



CITY OF MARSHALL
City Council Meeting
Agenda

Tuesday, January 11, 2022 at 5:30 PM
City Hall, 344 West Main Street

OPENING ITEMS

1. Introduction of Staff.

APPROVAL OF AGENDA

APPROVAL OF MINUTES

2. Consider approval of the minutes from the regular meeting held on December 14, 2021.

PUBLIC HEARING

3. Public Hearing and Adoption of Amendments and Revisions to Various Ordinance Sections.

CONSENT AGENDA

4. Consider approval of employee Retirement Resolutions.
5. Consider a Resolution designating the Official Newspaper.
6. Consider a Resolution designating the Official Depositories for City Funds for 2022.
7. Consider a Resolution delegating authority to the city to make electronic fund transfers.
8. Consider approval of 2022 Workers Compensation Insurance.
9. Consider approval of a Temporary On-Sale Intoxicating Liquor License for SMSU Foundation.
10. Consider a LG220 Application for Exempt Permit for Marshall Golf Club, Inc.
11. Consider approval of Quit Claim Deed and Exterior Wall Maintenance Agreement regarding transfer of property between the City of Marshall and Carmel Properties, LLC.
12. Consider approval of the MERIT Center/State of Minnesota Amendment of Lease No. 5
13. Consider authorization of acceptance of a Hazardous Materials Emergency Preparedness (HMEP) Grant for the Southwest Chemical Assessment Team and to authorize the Director of Public Safety Jim Marshall to administer the grant.
14. Call for a Public Hearing Regarding Proposed Commercial Property Tax Abatement at 1604 E. College Dr.
15. Project ST-002-2022: Bituminous Overlay Project – Consider Authorization to Advertise for Bids.
16. Consider approval of the bills/project payments.

APPROVAL OF ITEMS PULLED FROM CONSENT

NEW BUSINESS

17. Consideration of renewal for Red Baron Arena & Expo Sponsorship Agreements.
18. Economic Development Authority Projects Update.
19. Consider Authorization for Professional Services with TKDA for Airport Zoning Ordinance Update.
20. Wastewater Treatment Facilities Improvement Project – 1) Consider Change Order No. 2 (Final); 2) Consider Application for Payment No. 28 to Magney Construction, Inc.
21. Project ST-003: South 1st Street/Greeley Street/Williams Street Reconstruction Project - Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.
22. Project ST-004: Halbur Road Reconstruction Project - Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.

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.

- [23.](#) E. Lyon Street Trail Project – 1) Consider Resolution Authorizing Agent of Sponsoring Agency for Transportation Alternatives Project; 2) Consider Resolution Identifying Responsibility for Operation and Maintenance for Transportation Alternatives Project.
- [24.](#) Project Z82: North 1st Street / West Redwood Street / West Marshall Street Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment. 2) Resolution for Hearing on Proposed Assessment.
- [25.](#) Projects Z88/SAP 139-103-004: 2021 State Aid Overlay Project and Project ST-006/SP 139-591-001: SRTS School Pedestrian Crossing Improvements Project – Consider Resolution for Municipal State Aid Street System (MSAS) 2022 Advance Funds.
- [26.](#) Call for a Public Hearing Regarding Proposed Property Tax Abatement at 1204 Stockholm.
- [27.](#) Call for a Public Hearing Regarding Proposed Property Tax Abatement at 1304 Stockholm.
- [28.](#) Call for a Public Hearing Regarding Proposed Property Tax Abatement at 311 Brussels Ct.

COUNCIL REPORTS

- [29.](#) Commission/Board Liaison Reports
- 30. Councilmember Individual Items

STAFF REPORTS

- 31. City Administrator
- 32. Director of Public Works
- 33. City Attorney

ADMINISTRATIVE REPORTS

- [34.](#) Administrative Brief

INFORMATION ONLY

- [35.](#) Information Only

ADJOURN TO CLOSED SESSION

MEETINGS

- [36.](#) Upcoming Meetings

ADJOURN



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022
Category:	OPENING ITEMS
Type:	INFO
Subject:	Introduction of Staff
Background Information:	Staff will introduce Addy Wolbaum, Diversity, Equity & Inclusion Assistant.
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022
Category:	APPROVAL OF MINUTES
Type:	ACTION
Subject:	Consider approval of the minutes from the regular meeting held on December 14, 2021.
Background Information:	Enclosed are the minutes from the regular meeting held on December 14, 2021.
Fiscal Impact:	None
Alternative/ Variations:	Staff encourages City Council Members to provide any suggested corrections to the minutes in writing to City Clerk Kyle Box, prior to the meeting.
Recommendations:	That the minutes from the regular meeting held on December 14, 2021 be approved as filed with each member and that the reading of the same be waived.

**CITY OF MARSHALL
CITY COUNCIL MEETING
M I N U T E S
Tuesday, December 14, 2021**

The regular meeting of the Common Council of the City of Marshall was held December 14, 2021, at City Hall, 344 West Main Street. The meeting was called to order at 5:30 P.M. by Mayor Robert Byrnes. In addition to Byrnes the following members were in attendance: Craig Schafer, Steve Meister, Don Edblom, John DeCramer, Russ Labat, and James Lozinski. Absent: None. Staff present included: Sharon Hanson, City Administrator; Dennis Simpson, City Attorney; Jason Anderson, Director of Public Works/ City Engineer; Annette Storm, Director of Administrative Services; Scott VanDerMillen, Director of Community Services; Quentin Brunsvold, Fire Chief; Sheila Dubs, Human Resource Manager; Dave Parsons, City Assessor, Preston Stensrud, Parks Superintendent; Lauren Deutz, Economic Development Director, and Kyle Box, City Clerk.

The Pledge of Allegiance was recited at this time.

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

Consider approval of the minutes from the work session and regular meeting held on November 23, 2021.

Motion made by Councilmember Edblom, Seconded by Councilmember Lozinski that the minutes from the work session and regular meeting held on November 23, 2021 be approved as filed with each member and that the reading of the same be waived. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Project ST-003: South 1st Street/Greeley Street/Williams Street Reconstruction Project - 1) Improvement Hearing; 2) Consider Resolution Ordering Improvement & Preparation of Plans.

Property owners affected by the above-referenced project have been notified, according to law, that a hearing would be held on December 14, 2021. A public presentation will be made followed by any discussion.

- The project limits include:
- South 1st Street (George Street to Greeley Street)
- Greeley Street (W. College Drive to E. Saratoga Street)
- Williams Street (George Street to W. Maple Street)

The proposed project is included in the 2022 capital improvement plan (CIP) for complete reconstruction of the street, curb, driveways, water system, storm water system, and sanitary sewer collection system. This project will tie-in near George Street where the 2020 South 1st Street project finished. Nearly the entire project area consists of 4" ductile iron water main, which is undersized and does not provide adequate fire protection. The sanitary sewer reconstruction will replace clay sewer pipe with PVC pipe, and the storm water reconstruction will largely consist of replacing inlets at existing capture points. It is likely that the number and size of inlets will be increased to help improve storm water intake due to large contributing drainage areas. The street width of South 1st and Greeley Street is proposed to be 38-FT as measured from back of curb; this is equivalent to the 2020 South 1st Street project. The street width of Williams is proposed to be 29-FT as measured from back of curb; this matches the existing width.

This item was presented to the Public Improvement/Transportation Committee on November 22, 2021. A public informational meeting was held on December 7, 2021. Information was provided to all those in attendance.

If the City Council decides to proceed with the project, the attached resolution has been prepared ordering the improvement and the preparation of plans.

To proceed with this project, adoption of the resolution ordering improvement requires a “super-majority” vote, meaning the council can only adopt the resolution by a four-fifths vote of all members of the Council.

The engineer’s estimate for the construction portion of the project is \$1,930,000. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$2,463,000. All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem. Final approval of the project must include determination of funding sources.

Motion made by Councilmember Schafer, Seconded by Councilmember Edblom that the Council close the public hearing on improvement for Project ST-003: South 1st Street/Greeley Street/Williams Street Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Motion made by Councilmember Lozinski, Seconded by Councilmember Edblom that the Council adopt RESOLUTION NUMBER 21-090, which is the “Resolution Ordering Improvement and Preparation of Plans” for Project ST-003: South 1st Street/Greeley Street/Williams Street Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Project ST-004: Halbur Road Reconstruction Project - 1) Improvement Hearing; 2) Consider Resolution Ordering Improvement & Preparation of Plans.

Property owners affected by the above-referenced project have been notified, according to law, that a hearing would be held on December 14, 2021. A public presentation will be made followed by any discussion. The project limits include: Halbur Road (Michigan Road to Erie Road/CR 33) The proposed project is included in the 2022 capital improvement plan (CIP) for complete reconstruction of the street, curb, driveways, storm water system, and sanitary sewer collection system. The street pavement condition is poor and City staff believes a reconstruction is necessary. A street section consisting of 7” concrete is being proposed, equivalent to the Michigan and Superior Road projects. Sanitary sewer reconstruction will replace clay sewer pipe with PVC pipe, and the storm water reconstruction will largely consist of replacing inlets at existing capture points. It is likely that the number and size of inlets will be increased to help improve intake due to large contributing drainage areas with significant impervious ground cover. There is no sidewalk in this area currently and none being proposed; in fact, there is no sidewalk north of the Diversion Channel in Marshall.

The street width of Halbur Road is proposed to be 38.34-FT as measured from back of curb. The existing street width is 43-FT. The purpose of the narrowing is to reduce costs for this assessment project. This

road is a “destination” street in that it carries limited through traffic. Because the traffic volumes are low, staff believes we can narrow this street significantly. Staff considered even further narrowing, but it is important to ensure that semi-truck traffic can negotiate turning movements into and out of each driveway to reach loading and unloading areas.

This item was presented to the Public Improvement/Transportation Committee on November 22, 2021. A public informational meeting was held on December 7, 2021. Information was provided to all those in attendance.

If the City Council decides to proceed with the project, the attached resolution has been prepared ordering the improvement and the preparation of plans. To proceed with this project, adoption of the resolution ordering improvement requires a “super-majority” vote, meaning the council can only adopt the resolution by a four-fifths vote of all members of the Council.

The engineer’s estimate for the construction portion of the project is \$1,145,000. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$1,462,000. All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem. Final approval of the project must include determination of funding sources.

Motion made by Councilmember Meister, Seconded by Councilmember DeCramer that the Council close the public hearing on improvement for Project ST-004: Halbur Road Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council adopt RESOLUTION NUMBER 21-091, which is the “Resolution Ordering Improvement and Preparation of Plans” for Project ST-004: Halbur Road Reconstruction Project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Award of Bids for Loader Mounted Snow Blower for Street Department.

The City of Marshall Street Department owns two loader-mounted snow blowers for use in blowing windrowed snow from downtown areas, blowing back snow in drifting areas, and blowing snow in some parking lot applications. The snow blowers are critical pieces of our snow removal operations, and they experience significant duty time following snow events.

We currently have a 1996 SnoGo MP-3 and a 1976 SnoGo MP-3D. The 1976 unit is smaller, belt-driven, and slightly underpowered for the work that we perform. The blower is very old and finding parts to make necessary repairs is difficult.

It is very critical for the Street Department to have dependable snow removal equipment to ensure that we can quickly and efficiently clear our streets of snow and ice. Replacing our 1976 SnoGo blower with a new 2021 SnoGo MP-300 will ensure that we have two capable blower units to move snow quickly and

efficiently. Replacing the older unit will help protect the city from equipment down time for decades to come.

This item was presented to the Equipment Review Committee on 11/23/2021 with recommendation for Council approval.

The purchase price of this unit is \$227,996.50 and MacQueen Equipment is offering \$12,256.50 for trade-in value toward our current 1976 SnoGo unit. The 2021 capital budget includes \$200,000 for this purchase, which includes trade-in value. This purchase will cost \$215,740 once trade-in value is considered. The Finance Department has verified that funding is available in the capital budget for this purchase because some other items have come in under the budgeted amount.

Motion made by Councilmember Lozinski, Seconded by Councilmember Schafer that the Council authorize the purchase a SnoGo MP-300 at the State Contract price of \$215,740, less trade, from MacQueen Equipment of St. Paul, Minnesota. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Meister, Councilmember Labat. The motion **Passed. 5-2**

Consider Approval of the Consent Agenda

Councilmember Lozinski requested that item 5, Consider approval of the 2022 Wage Schedule for Temporary and Seasonal Employees, be removed for further discussion.

Councilmember Labat requested that item number 8, Consider Approval of Various Liquor License and Tobacco License Renewals, and item number 17, Introduction of amendments and revisions to various Ordinance Sections, be removed for further discussion.

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

Approval of a Temporary On-Sale Intoxicating Liquor License for the Marshall Area Chamber of Commerce.

Approval of Taxicab License Renewals

Approval of the 2022-2023 Health Care Savings Plan Memorandums of Understanding

Approval to Declare Equipment Surplus from the Parks Department

Approval of the Wastewater Treatment Facilities Improvement Project – Consider Payment of Invoice 0280011 to Bolton & Menk, Inc.

Approve to Declare Surplus Item for the Street Department.

Approval of Resolution Number 21-092, a resolution Accepting Additional Coronavirus Local Fiscal Recovery Funds.

Approval of Resolution Number 21-093, a resolution Decertifying Tax Increment Financing District 1-12

Approval of the Reinstatement of the Façade Improvement Program

Approval of the Introduction of Ordinance - Amendment of Ordinance Sec. 74-130(b) and (c) regarding parking regulations.

Approval of the bills/project payments

Consider approval of the 2022 Wage Schedule for Temporary and Seasonal Employees

On an annual basis, the Council reviews the wage schedule for temporary/seasonal employees.

The Personnel Committee reviewed the proposed 2021 wage schedule at their November 9th meeting and recommend unanimous approval.

The majority of amendments are in the Community Services division. The estimated 2022 budget impact for all positions would not exceed \$3,200.

Amendments to the schedule:

- The majority of amendments on the schedule reflect a new State minimum wage adjustment; effective January 1, 2022, the minimum wage in Minnesota will be increasing from \$10.08 to \$10.33 per hour.
- The other proposed amendments are explained in the supporting staff memos attached in the background information.
- Implementation date of 01/01/2022

Council member Lozinski reviewed the wage schedule and was concerned with the wages being proposed. Human Resource Manager Sheila Dubs provided an overview of the agenda item. Member DeCramer provided insight from the Personnel Committee meeting with concerns of filling positions and wage compression.

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer That the Council approves the 2022 Wage Schedule for Temporary and Seasonal Employees. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Approval of Various Liquor License and Tobacco License Renewals

All liquor and tobacco licenses are approved to expire each calendar year. All 2021 licenses will expire at midnight, December 31, 2021.

Included in the packet is a list of various liquor licenses to be renewed for 2022. A total of 62 licenses are recommended for renewal in 2022, the types of licenses include On-Sale Liquor, On-Sale 3.2% Malt Liquor, Off-Sale 3.2% Malt Liquor, Wine, Taproom, Off-Sale Growler, Sunday Liquor and Tobacco Licenses.

After Council action each liquor license is given final approval by the Minnesota Department of Public Safety – Alcohol and Gambling Enforcement.

Pursuant to the fee scheduled a total of \$49,770.00 will be collected for 2022 license fees.

Councilmember Labat asked for a percentage reduction in license fees for 2022.

Motion made by Councilmember Lozinski, Seconded by Councilmember Meister to approve On-Sale Liquor, On-Sale 3.2% Malt Liquor, Off-Sale 3.2% Malt Liquor, Wine, Taproom, Off-Sale Growler, Sunday Liquor and Tobacco Licenses for 2022 pending all requirements being met and to prepare a comparison for liquor license fees with Marshall's comparable cities for the 2023 renewals. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Introduction of amendments and revisions to various Ordinance Sections

These revisions were inspired by zoning issues and are related to them. Lack of building numbers (addresses) is a big problem for the City Fire Department and, most likely, for other emergency services, let alone pizza delivery. An amendment will require an address at the back of the building facing an alley, which will provide a helpful reference point. Staff is trying to encourage address numbers placement on all buildings and requires them with all building permits. When sign ordinance revisions are adopted in the near future, it will be easier to complete this work.

The street names come up often in the permitting process. Proposed changes will make the naming system more consistent and easier to implement in the future for new subdivisions. Of course, all existing names will stay and will not be changed.

Parking regulations for trailers and boats are always a point of contention. These provisions overlapped with similar zoning regulations, which have been recently changed to just referencing Article V of Chapter 74 Stopping, Standing, and Parking to avoid duplication and possible inconsistency. The proposed changes are relaxing some requirements for RV's parking in residential areas by allowing to park them on the street for 48 hours rather than 24 hours, while extending their use season deeper into fall and spring; they will also allow parking in the front yard on one's driveway provided an RV doesn't project into public right of way. Additionally, staff recommends removing several locations from the 'no parking' listing. These changes were reviewed with, and approved by, the City police and street departments.

Finally, a new section is added that requires that dead and damaged trees be removed and gives the city the right to remove them if the owner refuses to do it, similar to the ordinance about tall grass.

At the meeting on December 7, 2021, these changes were presented to the Legislation and Ordinance Committee, which recommended approval to the council with a couple minor revisions.

Councilmember Labat provided discussion on the enforcement of ordinances throughout the city. There was further discussion by the Council on the staff enforcement, public engagement and knowledge of the ordinances, and the ability to remain anonymous when reporting a concern or a violation.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council introduce the Ordinance amending Section 18-1 Building numbers, Section 66-104 Street names and subdivision names, 74-118 Overnight parking in residential area, Section 74-130 Snow emergency routes, winter

parking regulations, and other parking regulations, and Section 74-131 Parking and storage of boats, trailers, recreational vehicles, and others on residential lots, and adding Section 82-2 Dead trees and call for Public Hearing to be held on December 28, 2021. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Acceptance of Donations to Parks Department for Fiscal Year 2021

The Parks Department receives generous donations from many entities each year that allow for improvements to our facilities. The donations to the department this year are from:

- Marshall Area Youth Baseball Association in the amount of \$15,000.00 for the purchase and installation of new batting cages at Independence Park.
- Marshall United Soccer Association in the amount of \$1,500.00 to be used toward the soccer field renovations at Channel Parkway Complex.
- American Legion Post #113 in the amount of \$3,455.00 for the purchase and installation of a flagpole near City Hall.
- American Legion Post #113 in the amount of \$2,900 for the purchase and installation of a flagpole at Justice Park.
- Marshall Area Crime Fund in the amount of \$3,442.16 for the purchase of security cameras to be installed in various parks.

The Parks Department also continues to receive donations for Memorial Park. This year an additional \$12,256.00 have been donated and an additional 38 brick orders have been received.

Park. “Cultivating the Best in Play” Inclusive Playground Component Initiative In 2021 city staff worked towards implementing inclusive playground components for at Legion Field Park. Total costs for this project were around \$35,000 for the purchase of 2 inclusive components and the installation of synthetic turf surfacing for around the equipment. Donating to help fund this initiative were:

- Marshall Sunrise Rotary Club - \$6,000
- Marshall Community Foundation - \$5,000
- The Schnoor Family - \$5,000
- Hy Vee - \$5,000 United Way of Southwest Minnesota - \$2,500
- The Deutz Family - \$500
- Hess Concrete – Labor, forming, and pouring of all concrete donated in full. These \$62,553.16 in donations and the generosity of our community continue to make lasting impacts on our community and our parks.

Motion made by Councilmember Meister, Seconded by Councilmember Edblom to approve the Resolution Number 21-094 – 21-106, various resolutions accepting donations. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Acceptance of donations made to Marshall Fire Department for FY 2021

The Marshall Fire Department has received many generous donations over the past year to be publicly recognized:

- \$500 donation made by Lake Marshall Township that was used toward the purchase of a new Thermal imaging camera.
- \$150 donation from O'Reilly Auto Parts that was used toward the purchase of a new Thermal Imaging camera.
- \$2,000 donation from the Marshall American Legion Post #113 that was used toward the purchase of a new Thermal imaging camera.
- \$5,000 donation from Mongeau – Tholen VFW post #742, Marshall, toward the purchase of 4 – new 4 gas monitors.
- \$1,000 donation from MDU Resources Foundation (Great Plains Natural Gas) toward the purchase of 4 – new 4 gas monitors.
- \$6,825 donation from Archer Daniels Midland (ADM) toward the purchase of new Elkhart Brass Nozzles and premium 1 ¾" and 2 ½" anti-kinking fire hoses on all apparatus.
- \$7,212 donation from Flint Hills Resources that will be used to purchase 2 – new Elkhart Brass Ground Monitors.

Total of all donations made to the Marshall Fire Dept.: \$22,687.00 These donations will make a significant impact on how the fire department tactically responds to incidents and will make our community and our fire department safer and more efficient.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve the Resolution Number 21-107 – 21-113, various resolutions accepting donations. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

1.) Consider Approval of the Annual Contract between the City of Marshall and Convention and Visitor Bureau. 2) Annual Convention and Visitor Bureau Update

The City of Marshall contract with the Convention & Visitors Bureau for the Red Baron Arena Contract is up for a renewal. 1 year contract at \$7,000 per month. Visit Marshall Director Cassi Weiss provided an annual report for the Convention and Visitors Bureau and events held at the Red Baron Arena.

Motion made by Councilmember Labat, Seconded by Councilmember Schafer.
Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski

Acceptance of MN DNR Preparing for EAB Grant for the Parks Department

As Emerald Ash Borer continues to get closer to Marshall and it's potentially devastating change to the landscape of Marshall, the city needs to be prepared for the potential costs associated with removing Ash Trees as well as continue to plant new trees to allow them time to grow before EAB get to Marshall, helping us diversify our trees species and populations.

Because of the know costs, time, and high population of Ash trees we currently have, Parks Superintendent, Preston Stensrud applied for and has been awarded a Preparing for EAB Grant by the MN DNR pending Council approval. This grant will provide \$93,390 in funding to be used for removing Ash trees in our parks and replacing each Ash tree with 2 new trees. Additionally, this grant requires a 25% match via cash match (\$15,090) and/or in-kind match (\$8,960) bringing the total project to \$117,440.00 and the City's contribution to \$24,050. The project deadline for completion is June 30, 2023.

All expenses for the project will need to be paid by the city and then reimbursed by the MN DNR.

Parks Superintendent Stensrud will be on hand to provide additional data, project scope, and answer any questions regarding the grant.

\$15,090 for the cash match plus incidentals as needed to be paid out of Parks Department Budget.

Motion made by Councilmember Schafer, Seconded by Councilmember DeCramer to Authorize Staff to Accept the Preparing for EAB Grant from the MN DNR on behalf of the City of Marshall. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Truth in Taxation Public Meeting (at or after 6:00 PM)

The following taxing authorities are required to hold a meeting at which the budget and levy will be discussed, and the public allowed to speak.

- Counties
- Cities with a population over 500
- School districts
- Metropolitan special taxing districts
- Fire protection and emergency medical services special taxing districts established under chapter 144F
- Regional library authorities established under section 134.201

The meeting must be after Nov. 24 and no later than Dec. 28 and held at 6:00 p.m. or later. This meeting may be part of a regularly scheduled meeting. If a regular meeting is not scheduled after Nov. 24 and no later than Dec. 28 at 6:00 p.m. or later, it will be necessary to schedule a special meeting for this purpose.

No later than December 28, 2021 Cities with a population over 500, counties, the Metropolitan Council, the Metropolitan Airports Commission, and the Metropolitan Mosquito Control District adopt their final payable 2022 property tax levies and their payable 2022 budgets.

Staff is recommending the final levy be approved at the December 14, 2021 Council meeting.

Consider Resolution Adopting Tax Levy for 2022

MN State Statute 412.711 Consideration of Budget; Tax Levy states "The council shall also adopt a resolution levying whatever taxes it considers necessary within statutory limits for the ensuing year for each fund."

At the August 25th council work session, staff proposed a general levy increase of \$730,709 or 10.07%. The main contributing factors for this increase were an increase for the street capital revolving fund, increased salary, and health care costs.

Staff were directed by the Council to reduce this increase for the preliminary levy that that was set on September 14, 2021. The 2022 preliminary levy was set at 7,689,100, which was an increase of \$435,093 or 6.00% from the 2021 levy.

Staff are recommending that the final 2022 levy be set at 7,566,100, which is an increase of \$312,093 or 4.30% from the 2021 levy.

Motion made by Councilmember Lozinski, Seconded by Councilmember DeCramer Approve Resolution Number 21-114, a Resolution Adopting Tax Levy for 2022. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Consider Resolution Adopting a Budget for 2022

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to approve Resolution Number 21-115, a Resolution Adopting a Budget for 2022. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Consider Approval of the 5 Year Capital Improvement Plan (CIP)

Attached is the 5-year (2022 – 2026) Capital Improvement Plan (CIP). The 5-year CIP serves as a guide that lays out capital expenditures over the next 5 years by department as well as by the funding sources. The CIP is meant as a guide for Council and Management and does not give authorization for the projects until formally approved based on the City's Purchasing Policy.

The 5-year CIP is a fluid document that is updated on an annual basis. Some projects get pushed back to later years, some projects drop off and some projects move up in years depending on priorities. Ultimately, the funding is a major factor in determining which projects within the 5- year CIP get completed.

Motion made by Councilmember DeCramer, Seconded by Councilmember Edblom to approve and adopt the 5 Year Capital Improvement Plan. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Lozinski. Voting Nay: Councilmember Labat. The motion **Passed. 6-1**

Presentation of 2021 Community Park and Recreation Survey Results

Earlier this year the City of Marshall approved an agreement with Baker Tilly to perform a scientific survey of registered voters on questions related to parks and recreation projects and funding. The survey was completed in early to mid-October with just over 300 respondents.

Director Don Lifo with Baker Tilley Municipal Advisors provided an overview of the data collected from the survey responses via PowerPoint. City Administrator Sharon Hanson provided a brief overview on the next steps that the City will need to take regarding sales tax.

Consider Approval of Ralco Storage Building Lease Agreement Early Termination

Previous agreements/amendments between the City of Marshall and Ralco were to purchase the Ralco 8th Street Storage Building while leasing a portion of the building until final payment from the City of Marshall as stipulated in the agreement. A 2019 agreement terminated the purchase and stipulated the lease arrangements through 2022.

The City received a request to vacate the Ralco 8th Street Storage Building early. Since the City has acquired other storage, and has as of December 1, 2021, vacated the Ralco 8th Street Storage Bldg., the request by Ralco is possible.

\$52,000 refund revenue to the City based on the value of the 2019 lease agreement.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski Approve the early termination of the 2019 Ralco Storage Building Lease Agreement between the City of Marshall and Knochenmus Enterprises LLC via the Lease Agreement Cancellation Notice, effective November 30, 2021 and authorize signatures. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Authorization Approving the Memorandum of Agreement Between the State of Minnesota and Local Governments and Authorizing Participation in National Opioid Settlements.

On Thursday, December 9, 2021, the League of Minnesota Cities held an informational webinar concerning the national settlement regarding opioid issues. The webinar included presentations from Minnesota Attorney General Keith Ellison, and representatives from the League of Minnesota Cities and the Coalition of Greater Minnesota Cities. Those entities and others have been negotiating the terms for participation in the national settlement regarding opioid matters. It is recommended by all participating agencies and groups that cities in Minnesota opt into the settlement agreement and support settlement agreements. The League and the Coalition are both recommending that individual cities approve a resolution authorizing city officials to participate in the settlement and to sign local Resolution, Memorandum of Agreement and Settlement Agreements with the distributor and manufacturer Johnson & Johnson. In support of the resolution, various documents from the Minnesota Attorney General's office are provided. Enclosed are the following:

1. 1-page letter from Attorney General Keith Ellison dated December 8, 2021 requesting support of the settlement.
2. The 30-page Minnesota Opioids State-Subdivision Memorandum of Agreement. The agreement indicates that the 75% of the total settlement funds will be distributed to all 87-counties, litigating cities, cities over 30,000 population and cities with public health departments. The remaining 25% of the funds will be forwarded to the State of Minnesota. Maximum funds available for distribution could total a maximum of \$296,000,000.00. Funds would be available to all cities through grants from county and state.
3. 4-page Minnesota Opioid Settlement Executive Summary.
4. 1-page Opioid Settlement Agreement Overview.
5. 7-page Frequently Asked Questions Regarding the Opioid Settlement from Attorney General's Office
- 1-page Frequently Asked Questions from the League of Minnesota Cities.

City staff believes that the recommendation from the League, the Coalition, and the Attorney General's office is appropriate, and that the City should sign the necessary documents to participate in settlement. Immediate action is necessary as the documents must be approved by January 2, 2022.

There is potential for future grants under the settlement agreement. Grants can only be accessed if the City participates and therefore it is recommended that the City authorize the appropriate officials (Mayor and Public Safety Director) to sign necessary documents.

Motion made by Councilmember DeCramer, Seconded by Councilmember Labat to approve Resolution Number 21-116 and to authorize the Mayor and Public Safety Director to sign any documents necessary to participate in the opioid settlement matter. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Project SWM-002 Legion Field Stormwater Improvements Project--Phase II - Consider Award of Proposal from Bolton & Menk, Inc

In 2019, Bolton & Menk completed the Legion Field Stormwater Study to identify solutions for the frequent flooding that occurs in the Legion Field Road area. The area is marked by significant development and land coverage with minimal stormwater management facilities and undersized piping. The study identified three different phases of improvements, including the 2020 Phase I Legion Field ponding improvement that included a detention basin between the homes on Legion Field Road and Buffalo Ridge Concrete and a basin in Legion Field Park.

The proposed Phase II improvements include a new pipe crossing of the railroad tracks and a ponding improvement north of the tracks and south of the Parkway Addition to manage the stormwater runoff from the developed land south of the BNSF railroad tracks. The developed industrial area south of the railroad tracks has been nearly completely covered by impervious surfacing for many years, and the development pre-dated current requirements for on-site stormwater management. This resulted in development that sheds stormwater quickly without managing the volume of stormwater runoff that is generated.

City staff is proposing to hire Bolton & Menk for the creation of the project plan set for this project. The city would coordinate all surveying and permitting efforts, including permitting through BNSF, to help reduce project design costs.

This item was presented to the Public Improvement/Transportation Committee on 11/22/2021 with a recommendation to City Council for approval.

The proposal submitted by Bolton & Menk is an hourly, not to exceed, contract in the amount of \$27,500.

Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski that the Council award the proposal to Bolton & Menk, Inc. of Mankato, Minnesota, for an hourly, not to exceed, contract in the amount of \$27,500 for the above-referenced project. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat,

Councilmember Lozinski. The motion **Carried. 7-0**

Consider Resolution Removing Parking - 1) Charles Avenue between S Minnesota Street and S Hill Street; 2) Portions of South Minnesota Street, South Hill Street, and South Whitney Street.

Charles Avenue:

City staff is proposing to remove parking on both sides of the street on Charles Avenue between South Minnesota Street and South Hill Street.

At times, there can be significant on-street parking on this block due to its proximity to the Avera campus. Each direction of traffic is separated by a center median. Therefore, each travel lane becomes quite narrow when a car is parked on the block. Beyond the impacts to the traveling public, this narrowing effect of the roadway can be especially difficult for City maintenance equipment to navigate.

Avera has recently paved the nearby parking lot north of Charles Avenue and bounded by College Drive and Bruce Street. With this additional paved parking area there should be enough parking space for the Avera staff and public to park off street while visiting the Avera campus. City staff has discussed this proposal with Kevin Schroeder of Avera, and we do have his support and understanding with this request.

The two residential property owners on the north side of Charles Avenue were notified by mail of the pending removal of parking. One of the property owners has reached out via e-mail to express their desire to keep parking on the north side of Charles Avenue in front of their house. It should be noted to the Council that each property owner has allowable on-street parking on the other side of their properties.

This item was presented to the Public Improvement/Transportation Committee on 11/22/2021 with a recommendation to City Council for approval.

South Minnesota Street, South Hill Street, and South Whitney Street:

City staff is proposing to remove parking on both sides of South Minnesota Street, South Hill Street, and South Whitney Street in the locations identified below:

- S. Minnesota Street: from E. College Drive to a point approximately 70-FT south of E. College Drive.
- S. Hill Street: from E. College Drive to a point approximately 75-FT south of E. College Drive.
- S. Whitney Street: from E. College Drive to a point approximately 100-FT south of E. College Drive.
- All measurements are from the southern limits of MnDOT right of way for E. College Drive.

The purpose of removing parking on these streets near MnDOT right of way is to eliminate City staff concerns will navigability of snow removal equipment in the winter, obstruction to general traffic flow on and off E. College Drive, and future alterations of these roadways that is proposed for the 2025 College Drive Reconstruction project that would likely require parking to be removed at that point in time. Included in the packet are 2025 College Drive layouts that show the changes that will be proposed. This item was presented to the Public Improvement/Transportation Committee on 11/22/2021 with a recommendation to City Council for approval. Per the direction of the Committee, letters were sent to affected property owners/tenants regarding these parking revisions.

City staff has received comment from one property owner that is opposed to the removal of parking on Hill Street. The property owner owns a corner rental. It should be noted to the Council that parking is not allowed by State Statutes within 20-FT of a crosswalk or 30-FT of a stop sign.

Motion made by Councilmember Lozinski, Seconded by Councilmember Labat that the Council adopt RESOLUTION NUMBER 21-117, which is the “Resolution Providing for Signage in the City of Marshall” for removal of parking on Charles Avenue between South Minnesota Street and South Hill Street and the removal of parking along portions of South Minnesota Street, South Hill Street, and South Whitney Street.as shown on the attached map.

Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Consider Appointments to Various City Boards, Commissions, and Authorities.

Mayor Byrnes nominated the following individuals:

Linda Baun, Library Board, to an unexpired term set to expire on 12/31/2024

Dereck Deutz, Planning Commission, to an unexpired term set to expire 05/31/2024

Dean Knutson, Public Housing Commission, to an unexpired term set to expire 05/31/2023

Motion made by Councilmember Edblom, Seconded by Councilmember Meister to approve the nominations to various City Boards, Commissions, and Authorities. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Commission/Board Liaison Reports

Byrnes Southwest Regional Development Commission held a meeting to review end of year business items. A MnDOT area partnership meeting was also held to present the recommendations for the upcoming Corridors of Commerce program.

Schafer No Report

Meister No Report

Edblom No Report

DeCramer No Report

Labat No Report

Lozinski No Report

Councilmember Individual Items

Councilmember Meister discussed putting a light up in the dog park.

Councilmember Lozinski discussed a letter he received from Greg Taylor regarding a vacant property on East College Drive. Member Lozinski also asked a procedural question on staff operations with snow removal/ salt application and whether or not salt should be applied to the road surface before its plowed. Public Ways Superintendent Coudron commented that applying salt does help the snow from making contact with the road surface.

Councilmember Labat commented on the enforcement of ordinances with abandon or homes that are not maintained.

Councilmember DeCramer discussed employee and council communication moving forward and requested that the Council and staff meet to ensure that all members are on the same page. DeCramer also recommended that the City Administrator meet with staff to ensure that the city as a whole is moving in the same direction.

Mayor Byrnes asked for the Council to consider a future work session retreat for council and staff. Byrnes also mentioned a positive conversation was held with a major local employer and another with the Minnesota DEED Commissioner Steve Grove.

City Administrator

City Administrator commented on a future discussion or work session regarding the status on the strategic plan. Administrator Hanson also discussed a future work session will be called to discuss the compensation plan and labor negotiations. Hanson discussed liquor license fees and having a municipal liquor store.

Director of Public Works

Director of Public Works/ City Engineer Jason Anderson provided an update on the City's Comprehensive Plan.

City Attorney

No Report

Information Only

There were no questions on the information items.

Upcoming Meetings

There were no questions on the upcoming meetings.

There was further discussion on scheduling the next regular meeting and if there would be a quorum on the Council. Staff will follow up with the Council to make that determination.

Adjourn

At 8:25 P.M., Motion made by Councilmember Schafer, Seconded by Councilmember Lozinski to adjourn. Voting Yea: Mayor Byrnes, Councilmember Schafer, Councilmember Meister, Councilmember Edblom, Councilmember DeCramer, Councilmember Labat, Councilmember Lozinski. The motion **Carried. 7-0**

Mayor

Attest:

City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Monday, January 3, 2022
Category:	PUBLIC HEARING
Type:	INFO/ACTION
Subject:	Public Hearing and Adoption of Amendments and Revisions to Various Ordinance Sections.
Background Information:	<p>These revisions were inspired by zoning issues and are related to them. Lack of building numbers (addresses) is a big problem for the City Fire Department and, most likely, for other emergency services, let alone pizza delivery. An amendment will require an address at the back of the building facing an alley, which will provide a helpful reference point. Staff is trying to encourage address numbers placement on all buildings and requires them with all building permits. When sign ordinance revisions are adopted in the near future, it will be easier to complete this work.</p> <p>The street names come up often in the permitting process. Proposed changes will make the naming system more consistent and easier to implement in the future for new subdivisions. Of course, all existing names will stay and will not be changed.</p> <p>Parking regulations for trailers and boats are always a point of contention. These provisions overlapped with similar zoning regulations, which have been recently changed to just referencing Article V of Chapter 74 Stopping, Standing, and Parking to avoid duplication and possible inconsistency. The proposed changes are relaxing some requirements for RV's parking in residential areas by allowing to park them on the street for 48 hours rather than 24 hours, while extending their use season deeper into fall and spring; they will also allow parking in the front yard on one's driveway provided an RV doesn't project into public right of way.</p> <p>Additionally, staff recommends removing several locations from the winter parking regulations and other parking regulations section as identified in Sec. 74-130 (b) and (c). These proposed parking regulation adjustments were presented to PI/T on 11/22/2021 and L&O on 12/07/2021. Are changes to parking regulations were also reviewed with, and approved by, the City Police Department and Street Department.</p> <p>Finally, a new section is added that requires that dead and damaged trees be removed and gives the city the right to remove them if the owner refuses to do it, similar to the ordinance about tall grass.</p> <p>At the meeting on December 7, 2021, these changes were presented to L&O, which recommended approval to the Council with a couple minor revisions.</p> <p>The Ordinance amending Sec. 18-1 Building numbers, Sec. 66-104 Street names and subdivision names, Sec. 74-118 Overnight parking in residential area, Sec. 74-130 Snow emergency routes, winter parking regulations, and other parking regulations, and Sec. 74-131 Parking and storage of boats, trailers, recreational vehicles, and others on residential lots, and adding Sec. 82-2 Dead trees was introduced at the December 14, 2021, City Council meeting.</p>
Fiscal Impact:	None.
Alternative/ Variations:	None.
Recommendations:	that the Council close the public hearing on the Ordinance amending Sec. 18-1 Building numbers, Sec. 66-104 Street names and subdivision names, Sec. 74-118 Overnight parking in residential area, Sec. 74-130 Snow emergency routes, winter parking regulations, and other parking regulations, and Sec. 74-131 Parking and storage of boats, trailers, recreational vehicles, and others on residential lots, and adding Sec. 82-2 Dead trees.

	that the Council adopt Ordinance No. 21-XXX, amending Sec. 18-1 Building numbers, Sec. 66-104 Street names and subdivision names, Sec. 74-118 Overnight parking in residential area, Sec. 74-130 Snow emergency routes, winter parking regulations, and other parking regulations, and Sec. 74-131 Parking and storage of boats, trailers, recreational vehicles, and others on residential lots, and adding Sec. 82-2 Dead trees.
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Sec. 18-1. - Building numbers.

- (a) *Records, assignment and determination.* The city engineer shall prepare and keep in his office plats of lots and blocks in the city, in such manner as to enable all parties interested to readily ascertain the same, the individual building numbers of all buildings or building lots in accordance with the actions of the city council, and shall make additions thereto from time to time as the necessities of the case may require. The individual building numbers shall be as assigned and determined by the city engineer. Any person desiring to ascertain numbers, for building numbering purposes, shall be so informed by the city engineer or assistants, free of cost, on proper application being made.
- (b) *Duty of owner.* The owner of any building shall place and keep in a conspicuous place on the front wall of such building the proper individual number therefor, as assigned and determined by the city engineer. Building numbers placed shall be of sufficient size and of a contrasting color so as to be readily distinguishable and readable from the public street. Buildings located in the Downtown District, and facing an alley in the back, shall have building numbers placed on the alley side of the building in addition to the front wall placement.
- (c) *Penalty for violation of section.* Whoever shall fail to comply with the provisions of this section, or whoever shall affix to or display upon any house or building any such numbers other than those assigned to it, shall be guilty of a misdemeanor.

(Code 1976, § 4.51)

Sec. 66-104. - Street names and subdivision names.

- (a) Streets obviously in alignment with existing streets shall bear the names of those streets.
- (b) No street names shall be used which will duplicate, be the same in spelling or alike in pronunciation with any other existing streets. All street names should be kept as short as possible to permit signs to be no longer than 36 inches. All street names shall indicate directions either north, south, east or west. Street name suffixes shall be applied as follows:
- (1) Street: a road way running east and west or northeast and southwest;
 - (2) Avenue: a road way running north and south or northwest and southeast;
 - (3) Road: a road way running east and west or north and south, such names may only be assigned to major rights-of-way;
 - (4) Lane: a short road way running northeast to southwest in any direction;
 - (5) Drive: ~~a road running northwest to southeast~~ a major roadway which meanders in different directions;
 - (6) Trail: a minor road way which meanders wanders in different directions;
 - (7) Circle: all culs-de-sac;
 - (8) Court: a road way with two openings which enters and exits on the same street;
 - (9) Place: all private road ways;
 - (10) Parkway: a limited access road ways such as major streets which are divided by a median;
 - ~~(11) Boulevard: a minor street divided by a median.~~ Other designation may be considered if approved by the City Engineer.
- (c) No plats shall be approved which use the names of Square, Ridge, Pass, Boulevard, Way or Terrace as a suffix for a street name. Street names are subject to the approval of the city engineer.
- (d) When streets become interrupted due to topography, offsets caused by irregular surveys, or other physical features, ~~quarter-line and section line streets they~~ shall not retain the same name on either side of the irregularities.
- (e) When streets change directions, they shall retain the same name unless a direction change occurs at an intersection.
- (ef) Subdivision names and apartment project names shall not duplicate, be the same in spelling or alike in pronunciation with any existing subdivision or apartment project names except that apartment names which correspond to the subdivision in which they are located will be allowed. These names shall be subject to the approval of the city engineer.

(Code 1976, § 12.10(9))

Sec. 74-118. ~~Overnight P~~arking in residential area.

(a) It is unlawful for any person to leave or park between the hours of 10:00 p.m. and 6:00 a.m. on or within the limits of any street in any residential area, any of the following:

- (1) House trailer or manufactured home;
- (2) Bus;
- (3) Recreational vehicle;
- (4) Semi-trTrailer or other trailer longer than 48 feet;
- (5) Tractor or other farm equipment;
- (6) Semi-tractor;
- (7) Any truck over 84 inches in width;

(8) Any construction vehicle or equipment unless related, and stored next, to a legal construction project.

(b) Between April 15 and October 15 of each year, a recreational vehicle and similar items shall be allowed to be left upon a city street for a continuous period of up to 48 hours without violating this section.

(Code 1976, § 9.04)

Sec. 74-130. Snow emergency routes, winter parking regulations, and other parking regulations.

(a) *Snow emergency routes.* The council does hereby declare that between November 1 and April 1 of every year the following city streets are hereby declared snow emergency routes:

- (1) Main Street from "C" Street to Seventh Street.
- (2) Lyon Street from First Street to Sixth Street.
- (3) First Street from Marshall Street to Main Street.
- (4) Marshall Street from First Street to Fourth Street.
- (5) College Drive from Marshall Street to Greeley Street.
- (6) Third Street from Marshall Street to Main Street.
- (7) Fourth Street from Marshall Street to Saratoga Street.
- (8) Fifth Street from Lyon Street to Saratoga Street.
- (9) "A" Street from Main Street to Saratoga Street.
- (10) Saratoga Street from "C" Street to Sixth Street.
- (11) "C" Street from Main Street to Saratoga Street.
- (12) Seventh Street from Main Street to Sixth Street.
- (13) Sixth Street from Saratoga Street to Lyon Street.
- (14) Mustang Trail from College Drive to Birch Street.
- (15) Birch Street from Village Drive to State Street.
- (16) State Street from Birch Street to the access approach to State Highway 23.
- (17) Village Drive from Birch Street to Fairview Street.

No vehicle shall be parked or left standing on any portion of the following streets between 1:00 a.m. and 7:00 a.m. between November 1 and April 1 of every year:

- (1) Mustang Trail from College Drive to Birch Street.
- (2) Birch Street from Village Drive to State Street.
- (3) State Street from Birch Street to the access approach to State Highway 23.
- (4) Village Drive from Birch Street to Fairview Street.

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. between November 1 and April 1 of every year:

- (1) Main Street from "C" Street to Seventh Street.
- (2) Lyon Street from First Street to Sixth Street.
- (3) First Street from Marshall Street to Main Street.
- (4) Marshall Street from First Street to Fourth Street.
- (5) College Drive from Marshall Street to Greeley Street.

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(Supp. No. 38)

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- (6) Third Street from Marshall Street to Main Street.
 - (7) Fourth Street from Marshall Street to Saratoga Street.
 - (8) Fifth Street from Lyon Street to Saratoga Street.
 - (9) "A" Street from Main Street to Saratoga Street.
 - (10) Saratoga Street from "C" Street to Sixth Street.
 - (11) "C" Street from Main Street to Saratoga Street.
 - (12) Seventh Street from Main Street to Sixth Street.
 - (13) Sixth Street from Saratoga Street to Lyon Street.
- (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.~~
 - (2) Emerald Court.
 - ~~(3) South ½ of West Redwood Street from North Fourth Street to East College Drive.~~
 - (4) 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.~~
 - (6) Peltier Street.
 - (7) Glenn Street.
 - (8) Simmons Street.
 - (9) 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 ~~First Street~~ College Drive to Sixth Street.
 - ~~(3) First Street from Redwood Street to Main Street.~~
 - (4) College Drive from Marshall Street to Greeley Street.
 - (5) Third Street from Marshall Street to Main Street.
 - (6) 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.
 - (7) Fifth Street from Lyon Street to Saratoga Street.
 - (8) McLaughlin Drive from O'Connell Street to Mustang Trill.

(Code 1976, § 9.32(1), (2); Ord. No. 519 2nd series, § 1, 10-18-2004; Ord. No. 528 2nd series, § 1, 7-5-2005; Ord. No. 538 2nd series, § 1, 10-17-2005; Ord. No. 573, § 1, 4-16-2007)

Editor's note(s)—Ord. No. 519, 2nd series, § 1, adopted October 18, 2004, changed the title of § 74-130 from "Snow emergency parking regulations" to "Snow emergency routes, winter parking regulations, and other parking regulations."

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Sec. 74-131. Parking and storage of boats, trailers, small vehicles, and recreational vehicles, ~~campers and other recreational vehicles~~ on residential lots.

- (a) *Purpose.* The purpose of this section is to regulate the parking and storage of boats, trailers, small vehicles, and other recreational vehicles on residential lots~~areas~~. These regulations are intended for, and are in the best interest of, the citizens of the city to provide easy access to these ~~other recreational~~ vehicles while promoting the health, safety, and welfare of the citizens of the city.
- (b) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Boat means any device used or capable of being used for navigation on water.

~~*Boats, snowmobiles and their trailers* means a vehicle which a boat or a snowmobile may be transported by and which is towable by a passenger car, station wagon, pickup truck or a recreational vehicle. A private boat or private snowmobile when removed from the trailer is termed an unmounted boat or snowmobile.~~

~~*Camper* means a separate vehicle designed for human habitation and which can be attached directly onto or attached with a fifth wheel or other towing mechanism or detached from a light truck with the truck. When removed from the truck, campers are called unmounted campers. These campers are sometimes called truck campers.~~

~~*Camping trailer* means a type of trailer or trailer coach, the walls of which are so constructed as to be collapsible and made out of either canvas or similar cloth, or some form of rigid material such as fiberglass or plastic or metal. The walls are collapsed while the recreational vehicle is being towed or stored and are raised or unfolded when the vehicle becomes temporary living quarters and is not being moved.~~

~~*Motor home* means a structure constructed integrally with a truck or motor van chassis designed for human habitation and incapable of being separated therefrom. The truck or motor van chassis may have single or double rear wheels.~~

Owner means a person other than a lien holder having a property interest in or title to a boat, trailer, small vehicle or recreational vehicle. The term includes a person entitled to the use or possession of such item~~a boat, trailer or recreational vehicle~~, subject to an interest reserved or created by agreement and securing payment or performance of an obligation.

Recreational vehicle means a vehicular, portable structure, motorized or towed, built on a chassis, designed to be used as a temporary dwelling for travel, recreation and vacation uses ~~and/or vehicles with RV license plates~~. A recreational vehicle shall include, but not be limited to, the following: travel trailers, pickup camper, motorized home, camping trailer, camper, and truck camper.

Small vehicle means an off-highway, pleasure or non-commercial work type vehicle, such as ATV, snowmobile, utility vehicle, golf cart, riding mower, etc., electric or gas powered, that has at least four wheels or tracks and is designed for adult operators.

Trailer means every nonmotorized vehicle, closed or flat bed, ~~designed or~~ utilized for the transportation of any boat, ~~auto, hauling trailers, vehicle snowmobile, and the like, or other objects and materials and which does not have motive power but is~~ designed to be drawn by another, motorized, vehicle.

Visibility triangle means a triangular-shaped area of land created by the intersecting property lines and a diagonal line connecting them, located at the property corner abutting streets, alleys, and driveways, that is required to be kept free of obstructions that could impede the vision of a pedestrian or the driver of a motor vehicle exiting onto or driving on such streets, alleys, or driveways. The side of such triangular shall be 25 feet for two street intersections and 10 feet for all other intersections.

~~*Yard, front,* means that part of a lot between the front lot line and the front of the principal building of the lot, and extended to both side lot lines.~~

~~Yard, rear, means that part of a lot between the rear lot line and the back of the principal of the lot, and extended to both side lot lines.~~

~~Yard, side, means that part of the lot not surrounded by buildings and not in the front or rear yard. Yard, front, rear, and side, means the definition from Section 86-1 of the City Ordinance.~~

(c) *General conditions.*

- (1) *Dwelling use.* No boat, trailer or recreational vehicle, ~~camper, camper trailer or motor home~~ shall be used as a permanent dwelling, storage or other accessory building.
 - (2) *Flammable liquids.* The owner of a boat, ~~trailer~~ or recreational vehicle shall not park, let stand or store such vehicle when the propane tank valve has not been closed. The owner ~~of a boat, trailer or recreational vehicle~~ shall also not park, let stand or store such vehicle when it contains fuels used for propulsion or heating which are stored in tanks other than permanent mounted tanks.
 - (3) *Dangerous or unsafe storage.* The owner of a boat, trailer, small vehicle or recreational vehicle shall not park, let stand or store such vehicle in such a manner as to create a dangerous or unsafe condition on the property where parked, permitted to stand or stored.
 - (4) ~~Street parking~~Prohibited vehicles. No boat, trailer or recreational vehicle shall be permitted to park on any street or parking lots between the hours of 10:00 p.m. and 6:00 a.m. At no time shall a trailer be left on a city street or parking lot unattached from a motorized vehicle. Between May 1 and September 15 of each year, recreational vehicles shall be allowed to be left upon a city street for a continuous period of up to 24 hours without violating this section. No bus, semi-tractor, tractor and other farm equipment, or other commercial, including construction, vehicle shall be parked or stored on residential lots.
 - (5) *Proof of ownership.* A legal or beneficial owner of, or lessee of the property shall have, and display upon request of authorized city officials, proof of ownership of a ~~parked, standing or stored~~ boat, trailer, small vehicle or recreational vehicle.
 - (6) *License required.* All boats, trailers or recreation vehicles shall display current state license plates or other registration certificates.
 - (7) *Waste dumping.* Boats or recreational vehicles shall dump sewage only into approved sanitary facilities.
- (d) *Parking on residentially zoned lots.* It is unlawful to park or store a boat, trailer, ~~or~~ recreational vehicle, ~~camper, camping trailer or motor home~~ on a residentially zoned lot within the city except ~~as provided~~ as follows:
- (1) *Indoor storage.* Indoor storage is permitted if ~~When~~ the item is completely stored within the structure, garage or carport ~~and there exists two off-street parking spaces.~~
 - (2) *Front yard ~~driveway temporary loading and parking~~ and storage.* Front yard driveway parking is permitted for the above described items on a paved driveway provided the item does not project into the public right-of-way or visibility triangles when they are being temporarily parked in the front yard driveway of any residential lot for a period of ten days per any calendar month to accommodate loading/unloading operations, out of town guests, and minor repairs and maintenance work.
 - (3) *Side yard parking and storage.*
 - a. Side yard parking and storage is permitted if it parking is not within the five-foot side yard setback, ~~the front yard setback or back yard setback.~~
 - b. Side yard parking and storage is permitted ~~if parking is~~ within the five-foot side yard ~~setback and behind the front yard setback~~ if the current abutting neighbor ~~has given~~ is presently giving a written permission.
 - (4) *Rear yard parking and storage.* Rear yard parking and storage is permitted if it parking is not within the ~~15 five-~~ foot rear yard setback. ~~Rear yard parking and storage is permitted within the 15-foot yard setback, if the 15-foot yard setback abuts a platted alley.~~

Sec. 82-21. Damaged and dead trees~~Grass and weeds~~ on private property.

- (a) It is unlawful for any owner, occupant or agent of any lot or parcel of land in the city, to allow any dead trees or trees having dead or dangerously unstable branches to remain standing~~weeds or grass growing upon any such lot or parcel of land to grow to a greater height than eight inches or to allow such weeds or grass to go to seed~~, unless such trees are located in such a way that, if fallen, cannot interfere with adjacent property or the City right of way~~grass or seed is brome grass or alfalfa, which is cut, baled and removed from the premises according to normal farming practices.~~
- (b) The determination of the tree status shall be done by the City tree inspector, who shall have the power to enter upon public and private property, at any reasonable time, for the purpose of inspecting dead or damaged trees.
- (c) Any tree found to be dead, and any unstable or dead branches, shall be cut and removed from the property.
- (d) If any ~~such~~ owner, occupant, or agent fails to comply with this dead or damaged tree requirement ~~height limitation~~ and, after twenty-eight (28) day notice given by the city clerk, ~~has not within seven days of such notice complied~~, the city shall cause such trees or branches~~weeds or grass~~ to be cut and the expenses thus incurred shall be a lien upon such real estate. The finance director shall certify to the county auditor a statement of the amount of the cost incurred by the city. Such amount, together with interest, shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

~~{Code 1976, § 10.25; Ord. No. 723 2nd Series, § 1, 8-8-2017}~~

State law reference(s)—~~Minnesota Noxious Weed Law, Minn. Stat. § 18.75 et seq.~~; special assessment authorized, Minn. Stat. § 429.101.

ORDINANCE NO. 22-001

**ORDINANCE AMENDING VARIOUS SECTIONS
OF THE
MARSHALL CITY CODE OF ORDINANCES**

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

Section 1: City Code of Ordinances, Sec. 18-1 Building numbers, Sec. 66-104 Street names and subdivision names, Sec. 74-118 Overnight parking in residential area, Sec. 74-130 Snow emergency routes, winter parking regulations, and other parking regulations, and Sec. 74-131 Parking and storage of boats, trailers, recreational vehicles, and others on residential lots, are hereby amended and Sec. 82-2 Dead trees is added.

Section 2: It is hereby determined that publication of this Title and Summary Ordinance will clearly inform the public of the intent and effect of Ordinance No. 22 -001.

It is hereby directed that only the above Title and Summary of Ordinance No. 22-001 be published conforming to Minnesota Statutes §331A.01 with the following:

NOTICE

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

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

Passed and adopted by the Common Council this 11th day of January 2022.

THE COMMON COUNCIL

ATTEST:

Mayor of the City of Marshall, MN

City Clerk

Introduced on: December 14, 2021

Final Passage on: January 11, 2022

Published in the Marshall Independent: _____

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of employee retirement resolutions
Background Information:	<p>On January 14, 2022, 4 employees who retired between January 1 and December 31, 2021 will be honored for their service to the City at the annual Employee Appreciation and Recognition Event. These employees are:</p> <ul style="list-style-type: none"> • Mary Tate, Administrative Assistant • Karna Dwire, Office Assistant/Receptionist • Philip Dwire, Senior Maintenance Worker • Robert Van Moer, Wastewater Treatment Facility Superintendent <p>Human Resource Manager Dubs requests approval of the attached resolutions. Following approval, each City Councilmember will be asked to sign each resolution. Staff will connect individually with each Councilmember to obtain signatures.</p> <p>Each of these retirees has been invited to the annual event on January 14, 2022 to receive a retirement plaque and this signed resolution which recognizes and honors each employee for their many years of service and contributions to the City.</p>
Fiscal Impact:	No fiscal impact.
Alternative/ Variations:	None recommended.
Recommendations:	that the Council approves the employee retirement resolutions.

RESOLUTION NUMBER 22-001
City of Marshall, Minnesota

WHEREAS: Mary Tate has faithfully served the City of Marshall for 25 years of commendable service from October 23, 1995 to January 29, 2021; and

WHEREAS: Across her career with the City, she distinguished herself with her knowledge and many abilities related to excellence in customer service and administrative skill areas, and has conscientiously and professionally represented the Community Services Division; and

WHEREAS: During her tenure, Mary embodied the mission of the Community Services division to promote or provide, through leadership, facilitation, partnerships and collaboration an enriched community experience for all citizens; and

WHEREAS: Mary has been a valued member and contributor to numerous City committees and she dedicated her talents to 76 consecutive publications of the Brochure; and

WHEREAS: All the citizens of the City of Marshall have been the beneficiary of her efforts, talents, and abilities for the past 25 years; and

WHEREAS: The City of Marshall is honored to extend our appreciation and gratitude to Mary for her hard work, dedication, and commitment to excellence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA, that this community and City Council express and record their gratitude and appreciation for Mary's contributions to the City and dedication to public service, which have earned her the respect and friendship of all who have had the pleasure of working with her, and extend best wishes to her for many years of good health and happiness in her retirement.

Adopted by the City Council this 11th day of January, 2022.

Robert J. Byrnes, Mayor

James Lozinski, Council Member

Don Edblom, Council Member

Steven Meister, Council Member

John DeCramer, Council Member

Craig Schafer, Council Member

Russ Labat, Council Member

Sharon Hanson, City Administrator

ATTEST

Kyle Box, City Clerk

RESOLUTION NUMBER 22-002
City of Marshall, Minnesota

WHEREAS: Karna Dwire has faithfully served the City of Marshall for 35 years of commendable service from January 23, 1984 to December 27, 2021; and

WHEREAS: Across her career with the City, she distinguished herself with her knowledge and many abilities related to excellence in customer service and secretarial skill areas, and has conscientiously and professionally represented the City of Marshall at the Wastewater Treatment Facility; and

WHEREAS: During her tenure with the City, she has been a valued member and contributor to numerous City committees and she has also selflessly dedicated her time towards volunteerism on behalf of employees in need; and

WHEREAS: Karna has worked in partnership with her fellow coworkers and officials of the City of Marshall; and

WHEREAS: All the citizens of the City of Marshall have been the beneficiary of her efforts, talents, and abilities for the past 35 years; and

WHEREAS: The City of Marshall is honored to extend our appreciation and gratitude to Karna for her hard work, dedication, and commitment to excellence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA, that this community and City Council express and record their gratitude and appreciation for Karna's contributions to the City, and dedication to public service, which have earned her the respect and friendship of all who have had the pleasure of working with her, and extend best wishes to her for many years of good health and happiness in her retirement.

Adopted by the City Council this 11th day of January, 2022.

Robert J. Byrnes, Mayor

James Lozinski, Council Member

Don Edblom, Council Member

Steven Meister, Council Member

John DeCramer, Council Member

Craig Schafer, Council Member

Russ Labat, Council Member

Sharon Hanson, City Administrator

ATTEST

Kyle Box, City Clerk

RESOLUTION NUMBER 22-004
City of Marshall, Minnesota

- WHEREAS:** Robert Van Moer has faithfully served the City of Marshall for 42 years of commendable service from July 16, 1979 to December 30, 2021; and
- WHEREAS:** Robert has served the citizens of the City of Marshall with full commitment to his responsibilities at the Wastewater Treatment Facility in his positions as Operator I, Lift Station Operator, Outside Superintendent, Assistant Superintendent, and Plant Superintendent; and
- WHEREAS:** During his career, Robert earned numerous certifications and honors; he was awarded the Southwest Section Class B “Operator of the Year” award in 1987, the Southwest Section Class A “Operator of the Year” in 1990 and 1991, and under his management, the facility was awarded the “Outstanding Wastewater Treatment Facility Operator” award in 2006 from the Minnesota Pollution Control Agency; and
- WHEREAS:** Robert set an extraordinary example for the Wastewater department by conscientiously ensuring high standards, providing leadership on several renovation and upgrade projects, researching and implementation of new biosolids application techniques, and multiple other managerial efforts that led to efficiencies, cost savings, and a safe environment for our workforce; and
- WHEREAS:** All the citizens of the City of Marshall have been the beneficiary of his leadership, talents, and abilities for the past 42 years; and
- WHEREAS:** The City of Marshall is honored to extend our appreciation and gratitude to Robert for his hard work, dedication, and commitment to excellence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA, that this community and City Council express and record their gratitude and appreciation for Robert’s contributions to the City, and dedication to public service, which have earned him the respect and friendship of all who have had the pleasure of working with him, and extend best wishes to Robert for many years of good health and happiness in his retirement.

Adopted by the City Council this 11th day of January, 2022.

Robert J. Byrnes, Mayor

James Lozinski, Council Member

Don Edblom, Council Member

Steven Meister, Council Member

John DeCramer, Council Member

Craig Schafer, Council Member

Russ Labat, Council Member

Sharon Hanson, City Administrator

ATTEST

Kyle Box, City Clerk

RESOLUTION NUMBER 22-003
City of Marshall, Minnesota

- WHEREAS:** Philip Dwire has faithfully served the City of Marshall for 33 years of commendable service from February 4, 1987 to August 23, 2002, and from November 24, 2003 to December 27, 2021; and
- WHEREAS:** Across his career with the City, he distinguished himself with his knowledge and many abilities; he has conscientiously and professionally represented the City of Marshall at the Wastewater Treatment Facility and the Street Department; and
- WHEREAS:** Philip has served the citizens of the City of Marshall with full commitment to his responsibilities in his positions as Operator I, Lift Station Operator, Collection System Assistant Superintendent, Maintenance Operator, Maintenance Worker I and II, and Senior Maintenance Worker; and
- WHEREAS:** Philip has served the citizens of Marshall in many essential areas of the Wastewater Treatment and Street Departments, including maintenance and repair of facilities, streets, and public ways, sign making, light and heavy equipment operation, snow removal, and supervisory duties; and
- WHEREAS:** Philip has worked in partnership with his fellow coworkers and officials of the City of Marshall; and
- WHEREAS:** All the citizens of the City of Marshall have been the beneficiary of his efforts, talents, and abilities for the past 33 years; and
- WHEREAS:** The City of Marshall is honored to extend our appreciation and gratitude to Philip for his hard work, dedication, and commitment to excellence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARSHALL, MINNESOTA, that this community and City Council express and record their gratitude and appreciation for Philip’s contributions to the City, and dedication to public service, which have earned him the respect and friendship of all who have had the pleasure of working with him, and extend best wishes to Philip for many years of good health and happiness in his retirement.

Adopted by the City Council this 11th day of January, 2022.

Robert J. Byrnes, Mayor

James Lozinski, Council Member

Don Edblom, Council Member

Steven Meister, Council Member

John DeCramer, Council Member

Craig Schafer, Council Member

Russ Labat, Council Member

Sharon Hanson, City Administrator

ATTEST

Kyle Box, City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider a resolution designating the Official Newspaper.
Background Information:	<p>City Charter, Section 12.01 of the City of Marshall requires the City Council to annually designate a local newspaper as its official newspaper for purposes of public notices.</p> <p>The Marshall Independent is the local paper and is currently the identified paper.</p>
Fiscal Impact:	None
Alternative/ Variations:	None
Recommendations:	To adopt the resolution designating the Marshall Independent as the official newspaper for the City of Marshall

RESOLUTION NUMBER 22-005

**RESOLUTION DESIGNATING THE MARSHALL MINNESOTA "INDEPENDENT" AS
THE OFFICIAL NEWSPAPER FOR
THE CITY OF MARSHALL**

WHEREAS, the City Charter, Section 12.01 of the City of Marshall, Minnesota requires the City Council to annually designate a local newspaper as its official newspaper;

NOW THEREFORE, BE IT RESOLVED, the Marshall, Minnesota "Independent" is designated as the official Newspaper for the City of Marshall, Minnesota.

Passed and adopted this 11th day of January, 2022.

Mayor of the City of Marshall

ATTEST:

City Clerk



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider Resolution designating the Official Depositories for City Funds for 2022.
Background Information:	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.
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	The adoption of RESOLUTION NUMBER XXXX, Second Series appointing the 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 11th day of January 2022. The following members were present:

The following members were absent _____

_____ introduced the following Resolution and moved its adoption.

**RESOLUTION NUMBER 22-006
APPOINTING OFFICIAL DEPOSITORIES FOR CITY FUNDS FOR 2022**

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

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 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 |
| Great Western | Minn West Bank, M. V. |
| U.S. BanCorp | United Southwest Bank |
| Wells Fargo Bank Minnesota, N.A. | |

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:

Kyle Box, City Clerk



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider resolution delegating authority to the city to make electronic fund transfers
Background Information:	Minnesota Statute 471.38 allows for electronic fund transfers (EFT) payments for payroll, contributions to pension and retirement funds, vendors and bond principal, bond interest and fiscal agent fees.
Fiscal Impact:	
Alternative/ Variations:	
Recommendations:	Approve Resolution Number XXXX, Second Series giving the City authority to make Electronic Fund Transfers

RESOLUTION NUMBER 22-007

**RESOLUTION GIVING THE CITY AUTHORITY TO
MAKE ELECTRONIC FUND TRANSFERS**

WHEREAS, Minnesota Statute, Section 471.38 allows the use of electronic funds transfer for the following payments:

- a. for a claim for payment from an imprest payroll bank account or investment of excess money;
- b. for a payment of tax or aid anticipation certificates;
- c. for vendor payments;
- d. for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund; and

WHEREAS, Section 471.38 requires that certain policy controls be enacted in order for a local government to utilize electronic funds transfer, including that the governing body annually delegate the authority to make electronic funds transfers to a designated business administrator or chief financial officer or the officer's designee.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Marshall delegates the authority to make electronic funds transfers on behalf of the city to the city's finance director or her designee.

BE IT FURTHER RESOLVED, the Finance Director is directed to take all steps necessary for compliance with Minn. Stat. § 471.38.

Passed and adopted by the City Council this 11th day of January 2022.

Robert J. Byrnes, Mayor

ATTEST:

Kyle Box, City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of 2022 Workers Compensation Insurance
Background Information:	<p>The estimated premium for 2022 is attached. The renewal is effective January 1, 2022 with the League of Minnesota Cities Insurance Trust.</p> <p>The workers compensation insurance covers City employees, elected and appointed officials, volunteer firefighters, all other volunteers, Library employees and Marshall Municipal Utilities employees.</p> <p>Workers' compensation rates for 2022 have risen for a second consecutive year as a result of costs incurred from the increasing number and size of Post-Traumatic Stress Disorder (PTSD)-related claims. An attached document describes the nature of the rate increases, concerns about PTSD trends, steps taken by LMCIT to address the trends. The City of Marshall has not experienced PTSD claims, however, at any time, it may affect our community.</p> <ul style="list-style-type: none"> For more information regarding 2022 rate changes: https://www.lmc.org/insurance-trust/coverages/coverages-changes/premium-rates/ <p>The city's experience modifier has increased from 0.60 in 2021 to 0.76 in 2022. The city has experienced a high claims payout year in 2020. There is a three (3) year look back period to set premiums, therefore, affecting the 2022 experience modifier.</p> <p>The Safety Committee continues to meet and discuss safety improvements and/or changes on a regular basis. Along with the continued safety training required for staff on an annual basis, creates a safe workplace environment for staff.</p> <p>Staff recommends keeping the deductible at \$5,000, which is a middle of the road approach to the risk assessment of insurance claims. This approach has worked well for the city in the past for managing claim payouts. This will be an additional \$20,934 credit amount to the standard premium of \$418,679 for a total premium of \$350,797 in 2022.</p> <p>This is a \$108,469 or 45% increase from 2021 to 2022. Again, this is a result of a higher experience modifier based on the cities claims, current payroll, and rate increases taken by the LMCIT.</p>
Fiscal Impact:	The estimated annual 2022 premium for the city portion is \$300,348
Alternative/Variations:	
Recommendations:	Approve renewal of the 2022 City's Workers Compensation Insurance with the League of Minnesota Cities Insurance Trust.

League of Minnesota Cities Insurance Trust
Group Self-Insured Workers' Compensation Plan
 145 University Avenue West St. Paul, MN 55103-2044 Phone (651) 215-4173

Notice of Premium Options for Standard Premiums of \$300,000 - \$500,000

MARSHALL, CITY OF
 344 WEST MAIN ST
 MARSHALL, MN 56258-1313

Agreement No.: WC 1001144_Q-6
 Agreement Period:
 From: 01/01/2022
 To: 01/01/2023

Enclosed is a quotation for workers' compensation deposit premium. **Note: Renewal Coverage will be bound as per the expiring coverage arrangement, including coverage for elected and appointed officials, with the premium indicated on the quote, unless the member or agent sends a written request not to bind renewal coverage.**

<u>PAYROLL DESCRIPTION</u>	<u>CODE</u>	<u>RATE</u>	<u>ESTIMATED PAYROLL</u>	<u>DEPOSIT PREMIUM</u>
----------------------------	-------------	-------------	--------------------------	------------------------

SEE ATTACHED SCHEDULE FOR DETAILS

	Manual Premium	550,893
	Experience Modification	0.76
	Standard Premium	-132,214
	Standard Premium	418,679
5.00%	Deductible Credit	0.00%
		-20,934
	Premium Discount	0
	Premium Discount	-46,948
	Net Deposit Premium	\$350,797
	Net Deposit Premium	\$371,734
	Adjustment for Commission*	0
	Total Net Deposit Premium	\$350,797
		\$371,734

*Workers compensation rates assume a 2% standard commission. The commission adjustment accounts for the commission difference, above or below 2%.

Agent:
 00382 Bremer Insurance Agencies Inc
 208 E College Dr
 Marshall, MN 56258-1818

Notice of Premium Options for Standard Premiums of \$300,000 - \$500,000 (Con't)

OPTIONS

Please indicate below the premium option you wish to select. You may choose only one option and you cannot change options during the agreement period.

1.	<input type="checkbox"/> Regular Premium Option	Net Deposit Premium	Commission Adjustment	Total Net Deposit Premium
		371,731	0	371,731

2. **Deductible Premium Option**
 Deductible options are available in return for a premium credit applied to your estimated standard Premium of \$ 418,679. The deductible will apply per occurrence to paid medical costs only. There is no aggregate limit.

	<u>Deductible per Occurrence</u>	<u>Premium Credit</u>	<u>Credit Amount</u>	<u>Net Deposit Premium</u>	<u>Commission Adjustment</u>	<u>Total Net Deposit Premium</u>
<input type="checkbox"/>	\$250	0.70%	-2,931	368,800	0	368,800
<input type="checkbox"/>	\$500	1.20%	-5,024	366,707	0	366,707
<input type="checkbox"/>	\$1,000	2.00%	-8,374	363,357	0	363,357
<input type="checkbox"/>	\$2,500	3.50%	-14,654	357,077	0	357,077
<input checked="" type="checkbox"/>	\$5,000	5.00%	-20,934	350,797	0	350,797
<input type="checkbox"/>	\$10,000	7.50%	-31,401	340,330	0	340,330
<input type="checkbox"/>	\$25,000	12.00%	-50,241	321,490	0	321,490
<input type="checkbox"/>	\$50,000	16.50%	-69,082	302,649	0	302,649

3. **Retrospective Rates Premium Option**

	<u>Retro-Rated Minimum Factor</u>	<u>Est. Minimum Premium</u>	<u>Retro-Rated Maximum Factor</u>	<u>Est. Maximum Premium</u>
<input type="checkbox"/>	0.346 %	144,863	1.300 %	544,283
<input type="checkbox"/>	0.296 %	123,929	1.500 %	628,018
<input type="checkbox"/>	0.219 %	91,691	2.000 %	837,358

This quotation is for a deposit premium based on your estimate of payroll and selected options. Your final actual premium will be computed after an audit of payroll subsequent to the close of your agreement year and will be subject to revisions in rates, payrolls and experience modification. While you are a member of the LMCIT Workers' Compensation Plan, you will be eligible to participate in dividend distributions from the Trust based upon claims experience and earnings of the Trust.

If you desire the coverage offered above, please return this signed document for the option you have selected.

This quotation should be signed by an authorized representative of the city requesting coverage.

**Notice of Premium Options for Standard Premiums of \$300,000 - \$500,000
(Con't)**

CONTINUATION SCHEDULE FOR QUOTATION PAGE

REMUNERATION	RATE	CODE	DESCRIPTION	EST. PREM
580,229	9.37	5506	STREET CONSTRUCTION	54,367
265,129	6.65	7403	AIRPORT OPERATIONS	17,631
526,016	3.95	7520	WATERWORKS	20,778
1,183,663	3.42	7539	ELECTRIC & STEAM PLANT	40,481
836,635	4.73	7580	SEWAGE DISPOSAL PLANT	39,573
139,234	0.37	7610	RADIO OR TELE BRDCSTING STATION-ALL EMPLOYEES	515
POP 15,073	239.00	7718	FIREFIGHTERS (VOLUNTEER)NON SMOKING	36,024
1,982,707	9.68	7721	POLICE-NON SMOKING	191,926
367,498	4.11	8017	OFF SALE LIQUOR STORE	15,104
1,450,998	0.74	8810	PUBLIC UTILITIES CLERICAL	10,737
613,551	0.74	8810	LIBRARY OR MUSEUM-PROF & CLERICAL	4,540
1,247,466	0.74	8810	CLERICAL OFFICE EMPLOYEES NOC	9,231
16,794	3.89	8831	ANIMAL CONTROL	653
52,091	7.32	9015	PU MAINTENANCE	3,813
109,176	7.32	9015	SWIMMING POOL OR BEACH OPERATIONS	7,992
154,106	7.32	9015	BUILDINGS-OPER BY OWNER	11,281
112,185	2.58	9063	COMM. CENTERS-ALL EMPLOYEES & CLERICAL	2,894
790,151	7.68	9102	PARKS	60,684
13,497	6.05	9156	CITY BAND	817
269,486	4.25	9182	CITY ARENA-OPERATIONS	11,453
41,506	0.92	9410	BOOKMOBILE DRIVERS	382
1,078,740	0.92	9410	MUNICIPAL EMPLOYEES	9,924
18,200	0.51	9411	ELECTED OR APPOINTED OFFICIALS	93
Manual Premium				550,893

League of Minnesota Cities Insurance Trust
Group Self-Insured Workers' Compensation Plan
145 University Avenue West St. Paul, MN 55103-2044 Phone (651) 215-4173

DEFINITION OF CITY ENDORSEMENT

It is agreed and understood the "City" named in item 1 of the Information Page is amended to include:

Marshall Municipal Utilities

Worker's Compensation Claims and Costs Related to PTSD



Public safety post-traumatic stress disorder (PTSD) claims have had significant cost implications for the League of Minnesota Cities Insurance Trust, resulting in higher-than-average premium rate increases over the last several years.

Since PTSD claims first became compensable in 2013, they have risen to a point where they're currently making up **about 30%** of the Trust's annual claim costs, with most of that arising from police claims.

For 2022,

workers' compensation rates for many members will increase, but an overall decrease in 2022 property/casualty rates combined with the **\$15 million** dividend that will be returned to members will help offset rising workers' compensation premiums.



If LMCIT didn't need to fund for projected PTSD costs,

it would be able to decrease rates about **25%** for 2022.

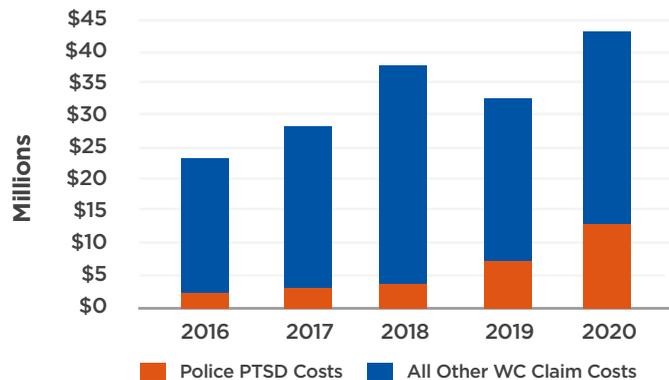


Since 2013,

the Trust has incurred roughly

\$36,000,000

in PTSD claim costs.



PTSD has become an increasingly larger portion of worker's compensation annual incurred costs (as of 6/30/2021)



PTSD is not a sign of weakness and can be successfully treated. Improper treatment or incorrect diagnosis can prolong suffering and end a promising career.



Public safety departments are facing a tighter job market, making it all the more important to successfully treat and retain high-performing individuals through a supportive work and social environment.

Through education resources and advocacy the Trust will continue to partner with members and all relevant stakeholders to stabilize workers' compensation claims and costs related to PTSD. You can help in several ways. Begin by visiting <https://www.lmc.org/ptsd-mental-health-toolkit/>

The Trust addresses PTSD and other health issues through:

Web resources

Online training (PATROL)

Safety and Loss Control Workshops

Regional meetings and discussions during member visits

PTSD and Mental Health Toolkit for police chiefs and administrators that covers topics such as prevention strategies, therapeutic responses, and mental health programs

A Duty Disability Group formed among law enforcement community stakeholders that work with the League's Intergovernmental Relations team to identify a workable state legislative PTSD disability funding solution without ties to the state's workers' compensation system





CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, December 28, 2021
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of a Temporary On-Sale Intoxicating Liquor License for SMSU Foundation.
Background Information:	Attached is an application for a Temporary On-Sale Liquor License for the SMSU Foundation to use at SMSU RA Facility, 1501 State St., February 19, 2022.
Fiscal Impact:	\$30.00/day
Alternative/Variations:	None recommended
Recommendations:	To approve a Temporary On-Sale Liquor License for the SMSU Foundation to use at SMSU RA Facility, 1501 State St., February 19, 2022.



Minnesota Department of Public Safety
Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 222, St. Paul, MN 55101
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555
APPLICATION AND PERMIT FOR A 1 DAY
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Name of organization		Date organized	Tax exempt number
SOUTHWEST MINNESOTA STATE UNIVERISTY FOUNDATION		10/17/1963	
Address	City	State	Zip Code
1501 State Street	Marshall	MN	56258
Name of person making application		Business phone	
Nathan Polfiet		507- 537-6285	
Date(s) of event	Type of organization <input type="checkbox"/> Microdistillery <input type="checkbox"/> Small Brewer		
February 19, 2022	<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input checked="" type="checkbox"/> Other non-profit		
Organization officer's name	City	State	Zip Code
David Werpy	Marshall	MN	56258
Organization officer's name	City	State	Zip Code
		MN	
Organization officer's name	City	State	Zip Code
		MN	
Organization officer's name	City	State	Zip Code
		MN	

Location where permit will be used. If an outdoor area, describe.
 Southwest Minnesota State University Campus - RA Facility 1501 State Street Marshall MN 56258

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

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.
 North Risk Partners - 2,000,000 / 2,000,000

APPROVAL

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

City of Marshall	12/28/2021
City or County approving the license	Date Approved
\$30.00	02/19/2022
Fee Amount	Permit Date
12/16/2021	kyle.box@ci.marshall.mn.us
Date Fee Paid	City or County E-mail Address
	507-537-6775
	City or County Phone Number

Signature City Clerk or County Official _____ Approved Director Alcohol and Gambling Enforcement _____

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

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider a LG220 Application for Exempt Permit for Marshall Golf Club, Inc.
Background Information:	Attached is an application for Exempt Permit for the Marshall Golf Club, Inc. to use at the Marshall Golf Club, 800 Country Club Drive.
Fiscal Impact:	There is no City fee for this permit.
Alternative/ Variations:	None Recommended.
Recommendations:	BE IT RESOLVED, that the City Council hereby (1) grants local unit of government approval to Marshall Golf Club, Inc., to hold a raffle on April 9, 2022, at Marshall Golf Club, 800 Country Club Drive, (2) acknowledges the receipt of LG220 Application of Exempt Permit, (3) waives the 30-day waiting period, and (4) authorizes and directs the appropriate city personnel to complete and sign the LG220 Application for Exempt Permit on behalf of the City of Marshall

MINNESOTA LAWFUL GAMBLING
LG220 Application for Exempt Permit

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

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

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

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

ORGANIZATION INFORMATION

Organization Name: The Marshall Golf Club, Inc Previous Gambling Permit Number: X-42019-21-007
 Minnesota Tax ID Number, if any: 8118556 Federal Employer ID Number (FEIN), if any: 41-395645
 Mailing Address: PO Box 502
 City: Marshall State: MN Zip: 56258 County: Lyon
 Name of Chief Executive Officer (CEO): Jesse Thordson (MGC President)
 CEO Daytime Phone: 507-828-1810 CEO Email: finance@marshallgolfclub.com
 (permit will be emailed to this email address unless otherwise indicated below)
 Email permit to (if other than the CEO): _____

NONPROFIT STATUS

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

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

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

- A current calendar year Certificate of Good Standing**
 Don't have a copy? Obtain this certificate from:
 MN Secretary of State, Business Services Division Secretary of State website, phone numbers:
 60 Empire Drive, Suite 100 www.sos.state.mn.us
 St. Paul, MN 55103 651-296-2803, or toll free 1-877-551-6767
- IRS income tax exemption (501(c)) letter in your organization's name**
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
 2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Marshall Golf Club
 Physical Address (do not use P.O. box): 800 Country Club Drive
 Check one:
 City: Marshall Zip: 56258 County: Lyon
 Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): April 9, 2022

Check each type of gambling activity that your organization will conduct:
 Bingo Paddlewheels Pull-Tabs Tipboards Raffle

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

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

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

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

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

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

Print Name: _____

<p>REQUIREMENTS</p> <p>Complete a separate application for:</p> <ul style="list-style-type: none"> • all gambling conducted on two or more consecutive days; or • all gambling conducted on one day. <p>Only one application is required if one or more raffle drawings are conducted on the same day.</p> <p>Financial report to be completed within 30 days after the gambling activity is done: A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.</p> <p>Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).</p>	<p>MAIL APPLICATION AND ATTACHMENTS</p> <p>Mail application with:</p> <p>_____ a copy of your proof of nonprofit status; and</p> <p>_____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is \$100; otherwise the fee is \$150. Make check payable to State of Minnesota.</p> <p>To: Minnesota Gambling Control Board 1711 West County Road B, Suite 300 South Roseville, MN 55113</p> <p>Questions? Call the Licensing Section of the Gambling Control Board at 651-539-1900.</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

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

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Consider approval of Quit Claim Deed and Exterior Wall Maintenance Agreement regarding transfer of property between the City of Marshall and Carmel Properties, LLC.
Background Information:	<p>During the construction of the new city hall and the demolition of the Marshall Hotel, it was discovered that there was a small encroachment onto City property by the adjoining property known as the Main Stay Café owned by Carmel Properties, LLC. During the construction of City Hall, a new exterior wall was placed on the Main Stay building. It is proposed that the City of Marshall would deed a small part of the City owned property to Carmel Properties, LLC so as to alleviate any encroachment property. The proposed deed would transfer a parcel of property 3 feet in width and 60 feet in depth to Main Stay. All of their building would then be located on property owned by Carmel Properties, LLC d/b/a Main Stay Café.</p> <p>Part and parcel of the transfer of property involves the execution by both parties of an Exterior Wall Maintenance Agreement. Main Stay wall agreement requires that both the City and the property owner would agree as to any mural, advertising, signage, etc. to be placed on the property. With the proposed construction of a city plaza/park, the City does not want to have anything placed on that exterior wall which would conflict with the development of the downtown city plaza/park.</p>
Fiscal Impact:	None
Alternative/ Variations:	None
Recommendations:	That the City Council approve the transfer of property and the execution of the Exterior Wall Maintenance Agreement. It is further recommended that action be taken immediately so that that the documents can be recorded of record yet this year.

Exterior Wall Maintenance Agreement

This Exterior Wall Maintenance Agreement is made and entered into this ____ day of January, 2022, by and between the City of Marshall, a municipal corporation under the laws of the State of Minnesota, and Carmel Properties, LLC, a Limited Liability Company under the laws of the State of Minnesota, are referred to in this agreement each individually as a Party and together as the Parties. as follows:

RECITALS

1. The City of Marshall is the owner of a vacant lot in downtown Marshall described as Lot 16, in Block 9, Original Plat of the Town (now City) of Marshall, Minnesota. The described property is presently a vacant lot and the City of Marshall as owner has plans for the development of a community park and parking facilities to be developed on that lot.
2. That Carmel Properties, LLC, is the owner of the property immediately adjacent to City owned property described above. That the adjacent property owned by Carmel Properties, LLC is described as Lot 17, in Block 9, Original Plat to the Town (now City) of Marshall, Minnesota.
3. That surveys of the property have indicated that the building structure presently situate on Carmel Property (Lot 17, in Block 9) encroaches into the adjacent City owned property of Lot 16, in Block 9, Original Plat to the City of Marshall.
4. That the City of Marshall, did assist with and pay for the reconstruction of the Northwesterly exterior wall of Carmel Properties building structure. The exterior construction of the wall is developed with a low maintenance exterior and the Parties hereto have agreed to the execution of this agreement setting forth all future rights and responsibilities regarding the exterior wall constructed on Carmel Properties, LLC structure.

In Witness Whereof the Parties hereto agree as follows:

1. That the City of Marshall has transferred to Carmel Properties, LLC a three-foot piece of property from Lot 16, in Block 9 to Carmel Properties, LLC so that the building structure owned by Carmel Properties is entirely situated on property now owned by Carmel Properties. That the City voluntarily transferred the three-foot section of property so as to avoid any issues related to the structural encroachment onto City owned property.
2. That the Parties further agree that the newly constructed exterior wall now owned entirely by Carmel Properties on their property shall have no windows or doors constructed through that wall. There shall be no access from the Carmel Properties structure directly onto the vacant remainder of Lot 16, in Block 9 as owned by the City of Marshall through the newly constructed wall.
3. That all future maintenance related to the newly constructed exterior wall owned by Carmel Properties shall be the sole and exclusive responsibility for Carmel Properties.
4. Carmel Properties, LLC shall not erect, allow or cause to be erected a mural on said exterior wall unless such mural has received written approval from the Marshall City Council or from any City committee appointed by the council to approve such mural. A mural, for the purposes of this agreement is defined as follows:

“Mural means, any piece of artwork including a painting, fresco, frieze, photograph, picture, image, illustration or graphic presentation, applied directly or by an electronic or digital means on or partially or fully covering a wall, ceiling, or other permanent or nonpermanent surface.” Said mural shall also include any direct advertisement or logo to be displayed on said wall.

5. That the terms and conditions of the Agreement shall be binding upon the Parties hereto, and their successors and assigns.

CITYOF MARSHALL

By: Robert J. Byrnes
Its: Mayor

By: Kyle Box
Its: City Clerk

STATE OF MINNESOTA)
)ss.
COUNTY OF LYON)

The foregoing instrument was acknowledged before me this ____ day of January, 2022, by Robert J. Byrnes and Kyle Box, the Mayor and City Clerk of the City of Marshall, a municipal corporation under the laws of the State of Minnesota.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

[The rest of the is page is intentionally left blank.]

CARMEL PROPERTIES, LLC

By: _____
Its: _____

STATE OF MINNESOTA)
)ss.
COUNTY OF LYON)

The foregoing instrument was acknowledged before me this ____ day of
January, 2022, by _____, the _____ of Carmel Properties,
LLC, a Limited Liability Company, under the laws of the State of Minnesota.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

[The rest of the is page is intentionally left blank.]

Affix Deed Tax Stamp Here

Robert J. Byrnes
Its: Mayor

By:

Kyle Box
Its: City Clerk

STATE OF MINNESOTA]

COUNTY OF LYON

The foregoing instrument was acknowledged before me this _____ day of January, 2022, by Robert J. Byrnes and Kyle Box, the Mayor and City Clerk of the City of Marshall, a municipal corporation under the laws of the State of Minnesota, on behalf of the City of Marshall.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee):

Carmel Properties, LLC
417 3rd St. N.
Marshall, MN 56258

THIS INSTRUMENT WAS DRAFTED BY:

City of Marshall
By: Dennis H. Simpson, City Attorney
109 South Fourth Street
Marshall, MN 56258
(507) 537-1441

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	MERIT Center/State of Minnesota Amendment of Lease No. 5
Background Information:	<p>This is a renewal of an existing lease that has been in place between the City of Marshall and the State of Minnesota Department of Public Safety. The lease allows for the Driver and Vehicle Services (DVS) to utilize the driving track and skills pad to perform commercial driver’s license skills testing and motorcycle testing at the MERIT Center.</p> <p>Prior to the lease agreement, the DMV conducted the CDL exams on the public roadway within the City of Marshall at no cost. Due to concerns brought forward by businesses in the area where the tests were issued, the DMV was asked to stop giving the exams on the public streets. To accommodate the request, the DMV no longer provided CDL testing out of the Marshall regional office and required all CDL tests to be administered in neighboring regional cities.</p> <p>With a goal to bring CDL and motorcycle testing back to the City of Marshall, an agreement was made to allow the DMV to lease the MERIT Track for a cost not to exceed \$1,500.00.</p> <p>In an effort to reduce costs associated with snow removal to the MERIT CENTER, the DMV will only utilize the MERIT Track when it is plowed on the MERIT Center’s schedule. During the winter months, CDL exams may be administered on public roads within the City of Marshall.</p>
Fiscal Impact:	NA
Alternative/ Variations:	
Recommendations:	Approve the Amendment of Lease No. 5 between the City of Marshall, Department of Public Safety and Driver and Vehicle Services.

STATE OF MINNESOTA
AMENDMENT OF LEASE

Amendment No. 5

Lease No. PS0365

THIS AMENDMENT, made by and between City of Marshall, 344 West Main Street, Marshall, MN 56258, hereinafter referred to as LESSOR, and the State of Minnesota, Department of Administration, hereinafter referred to as LESSEE, acting for the benefit of the Department of Public Safety, Driver and Vehicle Services, shall be an amendment to Lease No. PS0365.

WHEREAS, LESSOR and LESSEE entered into Lease No. PS0365, involving the lease of an area described as the driving skills pad to perform commercial driver's license skills testing and motorcycle testing at the Marshall MERIT Center located at 1000 West Erie Road, Marshall, MN 56258, County of Lyon;

WHEREAS, the parties deem certain amendments and additional terms and conditions mutually beneficial for the effective continuation of said Lease;

NOW THEREFORE, LESSOR and LESSEE agree to substitution and/or addition of the following terms and conditions, which shall become a part of Lease No. PS0365 effective as of the date set forth herein.

1. **RENEWAL TERM** This Lease shall be renewed for a period of one (1) year, commencing March 1, 2022 and continuing through February 28, 2023 ("Renewal Term"), at the same terms, conditions and rental rate.

2. **RENT**
 - 2.1 As rent for the Leased Premises and in consideration for all covenants, representations and conditions of this Lease, LESSEE agrees to pay to LESSOR a rent rate of one hundred twenty five and no/100 dollars (\$125.00) per month, resulting in a total rental amount not to exceed one thousand five hundred and no/100 dollars (\$1,500.00) per year due and payable monthly on the last day of each month.

3. Except as modified by the provisions of this Amendment, said Lease is ratified and confirmed as originally written.

NO ATTACHMENTS

IN WITNESS WHEREOF, the parties have set their hands on the date(s) indicated below intending to be bound thereby.

LESSOR: CITY OF MARSHALL

LESSOR certifies that the appropriate person(s) have executed the Lease on behalf of LESSOR as required by applicable articles, bylaws, resolutions or ordinances.

By _____

Title _____

Date _____

By _____

Title _____

Date _____

LESSEE:
STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
COMMISSIONER
Delegated To:

By _____

Title _____

Date _____

APPROVED:
STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

By _____

Title _____

Date _____

STATE ENCUMBRANCE VERIFICATION
Individual signing certifies that funds have been encumbered as required by Minn. Stat. §16A.15 and §16C.05.

By _____

Date _____

Contract No. _____

Purchase Order No. _____

CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022
Category:	CONSENT AGENDA
Type:	ACTION
Subject:	Authorization of acceptance of a Hazardous Materials Emergency Preparedness (HMEP) Grant for the Southwest Chemical Assessment Team and to authorize the Director of Public Safety Jim Marshall to administer the grant.
Background Information:	<p>The Southwest Minnesota Chemical Assessment Team (CAT) is the hazardous materials response team for both the City of Marshall and the 14 counties of West-Central and South-West Minnesota. The team is funded through a state grant that provides for all operating expenses.</p> <p>Hazardous materials spills are fortunately rare events, but when they do occur, they require a rapid response. The CAT Team is designed to support and supplement local fire departments within our region and provide guidance and direction to what the response should be to any hazardous material. A significant amount of continued training is needed to ensure the CAT Team can respond to these critical incidents.</p> <p>The City of Marshall has been awarded a Hazardous Materials Emergency Preparedness grant (HMEP) that supplements these training requirements of CAT members. This grant will fund the required advanced training that will be given specifically to the Southwest Chemical Assessment Team for Hazmat (Technician & Operations) training.</p> <p>All matching requirements of the HMEP grant will come through the operating dollars of the SW MN CAT team. A copy of the Grant Agreement is attached.</p>
Fiscal Impact:	The grant is for \$9,425.00, with a match requirement of \$2,357.00.
Alternative/Variations:	None
Recommendations:	Consider acceptance of a HMEP Grant for the Southwest MN Chemical Assessment Team and to authorize the Director of Public Safety Jim Marshall to administer the grant.



Minnesota Department of Public Safety (“State”) State Fire Marshal Division 445 Minnesota Street, Suite 145 St. Paul, Minnesota 55101-2190	Grant Program: 2020 Hazardous Materials Emergency Preparedness Grant Contract Agreement No.: A-HMEP-2020-MARSHACI-005
Grantee: City of Marshall 344 West Main Street Marshall, MN 56258-1313	Grant Contract Agreement Term: Effective Date: 07/01/2021 Expiration Date: 06/30/2022
Grantee’s Authorized Representative: City of Marshall/Public Safety ATTN: Jim Marshall Director of Public Safety 611 West Main Street Marshall, MN 56258-1313 Phone: 507-929-6300 E-mail: jim.marshall@ci.marshall.mn.us	Grant Contract Agreement Amount: Original Agreement \$ 9,425.00 Matching Requirement \$ 2,357.00
State’s Authorized Representative: John Kreuser State Fire Marshal Division 445 Minnesota St., Suite 145 St. Paul, Minnesota 55101-2190 Phone: 612-619-8964 E-Mail: John.Kreuser@state.mn.us	Federal Funding: CFDA 20.703 FAIN: 693JK31940023HMEP State Funding: None Special Conditions: None

Under Minn. Stat. § 299A.01, Subd 2 (4) the State is empowered to enter into this grant contract agreement.

Term: The creation and validity of this grant contract agreement conforms with Minn. Stat. § 16B.98 Subd. 5. Effective date is the date shown above or the date the State obtains all required signatures under Minn. Stat. § 16B.98, subd. 7, whichever is later. Once this grant contract agreement is fully executed, the Grantee may claim reimbursement for expenditures incurred pursuant to the Payment clause of this grant contract agreement. Reimbursements will only be made for those expenditures made according to the terms of this grant contract agreement. Expiration date is the date shown above or until all obligations have been satisfactorily fulfilled, whichever occurs first.

The Grantee, who is not a state employee will:
Perform and accomplish such purposes and activities as specified herein and in the Grantee’s approved 2020 Hazardous Materials Emergency Preparedness Application (“Application”) which is incorporated by reference into this grant contract agreement and on file with the State at State Fire Marshal Division, 445 Minnesota Street, Suite 145, St. Paul, Minnesota 55101-2190. The Grantee shall also comply with all requirements referenced in the 2020 Hazardous Materials Emergency Preparedness Guidelines and Application which includes the Terms and Conditions and Grant Program Guidelines (<https://app.dps.mn.gov/EGrants>), which are incorporated by reference into this grant contract agreement.

Budget Revisions: The breakdown of costs of the Grantee’s Budget is contained in Exhibit A, which is attached and incorporated into this grant contract agreement. As stated in the Grantee’s Application and Grant Program Guidelines, the Grantee will submit a written change request for any substitution of budget items or any deviation and in accordance with the Grant Program Guidelines. Requests must be approved prior to any expenditure by the Grantee.

Matching Requirements: (If applicable.) As stated in the Grantee’s Application, the Grantee certifies that the



matching requirement will be met by the Grantee.

Payment: As stated in the Grantee’s Application and Grant Program Guidance, the State will promptly pay the Grantee after the Grantee presents an invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services and in accordance with the Grant Program Guidelines. Payment will not be made if the Grantee has not satisfied reporting requirements.

Certification Regarding Lobbying: (If applicable.) Grantees receiving federal funds over \$100,000.00 must complete and return the Certification Regarding Lobbying form provided by the State to the Grantee.

1. ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. § 16A.15.

Signed: _____

Date: _____

3. STATE AGENCY

Signed: _____
(with delegated authority)

Title: _____

Date: _____

Grant Contract Agreement No./ P.O. No. A-HMEP-2020-MARSHACI-005/ PO# 3000076760
Project No.(indicate N/A if not applicable): N/A

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

Signed: _____

Print Name: _____

Title: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

Signed: _____

Print Name: _____

Title: _____

Date: _____

Distribution: DPS/FAS
Grantee
State’s Authorized Representative

Organization: Marshall, City of

A-HMEP-2020-MARSHACI-005

Budget Summary (Report)

Conference / Event: Cold Zone Conference Sept 2021			
Budget Category	Award	Match	
(TRNG) Travel (Lodging & Per Diem)			
Lodging and Per Diem 2021	\$1,750.00	\$0.00	
Total	\$1,750.00	\$0.00	
(TRNG) Personnel			
Wages 2021	\$0.00	\$888.00	
Total	\$0.00	\$888.00	
(TRNG) Tuition / Registration Fees			
Registration Fees 2021	\$1,800.00	\$0.00	
Total	\$1,800.00	\$0.00	
Total	\$3,550.00	\$888.00	
Conference / Event: Cold Zone Conference May 2022			
Budget Category	Award	Match	
(TRNG) Travel (Lodging & Per Diem)			
Lodging & Per Diem 2022	\$2,875.00	\$0.00	
Total	\$2,875.00	\$0.00	
(TRNG) Personnel			
Wages 2022	\$0.00	\$1,469.00	
Total	\$0.00	\$1,469.00	
(TRNG) Tuition / Registration Fees			
Registration Fees 2022	\$3,000.00	\$0.00	
Total	\$3,000.00	\$0.00	
Total	\$5,875.00	\$1,469.00	
Total	\$9,425.00	\$2,357.00	

CITY OF MARSHALL
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT
FOR TAX ABATEMENT APPLICANT WAYNE'S TRACTOR

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall Minnesota (the "City"), will hold a public hearing at a meeting of the Council beginning at 5:30 p.m., on January 25, 2022 to be held in the Council Chambers at City Hall, 344 West Main St. in Marshall, Minnesota, on the request of a Tax Abatement Applicant that the City abate a portion of property taxes levied by the City in connection with the proposed construction of a new structure. The property is located within the City and is currently identified as Parcel No. 27-597001-0. The approximate amount of assistance is \$7,262.00 over a maximum period of 4 years. The City Council will consider granting a property tax abatement in response to the request.

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

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

January 15, 2022

Kyle Box
City Clerk

Wayne's Tractor

CALCULATING 2021 EMV AS BASE - ONLY HAVING ABATEMENT ON IMPROVEMENT EMV

	EMV	City Taxes	County Taxes	TOTAL TAX BILL
Base EMV	\$ 316,300.00	\$ 3,291.00	\$ 2,092.00	\$ 9,109.00
Improvement EMV	\$ 307,700.00	\$ 3,631.00	\$ 2,308.00	\$ 10,590.00
Total EMV	\$ 624,000.00	\$ 6,922.00	\$ 4,400.00	\$ 19,699.00

BASED ON OFFICE ESTIMATE	1	2	3	4		
year	2024	2025	2026	2027		
<i>ENTER % OF ABATEMENT HERE</i>	80%	60%	40%	20%		
Base EMV Captured Taxes	\$ 3,291.00	\$ 3,291.00	\$ 3,291.00	\$ 3,291.00		
Improvement EMV Abated Taxes	\$ 2,904.80	\$ 2,178.60	\$ 1,452.40	\$ 726.20		
Improvement EMV Captured Taxes	\$ 726.20	\$ 1,452.40	\$ 2,178.60	\$ 2,904.80		
	TOTAL (10 Year)					
Amount of Abatement	\$ 2,904.80	\$ 2,178.60	\$ 1,452.40	\$ 726.20	\$ 7,262.00	REQUESTED \$\$\$ \$ -
Amount of Taxes the City receives	\$ 4,017.20	\$ 4,743.40	\$ 5,469.60	\$ 6,195.80	\$ 61,958.00	BALANCE OF SPECIALS FORGAVE \$ -
Total Tax Bill (city)	\$ 6,922.00	\$ 6,922.00	\$ 6,922.00	\$ 6,922.00	\$ 69,220.00	TAX ABATEMENT \$ - \$ 7,262.00

Wayne's Tractor

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

Property Information:

Location: 1604 College Dr E Access Road: Hwy 19 - service Road
Section: 2 Township: 111 Range: 41 Property Identification Number: 27-597001-0
Legal Description: 2.3 Acres PT NW4 SW4
(attach if needed)
Parcel Width: _____ (feet) Length: _____ (feet) Acres: 2.30

Applicant Information:

Applicant Name: Shawna Allan Phone: 337-2016 (h) _____ (w)
Mailing Address: 1604 College Dr E
Applicant Signature: Shawna Allan

Owner Information:

Owner Name: Wayne Erbes Phone: _____ (h) _____ (w)
Mailing Address: 35 Northwood Dr Cottonwood, MN 56229
Owner Signature: Wayne Erbes
Contractors or Contract for Deed Holders – owner must sign the application.

Company Information:

Owner Name: Wayne's Tractor Repair Phone: 337-2016 Fax: -
Location: 1604 College Dr E
Type of Company: Retail/service Service Provided: tractor sales & repair

Please attach the following documentation:

- Map or site plan, prepared by an architect or engineer, showing the boundaries of the proposed development, the size and location of the building(s) and parking areas.
- Written narrative describing the project, the size and type of building(s), business type and use, traffic information (parking capacity, vehicle counts, traffic flow, pedestrian facilities), project timing, and estimated market value.
- A statement identifying the public benefits of the proposal, including estimated increase in property valuation, and other community benefits.
- ~~Statement showing the private investment and any public investment dollars for the project~~
- ~~Financial information including past performance and pro forma future projections for the project.~~
- Application Fee (please see City of Marshall Fee Schedule for current fee amount). **\$750**
- Other information as requested.

Return Completed Applications to:

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



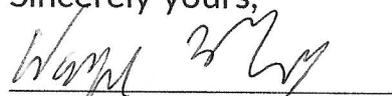
Wayne's Tractor Repair, LLC
1604 E College Drive
Marshall MN 56255

In recent years, there has been an increasing need for service on larger units of equipment. Currently, our facility is used for projects that span from older model () tractor revamps, to quad trac tractor maintenance, to DOT on fleet trucks, to a mower oil change, all the way down to a chainsaw grease. We have had great repeat business but with inflation and recent changes around town, our customers needed more from us. They requested multiple units to be worked on at once and even asked for combine service. The building operating today, is not capable to house a modern combine. After much contemplation, expansion was the right thing to do. The work and parts are nothing vastly different than services already offered. Adding another building would not only allow a larger unit to be worked on, but it would also allow more room to have multiple projects going on, which is a problem that we face with the current delay of parts in the market.

The \$600k project expands operation with a 66' x 75' stand-alone steel frame building. It will be furnished with overhead doors allowing 18' clearance. Current building spans 100' x 75' with only a 14' clearance. This addition would need to be furnished not only with an additional mechanic but require an additional office assistant to handle billing and part orders/ payment. We are happy to report that currently, both of those positions have been filled and being trained.

Dirt work was started in November of 2021. Building is ordered and projected to be delivered February 2022. We are excited and hopeful to be up and fully running come Spring 2022. This project, along with the recent updates to the street facing exterior of the original building, will not only appeal to residents of the area, but those just passing through. With our business spanning sales and service, customers come from near and far and with this project we will be better suited to complete all of their diesel and gas repair, parts and sales needs.

Sincerely yours,


Wayne Erbes, Owner


Shawna Allan, Business Mgr

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022																												
Category:	CONSENT AGENDA																												
Type:	ACTION																												
Subject:	Project ST-002-2022: Bituminous Overlay Project – Consider Authorization to Advertise for Bids.																												
Background Information:	<p>City staff has completed plans and specifications for our yearly city street mill and overlay project. Attached is the plan cover sheet that identifies each street that is scheduled to receive a mill and overlay treatment.</p> <p>Streets include:</p> <table border="1"> <thead> <tr> <th>Street</th> <th>From-To</th> </tr> </thead> <tbody> <tr> <td>Westwood Drive (Mill All)</td> <td>Country Club Drive to County Road 7</td> </tr> <tr> <td>Ridgeway Road (Mill All)</td> <td>Westwood Drive to Englewood Road</td> </tr> <tr> <td>Englewood Road (Mill All)</td> <td>Pinehurst Road to South dead end</td> </tr> <tr> <td>Pinehurst Road (Mill All)</td> <td>Cumberland Road to South dead end</td> </tr> <tr> <td>Cumberland Road (Mill All)</td> <td>Westwood Drive to South dead end</td> </tr> <tr> <td>Adobe Road (Mill All)</td> <td>East Lyon Street to Parkside Drive</td> </tr> <tr> <td>Adobe Circle (Mill All)</td> <td>All</td> </tr> <tr> <td>Adobe Circle</td> <td>Leveling for island removal</td> </tr> <tr> <td>Prospect Circle (Mill All)</td> <td>All</td> </tr> <tr> <td>Prospect Circle</td> <td>Leveling for island removal</td> </tr> <tr> <td>Prospect Road (Mill All)</td> <td>Adobe Road to Parkside Drive</td> </tr> <tr> <td>Carlson Street (Mill All)</td> <td>Parkside Drive to Jewett Street</td> </tr> <tr> <td>Erie Ave (Mill All)</td> <td>North of Erie Street (CR 33)</td> </tr> </tbody> </table> <p>This memo is intended to introduce the project and authorize staff to advertise for bids. Staff is suggesting a February 2, 2022 bid opening date and staff will bring an award recommendation to Council at the February 8, 2022 meeting.</p>	Street	From-To	Westwood Drive (Mill All)	Country Club Drive to County Road 7	Ridgeway Road (Mill All)	Westwood Drive to Englewood Road	Englewood Road (Mill All)	Pinehurst Road to South dead end	Pinehurst Road (Mill All)	Cumberland Road to South dead end	Cumberland Road (Mill All)	Westwood Drive to South dead end	Adobe Road (Mill All)	East Lyon Street to Parkside Drive	Adobe Circle (Mill All)	All	Adobe Circle	Leveling for island removal	Prospect Circle (Mill All)	All	Prospect Circle	Leveling for island removal	Prospect Road (Mill All)	Adobe Road to Parkside Drive	Carlson Street (Mill All)	Parkside Drive to Jewett Street	Erie Ave (Mill All)	North of Erie Street (CR 33)
Street	From-To																												
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Fiscal Impact:	Current project estimate is \$621,779, of which, \$94,802 is estimated for ADA sidewalk ramp work. The 2022 budget includes \$625,000 for this work.																												
Alternative/ Variations:	No alternative actions recommended.																												
Recommendation:	that the Council authorize advertisement for bids for Project ST-002-2022: Bituminous Overlay Project.																												

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 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: 12/15/2021 - 01/10/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-REG AP						
4549	A & B BUSINESS, INC	12/15/2021	EFT	0.00	454.31	8405
5813	ACE HOME & HARDWARE	12/17/2021	EFT	0.00	6,534.07	8419
5813	ACE HOME & HARDWARE	12/24/2021	EFT	0.00	252.61	8489
5813	ACE HOME & HARDWARE	12/31/2021	EFT	0.00	118.54	8552
5813	ACE HOME & HARDWARE	01/07/2022	EFT	0.00	206.98	8605
6128	ACTION CO LLC	12/24/2021	EFT	0.00	2,030.00	8490
6128	ACTION CO LLC	01/07/2022	EFT	0.00	175.00	8606
6469	ACTIVE911, INC	12/24/2021	Regular	0.00	637.50	120369
0560	AFSCME COUNCIL 65	12/31/2021	EFT	0.00	1,269.40	8553
6412	AG PLUS COOPERATIVE	12/17/2021	EFT	0.00	17.81	8420
6412	AG PLUS COOPERATIVE	12/24/2021	EFT	0.00	30.80	8491
6412	AG PLUS COOPERATIVE	12/31/2021	EFT	0.00	591.59	8554
0567	ALEX AIR APPARATUS INC	12/17/2021	EFT	0.00	14,393.00	8421
0578	AMAZON CAPITAL SERVICES	12/17/2021	EFT	0.00	71.15	8422
0578	AMAZON CAPITAL SERVICES	12/24/2021	EFT	0.00	1,203.31	8492
0578	AMAZON CAPITAL SERVICES	12/31/2021	EFT	0.00	487.39	8555
3761	AMERICAN BOTTLING CO.	12/17/2021	Regular	0.00	85.40	120336
0583	AMERICAN FAMILY LIFE ASSURANCE CO	01/07/2022	EFT	0.00	1,783.48	8607
6918	ANDERSON, DOUGLAS D AND PEGGY L	12/31/2021	Regular	0.00	2,912.45	120421
5837	ANDERSON, JASON	12/17/2021	EFT	0.00	80.00	8423
5837	ANDERSON, JASON	12/24/2021	EFT	0.00	155.00	8493
0606	ANIMAL HEALTH CENTER	12/31/2021	Regular	0.00	110.99	120422
0658	AP DESIGN	12/24/2021	EFT	0.00	186.25	8494
0658	AP DESIGN	12/31/2021	EFT	0.00	72.50	8556
6694	ARAMARK UNIFORM & CAREER APPAREL GROUP,	12/31/2021	EFT	0.00	81.95	8557
0630	ARCTIC GLACIER	12/24/2021	Regular	0.00	219.63	120370
0630	ARCTIC GLACIER	12/31/2021	Regular	0.00	143.18	120423
0630	ARCTIC GLACIER	01/07/2022	Regular	0.00	40.71	120484
0629	ARNOLD MOTOR SUPPLY	12/17/2021	Regular	0.00	6.85	120337
0629	ARNOLD MOTOR SUPPLY	01/07/2022	Regular	0.00	49.75	120485
5447	ARTISAN BEER COMPANY	12/24/2021	Regular	0.00	732.06	120371
5447	ARTISAN BEER COMPANY	12/31/2021	Regular	0.00	1,451.30	120424
5447	ARTISAN BEER COMPANY	01/07/2022	Regular	0.00	1,252.63	120486
0633	ASCE	12/24/2021	Regular	0.00	275.00	120372
0656	AVERA MARSHALL REGIONAL MED CTR	12/17/2021	Regular	0.00	97.75	120338
0656	AVERA MARSHALL REGIONAL MED CTR	01/07/2022	Regular	0.00	115.00	120487
5702	B & H PHOTO & ELECTRONICS CORP	12/17/2021	EFT	0.00	718.19	8424
2340	BAKER TILLY MUNICIPAL ADVISORS, LLC	12/31/2021	EFT	0.00	6,200.00	8558
5327	BAUMANN, ADAM	12/17/2021	EFT	0.00	30.00	8425
4764	BCA TRAINING	12/31/2021	Regular	0.00	125.00	120425
6711	BDH2-MARSHALL, LLC	12/24/2021	Regular	0.00	250.00	120373
0688	BELLBOY CORPORATION	12/17/2021	EFT	0.00	2,522.15	8426
0688	BELLBOY CORPORATION	12/24/2021	EFT	0.00	9,804.08	8495
0688	BELLBOY CORPORATION	12/31/2021	EFT	0.00	566.20	8559
0688	BELLBOY CORPORATION	01/07/2022	EFT	0.00	7,538.05	8608
0689	BEND RITE FABRICATION INC	12/17/2021	Regular	0.00	426.29	120339
0689	BEND RITE FABRICATION INC	12/24/2021	Regular	0.00	76.08	120374
0689	BEND RITE FABRICATION INC	12/31/2021	Regular	0.00	5,172.20	120426
0689	BEND RITE FABRICATION INC	01/07/2022	Regular	0.00	120.00	120488
6339	BESSE, NATHAN	12/17/2021	EFT	0.00	230.00	8427
6339	BESSE, NATHAN	12/24/2021	EFT	0.00	34.99	8496
0699	BEVERAGE WHOLESALERS	12/24/2021	Regular	0.00	20,509.80	120375
0699	BEVERAGE WHOLESALERS	12/31/2021	Regular	0.00	22,978.12	120427
0699	BEVERAGE WHOLESALERS	01/07/2022	Regular	0.00	31,438.07	120489

Council Check Report

Date Range: 12/15/2021 - 01/10/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
0704	BIKE SHOP	12/31/2021	EFT	0.00	1,499.00	8560
0704	BIKE SHOP	01/07/2022	EFT	0.00	670.00	8609
0707	BISBEE PLUMBING AND HEATING INC	12/31/2021	Regular	0.00	1,208.30	120429
6909	BLUE CROSS & BLUE SHEILD OF MN & BLUE PLU	12/31/2021	Regular	0.00	130,053.89	120430
0724	BOLTON & MENK INC	12/24/2021	EFT	0.00	5,303.00	8497
6446	BOOKBROWSE LLC	12/15/2021	EFT	0.00	630.00	8406
0726	BORCHS SPORTING GOODS	12/24/2021	EFT	0.00	394.00	8498
0726	BORCHS SPORTING GOODS	12/31/2021	EFT	0.00	2,310.00	8561
0726	BORCHS SPORTING GOODS	01/07/2022	EFT	0.00	1,435.00	8610
0018	BORDER STATES ELECTRIC SUPPLY	12/17/2021	EFT	0.00	302.94	8428
0018	BORDER STATES ELECTRIC SUPPLY	12/24/2021	EFT	0.00	434.73	8499
0018	BORDER STATES ELECTRIC SUPPLY	12/31/2021	EFT	0.00	492.79	8562
0018	BORDER STATES ELECTRIC SUPPLY	01/07/2022	EFT	0.00	59.04	8611
0729	BOT APPLIANCE & TV INC	12/31/2021	Regular	0.00	899.99	120439
6231	BOX, KYLE	12/17/2021	EFT	0.00	30.00	8429
6817	BRANDT, AMANDA	12/17/2021	Regular	0.00	187.50	120340
4457	BREAKTHRU BEVERAGE	12/17/2021	Regular	0.00	6,549.90	120341
4457	BREAKTHRU BEVERAGE	12/24/2021	Regular	0.00	7,530.82	120376
4457	BREAKTHRU BEVERAGE	12/31/2021	Regular	0.00	10,988.63	120440
4457	BREAKTHRU BEVERAGE	01/07/2022	Regular	0.00	7,256.90	120491
6468	BRENNAN CONSTRUCTION OF MN, INC	12/17/2021	Regular	0.00	127,250.42	120343
5696	BROTHERS FIRE PROTECTION	12/24/2021	EFT	0.00	548.00	8500
6913	BROWN COUNTY SHERIFF	12/31/2021	Regular	0.00	298.00	120442
5812	BROWN, TOM	12/24/2021	Regular	0.00	372.98	120378
3568	BRUNSVOLD, QUENTIN	12/17/2021	EFT	0.00	30.00	8430
2431	BUELTEL-MOSENG LAND SURVEYING, INC	12/24/2021	EFT	0.00	350.00	8501
0728	BUFFALO RIDGE CONCRETE,INC	12/17/2021	EFT	0.00	387.27	8431
0728	BUFFALO RIDGE CONCRETE,INC	12/24/2021	EFT	0.00	223.99	8502
0774	BUREAU OF CRIMINAL APPREHENSION	12/17/2021	Regular	0.00	375.00	120344
0378	BUYSSE, JASON	12/17/2021	EFT	0.00	30.00	8432
6744	C&L DISTRIBUTING	01/07/2022	EFT	0.00	390.00	8612
4236	C.E. SIGNS & DESIGNS	12/24/2021	EFT	0.00	109.94	8503
0380	CALLENS, DAVID	12/17/2021	EFT	0.00	30.00	8433
6791	CAPITAL ONE	12/17/2021	Regular	0.00	180.42	120345
6791	CAPITAL ONE	12/24/2021	Regular	0.00	773.67	120379
6791	CAPITAL ONE	12/31/2021	Regular	0.00	275.52	120443
6791	CAPITAL ONE	01/07/2022	Regular	0.00	300.90	120492
0799	CARLOS CREEK WINERY	12/24/2021	Regular	0.00	1,662.00	120381
0802	CARLSON & STEWART REFRIG INC	12/31/2021	EFT	0.00	242.60	8563
0802	CARLSON & STEWART REFRIG INC	01/07/2022	EFT	0.00	775.02	8613
0815	CATTOOR OIL COMPANY INC	12/17/2021	EFT	0.00	825.75	8434
0815	CATTOOR OIL COMPANY INC	12/24/2021	EFT	0.00	66.05	8504
0815	CATTOOR OIL COMPANY INC	12/31/2021	EFT	0.00	58.49	8564
0815	CATTOOR OIL COMPANY INC	01/07/2022	EFT	0.00	1,982.25	8614
0818	CAUWELS, ROGER	12/17/2021	EFT	0.00	30.00	8435
6919	CAYO, CLAWSONDY AND ANDREA	12/31/2021	Regular	0.00	409.87	120444
5351	CENGAGE LEARNING	12/15/2021	EFT	0.00	38.92	8407
0836	CHARTER COMMUNICATIONS	12/17/2021	EFT	0.00	102.48	8436
0853	CLAREYS SAFETY EQUIPMENT INC	12/24/2021	EFT	0.00	5,322.12	8505
5733	CLARITY TELECOM, LLC	12/15/2021	EFT	0.00	928.12	8408
5733	CLARITY TELECOM, LLC	12/24/2021	EFT	0.00	2,712.86	8506
0875	COMPUTER MAN INC	12/15/2021	EFT	0.00	240.00	8409
0875	COMPUTER MAN INC	12/24/2021	EFT	0.00	2,920.99	8507
6927	CONFLUENCE, INC.	01/07/2022	Regular	0.00	8,758.32	120493
0384	COUDRON, DEAN	12/17/2021	EFT	0.00	30.00	8437
0384	COUDRON, DEAN	12/24/2021	EFT	0.00	160.00	8508
6294	CREDIT BUREAU OF ALEXANDRIA	12/17/2021	Regular	0.00	29.00	120346
5545	CROW RIVER WINERY	12/31/2021	Regular	0.00	495.60	120445
0920	CULLIGAN WATER CONDITIONING OF MARSHALL	12/24/2021	Regular	0.00	77.00	120382
0934	D & G EXCAVATING INC	12/24/2021	EFT	0.00	2,432.50	8509
0934	D & G EXCAVATING INC	12/31/2021	EFT	0.00	6,749.34	8565

Council Check Report

Date Range: 12/15/2021 - 01/10/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3819	DACOTAH PAPER CO	12/17/2021	EFT	0.00	132.48	8438
3819	DACOTAH PAPER CO	12/24/2021	EFT	0.00	6,024.02	8510
3819	DACOTAH PAPER CO	12/31/2021	EFT	0.00	757.77	8566
6537	DEHN, JESSIE	12/17/2021	EFT	0.00	280.00	8439
6537	DEHN, JESSIE	12/17/2021	EFT	0.00	70.00	8487
0966	DELTA DENTAL OF MINNESOTA	12/24/2021	Bank Draft	0.00	4,869.86	DFT0001334
0966	DELTA DENTAL OF MINNESOTA	12/23/2021	Bank Draft	0.00	2,978.56	DFT0001343
0975	DEPUTY REGISTRAR #32	12/17/2021	Regular	0.00	1,122.91	120347
6205	DESMET, JASMINE	12/31/2021	EFT	0.00	78.00	8567
6472	DEUTZ, LAUREN	12/17/2021	EFT	0.00	80.00	8440
4953	DEVOS, CHRIS	12/24/2021	Regular	0.00	5.00	120383
5731	DOLL DISTRIBUTING	12/17/2021	EFT	0.00	654.40	8441
5731	DOLL DISTRIBUTING	12/24/2021	EFT	0.00	14,917.35	8511
5731	DOLL DISTRIBUTING	12/31/2021	EFT	0.00	22,053.51	8568
5731	DOLL DISTRIBUTING	01/07/2022	EFT	0.00	19,176.45	8615
0375	DUBS, SHEILA	12/24/2021	EFT	0.00	215.00	8512
1020	DUININCK BROS., INC.	12/24/2021	EFT	0.00	19,500.00	8513
6912	DUIS, NICHOLAS	12/31/2021	EFT	0.00	141.50	8569
1035	ECOLAB PEST ELIMINATION SERVICES	12/24/2021	EFT	0.00	288.25	8514
1061	EMERGENCY APPARATUS MAINTENANCE INC	12/31/2021	EFT	0.00	90.52	8570
4858	ENGRAVESTONE	12/24/2021	Regular	0.00	309.00	120384
5972	ENVIRONMENTAL CONSULTING & TESTING INC	12/24/2021	Regular	0.00	675.00	120385
6700	EYEMED VISION CARE	12/31/2021	Regular	0.00	492.00	120446
1090	FASTENAL COMPANY	12/17/2021	EFT	0.00	1,189.06	8442
1090	FASTENAL COMPANY	12/24/2021	EFT	0.00	62.88	8515
1090	FASTENAL COMPANY	12/31/2021	EFT	0.00	148.65	8571
1090	FASTENAL COMPANY	01/07/2022	EFT	0.00	526.11	8616
1134	FORCE AMERICA INC	12/17/2021	Regular	0.00	964.43	120348
4805	FURTHER	12/24/2021	Bank Draft	0.00	8,776.80	DFT0001332
4805	FURTHER	12/24/2021	Bank Draft	0.00	7,394.80	DFT0001337
4805	FURTHER	12/22/2021	Bank Draft	0.00	520.36	DFT0001342
1158	GALLS INC	12/17/2021	EFT	0.00	95.95	8443
1158	GALLS INC	12/24/2021	EFT	0.00	126.74	8516
1158	GALLS INC	12/31/2021	EFT	0.00	364.37	8572
6920	GOBLIRSCH, ERIC AND EMILY	12/31/2021	Regular	0.00	872.02	120450
6478	GOPHER STATE ONE CALL	12/24/2021	EFT	0.00	151.20	8517
1193	GOPHER	12/17/2021	Regular	0.00	134.29	120349
1193	GOPHER	12/31/2021	Regular	0.00	240.80	120451
1199	GRAHAM TIRE AND AUTOMOTIVE SERVICES	12/31/2021	Regular	0.00	183.66	120452
1201	GRAINGER INC	12/17/2021	EFT	0.00	195.03	8444
6127	GRANDVIEW VALLEY WINERY, INC	12/31/2021	Regular	0.00	2,136.00	120453
6911	GRENGS WELDING & SANDBLASTING, INC.	12/31/2021	Regular	0.00	950.00	120454
1230	HACH COMPANY	12/31/2021	Regular	0.00	9,165.94	120455
1243	HARDWARE HANK	12/17/2021	EFT	0.00	1,053.09	8445
1243	HARDWARE HANK	12/24/2021	EFT	0.00	57.94	8518
1243	HARDWARE HANK	12/31/2021	EFT	0.00	749.97	8573
1243	HARDWARE HANK	01/07/2022	EFT	0.00	33.98	8617
1256	HAWKINS INC	12/17/2021	EFT	0.00	5,710.35	8446
1256	HAWKINS INC	12/31/2021	EFT	0.00	5,802.33	8574
1267	HEIMAN INC.	12/31/2021	EFT	0.00	294.05	8575
1271	HENLE PRINTING COMPANY	12/15/2021	EFT	0.00	40.82	8410
0430	HENRIKSEN, RAY	01/07/2022	EFT	0.00	170.99	8618
1288	HISKEN CONSTRUCTION INC	12/24/2021	Regular	0.00	33,000.00	120386
5515	HOFFMANN, RYAN	12/17/2021	EFT	0.00	30.00	8447
6324	HOOK, MATT	12/31/2021	EFT	0.00	50.00	8576
1311	HYVEE FOOD STORES INC	12/17/2021	Regular	0.00	27.92	120350
1311	HYVEE FOOD STORES INC	12/24/2021	Regular	0.00	89.03	120387
1325	ICMA RETIREMENT TRUST #300877	12/24/2021	Regular	0.00	50.00	120388
5546	INDIAN ISLAND WINERY	12/24/2021	Regular	0.00	137.76	120389
5546	INDIAN ISLAND WINERY	12/31/2021	Regular	0.00	275.52	120456
4552	INGRAM LIBRARY SERVICES	12/15/2021	EFT	0.00	4,335.14	8411

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1358	INTERNAL REVENUE SERVICE	12/24/2021	Bank Draft	0.00	26,364.76	DFT0001338
1358	INTERNAL REVENUE SERVICE	12/24/2021	Bank Draft	0.00	24,049.93	DFT0001339
1358	INTERNAL REVENUE SERVICE	12/24/2021	Bank Draft	0.00	8,137.66	DFT0001340
5329	INTERSTATE ALL BATTERY CENTER	12/31/2021	Regular	0.00	63.00	120457
1365	IRONBROOK PARTNERS	12/31/2021	Regular	0.00	1,110.00	120458
6925	JAVERS, CLINTON	01/07/2022	Regular	0.00	695.00	120494
1393	JH LARSON ELECTRICAL COMPANY	01/07/2022	Regular	0.00	72.98	120495
1399	JOHNSON BROTHERS LIQUOR COMPANY	12/24/2021	Regular	0.00	6,695.47	120390
1399	JOHNSON BROTHERS LIQUOR COMPANY	12/31/2021	Regular	0.00	21,775.85	120459
1399	JOHNSON BROTHERS LIQUOR COMPANY	01/07/2022	Regular	0.00	15,411.98	120496
1417	KENNEDY & GRAVEN, CHARTERED	12/24/2021	EFT	0.00	200.00	8519
1417	KENNEDY & GRAVEN, CHARTERED	01/07/2022	EFT	0.00	294.00	8619
5095	KIBBLE EQUIPMENT	12/17/2021	EFT	0.00	5,000.00	8448
5095	KIBBLE EQUIPMENT	12/24/2021	EFT	0.00	668.86	8520
5095	KIBBLE EQUIPMENT	01/07/2022	EFT	0.00	26.95	8620
0449	KONOLD, LONA RAE	12/24/2021	Regular	0.00	210.00	120392
0450	KOPITSKI, JASON	12/17/2021	EFT	0.00	30.00	8449
5377	KRUK, CHRISTOPHER	12/17/2021	EFT	0.00	30.00	8450
5138	L & A SYSTEMS, LLC	12/31/2021	EFT	0.00	4,373.21	8577
3653	LANGUAGE LINE SERVICES	12/24/2021	EFT	0.00	143.36	8521
1480	LAW ENFORCEMENT LABOR SERVICE INC	12/31/2021	EFT	0.00	1,206.50	8578
1483	LEAGUE OF MINNESOTA CITIES INS TRUST	12/17/2021	Regular	0.00	2,041.93	120351
6183	LEE, JERRED	12/17/2021	EFT	0.00	30.00	8451
5606	LEGALSHIELD	12/31/2021	Regular	0.00	101.65	120461
6906	LINDEMANN, ERIC	12/24/2021	Regular	0.00	25.00	120393
1507	LOCHER BROTHERS INC	12/17/2021	EFT	0.00	572.85	8452
1507	LOCHER BROTHERS INC	12/31/2021	EFT	0.00	1,172.30	8579
1508	LOCKWOOD MOTORS INC.	12/24/2021	Regular	0.00	22.32	120394
1508	LOCKWOOD MOTORS INC.	12/31/2021	Regular	0.00	96.17	120462
6323	LUTHER, ERIC	12/17/2021	EFT	0.00	30.00	8453
1531	LYON COUNTY AUDITOR-TREASURER	12/31/2021	EFT	0.00	2,500.00	8580
5577	LYON COUNTY HAZARDOUS WASTE FACILITY	12/24/2021	EFT	0.00	15.00	8522
1545	LYON COUNTY HIGHWAY DEPARTMENT	12/15/2021	EFT	0.00	53.85	8412
1548	LYON COUNTY LANDFILL	12/17/2021	EFT	0.00	14.85	8454
1570	MADDEN UPHOLSTERY & HOME DECORATING INC	12/24/2021	Regular	0.00	93.75	120395
1570	MADDEN UPHOLSTERY & HOME DECORATING INC	12/31/2021	Regular	0.00	225.00	120463
6292	MADDEN, GALANTER, HANSEN, LLP	12/17/2021	EFT	0.00	285.00	8455
1571	MADISON NATIONAL LIFE INSURANCE COMPANY	12/31/2021	EFT	0.00	1,031.59	8581
5459	MAGNEY CONSTRUCTION, INC	01/07/2022	Regular	0.00	140,476.90	120498
1575	MAILBOXES & PARCEL DEPOT	12/17/2021	EFT	0.00	345.69	8456
1575	MAILBOXES & PARCEL DEPOT	01/07/2022	EFT	0.00	14.08	8621
1603	MARSHALL ANIMAL CLINIC	12/17/2021	Regular	0.00	110.99	120352
1604	MARSHALL AREA CHAMBER OF COMMERCE	12/17/2021	EFT	0.00	1,700.00	8457
1604	MARSHALL AREA CHAMBER OF COMMERCE	12/24/2021	EFT	0.00	75.00	8523
1604	MARSHALL AREA CHAMBER OF COMMERCE	01/07/2022	EFT	0.00	299.64	8622
1620	MARSHALL FLORAL	12/24/2021	Regular	0.00	40.00	120396
1623	MARSHALL INDEPENDENT, INC	12/24/2021	Regular	0.00	2,369.59	120397
1623	MARSHALL INDEPENDENT, INC	12/31/2021	Regular	0.00	145.37	120464
0460	MARSHALL JAMES	12/17/2021	EFT	0.00	80.00	8458
6018	MARSHALL M CLUB	12/24/2021	Regular	0.00	1,000.00	120400
1633	MARSHALL MUNICIPAL UTILITIES	12/15/2021	EFT	0.00	2,379.44	8413
1633	MARSHALL MUNICIPAL UTILITIES	12/17/2021	EFT	0.00	36,986.00	8459
1633	MARSHALL MUNICIPAL UTILITIES	12/24/2021	EFT	0.00	87,948.96	8524
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	12/24/2021	EFT	0.00	146.02	8530
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	12/31/2021	EFT	0.00	331.21	8582
1635	MARSHALL NORTHWEST PIPE FITTINGS INC	01/07/2022	EFT	0.00	2,169.99	8623
1637	MARSHALL PUBLIC SCHOOLS	12/24/2021	EFT	0.00	105.00	8531
3545	MARSHALL RADIO	01/07/2022	EFT	0.00	2,100.00	8624
1649	MARSHALL TRUCK SALVAGE INC.	12/17/2021	Regular	0.00	15.40	120353
1649	MARSHALL TRUCK SALVAGE INC.	12/24/2021	Regular	0.00	7.00	120401
1649	MARSHALL TRUCK SALVAGE INC.	01/07/2022	Regular	0.00	47.08	120499

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1652	MARSHALL VOLUNTEER FIRE RELIEF ASSOC	12/24/2021	Regular	0.00	85.00	120402
6733	MARTI, GEORGE & PAULA	12/24/2021	Regular	0.00	93.00	120403
1658	MASS	12/17/2021	Regular	0.00	25.00	120354
1668	MAXFIELD RESEARCH INC	01/07/2022	Regular	0.00	15,687.77	120500
1695	MEIER ELECTRIC INC	12/31/2021	EFT	0.00	1,196.48	8583
6025	MELLENTHIN, CODY	12/17/2021	EFT	0.00	30.00	8460
6025	MELLENTHIN, CODY	12/24/2021	EFT	0.00	164.95	8532
4980	MENARDS INC	12/17/2021	Regular	0.00	632.15	120355
4980	MENARDS INC	12/24/2021	Regular	0.00	1,060.67	120404
4980	MENARDS INC	12/31/2021	Regular	0.00	311.88	120465
4980	MENARDS INC	01/07/2022	Regular	0.00	684.90	120501
3971	MEULEBROECK, ANDY	12/17/2021	EFT	0.00	30.00	8461
1739	MILLS & MILLER	12/24/2021	Regular	0.00	4,429.53	120405
3669	MINNESOTA STATE RETIREMENT SYSTEM	12/24/2021	Bank Draft	0.00	7,660.50	DFT0001335
1839	MINNESOTA VALLEY TESTING LABS INC	12/31/2021	EFT	0.00	1,012.80	8584
1757	MN CHILD SUPPORT PAYMENT CENTER	12/24/2021	Bank Draft	0.00	356.25	DFT0001330
1757	MN CHILD SUPPORT PAYMENT CENTER	12/24/2021	Bank Draft	0.00	287.49	DFT0001331
1766	MN DEPT OF AGRICULTURE	12/31/2021	Regular	0.00	20.00	120466
0969	MN DEPT OF LABOR & INDUSTRY	01/07/2022	Regular	0.00	1,864.18	120502
1788	MN DEPT OF TRANSPORTATION	12/24/2021	Regular	0.00	1,364.56	120406
1818	MN REVENUE	12/24/2021	Bank Draft	0.00	11,213.40	DFT0001341
4704	MN SHERIFF'S ASSOCIATION	12/17/2021	Regular	0.00	600.00	120356
1824	MN STATE FIRE CHIEFS ASSOCIATION	12/31/2021	Regular	0.00	880.00	120467
1864	MONTES ELECTRIC INC	01/07/2022	Regular	0.00	3,037.40	120503
1877	MOTION INDUSTRIES INC	12/24/2021	EFT	0.00	12.47	8533
1877	MOTION INDUSTRIES INC	01/07/2022	EFT	0.00	1,239.59	8625
1903	NARTEC, INC	12/24/2021	EFT	0.00	98.65	8534
2512	NATIONWIDE RETIREMENT	12/24/2021	Bank Draft	0.00	575.00	DFT0001325
2513	NATIONWIDE RETIREMENT-FIRE	12/24/2021	Bank Draft	0.00	1,342.79	DFT0001326
1923	NCPERS MN GROUP LIFE INS.	12/31/2021	EFT	0.00	336.00	8585
1938	NEWMAN SIGNS	12/24/2021	EFT	0.00	1,245.65	8535
1938	NEWMAN SIGNS	01/07/2022	EFT	0.00	2,253.34	8626
1945	NORMS GTC	12/17/2021	Regular	0.00	103.62	120357
1945	NORMS GTC	12/24/2021	Regular	0.00	133.99	120407
1945	NORMS GTC	12/31/2021	Regular	0.00	13.98	120468
1945	NORMS GTC	01/07/2022	Regular	0.00	493.01	120504
1986	NORTH CENTRAL INTERNATIONAL, INC	12/17/2021	EFT	0.00	781.82	8462
1986	NORTH CENTRAL INTERNATIONAL, INC	12/31/2021	EFT	0.00	2,501.43	8586
1958	NORTHERN BUSINESS PRODUCTS, INC	12/15/2021	EFT	0.00	36.79	8414
6463	OFFICE OF MNIT SERVICES	12/24/2021	Regular	0.00	695.15	120408
5891	ONE OFFICE SOLUTION	12/15/2021	EFT	0.00	140.51	8415
5891	ONE OFFICE SOLUTION	12/24/2021	EFT	0.00	25.98	8536
5891	ONE OFFICE SOLUTION	12/31/2021	EFT	0.00	189.22	8587
5891	ONE OFFICE SOLUTION	01/07/2022	EFT	0.00	61.62	8627
3809	O'REILLY AUTOMOTIVE STORES, INC	12/24/2021	EFT	0.00	37.38	8537
3809	O'REILLY AUTOMOTIVE STORES, INC	01/07/2022	EFT	0.00	25.98	8628
5205	PAINTED PRAIRIE VINEYARD, LLC	12/24/2021	EFT	0.00	624.00	8538
6917	PANTERA LLP	12/31/2021	Regular	0.00	9,615.55	120469
6923	PARSONS, JOHN AND IONE	12/31/2021	Regular	0.00	955.21	120470
2019	PAUSTIS WINE COMPANY	12/17/2021	Regular	0.00	11,693.72	120358
2019	PAUSTIS WINE COMPANY	12/31/2021	Regular	0.00	6,469.00	120471
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	12/17/2021	EFT	0.00	11.85	8463
2026	PEPSI COLA BOTTLING OF PIPESTONE MN INC	12/31/2021	EFT	0.00	11.85	8588
2028	PERA OF MINNESOTA REG	12/24/2021	Bank Draft	0.00	52,617.28	DFT0001333
2036	PHILLIPS WINE AND SPIRITS INC	12/17/2021	Regular	0.00	2,950.36	120359
2036	PHILLIPS WINE AND SPIRITS INC	12/24/2021	Regular	0.00	10,267.63	120409
2036	PHILLIPS WINE AND SPIRITS INC	12/31/2021	Regular	0.00	27,789.58	120472
2036	PHILLIPS WINE AND SPIRITS INC	01/07/2022	Regular	0.00	18,596.31	120505
2049	PLUNKETTS PEST CONTROL INC	12/24/2021	EFT	0.00	39.08	8539
3557	POMP'S TIRE SERVICE, INC.	12/17/2021	EFT	0.00	497.00	8464
5585	PRESTIGE CHEMICALS	12/17/2021	Regular	0.00	817.08	120360

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0477	PRZYBILLA, SCOTT	12/17/2021	EFT	0.00	30.00	8465
6166	PULVER MOTOR SVC, LLC	12/17/2021	EFT	0.00	225.00	8466
6166	PULVER MOTOR SVC, LLC	12/24/2021	EFT	0.00	1,350.00	8540
6166	PULVER MOTOR SVC, LLC	12/31/2021	EFT	0.00	375.00	8589
5965	R&R SPECIALTIES OF WISCONSIN INC	12/17/2021	EFT	0.00	389.65	8467
6910	REDWOOD VALEY TECHNICAL SOLUTIONS, LLC	12/31/2021	Regular	0.00	1,625.00	120474
5979	RICK'S WELDING INC	12/24/2021	Regular	0.00	877.56	120411
4826	RIEKE, BENJAMIN	12/17/2021	EFT	0.00	30.00	8468
6687	RIGNELL, DEREK	12/24/2021	Regular	0.00	750.00	120412
0481	ROKEH, JASON	12/17/2021	EFT	0.00	30.00	8469
6684	ROLLING FORKS VINEYARDS, LLC	12/24/2021	EFT	0.00	668.64	8541
2190	ROTARY CLUB OF MARSHALL	12/24/2021	Regular	0.00	143.75	120413
5867	ROUND LAKE VINEYARDS & WINERY	12/31/2021	EFT	0.00	796.50	8590
2201	RUNNINGS SUPPLY INC	12/17/2021	EFT	0.00	129.53	8470
2201	RUNNINGS SUPPLY INC	12/24/2021	EFT	0.00	611.81	8542
2201	RUNNINGS SUPPLY INC	12/31/2021	EFT	0.00	87.82	8591
2201	RUNNINGS SUPPLY INC	01/07/2022	EFT	0.00	793.91	8629
5556	SANDGREN, KAYLYNN	12/17/2021	EFT	0.00	30.00	8488
6748	SANFORD HEALTH NETWORK	12/24/2021	Regular	0.00	1,440.00	120414
2248	SCOTT'S TREE SERVICE	12/17/2021	EFT	0.00	525.00	8471
2253	SEELYE PLASTICS INC	12/31/2021	EFT	0.00	470.10	8592
6928	SIGN SOLUTIONS USA, LLC	01/07/2022	Regular	0.00	316.30	120508
6735	SMALL LOT COOP, LLC	12/31/2021	Regular	0.00	982.02	120475
3495	SMSU	12/24/2021	EFT	0.00	3,900.00	8543
4855	SOUTHERN GLAZER'S OF MN	12/17/2021	EFT	0.00	8,727.74	8472
4855	SOUTHERN GLAZER'S OF MN	12/24/2021	EFT	0.00	21,387.44	8544
4855	SOUTHERN GLAZER'S OF MN	12/31/2021	EFT	0.00	12,536.32	8593
4855	SOUTHERN GLAZER'S OF MN	01/07/2022	EFT	0.00	9,640.39	8630
2309	SOUTHWEST COACHES INC	12/17/2021	EFT	0.00	323.00	8473
2311	SOUTHWEST GLASS CENTER	12/15/2021	EFT	0.00	5.00	8416
2311	SOUTHWEST GLASS CENTER	12/31/2021	EFT	0.00	89.00	8594
2311	SOUTHWEST GLASS CENTER	01/07/2022	EFT	0.00	110.22	8631
2318	SOUTHWEST SANITATION INC.	12/15/2021	EFT	0.00	83.42	8417
0313	SOUTHWEST STATE UNIVERSITY	12/31/2021	Regular	0.00	748.00	120476
5922	SRF CONSULTING GROUP, INC.	12/17/2021	Regular	0.00	2,027.58	120361
0491	ST AUBIN, GREGORY	12/17/2021	EFT	0.00	30.00	8474
4522	ST LOUIS MRO INC.	12/17/2021	Regular	0.00	24.50	120362
4522	ST LOUIS MRO INC.	01/07/2022	Regular	0.00	24.50	120509
5686	STANTON, TROY	12/17/2021	Regular	0.00	99.00	120363
5686	STANTON, TROY	01/07/2022	Regular	0.00	185.03	120510
2351	STAR TRIBUNE	12/24/2021	EFT	0.00	186.34	8545
3808	STELTER, GEOFFREY	12/17/2021	EFT	0.00	30.00	8475
4134	STENSRUD, PRESTON	12/17/2021	EFT	0.00	30.00	8476
5491	STORM, ANNETTE	12/17/2021	EFT	0.00	80.00	8477
2373	STREICHERS	12/17/2021	EFT	0.00	181.38	8478
6706	SUN LIFE FINANCIAL	12/31/2021	EFT	0.00	1,559.58	8595
6202	SUNDANCE AUTO REPAIR	12/24/2021	Regular	0.00	452.95	120415
6202	SUNDANCE AUTO REPAIR	12/31/2021	Regular	0.00	1,492.50	120477
5446	SURPLUS CENTER	12/17/2021	Regular	0.00	16.50	120364
6922	SWALBOSKI, BRIAN AND KIM	12/31/2021	Regular	0.00	1,698.46	120478
6427	SWALBOSKI, BRIAN	12/31/2021	EFT	0.00	25.86	8596
0495	SWANSON, GREGG	12/17/2021	EFT	0.00	30.00	8479
6277	TALKING WATERS BREWING CO, LLC	12/31/2021	EFT	0.00	865.00	8597
6902	TIMOTHY MICHAEL BIRKEMEYER	12/31/2021	Regular	0.00	3,150.00	120479
2428	TITAN MACHINERY	12/17/2021	EFT	0.00	235.72	8480
2428	TITAN MACHINERY	12/24/2021	EFT	0.00	16,370.03	8546
2428	TITAN MACHINERY	01/07/2022	EFT	0.00	2,945.78	8632
3483	TITLE & ATRACT SERVICES, LLC	01/07/2022	Regular	0.00	264.00	120511
2429	TKDA	12/24/2021	EFT	0.00	3,500.00	8547
2434	TONI'S DEPOT, LLC	12/24/2021	Regular	0.00	76.48	120416
6786	TRUCK CENTER COMPANIES EAST LLC	12/31/2021	EFT	0.00	311.97	8598

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6156	TRUE BRANDS	12/31/2021	EFT	0.00	530.96	8599
6156	TRUE BRANDS	01/07/2022	EFT	0.00	378.48	8633
3342	TRUEDSON, SCOTT	12/17/2021	EFT	0.00	30.00	8481
6510	TX CHILD SUPPORT, SDU	12/24/2021	Regular	0.00	172.59	120417
6682	TYLER BUSINESS FORMS	12/17/2021	Regular	0.00	79.48	120365
3875	TYLER TECHNOLOGIES	01/07/2022	Regular	0.00	3,328.94	120512
6126	UNITED COMMUNITY ACTION PARTNERSHIP	12/31/2021	EFT	0.00	94,371.49	8600
2486	UNITED WAY OF SW MINNESOTA	12/31/2021	Regular	0.00	828.00	120480
6738	US CAD HOLDINGS, LLC	12/24/2021	EFT	0.00	6,832.37	8548
3443	VALIC DEFERRED COMP	12/24/2021	Bank Draft	0.00	802.00	DFT0001327
3443	VALIC DEFERRED COMP	12/24/2021	Bank Draft	0.00	163.51	DFT0001328
3443	VALIC DEFERRED COMP	12/24/2021	Bank Draft	0.00	1,650.00	DFT0001329
6901	VAN METER INC	12/17/2021	Regular	0.00	161.50	120366
6092	VANDERMILLEN, SCOTT	12/17/2021	EFT	0.00	80.00	8482
6370	VANKEULEN, KURTIS	12/17/2021	Regular	0.00	264.99	120367
6370	VANKEULEN, KURTIS	12/24/2021	Regular	0.00	230.00	120418
0512	VANLEEUEW, SARA J.	12/17/2021	EFT	0.00	70.00	8483
0513	VANMOER, ROBERT	12/17/2021	EFT	0.00	30.00	8484
4489	VERIZON WIRELESS	12/15/2021	EFT	0.00	59.30	8418
4489	VERIZON WIRELESS	12/24/2021	EFT	0.00	49.04	8549
4489	VERIZON WIRELESS	12/31/2021	EFT	0.00	1,749.11	8601
2538	VIKING COCA COLA BOTTLING COMPANY	12/17/2021	EFT	0.00	299.20	8485
2538	VIKING COCA COLA BOTTLING COMPANY	12/24/2021	EFT	0.00	817.70	8550
2538	VIKING COCA COLA BOTTLING COMPANY	12/31/2021	EFT	0.00	152.32	8602
6924	VILLAGE ON GOLDEN POND	12/31/2021	Regular	0.00	2,250.00	120481
4594	VINOCUPIA	12/31/2021	EFT	0.00	1,882.99	8603
4594	VINOCUPIA	01/07/2022	EFT	0.00	697.50	8634
2545	VOLUNTEER FIREFIGHTERS BENEFIT ASSOC	12/24/2021	Regular	0.00	478.00	120419
6085	VOYA - INVESTORS CHOICE	12/24/2021	Bank Draft	0.00	1,828.24	DFT0001336
0518	WENKER, JEFFREY	12/17/2021	EFT	0.00	30.00	8486
2591	WESTERN PRINT GROUP	12/24/2021	EFT	0.00	343.78	8551
6921	WILLIAMS, MEGAN	12/31/2021	Regular	0.00	827.77	120482
2605	WINE MERCHANTS	12/24/2021	Regular	0.00	1,077.07	120420
2605	WINE MERCHANTS	12/31/2021	Regular	0.00	3,621.74	120483
2605	WINE MERCHANTS	01/07/2022	Regular	0.00	123.69	120513
2624	YMCA	12/17/2021	Regular	0.00	175.00	120368
2632	ZIEGLER INC	12/31/2021	EFT	0.00	3,442.40	8604
2632	ZIEGLER INC	01/07/2022	EFT	0.00	5,600.00	8635

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	297	152	0.00	790,227.23
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	19	19	0.00	161,589.19
EFT's	412	226	0.00	576,901.47
	728	397	0.00	1,528,717.89

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	297	152	0.00	790,227.23
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	19	19	0.00	161,589.19
EFT's	412	226	0.00	576,901.47
	728	397	0.00	1,528,717.89

Fund Summary

Fund	Name	Period	Amount
999	POOLED CASH FUND	12/2021	1,214,501.82
999	POOLED CASH FUND	1/2022	314,216.07
			1,528,717.89

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

1/11/2022

PROJECT #:	Coding	DATE	CONTRACTOR:	ORIGINAL CONTRACT AMOUNT:	CHANGE ORDERS	CURRENT CONTRACT AMOUNT	2019 Prior Payments	2020 Prior Payments	2021 Prior Payments	PYMTS THIS MEETING:	RETAINAGE	BALANCE:	PERCENT COMPLETE
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	2,889,023.43	140,476.90	-	-	100.00%
CH1	494-43300-55120	11/12/2019	City Hall Renovation Brennan Companies	5,030,200.00	695,744.00	5,725,944.00		3,039,722.04	2,533,971.51		142,915.22	9,335.23	99.84%
Z83	479-43300-55170	2/23/2021	James Ave/Camden Dr Reconstruction Kkuechle Underground	849,244.50		849,244.50			779,179.36		41,009.44	29,055.70	96.58%
Z88	479-43300-55170	4/13/2021	State Aid Overlay Duiinick, Inc	1,924,600.45	31,330.31	1,955,930.76			1,859,801.49		-	96,129.27	95.09%
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	30.63%
SWM-007	630-49600-55170	10/12/2021	Independence Park Pond Forebay Expansion Towne & Country Excavating LLC	229,255.50		229,255.50						229,255.50	0.00%
AP-005	101-43400-55120	10/12/2021	A/D Building Roof Repair Gag Sheet Metal, Inc.	37,200.00		37,200.00						37,200.00	0.00%
				<u>22,520,459.55</u>	<u>700,464.57</u>	<u>23,220,924.12</u>	<u>4,099,265.87</u>	<u>9,958,646.10</u>	<u>8,171,295.99</u>	<u>140,476.90</u>	<u>189,678.36</u>	<u>661,560.90</u>	

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consideration of renewal for Red Baron Arena & Expo Sponsorship Agreements
Background Information:	Both Lockwood Motors, Inc., and Alota Action, LLC., DBA Action Manufacturing, are founding sponsors of the Red Baron Arena & Expo. Those original agreements both expired at the end of 2021. Each of these entities have generously agreed to renew their agreements. Cassi Weiss, Visit Marshall Director, will present both sponsorship renewal agreements.
Fiscal Impact:	Lockwood Motors, Inc., renews as a founding sponsor at \$10,000 yearly, on an Automatic Renewal Term. Alota Action, LLC., DBA Action Manufacturing, renews as a founding sponsor at \$12,000 yearly, on a 10-year agreement through 2031.
Alternative/Variations:	N/A
Recommendations:	Approve Red Baron Arena & Expo sponsorship renewal agreements as presented.

SPONSORSHIP AGREEMENT

This Sponsorship Agreement (the "Agreement") is entered into as of January 01, 2022 (the "Effective Date") by and between City of Marshall, Minnesota, a municipality of the State of Minnesota (the "City"), and Lockwood Motors, Inc., (the "Sponsor," and together with the City, the "Parties").

RECITALS

WHEREAS, the City is engaged in the management and the operation of the arena and expo center, known as the Red Baron™ Arena & Expo, and four softball/youth baseball fields yet to be named, hereafter referred to as the "Property," located in Marshall, MN;

WHEREAS, the Sponsor wishes to continue as a founding sponsor of the Property by providing financial support in exchange for certain rights to be granted in connection with the Property and agrees to do so under the terms and conditions of this Agreement;

WHEREAS, the City wishes to grant the Sponsor certain rights in connection with the Sponsorship on the terms and conditions set forth below; and

WHEREAS, each Party is duly authorized and capable of entering into this Agreement.

NOW THEREFORE, in consideration of the above recitals and the mutual promises and benefits contained herein, the Parties hereby agree as follows:

1. GRANT OF RIGHTS.

As consideration for the Sponsorship Rights, as such term is defined in Exhibit A, the City hereby grants the Sponsor the rights described in this Agreement and in Exhibit A attached hereto and made a part hereof, in connection with the Property and agrees to perform all of the City's obligations hereunder.

2. SPONSORSHIP FEE.

The total Sponsorship Fee, as such term is defined in Exhibit A, for the Sponsorship Rights and the schedule of payments of the Sponsorship Fee shall be as set forth in Exhibit A hereto.

3. TERM RENEWAL.

(A) **Initial Term.** This agreement shall be effective on January 1, 2022 and shall continue in operation, unless terminated in accordance with the terms hereof, until July 31, 2023 (the "Initial Term").

- (B) Automatic Renewal Terms. After the "Initial Term", this agreement shall be deemed automatically renewed each year for an additional one-year period (August 1 through July 31). The "Automatic Renewal Term", of each and every succeeding year. The "Automatic Renewal Term" shall apply unless the City or the Sponsor elects not to renew this Agreement in accordance to Section 4(B) of this Agreement.

4. SPONSORSHIP RENEWAL AND TERMINATION.

(A) SPONSORSHIP RENEWAL.

The Sponsor shall have the right of first negotiation to negotiate the renewal of the Sponsorship Rights at completion of the Term. The City shall negotiate exclusively with the Sponsor for a period of one hundred eighty (180) days prior to the expiration of the Term with respect to the terms and conditions of the Sponsorship Rights for the next offering from the City.

(B) TERMINATION.

This Agreement may be terminated:

- (i.) By either Party for a material breach of any provision of this Agreement by the other Party, if the other Party's material breach is not cured within ninety (90) days of receipt of written notice thereof.
- (ii.) By either Party, for failure to comply with Section 8 of this Agreement by the other Party, if the other Party's failure to comply is not cured within ninety (90) days of receipt of written notice thereof.
- (iii.) By either Party at any time and on provision of written notice, if any of the other Party's representations and warranties under this Agreement prove to be inaccurate in any material respects.
- (iv.) By either Party at any time and without prior notice, if the other Party is convicted of any crime or offense or is guilty of serious misconduct in connection with performance under this Agreement.
- (v.) By either Party at any time without cause if either Party deems continuation of this Agreement is not in said Party's best business interest. Termination without cause requires 90 days written notice to non-terminating Party prior to the August 1 annual renewal date.

5. EXCLUSIVITY OF SPONSORSHIP.

During the Term and any Renewal Term, the City grants to the Sponsor, Sponsorship Rights exclusivity in the Property, in the areas of Automotive Advertising Category, and agrees it will not permit any competitor of the Sponsor listed on Exhibit B to this Agreement to sponsor the Property, supply products or services to the Property, and/or be

associated with the Property in any other manner. Additional competitors may be added to Exhibit B with the prior written consent of the City and removed with the prior written consent of the Sponsor. The City further agrees to use reasonable efforts to prevent and, if necessary, prosecute the efforts of any non-sponsor competitor of the Sponsor to weaken or attack the Sponsor's Sponsorship Rights. The City agrees that the use of Sponsor's trademarks shall occur in such a manner so as not to diminish the value or tarnish the reputation of Sponsor's trademarks.

6. RESPONSIBILITIES.

(A) Of the City. The City agrees to do each of the following:

- (i) Provide the Sponsor with the Sponsorship Rights detailed in this Agreement and Exhibit A to this Agreement.
- (ii) Organize, produce, and supervise events in a workmanlike manner, in accordance with applicable laws, and with professional diligence and skill, using fully-trained, skilled, competent, and experienced personnel.
- (iii) Make all arrangements for the use of the venue, including securing any necessary permits, coordinating parking and/or transportation, supplying equipment, and contracting with vendors and other service providers.
- (iv) Deliver the Property Trademarks (as defined in Section 8(B) below) to the Sponsor within one hundred eighty (180) days of the Effective Date.
- (v) Provide adequate professional security for the Events and take reasonable steps to ensure the safety of all workers, volunteers, and persons attending the Events.
- (vi) Use best efforts to obtain appropriate media coverage of the Property.
- (vii) Use best efforts to promote the Property and maximize attendance.

(B) Of the Sponsor. The Sponsor agrees to do each of the following:

- (i) Provide all assistance and cooperation to the City that is necessary in connection with the Sponsor's Sponsorship Rights of the Property.
- (ii) Deliver the Sponsor Trademarks (as defined in Section 8(A) below) to the City within ninety (90) days of the Effective Date.

7. PARTIES' REPRESENTATIONS AND WARRANTIES.

(A) The Parties each represent and warrant as follows:

- (i) Each Party has full power, authority, and right to perform its obligations under the Agreement.

(ii) This Agreement is a legal, valid, and binding obligation of each Party, enforceable against it in accordance with its terms (except as may be limited by bankruptcy, insolvency, moratorium, or similar laws affecting creditors' rights generally and equitable remedies).

(iii) Entering into this Agreement will not violate the charter or bylaws of either Party or any material contract to which that Party is also a party.

(B) The City hereby represents and warrants as follows:

(i) The Property shall be operated in accordance with and shall not violate any applicable laws, rules, or regulations, and the City shall obtain all permissions required to comply with such laws, rules, or regulations.

(ii) The City shall notify the Sponsor of any changes that would materially change the deliverable elements at least ninety (90) days before implementing such changes.

(iii) The obligations required by this Agreement shall be performed by the City or the City's staff, and the Sponsor shall not be required to hire, supervise, or pay any assistants to help the City perform such obligations.

(C) The Sponsor hereby represents and warrants as follows:

(i) The Sponsor will make timely payments of the Sponsorship Fee to the City under this Agreement and as detailed in Exhibit A hereto.

(ii) The Sponsor shall provide such other assistance to the City as the Sponsor deems reasonable and appropriate.

8. TRADEMARKS.

(A) Sponsor Trademarks.

(i) License. The Sponsor hereby grants the City a non-exclusive limited license to use, display, and reproduce its logos, trademarks, service marks, and trade names (each, a "Sponsor Trademark" and collectively, the "Sponsor Trademarks") only in connection with the promotion and advertisement of the Property and any listing of the sponsors of the Property during the Term and any Renewal Term. The City agrees to obtain the consent of the Sponsor before each use, display, and reproduction of the Sponsor Trademarks.

(ii) Ownership. All Sponsor Trademarks provided, leased, or licensed to the City in connection with the Property are the Sponsor's sole property, and the City has no ownership or other intellectual property rights in or to such items.

(iii) No Infringement. The Sponsor represents and warrants to the City and unconditionally guarantees that all of the Sponsor Trademarks are owned by the Sponsor or that the Sponsor has permission from the rightful owner to use each of these elements.

(B) Property Trademarks.

- (i) License. The City hereby grants the Sponsor a non-exclusive limited license to use, display, and reproduce the logos, trademarks, service marks, and trade names, associated with the Property (each a "Property Trademark" and collectively, the "Property Trademarks") only in connection with the promotion and advertisement of the Sponsor's products and services during the Term and any Renewal Term. The Sponsor agrees to obtain the consent of the City before each use, display, and reproduction of the Property Trademarks.
- (ii) Ownership. All Property Trademarks provided, leased, or licensed to the Sponsor in connection with Events are the City's sole property, and the Sponsor has no ownership or other intellectual property rights in or to such items.
- (iii) No Infringement. The City represents and warrants to the Sponsor and unconditionally guarantees that all of the Property Trademarks are owned by the City or that the City has permission from the rightful owner to use each of these elements.

9. EVENT MERCHANDISE.

Sponsor-Created Merchandise. During the Term and any Renewal Term and subject to the approval of the City, which shall not be unreasonably withheld, the Sponsor shall have the right to create, manufacture or cause to be manufactured, and sell or give away merchandise associated with the Property and containing the Sponsor's Trademarks in connection with the promotion of the Sponsor's products and services. All merchandise caused to be manufactured for sale or to be given away by the Sponsor in association with the Property shall be of high quality, free from product defects, merchantable, and suitable for its intended purpose.

10. INDEMNIFICATION.

- (A) Of Sponsor by City. Subject to limits applicable under Minnesota law, the City shall indemnify and hold harmless the Sponsor and its officers, directors, members, managers, employees, agents, contractors, sublicensees, affiliates, subsidiaries, successors and assigns from and against any and all damages, liabilities, costs, expenses, claims, and/or judgments, (collectively, the "Claims") that any of them may suffer from or incur and that arise or result primarily from (i) any inaccuracy of any representation or warranty made by the City under this Agreement, or (ii) the City's breach of any of its obligations, agreements, or duties under this Agreement, or (iii) the City, including, but not limited to Claims for bodily injury, death, or property loss, but only in proportion to and to the extent such Claims arise out of or are caused by the negligent or intentional acts or omissions of the City and/or the City's officers, directors, members, managers, employees, agents, contractors, sublicensees, affiliates, subsidiaries, successors, and assigns.
- (B) Of City by Sponsor. Subject to limits applicable under Minnesota law, the Sponsor shall indemnify and hold harmless the City and its officers, directors, members, managers, employees, agents, contractors, sublicensees, affiliates,

subsidiaries, successors and assigns from and against any Claims that any of them may suffer from or incur and that arise or result primarily from any inaccuracy of any representation or warranty made by the Sponsor under this Agreement or the Sponsor's breach of any of its obligations, agreements, or duties under this Agreement.

11. INSURANCE.

Each Party shall maintain, at its own expense, insurance coverage required in the reasonable amounts and types for each party's operations.

12. FORCE MAJUERE

Either party shall not be liable for any failure of or delay in the performance of this Agreement for the period that such failure or delay is due to causes beyond its reasonable control, including but not limited to acts of God, war, terrorism, strikes or labor disputes, embargoes, government orders or any other force majeure event.

13. CONFIDENTIALITY.

Each Party agrees, during the Term, and any Renewal Term, and for a period of five (5) years thereafter, to hold in strictest confidence and not to disclose to any person, firm, or corporation without the prior written consent of the other Party, any of the terms or conditions of this Agreement, subject to the Minnesota Government Data Practices Act and other approval laws.

14. NATURE OF RELATIONSHIP.

The Parties agree that nothing in this Agreement shall be construed as creating a joint venture, partnership, franchise, agency, employer/employee, or similar relationship between the Parties, or as authorizing either Party to act as the agent of the other. Nothing in this Agreement shall create any obligation between either Party and a third party.

15. AMENDMENTS.

No amendment, change, or modification of this Agreement shall be valid unless in writing and signed by both Parties.

16. ASSIGNMENT.

Neither Party may, without the prior written consent of the other Party, assign, subcontract, or delegate its obligations under this Agreement, except that the Sponsor may assign this Agreement to a purchaser of all or substantially all of the Sponsor's assets, provided that the Sponsor guarantees the performance of and causes the assignee to assume all obligations of the Sponsor under this Agreement. City may assign the operational and management duties of the Property to a third party provider, subject to the terms and conditions of this Sponsorship Agreement.

17. SUCCESSORS AND ASSIGNS.

All references in this Agreement to the Parties shall be deemed to include, as applicable, a reference to their respective successors and assigns. The provisions of this Agreement shall be binding on and shall inure to the benefit of the successors and assigns of the Parties.

18. NO IMPLIED WAIVER.

The failure of either Party to insist on strict performance of any covenant or obligation under this Agreement, regardless of the length of time for which such failure continues, shall not be deemed a waiver of such Party's right to demand strict compliance in the future. No consent or waiver, express or implied, to or of any breach or default in the performance of any obligation under this Agreement shall constitute a consent or waiver to or of any other breach or default in the performance of the same or any other obligation.

19. NOTICE.

Any notice or other communication provided for herein or given hereunder to a Party hereto shall be in writing and shall be given in person, by overnight courier, or by mail (registered or certified mail, postage prepaid, return-receipt requested) to the respective Parties as follows:

If to the Sponsor:

Lockwood Motors, Inc.
Attn: Chet Lockwood
1310 E. College Dr.
Marshall, MN 56258

If to the City:

City of Marshall
ATTN: Sharon Hanson, City Administrator
344 W. Main St.
Marshall, MN 56258

20. GOVERNING LAW.

This Agreement shall be governed by the laws of the State of Minnesota.

21. COUNTERPARTS/ELECTRONIC SIGNATURES.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument. For purposes of this Agreement, use of a facsimile, e-mail, or other electronic medium shall have the same force and effect as an original signature.

22. SEVERABILITY.

Whenever possible, each provision of this Agreement will be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be invalid, illegal, or unenforceable in any respect under any applicable law or rule in any jurisdiction, such invalidity, illegality, or unenforceability will not affect any other provision or any other jurisdiction, but this Agreement will be reformed, construed, and enforced in such jurisdiction as if such invalid, illegal, or unenforceable provisions had never been contained herein.

23. ENTIRE AGREEMENT.

This Agreement, together with the Exhibits hereto, constitutes the final, complete, and exclusive statement of the agreement of the Parties with respect to the subject matter hereof, and supersedes any and all other prior and contemporaneous agreements and understandings, both written and oral, between the Parties.

24. HEADINGS.

Headings used in this Agreement are provided for convenience only and shall not be used to construe meaning or intent.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

SPONSOR

LOCKWOOD MOTORS, INC.

By: 

Name: Chester Lockwood

Title: CEO

CITY

CITY OF MARSHALL

By: _____

Name: Robert J. Byrnes

Title: Mayor

ATTEST:

By: _____

Kyle Box

Title: City Clerk

EXHIBIT A
SPONSORSHIP RIGHTS AND SPONSORSHIP FEE

1. SPONSORSHIP RIGHTS.

In exchange for the Sponsorship Fee, as defined in Section 2 below, the Sponsor will receive the following rights in connection with the Property (collectively, the "Sponsorship Rights"):

(A) Signage and branding. The Sponsor will receive the right to:

1. Zamboni. Sponsor will receive exclusive signage rights to the primary Zamboni at Red Baron™ Arena & Expo.
2. Videoboard Sponsorship. The 13' 8" x 25' videoboard located in the main arena will feature video spots at City controlled events. Ten and thirty-second advertisements will be included for sponsor.
3. Dasherboard Signage. Sponsor will receive two (2) dasherboard signs in the main arena and two (2) dasherboard signs in Rink 2.
4. South Rink (Rink 2) Name and Logo. Sponsor shall receive the right to the year-round name entitlement to the South Rink (Rink 2) subject to approval by the City, and the right to placement of an ice logo in Rink 2. City to cover the cost of the production, installation and maintenance of the in-ice logo.
5. Ballfield Entitlement Signage. Sponsor shall receive one (1) outfield sign advertising their brand on each of the four (4) fields at the Schwan's Regional Amateur Sports Center (Complex).
6. Existing Signage. Sponsor will receive updates on all existing Sponsor signage located within the Red Baron Arena & Expo prior to August 1, 2022.

(B) Event Rights. The Sponsor will receive the right to:

1. Exclusive use of the Red Baron™ Arena & Expo two (2) times per calendar year starting in 2022. Operational expenses, food costs, promotional give-a-ways and any facility remodeling costs associated with the exclusive Sponsor facility use, are the responsibility of the Sponsor.
2. Exclusive use of the facility Club Room two (2) times per calendar year starting in 2022. Operational expenses, food costs, promotional give-a-ways and any facility remodeling costs associated with the exclusive Sponsor use of the Club Room, are the responsibility of the Sponsor.

(C) Media/Co-Branded Marketing Rights. The Sponsor will receive the right to:

As Founding Sponsor, Sponsor will receive logo/marks inclusion in all media campaigns associated with events controlled by the City as follows:

Package Value:

Rink Naming Entitlement	\$15,000
Zamboni	\$7,000
In Ice logo/Logo updates	\$6,000
Videoboard Sponsorship	\$4,000
Dashboard Signage (2 each rink)	\$4,400
Ballfield Signage (4)	\$5,000
Facility Use	\$2,600
Club Room Use	\$1,000
Founding Partner Status	\$5,000
Category Exclusivity	\$10,000
Total Advertising Package Value	\$60,000

(D) Exclusivity of Automotive Advertising Right. The Sponsor shall have the exclusive right to Automotive advertising at the Property. Sponsor shall have the right advertise Chevrolet, Cadillac, Chrysler, Dodge and Jeep brand automobiles. No competing brands (or suppliers) as identified on Exhibit B) shall be allowed to advertise on the Property.

2. SPONSORSHIP FEE.

In exchange for the Sponsorship Rights as defined herein, the Sponsor agrees to pay the City Ten Thousand Dollars (\$10,000.00) (the "Sponsorship Fee") as follows:

(A) Sponsorship Funding. Sponsor shall pay the sum of \$10,000.00 per year for each and every year of this exclusive sponsorship agreement. Payment to be made on December 15, 2022 and on each and every December 15 thereafter.

(B) Co-branded Advertising. Sponsor shall make arrangements for and shall provide for automotive co-branded advertising in the amount of \$10,000.00 per year for each and every year of this exclusive sponsorship agreement.

**EXHIBIT B
LIST OF SPONSOR'S COMPETITORS**

Paynesville Chevy Buick	Vern Eide	Brothers Auto Sales
Marlo Motors	Watertown Ford Chrysler	Zomer Motors
Nyhus Family Sales	Sharp Automotive	Quality Automotive
Schmitz Motor Co.	Lake City Motors	Luxury Auto Mall
John Davis Princeton Chevrolet Buick	Krantz Motor City	BMW of Sioux Falls
Auto Works Inc.	Watertown Ford	Subaru of Sioux Falls
Adamson Motors	Williams Auto	Graham Automotive
Arrow Motors	Auto Mart	2nd Chance Auto
Park Place Motor Cars	Schuchards Westside	Car Hop Auto Sales
Rosedale Chevrolet	Cheap Rides of Watertown	Select Motors
Roseville Chrysler Jeep Dodge	Gregs Auto Sales	Affordable Autos
Roseville Midway Ford	Auto Solutions	Cadillac of Sioux Falls
Miller Sellner	Peterson Motors Co.	Burns Auto Sales
Chuck Spaeth Ford	Dahle Auto Sales	G&H Motors
Mathiowetz Auto Sales	Frankman Motors	Barneys Used Cars
Paul Busch Auto Center	J&R Auto Sales	The Auto Group
Scholtes Auto World	Auto Land	World Wide Automotive
Klasse Sales & Service	T & L Auto Sales	5 Flags Auto
Brookings Auto Mall	Sioux Falls Ford Lincoln	Bauman Auto Center
Einspahr Auto Plaza	Next 2 New Automotive	Mercedes Benz of Sioux
B&B Auto Sales	Law Motors	Imperial Group
Grayson Auto Center	Sioux Empire Automotive	Automotive Avenue
West side Wheels	D&J Auto	Big City Motors
K&R Auto World	Cheap Cars of Sioux Falls	Jeff Murphy Auto Sales
Wheels West Auto Sales	Motor-Solution	Heartland Auto

EXHIBIT B
LIST OF SPONSOR'S COMPETITORS

Kruse Motors	Cleveland Chevrolet	Connell Car Care
El Rancho	CJ's Auto	Papik Motors
Amdahl Motors	Danube Auto Sales	Deans Northtown Auto
Country Side Auto	De Boer Chevrolet Co.	Luther Mankato Auto
Breyfogle Auto Sales	Bid 2 Buy	Snell Motors
Cars Limited	Wellington Vans Inc.	Heintz Toyota
Adams Motors	Unique Specialty & Classic Cars	Fromms Auto
Bents Motor Company	Park-N-Sell	Fairmont Ford
Dougs Auto & Truck	Militello Motors	Mankato Ford
Monte Motor Sales	Buy Rite Motors	Ron's Auto Sales
Scott Preusse Inc	GBS Auto Sales	Timpte Auto
Redwood Auto Sales	Schultz Motors	D&K Auto Sales
Schwieters Ford	Doug's Sports Center	Lagers Chrysler World
Doug Olsen Auto	Jakes Auto Sales	Mankato Motor Co.
H&L Motors	Furlong Motors	Toppers Plus
Olivia Chrysler Center	Harpel Brothers Inc.	Moorehead Auto Center
Universal Motors	Kannegiesser Truck	Muscatel I Super Center
Kollen Motors	Guste Blad	Atlantic Auto Sales
Kohls- Wheelborg Ford	Ralph Larson Chevrolet	Heartland Motor Co.
Billion	Erickson Auto Inc.	Palmer Welcome Auto
Image Auto Sales	Valley Sales of Hutchinson	Jensen Motors
ABC Auto	A.M. Maus & Son	South Central Auto
Alex Auto & Marine	Davis Motors	Wheels Unlimited
Certified Auto Plaza	Brandl Motors	Keith Mages Auto
J.A.X of Benson	Rudolph Auto Solutions	Dahlstom Motors

SPONSORSHIP AGREEMENT

This Sponsorship Agreement (the “Agreement”) is entered into as of January 01, 2022 (the “Effective Date”) by and between City of Marshall, Minnesota, a municipality of the State of Minnesota (the “City”), and Alota Action LLC, DBA Action Manufacturing., (the “Sponsor,” and together with the City, the “Parties”).

RECITALS

WHEREAS, the City is engaged in the management and the operation of the arena and expo center, known as the Red Baron™ Arena & Expo, and four softball/youth baseball fields yet to be named, hereafter referred to as the “Property,” located in Marshall, MN;

WHEREAS, the Sponsor wishes to continue as a founding Sponsor of the Property by providing financial support in exchange for certain rights to be granted in connection with the Property and agrees to do so under the terms and conditions of this Agreement;

WHEREAS, the City wishes to grant the Sponsor certain rights in connection with the Sponsorship on the terms and conditions set forth below; and

WHEREAS, each Party is duly authorized and capable of entering into this Agreement.

NOW THEREFORE, in consideration of the above recitals and the mutual promises and benefits contained herein, the Parties hereby agree as follows:

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As consideration for the Sponsorship Rights, as such term is defined in Exhibit A, the City hereby grants the Sponsor the rights described in this Agreement and in Exhibit A attached hereto and made a part hereof, in connection with the Property and agrees to perform all of the City’s obligations hereunder.

2. SPONSORSHIP FEE.

The total Sponsorship Fee, as such term is defined in Exhibit A, for the Sponsorship Rights and the schedule of payments of the Sponsorship Fee shall be as set forth in Exhibit A hereto.

3. TERM.

This Agreement is effective as of the Effective Date and shall continue in force, unless otherwise terminated in accordance with the provisions of Section 4(B) of this Agreement, until July 31, 2032. (the “Term”).

4. SPONSORSHIP RENEWAL AND TERMINATION.

(A) SPONSORSHIP RENEWAL.

The Sponsor shall have the right of first negotiation to negotiate the renewal of the Sponsorship Rights at completion of the Term. The City shall negotiate exclusively with the Sponsor for a period of one hundred eighty (180) days prior to the expiration of the Term with respect to the terms and conditions of the Sponsorship Rights for the next offering from the City.

(B) TERMINATION.

This Agreement may be terminated:

- (i.) By either Party for a material breach of any provision of this Agreement by the other Party, if the other Party's material breach is not cured within ninety (90) days of receipt of written notice thereof.
- (ii.) By either Party, for failure to comply with Section 8 of this Agreement by the other Party, if the other Party's failure to comply is not cured within ninety (90) days of receipt of written notice thereof.
- (iii.) By either Party at any time and on provision of written notice, if any of the other Party's representations and warranties under this Agreement prove to be inaccurate in any material respects.
- (iv.) By either Party at any time and without prior notice, if the other Party is convicted of any crime or offense, or is guilty of serious misconduct in connection with performance under this Agreement.

5. EXCLUSIVITY OF SPONSORSHIP.

During the term of this agreement, the City grants to the Sponsor exclusive sponsorship rights in the property in the areas of powersports, marine, and landscaping services and agrees it will not permit any competitor of the sponsor listed on Exhibit B to this agreement to sponsor the property, supply products or services to the property and/or be associated with the property in any other manner. Additional competitors may be added to Exhibit B with prior written consent of the City and removed with the prior written consent of the City. The City further agrees to use reasonable efforts to prevent and, if necessary, prosecute the efforts of any non-sponsored competitor of this Sponsor to weaken or attack the Sponsor's sponsorship rights. City agrees that the use of Sponsor's trademarks shall occur in such a manner so as not to diminish the value or tarnish the reputation of Sponsor's trademarks.

Additionally, Sponsor is hereby granted the exclusive right to produce any future signage as may be deemed by the City to be necessary for signage, advertisement or sponsorship at the Schawn's Amateur Sports Complex. In addition, Sponsor is granted the exclusive right to the printing of all future dasher boards signages which may be used in the Red Baron Arena & Expo. It is hereby agreed that the dasher

board signage shall be produce at a price of \$100 for each dasher board as may be necessary which may be necessary for 2022-2026. Finally, Sponsor is granted the exclusive naming rights in the main rink expo floor at the Red Baron Arena to be identified as the “Action” area / “Action Expo” floor. Designated location of said designated area shall be agreed upon between the City and Sponsor hereto. The Sponsor herein is granted the right to bid on all future signage needs within the Red Baron Arena & Expo (the Property).

6. RESPONSIBILITIES.

(A) Of the City. The City agrees to do each of the following:

- (i) Provide the Sponsor with the Sponsorship Rights detailed in this Agreement and Exhibit A to this Agreement.
- (ii) Organize, produce, and supervise events in a workmanlike manner, in accordance with applicable laws, and with professional diligence and skill, using fully trained, skilled, competent, and experienced personnel.
- (iii) Make all arrangements for the use of the venue, including securing any necessary permits, coordinating parking and/or transportation, supplying equipment, and contracting with vendors and other service providers.
- (iv) Deliver the Property Trademarks (as defined in Section 8(B) below) to the Sponsor within one hundred eighty (180) days of the Effective Date.
- (v) Provide adequate professional security for the Events and take reasonable steps to ensure the safety of all workers, volunteers, and persons attending the Events.
- (vi) Use best efforts to obtain appropriate media coverage of the Property.
- (vii) Use best efforts to promote the Property and maximize attendance.

(B) Of the Sponsor. The Sponsor agrees to do each of the following:

- (i) Provide all assistance and cooperation to the City that is necessary in connection with the Sponsor’s Sponsorship Rights of the Property.
- (ii) Deliver the Sponsor Trademarks (as defined in Section 8(A) below) to the City within ninety (90) days of the Effective Date.

7. PARTIES’ REPRESENTATIONS AND WARRANTIES.

(A) The Parties each represent and warrant as follows:

- (i) Each Party has full power, authority, and right to perform its obligations under the Agreement.
- (ii) This Agreement is a legal, valid, and binding obligation of each Party, enforceable against it in accordance with its terms (except as may be

limited by bankruptcy, insolvency, moratorium, or similar laws affecting creditors' rights generally and equitable remedies).

(iii) Entering into this Agreement will not violate the charter or bylaws of either Party or any material contract to which that Party is also a party.

(B) The City hereby represents and warrants as follows:

(i) The Property shall be operated in accordance with and shall not violate any applicable laws, rules, or regulations, and the City shall obtain all permissions required to comply with such laws, rules, or regulations.

(ii) The City shall notify the Sponsor of any changes that would materially change the deliverable elements at least ninety (90) days before implementing such changes.

(iii) The obligations required by this Agreement shall be performed by the City or the City's staff, and the Sponsor shall not be required to hire, supervise, or pay any assistants to help the City perform such obligations.

(C) The Sponsor hereby represents and warrants as follows:

(i) The Sponsor will make timely payments of the Sponsorship Fee to the City under this Agreement and as detailed in Exhibit A hereto.

(ii) The Sponsor shall provide such other assistance to the City as the Sponsor deems reasonable and appropriate.

8. TRADEMARKS.

(A) Sponsor Trademarks.

(i) License. The Sponsor hereby grants the City a non-exclusive limited license to use, display, and reproduce its logos, trademarks, service marks, and trade names (each, a "Sponsor Trademark" and collectively, the "Sponsor Trademarks") only in connection with the promotion and advertisement of the Property and any listing of the sponsors of the Property during the Term and any Renewal Term. The City agrees to obtain the consent of the Sponsor before each use, display, and reproduction of the Sponsor Trademarks.

(ii) Ownership. All Sponsor Trademarks provided, leased, or licensed to the City in connection with the Property are the Sponsor's sole property, and the City has no ownership or other intellectual property rights in or to such items.

(iii) No Infringement. The Sponsor represents and warrants to the City and unconditionally guarantees that all of the Sponsor Trademarks are owned by the Sponsor or that the Sponsor has permission from the rightful owner to use each of these elements.

(B) Property Trademarks.

(i) License. The City hereby grants the Sponsor a non-exclusive limited license to use, display, and reproduce the logos, trademarks, service

marks, and trade names, associated with the Property (each a “Property Trademark” and collectively, the “Property Trademarks”) only in connection with the promotion and advertisement of the Sponsor’s products and services during the Term and any Renewal Term. The Sponsor agrees to obtain the consent of the City before each use, display, and reproduction of the Property Trademarks.

(ii) Ownership. All Property Trademarks provided, leased, or licensed to the Sponsor in connection with Events are the City’s sole property, and the Sponsor has no ownership or other intellectual property rights in or to such items.

(iii) No Infringement. The City represents and warrants to the Sponsor and unconditionally guarantees that all of the Property Trademarks are owned by the City or that the City has permission from the rightful owner to use each of these elements.

9. EVENT MERCHANDISE.

Sponsor-Created Merchandise. During the Term and any Renewal Term and subject to the approval of the City, which shall not be unreasonably withheld, the Sponsor shall have the right to create, manufacture or cause to be manufactured, and sell or give away merchandise associated with the Property and containing the Sponsor’s Trademarks in connection with the promotion of the Sponsor’s products and services. All merchandise caused to be manufactured for sale or to be given away by the Sponsor in association with the Property shall be of high quality, free from product defects, merchantable, and suitable for its intended purpose.

10. INDEMNIFICATION.

- (A) Of Sponsor by City. Subject to limits applicable under Minnesota law, the City shall indemnify and hold harmless the Sponsor and its officers, directors, members, managers, employees, agents, contractors, sublicensees, affiliates, subsidiaries, successors and assigns from and against any and all damages, liabilities, costs, expenses, claims, and/or judgments, (collectively, the “Claims”) that any of them may suffer from or incur and that arise or result primarily from (i) any inaccuracy of any representation or warranty made by the City under this Agreement, or (ii) the City’s breach of any of its obligations, agreements, or duties under this Agreement, or (iii) the City, including, but not limited to Claims for bodily injury, death, or property loss, but only in proportion to and to the extent such Claims arise out of or are caused by the negligent or intentional acts or omissions of the City and/or the City’s officers, directors, members, managers, employees, agents, contractors, sublicensees, affiliates, subsidiaries, successors, and assigns.
- (B) Of City by Sponsor. Subject to limits applicable under Minnesota law, the Sponsor shall indemnify and hold harmless the City and its officers, directors, members, managers, employees, agents, contractors, sublicensees, affiliates, subsidiaries, successors and assigns from and against any Claims that any of them may suffer from or incur and that arise or result primarily from any inaccuracy of

any representation or warranty made by the Sponsor under this Agreement or the Sponsor's breach of any of its obligations, agreements, or duties under this Agreement.

11. INSURANCE.

Each Party shall maintain, at its own expense, insurance coverage required in the reasonable amounts and types for each party's operations.

12. FORCE MAJUERE

Either party shall not be liable for any failure of or delay in the performance of this Agreement for the period that such failure or delay is due to causes beyond its reasonable control, including but not limited to acts of God, war, terrorism, strikes or labor disputes, embargoes, government orders or any other force majeure event.

13. CONFIDENTIALITY.

Each Party agrees, during the Term, and any Renewal Term, and for a period of five (5) years thereafter, to hold in strictest confidence and not to disclose to any person, firm, or corporation without the prior written consent of the other Party, any of the terms or conditions of this Agreement, subject to the Minnesota Government Data Practices Act and other approval laws.

14. NATURE OF RELATIONSHIP.

The Parties agree that nothing in this Agreement shall be construed as creating a joint venture, partnership, franchise, agency, employer/employee, or similar relationship between the Parties, or as authorizing either Party to act as the agent of the other. Nothing in this Agreement shall create any obligation between either Party and a third party.

15. AMENDMENTS.

No amendment, change, or modification of this Agreement shall be valid unless in writing and signed by both Parties.

16. ASSIGNMENT.

Neither Party may, without the prior written consent of the other Party, assign, subcontract, or delegate its obligations under this Agreement, except that the Sponsor may assign this Agreement to a purchaser of all or substantially all of the Sponsor's assets, provided that the Sponsor guarantees the performance of and causes the assignee to assume all obligations of the Sponsor under this Agreement. City may assign the operational and management duties of the Property to a third party provider, subject to the terms and conditions of this Sponsorship Agreement.

17. SUCCESSORS AND ASSIGNS.

All references in this Agreement to the Parties shall be deemed to include, as applicable, a reference to their respective successors and assigns. The provisions of this Agreement

shall be binding on and shall inure to the benefit of the successors and assigns of the Parties.

18. NO IMPLIED WAIVER.

The failure of either Party to insist on strict performance of any covenant or obligation under this Agreement, regardless of the length of time for which such failure continues, shall not be deemed a waiver of such Party's right to demand strict compliance in the future. No consent or waiver, express or implied, to or of any breach or default in the performance of any obligation under this Agreement shall constitute a consent or waiver to or of any other breach or default in the performance of the same or any other obligation.

19. NOTICE.

Any notice or other communication provided for herein or given hereunder to a Party hereto shall be in writing and shall be given in person, by overnight courier, or by mail (registered or certified mail, postage prepaid, return-receipt requested) to the respective Parties as follows:

If to the Sponsor:

Alota Action LLC
Attn: Jim Swenson
1105 Lake Rd.
PO box 620
Marshall, MN 56258

If to the City:

City of Marshall
ATTN: Sharon Hanson, City Administrator
344 W. Main St.
Marshall, MN 56258

20. GOVERNING LAW.

This Agreement shall be governed by the laws of the State of Minnesota.

21. COUNTERPARTS/ELECTRONIC SIGNATURES.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument. For purposes of this Agreement, use of a facsimile, e-mail, or other electronic medium shall have the same force and effect as an original signature.

22. SEVERABILITY.

Whenever possible, each provision of this Agreement will be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement

is held to be invalid, illegal, or unenforceable in any respect under any applicable law or rule in any jurisdiction, such invalidity, illegality, or unenforceability will not affect any other provision or any other jurisdiction, but this Agreement will be reformed, construed, and enforced in such jurisdiction as if such invalid, illegal, or unenforceable provisions had never been contained herein.

23. ENTIRE AGREEMENT.

This Agreement, together with the Exhibits hereto, constitutes the final, complete, and exclusive statement of the agreement of the Parties with respect to the subject matter hereof, and supersedes any and all other prior and contemporaneous agreements and understandings, both written and oral, between the Parties.

24. HEADINGS.

Headings used in this Agreement are provided for convenience only and shall not be used to construe meaning or intent.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first above written.

SPONSOR

ALOTA ACTION LLC

By: _____
Name: Jim Swenson
Title: President

CITY

CITY OF MARSHALL

By: _____
Name: Robert J. Byrnes
Title: Mayor

ATTEST:

By: _____
Kyle Box
Title: City Clerk

EXHIBIT A
SPONSORSHIP RIGHTS, FEE, REBATE OF FEE, AND INSURANCE

1. SPONSORSHIP RIGHTS.

In exchange for the Sponsorship Fee, as defined in Section 2 below, the Sponsor will receive the following rights in connection with the Property (collectively, the “Sponsorship Rights”):

(A) Signage and branding. The Sponsor will receive the right to:

- 1) Videoboard Sponsorship. The 13’ 8” x 25’ videoboard located in the main arena will feature video spots at City controlled events. Ten and thirty-second advertisement will be included for sponsor.
- 2) Founding Sponsor Endorsement and Brand/Company Signage name and logo to be placed on videoboard/score board in main rink/arena. Location of said signage on the video scoreboard shall be moved and shall now occupy the long skinny sign availability ABOVE scoreboard (main arena).
- 3) Digital Media. Sponsor logo will be included in all digital/social media controlled by the City (arena website, social media campaigns, etc.)
- 4) Dasher Board. Sponsor shall receive four dasher board signs in the main arena and four dasher board signs in rink 2. All dasher board advertising signs to be located between the blue line and the goal line in each of the two rinks. Dasher boards to advertise “Sports”, Landscape, Signage, and Track Chair” services provided by Sponsor.
- 5) In-Ice Logo. Sponsor shall receive one in-ice logo in the main arena and one in rink 2. Logo is to be provided by Sponsor.
- 6) The Sponsor’s logo is to be placed on the second championship field fence, at a location to be agreed upon by the parties.

As a founding sponsor, ads will be weighted to run in higher rotation than all other sponsors under the Founding Sponsorship level. Sponsor is responsible for providing production and traffic instructions for the ads.

(B) Event Rights. The Sponsor will receive the right to:

- 1) Exclusive use of the Red Baron Arena & Expo three times per calendar year for each year of the sponsorship agreement. Operational expenses, food costs, promotional giveaways and any facility remodeling costs associated with the exclusive sponsor use are the responsibility of the Sponsor.
- 2) Exclusive use of the facility club room three times per calendar year. Operational expenses, food costs, promotional giveaways and any facility remodeling costs associated with the exclusive sponsor use are the responsibility of the Sponsor.

(C) Media Rights. The Sponsor will receive the right to:

As Founding Sponsor, Sponsor will receive logo/marks inclusion in all media campaigns associated with events controlled by the City as follows:

Package Value:

In-Ice Logo – Each Rink	\$6,000
2 nd Championship Field Fence Signage	\$1,500
Scoreboard logo – Main Rink	\$3,000
Dasher Boards – Signage Sponsorship	\$4,000
Facility Use	\$3,150
Club Room Use	\$1,500
Name and Logo Rights	\$1,000
In-house Videoboard Advertising	\$1,500
Option for Community Programming	\$1,000
Distribution Rights	\$1,000
Founding Partner Status	\$5,000
Display Case with AMI/AM Foundation	\$2,500
Total Advertising Package Value (Annual)	\$31,500

2. SPONSORSHIP FEE.

In exchange for the Sponsorship Rights as defined herein, the Sponsor agrees to pay the City One Hundred Twenty Thousand and no/100 Dollars (\$120,000.00) (the “Sponsorship Fee”) as follows:

Sponsorship Fee is figured at a rate of Twelve Thousand and no/100 Dollars (\$12,000.00) per year for each year of this agreement. Payments to be made by monthly ACH payments of \$1,000.00 per month each and every month for 120 consecutive months until paid in full. Payments to be paid on the 15th day of each month beginning on August 15th, 2022

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	INFO
Subject:	Economic Development Authority Projects Update
Background Information:	<p>Block 11</p> <p>The EDA has received a proposal from CBC Fischer Group for a three-phase redevelopment project on Block 11. The project phases are as follows:</p> <p>CBC Fischer Group has proposed a three-phase in-fill development on Block 11 located in Downtown Marshall. The project phases are as follows:</p> <p>Phase 1: Three-story building with 33 one-bedroom units and six two-bedroom units (Corner of Lyon St and 1st St)</p> <p>Phase 2: Three-story building with 18 one-bedroom units and four two-bedroom units plus 4,420 sq ft of first floor commercial. (Corner of 1st and Main St)</p> <p>Phase 3: Three-story building with 18 one-bedroom units and four two-bedroom units plus 4,420 sq ft of first floor commercial. (Corner of College and Main St)</p> <p>The project includes 83 parking units with anticipated additional on-street parking on Lyon Street.</p> <p>According to our most recent Housing Study, Marshall has a need for 124 new market-rate apartment units. In addition, there is a need for 665 general occupancy housing units within the City. The additional commercial space would also be beneficial to the Downtown District as vacancy rates are low and interest has been shown for retail and office space in the district.</p> <p>The City of Marshall is considering the establishment of a Tax Increment Financing (TIF) Redevelopment District to assist with financing a portion of the costs associated with construction of the development. TIF districts are used to fund the revitalization of deteriorating or distressed areas.</p> <p>The City anticipates using tax increment revenue to finance eligible costs associated with redevelopment of the site including acquisition, site improvements, parking improvements (public and private), and public improvements, as well as related administrative expenses. Tax increment from a redevelopment TIF cannot be used to construct buildings.</p> <p>Construction of Phase I is expected to start Spring of 2022.</p> <p>CBC Fischer Group previously signed a Predevelopment Agreement for the property which expired on December 31st. The project will be presented to the Planning Commission on January 12th for both a Conditional Use Permit (for the housing portion of the project) and for adherence to the City's current Comprehensive Plan.</p> <p>Home Tax Abatement</p>

	<p>Per recommendation from Council, the EDA Board recently discussed the Home Tax Abatement Policy which is set to expire at the end of 2022. The program was designed to incentivize the construction of new homes. Although we did see a large increase in the construction of new homes, the EDA board did not feel the program is being used as intended. The board is bringing forth a recommendation for an early termination of the home tax abatement program in June of 2022.</p> <p>Façade Improvement</p> <p>The EDA recently relaunched its Façade Improvement program which allows business to apply for up to \$10,000 in matching funds for projects that improve the appearance and functionality of their buildings. The board has designated \$100,000 towards the program. Since launching in mid-December, we have received two applications.</p> <p>Comprehensive Plan Update</p> <p>The EDA is currently assisting with the Comprehensive Plan update being conducted by SRF Consulting. Currently, we are seeking public feedback to help shape future goal areas for the plan. There are two ways for the public to provide input including an online survey, available on the City website, and an Open House which will be hosted at City Hall on January 13th from 4:00 pm – 6:00 pm. As of January 6th, SRF has had 291 respondents to the survey with a goal of 300 completed surveys. The survey will close on January 17th.</p>
Fiscal Impact:	N/A
Alternative/ Variations:	N/A
Recommendations:	Info Only

Tax Increment Financing Plan
for
Tax Increment Financing
(Redevelopment) District No. 1-15
within
Redevelopment Project No. 1
(Block 1 Redevelopment)
City of Marshall, Minnesota

Prepared by

Baker Tilly Municipal Advisors, LLC

Dated: January 4, 2022

Public Hearing Scheduled: March 22, 2022
Anticipated Approval by City Council: March 22, 2022

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**SECTION I – MODIFICATION TO THE REDEVELOPMENT PLAN
FOR REDEVELOPMENT PROJECT NO. 1**

Foreword

The following text represents a Modification to the Redevelopment Plan for Redevelopment Project No. 1. This modification represents a continuation of the goals and objectives set forth in the Redevelopment Plan for Redevelopment Project No. 1. The changes generally include the establishment of Tax Increment Financing (Redevelopment) District No. 1-15.

For further information, a review of the Redevelopment Plan for Redevelopment Project No. 1 is recommended. It is available at City Hall of the City of Marshall. Other relevant information is contained in the Tax Increment Financing Plans for the Tax Increment Financing Districts located within Redevelopment Project No. 1.

**SECTION II –TAX INCREMENT FINANCING PLAN
FOR TAX INCREMENT FINANCING (REDEVELOPMENT) DISTRICT NO. 1-15**

Introduction

The following text represents the Tax Increment Financing Plan for Tax Increment Financing District No. 1-15.

Section A Definitions

The terms defined in this section have the meanings given herein, unless the context in which they are used indicates a different meaning:

"Authority" means the Housing and Redevelopment Authority in and for the City of Marshall, Minnesota, a housing and redevelopment authority and a public body corporate and politic duly organized and existing under the Constitution and laws of the State.

"City" means the City of Marshall, Minnesota, a municipal corporation, and political subdivision of the State duly organized and existing under its Charter and the Constitution and laws of the State, also referred to as a "Municipality".

"City Council" means the City Council of the City.

"County" means Lyon County, Minnesota.

"Developer": mean Block 11 Marshall, LLC.

"Governing Body" means the Board of Commissioners of the Authority.

"HRA Act" means Minnesota Statutes, Sections 469.001 to 469.047, as amended.

"Project" means Project Area No. 1, as shown in the map attached as Exhibit I, which includes the property legally described in Exhibit I.

"Project Area" means Project Area No. 1 in the City, which is described in the corresponding Project Plan.

"Project Plan" means the Project Plan for the Project Area.

"School District" means Independent School District No. 413, Minnesota.

"State" means the State of Minnesota.

"TIF Act" means Minnesota Statutes, Sections 469.174 through 469.1794, as amended.

"TIF District" or "TIF District No. 1-15" means Tax Increment Financing (Redevelopment) District No. 1-15.

"TIF Plan" means the tax increment financing plan for the TIF District (this document).

Section B Statutory Authorization

See the Redevelopment Plan for the Redevelopment Project.

Section C Statement of Need and Public Purpose

See the Redevelopment Plan for the Redevelopment Project.

Section D Statement of Objectives

See the Redevelopment Plan for the Redevelopment Project.

Section E Designation of Tax Increment Financing District as a Redevelopment District

Redevelopment districts are a type of tax increment financing district in which one or more of the following conditions exists and is reasonably distributed throughout the district:

- (1) parcels comprising at least 70% of the area of the district are occupied by buildings, streets, utilities, paved or gravel parking lots, or other similar structures and more than 50% of the buildings, not including outbuildings, are structurally substandard requiring substantial renovation or clearance. A parcel is deemed "occupied" if at least 15% of the area of the parcel contains buildings, streets, utilities, paved or gravel parking lots, or other similar structures.
- (2) the property consists of vacant, unused, underused, inappropriately used, or infrequently used railyards, rail storage facilities, or excessive or vacated railroad right-of-ways; or
- (3) tank facilities, or property whose immediately previous use was for tank facilities, as defined in section 115C.02, subdivision 15, if the tank facilities:
 - (i) have or had a capacity of more than 1,000,000 gallons;
 - (ii) are located adjacent to rail facilities; and
 - (iii) have been removed or are unused, underused, inappropriately used, or infrequently used.

For districts consisting of two more noncontiguous areas, each area must individually qualify under the provisions listed above, as well as the entire area must also qualify as a whole.

The TIF District qualifies as a redevelopment district in that it meets all of the criteria listed in (1) above. The supporting facts and documentation for this determination will be retained by the Authority for the life of the TIF District and are available to the public upon request. An analysis was completed to make this determination.

"Structurally substandard" is defined as buildings containing defects or deficiencies in structural elements, essential utilities and facilities, light and ventilation, fire protection (including egress), layout and condition of interior partitions, or similar factors. Generally, a building is not structurally substandard if it is in compliance with the building code applicable to a new building, or could be modified to satisfy the existing code at a cost of less than 15% of the cost of constructing a new structure of the same size and type.

A city may not find that a building is structurally substandard without an interior inspection, unless it cannot gain access to the property and there exists evidence which supports the structurally substandard finding. Such evidence includes recent fire or police inspections, on-site property tax appraisals or housing inspections, exterior evidence of deterioration, or other similar reliable evidence. Written documentation of the findings and reasons why an interior inspection was not conducted must be made and retained. A parcel is deemed to be occupied by a structurally substandard building if the following conditions are met:

- (1) the parcel was occupied by a substandard building within three years of the filing of the request for certification of the parcel as part of the district;
- (2) the demolition or removal of the substandard building was performed or financed by the City, or was performed by a developer under a development agreement with the City;
- (3) the City found by resolution before such demolition or removal occurred that the building was structurally substandard and that the City intended to include the parcel in the TIF district, and
- (4) the City notifies the county auditor that the original tax capacity of the parcel must be adjusted upon filing the request for certification of the tax capacity of the parcel as part of a district.

In the case of (4) above, the County Auditor shall certify the original net tax capacity of the parcel to be the greater of (a) the current tax capacity of the parcel, or (b) a computed tax capacity of the parcel using the estimated market value of the parcel for the year in which the demolition or removal occurred, and the appropriate classification rate(s) for the current year. The City and Authority found by resolution that the three (3) buildings to be included within the TIF district to be substandard in 2019. The original tax capacity of the parcels will be based on valuation of the property at the time the parcels were occupied by the substandard buildings.

At least 90 percent of the tax increment from a redevelopment district must be used to finance the cost of correcting conditions that allow designation as a redevelopment district. These costs include, but are not limited to, acquiring properties containing structurally substandard buildings or improvements or hazardous substances, pollution, or contaminants, acquiring adjacent parcels necessary to provide a site of sufficient size to permit development, demolition and rehabilitation of structures, clearing of land, removal of hazardous substances or remediation necessary to develop the land, and installation of utilities, roads, sidewalks, and parking facilities for the site. The allocated administrative expenses of the Authority may be included in the qualifying costs.

Section F Duration of the TIF District

Redevelopment districts may remain in existence 25 years from the date of receipt by the Authority of the first tax increment. Modifications of this plan (see Section Z) shall not extend these limitations.

Pursuant to Minnesota Statutes, Section 469.175, subd. 1(b), the Authority specifies 2025 as the first year in which it elects to receive tax increment from the TIF District, which is no later than four years following the year of approval of the TIF District. Thus, the Authority may collect increment from the district through December 31, 2050 but anticipates that the TIF District could be decertified early (see Section P). All tax increments from taxes payable in the year the TIF District is decertified shall be paid to the Authority.

Section G Property to be Included in the TIF District

The TIF District comprises of the property described below and also includes adjacent streets and right-of-ways located within the Project Area. A map showing the location of the TIF District is shown in Exhibit I. The boundaries and area encompassed by the TIF District are described below:

Parcel Number	Legal Description
27-677127-0	
27-677128-0	
27-677129-0	

The area encompassed by the TIF District shall also include all streets and utility right-of-ways located upon or adjacent to the property described above, as illustrated in the boundary map included in Exhibit I.

Section H Property to be Acquired in the TIF District

The Authority does not anticipate acquiring any property located within the TIF District but plans to sell the property to the Developer for the planned redevelopment activities.

Section I Specific Development Expected to Occur Within the TIF District

The proposed project includes redevelopment of a portion of the property referred to as 'Block 11' in the City of Marshall. The City and Authority have assembled the property for qualification as substandard and eligible for inclusion within the creation of a redevelopment TIF District. Redevelopment is expected to include extraordinary site development costs as necessary for new development to occur. The developer, Block 11 Marshall, LLC, is planning to construct a 3-phase mixed use project that is expected to consist of 83 1 and 2-bedroom residential apartment units and 8,840 square feet of commercial space. Tax increment revenues are proposed to be used on correcting conditions that allowed for qualification of the project site including acquisition, site development, public improvements and other related eligible redevelopment costs, including allowable administrative expenses.

Construction of phase 1 (39 residential units) is projected to start in fall 2022 and continue through 2023. Construction of phase 2 (22 residential units and 4,420 commercial square feet)

is projected to start in 2023 and continue through 2024. Construction of phase 3 (22 residential units and 4,420 commercial square feet) is projected to start in 2024 and continue through 2025. The project is expected to be fully constructed by December 31, 2025 and be 100% assessed and on the tax rolls as of January 2, 2026 for taxes payable 2027.

Section J Findings and Need for Tax Increment Financing

In establishing the TIF District, the City makes the following findings:

- (1) The TIF District qualifies as a redevelopment district;

The City building department inspected and evaluated the property within the proposed Tax Increment Financing District to be established by the Authority. The purpose of the evaluation was to determine if the proposed district met the statutory requirements for coverage and if the buildings met the qualifications required for a Redevelopment District.

A final report has been prepared for the City to retain on file in City offices for public inspection. The report contains the details of the findings summarized below regarding the substandard qualifications:

- The TIF District consists of three (3) parcels that are occupied with 100 percent of the area of the proposed TIF District occupied (exceeding the 70 percent coverage test);
 - 100 percent (3 of 3) of the buildings in the proposed District contain code deficiencies exceeding the 15 percent threshold;
 - 100 percent of the buildings (3 of 3, which is greater than 50%) are structurally substandard to a degree requiring substantial renovation or clearance, because of defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance, exceeding the more than 50 percent substandard test; and
 - The foregoing conditions are reasonably distributed throughout the geographic area of the proposed TIF District.
- (2) The proposed redevelopment, in the opinion of the City, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future and the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the district permitted by the TIF Plan.

Factual basis:

Proposed development not expected to occur:

The proposed project consists of the redevelopment of property within the City that consisted of blighted property found to be substandard and has been demolished to allow for redevelopment of the project site. The City found by resolution the property to be substandard for inclusion within a redevelopment district prior to demolition. The City

has identified significant and extraordinary costs including site development/preparation, public improvements and other redevelopment costs associated with redevelopment of the project site in conjunction with new development. The estimated total redevelopment costs for this property make the total cost of this effort significantly higher than costs reasonably incurred for similar developments on a clean site. The City's finding that the proposed redevelopment would be unlikely to occur solely through private investment within the reasonably foreseeable future is based on an analysis of the proforma and other materials submitted by the developer.

No higher market value expected:

If the proposed redevelopment did not go forward, for the same reasons described above, no significant alternative redevelopment of the proposed TIF area would occur. The existing building is currently substandard and it is highly unlikely that the improvements would be made on the property site without tax increment financing. In short, there is no basis for expectation that the area would redevelop or be renovated in any significant way purely by private action without public subsidy.

To summarize the basis for the City's findings regarding alternative market value, in accordance with Minnesota Statutes, Section 469.175, Subd. 3(d), the City makes the following determinations:

- a. The City's estimate of the amount by which the market value of the site will increase without the use of tax increment financing is anywhere from \$0 to some modest amount based on small scale renovation or redevelopment that could be possible without assistance; any estimated values would be too speculative to ascertain.
 - b. If the proposed development to be assisted with tax increment occurs in the District, the total increase in market value would be approximately \$7,087,510, including the value of the building (See Exhibit V).
 - c. The present value of tax increments from the District for the maximum duration of the district permitted by the TIF Plan is estimated to be \$1,379,247 (See Exhibit V).
 - d. Even if some development other than the proposed development were to occur, the Council finds that no alternative would occur that would produce a market value increase greater than \$5,708,263 (the amount in clause b less the amount in clause c) without tax increment assistance.
- (3) The TIF Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for development of the Project Area by private enterprise.

Factual basis:

The anticipated redevelopment of the project site and any subsequent demolition, reconstruction, or renovation related to the project will remain consistent with the City's design goals. The Development proposed to occur within the TIF District will afford maximum opportunity for the development of the applicable parcel consistent with the needs of the City and the removal of substandard buildings. The Development will increase the taxable market valuation of the City and provide additional housing options in the City.

(4) The TIF Plan conforms to general plans for development of the City as a whole.

Factual basis: The City has determined that the development proposed in the TIF Plan conforms to the City comprehensive plan.

*Author verifies all of the above findings, reasons and supporting facts.
If applicable, include the following (yes or no) (see Section P, fiscal disparity methods).*

Section K Estimated Public Costs

The estimated public costs of the TIF District are listed below. Such costs are eligible for reimbursement from tax increments of the TIF District.

Project Costs	Amount
Land/building acquisition	
Site improvements/preparation costs	\$1,474,800,
Utilities	
Other public improvements	\$869,078
Construction of affordable housing	
Administrative expenses	\$260,432
Subtotal	\$2,604,316
Interest	
Total	\$2,604,316

The Authority anticipates using tax increment to the extent available to finance redevelopment costs of the project including primarily acquisition, site improvement/preparation costs (demolition), related administrative expenses, and other TIF-eligible expenditures as deemed necessary and related to redevelopment of the project site.

The Authority reserves the right to administratively adjust the amount of any of the items listed above or to incorporate additional eligible items, so long as the total estimated public cost (\$2,604,316) is not increased. The Authority also reserves the right to fund any of the identified costs with any other legally available revenues but anticipates that such costs will be primarily financed with tax increments.

Section L Estimated Sources of Revenue

Sources of Revenue	Amount
Tax Increment revenue	\$2,604,316
Interest on invested funds	
Other	
Total	\$2,604,316

The Authority anticipates capturing the tax increments from the project for financing of the identified redevelopment costs and reimbursing the developer for a portion of those costs. As tax increments are collected from the TIF District in future years, a portion of these taxes will be used by the Authority to reimburse the developer for public costs incurred (see Section K). The

Authority also anticipates retaining any remaining increment to finance eligible administrative or other expenses related to the project.

The Authority reserves the right to finance any or all public costs of the TIF District using pay-as-you-go assistance, internal funding, general obligation or revenue debt, or any other financing mechanism authorized by law. The Authority also reserves the right to use other sources of revenue legally applicable to the Project Area to pay for such costs including, but not limited to, special assessments, utility revenues, federal or state funds, and investment income.

Section M Estimated Amount of Bonded Indebtedness

The maximum principal amount of bonds (as defined in the TIF Act) secured in whole or part with tax increment from the TIF District is \$2,604,316. The Authority currently plans to finance the site improvements and redevelopment costs through a pay-as-you-go note but reserves the right to issue bonds in any form, including without limitation any interfund loan with interest not to exceed the maximum permitted under Section 469.178, subd. 7 of the TIF Act.

Section N Original Net Tax Capacity

The County Auditor shall certify the original net tax capacity of the TIF District. This value will be equal to the total net tax capacity of all property in the TIF District as certified by the State Commissioner of Revenue. For districts certified between January 1 and June 30, inclusive, this value is based on the previous assessment year. For districts certified between July 1 and December 31, inclusive, this value is based on the current assessment year.

The Estimated Taxable Value of all property within the TIF District as of January 2, 2021, for taxes payable in 2022, is \$365,900. Upon establishment of the district and classification of the property as residential rental, the estimated original net tax capacity of the TIF District is estimated to be \$4,574. This assumes the property is classified as residential rental. This value is also assumed to be the value of the property, including land and building, as of the date the substandard buildings occupied the parcel.

Each year the County Auditor shall certify the amount that the original net tax capacity has increased or decreased as a result of:

- (1) changes in the tax-exempt status of property;
- (2) reductions or enlargements of the geographic area of the TIF District;
- (3) changes due to stipulation agreements or abatements; or
- (4) changes in property classification rates.

Section O Original Local Tax Rate

The County Auditor shall also certify the original local tax rate of the TIF District. This rate shall be the sum of all local tax rates that apply to property in the TIF District. This rate shall be for the same taxes payable year as the original net tax capacity.

In future years, the amount of tax increment generated by the TIF District will be calculated using the lesser of (a) the sum of the current local tax rates at that time or (b) the original local tax rate of the TIF District.

The County Auditor shall certify the sum of all local tax rates that apply to property in the TIF District for taxes levied in 2021 and payable in 2022 as the original tax capacity rate of the TIF District. Because those rates are not yet available, for purposes of estimating the tax increment generated by the TIF District, the sum of the local tax rates for taxes levied in 2020 and payable in 2021 is 118.990% as shown below.

<u>Taxing Jurisdiction</u>	<u>2020/2021 Local Tax Rate</u>
City of Marshall	59.012%
Lyon County	37.514%
ISD #413	32.334%
Other	<u>0.153%</u>
Total	129.013%

Section P Projected Retained Captured Net Tax Capacity and Projected Tax Increment

The Authority anticipates that the redevelopment will be completed by December 31, 2025, creating a total tax capacity for TIF District No. 1-15 of \$68,278 as of January 2, 2026. The captured tax capacity as of the first full year of increment is projected to be in \$82,187 in taxes payable 2027. A complete schedule of estimated tax increment from the TIF District is shown in Exhibit III.

Each year the County Auditor shall determine the current net tax capacity of all property in the TIF District. To the extent that this total exceeds the original net tax capacity, the difference shall be known as the captured net tax capacity of the TIF District.

The estimates shown in this TIF plan assume that residential rental class rates remain at 1.25% of the estimated taxable value, commercial-industrial class rates remain at 1.5% of the estimated taxable value for the first \$150,000 and 2% value above \$150,000 and assume 2% annual increases in market values for all property types.

Each year the County Auditor shall determine the current net tax capacity of all property in the TIF District. To the extent that this total exceeds the original net tax capacity, the difference shall be known as the captured net tax capacity of the TIF District.

The County Auditor shall certify to the Authority the amount of captured net tax capacity each year. The Authority may choose to retain any or all of this amount. It is the Authority's intention to retain 100% of the captured net tax capacity of the TIF District. Such amount shall be known as the retained captured net tax capacity of the TIF District.

Exhibit II gives a listing of the various information and assumptions used in preparing a number of the exhibits contained in this TIF Plan, including Exhibit III which shows the projected tax increment generated over the anticipated life of the TIF District.

Section Q Use of Tax Increment

Each year the County Treasurer shall deduct 0.36% of the annual tax increment generated by the TIF District and pay such amount to the State's General Fund. Such amounts will be

appropriated to the State Auditor for the cost of financial reporting and auditing of tax increment financing information throughout the state. Exhibit III shows the projected deduction for this purpose over the anticipated life of the TIF District.

The Authority has determined that it will use 100% of the remaining tax increment generated by the TIF District for any of the following purposes:

- (1) pay for the estimated public costs of the TIF District (see Section K) and County administrative costs associated with the TIF District (see Section T);
- (2) pay principal and interest on tax increment bonds or other bonds issued to finance the estimated public costs of the TIF District;
- (3) accumulate a reserve securing the payment of tax increment bonds or other bonds issued to finance the estimated public costs of the TIF District;
- (4) pay all or a portion of the county road costs as may be required by the County Board under M.S. Section 469.175, Subdivision 1a; or
- (5) return excess tax increments to the County Auditor for redistribution to the City, County and School District.

Tax increments from property located in one county must be expended for the direct and primary benefit of a project located within that county, unless both county boards involved waive this requirement. Tax increments shall not be used to circumvent levy limitations applicable to the City.

Tax increment shall not be used to finance the acquisition, construction, renovation, operation, or maintenance of a building to be used primarily and regularly for conducting the business of a municipality, county, school district, or any other local unit of government or the State or federal government, or for a commons area used as a public park, or a facility used for social, recreational, or conference purposes. This prohibition does not apply to the construction or renovation of a parking structure or of a privately-owned facility for conference purposes.

If there exists any type of agreement or arrangement providing for the developer, or other beneficiary of assistance, to repay all or a portion of the assistance that was paid or financed with tax increments, such payments shall be subject to all of the restrictions imposed on the use of tax increments. Assistance includes sale of property at less than the cost of acquisition or fair market value, grants, ground or other leases at less than fair market rent, interest rate subsidies, utility service connections, roads, or other similar assistance that would otherwise be paid for by the developer or beneficiary.

Section R Excess Tax Increment

In any year in which the tax increments from the TIF District exceed the amount necessary to pay the estimated public costs authorized by the TIF Plan, the Authority shall use the excess tax increments to:

- (1) prepay any outstanding tax increment bonds;
- (2) discharge the pledge of tax increments thereof;
- (3) pay amounts into an escrow account dedicated to the payment of the tax increment bonds; or

- (4) return excess tax increments to the County Auditor for redistribution to the City, County and School District. The County Auditor must report to the Commissioner of Education the amount of any excess tax increment redistributed to the School District within 30 days of such redistribution.

Section S Tax Increment Pooling and the Five-Year Rule

At least 75% of the tax increments from the TIF District must be expended on activities within the district or to pay for bonds used to finance the estimated public costs of the TIF District (see Section E for additional restrictions). No more than 25% of the tax increments may be spent on costs outside of the TIF District but within the boundaries of the Project Area, except to pay debt service on credit enhanced bonds. All administrative expenses are considered to have been spent outside of the TIF District. Tax increments are considered to have been spent within the TIF District if such amounts are:

- (1) actually paid to a third party for activities performed within the TIF District within five years after certification of the district;
- (2) used to pay bonds that were issued and sold to a third party, the proceeds of which are reasonably expected on the date of issuance to be spent within the later of the five-year period or a reasonable temporary period or are deposited in a reasonably required reserve or replacement fund.
- (3) used to make payments or reimbursements to a third party under binding contracts for activities performed within the TIF District, which were entered into within five years after certification of the district; or
- (4) used to reimburse a party for payment of eligible costs (including interest) incurred within five years from certification of the district.

Beginning with the sixth year following certification of the TIF District, at least 75% of the tax increments must be used to pay outstanding bonds or make contractual payments obligated within the first five years. When outstanding bonds have been defeased and sufficient money has been set aside to pay for such contractual obligations, the TIF District must be decertified.

The Authority anticipates that an allowable portion of tax increments generated by the project may be spent outside the TIF District (including allowable administrative expenses), and such expenditures are expressly authorized in this TIF Plan.

Section T Limitation on Administrative Expenses

Administrative expenses are defined as all costs of the Authority other than:

- (1) amounts paid for the purchase of land;
- (2) amounts paid for materials and services, including architectural and engineering services directly connected with the physical development of the real property in the project;
- (3) relocation benefits paid to, or services provided for, persons residing or businesses located in the project;

- (4) amounts used to pay principal or interest on, fund a reserve for, or sell at a discount bonds issued pursuant to section 469.178; or
- (5) amounts used to pay other financial obligations to the extent those obligations were used to finance costs described in clause (1) to (3).

Administrative expenses include amounts paid for services provided by bond counsel, fiscal consultants, planning or economic development consultants, and actual costs incurred by the County in administering the TIF District. Tax increments may be used to pay administrative expenses of the TIF District up to the lesser of (a) 10% of the total tax increment expenditures authorized by the TIF Plan or (b) 10% of the total tax increments received by the TIF District.

Section U Limitation on Property Not Subject to Improvements - Four Year Rule

If after four years from certification of the TIF District no demolition, rehabilitation, renovation, or qualified improvement of an adjacent street has commenced on a parcel located within the TIF District, then that parcel shall be excluded from the TIF District and the original net tax capacity shall be adjusted accordingly. Qualified improvements of a street are limited to construction or opening of a new street, relocation of a street, or substantial reconstruction or rebuilding of an existing street. The Authority must submit to the County Auditor, by February 1 of the fifth year, evidence that the required activity has taken place for each parcel in the TIF District.

If a parcel is excluded from the TIF District and the Authority or owner of the parcel subsequently commences any of the above activities, the Authority shall certify to the County Auditor that such activity has commenced and the parcel shall once again be included in the TIF District. The County Auditor shall certify the net tax capacity of the parcel, as most recently certified by the Commissioner of Revenue, and add such amount to the original net tax capacity of the TIF District.

Section V Estimated Impact on Other Taxing Jurisdictions

Exhibit IV shows the estimated impact on other taxing jurisdictions if the maximum projected retained captured net tax capacity of the TIF District was hypothetically available to the other taxing jurisdictions. The Authority believes that there will be no adverse impact on other taxing jurisdictions during the life of the TIF District, since the proposed development would not have occurred without the establishment of the TIF District and the provision of public assistance. A positive impact on other taxing jurisdictions will occur when the TIF District is decertified and the development therein becomes part of the general tax base.

The fiscal and economic implications of the proposed tax increment financing district, as pursuant to Minnesota Statutes, Section 469.175, Subdivision 2, are listed below.

1. The total amount of tax increment that will be generated over the life of the district is estimated to be \$2,613,723.
2. To the extent the project in TIF District No. 1-15 generates any public cost impacts on city-provided services such as police and fire protection, public infrastructure, and the impact of any general obligation tax increment bonds attributable to the district upon the ability to issue other debt for general fund purposes, such costs will be levied upon the taxable net tax capacity of the City, excluding that portion captured by the District. The City does not anticipate issuing general obligation tax increment bonds but reserves the right to the use of internal financing, as necessary, to finance a portion of the project costs attributable to the District.

3. The amount of tax increments over the life of the district that would be attributable to school district levies, assuming the school district's share of the total local tax rate for all taxing jurisdictions remained the same, is estimated to be \$655,066.
4. The amount of tax increments over the life of the district that would be attributable to county levies, assuming the county's share of the total local tax rate for all taxing jurisdictions remained the same is estimated to be \$760,010.
5. No additional information has been requested by the county or school district that would enable it to determine additional costs that will accrue to it due to the development proposed for the district.

Section W Prior Planned Improvements

The Authority shall accompany its request for certification to the County Auditor (or notice of district enlargement), with a listing of all properties within the TIF District for which building permits have been issued during the 18 months immediately preceding approval of the TIF Plan. The County Auditor shall increase the original net tax capacity of the TIF District by the net tax capacity of each improvement for which a building permit was issued.

There have been no building permits issued in the last 18 months in conjunction with any of the properties within the TIF District.

Section X Development Agreements

If within a project containing a redevelopment district, more than 25% of the acreage of the property to be acquired by the Authority is purchased with tax increment bonds proceeds (to which tax increment from the property is pledged), then prior to such acquisition, the Authority must enter into an agreement for the development of the property. Such agreement must provide recourse for the Authority should the development not be completed.

The Authority anticipates entering into an agreement for development.

Section Y Assessment Agreements

The Authority may, upon entering into a development agreement, also enter into an assessment agreement with the developer, which establishes a minimum market value of the land and improvements for each year during the life of the TIF District.

The assessment agreement shall be presented to the County or City Assessor who shall review the plans and specifications for the improvements to be constructed, review the market value previously assigned to the land, and so long as the minimum market value contained in the assessment agreement appears to be an accurate estimate, shall certify the assessment agreement as reasonable. The assessment agreement shall be filed for record in the office of the County Recorder of each county where the property is located. Any modification or premature termination of this agreement must first be approved by the City, County and School District.

The Authority does not anticipate entering into an assessment agreement.

Section Z Modifications of the Tax Increment Financing Plan

Any reduction or enlargement in the geographic area of the Project Area or the TIF District; a determination to capitalize interest on the debt if that determination was not part of the original TIF Plan, increase in the portion of the captured net tax capacity to be retained by the Authority; increase in the total estimated public costs; or designation of property to be acquired by the Authority shall be approved only after satisfying all the necessary requirements for approval of the original TIF Plan. This paragraph does not apply if:

- (1) the only modification is elimination of parcels from the TIF District; and
- (2) the current net tax capacity of the parcels eliminated equals or exceeds the net tax capacity of those parcels in the TIF District's original net tax capacity, or the Authority agrees that the TIF District's original net tax capacity will be reduced by no more than the current net tax capacity of the parcels eliminated.

The Authority must notify the County Auditor of any modification that reduces or enlarges the geographic area of the TIF District. The geographic area of the TIF District may be reduced but not enlarged after five years following the date of certification.

Section AA Administration of the Tax Increment Financing Plan

Upon adoption of the TIF Plan, the Authority shall submit a copy of such plan to the Minnesota Department of Revenue and the Office of the State Auditor. The Authority shall also request that the County Auditor certify the original net tax capacity and net tax capacity rate of the TIF District. To assist the County Auditor in this process, the Authority shall submit copies of the TIF Plan, the resolution establishing the TIF District and adopting the TIF Plan, and a listing of any prior planned improvements. The Authority shall also send the County Assessor any assessment agreement establishing the minimum market value of land and improvements in the TIF District and shall request that the County Assessor review and certify this assessment agreement as reasonable.

The County shall distribute to the Authority the amount of tax increment as it becomes available. The amount of tax increment in any year represents the applicable property taxes generated by the retained captured net tax capacity of the TIF District. The amount of tax increment may change due to development anticipated by the TIF Plan, other development, inflation of property values, or changes in property classification rates or formulas. In administering and implementing the TIF Plan, the following actions should occur on an annual basis:

- (1) prior to July 1, the City shall notify the County Assessor of any new development that has occurred in the TIF District during the past year to ensure that the new value will be recorded in a timely manner.
- (2) if the County Auditor receives the request for certification of a new TIF District, or for modification of an existing TIF District, before July 1, the request shall be recognized in determining local tax rates for the current and subsequent levy years. Requests received on or after July 1 shall be used to determine local tax rates in subsequent years.
- (3) each year the County Auditor shall certify the amount of the original net tax capacity of the TIF District. The amount certified shall reflect any changes that occur as a result of the following:

- (a) the value of property that changes from tax-exempt to taxable shall be added to the original net tax capacity of the TIF District. The reverse shall also apply;
- (b) the original net tax capacity may be modified by any approved enlargement or reduction of the TIF District;
- (c) if laws governing the classification of real property cause changes to the percentage of estimated market value to be applied for property tax purposes, then the resulting increase or decrease in net tax capacity shall be applied proportionately to the original net tax capacity and the retained captured net tax capacity of the TIF District.

The County Auditor shall notify the Authority of all changes made to the original net tax capacity of the TIF District.

Section AB Filing TIF Plan, Financial Reporting and Disclosure Requirements

The Authority will file the TIF Plan, and any subsequent amendments thereto, with the Commissioner of Revenue and the Office of the State Auditor pursuant to Minnesota Statutes, Section 469.175, subdivision 4A. The Authority will comply with all reporting requirements for the TIF District under Minnesota Statutes, Section 469.175, subdivisions 5 and 6.

**Map of
Tax Increment Financing (Redevelopment) District No. 1-15**

Exhibit A

Parcels: 27-677127-0, 27-677128-0, 27-677129-0



05/14/2019

Projected Tax Increment Report

**City of Marshall, Minnesota
 Tax Increment Financing (Redevelopment) District No. 1-15
 Proposed Block 11 Redevelopment (Mixed Use)
 Draft TIF Plan Exhibits: \$4,646,000 New Taxable Value**

Annual Period Ending (1)	Total Market Value (2)	Total Net Tax Capacity (3)	Less: Original Net Tax Capacity (4)	Retained Captured Net Tax Capacity (5)	Times: Tax Capacity Rate (6)	Annual Gross Tax Increment (7)	Less: State Aud. Deduction 0.360% (8)	Subtotal Net Tax Increment (9)	Less: Adm./Pooling Retainage 25.00% (10)	Annual Net Revenue (11)	P.V. Annual Net Rev. To 08/01/22 4.00%
12/31/22	365,900	4,574	4,574	0	129.013%	0	0	0	0	0	0
12/31/23	365,900	4,574	4,574	0	129.013%	0	0	0	0	0	0
12/31/24	365,900	4,574	4,574	0	129.013%	0	0	0	0	0	0
12/31/25	1,560,000	19,500	4,574	14,926	129.013%	19,257	69	19,188	4,797	14,391	12,586
12/31/26	3,134,200	43,400	4,574	38,826	129.013%	50,091	180	49,911	12,478	37,433 *	31,479
12/31/27	4,726,624	68,278	4,574	63,704	129.013%	82,187	296	81,891	20,473	61,418	49,663
12/31/28	4,821,156	69,658	4,574	65,085	129.013%	83,968	302	83,666	20,917	62,749	48,788
12/31/29	4,917,580	71,067	4,574	66,493	129.013%	85,784	309	85,475	21,369	64,106	47,926
12/31/30	5,015,931	72,503	4,574	67,929	129.013%	87,637	315	87,322	21,831	65,491	47,078
12/31/31	5,116,250	73,968	4,574	69,394	129.013%	89,527	322	89,205	22,301	66,904	46,244
12/31/32	5,218,575	75,462	4,574	70,889	129.013%	91,455	329	91,126	22,782	68,344	45,422
12/31/33	5,322,946	76,987	4,574	72,413	129.013%	93,422	336	93,086	23,272	69,814	44,615
12/31/34	5,429,405	78,541	4,574	73,967	129.013%	95,428	344	95,084	23,771	71,313	43,820
12/31/35	5,537,993	80,127	4,574	75,553	129.013%	97,474	351	97,123	24,281	72,842	43,038
12/31/36	5,648,753	81,745	4,574	77,171	129.013%	99,560	358	99,202	24,801	74,401	42,268
12/31/37	5,761,728	83,395	4,574	78,821	129.013%	101,689	366	101,323	25,331	75,992	41,512
12/31/38	5,876,963	85,077	4,574	80,504	129.013%	103,860	374	103,486	25,872	77,614	40,767
12/31/39	5,994,502	86,794	4,574	82,220	129.013%	106,075	382	105,693	26,423	79,270	40,035
12/31/40	6,114,392	88,545	4,574	83,971	129.013%	108,334	390	107,944	26,986	80,958	39,315
12/31/41	6,236,680	90,331	4,574	85,757	129.013%	110,638	398	110,240	27,560	82,680	38,607
12/31/42	6,361,414	92,152	4,574	87,579	129.013%	112,988	407	112,581	28,145	84,436	37,911
12/31/43	6,488,642	94,010	4,574	89,437	129.013%	115,385	415	114,970	28,743	86,227	37,226
12/31/44	6,618,415	95,906	4,574	91,332	129.013%	117,830	424	117,406	29,352	88,054	36,553
12/31/45	6,750,783	97,839	4,574	93,265	129.013%	120,324	433	119,891	29,973	89,918	35,891
12/31/46	6,885,799	99,810	4,574	95,237	129.013%	122,868	442	122,426	30,607	91,819	35,240
12/31/47	7,023,515	101,822	4,574	97,248	129.013%	125,462	452	125,010	31,253	93,757	34,600
12/31/48	7,163,985	103,873	4,574	99,299	129.013%	128,109	461	127,648	31,912	95,736	33,971
12/31/49	7,307,265	105,966	4,574	101,392	129.013%	130,809	471	130,338	32,585	97,753	33,353
12/31/50	7,453,410	108,100	4,574	103,526	129.013%	133,562	481	133,081	33,270	99,811	32,745
						\$2,613,723	\$9,407	\$2,604,316	\$651,085	\$1,953,231	\$1,020,653

* election to delay receipt of first increment until 2026 (up to 4 years from approval date)

(1) Total estimated market value based on preliminary information provided by City Assessor (\$40,000/unit apartments and \$150/SF commercial)

very preliminary and subject to further review. Includes 2% annual market value inflator

(2) Total net tax capacity based on residential rental class rate of 1.25% and commercial-industrial class rates of 1.5% up to \$150,000 of value and 2% for value above \$150,000

(3) Original net tax capacity based on existing value for parcels to be included in development

(4) Total local combined tax rate for taxes payable 2021

Estimated Impact on Other Taxing Jurisdictions Report

**City of Marshall, Minnesota
 Tax Increment Financing (Redevelopment) District No. 1-15
 Proposed Block 11 Redevelopment (Mixed Use)
 Draft TIF Plan Exhibits: \$4,646,000 New Taxable Value**

Taxing Jurisdiction	Without Project or TIF District		With Project and TIF District					
	2020/2021 Taxable Net Tax Capacity (1)	2020/2021 Local Tax Rate	2020/2021 Taxable Net Tax Capacity (1)	Projected Retained Captured Net Tax Capacity +	New Taxable Net Tax Capacity =	Hypothetical Adjusted Local Tax Rate (*)	Hypothetical Decrease In Local Tax Rate (*)	Hypothetical Tax Generated by Retained Captured N.T.C. (*)
City of Marshall	12,317,601	59.012%	12,317,601	\$103,526	12,421,127	58.520%	0.492%	60,584
Lyon County	39,640,163	37.514%	39,640,163	103,526	39,743,689	37.416%	0.098%	38,736
ISD #413	19,021,259	32.334%	19,021,259	103,526	19,124,785	32.159%	0.175%	33,293
Other (2)	---	0.153%	---	103,526	---	0.153%	---	---
Totals		129.013%				128.248%	0.765%	

*** Statement 1:** If the projected Retained Captured Net Tax Capacity of the TIF District was hypothetically available to each of the taxing jurisdictions above, the result would be a lower local tax rate (see Hypothetical Adjusted Tax Rate above) which would produce the same amount of taxes for each taxing jurisdiction. In such a case, the total local tax rate would decrease by 0.765% (see Hypothetical Decrease in Local Tax Rate above). The hypothetical tax that the Retained Captured Net Tax Capacity of the TIF District would generate is also shown above.

Statement 2: Since the projected Retained Captured Net Tax Capacity of the TIF District is not available to the taxing jurisdictions, then there is no impact on taxes levied or local tax rates.

- (1) Taxable net tax capacity = total net tax capacity - captured TIF - fiscal disparity contribution, if applicable.
- (2) The impact on these taxing jurisdictions has not been calculated. They represent 0.12% of the total tax rate.

Market Value Analysis Report

City of Marshall, Minnesota

Tax Increment Financing (Redevelopment) District No. 1-15

Proposed Block 11 Redevelopment (Mixed Use)

Draft TIF Plan Exhibits: \$4,646,000 New Taxable Value

<u>Assumptions</u>			
	Present Value Date		08/01/22
	P.V. Rate - Gross T.I.		4.00%
<hr/>			
	Increase in EMV With TIF District		\$7,087,510
	Less: P.V of Gross Tax Increment		<u>1,379,247</u>
	Subtotal		\$5,708,263
	Less: Increase in EMV Without TIF		<u>0</u>
	Difference		\$5,708,263
<hr/>			
		Annual	Present
		Gross Tax	Value @
	Year	Increment	4.00%
	<hr/>	<hr/>	<hr/>
1	2025	19,257	17,008
2	2026	50,091	42,539
3	2027	82,187	67,112
4	2028	83,968	65,929
5	2029	85,784	64,764
6	2030	87,637	63,618
7	2031	89,527	62,491
8	2032	91,455	61,381
9	2033	93,422	60,290
10	2034	95,428	59,216
11	2035	97,474	58,159
12	2036	99,560	57,119
13	2037	101,689	56,096
14	2038	103,860	55,090
15	2039	106,075	54,101
16	2040	108,334	53,128
17	2041	110,638	52,171
18	2042	112,988	51,230
19	2043	115,385	50,305
20	2044	117,830	49,395
21	2045	120,324	48,501
22	2046	122,868	47,621
23	2047	125,462	46,756
24	2048	128,109	45,906
25	2049	130,809	45,071
26	2050	<u>133,562</u>	<u>44,250</u>
		\$2,613,723	\$1,379,247

S

Report of Inspection Procedures and Results for Determining Qualifications of a Tax Increment Financing District as a Redevelopment District

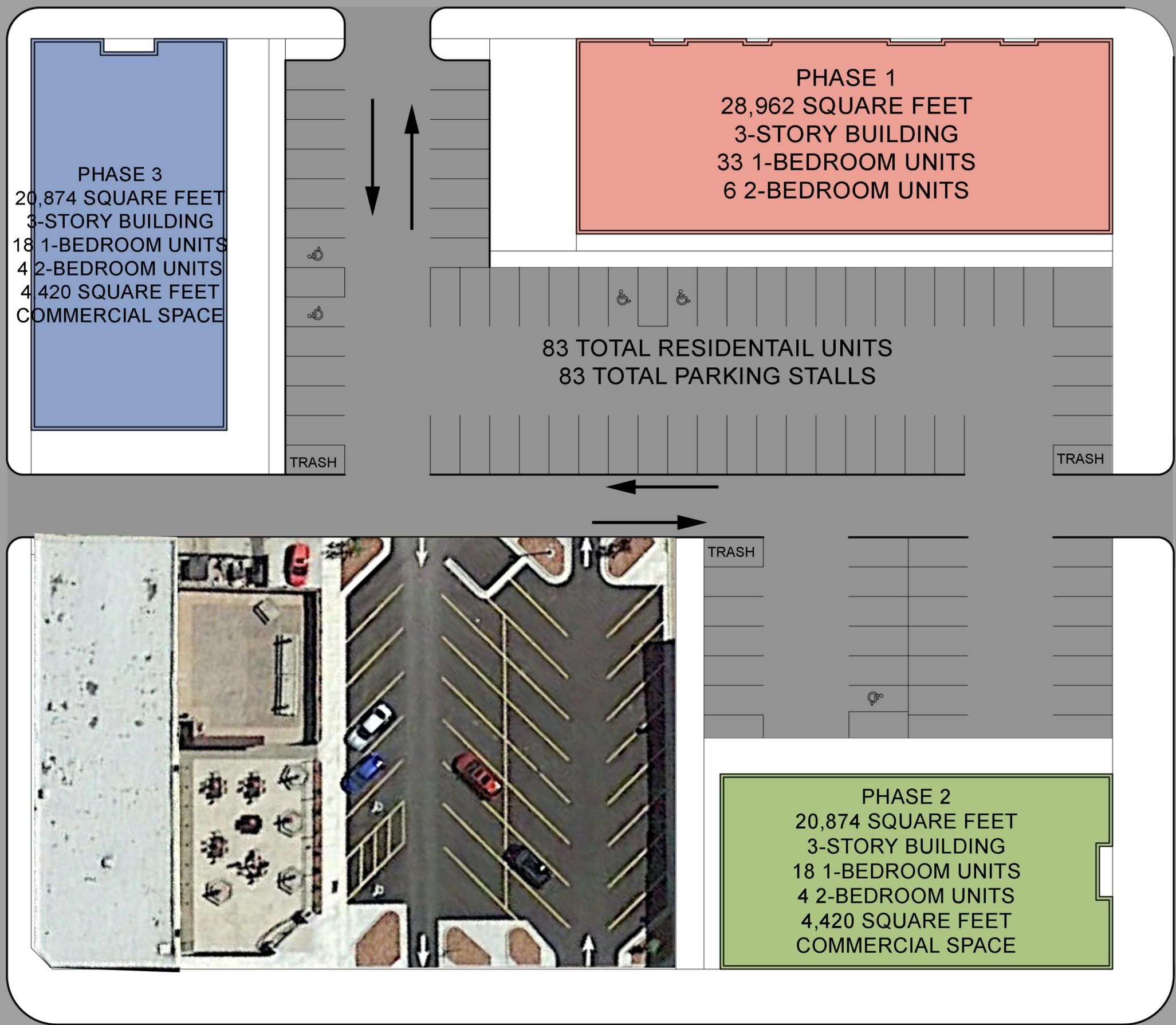
LYON STREET



PROJECT TITLE:
**BLOCK 11
 MARSHALL, MN
 56258**

COLLEGE DRIVE

1ST STREET



MAIN STREET



No.	SUBMISSIONS & REVISIONS	Date

CONCEPT SITE PLAN

JOB. NO.: 21.42.7
 DATE: 9-29-21
 DRAWN BY: MJB



FACADE IMPROVEMENT MATCHING GRANT PROGRAM

The City of Marshall recognizes that healthy business districts play an important role in the vitality of Marshall and understands there are many challenges that businesses can face. The Facade Improvement Matching Grant Program aims to help revitalize and sustain business districts. The Facade Improvement Matching Grant Program is designed to help create healthy commercial areas by providing incentives to improve the appearance of building facades and stimulate private investment. The Facade Improvement Matching Grant Program will be capped at \$100,000 or 12 months, whichever comes first.

Who can apply for a matching grant?

Building owners and commercial tenants (with property owner's approval) can apply for a Facade Improvement Matching Grant if:

1. Project location must be within the City of Marshall,
2. They are located within a business district AND
3. The facade improvements are for a commercial business or commercial building.

For-profit and not-for-profit entities are eligible to apply, as long as the grant is used for a commercial building. Most commercial uses are retail and office; however, other uses may qualify, such as day care centers. Mixed-use buildings are eligible for the commercial portion for the building.

How much are the matching grants?

One matching grant can be a maximum of \$10,000 per storefront/business address. **All grants must be matched.** 1:1 match means that every grant dollar must be matched by one dollar. Facade Grants will pay for 50% of the total project costs, up to a maximum of \$10,000. Matching dollars can come from any non-facade Improvement Matching Grant source. Examples include private equity, loans, etc.

This is a **reimbursement program**. You must complete and pay for the total project cost or total private match, prior to receiving a reimbursement check from the program administrator.

What will the matching grant dollars pay for?

Facade Improvement Matching Grants can pay for many exterior, facade improvements. The work **must** be visible from a public street (and not an alley).

The following are eligible improvements for facade matching grants:

- Exterior painting, re-siding, or professional cleaning
- Restoration of exterior finishes and materials
- Masonry repairs and tuck pointing
- Removal of architecturally inappropriate or incompatible exterior finishes and materials
- Restoration of architectural details or removal of materials that cover architectural details



- Repair or replacement of windows and doors (if replacement, windows and doors must be architecturally appropriate)
- Window and cornice flashing and repair
- Canopy or awning installation or repair
- Murals
- Installation or repair of exterior signage
- Removal of barriers to access the building from outside for people with disabilities
- Exterior lighting
- Contracted labor related to any of the above improvements, including design work for projects that are completed
- Wall, window, hanging, and monument signs advertising the business name and identity
- Living wall or “green façade”
- Multiple improvement projects, not to exceed the maximum grant amount per business or storefront

The City of Marshall requires permits for most of the eligible improvements listed here. If you have any questions about permits, please visit City of Marshall Community Planning Department by calling 507-537-6051, or visit the Community Planning Department at 344 West Main Street, Marshall, MN.

What will the matching grant dollars NOT pay for?

The following activities are not eligible for matching grants:

- Improvements in progress or completed prior to preliminary approval
- Routine maintenance that is not part of an eligible façade improvement project
- Billboards
- Roofing
- Mechanicals and HVAC systems
- Interior work
- New construction
- Pylon, temporary, or roof signs
- Interior window displays
- Security systems (including metal roll down gates, window bars, cameras)
- Trash and mechanical enclosures
- Fencing
- Landscaping
- Parking areas
- Bike parking
- Improvements to non-commercial buildings
- Improvement to a building interior, rear, or side not visible from the main street
- Backlit awnings
- Any other improvement **not** deemed eligible on the above list



How do I receive a grant?

Step 1: Be sure you meet program requirements.

- ✓ The property is located in a business district.
- ✓ The property is up-to-date on all property taxes.
- ✓ All construction management is your responsibility.
- ✓ This is a reimbursement program; you must complete and pay for the private match for the work before the program administrator will issue a reimbursement check. See step 6 for further information.

Step 2: Set-up a meeting with the program administrator Karla Drown to discuss your project and review the Central Heritage District Exterior Construction Standards (Secs. 86-276 through 86-293) if you are located in the Heritage District.

Step 3: Submit the Façade Improvement Matching Grant Application and Participation

Agreement to the program administrator, including:

- a. A written description of the project, including drawings, before photographs of the building, and other supporting materials that accurately represent scope and intent of project improvements.
- b. Two (2) contractors' bids that meet the following guidelines.
 - i. Both bids must be for identical scopes of work.
 - ii. If qualified to do so, you may perform the work yourself; however, grant funds can only be used to compensate for materials, not for labor or the purchase or rental of tools and equipment. Sweat equity labor includes that of a friend, relative, or anyone with a financial interest in the business or property.
 - iii. Evidence that contractors are bonded and/or insured.
 - iv. Projects totaling less than \$1,000 and murals only need to submit one bid.
 - v. Grant amounts are based on the lower bid; however, you are free to accept the higher bid.
- c. **All applications are reviewed and approved by a committee, the makeup of which varies.** This step is different for each organization administering the program.

Step 4: Receive a signed copy of the Façade Improvement Matching Grant Application and Participation Agreement from the program administrator after the project has been approved. The Participation Agreement authorizes you to proceed with the project. Before you begin, be sure to obtain all the necessary City permits for the project or ensure your contractor pulled the necessary permits. Permit and taxes paid verification is required prior to grant disbursements.

Step 5: Complete the project and submit documentation to the program administrator within 24 months of the date on the signed Participation Agreement. The grant funds will be disbursed to you or to your contractor(s) by the program administrator after they have received **ALL FOUR (4)** of the following items (if more than one contractor is used, you must submit all four items for each contractor):

- a. **Proof of final inspection** by the City of Marshall Inspections Department for work requiring a City permit (a copy of the permit signed off by the responsible City Inspector).



- b. **Final invoice** from the contractor showing the total project cost.
- c. **Before and After Photographs** highlighting the improvement project from the same vantage point.
- d. **Proof of payment** paid to contractor in one of the following two forms. You should be totally satisfied with the work before paying.
 - i. A **lien waiver** - a statement issued by the contractor that advises the client that they, the contractor, (a) have been paid in full for the total project cost, (b) are satisfied with the compensation for the work they performed, and (c) waive their right to place any liens on the property for the work completed. *(If there are significant material costs, we advise you to obtain a lien waiver from the materials supplier, advising that the contractor paid them in full.)* **OR**
 - ii. **A cancelled check AND a signed receipt** - if you only paid the matching funds (private match) portion of the contract and the contractor will wait for the final payment. You will need a copy of the actual cancelled check(s), returned to you by the bank you used to pay the contractor. Both the front and back of the check must be copied and must be made payable to the contractor for a minimum of the *private match*. You will also need a properly executed receipt, signed by an authorized officer of the contracting firm that includes the contractor's name, address, telephone number, and notation that a minimum of the *private match* was paid in full.

Who can I contact?

For program questions, please contact:

Lauren Deutz

EDA Director

lauren.deutz@ci.marshall.mn.us

507-337-9013

For reimbursement questions, please contact:

Annette Storm

344 West Main Street

Marshall, MN 56258

annette.storm@ci.marshall.mn.us

507-537-6763



THE CITY OF MARSHALL WANTS TO HEAR FROM YOU!

As we set a vision and goals for our community for the next 20 years, we want to know what issues or opportunities you see within Marshall.

Please provide your feedback by completing a survey. You can:

1. Take the survey online by following the link or scanning the QR code below

Take the survey here:

<https://tinyurl.com/MarshallPlanSurvey>



or scan here!



Want to learn more? Visit our project website: tinyurl.com/MarshallComprehensivePlan

Questions? Contact Lauren Deutz - Director of Economic Development

Item 18. lauren.deutz@ci.marshall.mn.us

507-337-9013



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Consider Authorization for Professional Services with TKDA for Airport Zoning Ordinance Update.
Background Information:	<p>TKDA has prepared the attached proposed Authorization for services to update the airport zoning ordinance for the Southwest Minnesota Regional Airport. This project is identified for State FY2022 grant funding.</p> <p>The project will be split into Base Services and Optional Services.</p> <ul style="list-style-type: none"> • <u>Base Services</u>: Provide assistance to develop an ordinance to the Commissioner’s standards following Chapter 360. The intent is for the City to request a State grant for Base Services in SFY 2022. The cost is \$49,500 and would be part of the attached Authorization. • <u>Optional Services</u>: Optional services are possible additional services to craft a custom airport zoning ordinance, if the Joint Airport Zoning Board (JAZB) opts for it. TKDA would better define this scope and fee at a later time in a future Authorization. The intent is for the City to request a grant amendment for MnDOT to participate in the cost of the additional services needed to complete a custom airport zoning ordinance. This work presented in the Authorization is for information purposes only. <p>MnDOT Aeronautics confirmed they are comfortable moving forward with base services for a SFY2022 grant. State funding for this project will be provided at a 70% funding rate, with the remaining 30% funded locally. The optional services were included for reference for city staff to understand costs for a future grant request. At this point we do not have a State grant to cover these costs and city staff is not proposing to consider these services at this time.</p>
Fiscal Impact:	\$49,500 –State funding for this project will be provided at a 70% funding rate, with the remaining 30% funded locally. The 30% local cost share equates to \$14,850.
Alternative/ Variations:	No alternative actions recommended.
Recommendation:	that the Council authorize execution of the attached Authorization for Professional Services with TKDA for update to the Airport Zoning Ordinance.

THE CITY OF MARSHALL, MINNESOTA
AUTHORIZATION FOR PROFESSIONAL SERVICES

TO: Toltz, King, Duvall, Anderson
and Associates, Incorporated
444 Cedar Street, Suite 1500
St. Paul, Minnesota 55101

Pursuant to our Professional Services Agreement dated March 10, 2020, you are hereby authorized to proceed with the services described as follows:

BASE SERVICES
AIRPORT ZONING ORDINANCE UPDATE
SOUTHWEST MINNESOTA REGIONAL AIRPORT (MML)

I. PROJECT DESCRIPTION

Assist the CLIENT with an update to the Airport Zoning Ordinance (AZO) to reflect the Airport Layout Plan (ALP) dated June 2020 for the Southwest Minnesota Regional Airport (MML).

The proposed AZO process shall follow Minnesota Statutes Chapter 360. A newly established Joint Airport Zoning Board (JAZB) will be responsible for adopting an AZO. The JAZB may elect to establish airport zoning to the Commissioner's standards (Minnesota Rules Chapter 8800.2400) per section 360.0655, or optionally elect to complete custom airport zoning per section 360.0656.

This project is setup up into two phases - Base and Optional Services. Base services includes assistance to develop an ordinance to Commissioner's Standards and follow the airport zoning process established in Chapter 360. Optional services includes anticipated services that may be required for the JAZB to adopt an AZO. Examples of optional services include developing a custom zoning ordinance, preparing a technical analysis document, holding additional public hearing(s) and assisting in in the review process.

Base services is included in this Authorization. Optional services are presented for informational purposes only. The scope and fee of optional services will be updated at a later time when the scope of work to create a custom zoning ordinance is defined by the JAZB.

The Project is intended to be funded in part by a grant from the Minnesota Department of Transportation Office of Aeronautics (MnDOT Aeronautics). Base services will be requested for SFY 2022 funding from MnDOT Aeronautics. A grant amendment will need to be requested by the CLIENT to fund Optional services. Grant funding for Optional services will be subject to available funding.

The provisions of Section VI of the Professional Services Agreement, Required Federal Clauses for Professional Service Contracts, shall not apply to this Authorization.

The responsibilities between the CLIENT and TKDA to accomplish the project are identified in **Table 1**. TKDA work items are further described in the SERVICES TO BE PROVIDED BY TKDA.

Table 1: Airport Zoning Tasks / Responsibilities

Task / Description	CLIENT	TKDA
Base Services		
Grant Request to MnDOT	X	X
Prepare Jurisdiction Map		X
Prepare Templates of Required Zoning Notices		X
Letters to Jurisdictions to Establish Joint Airport Zoning Board (JAZB)	X	
Certified Resolutions from Jurisdictions Establishing JAZB	X	
Prepare JAZB Minutes & Resolutions	X	
JAZB Meeting #1 – Basics of Airport Zoning	X	X
Prepare Draft Airport Zoning Ordinance & Maps		X
JAZB Meeting #2 - Review Proposed Ordinance	X	X
JAZB Meeting #3 - Approve Proposed Ordinance, Set Hearing Date	X	X
Existing Land Use Research	X	
Document Existing Land Use Exceptions	X	X
Certified Resolution of JAZB Establishing Public Hearing(s)	X	
Advertise Public Hearing(s)	X	
Affidavit of Publication for Public Hearing(s)	X	
Mailing Notice to Affected Property Owners	X	
Affidavit of Mailing Notice	X	
Prepare Project Information Sheet		X
Public Hearing #1	X	X
Facilitate MnDOT Aeronautics Review of Draft Ordinance		X
JAZB Meeting #4 – Approve Ordinance for MnDOT Submittal	X	X
Certified Minutes of Each Public Hearing	X	
Submit Ordinance to MnDOT Aeronautics for Commissioner's Order		X
Certified JAZB Resolution to Submit Ordinance for Comm. Order	X	
JAZB Meeting #5 - Adopt Ordinance	X	X
Certified JAZB Resolution to Adopt Proposed Ordinance	X	
File Ordinance with County Register of Deeds	X	
Certifications as to the filing of the Ordinances with County	X	
Submit Two (2) Certified Copies of the Adopted Ordinance & Maps	X	
Grant Reimbursement Credit Applications	X	
Optional Services (for reference only)		
Grant Amendment Request to MnDOT	X	X
JAZB Meeting – Custom Airport Zoning Workshop	X	X
Prepare Technical Analysis Document		X
Document Non-Conforming Land Uses & Develop Land Use Standards	X	X
Prepare Draft Custom Airport Zoning Ordinance & Maps (add'l work)		X
Collaborate with MnDOT Aeronautics on Zoning Changes	X	X
Modify Zoning Ordinance & Resubmit		X
JAZB Meeting – Review Revised Airport Zoning Ordinance	X	X
Public Hearing #2	X	

II. SERVICES TO BE PROVIDED

TKDA is requested to provide the following Base services for the Project:

A. BASE AIRPORT ZONING ASSISTANCE

1. Assist CLIENT with airport zoning procedural steps identified in Minnesota Statutes Chapter 360 and coordinate with MnDOT Office of Aeronautics. Prepare and/or deliver templates of required airport zoning letters, notices or resolutions.
2. Prepare draft AZO in accordance with the Commissioner's standard (MnDOT Model Airport Safety Zoning Ordinance) current at the time of this Authorization. Incorporate CLIENT revisions.
3. Prepare new airport zoning maps of the Commissioner's standard zones. Zones will be based on the existing and future airport configuration identified in 2020 Airport Layout Plan.
4. Develop reasonable safety standards for existing land uses. Identify existing land uses may not meet safety standards. CLIENT to perform research on properties.
5. Assist with the following anticipated Joint Airport Zoning Board meetings as described. Two (2) TKDA staff members to attend JAZB Meeting #1. One (1) TKDA staff member to attend remaining JAZB meetings. Prepare presentations on technical items. CLIENT to facilitate meetings, prepare meeting agendas, prepare meeting minutes and resolutions. CLIENT to provide a virtual participation option for JAZB meetings.
 - i. JAZB Meeting #1 (In-Person). Attend meeting to present on the background of airport zoning.
 - ii. JAZB Meeting #2 (In-Person). Attend meeting to review the proposed AZO and provide technical assistance.
 - iii. JAZB Meeting #3 (Virtual). Attend meeting to assist JAZB with approval of proposed AZO.
 - iv. JAZB Meeting #5 (Virtual). Attend meeting to review public hearing comments and assist JAZB with submittal of the proposed AZO to MnDOT Aeronautics.
 - v. JAZB Meeting #6 (Virtual). Attend meeting to assist JAZB with adoption of the final AZO.
6. Assist with a Public Hearing as described. One (1) TKDA staff member to attend. Prepare presentations on technical items. CLIENT to facilitate meetings, prepare agendas, transcribe public comments and prepare meeting minutes.
 - i. JAZB Meeting #4 / Public Hearing #1 (In-Person & Virtual). Attend public hearing on proposed AZO to provide technical assistance to the JAZB. Prepare boards/exhibits of zoning maps. Prepare review presentation.
7. Assist CLIENT with preparing a grant-funding request to the MnDOT Office of Aeronautics.

8. Prepare and send the following deliverables to the CLIENT:
 - i. Airport Zoning Ordinance (PDF and Word)
 - ii. Airport Zoning Maps (PDF and GIS Shapefiles)
 - iii. Public Hearing Boards of Airport Zoning Maps

TKDA may also requested to provide the following some or all of the Optional services for the Project upon approval from the CLIENT in a separate Authorization:

B. OPTIONAL AIRPORT ZONING ASSISTANCE (FOR INFORMATION ONLY)

1. Assist CLIENT with custom airport zoning procedural steps identified in Minnesota Statutes Chapter 360 and coordinate with MnDOT Office of Aeronautics.
2. Formulate new custom AZO text and maps. Develop and document custom restrictions and geometry in coordination with the JAZB and the CLIENT.
3. Collaborate with MnDOT Aeronautics to resolve AZO comments from first submittal. Participate in one (1) virtual meeting with two (2) TKDA staff members to review comments. Propose revisions and revise AZO accordingly.
4. Prepare Technical Analysis document to demonstrate custom AZO provides a reasonable level of safety, addressing the factors listed in section 360.0656. These factors include but are not limited to existing land uses, planned land uses, aircraft crash rate, and economic costs of restricting land uses.
5. Additional work to identify land uses that pre-date airport zoning standards. Develop reasonable restrictions to prevent the establishment of potential hazards. CLIENT to perform additional research on properties.
6. Assist with additional Joint Airport Zoning Board meetings as described. One (1) TKDA staff member to attend. Prepare presentations on technical items. CLIENT to facilitate meetings, prepare meeting agendas, prepare meeting minutes and resolutions. CLIENT to provide a virtual participation option for JAZB meetings.
 - i. JAZB Meeting (In-Person). Attend meeting to review custom airport zoning methodology and collect feedback.
 - ii. JAZB Meeting (In-Person). Attend meeting to review proposed revisions to AZO.
7. Assist with an additional Public Hearing as described. One (1) TKDA staff member to attend. Prepare presentations on technical items. CLIENT to facilitate meetings, prepare agendas, transcribe public comments and prepare meeting minutes.
 - i. Public Hearing #1 (In-Person & Virtual). Attend public hearing on revised AZO to provide technical assistance to the JAZB. Prepare boards/exhibits of zoning maps. Prepare review presentation.
8. Assist CLIENT with preparing grant amendment funding request from MnDOT Office of Aeronautics.

III. ADDITIONAL SERVICES

If authorized in writing by the CLIENT, we will furnish or obtain from others Additional Services of the types listed below which are not considered as basic services under this Proposal. Additional Services shall be billable on an Hourly Time and Materials basis and such billings shall be over and above any maximum amounts set forth in this Proposal.

- A. Incorporation of new MnDOT standards established after the date of this proposal.
- B. Preparing several versions of a custom airport zoning ordinance.
- C. Research variances issued within proposed safety zones.
- D. Identification of affected landowners names and addresses in proposed safety zones.
- E. Completing project letters, mailings, minutes, and resolutions.
- F. More than three (3) trips by TKDA staff to Marshall, Minnesota (base services).
- G. Additional in-person or virtual project meetings.
- H. Affected landowner meetings.

IV. CLIENT'S RESPONSIBILITIES

These responsibilities shall be as set forth in Section II of the Professional Services Agreement and as further described or clarified herein below:

- A. Designate one individual to act as a representative with respect to the work to be performed, and such person shall have complete authority to transmit instructions, receive information, interpret and define policies, and make decisions with respect to critical elements pertinent to the Project. This individual shall be identified below.
- B. Provide TKDA with access to the site as required to perform services listed in SECTION II.
- C. Provide reviews of materials furnished by TKDA in a reasonable and prompt manner so that the Project schedule can be maintained.
- D. Complete work task items as identified in Table 1.

V. PERIOD OF SERVICE

We would expect to start our services promptly upon receipt of your written acceptance of this Proposal and an executed State Grant Agreement. SECTION II services will be completed within twenty four (24) months from this date of Authorization. The period of service is subject to change based on actual agency/organization review timeframes.

VI. COMPENSATION

Compensation to TKDA for services provided as described in SECTION II of this Proposal shall be in the Lump Sum amount of **\$49,500** for Base Services.

An hourly estimated amount of \$57,400 for Optional Services is provided for informational purposes only, and is subject to future authorization by the CLIENT. Optional Services fee is an estimate and may need to be updated based on the actual scope of work. Payment shall be made in accordance with Section III of the Professional Services Agreement.

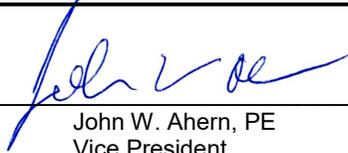
The level of effort required to accomplish SECTION II services can be affected by factors which are beyond our control. Therefore, if it appears at any time that charges for services rendered under SECTION II will exceed the above, we agree that we will not perform services or incur costs which will result in billings in excess of such amount until we have been advised by you that additional funds are available and our work can proceed.

VII. CONTRACTUAL INTENT

We thank you for the opportunity to submit this Proposal. We agree that this Authorization and attachments constitute a contract between us upon its signature by an authorized official of the City of Marshall and the return of a signed original to us. This Proposal will be open for acceptance for 60 days, unless the provisions herein are changed by us in writing prior to that time.

ATTACHMENTS: BASIS FOR FEE ESTIMATE

Approved by _____, _____, 2021
Authorized City Representative

Consultant Acceptance by  _____, November 4, 2021
John W. Ahern, PE
Vice President



Basis for Fee Estimate

Client:	City of Marshall / Southwest Minnesota Regional Airport (MML)					Date:	11/4/2021	
Project:	Airport Zoning Ordinance Update					Prepared By:	MSW	
Task	Task Description	Estimated Person Hours Required					Total Hours	Total Dollars
		Sr Eng	Sr Plan	GIS Tech	Jr Plan	Admin		
A	Base Airport Zoning Assistance							
1	Airport Zoning Procedures Assistance	8	24		48		80	\$ 10,556
2	Prepare Airport Zoning Ordinance	2	12		32	4	50	\$ 6,026
3	Prepare Airport Zoning Maps		4	64	8		76	\$ 8,251
4	Existing Land Use Standards		4		4		8	\$ 1,123
5	Attend JAZB Meeting #1 (In-Person)	12	12		12		36	\$ 5,611
6	Attend JAZB Meeting #2 (In-Person)		12		8		20	\$ 2,982
7	Attend JAZB Meeting #3 (Virtual)		8		4		12	\$ 1,859
8	Attend JAZB Meeting #4 / Public Hearing (In-Person/Virtual)	12	12	8	16	4	52	\$ 7,188
9	Attend JAZB Meeting #5 (Virtual)		6		2		8	\$ 1,298
10	Attend JAZB Meeting #6 (Virtual)		6		2		8	\$ 1,298
11	Grant Assistance	8	2				10	\$ 1,862
Total Person Hours		42	102	72	136	8	360	
Billing Rate/Hr (Labor Rate x 2.95 Multiplier)		\$ 186.78	\$ 183.99	\$ 105.32	\$ 96.80	\$ 86.73		
Total Billable for Charged Time		\$ 7,845	\$ 18,767	\$ 7,583	\$ 13,165	\$ 694		\$ 48,054
Base Expenses:								
Travel & Subsistence (TS)								\$ 1,071
Reproduction & Reprographics (RR)								\$ 300
Total Base Services (Lump Sum)								\$ 49,425
Total Base Services - Rounded								\$ 49,500



Basis for Optional Services Fee Estimate - FOR INFORMATION ONLY

Client:	City of Marshall / Southwest Minnesota Regional Airport (MML)					Date:	11/4/2021	
Project:	Airport Zoning Ordinance Update - Optional Services					Prepared By:	MSW	
Task	Task Description	Estimated Person Hours Required					Total Hours	Total Dollars
		Sr Eng	Sr Plan	GIS Tech	Jr Plan	Admin		
B	Optional Airport Zoning Assistance							
1	Custom Airport Zoning Procedures Assistance	4	16		16		\$ 5,240	
2	Formulate Custom AZO Text & Maps	4	16	24	24	68	\$ 8,542	
3	Collaborate with MnDOT, Hold Meeting (1), Revise AZO	4	12	12	16	44	\$ 5,768	
4	Prepare Technical Analysis Document	2	16	40	80	138	\$ 15,274	
5	Additional Land Use Research & Standards	2	8		24	34	\$ 4,169	
6	Attend JAZB Meeting / Public Hearing (In-Person/Virtual)	12	12	8	16	52	\$ 7,188	
7	Attend JAZB Meeting (In-Person) - Custom Zoning	12	12		12	36	\$ 5,611	
8	Attend JAZB Meeting (In-Person) - AZO Revisions		12		8	20	\$ 2,982	
9	Grant Amendment Assistance	4	2			6	\$ 1,115	
Total Person Hours		44	106	84	196	4	434	
Billing Rate/Hr (Labor Rate x 2.95 Multiplier)		\$ 186.78	\$ 183.99	\$ 105.32	\$ 96.80	\$ 86.73		
Total Billable for Charged Time		\$ 8,218	\$ 19,503	\$ 8,847	\$ 18,973	\$ 347	\$ 55,888	
Optional Expenses:								
Travel & Subsistence (TS)							\$ 1,141	
Reproduction & Reprographics (RR)							\$ 300	
Total Optional Services (Hourly, Estimated)							\$ 57,329	
Total Optional Services - Rounded							\$ 57,400	

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Wastewater Treatment Facilities Improvement Project – 1) Consider Change Order No. 2 (Final); 2) Consider Application for Payment No. 28 to Magney Construction, Inc.
Background Information:	<p>Please see attached documents as follows for the above-referenced project:</p> <ol style="list-style-type: none"> 1) Change Order No. 2 (Final) with Magney Construction, Inc. of Chanhassen, Minnesota, for a contract decrease in the amount of (\$26,609.74) 2) Application for Payment No. 28 (Final) to Magney Construction, Inc. of Chanhassen, Minnesota, in the amount of \$140,476.90 <p>Per the City’s consultant, Bolton & Menk:</p> <ul style="list-style-type: none"> - Change Order No. 2 (Final) results in a contract deduct in the amount of (\$26,609.74). This deduct amount represents the amount of cash allowances included in the contract which were not utilized under the contract. For reference, Change Order No. 1 was for a time extension only, and was not brought forward to Council as PFA does not require Council approval for time extension. - Application for Payment No. 28 covers work completed on the project through November 30, 2021. At this time, work has been completed for the project, and the contractor has submitted Consent of Surety, MN State IC-134 (Withholding Affidavit) Forms, and Lien Waivers to the City. After processing of this Payment No. 28 (Final), Magney Construction, Inc. will have been paid in full, including all retainage. <p>As this project is financed with a Public Facilities Authority low interest loan through the State of Minnesota, pay applications are required to be placed on the City Council agenda for approval.</p>
Fiscal Impact:	This project is financed with a Public Facilities Authority low interest loan through the State of Minnesota.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	<p>Recommendation No. 1 that the Council approve Change Order No. 2 (Final) with Magney Construction, Inc. of Chanhassen, Minnesota, for a contract decrease in the amount of (\$26,609.74).</p> <p>Recommendation No. 2 that the Council authorize Application for Payment No. 28 (Final), per the recommendation of the City’s consultant, Bolton & Menk, Inc., to Magney Construction, Inc. of Chanhassen, Minnesota, in the amount of \$140,476.90.</p>

SECTION 00991 – CHANGE ORDER

(Instructions on reverse side)

No. 2

PROJECT: Wastewater Treatment Improvements

DATE OF ISSUANCE: December 10, 2021

EFFECTIVE DATE: December 10, 2021

OWNER: City of Marshall, MN

ENGINEER'S Project No.: T22.115360

CONTRACTOR: Magney Construction Inc.

ENGINEER: Bolton & Menk Inc.

You are directed to make the following changes in the Contract Documents.

Description:

Modification of Final Contract Price

Reason for Change Order:

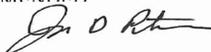
Final Contract price is modified to reflect unused portion of the contract allowances.

Attachments: (List documents supporting change)

None

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price	Original Contract Times
<u>\$14,074,300.00</u>	Substantial Completion : days or dates
Net changes from previous Change Orders No. <u>0</u> to No. <u>0</u>	Ready for final payment : days or dates
<u>\$0</u>	Net changes from previous Change Orders No. ___ to No. ___
Contract Price Prior to this Change Order	<u>0</u> days
<u>\$14,074,300.00</u>	Contract Times prior to this Change Order
Net Decrease (Increase/Decrease/No Change) of this Change Order	Substantial Completion : days or dates
<u>\$26,609.74</u>	Ready for final payment : days or dates
Contract Price with all approved Change Orders	Net Increase/of this Change Order
<u>\$14,047,690.26</u>	days
	Contract Times with all approved Change Orders
	Substantial Completion : days or dates
	Ready for final payment : days or dates

RECOMMENDED:

By: 
 Engineer (Authorized Signature)

Date: 12-10-2021

APPROVED:

By: _____
 Owner (Authorized Signature)

Date: 01-11-2022

ACCEPTED:

By: 
 Contractor (Authorized Signature)

Date: 12-13-21

EJCDC No. 1910C8-B (1990 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America.

CHANGE ORDER

INSTRUCTIONS

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Contract Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating change order items to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed, any effect of a Change Order thereon should be addressed.

For supplemental instructions and monitor changes not involving a change in the Contract Price or Contract Times, a Field Order may be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer initiates the form, including a description of the changes involved and attachment based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Contractor for approval. After approval by Contractor, all copies should be sent to Owner for approval. Engineer should make distribution of executed copies after approval by Owner.

If a change only applies to Contract Price or to Contract Times, cross out the part of the tabulation that does not apply.

Application for Payment No. 28

To: The City of Marshall, MN
 From: Magney Construction, Inc., 1401 Park Road, Chanhassen, MN 55317
 Contract: _____
 Project: Wastewater Treatment Facility Improvements

Owners Contract No. _____ Engineer's Project No. T22.115360
 Date of this Invoice: 12/10/2021
 Invoice Work Period: 10/1/21-11/30/21

1) Original Contract amount	<u>\$14,074,300.00</u>	✓
2) Change Orders to date	<u>-\$26,609.74</u>	✓
3) Revised Contract amount	<u>\$14,047,690.26</u>	✓
4) Value completed to date	<u>\$14,047,690.26</u>	
5) Materials stored on site	<u>\$0.00</u>	
6) Total Earned to date	<u>\$14,047,690.26</u>	
7) Amount retained	<u>\$0.00</u>	
8) Amount previously paid	<u>\$13,907,213.36</u>	✓
Amount due this Payment	<u>\$140,476.90</u>	

1/11/2022
 Council

Accompanying Documentation:

CONTRACTOR'S Certification:

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

Magney Construction, Inc. (Contractor)

By: [Signature]
 Project Manager

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Owner: City of Marshall Engineer: Bolton & Menk
 By: [Signature] By: [Signature]
 Date: 12-30-2021 Date: 12-29-2021

VENDOR # 5459 (Magney)
 INVOICE # #28 Final - T22.115360
 \$ AMOUNT 140,476.90
 DATE 12-10-2021
 ACCT & PROJ # 602-49500-55120/W13
 DESCRIPTION #28 Final - WWTF Imp
 SIGNATURE [Signature]

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

Date of Application:
 Work Completed Through:

APPLICATION FOR PAYMENT SCHEDULE

Spec. Section	Pay Application #28 Description of Work	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
0520	Bond & Insurance	\$ 168,892	168,892.00	0.00	0.00	168,892.00	100%	0.00
1000	Mobilization	\$ 696,545	696,545.00	0.00	0.00	696,545.00	100%	0.00
1010	Supervision & General Conditions	\$ 276,000	276,000.00	0.00	0.00	276,000.00	100%	0.00
1020	General Construction Allowance	\$ 250,000	247,709.11	2,290.89	0.00	250,000.00	100%	0.00
1021	Building Permit Allowance	\$ 10,000	7,499.38	2,500.62	0.00	10,000.00	100%	0.00
2060	Demolition of Existing WWTP Facilities:							
	Trickling Filter Pump Station Top	\$ 4,650	4,650.00	0.00	0.00	4,650.00	100%	0.00
	Trickling Filter Pump Station Pumps/Piping	\$ 3,480	3,480.00	0.00	0.00	3,480.00	100%	0.00
	Sludge Control Structure	\$ 13,540	13,540.00	0.00	0.00	13,540.00	100%	0.00
	Control Building Pumps and Piping	\$ 5,850	5,850.00	0.00	0.00	5,850.00	100%	0.00
	Blower Building Blowers and Piping	\$ 6,420	6,420.00	0.00	0.00	6,420.00	100%	0.00
	Trickling Filter Roof/Media/Rotary Distributor	\$ 62,460	62,460.00	0.00	0.00	62,460.00	100%	0.00
	Aeration Equipment and Piping	\$ 17,500	17,500.00	0.00	0.00	17,500.00	100%	0.00
	Intermediate Clarifier Equipment	\$ 26,417	26,417.00	0.00	0.00	26,417.00	100%	0.00
2140	Dewatering	\$ 19,555	19,555.00	0.00	0.00	19,555.00	100%	0.00
2210	Finish Grading	\$ 14,320	14,320.00	0.00	0.00	14,320.00	100%	0.00
2220	Structure Excavation - Final Clarifier and Splitter Box	\$ 71,200	71,200.00	0.00	0.00	71,200.00	100%	0.00
2221	Structure Excavation - Sludge Storage Structure	\$ 133,600	133,600.00	0.00	0.00	133,600.00	100%	0.00
2220A	Backfill of Structures - Final Clarifier and Splitter Box	\$ 91,500	91,500.00	0.00	0.00	91,500.00	100%	0.00
2221A	Backfill of Structures - Sludge Storage Structure	\$ 172,620	172,620.00	0.00	0.00	172,620.00	100%	0.00
2370	Erosion and Sediment Control	\$ 12,400	12,400.00	0.00	0.00	12,400.00	100%	0.00
2550	Site Utilities	\$ 565,333	565,333.00	0.00	0.00	565,333.00	100%	0.00
2551	Bypass Piping	\$ 49,504	49,504.00	0.00	0.00	49,504.00	100%	0.00
2600	Roads, Walks and Curbs	\$ 22,540	22,540.00	0.00	0.00	22,540.00	100%	0.00
2800	Fencing	\$ 12,200	12,200.00	0.00	0.00	12,200.00	100%	0.00
2920	Seeding	\$ 6,100	6,100.00	0.00	0.00	6,100.00	100%	0.00
3200	Rebar - Materials	\$ 678,400	678,400.00	0.00	0.00	678,400.00	100%	0.00
3201	Rebar - Labor	\$ 457,600	457,600.00	0.00	0.00	457,600.00	100%	0.00
3300	Concrete Work							
	Clarifier Splitter Structure	\$ 71,760	71,760.00	0.00	0.00	71,760.00	100%	0.00
	Final Clarifier	\$ 214,650	214,650.00	0.00	0.00	214,650.00	100%	0.00
	Control Structure	\$ 29,075	29,075.00	0.00	0.00	29,075.00	100%	0.00
	Sludge Storage Tank	\$ 2,180,839	2,180,839.00	0.00	0.00	2,180,839.00	100%	0.00
	Miscellaneous Concrete	\$ 1,860.00	1,860.00	0.00	0.00	1,860.00	100%	0.00
3410	Precast Double Tees	\$ 448,980	448,980.00	0.00	0.00	448,980.00	100%	0.00
3411	Precast Hollow Core Planks	W/Double Tees						

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

Date of Application:
 Work Completed Through:

APPLICATION FOR PAYMENT SCHEDULE

Spec.	Pay Application #28	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
			W/Double Tees					
3460	Precast Non-Architectural Wall Panels							
5100	Structural Metals, Misc Metals and Handrail	\$ 456,850	456,850.00	0.00	0.00	456,850.00	100%	0.00
5500	Access Hatches	\$ 7,820	7,820.00	0.00	0.00	7,820.00	100%	0.00
7535	Fully Adhered Membrane Roofing & Sheet Metal	\$ 279,400	279,400.00	0.00	0.00	279,400.00	100%	0.00
7900	Joint Sealant	\$ 1,600	1,600.00	0.00	0.00	1,600.00	100%	0.00
8110	Hollow Metal Doors, Frames and Hardware	\$ 22,540	22,540.00	0.00	0.00	22,540.00	100%	0.00
9960	Painting	\$ 299,000	299,000.00	0.00	0.00	299,000.00	100%	0.00
10400	Identifying Devices	\$ 3,690	3,690.00	0.00	0.00	3,690.00	100%	0.00
11213	Vertical Non-Clog Solids Handling Pumps	\$ 212,600	212,600.00	0.00	0.00	212,600.00	100%	0.00
11214	Vertical Turbine Pumps	\$ 143,100	143,100.00	0.00	0.00	143,100.00	100%	0.00
11311	Submersible Centrifugal Pumps	\$ 17,400	17,400.00	0.00	0.00	17,400.00	100%	0.00
11312	Replace Vaughan Chopper Pump	\$ 36,400	36,400.00	0.00	0.00	36,400.00	100%	0.00
11316	Progressive Cavity Pumps	\$ 54,750	54,750.00	0.00	0.00	54,750.00	100%	0.00
11321	Grit Separation Equipment	\$ 96,560	96,560.00	0.00	0.00	96,560.00	100%	0.00
11351	Clarifier Equipment - Suction Type Clarifier	\$ 428,500	428,500.00	0.00	0.00	428,500.00	100%	0.00
11365	Gravity Actuated Rotary Distributor	\$ 135,840	135,840.00	0.00	0.00	135,840.00	100%	0.00
11366	Trickling Filter Media	\$ 345,600	345,600.00	0.00	0.00	345,600.00	100%	0.00
11372	Blower Allowance	\$ 650,000	645,308.25	\$4,691.75	0.00	650,000.00	100%	0.00
11372	Blower System (Positive Displacement w/ Enclosure)	\$ 4,630	4,630.00	0.00	0.00	4,630.00	100%	0.00
11374	Fine Pore Membrane Aeration Equipment	\$ 82,900	82,900.00	0.00	0.00	82,900.00	100%	0.00
11376	Hybrid Blower System	\$ 6,800	6,800.00	0.00	0.00	6,800.00	100%	0.00
13126	Circular Tank Covers	\$ 185,300	185,300.00	0.00	0.00	185,300.00	100%	0.00
13262	Long Term Storage Mixing System	\$ 266,500	266,500.00	0.00	0.00	266,500.00	100%	0.00
13263	ATAD Equipment Replacement	\$ 140,000	140,000.00	0.00	0.00	140,000.00	100%	0.00
13263	ATAD Equipment Installation	\$ 29,850	29,850.00	0.00	0.00	29,850.00	100%	0.00
13320	Blower Master Control Panel	\$ 900	900.00	0.00	0.00	900.00	100%	0.00
13890	Slide Gates	\$ 10,500	10,500.00	0.00	0.00	10,500.00	100%	0.00
13900	Fiberglass Baffles and Weir Plates	\$ 31,200	31,200.00	0.00	0.00	31,200.00	100%	0.00
14620	Portable Hoist	\$ 9,200	9,200.00	0.00	0.00	9,200.00	100%	0.00
15060	Process Piping - Materials	\$ 307,200	307,200.00	0.00	0.00	307,200.00	100%	0.00
15060	Process Piping - Labor	\$ 172,800	172,800.00	0.00	0.00	172,800.00	100%	0.00
15100	Valves - Materials	\$ 744,040	744,040.00	0.00	0.00	744,040.00	100%	0.00
15130	Gauges	\$ 1,600	1,600.00	0.00	0.00	1,600.00	100%	0.00
15140	Pipe Supports and Anchors	\$ 11,600	11,600.00	0.00	0.00	11,600.00	100%	0.00
15150	Stainless Steel Manways w/ Blind Flanges	\$ 34,500	34,500.00	0.00	0.00	34,500.00	100%	0.00
15250	Plumbing	\$ 14,800	14,800.00	0.00	0.00	14,800.00	100%	0.00
15500	HVAC	\$ 97,800	97,800.00	0.00	0.00	97,800.00	100%	0.00

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

Date of Application:
 Work Completed Through:

APPLICATION FOR PAYMENT SCHEDULE

Spec.	Pay Application #28	Scheduled Value	Work Previous Application	Completed This Application	Materials Presently Stored	Total Completed & Stored to Date	% Complete	Balance To Finish
16010	Electrical - Mobilization, Permits and Job Overhead	\$ 100,000	100,000.00	0.00	0.00	100,000.00	100%	0.00
16100	Basic Materials and Methods	\$ 260,575	260,575.00	0.00	0.00	260,575.00	100%	0.00
16150	Motors	\$ 20,000	20,000.00	0.00	0.00	20,000.00	100%	0.00
16400	Electrical Distribution	\$ 83,000	83,000.00	0.00	0.00	83,000.00	100%	0.00
16900	Starters and Motor Control Centers	\$ 463,000	463,000.00	0.00	0.00	463,000.00	100%	0.00
16950	Instrumentation and Controls	\$ 958,165	958,165.00	0.00	0.00	958,165.00	100%	0.00
16990	Computer Allowance	\$ 50,000	32,873.52	\$17,126.48	0.00	50,000.00	100%	0.00
	Change Order #2 - Allowance Reduction	\$ (26,609.74)	0.00	\$ (26,609.74)	0.00	-26,609.74	100%	0.00
	Totals	14,047,690.26	14,047,690.26	0.00	0.00	14,047,690.26	100%	0.00
		26,609.74						
	Original Contract amount		14,074,300.00					
	Change Orders to date		-26,609.74					
	Revised Contract amount		14,047,690.26					
	Value completed to date		14,047,690.26					
	Materials stored on site		0.00					
	Total Earned to date		14,047,690.26					
	Amount retained		0.00					
	Amount previously paid		13,907,213.36					
	Amount due this Payment		140,476.90					



Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

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

MEMORANDUM

Date: December 29, 2021
To: Bob Van Moer, Wastewater Treatment Superintendent
From: Jon D. Peterson, P.E., Project Engineer
Subject: Wastewater Treatment Facility Improvements – Magney Construction Inc.
Pay Request No. 28- Final
City of Marshall, Minnesota
Project No.: T22.115360

INTRODUCTION

Pay Request No. 28 for the above-referenced project in the amount of \$140,476.90 is being submitted for approval. In addition, Change Order No. 2, for a deduct amount of \$26,609.74 is also being submitted for approval

DISCUSSION

This pay application covers work completed on the project through November 30, 2021. At this time, work has been completed for the project, and the contractor has submitted Consent of Surety and Mn State IC 134 forms for the project. The consent of surety is attached for reference, the IC 134 forms and lien waivers will be forwarded for City files. In addition, the documents for American Iron and Steel compliance have also been submitted by the contractor and will be forwarded under separate cover for the city files.

A change order for the deduct amount of \$26,609.74 is also being submitted for approval. This deduct amount represents the amount of cash allowances included in the contract which were not utilized under the contract.

BUDGET IMPACT

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

ACTION REQUESTED

Approve the attached Change Order No. 2 and Pay Request 28 from Magney Construction Inc. in the total amount of \$140,476.90.

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Project ST-003: South 1 st Street/Greeley Street/Williams Street Reconstruction Project - Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.
Background Information:	<p>This project consists of: reconstruction and utility replacement on South 1st Street from George Street to Greeley Street, on Greeley Street from West College Drive to Saratoga Street, and on Williams Street from Maple Street to George Street; sanitary sewer, watermain, and storm sewer will be replaced. This project will also include new curb & gutter, new 5-ft. sidewalk on one or both sides of the streets, driveway aprons, water services, and sewer services to the right-of-way.</p> <p>The proposed project is included in the 2022 capital improvement plan (CIP) for complete reconstruction of the street, curb, driveways, water system, storm water system, and sanitary sewer collection system. This project will tie-in near George Street where the 2020 South 1st Street project finished.</p> <p>Nearly the entire project area consists of 4” ductile iron water main, which is undersized and does not provide adequate fire protection. The sanitary sewer reconstruction will replace clay sewer pipe with PVC pipe, and the storm water reconstruction will largely consist of replacing inlets at existing capture points. It is likely that the number and size of inlets will be increased to help improve storm water intake due to large contributing drainage areas.</p> <p>The street width of South 1st and Greeley Street is proposed to be 38-FT as measured from back of curb; this is equivalent to the 2020 South 1st Street project. The street width of Williams is proposed to be 29-FT as measured from back of curb; this matches the existing width.</p> <p>The plans and specifications have been prepared by City staff for the above-referenced project. If the City Council decides to proceed with this project, a resolution has been prepared approving the plans and specifications and ordering advertisement for bids.</p>
Fiscal Impact:	The engineer’s estimate for the construction portion of the project is \$1,930,000. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$2,463,000. All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem. Final approval of the project must include determination of funding sources.
Alternative/ Variations:	No alternative actions recommended.

Recommendation:

that the Council adopt the Resolution 22-008, which is the “Resolution Approving Plans and Specifications and Ordering Advertisement for Bids” for Project ST-003: South 1st Street/Greeley Street/Williams Street Reconstruction Project.

RESOLUTION NUMBER 22-008

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to a resolution passed by the council on December 14, 2021, the City Engineer has prepared plans and specifications under the following project in the following location and has presented such plans and specifications to the Council for approval.

PROJECT ST-003: SOUTH 1ST STREET/GREELEY STREET/WILLIAMS STREET RECONSTRUCTION PROJECT -- This project consists of: reconstruction and utility replacement on South 1st Street from George Street to Greeley Street, on Greeley Street from West College Drive to Saratoga Street, and on Williams Street from Maple Street to George Street; sanitary sewer, watermain, and storm sewer will be replaced. This project will also include new curb & gutter, new 5-ft. sidewalk on one or both sides of the streets, driveway aprons, water services, and sewer services to the right-of-way.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official newspaper, the Marshall Independent, in Finance & Commerce, on the City of Marshall website, eGram, and on the Mn/DOT eAdvert website, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published two times in the Marshall Independent, one time in Finance & Commerce, and continuously on the City of Marshall website, eGram and the Mn/DOT eAdvert website until the date of bid opening, shall specify the work to be done, shall state the date, time and place that the bids will be received by the City Clerk, which time they will be publicly opened by the City Clerk and Director of Public Works/City Engineer, will then be tabulated, and will indicate the date, time and place time that the bids will be considered by the City Council. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Clerk for 10 percent of the amount of such bid.

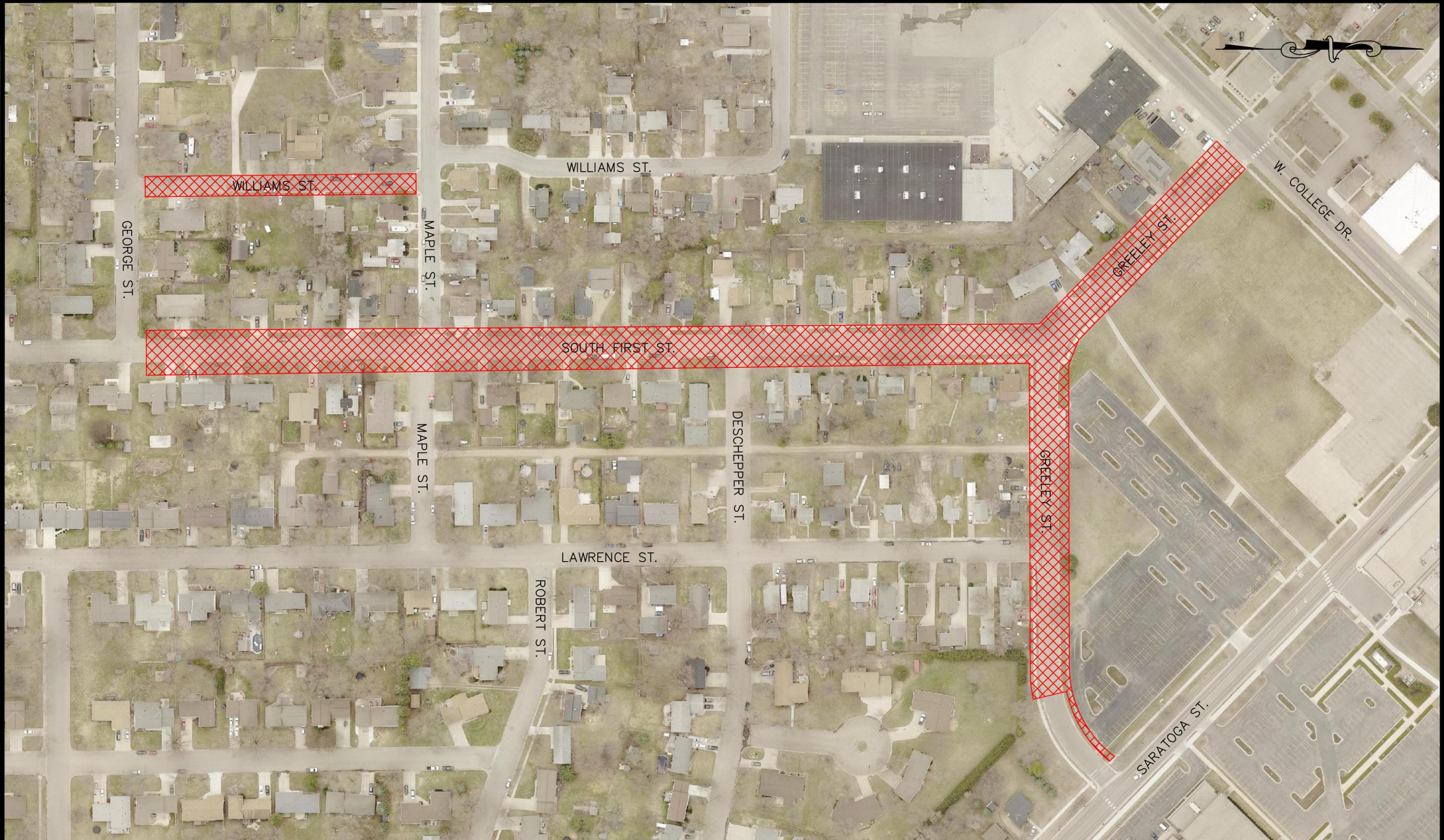
Passed and adopted by the Council this 11th day of January, 2022.

Mayor

ATTEST:

City Clerk

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



DESIGNED BY: J.L.D.
DRAWN BY: J.L.D.
Item 21.
1"=##

DATE	REVISIONS	INIT.


MARSHALL
 ENGINEERING DEPARTMENT
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 56258

S. 1st/Greeley/Williams Reconstruction

Project Area

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 00/00/21 LICENSE NO. 53322

CITY PROJECT NO. ST-003	DATE 11/4/2021
STATE AID PROJECT NO.	Page 162

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Project ST-004: Halbur Road Reconstruction Project - Consider Resolution Approving Plans and Specifications and Ordering Advertisement for Bids.
Background Information:	<p>This project consists of: reconstruction and utility replacement on Halbur Road from Michigan Street to Erie Road (CR 33); sanitary sewer and storm sewer will be replaced with a concrete paved surfacing. This project will also include new curb & gutter, driveway aprons, and sewer services to the right-of-way.</p> <p>The proposed project is included in the 2022 capital improvement plan (CIP) for complete reconstruction of the street, curb, driveways, storm water system, and sanitary sewer collection system. The street pavement condition is poor and City staff believes a reconstruction is necessary. A street section consisting of 7" concrete is being proposed, equivalent to the Michigan and Superior Road projects. Sanitary sewer reconstruction will replace clay sewer pipe with PVC pipe, and the storm water reconstruction will largely consist of replacing inlets at existing capture points. It is likely that the number and size of inlets will be increased to help improve intake due to large contributing drainage areas with significant impervious ground cover. There is no sidewalk in this area currently and none being proposed; in fact, there is no sidewalk north of the Diversion Channel in Marshall.</p> <p>The street width of Halbur Road is proposed to be 38.34-FT as measured from back of curb. The existing street width is 43-FT. The purpose of the narrowing is to reduce costs for this assessment project. This road is a "destination" street in that it carries limited through traffic. Because the traffic volumes are low, staff believes we can narrow this street significantly. Staff considered even further narrowing, but it is important to ensure that semi-truck traffic can negotiate turning movements into and out of each driveway to reach loading and unloading areas.</p> <p>The plans and specifications have been prepared by City staff for the above-referenced project. If the City Council decides to proceed with this project, a resolution has been prepared approving the plans and specifications and ordering advertisement for bids.</p>
Fiscal Impact:	The engineer's estimate for the construction portion of the project is \$1,145,000. The total estimated project cost, including 10% allowance for contingencies and 16% for engineering and administrative costs is \$1,462,000. All improvements will be assessed according to the current Special Assessment Policy, including but not limited to participation from Marshall Municipal Utilities, Wastewater Department, Surface Water Management Utility Fund and Ad Valorem. Final approval of the project must include determination of funding sources.
Alternative/ Variations:	No alternative actions recommended.
Recommendation:	that the Council adopt the Resolution 22-009, which is the "Resolution Approving Plans and Specifications and Ordering Advertisement for Bids" for Project ST-004: Halbur Road Reconstruction Project.

RESOLUTION NUMBER 22-009

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to a resolution passed by the council on December 14, 2021, the City Engineer has prepared plans and specifications under the following project in the following location and has presented such plans and specifications to the Council for approval.

PROJECT ST-004: HALBUR ROAD RECONSTRUCTION PROJECT -- This project consists of: reconstruction and utility replacement on Halbur Road from Michigan Street to Erie Road (CR 33); sanitary sewer and storm sewer will be replaced with a concrete paved surfacing. This project will also include new curb & gutter, driveway aprons, and sewer services to the right-of-way.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official newspaper, the Marshall Independent, in Finance & Commerce, on the City of Marshall website, eGram, and on the Mn/DOT eAdvert website, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published two times in the Marshall Independent, one time in Finance & Commerce, and continuously on the City of Marshall website, eGram and the Mn/DOT eAdvert website until the date of bid opening, shall specify the work to be done, shall state the date, time and place that the bids will be received by the City Clerk, which time they will be publicly opened by the City Clerk and Director of Public Works/City Engineer, will then be tabulated, and will indicate the date, time and place time that the bids will be considered by the City Council. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Clerk for 10 percent of the amount of such bid.

Passed and adopted by the Council this 11th day of January, 2022.

Mayor

ATTEST:

City Clerk

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



MICHIGAN AVE.

HALBUR RD.

ERIE RD. (CR 33)

DESIGNED BY: J.L.D.
 DRAWN BY: J.L.D.
 Item 22.
 1"=##

DATE	REVISIONS	INIT.



ENGINEERING DEPARTMENT
 344 WEST MAIN STREET
 MARSHALL, MINNESOTA
 56258

Halbur Road Reconstruction Project
 Project Area

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 00/00/21 LICENSE NO. 53322

CITY PROJECT NO.
 ST-004
 STATE AID PROJECT NO.

DATE 11/4/2021
 Page 165

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	E. Lyon Street Trail Project – 1) Consider Resolution Authorizing Agent of Sponsoring Agency for Transportation Alternatives Project; 2) Consider Resolution Identifying Responsibility for Operation and Maintenance for Transportation Alternatives Project.
Background Information:	<p>MnDOT District 8 is currently soliciting for 2026 Transportation Alternatives (TA) grant applications. The TA grant is an 80-20 grant to match program that provides funds for pedestrian and bike facilities, historic preservation, Safe Routes to School, and more. The last two projects that the City had funded through this program was the RRFB school crossings project which is scheduled for construction in 2022 and the C St.-Southview Trail project which is scheduled for construction in 2025.</p> <p>The proposed trail would replace existing sidewalk adjacent to the south side of E. Lyon Street between Bruce Street and MN Highway 23. The new trail would be a 10-foot-wide concrete multi-use trail. This proposed trail would allow the removal of the on-street bike trail from E. Lyon Street in this segment by providing an off-street trail alternative. In coordination with the Community Services Division, staff has identified this segment of trail as a need for connectivity between Parkside Elementary School, the trails at Independence Park, the trail on Jewett Street, and the trail on the other side of Highway 23. This would also set up for a potential future connection to the trail adjacent to Avera hospital and the Holy Redeemer School.</p> <p>Included with the Council packet are Exhibits A, E, and G from the grant application. Exhibits A & E visually identify the project and Exhibit G is the preliminary cost estimates.</p> <p>To complete the grant application process, staff would like the City Council to offer their support for our grant application and we will need two resolutions to be approved. One resolution identifies the City as the grant sponsoring agency and the entity responsible for managing the grant. The other resolution identifies the City as the responsible party for continued operation and maintenance of the shared use path.</p>
Fiscal Impact:	There is no fiscal impact today. If we are awarded a grant, we will be notified in Spring 2022. In today’s dollars, our cost estimate for City participation is \$115,000 in cash with the City also providing the services for grant application, project design, project permitting, and construction administration. These engineering services are valued at \$92,000.
Alternative/ Variations:	No alternative actions recommended.

Recommendation:	<p>Recommendation No. 1 that the Council adopt RESOLUTION NUMBER XXXX, SECOND SERIES, which is the Resolution Authorizing Agent of Sponsoring Agency for Transportation Alternatives Project.</p> <p>Recommendation No. 2 that the Council adopt RESOLUTION NUMBER XXXX, SECOND SERIES, which is the Resolution Identifying Responsibility for Operation and Maintenance for Transportation Alternatives Project.</p>
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RESOLUTION NUMBER 22-010

**RESOLUTION AUTHORIZING AGENT OF SPONSORING AGENCY
FOR TRANSPORTATION ALTERNATIVES PROJECT**

Be it resolved that the City of Marshall agrees to act as sponsoring agency for the project identified as the E. Lyon Street Trail seeking Transportation Alternatives funding and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules, and regulations.

Be it further resolved that Jason R. Anderson, P.E. is hereby authorized to act as agent on behalf of this sponsoring agency.

Passed and adopted this 11th day of January, 2022.

City Clerk

Mayor

STATE OF MINNESOTA)

:SS

COUNTY OF LYON)

The undersigned, being the duly qualified City Clerk of the City of Marshall, Minnesota, and as such the custodian of the books and records of said City, hereby certifies and attests that the attached copy of the Resolution Number 22-010, adopted on this 11th day of January, 2022 is a true and correct copy of the original of said Resolution which is on file and of record in my office.

Kyle Box
City Clerk
City of Marshall

(SEAL)

RESOLUTION NUMBER 22-011

RESOLUTION IDENTIFYING RESPONSIBILITY FOR OPERATION AND MAINTENANCE FOR TRANSPORTATION ALTERNATIVES PROJECT

WHEREAS: The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

WHEREAS: Transportation Alternatives projects receive federal funding; and

WHEREAS: the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds, this requirement should be applied to the project proposer; and

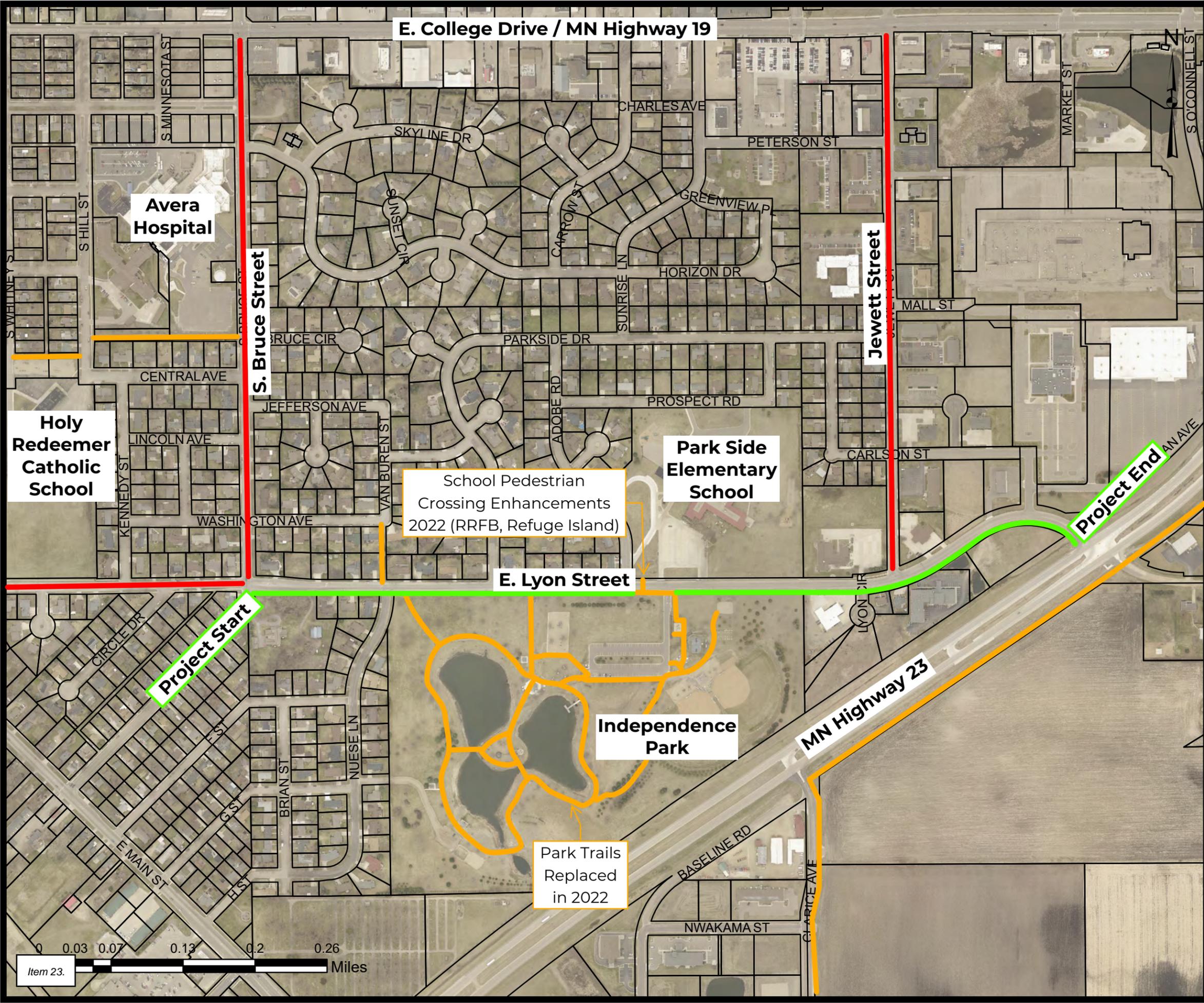
WHEREAS: The City of Marshall is the sponsoring agency for the transportation alternatives project identified as E. Lyon Street Trail in Marshall, MN.

THEREFORE, BE IT RESOLVED THAT: the sponsoring agency hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned transportation alternatives project.

Passed and adopted this 11th day of January, 2022.

Mayor

City Clerk



E. College Drive / MN Highway 19

Avera Hospital

Holy Redeemer Catholic School

Park Side Elementary School

School Pedestrian Crossing Enhancements 2022 (RRFB, Refuge Island)

Independence Park

Park Trails Replaced in 2022

Project Start

Project End



Exhibit A

E. Lyon St. Trail

Proposed Project Area

- - Proposed Trail
- - Existing Off-Street Trails
- - Existing On-Street Bike Trails

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

Exhibit E



From S. Bruce Street Looking East



From Independence Park Entrance Looking East

DESIGNED BY: J.L.D.	DATE	REVISIONS
DRAWN BY: J.L.D.		
Item 23.		



ENGINEERING DEPARTMENT
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

E. Lyon Street Trail Project
Trail Concept

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 00/00/21 LICENSE NO. 53322

CITY PROJECT NO.	DATE 12/23/2021
STATE AID PROJECT NO.	Page 173

Exhibit E



From Lyon Circle Looking East



From AmericInn Parking Looking East

DESIGNED BY: J.L.D.	DATE	REVISIONS
DRAWN BY: J.L.D.		
Item 23.		



ENGINEERING DEPARTMENT
344 WEST MAIN STREET
MARSHALL, MINNESOTA
56258

E. Lyon Street Trail Project
Trail Concept

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 00/00/21 LICENSE NO. 53322

CITY PROJECT NO.	DATE 12/23/2021
STATE AID PROJECT NO.	Page 174



Exhibit G



E. Lyon Street Trail Project Engineer's Estimate

Item Number	Description	Unit	Qty	Unit Price	Extended Price
2021.501	MOBILIZATION	LS	1	\$27,500.00	\$27,500
2104.503	REMOVE CURB & GUTTER	LF	89	\$20.50	\$1,824
2104.504	REMOVE BITUMINOUS SURFACING	SY	132	\$22.00	\$2,904
2104.504	REMOVE CONCRETE SURFACING	SY	196	\$38.00	\$7,448
2104.518	REMOVE SIDEWALK	SF	8,263	\$4.50	\$37,183
2105.507	COMMON EXCAVATION (P)	CY	895	\$49.50	\$44,302
2360.604	BITUMINOUS PATCHING	SF	866	\$11.00	\$9,526
2521.518	4" CONCRETE WALK	SF	34,765	\$11.00	\$382,415
2521.518	6" CONCRETE WALK	SF	830	\$16.50	\$13,695
2531.503	CONCRETE CURB & GUTTER DESIGN B618	LF	144	\$49.50	\$7,128
2531.504	6" CONCRETE DRIVEWAY PAVEMENT	SY	235	\$88.00	\$20,680
2531.618	TRUNCATED DOMES	SF	114	\$82.50	\$9,405
2563.601	TRAFFIC CONTROL	LS	1	\$5,500.00	\$5,500
2575.501	TURF ESTABLISHMENT	LS	1	\$5,500.00	\$5,500
Total Construction =					\$575,000
SRTS Grant Request =					\$460,000
State Aid Funds =					\$115,000



CITY OF MARSHALL AGENDA ITEM REPORT

Meeting Date:	Tuesday, January 11, 2022												
Category:	NEW BUSINESS												
Type:	ACTION												
Subject:	Project Z82: North 1 st Street / West Redwood Street / West Marshall Street Reconstruction Project - 1) Resolution Declaring Cost to Be Assessed and Ordering Preparation of Proposed Assessment. 2) Resolution for Hearing on Proposed Assessment.												
Background Information:	This project consisted of: reconstruction and utility replacement on North 1 st Street from East Main Street to West Marshall Street, on West Redwood Street from East College Drive to North 1 st Street, and on West Marshall Street from East College Drive to North 1 st Street; sanitary sewer, watermain, and storm sewer replacement. This project also included new curb & gutter, new 5-ft. sidewalk on both sides of the streets, driveway aprons, water services, and sewer services to the right-of-way.												
Fiscal Impact:	<p>Attached please find a “Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment” for the project. The following is a breakdown of the proposed project funding. The costs shown below include 16% for engineering and administrative costs, for a total project cost of \$1,226,760.56. The following is a proposed breakdown of the project funding:</p> <table style="margin-left: 40px;"> <tr> <td>Wastewater Fund</td> <td style="text-align: right;">\$161,451</td> </tr> <tr> <td>MMU</td> <td style="text-align: right;">\$271,687</td> </tr> <tr> <td>Surface Water Management Utility</td> <td style="text-align: right;">\$210,851</td> </tr> <tr> <td>City Participation (Ad Valorem)</td> <td style="text-align: right;">\$304,316</td> </tr> <tr> <td>Assessed to Property Owners</td> <td style="text-align: right;"><u>\$278,455</u></td> </tr> <tr> <td>Total Project Amount</td> <td style="text-align: right;">\$1,226,760</td> </tr> </table> <p>Attached please find the “Resolution for Hearing on Proposed Assessment,” setting the hearing date for the proposed assessments on February 8, 2022, for the above-referenced project.</p> <p>Per the current Fee Schedule, the assessment interest rate is calculated using the most recent bond interest rate and adding 2% for administrative costs. The 2021 GO Bond interest rate was 0.80% plus 2% results in a 2.80% assessment interest rate.</p> <p>The term of the assessment repayment is proposed by staff to be 8 years. The City has no formal written policy on the term but has followed an administrative past practice to generally match the assessment repayment to the bond repayment term assuming a typical reconstruction project with assessments reaching near the maximum of the residential assessment rate. If the assessment is substantially higher in cases such as commercial assessments the term may be appropriate to increase. Alternatively, on smaller assessment projects consideration could be made to shorten the assessment term. One other item to note is that if additional principal is paid each</p>	Wastewater Fund	\$161,451	MMU	\$271,687	Surface Water Management Utility	\$210,851	City Participation (Ad Valorem)	\$304,316	Assessed to Property Owners	<u>\$278,455</u>	Total Project Amount	\$1,226,760
Wastewater Fund	\$161,451												
MMU	\$271,687												
Surface Water Management Utility	\$210,851												
City Participation (Ad Valorem)	\$304,316												
Assessed to Property Owners	<u>\$278,455</u>												
Total Project Amount	\$1,226,760												

	year the interest is recalculated annually to address the payments. Therefore, there is no penalty for individuals to repay on a more accelerated schedule if they so choose.
Alternative/ Variations:	No alternative actions recommended.
Recommendation:	<p>that the Council adopt RESOLUTION NUMBER 22-012, which provides for the “Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment” for Project Z82: North 1st Street / West Redwood Street / West Marshall Street Reconstruction Project.</p> <p>that the Council adopt RESOLUTION NUMBER 22-013, which provides for the “Resolution for Hearing on Proposed Assessment” for Project Z82: North 1st Street / West Redwood Street / West Marshall Street Reconstruction Project setting the hearing date on the proposed assessments for February 8, 2022.</p>

RESOLUTION NUMBER 22-012 SECOND SERIES

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

WHEREAS, costs have been determined for the following project:

PROJECT Z82: NORTH 1ST STREET / WEST REDWOOD STREET / WEST MARSHALL STREET RECONSTRUCTION PROJECT - This project consisted of: reconstruction and utility replacement on North 1st Street from East Main Street to West Marshall Street, on West Redwood Street from East College Drive to North 1st Street, and on West Marshall Street from East College Drive to North 1st Street; sanitary sewer, watermain, and storm sewer replacement. This project also included new curb & gutter, new 5-ft. sidewalk on both sides of the streets, driveway aprons, water services, and sewer services to the right-of-way.

AND WHEREAS, the price for such improvement is \$1,057,552, and the estimated expenses incurred in the making of such improvement amount to \$169,208, so that the total estimated cost of the improvement will be \$1,226,760.

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

1. The portion of the cost to be assessed against benefited property owners is declared to be approximately \$278,455. The portion of the cost to be paid by the Wastewater Fund is hereby declared to be approximately \$161,451. The portion of the cost of the project to be paid by MMU is hereby declared to be approximately \$271,687. The portion of the cost to be paid by the Surface Water Management Utility is hereby declared to be approximately \$210,851. The portion of the cost to be paid by the City (Ad Valorem) is hereby declared to be approximately \$304,316.
2. Assessments shall be payable in equal annual principal installments extending over a period of eight (8) years, the first of the installments to be payable on or before the first Monday in January, 2023, and shall bear interest at the rate of 2.80% per annum from the date of the adoption of the assessment resolution.
3. The City Clerk, with the assistance of the City Engineer, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and he shall file a copy of such proposed assessment in his office for public inspection.
4. The City Clerk shall upon the completion of such proposed assessment, notify the City Council thereof.

Passed and adopted by the City Council this 11th day of January, 2022.

Mayor

ATTEST:

City Clerk

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

RESOLUTION NUMBER 22-013 SECOND SERIES

RESOLUTION FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the Council on January 11, 2022, the City Clerk was directed to prepare a proposed assessment of the cost of the improvements for the following project:

PROJECT Z82: NORTH 1ST STREET / WEST REDWOOD STREET / WEST MARSHALL STREET RECONSTRUCTION PROJECT - This project consisted of: reconstruction and utility replacement on North 1st Street from East Main Street to West Marshall Street, on West Redwood Street from East College Drive to North 1st Street, and on West Marshall Street from East College Drive to North 1st Street; sanitary sewer, watermain, and storm sewer replacement. This project also included new curb & gutter, new 5-ft. sidewalk on both sides of the streets, driveway aprons, water services, and sewer services to the right-of-way.

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

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

1. A hearing shall be held on the 8th day of February, 2022 in the Council Chambers of City Hall located at 344 West Main Street to pass upon such proposed assessment, and at such time and place all persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Clerk is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment to the City of Marshall, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. They may at any time thereafter, pay to the City of Marshall, the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before October 15 or interest will be charged through December 31 of the succeeding year.

Passed and adopted by the City Council this 11th day of January, 2022.

Mayor

ATTEST:

City Clerk

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

COST BREAKDOWN

Project Z82: North 1st Street Reconstruction Project

CITY OF MARSHALL, MINNESOTA

Per Estimate #7 (Final) dated 10/01/2021

ITEM	TOTAL	SPECIAL ASSESSMENTS	WASTEWATER FUND	MMU	Mn/DOT	SURFACE WATER MANAGEMENT UTILITY	AD VALOREM
SANITARY SEWER	\$105,796	\$31,391	\$74,405				
WATERMAIN	\$156,121	\$0		\$156,121			
STORM SEWER	\$143,405	\$986				\$142,419	
DRIVEWAY	\$47,399	\$19,585		\$0			\$27,814
SIDEWALK	\$17,195	\$7,741					\$9,454
STREET	\$756,844	\$218,752	\$87,046	\$115,567	\$0	\$68,433	\$267,046
TOTALS	\$1,226,760	\$278,455	\$161,451	\$271,687	\$0	\$210,851	\$304,314
% PARTICIPATION	100.0%	22.7%	13.2%	22.1%	0.0%	17.2%	24.8%

CONTRACT AMOUNT	1,057,552
CONTINGENCIES	<u>0</u> 0%
	1,057,552
ENG. & ADMIN.	<u>169,208</u> 16%
	1,226,760

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022
Category:	NEW BUSINESS
Type:	ACTION
Subject:	Projects Z88/SAP 139-103-004: 2021 State Aid Overlay Project and Project ST-006/SP 139-591-001: SRTS School Pedestrian Crossing Improvements Project – Consider Resolution for Municipal State Aid Street System (MSAS) 2022 Advance Funds.
Background Information:	<p>The 2021 State Aid Overly Project (Z88) was substantially completed this past summer. The project was financed through municipal bonds that were issued locally, with the intent of utilizing Municipal State Aid System (MSAS) funds to make bond payments.</p> <p>The Safe Routes to School Pedestrian Crossing Improvements Project (ST-006) is included in the Capital Improvement Plan (CIP) for 2022 construction. This project is proposed to utilize MSAS funds to finance the local portion of the project costs. The majority of the project costs (80%) are funded by a Transportation Alternatives (TA) Grant, with the 20% local match being split by participating schools and the City of Marshall.</p> <p>The current MSAS construction account balance as of 01/05/2022 is (\$2,915,531). Because we have “advanced” future years of funding to finance past projects, we have a negative account balance. The total maximum MSAS advance, set by Minnesota Commissioner of Transportation is the lesser of \$4,000,000 or five (5) times the City annual construction apportionment. The 2022 City of Marshall annual construction apportionment is estimated at \$759,352, which times 5 results in an amount of \$3,796,760. Therefore, the maximum amount of MSAS advance for the City is \$3,796,760.</p> <p>The attached resolution is required in order to allow MSAS advance funding. The resolution identifies a request to advance funds for Z88 bond principal payment and ST-006 city construction costs.</p>
Fiscal Impact:	Total State Aid advance is requested in an amount up to \$2,562,138 required to be repaid in accordance with the regulations established by Mn/DOT from future MSAS disbursements.
Alternative/ Variations:	No alternative actions recommended.
Recommendations:	that the Council adopt RESOLUTION NUMBER 22-014, which is the “Resolution for Municipal State Aid Street Funds Advance” requesting an advance of Municipal State Aid System (MSAS) funding in the amount of up to \$2,562,138.

**RESOLUTION NUMBER 22-014
RESOLUTION FOR MUNICIPAL STATE AID STREET FUNDS ADVANCE**

WHEREAS, the Municipality of Marshall is planning to implement Municipal State Aid Street Project(s) in 2022 which will require State Aid funds in excess of those available in its State Aid Construction Account, and

WHEREAS, said municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date <u>1/5/2022</u>	\$ <u>2,915,531</u>
Anticipated 2022 Construction Allotment (Fall 2021)	\$ <u>655,393</u>
Less estimated disbursements:	
Project # <u>139-591-001</u>	\$ <u>73,000</u>
Project # _____	\$ _____
Project # _____	\$ _____
Project # _____	\$ _____
Bond Principle (139-103-004)	\$ <u>230,000</u>
Project Finals (overruns-if any)	\$ _____
Other _____	\$ _____
Total Estimated Disbursements	\$ <u>303,000</u>
Advance Amount (amount in excess of acct balance)	\$ <u>2,562,138</u>

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b, and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the Municipality of Marshall in an amount up to \$2,459,179. I hereby authorize repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

Passed and adopted by the Council this 11th day of January, 2022.

Mayor

ATTEST:

City Clerk

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Tuesday, January 11, 2022																		
Category:	CONSENT AGENDA																		
Type:	ACTION																		
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement at 1204 Stockholm.																		
Background Information:	<p>Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement.</p> <p>27-711046-0 JM Development 1204 Stockholm</p> <table border="1" data-bbox="373 760 1474 1100"> <thead> <tr> <th colspan="3">HOMESTEAD TAX RATE</th> </tr> <tr> <th>2021 prebuild raw land value</th> <th>2021 post build total value</th> <th>Difference of improvement</th> </tr> </thead> <tbody> <tr> <td>10,600</td> <td>\$ 235,300.00</td> <td>\$ 224,700.00</td> </tr> <tr> <td>taxes @ 2021 rates</td> <td>taxes @ 2021 rates</td> <td></td> </tr> <tr> <td>\$ 63.00</td> <td>\$ 1,294.00</td> <td>\$ 1,231.00</td> </tr> <tr> <td colspan="3" style="text-align: center;"><i>city portion only</i></td> </tr> </tbody> </table>	HOMESTEAD TAX RATE			2021 prebuild raw land value	2021 post build total value	Difference of improvement	10,600	\$ 235,300.00	\$ 224,700.00	taxes @ 2021 rates	taxes @ 2021 rates		\$ 63.00	\$ 1,294.00	\$ 1,231.00	<i>city portion only</i>		
HOMESTEAD TAX RATE																			
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<i>city portion only</i>																			
Fiscal Impact:	NA																		
Alternative/ Variations:	NA																		
Recommendations:	To call for a public hearing for the proposed property tax abatement.																		

CITY OF MARSHALL
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT
FOR HOME TAX ABATEMENT APPLICANT JM DEVELOPMENT

NOTICE IS HEREBY GIVEN that the City Council of the City of Marshall Minnesota (the “City”), will hold a public hearing at a meeting of the Council beginning at 5:30 p.m., on January 25, 2022 to be held at City Hall, Council Chambers, 344 West Main Street in Marshall, Minnesota, on the request of Home Tax Abatement Applicant that the City abate a portion of property taxes levied by the City in connection with the construction house structure. The property is located within the City and is currently identified as Parcel No. 27-711046-0. The approximate amount of assistance is \$2,462 over a maximum period of 2 years. The City Council will consider granting a property tax abatement in response to the request.

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

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

January 15, 2022

Kyle Box
City Clerk

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

Property Information:

Location: 1204 Stockholm Access Road: _____
Section: 5 Township: 111 Range: 41 Property Identification Number: 27-711048-0
Legal Description: _____
(attach if needed)
Parcel Width: _____ (feet) Length: _____ (feet) Acres: _____

Applicant Information:

Applicant Name: Mike Fox Phone: 401-6158 (h) _____ (w) _____
Mailing Address: 1203 Morningside Cir
Applicant Signature: [Signature]

Owner Information:

Owner Name: Im Development Phone: _____ (h) _____ (w) _____
Mailing Address: 401 E Marshall St
Owner Signature: [Signature]
Contractors or Contract for Deed Holders – owner must sign the application.

Company Information:

Owner Name: Im Development Phone: _____ Fax: _____
Location: _____
Type of Company: _____ Service Provided: _____

Please attach the following documentation:

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

Return Completed Applications to:

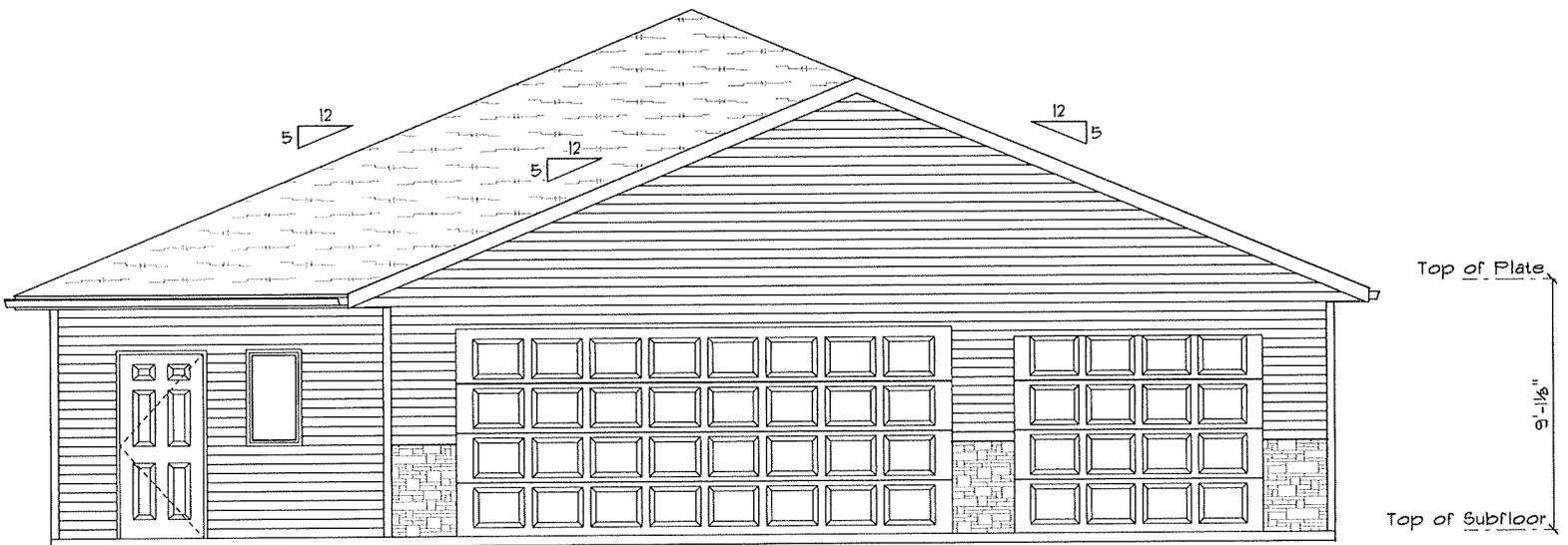
City Clerk
City of Marshall
344 West Main St.
Marshall, MN 56258

JM development LLC is requesting abatement on a house it is building at 1204 Stockholm to sell. (Parcel #27-711046-0) The home is a single-family residence, with approximately 1743 sq f of living area. The house has a large 3 stall attached insulated garage. This will significantly increase the value of the property. This will benefit the community by adding more housing.

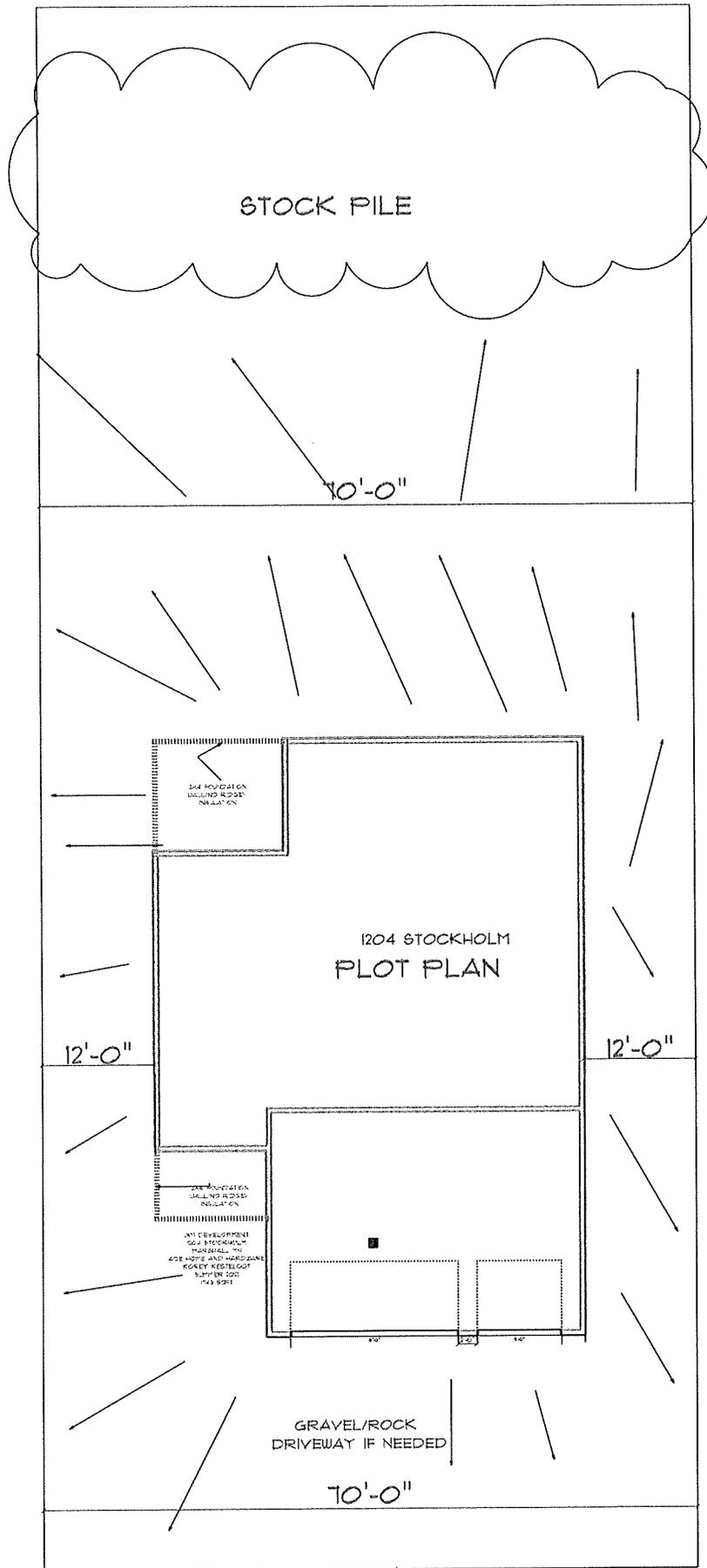
A handwritten signature in black ink, appearing to read 'Mike Fox', written in a cursive style.

Mike Fox

JM Development



FRONT ELEVATION



BUFFER STRIP

BUFFER STRIP

BUFFER STRIP

BUFFER STRIP



MARSHALL

CITY OF MARSHALL
344 WEST MAIN
MARSHALL, MN 56258-1313
(507) 537-6773 FAX: (507) 537-6830



* 2 0 2 1 - 0 0 3 1 5 *

DATE ISSUED:07/30/2021

BUILDING PERMIT

PERMIT NUMBER : 2021-00315
ADDRESS : 1204 STOCKHOLM AVE
PIN : 27-711046-0
LEGAL DESC : PARKWAY II ADDITION
PERMIT TYPE : BUILDING
PROPERTY TYPE : SINGLE FAMILY
CONSTRUCTION TYPE : NEW BUILDING
VALUATION : \$ 204,400.00
NOTE: NEW BUILDING

Table with 3 columns: Applicant/Owner/Agreement, Fees (Permit Fee, Plan Review, State Surcharge, Total), and Payment(s) (Check). Includes permit conditions and signature of Building Official dated 7-30-21.

Meeting Date:	Tuesday, January 11, 2022																		
Category:	CONSENT AGENDA																		
Type:	ACTION																		
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement at 1304 Stockholm.																		
Background Information:	<p>Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement.</p> <p>27-711032-0 JM Development 1304 Stockholm</p> <table border="1" data-bbox="375 762 1474 1100"> <thead> <tr> <th colspan="3">HOMESTEAD TAX RATE</th> </tr> <tr> <th>2021 prebuild raw land value</th> <th>2021 post build total value</th> <th>Difference of improvement</th> </tr> </thead> <tbody> <tr> <td>11,400 \$</td> <td>268,900.00</td> <td>\$ 257,500.00</td> </tr> <tr> <td>taxes @ 2021 rates</td> <td>taxes @ 2021 rates</td> <td></td> </tr> <tr> <td>\$ 67.00</td> <td>\$ 1,510.00</td> <td>\$ 1,443.00</td> </tr> <tr> <td colspan="3" style="text-align: center;"><i>city portion only</i></td> </tr> </tbody> </table>	HOMESTEAD TAX RATE			2021 prebuild raw land value	2021 post build total value	Difference of improvement	11,400 \$	268,900.00	\$ 257,500.00	taxes @ 2021 rates	taxes @ 2021 rates		\$ 67.00	\$ 1,510.00	\$ 1,443.00	<i>city portion only</i>		
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<i>city portion only</i>																			
Fiscal Impact:	NA																		
Alternative/ Variations:	NA																		
Recommendations:	To call for a public hearing for the proposed property tax abatement.																		

CITY OF MARSHALL
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT
FOR HOME TAX ABATEMENT APPLICANT JM DEVELOPMENT

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

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

January 15, 2022

Kyle Box
City Clerk

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

Property Information:

Location: 1304 Stockholm Access Road: _____
Section: 5 Township: 111 Range: 41 Property Identification Number: 27-711032-0
Legal Description: _____
(attach if needed)
Parcel Width: _____ (feet) Length: _____ (feet) Acres: _____

Applicant Information:

Applicant Name: Mike Fox Phone: 401-6158 (h) _____ (w)
Mailing Address: 1203 Morning side Cir
Applicant Signature: [Signature]

Owner Information:

Owner Name: Jm Development Phone: 530-4480 (h) _____ (w)
Mailing Address: 401 E Marshall St
Owner Signature: [Signature]
Contractors or Contract for Deed Holders – owner must sign the application.

Company Information:

Owner Name: Jm Development Phone: _____ Fax: _____
Location: _____
Type of Company: _____ Service Provided: _____

Please attach the following documentation:

- Map or site plan, prepared by an architect or engineer, showing the boundaries of the proposed development, the size and location of the building(s) and parking areas.
- Written narrative describing the project, the size and type of building(s), business type and use, traffic information (parking capacity, vehicle counts, traffic flow, pedestrian facilities), project timing, and estimated market value.
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- Application Fee (please see City of Marshall Fee Schedule for current fee amount).
- Other information as requested.

Return Completed Applications to:

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



MARSHALL

CITY OF MARSHALL
344 WEST MAIN
MARSHALL, MN 56258-1313
(507) 537-6773 FAX: (507) 537-6830



* 2 0 2 1 - 0 0 0 4 4 *

DATE ISSUED:03/09/2021

BUILDING PERMIT

PERMIT NUMBER : 2021-00044
ADDRESS : 1304 STOCKHOLM AVE
PIN : 27-711032-0
LEGAL DESC : PARKWAY II ADDITION
PERMIT TYPE : BUILDING
PROPERTY TYPE : SINGLE FAMILY
CONSTRUCTION TYPE : NEW BUILDING
VALUATION : \$ 204,400.00
NOTE: NEW BUILDING

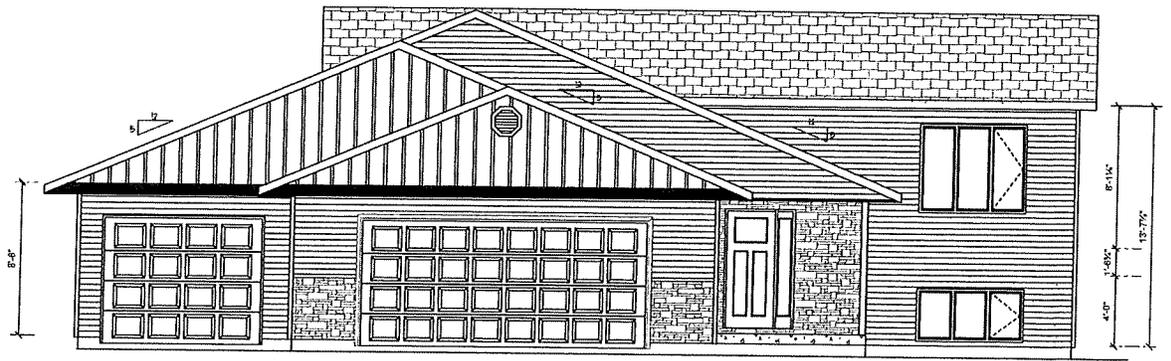
Table with columns for APPLICANT, OWNER, AGREEMENT, and fee breakdown. Includes permit details, applicant information (JM DEVELOPMENT LLC), owner information, agreement text, and a signature section for the Building Official dated 3-9-21.

JM development LLC is requesting abatement on a house it is building at 1304 Stockholm to sell. (Parcel #27-711032-0) The home is a single-family residence, with approximately 2548 sq f of living area. The house has a large 3 stall attached insulated garage. This will significantly increase the value of the property. This will benefit the community by adding more housing.

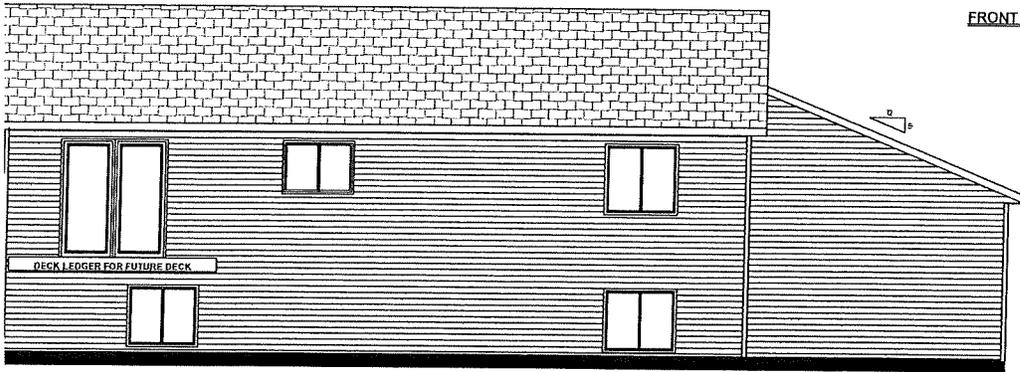


Mike Fox

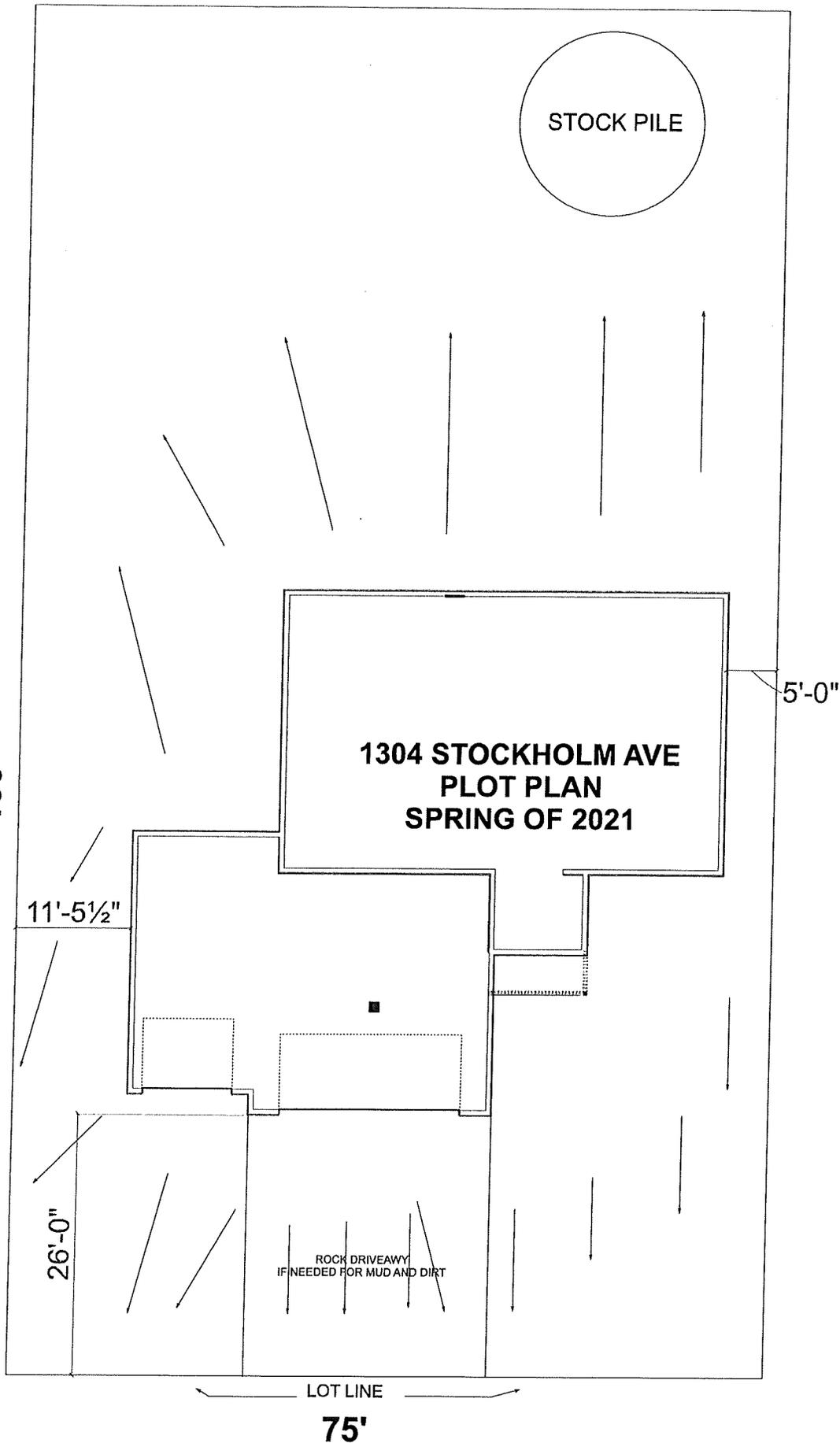
JM Development



FRONT ELEVATION



REAR ELEVATION



LEAVE BUFFER STRIP ALONG SIDE WALK FOR ERROSION CONTROL

STOCKHOLM AVE.

IN LET PROTECTION WHERE NEEDED
ALONG CURBING

Meeting Date:	Tuesday, January 11, 2022																					
Category:	CONSENT AGENDA																					
Type:	ACTION																					
Subject:	Call for a Public Hearing Regarding Proposed Property Tax Abatement at 311 Brussels Ct.																					
Background Information:	<p>Per M.S 469.1813 sub 5 The governing body of the political subdivision may approve an abatement under sections 469.1812 to 469.1815 only after holding a public hearing on the abatement.</p> <p style="text-align: center;">27-711031-0 JM Development 311 Brussels Court</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #76b82a; color: white;"> <th colspan="3" style="text-align: center;">HOMESTEAD TAX RATE</th> </tr> <tr style="background-color: #d9e1f2;"> <th style="width: 33%;"></th> <th style="width: 33%; text-align: center;">2021 post build total value</th> <th style="width: 33%; text-align: center;">Difference of improvement</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">2021 prebuild raw land value</td> <td style="text-align: center;">14,000</td> <td style="text-align: center;">\$ 257,200</td> </tr> <tr> <td></td> <td></td> <td style="text-align: center;">\$ 243,200.00</td> </tr> <tr style="background-color: #d9e1f2;"> <td style="text-align: center;">taxes @ 2021 rates</td> <td style="text-align: center;">taxes @ 2021 rates</td> <td></td> </tr> <tr> <td style="text-align: center;">\$ 83.00</td> <td style="text-align: center;">\$ 1,435.00</td> <td style="text-align: center;">\$ 1,352.00</td> </tr> <tr> <td colspan="3" style="text-align: center;"><i>city portion only</i></td> </tr> </tbody> </table>	HOMESTEAD TAX RATE				2021 post build total value	Difference of improvement	2021 prebuild raw land value	14,000	\$ 257,200			\$ 243,200.00	taxes @ 2021 rates	taxes @ 2021 rates		\$ 83.00	\$ 1,435.00	\$ 1,352.00	<i>city portion only</i>		
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<i>city portion only</i>																						
Fiscal Impact:	NA																					
Alternative/Variations:	NA																					
Recommendations:	To call for a public hearing for the proposed property tax abatement.																					

CITY OF MARSHALL
NOTICE OF PUBLIC HEARING REGARDING PROPOSED PROPERTY TAX ABATEMENT
FOR HOME TAX ABATEMENT APPLICANT JM DEVELOPMENT

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

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

January 15, 2022

Kyle Box
City Clerk

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

Property Information:

Location: 311 Brussels CT Access Road: _____
Section: 5 Township: 111 Range: 41 Property Identification Number: 27-711 031-0
Legal Description: _____
(attach if needed)
Parcel Width: _____ (feet) Length: _____ (feet) Acres: _____

Applicant Information:

Applicant Name: Mike Fox Phone: 401-6158 (h) _____ (w) _____
Mailing Address: 1203 Morning side Cir
Applicant Signature: [Signature]

Owner Information:

Owner Name: JM Development Phone: _____ (h) _____ (w) _____
Mailing Address: 401 E Marshall St
Owner Signature: [Signature]

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

Company Information:

Owner Name: Jm Development Phone: _____ Fax: _____
Location: _____
Type of Company: _____ Service Provided: _____

Please attach the following documentation:

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

Return Completed Applications to:

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



MARSHALL

CITY OF MARSHALL
344 WEST MAIN
MARSHALL, MN 56258-1313
(507) 537-6773 FAX: (507) 537-6830



DATE ISSUED:09/13/2021

BUILDING PERMIT

PERMIT NUMBER : 2021-00396
ADDRESS : 311 BRUSSELS CT
PIN : 27-711031-0
LEGAL DESC : PARKWAY II ADDITION
PERMIT TYPE : BUILDING
PROPERTY TYPE : SINGLE FAMILY
CONSTRUCTION TYPE : NEW BUILDING
VALUATION : \$ 204,400.00
NOTE: NEW BUILDING

APPLICANT

JM DEVELOPMENT LLC
401 MARSHALL ST E
MARSHALL, MN 56258-0000

OWNER

JM DEVELOPMENT LLC
401 MARSHALL ST E
MARSHALL, MN 56258-0000

AGREEMENT

All provisions of law and ordinances governing this type of work shall be complied with whether specified herein or not. Separate application must be secured for plumbing work and all electrical work must be inspected by the State Electrical Inspector.

No work shall begin until the Building Permit is signed and issued by the Building Official.

Table with permit fees: PERMIT FEE (1,408.25), PLAN REVIEW RESIDENTIAL (492.89), STATE SURCHARGE BLDG VAL (102.20), TOTAL (2,003.34), CHECK (2,003.34)

PERMIT: In consideration of the statements and representations made in the above application filed with the Office of the City Engineer, Marshall, Minnesota, this Permit is hereby granted to the applicant. This Permit is granted upon the expressed conditions that said owner and his agents, workmen and employees shall comply in all respects with the ordinances and regulations of the City of Marshall and the State of Minnesota. The granting of a permit does not give authority to violate any provisions of State or Local Law regulating building. Not all deficiencies in documents may have been addressed and/or noted and that shall not be construed as an approval of such code deficiencies. Review for code compliance will continue during inspections as construction progresses. This Permit expires if work is not commenced within 180 days or if work is suspended for 180 days.

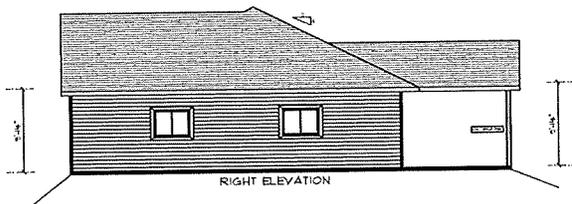
Building Official signature and date 9-13-21

JM development LLC is requesting abatement on a house it is building at 311 Brussels Ct to sell. The home is a single-family residence, with approximately 1500 sq ft of living area. The house has a large 2 stall attached insulated garage. This will significantly increase the value of the property. This will benefit the community by adding more housing.

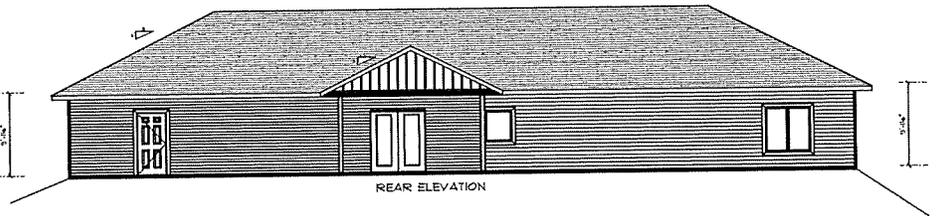


Mike Fox

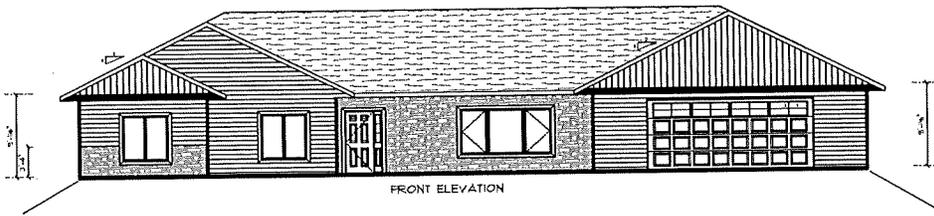
JM Development



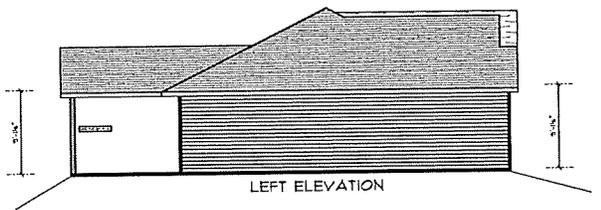
RIGHT ELEVATION



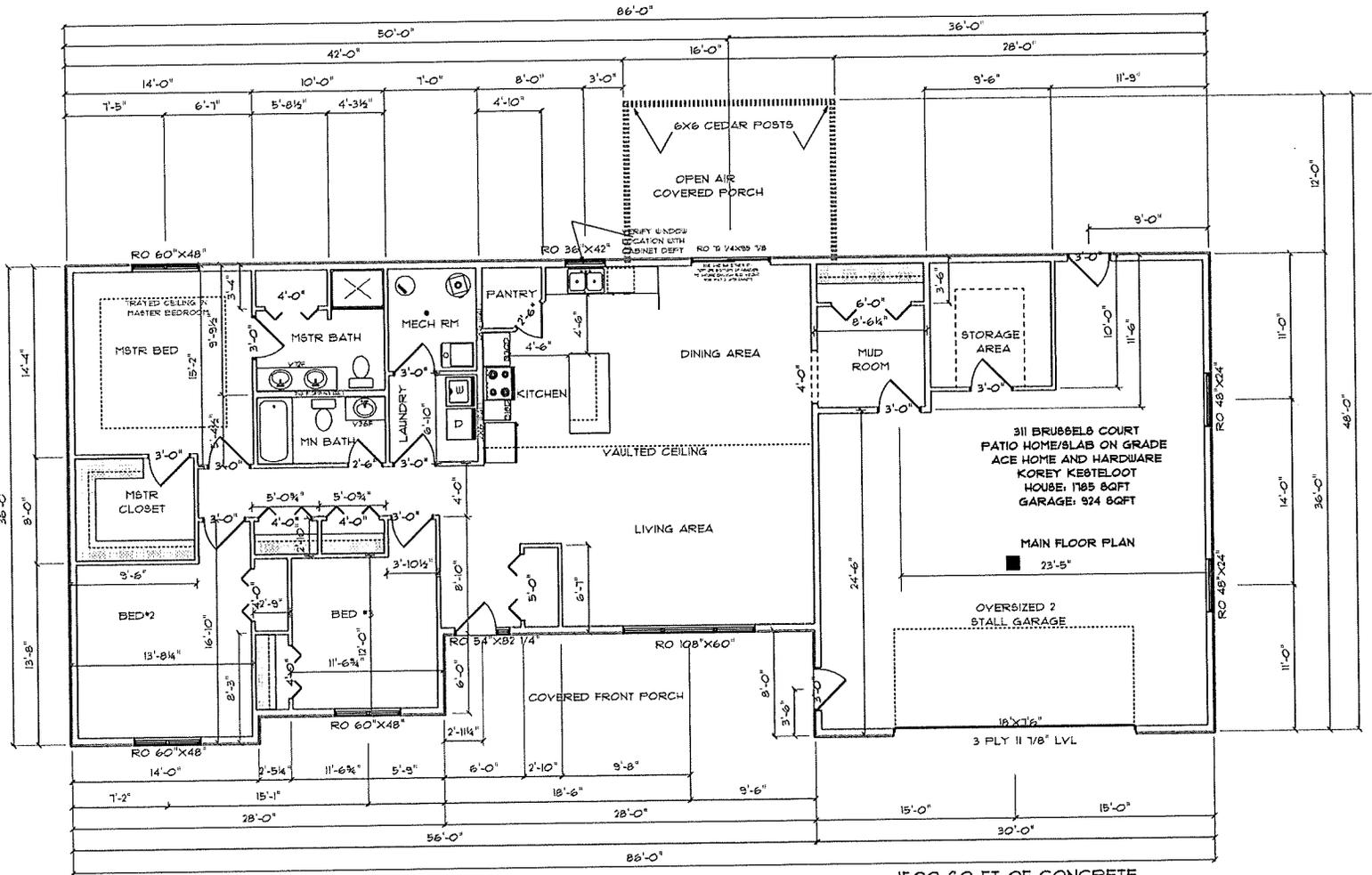
REAR ELEVATION



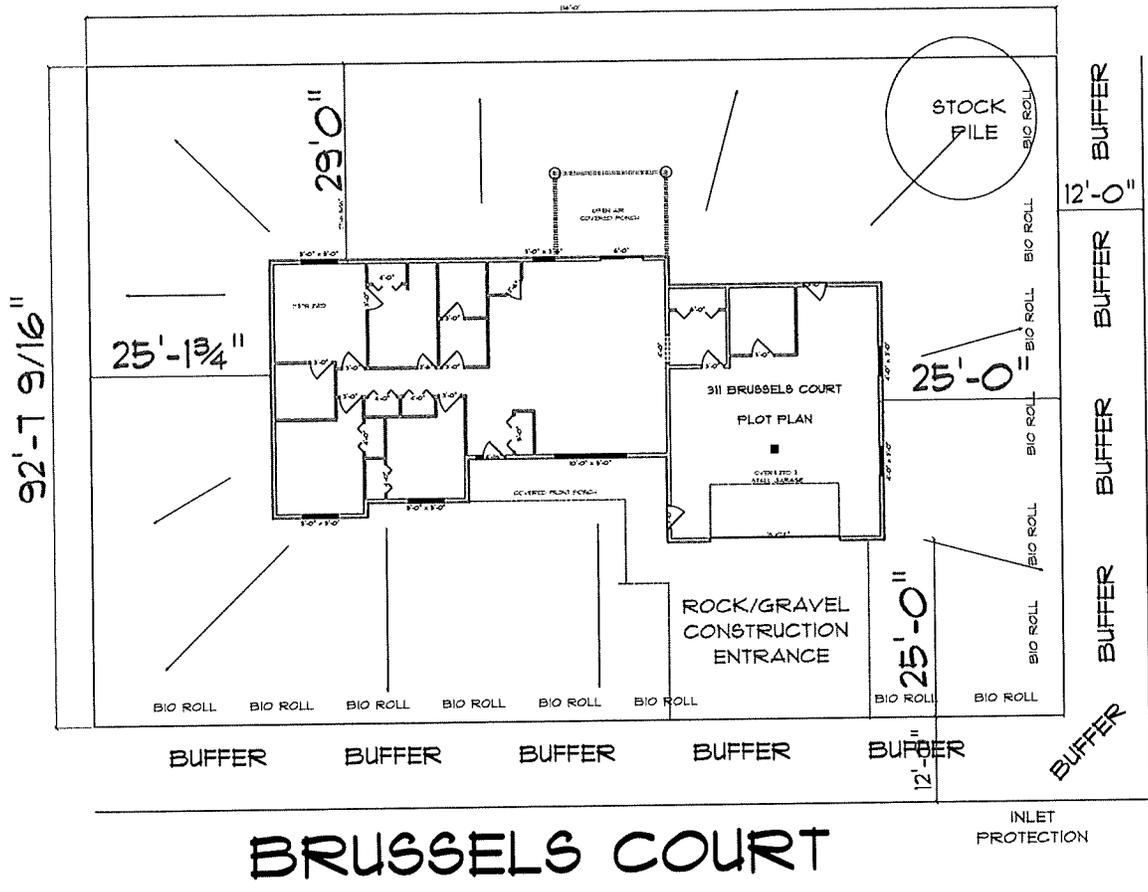
FRONT ELEVATION



LEFT ELEVATION



1500 SQ FT OF CONCRETE FOR DRIVEWAY, FRONT STOOP AND BACK COVERED PORCH



STOCKHOLM ST

BRUSSELS COURT

**CITY OF MARSHALL
AGENDA ITEM REPORT**

Meeting Date:	Click or tap to enter a date.
Category:	COUNCIL REPORTS
Type:	INFO
Subject:	Commission/Board Liaison Reports
Background Information:	<p>Byrnes - Fire Relief Association and Regional Development Commission</p> <p>Schafer – Airport Commission, 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>Edblom – Planning Commission, Public Housing Commission</p> <p>DeCramer – Economic Development Authority, Marshall Municipal Utilities Commission, Diversity, Equity, and Inclusion 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:	

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

FROM: Sharon Hanson, City Administrator

DATE: January 11, 2022

SUBJECT: Administrative Brief

CITY ATTORNEY

- Criminal prosecution numbers for December are as follows:

December:

	ASSAULT	OPF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2021	2020 Comparison
Prosecution	1		6	1	11	1	4	24	20
Dismissed									
Non-Prosecution								0	4
Refer to County									

- Criminal prosecution numbers for the year of 2021 are as follows:

2021:

	ASSAULT	OPF VIOL.	DWI	OTHER ALCOHOL	TRAFFIC	THEFT	OTHER	TOTAL 2021	2020 Comparison
Prosecution	23	5	51	8	62	25	56	230	214
Dismissed									
Non-Prosecution	17	3			3	3	13	39	52
Refer to County	1	1	2		1	2		7	1

ADMINISTRATION

- Reviewing and advising CVB on Red Baron sponsorship agreement for both rinks. The two rinks will be sponsored by Lockwood (renewal) and Action Companies (in place of Reinhart Foods).

- Met with Library Director to discuss 2022 Library Budget. Next steps could be presentation to County for technology funding.
- Met with Mayor and staff to discuss aquatic center, park and recreation funding, including next steps with securing legislative approval. In addition, I continue to meet with individuals and groups to discuss park and recreation survey results and the aquatic center project.
- Human Resources Director and I continue to discuss comparable worth study and anticipate near the end of January/early February we would schedule a closed work session to present the results along with union negotiation strategy.
- The Director of Administrative Services position was posted on December 27th and we will await the interest for the position in terms of next steps.
- This past month, the Mayor, Lauren and I met with MN Deed Commissioner to discuss economic climate, transportation, and overall impacts on Marshall and the region. Later in the day, the Mayor, Lauren and I met with Schwans Home Services CEO and supporting staff to discuss their future operations.

Economic Development Authority

- Block 11 developers have submitted a proforma and TIF application which has been reviewed by Mikaela Huot at Baker Tilley. Predevelopment agreement is scheduled to expire on December 31st. The developers continue to follow provided schedule with construction on Phase 1 anticipated to begin this Spring. The developer presented preliminary site plans to the Planning Commission on 12-8. EDA has applied for a CUP which will be reviewed at Planning Commission on 1-12. Planning Commission will also review the draft Project Area and TIF Plan for adherence with the Comprehensive Plan. TIF remains the most advantageous financing option for the project in order for the City to receive reimbursement on the site work previously done on the site.
- Discussions continue with Knochenmus Enterprises regarding assistance on the Mercantile project. Staff has met with Knochenmus Enterprise's leadership team who has shown interest in alternative redevelopment efforts in the parking lots.
- Woodcrest Capital continues to work on the redevelopment of the former Shopko building. Staff has been informed that two national credit retailers have shown interest in the property. Woodcrest Capital has requested financial assistance options available to assist with capital improvements needed to complete the project. Options to be reviewed.
- Construction on Border States Electric's new building on London Road is underway.
- Staff has received Tax Abatement applications for Wayne's Tractor and Today's Fireplace for an expansion and new construction projects, respectively.
- Staff continues to assist with the Comprehensive Plan update being conducted by SRF. The Community Survey is currently open online through January 17th (paper copies are also available) and an open house is scheduled for January 13th from 4:00 pm to 6:00 pm.

Human Resources

- Staffing: The City welcomed the following new employees: Lyle Snyder, Accounting Specialist; Tom Sando, Maintenance Worker; and Zachary Jacoby, Plant Operator I. The testing process for a Police Officer and eligibility roster is underway. Two candidates are currently being backgrounded from the eligibility roster. Final interviews will be scheduled when the backgrounds are complete. The City has initiated the recruitment process for a Director of Administrative Services position. Review of applications will begin on

January 10th for this position. Hiring for a variety of temporary and seasonal employees continues year-round.

- Safety: our MMUA safety consultant presented the topics of AWAIR, Employee Right to Know, GHS, and SDS in January. These are all OSHA required topics for all employees.
- Staff are busy preparing for the Annual Employee Service Award Program and Recognition Event that will occur on Friday, January 14th.
- Human Resources is continually monitoring the COVID-related Emergency Temporary Standard as it makes it's way through the courts/legal system. HR is also continually assisting managers and supervisors in the MDH and CDC guidance as relates to isolation and quarantine timelines for employees who test positive or are exposed to COVID.

Clerk

- The 2022 license renewals have been completed and sent to the State of Minnesota. I have begun to reach out to comparable cities and collecting liquor license fee data. A Ways and Means meeting will be called at a later date to discuss in greater detail.
- City and County staff have meet to a future Count Question Resolution (CQR) Case to be submitted to the Census Bureau. A CQR case will task the Census Bureau to review the geographic location or placement of housing and associated population as well as the census results to determine whether census processing error(s) excluded valid housing and associated population.
- Beginning in the Spring of 2022, the Census Bureau is proposing to allow local governments the opportunity to request the census Bureau to review their populations counts for group quarter facilities through a separate program, 2020 Post Census Group Quarters Review (20202 PCGQR).

Finance

- 2022 Budget – The 2022 budget was adopted in December of 2021. Staff have begun to put together budget books for staff and an electronic copy will be sent to the Council once completed. If you would like a hard copy, please let finance know.
- 2021 Audit – Work is underway to close out 2021 and to prepare for when the auditors will be on site for testing in the next month or two.
- 2022 Bonding – The process will begin in the next coming weeks to ensure funding is secure for 2022 projects.

Assessing

Liquor Store

COMMUNITY PLANNING

Building Services / Planning & Zoning

- Just under 300 open permits.
- The third Unique apartment building and Border State Electric building are the largest projects under construction.
- New permit software development implementation will begin next week.
- Sign Ordinance is under review.

PUBLIC WORKS DIVISION

Engineering

- Project Z83: James/Camden – Minor punchlist items remain before completion.
- Project Z87: Diversion Channel Slope Repairs and Sheet Pile Removal – R&G intends to complete this work in Spring 2022. Contract end date is October 14th, 2022.
- Project Z88: 2021 State Aid Overlay – Replacement of pedestrian ramps on N. 4th Street adjacent to Walnut and Elm Streets is planned to be completed in Spring 2022.
- Project PK-001: Independence Park Trail Replacement Project – A&C has completed trail replacement in the east portion of the park nearby the baseball fields and basketball court. Remaining trail will be replaced in Spring/Summer 2022.
- Project ST-003: S. 1st/Greeley/Williams Reconstruction – Staff is planning to have the bidding package prepared for advertisement starting January 14th. The intention would be to bring the request for plan approval and authorization to advertise to the Council at their 1/11 meeting.
- Project ST-004: Halbur Road Reconstruction - Staff is planning to have the bidding package prepared for advertisement starting January 14th. The intention would be to bring the request for plan approval and authorization to advertise to the Council at their 1/11 meeting.
- Project ST-005: Rose and Addison Parking Lot Reconstruction – Project plans are currently being developed.
- Project ST-006: SRTS School Pedestrian Crossing Improvements – Project plans are being revised based upon MnDOT review comments. Bidding package is expected to be prepared for a potential January advertisement.
- Project ST-007: UCAP Bus Shelter Installations – Project plans are currently being developed. Staff will recommend advertisement once plans are complete.
- E. Lyon Street Trail Project – Staff is preparing a Transportation Alternatives application for the 2021 grant solicitation. Staff will be requesting a letter of support from the City Council as well as the school. If awarded, project is planned for construction in 2026.

Building Maintenance

-

Street Department

-

Airport/Public Ways Maintenance

-

Wastewater

- Assisting the street dept. with snow removal.
- Working on compliance reports.
- Working on control room walls & ceilings now that the plant project is done.
- Magney construction completed. Working on close out documents.

- Working on lift station and vehicle maintenance and cleaning.
- Doing a lot of preventative maintenance on equipment.
- Revising and correcting biosolids land application site records.
- Snow removal in the facility.
- Repairs to the facility's non-potable water system underway.

PUBLIC SAFETY DIVISION

FIRE DEPARTMENT

- The Fire Department responded to seventeen (17) calls for service. Total calls for service included:
 - Fire/CO2 Alarm (7)
 - Fire; Structure (10)
 - Medical Assist (0)
 - Vehicle Accident (0)
 - Other (0)

POLICE DEPARTMENT

- The Marshall Police Department responded to a total of 734 calls for the month of December. Seventy- five (75) criminal offenses were reported with a total number of sixteen (16) adults arrested.

OFFICER'S REPORT

- Alarms (11)
- Accidents (30)
- Alcohol involved incidents (4)
- Assaults (2)
- Domestic Assaults (14)
- Burglaries (2)
- Criminal Sexual Conduct (2)
- Damage to Property (6)
- Keys Locked in Vehicles (30)
- Loud Party (3)/ Public Disturbances (6)
- Thefts (18)
- Traffic Related Complaints (117)
- Vandalism (1)
- Warrant Pickups (9)
- Welfare Checks (26)

Interviews for the open police officer were held on December 8th, 2021. Six candidates participated in the interview process and the eligibility roster was validated by the Police Advisory Board. Extensive background investigations are being completed on the top two finalists. The hiring process will continue with a goal of a conditional offer being made by February 1st, 2022.

DETECTIVE REPORT

- Two separate cases of electronic solicitation of minors are under investigation.
- Three unrelated cases of financial transaction card fraud were investigated in the month of December. Two of the cases have been cleared while one case remains under investigation.
- Four unrelated cases of identity theft are under investigation.
- Two cases of criminal sexual conduct are under investigation.
- Thirteen cases of theft and three burglaries were investigated in the month of December. A theft of coins from laundry machines at an apartment complex is under investigation.
- Fifteen child protection reports and six reports from the Minnesota Adult Abuse Reporting Center were investigated jointly with Southwest Health and Human Services.
- Pre-employment background investigations are being performed on candidates for a Police Officer position.
- Detective Kopitski and Detective Sandgren attended an Investigative Interviewing training on December 7th and December 9th.

MERIT CENTER

- The Department of Public safety continues to utilize the driving track and skills pad for CDL exam testing. There were 12 exams completed on the track in December.
- In December, MN West conducted an industrial safety course and CDL training at the MERIT Center.
- On Dec 2, Ralco hosted their annual leadership meeting at the MERIT Center. 84 people attended this training.
- The Bureau of Criminal Apprehension (BCA) conducted Force Unit training on Dec 3rd. 42 local law enforcement officials attended this training.
- On Dec 4th, SWEMS conducted an ambulance driving course. This is the 5th course they have brought to the MERIT center utilizing both a classroom and the driving track.
- The Marshall Police Department conducted department interviews at the MERIT Center on Dec 8th.
- Blue Line Fire, LLC conducted regional fire department training at the MERIT Center utilizing the rescue tower on Dec 11th. 20 firefighters attended this training.
- On Dec 21st Avera hosted their leadership meeting. There were 57 people in attendance.
- The MERIT Center was utilized 21 out of 31 days in December with 316 participants attending events/trainings.

MARSHALL-LYON COUNTY LIBRARY
REGULAR BOARD MEETING MINUTES
NOVEMBER 8TH, 2021

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

Called to order at 4:00 p.m. by M. Murray, President.

Pledge of Allegiance.

Motion made by P. Botsford, seconded by L. Baun to adopt the agenda as presented. Roll Call Vote: Yes- M. Murray, R. Labat, P. Graupmann, L. Baun, R. Bot, S. Raappana, and P. Botsford. No: None. The motion passed unanimously.

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

Old Business:

COVID 19 Re-Opening Update: Still in holding pattern. Haven't reopened the three services that are still on pause, which are: in-home daycare programming, opening the study rooms, and reopening the play area in the Children's Department. With the new OSHA vaccination requirements, there shouldn't be a huge impact on the Library since only three employees are not vaccinated. We will start the process of having those that are vaccinated bring their cards in so we can track them. This way, we will be prepared when the new requirements go into effect.

2022 Draft Budget: Director Leininger met with the City and the County last Tuesday in regards to the 2022 Draft Budget. They decided on a 5.2% increase for the 2022 Budget pending approval still from the City Council and County Commissioners. To get the Budget to 5.2%, money was taken out of the Repair & Maintenance of Building and the Electric Utilities line items. The Board will vote on the new 2022 Draft Budget hopefully at the December Board Meeting.

New Business –

Policy Review- Library Materials Lending: The policy was reviewed with noted changes by Director Leininger. There is a separate grid for the Library of Amusement items so there can be flexibility with different situations that may arise. Motion made by L. Baun to accept the changes to the Library Materials Lending Policy including taking out the line "although the liability will be limited to \$50," seconded by S. Raappana. Roll Call Vote: Yes- M. Murray, R. Labat, P. Graupmann, L. Baun, R. Bot, P. Botsford, and S. Raappana. No: None. The motion passed unanimously.

Strategic Plan Draft: The Strategic Plan will be a two-year plan due to ongoing uncertainty. In the Strategic Plan, we will be looking at items that staff can work on when it is slower, to cross train

staff to gain more knowledge and skills, and requests from patrons. There are three strategic goals: Cultivating Well-Being, Cultivating Connections between Communities and Collections, and Cultivating our Shared Past and Present. We would like to have a half day in-service on Friday, December 10th from 9:00 AM -12:00 PM. All three Libraries would be open from 1:00 PM – 6:00 PM. The staff would work on activities to go with each strategic plan. Then, the Strategic Plan with the activities would be voted on at the December Board Meeting. Motion made by R. Bot, seconded by S. Raappana to approve the three objectives of the Strategic Plan. Roll Call Vote: Yes- M. Murray, R. Labat, P. Graupmann, L. Baun, R. Bot, S. Raappana, and P. Botsford. No: None. The motion passed unanimously. Motion made by R. Bot, and seconded by P. Graupmann to approve closing the three Libraries for the morning of Dec 10th from 10:00 AM to 1:00 PM for the Marshall Library and 12:00 PM to 1:00 PM for the Balaton and Cottonwood Libraries. Roll Call Vote: Yes- M. Murray, R. Labat, P. Graupmann, L. Baun, R. Bot, S. Raappana, and P. Botsford. No: None. The motion passed unanimously.

2021 Budget Projection: The 2021 Budget Projection on what we feel we will spend for the remainder of 2021. Some recent, unexpected expenses that were incurred are three computers and a 20-year old printer have recently quit working. We have also begun using a new website developer to transition our website to the updated WordPress platform.

Bottle Filler Stations: We received a \$2000 grant from Southwest Initiative Foundation for two new Bottle Filling Stations. This pays for half or one of the two Bottle Filling Stations we had requested. R. Labat suggested checking with the City and the County to pay the remaining \$2000 with ARP money.

Reports

Director's Report – There have been problems at the Library with both parents and kids from the Marshall Middle School. A couple of kids have gotten kicked out of the Library for a week. There was a group of kids that managed to get a bench outside of the front door loose and knocked over. Greg has since been here and gotten it glued down again. We are looking at banning them from the Library for the rest of the year or school year. Director Leininger is planning on meeting with Jim Marshall, Director of Public Safety, to see what they recommend as the next step. C. DeGroot has spoken with the Assistant Principal at the Marshall Middle School and they have a monthly newsletter that goes out to all parents. They will be mentioning in their next newsletter to please not pick your student up at the Library and to encourage biking and driving safety in the Library parking lot. Other solutions would be checking into getting more cameras for the video surveillance system, having a police officer drive by or be in the parking lot after school, and having the curb painted yellow on the right side of the parking lot along with a no parking sign.

A few other reminders: there is still a City Representative seat open on the Library Board and there is a part-time customer care position open at the Library.

R. Labat was interested in statistics comparing 2019 to 2021 visits at the Library. We will have these at the December Board Meeting.

Board President Report: M. Murray has an update from the American Library Association on the Build Back Better Bill that will have funds available for libraries.

Friends: None.

Plum Creek: The new director of Plum Creek started about 2 weeks ago. Director Leininger believes if she is not done by the end of this month she'll for sure be done by the end of December.

Respectfully Submitted,
Christine DeGroot

PUBLIC HOUSING COMMISSION

202 N. FIRST STREET

MARSHALL, MN 56258

December 13, 2021

PARKVIEW APARTMENTS

3:30 P.M. BOARD MEETING

1. Call to Order:
2. Roll Call:
3. Approval of Previous Meeting Minutes: November 18th, 2021
4. Reports:
 - A. **One** Month report for Operating Statement for FY 2022.
 - B. Accounts Receivable/Payable.
 - C. Occupancy/ Maintenance Report
5. CFP - 2020. Big Elevator, waiting to hear from Larsons on a Seal leak.
6. New Business:
 - A. Washer / Dryer Update. Payment.
 - B. Update on action from Flooring Company.
 - C. Notice from City of Marshall on Lots.
7. Executive Director Items:
 - A.
8. Commissioner Items:
 - A.
9. Date and Time for Next Regular Meeting, January 10th, 2022. 3:30 p.m.
10. ADJOURN TIME

**PUBLIC HOUSING COMMISSION
OF THE CITY OF MARSHALL
PARKVIEW APARTMENTS**

Minutes of the Meeting of
October 18, 2021

Meeting called to Order: 3:35 P.M. by Vice Chair Rickgarn.

Members Present: Farrell, Reilly, Knoblen, Rickgarn,
Sailor.

Absent: Edblom.

A possible board member wasn't able to attend meeting.

MOTION by Knoblen, seconded by Rickgarn, to approve the minutes of the September 13th, 2021 meeting. All voted in favor, Motion passed.

REPORTS:

Eleven Month Operating Statement for FYE 21 was reviewed by the Board. Motion by Knoblen, second by Rickgarn to approve the monthly report. All voted in Favor, Motion passed to approve the report. Chair signed report.

Account Receivable/Payable: One month of reports were reviewed; several items were pointed out and discussed to the Board by the Director, including checks from # 020342 to # 020394 in the amount of \$ 186,151.31 Motion by Rickgarn, second by Knoblen, to approve the report. All voted in Favor, Motion Passed.

Occupancy Report: Currently working with several applicants for Parkview, and Family Units. Detailed Maintenance report included.

CFP-2020. Update on Fire Alarm System and Elevator's.
Waiting for Documents and Final payments.

CEP-2021. E-mail supporting the rejection of window bid.

E-mail on bidding parking lot and windows in January.

New Business:

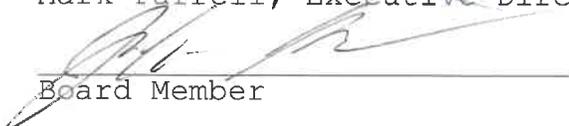
- A. Washer /Dryer Update-payment.
- B. Low Loss Achievement Award from Insurance Company.
- C. Update on flooring situation, from Continental Flooring.
- D. Motion by Knoblen, second by Rickgarn, to approve Resolution # 21-12. Approve 2022 Fair Market Rents. All voted in favor, Motion passed.
- E. Motion by Knoblen, second by Reilly, to award snow removal bid to Scotts Tree Service, All voted in favor, motion passed.
- F. Switched Board meeting from the 8th to the 18th of November.

Next Meeting: November 18th 2021 3:30 p.m. Community Room.

Chairperson Reilly Declared the meeting adjourned at 4:20 p.m.



Mark Farrell, Executive Director



Board Member



BUILDING PERMIT LIST
January 11, 2022

APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION
Seneca Companies	900 MAIN ST E	BUILDING ADDITION	450,000.00
Strand Home Services	701 1ST ST S	RE-SIDING	11,500.00
AMERICAN WATERWORKS	901 MAIN ST W	INTERIOR REMODEL	6,800.00
AMERICAN WATERWORKS	609 1ST ST S	INTERIOR REMODEL	6,300.00
Safe Basements of MN	207 MAIN ST E	INTERIOR REMODEL	4,200.00
IRMA H DERIVERA, JAVIER I RIVERA &	619 WINIFRED DR	Windows	4,800.00
Innovative Basement Authority	105 HIGH ST S	INTERIOR REMODEL	17,000.00
GARY VLAMINCK CONSTRUCTION	606 ANDREW ST	INTERIOR REMODEL	800.00
GESKE HOME IMPROVEMENT CO.	204 SARATOGA ST E	DOORS	2,400.00
ATTN: DENNIS LARSON, SPARTA CAPITAL INC	500 4TH ST S	DEMOLITION	300,000.00
GESKE HOME IMPROVEMENT CO.	604 HIGH ST N	Windows	700.00
Strand Home Services	800 2ND ST S	DOORS	1,400.00
WYFFELS, BRADIN	710 SOUTH BEND AVE	WINDOWS / DOORS	3,000.00



PLUMBING PERMIT LIST
January 11, 2022

APPLICANT	LOCATION ADDRESS	DESCRIPTION OF WORK	VALUATION
PEGEL, JASPER	510 LYON ST W	INTERIOR REMODEL	0.00
WYFFELS, BRADIN	710 SOUTH BEND AVE	INTERIOR REMODEL	0.00

2021 Regular Council Meeting Dates

2nd and 4th Tuesday of each month

5:30 P.M.

City Hall, 344 West Main Street

January

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

February

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

March

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

April

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

May

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

June

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

July

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

August

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

September

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

October

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

November

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

December

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

2021 Uniform Election Dates

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

204C.03 PUBLIC MEETINGS PROHIBITED ON ELECTION DAY.

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

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.

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Upcoming Meetings

December

- 12/28 Regular Meeting, 5:30 PM, City Hall
-

January (2022)

- 01/11 Regular Meeting, 5:30 PM, City Hall
 - 01/25 Regular Meeting, 5:30 PM, City Hall
-

February (2022)

- 02/08 Regular Meeting, 5:30 PM, City Hall
- 02/22 Regular Meeting, 5:30 PM, City Hall