

ARLINGTON CITY COUNCIL
MEETING MINUTES
DECEMBER 3, 2007

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, P&Z Administrator Smith-Strack, Building Official Darin Haslip, Wayne Quast, Kurt Menk

Motion by Griep, seconded by Wills, and passed by unanimous vote to approve the agenda with the following changes:

9.5) Resolution No. 36-2007 A Resolution Approving the Application for a Lawful Gambling License for the Sibley County Pheasants Forever

Removal of item 4A.

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

- 1) Approval of the Bills
- 2) Deny request to waive building permit fee.

Mayor Kreft noted that there were no citizens present to address the Council.

Mayor Kreft reminded the Council of the Sibley County Municipalities meeting in Winthrop on December 6th.

The Council reviewed a letter about phosphorus rules and wastewater treatment facilities from the Coalition of Greater Minnesota Cities, which said letter also was asking for a financial contribution. It was the consensus of the Council to not contribute as it would not benefit Arlington. The Council also reviewed a letter from Mediacom regarding rate changes to be effective the first of the year.

Building Official Haslip talked about building permit fees and how they are calculated based on the permit fee schedule the City has adopted in conjunction with the State Valuation Table. Wayne Quast was present to express his concern about the current fees being charged. Reetz expressed concern about setting some kind of precedence with regards to determining valuation reductions or deductions for permits.

The second reading of Ordinance No. 218 – An Ordinance Adopting the Minnesota State Building Code. This Ordinance: Provides for the Application, Administration, and Enforcement of the Minnesota State Building Code by Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area and Maintenance of all Buildings and/or Structures in this Municipality; Provides for the Issuance of Permits and Collection of Fees thereof; Provides Penalties for Violation thereof; Repeals all Ordinances and Parts of Ordinances that Conflict therewith. This Ordinance shall Perpetually Include the Most Current Edition of the Minnesota State Building Code with the Exception of the Optional Appendix Chapters. Optional Appendix Chapters shall not apply unless specifically adopted was held. Inspector Haslip commented briefly on the Optional Appendix Chapters.

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to approve Ordinance No. 218 - An Ordinance Adopting the Minnesota State Building Code. This Ordinance: Provides for the Application, Administration, and Enforcement of the Minnesota State Building Code by Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area and Maintenance of all Buildings and/or Structures in this Municipality; Provides for the Issuance of Permits and Collection of Fees thereof; Provides Penalties for Violation thereof; Repeals all Ordinances and Parts of Ordinances that Conflict therewith. This Ordinance shall Perpetually Include the Most Current Edition of the Minnesota State Building Code with the Exception of the Optional Appendix Chapters. Optional Appendix Chapters shall not apply unless specifically adopted as follows:

ORDINANCE NO. 218

AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THIS MUNICIPALITY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL APPENDIX CHAPTERS. OPTIONAL APPENDIX CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.

WHEREAS, to promote the public safety, health and welfare of the City of Arlington;

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Codes Adopted by Reference. The Minnesota State Building Code, as adopted by the Commissioner of Administration pursuant to Minnesota Statutes Chapter 16B.59 to 16B.75, including all the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Administration, through the Building Codes and Standards Division, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein. All laws and regulations adopted by the State of Minnesota amending or superseding any laws or regulations cited herein are hereby adopted.

SECTION 2. Application, Administration and Enforcement. This application, administration, and enforcement of the code shall be in accordance with the Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 16B.62, subdivision 1, when so established by this ordinance.

The code enforcement agency of the City of Arlington is called the City of Arlington Building Department. This code shall be enforced by the Minnesota Certified Building Official designated by the City of Arlington to administer the code as authorized in Minnesota Statute 16B.65, subdivision 1.

SECTION 3. Permits and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statute 16B.62, subdivision 1.

Permit fees shall be assessed for work governed by this code in accordance with 90% of the 1997 Uniform Building Code Fee Schedule. Roofing, siding, windows, plumbing, and mechanical permit fees shall be \$25 with the demolition permit fee being set at \$50. In addition, a state surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statute 16B.70. Future permit fees shall be set by City resolution.

SECTION 4. Violations and Penalties. A violation of the code is a misdemeanor per Minnesota Statute 16B.69.

SECTION 5. Building Code Optional Chapters. The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75, allow the City of Arlington to adopt by reference and to enforce certain optional chapters of the most current edition of the Minnesota State Building Code.

The following optional chapters are hereby adopted and incorporated as part of the building code for the City of Arlington: (None)

SECTION 6. Repeal of Previous Ordinance. Ordinance No. 174, adopted by the Arlington City Council on April 21, 2003, is hereby repealed.

SECTION 7. Effective Date of Ordinance. This ordinance shall be come effective immediately upon publication.

Adopted by the City Council of the City of Arlington on the 3rd day of December, 2007.

/s/ James R. Kreft
James R. Kreft, Mayor

ATTEST: /s/ Matthew Jaunich
Matthew Jaunich, City Administrator

Mayor Kreft recessed the regular meeting to hold a public hearing.

Mayor Kreft called to order the Truth-in-Taxation public hearing. It was noted that there were no residents present. Adm. Jaunich presented a power point presentation on the proposed 2008 budget and tax levies

(included a comparison of tax levies for the other cities in Sibley County). Various questions were asked and addressed.

Mayor Kreft adjourned the public hearing and reconvened the regular meeting.

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

RESOLUTION NO. 36-2007

A RESOLUTION APPROVING THE APPLICATION FOR A LAWFUL GAMBLING LICENSE FOR THE SIBLEY COUNTY PHEASANTS FOREVER

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Arlington hereby approves the application for a Lawful Gambling Permit as submitted by the Sibley County Pheasants Forever.

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: 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 3rd day of December, 2007.

Signed: /s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator/Treasurer/Clerk

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

P&Z Adm. Smith-Strack explained that Richard Braunig from MnDOT had visited the proposed cell tower site and concluded that it will not interfere with the heliport arrival/departure corridors, but did recommend that a red obstruction light be placed at the highest point of the tower.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to authorize the Building Official to issue the building permit for the proposed cellular tower with the following 2 conditions:

- 1) A red obstruction light shall be placed at the highest point of the telecommunication tower.
- 2) Prior to commencing construction, a written report from MnDOT is received confirming no additional changes to the existing heliport are required as a result of the placement of the tower.

Discussion was held on the Developer's Agreements for Fairview Acres, High Island Creek, and Arlington Meadows. P&Z Adm. Smith-Strack reviewed in detail what needed to be done and what fees were due by each development. It was suggested to type up invoices and to send them out to each Developer to initiate conversations for finalizing things between them and the City.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to authorize Attorney Arneson to file the Developer's Agreement for Arlington Meadows at the County Recorder's Office.

Mayor Kreft spoke briefly on the vacancy on the Hospital Board and the vacancy expected at year end. Attorney Arneson commented that 6 individuals had been recommended by the Hospital Board for these vacancies.

Motion by Griep, seconded by Wills, and passed by unanimous vote to appoint Lisa Pfarr to the Hospital Board to fill the vacancy that was created by Eleanor Trocke's resignation, which said term is effective immediately and ends December 31, 2008.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to appoint Kevin Lindstrand to the Hospital Board for a 5-year term starting January 1, 2008.

Brief discussion was held on possibly joining the Coalition of Greater Minnesota Cities. It was the consensus of the Council to not join at this time.

A revised Personnel Policy Handbook was handed out and reviewed in detail. Adm. Jaunich stated that he and the Employee Relations Committee had met several times to go through the handbook, which was thicker now due to all the additions/changes. Adm. Jaunich stated that he gave a copy of the revised handbook to all employees so they could review it and asked them for their thoughts/comments. He stated that the new policy will be on the next regular meeting agenda for approval.

The Council reviewed the forms to be used for employee evaluations, including police officers. It was the consensus of the Council that all forms presented were fine and to be used for this year's evaluations.

Discussion was held on the health insurance for the City employees. Adm. Jaunich explained that the portion the City pays for health insurance will increase by \$17,012 (just over 23%). He presented a few different options for the Council to consider. Mayor Kreft suggested leaving things the way they were, except to raise the co-pay.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to renew the current health insurance policy with a \$500 deductible, but change the co-pay to \$45.

Adm. Jaunich stated that there were 3 applicants for the skating rink attendant. Supt. Thomes checked out all 3 and was recommending Robert Sauter.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to hire Robert Sauter as the Skating Rink Attendant for this year.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to hire Neal Wisch and Brad Robinson for the part-time snow removal/hauling helpers for this year.

Mayor Kreft commented that the Library Committee had met recently to discuss possible expansion of the Library.

Reetz commented that all but 1 or 2 of the applicants for the Fire Department Officer positions have been interviewed. Once all applicants are interviewed, the Committee will make their decision. Reetz commented that there were some very good candidates that applied.

Vrklan commented that they were informed at the last Police Committee meeting, that 3 squads were being stripped of their equipment/stripes and would be ready to be gotten rid of (preferably by sealed bid), leaving the department with 2 squads.

Discussion was held on other vehicles the City has but are being used (Dodge Dakota, Ford Explore) that could also be sold. Wills questioned what happened to the vehicles at the impound area (wastewater treatment plant). Adm. Jaunich will check into what happened to them.

Adm. Jaunich reminded the Council that a public hearing will be held at the next regular meeting for the Wellhead Protection Plan. He also noted that a Special Election will have to be held in early January to fill the vacancy for Senator Neuville, who was appointed a District Court Judge.

Motion by Griep, seconded by Vrklan, and passed by unanimous vote to adjourn the meeting at 9:23 p.m.

Administrator Matthew Jaunich

Mayor James R. Kreft