



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

**Tuesday, August 10, 2021 at 5:30 PM**  
**City Hall, 344 West Main Street**

**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 July 27, 2021.

**PUBLIC HEARING**

3. Alley between South Bruce Street and South Minnesota Street - 1) Public Hearing on Resolution Granting Petition to Vacate Alley; 2) Consider Resolution Granting Petition to Vacate Alley; 3) Grant of Utility Easement.

**AWARD OF BIDS**

4. Project Z84: Legion Field Park River Stabilization Project – Consider Award of Bid.  
5. Authorize City Staff to Award Quotes for Curb & Gutter Replacement.

**CONSENT AGENDA**

6. Call for a Public Hearing Regarding Proposed Property Tax Abatement at 308 Athens.  
7. Introduction of Amendment to Purchasing Ordinance.  
8. Wastewater Treatment Facilities Improvement Project – 1) Consider Application for Payment No. 25 to Magney Construction, Inc.; 2) Consider Payment of Invoice 0272547 to Bolton & Menk, Inc.  
9. Consider approval of the sale of alcoholic beverages at the Independence Park shelter in coordination with Relay for Life.  
10. Consider the Resolution certifying unpaid fire service charges.  
11. Consider a resolution calling for a public hearing on the proposed assessments for ice, snow and weed elimination.  
12. Consider approval of a Temporary On-Sale Intoxicating Liquor Licenses for the Convention and Visitors Bureau.  
13. Amendment to current MOU with SMSU related to reporting of sexual assaults to local law enforcement agency.  
14. Consider authorization to declare vehicle as surplus property for the Marshall Police Department.  
15. Consider approval of the bills/project payments.

**APPROVAL OF ITEMS PULLED FROM CONSENT**

**NEW BUSINESS**

16. Project Z75/SAP 139-124-004: South 4<sup>th</sup> Street Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment. 2) Resolution for Hearing on Proposed Assessment.  
17. Project Z76: South 1<sup>st</sup> Street Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment. 2) Resolution for Hearing on Proposed Assessment.  
18. Independence Park Projects – 1) Project PK-001: Trail Replacement Project - Consider Authorization to Advertise for Bids; 2) Stormwater Pond Expansion – Consider Acceptance of Proposal from Bolton & Menk, Inc.

**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.**

- [19.](#) Consider the Resolution ordering the abatement of several hazardous buildings located in the Broadmoor Valley Mobile Home Park in the city of Marshall, Minnesota.
- [20.](#) Call for a Public Hearing Regarding Proposed Property Tax Abatement at 310 Athens.
- [21.](#) Call for a Public Hearing Regarding Proposed Property Tax Abatement at 505 Darlene Dr.
- [22.](#) Consider Appointments to Various City Boards, Commissions, and Authorities.

**COUNCIL REPORTS**

- [23.](#) Commission/Board Liaison Reports
- 24. Councilmember Individual Items

**STAFF REPORTS**

- 25. City Administrator
- 26. Director of Public Works
- 27. City Attorney

**ADMINISTRATIVE REPORTS**

- [28.](#) Administrative Brief

**INFORMATION ONLY**

- [29.](#) Information Only

**MEETINGS**

- [30.](#) Upcoming Meetings

**ADJOURN**

# RULES OF CONDUCT

- You may follow the meeting online – [www.ci.marshall.mn.us](http://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

<b>Meeting Date:</b>	Tuesday, July 27, 2021
<b>Category:</b>	APPROVAL OF MINUTES
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of the minutes of the regular meeting held on July 27, 2021.
<b>Background Information:</b>	Enclosed are the minutes from the regular meeting held on July 27, 2021.
<b>Fiscal Impact:</b>	None
<b>Alternative/ Variations:</b>	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk Kyle Box, prior to the meeting.
<b>Recommendations:</b>	That the minutes of the regular meeting held on July 27, 2021 be approved as filed with each member and that the reading of the same be waived.



**CITY OF MARSHALL  
CITY COUNCIL MEETING  
M I N U T E S  
Tuesday, July 27, 2021**

The regular meeting of the Common Council of the City of Marshall was held July 27, 2021, at City Hall, 344 West Main Street. The meeting was called to order at 5:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Don Edblom, John DeCramer, Russ Labat and James Lozinski. Absent: Craig Schafer and Steve Meister. 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; Lauren Deutz, Economic Development Director; Eric Luther, Tall Grass Liquor Store Manager, Jim Marshall; Director of Public Safety; Quentin Brunsvold, Fire Chief and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

There was a general consensus to operate under the current agenda.

**Consider approval of the minutes of the work session and regular meeting held on July 13, 2021.**

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer That the minutes of the work session and regular meeting held on July 13, 2021 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 Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

**504 Elizabeth St.– 1) Public Hearing regarding a home property tax abatement request 2) Consideration of a resolution approving home property tax abatement.**

On July 13, 2021 a public hearing was called for and to be held on July 27, 2021 regarding a home property tax abatement request. Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement. The property is located at 504 Elizabeth St. with an estimated market value of \$249,500.00 and with the difference of improvement being \$216,700.00. The approximate amount of assistance is \$1,269 a year or \$2,538 over a maximum period of 2 years as a Homestead.

City Clerk, Kyle Box provided the background information on the agenda item.

Motion made by Councilmember Labat, Seconded by Councilmember Lozinski to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Motion made by Councilmember Labat, Seconded by Councilmember DeCramer To approve Resolution Number, 21-049 resolution approving home property tax abatement. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

### **Suite Liv'n Tax Increment Financing Public Hearing and Resolution Adoption**

Gabe Olson, owner of L2C LLC (Suite Liv'n) has applied for Tax Increment Financing to develop two, 24-unit workforce apartment buildings located at 406 Village Drive and 501 Village Drive.

L2C LLC is co-owned by Olson and his business partner, Jeff Huston who also co-own Suite Liv'n, the property management company that is responsible for managing the apartments. L2C LLC purchased its first property in Marshall in 2018 and now owns approximately 350 units within the city.

Estimated project costs for the development both units are \$6.2 million with construction anticipated to begin in Spring of 2022. The proposed project would include 32 one-bedroom units and 16 two-bedroom units. The proposed development would include 40% of dwelling units affordable to household earning 60% or less of the area median income.

The development would also help meet the goals of the City of Marshall's new Housing Study which is nearing completion. The study draft indicates a need for 124 new market rate rental housing units, 75 shallow-subsidy units and 128 deep-subsidy units through 2030. Proposed rental rates for the project range from \$700 - \$900. (Housing Study Draft Executive Study included in packet).

Olson originally requested 25 years of TIF for the project but following review from Baker Tilley, staff is requesting a 12-year, Pay-Go TIF Plan which would equate to \$460,000 in payments.

Staff is currently working with Kennedy and Graven on a Development Agreement for the project and will bring that forth for approval in August.

City Administrator Sharon Hanson introduced the agenda item and Economic Development Authority Director, Lauren Deutz to provide the background information.

Director Deutz presented the background information on the TIF request via PowerPoint.

Councilmember DeCramer asked for clarification on the low-income requirements for the project in that do they extend the full length of 15 years or expire at 12 years when the TIF agreement is complete. Director Deutz commented that the low-income requirements will expire at 12 years when the TIF agreement is completed, and the district is decertified.

James Carr, resident of Marshall provided his concerns regarding the stewardship with the existing buildings owned by this company. Carr discussed the conditions of the parking lots and offered the suggestion that it will be a tough project.

Mayor Byrnes asked Director Deutz to address the forthcoming Development Agreement. Deutz added that there will be a maintenance clause in the agreement.

Councilmember Lozinski agreed with James Carr in regard to the condition of the existing buildings. Member Lozinski commented that the residents of an existing building owned by this developer in Marshall go without water on a regular business. Lozinski said that they should review the Development Agreement prior to establishing a TIF district.

Director Deutz added it was staff's intent to establish the TIF district prior to the Development Agreement to make sure all concerns were addressed in the Agreement.

Councilmember Labat commented on the garbage and weeds around the properties are unacceptable and should be cleaned up.

Gabe Olson, Suite Liv'n discussed the direction this project and the benefit it can bring the city. Mr. Olson addressed the weeds and grounds keeping maintenance surrounding the properties. Mr. Olson said that it was being addressed today and they are seeking to outsource the mowing moving forward.

Mr. Olson commented on the struggles with COVID-19, quarantine, and troubles finding help. Mr. Olson commented that tens of millions of dollars into Marshall over the last three years and unexpected challenges his company has faced.

Motion made by Councilmember DeCramer, Seconded by Councilmember Lozinski to close the public hearing. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Motion made by Councilmember DeCramer, Seconded by Councilmember Edblom to approve Resolution Number 21-050, a resolution approving establishment of Project Area No. 6 and a Project Plan therefor; approving establishment of Tax Increment Financing (Housing) District No. 6.1 and a Tax Increment Financing Plan, therefore. Voting Yea: Mayor Byrnes, Councilmember Edblom, Councilmember DeCramer. Voting Nay: Councilmember Schafer, Councilmember Meister, Councilmember Labat, Councilmember Lozinski. The motion **Failed. 3-4**

Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to table the agenda item until a development agreement is presented to review the maintenance language. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

#### **Consider Approval of the Consent Agenda.**

Councilmember Meister requested that item number 5, Vacation of Alley between South Bruce Street and South Minnesota Street -- Receive Petition and Call for Public Hearing, to be removed in order to abstain.

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

Approval of the Wastewater Treatment Facilities Improvement Project – Consider Payment of Invoice 012921 to American Engineering Testing, Inc.

Approval for Project Z87: Diversion Channel Maintenance Project – Consider Authorization to Advertise for Bids.

Approval of the bills/project payments

#### **Vacation of Alley between South Bruce Street and South Minnesota Street -- Receive Petition and Call for Public Hearing.**

A signed petition for vacation of an alley has been received from the owners of all the real property that includes the proposed area for utility easement. Prior to the public hearing and adoption of the resolution granting a petition for vacation, all utility companies will be contacted to ensure no utilities are currently within the proposed vacated area.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council acknowledge receipt of the petition to vacate an alley, order the petition to be filed for record with the City Administrator, order hearing on such petition, and set the hearing date for August 10, 2021. Voting Yea: Mayor Byrnes, Councilmember

Schafer, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski.  
Voting Abstaining: Councilmember Meister. The motion **Passed. 6-0-1**

### **Tall Grass Liquor Annual Report**

Eric Luther, Tall Grass Liquor Manager provided an annual report of Tall Grass Liquor's operations.

### **Consider Purchasing Policy Changes**

Over the past few months staff have been working on updating the current purchasing policy. This document hasn't been updated since 2011 and has been long overdue (updates in 2016 only addressed title changes). Included in the council packet is the current policy, a redline version, and a clean updated policy version. There are many proposed changes, and a summary of the major changes are below.

Major changes include:

- The day-to-day procedures have been taken out to be included in an internal procedure's manual. Day-to-day procedures change more frequently than policy reviews are done and to ensure compliance with documented internal controls, procedures are fluid documents that are updated frequently throughout the year.
- The Uniform Contracting Law was updated to mirror State Statue.
- The Change Order Administrative Procedure was added to the policy.
- The Electronic Bidding Policy was added to the policy.
- The Withholding Certificates section was added to the policy as this is a current practice prior to issuing final payments to contractors IC134 are required.
- The Wastewater Spending Authority exemption was added to the policy to ensure that the necessary spending to have continuity of operations. Disruptions in the wastewater plant could cause negative impacts to the community without this exemption.
- The purchasing card section was added to offer more efficient payment methods to departments.
- The Professional Services amount was changed from 5,000 to 25,000 as professional services has expanded and increased in cost over the past 10 years. This amount brings the threshold into more realistic values and in line with overall spending authority.

Also included in the packet is a summary of information that was gathered from comparable cities on their purchasing policy limits. The Ways and Means Committee met on July 21st to review the current proposed changes. The committee recommended the policy go to the full council for consideration.

Motion made by Councilmember DeCramer, Seconded by Councilmember Edblom to approve the policy changes. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Meister, Councilmember Labat. The motion **Passed. 5-2**

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

Byrnes            No Report

Schafer           MERIT Center Commission reviewed adjustments and operational changes and upgrades to the facility.

Meister           No Report

Edblom           Planning Commission met and reviewed on the council item at this meeting.

DeCramer      Marshall Municipal Utilities met acknowledge the retirement announcement of Electrical Department Supervisor Steve Johnson after 38 years of service. DeCramer commented that the water plant is expected to be completed August 18 and that the community should be aware of the odd/ even watering restrictions during this drought.

Economic Development Authority met and reviewed the TIF action item on this meeting's agenda. The EDA also revisited the sale of empty lots owned by Schwan's near the Red Baron Arena.

Diversity, Equity, and Inclusion Commission met discussed a Welcoming Week event scheduled for September 18 along with a World Café Event.

Labat      Convention and Visitors Bureau met and discussed the potential application from the Marshall A's and Milroy Yankee's to host the State Amateur Baseball tournament in either 2024 or 2025. CVB offices are continuing to move offices to the Red Baron Arena and are reviewing sponsorships at the Arena.

Lozinski      No Report

#### **Councilmember Individual Items**

Councilmember Labat discussed the enforcement of junk ordinances within the City.

Councilmember DeCramer mention that a dog watering facets are being looked into for installation at City parks.

Councilmember Meister acknowledge the City's Diversity, Equity, and Inclusion Commission's work and reminded everyone to not discriminate against others but to get to know a person and understand their story.

#### **City Administrator**

City Administrator Sharon Hanson introduced Director of Administrative Services Annette Storm to provide an update on the 2022 budget. Director Storm provided a timeline of upcoming budget work session.

#### **Director of Public Works**

Director of Public Works/ City Engineer Jason Anderson provided an update on construction projects in the City. Some local projects are beginning to come to an end. Director Anderson commented that there are two public input session happening August 2 and August 9 to discussed two future projects.

#### **City Attorney**

City Attorney Dennis Simpson provided an update on various items his office is working on including the sponsorship agreements for the Red Baron Arena, the closing of city property for Border States Electric and Best Topsoil. Simpson also commented on ongoing review of protentional storage facilities that may be purchased by the City.

#### **Information Only**

There were no questions on the information items.

**Conduct a closed session pursuant to Minnesota Statutes, section 13D.05, subdivision 3(b) to engage in an attorney-client privileged discussion with the City's attorneys regarding potential legal action and code enforcement at Broadmoor Valley Mobile Home Park.**

At 7:00 P.M., Motion made by Councilmember Edblom, Seconded by Councilmember Schafer The city council needs to hold a closed session with the City's attorneys to discuss potential legal action and code enforcement regarding Broadmoor Valley Mobile Home Park. The City has a need to engage in a privileged discussion to obtain confidential legal advice, evaluate the case, and discuss litigation strategy in order to protect the interests of the City and its taxpayers.

Therefore, I make a motion to go into closed session pursuant to Minnesota Statutes, section 13D.05, subdivision 3(b) for an attorney-client privileged discussion regarding potential legal action and code enforcement regarding Broadmoor Valley Mobile Home Park. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

At 7:45 P.M., the Council came out of closed session.

**Upcoming Meetings**

There were no questions on the upcoming meetings.

**Adjourn**

At 7:45 P.M., Motion made by Councilmember Meister, Seconded by Councilmember Edblom to adjourn. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Attest:

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Mayor

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City Clerk



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	PUBLIC HEARING
<b>Type:</b>	ACTION
<b>Subject:</b>	Alley between South Bruce Street and South Minnesota Street - 1) Public Hearing on Resolution Granting Petition to Vacate Alley; 2) Consider Resolution Granting Petition to Vacate Alley; 3) Grant of Utility Easement.
<b>Background Information:</b>	<p>A signed petition for vacation of an alley has been received from the owners of all the real property that includes the proposed area for vacation.</p> <p>A map of the petitioned vacation area is attached.</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.</p> <p>Attached for Council review and consideration is a Grant of Permanent Utility Easement over said vacated alley. MMU and Charter have permanent facilities located in this area where easement is proposed to be established.</p>
<b>Fiscal Impact:</b>	Property owner to reimburse the City for all costs associated with the vacation.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendation:</b>	<p>Recommendation No. 1 that the Council close the public hearing.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER 21-051, which is the Resolution Granting Petition to Vacate Alley.</p> <p>Recommendation No. 3 that the Council authorize execution of the attached Grant of Permanent Utility Easement over the eastern 7.5-ft of the vacated 16-ft. alley.</p>

**RESOLUTION NUMBER 21-051**

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

WHEREAS, a signed petition for vacation of an alley 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 in Exhibit A and shown on the map in Exhibit B, 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 August 10, 2021 before the City Council on such petition after due published and posted notice had been given on July 30, 2021, as well as personal notice mailed to affected property owners on July 30, 2021, 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 10<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
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 16-ft. alley located in Block Four, Morningside Heights Addition as platted in the City of Marshall, County of Lyon, State of Minnesota, as shown on Exhibit B.

The map shows Block 4 Morningside Heights Addition, bounded by East College Drive to the north, South Hill Street to the west, South Minneosta Street to the east, and Charles Avenue to the south. A 16.0' wide vacate alley runs north-south between South Minneosta Street and South Bruce Street. The block is divided into lots 1 through 10. Lot 1 is at the southeast corner, and lot 10 is at the northwest corner. The map also shows adjacent areas: Block Two Morningside to the west, Block Three Morningside to the west, Block Four Morningside to the east, Block Six Morningside to the south, and Block Seven Heights Addition to the south. A north arrow and a scale bar are located in the bottom left corner.

Not To Scale

**MARSHALL**

ENGINEERING DEPARTMENT  
344 WEST MAIN STREET  
MARSHALL, MINNESOTA  
56258

VACATE ALLEY / EXHIBIT B

DATE  
07/23/2021

SHEET NO.

BLOCK 4 MORNINGSIDE HEIGHTS  
ADDITION




## PETITION FOR VACATION OF ALLEY

Marshall, Minnesota  
July 2021

To the City Council of Marshall, Minnesota:

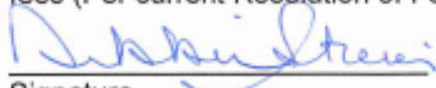
We, the undersigned, owners of all the real property abutting the alley as legally described on the attached Exhibit A and as shown on the attached map as Exhibit B, hereby petition that such alley be vacated.

It is also petitioned that the vacated alley be divided among the adjacent property owners equal to footage of the property adjacent to such vacation.

	PARCEL # / ADDRESS	OWNER(S)	OWNER(S) SIGNATURE(S)
1.	27-540034-0 106 So. Bruce St. 27-540035-0 104 So. Bruce St. 27-540036-0 102 So. Bruce St. 27-540037-0 100 So. Bruce St.	Avera Marshall Avera Marshall Avera Marshall Avera Marshall	
2.	27-540028-0 101 So. Minn. St. 27-540029-0 103 So. Minn. St. 27-540030-0 105 So. Minn. St. 27-540031-0 107 So. Minn. St.	Avera Marshall Avera Marshall Avera Marshall Avera Marshall	
3.	27-540032-0 601 Charles Ave. 27-540033-0 603 Charles Ave.	Avera Marshall Avera Marshall	
4.			
5.			

Purpose of Vacation: Remove City Alley

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).

  
Signature

Debbie Streier  
Printed Name

**received**  
07-16-2021  
Pd. Rev. # 4403

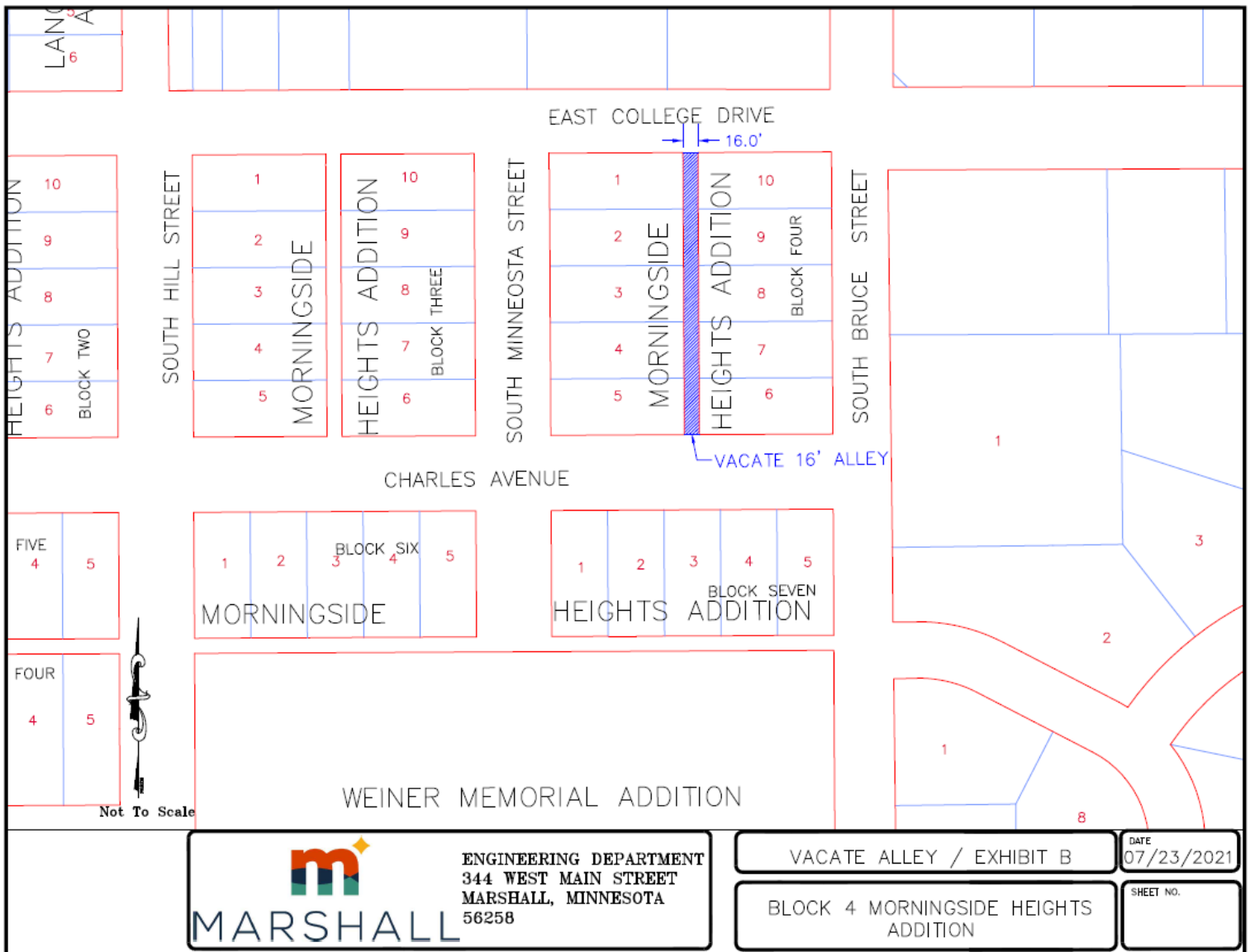
Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

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

## **EXHIBIT A**

The 16-ft. alley located in Block Four, Morningside Heights Addition as platted in the City of Marshall, County of Lyon, State of Minnesota, as shown on Exhibit B.

# EXHIBIT B



ENGINEERING DEPARTMENT  
344 WEST MAIN STREET  
MARSHALL, MINNESOTA  
56258

VACATE ALLEY / EXHIBIT B

BLOCK 4 MORNINGSIDE HEIGHTS  
ADDITION

DATE  
07/23/2021

SHEET NO.

**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)

### **GRANT OF PERMANENT UTILITY EASEMENT**

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by and between the following parties: Weiner Memorial Medical Center, Inc., a Minnesota non-profit corporation exempt from taxation under §501(c)(3) of the Internal Revenue Code; doing business as Avera Marshall Regional Medical Center (Avera Marshall) Grantor and the City of Marshall, a Minnesota Municipal Corporation under the laws of the State of Minnesota, Grantee as follows:

WHEREAS, Grantor is the fee owner of the property legally described in Exhibit A (the "Property"); and

WHEREAS, the City of Marshall wishes to obtain a permanent utility easement on the Property described herein and depicted in Exhibit B (the "Easement Area"); and

WHEREAS, Grantor, as owner of said Property and Easement Area, is hereby willing and able to grant said easement as requested.

THEREFORE, in consideration of sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Grantor gives and grants to the Grantee, its permitted successors and assigns, the right to enter upon and occupy property owned by the Grantor for a permanent utility easement over the eastern 7.5 feet of the vacated 16-ft. alley located in Block Four, Morningside Heights Addition as platted in the City of Marshall, County of Lyon, State of Minnesota. The described permanent easement is shown in Exhibit A and Exhibit B and referred to as the "Easement Area."
2. Grantor, its successors and assigns, gives and grants to Grantee, its successors and assigns, the right in perpetuity, to a permanent utility easement over the eastern 7.5 feet of the vacated 16-ft. alley located in Block Four, Morningside Heights Addition as platted in the City of Marshall, County of Lyon, State of Minnesota, within the Easement Area.
3. As an essential part of the consideration herein and by the acceptance of the grant of easement, said Grantee, its permitted successors and assigns, must restore and return said premises to substantially the same condition as said premises were prior to Grantee use of said easement area.

The Agreement herein as set-out, shall be construed as a covenant running with the remainder of the lands owned by the Grantor, and is binding upon said Grantor as the owner of said lands, and for Grantor, its successors and assigns, anyone claiming under them, or any of them, as owners or occupants thereof.





Grantee hereby agrees to be bound by the terms and conditions of the grant of this easement.

GRANTEE  
CITY OF MARSHALL

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

\_\_\_\_\_  
By: Kyle Box  
Its: City Clerk

STATE OF MINNESOTA     )  
                                          )ss.  
COUNTY OF LYON         )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Robert J. Byrnes and Kyle Box, the Mayor and City Clerk for the City of Marshall, a municipal corporation under the laws of State of Minnesota, on behalf of the corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

\_\_\_\_\_  
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

THIS INSTRUMENT WAS DRAFTED BY:

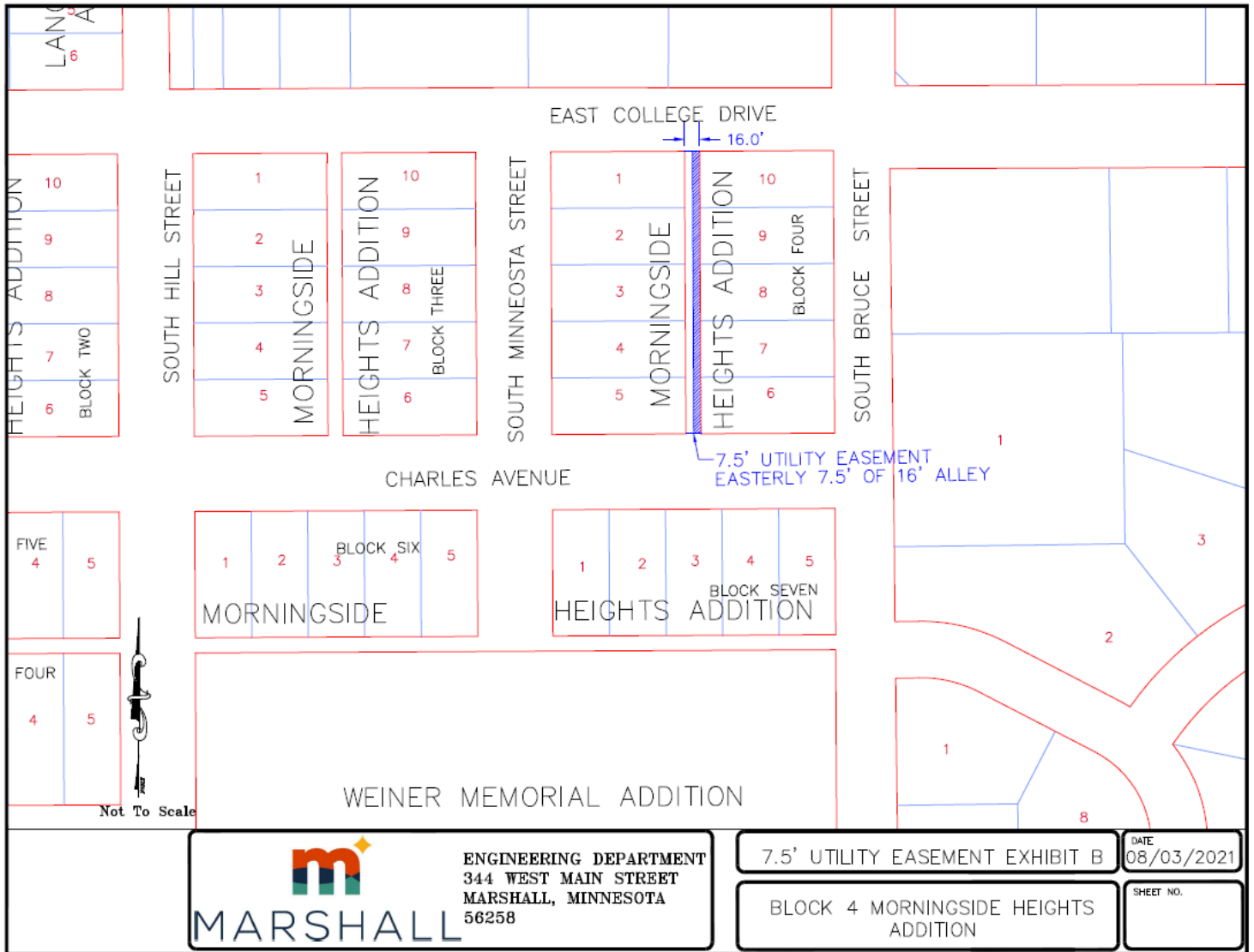
QUARNSTROM & DOERING, P.A.  
MARSHALL CITY ATTORNEY  
By: Dennis H. Simpson  
109 South Fourth Street  
Marshall, MN 56258  
(507) 537-1441

\*\*\* THE REMAINDER OF THIS PAGE HAS BEEN LEFT BLANK INTENTIONALLY \*\*\*

## EXHIBIT A

The eastern 7.5 feet of the vacated 16-ft. alley located in Block Four, Morningside Heights Addition as platted in the City of Marshall, County of Lyon, State of Minnesota, as shown on Exhibit B.

# EXHIBIT B



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	AWARD OF BIDS
<b>Type:</b>	ACTION
<b>Subject:</b>	Project Z84: Legion Field Park River Stabilization Project – Consider Award of Bid.
<b>Background Information:</b>	<p>The Redwood River enters the Legion Field Park area adjacent to the park shelter in the southwest portion of the park. Over the last several years, the riverbank has eroded several feet closer to the park shelter facilities. Currently, the riverbank has eroded immediately behind the water fill spigot and bituminous apron around the park shelter.</p> <p>City Engineering staff has identified a stabilization project to reclaim some of the lost riverbank and reinforce the bank with riprap rock. Staff originally budgeted \$100,000 to perform riverbank stabilization at this location and another location adjacent to the bike path on the east portion of the park near the city pool entrance road. Staff removed the stabilization adjacent to the bike path to coordinate stabilization needs with potential bike path relocation due to the future aquatic center design.</p> <p>At the July 13, 2021 meeting, City Council authorized staff to advertise for bids.</p> <p>On August 4, 2021, bids were received for the above-referenced project. Three bids were received as shown on the attached bid tabulation. The apparent low bidder is A&amp;C Excavating, LLC in the amount of \$37,163.50.</p>
<b>Fiscal Impact:</b>	<p>The project estimate was \$65,000, including contingency (10%) and engineering (16%) costs for this stabilization project. This project is identified in the 2021 CIP.</p> <p>Based on the bid results, the estimated total project cost, including 5% allowance for contingencies and 16% for engineering and administrative costs, is \$45,265.14.</p>
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendation:</b>	that the Council authorize award of the project to A&C Excavating, LLC of Marshall, Minnesota in the amount of \$37,163.50.

## BID TABULATION

### PROJECT Z84: LEGION FIELD PARK RIVER STABILIZATION PROJECT MARSHALL, MINNESOTA

ENGINEER'S ESTIMATE: \$52,612  
BID OPENING INFORMATION: August 4, 2021 / 10:00 AM (Local Time)

Page 1 of 1

NAME OF BIDDER	BID AMOUNT	COMMENTS
A&C Excavating, LLC Marshall, MN	\$37,163.50	Apparent Low Bidder
D&G Excavating, Inc. Marshall, MN	\$44,140.35	
Midwest Contracting, LLC Marshall, MN		
R&G Construction Co. Marshall, MN		
Towne & Country Excavating LLC Garvin, MN	\$38,345.00	

## CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, August 10, 2021			
Category:	AWARD OF BIDS			
Type:	ACTION			
Subject:	Authorize City Staff to Award Quotes for Curb & Gutter Replacement.			
Background Information:	<p>In 2021, the City Council authorized \$625,000 to be used for the annual City Mill and Overlay project of local city streets. As part of the project, some sections of curb and gutter are replaced to ensure proper drainage on the newly overlaid streets.</p> <p>This year’s project included the mill and overlay of the following local streets:</p> <p>London Road (Madrid Street to Channel Parkway) Athens Avenue (Madrid Street to Paris Road) Oslo Avenue (Madrid Street to Dublin Street) Rainbow Drive (Madrid Street to Paris Road) Parkside Drive (Lyon Street to Jewett Street) Woodland Way Garden Circle Baseline Drive (Nwakama Street to Clarice Avenue)</p> <p>At the February 23, 2021 City Council meeting, the City Council awarded the contract at \$580,564.28, with a maximum expenditure not to exceed \$625,000. The local mill and overlay project total costs have come in at approximately \$590,260. This is largely due to receiving very competitive bids, with the low bid being the best price of bituminous mix that we’ve seen in many years.</p> <p>At the July 13, 2021 City Council meeting, the City Council authorized City staff to receive quotes for additional curb and gutter replacement by utilizing the remaining \$34,740 of 2021 overlay project funds to complete curb and gutter replacement on routes that will likely be included in a 2022 mill and overlay project.</p> <p>Next year’s local mill and overlay project will likely include the following streets:</p> <table><tr><td>Westwood Drive Ridgeway Road Englewood Road Pinehurst Road Cumberland Road Adobe Road Adobe Circle Prospect Road Prospect Circle</td><td>Carlson Street Glen Street Peltier Street Simmons Street Tiger Drive Erie Avenue</td></tr></table>		Westwood Drive Ridgeway Road Englewood Road Pinehurst Road Cumberland Road Adobe Road Adobe Circle Prospect Road Prospect Circle	Carlson Street Glen Street Peltier Street Simmons Street Tiger Drive Erie Avenue
Westwood Drive Ridgeway Road Englewood Road Pinehurst Road Cumberland Road Adobe Road Adobe Circle Prospect Road Prospect Circle	Carlson Street Glen Street Peltier Street Simmons Street Tiger Drive Erie Avenue			

	<p>Two quotes were received as follows:</p> <table> <tr> <td>Hisken Construction, Inc. - Marshall, MN</td><td>\$43,798</td></tr> <tr> <td>Musch Construction, Inc. - Pipestone, MN</td><td>\$44,042</td></tr> </table> <p>The low quote was received from Hisken Construction, Inc. of Marshall, Minnesota. City staff would propose to reduce project quantities to ensure that expenditures do not exceed \$34,740.</p>	Hisken Construction, Inc. - Marshall, MN	\$43,798	Musch Construction, Inc. - Pipestone, MN	\$44,042
Hisken Construction, Inc. - Marshall, MN	\$43,798				
Musch Construction, Inc. - Pipestone, MN	\$44,042				
<b>Fiscal Impact:</b>	No impact beyond allocated 2021 budget of \$625,000 for mill and overlay project.				
<b>Alternative/ Variations:</b>	No alternative actions recommended.				
<b>Recommendation:</b>	that the Council award the quotes for additional curb and gutter work on next year's overlay routes to Hisken Construction, Inc. of Marshall, Minnesota, in an amount not to exceed \$34,740.00.				

## CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, August 10, 2021																				
Category:	CONSENT AGENDA																				
Type:	ACTION																				
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement at 308 Athens																				
Background Information:	<div>Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement.</div> <div><div>27-711049-0</div><div>Stanley &amp; Sandra Dopheide</div><div>308 Athens Ave</div></div> <table><thead><tr><th colspan="3">HOMESTEAD TAX RATE</th></tr></thead><tbody><tr><td>2021 prebuild raw land value</td><td>2021 post build total value</td><td>Difference of improvement</td></tr><tr><td>11,800</td><td>\$ 213,600.00</td><td>\$ 201,800.00</td></tr><tr><td>taxes @ 2021 rates</td><td>taxes @ 2021 rates</td><td></td></tr><tr><td>\$ 42.00</td><td>\$ 1,165.00</td><td>\$ 1,123.00</td></tr><tr><td colspan="3">city portion only</td></tr></tbody></table>			HOMESTEAD TAX RATE			2021 prebuild raw land value	2021 post build total value	Difference of improvement	11,800	\$ 213,600.00	\$ 201,800.00	taxes @ 2021 rates	taxes @ 2021 rates		\$ 42.00	\$ 1,165.00	\$ 1,123.00	city portion only		
HOMESTEAD TAX RATE																					
2021 prebuild raw land value	2021 post build total value	Difference of improvement																			
11,800	\$ 213,600.00	\$ 201,800.00																			
taxes @ 2021 rates	taxes @ 2021 rates																				
\$ 42.00	\$ 1,165.00	\$ 1,123.00																			
city portion only																					
Fiscal Impact:	NA																				
Alternative/ Variations:	NA																				
Recommendations:	To call for a public hearing for the proposed property tax abatement.																				



CITY OF MARSHALL  
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT  
FOR HOME TAX ABATEMENT APPLICANT STANLEY & SANDRA DOPHEIDE

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall Minnesota (the “City”), will hold a public hearing at a meeting of the Council beginning at 5:30 p.m., on August 24, 2021 to be held at City Hall, 344 West Main Street, in Marshall, Minnesota, on the request of Home Tax Abatement Applicant that the City abate a portion of property taxes levied by the City in connection with the construction house structure. The property is located within the City and is currently identified as Parcel No. 27-711049-0. The approximate amount of assistance is \$2,246 over a maximum period of 2 years. The City Council will consider granting a property tax abatement in response to the request.

Information about the proposed tax abatement will be on file and available for public inspection at the office of the City Clerk at City Hall.

All interested persons may appear at the public hearing and present their views orally or in writing. Following the public hearing, the City Council will take action concerning the adoption or rejection of the proposed tax abatement application.

August 10, 2021

Kyle Box  
City Clerk



MARSHALL

City of Marshall Tax Abatement Application

Application Review and Approval Process shall be followed as specified in Tax Abatement Policy as specified herein.

Property Information:

Location: 308 Athens Ave, Marshall

Access Road: Athens Ave.

Section: 5

Township: 111

Range: 41

Property Identification No.: 27-711049-0

Legal Description: Lot 10 Block 3 Parkway

Parcel Width (feet): Addition II

Length (feet): \_\_\_\_\_

Acres: \_\_\_\_\_

Applicant Information:

Applicant Name: Stanley J Dopheide

Phone: 507-401-3340

Mailing Address: 308 Athens Ave  
Marshall, MN 56258

Applicant Signature: Stanley Dopheide

Date: 7-26-2021

Owner Information:

Owner Name: Stanley J Dopheide

Phone: same

Mailing Address: same

Owner Signature: Stanley Dopheide

Contractors or Contract for Deed Holders – owner must sign the application.

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

Company Information:

Owner Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Location: \_\_\_\_\_

Type of Company: \_\_\_\_\_

Service Provided: \_\_\_\_\_

Please attach the following documentation:

- ☐ Map or site plan, prepared by an architect or engineer, showing the boundaries of the proposed development, the size and location of the building(s) and parking areas.
- ☐ Written narrative describing the project, the size and type of building(s), business type and use, traffic information (parking capacity, vehicle counts, traffic flow, pedestrian facilities), project timing, and estimated market value.
- ☐ A statement identifying the public benefits of the proposal, including estimated increase in property valuation, and other community benefits.
- ☐ Statement showing the private investment and any public investment dollars for the project
- ☐ Financial information including past performance and pro forma future projections for the project.
- ☐ Application Fee (please see City of Marshall Fee Schedule for current fee amount).
- ☐ Other information as requested.

**Return Completed Applications to:**

City Clerk  
City of Marshall  
344 West Main St.  
Marshall, MN 56258



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	INFO
<b>Subject:</b>	Introduction of Amendment to Purchasing Ordinance
<b>Background Information:</b>	<p>Staff are recommending the small change to the purchasing ordinance so the ordinance will be in conformity with the purchasing policy. By making the change from \$5,000 to reference the purchasing policy it will create efficiency allowing changes to the purchasing policy without needing to also change the ordinance.</p> <p>Discussion and action on the proposed change will come to Council on August 24<sup>th</sup>.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	Approve introduction to the amendments to the purchasing policy.

**Sec. 2-74. - Supervision of purchases and contracts.**

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

(a)

All city purchases and contracts shall be made or let by the city administrator, or his representative, when the amount of the purchase or contract does not exceed council approved purchasing policy and procedures \$5,000.00. All other purchases and expenditures shall be made and all other contracts let by the council after the recommendation of the city administrator has first been obtained. He shall be responsible for determining that all purchases, and contracts are necessary, legal, proper and reasonable.

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Wastewater Treatment Facilities Improvement Project – 1) Consider Application for Payment No. 25 to Magney Construction, Inc.; 2) Consider Payment of Invoice 0272547 to Bolton & Menk, Inc.
<b>Background Information:</b>	<p>Attached are invoices as follows for the above-referenced project:</p> <ol style="list-style-type: none"> <li>1) Application for Payment No. 25 to Magney Construction, Inc. of Chanhassen, Minnesota, in the amount of \$253,641.48</li> <li>2) Invoice 0272547 to Bolton &amp; Menk, Inc. of Mankato, Minnesota, in the amount of \$26,597.50</li> </ol> <p>As this project is financed with a Public Facilities Authority low interest loan through the State of Minnesota, pay applications are required to be placed on the City Council agenda for approval.</p>
<b>Fiscal Impact:</b>	This project is financed with a Public Facilities Authority low interest loan through the State of Minnesota.
<b>Alternative/Variations:</b>	No alternative actions recommended.
<b>Recommendations:</b>	<p>Recommendation No. 1 that the Council authorize Application for Payment No. 25, per the recommendation of the City's consultant, Bolton &amp; Menk, Inc., to Magney Construction, Inc. of Chanhassen, Minnesota, in the amount of \$253,641.48.</p> <p>Recommendation No. 2 that the Council authorize payment of Invoice 0272547 to Bolton &amp; Menk, Inc. of Mankato, Minnesota, in the amount of \$26,597.50.</p>



Real People. Real Solutions.

1960 Premier Drive  
Mankato, MN 56001-5900

Ph: (507) 625-4171  
Fax: (507) 625-4177  
Bolton-Menk.com

## MEMORANDUM

**Date:** August 2, 2021  
**To:** Bob Van Moer, Wastewater Treatment Superintendent  
**From:** Jon D. Peterson, P.E., Project Engineer  
**Subject:** Wastewater Treatment Facility Improvements – Magney Construction Inc.  
Pay Request No. 25  
City of Marshall, Minnesota  
Project No.: T22.115360

### INTRODUCTION

Pay Request No. 25 for the above-referenced project in the amount of \$253,641.48 is being submitted for approval.

### DISCUSSION

This pay application covers work completed on the project through July 31, 2021. The Contractor continues to work on replacement of aeration basin equipment, with work completed in the first three basins. Work on trickling filter pump station renovation continues, with the new pumps installed and operating. In addition, contractor has been working on project completion list items throughout the facility. We recommend approval of the attached Application for Payment No. 25.

### BUDGET IMPACT

This expenditure is part of the overall wastewater treatment facility improvements project and will be covered by the PFA loan proceeds.

### ACTION REQUESTED

Approve the attached pay request from Magney Construction Inc. in the total amount of \$253,641.48.



**Application for Payment No. 25**

To: The City of Marshall, MN

From: Magney Construction, Inc., 1401 Park Road, Chanhassen, MN 55317

Contract: \_\_\_\_\_

Project: Wastewater Treatment Facility Improvements

Owners Contract No. \_\_\_\_\_ Engineer's Project No. T22.115360

Date of this Invoice: 7/27/2021

Invoice Work Period: July 1-31, 2021

1) Original Contract amount	<u>\$14,074,300.00</u>
2) Change Orders to date	<u>\$0.00</u>
3) Revised Contract amount	<u>\$14,074,300.00</u>
4) Value completed to date	<u>\$13,837,588.72</u>
5) Materials stored on site	<u>\$0.00</u>
6) Total Earned to date	<u>\$13,837,588.72</u>
7) Amount retained	<u>\$691,879.44</u>
8) Amount previously paid	<u>\$12,892,067.80</u>
<b>Amount due this Payment</b>	<b><u>\$253,641.48</u></b>

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of work done under the Contract referred to above have been applied on account to discharge CONTRACTOR'S legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered 1 through 1 inclusive; (2) title of all work, materials and equipment incorporated in said Work otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all Liens, security interest or encumbrance (except such as are recovered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance by the Contract Documents and not defective.

**Magney Construction, Inc. (Contractor)**

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

Project Manager

**Payment of the above AMOUNT DUE THIS APPLICATION is recommended.**

Owner: City of Marshall Engineer: Bolton & Menk

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

Date: \_\_\_\_\_ Date: 8-2-21

Contractor: Magney Construction, Inc.  
 Owner: City of Marshall, MN  
 Project: Wastewater Treatment Facility Improvements  
 BMI Project No. T22.115360

Date of Application:  
 Work Completed Through:

# APPLICATION FOR PAYMENT SCHEDULE

	Pay Application #24	Scheduled	Work	Completed	Materials	Total	%	Balance
Spec.		Value	Previous	This	Presently	Completed &	Complete	To
Section	Description of Work		Application	Application	Stored	Stored to Date		Finish
0520	Bond & Insurance	\$ 168,892	168,892.00	0.00	0.00	168,892.00	100%	0.00
1000	Mobilization	\$ 696,545	545,926.00	145,000.00	0.00	690,926.00	99%	5,619.00
1010	Supervision & General Conditions	\$ 276,000	267,667.00	5,500.00	0.00	273,167.00	99%	2,833.00
1020	<b>General Construction Allowance</b>	<b>\$ 250,000</b>	235,723.63	5,040.00	0.00	240,763.63	96%	9,236.37
1021	<b>Building Permit Allowance</b>	<b>\$ 10,000</b>	7,499.38	0.00	0.00	7,499.38	75%	2,500.62
2060	Demolition of Existing WWTP Facilities:							
	Trickling Filter Pump Station Top	\$ 4,650	4,650.00	0.00	0.00	4,650.00	100%	0.00
	Trickling Filter Pump Station Pumps/Piping	\$ 3,480	3,480.00	0.00	0.00	3,480.00	100%	0.00
	Sludge Control Structure	\$ 13,540	13,540.00	0.00	0.00	13,540.00	100%	0.00
	Control Building Pumps and Piping	\$ 5,850	5,850.00	0.00	0.00	5,850.00	100%	0.00
	Blower Building Blowers and Piping	\$ 6,420	6,420.00	0.00	0.00	6,420.00	100%	0.00
	Trickling Filter Roof/Media/Rotary Distributor	\$ 62,460	62,460.00	0.00	0.00	62,460.00	100%	0.00
	Aeration Equipment and Piping	\$ 17,500	13,200.00	4,300.00	0.00	17,500.00	100%	0.00
	Intermediate Clarifier Equipment	\$ 26,417	26,417.00	0.00	0.00	26,417.00	100%	0.00
2140	Dewatering	\$ 19,555	19,555.00	0.00	0.00	19,555.00	100%	0.00
2210	Finish Grading	\$ 14,320	11,900.00	1,200.00	0.00	13,100.00	91%	1,220.00
2220	Structure Excavation - Final Clarifier and Splitter Box	\$ 71,200	71,200.00	0.00	0.00	71,200.00	100%	0.00
2221	Structure Excavation - Sludge Storage Structure	\$ 133,600	133,600.00	0.00	0.00	133,600.00	100%	0.00
2220A	Backfill of Structures - Final Clarifier and Splitter Box	\$ 91,500	91,500.00	0.00	0.00	91,500.00	100%	0.00
2221A	Backfill of Structures - Sludge Storage Structure	\$ 172,620	172,120.00	500.00	0.00	172,620.00	100%	0.00
2370	Erosion and Sediment Control	\$ 12,400	12,000.00	0.00	0.00	12,000.00	97%	400.00
2550	Site Utilities	\$ 565,333	565,333.00	0.00	0.00	565,333.00	100%	0.00
2551	Bypass Piping	\$ 49,504	46,500.00	3,004.00	0.00	49,504.00	100%	0.00
2600	Roads, Walks and Curbs	\$ 22,540	22,540.00	0.00	0.00	22,540.00	100%	0.00
2800	Fencing	\$ 12,200	12,200.00	0.00	0.00	12,200.00	100%	0.00
2920	Seeding	\$ 6,100	4,000.00	0.00	0.00	4,000.00	66%	2,100.00
3200	Rebar - Materials	\$ 678,400	678,400.00	0.00	0.00	678,400.00	100%	0.00
3201	Rebar - Labor	\$ 457,600	457,600.00	0.00	0.00	457,600.00	100%	0.00
3300	Concrete Work							
	Clarifier Splitter Structure	\$ 71,760	71,760.00	0.00	0.00	71,760.00	100%	0.00
	Final Clarifier	\$ 214,650	214,650.00	0.00	0.00	214,650.00	100%	0.00
	Control Structure	\$ 29,075	29,071.00	0.00	0.00	29,071.00	100%	4.00
	Sludge Storage Tank	\$ 2,180,839	2,180,839.00	0.00	0.00	2,180,839.00	100%	0.00
	Miscellaneous Concrete	\$ 1,860.00	1,860.00	0.00	0.00	1,860.00	100%	0.00
3410	Precast Double Tees	\$ 448,980	448,980.00	0.00	0.00	448,980.00	100%	0.00
3411	Precast Hollow Core Planks	W/Double Tees						

APPLICATION FOR PAYMENT SCHEDULE

Spec.	Pay Application #24	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
Section	Description of Work							
3460	Precast Non-Architectural Wall Panels	W/Double Tees						
5100	Structural Metals, Misc Metals and Handrail	\$ 456,850	456,850.00	0.00	0.00	456,850.00	100%	0.00
5500	Access Hatches	\$ 7,820	7,820.00	0.00	0.00	7,820.00	100%	0.00
7535	Fully Adhered Membrane Roofing & Sheet Metal	\$ 279,400	279,400.00	0.00	0.00	279,400.00	100%	0.00
7900	Joint Sealant	\$ 1,600	1,600.00	0.00	0.00	1,600.00	100%	0.00
8110	Hollow Metal Doors, Frames and Hardware	\$ 22,540	22,540.00	0.00	0.00	22,540.00	100%	0.00
9960	Painting	\$ 299,000	284,000.00	13,000.00	0.00	297,000.00	99%	2,000.00
10400	Identifying Devices	\$ 3,690	1,500.00	1,900.00	0.00	3,400.00	92%	290.00
11213	Vertical Non-Clog Solids Handling Pumps	\$ 212,600	212,600.00	0.00	0.00	212,600.00	100%	0.00
11214	Vertical Turbine Pumps	\$ 143,100	128,990.45	14,109.55	0.00	143,100.00	100%	0.00
11311	Submersible Centrifugal Pumps	\$ 17,400	17,400.00	0.00	0.00	17,400.00	100%	0.00
11312	Replace Vaughan Chopper Pump	\$ 36,400	36,400.00	0.00	0.00	36,400.00	100%	0.00
11316	Progressive Cavity Pumps	\$ 54,750	54,750.00	0.00	0.00	54,750.00	100%	0.00
11321	Grit Separation Equipment	\$ 96,560	96,560.00	0.00	0.00	96,560.00	100%	0.00
11351	Clarifier Equipment - Suction Type Clarifier	\$ 428,500	428,500.00	0.00	0.00	428,500.00	100%	0.00
11365	Gravity Actuated Rotary Distributor	\$ 135,840	135,840.00	0.00	0.00	135,840.00	100%	0.00
11366	Trickling Filter Media	\$ 345,600	345,600.00	0.00	0.00	345,600.00	100%	0.00
<b>11372</b>	<b>Blower Allowance</b>	<b>\$ 650,000</b>	<b>483,118.19</b>	<b>0.00</b>	<b>0.00</b>	<b>483,118.19</b>	<b>74%</b>	<b>166,881.81</b>
11372	Blower System (Positive Displacement w/ Enclosure)	\$ 4,630	4,630.00	0.00	0.00	4,630.00	100%	0.00
11374	Fine Pore Membrane Aeration Equipment	\$ 82,900	68,688.00	10,212.00	0.00	78,900.00	95%	4,000.00
11376	Hybrid Blower System	\$ 6,800	6,800.00	0.00	0.00	6,800.00	100%	0.00
13126	Circular Tank Covers	\$ 185,300	185,300.00	0.00	0.00	185,300.00	100%	0.00
13262	Long Term Storage Mixing System	\$ 266,500	266,500.00	0.00	0.00	266,500.00	100%	0.00
<b>13263</b>	<b>ATAD Equipment Replacement</b>	<b>\$ 140,000</b>	<b>140,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>140,000.00</b>	<b>100%</b>	<b>0.00</b>
13263	ATAD Equipment Installation	\$ 29,850	29,850.00	0.00	0.00	29,850.00	100%	0.00
13320	Blower Master Control Panel	\$ 900	900.00	0.00	0.00	900.00	100%	0.00
13890	Slide Gates	\$ 10,500	10,500.00	0.00	0.00	10,500.00	100%	0.00
13900	Fiberglass Baffles and Weir Plates	\$ 31,200	31,200.00	0.00	0.00	31,200.00	100%	0.00
14620	Portable Hoist	\$ 9,200	9,200.00	0.00	0.00	9,200.00	100%	0.00
15060	Process Piping - Materials	\$ 307,200	304,899.51	2,300.49	0.00	307,200.00	100%	0.00
15060	Process Piping - Labor	\$ 172,800	170,650.00	2,150.00	0.00	172,800.00	100%	0.00
15100	Valves - Materials	\$ 744,040	744,040.00	0.00	0.00	744,040.00	100%	0.00
15130	Gauges	\$ 1,600	1,600.00	0.00	0.00	1,600.00	100%	0.00
15140	Pipe Supports and Anchors	\$ 11,600	10,800.00	800.00	0.00	11,600.00	100%	0.00
15150	Stainless Steel Manways w/ Blind Flanges	\$ 34,500	34,500.00	0.00	0.00	34,500.00	100%	0.00
15250	Plumbing	\$ 14,800	14,800.00	0.00	0.00	14,800.00	100%	0.00
15500	HVAC	\$ 97,800	96,300.00	1,500.00	0.00	97,800.00	100%	0.00

Contractor: Magney Construction, Inc.  
 Owner: City of Marshall, MN  
 Project: Wastewater Treatment Facility Improvements  
 BMI Project No. T22.115360

Date of Application:  
 Work Completed Through:

# APPLICATION FOR PAYMENT SCHEDULE

	Pay Application #24	Scheduled	Work	Completed	Materials	Total	%	Balance
Spec.		Value	Previous	This	Presently	Completed &	Complete	To
Section	Description of Work		Application	Application	Stored	Stored to Date		Finish
16010	Electrical - Mobilization, Permits and Job Overhead	\$ 100,000	97,000.00	1,500.00	0.00	98,500.00	99%	1,500.00
16100	Basic Materials and Methods	\$ 260,575	260,575.00	0.00	0.00	260,575.00	100%	0.00
16150	Motors	\$ 20,000	19,300.00	700.00	0.00	20,000.00	100%	0.00
16400	Electrical Distribution	\$ 83,000	81,000.00	1,000.00	0.00	82,000.00	99%	1,000.00
16900	Starters and Motor Control Centers	\$ 463,000	463,000.00	0.00	0.00	463,000.00	100%	0.00
16950	Instrumentation and Controls	\$ 958,165	884,890.00	53,275.00	0.00	938,165.00	98%	20,000.00
<b>16990</b>	<b>Computer Allowance</b>	<b>\$ 50,000</b>	32,873.52	\$0.00	0.00	32,873.52	66%	17,126.48
	<b>Totals</b>	<b>14,074,300.00</b>	<b>13,570,597.68</b>	<b>266,991.04</b>	<b>0.00</b>	<b>13,837,588.72</b>	<b>98%</b>	<b>236,711.28</b>
		0.00						
	Original Contract amount		14,074,300.00					
	Change Orders to date		0.00					
	Revised Contract amount		14,074,300.00					
	Value completed to date		13,837,588.72					
	Materials stored on site		0.00					
	Total Earned to date		13,837,588.72					
	Amount retained		691,879.44					
	Amount previously paid		12,892,067.80					
	<b>Amount due this Payment</b>		<b>253,641.48</b>					


**BOLTON  
& MENK**

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 1960 Premier Drive | Mankato, MN 56001-5900  
 507-625-4171 | 507-625-4177 (fax)

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 To Ensure Proper Credit, Provide Invoice Numbers with Payment

 City of Marshall  
 Wastewater Treatment Facility  
 Bob Van Moer, Wastewater Superintendent  
 600 Erie Street  
 Marshall, MN 56258

July 19, 2021

 Project No: T22.115360  
 Invoice No: 0272547  
 Client Account: MARS

**Marshall/WWTF Improvements**

Marshall WWTF Improvement

Professional Services per Agreement from June 12, 2021 through July 9, 2021:

Construction Services (004)

**Professional Services**

	Hours	Amount
Project Management		
Principal	.50	107.50
Meetings/Hearing/Presentation		
Principal	72.00	13,680.00
Contract Admin/Construction Engineering		
Design Engineer	6.00	1,110.00
Construction Observation		
Senior Technician	55.50	8,602.50
Technician	27.50	2,452.50
O & M Manual		
Technician	6.00	450.00
Grant/Funding Application		
Specialist	1.50	195.00
Totals	169.00	26,597.50
<b>Total Labor</b>		<b>26,597.50</b>

**Billing Limits**

	Current	Prior	To-Date
Total Billings	26,597.50	603,806.98	630,404.48
Limit			900,000.00
Remaining			269,595.52

Total this Task \$26,597.50

Total this Invoice \$26,597.50

VENDOR # 0724  
 INVOICE # 0272547  
 \$ AMOUNT 26,597.50  
 DATE 7-19-21  
 ACCT & PROJ # 602-49500-55120 W13  
 DESCRIPTION WWTF Improv.  
 SIGNATURE [Signature]

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of the sale of alcoholic beverages at the Independence Park shelter in coordination with Relay for Life.
<b>Background Information:</b>	<p>Relay for Life has requested to serve intoxicating liquor at the Independence Park shelter in coordination with an event to raise funds that directly support the American Cancer Society. Brau Brothers will provide the beer at this event.</p> <p>This event is scheduled to take place on August 19, 2021 from 5:00 PM – 9:00 PM. 150 people are estimated to attend the event.</p>
<b>Fiscal Impact:</b>	\$30
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve the permit for Relay for Life/ Brau Brothers to serve intoxicating liquor at the Independence Park shelter on August 19, 2021 from 5:00 PM – 9:00 PM pending all requirements have been met.





# MARSHALL

CULTIVATING THE BEST IN US

Application  
Alcoholic Beverages at City-Owned Facilities and Parks  
License: \$30/Day

(All information requested is required.)

Name of Applicant/ Organization: Chanda Bossuyt / Relay for Life ACS

DBA Name (if different): \_\_\_\_\_

Address: 212 S. Chapman

City/State/Zip: Ghent, MN 56239

Description of Event: Funds raised through Relay for Life directly support the American Cancer Society

Estimated Attendance: 150 people Dates/Time of Event: 8/19 5:00-9:00

On-Sale Intoxicating Liquor License Holder: Bräu Brothers

Address: 1010 E Southview Dr.

City/State/Zip: Marshall, MN 56258

Phone Number: 507-929-2337

Required Submittals:

- A Certificate of Liability Insurance
- A Certificate of Compliance Minnesota Workers' Compensation Law form.
- A Completed Form SP:C1
- A Copy of the On-Sale Intoxicating Liquor License Issued by the City of Marshall
- A Consent of the Release of Information

I hereby submit this application for Alcoholic Beverages at City-Owned Facilities and Parks in accordance with the provisions stated in the ordinances of the City of Marshall.

Chanda Bossuyt  
Signature of Applicant

Chanda Bossuyt  
Name (printed)

8/2/2021  
Date

FEE PAID <u>X</u>	PERMIT	APPROVAL	Initials	Date
AMOUNT <u>\$30</u>	DATE <u>8-3-21</u>			
RECEIPT NO. _____				
CERT OF INS. REC'D <u>X</u>		CITY CLERK	<u>KJB</u>	<u>8-4-21</u>

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider the Resolution certifying unpaid fire service charges.
<b>Background Information:</b>	Please see attached statute and ordinance.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None Recommended
<b>Recommendations:</b>	To adopt Resolution Number 21-052, a resolution certifying unpaid fire service charges for collection with property taxes.



**RESOLUTION NUMBER 21-052**

**RESOLUTION DECLARING COSTS TO BE ASSESSED FOR EMERGENCY PROTECTION FIRE SERVICES**

WHEREAS, pursuant to City of Marshall City Code Section 34-7 (FEES FOR EMERGENCY PROTECTION FIRE SERVICES), said services have been provided, and

WHEREAS, said City Code and Minnesota Statutes provide for the assessment of the costs for emergency protection fire services to be assessed against the recipient if said recipient of the services owns real property for collection of property taxes, and

WHEREAS, the following is a list of recipients who have received emergency services and own real property, and the cost of said emergency services is set forth below:

Parcel Number	Property Owner	Property Address	Assessment Amount	Reason
09-020002-1	Vincent Cauwels	2457 250 <sup>th</sup> St. Marshall, MN 56258	\$1,000.00	Call for Service – Structure Fire
27-604128-0	Schierholz & Associates Inc.	119 Spruce Ave., Marshall, MN 56258	\$1,500.00	Call for Service – Structure Fire
27-603005-0	RA CHILDREN PROPERTIES LLC	1001 Pearl Ave., Marshall, MN 56258	\$750.00	Call for Service – Structure Fire
27-383006-0	Schwan's Sales Enterprise Inc	1500 State HWY 59 N	\$900.00	Call for Service – Vehicle Fire

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

1. The portion of the cost to be assessed against benefited property owner(s) is declared to be the amounts as set forth above.
2. Assessments shall be certified to the Lyon County Auditor/ Treasurer on or before October 15, 2021. The service charges shall be subject to the same penalties, interest, and other conditions provided for the collection of property taxes.

Passed and Adopted by the Council this 10<sup>th</sup> day August, 2021.

CITY OF MARSHALL

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

ATTEST:

\_\_\_\_\_  
Kyle Box  
City Clerk

**366.011 CHARGES FOR EMERGENCY SERVICES; COLLECTION.**

A town may impose a reasonable service charge for emergency services, including fire, rescue, medical, and related services provided by the town or contracted for by the town. If the service charge remains unpaid 30 days after a notice of delinquency is sent to the recipient of the service or the recipient's representative or estate, the town or its contractor on behalf of the town may use any lawful means allowed to a private party for the collection of an unsecured delinquent debt. The town may also use the authority of section 366.012 to collect unpaid service charges of this kind from delinquent recipients of services who are owners of taxable real property in the state.

The powers conferred by this section are in addition and supplemental to the powers conferred by any other law for a town to impose a service charge or assessment for a service provided by the town or contracted for by the town.

**History:** 1997 c 16 s 1; 2005 c 151 art 3 s 16

**366.012 COLLECTION OF UNPAID SERVICE CHARGES.**

If a town is authorized to impose a service charge for a governmental service provided by the town, the town board may certify to the county auditor of the county in which the recipient of the services owns real property, on or before October 15 for each year, any unpaid service charges which shall then be collected together with property taxes levied against the property. The county auditor shall remit to the town all service charges collected by the auditor on behalf of the town. A charge may be certified to the auditor only if, on or before September 15, the town has given written notice to the property owner of its intention to certify the charge to the auditor. The service charges shall be subject to the same penalties, interest, and other conditions provided for the collection of property taxes. This section is in addition to other law authorizing the collection of unpaid costs and service charges.

**History:** 1989 c 14 s 1; 2005 c 151 art 3 s 17

Sec 34-7. - Billing and collection.

- (a) Parties requesting and receiving fire services may be billed directly by the city. Additionally, if the party receiving fire services did not request services but a fire or other situation exists which, at the discretion of the fire department personnel in charge requires fire service, the party will be charged and billed. All parties will be billed whether or not the fire service is covered by insurance. Any billable amount of the fire charge not covered by a party's insurance remains a debt of the party receiving the fire service.
- (b) Parties billed for fire service will have 30 days to pay. If the fire service charge is not paid by that time, it will be considered delinquent and the city will send a notice of delinquency.
- (c) If the fire service charge remains unpaid for 30 days after this notice of delinquency is sent, the city will use all practical and reasonable legal means to collect the fire service charge. The party receiving fire service shall be liable for all collection costs incurred by the city including, but not limited to, reasonable attorney fees and court costs.
- (d) If the fire service charge remains unpaid for 30 days after the notice of delinquency is sent, the city council may also, on or before October 15 of each year, certify the unpaid fire service charge to the county auditor in which the recipient of the services owns real property for collection with property taxes. The county auditor is responsible for remitting to the city all charges collected on behalf of the city. The city must give the property owner notice of its intent to certify the unpaid fire service charge by September 15.
- (e) False alarms will be billed as a fire call.

(Ord. No. 739 2nd series, § 1, 9-10-2019)

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider a resolution calling for a public hearing on the proposed assessments for ice, snow and weed elimination.
<b>Background Information:</b>	<p>Pursuant to City of Marshall Code Section 62-2 (ice and snow on public sidewalks) and pursuant to City of Marshall Code Section 82-1 (grass and weeds on private property), said ice and snow or grass and weeds have been removed from various locations within the City.</p> <p>Minnesota Statute 429.101 does set forth the various types of City charges that can be assessed against property taxes pursuant to the special assessment process.</p> <p>Attached is a resolution declaring costs to be assessed for ice and snow removal and for weed elimination and ordering preparation of proposed assessments.</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To adopt the resolution Calling for a Public Hearing on the Proposed Assessment to be held on September 14, 2021 in the Council Chambers, City Hall Building located at 344 West Main Street at or after 5:30 P.M.

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

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

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

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

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

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

(Code 1976, § 7.04)

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

**RESOLUTION NUMBER 21-053**

**RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT**

WHEREAS, the City Clerk has prepared a proposed assessment of the costs of the City incurred bills for snow removal and weed elimination for various properties located in the City of Marshall:

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

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

1. A hearing shall be held on the 14<sup>th</sup> day of September, 2021 in the Council Chambers, City Hall Building located at 344 West Main Street at or after 5:30 P.M., to pass upon such proposed assessments, and at such time and place all persons owning property affected by such assessments will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessments to be published once in the official newspaper at least two weeks prior to the hearing and shall state in the notice the total cost of the individual assessments. The City Clerk shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment to the City of Marshall, except that no interest shall be charged if the entire assessment is paid. Such payment must be made before October 14, 2021 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the Common Council of the City of Marshall this 10<sup>th</sup> day of August, 2021.

ATTEST:

\_\_\_\_\_  
Mayor

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



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of a Temporary On-Sale Intoxicating Liquor Licenses for the Convention and Visitors Bureau.
<b>Background Information:</b>	Attached is an application for a Temporary On-Sale Liquor License for the Convention and Visitors Bureau to use at Legion Field on August 13, 14, and 15, 2021.
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	None recommended.
<b>Recommendations:</b>	To approve a Temporary On-Sale Liquor License for the Convention and Visitors Bureau to use at Legion Field on August 13, 14, and 15, 2021.



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
651-201-7507 Fax 651-297-5259 TTY 651-282-6555  
**APPLICATION AND PERMIT FOR A 1 DAY  
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date organized		Tax exempt number	
Marshall Convention & Visitor Bureau		8/4/21		[REDACTED]	
Address		City	State	Zip Code	
118 west college drive		Marshall	MN	56258	
Name of person making application		Business phone		Home phone	
Cassi Weiss		507-537-1865			
Date(s) of event		Type of organization <input type="checkbox"/> Microdistillery <input type="checkbox"/> Small Brewer			
August 13th - 15th 2021		<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit			
Organization officer's name		City	State	Zip Code	
Kelly Loft		Marshall	MN	56258	
Organization officer's name		City	State	Zip Code	
Lucas Tiets		Marshall	MN	56258	
Organization officer's name		City	State	Zip Code	
			MN		

Location where permit will be used. If an outdoor area, describe.  
Leigon Field Concession Stand Legion Field RD Marshall MN 56258

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Southwest Insurance Company  
2,000,000

**APPROVAL**

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Date Fee Paid	City or County E-mail Address
	City or County Phone Number
Signature City Clerk or County Official	Please Print Name of City Clerk or County Official

**CLERKS NOTICE:** Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

**ONE SUBMISSION PER EMAIL, APPLICATION ONLY.**  
**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Amendment to current MOU with SMSU related to reporting of sexual assaults to local law enforcement agency
<b>Background Information:</b>	<ul style="list-style-type: none"> <li>• Minnesota law requires all postsecondary institutions to enter into a memorandum of understanding with the primary local law enforcement agency that serve its campus. The memorandum delineates the responsibilities and requires information sharing, in accordance with applicable state and federal privacy laws, about certain crimes including, but not limited to, sexual assault.</li> <li>• The amendment to the existing MOU is renewing the effective date of the MOU to begin January 1<sup>st</sup>, 2022 and remain in effect for two years until December 31<sup>st</sup>, 2023</li> </ul>
<b>Fiscal Impact:</b>	None
<b>Alternative/ Variations:</b>	None
<b>Recommendations:</b>	Approve the renewing of the MOU between the City of Marshall and Southwest Minnesota State University.

## MEMORANDUM OF UNDERSTANDING

**THIS MEMORANDUM OF UNDERSTANDING** is made and entered into effective August 10, 2021, by and between the State of Minnesota by and through its Board of Trustees of the Minnesota State Colleges and Universities on behalf of Southwest Minnesota State University (“University”) and the City of Marshall, Minnesota (“City”)<sup>1</sup>. The City and the University may, from time to time herein, be collectively referred to as “the Parties.”

WHEREAS, the City and the University have a long history of cooperation regarding their shared mutual interests in a strong, safe, and vibrant community;

WHEREAS, the City has a department, the Marshall Police Department (PD), that is the principal law enforcement agency in the City of Marshall, Minnesota, that exercises such authority and jurisdiction granted by the laws of the State of Minnesota; and

WHEREAS, the Minnesota Legislature recently passed legislation, Minn. Stat. § 135A.15, 2015 Minn. Laws, Ch. 69, Art. 4, Sec. 2, addressing campus sexual assault that, among other things, requires postsecondary institutions and local law enforcement agencies to enter into a memorandum of understanding that delineates responsibilities and requires certain information sharing, in accordance with applicable state and federal privacy laws, about certain crimes.

WHEREAS, the recently passed legislation also requires that local law enforcement agencies cooperate with postsecondary institutions by entering into and honoring the memoranda of understanding required by the new legislation, Minn. Stat. §626.891, 2015 Minn. Laws, Ch. 69, Art. 4, Sec. 3.

WHEREAS, the University has an administrator that serves as the Title IX Coordinator and is responsible for investigating complaints of discrimination and sexual harassment, which includes sexual assault, domestic violence, dating violence and stalking;

WHEREAS, the City and the University agree that crime occurring on campus and in certain areas off campus is a serious problem that warrants the parties’ continued cooperation, collaboration, and communication, to the extent allowable under law, and further agree to assist crime victims and ensure appropriate prosecution of responsible persons when a crime affecting a University student or employee occurs in the City;

WHEREAS, in recognition of the University’s obligations under federal law and acknowledgment that the City may, but is not legally required to, provide information to the University, the purpose of this MOU is to acknowledge shared interests between the City and the University and to promote and maintain a continued, harmonious working relationship and cooperative effort between the parties. It is not intended to make one entity responsible or liable for the actions or omissions of any personnel from the other entity, and any such liability or responsibility is expressly denied by the parties; and

WHEREAS, the parties desire to further clarify how the parties may cooperate in the future in certain circumstances as more fully described herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. **Sexual Assault and other forms of Sexual Violence.** As set forth herein, the parties agree to confer and cooperate, to the extent permitted by law, regarding incidents of sexual violence involving a University student-victim or student-suspect. For purposes of this MOU sexual violence means a continuum of conduct that includes sexual assault, sexual battery, dating and relationship violence, stalking, as well as aiding acts of sexual violence. Nothing in this MOU shall be construed as requiring PD to share information with the College/University if PD reasonably believes that doing so would jeopardize its criminal investigation.
  - a. The University and PD will communicate regularly during their respective investigations, to the extent permitted by law. The parties recognize the need to balance the interests of the criminal process and the University's obligations under state and federal law.
  - b. If necessary to prevent interference with its criminal investigation, PD will provide the University a report of sexual violence involving a University student-victim. PD will provide University with the victim's name and basic information about the incident upon the written consent of the victim(s). In some cases, the University may need to take immediate interim action to protect the victim(s) and keep the campus safe. However, upon PD's request, University will delay taking action to the extent reasonably possible to prevent interference with the criminal investigation. Upon such notice by PD, the University will limit information regarding the incident to only those administrative units with a need to know to protect the campus community. In such cases, PD will notify University when it has completed its initial investigation and notification to the parties by University will not interfere with the criminal investigation.
  - c. When University receives a report of sexual violence, it will inform the victim of its coordination with PD and will make the victim aware of the victim's right to make a criminal report, if the victim desires. If the victim requests, the University will coordinate and assist the victim in contacting PD.
  - d. The University will provide PD with information regarding the University's administrative complaint process, protective measures, campus resources, and information provided to victims regarding preservation of evidence. PD agrees that its investigators will strive to provide this information to student-victims interviewed in cases involving sexual violence.
  - e. Upon request, the parties will provide one another with information and records to the extent allowed or required by law and in accordance with applicable policy.

2. **Domestic Violence and Stalking.** The University agrees to provide PD information (e.g., office name and contact information) about campus resources for victims of domestic violence and/or stalking. PD agrees that its investigators will strive to provide this information to student-victims as appropriate.
3. **Collection of Crime Statistics.** The University is required by federal law to collect and publish statistics for reports of certain crimes, including crimes that occur on and around campus. As part of that obligation, the University must request crime statistics from PD annually. PD agrees to cooperate with the University and undertake reasonable efforts to respond to the University's request for crime statistics.
4. **Emergency Notification and Crime Alerts.**
  - a. The parties acknowledge that the University is required by federal law to have an emergency notification process to alert the campus community about significant emergencies or dangerous situations that pose an immediate threat to the health or safety of students or employees occurring on campus. The University is also required by federal law to issue timely warnings to alert the campus community about crimes that pose a serious or continuing threat to safety when a crime is ongoing or may be repeated.
  - b. If PD is aware of a significant emergency, dangerous situation, or ongoing crime that poses an immediate threat to the health and safety of the University's students, faculty or staff, PD may notify the University so that the University can determine whether an emergency notification or timely warning should be issued by the University.
5. **Training.** The parties agree to collaborate to provide education and training opportunities of interest to the parties. Specific education and training opportunities will be separately agreed to by the parties, and may include the following.
  - a. The parties agree to share information about education and training opportunities that may be of interest to the other party and to share information from training sessions of mutual interest.
  - b. The University agrees to provide training to PD personnel regarding the University's obligations under federal law, including Title IX, to respond to incidents of sexual violence involving members of the University community. This training may include information about University policies and procedures, the differences between the University's administrative process and the criminal process, University resources, and other information that would be of value to PD.
  - c. PD agrees to provide training to University employees, including those with responsibility for investigating and responding to matters of sexual violence and

those providing support services to parties involved in matters of sexual violence on agreed upon topics such as preservation of evidence.

- d. Upon mutual agreement by the representatives of the parties who are coordinating an education or training program, the parties may extend invitations to community partners to participate in the program.
6. **Periodic Meetings.** The parties agree to meet at agreed upon times, or as otherwise agreed to by the parties, to discuss matters relating to this MOU, including:
- a. Critically evaluate and discuss the effectiveness of the cooperation of the parties pursuant to this MOU and identify areas for improvement;
  - b. Review and confirm the accuracy of the information contained on materials (such as the information sheet and victim resource card) handed out pursuant to this MOU; and
  - c. Discuss any other matters of importance to the parties.
7. **Term.** This MOU is effective on January 1, 2022 or upon the date the final required signature is obtained by University, whichever occurs later, and shall remain in effect until December 31, 2023. The parties shall endeavor to examine this MOU as the end date approaches to ensure compatibility and effectiveness with any changes in laws, policies, or circumstances.
8. **Termination.** Either party to the MOU may terminate it upon 30 days' prior written notice without necessity of demonstrating cause; provided, however, that either party may terminate this MOU immediately upon written notice to the other party in the event that such action is necessary for significant health or safety issues or to comply with applicable law.
9. **Modification.** This MOU may be modified only in a writing signed by both parties.
10. **Severability.** If any provision of this MOU is held by a court of competent jurisdiction to be illegal or unenforceable, the remaining provisions of this MOU shall not be affected and shall be read as if the MOU did not contain the particular provision held to be invalid, unless to do so would contravene the present valid and legal intent of the parties.
11. **Assignment.** Neither party may assign nor transfer any rights or obligations under this MOU without the prior written consent of the other party.
12. **Liability.** Each party is responsible for its own acts and behavior and the results thereof. College/University's liability is governed by the Minnesota Tort Claims Act, Minn. Stat. §3.736, and other applicable law.

13. **No Third Party Beneficiary.** This MOU is not intended to benefit any third party, nor shall any person who is not now or in the future a party hereto be entitled to enforce any of the rights or obligations of a party under this MOU.

14. **Government Data Practices Act.** The Parties must comply with the Minnesota Government Data Practice Act, Minnesota Statutes Chapter 13, as it applies to this MOU.

15. **Applicable Law.** This MOU shall be governed and interpreted in accordance with the laws of the State of Minnesota.

**IN WITNESS WHEREOF**, the undersigned hereto have executed this Memorandum of Understanding this 10<sup>th</sup> day of August, 2021.

THE CITY OF MARSHALL

SOUTHWEST MINNESOTA STATE UNIVERSITY

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## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider authorization to declare vehicle as surplus property for the Marshall Police Department.
<b>Background Information:</b>	This vehicle has been abandoned or seized by the Marshall Police Department and has gone through the notification processes and required periods for disposal.
<b>Fiscal Impact:</b>	This vehicle will be auctioned on-line at the state site, sold or will be taken to Alters for disposal.
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	That this vehicle be declared as surplus property by the City of Marshall.

20-9013	08 Ford Expedition	688 WCU	1FMFU16558LA69702	Forf (Co Atty)
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## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	CONSENT AGENDA
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider approval of the bills/project payments
<b>Background Information:</b>	Staff encourages the City Council Members to contact staff in advance of the meeting regarding these items if there are questions. Construction contract questions are encouraged to be directed to Director of Public Works, Jason Anderson at 537-6051 or Finance Director, Karla Drown at 537-6764
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	The following bills and project payments be authorized for payment.



Marshall, MN

# Council Check Report

By Vendor Name

Date Range: 07/28/2021 - 08/10/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
6825	A & B CONSTRUCTION LTD	08/06/2021	Regular	0.00	780.00	119511
5813	ACE HOME & HARDWARE	07/30/2021	Regular	0.00	122.74	119461
5813	ACE HOME & HARDWARE	08/06/2021	Regular	0.00	87.63	119512
6128	ACTION CO LLC	07/30/2021	EFT	0.00	440.60	7285
4971	ACTION FLAG CO.	07/30/2021	Regular	0.00	185.60	119462
4487	ADVANCED OPPORTUNITIES-WORKCOMPONENT	08/06/2021	Regular	0.00	154.05	119513
0560	AFSCME COUNCIL 65	07/30/2021	EFT	0.00	1,384.80	7286
6828	AG COUNTRY	08/06/2021	Regular	0.00	50.00	119514
6412	AG PLUS COOPERATIVE	07/30/2021	EFT	0.00	3,150.00	7287
6412	AG PLUS COOPERATIVE	08/06/2021	EFT	0.00	968.35	7333
0578	AMAZON CAPITAL SERVICES	07/30/2021	EFT	0.00	471.66	7288
0578	AMAZON CAPITAL SERVICES	08/06/2021	EFT	0.00	1,099.71	7334
0581	AMERICAN ENGINEERING TESTING INC	07/30/2021	EFT	0.00	364.50	7289
0581	AMERICAN ENGINEERING TESTING INC	08/06/2021	EFT	0.00	168.00	7335
0583	AMERICAN FAMILY LIFE ASSURANCE CO	07/30/2021	EFT	0.00	1,817.44	7290
5837	ANDERSON, JASON	08/06/2021	EFT	0.00	80.00	7336
0658	AP DESIGN	08/06/2021	EFT	0.00	1,222.60	7337
6721	AQUARIUS WATER CONDITIONING	08/06/2021	Regular	0.00	12.89	119515
0630	ARCTIC GLACIER	07/30/2021	Regular	0.00	456.63	119463
0630	ARCTIC GLACIER	08/06/2021	Regular	0.00	173.76	119516
0629	ARNOLD MOTOR SUPPLY	07/30/2021	Regular	0.00	14.48	119464
5447	ARTISAN BEER COMPANY	07/30/2021	Regular	0.00	250.55	119465
5447	ARTISAN BEER COMPANY	08/06/2021	Regular	0.00	656.95	119517
5327	BAUMANN, ADAM	08/06/2021	EFT	0.00	30.00	7338
0688	BELLBOY CORPORATION	08/06/2021	EFT	0.00	3,365.25	7339
0689	BEND RITE FABRICATION INC	07/30/2021	Regular	0.00	62.41	119466
0699	BEVERAGE WHOLESALERS	07/30/2021	Regular	0.00	28,335.86	119467
0699	BEVERAGE WHOLESALERS	08/06/2021	Regular	0.00	30,917.06	119518
0704	BIKE SHOP	08/06/2021	Regular	0.00	170.00	119520
5591	BORCHERT, STEVE	07/30/2021	Regular	0.00	224.00	119468
0018	BORDER STATES ELECTRIC SUPPLY	07/30/2021	EFT	0.00	266.43	7291
0018	BORDER STATES ELECTRIC SUPPLY	08/06/2021	EFT	0.00	197.39	7340
4506	BOT, JOSEPH	08/06/2021	EFT	0.00	696.00	7341
6231	BOX, KYLE	08/06/2021	EFT	0.00	30.00	7342
3829	BRAU BROTHERS	07/30/2021	Regular	0.00	72.00	119469
4457	BREAKTHRU BEVERAGE	07/30/2021	Regular	0.00	2,045.66	119470
4457	BREAKTHRU BEVERAGE	08/06/2021	Regular	0.00	6,586.12	119521
0741	BREMER INSURANCE - MARSHALL	07/30/2021	Regular	0.00	107.55	119471
3568	BRUNSVOLD, QUENTIN	08/06/2021	EFT	0.00	30.00	7343
0728	BUFFALO RIDGE CONCRETE,INC	07/30/2021	EFT	0.00	265.99	7292
0378	BUYSE, JASON	08/06/2021	EFT	0.00	30.00	7344
6744	C&L DISTRIBUTING	08/06/2021	Regular	0.00	350.00	119524
4236	C.E. SIGNS & DESIGNS	07/30/2021	Regular	0.00	64.82	119472
0380	CALLENS, DAVID	08/06/2021	EFT	0.00	30.00	7345
6798	CAMPION, MIKAYLA	08/06/2021	Regular	0.00	266.25	119525
6791	CAPITAL ONE	08/06/2021	Regular	0.00	803.28	119526
0815	CATTOOR OIL COMPANY INC	07/30/2021	EFT	0.00	9.78	7293
0815	CATTOOR OIL COMPANY INC	08/06/2021	EFT	0.00	1,705.48	7346
0818	CAUWELS, ROGER	08/06/2021	EFT	0.00	30.00	7347
3606	CBA LIGHTING & CONTROLS, INC	08/06/2021	Regular	0.00	971.30	119528
6823	CHARTER COMMUNICATIONS	07/30/2021	Regular	0.00	50.00	119473
6788	CORE DISTINCTION GROUP LLC	08/06/2021	Regular	0.00	4,000.00	119529
0384	COUDRON, DEAN	08/06/2021	EFT	0.00	30.00	7348
3819	DACOTAH PAPER CO	08/06/2021	EFT	0.00	43.61	7349

## Council Check Report

Date Range: 07/28/2021 - 08/10/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3819	DACOTAH PAPER CO	07/30/2021	Regular	0.00	1,968.78	119474
5031	DASH MEDICAL GLOVES, INC	07/30/2021	EFT	0.00	644.70	7294
6537	DEHN, JESSIE	08/06/2021	EFT	0.00	70.00	7350
6472	DEUTZ, LAUREN	08/06/2021	EFT	0.00	80.00	7351
0990	DIAMOND VOGEL, INC	07/30/2021	EFT	0.00	2,523.90	7295
5731	DOLL DISTRIBUTING	07/30/2021	EFT	0.00	17,495.20	7296
5731	DOLL DISTRIBUTING	08/06/2021	EFT	0.00	16,521.73	7352
4126	DOOM & CUYPER CONSTRUCTION	08/06/2021	EFT	0.00	310.53	7353
1020	DUININCK BROS., INC.	07/30/2021	EFT	0.00	5,525.90	7297
1020	DUININCK BROS., INC.	08/06/2021	EFT	0.00	6,522.45	7354
1035	ECOLAB PEST ELIMINATION SERVICES	07/30/2021	EFT	0.00	665.04	7298
1047	ELECTRIC PUMP INC	07/30/2021	EFT	0.00	1,122.41	7299
6700	EYEMED VISION CARE	07/30/2021	Regular	0.00	466.88	119475
1090	FASTENAL COMPANY	07/30/2021	EFT	0.00	58.04	7300
1090	FASTENAL COMPANY	08/06/2021	EFT	0.00	8.54	7355
6770	GALLAGHER BENEFIT SERVICES, INC	07/30/2021	Regular	0.00	2,706.25	119477
1167	GENESIS LAMP CORP.	08/06/2021	Regular	0.00	1,090.40	119530
6269	HANSON, SHARON	07/30/2021	EFT	0.00	109.98	7301
6269	HANSON, SHARON	08/06/2021	EFT	0.00	237.78	7356
1243	HARDWARE HANK	07/30/2021	EFT	0.00	51.97	7302
1247	HARTS HEATING & REFRIGERATION INC	08/06/2021	Regular	0.00	190.80	119531
1256	HAWKINS INC	08/06/2021	EFT	0.00	12,124.97	7357
1256	HAWKINS INC	07/30/2021	Regular	0.00	5,804.96	119478
6430	HEARTLAND ELECTRIC, INC	08/06/2021	Regular	0.00	406.85	119532
1267	HEIMAN INC.	08/06/2021	EFT	0.00	570.45	7358
1271	HENLE PRINTING COMPANY	08/06/2021	EFT	0.00	91.59	7359
6497	HITCHING POST OF MARSHALL INC	08/06/2021	Regular	0.00	800.00	119533
5515	HOFFMANN, RYAN	08/06/2021	EFT	0.00	30.00	7360
4885	HORIZON COMMERCIAL POOL SUPPLY	08/06/2021	EFT	0.00	7,519.66	7361
1325	ICMA RETIREMENT TRUST #300877	08/06/2021	Regular	0.00	50.00	119534
5546	INDIAN ISLAND WINERY	07/30/2021	Regular	0.00	146.40	119479
1358	INTERNAL REVENUE SERVICE	08/06/2021	Bank Draft	0.00	30,543.20	DFT0001020
1358	INTERNAL REVENUE SERVICE	08/06/2021	Bank Draft	0.00	25,910.70	DFT0001021
1358	INTERNAL REVENUE SERVICE	08/06/2021	Bank Draft	0.00	9,112.48	DFT0001022
1399	JOHNSON BROTHERS LIQUOR COMPANY	07/30/2021	Regular	0.00	13,236.09	119480
1399	JOHNSON BROTHERS LIQUOR COMPANY	08/06/2021	Regular	0.00	4,668.62	119535
3564	KESTELOOT ENTERPRISES, INC	07/30/2021	EFT	0.00	125.99	7303
5095	KIBBLE EQUIPMENT	07/30/2021	EFT	0.00	114.30	7304
5095	KIBBLE EQUIPMENT	08/06/2021	EFT	0.00	263.66	7362
0450	KOPITSKI, JASON	08/06/2021	EFT	0.00	30.00	7363
6826	KROG, MOLLY	08/06/2021	Regular	0.00	129.36	119537
5377	KRUK, CHRISTOPHER	08/06/2021	EFT	0.00	30.00	7364
3653	LANGUAGE LINE SERVICES	08/06/2021	EFT	0.00	315.56	7365
1480	LAW ENFORCEMENT LABOR SERVICE INC	07/30/2021	EFT	0.00	1,270.00	7305
1483	LEAGUE OF MINNESOTA CITIES INS TRUST	07/30/2021	Regular	0.00	45.90	119482
6183	LEE, JERRED	08/06/2021	EFT	0.00	30.00	7366
5606	LEGALSHIELD	07/30/2021	Regular	0.00	120.60	119483
6567	LINCOLN CO SHERIFF'S OFFICE	08/06/2021	Regular	0.00	689.61	119538
1507	LOCHER BROTHERS INC	07/30/2021	EFT	0.00	1,056.05	7306
1508	LOCKWOOD MOTORS INC.	07/30/2021	Regular	0.00	670.05	119484
1508	LOCKWOOD MOTORS INC.	08/06/2021	Regular	0.00	27.00	119539
3969	LOUWAGIE, RAYMOND	07/30/2021	Regular	0.00	300.00	119485
6323	LUTHER, ERIC	08/06/2021	EFT	0.00	30.00	7367
1553	LYON COUNTY SHERIFF'S DEPT.	08/06/2021	Regular	0.00	971.99	119540
1571	MADISON NATIONAL LIFE INSURANCE COMPANY	07/30/2021	EFT	0.00	1,049.58	7307
1575	MAILBOXES & PARCEL DEPOT	07/30/2021	EFT	0.00	15.63	7308
1602	MARSHALL AMATEUR HOCKEY ASSOCIATION	08/06/2021	Regular	0.00	2,820.00	119541
1604	MARSHALL AREA CHAMBER OF COMMERCE	08/06/2021	EFT	0.00	1,110.00	7368
1616	MARSHALL CONVENTION & VISITORS BUREAU	08/06/2021	EFT	0.00	5,000.00	7369
1623	MARSHALL INDEPENDENT, INC	07/30/2021	Regular	0.00	350.81	119486
0460	MARSHALL JAMES	08/06/2021	EFT	0.00	80.00	7370

## Council Check Report

Date Range: 07/28/2021 - 08/10/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1633	MARSHALL MUNICIPAL UTILITIES	08/06/2021	EFT	0.00	93,137.04	7371
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	07/30/2021	EFT	0.00	256.45	7309
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	08/06/2021	EFT	0.00	367.14	7374
1649	MARSHALL TRUCK SALVAGE INC.	08/06/2021	Regular	0.00	183.71	119542
6397	MARTINEZ, ADRIAN	07/30/2021	Regular	0.00	500.00	119487
6586	MCDYER TOOLS	08/06/2021	Regular	0.00	423.95	119543
1680	MCEA EXECUTIVE OFFICE	07/30/2021	Regular	0.00	45.00	119488
6025	MELLENTIN, CODY	08/06/2021	EFT	0.00	30.00	7375
4980	MENARDS INC	07/30/2021	Regular	0.00	454.33	119489
4980	MENARDS INC	08/06/2021	Regular	0.00	560.19	119544
1704	MESERB	07/30/2021	Regular	0.00	4,145.00	119490
3971	MEULEBROECK, ANDY	08/06/2021	EFT	0.00	30.00	7376
1791	MINNESOTA COUNTY ATTORNEYS ASSOC	07/30/2021	Regular	0.00	110.00	119491
3669	MINNESOTA STATE RETIREMENT SYSTEM	08/06/2021	Bank Draft	0.00	7,659.93	DFT0001017
1757	MN CHILD SUPPORT PAYMENT CENTER	08/06/2021	Bank Draft	0.00	356.25	DFT0001012
1757	MN CHILD SUPPORT PAYMENT CENTER	08/06/2021	Bank Draft	0.00	287.49	DFT0001013
3555	MN DOT	08/06/2021	Regular	0.00	3,992.01	119545
1807	MN MUNICIPAL BEVERAGE ASSOCIATION	07/30/2021	Regular	0.00	3,700.00	119492
6440	MN PEIP-C/O MMB FISCAL SVC	07/30/2021	Regular	0.00	153,697.68	119493
1818	MN REVENUE	08/06/2021	Bank Draft	0.00	12,427.93	DFT0001023
1840	MN WEST COMMUNITY TECHNICAL COLL	08/06/2021	EFT	0.00	450.00	7377
5857	MORRIS ELECTRONICS	08/06/2021	Regular	0.00	40.00	119546
1877	MOTION INDUSTRIES INC	07/30/2021	Regular	0.00	454.07	119500
1887	MTI DISTRIBUTING INC	08/06/2021	EFT	0.00	981.11	7378
6824	NATIONAL INVENTORS HALL OF FAME, INC	08/06/2021	Regular	0.00	1,000.00	119547
2512	NATIONWIDE RETIREMENT	08/06/2021	Bank Draft	0.00	575.00	DFT0001007
2513	NATIONWIDE RETIREMENT-FIRE	08/06/2021	Bank Draft	0.00	1,612.41	DFT0001008
1923	NCPERS MN GROUP LIFE INS.	07/30/2021	EFT	0.00	336.00	7310
1945	NORMS GTC	07/30/2021	Regular	0.00	56.99	119501
1945	NORMS GTC	08/06/2021	Regular	0.00	125.41	119548
6827	NORTHEAST IOWA COMMUNITY COLLEGE	08/06/2021	Regular	0.00	2,054.20	119549
1958	NORTHERN BUSINESS PRODUCTS, INC	08/06/2021	EFT	0.00	266.66	7379
6780	NORTHERN STEEL TANKS	07/30/2021	Regular	0.00	76,700.00	119502
4166	OLSEN, JAKE	07/30/2021	Regular	0.00	335.49	119503
5891	ONE OFFICE SOLUTION	07/30/2021	EFT	0.00	607.41	7311
5891	ONE OFFICE SOLUTION	08/06/2021	EFT	0.00	978.97	7380
3809	O'REILLY AUTOMOTIVE STORES, INC	08/06/2021	EFT	0.00	6.49	7381
2019	PAUSTIS WINE COMPANY	07/30/2021	Regular	0.00	3,699.25	119504
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	07/30/2021	EFT	0.00	59.25	7312
2028	PERA OF MINNESOTA REG	08/06/2021	Bank Draft	0.00	53,171.26	DFT0001015
2036	PHILLIPS WINE AND SPIRITS INC	07/30/2021	Regular	0.00	6,331.27	119505
2036	PHILLIPS WINE AND SPIRITS INC	08/06/2021	Regular	0.00	9,736.23	119550
6569	PIPESTONE COUNTY SHERIFF'S OFFICE	08/06/2021	Regular	0.00	464.56	119552
2049	PLUNKETTS PEST CONTROL INC	07/30/2021	EFT	0.00	39.09	7313
3557	POMP'S TIRE SERVICE, INC.	07/30/2021	EFT	0.00	215.48	7314
3557	POMP'S TIRE SERVICE, INC.	07/30/2021	EFT	0.00	372.70	7315
3557	POMP'S TIRE SERVICE, INC.	08/06/2021	EFT	0.00	53.50	7382
2064	POWERPLAN	07/30/2021	Regular	0.00	369.62	119507
2064	POWERPLAN	08/06/2021	Regular	0.00	335.89	119553
0477	PRZYBILLA, SCOTT	08/06/2021	EFT	0.00	30.00	7383
6166	PULVER MOTOR SVC, LLC	07/30/2021	EFT	0.00	425.00	7316
6166	PULVER MOTOR SVC, LLC	08/06/2021	EFT	0.00	75.00	7384
2096	QUARNSTROM & DOERING, PA	08/06/2021	EFT	0.00	10,874.67	7385
6267	RATWIK, ROSZAK & MALONEY, PA	07/30/2021	EFT	0.00	333.00	7317
4939	RECSUPPLY	07/30/2021	EFT	0.00	59.29	7318
6570	REDWOOD COUNTY SHERIFF	08/06/2021	Regular	0.00	377.86	119554
6571	REDWOOD FALLS POLICE DEPARTMENT	08/06/2021	Regular	0.00	386.59	119555
3206	REINHART FOODS	08/06/2021	Regular	0.00	230.76	119556
4826	RIEKE, BENJAMIN	08/06/2021	EFT	0.00	30.00	7386
0481	ROKEH, JASON	08/06/2021	Regular	0.00	30.00	119557
5867	ROUND LAKE VINEYARDS & WINERY	07/30/2021	EFT	0.00	225.00	7319

## Council Check Report

Date Range: 07/28/2021 - 08/10/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2201	RUNNINGS SUPPLY INC	07/30/2021	EFT	0.00	97.43	7320
2201	RUNNINGS SUPPLY INC	08/06/2021	EFT	0.00	184.94	7387
5556	SANDGREN, KAYLYNN	08/06/2021	EFT	0.00	30.00	7388
2244	SCHWANS SALES ENTERPRISES	08/06/2021	Regular	0.00	4,081.01	119558
2271	SHORT ELLIOTT HENDRICKSON INC	08/06/2021	Regular	0.00	14,728.25	119559
6251	SHRED RIGHT	07/30/2021	EFT	0.00	15.00	7321
4855	SOUTHERN GLAZER'S OF MN	07/30/2021	EFT	0.00	7,018.42	7322
4855	SOUTHERN GLAZER'S OF MN	08/06/2021	EFT	0.00	7,882.85	7389
2309	SOUTHWEST COACHES INC	08/06/2021	EFT	0.00	1,305.00	7390
2311	SOUTHWEST GLASS CENTER	08/06/2021	EFT	0.00	57.35	7391
0491	ST AUBIN, GREGORY	07/30/2021	EFT	0.00	150.00	7323
0491	ST AUBIN, GREGORY	08/06/2021	EFT	0.00	30.00	7392
4522	ST LOUIS MRO INC.	07/30/2021	Regular	0.00	24.50	119508
2351	STAR TRIBUNE	08/06/2021	EFT	0.00	94.38	7393
3808	STELTER, GEOFFREY	08/06/2021	Regular	0.00	30.00	119560
4134	STENSRUD, PRESTON	08/06/2021	EFT	0.00	30.00	7394
5491	STORM, ANNETTE	08/06/2021	EFT	0.00	80.00	7395
2373	STREICHERS	07/30/2021	EFT	0.00	899.94	7324
2373	STREICHERS	08/06/2021	EFT	0.00	3,254.78	7396
6706	SUN LIFE FINANCIAL	07/30/2021	EFT	0.00	1,570.22	7325
0495	SWANSON, GREGG	08/06/2021	Regular	0.00	30.00	119561
6277	TALKING WATERS BREWING CO, LLC	08/06/2021	EFT	0.00	950.00	7397
4734	TESSMAN COMPANY	08/06/2021	EFT	0.00	45.70	7398
6709	THERMO KING OF SIOUX FALLS INC	08/06/2021	Regular	0.00	3,565.02	119562
4048	THOMSEN, MIKE	08/06/2021	Regular	0.00	180.76	119563
2428	TITAN MACHINERY	07/30/2021	EFT	0.00	97,748.00	7327
2428	TITAN MACHINERY	08/06/2021	EFT	0.00	186.00	7399
3968	TRAFFIC CONTROL CORP.	07/30/2021	EFT	0.00	576.00	7328
6156	TRUE BRANDS	07/30/2021	EFT	0.00	493.66	7329
6156	TRUE BRANDS	08/06/2021	EFT	0.00	52.80	7400
3342	TRUEDSON, SCOTT	08/06/2021	EFT	0.00	30.00	7401
2499	US BANK	08/06/2021	Regular	0.00	2,450.00	119564
3443	VALIC DEFERRED COMP	08/06/2021	Bank Draft	0.00	1,172.00	DFT0001009
3443	VALIC DEFERRED COMP	08/06/2021	Bank Draft	0.00	270.15	DFT0001010
3443	VALIC DEFERRED COMP	08/06/2021	Bank Draft	0.00	1,650.00	DFT0001011
6092	VANDERMILLEN, SCOTT	08/06/2021	EFT	0.00	80.00	7402
0512	VANLEEUWE, SARA J.	08/06/2021	EFT	0.00	70.00	7403
0513	VANMOER, ROBERT	08/06/2021	EFT	0.00	30.00	7404
5733	VAST BROADBAND	08/06/2021	Regular	0.00	312.65	119566
4489	VERIZON WIRELESS	07/30/2021	EFT	0.00	400.10	7330
5976	VERIZON WIRELESS-VSAT	07/30/2021	Regular	0.00	50.00	119509
6113	VERSA-VEND VENDING INC	08/06/2021	EFT	0.00	344.88	7405
2538	VIKING COCA COLA BOTTLING COMPANY	07/30/2021	EFT	0.00	1,064.30	7331
2538	VIKING COCA COLA BOTTLING COMPANY	08/06/2021	EFT	0.00	401.20	7406
4594	VINOCUPIA	08/06/2021	EFT	0.00	1,374.67	7407
6085	VOYA - INVESTORS CHOICE	08/06/2021	Bank Draft	0.00	1,828.24	DFT0001018
6829	WARD, ALLAN	08/06/2021	Regular	0.00	425.00	119567
5961	WAYNE'S TRACTOR REPAIR	08/06/2021	Regular	0.00	62.05	119568
0518	WENKER, JEFFREY	08/06/2021	EFT	0.00	30.00	7408
1966	WERNER ELECTRIC SUPPLY	08/06/2021	EFT	0.00	724.35	7409
2591	WESTERN PRINT GROUP	07/30/2021	EFT	0.00	105.65	7332
2605	WINE MERCHANTS	08/06/2021	Regular	0.00	1,013.52	119569

## Council Check Report

Date Range: 07/28/2021 - 08/10/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2631	ZEP MANUFACTURING COMPANY	07/30/2021	Regular	0.00	387.50	119510

## Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	212	93	0.00	413,513.26
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	14	14	0.00	146,577.04
EFT's	223	122	0.00	338,380.07
	<b>449</b>	<b>229</b>	<b>0.00</b>	<b>898,470.37</b>



## All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	212	93	0.00	413,513.26
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	14	14	0.00	146,577.04
EFT's	223	122	0.00	338,380.07
	<b>449</b>	<b>229</b>	<b>0.00</b>	<b>898,470.37</b>

## Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	7/2021	461,937.00
999	POOLED CASH FUND	8/2021	436,533.37
			<b>898,470.37</b>

CITY OF MARSHALL, MINNESOTA  
PRIOR AND CURRENT YEARS CONSTRUCTION CONTRACTS  
8/10/2021

OBJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2019 Prior Payments	2020 Prior Payments	2021 Prior Payments	PYMTS THIS MEETING:	RETAINAGE	BALANCE:	PERCENT COMPLETE
602-49500-55120		5/28/2019	WWTF Improvement Project	Magney Construction, Inc.	14,074,300.00		14,074,300.00	4,099,265.87	6,918,924.06	1,873,877.87	678,529.88	503,702.32	96.42%
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%
494-43300-55120		11/12/2019	City Hall Renovation	Brennan Companies	5,030,200.00	695,744.00	5,725,944.00		3,039,722.04	2,390,589.53	286,297.20	9,335.23	99.84%
476-43300-55170		4/14/2020	S 4th St Reconstruction	R & G Construction	2,583,754.90	10,885.14	2,594,640.04	2,528,408.74	27,377.08		5,000.00	33,854.22	98.70%
476-43300-55170		5/26/2020	S 1st St Reconstruction	Duininck, Inc	617,136.55	(7,706.25)	609,430.30	562,896.42	57,673.16		1,500.00	(12,639.28)	102.07%
630-49600-55170		6/23/2020	Legion Field Strom Water Improvements-Phase 1	Towne & Country Excavating LLC	277,943.00	(2,967.25)	274,975.75	257,658.64			2,602.61	14,714.50	94.65%
479-43300-55170		2/9/2021	N 1st St/W Redwood St/W Marshall St Reconstruction	D & G Excavating Inc.	1,051,247.90	6,200.00	1,057,447.90		710,120.57		37,374.77	309,952.56	70.69%
495-43300-55170		2/23/2021	2021 Bituminous Overlay	Duininck, Inc	580,564.28	(160.00)	580,404.28		589,099.98		1,000.00	(9,695.70)	101.67%
479-43300-55170		2/23/2021	James Ave/Camden Dr Reconstruction	Kkuechle Underground	849,244.50		849,244.50		621,371.20		32,703.75	195,169.55	77.02%
479-45200-55120		3/9/2021	Restroom Facility and Picnic Pavilion - Patriot Park	Bladholm Construction	188,886.00	5,435.00	194,321.00		184,403.00		9,705.00	213.00	99.89%
479-43300-55170		4/13/2021	State Aid Overlay	Duininck, Inc	1,924,600.45	53,113.40	1,977,713.85		54,010.36		2,842.65	1,920,860.84	2.87%
602-49500-55170		5/11/2021	T.H. 23/Independence Park Sewer Realignment	D & G Excavating Inc.	189,448.50		189,448.50					189,448.50	0.00%
					28,269,165.45	736,128.82	29,005,294.27	4,249,748.87	13,490,265.10	7,013,291.70	0.00	1,057,555.86	3,194,432.74



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021														
<b>Category:</b>	NEW BUSINESS														
<b>Type:</b>	ACTION														
<b>Subject:</b>	Project Z75/SAP 139-124-004: South 4 <sup>th</sup> Street Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment. 2) Resolution for Hearing on Proposed Assessment.														
<b>Background Information:</b>	This project consisted of the following: reconstruction and utility replacement on South 4th Street from the intersection of Elaine Avenue and South 4th Street to the intersection of Country Club Drive and South 4 <sup>th</sup> Street. Utility work included sanitary sewer, watermain, and storm sewer replacement. This project also included new curb and gutter, new 5-ft. sidewalk on the west side of the street, driveway aprons, water services, and sewer services to the right-of-way.														
<b>Fiscal Impact:</b>	<p>Attached please find a "Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment" for the project. The following is a breakdown of the proposed project funding. The costs shown below include 16% for engineering and administrative costs, for a total project cost of \$2,968,379.94. The following is a proposed breakdown of the project funding:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: right;">Wastewater Fund</td><td style="text-align: right;">\$594,332</td></tr> <tr> <td style="text-align: right;">MMU</td><td style="text-align: right;">\$784,329</td></tr> <tr> <td style="text-align: right;">Surface Water Management Utility</td><td style="text-align: right;">\$731,750</td></tr> <tr> <td style="text-align: right;">Mn/DOT</td><td style="text-align: right;">\$135,038</td></tr> <tr> <td style="text-align: right;">City Participation (MSAS)</td><td style="text-align: right;">\$514,578</td></tr> <tr> <td style="text-align: right;">Assessed to Property Owners</td><td style="text-align: right;"><u>\$343,391</u></td></tr> <tr> <td style="text-align: right;"><b>Total Project Amount</b></td><td style="text-align: right;"><b>\$2,968,380</b></td></tr> </table> <p>Attached please find the "Resolution for Hearing on Proposed Assessment," setting the hearing date for the proposed assessments on September 14, 2021 for the above-referenced project.</p> <p>Per the current Fee Schedule, the assessment interest rate is calculated using the most recent bond interest rate and adding 2% for administrative costs. The 2020 GO Bond interest rate was 0.84% plus 2% results in a 2.84% assessment interest rate.</p> <p>The term of the assessment repayment is proposed by staff to be 8 years. The City has no formal written policy on the term but has followed an administrative past practice to generally match the assessment repayment to the bond repayment term assuming a typical reconstruction project with assessments reaching near the maximum of the residential assessment rate. If the assessment is substantially higher in cases such as commercial assessments the term may be appropriate to increase. Alternatively, on smaller assessment projects consideration could be made to shorten</p>	Wastewater Fund	\$594,332	MMU	\$784,329	Surface Water Management Utility	\$731,750	Mn/DOT	\$135,038	City Participation (MSAS)	\$514,578	Assessed to Property Owners	<u>\$343,391</u>	<b>Total Project Amount</b>	<b>\$2,968,380</b>
Wastewater Fund	\$594,332														
MMU	\$784,329														
Surface Water Management Utility	\$731,750														
Mn/DOT	\$135,038														
City Participation (MSAS)	\$514,578														
Assessed to Property Owners	<u>\$343,391</u>														
<b>Total Project Amount</b>	<b>\$2,968,380</b>														

	the assessment term. One other item to note is that if additional principal is paid each year the interest is recalculated annually to address the payments. Therefore, there is no penalty for individuals to repay on a more accelerated schedule if they so choose.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendation:</b>	<p>that the Council adopt RESOLUTION NUMBER 2021-054, which provides for the “Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment” for Project Z75/SAP 139-124-004: South 4<sup>th</sup> Street Reconstruction Project.</p> <p>that the Council adopt RESOLUTION NUMBER 2021-055, which provides for the “Resolution for Hearing on Proposed Assessment” for Project Z75/SAP 139-124-004: South 4<sup>th</sup> Street Reconstruction Project setting the hearing date on the proposed assessments for September 14, 2021.</p>

RESOLUTION NUMBER 21-054

RESOLUTION DECLARING COST TO BE ASSESSED,  
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, costs have been determined for the following project:

**PROJECT Z75/SAP 139-124-004: SOUTH 4<sup>TH</sup> STREET RECONSTRUCTION PROJECT** – This project consisted of the following: reconstruction and utility replacement on South 4th Street from the intersection of Elaine Avenue and South 4th Street to the intersection of Country Club Drive and South 4<sup>th</sup> Street. Utility work included sanitary sewer, watermain, and storm sewer replacement. This project also included new curb and gutter, new 5-ft. sidewalk on the west side of the street, driveway aprons, water services, and sewer services to the right-of-way.

AND WHEREAS, the price for such improvement is \$2,558,948, and the estimated expenses incurred in the making of such improvement amount to \$409,432, so that the total estimated cost of the improvement will be \$2,968,380.

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

1. The portion of the cost to be assessed against benefited property owners is declared to be approximately \$343,391. The portion of the cost to be paid by the Wastewater Fund is hereby declared to be approximately \$594,332. The portion of the cost of the project to be paid by MMU is hereby declared to be approximately \$784,329. The portion of the cost to be paid by Mn/DOT is hereby declared to be approximately \$135,038. The portion of the cost to be paid by the Surface Water Management Utility is hereby declared to be approximately \$731,750. The portion of the cost to be paid by the City (Ad Valorem) is hereby declared to be approximately \$379,540.
2. Assessments shall be payable in equal annual principal installments extending over a period of eight (8) years, the first of the installments to be payable on or before the first Monday in January, 2022, and shall bear interest at the rate of 2.84% per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The City Clerk shall upon the completion of such proposed assessment, notify the City Council thereof.

Passed and adopted by the City Council this 10<sup>th</sup> day of July, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

RESOLUTION NUMBER 21-055

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the Council on August 10, 2021, the City Clerk was directed to prepare a proposed assessment of the cost of the improvements for the following project:

**PROJECT Z75/SAP 139-124-004: SOUTH 4<sup>TH</sup> STREET RECONSTRUCTION PROJECT** - This project consisted of the following: reconstruction and utility replacement on South 4th Street from the intersection of Elaine Avenue and South 4th Street to the intersection of Country Club Drive and South 4<sup>th</sup> Street. Utility work included sanitary sewer, watermain, and storm sewer replacement. This project also included new curb and gutter, new 5-ft. sidewalk on the west side of the street, driveway aprons, water services, and sewer services to the right-of-way.

AND WHEREAS, the City Clerk has notified the City Council that such proposed assessment has been completed and filed in his office for public inspection.

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

1. A hearing shall be held on the 14<sup>th</sup> day of September, 2021 in the Council Chambers of City Hall located at 344 West Main Street to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment to the City of Marshall, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. They may at any time thereafter, pay to the City of Marshall, the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council this 10<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

**COST BREAKDOWN**  
**Project Z75/SAP 139-124-004: South 4th Street Reconstruction Project**  
**CITY OF MARSHALL, MINNESOTA**  
**Per Estimate #7 dated 05/11/2021 & \$5,700 Residential Max Street Assessment**

ITEM	TOTAL	SPECIAL ASSESSMENTS	WASTEWATER FUND	MMU	Mn/DOT	SURFACE WATER MANAGEMENT UTILITY	AD VALOREM
SANITARY SEWER	\$354,923	\$42,549	\$312,374				
WATERMAIN	\$426,426	\$0		\$426,426			
STORM SEWER	\$507,894	\$0				\$507,894	
DRIVEWAY	\$55,561	\$23,632		\$0			\$31,930
SIDEWALK	\$0	\$0					\$0
STREET	\$1,623,574	\$277,210	\$281,957	\$357,903	\$135,038	\$223,856	\$347,610
TOTALS	\$2,968,380	\$343,391	\$594,332	\$784,329	\$135,038	\$731,750	\$379,540
% PARTICIPATION	100.0%	11.6%	20.0%	26.4%	4.5%	24.7%	12.8%

CONTRACT AMOUNT	2,558,948.22
CONTINGENCIES	0.00 <sup>0%</sup>
	2,558,948.22
ENG. & ADMIN.	409,431.72 <sup>16%</sup>
	2,968,379.94



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021												
<b>Category:</b>	NEW BUSINESS												
<b>Type:</b>	ACTION												
<b>Subject:</b>	Project Z76: South 1 <sup>st</sup> Street Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment. 2) Resolution for Hearing on Proposed Assessment.												
<b>Background Information:</b>	<p>This project consisted of reconstruction and utility replacement on South 1<sup>st</sup> Street generally between Southview Drive and George Street. Water, sanitary sewer, and storm sewer catch basins were replaced along South 1<sup>st</sup> Street in this area. Sidewalk was added along the west side of the street to provide connection to existing sidewalk north of the project area on South 1<sup>st</sup> Street and existing sidewalk at Southview Drive. This project also included new curb and gutter, driveway aprons, and water services. In addition to the utility replacement and street reconstruction on South 1<sup>st</sup> Street, sanitary sewer force main improvements were made at the intersection of South 1<sup>st</sup> Street and DeSchepper Street.</p>												
<b>Fiscal Impact:</b>	<p>Attached please find a "Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment" for the project. The following is a breakdown of the proposed project funding. The costs shown below include 16% for engineering and administrative costs, for a total project cost of \$730,539.96. The following is a proposed breakdown of the project funding:</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Wastewater Fund</td><td style="text-align: right;">\$164,077</td></tr> <tr> <td>MMU</td><td style="text-align: right;">\$213,293</td></tr> <tr> <td>Surface Water Management Utility</td><td style="text-align: right;">\$73,850</td></tr> <tr> <td>City Participation (Ad Valorem)</td><td style="text-align: right;">\$170,292</td></tr> <tr> <td>Assessed to Property Owners</td><td style="text-align: right;"><u>\$109,028</u></td></tr> <tr> <td><b>Total Project Amount</b></td><td style="text-align: right;"><b>\$730,540</b></td></tr> </table> <p>Attached please find the "Resolution for Hearing on Proposed Assessment," setting the hearing date for the proposed assessments on September 14, 2021 for the above-referenced project.</p> <p>Per the current Fee Schedule, the assessment interest rate is calculated using the most recent bond interest rate and adding 2% for administrative costs. The 2020 GO Bond interest rate was 0.84% plus 2% results in a 2.84% assessment interest rate.</p> <p>The term of the assessment repayment is proposed by staff to be 8 years. The City has no formal written policy on the term but has followed an administrative past practice to generally match the assessment repayment to the bond repayment term assuming a typical reconstruction project with assessments reaching near the maximum of the residential assessment rate. If the assessment is substantially higher in cases such as commercial assessments the term may be appropriate to increase.</p>	Wastewater Fund	\$164,077	MMU	\$213,293	Surface Water Management Utility	\$73,850	City Participation (Ad Valorem)	\$170,292	Assessed to Property Owners	<u>\$109,028</u>	<b>Total Project Amount</b>	<b>\$730,540</b>
Wastewater Fund	\$164,077												
MMU	\$213,293												
Surface Water Management Utility	\$73,850												
City Participation (Ad Valorem)	\$170,292												
Assessed to Property Owners	<u>\$109,028</u>												
<b>Total Project Amount</b>	<b>\$730,540</b>												



	Alternatively, on smaller assessment projects consideration could be made to shorten the assessment term. One other item to note is that if additional principal is paid each year the interest is recalculated annually to address the payments. Therefore, there is no penalty for individuals to repay on a more accelerated schedule if they so choose.
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendation:</b>	<p>that the Council adopt RESOLUTION NUMBER 21-056, which provides for the “Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment” for Project Z76: South 1<sup>st</sup> Street Reconstruction Project.</p> <p>that the Council adopt RESOLUTION NUMBER 21-057, which provides for the “Resolution for Hearing on Proposed Assessment” for Project Z76: South 1<sup>st</sup> Street Reconstruction Project setting the hearing date on the proposed assessments for September 14, 2021.</p>

RESOLUTION NUMBER 21-056

RESOLUTION DECLARING COST TO BE ASSESSED,  
AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

WHEREAS, costs have been determined for the following project:

**PROJECT Z76: SOUTH 1<sup>ST</sup> STREET RECONSTRUCTION PROJECT** - This project consisted of: reconstruction and utility replacement on South 1<sup>st</sup> Street generally between Southview Drive and George Street. Water, sanitary sewer, and storm sewer catch basins were replaced along South 1<sup>st</sup> Street in this area. In addition to the utility replacement and street reconstruction on South 1<sup>st</sup> Street, sanitary sewer force main improvements are proposed at the intersection of South 1<sup>st</sup> Street and DeSchepper Street.

AND WHEREAS, the price for such improvement is \$629,776, and the estimated expenses incurred in the making of such improvement amount to \$100,764, so that the total estimated cost of the improvement will be \$730,540.

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

1. The portion of the cost to be assessed against benefited property owners is declared to be approximately \$109,028. The portion of the cost to be paid by the Wastewater Fund is hereby declared to be approximately \$164,07. The portion of the cost of the project to be paid by MMU is hereby declared to be approximately \$213,293. The portion of the cost to be paid by the Surface Water Management Utility is hereby declared to be approximately \$73,850. The portion of the cost to be paid by the City (Ad Valorem) is hereby declared to be approximately \$170,292.
2. Assessments shall be payable in equal annual principal installments extending over a period of eight (8) years, the first of the installments to be payable on or before the first Monday in January, 2022, and shall bear interest at the rate of 2.84% per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The City Clerk shall upon the completion of such proposed assessment, notify the City Council thereof.

Passed and adopted by the City Council this 10<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

**RESOLUTION NUMBER 21-057**

**RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT**

WHEREAS, by a resolution passed by the Council on August 10, 2021, the City Clerk was directed to prepare a proposed assessment of the cost of the improvements for the following project:

**PROJECT Z76: SOUTH 1<sup>ST</sup> STREET RECONSTRUCTION PROJECT** - This project consisted of: reconstruction and utility replacement on South 1<sup>st</sup> Street generally between Southview Drive and George Street. Water, sanitary sewer, and storm sewer catch basins were replaced along South 1<sup>st</sup> Street in this area. In addition to the utility replacement and street reconstruction on South 1<sup>st</sup> Street, sanitary sewer force main improvements are proposed at the intersection of South 1<sup>st</sup> Street and DeSchepper Street.

AND WHEREAS, the City Clerk has notified the City Council that such proposed assessment has been completed and filed in his office for public inspection.

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

1. A hearing shall be held on the 14<sup>th</sup> day of September, 2021 in the Council Chambers of City Hall located at 344 West Main Street to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment to the City of Marshall, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. They may at any time thereafter, pay to the City of Marshall, the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council this 10<sup>th</sup> day of August, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

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

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

**COST BREAKDOWN**  
**Project Z76: South 1st Street Reconstruction Project**  
**CITY OF MARSHALL, MINNESOTA**  
**Per Pay Request #5 dated 07/13/2021**

ITEM	TOTAL	SPECIAL ASSESSMENTS	WASTEWATER FUND	MMU	Mn/DOT	SURFACE WATER MANAGEMENT UTILITY	AD VALOREM
SANITARY SEWER	\$89,535	\$0	\$89,535				
WATERMAIN	\$100,876	\$0		\$100,876			
STORM SEWER	\$58,267	\$0				\$58,267	
DRIVEWAY	\$23,910	\$10,723		\$0			\$13,187
SIDEWALK	\$0	\$0					\$0
STREET	\$457,952	\$98,305	\$74,542	\$112,417	\$0	\$15,583	\$157,106
TOTALS	\$730,540	\$109,028	\$164,077	\$213,293	\$0	\$73,850	\$170,292
% PARTICIPATION	100.0%	14.9%	22.5%	29.2%	0.0%	10.1%	23.3%

CONTRACT AMOUNT	629,775.82
CONTINGENCIES	0.00 <small>0%</small>
	<hr/> 629,775.82
ENG. & ADMIN.	100,764.13 <small>16%</small>
	<hr/> 730,539.96

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Independence Park Projects – 1) Project PK-001: Trail Replacement Project - Consider Authorization to Advertise for Bids; 2) Stormwater Pond Expansion – Consider Acceptance of Proposal from Bolton & Menk, Inc.
<b>Background Information:</b>	<p>The multi-use trail within Independence Park is a bituminous-surfaced trail that is approximately 10-FT wide that travels throughout the entire park. The trail pavement is in poor condition and several areas do not meet ADA requirements. There are numerous locations where surface defects make the trail difficult to traverse, and numerous other locations where trail cross slopes are severe, resulting in hazardous conditions.</p> <p>City staff has worked quickly to prepare construction plans for trail reconstruction to help ensure that a project could be completed prior to the City's 150<sup>th</sup> Celebration in August 2022.</p> <p>Further, City staff believes it would be prudent to complete an Independence Park Pond forebay expansion project in coordination with the trail replacement project. The forebay expansion would create additional pond storage volume in the park while also creating a ponding environment that promotes solids settlement (stormwater treatment) within the forebay area with the goal of reducing future pond areas that will require dredging. Coordinating the projects helps to ensure that new trail is installed in the proper location and investments into trail pavement and new culvert crossing are preserved.</p> <p>City staff has prepared a set of construction plans to reconstruct the existing trail network within the park as follows:</p> <ul style="list-style-type: none"> <li>- The reconstructed trail is proposed to be a 10-FT wide, concrete-surfaced trail, with few exceptions.</li> <li>- The trail in the "center island area" between the three ponds is proposed at 8-FT wide, and the trail north of the ballfields that leads to the horseshoe facilities is proposed to be 6-FT wide.</li> <li>- The area surrounding the ballfield concessions building and the ballfield seating area is proposed to be replaced with concrete. The existing gravel area along the first base of the west field and the third base line of the east field is proposed to be removed and replaced with grass. The fencing surrounding the ballfield concessions area is proposed to be removed as well.</li> <li>- The new trail would meet current ADA standards for accessibility.</li> </ul> <p>The Base Bid package will include all trail portions, with the exception of the north-south connection from Lyon Street to the gazebo. The project is planned to be bid with this section as an Alternate. Council would have the options to award the Base Bid package only, both Base Bid and Alternate together, or make no award.</p> <p>To help accomplish the goal of an August 2022 completion, staff is proposing to separate the Independence Park Trail Replacement Project (PK-001) from</p>

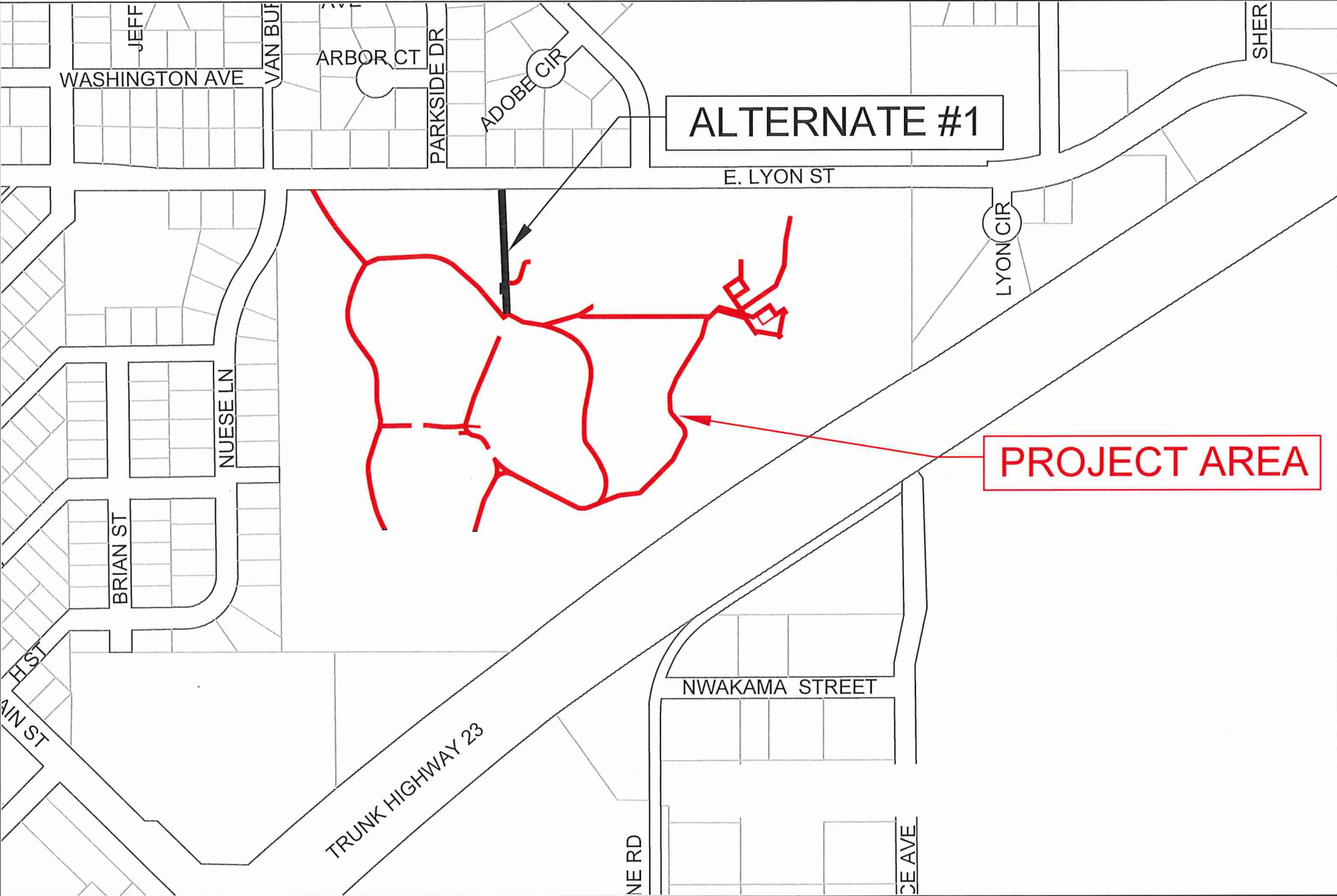
	<p>Independence Park Pond Forebay Expansion Project. The Independence Park Trail Replacement Project (PK-001) would be bid first because plans are ready. The Independence Park Pond Forebay Expansion Project would be bid in September and likely awarded in early October once plans are finalized.</p> <p>Attached for Council review and consideration is a proposal prepared by Bolton &amp; Menk, Inc. of Mankato, Minnesota, for the Independence Park stormwater pond expansion. Bolton &amp; Menk's proposal covers design costs for the pond expansion, outlet structure, and trail connection over the outlet structure.</p> <p>Staff is proposing the following schedule for PK-001:  8/10 – Authorize Advertise for Bid  8/13 – Publish in Newspaper  8/24 – Open Bids at 10 am; award contract at Council  8/30 – Notice to Proceed (if paperwork received)  7/29/22 – Contract End Date</p> <p>Staff is proposing the following schedule for pond expansion project:  8/11 – Bolton &amp; Menk Notice to Proceed  9/1 – Preliminary Plans to City  9/10 – Final Plans to City  9/14 – Council Authorize Advertise to Bid  9/28 or 10/12 – Council Award Contract  7/29/22 – Contract End Date</p>
<b>Fiscal Impact:</b>	<p><u>Independence Park Trail Replacement Project (PK-001):</u>  Engineer's Estimate for the construction of the Base Bid package is \$422,875. A total cost of \$532,822.50 includes contingency (10%) and engineering (16%).</p> <p>The Estimate for the Alternate Bid is \$62,062.50. A total cost of \$78,198.75 includes contingency and engineering.</p> <p><u>Independence Park Pond Forebay Expansion Project:</u>  The total estimated not to exceed cost for project design as provided in the included Bolton &amp; Menk proposal is \$10,000. The preliminary estimated cost for pond expansion, culvert installation, and trail connection is \$189,500, of which, \$164,000 is estimated to be eligible for funding through the Surface Water Management Utility (SWMU).</p>
<b>Alternative/ Variations:</b>	No alternative actions recommended.
<b>Recommendation:</b>	<p>Recommendation No. 1  that the Council authorize advertisement for bids for Project PK-001: Independence Park Trail Replacement Project.</p> <p>Recommendation No. 2  that the Council accept the attached Proposal for Independence Park Pond Forebay Expansion Project for a total estimated not to exceed hourly fee in the amount of \$10,000. Additional services will be provided on an hourly basis upon approval by City staff.</p>

State Of Minnesota  
City of Marshall, Minnesota  
Project Number PK01

Construction Plans for Independence Park Trail Replacement

Independence Park Trail Reconstruction

SECTION 10 T111N, R41W



INDEX

SHEET NO.	DESCRIPTION
1	Title Sheet
2	Estimated Quantity/ Note Sheet
3	Typical Section Sheet
4-5	SWPPP Sheets
6	Removal & Erosion Control Sheet
7-15	Plan & Profile Sheets

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSE PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

APPROVED: CITY ENGINEER, MARSHALL MINNESOTA DATE REG NO 53322

LEGEND

ALIGNMENT STATIONS	_____
EXISTING GAS LINE	_____
EXISTING COMMUNICATION LINE	_____
EXISTING FIBER LINE	— FIB — FIB —
EXISTING UNDERGROUND POWER	_____
EXISTING STREET LIGHT	⦿
EXISTING CATCH BASIN	□
EXISTING STORM MANHOLE	⊙
EXISTING SANITARY MANHOLE	⊙
EXISTING HYDRANT	⦿
EXISTING WATER VALVE	⦿
NEW CATCH BASIN	□
NEW HYDRANT	⦿
NEW WATER VALVE	⦿
NEW SANITARY MANHOLE	⊙
NEW STORM MANHOLE	⊙
BENCHMARK TOP NUT HYDRANT	⦿

SPECIFICATION REFERENCE

THE 2018 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

ALL TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING THE LATEST FIELD MANUAL FOR TEMPORARY TRAFFIC CONTROL ZONE LAYOUTS.

THE CITY OF MARSHALL STANDARD SPECIFICATIONS AND SPECIAL PROVISIONS.

PROJECT LENGTH

GROSS LENGTH MAIN TRAIL	3504	FEET	0.66	MILES
GROSS LENGTH EAST POND	659	FEET	0.13	MILES
GROSS LENGTH ISLAND	662	FEET	0.13	MILES
GROSS LENGTH BALL FIELD	1173	FEET	0.22	MILES
EXCEPTIONS	0	FEET	0	MILES
NET LENGTH	5998	FEET	1.14	MILES

DESIGN DATA  
DESIGN SPEED 30 MPH  
STOPPING SIGHT DISTANCE BASED ON  
3.5' HEIGHT OF EYE  
0.5' HEIGHT OF OBJECT

SCALES

PLAN	1"=50'
PROFILE	1"=5'
INDEX MAP	1"=150'
GENERAL LAYOUT	1"=50'

DESIGNED BY:

Item 18.

SCALE: 1"=50'

DATE REVISIONS INIT.



ENGINEERING DEPARTMENT  
344 WEST MAIN STREET  
MARSHALL, MINNESOTA  
56258

INDEPENDENCE PARK TRAIL REPLACEMENT

TITLE SHEET

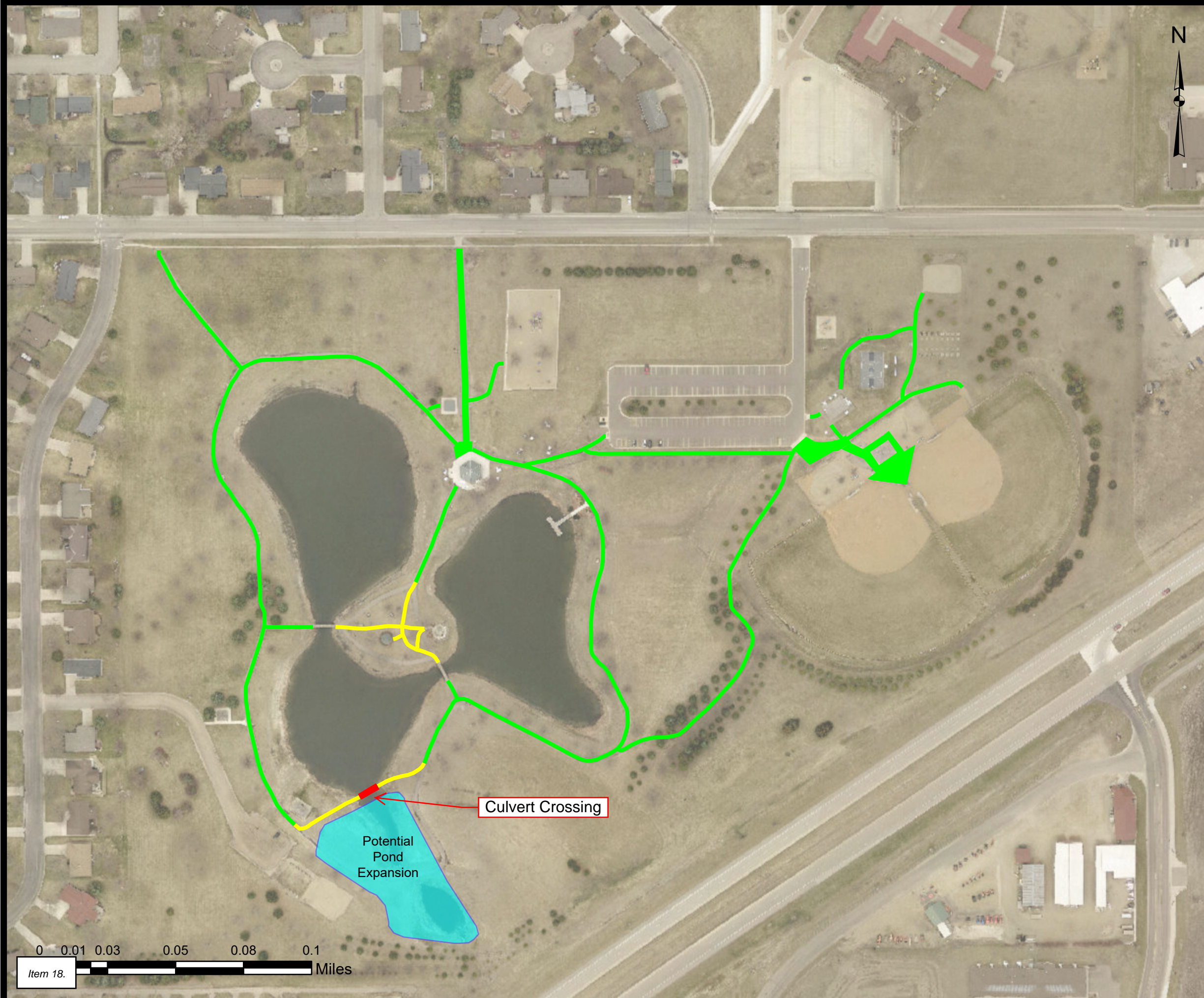
CITY PROJECT NO.  
PK01

STATE AID PROJECT NO.

DATE  
08/05/2021




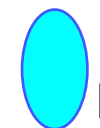
SHEET NO.  
1 OF 15





# Independence Park Trail Replacement Project

## Project Area

-  Replace Concrete Trails
-  Realigned Concrete Trails
-  Proposed Culvert Crossing (Separate Project)
-  Proposed Stormwater Pond Expansion (Separate Project)

8/3/21

\*\* Disclaimer: The City of Marshall does not guarantee the accuracy of the data included on this map.

This map data is for referencing purposes only.





Real People. Real Solutions.

1960 Premier Drive  
Mankato, MN 56001-5900

Ph: (507) 625-4171  
Fax: (507) 625-4177  
Bolton-Menk.com

July 27<sup>th</sup>, 2021

Jessie Dehn, PE  
Assistant City Engineer  
City of Marshall  
344 West Main Street, PO Box 477  
Marshall, MN 56258

RE: Proposal for Independence Park Stormwater Improvements

Dear Mr. Dehn:

On behalf of Bolton & Menk, Inc., we thank you for the opportunity to present this proposal in response to the City of Marshall's request for developing construction plans for the Independence Park Stormwater Improvement project. The below project scope and fee have been prepared as requested for the necessary engineering services to complete this project. If this proposal is acceptable, we will prepare a professional services agreement using the City of Marshall's agreement format.

## Project Understanding

The shared use trail system located in Independence Park has reached the end of its useful life and the city would like to replace the majority of the park's trail system, bringing it into compliance with the Americans with Disabilities Act (ADA). As part of the project, the city would like to expand the pond's stormwater pre-treatment forebay, replace the forebay outlet control structure, and construct a pedestrian crossing to maintain the trail connection between the forebay and main basin.

## Scope of Work

Our scope of work includes each functional part of the project broken out as a separate task. Throughout the project, the City can expect regular communication from us and we will schedule routine check-in meetings to discuss key design decisions, schedule, and budget updates. In addition, quality control reviews will be conducted to ensure Bolton & Menk's internal protocols for quality production and delivery are appropriately applied and adhered to. We will develop the requested construction plans to be included in the City's overall park improvement project bid package.

### Task 1 – Stormwater Pond Expansion

We will start with the preliminary concept for the forebay that was completed as part of the 2020-Comprehensive Stormwater Modeling Project. Bolton & Menk will refine the design to accommodate other improvements while providing necessary stormwater residence time to ensure proper sedimentation. The final design will meet the MPCA Construction Stormwater Permit requirements for wet sedimentation basins. Construction plans and special provisions for the stormwater pond expansion will be developed and included in the overall trail improvement project bid package. It is assumed that Task 1 includes three additional coordination meetings with the city to finalize the pond expansion.

### Task 2 – Stormwater Outlet Structure

In conjunction with Task 1, a new stormwater outlet control structure will be necessary to ensure the performance of the expanded sedimentation basin. It is expected that the new outlet structure will consist of a box culvert that will function as a pedestrian crossing while also providing the necessary outlet capacity for the expanded forebay. We will work with the city to evaluate exact culvert location, and length to ensure it meets the city's expectations and is compliant with MnDOT's LRFD Bridge Design Manual guidance 2.4.1.2 - Pedestrian Bridges. Task 2 includes the preliminary and final design of the outlet structure; construction plans and special provisions.

## Final Deliverables

Bolton & Menk will prepare a complete set of detailed construction drawings, special provisions, and an engineer's estimate of items related to the stormwater ponding to be included in the overall City lead Independence Park Improvement construction plan set and bid package. A summary of deliverables is as follows:

- Preliminary Construction Plans
- Final Construction Plans
- Special Provisions

## Information To Be Provided by The City

For the purposes of this proposal, we assume the city will provide the following information:

- Topographic and property survey information necessary to complete the project
- Construction plan and specification details
- Record drawings of all known infrastructure located in the park that may be necessary for the proposed improvements
- All necessary wetland delineations, permit applications, and agency coordination
- Project bid package, bidding services and contractor coordination

## Team

The following team is available and committed to complete the work identified in the project scope:

Joshua Stier, PE – Project Manager

Mathew Simon, PE – Water Resources Engineer

## Schedule

All identified team members are available to begin work on this project as soon as possible. A high-level schedule is outlined below:

Notice to Proceed: August 11<sup>th</sup>, 2021

Preliminary Plans Submittal to City: September 15<sup>th</sup>, 2021

Final Plan Submittal: Sept 30<sup>th</sup>, 2021

## Fees

The total estimated not to exceed hourly fee for the project scope as described above is \$10,000. Any work outside of this scope shall be authorized by the city prior to furnishing additional services. Additional services will be provided on an hourly basis in accordance with our regular schedule of fees upon approval by city staff.

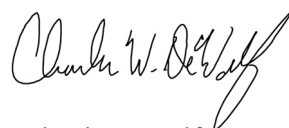
Thank you for your consideration and the opportunity to provide the City of Marshall this proposal.

Respectfully submitted,

**Bolton & Menk, Inc**



Josh Stier, PE  
Project Manager



Chuck DeWolf, PE  
Principal-in-Charge

## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, August 10, 2021
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider the Resolution ordering the abatement of several hazardous buildings located in the Broadmoor Valley Mobile Home Park in the city of Marshall, Minnesota
<b>Background Information:</b>	<p>Council and Staff have long been aware of the deteriorating residential conditions of properties located within the Broadmoor Valley mobile home park. Several residents presented information to Council at the July 13, 2021 Council Meeting. The presentation included photographs of hazardous/substandard buildings presently located at Broadmoor Vally. Subsequent to that meeting, building officials have viewed the properties to confirm present condition of the deteriorating condition of properties.</p> <p>Based upon statements and photographs provided, and based upon prior building official inspections, a current list has been put together regarding several current problematic residences within the mobile home park. A consolidated list of 17 structures requiring either demolition or repair has been put together to address an immediate need for action, City Attorney is recommending that City Council pass a resolution requiring the immediate demolition and removal of four identified uninhabitable properties presently located at the Broadmoor Valley mobile home park. A building inspection from Building Official, Ilya Gutman from Thursday, August 5, 2021 confirmed that the four properties identified in the resolution need to be razed and removed immediately. Attached is a proposed resolution authorizing City Attorney to take the necessary steps to serve the abatement order. Minnesota Law provides the property owner 30 days to accomplish the abatement as ordered. If the abatement does not occur as ordered, this matter will proceed through the Lyon County District Court for enforcement.</p> <p>City Attorney, with consultation from Attorney Jason Hill of Kennedy &amp; Graven is proposing to proceed to obtain an administrative search warrant authorizing access to the remaining properties on the consolidated list of 17 properties as put together. It is anticipated that building official will obtain permission to inspect the properties for compliance with either the Minnesota Housing or Building Code. Deficiencies will be identified, and it is anticipated that a subsequent abatement order will be prepared for Council either addressing additional removal or repair of properties.</p> <p>Minnesota Law does allow for enforcement through court action. If the owner does not abate the hazardous or substandard buildings, City can apply for court order authorizing the City to abate the problem and abate the costs back to the property owner.</p>
<b>Fiscal Impact:</b>	N/A
<b>Alternative/ Variations:</b>	No alternative action recommended.
<b>Recommendations:</b>	To adopt Resolution Number 21-058, a Resolution ordering the abatement of several hazardous buildings located in the Broadmoor Valley Mobile Home Park in the city of Marshall, Minnesota and authorize staff to insert legal descriptions.

## **RESOLUTION NUMBER 21-058**

### **RESOLUTION ORDERING THE ABATEMENT OF SEVERAL HAZARDOUS BUILDINGS LOCATED IN THE BROADMOOR VALLEY MOBILE HOME PARK IN THE CITY MARSHALL, MINNESOTA**

WHEREAS, the Broadmoor Valley mobile home park, located in the City of Marshall on real property legally described on Exhibit A attached hereto, Lyon County PID's 27-604126-0 and 27-604128-0 (the "Property"), contains numerous manufactured homes owned by Schierholz and Associates, Inc., a Colorado corporation whose Minnesota registered office address is 100 Lilac Drive, Marshall, MN 56258 and whose taxpayer address is P.O. Box 60969, Colorado Springs, CO 80906; and

WHEREAS, numerous individuals own manufactured homes that are located on the Property leased from property owner Schierholz and Associates, Inc.; and

WHEREAS, numerous other manufactured homes on the Property are owned by Schierholz and Associates, Inc. or its affiliated business THROM, LLC, a Colorado limited liability company now known as First Phoenix, LLC, whose Colorado principal mailing address is also P.O. Box 60969, Colorado Springs, CO 80906, which manufactured homes are then leased out to occupying tenants on the Property; and

WHEREAS, it has come to the City's attention that numerous manufactured homes held for rental on the Property are substandard and/or hazardous buildings as defined by Minnesota Statutes §463.15; and

WHEREAS, at a City Council meeting on July 13, 2021, the Residents Association for Broadmoor Valley mobile home park presented photographic evidence and expressed concerns to the City Council with regard to conditions and potential City Code violations on the Property and specifically identifying various uninhabitable manufactured homes on the Property; and

WHEREAS, the building inspections department for the City of Marshall has been and currently is aware of the conditions surrounding the various hazardous buildings located on the Property; and

WHEREAS, City building official Ilya Gutman provided correspondence to Schierholz and Associates, Inc. dated April 12, 2017, January, 8, 2019, June 18, 2020 and July 30, 2020

notifying said entity of the dangerous state of a repair and City Code violations for numerous buildings on the Property. Further, the City of Marshall has retained services of Kennedy & Graven, Chartered law firm from Minneapolis, Minnesota and Jason M. Hill, an attorney from that firm, notified Schierholz and Associates, Inc. by letter dated May 4, 2021 regarding the circumstances and City Code violations existing of various buildings located within on the Property. The requests for repair and upgrade of the buildings on the Property have been ignored and the dangerous conditions and City Code violations have not been rectified; and

Further, building official, Ilya Gutman completed a further visual inspection of various buildings on the Property on Thursday, August 5, 2021; and

WHEREAS, as was reflected in the photographs provided by residents of the Broadmoor Valley mobile home park, City building official Ilya Gutman noted the following with regard to four (4) manufactured homes on the Property: (1) general dilapidation of the exterior including holes in the exterior structure, (2) opportunities for water intrusion into the structure, (3) unsecure doors and broken windows, and (4) buildings that have been unoccupied and unused for many years; and

WHEREAS, building official Ilya Gutman and City Attorney Dennis Simpson are recommending that the properties listed below be razed and removed from the Property as an abatement in accordance with Minnesota Statutes §463.15 through §463.261; and

AND WHEREAS, it is hereby recommended that the following properties be razed and removed from the Property:

Property Address	Property Owner	Mailing Address -If Different
111 Spruce Lane	THROM LLC	C/O Schierholz & Assoc PO Box 60969 Colorado Springs, CO 80906
119 Spruce Lane	THROM LLC	C/O Schierholz & Assoc PO Box 60969 Colorado Springs, CO 80906
327 Timberlane Drive	THROM LLC	C/O Schierholz & Assoc PO Box 60969 Colorado Springs, CO 80906
358 Timberlane Drive	Schierholz and Associates, Inc.	PO Box 60969 Colorado Springs, CO 80906

WHEREAS, the four (4) properties as listed above are included on the list of properties identified in correspondence sent from the City to the Property owner demanding that the Property owner correct the deficiencies as identified in said correspondence; and

WHEREAS, the Property owner has ignored the demands from the City building official and counsel from Kennedy & Graven, Chartered to address the identified deficiencies; and

WHEREAS, the visual inspection of properties on August 5, 2021 has verified and confirmed the photographic documentation provided to the City Council by the Broadmoor Valley Resident's Association on July 13, 2021; and

WHEREAS, the Property owners have taken no steps to abate the hazardous conditions of the buildings described above; and

WHEREAS, City staff has exhausted its efforts attempting to accommodate the Property owner and has significant concerns about the hazardous conditions of the buildings identified above on the Property;

WHEREAS, the City has communicated its intent to the Property owner that if it fails to comply with the applicable City and state building codes, the City would initiate the hazardous building action; and

WHEREAS, Minnesota Statute §463.15 subd.3 defines a “hazardous building or hazardous property” as “a building or property, which because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abatement, constitutes a fire hazard or hazard to public safety or health”; and

WHEREAS, Minnesota Statutes §463.16 and 463.17 authorize the governing body of a city or town to order the owners of any hazardous property or building within a municipality to correct or remove hazardous conditions; and

WHEREAS, Minnesota Statutes §463.161, authorizes a city to correct or remove a hazardous condition of any hazardous property or building if the owner of record fails to do so after a reasonable time and the district court enters a judgment sustaining the city’s order; and

WHEREAS, Minnesota Rules, Part 1300.0180 defines a building as unsafe “if it is structurally unsound, not provided with adequate egress, a fire hazard, or otherwise dangerous to human life” and further expressly provides at all unsafe buildings or public nuisances that “must be abated by repair, rehabilitation, demolition or removal according to Minnesota Statutes §463.15 to §463.26”; and

WHEREAS, to date, the Property owner has failed to take the steps necessary to abate the hazardous conditions of the buildings and properties identified above and has failed to cooperate with City staff in response to the City’s enforcement efforts; and

WHEREAS, based on the information presented, the City Council finds that the condition of the buildings and properties identified above are both hazardous and unsafe and, therefore, must be abated in accordance with applicable state and local laws.

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

1. The City Council adopts as factual findings, all of the above recitals.
2. The buildings located on the Property identified above are hazardous as that term is defined by Minnesota Statute §463.15 and unsafe as that term is defined by Minnesota Rules, Part 1300.0180.
3. The City Attorney, in consultation with Kennedy & Graven, Chartered, is authorized and directed to prepare an abatement order substantially similar to that attached hereto as Exhibit B to accomplish the means and intent of this resolution.

Specifically, the hazardous buildings identified herein are to be abated by the razing and removal of the manufactured home located as follows:

Property Address	Property Owner	Mailing Address -If Different
111 Spruce Lane	THROM LLC	C/O Schierholz & Assoc PO Box 60969 Colorado Springs, CO 80906
119 Spruce Lane	THROM LLC	C/O Schierholz & Assoc PO Box 60969 Colorado Springs, CO 80906
327 Timberlane Drive	THROM LLC	C/O Schierholz & Assoc PO Box 60969 Colorado Springs, CO 80906
358 Timberlane Drive	Schierholz and Associates, Inc.	PO Box 60969 Colorado Springs, CO 80906

4. The City Attorney, in consultation with Kennedy & Graven, Chartered, is authorized to take all necessary legal steps to effectuate service of this resolution and a corresponding abatement order in a manner required by law, including but not limited to obtaining a title search of the Property to confirm the identify of any and all owners, encumbrances and lienholders of the Property.
5. The City Attorney, in consultation with Kennedy & Graven, Chartered and City staff, is further authorized to take all necessary legal steps in order to secure compliance of the abatement order and may effectuate the removal of the buildings identified above or otherwise abate the hazardous conditions on the Property by either agreement with the Property owner or by court order and subsequently assess the cost thereof against the Property in accordance with law.

Passed and adopted by the Council this 10<sup>th</sup> day of August, 2021.

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

ATTEST:

\_\_\_\_\_  
Kyle Box, City Clerk

## EXHIBIT A

### Legal Description of the Property



**EXHIBIT B**

Abatement Order

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

Case Type: Other Civil

---

In the Matter of the Hazardous  
Buildings Located at 111 Spruce Lane,  
119 Spruce Lane, 327 Timberlane Drive and  
358 Timberlane Drive, Marshall, Minnesota.

**ORDER FOR ABATEMENT OF  
HAZARDOUS BUILDINGS**

---

TO: All owners, occupants, and lienholders of record.

The City Council of the City of Marshall (the “City”) orders that within 30 days of service of this Order you abate the hazardous conditions which currently exist on the buildings and property addressed as 111 Spruce Lane, 119 Spruce Lane, 327 Timberlane Drive and 358 Timberlane Drive, Marshall, Minnesota, which is located on property legally described on Exhibit A attached hereto, Lyon County PID’s 27-604126-0 and 27-604128-0 (the “Property”). As further detailed herein, abatement shall occur by either (1) razing (demolishing) the hazardous buildings, or (2) carrying out in full the list of items outlined below.

The City of Marshall, pursuant to Minnesota Statutes Sections 463.15 to 463.261, finds the buildings located at the above-referenced property constitute hazardous buildings within the meaning of Minnesota Statutes Section 463.15 subdivision 3, specifically due to the poor condition of the exterior, water intrusion, and the overall condition of the buildings.

Pursuant to the above-referenced statutes, it is hereby ORDERED that you abate the hazardous property conditions within 30 days of the date of service of this Order by either removing the structures or completing the following:

1. Obtain permits and begin work on needed exterior repairs according to the City's Building Official's assessment;
2. Replace all rotten boards on the exterior of the buildings;
3. Repair and/or replace all siding and exterior sheathing with holes;
4. Repair and/or replace missing and deteriorated siding;
5. Repaint existing siding that is in fair condition;
6. Ensure roof, soffit, fascia and flashing are sound, tight, and have no defects to admit water intrusion into the buildings, including replace any missing roofing;
7. Repair all cracks and holes in the walls and ceilings of the buildings;
8. Repair or replace all windows and doors that are in poor condition and not weather tight;
9. Repair and secure all faulty and unsafe electrical wiring throughout the buildings;
10. Remove all debris and other loose materials that may have accumulated throughout the buildings;
11. Interior ceilings and walls of the dwelling need to be finished including but not limited to adding proper insulation and interior finish;
12. Repair or replace skirting that is missing or in poor condition; and
13. Test for mold and remediate any mold present in the buildings.

You must apply for and obtain any appropriate permit(s), if applicable, for the work you intend to perform from the appropriate City offices before abating the hazardous conditions. This Order is not a permit. Further, all work completed is subject to inspection by the City's building inspector, fire inspector, and other staff as required to ensure compliance with applicable rules and law.

You are further advised that unless such corrective action is taken or an Answer is served on the City and filed with the Lyon County District Court Administrator within 21 days of the date of service of this Order upon you, a motion for summary enforcement of this Order will be made to Lyon County District Court.

You are further advised that if you do not comply with this Order and the City is compelled to take any corrective action, all necessary costs incurred by the City in taking the corrective action will be assessed against the Property pursuant to Minnesota Statutes Section 463.21. In connection thereto, the City intends to recover all its expenses incurred in carrying out this Order, including specifically but not exclusively, filing fees, service fees, publication fees, attorneys' fees, appraisers' fees, witness fees, including expert witness fees and traveling expenses incurred by the City from the time this Order was originally made pursuant to Minnesota Statutes Section 463.22.

Dated: \_\_\_\_\_, 2021

[SIGNATURE BLOCK]

## **EXHIBIT A**

### Legal Description

## CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, August 10, 2021																		
Category:	NEW BUSINESS																		
Type:	ACTION																		
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement at 310 Athens.																		
Background Information:	<p>Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement.</p> <p><b>27-711048-0</b>                      E &amp; J Rentals                      <b>310 Athens Ave</b></p> <table><tr><th colspan="3">NON -HOMESTEAD TAX RATE</th></tr><tr><td>2021 prebuild raw land value</td><td>2021 post build total value</td><td>Difference of improvement</td></tr><tr><td>13,000</td><td>\$ 212,100.00</td><td>\$ 199,100.00</td></tr><tr><td>taxes @ 2021 rates</td><td>taxes @ 2021 rates</td><td></td></tr><tr><td>\$ 77.00</td><td>\$ 1,264.00</td><td>\$ 1,187.00</td></tr><tr><td colspan="3"></td></tr></table>	NON -HOMESTEAD TAX RATE			2021 prebuild raw land value	2021 post build total value	Difference of improvement	13,000	\$ 212,100.00	\$ 199,100.00	taxes @ 2021 rates	taxes @ 2021 rates		\$ 77.00	\$ 1,264.00	\$ 1,187.00			
NON -HOMESTEAD TAX RATE																			
2021 prebuild raw land value	2021 post build total value	Difference of improvement																	
13,000	\$ 212,100.00	\$ 199,100.00																	
taxes @ 2021 rates	taxes @ 2021 rates																		
\$ 77.00	\$ 1,264.00	\$ 1,187.00																	
Fiscal Impact:	NA																		
Alternative/ Variations:	NA																		
Recommendations :	To call for a public hearing for the proposed property tax abatement.																		

CITY OF MARSHALL  
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT  
FOR HOME TAX ABATEMENT APPLICANT E&J RENTALS

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall Minnesota (the “City”), will hold a public hearing at a meeting of the Council beginning at 5:30 p.m., on August 24, 2021 to be held at City Hall, 344 West Main Street, in Marshall, Minnesota, on the request of Home Tax Abatement Applicant that the City abate a portion of property taxes levied by the City in connection with the construction house structure. The property is located within the City and is currently identified as Parcel No. 27-711048-0. The approximate amount of assistance is \$2,374 over a maximum period of 2 years. The City Council will consider granting a property tax abatement in response to the request.

Information about the proposed tax abatement will be on file and available for public inspection at the office of the City Clerk at City Hall.

All interested persons may appear at the public hearing and present their views orally or in writing. Following the public hearing, the City Council will take action concerning the adoption or rejection of the proposed tax abatement application.

August 10, 2021

Kyle Box  
City Clerk

**Application Review and Approval Process** shall be followed as specified in Tax Abatement Policy as specified herein.

**Property Information:**

Location: 310 Athens Ave Access Road: Athens Ave  
Section: 5 Township: 11 Range: 41 Property Identification Number: 27-711048-0  
Legal Description: Lot 9 Block 3 Parkway II Addition  
(attach if needed)  
Parcel Width: \_\_\_\_\_ (feet) Length: \_\_\_\_\_ (feet) Acres: \_\_\_\_\_

**Applicant Information:**

Applicant Name: E & J Rentals Phone: 507-530-4480 (h) \_\_\_\_\_ (w) \_\_\_\_\_  
Mailing Address: 401 E Marshall St  
Applicant Signature: [Signature]

**Owner Information:**

Owner Name: E & J Rentals Phone: 507-530-4480 (h) \_\_\_\_\_ (w) \_\_\_\_\_  
Mailing Address: 401 E Marshall St  
Owner Signature: [Signature]  
Contractors or Contract for Deed Holders – owner must sign the application.

**Company Information:**

Owner Name: E & J Rentals Phone: 507-530-4480 Fax: \_\_\_\_\_  
Location: Marshall MN  
Type of Company: LLC Service Provided: \_\_\_\_\_

Please attach the following documentation:

- ☐ Map or site plan, prepared by an architect or engineer, showing the boundaries of the proposed development, the size and location of the building(s) and parking areas.
- ☐ Written narrative describing the project, the size and type of building(s), business type and use, traffic information (parking capacity, vehicle counts, traffic flow, pedestrian facilities), project timing, and estimated market value.
- ☐ A statement identifying the public benefits of the proposal, including estimated increase in property valuation, and other community benefits.
- ☐ Statement showing the private investment and any public investment dollars for the project
- ☐ Financial information including past performance and pro forma future projections for the project.
- ☐ Application Fee (please see City of Marshall Fee Schedule for current fee amount).
- ☐ Other information as requested.

**Return Completed Applications to:**

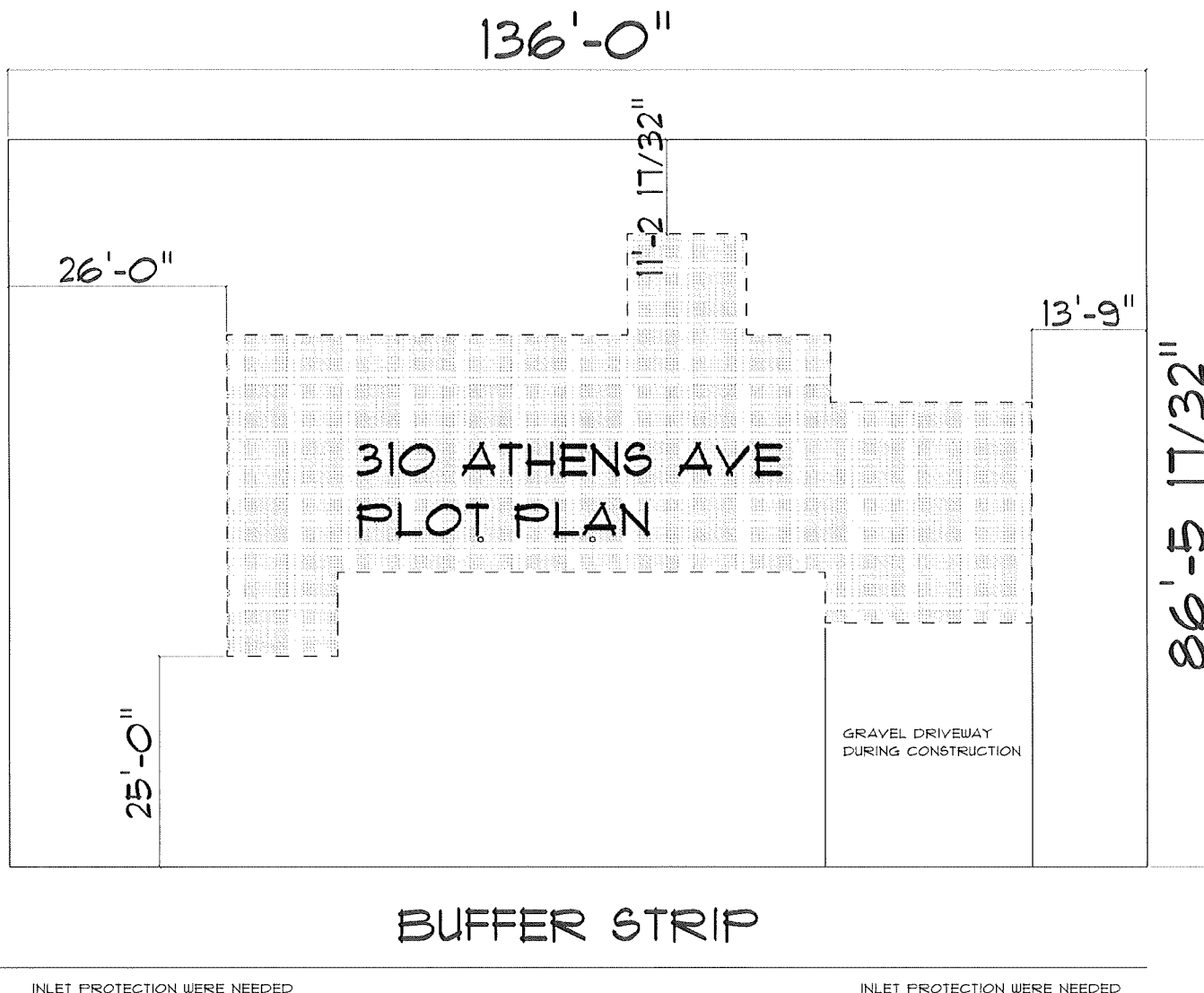
City Clerk  
City of Marshall  
344 West Main St.  
Marshall, MN 56258

STOCKHOLM AVE

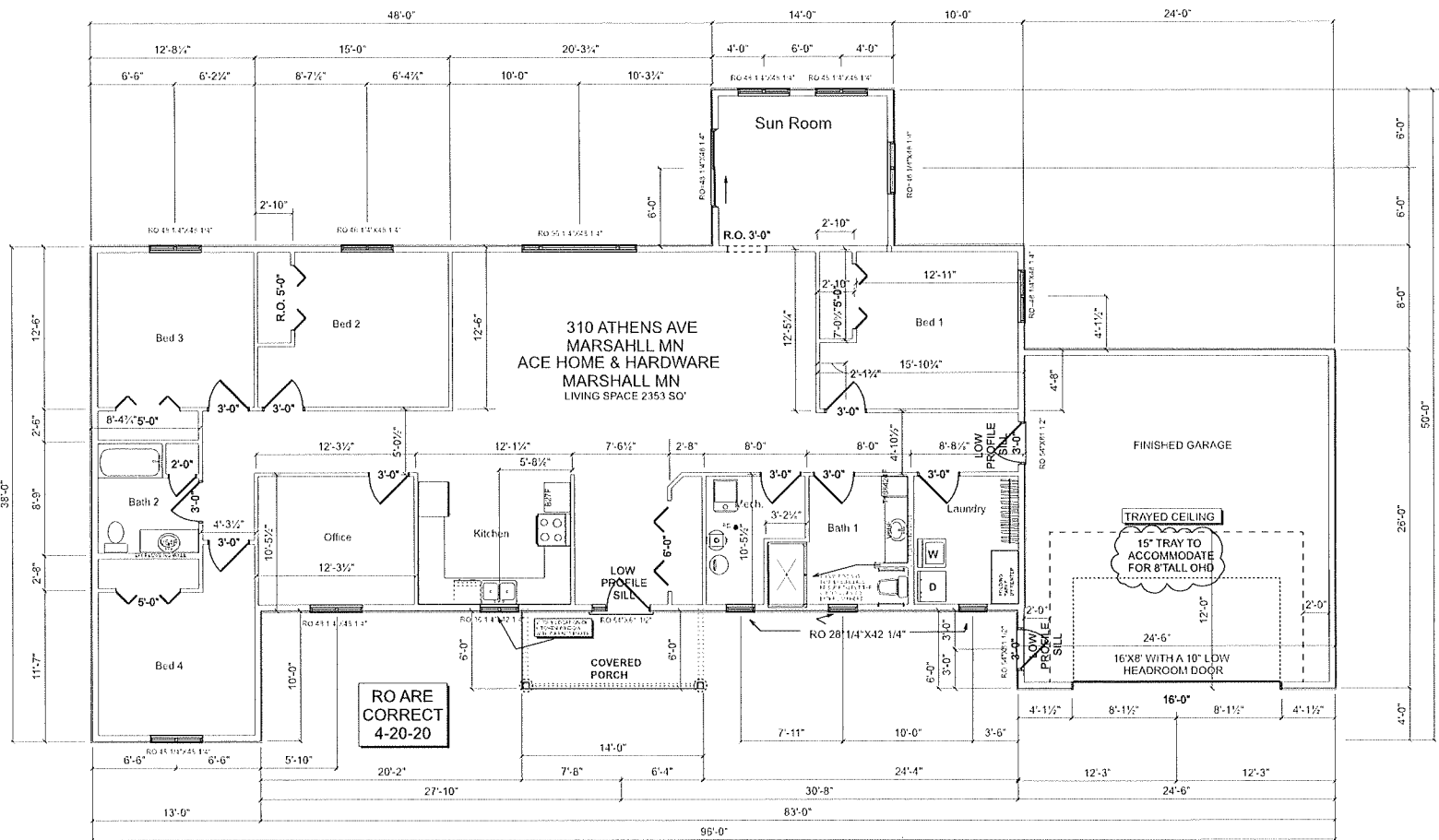
INLET PROTECTION WERE NEEDED

INLET PROTECTION WERE NEEDED

BUFFER STRIP







## CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, August 10, 2021															
Category:	CONSENT AGENDA															
Type:	ACTION															
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement at 505 Darlene Dr.															
Background Information:	<p>Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement.</p> <p><b>27-630030-0</b>                      E &amp; J Rentals                      <b>505 Darlene Drive</b></p> <table><tr><th colspan="3">NON -HOMESTEAD TAX RATE</th></tr><tr><td>2021 pre build raw land value</td><td>2021 post build total value</td><td>Difference of improvement</td></tr><tr><td>24,200</td><td>\$ 230,300.00</td><td>\$ 206,100.00</td></tr><tr><td>taxes @ 2021 rates</td><td>taxes @ 2021 rates</td><td></td></tr><tr><td>\$144.00</td><td>\$ 1,372.00</td><td>\$ 1,228.00</td></tr></table>	NON -HOMESTEAD TAX RATE			2021 pre build raw land value	2021 post build total value	Difference of improvement	24,200	\$ 230,300.00	\$ 206,100.00	taxes @ 2021 rates	taxes @ 2021 rates		\$144.00	\$ 1,372.00	\$ 1,228.00
NON -HOMESTEAD TAX RATE																
2021 pre build raw land value	2021 post build total value	Difference of improvement														
24,200	\$ 230,300.00	\$ 206,100.00														
taxes @ 2021 rates	taxes @ 2021 rates															
\$144.00	\$ 1,372.00	\$ 1,228.00														
Fiscal Impact:	NA															
Alternative/ Variations:	NA															
Recommendations:	To call for a public hearing for the proposed property tax abatement.															

CITY OF MARSHALL  
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT  
FOR HOME TAX ABATEMENT APPLICANT E&J RENTALS

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall Minnesota (the “City”), will hold a public hearing at a meeting of the Council beginning at 5:30 p.m., on August 24, 2021 to be held at City Hall, 344 West Main Street, in Marshall, Minnesota, on the request of Home Tax Abatement Applicant that the City abate a portion of property taxes levied by the City in connection with the construction house structure. The property is located within the City and is currently identified as Parcel No. 27-630030-0. The approximate amount of assistance is \$2,456 over a maximum period of 2 years. The City Council will consider granting a property tax abatement in response to the request.

Information about the proposed tax abatement will be on file and available for public inspection at the office of the City Clerk at City Hall.

All interested persons may appear at the public hearing and present their views orally or in writing. Following the public hearing, the City Council will take action concerning the adoption or rejection of the proposed tax abatement application.

August 10, 2021

Kyle Box  
City Clerk

**Application Review and Approval Process** shall be followed as specified in Tax Abatement Policy as specified herein.

**Property Information:**

Location: 505 Darlene Dr Access Road: Darlene Dr  
Section: 33 Township: 112 Range: 41 Property Identification Number: 27-630030-0  
Legal Description: Lot 3 Block 3 North Riverview Prop Addn  
(attach if needed)  
Parcel Width: \_\_\_\_\_ (feet) Length: \_\_\_\_\_ (feet) Acres: \_\_\_\_\_

**Applicant Information:**

Applicant Name: E + J Rentals Phone: 507-401-6158 (h) \_\_\_\_\_ (w) \_\_\_\_\_  
Mailing Address: 401 E Marshall St  
Applicant Signature: [Signature]

**Owner Information:**

Owner Name: E + J Rentals Phone: 507-401-6158 (h) \_\_\_\_\_ (w) \_\_\_\_\_  
Mailing Address: 401 E Marshall St  
Owner Signature: [Signature]  
Contractors or Contract for Deed Holders – owner must sign the application.

**Company Information:**

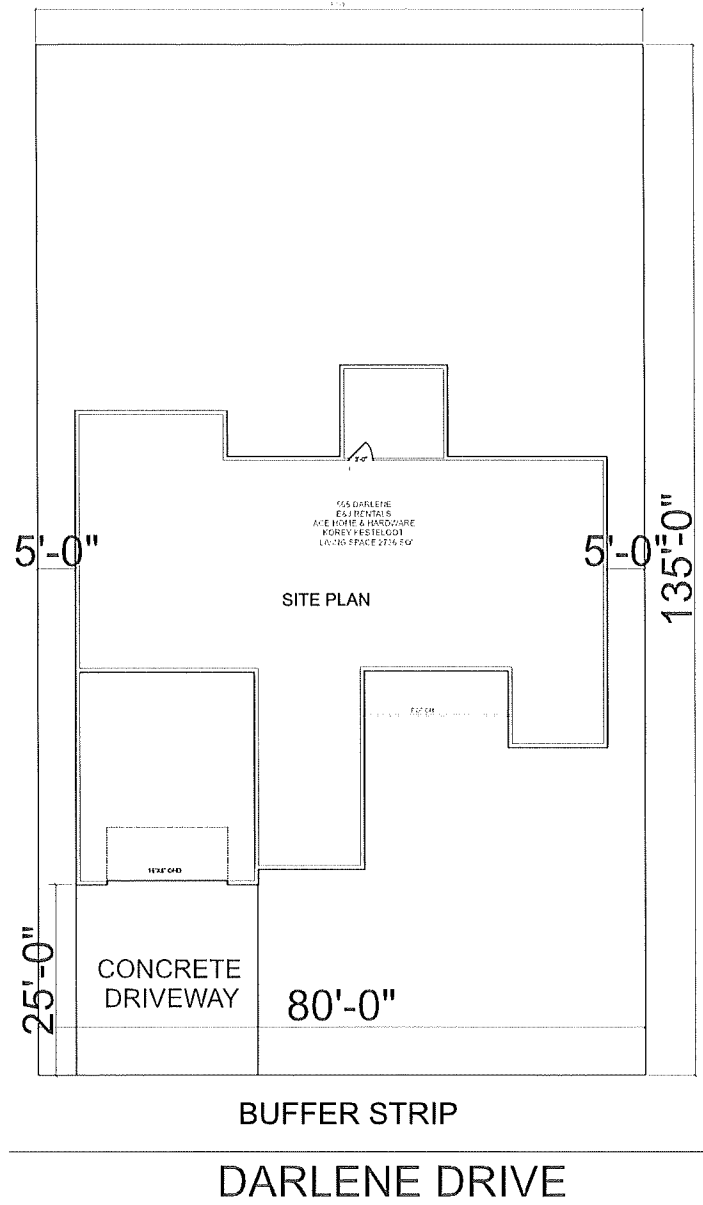
Owner Name: E + J Rentals Phone: 507-401-6158 Fax: \_\_\_\_\_  
Location: 401 E Marshall St  
Type of Company: LLC Service Provided: \_\_\_\_\_

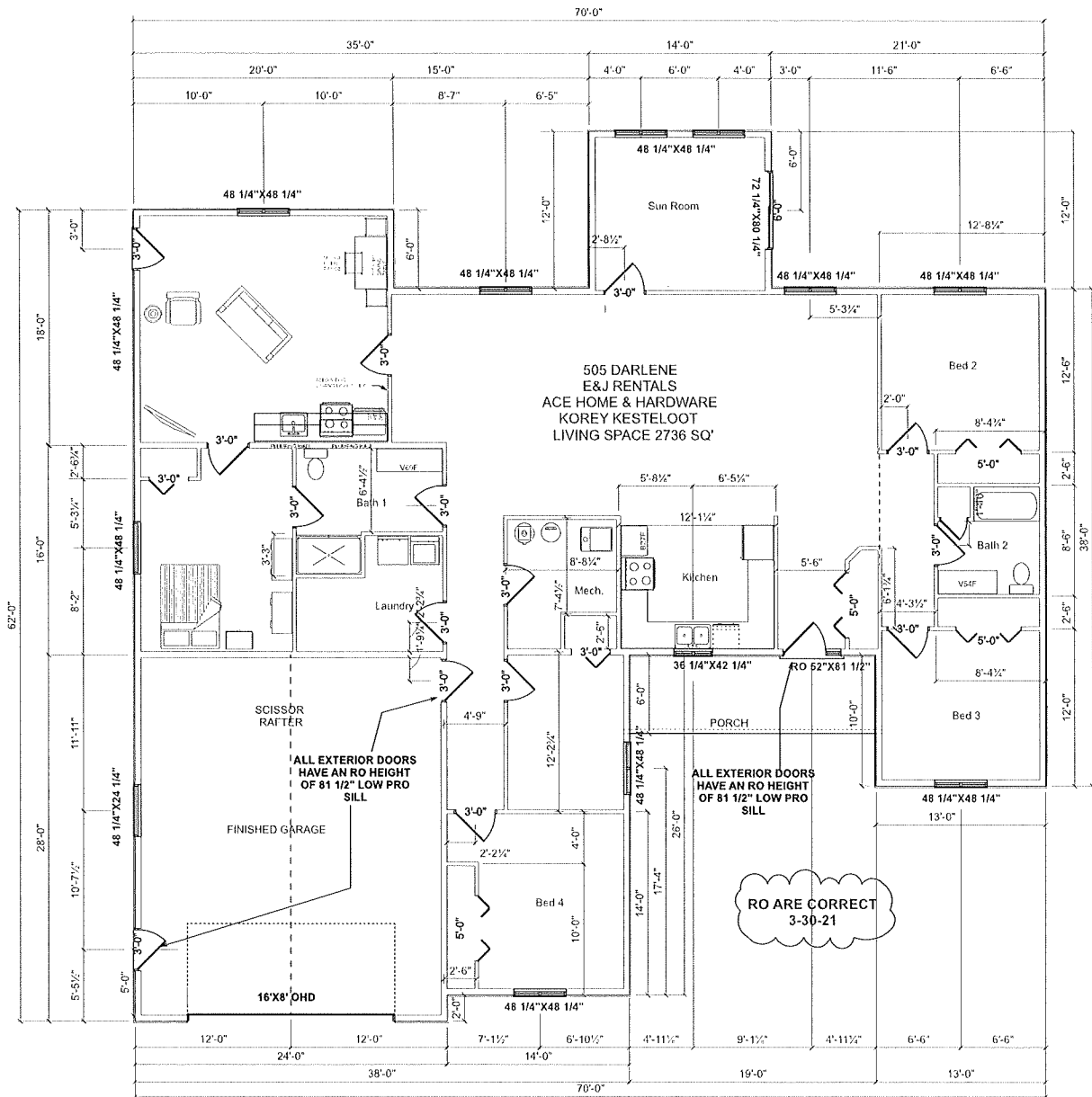
Please attach the following documentation:

- ☐ Map or site plan, prepared by an architect or engineer, showing the boundaries of the proposed development, the size and location of the building(s) and parking areas.
- ☐ Written narrative describing the project, the size and type of building(s), business type and use, traffic information (parking capacity, vehicle counts, traffic flow, pedestrian facilities), project timing, and estimated market value.
- ☐ A statement identifying the public benefits of the proposal, including estimated increase in property valuation, and other community benefits.
- ☐ Statement showing the private investment and any public investment dollars for the project
- ☐ Financial information including past performance and pro forma future projections for the project.
- ☐ Application Fee (please see City of Marshall Fee Schedule for current fee amount).
- ☐ Other information as requested.

**Return Completed Applications to:**

City Clerk  
City of Marshall  
344 West Main St.  
Marshall, MN 56258





## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Tuesday, January 12, 2021
<b>Category:</b>	NEW BUSINESS
<b>Type:</b>	ACTION
<b>Subject:</b>	Consider Appointments to Various City Boards, Commissions, and Authorities.
<b>Background Information:</b>	<p>Below are the recommended appointments to various City Boards, Commissions, and Authorities.</p> <p>Applicants for the following positions met with the City Council on July 27 and August 10.</p> <p>Library Board, Saar Rappana – expired term 12/31/22  Policy Advisory Board, Kelly Wasberg – unexpired term 5/31/23  Public Housing Commission, Janelle Sailer – unexpired term 5/31/26</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	To approve the nominations to various City Boards, Commissions, and Authorities

## City of Marshall Boards and Commissions

<b>Adult Community Center Commission</b>	Incumbent	New Applicants
(1) expired term to expire 5/31/22 (1) unexpired term to expire 5/31/23		

<b>Airport Commission</b>	Incumbent	New Applicants
(2) expired terms to expire 5/31/22		

<b>Cable Commission</b>	Incumbent	New Applicants
(2) expired terms to expire 5/31/22 (1) unexpired terms to expire 5/31/23 (1) unexpired term to expire 5/31/24		

<b>Community Services Advisory Board</b>	Incumbent	New Applicants
(1) expired term to expire 2/28/22 (Student) (1) unexpired term to expire 2/28/24		

<b>Library Board</b>	Incumbent	New Applicants
(1) expired term to expire 12/31/22		Saara Raappana (12/31/22)

<b>Marshall Municipal Utilities Commission</b>	Incumbent	New Applicants
(1) unexpired term to expire 5/31/26		

<b>MERIT Center Commission</b>	Incumbent	New Applicants
(1) unexpired term to expire 12/31/23		

<b>Planning Commission</b>	Incumbent	New Applicants
(1) unexpired term to expire 5/31/23 (2) unexpired terms to expire 5/31/24		

<b>Police Advisory Board</b>	Incumbent	New Applicants
(1) unexpired term to expire 5/31/23 (1) unexpired term to expire 5/31/24		Kelly Wasberg (5/31/23)

<b>Public Housing Commission</b>	Incumbent	New Applicants
(1) unexpired term to expire 5/31/26 (1) unexpired term to expire 5/31/23		Janelle Sailer (5/31/26)



## CITY OF MARSHALL AGENDA ITEM REPORT

<b>Meeting Date:</b>	Click or tap to enter a date.
<b>Category:</b>	COUNCIL REPORTS
<b>Type:</b>	INFO
<b>Subject:</b>	Commission/Board Liaison Reports
<b>Background Information:</b>	<p><b>Byrnes</b> - Fire Relief Association and Regional Development Commission</p> <p><b>Schafer</b> – Airport Commission, Joint LEC Management Committee, MERIT Center Commission, SW Amateur Sports Commission</p> <p><b>Meister</b> – Cable Commission, Community Services Advisory Board, Economic Development Authority</p> <p><b>Edblom</b> – Planning Commission, Public Housing Commission</p> <p><b>DeCramer</b> – Economic Development Authority, Marshall Municipal Utilities Commission, Diversity, Equity, and Inclusion Commission</p> <p><b>Labat</b> – Adult Community Center Commission, Convention &amp; Visitors Bureau, Library Board, Marshall Area Transit Committee</p> <p><b>Lozinski</b> – Joint LEC Management Committee, Police Advisory Board</p>
<b>Fiscal Impact:</b>	
<b>Alternative/ Variations:</b>	
<b>Recommendations:</b>	

TO: Honorable Mayor and Members of the City Council; City Staff

FROM: Sharon Hanson, City Administrator

DATE: August 10, 2021

SUBJECT: Administrative Brief

**CITY ATTORNEY**

- Continuing to meet with Scott VanDerMillen regarding the renewal of the Red Baron Arena & Expo Sponsorship Agreements.
- Continuing ongoing work regarding Broadmoor Valley enforcement actions.
- Continuing to work towards acquisitions of property to be used for storage facilities for the public works and Marshall City police department.
- Sale of city property to BEST TOPSOIL LLC and Border States Industries, Inc. have concluded, and I look forward to purchasers beginning construction on these properties soon.
- Continuing discussions concerning Suit Liv'n TIF plan and documents.
- Criminal prosecution numbers for July are as follows:

**July:**

	ASSAULT	OFF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2021	2020 Comparison
Prosecution	4		10	1	2	1	6	24	14
Dismissed									
Non-Prosecution	1							1	9
Refer to County									

**ADMINISTRATION**

- A draft purchase agreement has been drafted by Dennis Simpson regarding the HWY 59 North property and will be forwarded to realtor for consideration by the owner.
- City Hall remaining items have been submitted to contractor. Back and front steps that are employee only access are being painted August 5th and 6th. We are still waiting for backing for signage, hardware and parts for completed security. Agreement on resolution on some remaining unfinished items. City Hall Committee now on a monthly meeting cycle.
- Aquatic center initial design concepts will be provided to the city early next week and if arrived on time, staff could present to City Council at the Budget work session on Tuesday August 10th.
- Preston Stensrud and City Administrator will review the concept plan for the City Hall Plaza following the Sounds of Summer events as Park staff will be preparing and readying for that event. We will continue to refine and consider all feedback. We do need to consider funding as part of the 2022 budget.

- Annette Storm continues to input budget numbers with personnel costs being the final work needing completion. Staff are presenting the General Fund Budget at August 25th Work Session.
- Staff and City Attorney have begun some preliminary work on next steps with Broadmoor Valley and potential Council action could occur either at the August 10th or August 24th City Council meeting.
- Community survey work includes formulation of survey questions, consideration of actual tax impacts and presentation to varying groups. This past month-Young Professionals, Chamber Board heard about the potential to extend the sales tax. Senior Citizen members will be provided information next week. Emails requesting a meeting with legislators have been sent out, still awaiting a response. The YMCA would like to be farther along in their capital campaign and believe that in September, they plan to do more general public awareness. For the community survey we may now conduct the first week in October, not August or September as originally mentioned.
- Preliminary review and research have been conducted on American Rescue Plan funds and a plan will need to be developed, communicated and hopefully implemented soon as we did receive half the funds recently, totaling just over \$700,000.
- Staff have continued to work on Suite Liv'n Tax Increment Financing with a likely proposal to include TIF payments contingent on meeting maintenance requirements.
- Many meetings covering a variety of topics this past month-with staff and others. Use of City Hall for these meetings have been absolutely terrific and overall, the first few weeks in City Hall has been great.

#### **Economic Development Authority**

- BSE land sale to close 7/21. Staff is working with the County on additional Abatement.
- Staff is working on TIF for a new housing development.
- Staff is in discussion with new mall owner and current tenants.
- Staff is in discussion with new Shopko owner.
- Staff is in discussion with six new developers/businesses.
- Staff is working with four local businesses on an expansion project.
- Staff is working with Studio 1 and CVB on video marketing series.
- Staff is completing Hotel Needs Assessment.
- Staff is finalizing the new Housing Study completed by Maxfield.
- Staff is assisting with Comprehensive Study update.
- Staff working with Habitat for Humanity on home relocation.

#### **Human Resources**

- Staffing: applications are being accepted for the part-time positions of Program Specialist at the Adult Community Center and Liquor Checkout Clerk. Applications for a variety of temporary/seasonal positions are accepted on a continuous basis.
- Safety: Employees will be trained in Bloodborne Pathogens and Personal Protective Equipment in August—both of these topics are required on an annual basis by OSHA. Our LMCIT Loss Control Consultant conducted an annual visit in July with the HR Manager. We discussed the City's safety program, ergonomics, training, hiring protocols, job hazard identification/controls, incident investigations, and safety committee. The City is meeting and/or exceeding the LMCIT recommendations for these areas. There were no suggested action items from LMCIT.
- 2021 Classification/Compensation study: staff have been working during the last several weeks with Gallagher on identifying our market comparator listing, the survey instrument, classifications, and benchmark positions (positions to survey for wage data). The survey was launched on August 3<sup>rd</sup>, which will collect compensation and pay administration information for 33 total classifications from the City, Library, and Public Housing. Survey data will be collected by Gallagher consultants, who will analyze the data received. The survey responses are due within 2 weeks and follow up communications will be sent to organizations that have not yet responded, if applicable. Gallagher will now begin discussing job evaluation (i.e., pointing) methodologies available, with their recommendations. The City, Library, and

Public Housing currently use the Hay Point Factor method of pointing positions. We will transition to a new pointing method, as Gallagher does not utilize Hay Point Factor Method. There are several job evaluation methodologies that comply with MN Pay Equity requirements; Gallagher will ensure that the method recommended and selected for our study complies with state law.

#### **Clerk**

- Working with Enterprise to bring a Fleet Management Program proposal to the City Council.
- Diversity, Equity, and Inclusion Commission met on August 4<sup>th</sup> and reports from two subcommittees were given regarding an upcoming World Café event as well as ‘Welcome Week’, an event that will be held on September 18.
- Tierney was able to complete their work in the Council Chambers. The last remaining items to be completed are delayed due to supply issues.
- Staff have started working on a Room Rental Policy for outside organizations using the available rooms at City Hall for meetings.

#### **Finance**

- 2022 Budget: Finance staff continue to input all information into the system. Council had a capital work session on 8/4/21 and the next work session will be 8/10/21 for community request presentations.
- TIF District 6-1 Creation: The planning commission reviewed the proposed TIF District 6-1. The public hearing was on 7/27/21 and for council tabled the creation of the district until the development agreement is brought to council (tentative date is August 24<sup>th</sup>).
- Policy Work: Purchasing policy changes was approved at the July 27<sup>th</sup> council. Next policy work will be on grants. Staff will begin work on the grant policy this fall.
- Ordinance Work: Staff are reviewing ordinance section 2-74 – Supervision of purchases and contracts. Introduction of the ordinance will be at the August 10<sup>th</sup> council and considered at the August 24<sup>th</sup> council meeting.

#### **Assessing**

#### **Liquor Store**

- July Financials: Sales 650,036 (0%), Ticket average \$33.60 +2%, Customer Count 19,345 (2%). Overall, a strong month for sales and all financials compared to 2020.
- Staff continues to organize and tighten the floor for a better shopping experience for the customers.

#### **COMMUNITY SERVICES**

- The Minnesota Department of Education (MDE) has selected our ABE program to receive a grant award from the Adult Education Supplemental Services Racial Equity in Adult Education Competitive Grant Opportunity State Fiscal Year 2022. The initial award amount is \$80,000.  
See Moua-Leske, our ABE Coordinator was paramount in writing and securing this funding. A portion of this funding will be used to secure a Diversity, Equity & Inclusion Assistant who will assist with various functions to help shape and support efforts to advance the mission of this newly created commission.
- The Adult Community Center remains open for in-person activities. Interviews have been completed for the PT Program Specialist position to replace Heather Radke. The position has been reopened for applications as two candidates declined an employment offer.
- The Restroom/Shelter project at Patriot Park located on Windstar Street has been completed.
- Staff continues work towards implementing some inclusive playground amenities surrounding the new playground at Independence Park. Look for some significant progress by early October.

- All 13 local parks were adopted this summer in our new Adopt-a-Park program that Preston Stensrud, Parks Superintendent, implemented this spring/summer.
- The Junior T-Ball & Baseball Family Night was held at the Amateur Sports Complex in late June. Over 650 hamburgers were sold and the top two ticket selling teams were awarded with a trip to a Twins game in late July.
- With the consistent heat this summer our Aquatic Center has welcomed steady attendance. As of July 27<sup>th</sup>, the MAC had been open for 50 days this summer averaging 316 users per day. A high mark of 626 users was recorded on June 24<sup>th</sup>.
- Stockwell Engineers, Inc., who is working with the City on Phase I of the Aquatic Center project, is scheduled to provide the City some preliminary facility concepts during the week of August 9<sup>th</sup>.

## **COMMUNITY PLANNING**

### **Building Services / Planning & Zoning**

- Almost 350 open job files.
- Drawings are being reviewed for the third Unique apartment building and for Border State Electric building.
- City buildings ADA-compliance review is complete.
- New permit software development is going well.
- Sign Ordinance is under review.

## **PUBLIC WORKS DIVISION**

### **Engineering**

- Project Z51-2021: 2021 City Overlay – Duinick has completed work on this project. Currently, waiting for seed establishment for completion.
- Project Z77: Legion Field Stormwater Improvements—Phase I – Final seeding on pond changes is expected to take place in August.
- Project Z80: Independence Park/Nwakama Street Sanitary and Storm Improvements – D&G is expected to perform this work starting early August.
- Project Z82: N. 1<sup>st</sup>/Redwood/Marshall – D&G has completed underground utility construction on the project. Curb, sidewalk and driveway is expected to be completed during the first week of August. Paving is potentially planned for mid-August.
- Project Z83: James/Camden – Kuechle has completed the underground utility construction on the project. Curb is complete on James/Camden with sidewalk & driveway work to begin during the first week of August.
- Project Z84: Legion Field Park Stabilization Project – This project is advertising currently and bids open on Wednesday, August 4<sup>th</sup>. Award recommendation is anticipated for the 8/10 Council Meeting.
- Project Z87: Diversion Channel Slope Repairs and Sheet Pile Removal – This project is advertising currently and bids open on Wednesday, August 18<sup>th</sup>. Award recommendation is anticipated for the 8/24 Council Meeting.
- Project Z88: 2021 State Aid Overlay – Duinick is currently replacing pedestrian ramp and curb replacements on Southview Drive and 4<sup>th</sup> Street. After pedestrian ramps are completed, mill and overlay work is expected to occur shortly afterwards.

### **Building Maintenance**

- No report.

#### **Street Department**

- No report.

#### **Airport/Public Ways Maintenance**

- No report.

#### **Wastewater**

- Cleaning sewers.
- Plant repairs.
- Lift Station Repairs
- Magney Construction is working final punch list items on projects that have been completed so far. The last Aeration Basin replacement has started. Started using long term storage tanks. Replacement of the Trickling Filter pump station is complete.
- First Blue Storage Tank resealing has been completed. Second tank is complete.
- Doing a lot of preventative maintenance on equipment.
- Revising and correcting sanitary sewer mapping system.
- Working on regulatory issues for Phosphorus, Salty Discharge, Pretreatment, Redwood River Watershed Review, MN. River Nutrient TMDL, PFAS, Lake Pepin TMDL.

### **PUBLIC SAFETY DIVISION**

#### **FIRE DEPARTMENT**

- The Fire Department responded to eighteen (18) calls for service. Total calls for service included:
  - Fire/CO2 Alarm (7)
  - Fire; Structure (10)
  - Medical Assist (0)
  - Vehicle Accident (1)
  - Other (0)

#### **POLICE DEPARTMENT**

- The Marshall Police Department responded to a total of 667 calls for the month of July. Ninety-eight (98) criminal offenses were reported with a total number of forty-five (45) adults arrested.

#### **OFFICER'S REPORT**

- Alarms (6)
- Accidents (22)
- Alcohol involved incidents (5)
- Assaults (4)
- Domestic Assaults (14)
- Burglaries (4)
- Criminal Sexual Conduct (3)
- Damage to Property (10)
- Keys Locked in Vehicles (30)
- Loud Party (1)/ Public Disturbances (6)

- Thefts (19)
- Traffic Related Complaints (99)
- Vandalism (2)
- Warrant Pickups (20)
- Welfare Checks (22)

The Marshall Police Department is continuing to work close with the Lyon County Sheriff's Office and Western Mental Health regarding the implementation of a CO-Responder Program. This program will pair law enforcement and behavioral health specialists to respond to behavioral health-related calls for service. Western Mental Health is identifying personnel who will best serve our community in this new role. Efforts to have a therapist in place working close with our law enforcement personnel by the end of August is our goal.

## **DETECTIVE REPORT**

- A Marshall man was arrested for 1<sup>st</sup> Degree Criminal Sexual Conduct following the investigation of a sex assault on a minor.
- A Granite Falls man was arrested for 5<sup>th</sup> Degree Controlled Substance Crime and Ineligible Possession of a Firearm. The firearm was submitted to the BCA Laboratory for a serial number restoration.
- Two Marshall women were arrested for 5<sup>th</sup> Degree Controlled Substance Crime following the execution of a search warrant on a Marshall hotel room. The Brown-Lyon-Redwood-Renville Drug Task Force assisted.
- A Marshall man was arrested for gross misdemeanor possession of stolen property at the completion of a bike theft investigation.
- Three separate cases of auto theft were investigated in the month of July. The stolen vehicles were recovered in all three cases. An arrest was made in one case, and a report was sent to the Lyon County Attorney's Office for charges in another case.
- Three separate cases of check forgery where fraudulent checks were passed at Marshall businesses are under investigation. The cases appear to be related.
- Two cases of Predatory Offender Registration Violations were investigated and forwarded to the Lyon County Attorney's Office for formal charges.
- Ten cases of theft, eight cases of criminal damage to property, and one burglary were investigated.
- Two deaths were investigated.
- Twelve child protection reports and two reports from the Minnesota Adult Abuse Reporting Center were investigated jointly with Southwest Health and Human Services.
- Sgt. Buysse joined Heath Radke on KMHL Radio on July 9<sup>th</sup> for the monthly public safety update.

## **MERIT CENTER**

- The MERIT Center Commission held a meeting on July 15<sup>th</sup>, 2021. Introductions of new members and MN West liaison, Paul Verly was introduced. Long term plans, charging fees and use of the facility by MN West were discussed.

# **BUILDING PERMIT LIST** **August 10, 2021**

MARSHALL



APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION
BLADHOLM CONSTRUCTION, INC.	503 HIGHWAY 59 N	INTERIOR & EXTERIOR REMC	440,000.00
JM DEVELOPMENT LLC	1204 STOCKHOLM AVE	NEW BUILDING	204,400.00
DEUTZ, RICHARD G & DEBRA M	825 CULLEN CIR	BUILDING ADDITION	20,000.00
MIKE BUYSSE CONSTRUCTION, INC.	405 MARSHALL ST W	EXTERIOR REMODEL	5,000.00
INDEPENDENT LUMBER OF MARSHALL, INC	624 KATHRYN AVE	EXTERIOR REMODEL	25,000.00
MARGARET & ALAN GREIG TRUSTEES, GREIG I 506 4TH ST N		Windows	8,000.00
BOMGAARS, TARAH M & RODNEY A	304 HIGH ST N	WINDOWS / DOORS	14,500.00
VANLEEUEWE CONSTRUCTION LLC	400 MARSHALL ST E	RE-ROOFING	8,700.00
BABCOCK CONSTRUCTION	506 LYND ST	RE-SIDING	12,300.00
Your Home Improvement Company	311 LAWRENCE ST	Windows	7,500.00
Your Home Improvement Company	420 5TH ST N	Windows	4,600.00
D&G EXCAVATING	1600 HAHN RD	DEMOLITION	7,000.00
BABCOCK CONSTRUCTION	511 MARSHALL ST W	Windows	7,800.00
BABCOCK CONSTRUCTION	501 COLLEGE DR E	EXTERIOR REMODEL	3,800.00
JESSICA ELIZABETH KOPPIEN-FOX, MICHAEL J 1203 MORNINGSIDE CIR		Windows	1,200.00
MIKE BUYSSE CONSTRUCTION, INC.	1302 RIDGEWAY RD	OTHER	5,000.00
AMERICAN WATERWORKS	306 ELM ST	INTERIOR REMODEL	10,600.00



HEARTLAND MECHANICAL, INC.	1102 STOCKHOLM AVE	NEW BUILDING	0.00
HEARTLAND MECHANICAL, INC.	1107 STOCKHOLM AVE	NEW BUILDING	0.00
APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION

MARSHALL



**SIGN PERMIT LIST**  
**August 10, 2021**

MARSHALL



APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION
HARVEY SIGN SERVICE	1001 HIGHWAY 23 N	N/A	4,500.00
Ace Signs	904 MAIN ST E	N/A	15,000.00

# 2021 Regular Council Meeting Dates

2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month

5:30 P.M.

City Hall, 344 West Main Street

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## **January**

1. January 12, 2021
2. January 26, 2021

## **February**

1. February 09, 2021
2. February 23, 2021

## **March**

1. March 09, 2021
2. March 23, 2021

## **April**

1. April 13, 2021
2. April 27, 2021

## **May**

1. May 11, 2021
2. May 25, 2021

## **June**

1. June 08, 2021
2. June 22, 2021

## **July**

1. July 13, 2021
2. July 27, 2021

## **August**

1. August 10, 2021
2. August 24, 2021

## **September**

1. September 14, 2021
2. September 28, 2021

## **October**

1. October 12, 2021
2. October 26, 2021

## **November**

1. November 09, 2021
2. November 23, 2021

## **December**

1. December 14, 2021
2. December 28, 2021

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## **2021 Uniform Election Dates**

- February 09, 2021
- April 13, 2021
- May 11, 2021
- August 10, 2021
- November 2, 2021

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

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



## Upcoming Meetings

### August

- 08/10 Budget Work Session, 4:00 PM, City Hall
  - 08/10 Regular Meeting, 5:30 PM, City Hall
  - 08/24 Housing and Redevelopment Authority, 5:00 PM, City Hall
  - 08/24 Regular Meeting, 5:30 PM, City Hall
  - 08/25 Budget Work Session, 4:30 PM, City
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### September

- 09/14 Regular Meeting, 5:30 PM, City Hall
  - 09/28 Regular Meeting, 5:30 PM, City Hall
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### October

- 10/12 Regular Meeting, 5:30 PM, City Hall
- 10/26 Regular Meeting, 5:30 PM, City Hall