



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

**Tuesday, June 28, 2022 at 5:30 PM
City Hall, 344 West Main Street**

OPENING ITEMS

1. Introduction of Marshall Police Department Leadership and Officers

APPROVAL OF AGENDA

APPROVAL OF MINUTES

2. Consider approval of the minutes from the regular meeting held on June 14, 2022

PUBLIC HEARING

3. CDI Addition - 1) Public Hearing on Preliminary Plat and Approval of Preliminary Plat; 2) Consider Resolution Adopting the Final Plat

AWARD OF BIDS

CONSENT AGENDA

4. Consider Resolution Designating MedSurety LLC and MATRIX Trust as the Health Reimbursement Arrangement Trustee
5. Consider Resolution designating the amended Official Depositories for City Funds for 2022
6. Consider approval of a Temporary On-Sale Intoxicating Liquor License for the Lyon County Agricultural Society
7. Consider approval of the bills/project payments

APPROVAL OF ITEMS PULLED FROM CONSENT

OLD BUSINESS

NEW BUSINESS

8. Project Z88: 2021 State Aid Overlay Project - Consider Change Order No. 5 (Final) and Acknowledgement of Final Pay Request No. 6
9. Amendment of Ordinance Sec. 74-130(b) and (c) regarding Parking Regulations – Adoption of Ordinance
10. Renewal of Limited Use Permit #4203-0010 for Non-Motorized Trail along T.H. 23
11. Consider Request for Proposals – Insurance Agent Services

COUNCIL REPORTS

12. Commission/Board Liaison Reports
13. Councilmember Individual Items

STAFF REPORTS

14. City Administrator
15. Director of Public Works/City Engineer
16. City Attorney

INFORMATION ONLY

17. Information Only
18. Building Permits

ADJOURN TO CLOSED SESSION

19. Closed Session Pursuant to Minnesota Statute 13D.05 Subd.3(b) Attorney Client Privilege. Discussion Considering Helena Property Matters

MEETINGS

20. Upcoming Meetings

ADJOURN

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



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|-------------------------------------|--|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | OPENING ITEMS |
| Type: | INFO |
| Subject: | Introduction of Marshall Police Department Leadership and Officers |
| Background Information: | Public Safety Director Marshall would like to introduce his newest hires in leadership positions and in the officer positions. |
| Fiscal Impact: | N/A |
| Alternative/ Variations: | N/A |
| Recommendations: | Info Only |



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|-------------------------------------|---|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | APPROVAL OF MINUTES |
| Type: | ACTION |
| Subject: | Consider approval of the minutes from the regular meeting held on June 14, 2022. |
| Background Information: | Enclosed are the minutes from the regular meeting held on June 14, 2022. |
| Fiscal Impact: | None |
| Alternative/ Variations: | Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to Human Resources Manager, Sheila Dubs, prior to the meeting. |
| Recommendations: | That the minutes from the regular meeting held on June 14, 2022 be approved as filed with each member and that the reading of the same be waived. |

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, June 14, 2022**

The regular meeting of the Common Council of the City of Marshall was held June 14, 2022, at City Hall, 344 West Main Street. The meeting was called to order at 5:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Steve Meister, Russ Labat, John DeCramer, and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; E.J. Moberg, Director of Administrative Services; Sheila Dubs, Human Resource Manager; Jim Marshall, Director of Public Safety.

The Pledge of Allegiance was recited at this time.

Consider approval of the minutes from the regular meeting held on May 24, 2022.

Motion made by Councilmember Schafer, seconded by Councilmember Meister that the minutes from the regular meeting held on May 24, 2022 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 DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0**

Award of Quotation for Street Department Cold Storage Building Heating, Insulation and Overhead Garage Doors

Public Works Director Jason Anderson presented information on a request to insulate the Street Department cold storage building. The 2022 Capital Budget included \$75,000 for insulation and heating of the existing cold storage building. The scope of work included furnishing all of the labor, materials, and equipment needed to fully insulate and heat the existing 120' x 70' x 16' cold storage building and install two new, insulated overhead garage doors. The purpose of the project is to provide more climate-controlled storage space for critical City equipment. One quote was received for the project from Sussner Construction, Inc. of Marshall, Minnesota.

After reviewing the proposed work plan with the Building Department, staff determined that we needed to increase the amount of insulation to meet Minnesota Building Code requirements. The increased insulation needed, along with higher construction prices in 2022, resulted in the base bid amount coming in over-budget at \$89,700.

In addition to the base bid, the City asked for two add-alternates to this quote. Alternate 1 included the addition of sheet metal around the lower 10-FT of the building to cover and protect the insulation. This alternate would cost an additional \$13,200. Alternate 2 included CO detectors and building ventilation of 0.75 CFM per building square foot. This alternate would cost an additional \$23,000. The Contractor identified a deduction of \$15,725 for the removal of the two, new insulated overhead garage doors. By removing the garage doors, we are able to complete the building insulation and heating for a total cost of \$73,975.00. Council discussion occurred on the need for the insulation in relation to the equipment stored in the building.

Motion made by Councilmember Schafer, seconded by Councilmember Lozinski, that the Council award the quotation for heating, insulation and overhead garage doors to Sussner Construction of

Marshall, Minnesota in the amount of \$89,700.00 and directing staff to ensure the overage of the budgeted amount comes from within the Street Department 2022 budget. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. Abstain: None. The motion **Carried. 5-1-0.**

Consider Approval of the Consent Agenda

Motion made by Councilmember Meister, seconded by Councilmember Labat, to approve the consent agenda. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0**

- Consider Approval of Red Baron Arena Sponsorship renewal with Ace Hardware.
- Consider Request of Southwest Minnesota State University for Homecoming Parade (Saturday-October 1, 2022).
- Wastewater Treatment Facilities Improvement Project – Consider Payment of Invoice 0290306 to Bolton & Menk, Inc.
- Consider Grant of Driveway/Access Easement with Marshall ISD #413 (Lots 1 & 2, Block One, Mosch Addition).
- Preliminary Plat of CDI Addition - Introduce Plat and Call for Public Hearing.
- Surplus Item - Street Department Vehicle Hoist.
- Consider authorization to declare vehicles as surplus property for the Marshall Police Department.
- Consider authorization to declare bicycles as surplus property for the Marshall Police Department.
- Consider approval of the bills/project payments- Date Range: 05/27/2022 - 06/14/2022.

Aquatic Center Update

Administrator Hanson provided a project update. With key support from our local legislators, Senator Dahms and Representative Swedzinski have put forth special legislation that would enable Marshall to extend the current sales tax at the current rate of 0.5% equaling 50 cents for every \$100 dollars spent on sales taxable items. Unfortunately, the Legislature adjourned in May of 2022 without passing a tax bill that would have included Marshall's special sales tax legislation. This means that Marshall will need to delay the construction of a new aquatic center until the Legislature passes a tax bill in the future to secure sales tax revenue.

Mayor and staff have reviewed financing options with Baker Tilly. Although other bonding options are available, the property tax levy would be the main source of revenue and at a level that may not be fiscally prudent.

Flaherty and Hood Senior Lobbyist Marty Seifert joined the meeting and provided an update on legislative action from the 2022 Legislative Session related to the aquatic center and that a special session seemed unlikely.

In the meantime, staff have developed a Frequently Asked Questions (FAQ) document that can be shared with the community giving background, and the status of the project.

Presentation of the 2021 City of Marshall Audit

Nancy Schulzetenberg from the audit firm of BerganKDV presented the 2021-year end audit as well as comparable financial data and analysis. Ms. Schulzetenberg reported that the City of Marshall's 2021 audit was an unmodified audit, meaning that the financial statements are fairly stated in their compliance with generally accepted accounting principles.

Motion by Councilmember DeCramer, seconded by Councilmember Lozinski. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0**

Renewal of Bird Scooter Program in City of Marshall

Bird Rides, Inc. initial Memorandum of Understanding (MOU) was effective through May 31, 2022. Since then, the City has been cooperating with Bird Rides, Inc. under a good faith arrangement until formal action by City Council. The proposal by Bird Scooters is to amend the original MOU to allow for renewal and successive renewals. The MOU allows for 30 days written notice of termination.

Administrator Hanson and Bird Rides, Inc. representative Kylee Floodman presented staff discussions related to changes to usage within the City of Marshall with the following changes being implemented:

- Reduced speed to 10 MPH in City Parks
- Reduced speed to 10 MPH in Downtown/Main Street areas
- Elimination of rides within Memorial Park
- Placement of Scooters to not be concentrated solely on Main Street

Council discussion on speed on trails and the age of the user and possible enforcement of underage use. City Attorney Simpson stated that Minnesota Statute §169.225 Subd. 3 provides that no person under the age of 12 years may operate a motorized foot scooter and that Bird Scooters' restriction to the age of 18 years and above would have to be enforced by Bird Scooters.

Bike Shop Owner/General Manager Chad Kulla expressed his concern about safety of sidewalk pedestrians, including customers of Main Street businesses. He urged the Council to restrict usage of Bird Scooter to not allow usage on Main Street.

Motion by Councilmember Lozinski, seconded by Councilmember Meister to approve renewal of the Bird Scooter Program in City of Marshall by approving the extension amendment dated as of June 14, 2022 is entered into by and between Bird Rides, Inc. and the City of Marshall that amends that certain Memorandum of Understanding (MOU) dated as of May 26, 2021 by and between Company and City and noting the right to terminate the MOU by providing a 30-day written notice to terminate. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0**.

Request for Conditional Use Permit Hope Harbor 219 North High Street

Assistant Planning and Zoning Administrator Ilya Gutman presented a request by Hope Harbor, for a Conditional Use Permit to provide service for 8 persons in a residential facility. Hope Harbor provides residential, custodial care for teens. The ordinance allows residential facilities serving 6 or fewer

people as a permitted use, but facilities serving more than 6 people are allowed only as a conditional use. Requirements for R-1 One Family Residence District are in Section 86-97. Conditional use requirements can be found in Section 86-46 through 86-49.

At the Planning Commission meeting on June 8, 2022, during the public hearing neighbors brought up concerns about parking in the area. The Planning Commission recommended approval with conditions listed.

City Attorney Simpson commented on his desire to review language in condition #3 “cause or create negative impacts to existing or future properties” and to review the legal implications of that language as well as to clarify language in #4 related to “on their side of the street only”.

Motion by DeCramer, seconded by Lozinski that the Council approve the conditional use permit request from Hope Harbor to provide service for 8 persons in a residential facility with the following conditions and with review of language in #3 and #4 being reviewed and approved with Attorney Simpson approval:

1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the Class of District which such structure is located therein shall be conformed with.
2. That the City reserves the right to revoke the Conditional Use Permit in the event that the applicant has breached the conditions contained in this permit provided first, however, that the City serve the applicant with written notice specifying items of any such default and thereafter allow the applicant a reasonable time in which to cure any such default.
3. That the owner maintains the structure to conform with the Zoning Ordinance, Building Code, and not cause or create negative impacts to existing or future properties adjacent thereto.
4. That staff and volunteers park on the property or overflow parking lot at nearby churches and visitors park in front of the Hope Harbor property and on their side of the street only.

Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0.**

Adopt Resolution 22-060 Authorizing Execution of Mn/DOT Grant Agreement No. 1050944 (S.P. A4201-105) for Taxiway Crack Fill w/ Seal Coat at the Airport

The City received notification from Mn/DOT-Aeronautics that MML has been identified as a recipient of a State grant (State participation rate of 70% / 30% local) for Taxiway Crack Sealing at the Airport. The Mn/DOT-Aeronautics Capital Improvement Program (CIP) for the Airport includes this project in the amount of \$75,000. This project is included in the Airport CIP in the amount of \$75,000 with participation rates of 70% State (\$52,500.00) / 30% local (\$22,500.00).

It is the intent to utilize City staff and crack sealing equipment, and bill labor and materials for reimbursement from the grant in lieu of hiring a contractor.

Motion by Schafer, seconded by DeCramer that the Council adopt RESOLUTION NUMBER 22-060, which is the Resolution of Authorization to Execute Mn/DOT Grant Agreement No. 1050944

(S.P. A4201-105) for Airport Improvement Excluding Land Acquisition for Taxiway Crack Fill w/ Seal Coat at the Airport. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0.**

MPCA Chloride Reduction Grant – Water Softener Optimization/Rebate Program

Director Anderson reported that at the April 12, 2022 meeting, the City Council authorized staff to spend \$15,625 of Wastewater Department funds to finance our portion of a grant match and to enter into an agreement with Bolton & Menk to execute an MPCA Chloride Reduction Grant. The grant is a \$250,000 grant that is split between the cities of Worthington and Marshall.

The grant requires a 25% match which would require a \$31,250 investment from each community. The \$31,250 local match for Marshall is being split between Marshall Municipal Utilities (MMU) and the City of Marshall Wastewater Department. Below is a proposed chloride reduction program and cost outline recommended by Bolton & Menk:

- Rebates or other incentives--\$100,000 for each community
- Preparation of rebate program and tracking (Engineering)--\$50,000
- Preparation of educational information (Engineering)--\$50,000
- Final reporting to MPCA--\$12,500

On June 7th, City staff met with Bolton & Menk, MMU, City of Worthington, Minnesota Water Quality Association, MPCA, and local water quality companies with all local water quality companies and local plumbers being invited to ensure that any contractor that would be interested in receiving rebates from the City could be informed of the basis of our proposed program.

With City Council approval, staff would propose to begin executing a rebate program that focuses primarily on two aspects of chloride reduction: existing water softener adjustment/optimization and replacement of outdated water softeners. The general concept of the program is that the City will pay a \$50 rebate for softener optimization and at least \$500 for softener replacement.

The 2022 Wastewater budget has adequate funding available in line item 602-49500-58180 Refunds & Reimbursements. As identified in the project background, the City will be responsible for making all payments upfront, totaling \$156,250, with the ability to submit for monthly grant reimbursements that total \$125,000. The remaining \$31,250 will be split evenly between MMU and the Wastewater Department.

Director Anderson noted that the rebate program would be effective June 15, 2022 and not retroactive to the new water plant being brought on-line. Council discussion occurred on previous residents who adjusted their softener without the rebate program being in place at the time of water softener adjustments being encouraged by the City. Councilmember DeCramer inquired about including residents who performed previous water softener adjustments. Despite this, Council discussed the promise of incentives rather than reward in order to encourage water softener adjustments.

Motion by Councilmember Lozinski, seconded by Councilmember Schafer that the Council authorize City staff to execute the softener optimization and rebate program, not retroactively, and as

presented. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0.**

Consider approval of the non-union employee wage schedules for 2022-2024

Human Resources Manager Sheila Dubs presented the proposed non-union wage schedules for 2022-2024 for the non-union employees, which include: fulltime, part-time, and paid-on-call positions. The schedules reflect the same general wage increases that the Council approved for the LELS 190 and LELS 245 unions and would maintain the City’s internal wage pattern for these years. The general wage increases proposed are as follows: 2% for 2022, 3% for 2023, and 3% for 2024. Staff propose an implementation date of the first day of the pay period that includes January 1, which is consistent with the approved 2022-2024 LELS190 and LELS245 agreements. Motion by Councilmember Schafer, seconded by DeCramer to approve the 2022, 2023, and 2024 non-union wage schedules to be effective on the first day of the pay period that includes January 1st. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0.**

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

Mayor Byrnes reported on recent interviews for various openings on the Boards, Commission, Bureaus, and Authorities. Motion by Councilmember Schafer, seconded by Councilmember Labat to approve the following appointments to the various boards, commissions, bureaus, and authorities:

- Brent Snodgrass, Airport Commission, New (5/31/25)
- Bryce Gorder, Convention and Visitors Bureau, New (12/31/2022 - Filling an unexpired term)
- John Rickgarn, Public Housing Commission, Reappointment (5/31/25)

Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0.**

Commission/Board Liaison Reports

- Byrnes Provided update on Regional Development Commission meeting.

- Schafer Reminder that the community is invited to attend the Town Hall meeting at the MERIT Center on Wednesday, June 15, 2022.

- Meister No report.

- DeCramer Public Housing Commission updates on maintenance agreements, future energy audit, and damage caused by storms.

- Labat CVB planning an industry site with their social media page, craft beer festival was a success, Fairbanks Ice Dogs returning to Marshall, Prairie Jam for SMSU Homecoming, and re-establishing boundaries due to difficulty in obtaining a quorum. Library had a joint City/County meeting on June 10 where the Library Director provided budgetary options. Library continues to see increase in visits.

Lozinski No report.

Councilmember Individual Items

Councilmember Lozinski requested that residents limit energy use during extremely hot days to conserve power.

Councilmember Schafer commented that residents and industry should always conserve energy, but that this is not just a local issue. Further commented that R&G, Hess, and City staff are doing a great job in the Rose Lot.

Mayor Byrnes commented on a meeting is scheduled on emergency management related to the potential and scope of rolling blackouts this summer on industry and residential properties. 150th Planning Committee continues to host events, which started with bingo at the arena, attended by approximately 400 people. Construction of the art piece has begun at Independence Park, which will involve community participation. The 150th events will culminate with our Sounds of Summer celebration in August, and a book release in September.

City Administrator

Administrator Hanson reported on the Audit, HRA action to follow this meeting, and commented on the impact of rising fuel prices to the current budget.

Director of Public Works

Director of Public Works/ City Engineer provided an update on Independence Park project, Rose Parking Lot improvements, and the Halbur Road project.

City Attorney

City Attorney reported that the Block 11 project is closed and provided an update on the Helena site.

Information Only

There were no questions on the information items.

Upcoming Meetings

There were no questions on the upcoming meetings.

Adjourn

At 7:44P.M., Motion made by Councilmember Meister, seconded by Councilmember Lozinski to adjourn.

Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 6-0.**

Attest:

Mayor

City Clerk



**CITY OF MARSHALL
AGENDA ITEM REPORT**

| | |
|---------------------------------|--|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | PUBLIC HEARING |
| Type: | ACTION |
| Subject: | CDI Addition - 1) Public Hearing on Preliminary Plat and Approval of Preliminary Plat; 2) Consider Resolution Adopting the Final Plat. |
| Background Information: | <p>Attached please find a copy of the preliminary plat of CDI Addition in Marshall, Minnesota.</p> <p>The property owner desires to split the properties to allow for separate ownership of the two large storage buildings on the property. Currently, this land is not part of a platted subdivision, and it is described by metes and bounds. Section 66-31 of our City Ordinance requires a plat whenever a subdivision of land is proposed. Charles Bladholm or a representative of CDI of Marshall, LLP is anticipated to be present to address any questions the Planning Commission may have regarding the plat.</p> <p>Attached please find a copy of the Engineer's Report of Preliminary Plat Review.</p> <p>The preliminary plat was presented at the Planning Commission meeting on June 8, 2022 with recommendation of approval of the preliminary plat to the City Council. All voted in favor.</p> <p>Copies of the proposed subdivision have been sent to the local utility companies for their review and comments and, if any, are incorporated into the plat.</p> <p>Attached please find a copy of the Final Plat Checklist for CDI Addition.</p> |
| Fiscal Impact: | The applicant will be billed for all direct costs relating to the platting process. |
| Alternative/ Variations: | No alternative actions recommended. |
| Recommendation: | <p>Recommendation No. 1 that the Council close the public hearing and approve the Preliminary Plat of CDI Addition.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER 22-062, which is the Resolution Approving the Final Plat of CDI Addition.</p> |

RESOLUTION NUMBER 22- 062

RESOLUTION APPROVING THE FINAL PLAT OF CDI ADDITION

WHEREAS, the developer has filed with the Common Council, a Preliminary Plat identified as CDI Addition situated in the City of Marshall, County of Lyon, State of Minnesota, described as follows, to-wit:

**CDI ADDITION
BLOCK ONE LOTS 1-3**

more particularly described as attached Exhibit A.

WHEREAS, the Final Plat of CDI Addition was presented to the Common Council on June 28, 2022.

NOW THEREFORE BE IT FURTHER RESOLVED, that said Final Plat of CDI Addition has been duly found to be in conformity with Chapter 66 of the Code of Ordinances and State Statutes.

NOW THEREFORE BE IT FURTHER RESOLVED THAT the Common Council hereby authorizes and directs the City Clerk to certify his approval on the plat.

NOW THEREFORE BE IT FURTHER RESOLVED THAT this resolution shall become void 90 days after adoption and fulfillment of all contingencies of approval, if any, unless the plat is filed for record within such time.

Passed and adopted by the Common Council this 28th day of June, 2022.

ATTEST:

City Clerk

Mayor of the City of Marshall, MN

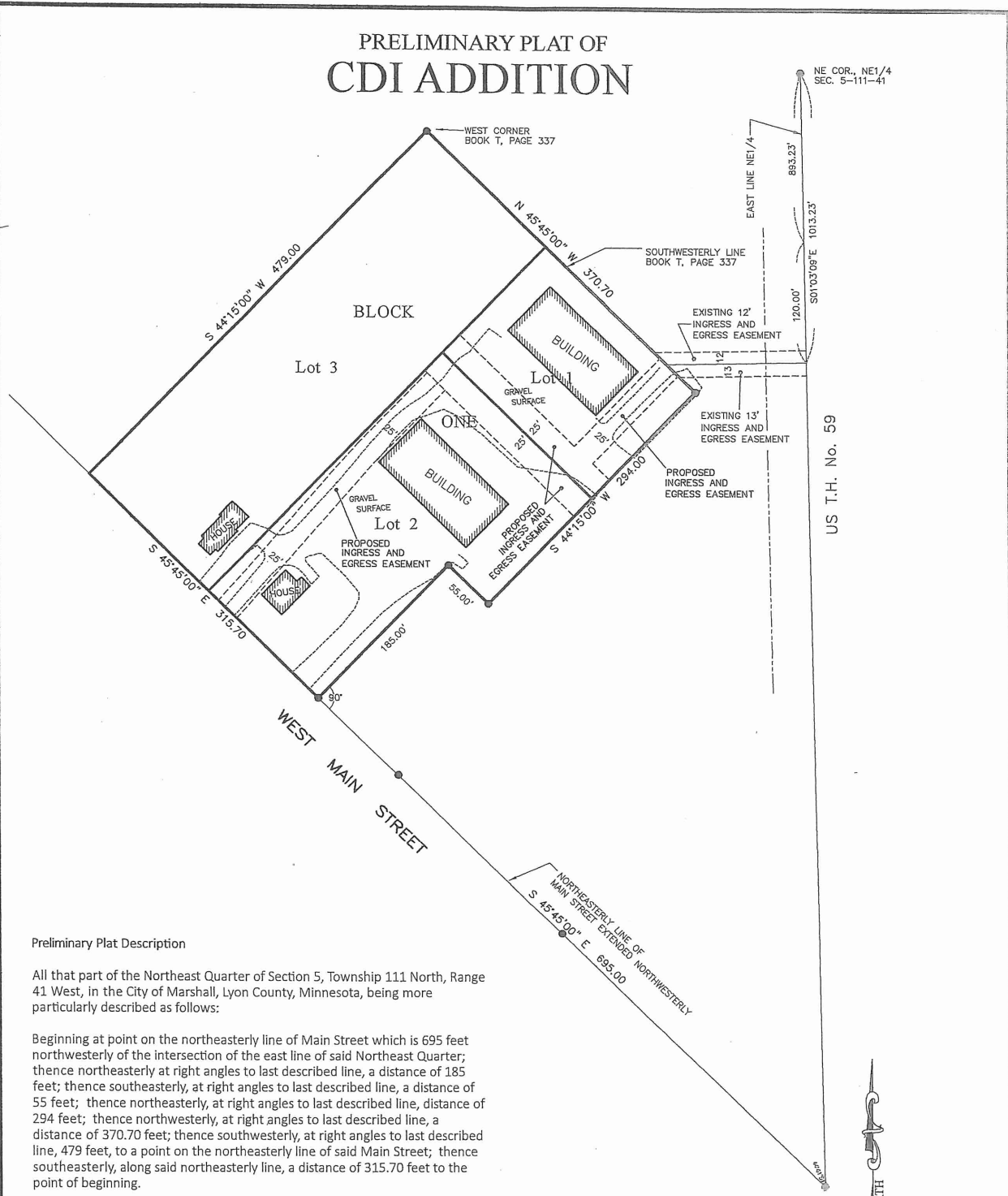
This Instrument Drafted By: Jason R. Anderson, P.E.; Director of Public Works/City Engineer

EXHIBIT A

All that part of the Northeast Quarter of Section 5, Township 111 North, Range 41 West, in the City of Marshall, Lyon County, Minnesota, being more particularly described as follows:

Beginning at point on the northeasterly line of Main Street which is 695 feet northwesterly of the intersection of the east line of said Northeast Quarter; thence northeasterly at right angles to last described line, a distance of 185 feet; thence southeasterly, at right angles to last described line, a distance of 55 feet; thence northeasterly, at right angles to last described line, distance of 294 feet; thence northwesterly, at right angles to last described line, a distance of 370.70 feet; thence southwesterly, at right angles to last described line, 479 feet, to a point on the northeasterly line of said Main Street; thence southeasterly, along said northeasterly line, a distance of 315.70 feet to the point of beginning.

PRELIMINARY PLAT OF CDI ADDITION



Preliminary Plat Description

All that part of the Northeast Quarter of Section 5, Township 111 North, Range 41 West, in the City of Marshall, Lyon County, Minnesota, being more particularly described as follows:

Beginning at point on the northeasterly line of Main Street which is 695 feet northwesterly of the intersection of the east line of said Northeast Quarter; thence northeasterly at right angles to last described line, a distance of 185 feet; thence southeasterly, at right angles to last described line, a distance of 55 feet; thence northeasterly, at right angles to last described line, distance of 294 feet; thence northwesterly, at right angles to last described line, a distance of 370.70 feet; thence southwesterly, at right angles to last described line, 479 feet, to a point on the northeasterly line of said Main Street; thence southeasterly, along said northeasterly line, a distance of 315.70 feet to the point of beginning.

OWNERS:

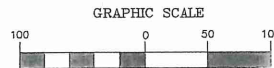
CDI of Marshall
PO BOX 823
MARSHALL MN 56258

AREAS:

TOTAL = 167390± SQ. FT.
LOT 1 = 30282± SQ. FT.
LOT 2 = 58217± SQ. FT.
LOT 3 = 78891± SQ. FT.

ZONING:

B3 - GENERAL BUSINESS



LEGEND

- These standard symbols will be found in the drawing.
- MONUMENTS FOUND
 - MONUMENTS SET- 5/8" IRON W/SEAL #43844
 - ⋈ BROKEN SCALE

DATE: JUNE 1, 2022

Prepared by
Bueltel-Moseng Land Surveying, Inc.
Marshall, MN 56258 Ph. 507-532-9043
PROJECT NO. 22-2031

**ENGINEER'S REPORT
 PRELIMINARY PLAT REVIEW**

Subdivision Name: CDI Addition

Quarter NE¼ Section 5 Township 111N Range 41W

Owner's Name: CDI of Marshall, LLP

Surveyor: Daniel L. Beultel Reg. No. 43844

| Sec. 66-54. Information required. (1) Preliminary subdivision plat. | | Yes | No | N/A | Comments |
|--|---------------------------------------|-----|----|-----|--|
| a. | Scale 1" = 100' or larger | X | | | |
| b. | Subdivision and owner names | X | | | |
| c. | Legal description and location sketch | X | | | |
| d. | Date, scale and north arrow | X | | | |
| e. | Acreage | X | | | |
| f. | Zoning classification | X | | | |
| g. | Contours | | | X | Plat of land that is already fully developed with no new development occurring; N/A. |
| h. | Boundary line bearings and distances | X | | | |
| i. | Easement | X | | | Sending to MMU for review. |
| j. | Street names, elevations and grades | X | | | No elevations or grades; see (g) |

| Sec. 66-54. Information required. (1) Preliminary subdivision plat. | | Yes | No | N/A | Comments |
|--|--------------------------------------|-----|----|-----|----------|
| k. | Utilities | | X | | |
| l. | Lot lines, numbers and dimensions | X | | | |
| m. | Park land | | | X | |
| n. | Setbacks | | X | | |
| o. | Natural drainageways | | | X | |
| p. | Other related information | | | X | |
| q. | Covenants and restrictions | | | X | |
| r. | Improvement plans and financing | | | X | |
| s. | Future platting | | | X | |
| t. | Variance request | | | X | |
| u. | Floodway and flood zone designations | | | X | |
| v. | Certificates of approval | | | X | |

| Sec. 66-54. Information required. (2) Other preliminary plans. | | Yes | No | N/A | Comments |
|---|--|-----|----|-----|----------|
| a. | Drainage and grading plans 1. Existing and proposed drainage. | | | X | See (g) |
| | 2. Drainage flow facility. | | | X | |
| b. | Utility plans | | | X | |

CITY ENGINEER'S RECOMMENDATIONS:

DATE RECEIVED: 06/01/2022

DATE REVIEWED: 06/02/2022

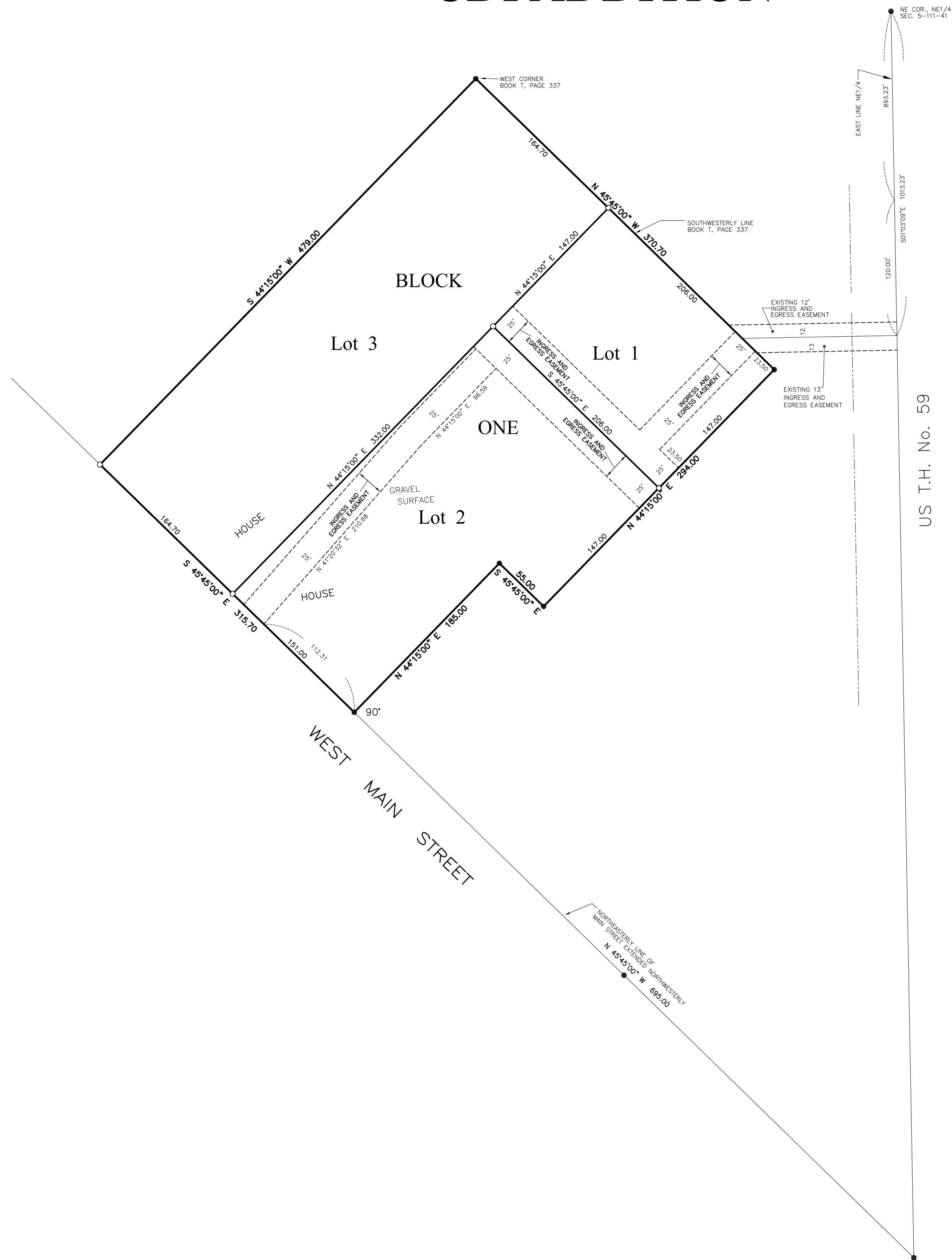
PLANNING COMMISSION REVIEW DATE: 06/08/2022



Jason R. Anderson, P.E.
 Director of Public Works/Planning & Zoning Administrator

Copies to: City Administrator
 Building Official
 Senior Engineering Specialist

CDI ADDITION



KNOW ALL PEOPLE BY THESE PRESENTS: That CDI of Marshall, a general partnership under the laws of the State of Minnesota, fee owner of the following described property:

All that part of the Northeast Quarter of Section 5, Township 111 North, Range 41 West, in the City of Marshall, Lyon County, Minnesota, being more particularly described as follows:

Beginning at point on the northeasterly line of Main Street which is 695 feet northwesterly of the intersection of the east line of said Northeast Quarter; thence northeasterly at right angles to last described line, a distance of 185 feet; thence southeasterly, at right angles to last described line, a distance of 55 feet; thence northeasterly, at right angles to last described line, distance of 294 feet; thence northwesterly, at right angles to last described line, a distance of 370.70 feet; thence southwesterly, at right angles to last described line, 479 feet, to a point on the northeasterly line of said Main Street; thence southeasterly, along said northeasterly line, a distance of 315.70 feet to the point of beginning.

Have caused the same to be surveyed and platted as CDI ADDITION, and do hereby donate and dedicate to the public for public use forever the easements as shown on this plat.

CDI OF MARSHALL

by
Charles O. Bladholm, Its Partner

**STATE OF MINNESOTA
COUNTY OF LYON**

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by Charles O. Bladholm, a partner of CDI of Marshall, a general partnership under the laws of the State of Minnesota .

Notary Public,
My Commission Expires _____

SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed and platted the property described on this plat as CDI ADDITION, that this plat is a correct representation of said survey; that all distances are correctly shown on the plat; that all monuments have been correctly placed in the ground as shown on the plat; that the outside boundary lines are correctly designated on the plat and that there are no wetlands or public highways to be designated on this plat other than as shown.

Daniel L. Bueltel
Minnesota License Number 43844

**STATE OF MINNESOTA
COUNTY OF LYON**

The Surveyor's Certificate was acknowledged before me on this _____ day of _____, 20____, by Daniel L. Bueltel, a licensed land surveyor.

Notary Public,
My Commission Expires _____

CITY COUNCIL

This plat of CDI ADDITION was approved and accepted, by resolution, at a meeting of the City Council of Marshall, Minnesota, held this _____ day of _____, 20____.

Mayor

City Clerk

OFFICE OF THE LYON COUNTY AUDITOR/TREASURER

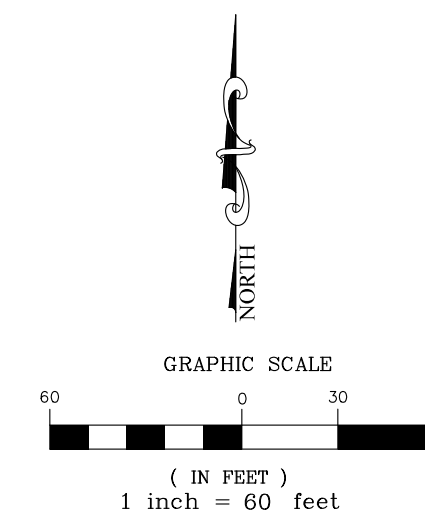
I hereby certify that the tax for the year 20____ on the land described in the foregoing instrument and as shown on the annexed plat has been paid in full.

Auditor/Treasurer, Lyon County

OFFICE OF THE LYON COUNTY RECORDER

I hereby certify that this instrument was filed and microfilmed in this office for record on the _____ day of _____, 20____, at _____ o'clock _____ m., and was duly recorded as document number _____, envelope number _____.

Recorder, Lyon County



LEGEND

- MONUMENTS FOUND
- MONUMENTS SET - 5/8" IRON W/SEAL #43844
- BROKEN SCALE

BEARINGS BASED ON LYON COUNTY COORDINATES (1996 Ad)

FINAL PLAT CHECKLIST CHAPTER 66 - SUBDIVISIONS

Subdivision Name: CDI Addition

Quarter NE¼ Section 5 Township 111N Range 41W

Owner's Name: CDI of Marshall, LLP

Surveyor: Daniel L. Beutel Reg. No. 43844

| | | Yes | No | N/A | Comments |
|---------------------------------|--|-----|----|-----|-------------------------------|
| Sec. 66-71. Final plans. | | | | | |
| a. | <i>Generally.</i> Following the approval of the preliminary plat, if the developer wishes to proceed, five copies of the final utility, drainage, grading and erosion control plans shall be submitted to the city engineer for review and approval for the entire development phase as shown on the preliminary plan. Any or all of these plans may be deleted at the city engineer's discretion. | X | | | |
| b. | <i>Final site grading plan.</i> The drainage and grading plans shall show the contours with intervals of one foot. The minimum ground/garage floor elevation shall be shown for buildings on lots. The site grading plan shall also show drainage arrows for each lot and lot corner elevations. | | | X | N/A - Existing developed area |
| c. | <i>Final street grading plan.</i> The street grading plan shall show percent slope for all proposed streets. Where the developer owns only half the property which makes up a street, and this is the first request for development along the street, the developer shall establish the street grades for the street for approval by the city engineer. | | | X | N/A - Existing developed area |
| d. | <i>Final drainage and surface water management plan.</i> An overall drainage plan showing proposed drainageways and storm sewer systems will be required along with 100-year drainageway elevations. The plan shall include calculations of the rainfall duration and intensity and the acreage and proposed volume of flow for the development area and the surrounding drainage basin in accordance with design and development criteria established by the city. The final drainage plan shall provide information for drainageway and detention pond dedication as indicated in section 66-111. The proposed channel and/or pipe sizes with grades and proposed inlet locations and outlet connections shall be shown. All plans for drainage shall be based on and comply with the comprehensive surface water management plan and ordinance of the city. | | | X | N/A - Existing developed area |

| | | Yes | No | N/A | Comments |
|-------------------------------|--|-----|----|-----|---|
| e. | <i>Final utility plan.</i> The utility plan shall show: | | | | |
| | (1) The final sewer system layout showing the proposed sizes and the direction of flow, the manhole locations and their approximate depth. | | | X | N/A - Existing developed area |
| | (2) The final water system layout showing the location of existing water lines and the proposed pipe sizes, hydrant and valve locations. | | | X | N/A - Existing developed area |
| | (3) The final approved street lighting layout in accordance with city policy | | | X | N/A - Existing developed area |
| f. | <i>Erosion control plan.</i> The erosion control plan shall show the following: | | | | |
| | (1) All proposed land disturbances including areas of excavation, grading, filling, removal or destruction of topsoil, and spreading of earth material. | | | X | N/A - Existing developed area |
| | (2) Provisions for erosion control during construction. Such provisions shall include the sequence of the operations listed above, with an estimated time of exposure. The proposed temporary measures to control erosion shall be designed to withstand the two-year rain and be shown on the plan. | | | X | N/A - Existing developed area |
| Sec. 66-72. Procedure. | | | | | |
| a. | The final plat, in form and number required by state statutes, together with two paper copies and supplementary data and documents, and an abstract of title, registered property certificate, or both, as the case may be, certified within the preceding 30 days, shall be filed with the city engineer. The plats required for filing shall bear the fully executed certificates of the subdivider and surveyor. The supplementary documents shall be in final form and shall be fully executed by the subdivider at the time of such filing. | | | | |
| b. | The city engineer shall forward the official plat and one paper copy and supplementary engineering documents and data to the city clerk/finance director, and one paper copy and supplementary legal and title documents to the city attorney. | | | | |
| c. | The city engineer shall examine the plat to determine whether or not it conforms to the preliminary plat and is consistent with the action taken by the council and with the requirements of this chapter. The city attorney or his assistant, shall examine the title and determine whether or not the proper parties have subdivided the land and whether or not the title is without defects. They shall forward their respective opinions to the council. | X | | | City Attorney to execute title and approve prior to recording Final Plat. |

| | | Yes | No | N/A | Comments |
|--|--|-----|----|-----|--|
| d. | If the final plat and supplementary data and documents are found to be consistent with the action taken by the council and in conformity with this chapter and state statutes, and after payment of plat review charges, the council shall adopt an approving resolution which shall also authorize and direct the city clerk/finance director to certify his approval on the plat. When he has so certified, the city clerk/finance director shall return the official plat and copies required for filing to the subdivider, together with a certified copy of resolution of approval which must be filed with the official plat. An approving resolution shall become void 90 days after adoption, unless the plat is filed for record within such time, provided that the time limitation shall be stated therein. If the final plat and supplementary data and documents are not in conformance with prior council action, this chapter or state statutes, the council shall forthwith return the executed plats and documents and state the requirements necessary for approval of the final plat. | X | | | To be completed upon approval by Council and verification by City Attorney for proper title. |
| Sec. 66-73. Supplementary data and documents. | | | | | |
| | Every final plat shall be in strict accordance with the state statutes and shall contain the following: | | | | |
| (1) | The proposed name of the subdivision. The name shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to such subdivision. | X | | | |
| (2) | The names of all adjacent subdivisions, all lot and block lines, types of easements, and rights-of-way. Adjoining unplatted property shall be labeled as such. | X | | | |
| (3) | A systematic lot and block numbering pattern, lot lines and street/road names, and the square footage of all lots. | X | | | SF is shown on Preliminary Plat. |
| (4) | The location and width of all proposed and existing rights-of-way, alleys and easements, as well as the location of any parks and dedicated drainageways. | | | | |
| (5) | The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest established street/road line, section corner, other previously described subdivision, or other recognized permanent monuments which shall be accurately described on the plat. | X | | | |
| (6) | Location of all monuments and permanent control points, and all survey pins, either set or located. | X | | | |
| (7) | The identification of any portions of the property intended to be dedicated or granted for public use such as school or park land. | | | X | |

| | | Yes | No | N/A | Comments |
|--------------------------------------|--|-----|----|-----|----------|
| (8) | All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision lots, streets/roads, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot. | X | | | |
| (9) | The radii, chords, length of curves, points of tangency, and central angles for all curvilinear streets/roads and radii for all rounded corners. | X | | | |
| (10) | The boundary delineation of the floodway and flood zones, along with the base flood elevation on each lot as determined from the flood insurance rate maps. | | | X | |
| (11) | The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all pins and monuments shown. | X | | | |
| (12) | Acknowledgement of the owner of the plat of any restrictions, including dedication to public use of all streets/roads, alleys, parks, or other open spaces shown thereon and the granting of easements required. | X | | | |
| (13) | All formal irrevocable offers of dedication for all streets/roads, alleys, parks, and other uses as required. | | | X | |
| (14) | Certificates of approval for endorsement by the city engineer, the city clerk/finance director, the city planning commission, and the city council. | | | X | |
| (15) | Protective covenants, if any. | | | X | |
| (16) | Letters of approval for highway access points and frontage roads from the commissioner of highways and county engineer, where applicable. | | | X | |
| Sec. 66-74 – 66-95. Reserved. | | | | | |

| | Yes | No | N/A | Comments |
|--|-----|----|-----|----------|
| ARTICLE III. DESIGN STANDARDS AND REQUIRED IMPROVEMENTS. | | | | |
| Sec. 66-96 – 66-114. SEE ATTACHED. | | | | |
| Sec. 66-115. Assurances for the completion of minimum improvements. | | | | |
| (a) <i>Assurances for subdivisions within the city limits.</i> No plats of any subdivision shall be approved unless the improvements required by this chapter have been installed prior to such approval or unless the developer shall have signed an assurance agreement to establish the responsibility for the construction of such improvements in a satisfactory manner and within a period specified by the city council, such period not to exceed one year. An extension to that one year period may be granted at the discretion of the city council. This assurance agreement shall be recorded with the registrar of deeds at the time of filing the plat | | | X | |
| (b) <i>Assurances for rural subdivisions.</i> No plat of any rural subdivision shall be approved unless the improvements required by this chapter have been installed prior to such approval, or unless the developer shall have posted a surety bond or irrevocable letter of credit or acceptable cash deposit assuring completion of all required improvements. No building permits shall be issued until assurances have been filed or all required road improvements have been completed. | | | X | |



 Jason R. Anderson, P.E.
 Director of Public Works/City Engineer

06/20/2022

 Date

**CITY OF MARSHALL
AGENDA ITEM REPORT**

| | |
|---------------------------------|--|
| Meeting Date: | Tuesday, April 26, 2022 |
| Category: | CONSENT AGENDA |
| Type: | ACTION |
| Subject: | Consider Resolution Designating MedSurety LLC and MATRIX Trust as the Health Reimbursement Arrangement Trustee |
| Background Information: | <p>At the Tuesday, April 26, 2022 regular Council meeting, the Council approved and authorized staff to sign an agreement with MedSurety LLC, to administer employee health savings and medical spending accounts. This change was necessary due to our current vendor (Further/Health Equity) announcing that they would no longer be managing VEBA accounts effective October 1, 2022. Staff have been working with our broker, Bill Chukuske to facilitate this transition. Bill has notified HR staff that a Resolution approved by the Council is required to facilitate this change and provided us with the resolution wording.</p> <p>The Resolution is required to be placed on City letterhead and utilize the exact wording as shown in the attachment.</p> |
| Fiscal Impact: | None |
| Alternative/ Variations: | None recommended. |
| Recommendation: | To approve Resolution Number 22-061 Designating MedSurety LLC and MATRIX Trust as Health Reimbursement Arrangement Trustee. |



MARSHALL

ADMINISTRATION

344 West Main | Marshall, MN
www.ci.marshall.mn.us

**CITY OF MARSHALL
State of Minnesota**

Councilmember _____ introduced the following Resolution and moved its adoption:

**RESOLUTION NUMBER 22-061
RESOLUTION DESIGNATING MEDSURETY LLC and MATRIX TRUST AS
HEALTH REIMBURSEMENT ARRANGEMENT TRUSTEE**

WHEREAS, the City of Marshall changed its vendor for its Health Reimbursement Arrangement effective October 1, 2022 from Further/HealthEquity to MEDSURETY LLC; and

WHEREAS, MG Trust/MATRIX, was the previous Trustee of the City of Marshall HRA Trust administered by Further/HealthEquity; and

WHEREAS, Educator Benefits Consultants Health Reimbursement Arrangement with MATRIX as the successor Trustee of the City of Marshall HRA Trust administered by Medsurety; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Marshall, hereby designates MEDSURETY LLC as the administrator and Educator Benefits Consultants Health Reimbursement Arrangement with MATRIX as the successor Trustee of the City of Marshall HRA Trust effective October 1, 2022 and removes MG Trust/MATRIX under the Minnesota Healthcare Consortium as the designated Trustee.

The motion for the adoption of the foregoing resolution was duly seconded by _____, and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the resolution:

Whereupon this Resolution was declared duly passed and adopted this 28th day of June, 2022.

AUTHORIZED SIGNER

Name: ROBERT J. BYRNES
Title: MAYOR

Signature: _____

Date: _____

ATTEST:

STEVEN ANDERSON
CITY CLERK

**CITY OF MARSHALL
AGENDA ITEM REPORT**

| | |
|---------------------------------|--|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | CONSENT AGENDA |
| Type: | ACTION |
| Subject: | Consider Resolution designating the amended Official Depositories for City Funds for 2022. |
| Background Information: | <p>State Statutes requires that the City designates general depositories for the City monies. The attached resolution designates Bremer Bank, N.A. as the official general depository for 2022.</p> <p>The amendment to the resolution is the name change from Great Western to First Interstate Bank. It also now includes the addition of State Bank of Taunton and the 4M Fund – Minnesota Municipal Money Market Fund.</p> <p>This resolution is completed in January of each year, however due to the changes within the city, an amended resolution is being brought before Council in order to continue to include all banks located within the City of Marshall as well as the MN municipal option of the 4M fund.</p> |
| Fiscal Impact: | |
| Alternative/ Variations: | |
| Recommendations: | The adoption of RESOLUTION NUMBER 22-063, appointing the amended Official Depositories for City Funds for 2022. |

CITY OF MARSHALL, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Marshall, Minnesota, was held on the 28th day of June 2022. The following members were present:

The following members were absent _____

_____ introduced the following Resolution and moved its adoption.

**RESOLUTION NUMBER 22-063,
APPOINTING OFFICIAL DEPOSITORIES FOR CITY FUNDS FOR 2022**

WHEREAS, State Statutes require that the City designate general depositories for the City monies:

WHEREAS, Additional banks have been added or changed names;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, MINNESOTA, that Bremer Bank, N.A. be designated as the official general depository for 2022 for the City's general operating checking accounts;

BE IT FURTHER RESOLVED and amended that the following be designated as official depositories for the City's temporary investment program for 2022.

- | | |
|---|------------------------|
| Bank of the West | Bremer Bank, N.A. |
| Bremer Trust, N.A. | First Independent Bank |
| First Interstate Bank | Minn West Bank, M. V. |
| U.S. BanCorp | United Southwest Bank |
| Wells Fargo Bank Minnesota, N.A. | State Bank of Taunton |
| 4M Fund – Minnesota Municipal Money Market Fund | |

BE IT FURTHER RESOLVED that investment counselors may be utilized for the acquisition of commercial paper, banker’s acceptances, brokered CDs, taxable munis and governmental securities;

BE IT FURTHER RESOLVED that the designation of the foregoing depositories is contingent upon receipt by the City of Marshall of evidence of sufficient collateral in the amount and kinds as required by the State Statutes.

BE IT FURTHER RESOLVED, that the Finance Director shall have authority to wire transfer funds from one official depository to another for the purpose of investing City funds.

The motion for the adoption of the foregoing Resolution was duly seconded by _____ and upon vote being taken thereon, the following voted in favor: _____ The following voted against or abstained: _____ Whereupon the Resolution was declared duly passed and adopted.

Robert Byrnes, Mayor

ATTEST:

Steven Anderson, City Clerk



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|--------------------------------|--|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | CONSENT AGENDA |
| Type: | ACTION |
| Subject: | Consider approval of a Temporary On-Sale Intoxicating Liquor License for the Lyon County Agricultural Society |
| Background Information: | Attached is an application for a Temporary On-Sale Liquor License for the Lyon County Agricultural Society to use at the Lyon County Fair from August 10-14, 2022. |
| Fiscal Impact: | \$30.00/day |
| Alternative/Variations: | None recommended |
| Recommendations: | To approve a Temporary On-Sale Liquor License for the Lyon County Agricultural Society to use at the Lyon County from August 10-14, 2022. |



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

Name of organization: Lyon Ag Society Date of organization: 1903 Tax exempt number: [REDACTED]

Organization Address (No PO Boxes): 524 Fairgrounds Road City: Marshall State: Minnesota Zip Code: 56258

Name of person making application: Cody Sleiter Business phone: 507-629-3866 Home phone: [REDACTED]

Date(s) of event: Aug. 10-14 2022 Type of organization: Microdistillery Small Brewer
 Club Charitable Religious Other non-profit

Organization officer's name: Mark Sleiter City: Cottonwood State: Minnesota Zip Code: 56229

Organization officer's name: Deloris Richards City: Marshall State: Minnesota Zip Code: 56258

Organization officer's name: Bob Richards City: Marshall State: Minnesota Zip Code: 56258

Location where permit will be used. If an outdoor area, describe.
Lyon county Fairgrounds

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.
Yes

APPROVAL

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

City or County approving the license: _____
\$150.00
 Fee Amount

Event in conjunction with a community festival Yes No

Current population of city: _____

Date Approved: _____

Permit Date: _____

City or County E-mail Address: _____

Please Print Name of City Clerk or County Official: _____

Signature City Clerk or County Official: _____

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event
No Temp Applications faxed or mailed. Only emailed.
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 COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

**CITY OF MARSHALL
AGENDA ITEM REPORT**

| | |
|---------------------------------|---|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | CONSENT AGENDA |
| Type: | ACTION |
| Subject: | Consider approval of the bills/project payments |
| Background Information: | 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 |
| Fiscal Impact: | |
| Alternative/ Variations: | |
| Recommendations: | The following bills and project payments be authorized for payment. |



Marshall, MN

Council Check Report

By Vendor Name

Date Range: 06/17/2022 - 06/28/2022

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|-----------------------------|---|--------------|--------------|-----------------|----------------|--------|
| Bank Code: AP-REG AP | | | | | | |
| 5813 | ACE HOME & HARDWARE | 06/17/2022 | EFT | 0.00 | 347.92 | 9993 |
| 5813 | ACE HOME & HARDWARE | 06/24/2022 | EFT | 0.00 | 449.22 | 10054 |
| 6412 | AG PLUS COOPERATIVE | 06/17/2022 | EFT | 0.00 | 94.62 | 9994 |
| 6412 | AG PLUS COOPERATIVE | 06/24/2022 | EFT | 0.00 | 3,961.17 | 10055 |
| 5119 | ALL FLAGS,LLC | 06/24/2022 | Regular | 0.00 | 1,056.54 | 121346 |
| 7016 | ALLEX, JEANNE | 06/17/2022 | Regular | 0.00 | 50.00 | 121315 |
| 0578 | AMAZON CAPITAL SERVICES | 06/17/2022 | EFT | 0.00 | 272.90 | 9995 |
| 0578 | AMAZON CAPITAL SERVICES | 06/24/2022 | EFT | 0.00 | 171.69 | 10056 |
| 3761 | AMERICAN BOTTLING CO. | 06/24/2022 | Regular | 0.00 | 67.48 | 121347 |
| 0658 | AP DESIGN | 06/17/2022 | EFT | 0.00 | 89.80 | 9996 |
| 0658 | AP DESIGN | 06/24/2022 | EFT | 0.00 | 5,760.80 | 10057 |
| 6694 | ARAMARK UNIFORM & CAREER APPAREL GROUP, | 06/17/2022 | EFT | 0.00 | 65.22 | 9997 |
| 0630 | ARCTIC GLACIER | 06/17/2022 | Regular | 0.00 | 737.35 | 121316 |
| 0630 | ARCTIC GLACIER | 06/24/2022 | Regular | 0.00 | 229.74 | 121348 |
| 5447 | ARTISAN BEER COMPANY | 06/17/2022 | EFT | 0.00 | 865.55 | 9998 |
| 5447 | ARTISAN BEER COMPANY | 06/24/2022 | EFT | 0.00 | 1,212.00 | 10058 |
| 6818 | BEEK, JORDY | 06/17/2022 | EFT | 0.00 | 378.91 | 9999 |
| 7015 | BEKAERT, SHAWN EDWARD | 06/17/2022 | Regular | 0.00 | 60.00 | 121317 |
| 0688 | BELLBOY CORPORATION | 06/24/2022 | EFT | 0.00 | 5,189.10 | 10059 |
| 0699 | BEVERAGE WHOLESALERS | 06/17/2022 | Regular | 0.00 | 36,458.62 | 121318 |
| 0699 | BEVERAGE WHOLESALERS | 06/24/2022 | Regular | 0.00 | 36,003.36 | 121349 |
| 0704 | BIKE SHOP | 06/24/2022 | EFT | 0.00 | 302.96 | 10060 |
| 0715 | BLADHOLM CONSTRUCTION INC | 06/17/2022 | EFT | 0.00 | 300.00 | 10000 |
| 6482 | BLOMBERG, GRANT | 06/17/2022 | EFT | 0.00 | 425.00 | 10001 |
| 6482 | BLOMBERG, GRANT | 06/24/2022 | EFT | 0.00 | 425.00 | 10061 |
| 0724 | BOLTON & MENK INC | 06/17/2022 | EFT | 0.00 | 1,065.00 | 10002 |
| 0724 | BOLTON & MENK INC | 06/24/2022 | EFT | 0.00 | 25,534.01 | 10062 |
| 0726 | BORCHS SPORTING GOODS | 06/17/2022 | EFT | 0.00 | 326.00 | 10003 |
| 3829 | BRAU BROTHERS | 06/17/2022 | EFT | 0.00 | 425.00 | 10004 |
| 4457 | BREAKTHRU BEVERAGE | 06/17/2022 | Regular | 0.00 | 7,486.96 | 121319 |
| 4457 | BREAKTHRU BEVERAGE | 06/24/2022 | Regular | 0.00 | 2,945.95 | 121350 |
| 6468 | BRENNAN CONSTRUCTION OF MN, INC | 06/24/2022 | Regular | 0.00 | 14,178.00 | 121351 |
| 5696 | BROTHERS FIRE PROTECTION | 06/24/2022 | EFT | 0.00 | 365.00 | 10063 |
| 0728 | BUFFALO RIDGE CONCRETE,INC | 06/17/2022 | EFT | 0.00 | 2,132.96 | 10005 |
| 7020 | BUILDING SPRINKLER, INC. | 06/24/2022 | Regular | 0.00 | 1,448.15 | 121352 |
| 6798 | CAMPION, MIKAYLA | 06/24/2022 | Regular | 0.00 | 420.43 | 121353 |
| 6791 | CAPITAL ONE | 06/17/2022 | Regular | 0.00 | 238.61 | 121320 |
| 6791 | CAPITAL ONE | 06/24/2022 | Regular | 0.00 | 265.18 | 121354 |
| 7019 | CARMEL PROPERTIES LLC | 06/24/2022 | Regular | 0.00 | 4,286.75 | 121355 |
| 0815 | CATTOOR OIL COMPANY INC | 06/17/2022 | EFT | 0.00 | 1,872.18 | 10006 |
| 0815 | CATTOOR OIL COMPANY INC | 06/24/2022 | EFT | 0.00 | 113.84 | 10064 |
| 0836 | CHARTER COMMUNICATIONS | 06/17/2022 | EFT | 0.00 | 11.99 | 10007 |
| 0836 | CHARTER COMMUNICATIONS | 06/17/2022 | EFT | 0.00 | 101.88 | 10008 |
| 5733 | CLARITY TELECOM, LLC | 06/17/2022 | EFT | 0.00 | 341.61 | 10009 |
| 5733 | CLARITY TELECOM, LLC | 06/24/2022 | EFT | 0.00 | 573.27 | 10065 |
| 0865 | COLEMAN ELECTRIC COMPANY | 06/24/2022 | Regular | 0.00 | 280.00 | 121356 |
| 0875 | COMPUTER MAN INC | 06/17/2022 | EFT | 0.00 | 1,356.50 | 10010 |
| 0920 | CULLIGAN WATER CONDITIONING OF MARSHALL | 06/17/2022 | Regular | 0.00 | 81.00 | 121322 |
| 0934 | D & G EXCAVATING INC | 06/17/2022 | EFT | 0.00 | 2,684.00 | 10011 |
| 0934 | D & G EXCAVATING INC | 06/24/2022 | EFT | 0.00 | 1,480.80 | 10066 |
| 3819 | DACOTAH PAPER CO | 06/17/2022 | EFT | 0.00 | 133.91 | 10012 |
| 6205 | DESMET, JASMINE | 06/17/2022 | EFT | 0.00 | 78.00 | 10013 |
| 5731 | DOLL DISTRIBUTING | 06/17/2022 | EFT | 0.00 | 19,533.85 | 10014 |
| 5731 | DOLL DISTRIBUTING | 06/24/2022 | EFT | 0.00 | 20,517.86 | 10067 |

Council Check Report

Date Range: 06/17/2022 - 06/28/2022

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|---------------|--------------------------------------|--------------|--------------|-----------------|----------------|--------|
| 1020 | DUIINCK BROS., INC. | 06/17/2022 | EFT | 0.00 | 2,527.30 | 10015 |
| 1020 | DUIINCK BROS., INC. | 06/24/2022 | EFT | 0.00 | 1,479.60 | 10068 |
| 5511 | DVL FIRE AND SAFETY | 06/24/2022 | Regular | 0.00 | 4,311.99 | 121357 |
| 1090 | FASTENAL COMPANY | 06/17/2022 | EFT | 0.00 | 159.97 | 10016 |
| 1090 | FASTENAL COMPANY | 06/24/2022 | EFT | 0.00 | 125.33 | 10069 |
| 1158 | GALLS INC | 06/17/2022 | EFT | 0.00 | 319.45 | 10017 |
| 6478 | GOPHER STATE ONE CALL | 06/24/2022 | EFT | 0.00 | 275.40 | 10070 |
| 1199 | GRAHAM TIRE AND AUTOMOTIVE SERVICES | 06/24/2022 | Regular | 0.00 | 65.62 | 121358 |
| 1201 | GRAINGER INC | 06/17/2022 | EFT | 0.00 | 16.50 | 10018 |
| 1201 | GRAINGER INC | 06/24/2022 | EFT | 0.00 | 210.45 | 10071 |
| 6127 | GRANDVIEW VALLEY WINERY, INC | 06/17/2022 | Regular | 0.00 | 576.00 | 121323 |
| 1215 | GREENWOOD NURSERY | 06/24/2022 | EFT | 0.00 | 21,627.17 | 10072 |
| 1243 | HARDWARE HANK | 06/17/2022 | EFT | 0.00 | 17.94 | 10019 |
| 1247 | HARTS HEATING & REFRIGERATION INC | 06/17/2022 | Regular | 0.00 | 60.94 | 121324 |
| 5094 | HAUGEN, GREG | 06/17/2022 | EFT | 0.00 | 154.95 | 10020 |
| 1256 | HAWKINS INC | 06/17/2022 | EFT | 0.00 | 12,398.81 | 10021 |
| 1256 | HAWKINS INC | 06/24/2022 | EFT | 0.00 | 7,812.09 | 10073 |
| 7021 | HDR ENGINEERING, INC. | 06/24/2022 | Regular | 0.00 | 4,000.00 | 121359 |
| 6430 | HEARTLAND ELECTRIC, INC | 06/17/2022 | Regular | 0.00 | 4,012.50 | 121325 |
| 4885 | HORIZON COMMERCIAL POOL SUPPLY | 06/17/2022 | EFT | 0.00 | 791.00 | 10022 |
| 1311 | HYVEE FOOD STORES INC | 06/17/2022 | Regular | 0.00 | 15.96 | 121326 |
| 1311 | HYVEE FOOD STORES INC | 06/24/2022 | Regular | 0.00 | 25.94 | 121360 |
| 1325 | ICMA RETIREMENT TRUST #300877 | 06/24/2022 | Regular | 0.00 | 50.00 | 121361 |
| 5333 | JOHANSSON SALES & SERVICE | 06/17/2022 | Regular | 0.00 | 528.67 | 121327 |
| 1399 | JOHNSON BROTHERS LIQUOR COMPANY | 06/17/2022 | EFT | 0.00 | 12,228.85 | 10023 |
| 1399 | JOHNSON BROTHERS LIQUOR COMPANY | 06/24/2022 | EFT | 0.00 | 13,199.97 | 10074 |
| 3564 | KESTELOOT ENTERPRISES, INC | 06/17/2022 | EFT | 0.00 | 15,400.00 | 10024 |
| 5095 | KIBBLE EQUIPMENT | 06/24/2022 | EFT | 0.00 | 681.38 | 10075 |
| 6629 | KURITA AMERICA INC | 06/24/2022 | EFT | 0.00 | 5,594.40 | 10076 |
| 5138 | L & A SYSTEMS, LLC | 06/17/2022 | EFT | 0.00 | 287.40 | 10025 |
| 3653 | LANGUAGE LINE SERVICES | 06/17/2022 | EFT | 0.00 | 584.92 | 10026 |
| 1483 | LEAGUE OF MINNESOTA CITIES INS TRUST | 06/17/2022 | Regular | 0.00 | 2,216.75 | 121328 |
| 1483 | LEAGUE OF MINNESOTA CITIES INS TRUST | 06/17/2022 | Regular | 0.00 | 87,699.00 | 121329 |
| 5363 | LEXIPOL, LLC | 06/17/2022 | EFT | 0.00 | 3,915.52 | 10027 |
| 1507 | LOCHER BROTHERS INC | 06/17/2022 | EFT | 0.00 | 1,418.85 | 10028 |
| 1565 | MACQUEEN EQUIPMENT INC. | 06/17/2022 | EFT | 0.00 | 215,740.00 | 10029 |
| 6292 | MADDEN, GALANTER, HANSEN, LLP | 06/17/2022 | EFT | 0.00 | 188.03 | 10030 |
| 1618 | MARSHALL DECORATING CENTER | 06/17/2022 | Regular | 0.00 | 30.00 | 121334 |
| 1623 | MARSHALL INDEPENDENT, INC | 06/24/2022 | Regular | 0.00 | 179.80 | 121362 |
| 1633 | MARSHALL MUNICIPAL UTILITIES | 06/17/2022 | EFT | 0.00 | 8,144.09 | 10031 |
| 1633 | MARSHALL MUNICIPAL UTILITIES | 06/24/2022 | EFT | 0.00 | 2,072.17 | 10077 |
| 1635 | MARSHALL NORTHWEST PIPE FITTINGS INC | 06/17/2022 | EFT | 0.00 | 128.22 | 10032 |
| 1635 | MARSHALL NORTHWEST PIPE FITTINGS INC | 06/24/2022 | EFT | 0.00 | 15.19 | 10078 |
| 1637 | MARSHALL PUBLIC SCHOOLS | 06/24/2022 | EFT | 0.00 | 9,521.88 | 10079 |
| 3545 | MARSHALL RADIO | 06/17/2022 | EFT | 0.00 | 750.00 | 10033 |
| 1649 | MARSHALL TRUCK SALVAGE INC. | 06/17/2022 | Regular | 0.00 | 91.36 | 121335 |
| 5924 | MAXWELL FOOD EQUIPMENT | 06/24/2022 | Regular | 0.00 | 75.51 | 121363 |
| 4980 | MENARDS INC | 06/17/2022 | Regular | 0.00 | 1,750.29 | 121336 |
| 4980 | MENARDS INC | 06/24/2022 | Regular | 0.00 | 80.67 | 121364 |
| 7018 | MILSTEAD, MEGAN | 06/24/2022 | Regular | 0.00 | 25.00 | 121365 |
| 1839 | MINNESOTA VALLEY TESTING LABS INC | 06/17/2022 | EFT | 0.00 | 217.00 | 10034 |
| 1839 | MINNESOTA VALLEY TESTING LABS INC | 06/24/2022 | EFT | 0.00 | 160.00 | 10080 |
| 1813 | MN POLLUTION CONTROL AGENCY | 06/24/2022 | Regular | 0.00 | 23.00 | 121366 |
| 1819 | MN SECRETARY OF STATE | 06/24/2022 | Regular | 0.00 | 120.00 | 121367 |
| 1824 | MN STATE FIRE CHIEFS ASSOCIATION | 06/24/2022 | Regular | 0.00 | 1,044.25 | 121368 |
| 1864 | MONTES ELECTRIC INC | 06/24/2022 | Regular | 0.00 | 65.00 | 121369 |
| 1945 | NORM'S GTC | 06/17/2022 | Regular | 0.00 | 352.67 | 121338 |
| 1945 | NORM'S GTC | 06/24/2022 | Regular | 0.00 | 252.93 | 121370 |
| 1986 | NORTH CENTRAL INTERNATIONAL, INC | 06/17/2022 | EFT | 0.00 | 1,340.49 | 10035 |
| 7017 | NWACHUKWU, BEN | 06/24/2022 | Regular | 0.00 | 40.00 | 121371 |
| 6463 | OFFICE OF MNIT SERVICES | 06/24/2022 | Regular | 0.00 | 695.15 | 121372 |

Council Check Report

Date Range: 06/17/2022 - 06/28/2022

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|---------------|---|--------------|--------------|-----------------|----------------|--------|
| 5891 | ONE OFFICE SOLUTION | 06/17/2022 | EFT | 0.00 | 30.00 | 10036 |
| 3809 | O'REILLY AUTOMOTIVE STORES, INC | 06/17/2022 | EFT | 0.00 | 66.28 | 10037 |
| 2019 | PAUSTIS WINE COMPANY | 06/17/2022 | Regular | 0.00 | 3,955.00 | 121339 |
| 2026 | PEPSI COLA BOTTLING OF PIPESTONE MN INC | 06/24/2022 | EFT | 0.00 | 80.00 | 10081 |
| 4007 | PETE'S ELECTRIC MOTOR REPAIR | 06/17/2022 | EFT | 0.00 | 760.01 | 10038 |
| 2036 | PHILLIPS WINE AND SPIRITS INC | 06/17/2022 | EFT | 0.00 | 7,600.86 | 10039 |
| 2036 | PHILLIPS WINE AND SPIRITS INC | 06/24/2022 | EFT | 0.00 | 12,355.28 | 10082 |
| 2040 | PIONEER | 06/17/2022 | Regular | 0.00 | 2,569.50 | 121340 |
| 2049 | PLUNKETTS PEST CONTROL INC | 06/17/2022 | EFT | 0.00 | 41.82 | 10040 |
| 2065 | POWER PROCESS EQUIPMENT INC | 06/24/2022 | EFT | 0.00 | 1,057.93 | 10083 |
| 2064 | POWERPLAN | 06/17/2022 | Regular | 0.00 | 371.98 | 121341 |
| 5451 | PSI POWER WASHERS INC | 06/24/2022 | Regular | 0.00 | 86.97 | 121373 |
| 6166 | PULVER MOTOR SVC, LLC | 06/17/2022 | EFT | 0.00 | 80.00 | 10041 |
| 6166 | PULVER MOTOR SVC, LLC | 06/24/2022 | EFT | 0.00 | 796.00 | 10084 |
| 2096 | QUARNSTROM & DOERING, PA | 06/17/2022 | EFT | 0.00 | 400.00 | 10042 |
| 4021 | RAILROAD MGT CO III,LLC | 06/17/2022 | Regular | 0.00 | 313.34 | 121342 |
| 6687 | RIGNELL, DEREK | 06/17/2022 | Regular | 0.00 | 4,433.45 | 121343 |
| 2190 | ROTARY CLUB OF MARSHALL | 06/24/2022 | Regular | 0.00 | 237.50 | 121374 |
| 2201 | RUNNINGS SUPPLY INC | 06/24/2022 | EFT | 0.00 | 128.30 | 10085 |
| 6735 | SMALL LOT COOP, LLC | 06/17/2022 | Regular | 0.00 | 1,298.28 | 121344 |
| 4855 | SOUTHERN GLAZER'S | 06/17/2022 | EFT | 0.00 | 9,687.54 | 10043 |
| 4855 | SOUTHERN GLAZER'S | 06/24/2022 | EFT | 0.00 | 9,110.79 | 10086 |
| 2311 | SOUTHWEST GLASS CENTER | 06/24/2022 | EFT | 0.00 | 9.38 | 10087 |
| 5922 | SRF CONSULTING GROUP, INC. | 06/17/2022 | EFT | 0.00 | 2,338.54 | 10044 |
| 6368 | STEFFEN, LEE | 06/17/2022 | EFT | 0.00 | 346.41 | 10045 |
| 6277 | TALKING WATERS BREWING CO, LLC | 06/17/2022 | EFT | 0.00 | 635.00 | 10046 |
| 2429 | TKDA | 06/24/2022 | EFT | 0.00 | 4,925.00 | 10088 |
| 6156 | TRUE BRANDS | 06/17/2022 | EFT | 0.00 | 146.18 | 10047 |
| 3342 | TRUEDSON, SCOTT | 06/17/2022 | EFT | 0.00 | 99.95 | 10048 |
| 3875 | TYLER TECHNOLOGIES | 06/17/2022 | Regular | 0.00 | 2,766.68 | 121345 |
| 2511 | USA BLUE BOOK | 06/24/2022 | EFT | 0.00 | 85.57 | 10089 |
| 4372 | VANIWAARDEN ASSOC. | 06/24/2022 | EFT | 0.00 | 1,800.00 | 10090 |
| 4489 | VERIZON WIRELESS | 06/17/2022 | EFT | 0.00 | 35.01 | 10049 |
| 4489 | VERIZON WIRELESS | 06/17/2022 | EFT | 0.00 | 49.04 | 10050 |
| 4489 | VERIZON WIRELESS | 06/24/2022 | EFT | 0.00 | 1,448.79 | 10091 |
| 6113 | VERSA-VEND VENDING INC | 06/24/2022 | EFT | 0.00 | 1,745.98 | 10092 |
| 2538 | VIKING COCA COLA BOTTLING COMPANY | 06/17/2022 | EFT | 0.00 | 422.23 | 10051 |
| 2538 | VIKING COCA COLA BOTTLING COMPANY | 06/24/2022 | EFT | 0.00 | 1,261.70 | 10093 |
| 4594 | VINOUCPIA | 06/24/2022 | EFT | 0.00 | 2,361.50 | 10094 |
| 2599 | WINE COMPANY | 06/17/2022 | EFT | 0.00 | 398.00 | 10052 |
| 2605 | WINE MERCHANTS | 06/24/2022 | EFT | 0.00 | 130.21 | 10095 |
| 6379 | WINEBOW | 06/17/2022 | EFT | 0.00 | 1,039.50 | 10053 |
| 2631 | ZEP MANUFACTURING COMPANY | 06/24/2022 | EFT | 0.00 | 443.22 | 10096 |
| 2632 | ZIEGLER INC | 06/24/2022 | EFT | 0.00 | 393.60 | 10097 |

Bank Code AP Summary

| Payment Type | Payable Count | Payment Count | Discount | Payment |
|----------------|---------------|---------------|-------------|-------------------|
| Regular Checks | 99 | 54 | 0.00 | 230,715.82 |
| Manual Checks | 0 | 0 | 0.00 | 0.00 |
| Voided Checks | 0 | 0 | 0.00 | 0.00 |
| Bank Drafts | 0 | 0 | 0.00 | 0.00 |
| EFT's | 207 | 105 | 0.00 | 500,773.46 |
| | 306 | 159 | 0.00 | 731,489.28 |

All Bank Codes Check Summary

| Payment Type | Payable Count | Payment Count | Discount | Payment |
|----------------|---------------|---------------|-------------|-------------------|
| Regular Checks | 99 | 54 | 0.00 | 230,715.82 |
| Manual Checks | 0 | 0 | 0.00 | 0.00 |
| Voided Checks | 0 | 0 | 0.00 | 0.00 |
| Bank Drafts | 0 | 0 | 0.00 | 0.00 |
| EFT's | 207 | 105 | 0.00 | 500,773.46 |
| | 306 | 159 | 0.00 | 731,489.28 |

Fund Summary

| Fund | Name | Period | Amount |
|------|------------------|--------|-------------------|
| 999 | POOLED CASH FUND | 6/2022 | 731,489.28 |
| | | | 731,489.28 |

CITY OF MARSHALL, MINNESOTA
PRIOR AND CURRENT YEARS CONSTRUCTION CONTRACTS

6/28/2022

| PROJECT #: | Coding | DATE | CONTRACTOR: | ORIGINAL CONTRACT AMOUNT: | CHANGE ORDERS | CURRENT CONTRACT AMOUNT | 2019 Prior Payments | 2020 Prior Payments | 2021 Prior Payments | 2022 Prior Payments | PYMTS THIS MEETING: | RETAINAGE | BALANCE: |
|--------------|-----------------|------------|--|---------------------------------|----------------------|-------------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------|---------------------|
| W13 | 602-49500-55120 | 5/28/2019 | WWTF Improvement Project | Magney Construction, Inc. | 14,074,300.00 | (26,609.74) | 14,047,690.26 | 4,099,265.87 | 6,918,924.06 | 3,029,500.33 | | - | - |
| CH1 | 494-43300-55120 | 11/12/2019 | City Hall Renovation | Brennan Companies | 5,030,200.00 | 749,360.00 | 5,779,560.00 | | 3,039,722.04 | 2,661,221.96 | 14,178.00 | 11,822.00 | 52,616.00 |
| Z83 | 479-43300-55170 | 2/23/2021 | James Ave/Camden Dr Reconstruction | Kuechle Underground | 849,244.50 | | 849,244.50 | | | 779,179.36 | | 41,009.44 | 29,055.70 |
| Z88 | 479-43300-55170 | 4/13/2021 | State Aid Overlay | Duininck, Inc | 1,924,600.45 | 31,330.31 | 1,955,930.76 | | | 1,859,801.49 | | - | 96,129.27 |
| PK-001 | 401-45200-55130 | 8/25/2021 | Independence Park Trail Replacement | A & C Excavating, LLC | 375,659.10 | | 375,659.10 | | | 109,320.20 | | 5,753.70 | 260,585.20 |
| SWM-007 | 630-49600-55170 | 10/12/2021 | Independence Park Pond Forebay Expansion | Towne & Country Excavating LLC | 229,255.50 | 5,290.00 | 234,545.50 | | | | 186,488.17 | 9,815.17 | 224,730.33 |
| AP-005 | 101-43400-55120 | 10/12/2021 | A/D Building Roof Repair | Gag Sheet Metal, Inc. | 37,200.00 | 45,399.00 | 82,599.00 | | | 51,879.00 | | 30,720.00 | - |
| ST-002 | 495-43300-55170 | 2/8/2022 | Bituminous Overlay on Various City Streets | Duininck, Inc | 560,573.35 | | 560,573.35 | | | | | | 560,573.35 |
| ST-003 | 480-43300-55170 | 2/6/2022 | 1st/Greeley/Williams Reconstruction | R & G Construction Co. | 1,647,498.69 | 2,500.00 | 1,649,998.69 | | | | 177,330.71 | 9,333.20 | 1,640,665.49 |
| ST-001 | 101-43300-53425 | 2/22/2022 | Chip Seals | Pearson Bros., Inc. | 210,581.00 | | 210,581.00 | | | | | | 210,581.00 |
| ST-004 | 480-43300-55170 | 2/22/2022 | Halbur Road Reconstruction | Duininck, Inc | 1,142,009.72 | | 1,142,009.72 | | | | | | 1,142,009.72 |
| ST-006 (Z79) | 495-43300-55130 | 5/10/2022 | School Pedestrian Crossing Improvements | Duininck, Inc | 480,250.35 | | 480,250.35 | | | | | | 480,250.35 |
| ST-005 | 480-43300-55170 | 5/24/2022 | Rose Parking Lot Reconstruction | R & G Construction Co. | 140,177.51 | | 140,177.51 | | | | | | 140,177.51 |
| ST-023 | 480-43300-55170 | 5/24/2022 | W. Lyon St.(College to 1st) Reconstruction | R & G Construction Co. | 409,645.10 | | 409,645.10 | | | | | | 409,645.10 |
| | | | | | <u>27,111,195.27</u> | <u>807,269.57</u> | <u>27,918,464.84</u> | <u>4,099,265.87</u> | <u>9,958,646.10</u> | <u>8,490,902.34</u> | <u>14,178.00</u> | <u>77,733.51</u> | <u>5,247,019.02</u> |

PERCENT
COMPLETE

100.00%
99.09%
96.58%
95.09%
30.63%
4.18%
100.00%
0.00%
0.57%
0.00%
0.00%
0.00%
0.00%

**CITY OF MARSHALL
AGENDA ITEM REPORT**

| | |
|--------------------------------|---|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | NEW BUSINESS |
| Type: | ACTION |
| Subject: | Project Z88: 2021 State Aid Overlay Project - Consider Change Order No. 5 (Final) and Acknowledgement of Final Pay Request No. 6. |
| Background Information: | <p>The items on Change Order No. 5 (Final Reconciling Change Order) for the above project are the result of final measurements and changes in item quantities during construction. Each individual line item is shown on the spreadsheet attached to the change order. Change Order No. 5 (Final) results in a contract decrease in the amount of \$65,170.74.</p> <p>The original contract amount was \$1,924,600.45 and final contract amount is \$1,890,760.02 for a net contract decrease of \$33,840.43.</p> <p>All work has been completed in accordance with the specifications.</p> |
| Fiscal Impact: | The final payment in the amount of \$11,458.53, including the final change order and release of retainage, will be paid from Account #479-43300-55170 (2021 Public Improvements Fund-Streets-Infrastructure) per Finance. |
| Alternative/Variations: | No alternative actions recommended. |
| Recommendations: | that the Council approve Change Order No. 5 (Final) with Duinck, Inc. of Prinsburg, Minnesota, resulting in a contract decrease in the amount of \$65,170.74 and acknowledge Final Pay Request (No. 6) in the amount of \$11,458.53 for the above-referenced project. |



| | | | | | |
|-----------|-------------------------------|-----------------|-----|------------------|---|
| SP/SAP(s) | 139-103-004 (12 Tied Nos.) | MN Project No.: | N/A | Change Order No. | 5 |
|-----------|-------------------------------|-----------------|-----|------------------|---|

| | | | | | |
|-------------------------------------|--|-------------------|-----|--|--|
| Project Location | Various Locations | | | | |
| Local Agency | City of Marshall Public Works | Local Project No. | Z88 | | |
| Contractor | Duininck, Inc. | Contract No. | Z88 | | |
| Address/City/State/Zip | 408 6th Street P.O. Box 208 / Prinsburg / MN / 56281 | | | | |
| Total Change Order Amount \$ | (\$65,170.74) | | | | |

Final Reconciling Change Order

| Estimate Of Cost: <i>(Include any increases or decreases in contract items, any negotiated or force account items.)</i> | | | | | |
|--|--------------------------------------|-------|------------|-----------------|----------------------|
| Item No. | Description | Unit | Unit Price | + or - Quantity | + or - Amount \$ |
| 2104.503 | REMOVE CURB & GUTTER | L F | \$6.00 | -63.97 | (\$383.82) |
| 2104.518 | REMOVE PAVEMENT | S F | \$0.75 | -2994.51 | (\$2,245.88) |
| 2232.604 | MILL BITUMINOUS PAVEMENT (1.5") | S Y | \$2.00 | -1217 | (\$2,434.00) |
| 2360.609 | TYPE SP 9.5 WEARING COURSE MIX (3,B) | TON | \$70.00 | -637 | (\$44,590.00) |
| 2360.618 | TYPE SP 9.5 BIT MIXTURE FOR PATCHING | S F | \$5.00 | 589.96 | \$2,949.80 |
| 2504.602 | ADJUST GATE VALVE & BOX | EACH | \$275.00 | -16 | (\$4,400.00) |
| 2506.502 | ADJUST FRAME & RING CASTING | EACH | \$550.00 | -42 | (\$23,100.00) |
| 2521.618 | 4" CONCRETE WALK | S F | \$6.25 | -3172 | (\$19,825.00) |
| 2521.618 | 6" CONCRETE WALK | S F | \$12.50 | 1975.85 | \$24,698.13 |
| 2531.603 | CONCRETE CURB & GUTTER DESIGN B618 | L F | \$37.85 | 113.8 | \$4,307.33 |
| 2531.604 | 7" CONCRETE VALLEY GUTTER | SQ YD | \$82.40 | -3.79 | (\$312.30) |
| 2531.618 | TRUNCATED DOMES | S F | \$55.00 | 3 | \$165.00 |
| Net Change this Change Order | | | | | (\$65,170.74) |

| Due to this change, the contract time: <i>(check one)</i> | |
|--|---|
| <input checked="" type="checkbox"/> (X) Is NOT changed | <input type="checkbox"/> () May be revised as provided in MnDOT Specification 1806 |
| Number of Working Days Affected by this Contract Change: | Number of Calendar Days Affected by this Contract Change: 0 |

Approved by Project Engineer: *Jessie Dehn* Date: *6/6/2022*
 Print Name: *Jessie Dehn* Phone: 507-537-6773

Approved by Contractor: _____ Date: _____

Print Name: _____ Phone: _____



| | | | | | |
|-----------|-------------------------------|-----------------|-----|------------------|---|
| SP/SAP(s) | 139-103-004 (12 Tied Nos.) | MN Project No.: | N/A | Change Order No. | 5 |
|-----------|-------------------------------|-----------------|-----|------------------|---|

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

This work is eligible for:

- Federal Funding
- State Aid Funding
- Local funds

District State Aid Engineer: _____ Date: _____

Contract Number: Project: Z88
Pay Request Number: 6

| Project Number | Project Description |
|----------------|--|
| Z88 | 2021 State Aid Mill & Overlay and ADA Improvements Project |

| | |
|--|--|
| Contractor: Duininck, Inc. 408 6th Street Prinsburg, MN 56281 | Vendor Number: 01-1020 Up To Date: 06/06/2022 |
|--|--|

Contract Amount

Funds Encumbered

| | | | |
|-------------------|----------------|------------|----------------|
| Original Contract | \$1,924,600.45 | Original | \$1,924,600.45 |
| Contract Changes | \$-33,840.43 | Additional | N/A |
| Revised Contract | \$1,890,760.02 | Total | \$1,924,600.45 |

Work Certified To Date

| | |
|------------------|----------------|
| Base Bid Items | \$1,909,735.71 |
| Contract Changes | \$-18,975.69 |
| Material On Hand | \$0.00 |
| Total | \$1,890,760.02 |

| Work Certified This Request | Work Certified To Date | Less Amount Retained | Less Previous Payments | Amount Paid This Request | Total Amount Paid To Date |
|-----------------------------|------------------------|----------------------|------------------------|--------------------------|---------------------------|
| \$11,458.53 | \$1,890,760.02 | \$0.00 | \$1,879,301.49 | \$11,458.53 | \$1,890,760.02 |
| Percent: Retained: 0% | | | Percent Complete: 100% | | |

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By

Jessie Dehn

Project Engineer

06/06/2022

Date

Approved By Duininck, Inc.

Contractor

Date

| Payment Summary | | | | |
|-----------------|------------|----------------------------|-----------------------------|-------------------------|
| No. | Up To Date | Work Certified Per Request | Amount Retained Per Request | Amount Paid Per Request |
| 1 | 2021-07-13 | \$56,853.01 | \$2,842.65 | \$54,010.36 |
| 2 | 2021-08-17 | \$811,166.33 | \$40,558.32 | \$770,608.01 |
| 3 | 2021-09-14 | \$1,013,565.24 | \$32,500.68 | \$981,064.56 |
| 4 | 2021-11-29 | (\$21,783.09) | (\$75,901.65) | \$54,118.56 |
| 5 | 2021-12-13 | \$19,500.00 | \$0.00 | \$19,500.00 |
| 6 | 2022-06-06 | \$11,458.53 | \$0.00 | \$11,458.53 |

| Funding Category Name | Funding Category Number | Work Certified to Date | Less Amount Retained | Less Previous Payments | Amount Paid this Request | Total Amount Paid to Date |
|---|-------------------------|------------------------|----------------------|------------------------|--------------------------|---------------------------|
| SAP 139-103-004 (W. Marshall) | | \$124,831.86 | \$0.00 | \$124,831.86 | \$0.00 | \$124,831.86 |
| SAP 139-107-008 (S. Bruce) | | \$133,170.88 | \$0.00 | \$133,170.88 | \$0.00 | \$133,170.88 |
| SAP 139-109-005 (S. 6th) | | \$61,620.76 | \$0.00 | \$61,620.75 | \$0.01 | \$61,620.76 |
| SAP 139-110-006 (N. 4th) | | \$275,280.61 | \$0.00 | \$263,822.13 | \$11,458.48 | \$275,280.61 |
| SAP 139-110-007 (S. 4th) | | \$145,916.08 | \$0.00 | \$145,916.07 | \$0.01 | \$145,916.08 |
| SAP 139-111-008 (W. Saratoga) | | \$12,547.00 | \$0.00 | \$12,547.00 | \$0.00 | \$12,547.00 |
| SAP 139-114-004 (Birch) | | \$117,252.08 | \$0.00 | \$117,252.08 | \$0.00 | \$117,252.08 |
| SAP 139-115-004 (N. Bruce - College to Birch) | | \$32,235.74 | \$0.00 | \$32,235.74 | \$0.00 | \$32,235.74 |
| SAP 139-119-008 (Southview) | | \$307,172.61 | \$0.00 | \$307,172.59 | \$0.02 | \$307,172.61 |
| SAP 139-120-006 (N. Bruce - Birch to Emerald) | | \$125,492.86 | \$0.00 | \$125,492.86 | \$0.00 | \$125,492.86 |
| SAP 139-122-008 (Country Club) | | \$157,969.17 | \$0.00 | \$157,969.17 | \$0.00 | \$157,969.17 |
| SAP 139-123-008 (E. Lyon) | | \$273,603.78 | \$0.00 | \$273,603.77 | \$0.01 | \$273,603.78 |
| SAP 139-127-002 (Jewett) | | \$123,666.59 | \$0.00 | \$123,666.59 | \$0.00 | \$123,666.59 |

| Accounting Number | Funding Source | Amount Paid this Request | Revised Contract Amount | Funds Encumbered to Date | Paid Contractor to Date |
|-------------------|----------------------------|--------------------------|-------------------------|--------------------------|-------------------------|
| 479 | Local Agency Bonds Applied | \$11,458.53 | \$1,890,760.02 | \$1,924,600.37 | \$1,890,760.02 |

| Contract Item Status | | | | | | | | | | |
|----------------------|------|----------|--------------|-------|-------------|-------------------|-----------------------|---------------------|------------------|----------------|
| Base/Alt | Line | Item | Description | Units | Unit Price | Contract Quantity | Quantity This Request | Amount This Request | Quantity To Date | Amount To Date |
| Base Bid | 1 | 2021.501 | MOBILIZATION | LS | \$35,000.00 | 1 | 0 | \$0.00 | 1 | \$35,000.00 |

| Contract Item Status | | | | | | | | | | |
|-------------------------|------|----------|--------------------------------------|-------|------------|-------------------|-----------------------|---------------------|------------------|-----------------------|
| Base/Alt | Line | Item | Description | Units | Unit Price | Contract Quantity | Quantity This Request | Amount This Request | Quantity To Date | Amount To Date |
| Base Bid | 2 | 2104.503 | REMOVE CURB & GUTTER | L F | \$6.00 | 3151.03 | 0 | \$0.00 | 3151.03 | \$18,906.18 |
| Base Bid | 3 | 2104.518 | REMOVE PAVEMENT | S F | \$0.75 | 18004.49 | 412.37 | \$309.28 | 18004.49 | \$13,503.37 |
| Base Bid | 4 | 2232.604 | MILL BITUMINOUS PAVEMENT (1.5") | S Y | \$2.00 | 124344 | 0 | \$0.00 | 124344 | \$248,688.00 |
| Base Bid | 5 | 2360.609 | TYPE SP 9.5 WEARING COURSE MIX (3,B) | TON | \$70.00 | 15513 | 15 | \$1,050.00 | 15513 | \$1,085,910.00 |
| Base Bid | 6 | 2360.618 | TYPE SP 9.5 BIT MIXTURE FOR PATCHING | S F | \$5.00 | 5382.96 | 0 | \$0.00 | 5382.96 | \$26,914.80 |
| Base Bid | 7 | 2504.602 | ADJUST GATE VALVE & BOX | EACH | \$275.00 | 98 | 0 | \$0.00 | 98 | \$26,950.00 |
| Base Bid | 8 | 2506.502 | ADJUST FRAME & RING CASTING | EACH | \$550.00 | 120 | 0 | \$0.00 | 120 | \$66,000.00 |
| Base Bid | 9 | 2521.618 | 4" CONCRETE WALK | S F | \$6.25 | 3675 | 0 | \$0.00 | 3675 | \$22,968.75 |
| Base Bid | 10 | 2521.618 | 6" CONCRETE WALK | S F | \$12.50 | 8998.85 | 346.74 | \$4,334.25 | 8998.85 | \$112,485.63 |
| Base Bid | 11 | 2531.603 | CONCRETE CURB & GUTTER DESIGN B618 | L F | \$37.85 | 3328.8 | 100 | \$3,785.00 | 3328.8 | \$125,995.08 |
| Base Bid | 12 | 2531.604 | 7" CONCRETE VALLEY GUTTER | SQ YD | \$82.40 | 44.21 | 0 | \$0.00 | 44.21 | \$3,642.90 |
| Base Bid | 13 | 2531.618 | TRUNCATED DOMES | S F | \$55.00 | 1074 | 36 | \$1,980.00 | 1074 | \$59,070.00 |
| Base Bid | 14 | 2563.601 | TRAFFIC CONTROL | LS | \$9,500.00 | 1 | 0 | \$0.00 | 1 | \$9,500.00 |
| Base Bid | 15 | 2565.602 | SAW CUT LOOP DETECTOR 6' X 6' | EACH | \$1,265.00 | 4 | 0 | \$0.00 | 4 | \$5,060.00 |
| Base Bid | 16 | 2575.602 | SITE RESTORATION | EACH | \$500.00 | 89 | 0 | \$0.00 | 89 | \$44,500.00 |
| Base Bid | 17 | 2582.503 | 4" SOLID LINE PAINT | L F | \$0.15 | 29190 | 0 | \$0.00 | 29190 | \$4,378.50 |
| Base Bid | 18 | 2582.503 | 4" BROKEN LINE PAINT | L F | \$0.15 | 1750 | 0 | \$0.00 | 1750 | \$262.50 |
| Base Bid Totals: | | | | | | | | \$11,458.53 | | \$1,909,735.71 |

| Project Category Totals | | | |
|-------------------------|----------|---------------------|----------------|
| Project | Category | Amount This Request | Amount To Date |
| Z88 | Base Bid | \$11,458.53 | \$1,909,735.71 |

| Contract Change Item Status | | | | | | | | | | | | |
|--------------------------------|----|-----|------|----------|--|-------|---------------|-------------------|-----------------------|---------------------|------------------|---------------------|
| Project | CC | CC# | Line | Item | Description | Units | Unit Price | Contract Quantity | Quantity This Request | Amount This Request | Quantity To Date | Amount To Date |
| Z88 | CO | 1 | 21 | 2104.504 | HAUL AND DISPOSE OF MILLED BITUMINOUS MATERIAL | S Y | \$0.20 | 14037 | 0 | \$0.00 | 14037 | \$2,807.40 |
| Z88 | CO | 4 | 22 | 2575.523 | RAPID STABILIZATION METHOD 3 | MGAL | \$500.00 | 1 | 0 | \$0.00 | 1 | \$500.00 |
| Z88 | CO | 4 | 23 | 2360.501 | PAVEMENT DEFECT PENALTY | L S | (\$22,283.09) | 1 | 0 | \$0.00 | 1 | (\$22,283.09) |
| Contract Change Totals: | | | | | | | | | | \$0.00 | | -\$18,975.69 |

| | |
|-----------------------|-----------------------|
| Contract Total | \$1,890,760.02 |
|-----------------------|-----------------------|

| Contract Change Totals | | | |
|------------------------|--|---------------------|----------------|
| Number | Description | Amount This Request | Amount To Date |
| 4 | The Engineer and Contractor have agreed upon a financial deduction due to pavement defects on Country Club Drive. The pavement defects have been repaired with patching and the Contractor has agreed to a monetary deduction due to the size and frequency of the patches. The Engineer has determined that Rapid Stabilization Method 3 is needed due to the additional sections of curb replacement on the project. Payment for this work shall be at the negotiated unit price, as provided in MnDOT Specification 1904.3. | \$0.00 | (\$21,783.09) |
| 5 | Final Reconciling Change Order | \$0.00 | \$0.00 |
| 2 | The Special Provisions stated that Maximum Density (2360.3D.1) will be compaction method for the item 2360.609 TYPE SP 9.5 WEARING COURSE MIX (SPWEA340B). The Engineer has determined that the lift thickness over a variable existing street surface does not warrant the Maximum Density method. The Engineer and Contractor have agreed to change from Maximum Density to Ordinary Compaction method. | \$0.00 | \$0.00 |
| 1 | The Engineer has determined that additional milling is required on S. Bruce Street (SAP 139-107-008) and N. Bruce Street (SAP 139-115-004). To preserve the existing crown and prevent excessive cross sloping, full-width milling will be required rather than the edge milling that was included in the plans. Additional hauling of milled bituminous material will be required to accommodate the full-width milling. Payment for the hauling of bituminous millings will be at the negotiated price, as provided for in MnDOT Spec 1904.3. Payment for the milling will be at the contract unit price. | \$0.00 | \$2,807.40 |
| 3 | The Engineer has determined that additional curb replacement will be necessary on several streets to due to settled and/or damaged curb. The replacement curb is inhibiting proper drainage and replacement is necessary prior to the mill and overlay construction. The Engineer and Contractor agree that payment for the additional work will be at the contract unit price. | \$0.00 | \$0.00 |

| Material On Hand Additions | | | | | |
|----------------------------|------|-------------|------|-------|----------|
| Line | Item | Description | Date | Added | Comments |
| | | | | | |

| Material On Hand Balance | | | | | |
|--------------------------|-------------|------|-------|------|-----------|
| Item | Description | Date | Added | Used | Remaining |

Item 8.

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|--|--|--|--|--|--|--|
| | | | | | | |
|--|--|--|--|--|--|--|



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|---------------------------------|---|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | NEW BUSINESS |
| Type: | ACTION |
| Subject: | Amendment of Ordinance Sec. 74-130(b) and (c) regarding Parking Regulations – Adoption of Ordinance. |
| Background Information: | <p>City staff is proposing to remove parking winter parking regulations from a few listed streets, as well as removing year-round parking restrictions from a couple of listed streets. Staff believes that winter parking regulations for the segments of N. 5th Street, S. Redwood Street, and W. Southview Drive that are identified in 74-130(b) are not necessary because the street width available for snow removal is adequate to pass our snow plowing equipment with vehicles parked on both sides of the road. Therefore, the restrictions are not required. Staff has received complaints regarding these parking restrictions from property owners along Southview Drive.</p> <p>Staff believes that year-round parking restrictions as identified by 74-130(c) are not required because the predominate necessity for parking restrictions on these two street segments is to allow for proper curb to curb snow removal in the downtown district. Staff believes there may be benefit to removing restrictions outside of November 1 to April 1 to allow for high rise apartment tenants and visitors to park on the street overnight. Further, with potential future residential developments on Block 11, there may be desire to allow on-street parking in this area.</p> <p>This item was presented to the Public Improvement/Transportation Committee on 11/22/2021 with a recommendation to City Council for approval.</p> <p>This ordinance was introduced at the 12/14/2021 City Council meeting, and due to cancellation of 12/28/2021 City Council meeting, was inadvertently never adopted following introduction.</p> |
| Fiscal Impact: | None. |
| Alternative/ Variations: | No alternative actions recommended. |
| Recommendation: | that the Council adopt Ordinance No. 22-006, which is the Ordinance Amending Sec. 74-130(b) and (c) regarding parking regulations. |

ORDINANCE NO. 22-006

**AN ORDINANCE AMENDING
MARSHALL CITY CODE OF ORDINANCES
SECTION 74-130 REGARDING PARKING REGULATIONS**

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

Section 1: City Code of Ordinances, Chapter 74, Sec. 74-130 Snow emergency routes, winter parking regulations, and other parking regulations is hereby amended as follows:

- (b) *Winter parking regulations.* No vehicle shall be parked or left standing on any portion of the following streets between 2:00 a.m. and 9:00 a.m. between November 1 and April 1 of every year:
 - (1) Emerald Court.
 - (2) West ½ of Pearl Avenue from Country Club Drive to cul-de-sac.
 - (3) Peltier Street.
 - (4) Glenn Street.
 - (5) Simmons Street.
 - (6) The northwest side of Camden Drive from West Southview Drive to James Avenue.

- (c) *Other parking regulations.* No vehicle shall be parked or left standing on any portion of the following streets between 2:00 a.m. and 6:00 a.m. year round:
 - (1) Main Street from First Street to Sixth Street.
 - (2) Lyon Street from College Drive to Sixth Street.
 - (3) College Drive from Marshall Street to Greeley Street.
 - (4) Third Street from Marshall Street to Main Street.
 - (5) The northwest side of Fourth Street from West Marshall Street to West Saratoga Street and the southeast side of Fourth Street from West Redwood Street to West Saratoga Street.
 - (6) Fifth Street from Lyon Street to Saratoga Street.
 - (7) McLaughlin Drive from O'Connell Street to Mustang Trail.

Section 2: This Ordinance shall take effect after its passage and summary publication.

Passed and adopted by the Common Council this 28th day of June, 2022.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: December 14, 2021

Final Passage on: June 28, 2022

Published in the Marshall Independent: _____

ORDINANCE NO. 22-_____

AN ORDINANCE AMENDING
MARSHALL CITY CODE OF ORDINANCES
SECTION 74-130 REGARDING PARKING REGULATIONS

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

Section 1: City Code of Ordinances, Chapter 74, Sec. 74-130 Snow emergency routes, winter parking regulations, and other parking regulations is hereby amended as follows:

(b) *Winter parking regulations.* No vehicle shall be parked or left standing on any portion of the following streets between 2:00 a.m. and 9:00 a.m. between November 1 and April 1 of every year:

- ~~(1) East ½ of North Fifth Street from West Lyon Street to West Marshall Street.~~
- (1) Emerald Court.
- ~~(3) South ½ of West Redwood Street from North Fourth Street to East College Drive.~~
- (2) West ½ of Pearl Avenue from Country Club Drive to cul-de-sac.
- ~~(5) North ½ of West Southview Drive from South Fourth Street to Cheryl Avenue.~~
- (3) Peltier Street.
- (4) Glenn Street.
- (5) Simmons Street.
- (6) The northwest side of Camden Drive from West Southview Drive to James Avenue.

(c) *Other parking regulations.* No vehicle shall be parked or left standing on any portion of the following streets between 2:00 a.m. and 6:00 a.m. year round:

- (1) Main Street from First Street to Sixth Street.
- (2) Lyon Street from College Drive ~~First Street~~ to Sixth Street.
- ~~(3) First Street from Redwood Street to Main Street.~~
- (3) College Drive from Marshall Street to Greeley Street.
- (4) Third Street from Marshall Street to Main Street.
- (5) The northwest side of Fourth Street from West Marshall Street to West Saratoga Street and the southeast side of Fourth Street from West Redwood Street to West Saratoga Street.
- (6) Fifth Street from Lyon Street to Saratoga Street.
- (7) McLaughlin Drive from O'Connell Street to Mustang Trail.

Section 2: This Ordinance shall take effect after its passage and summary publication.

Passed and adopted by the Common Council this 28th day of June, 2022.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: December 14, 2021

Final Passage on: June 28, 2022

Published in the Marshall Independent: _____



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|---------------------------------|---|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | NEW BUSINESS |
| Type: | ACTION |
| Subject: | Renewal of Limited Use Permit #4203-0010 for Non-Motorized Trail along T.H. 23. |
| Background Information: | <p>Attached is Limited Use Permit #4203-0010 for Non-Motorized Trail provided by Mn/DOT for execution by the City.</p> <p>The Limited Use Permit (“LUP”) by and between MnDOT and the City for the trail known as the North Bike and Pedestrian Trail Improvements Project is scheduled for review and possible ten (10) year extension of the term. Per MnDOT, the attached existing LUP #4203-0002 (executed in 2009) does not have a natural expiration date; however, MnDOT is updating its Limited Use Permit form and the new form includes an expiration date.</p> <p>If the City desires to continue the use of the permitted area of MnDOT Right of Way, MnDOT may consider a ten (10) year renewal of the LUP upon the City’s request as outlined in the attached letter dated 06/21/2022 and adoption and provision of a certified resolution authorizing execution of said LUP.</p> |
| Fiscal Impact: | None. |
| Alternative/ Variations: | No alternative actions recommended. |
| Recommendation: | that the Council adopt Resolution Number 22-064, which is Resolution Allowing Authorization to Execute Limited Use Permit #4203-0010 to continue use of the permitted area of MnDOT right-of-way as defined in said permit for a 10-year renewal period to expire 10/15/2032. |

RESOLUTION NUMBER 22-064

**RESOLUTION ALLOWING AUTHORIZATION
TO EXECUTE LIMITED USE PERMIT #4203-0010**

BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA, that the City of Marshall enter into Limited Use Permit No. 4203-0010 with the State of Minnesota, Department of Transportation for the following purposes:

- To provide for maintenance and use by the City of Marshall upon, along and adjacent to Trunk Highway No. 23 and the limits of which are defined in said Limited Use Permit.

BE IT FURTHER RESOLVED by the City of Marshall, Minnesota that the Mayor and the City Council are authorized to execute the Limited Use Permit No. 4203-0010.

Passed and adopted by the Council this 28th day of June, 2022.

Mayor

ATTEST:

City Clerk

June 21, 2022

Mr. Jason Anderson
Director of Public Works
City Hall
344 West Main Street
Marshall MN, 56258

Subject: Limited Use Permit on State Highway Right of Way
C.S. 4203 (T.H. 23)
Permittee: City of Marshall
LUP # 4203-0010
Expiration Date: 10/15/2032

Dear Mr. Anderson:

The Limited Use Permit (“LUP”) by and between the State of Minnesota, Department of Transportation (“MnDOT”) and City of Marshall [“Permittee”] for the trail known as the North Bike and Pedestrian Trail Improvements Project is scheduled for review and possible ten (10) year extension of the term. Such LUP does not have a natural expiration date; however, MnDOT is updating its Limited Use Permit form, which new form includes an expiration date.

If the City of Marshall desires to continue the use of the permitted area of MnDOT Right of Way MnDOT may consider a ten (10) year renewal of the LUP upon request of the Permittee provided:

1. The renewal term commences immediately upon the expiration of LUP # 4203-0002.
2. The Facility is compliant with the ADA and any repairs will be completed within nine (9) months of the commencement of the renewal term.
3. The Permittee has complied with all the conditions, provisions, and obligations of the existing LUP. It is the City of Marshall’s responsibility to ensure the trails are operated and maintained in compliance with the terms and conditions of the LUP.
4. Not later than October 15, 2022, the City of Marshall delivers to MnDOT a written request to renew the LUP; and
5. Permittee agrees to execute a new LUP, in the form substantially the same as the attached LUP #4203-0010 and provides a certified copy of the resolution authorizing the renewal term.

If MnDOT does not receive a written request to renew the Limited Use Permit as provided above, the LUP will expire on October 15, 2022, and shall be null and void and of no further force and effect, and the improvements must be removed.

If you have any questions or concerns, please contact me at: 320-214-6355 or ryan.jaeger@state.mn.us

Sincerely,

Ryan Jaeger
Land Management – MnDOT District 8 Willmar

Enclosures: Limited Use Permit # 4203-0010

c: District RW Supervisor, Pat Jaeger
Maintenance Engineer/Area Permit Office, Corey Kack

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

LIMITED USE PERMIT

C.S. 4203 (T.H. 23)
County of Lyon
LUP # 4203-0010
Permittee: City of Marshall
Expiration Date: 10/15/2032
Coop./Const. Agmt # N/A

In accordance with Minnesota Statutes Section 161.434, the State of Minnesota, through its Commissioner of Transportation, (“MnDOT”), hereby grants a Limited Use Permit (the “LUP”) to City of Marshall, (“Permittee”), to use the area within the right of way of Trunk Highway No. 23 as shown in red on Exhibit "A", (the “Area”) attached hereto and incorporated herein by reference. This Limited Use Permit is executed by the Permittee pursuant to resolution, a certified copy of which is attached hereto as Exhibit B.

Non-Motorized Trail

The Permittee's use of the Area is limited to only the constructing, maintaining and operating a nonmotorized trail ("Facility") and the use thereof may be further limited by 23 C.F.R. 652 also published as the Federal-Aid Policy Guide.

The permittee agrees that this permit totally replaces and supersedes the previously issued Limited Use Permit affecting the Area, specifically: The first permit, #4203-0002, was issued on 08/03/2009 on CS 4203 (TH 23). Upon issuance of this permit the earlier issued permit is cancelled.

In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. **TERM.** This LUP terminates at 11:59PM on 10/15/2032 (“Expiration Date”) subject to the right of cancellation by MnDOT, with or without cause, by giving the Permittee ninety (90) days written notice of such cancellation. This LUP will not be renewed except as provided below.

Provided this LUP has not expired or terminated, MnDOT may renew this LUP for a period of up to ten (10) years, provided Permittee delivers to MnDOT, not later than ninety (90) days prior to

the Expiration Date, a written request to extend the term. Any extension of the LUP term will be under the same terms and conditions in this LUP, provided:

- (a) At the time of renewal, MnDOT will review the Facility and Area to ensure the Facility and Area are compatible with the safe and efficient operation of the highway and the Facility and Area are in good condition and repair. If, in MnDOT's sole determination, modifications and repairs to the Facility and Area are needed, Permittee will perform such work as outlined in writing in an amendment of this LUP; and
- (b) Permittee will provide to MnDOT a certified copy of the resolution from the applicable governmental body authorizing the Permittee's use of the Facility and Area for the additional term.

If Permittee's written request to extend the term is not timely given, the LUP will expire on the Expiration Date.

Permittee hereby voluntarily releases and waives any and all claims and causes of action for damages, costs, expenses, losses, fees and compensation arising from or related to any cancellation or termination of this LUP by MnDOT. Permittee agrees that it will not make or assert any claims for damages, costs, expenses, losses, fees and compensation based upon the existence, cancellation or termination of the LUP. Permittee agrees not to sue or institute any legal action against MnDOT based upon any of the claims released in this paragraph.

2. **REMOVAL.** Upon the Expiration Date or earlier termination, at the Permittee's sole cost and expense Permittee will:

- (a) Remove the Facility and restore the Area to a condition satisfactory to the MnDOT District Engineer; and
- (b) Surrender possession of the Area to MnDOT.

If, without MnDOT's written consent, Permittee continues to occupy the Area after the Expiration Date or earlier termination, Permittee will remain subject to all conditions, provisions, and obligations of this LUP, and further, Permittee will pay all costs and expenses, including attorney's fees, in any action brought by MnDOT to remove the Facility and the Permittee from the Area.

3. **CONSTRUCTION.** The construction, maintenance, and supervision of the Facility shall be at no cost or expense to MnDOT.

Before construction of any kind, the plans for such construction shall be approved in writing by the MnDOT's District Engineer. Approval in writing from MnDOT District Engineer shall be required for any changes from the approved plan.

The Permittee will construct the Facility at the location shown in the attached Exhibit "A", and in accordance with MnDOT-approved plans and specifications. Further, Permittee will construct

the Facility using construction procedures compatible with the safe and efficient operation of the highway.

Upon completion of the construction of the Facility, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.

The Permittee shall preserve and protect all utilities located on the lands covered by this LUP at no expense to MnDOT and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.

Any crossings of the Facility over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.

4. MAINTENANCE. Any and all maintenance of the Facility shall be provided by the Permittee at its sole cost and expense, including, but not limited to, plowing and removal of snow and installation and removal of regulatory signs. No signs shall be placed on any MnDOT or other governmental agency sign post within the Area. MnDOT will not mark obstacles for users on trunk highway right of way.
5. USE. Other than as identified and approved by MnDOT, no permanent structures or no advertising devices in any manner, form or size shall be allowed on the Area. No commercial activities shall be allowed to operate upon the Area.

Any use permitted by this LUP shall remain subordinate to the right of MnDOT to use the property for highway and transportation purposes. This LUP does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge. No rights to relocation benefits are established by this LUP.

This LUP is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the Area.

6. APPLICABLE LAWS. This LUP does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.

Permittee at its sole cost and expense, agrees to comply with, and provide and maintain the Area, Facilities in compliance with all applicable laws, rules, ordinances and regulations issued by any federal, state or local political subdivision having jurisdiction and authority in connection with said Area including the Americans with Disabilities Act ("ADA"). If the Area and Facilities are not in compliance with the ADA or other applicable laws MnDOT may enter the Area and perform such obligation without liability to Permittee for any loss or damage to Permittee thereby

incurred, and Permittee shall reimburse MnDOT for the cost thereof, plus 10% of such cost for overhead and supervision within 30 days of receipt of MnDOT's invoice.

7. CIVIL RIGHTS. The Permittee for itself, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that in the event improvements are constructed, maintained, or otherwise operated on the Property described in this Limited Use Permit for a purpose for which a MnDOT activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the Permittee will maintain and operate such improvements and services in compliance with all requirements imposed by the Acts and Regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation, Federal Highway Administration, (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or limited English proficiency will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said improvements.
8. SAFETY. MnDOT shall retain the right to limit and/or restrict any activity, including the parking of vehicles and assemblage of Facility users, on the highway right of way over which this LUP is granted, so as to maintain the safety of both the motoring public and Facility users.
9. ASSIGNMENT. No assignment of this LUP is allowed.
10. IN WRITING. Except for those which are set forth in this LUP, no representations, warranties, or agreements have been made by MnDOT or Permittee to one another with respect to this LUP.
11. ENVIRONMENTAL. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall notify in writing MnDOT's District Engineer and shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
12. MECHANIC'S LIENS. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto.

13. NOTICES. All notices which may be given, by either party to the other, will be deemed to have been fully given when served personally on MnDOT or Permittee or when made in writing addressed as follows: to Permittee at:

Attn: Mayor
City Hall
344 West Main St.
Marshall, MN 56258

and to MnDOT at:

State of Minnesota
Department of Transportation
District 8 Right of Way
2505 Transportation Rd
Willmar, MN 56201

The address to which notices are mailed may be changed by written notice given by either party to the other.

14. INDEMNITY. Permittee shall indemnify, defend to the extent authorized by the Minnesota Attorney General's Office, hold harmless and release the State of Minnesota, its Commissioner of Transportation and employees and any successors and assigns of the foregoing, from and against:
- (a) all claims, demands, and causes of action for injury to or death of persons or loss of or damages to property (including Permittee's property) occurring on the Facility or connected with Permittee's use and occupancy of the Area, except when such injury, death, loss or damage is caused solely by the negligence of State of Minnesota, but including those instances where the State of Minnesota is deemed to be negligent because of its failure to supervise, inspect or control the operations of Permittee or otherwise discover or prevent actions or operations of Permittee giving rise to liability to any person;
 - (b) claims arising or resulting from the temporary or permanent termination of Facility user rights on any portion of highway right of way over which this LUP is granted;
 - (c) claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages;
 - (d) any laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever filed or maintained for or on account of any work done or materials furnished; and
 - (e) any damages, testing costs and clean-up costs arising from spillage of regulated materials attributable to the construction, maintenance or operation of the Facility.

MINNESOTA DEPARTMENT
OF TRANSPORTATION
RECOMMENDED FOR APPROVAL

By: _____
District Engineer

Date _____

APPROVED BY:
COMMISSIONER OF TRANSPORTATION

By: _____
Director, Office of Land Management

Date _____

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

CITY OF MARSHALL

By _____

Its _____

And _____

Its _____

EXHIBIT A



MAP 1 OF 3



6
TRUNK HIGHWAY NO. 19

STATE ST

TRUNK HIGHWAY NO. 23

+98.8

.009

.001

+80

90'

85

90

85

90

17

23SB PC 91+73.01

23NB PC 91+73.01

Item 10.

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EXHIBIT A



MAP 2 OF 3

WEFALD DR

STATE ST

TRUNK HIGHWAY NO. 23

75'

95

100

100'

95

100

72'

+48

+08

2306 PT. 98+71.37+

EQUATION

2306 P&T 98+74.75

2358 PT. 98+75.69+

EQUATION

2358 P&T 98+78.27

Item 10.

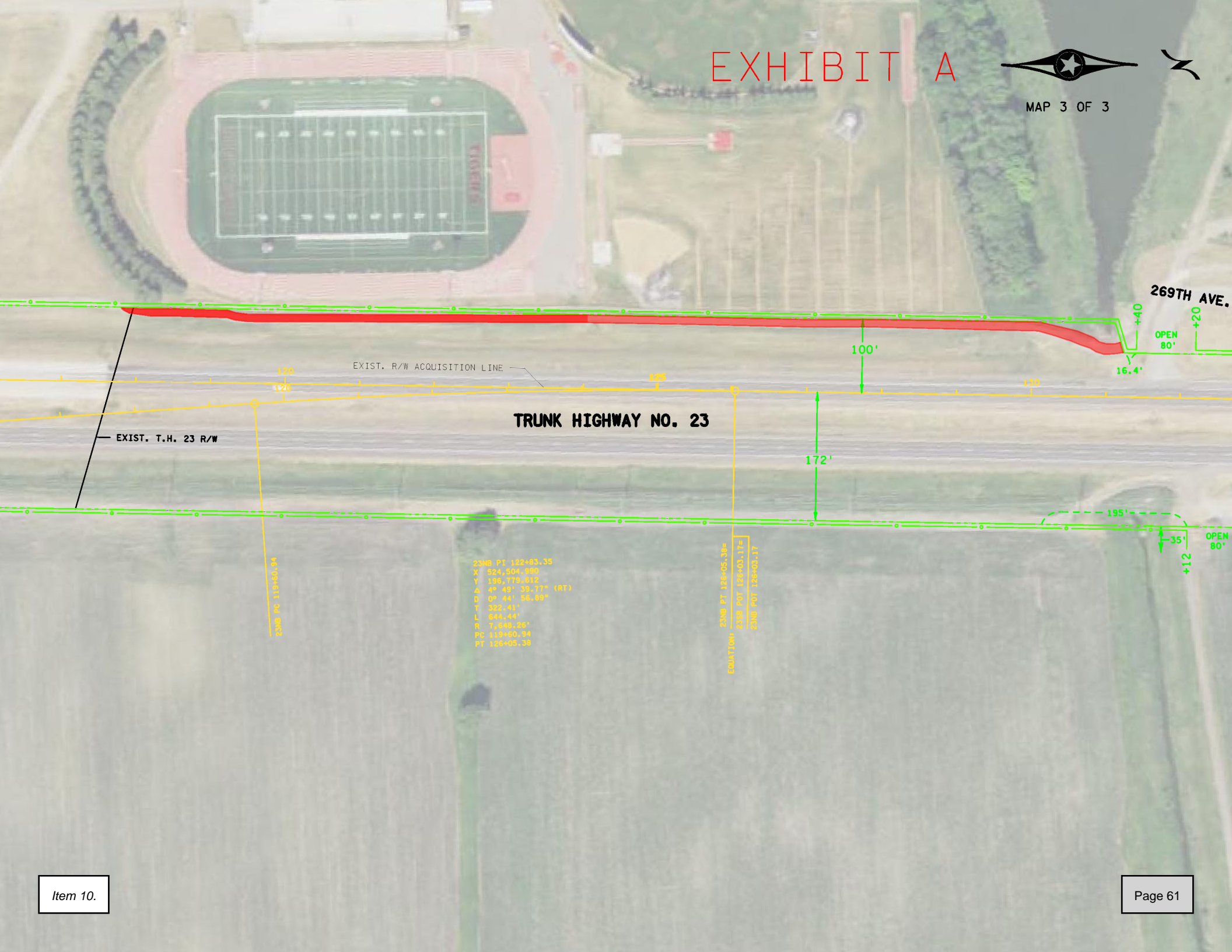


Page 60

EXHIBIT A



MAP 3 OF 3



269TH AVE.

+40
OPEN 80'
+20

EXIST. R/W ACQUISITION LINE

TRUNK HIGHWAY NO. 23

EXIST. T.H. 23 R/W

100'

172'

16.4'

195'

35'

+12
OPEN 80'

2300 PT 119+00.34

2300 PT 120+00.35
X 224,804.992
Y 196,779.812
2300 PT 121+00.36 (RT)
2300 PT 122+00.37
2300 PT 123+00.38
2300 PT 124+00.39
2300 PT 125+00.40

2300 PT 126+00.41
2300 PT 127+00.42
2300 PT 128+00.43

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

**LIMITED USE PERMIT FOR
NONMOTORIZED RECREATIONAL TRAIL**

C.S. 4203 T.H. 23
County of Lyon
LUP # -0002

4203

In accordance with Minnesota Statutes Section 161.434 and 23 C.F.R. 652 also published as the Federal-Aid Policy Guide, a Limited Use Permit is hereby granted to City of Marshall, Permittee. This permit is granted solely for the purpose of constructing, maintaining and operating a nonmotorized recreational trail, (hereinafter called trail), within the right of way of Trunk Highway No(s). 23 as shown in red on Exhibit "M", which is considered the same as the signed plans SP 139-090-003 and Minn. Proj. No. TEAX 4209(215). This permit is executed by the Permittee pursuant to the attached resolution. In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. The construction, maintenance, and operation of the trail shall be at no expense, or cost to the Minnesota Department of Transportation. This permit shall not allow the construction of any permanent buildings, structures, or other obstructions.
2. Before construction of any kind, the plans for such construction shall be concurred to in writing by the Minnesota Department of Transportation, through the District Engineer. Concurrence in writing by the Minnesota Department of Transportation will be required for any changes in the plan that has been signed and dated 4/30/2009 by the Marshall City Engineer. All design will be done by the permittee and with the concurrence of the Minnesota Department of Transportation prior to letting. Approval of the design will not relieve the permittee of the responsibility for the proper execution of the work or the consequence of any act, neglect, omission, or misconduct in execution or non-execution of work of the Permittee or its contractor.
3. No obstructions of any manner or advertising device(s) in any manner, form or size shall be constructed, placed or permitted to be constructed or placed upon the state lands of Minnesota right of way. The Permittee shall provide regulatory signing and enforcement relating to the safe and proper utilization of the pedestrian and bicycle underpass and approach roadways. Signing is to be in accordance with the *Minnesota Manual of Uniform Traffic Control Devices* and construction and maintenance shall be in accordance with *the Minnesota Bicycle Transportation Planning & Design*.
4. No commercial activity or activities shall be allowed to operate upon said State of Minnesota right of way.

5. Any and all maintenance of the trail shall be provided by the Permittee with concurrence from the Minnesota Department of Transportation; this includes, but is not limited to, the patching and repair, the plowing and removal of snow, and the installation and removal of regulatory signs at no cost or expense to the Minnesota Department of Transportation. The Permittee shall obtain all necessary permits from Mn/DOT to perform maintenance and repairs when working on state right of way.
6. This permit is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which exist at present or may be permitted by the Minnesota Department of Transportation in the future.
7. The Permittee shall preserve and protect all utilities located on the lands covered by this permit at no expense to the Minnesota Department of Transportation and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.
8. Any crossings of the trail over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.
9. The Permittee shall construct the trail at the location shown in the attached Exhibit "M" subject to verification by the Minnesota Department of Transportation District Engineer that the construction geometrics and procedures result in a trail that is compatible with the safe and efficient operation of the highway facility. The Permittee shall conduct its operations in accordance with the requirements of the "Minnesota Field Manual on Temporary Traffic Control Layouts".
10. Approval from Minnesota Department of Transportation District Engineer shall be required for any changes from the approved plan.
11. Upon completion of the construction of the trail, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated to a condition that is satisfactory to the Minnesota Department of Transportation's District Engineer.
12. This permit does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee. No reassignment of this permit is allowed directly or indirectly.
13. Any use permitted by this permit shall remain subordinate to the right of the Minnesota Department of Transportation to use the property for highway and transportation purposes. This permit does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge facility that would become subject to Section 4 (f) of the Federal-Aid Highway Act of 1968, nor does this permit establish a Bikeway or Pedestrian way which would require replacement pursuant to Minnesota Statutes Section 160.264.

14. This permit shall be subject to cancellation and termination by the Minnesota Department of Transportation, with or without cause, by giving the Permittee 7 days written notice of such intent. Upon said notice of cancellation the trail shall be removed within 7 days by the Permittee. Upon cancellation of said permit, or any portion thereof, the Permittee will be required to return and restore the area to a condition satisfactory to the Minnesota Department of Transportation District Engineer. The removal of the trail and the return and restoration of the area shall be at no cost or expense to the Minnesota Department of Transportation and at the sole expense and cost of the Permittee.
15. The Permittee, for itself its heirs, personal representatives, its successors in interest and assigns, agrees to abide by the provisions of Title VI Appendix C of the Civil Rights Act of 1964, which provides in part that no person in the United States, shall on the grounds of race, color, or national origin, be excluded from, or denied use of any trail.
16. The State of Minnesota, through its Commissioner of Transportation, shall retain the right to limit and/or restrict the parking of vehicles and assemblage of trail users on the highway right of way over which this permit is granted, so as to maintain the safety of both the motoring public and trail users.
17. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
18. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns, from liability claims for damages because of bodily injury, death, property damage, sickness, disease, or loss and expense arising from the operations of the trail or from the use of the portion of highway right of way over which this permit is granted.
19. The Permittee shall hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees and its successors and assigns from claims arising or resulting from the temporary or permanent termination of trail user rights on any portion of state of Minnesota right of way over which this permit is granted.
20. The Permittee will hold harmless and indemnify the State of Minnesota, its Commissioner of Transportation and employees from claims resulting from temporary or permanent changes in drainage patterns resulting in flood damage.
21. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them

under any agreement or any amendment or supplement thereto; agrees assume liability for and, to indemnify and hold harmless the State of Minnesota from all such liens and claims.

22. If the Permittee desires to abandon the trail and or trail area in the future, the Permittee will remove and recondition the state right of way according to Mn/DOT requirements. The area will be reconditioned in a manner that is satisfactory to the Minnesota Department of Transportation's District Engineer at no cost or expense to the State of Minnesota.

MINNESOTA DEPARTMENT
OF TRANSPORTATION

RECOMMENDED FOR
APPROVAL

CITY OF MARSHALL

By 

Its Mayor

And 

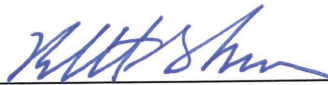
Its Finance Director/City Clerk

By: 
District Engineer

Date July 13, 2009

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: 
Director, Office of Land Management

Date 8/3/2009

The Commissioner of Transportation
by the execution of this permit
certifies that this permit is
necessary in the public interest
and that the use intended is for
public purposes.

RESOLUTION NUMBER 3251, SECOND SERIES

RESOLUTION APPROVING PROJECT
AND ALLOWING AUTHORIZATION TO EXECUTE

WHEREAS, plans and specifications have been prepared under the following project in the following location:

PROJECT Y51 / S.P. 139-090-03
NORTH BIKE AND PEDESTRIAN TRAIL IMPROVEMENTS PROJECT
From the intersection of T.H. 23 & T.H. 19/68 Looping North/West then Southwest to T.H. 23 at the Wayside Rest Area in Southwest Marshall, Minnesota

and said plans and specifications have been presented to the Council for approval; and

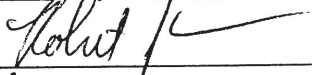
WHEREAS, a Limited Use Permit for Nonmotorized Recreational Trail has been provided by Mn/DOT for execution by the City of Marshall, a copy of which is hereby attached and made part of this resolution; and

WHEREAS, the City is required to approve said Trail Project and allow authorization to execute the Limited Use Permit for Nonmotorized Recreational Trail.

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

1. Such plans and specifications, a copy of which is attached to the Limited Use Permit and made a part thereof, are hereby approved.
2. The Mayor is hereby authorized to be the signatory of the Limited Use Permit for Nonmotorized Recreational Trail which will be attested to by the City Clerk/Financial Director.

Passed and adopted by the Council this 29th day of June, 2009.



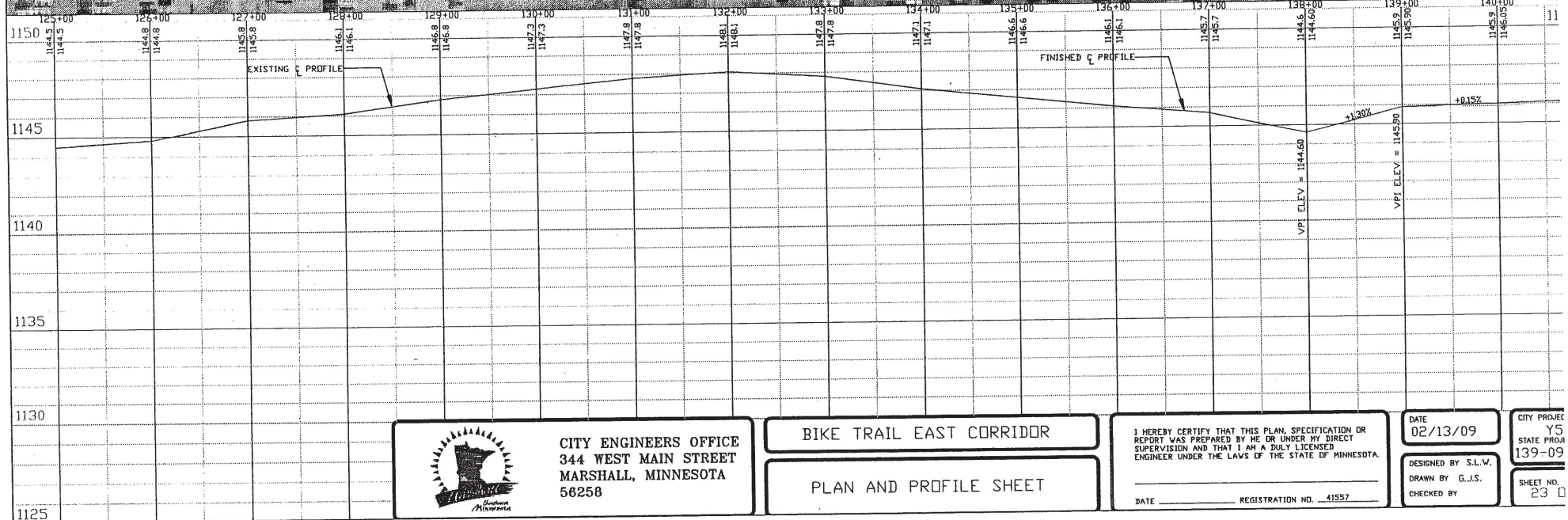
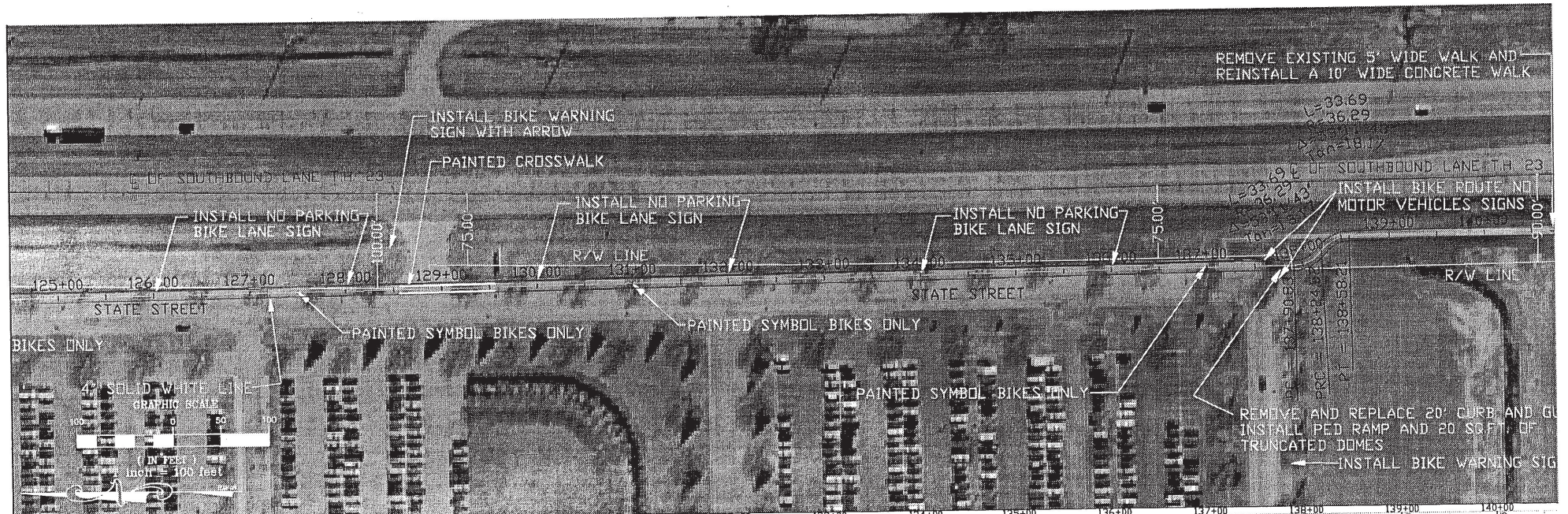
Mayor


ATTEST:



City Clerk/Financial Director

This Instrument Drafted by:
Director of Public Works/City Engineer Glenn J. Olson, P.E.



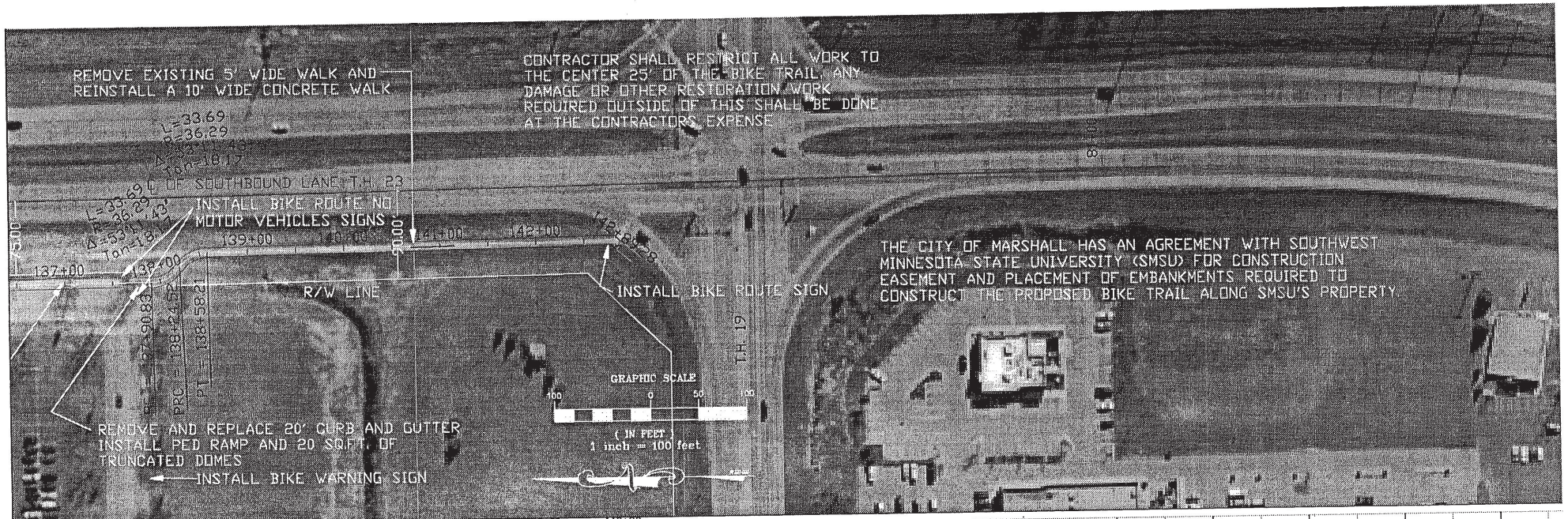

CITY ENGINEERS OFFICE
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 58258

BIKE TRAIL EAST CORRIDOR
PLAN AND PROFILE SHEET

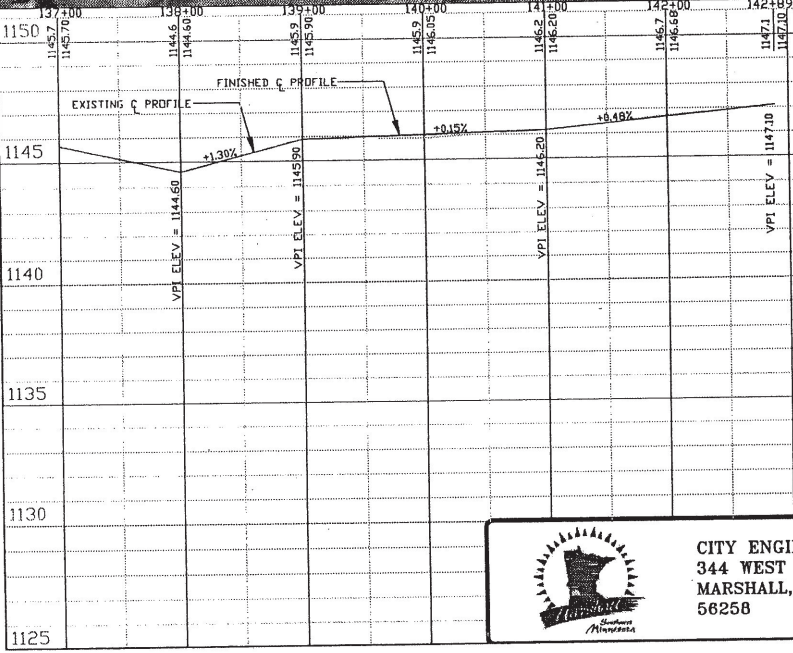
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 DATE _____ REGISTRATION NO. 41557


DATE 02/13/09
 DESIGNED BY S.L.W.
 DRAWN BY G.J.S.
 CHECKED BY _____

CITY PROJ Y5
 STATE PROJ 139-09
 SHEET NO. 23



THE CITY OF MARSHALL HAS AN AGREEMENT WITH SOUTHWEST MINNESOTA STATE UNIVERSITY (SMSU) FOR CONSTRUCTION EASEMENT AND PLACEMENT OF EMBANKMENTS REQUIRED TO CONSTRUCT THE PROPOSED BIKE TRAIL ALONG SMSU'S PROPERTY.



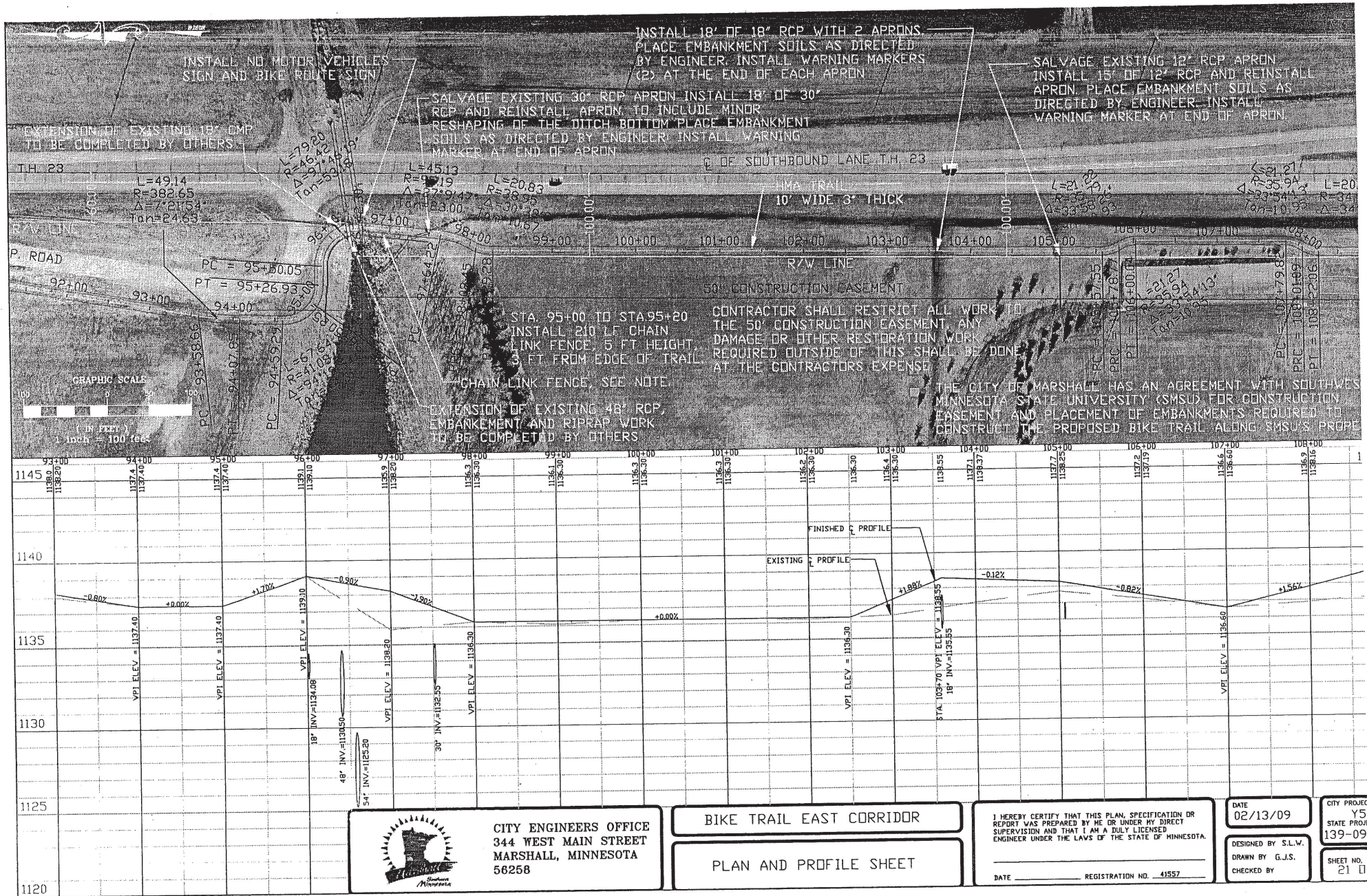
 CITY ENGINEERS OFFICE
344 WEST MAIN STREET
MARSHALL, MINNESOTA
58258

BIKE TRAIL EAST CORRIDOR
PLAN AND PROFILE SHEET

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
DATE _____ REGISTRATION NO. 41557

DATE 02/13/09
DESIGNED BY S.L.V.
DRAWN BY G.J.S.
CHECKED BY _____

CITY PROJECT Y5
STATE PROJECT 139-09
SHEET NO. 24



INSTALL NO MOTOR VEHICLES SIGN AND BIKE ROUTE SIGN

INSTALL 18' OF 18" RCP WITH 2 APRONS PLACE EMBANKMENT SOILS AS DIRECTED BY ENGINEER. INSTALL WARNING MARKERS (2) AT THE END OF EACH APRON

SALVAGE EXISTING 12" RCP APRON. INSTALL 15' OF 12" RCP AND REINSTALL APRON. PLACE EMBANKMENT SOILS AS DIRECTED BY ENGINEER. INSTALL WARNING MARKER AT END OF APRON

SALVAGE EXISTING 30" RCP APRON. INSTALL 18' OF 30" RCP AND REINSTALL APRON TO INCLUDE MINDOR. RESHAPING OF THE DITCH BOTTOM PLACE EMBANKMENT SOILS AS DIRECTED BY ENGINEER. INSTALL WARNING MARKER AT END OF APRON

EXTENSION OF EXISTING 18" CMP TO BE COMPLETED BY OTHERS

C OF SOUTHBOUND LANE T.H. 23

HMA TRAIL 10' WIDE 3' THICK

L=49.14
R=382.65
Δ=72°21'54
Tan=24.63

L=45.13
R=97.19
Δ=27°01'47
Tan=8.00

L=20.83
R=38.35
Δ=30°38'
Tan=10.67

L=21.20
R=33.25
Δ=33°58'03
Tan=10.93

L=20
R=34
Δ=34
Tan=10.93

PC = 95+00.05
PT = 95+26.93

STA. 95+00 TO STA. 95+20
INSTALL 210 LF CHAIN LINK FENCE, 5 FT HEIGHT, 3 FT FROM EDGE OF TRAIL

CONTRACTOR SHALL RESTRICT ALL WORK TO THE 50' CONSTRUCTION EASEMENT. ANY DAMAGE OR OTHER RESTORATION WORK REQUIRED OUTSIDE OF THIS SHALL BE DONE AT THE CONTRACTORS EXPENSE



CHAIN LINK FENCE, SEE NOTE
EXTENSION OF EXISTING 48" RCP, EMBANKMENT AND RIPRAP WORK TO BE COMPLETED BY OTHERS

THE CITY OF MARSHALL HAS AN AGREEMENT WITH SOUTHWEST MINNESOTA STATE UNIVERSITY (SMSU) FOR CONSTRUCTION EASEMENT AND PLACEMENT OF EMBANKMENTS REQUIRED TO CONSTRUCT THE PROPOSED BIKE TRAIL ALONG SMSU'S PROPERTY



CITY ENGINEERS OFFICE
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

BIKE TRAIL EAST CORRIDOR

PLAN AND PROFILE SHEET

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

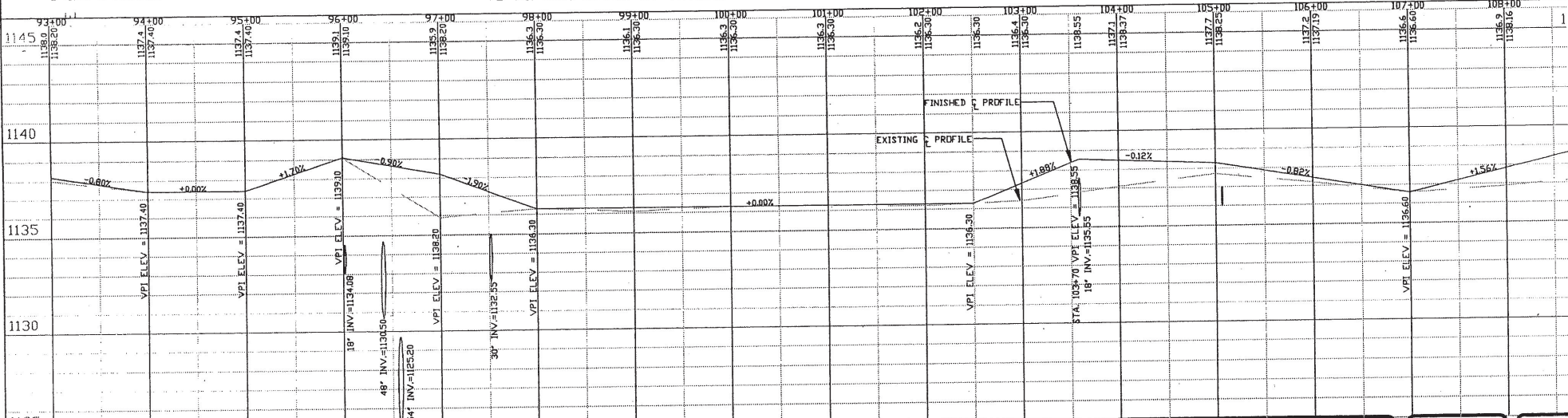
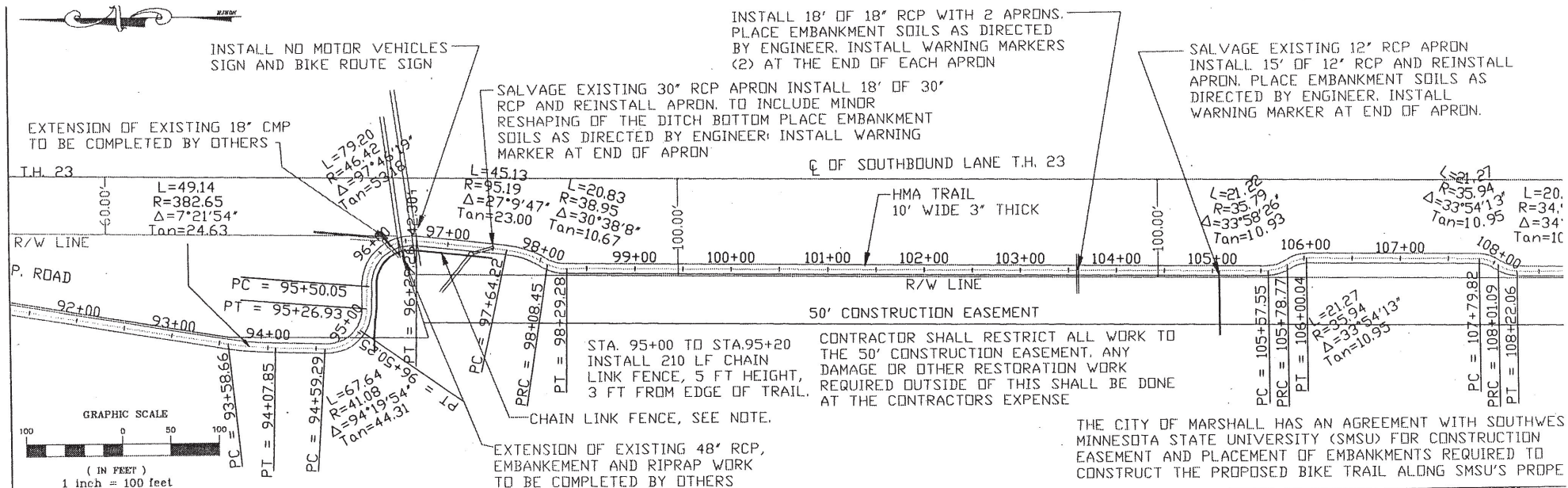
DATE 02/13/09


CITY PROJ Y5
STATE PROJ 139-09

DESIGNED BY S.L.W.
DRAWN BY G.J.S.
CHECKED BY

SHEET NO. 21 OF 21

DATE _____ REGISTRATION NO. 41557



 CITY ENGINEERS OFFICE
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

BIKE TRAIL EAST CORRIDOR
PLAN AND PROFILE SHEET

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A FULLY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE _____ REGISTRATION NO. 41557

DATE 02/13/09
DESIGNED BY S.L.W.
DRAWN BY G.J.S.
CHECKED BY _____

CITY PROJEC Y5
STATE PROJ 139-09
SHEET NO. 21 OF

**CITY OF MARSHALL
AGENDA ITEM REPORT**

| | |
|---------------------------------|--|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | NEW BUSINESS |
| Type: | ACTION |
| Subject: | Consider Request for Proposals – Insurance Agent Services |
| Background Information: | <p>During 2021, Council expressed desire for city staff to work on a request for proposals for insurance agent services.</p> <p>The City’s insurance coverage for property, liability, automobile, and workers’ compensation is provided by the League of Minnesota Cities Insurance Trust (LMCIT). LMCIT requires cities to use the services of an agent to assist and advise a city on their insurance coverage. The policy coverage period is an annual term, with property, liability and automobile coverage effective October 1 each year and workers’ compensation coverage effective January 1 each year.</p> <p>The proposed timeline includes Council consideration of an agreement in September 2022 to be effective October 1st. The current agent would assist with the October 1, 2022 renewal and has already been working with city staff on coverage values and review of the city’s reported assets.</p> |
| Fiscal Impact: | To be determined |
| Alternative/ Variations: | Proceed with current provider as-is. |
| Recommendations: | Authorize the issuance of the proposed Request for Proposals for Insurance Agent Services. |



City of Marshall, Minnesota

Request for Proposals for Insurance Agent Services

For the period beginning with
October 1, 2022 Annual Renewal

Proposals are due to the City of Marshall
4:00 p.m. Friday, July 29, 2022

**City of Marshall
Finance Division**
344 W Main St
Marshall, MN 56258
ci.marshall.mn.us

Table of Contents

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G. Rights of Review and Financial Liability Limitations4

II. Instructions

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Introduction and Background

A. Introduction and General Information

The City of Marshall invites written proposals from insurance agencies or brokers to act as the agent of record starting October 1, 2022. The City of Marshall expects to select a firm that will serve the City for a three (3) year period with the City’s option to extend to up to five (5) years. The ideal firm should have extensive experience working with municipalities. The agent of record will be selected based on the insurance agency or broker’s qualifications, experience, services provided, references and costs proposed to the City.

The City of Marshall’s insurance coverage for property, liability, automobile, and workers’ compensation is provided by the League of Minnesota Cities Insurance Trust (LMCIT). LMCIT requires cities to use the services of an agent to assist and advise a city on their insurance coverage. The policy coverage period is an annual term, with property, liability and automotive coverage effective October 1 each year and workers’ compensation coverage effective January 1 each year.

B. Scope of Work

The insurance agency or broker will be responsible for the following:

1. Advise and assist the City in assembling and accurately reporting underwriting data, including updating property values, for rating purposes.

2. Advise and assist the City in evaluating and selecting among coverage alternatives such as deductibles, limits, optional coverages, alternative coverage forms, etc.
3. Assist with the gathering of information needed to complete the renewal application, and with application submission.
4. Review of the LMCIT insurance policies for completeness and accuracy. Confirm that the schedules have been updated for the new data supplied during the renewal process. Review coverage documents and invoices to assure coverage has been correctly issued and billed. Provide the City with a recap of insurance costs and an explanation of premium increases for each renewal.
5. Monitor the LMCIT policy and coverage options. Advise the City on potential gaps or overlaps in coverages. Provide explanations and recommendations of insurance coverage, deductibles, limits and other options as needed or requested.
6. Review loss reports for accurate reporting, appropriateness of reserves, loss trends, etc.
7. Assist in submitting claims and interpreting coverage as applied to particular claims.
8. Assist as requested with safety and loss control activities.
9. Perform risk assessment analysis as requested. Assist the City in identifying risk exposures and developing appropriate strategies to address those exposures.

The insurance agency shall demonstrate their experience and qualifications by including in their proposal the following information:

C. Qualifications

1. List the number of years the agency has been in business.
2. List experience of working with municipalities insured by the LMCIT during the last five years.
3. Detail the name(s), title(s), qualifications, experience, and professional designations of the agency's staff proposed to service the City's account.
4. Detail the agency premium volume excluding personal lines of coverage (health, life, etc.).
5. Present limit of errors and omissions coverage in place for the agency and furnish information concerning your professional liability insurance.
6. Describe any other agency resources or special qualifications that would be advantageous to the City.
7. Provide a list of three references for municipal clients with entity name, coverage/service and contact information (name, title, email address and telephone number).

D. Agency Services

1. Describe the services your organization would provide, throughout the year, to our account.
2. Describe the service capabilities that set your Agency apart from its competitors.
3. Explain the claims process. Describe your firm's communication philosophy for keeping City Management informed on open claims to ensure that all claims are being managed appropriately.
4. In no more than 100 words, offer any additional information related to why your firm should be the City of Marshall's selected broker.

E. Transition

Describe your plan to assure a smooth transition if you were to assume responsibility for us as a client.

F. Fees

The fee proposed can be a commission based on percentage of premium or a dollar amount in lieu of a LMCIT commission. It is anticipated that the Agent will be appointed for a three (3) year period, with the City's option to extend to five (5) years. An annual review process will be required and the City or Agent reserves the right to cancel the contract with a 60-day written notice. The insurance agency shall indicate in its proposal the fee required to service the City's LMCIT insurance coverage for the policy periods starting October 1, 2022.

The proposed fees should cover all services requested in this request for proposal.

G. Rights of Review and Financial Liability Limitations

The City of Marshall reserves the right to reject any or all proposals, to request additional information from any or all applicants, to waive any submission deficiencies or procedural irregularities, and to negotiate the terms of any or all proposals as determined to be in the best interest of the City.

The City shall not be liable for any expenses incurred by the proposer including, but not limited to, expenses associated with the preparation and submission of the proposal, attendance at interviews, or final contract negotiations.

II. Instructions

A. Proposal Submission

Proposal submissions should contain the required elements in the following order:

1. Title page which shows the proposal subject, name of the proposer’s agency address, telephone number, name of contact person and date.
2. Proposing agency’s overview and qualifications
3. References
4. Agency Services
5. Transition Plan
6. Proposed fees

At least one (1) hard copy or one (1) electronic copy of the proposal must be received by 4:00 PM on July 29, 2022. Proposals should be emailed or delivered to:

Karla Drown, Finance Director
City of Marshall
344 W Main Street
Marshall, MN 56258

karla.drown@ci.marshall.mn.us

507-537-6764

All questions, correspondence and responses shall be directed to Finance Director Karla Drown. In the interest of fairness, do not contact other staff or elected/appointed officials with respect to this RFP.

B. Schedule

1. City issues Request for Proposals.....June 29, 2022
2. Proposal due date.....July 29, 2022
3. Review of RFP’s completed/finalist interviews scheduled.....August 5, 2022
4. Interview and presentations (if needed).....August 15-18, 2022
5. Final decision/contract negotiation.....August 24-26, 2022
6. Agreement consideration by the City Council.....September 13, 2022

NOTE: ALL PROPOSALS MUST BE RECEIVED NO LATER THAN 4:00 PM, JULY 29, 2022.



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|--------------------------------|---|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | COUNCIL REPORTS |
| Type: | INFO |
| Subject: | Commission/Board Liaison Reports |
| Background Information: | <p>Byrnes - Fire Relief Association and Regional Development Commission, Planning Commission</p> <p>Schafer – Airport Commission, Joint LEC Management Committee, MERIT Center Commission, SW Amateur Sports Commission</p> <p>Meister – Cable Commission, Community Services Advisory Board, Economic Development Authority</p> <p>DeCramer – Economic Development Authority, Marshall Municipal Utilities Commission, Diversity, Equity, and Inclusion Commission, Public Housing Commission</p> <p>Labat – Adult Community Center Commission, Convention & Visitors Bureau, Library Board, Marshall Area Transit Committee</p> <p>Lozinski – Joint LEC Management Committee, Police Advisory Board</p> |
| Fiscal Impact: | |
| Alternative/Variations: | |
| Recommendations: | |

MARSHALL-LYON COUNTY LIBRARY
REGULAR BOARD MEETING MINUTES
MAY 9TH, 2022

Board Members Present: Linda Baun, Paula Botsford, Russ Labat, Rick Anderson, Ruth Bot, Saara Raappana, and Anne Marie Vorbach. Absent: Eric DeGroot and Michael Murray. Staff Present: Director Michele A. Leininger, Christine DeGroot, and Paula Nemes. Others Present:

Called to order at 4:00 p.m. by L. Baun, President.

Pledge of Allegiance.

L. Baun read a letter thanking Director Leininger, P. Nemes, C. DeGroot, and all the library staff for their hard work over the last two years with providing vital services. The library staff are some of the best behind the scenes people that really make Marshall and Lyon County a great place to live.

Motion made by R. Bot, seconded by P. Botsford to adopt the agenda as presented. Voice Vote: Yes- L. Baun, P. Botsford, R. Labat, R. Anderson (attending meeting for P. Graupmann), and R. Bot. No: None. The motion passed unanimously.

Sarah Nelson was introduced as the new customer care employee.

S. Raappana arrived.

Motion made by R. Labat, seconded by R. Bot to adopt the Consent Agenda. Voice Vote: Yes- L. Baun, P. Botsford, R. Labat, R. Anderson, R. Bot, and S. Raappana. No: None. The motion passed unanimously.

A. Vorbach arrived.

Old Business:

Classification & Compensation Study: Director Leininger reviewed the 2020 State Annual Report Statistics spreadsheet showing the breakdown of the different libraries in the area comparing the total number of employees. There was discussion on the adoption of the new wage scale and next year's budget. Motion made by P. Botsford, seconded by A. Vorbach to adopt the Classification & Compensation study starting July 5th 2022. Show of Hand Vote: Yes- P. Botsford, R. Bot, S. Raappana, and A. Vorbach. No- R. Labat and R. Anderson. The motion passed by majority vote.

New Business:

2023 Draft Budget & Process: The Joint City and County budget meeting will be scheduled within the next month to go over the 2023 Draft Budget and discuss the budget process for this year.

5:12 PM R. Bot left

Technology Surplus: Motion made by R. Anderson, seconded by R. Labat to approve the Technology Surplus. Voice Vote: Yes- L. Baun, P. Botsford, R. Labat, R. Anderson, S. Raappana, and A. Vorbach. No: None. The motion passed unanimously.

Reports:

Director's Report – A bookmark showing the statistics for Plum Creek was passed around. Elizabeth Hoffman, the director of Plum Creek, had brought the bookmarks to the April 19th, 2022 Lyon County Commissioners meeting that she attended with Director Leininger.

In March of 2020, the Board had agreed to pilot a program for Summer Reading that allows children to read away their fines. We will be implementing the program this summer. The Library participated in the City Wide Garage sales. The proceeds will go to fund Library of Amusement purchases. The Library of Amusements is the puzzles, cake pans, games, toys, binge boxes, and video games that patrons are able to check out. These are typically purchased through Friends donations.

Board President Report: The book bike is in. It was purchased with proceeds from the Friends book sales and a \$2000 match by Modern Woodmen. It will be used this year for parades and at the Lyon County Fair.

Friends: None

Board Committees: None.

Plum Creek: Plum Creek is purchasing Discovery Services. It is an overlay to their current catalog. It will make the catalog more user friendly, operate better, and look more like other websites. It is being paid for with Rural Library Technology funds.

Motion by R. Labat, seconded by P. Botsford to adjourn at 5:28 p.m.

Respectfully Submitted,
Christine DeGroot



BUILDING PERMIT LIST
June 28, 2022

| APPLICANT | LOCATION ADDRESS | DESCRIPTION OF WORK | VALUATION |
|---------------------------------|-------------------|--------------------------|-----------|
| Today's Fireplace | 900 BIRCH ST | OTHER | 5,500.00 |
| Innovative Basement Authority | 119 REDWOOD ST E | INTERIOR REMODEL | 3,000.00 |
| SWG PROPERTIES, LLC | 610 ERIE RD W | INTERIOR REMODEL | 20,000.00 |
| Regnier Electric | 807 NUESE LN | HVAC | 4,400.00 |
| MOSENG, DAVIS & KRISTIE | 420 7TH ST N | EXTERIOR REMODEL | 23,600.00 |
| DENNIS LOZINSKI CONSTRUCTION | 312 LYON ST E | RE-ROOFING | 5,700.00 |
| DENNIS LOZINSKI CONSTRUCTION | 406 THOMAS AVE W | RE-ROOFING | 7,900.00 |
| DENNIS LOZINSKI CONSTRUCTION | 616 KENDALL ST | RE-ROOFING | 7,900.00 |
| MINNESOTA PETROLEUM SERVICE INC | 1001 COLLEGE DR E | DEMOLITION | 30,000.00 |
| Mortier, David | 621 ELAINE AVE | DECK | 5,000.00 |
| GESKE HOME IMPROVEMENT CO. | 714 4TH ST S | DOORS | 700.00 |
| BT QUALITY CONSTRUCTION LLC | 811 WESTMAR CIR | DECK | 14,137.31 |
| ACE HOME & HARDWARE | 502 MERCEDES DR | DECK | 10,150.00 |
| WINDOW WORLD OF SIOUX FALLS | 108 PARKVIEW DR | Windows | 10,830.00 |
| SANOW, CHARLES R & CHRISTINE | 119 REDWOOD ST E | INTERIOR & EXTERIOR REMC | 6,000.00 |
| AMERICAN WATERWORKS | 404 MASON ST | INTERIOR REMODEL | 7,990.59 |
| AMERICAN WATERWORKS | 202 DONITA AVE | INTERIOR REMODEL | 9,800.00 |
| MEET JOE BLACK | 106 11TH ST S | RE-ROOFING | 6,750.00 |
| MEET JOE BLACK | 104 11TH ST S | RE-ROOFING | 6,750.00 |
| AMERICAN WATERWORKS | 1401 PARKSIDE DR | INTERIOR REMODEL | 12,297.45 |
| K DESIGNERS | 601 BRUCE ST N | Windows | 2,631.32 |
| MEADOWVIEW CONSTRUCTION | 309 BRUSSELS CT | RE-SIDING | 4,000.00 |



MARSHALL

SIGN PERMIT LIST
June 28, 2022

| APPLICANT | LOCATION ADDRESS | DESCRIPTION OF WORK | VALUATION |
|-----------|------------------|---------------------|-----------|
| AP Design | 1401 PETERSON ST | N/A | 7,750.00 |



CITY OF MARSHALL AGENDA ITEM REPORT

| | |
|-------------------------------------|--|
| Meeting Date: | Tuesday, June 28, 2022 |
| Category: | CLOSED SESSION |
| Type: | INFO |
| Subject: | Closed Session Pursuant to Minnesota Statute 13D.05 Subd.3(b) Attorney Client Privilege. Discussion Considering Helena Property Matters. |
| Background Information: | Consider information document received from Minnesota Department of Agriculture regarding chemical cleanup status and consider future action to be taken involving property acquisition and other matters. No action can be taken in closed session. Information to be provided at closed session. |
| Fiscal Impact: | N/A |
| Alternative/ Variations: | No alternative action recommended. |
| Recommendations: | N/A |

2022 Regular Council Meeting Dates

2nd and 4th Tuesday of each month *(Unless otherwise noted)*

5:30 P.M.

City Hall, 344 West Main Street

January

1. January 11, 2022
2. January 25, 2022

February

1. February 08, 2022
2. February 22, 2022

March

1. March 08, 2022
2. March 22, 2022

April

1. April 12, 2022
2. April 26, 2022

May

1. May 10, 2022
2. May 24, 2022

June

1. June 14, 2022
2. June 28, 2022

July

1. July 12, 2022
2. July 26, 2022

August

1. August 08, 2022 *(Monday)*
2. August 23, 2022

September

1. September 13, 2022
2. September 27, 2022

October

1. October 11, 2022
2. October 25, 2022

November

1. November 07, 2022 *(Monday)*
2. November 22, 2022

December

1. December 13, 2022
2. December 27, 2022

2022 Uniform Election Dates

- February 08, 2022
- April 12, 2022
- May 10, 2022
- August 09, 2022
- November 08, 2022

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

June

- 06/28 Public Improvement and Transportation Committee
 - 06/28 Legislative and Ordinance Committee
 - 06/28 Housing and Redevelopment Authority
 - 06/28 Work Session, 4:00 PM, City Hall
 - MPCA Wastewater Limits
 - 06/28 Regular Meeting, 5:30 PM, City Hall
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July

- 07/06 Diversity, Equity and Inclusion Commission
 - 07/12 Board and Commission Interviews
 - Planning Commission, 5:00 PM
 - 07/12 Regular Meeting, 5:30 PM, City Hall
 - 07/26 Work Session, 4:00 PM, City Hall
 - 2023 Budget-Community Organization Requests
 - 7/26 Regular Meeting, 5:30 PM, City Hall
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August

- 08/03 Diversity, Equity and Inclusion Commission
- 08/08 Regular Meeting
 - Moved from 08/09 for Primary Election
- 08/23 Work Session, 3:00 PM, City Hall
 - Capital Requests
 - Operating Budget
 - Presentation on preliminary tax base changes