGE WATERMAIN FITTING	EACH	\$500.00	2	0	\$0.00	2	\$1,000.00
11	2105.501	COMMON EXCAVATION (P)	CU YD	\$11.00	5034	0	\$0.00	5034	\$55,374.00
12	2105.522	SELECT GRANULAR BORROW (CV) (P)	CU YD	\$13.25	2667	0	\$0.00	2667	\$35,337.75
13	2105.526	SELECT TOPSOIL BORROW (LV)	CU YD	\$23.00	300	0	\$0.00	300	\$6,900.00
14	2105.604	GEOTEXTILE FABRIC	SQ YD	\$1.55	8000	0	\$0.00	8000	\$12,400.00
15	2211.503	AGGREGATE BASE (CV) CLASS 5 MODIFIED (P)	CU YD	\$22.25	1335	0	\$0.00	1335	\$29,703.75
16	2231.603	TIE BAR STITCHING	EACH	\$22.00	121	0	\$0.00	32	\$704.00
17	2301.504	CONCRETE PAVEMENT 7"	SQ YD	\$50.00	6920	85	\$4,250.00	7000	\$350,000.00
18	2301.602	1" DOWEL BAR (EPOXY COATED)	EACH	\$8.60	2500	0	\$0.00	2596	\$22,325.60
19	2301.602	DRILL & GROUT DOWEL BAR #7 (EPOXY COATED)	EACH	\$19.30	39	0	\$0.00	52	\$1,003.60
20	2301.608	SUPPLEMENTAL PAVT REINF	Lin. Ft.	\$2.10	2117	0	\$0.00	2436.5	\$5,116.65

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CITY OF MARSHALL
 344 W. MAIN ST.
 MARSHALL, MN 56258
 Project No. Z67
 Final Pay Request No. 8

Z67 Project Item Status

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
		(EPOXY COATED)							
21	2360.501	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	\$166.65	60	0	\$0.00	44.37	\$7,394.26
22	2451.609	AGGREGATE FOUNDATION	TON	\$25.00	50	0	\$0.00	0	\$0.00
23	2502.541	6" PERF PVC PIPE DRAIN	LIN FT	\$11.00	3305	0	\$0.00	3305	\$36,355.00
24	2503.511	6" PVC PIPE SEWER	LIN FT	\$40.00	105	0	\$0.00	92	\$3,680.00
25	2503.511	8" PVC PIPE SEWER	L F	\$45.00	100	0	\$0.00	72	\$3,240.00
26	2503.511	12" PVC PIPE SEWER	LIN FT	\$49.50	1672	0	\$0.00	1699	\$84,100.50
27	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	\$2,000.00	4	0	\$0.00	4	\$8,000.00
28	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	\$1,500.00	2	0	\$0.00	4	\$6,000.00
29	2503.602	12"X6" PVC WYE	EACH	\$350.00	3	0	\$0.00	4	\$1,400.00
30	2503.602	12"X8" PVC WYE	EACH	\$250.00	2	0	\$0.00	1	\$250.00
31	2503.603	24" PVC PIPE SEWER	LIN FT	\$105.00	46	0	\$0.00	46	\$4,830.00
32	2503.603	16" PVC PIPE SEWER	LIN FT	\$51.00	167	0	\$0.00	167	\$8,517.00
33	2504.602	2" WATER SERVICE (COMPLETE)	EACH	\$1,850.00	1	0	\$0.00	1	\$1,850.00
34	2504.602	HYDRANT	EACH	\$3,200.00	2	0	\$0.00	2	\$6,400.00
35	2504.602	8"X6" REDUCER	EACH	\$375.00	1	0	\$0.00	1	\$375.00
36	2504.602	6" SLEEVE	EACH	\$300.00	3	0	\$0.00	2	\$600.00
37	2504.602	8" SLEEVE	EACH	\$450.00	3	0	\$0.00	3	\$1,350.00
38	2504.602	6" PIPE BEND 45 DEGREE	EACH	\$350.00	8	0	\$0.00	0	\$0.00
39	2504.602	8" PIPE BEND 45 DEGREE	EACH	\$400.00	7	0	\$0.00	6	\$2,400.00
40	2504.602	8"X6" TEE FITTING	EACH	\$450.00	4	0	\$0.00	4	\$1,800.00
41	2504.602	8"X8" TEE FITTING	EACH	\$500.00	3	0	\$0.00	3	\$1,500.00
42	2504.602	12"X8" TEE FITTING	EACH	\$1,000.00	2	0	\$0.00	2	\$2,000.00
43	2504.602	6" GATE VALVE & BOX	EACH	\$1,150.00	4	0	\$0.00	4	\$4,600.00
44	2504.602	8" GATE VALVE &	EACH	\$1,750.00	6	0	\$0.00	6	\$10,500.00

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CITY OF MARSHALL
 344 W. MAIN ST.
 MARSHALL, MN 56258
 Project No. Z67
 Final Pay Request No. 8

Z67 Project Item Status

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
		BOX							
45	2504.602	12" GATE VALVE & BOX	EACH	\$3,000.00	2	0	\$0.00	2	\$6,000.00
46	2504.603	6" PVC WATERMAIN	L F	\$25.00	164	0	\$0.00	165	\$4,125.00
47	2504.603	8" PVC WATERMAIN	L F	\$33.00	1266	0	\$0.00	1266	\$41,778.00
48	2504.603	12" PVC WATERMAIN	L F	\$39.00	556	7	\$273.00	556	\$21,684.00
49	2506.502	CONST DRAINAGE STRUCTURE DESIGN A	EACH	\$2,600.00	5	0	\$0.00	5	\$13,000.00
50	2506.603	48" DIA. SANITARY SEWER MANHOLE	LIN FT	\$475.00	38.9	0	\$0.00	39.24	\$18,639.00
51	2521.501	4" CONCRETE WALK	SQ FT	\$8.00	400	0	\$0.00	585	\$4,680.00
52	2531.501	CONCRETE CURB & GUTTER DESIGN B618	L F	\$20.00	3410	0	\$0.00	3410	\$68,200.00
53	2531.507	6" CONCRETE DRIVEWAY PAVEMENT	S Y	\$48.00	583	0	\$0.00	608.12	\$29,189.76
54	2531.604	7" CONCRETE VALLEY GUTTER	SQ YD	\$53.00	119	0	\$0.00	119	\$6,307.00
55	2563.601	TRAFFIC CONTROL	LS	\$4,000.00	1	0	\$0.00	1	\$4,000.00
56	2572.603	TEMPORARY MAILBOX INSTALLATION AND REMOVAL	LUMP SUM	\$1,500.00	1	0	\$0.00	1	\$1,500.00
57	2573.530	STORM DRAIN INLET PROTECTION	EACH	\$175.00	7	0	\$0.00	7	\$1,225.00
58	2573.602	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,000.00	3	0	\$0.00	0	\$0.00
59	2575.555	TURF ESTABLISHMENT	LS	\$2,000.00	1	0	\$0.00	1.1	\$2,200.00
60	2575.571	RAPID STABILIZATION METHOD 3	MGAL	\$125.00	4	0	\$0.00	5	\$625.00
Totals For Section base bid:								\$4,523.00	\$1,023,035.85
Change Order 1									
62	2101.502	CLEARING AND GRUB TREE	EACH	\$750.00	1	0	\$0.00	1	\$750.00

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CITY OF MARSHALL
 344 W. MAIN ST.
 MARSHALL, MN 56258
 Project No. Z67
 Final Pay Request No. 8

Z67 Project Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
61	2105.507	COMMON BORROW (LV)	C Y	\$5.00	260	0	\$0.00	260	\$1,300.00
Totals For Change Order 1:							\$0.00		\$2,050.00
Change Order 2									
63	2433.603	ROUT & SEAL CRACKS	L F	\$3.50	324	0	\$0.00	324	\$1,134.00
Totals For Change Order 2:							\$0.00		\$1,134.00
Change Order 3									
64	9999.999	FINAL RECONCILING CHANGE ORDER	LUMP SUM	\$608.25	1	0	\$0.00	0	\$0.00
Totals For Change Order 3:							\$0.00		\$0.00
Project Totals:							\$4,523.00		\$1,026,219.85

Z67 Material On Hand Balance						
Line	Item	Date	Added	Used	Remaining	
14	2105.604 GEOTEXTILE FABRIC	9/26/2018	8000 SQ YD \$3,600.00	8000 SQ YD \$3,600.00	0 SQ YD \$0.00	
23	2502.541 6" PERF PVC PIPE DRAIN	7/26/2018	1320 LIN FT \$3,273.60	1320 LIN FT \$3,273.60	0 LIN FT \$0.00	
23	2502.541 6" PERF PVC PIPE DRAIN	9/26/2018	1985 LIN FT \$7,071.05	1985 LIN FT \$7,071.05	0 LIN FT \$0.00	
26	2503.511 12" PVC PIPE SEWER	7/26/2018	1302 LIN FT \$11,392.50	1302 LIN FT \$11,392.50	0 LIN FT \$0.00	
32	2503.603 16" PVC PIPE SEWER	7/25/2018	167 LIN FT \$4,131.58	167 LIN FT \$4,131.58	0 LIN FT \$0.00	
47	2504.603 8" PVC WATERMAIN	7/26/2018	300 L F \$2,562.00	300 L F \$2,562.00	0 L F \$0.00	
48	2504.603 12" PVC WATERMAIN	7/26/2018	120 L F \$2,127.60	120 L F \$2,127.60	0 L F \$0.00	
Material On Hand Total Amounts:			\$34,158.33	\$34,158.33	\$0.00	

Z67 Contract Changes					
No.	Type	Date	Explanation	Estimated Amount	Amount Paid To Date
CO1	Change Order	10/17/2018	Time extension of Substantial Completion date from October 19, 2018 to November 12, 2018 (24 days), additional fill and tree removal.	\$2,050.00	\$2,050.00
CO2	Change Order	8/2/2019	CRACK SEALING IN LIEU OF STITCHING	\$1,134.00	\$1,134.00
CO3	Change Order	6/16/2020	Final Reconciling Change Order	\$608.25	\$0.00
Contract Change Totals:				\$3,792.25	\$3,184.00

Meeting Date:	Click or tap to enter a date.
Category:	COUNCIL REPORTS
Type:	INFO
Subject:	Commission/Board Liaison Reports
Background Information:	<p>Byrnes - Fire Relief Association and Regional Development Commission</p> <p>Schafer - Airport Commission, MERIT Center Board, City Council-County Board-Library Agreement & Operation, Southwest Minnesota Amateur Sports Commission and SW Minnesota Emergency Communication Board</p> <p>Meister -Community Services Advisory Board, Cable Commission and Economic Development Authority</p> <p>Bayerkohler - Public Housing Commission, Planning Commission</p> <p>DeCramer – Economic Development Authority and Utilities Commission</p> <p>Labat - Library Board, Police Advisory Board and Convention and Visitors Bureau</p> <p>Lozinski - Adult Community Center Commission and Joint Law Enforcement Center Management Committee</p>
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	



Marshall, MN

Check Register

Packet: APPKT00101 - LIBRARY

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
4549	A & B BUSINESS, INC	06/10/2020	EFT	0.00	420.97	4546
0728	BUFFALO RIDGE CONCRETE,INC	06/10/2020	EFT	0.00	294.75	4547
5291	ENVISIONWARE, INC	06/10/2020	EFT	0.00	151.08	4548
1271	HENLE PRINTING COMPANY	06/10/2020	EFT	0.00	67.44	4549
1633	MARSHALL MUNICIPAL UTILITIES	06/10/2020	EFT	0.00	1,956.22	4550
5891	ONE OFFICE SOLUTION	06/10/2020	EFT	0.00	4.99	4551
2318	SOUTHWEST SANITATION INC.	06/10/2020	EFT	0.00	83.42	4552
4489	VERIZON WIRELESS	06/10/2020	EFT	0.00	60.95	4553
4570	AMAZON	06/09/2020	Regular	0.00	419.72	116395
4573	DEMCO	06/09/2020	Regular	0.00	176.63	116396
4552	INGRAM LIBRARY SERVICES	06/09/2020	Regular	0.00	2,552.73	116397
	Void	06/09/2020	Regular	0.00	0.00	116398
1545	LYON COUNTY HIGHWAY DEPARTMEN	06/09/2020	Regular	0.00	8.39	116399
4980	MENARDS INC	06/09/2020	Regular	0.00	49.84	116400
5925	MIDWEST TAPE	06/09/2020	Regular	0.00	128.19	116401
6513	MOBILE BEACON	06/09/2020	Regular	0.00	19,162.00	116402
6286	SCHWEEMAN'S CLEANERS, LLP	06/09/2020	Regular	0.00	32.99	116403
4648	TRI-COUNTY NEWS	06/09/2020	Regular	0.00	48.00	116404
5733	VAST BROADBAND	06/09/2020	Regular	0.00	89.86	116405
4118	WALMART BUSINESS	06/09/2020	Regular	0.00	118.60	116406
6511	ZOOBEAN, INC	06/09/2020	Regular	0.00	949.00	116407

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	40	12	0.00	23,735.95
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	9	8	0.00	3,039.82
	49	21	0.00	26,775.77

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	6/2020	26,775.77
			<hr/>
			26,775.77

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
JUNE 10, 2020**

MEMBERS PRESENT: Edblom, Lee, and Carstens,

MEMBERS ABSENT: Fox and Schroeder

OTHERS PRESENT: Glenn Bayerkohler Jason Anderson and Ilya Gutman

1. Chairman Edblom asked for nominations for 2020/2021 officers. Lee nominated Edblom for Chairperson, seconded by Carstens. Lee nominated Carstens for Vice Chairperson, Edblom seconded. ALL VOTED IN FAVOR
2. The meeting was called to order by Chairman Edblom. He asked for the approval of the minutes of the April 15, 2020, regular meeting of the Marshall Planning Commission. Lee MADE A MOTION, SECOND BY Carstens, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION.
3. Gutman explained that a portion of the existing house is located right against the property line with no setback. The owner desires to add an entryway in front of the main entrance door, which is positioned in the wall that is set back from the front portion of the house. The new addition will not project past the front portion protruding to the property line. A house across Park Avenue is also located at the property line. Based on the above considerations and considering that the current house location is unique, and the new addition will not alter the neighborhood's essential character, staff believe a variance request is justified. Staff recommends approval to the City Council of the request by Trent and Becky White for a Variance Adjustment Permit for building an entry addition within required front yard. Trent White is available for questions. Lee MADE A MOTION, SECOND BY Carstens, to close the public hearing ALL VOTED IN FAVOR OF THE MOTION. Lee MADE A MOTION, SECOND BY Carstens to recommend to City Council an approval as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION.
4. Gutman advised this is a request by James R Swenson and Teah Swenson Marshall, MN to rezone 1111 Canoga Park Drive from R-2 One to Four Family Residential District to B-3 General Business District. The owner wants to use this lot for parking, together with two lots to the north, which are already zoned B-3 General Business District. Parking lot is a permitted use in a B-3 General Business District. Based on the Parking and Landscaping Ordinance, a fence or planting screen will be required along the south side of the property since it borders residential district. Staff recommends approval to the City Council of the request to rezone property at 1111 Canoga Park Drive from R-2 One to Four Family Residential District to B-3 General Business District. James Swenson said he would connect the sidewalk and the screen wall is already installed it is trees. Anderson confirmed it is a green fence. Lee asked if it will be gravel parking lot. Swenson said correct. Lee asked what the parking will be used for. Swenson stated it would be equipment and trucks. Bruce Knieff asked if that equipment and trucks would stay there all the time. Swenson said yes but the containers will go away. Lee MADE A MOTION, SECOND BY Carstens, to close the public hearing ALL VOTED IN FAVOR OF THE MOTION. Carstens MADE A MOTION, SECOND BY Lee to recommend to City Council an approval as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION.
5. Gutman said This is a request by Action Company, LLC, Marshall, MN to rezone 1209 and 1211 West Main Street from B-3 General Business District to I-2 General Industrial District. The owner

--UNAPPROVED --

wants to use this area for landscaping business that is not a permitted or conditional use in a business district and better fits into industrial district. Area to the north and west is already zoned industrial, as the area across West Main Street. Staff recommends approval to the City Council of the request to rezone properties at 1209 and 1211 West Main Street from B-3 General Business District to I-2 General Industrial District. Swenson said it will be reopened as a landscape company pending approval it will also be retail as well. Lee said it is good to have more business in that area. Lee MADE A MOTION, SECOND BY Carstens, to close the public hearing ALL VOTED IN FAVOR OF THE MOTION. Carstens MADE A MOTION, SECOND BY Lee to recommend to City Council an approval as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION.

6. Gutman discussed that there is currently a business owner interested in opening a butcher shop in Marshall. Part of his operations would involve some limited slaughtering of animals. Staff reviewed the Ordinance and determined that no district allows slaughtering operations either as a permitted or conditional use. Considering that this type of business is relatively common, it makes sense to add it to appropriate zoning districts. Since slaughtering may seem objectionable in some circumstances, it is added as a conditional use to retain some control. During the same review, it was determined that landscaping business is not listed in any of the zoning districts either. To correct this, it is suggested to add this type of use to general industrial district. Several other cities allow stockyards, including slaughtering, in industrial districts as a conditional use. Staff recommends the recommendation to the City Council approving the revisions amending Section 86104 – general business district and 86-106 limited industrial district by adding butcher shops with limited slaughtering as a conditional use, and 86-107 general industrial district by adding butcher shops and meat processing plants as a conditional use and landscaping business as a permitted use as proposed by staff. Carstens asked what limited is. Gutman explained there is no set definition; that is why a Conditional Use Permit is required where the commission and council can set the conditions on individual bases. Edblom said he is concerned that if we have 2 or 3 individuals over the next year or two and then we must look back to the planning commission to see what limited is, how many a week. Gutman informed there is no specific number because different areas of town may justify different numbers. It will be a discussion every time to determine what is appropriate for the location and the neighborhood. It would be difficult to set a number, and have it fit every location and every neighborhood. Bayerkohler said he is also concerned with the term limited. What about Turkey Valley was that grandfathered in. Also, when researching other cities, do they use the term limited? Gutman said, regarding Turkey Valley, his guess is at that time it was just industrial but now it is grandfathered in. Most cities do not use the term limited however he thought that having that term will allow individual discussion case by case. Anderson said it also sets the standard for discussion to set the amount. That is for live animal killing not a butcher shop. Edblom asked if it could be at County Fair. Anderson said yes by Conditional Use Permit. Knieff said he would like to see a butcher shop in town. Lee said she would too. Lee MADE A MOTION, SECOND BY Carstens to recommend to City Council an approval as recommend by staff. ALL VOTED IN FAVOR OF THE MOTION.
7. A MOTION WAS MADE BY Lee, SECOND BY Carstens to adjourn the meeting. ALL VOTED IN FAVOR. Chairman Edblom declared the meeting adjourned.

Respectfully submitted,
Chris DeVos, Recording Secretary



BUILDING PERMIT LIST

June 23, 2020

APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION
SAHLSTROM'S HEATING, COOLING & REFR	121 G ST	HVAC	4,700.00
SOUTHWESTERN CENTER FOR INDEPENDENT	508 LYON ST W	DECK	6,300.00
CHAUNCEY WELVAERT CONSTRUCTION	1509 WESTWOOD DR	RE-ROOFING	14,300.00
INDEPENDENT SCHOOL DIST #413	1300 LYON ST E	INTERIOR REMODEL	4,200.00
REDDING, PAUL D	120 REDWOOD ST E	OVERHEAD GARAGE DOOR	900.00
CATTOOR, JAY	817 MAIN ST W	DEMOLITION	2,500.00
MINNESOTA CABINETS, INC.	1402 RIDGEWAY RD	WINDOWS / DOORS	2,000.00
Scott Van Overbeke Construction LLC	101 WHITNEY ST S	RE-SIDING	8,000.00
Schrupp Contracting LLC	606 MARSHALL ST W	RE-ROOFING	13,000.00
BUMP, CHRISTINE MARIE	208 LYON ST E	RE-ROOFING	2,200.00
INDEPENDENT LUMBER OF MARSHALL, INC	611 CAMDEN DR	DOORS	2,400.00
MINNESOTA CABINETS, INC.	1300 ENGLEWOOD RD	INTERIOR & EXTERIOR REMC	10,000.00
JEFF GLADIS CONSTRUCTION	720 KOSSUTH AVE	INTERIOR REMODEL	12,000.00
MERCIE, CURTIS J	1103 HACKBERRY DR	EXTERIOR REMODEL	6,000.00
SCHAFFER, CRAIG D & DEBRA K	505 MARSHALL ST W	INTERIOR & EXTERIOR REMC	4,000.00
GESKE HOME IMPROVEMENT CO.	1200 ALAN AVE	Windows	6,000.00
LANOUE, KEVIN P & DARNELL L	102 GRAY PL	RE-ROOFING	12,000.00
KEVIN LANOUE CONSTRUCTION LLC	809 BRIAN ST	RE-ROOFING	17,000.00
DALLMANN, ABBY & ANDREW	200 WHITNEY ST S	EXTERIOR REMODEL	17,500.00
GESKE HOME IMPROVEMENT CO.	205 SOUTHVIEW DR W	DOORS	600.00
GESKE HOME IMPROVEMENT CO.	1105 DAVID DR	Windows	4,200.00
GESKE HOME IMPROVEMENT CO.	403 MINNESOTA ST N	Windows	3,600.00
GESKE HOME IMPROVEMENT CO.	606 SARATOGA ST S	WINDOWS / DOORS	7,200.00
GESKE HOME IMPROVEMENT CO.	1205 HORIZON DR	Windows	4,200.00
GESKE HOME IMPROVEMENT CO.	203 4TH ST S	Windows	600.00
GESKE HOME IMPROVEMENT CO.	129 F ST	Windows	5,400.00
GESKE HOME IMPROVEMENT CO.	521 VIPER CIR	DOORS	1,200.00
Item 21. HOME IMPROVEMENT CO.	704 ADOBE RD	DOORS	



PLUMBING PERMIT LIST
June 23, 2020

APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION
MINNWEST PLUMBING & HEATING, INC.	1001 4TH ST S	NEW BUILDING	0.00
HEARTLAND MECHANICAL, INC.	404 ELIZABETH ST	NEW BUILDING	0.00

Upcoming Meetings

June

- 6/23 Work Session, 4:00 PM, MERIT Center
 - Marshall College Drive Project, MnDOT
 - 6/23 Regular Meeting, 5:30 PM, MERIT Center
-

July

- 7/14 Work Session, 4:30 PM, MERIT Center
 - Budget Work Session #1
 - 7/14 Regular Meeting, 5:30 PM, MERIT Center
 - 7/28 Work Session, 4:30 PM, MERIT Center
 - Budget Work Session #2
 - 7/28 Regular Meeting, 5:30 PM, MERIT Center
-

August

- 8/11 Regular Meeting, 4:00 PM, MERIT Center ****Election Day**Must Adjourn by 6:00 PM****
- 8/18 Work Session, 5:30 PM, MERIT Center
 - Budget Work Session #3
- 8/25 Work Session, 4:00 PM, MERIT Center
 - Budget Work Session #4
- 8/25 Regular Meeting, 5:30 PM, MERIT Center

2020 Regular Council Meeting Dates

2nd and 4th Tuesday of each month *Unless otherwise stated

5:30 P.M.

Professional Development Room - Marshall Middle School, 401 South Saratoga Street

January

1. January 14, 2020
2. January 28, 2020

February

1. February 11, 2020
2. February 25, 2020 – 4:00 P.M.¹

March

1. March 10, 2020
2. March 24, 2020

April

1. April 14, 2020
2. April 28, 2020

May

1. May 12, 2020
2. May 26, 2020

June

1. June 9, 2020
2. June 23, 2020

July

1. July 14, 2020
2. July 28, 2020

August

1. August 11, 2020 – 4:00 P.M.¹
2. August 25, 2020

September

1. September 8, 2020
2. September 22, 2020

October

1. October 13, 2020
2. October 27, 2020

November

1. November 10, 2020
2. November 24, 2020

December

1. December 8, 2020
2. December 22, 2020

2020 Uniform Election Dates

- February 11, 2020
- February 25, 2020 * *Precinct Caucus*
- March 3, 2020 * *Presidential Primary*
- April 14, 2020
- May 12, 2020
- August 11, 2020 * *Primary Election*
- November 3, 2020 * *General Election*

¹ 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 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.



MARSHALL

CULTIVATING THE BEST IN US

Authorities, Boards, Bureaus,
Commissions and Committees

CITY COUNCIL COMMITTEES

*All Council Committees meet on an as needed basis.

Equipment Review Committee

Glenn Bayerkohler
Craig Schafer- *Chairperson*
James Lozinski

Public Improvement/ Transportation Committee

Craig Schafer – *Chairperson*
Russ Labat
James Lozinski

Legislative & Ordinance Committee

Steven Meister
John DeCramer
Glenn Bayerkohler - *Chairperson*

Ways & Means Committee

John DeCramer - *Chairperson*
Russ Labat
Glenn Bayerkohler

Personnel Committee

Steven Meister
Craig Schafer
John DeCramer- *Chairperson*

Liaisons & Board Members on the City Boards & Commissions

- **Adult Community Center Commission** – James Lozinski
- **Airport Commission** – Craig Schafer
- **Charter Commission** – City Administrator & City Attorney, Dennis Simpson (No Council Liaisons)
- **Community Services Advisory Board** – Steven Meister
- **Convention & Visitors Bureau** – Russ Labat
- **Economic Development Authority** – Steven Meister & John DeCramer
- **Joint Law Enforcement Center Management Committee** – James Lozinski/Craig Schafer
- **Library Board** – Russ Labat
- **Marshall Area Transit Committee** – James Lozinski & Director of Public Works/ Engineer Jason Anderson
- **Marshall Municipal Utilities Commission** – John DeCramer
- **M.E.R.I.T. Center Commission** – Craig Schafer
- **Planning Commission** – Glenn Bayerkohler
- **Police Advisory Board** – Russ Labat
- **Public Housing Commission** – Glenn Bayerkohler

- **Southwest Minnesota Amateur Sports Commission** – Craig Schafer

Other Appointments:

- **City Council-County Board/Library Agreement & Operations** – Russ Labat & Bob Byrnes
- **Fire Relief Association** – Bob Byrnes & Finance Director, Karla Drown
- **Housing & Redevelopment Authority** – Mayor & City Council
- **Regional Development Commission** – Bob Byrnes
- **SW Minnesota Emergency Communication Board (ECB)**- Craig Schafer & Alternate Bob Byrnes

Authorities, Boards, Bureaus and Commissions

Adult Community Center Commission

Established: September 16, 1985, Ordinance 496, Second Series
Meetings: 2nd Wednesday of every month at 12:00 P.M.
Term: 3 years – two term limit
Members: 8 Members

Airport Commission

Established: February 18, 1952, Ordinance 371, Second Series
Meetings: 1st Tuesday of every month at 4:30 P.M.
Term: 3 years – two term limit
Members: 7

Cable Commission

Established: March 15, 1982, Ordinance 112, Second Series
Meetings: As needed
Term: 3 years – two term limit
Members: 5

Charter Commission

Established: October 5, 1936
Meetings: As needed
Term: 4 year terms
Members: 7 -15

Community Services Advisory Board

Established: February 20, 1996
Meetings: 1st Wednesday of the month at 9:00 A.M.
Term: 3 years – two term limit
Members: 12

Convention & Visitors Bureau

Established:
Meetings: 3rd Wednesday at 9:30 A.M.
Term: 3 years – two term limit
Members: 10

Economic Development Authority

Established: June 7, 1982, Resolution 562, Second Series
Meetings: 3rd Wednesday of every month at 12:00 P.M.
Term: 6 years – two term limit
Members: 7

Housing & Redevelopment Authority

Established: March 21, 1966, Resolution 819, First Series
Meetings: As needed
Term: 5 years – no term limit
Members: 7 (Councilmembers)

Library Board

Established: July 16, 1917,
Meetings: 2nd Monday of every month at 4:00 P.M.
Term: 3 years – two term limit
Members: 9

Marshall Municipal Utilities Commission

Established: April 18, 1932, Resolution 302, First Series
Meetings: 3rd Tuesday of every month at 4:30 P.M.
Term: 5 years – two term limit
Members: 5

M.E.R.I.T. Center Commission

Established: November 15, 2004, Ordinance 521,
Second Series
Meetings: 3rd Thurs. of every other month at 6:00 P.M.
Term: Variable
Members: 18 or less

Planning Commission

Established: May 4, 1959, Ordinance 418, Second Series
Meetings: 2nd Wednesday of every month at 5:30 P.M.
Term: 3 years – two term limit
Members: 7

Police Advisory Board

Established: April 4, 1940, Ordinance 630, Second
Series, Section 2-3 O.G. MN State Statutes 419

Meetings: As needed
Term: 3 years – two term limit
Members: 3

Public Housing Commission

Established: March 28, 1983, Ordinance 436, Second
Series
Meetings: 2nd Monday of every month at 3:30 P.M.
Term: 5 years – two term limit
Members: 5

Southwest Minnesota Regional Amateur Sports Commission

Established: October 21, 2008
Meetings: 2nd Tuesday of every month at 12:00 Noon