

ARLINGTON CITY COUNCIL  
MEETING MINUTES  
FEBRUARY 5, 2007

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

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

Members absent: None

Also Present: Administrator Krueger, City Attorney Arneson, Street Supt. Dan Thomes, Denise Swenson, Paul Christensen of PeopleService Inc., SMC Administrator Doug Reker, Hospital Board members Eleanor Trocke & Tom Noack, Engineer Lana Tullis, Kurt Menk

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

11 aa) Contract Mowing.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to approve the minutes from the January 17, 2007 meeting as presented.

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

SMC Administrator Doug Reker presented the year-end audit for the hospital; overall the hospital is doing well. He stated that they are in the process of recruiting another doctor (who has a family including 2 young children) and are hopeful this individual will be on staff by July. He stated that they still need an additional full-time doctor (besides the one coming in July) to help cover all the areas (4 clinics, hospital and emergency room). Reker gave a brief summary of what they consider to be priorities for the hospital and what is planned for the near and long-term future (doctor recruitment, spacing/remodeling-expansion: lab, inpatient, pharmacy).

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

Mayor Kreft called to order the public hearing regarding the proposed sewer rate increases. Engineer Lana Tullis explained that the A-GI Wastewater Committee had met and reviewed a new rate schedule. She stated that both cities would be adopting the same schedule and explained the reasons for the increases (mainly planning ahead for expansion in a few years and also to help cover current operations). The changes are as follows:

	<u>2006</u>	<u>2007</u>
Monthly Base Charge	\$7.40	\$9.40
Usage Charge	\$2.50/1,000 Gal.	\$3.50/1,000 Gal.
Sewer Access Charge (SAC)	\$1,325	\$3,500.

Denise Swenson was present to express her concerns about the rate increases. Reetz stated that they are projected to increase annually. Administrator Krueger explained that the rates are to increase annually in order to build up a reserve so less money has to be bonded for at the time of the expansion of the wastewater treatment facility, which is expected in the next few years. He stated that it is easier (more financially feasible on the residents/businesses) to raise the rates incrementally over a period of time, rather than to do one major increase later. Tullis also explained that part of the increase covers upgrades to the system that are dictated through permits by the State.

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

Brief discussion continued on the sewer rate increases and when the rates would go into affect. Administrator Krueger suggested making the increase effective within the next 30 days, in order to start building up the reserve as soon as possible.

Administrator Krueger commented that the A-GI Wastewater Use Agreement needs to be revised. He explained that the bylaws read that any sewer rate changes are to be done by ordinance, which conflict with the City's Charter that reads that changes are to be made by resolution. The A-GI Board was recommending to both cities to revise the By-laws to read that rate changes should be done by resolution instead of by ordinance. Attorney Arneson commented that Green Isle had already adopted the change at their last meeting.

Motion by Vrklan, seconded by Griep, and passed by unanimous vote to amend the A-GI Wastewater Use Agreement to read that sewer rate changes will be done by resolution.

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

**RESOLUTION NO. 7-2007**

**RESOLUTION AUTHORIZING SEWER RATE INCREASES**

WHEREAS, the Arlington City Charter, Chapter 6, gives the City Council authority to set by resolution electric, water and sewer rates; and

WHEREAS, the Arlington City Council by recommendation from the Arlington-Green Isle Joint Sewer System Board deems it necessary to increase the sewer rates.

NOW THEREFORE, BE IT RESOLVED, By the City Council of the City of Arlington, Sibley County, Minnesota, that the sewer rates for the City of Arlington be amended as follows and shall take effect and be in force on and after March 15, 2007:

Each account will have a fixed monthly base charge of \$9.40. All accounts that are for multi-family dwellings will have an additional monthly charge of \$4.70 per unit within the dwelling.

Monthly usage will be billed at \$3.50 per 1,000 gallons of water used, with no minimum usage.

The charge for new connections onto the sanitary sewer system (Sewer Access Charge) is \$3,500.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Borchert and upon poll being taken thereon the following voted in favor thereof: Borchert, Griep, Reetz, Vrklan, 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 5<sup>th</sup> day of February, 2007.

Signed: /s/ James R. Kreft

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.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to accept the letter of resignation from Kevin Lindstrand from the Hospital Board.

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to accept David Czech's resignation from the SEDCO Committee and to appoint him to the Hospital Board to fill the vacancy and finish out the term of said vacancy.

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

Mayor Kreft called to order the public hearing regarding the proposed Wastewater Treatment Facility Plan. Engineer Lana Tullis explained that the A-GI Wastewater Joint Board had reviewed the proposed plan. She gave a history on the wastewater treatment facility, how it currently operates and what improvements will be needed over time. She stated that the current NPDES Discharge Permit expires in September 2008 and commented that a proposed expansion of the facility would cost over \$5 million dollars.

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

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

#### **RESOLUTION NO. 8-2007**

#### **RESOLUTION ADOPTING A WASTEWATER TREATMENT FACILITY PLAN**

WHEREAS, The Common Council of the City of Arlington recognizes the need to modernize and update its Wastewater Treatment methods and has identified future capacity problems of its existing Wastewater Treatment Facility, and

WHEREAS, Bolton & Menk, Inc. has been retained as Consulting Engineers to prepare a Wastewater Treatment Facility Plan for the purpose of submitting such plan to the Minnesota Pollution Control Agency, and

NOW THEREFORE, BE IT RESOLVED, By the Common Council in and for the City of Arlington, Minnesota as follows:

1. The Common Council does hereby adopt the proposed Arlington Wastewater Treatment Facility Plan as presented by Bolton & Menk, Inc. as Consulting Engineers.
2. That the appropriate City Officials are hereby authorized and directed to submit the City's Wastewater Treatment Facility Plan to the Minnesota Pollution Control Agency for review and approval.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Vrklan and upon poll being taken thereon the following voted in favor thereof: Borchert, Griep, Reetz, Vrklan, 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 5<sup>th</sup> day of February, 2007.

Signed: /s/ James R. Kreft  
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.

PeopleService Regional Manager Paul Christensen presented the first monthly water/wastewater report. He explained what problems they had encountered during the first month and how they were correcting them for both the water and wastewater facilities. He stated that they are still in the learning stages with plant operations and re-evaluating the equipment. He also presented a breakdown of expenses that they had incurred (used 3% of maintenance budget). He stated that PeopleService will continue to communicate with the Engineers and City on what is needed for plant operations.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to accept the bid from ICS for a new Variable Frequency Drive in the amount of \$2,780, plus labor and expenses and to authorize PeopleService to work with ICS on installation of said drive.

Street Supt. Thomes presented information regarding the different areas within the city limits that need mowing and/or weed whipping. He explained that in the past 2 individuals (as part of city youth program) have been hired to do the mowing, along with a retired couple, who help out when the youth go back to school. He presented some bids for new mowers and stated that it takes approximately 6 weeks to get new mowers in once the order has been placed. Thomes explained that one of the new mowers they were looking at had a snow blower attachment, which they would use to clean sidewalks with (enforcement of sidewalk ordinance). Borchert commented that he had been contacted by an individual who does contract mowing services and questioned why the City never contracts out the mowing. It was suggested to get some estimates for contracting out the bigger areas such as the parks, etc. and then possibly only hire 1 youth to do the cemetery and smaller areas. It was commented that any service who bid for the mowing contract would supply its own equipment. It was suggested to get a price comparison between contracting the lawn mowing versus doing it ourselves. It was suggested to advertise on the LMC website and present the information at the first meeting in March.

Motion by Wills, seconded by Borchert, and carried (Griep and Vrklan opposed) to advertise for bids to contract for lawn mowing services for the 2007 Spring/Summer Season.

Street Supt. Thomes presented bids to replace the 5' pull behind brush mower with 3-point hitch as follows:

<u>Company</u>	<u>Mower</u>	<u>List Price</u>	<u>Trade In</u>	<u>Quote (tax included)</u>
Lano Equipment	Razor Back 60" Rotary	\$950	\$250	\$745.50*
Arnolds	Woods Brush Bull 60" Rotary	\$1,826	\$776	\$1,118.25
Glencoe Equipment	JD MX5 60" Rotary	\$1,750	\$400	\$1,437.75.

He explained that the mowers from Arnolds and Glencoe Equipment were more of a heavy duty mower and not really what the city needed for the amount it gets used. He added that the mower from Lano Equipment is just like what they are trading in, except a newer version. He stated that the Street Committee had reviewed the bids and were recommending acceptance of the low bid.

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to accept the low bid from Lano Equipment in the amount of \$745.50 (includes trade-in) to replace the rotary brush mower.

Street Supt. Thomes was present to request permission to advertise for bids for the 2007 Sidewalk Improvement Project and to replace the garage doors on the ambulance bays. He stated that the sidewalk project would consist of finishing off Main Street (Hwy 5 to County Road 9). He added that the bids would also include the sidewalk and cement aprons/curbing (by Fire/Ambulance bays) at the Arlington Services Building. Thomes commented that the doors on the ambulance bays need to be replaced. He stated that bids were obtained last year, but needed to be updated as far as pricing.

Motion by Vrklan, seconded by Griep, and passed by unanimous vote to authorize Street Supt. Thomes to advertise for bids for the 2007 Sidewalk Improvement Project, which is to include the cement work at the Arlington Services Building.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to authorize Street Supt. Thomes to obtain bids for replacing the garage doors on the ambulance bays.

Street Supt. Thomes commented that he had contacted Kranz Electric about the request to have RV electrical hook ups put in around the Community Center parking lot. He stated that he would have an estimate at the next meeting. He informed the Council that McLeod Power would also have to submit a bid, as a transformer would have to be installed. Reetz commented that he did not mean for anyone to put an extensive amount of time on the request; he was just looking for a general estimate, with the understanding that this amount would then be passed off to the POLKA Festival Committee.

Street Supt. Thomes stated that the work for the biocube has been completed; they were waiting for the company to come out to do the start up on it. Administrator Krueger thanked Thomes for all his hard work on getting the biocube completed and being pulled away from his normal duties to handle this. Vrklan commented on how orderly the shop area is kept.

Reetz suggested to Supt. Thomes to obtain bids for bituminous (price per ton delivered) and present them at the next meeting; that way they know in advance what it is going to cost for patching, etc. this year. Reetz expressed concern that someone needs to monitor the work being done to verify that the city is not paying for something it shouldn't be.

Mayor Kreft commented that the deadline for accepting applications to the Cemetery Board was now closed. He was informed that one individual had contacted that City Office expressing an interest in being a member on the Cemetery Board. He did speak to the individual and explained that 2 other individuals (Bernet Pinske and Jerome (Bob) Gildea) had contacted him first, which he was recommending for appointment. Borchert commented that he had also been contacted by an individual, who claims to have contacted the city office, which this information did not get passed along for consideration. He expressed concern about the consideration process for appointment.

Motion by Borchert, seconded by Wills, and passed by unanimous vote to appointment Bernet Pinske and Jerome (Bob) Gildea to the Cemetery Board.

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to accept the letter of resignation from Ed Montiel from the Arlington Fire Department effective immediately.

Administrator Krueger stated that approximately 1.5 years ago the cities were notified (State law) that they must offer direct deposit to their employees. However at that time, the Banyon program that the city used for payroll had some bugs in it, which they have now worked out. He stated that the new payroll direct deposit software costs \$995.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to pay Banyon Data Systems \$995 for the payroll direct deposit software program.

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

**RESOLUTION NO. 9-2007**

**RESOLUTION ACCEPTING DONATION TO THE CITY OF ARLINGTON**

WHEREAS, Mr. & Mrs. Mark Hoffman have used the gazebo located in Memorial Park for their wedding and wish to make a monetary donation to the City of Arlington as appreciation.

NOW THEREFORE, BE IT RESOLVED, By the City Council of the City of Arlington, Sibley County, Minnesota, to accept and place in the General Fund the \$75 donation from Mr. & Mrs. Mark Hoffman.

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: Borchert, Griep, Reetz, Vrklan, 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 5<sup>th</sup> day of February, 2007.

Signed: /s/ James R. Kreft  
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.

Considerable discussion was held on orderly annexation. Attorney Arneson stated that back in 1997, the City of Arlington, Arlington Township and Sibley County entered into an Orderly Annexation Agreement, which gave the City the zoning control within the orderly annexed area and also allows the City to proceed (at its discretion) with annexation without any notification to either the Township or County (does not need to hold public hearings). He presented a map that showed the current city boundaries and also the proposed orderly annexation. He stated that in years past the city did not have the necessary staffing to exert zoning control outside the city limits, which it now does. He stated that in recent meetings both the County and Arlington Township have expressed that they would like the City of Arlington to take over the zoning control outside city limits. Kreft questioned how this would affect property taxes. Attorney Arneson commented that having the zoning control over a property has nothing to do with how a property is taxed, this occurs upon annexation (absorption into city limits). It was the consensus of the Council to send this to the Planning & Zoning and EDA Boards for them to start looking at.

Attorney Arneson presented Ordinance No. 202 – Ordinance Creating a Police Committee for the City of Arlington and To Set Operating Rules for said Committee for its first reading. He stated that the only change he made was to change the number of members on the Committee. He stated that it was easier to create a new ordinance that would supersede previous ordinances, rather than make amendments to them. Reetz commented that a section should be added that covers yearly election of officers to be consistent with other Committees. Reetz suggested adding language that covers a minimal number of appearances/reporting to the Council.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to accept the first reading of Ordinance No. 202- An Ordinance to Create a Police Committee for the City of Arlington and to Set Operating Rules for said Committee as presented with the recommended additions thereto.

Discussion was held on whether or not to proceed with the hiring (testing portion) of a third officer for the Police Department. Mayor Kreft stated that at the January Police Committee meeting it was recommended to proceed with the hiring (testing) process. Some discussion was held on differentiating on-call and actual shift/patrol time. It was understood that during the actual shift/patrol time the officer was in uniform and working and the on-call was anything other than that. Discussion was held on possibly writing a scope of services to see if the County would be able to oblige and help with coverage and then compare what the County would charge and what we probably would have to pay our officers (including cost for insurance, vehicles, etc).

Administrator Krueger expressed his feelings on the subject. He feels that the City will not get the coverage it is looking for by contracting with the County. He has talked with other communities who have contracts for police service and they are not happy with the coverage they are receiving. Attorney Arneson expressed concern that depending on the hours contracted with the County, all ordinance enforcement could be lost all together. Vrklan expressed his feelings that he is more comfortable (as a resident) knowing that officers are on duty and close by, and not traveling from across the County to respond to calls. He stated that he believes the police department deserves another chance to prove themselves to the community and he would hold them accountable if a third officer is hired and the problems continue. Wills commented that he wanted to try going through the County at least for taking the on-call duty during the day, which would allow our officers to work at night and weekends and still do ordinance enforcement. Mayor Kreft stated that just because a third officer is hired, doesn't mean that the City still can't pursue a contract with County. He stated that the officer would be put on a one-year probation period and if they didn't meet the minimum requirements of the position they would be let go and the City could consider down sizing the number of officers on the department at that time. He stated that the year probation period would give the City the necessary time it needs to research all aspects of a contract (coverage, costs, etc.) with the County. It was suggested to review the contract that Winthrop has with the County as a starting point. Reetz reiterated what Mayor Kreft had said at a previous meeting that what the Council wants is an efficient police force that serves them and the community. He commented that he feels the main issue at hand is performance and contracting with the County will not improve this, in essence it will get worse and the Councilmembers will start getting complaints because things are not being taken care of. He questioned what is in the best interest of the residents and how will they best be served. He suggested bringing the department up to full staff and address the performance issue directly with the other officers. Mayor Kreft and Vrklan agreed. Griep expressed concern that once a third officer is hired, the City is committed and he does not want to see someone dismissed just because. Attorney Arneson stated that the City has the right to layoff where it needs to, plus putting employees on probation gives the City something to work with also. Vrklan commented that once the probation period is over the City can decide if things are going well or not and where it should go from that point on.

Motion by Reetz, seconded by Vrklan and failed (Borchert, Griep, Wills opposed) to proceed with hiring a third officer, with the understanding that there would be more oversight from the Council over the department.

The Council reviewed the "Small-Town Hardware Guy gets big Post" article that had been printed in the Mankato Free Press about Richard Thomes. The Council congratulated him on his achievement.

The Council reviewed the MMPA press release on wind power. It was noted that each member city will be receiving a minimum of 1 wind turbine. The City will be assisting in finding a suitable location.

The Council reviewed the January Building Permit as prepared by P&Z Administrator Jenness.

It was the consensus of the Council to give Committee updates at the next regular meeting due to the lateness of the meeting.

Motion by Borchert, seconded by Reetz, and passed by unanimous vote to adjourn the meeting at 11:10 p.m.

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Administrator David L. Krueger

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Mayor James R. Kreft