

ARLINGTON CITY COUNCIL
MEETING MINUTES
APRIL 7, 2008

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

Members present: Mayor Kreft, Griep, Reetz, Vrklan, Wills

Members absent: Borchert

Also present: Administrator Jaunich, Attorney Arneson, Tom VonEschen, Jean Olson, Pauline Wiemann, Kathy Homme, Police Chief Rovinsky, Kurt Menk

Motion by Griep, seconded by Wills, and passed by unanimous vote to approve the agenda as presented.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve the consent agenda as follows:

- 1) Approval of the March 17th Regular Meeting Minutes
- 2) Approval of the Bills.

Tom VonEschen was present to dispute both the property valuation and building permit fees on the building permit that he has applied for on his property at 409 4th Avenue NW. He gave a brief history on the property, including the process he went through and fees he has already paid for rezoning the property from commercial to residential. Mayor Kreft stated that the Council (as a whole) trusts the building official and has confidence in him to follow the letter of the State Building Code. He stated that he believed the building official was competent in his decision to treat the entire property as a remodel project (not 2 separate projects: commercial and residential) and that the fees were fair. VonEschen was not satisfied and stated he would be contacting his attorney. Brief discussion was held on the current occupancy of the property (no Certificate of Occupancy has been issued). No action was taken.

Adm. Jaunich noted the upcoming meetings, seminars and/or conferences as follows:

- 1) Board of Appeal and Equalization Hearing-Tuesday, April 8th from 3-8 pm at the Sibley County Assessor's Office
- 2) Community Clean Up – Monday, April 21st from 8:00 am to 4:30 pm
- 3) Spring Clean Up – Saturday, May 3rd from 8:00 am to 1:00 pm at the Municipal Parking Lot.

The Council reviewed the following:

- 1) March Building Permit Report
- 2) EDA Activity Report.

Library Committee members Kathy Homme, Jean Olson and Pauline Wiemann presented the yearly library report, which included a comparison of the other libraries within the County. Homme spoke briefly on the library hours in conjunction with the public's usage and employee wages. She summarized the various programs/events that were hosted throughout the year and all were well attended. She also highlighted some of the events planned for 2008.

Adm. Jaunich reviewed the bids (which included a 30-year flooring option) from Tuchtenhagen Construction in the amount of \$8,889 and Mesenbring Construction in the amount of \$9,580 for the library remodeling project. Adm. Jaunich commented that each contractor had also submitted an alternate bid, which included a 25-year flooring option. He stated that the Library Committee had reviewed the 4 bids and were recommending the Tuchtenhagen bid with the 30-year flooring option.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to accept the bid from Tuchtenhagen Construction in the amount of \$8,889 with 30-year flooring option for the Library renovation project.

Chief Rovinsky presented his monthly report. He stated that the department had responded to 68 calls in March. He noted that the Police Committee had reviewed the "Procedure for Enforcement of City Cleanup Ordinances"; a copy was given to the Council. Rovinsky informed the Council that he was going to be meeting with Rep. Brod later in the week for the Police Chief's and Sheriff's day at the State Capital. The legislature was going to be discussing the seatbelt law and part-time officer regulations.

The Council reviewed a memo from Chief Rovinsky regarding part-time officers, along with an application from Elijah Schewe who has expressed interest in becoming a part-time police officer in Arlington. Rovinsky stated that the Police Committee had reviewed the application and were recommending that he be hired. Some concern was expressed that the position was not advertised and should be.

Motion by Griep, seconded by Vrklan (Wills and Reetz opposed) and carried (with Mayor Kreft voting in favor) to accept the Police Committee's recommendation to hire Elijah Schewe as a part-time police officer. Mayor Kreft also made the strong recommendation to review all 4 part-time officers at the end of the year.

Brief discussion was held on the number of hours the part-time officers work and if the city pays for continuing education for them as well.

The second reading of Ordinance No. 212 – An Ordinance Amending the Arlington Zoning Ordinance (Ordinance 169) by adding Section 13, Subd. 7 Relating to Wind Energy Conversion Systems (WECS) was held. Mayor Kreft commented that the EDA would be discussing the placement of a wind generator on their (former Nickel) property at their next regular meeting (scheduled later in the week). Adm. Jaunich expressed concern that if the ordinance was passed as presented, the EDA property (along with other possible sites) would not work because of the setback requirements. There was some concern expressed about the proposed location and height of the wind generator in conjunction with the helipad flight paths (approach and take off routes).

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to table the discussion and second reading (enactment) of Ordinance No. 212 "An Ordinance Amending the Arlington Zoning Ordinance (Ordinance 169) by adding Section 13, Subd. 7 Relating to Wind Energy Conversion Systems (WECS)", in order to research other possible site locations for WECS.

Adm. Jaunich presented, for its first reading, Ordinance No. 223 – An Ordinance to Amend Ordinance 143, Regulating the Collection of Solid Waste in the City of Arlington. He stated that the Streets Committee had reviewed the proposed changes (related to commercial haulers) within the ordinance and was recommending its approval. It was suggested to add language that licenses will be issued on a first-come first-served basis. Adm. Jaunich will make the suggested changes and have the ordinance ready for its second reading at the next regular Council meeting.

Adm. Jaunich presented, for its first reading, Ordinance No. 224 – An Ordinance Regulating the Use of Refuse Dumpsters in the City of Arlington. He stated the main reason this ordinance is being brought forward is to regulate dumpster placement within the public right of way (on city streets). Some concern was expressed about the requirement to empty dumpsters monthly (Section 3 D) when they may not be full yet. Adm. Jaunich will make the suggested changes and have the ordinance ready for its second reading at the next regular Council meeting.

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

RESOLUTION NO. 17-2008

A RESOLUTION APPROVING THE APPLICATION FOR A GAMBLING PERMIT FOR AN OFF-SITE RAFFLE FOR THE ARLINGTON BASEBALL ASSOCIATION

WHEREAS, the Arlington Baseball Association would like to hold a raffle drawing on June 29, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the application for a gambling permit for an off-site raffle as submitted by the Arlington Baseball Association.

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

Adopted by the City Council of the City of Arlington this 7th day of April, 2008.

Signed: /s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

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

Discussion was held on outstanding issues with the High Island Creek Addition and the implementation of a Memorandum of Understanding. Brief discussion was held on park dedication fees and/or trail system. It was suggested to get the Parks Committee's opinion on this; would they prefer cash to purchase items they would like to have or have a trail put in. The Council would like to see, at a minimum, a trail from the development to Frenzel Park. It was the consensus of the Council to table discussion on the Memorandum of Understanding until the Parks Committee can make their recommendation.

The Council reviewed 2 Petitions for Annexation, including city services, from Joe Morgan/Pamela Pomplun and Mitchell/Justina Stuewe. It was noted that these 2 parcels are adjacent to city limits to the north and part of the Highland View Addition. Adm. Jaunich reviewed what the annexation process will be if petitions are accepted.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to accept the Petitions for Annexation from Joe Morgan/Pamela Pomplun and Mitchell/Justina Stuewe. Attorney Arneson will take care of the necessary (legal) paperwork.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to authorize the City Engineer to prepare an engineer's report to extend city services to the above 2 properties.

The Council reviewed the preliminary assessment (energy) report that was done by Johnson Controls on the public buildings. Discussion was held on how the program worked (paid for itself through cost savings). It was noted that the Public Buildings Committee was recommending proceeding with this program.

Motion by Griep, seconded by Wills, and passed by unanimous vote to enter into a Project Development Agreement with Johnson Controls, Inc. for an Infrastructure Improvement Program.

Applications for the Summer Recreation Program (Director and 2 Assistants) were reviewed. It was noted that the individuals who held these positions last year had re-applied, in addition to 3 other individuals. The Streets Committee and Supt. Thomes were recommending Doug Flieth, Steph Schultz and Paul Pichelmann (all returning from last year).

Motion by Reetz, seconded by Wills, and passed by unanimous vote to hire Doug Flieth as the Director and Steph Schultz and Paul Pichelmann as Assistants for the 2008 Summer Recreation program.

Seven applications were reviewed for the lawn mowing positions (1 summer and 2 spring/fall). It was noted that 1 summer position had been filled by a returning individual from last year. Adm. Jaunich commented that the spring/fall mowers had re-applied for this year and were being recommended (by Streets Committee) for this year. He commented that the members on the Streets Committee could not agree on who should be hired for the summer position, either Jake Pichelmann (local) or Eric Haefs (out of town); they each had their own reasons. Vrklan commented that he would like to hire someone that lives in town before hiring someone from out of town as the applicants appeared equally qualified.

Motion by Wills, seconded by Reetz, and carried (Vrklan opposed) to hire Eric Haefs for the summer lawn mowing position and Harold Melsha and Kenneth Renneke for the spring/fall mowing positions.

Bids from Trocke Construction (\$4 per sq. ft.), CMC Construction (\$4 per sq. ft.) and Wentzlaff Construction (\$5 per sq. ft.) were reviewed for the 2008 Sidewalk Improvement project. Adm. Jaunich commented that the area to be addressed this year was on East Adams Street from the railroad tracks going east through the 400 Block, including Avenues (side streets up to the alley) for corner lots. Mayor Kreft commented that \$6,000 is budgeted each year for sidewalk improvement and with the bids being so low and the cost of cement increasing, it was suggested by Street Supt. Thomes to combine 2008-2009 sidewalk projects and award East Adams Street to CMC and West Adams Street to Trocke.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to award the 2008 Sidewalk Improvement project (East Adams Street) to CMC Construction at \$4 per sq. ft.

Motion by Griep, seconded by Wills, and passed by unanimous vote to move up and award the 2009 Sidewalk Improvement (West Adams Street) to Trocke Construction at \$4 per sq. ft.

A letter from Jim Brimeyer offering his services to conduct the first evaluation of the new City Administrator was reviewed. There will be no cost to the City, except out-of-pocket expenses (mileage) to do the evaluation; this was part of the original agreement the City has with the Brimeyer Group. The Council was favorable to the proposal.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to accept the Brimeyer Groups' proposal to come in and assess the working relationship between the City Council and City Administrator.

Mayor Kreft explained that the City is trying to attain "Tree City USA" status and reviewed the criteria for doing so. He handed out a copy of the following proposed proclamation observing Arbor Day:

Mayoral Proclamation
City of Arlington, No. 2008-02
ARBOR DAY PROCLAMATION
April 25, 2008

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, lumber for construction, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal,

NOW, THEREFORE, I James Kreft, Mayor of the City of Arlington, do hereby proclaim April 25, 2008 as Arbor Day in the City of Arlington, and encourage all citizens to celebrate by supporting efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

/s/ James R. Kreft
James R. Kreft
Mayor, City of Arlington

Mayor Kreft explained that in another effort to observe Arbor Day, it was being proposed to use \$1,200 from the Forestry Fund to purchase ten trees, which will then be given to qualified residents on a (first-come first-serve basis) to plant in their boulevards with the understanding that they would be responsible to maintain it. He stated that various nurseries were contacted for estimates and Traverse des Sioux Garden Center in St. Peter was the low bid, which included delivery and planting of the trees.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to proceed with the tree program as presented above and purchase ten boulevard trees from Traverse des Sioux Garden Center in the amount of \$1,200.

Griep commented that the Hospital Board continues to look at the ambulance situation; work with Johnson Controls on the energy audit for the hospital; work with Ridgeview Medical Center and get educated on what all needs to be done (boilers, condensation issues, etc.). He stated that a new physician's assistant had been hired and they are continuing in the efforts to recruit new doctors.

Reetz commented that at the last Fire Department Officer's meeting some concern was expressed about finding someone to help write grants for them for their equipment because the grants are more difficult to fill out and they don't want to loose out because they missed something on an application (precision to detail is a must). Adm. Jaunich commented that there are companies out there and that is all they do is write grants.

Adm. Jaunich reminded the Council of the Charter Commission meeting on April 10th.

Motion by Griep, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 8:58 p.m.

City Administrator Matthew Jaunich

Mayor James R. Kreft