

ARLINGTON CITY COUNCIL MEETING MINUTES
AUGUST 7, 2006

The meeting was called to order at 6:30 p.m., Mayor Czech presiding.

Members present: Mayor Czech, Borchert, Griep, Reetz, Voight, Wills

Members absent: None

Also Present: Administrator Krueger, Attorney Arneson, R.V. (Dick) Lucas, Jim Lucas, Jacob Lucas, Fire Relief Member Darin Mielke, P&Z Administrator Jenness, SMC Administrator Kenneth Archer, Sesquicentennial Parade Committee Member Jane Kloeckl

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve the agenda with the following additions;

4.5) Lucas Family – Scott Equipment

11.5) Pumps for Lift station.

Motion by Voight, seconded by Borchert, and passed by unanimous vote to approve the minutes from the July 17, 2006 meeting as presented.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to approve the bills as presented.

The Scott Equipment Co. owners (Dick, Jim, Jacob Lucas) were present to address the Council on a couple of police issues. Dick (CEO) explained that \$6,000 worth of steel had been stolen from their business in the last month or 2. He further explained that approximately 1 year ago the McCormick family had a dispute with this grandson (at his residence) and then damaged \$1,500 worth of windows in the house. The police were called and did nothing, when in fact the officer was pushed around. He stated that they didn't feel much of anything was done in either case and expressed their dissatisfaction with the Police Department and the city employee. Attorney Arneson explained that these were issues that should be handled through the City's policies (Employee Relations Committee and Police Committee) which are designed to protect employees' rights and give them the proper due process. Attorney Arneson commented that he was unaware of the event that happened a year ago. The Lucas' explained that the police department directed them to the County Attorney in this matter and were told to sit on this and let things take their course. Attorney Arneson stated that this matter was probably sent over to the County Attorney as City Attorneys have jurisdictional limits and the alleged damaged property amount in this matter falls under a County level offense. The Lucas' added that they have not heard anything. They have tried calling, but their phone calls do not get returned. Attorney Arneson will check into this matter as this does not sound like typical County Attorney behavior. The Lucas' expressed concern about the fact that an officer (who they feel is doing a fine job) is being let go from the police department for issuing a few DWI's to a couple of individuals whose family name appears to have a little "pull" in town. Reetz commented that he and Councilmember Griep are on the Employee Relations Committee and have reviewed the information brought to them about the officer in question and nothing being presented by the Lucas' was in this information or even being considered in their decision as they knew nothing about any of it. Attorney Arneson clarified as it is public record, that individuals (within the family mentioned) have been charged and convicted based on tickets or charges brought by various Arlington Police Officers over the years, and none of these officers have ever been chastised for their actions (there is no favoritism in town).

Sibley Medical Center Administrator Ken Archer was present to discuss the ambulance service. He stated that there has been some discussion about the hospital possibly taking over the Arlington Ambulance Service. They have been doing some research on this and have been in touch with Med Transport, a company that runs various ambulance services in Minnesota and Wisconsin. They have found out that most hospitals that have ambulance services lose money; reimbursement for hospitals is different than a free standing facility (less); hard to draw people from other departments; and issues with benefits and overtime, etc.

SMC Administrator Archer spoke briefly about his resignation from the hospital. He stated that he has enjoyed working at the hospital and with the staff and being in the community. He explained that he has extended his

stay 6 more weeks as they are coming to the end of their fiscal year at the hospital; they are in the middle of negotiations with physicians and nurse practitioners; and in the process of recruiting a director of nursing.

Administrator Krueger introduced Tami Stadther, the new Sibley County Faith In Action Director. Administrator Krueger apologized to the Council; at the previous meeting he misinterpreted Ms. Stadther's letter and how much they were asking for. Stadther gave a brief presentation on the Faith In Action organization. She invited the Council to come visit the facility anytime and asked for their support. She stated that in the past they asked for a specific dollar amount, which the City of Arlington provided through "In Kind Services" and any money left at the end of the year was carried over. She commented that there was approximately \$800 left from last year and were asking for an additional \$800 this year. She clarified that this will no longer be the case, the money will not be carried over and therefore they were asking for \$1,500 for 2007 or they will accept any amount the City could offer. Wills questioned if all cities in Sibley County are approached. Stadther said yes, but they do not all give or donate to the program; this is something she hopes to improve on. Administrator Krueger questioned if Arlington has a great amount of participants. Stadther said Arlington has the highest amount of user by far, but this could be due to the fact the office is located in Arlington. She added that Arlington also has the most volunteers.

Motion by Voight, seconded by Wills, and passed by unanimous vote to give the Sibley County Faith In Action \$1,500 as "In Kind" services for 2007 and will not be carried over if it is not all used up.

Arlington Fire Department Member Darin Mielke presented information pertaining to the Fire Relief Fund and stated that the Association was asking permission to increase their benefit level from \$950 to \$1,000 per year of service on the department. He stated that the State has guidelines they must meet when they invest their money. He added that Arlington gives an annual contribution of \$100 per member to their retirement, which is the lowest in the area because they have invested for the most part wisely.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to allow the Fire Department to increase their benefit level from \$950 to \$1,000 annually.

Motion by Voight, seconded by Borchert, and passed by unanimous vote to contribute \$100 per member (30 members) to the Fire Relief Association to put toward their retirement plan.

P&Z Administrator Jenness presented Ordinance No. 200 – An Ordinance Regulating the Use of Private Water and Sewer Systems Within the City of Arlington and Providing for the Administration and Enforcement of Such Regulations for its first reading. He stated that the Utility Committee and the Planning & Zoning Board both have reviewed the ordinance and a public hearing was held during a P&Z meeting. He explained that when the ordinance was drafted a definite date of September 2007 had been put in, but after input from the public and the P&Z Board, the date has been changed to September 2010. He also commented that if an individual sells or transfers their property before the definite date, they must hook up to city water & sewer at the time. Voight questioned Section A of the ordinance where it states that it is unlawful to install a new well on private property within city limits (for irrigation purposes). Jenness stated that based on the current statute, it is unlawful. Reetz commented that he thought a well could be installed as long as it was for irrigation purposes only. Wills and Voight commented that they were at the public hearing and they thought the definite date was to be taken out all together and those individuals that have wells can keep them unless the well breaks down or they sell/transfer their property. Voight commented that she understood that people could keep their private wells for irrigation purposes and that meters could be installed on the wells for monitoring reasons. Reetz would like to see some language added to Section C that covers those individuals that still have a properly functioning well on their property at the time the definite hook up date comes along so that they can petition the City for an extension to get the full life out of their well. Attorney Arneson commented that the Council needs to decide on if there should be a cut off date or not. He stated that it does not make sense to have a cut off date and then give out variances just because the well still works. Administrator Krueger suggested keeping the cut off date, but to extend it out a little further than 2010. Attorney Arneson commented that the City could consider handling each property on a case-by-case basis. If the property owner's are able to provide the City with documentation (installation date, etc.), the City could determine the average life (based on research) of the

wells and give each property owner a specific hook up date. Administrator Krueger commented that if individuals are reluctant to hook up due to cost, the City could reduce the hook up charges for these individuals. Reetz commented that during the public hearing he got the impression from the public that they were opposed to having any hook up fees.

Griep questioned how they arrived at the idea that any property within 500 feet of city water/sewer had to hookup. Jenness explained that this distance was taken out of Ordinance No. 133 and they have seen this distance in some Rural Water Association literature.

Wills commented that he would like to see the language changed slightly in Section D regarding the metering system. He would like to add that any meter installed would have the new radio device on it so the property owner is not responsible to furnish the reading, it will be collected electronically by the City.

Wills expressed concern that Section G should be revised also to include those wells with a different style water pump (hand-style pump) on them (not regular wells) that are in people's backyards. These properties were not included when the Utility Committee initially discussed this ordinance. Jenness stated that they should be included and sealed as they are a hazard.

Griep questioned how they would enforce the idea of when a property sells that it automatically gets hooked up to city water and sewer. Jenness explained that sellers have to provide a well disclosure statement when they sell their property and it is filed with the County Recorder, who can then notify the City. Attorney Arneson suggested notifying the local well and septic companies of the ordinance when it is passed so they are aware and will not violate it.

Mayor Czech asked P&Z Administrator Jenness to take some more time to reach the items discussed and to re-write the ordinance accordingly; then it can be brought to a future meeting for another first reading.

P&Z Administrator Jenness presented Ordinance No. 201 – An Ordinance Regulating Individual Sewage Treatment Systems Within the City of Arlington and Providing for the Administration and Enforcement of Such Regulations for its first reading. He stated that the Utility Committee and the Planning & Zoning Board both have reviewed the ordinance and a public hearing was held during a P&Z meeting. He stated that this ordinance was the same ordinance as the County. He informed that Council that the City has to be as restrictive or can be more restrictive than the County; it cannot be less restrictive. He stated that having this ordinance in place will be helpful when the orderly annexation occurs and the County actually wants the City to control this issue.

P&Z Administrator Jenness spoke briefly on starting a tree bank in Arlington. This topic has been discussed at the Planning & Zoning meetings. The Council reviewed Ordinance No. 89 – Establishing a Shade Tree Program, etc. He stated that years ago the State funded this program, which now the funding is no longer available. Jenness commented that the University of Minnesota does have Foresters and he would have to check into whether or not the City could use them. Wills suggested checking with surrounding communities to see if they have a Forester.

Voight questioned if there was an ordinance that covers signage/posters on public property such as on utility poles. Wills thought there was something on the State level. P&Z Administrator Jenness will check into this. Administrator Krueger suggested that Jenness should also investigate the rules pertaining to political signs because some signs are starting to appear.

P&Z Administrator Jenness reviewed the July building permit report. He stated that the permit application for the Good Sam expansion has come in, which he is working with Building Inspector Salzl on. The reason for this is he has a limited license whereas Inspector Salzl is a fully licensed (Commercial) inspector. He stated that the City has a contract with Inspector Salzl for doing commercial permits until such time that he obtains his full licensing. Mayor Czech invited the Council to the ground breaking ceremony for the Good Sam expansion that was coming up later that week.

Councilmember Voight introduced the following resolution and moved for its adoption:

RESOLUTION NO. 13-2006
RESOLUTION AUTHORIZING THE REMOVAL OF LOTS FROM TAX INCREMENT FINANCE
DISTRICT NO. 1-3

BE IT RESOLVED, that the City Council of the City of Arlington hereby modifies Tax Increment Financing District No. 1-3 by deleting there from the following described real estate:

Lots 20, Block 4, High Island Creek PUD.

This property is being developed for residential lots and the developer does not intend to utilize TIF to finance this project.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Griep and upon poll being taken thereon the following voted in favor thereof: Borchert, Griep, Reetz, Voight, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Adopted by the City Council of the City of Arlington this 7th day of August, 2006.

Signed: /s/ David Czech

Mayor

Attested: /s/ David L. Krueger
City Administrator/Clerk/Treasurer

Whereupon said resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

Administrator Krueger explained that Bob Lueth was the only individual to apply for the Assistant Ambulance Manager position and is currently the Interim Assistant Manager.

Motion by Griep, seconded by Borchert, and passed by unanimous vote to approve Bob Lueth for the Assistant Ambulance Manager position.

Motion by Voight, seconded by Wills, and passed by unanimous vote to authorize the travel request for WW Supt. McCormick to attend the Portable/On-site Generation Maintenance class in Litchfield on August 29th.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to accept the bid from Braun Pump & Controls to fix the Hwy 5 lift station check valves and miscellaneous piping in the amount of \$2,802; and the gate valves if they are found to be bad, which then the total would be \$4,132 (does not include freight or sales tax).

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to accept the bid from Braun Pump & Controls in the amount of \$3,955 for a new replacement pump for the Hwy 5 lift station (does not include field service, freight charges, or sales tax).

Motion by Wills, seconded by Voight, and passed by unanimous vote to accept the bid from Haggemiller Lumber in the amount of \$777.87 for the replacement of 2 windows on the Technology Center building.

The Council reviewed the thank you letter from the Miss Arlington Royalty and Arlington Area Ambassadors and Committee.

Mayor Czech spoke on the upcoming Sesquicentennial Celebration. He stated that they have delayed the discussion on the time capsule/monument until the later part of October; research is still being done on this. He stated that the float for the Council will cost \$350. He stated that a tremendous amount of work has been done for this celebration. Voight questioned if the Council was in the wagon train on Friday evening. Mayor Czech said yes the Council is expected to be in it and asked them to wear their white sesquicentennial t-shirts so they

all looked alike. Mayor Czech stated that he will be reading his proclamation on Friday evening. The Council reviewed the parade route for Sunday. Mayor Czech added that financially the celebration is doing well.

Motion by Griep, seconded by Borchert, and passed by unanimous vote to pay \$350 for the float for the Council to ride on during the Sesquicentennial parade.

Administrator Krueger explained that the City has received notice that G.E.I.S. Inc. is filing Chapter 11 Bankruptcy. He stated that there is a Creditor's Committee being formed, which the City of Arlington is the second creditor on the list of creditors. The City is applying to get on the Committee and the entire process will take some time. Attorney Arneson stated that this is a very complex situation as they have locations in many states with creditors in each state. He anticipates at least a year or longer before the City knows where it is at. The City does have some security liens in place so it is somewhat covered, but not completely covered.

Mayor Czech stated that the City has received letters from Governor Pawlenty, Senator Norman Coleman and Secretary of State Kiffmeyer congratulating the City on its Sesquicentennial Celebration.

It was the consensus of the Council to change the date of the first meeting in September to Tuesday, September 5th due the fact that Monday the 4th is the Labor Day holiday.

Brief discussion was held on having a joint EDA and Council meeting some evening so that the housing study presentation could be given. It was suggested to have the meeting after the Sesquicentennial Celebration. It was suggested to set a date at the next regular Council meeting.

Mayor Czech recessed the regular meeting and called the closed portion of the meeting to order. It was noted that Police Chief Rovinsky was present during this meeting. ***Minutes Incomplete – See Council Folder for Complete Information***

The Council was given an update on the most recent Employee Relations Committee meeting regarding an officer. They were informed that another meeting would be held.

Motion by Reetz, seconded by Griep, and passed by unanimous vote (based on an Employee Relations Committee recommendation) to move the employee in question from administrative suspension with pay to administrative suspension without pay effective after the Employee Relations Committee meeting to be held tomorrow.

Chief Rovinsky informed the Council that Officer Bennett is on light duty.

Motion by Wills, seconded by Reetz, and passed by unanimous vote to adjourn the closed meeting and reopen the regular meeting.

Mayor Czech reconvened the regular meeting.

Motion by Griep, seconded by Voight, and passed by unanimous vote to adjourn the regular meeting.

Administrator David L. Krueger

Mayor David Czech