

ARLINGTON CITY COUNCIL
MEETING MINUTES
JANUARY 22, 2008

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 Jaunich, Police Chief Rovinsky, Dan Goetze, P&Z Adm. Smith-Strack, Matt & Lisa Otto, Robert Ovrebo

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

5C) Letter from Senior Citizen's Group.

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

- 1) Approval of the January 7th Regular and Workshop Meeting Minutes
- 2) Approval of the July 11th and August 23rd Special Workshop Meeting Minutes
- 3) Approval of the Bills
- 4) Approval of Pay Equity Report.

Matt & Lisa Otto explained that they are in the process of purchasing some land from her parents who live just outside of city limits, which is in the orderly annexed area. Lisa commented that they had inquired with the City a few months back about getting city services to their property and were told that it is not feasible at this time. She stated that per the County's guidelines, they have platted the property, included a well and mound septic system, and were instructed to notify the City of Arlington about their plans. Mayor Kreft suggested that a meeting with P&Z Adm. Smith-Strack and City Attorney Arneson would be appropriate to make sure that all possible issues (under orderly annexation) could be addressed. It was also suggested to have the City Engineer review the area to see if city services are feasible or not. Adm. Jaunich will set up a meeting with all parties.

Dan Goetze and Dr. Robert Ovrebo were present to express their concerns about the possible annexation of the Highland View Addition. Several questions were asked and answered. Mayor Kreft reiterated the fact that discussion for the annexation was initiated by some of the residents in the addition and that the City has attempted to remain neutral on the issue; it was however attempting to work with the property owners and give consideration to all the different scenarios associated with annexation. It was noted that the Council will be taking action on the petitions for annexation at their February 4th meeting.

The Council reviewed a letter from a utility customer asking the Council to reconsider disconnecting their electric service because they were behind on paying. Adm. Jaunich gave a brief history on the account.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to accept the first proposed method of payment as stated in the letter from the utility customer with the understanding that if the payment schedule is not adhered to disconnect will be immediate and without further notification.

The Council reviewed a letter from the Arlington Senior Citizens Group requesting free use of the Community Center for the annual Sibley County Picnic.

Motion by Vrklan, seconded by Borchert, and passed by unanimous vote to waive the rental fee for the Community Center for the Arlington Senior Citizens Group for the annual Sibley County Picnic with the understanding that they are responsible for the cleaning costs that will be incurred.

Adm. Jaunich informed the Council about an upcoming legislative meeting in Henderson on Thursday, February 7th to discuss LGA. He encouraged those interested in attending to let him know so that he could RSVP be the deadline.

The Council reviewed the following documents:

- 1) Financial Reports
- 2) Water/Wastewater Report
- 3) Letter from Don Meyerson (no action was necessary).

Police Chief Rovinsky presented his year end report. He stated that the total number of calls for the year is about the same as last year (figuring in the ones from the County). He noted that there has not been a dramatic change in the number of burglaries and/or vandalisms since they went to shared coverage with the Sheriff's Department. The Council was very appreciative of the weekly (updates) emails that they have been receiving.

Chief Rovinsky presented a Work Development Plan, which included a tentative schedule of varied hours of coverage between the Police Department and Sheriff's Department. He intends to have the Police Committee review the Work Development Plan and to provide their input of things to add or change. It was noted that Chief Rovinsky will be attending the first Council meeting each month to present a monthly report/update.

The second reading was held of Ordinance No. 219 – An Ordinance Adopting a Schedule of Fees and Charges for Various Services, Licenses and Permits. Adm. Jaunich commented on the changes/additions.

Motion by Vrklan, seconded by Griep, and passed by unanimous vote to approve Ordinance No. 219 – An Ordinance Adopting a Schedule of Fees and Charges for Various Services, Licenses and Permits as follows:

ORDINANCE NO. 219

AN ORDINANCE ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES AND PERMITS

WHEREAS, the City Council is desirous of establishing a uniform system of fees for requests relating to official controls, information, permits, applications or other matters handled by the City.

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

Section 1. All fees and charges in effect as of the date of the adoption of this ordinance shall remain in effect unless otherwise modified by the provisions of this ordinance.

Section 2. In the event of a conflict, this Fee Schedule shall prevail.

Section 3. The following are the fees and charges for permits, licenses and services:

| PLANNING AND ZONING FEES | |
|---|--|
| Variance Application | \$200 plus recording fee |
| Conditional Use Permit Application | \$200 plus recording fee |
| Ordinance Amendment Application | \$200 |
| Rezoning Application | \$200 plus recording fee |
| Land Use Permit Application | \$15 |
| Preliminary Plat Approval Application | \$200 plus \$5 per lot plus deposit |
| Final Plat Approval Application | \$150 |
| Planned Unit Development Approval Application | \$200 plus \$5 per lot plus deposit |
| Park Dedication Fee | 5% of average value of buildable area |
| Annexation Fee | \$5 per lot, minimum of \$100 |
| UTILITY SERVICES | |
| Water Access Charge | \$1,325 |
| Sewer Access Charge | \$3,500 |
| Electric Hookup | \$150 |
| Sewer User Rate | \$.0035/gallon |
| Sewer Base Rate | \$9.40/month plus \$4.70 per additional unit |

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| Water User Rate | \$.00438/gallon |
| 5/8-3/4 Inch Meter Water Base Rate | \$8.77/month |
| 1 Inch Meter Water Base Rate | \$9.27/month |
| 1 1/4 - 1 1/2 Inch Meter Water Base Rate | \$9.56/month |
| 2 Inch Meter Water Base Rate | \$10.35/month |
| 3 Inch Meter Water Base Rate | \$11.40/month |
| 4-8 Inch Meter Water Base Rate | \$15.61/month |
| Electric User Rate | \$.067/KW |
| Residential Electric Base Rate | \$5/month |
| Residents outside city limits Electric Base Rate | \$10/month |
| Commercial Electric Base Rate | \$15/month |
| Utility Disconnect Notice | \$25 per occurrence |
| Electric Reconnect - Day | \$50 |
| Electric Reconnect - After Hours | \$250 |
| Utility Bill Late Fee | 5% (less tax) of current bill; \$1 minimum |
| Load Management Disconnect | \$50 |
| Lawn Sprinkler Meter | \$35 plus tax |
| Lawn Sprinkler Meter Repair Fee | Cost of parts and labor |
| LIBRARY FEES | |
| Copies | \$.10 single side and \$.15 for duplex |
| Laser Printer | First 2 Free, \$.10 per additional page |
| Color Printer | \$0.50 |
| Library Card | First is free, replacement is \$2 |
| Book Fines | \$.10 a day after one week grace period |
| Video Fines | \$1/day |
| Faxes | \$1/page |
| ANIMAL/PET LICENSES AND FEES | |
| Pet License | \$5 per animal |
| Pet License Late Fee | \$10 per animal |
| Animal (Stray) Impound Fee | \$14.50 (Set by Vet Clinic) |
| Animal (Stray) Boarding Fee for Dog | \$11/day (Set by Vet Clinic) |
| Animal (Stray) Boarding Fee for Cat | \$8.75/day (Set by Vet Clinic) |
| Animal Redemption Fee | \$10 |
| MISCELLANEOUS LICENSES AND FEES | |
| Snowbird Ticket | \$10 |
| Vehicle Towing - Impound | Set by Towing Company |
| Vehicle Storage | \$5/day |
| Peddler Permit | \$25 |
| Chipping | \$1/minute with \$10 minimum plus tax |
| List of City Addresses | \$10 |
| City Address Labels | \$25 |
| Copies | \$.15 for B/W and \$.25 for color (per page) |
| Faxes | \$.15 per page received and \$1 per document sent |
| Non-Sufficient Fund Check Returns (NSF's) | \$15 per occurrence plus any bank fees |
| Residential Solid Waste Permit | \$100 (Maximum of 3) |

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| Illuminating Portable Sign Permit | \$20 |
| Election Filing Fee | \$2 |
| DVD and VHS copies | \$2 for a DVD and \$5 for a VHS |
| Assessment Search Fee | \$5 |
| BEER/LIQUOR LICENSES | |
| Temporary 3.2 Malt Liquor License | \$50 per event |
| Liquor License - On Sale | \$1,300 |
| Liquor License - Off Sale | \$100 |
| Setup License | \$20 |
| 3.2 Malt Liquor - On Sale | \$65 |
| 3.2 Malt Liquor - Off Sale | \$10 |
| Temporary 1-4 Day On Sale Liquor License | \$50 per event |
| Sunday Liquor License | \$100 |
| CEMETERY FEES | |
| Burial Permits | \$75 |
| Cemetery Lots North of Road #3 | \$200 |
| Cemetery Lots South of Road #3 | \$250 |
| FIRE DEPT. FEES | |
| Accident | \$350 each vehicle involved plus fuel |
| Fire Call up to 2 hours | \$500, plus supplies/foam/fuel |
| Fire Call exceeding 2 hours | \$1,000, plus supplies/foam/fuel |
| Hazardous Material | \$1,000 (in addition to call fee) |
| False Alarm | First two = \$0, after two \$500 per time |
| Mutual Aid | Supplies |
| AMBULANCE FEES | |
| Residential Emergency Run | \$400 Base Rate plus \$8/mile |
| Residential Non-Emergency Run | \$350 Base Rate plus \$8/mile |
| Non-Resident Emergency Run | \$550 Base Rate plus \$8/mile |
| Non-Resident Non-Emergency Run | \$500-\$550 Base Rate |
| Run with ALS | Additional \$400 |
| No Transport | \$50 |
| COMMUNITY CENTER FEES | |
| Room 1 (West) Rent | \$110 per event |
| Room 2 (Center) Rent | \$160 per event |
| Room 3 (East) Rent | \$110 per event |
| All Rooms Rent | \$380 per event |
| Set-Up Fee | \$100 per event |
| Tear-Down Fee | \$100 per event |
| Security Officer Fee | \$100 per event |
| Full Kitchen Use Fee | \$100 per event |
| Dish Rental (9-piece setting) | \$1/person |
| Wine Glasses | \$.15/piece |
| Linens | Set by Distributor |
| Limited Kitchen Use Fee | \$50 per event |
| LCD Projector | \$50 plus cost of staff time |

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| Damage Deposit | \$250 with Credit Card or \$500 with cash/check |
| Council Chambers Rent | \$35 per event |
| Cleaning Cost (Non-Profits) | \$175 on Fri/Sat and \$125 from Sun-Thursday |
| TECHNOLOGY CONFERENCE CENTER FEES | |
| Conference Room Only | \$40 per event |
| Conference Room with Internet | \$50 per event |
| Conference Room with LCD Projector | \$60 per event |
| Conference Room with Laptop Computer | \$75 per event |
| Conference Room All Inclusive | \$100 per event |
| SENIOR BUILDING | |
| Rent | \$75 per event and \$25 deposit |
| SIGN RENTAL | |
| Main Street Sign | \$25/week (both sides) or \$12.50/week (one side) |
| Community Center Electronic Sign | Free day of community center event |
| Community Center Electronic Sign | \$50 message set up (30 hours coverage) |
| Community Center Electronic Sign | \$25 non-profit message set up (30 hours coverage) |

| BUILDING PERMIT FEES | | | | | | | | |
|-----------------------------|-------------|----------|-----------|----------|----------|-----------|-----------|----------|
| Surcharge | Value | Fee Cost | Surcharge | Value | Fee Cost | Surcharge | Value | Fee Cost |
| \$0.25 | Up To \$500 | \$20.70 | \$15.50 | \$31,000 | \$406.67 | \$37.50 | \$ 75,000 | \$736.88 |
| \$0.30 | \$600 | \$23.90 | \$16.00 | \$32,000 | \$415.76 | \$38.00 | \$ 76,000 | \$743.88 |
| \$0.35 | \$700 | \$26.64 | \$16.50 | \$33,000 | \$424.85 | \$38.50 | \$ 77,000 | \$750.88 |
| \$0.40 | \$800 | \$29.39 | \$17.00 | \$34,000 | \$433.94 | \$39.00 | \$ 78,000 | \$757.88 |
| \$0.45 | \$900 | \$32.13 | \$17.50 | \$35,000 | \$443.03 | \$39.50 | \$ 79,000 | \$764.88 |
| \$0.50 | \$1,000 | \$34.88 | \$18.00 | \$36,000 | \$452.12 | \$40.00 | \$ 80,000 | \$771.88 |
| \$0.55 | \$1,100 | \$37.62 | \$18.50 | \$37,000 | \$461.21 | \$40.50 | \$ 81,000 | \$778.88 |
| \$0.60 | \$1,200 | \$40.37 | \$19.00 | \$38,000 | \$470.30 | \$41.00 | \$ 82,000 | \$785.88 |
| \$0.65 | \$1,300 | \$43.11 | \$19.50 | \$39,000 | \$479.39 | \$41.50 | \$ 83,000 | \$792.88 |
| \$0.70 | \$1,400 | \$45.86 | \$20.00 | \$40,000 | \$488.48 | \$42.00 | \$ 84,000 | \$799.88 |
| \$0.75 | \$1,500 | \$48.60 | \$20.50 | \$41,000 | \$497.57 | \$42.50 | \$ 85,000 | \$806.88 |
| \$0.80 | \$1,600 | \$51.35 | \$21.00 | \$42,000 | \$506.66 | \$43.00 | \$ 86,000 | \$813.88 |
| \$0.85 | \$1,700 | \$54.09 | \$21.50 | \$43,000 | \$515.75 | \$43.50 | \$ 87,000 | \$820.88 |
| \$0.90 | \$1,800 | \$56.84 | \$22.00 | \$44,000 | \$524.84 | \$44.00 | \$ 88,000 | \$827.88 |
| \$0.95 | \$1,900 | \$59.58 | \$22.50 | \$45,000 | \$533.93 | \$44.50 | \$ 89,000 | \$834.88 |
| \$1.00 | \$2,000 | \$62.33 | \$23.00 | \$46,000 | \$543.02 | \$45.00 | \$ 90,000 | \$841.88 |
| \$1.50 | \$3,000 | \$74.93 | \$23.50 | \$47,000 | \$552.11 | \$45.50 | \$ 91,000 | \$848.88 |
| \$2.00 | \$4,000 | \$87.53 | \$24.00 | \$48,000 | \$561.20 | \$46.00 | \$ 92,000 | \$855.88 |
| \$2.50 | \$5,000 | \$100.13 | \$24.50 | \$49,000 | \$570.29 | \$46.50 | \$ 93,000 | \$862.88 |
| \$3.00 | \$6,000 | \$112.73 | \$25.00 | \$50,000 | \$579.38 | \$47.00 | \$ 94,000 | \$869.88 |
| \$3.50 | \$7,000 | \$125.33 | \$25.50 | \$51,000 | \$588.47 | \$47.50 | \$ 95,000 | \$876.88 |
| \$4.00 | \$8,000 | \$137.93 | \$26.00 | \$52,000 | \$597.56 | \$48.00 | \$ 96,000 | \$883.88 |
| \$4.50 | \$9,000 | \$150.53 | \$26.50 | \$53,000 | \$606.65 | \$48.50 | \$ 97,000 | \$890.88 |
| \$5.00 | \$10,000 | \$163.13 | \$27.00 | \$54,000 | \$615.74 | \$49.00 | \$ 98,000 | \$897.88 |
| \$5.50 | \$11,000 | \$175.73 | \$27.50 | \$55,000 | \$624.83 | \$49.50 | \$ 99,000 | \$904.88 |

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|---------------------------------|----------|----------|---|----------|----------|---|------------|----------|
| \$6.00 | \$12,000 | \$188.33 | \$28.00 | \$56,000 | \$617.18 | \$50.00 | \$ 100,000 | \$911.88 |
| \$6.50 | \$13,000 | \$200.93 | \$28.50 | \$57,000 | \$623.48 | Plan Review is 65% of permit valuations. Valuations over \$100,000 will include \$5.04 for each additional \$1,000 or fraction thereof above \$100,000 to and including \$500,000. Valuations over \$500,000 will include \$4.27 for each additional \$1,000 or fraction thereof above \$500,000 to and including \$1,000,000. Valuations over \$1,000,000 will include \$2.83 for each additional \$1,000 or fraction thereof above \$1,000,000 Roofing Permit is \$25.50 | | |
| \$7.00 | \$14,000 | \$213.53 | \$29.00 | \$58,000 | \$629.78 | | | |
| \$7.50 | \$15,000 | \$226.13 | \$29.50 | \$59,000 | \$636.08 | | | |
| \$8.00 | \$16,000 | \$238.73 | \$30.00 | \$60,000 | \$642.38 | | | |
| \$8.50 | \$17,000 | \$251.33 | \$30.50 | \$61,000 | \$648.68 | | | |
| \$9.00 | \$18,000 | \$263.93 | \$31.00 | \$62,000 | \$654.98 | | | |
| \$9.50 | \$19,000 | \$276.53 | \$31.50 | \$63,000 | \$661.28 | | | |
| \$10.00 | \$20,000 | \$289.13 | \$32.00 | \$64,000 | \$667.58 | | | |
| \$10.50 | \$21,000 | \$301.73 | \$32.50 | \$65,000 | \$673.88 | | | |
| \$11.00 | \$22,000 | \$314.33 | \$33.00 | \$66,000 | \$680.18 | | | |
| \$11.50 | \$23,000 | \$326.93 | \$33.50 | \$67,000 | \$686.48 | | | |
| \$12.00 | \$24,000 | \$339.53 | \$34.00 | \$68,000 | \$692.78 | | | |
| \$12.50 | \$25,000 | \$352.13 | \$34.50 | \$69,000 | \$699.08 | | | |
| \$13.00 | \$26,000 | \$361.22 | \$35.00 | \$70,000 | \$705.38 | | | |
| \$13.50 | \$27,000 | \$370.31 | \$35.50 | \$71,000 | \$711.68 | | | |
| \$14.00 | \$28,000 | \$379.40 | \$36.00 | \$72,000 | \$717.98 | | | |
| \$14.50 | \$29,000 | \$388.49 | \$36.50 | \$73,000 | \$724.28 | | | |
| \$15.00 | \$30,000 | \$397.58 | \$37.00 | \$74,000 | \$730.58 | | | |
| Siding Permit is \$25.50 | | | Plumbing & Mechanical Permit is \$25.50 (each) | | | Window Replacement Permit is \$25.50 | | |
| | | | | | | Demolition Permit is \$50.50 | | |

Section 4. When acceptable by Law, future fee schedules shall be set by resolution.

Section 5. This Ordinance shall become effective immediately upon publication.

Adopted by the City Council of the City of Arlington on the 22nd day of January, 2008.

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

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

PZ Adm. Smith-Strack presented Ordinance No. 220 – An Ordinance Repealing and Replacing Section 14 of Ordinance 169, the Arlington Zoning Ordinance, Relating to Non-Conforming Uses within the City for its first reading. She explained that the purpose of the amendment is to remove language referencing sunset provisions or allowing existing non-conforming uses. She stated that there are three types of non-conforming uses (land, structures, or lots of record) and gave a brief description of each. She also summarized the various areas that the PZ Committee had discussed at length.

PZ Adm. Smith-Strack presented Ordinance No. 221 – An Ordinance Amending Ordinance 168, the Arlington Subdivision Ordinance to Allow for Administration of said Ordinance Relating to Premature Subdivisions, Denial of Plats, Variances and General Ordinance Administration by Adding Section 11 for its first reading. She stated that the purpose of this section was to help enable the City to administer the ordinance more appropriately and specifically. She explained that the language being added relates to premature subdivisions, findings of fact, approval/denial of preliminary plats, processing of amendments and variances and penalty/violation standards.

PZ Adm. Smith-Strack stated that Mike Chaves and Corey Hofferbert (H & S Auto) have requested to amend their Conditional Use Permit to allow an increase in the volume of used vehicle display area at their property located at 306 5th Avenue NW, and to retain ancillary auto detailing facilities but abandon use of the fueling facilities. She stated that the original CUP allowed for up to 5 used vehicles to be on the lot at one time and the

amendment allows for up to 12. She explained that all of the original conditions will remain and summarized the new conditions that the PZ Committee recommended.

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

RESOLUTION NO. 9-2008

A RESOLUTION APPROVING AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR A USED PASSENGER AUTOMOBILE SALES ESTABLISHMENT WITH ANCILLARY AUTO DETAILING AND FUELING FACILITIES AT 306 5TH AVENUE NW

WHEREAS, The City Council of the City of Arlington, in open public meetings duly noticed and held pursuant to Minnesota law, fully reviewed and discussed the Findings and Recommendation of the Planning and Zoning Committee of the City of Arlington in the matter of a conditional use permit (“CUP”) application by Mike Chaves;

WHEREAS, the City of Arlington received a completed application for the issuance of a conditional use permit from Mr. Mike Chaves and Mr. Corey Hofferbert on December 20, 2007;

WHEREAS, the applicant has requested an amendment to an existing Conditional Use Permit for the purpose of increasing the used vehicle storage area from five (5) spaces to twelve (12) spaces as part of a used automobile sales establishment with ancillary auto detailing 306 5th Avenue North;

WHEREAS, the use of fueling facilities at 306 5th Avenue North approved in the existing CUP is proposed to be discontinued;

WHEREAS, the applicant has requested the Conditional Use Permit Description for the Property at 306 5th Avenue NW in the City of Arlington, Sibley County, Minnesota identified as Parcel Number 31.0397.000 and legally described as Lots 24-28, Block 2, Charles Hillemann Addition, City of Arlington, Sibley County, Minnesota;

WHEREAS, The Arlington City Planning and Zoning Committee conducted a public hearing, preceded by published and mailed notice at their meeting on January 10, 2008 to consider the application for conditional use permit amendment;

WHEREAS, After due notice, the full receipt of public comment and extensive deliberation and discussion recommended to the Arlington City Council, that the CUP Amendment Application of Mike Chaves and Corey Hofferbert be APPROVED pursuant to certain findings as follows:

- A. The legal description of the Subject Property is PID 31.0397.000, Lots 24-28, Block 2, Charles Hillemann Addition, City of Arlington, Sibley County, Minnesota.
- B. The Subject Property is zoned B-1, Service Business.
- C. The proposed principal use of the Subject Property is for a used automobile sales establishment with ancillary auto detailing.
- D. The fueling facilities allowed under the original CUP shall be discontinued and abandoned.
- E. Section 7, Subd. 3 of the Arlington Zoning Ordinance identifies conditional uses allowed in the B-1 Service Business District and provides for the contemplated use.
- F. Consideration of the application by the Planning Committee was based upon, but not limited to, the following criteria outlined in Section 15, Subd. 2 of the City Zoning Ordinance:
 - Criteria #1: The establishment, maintenance, or conducting of the use for which a permit is sought will not under the circumstances of the particular case be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing or working in the neighborhood of such use.

The Planning Commission thoroughly discussed the request and accepted public testimony. The Planning Commission finds that with the conditions listed above the use will not be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing in the neighborhood since the use will be consistent with adjacent land uses within the same zoning district.

Criteria #2: The establishment, maintenance, or conducting of the use for which a permit is sought will not under the circumstances of the particular case be detrimental to the public welfare, or injurious to property or improvements in the neighborhood.

The Planning Commission thoroughly discussed the request and accepted public testimony. The Planning Commission finds that with the conditions listed above the use will not be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing in the neighborhood since the use will be consistent with adjacent land uses within the same zoning district.

WHEREAS, The City Council has reviewed the applicable code, considered the findings and recommendations by the Planning Committee as well as the comments and input of the Applicants, the Property Owner, the neighboring residents and the general public.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby authorizes the issuance of an amended conditional use permit to operate a used automobile sales establishment with ancillary auto detailing and fueling facilities at 306 5th Avenue North contingent on the following:

1. Uses of the subject property shall be limited to the following:
 - a. A minimum of one and a maximum of two of the three existing service bays will be used for the licensed sale of used, operable, passenger automobiles. The total volume of used cars stored on site both indoors and outside shall at no time exceed twelve (12) vehicles. The display of used vehicle sales is limited to the areas as represented on the site plan submitted with the application for CUP amendment. The display of used vehicles shall be setback a minimum of five (5) feet from the front property line. Loading and unloading of used cars shall occur between the hours of 7 a.m. and 10 p.m. The loading and unloading of used cars shall occur directly on site and shall not occupy the public right of way.
 - b. One of the three existing service bays will be used to “detail” vehicles. “Detailing” shall be defined as and limited to performing: scratch and oxidation removal, buffing, interior and exterior washing or shampooing, molding repair/replacement, paint overspray removal, stain removal, non-spray touch up painting, power washing, hand drying, road tar removal, polishing or deodorizing of any type of passenger vehicle or truck. Hazardous waste containment and/or disposal shall comply with the building code and state/federal law.
 - c. The existing fuel facility shall be discontinued and abandoned. The fuel pumps and underground storage tanks shall be removed by June 30, 2008.
 - d. A storage area for landscaped bricks not exceeding ten feet by ten feet may be located on the east (rear yard) side of the existing building. The landscape block storage area shall not at any time exceed 100 square feet in area. The landscape block shall be stored in a manner prohibiting the harboring of rodents.
 - e. An “L” shaped opaque chain link fence (i.e. fence with lathes/slats) not exceeding six feet in height may be constructed south (side yard) of the existing structure. The fence shall be placed a maximum of five feet in front of the building line but not in front of the structure and terminate in the middle of the rear yard. The fence shall not include barbed or razor wire or have advertising attached to it. The fence shall not obstruct drainage on the site.
 - f. A small display area for landscaped block which was approved to be located in the front yard under the original CUP may no longer be located in the front yard.

RESOLUTION NO. 10-2008

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 219 ENTITLED
“AN ORDINANCE ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS
SERVICES, LICENSES AND PERMITS”**

WHEREAS, the City Council of Arlington routinely passes ordinances to promote the public safety, health and welfare of the residents of Arlington; and

WHEREAS, the City Council initiated an ordinance (219) to establish a uniform system of fees and charges for services, licenses and permits; and

WHEREAS, the City Council held a first reading of Ordinance 219 at its regular meeting on January 7, 2008; and

WHEREAS, the City Council approved the second reading and adoption of Ordinance 219 at its regular meeting on January 22, 2008; and

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 219 entitled “An Ordinance adopting a schedule of fees and charges for various services, licenses and permits” would clearly inform the public of the intent and effect of Ordinance 219; and

WHEREAS, prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the City Administrator shall cause a summary of Ordinance No. 219 to be published in the City’s official newspaper at the earliest practicable date.

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On January 22, 2008, the City Council of the City of Arlington approved Ordinance 219 entitled ‘An Ordinance adopting a schedule of fees and charges for various services, licenses and permits.’ The Ordinance in its entirety is available for review and/or photocopying during regular office hours at the City of Arlington, 204 Shamrock Drive, Arlington, Minnesota 55307. The purpose of the Ordinance is to establish a uniform system of fees for requests relating to official controls, information, permits, applications or other matters handled by the City.”

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 22nd day of January, 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.

Adm. Jaunich explained that he and Building Official Haslip had toured the Public Library regarding the request to remodel it. He commented that City Staff could do the work, but it would probably interfere with some of their other duties and get drawn out over the summer, versus hiring a licensed contractor to come in and just get it done. Some discussion was held on where the funds would come from (Building Fund, etc.). It was the consensus of the Council to authorize Adm. Jaunich to work with the Library Committee on what exactly they want done and advertise for bids.

Some discussion was held on allowing/disallowing (construction) dumpsters on public streets (placed in the right-of-way). Adm. Jaunich commented that there does not appear to be anything in place regarding

dumpsters. Several different options were discussed (create/amend ordinance, add stipulation to building permit for placement on private property, etc.). Adm. Jaunich will research the matter further (creating a dumpster policy).

Some discussion was held on the testing requirement for private wells within the city as referenced in Ordinance 200. It was the consensus of the Council that the Utility Committee and PeopleService should get together to discuss the sampling procedures, notification letter, permitting process and getting those residents who have private wells with city sewer hooked up to the automated metering system.

Adm. Jaunich commented that he had put the 2008 Street/Alley Improvements on the agenda because this is the time of year to advertise for bids for summer projects. The Council reviewed the information (prioritized listing of seal coating, reconstruction, etc.) that had been put together during the summer months. It was the consensus of the Council that the Streets Committee, City Engineer and Street Supt. should review the 5-year plan that had been put together along with the sanitary sewer report to determine what exactly needs to be done this year.

The Council reviewed an email for the County regarding several bridges in/around Arlington that are marked to be replaced in coming years. It was noted that the County will be covering the costs for the bridges, just not any aesthetics such as lighting or walking/biking trails; these expenses would be up to the City.

Wills commented on the most recent Parks Committee meeting. He stated that they are looking at purchasing equipment for Fairview Park.

Adm. Jaunich commented that he was still working with Shannon Sweeney and Northland Securities on the City's Investment Policy.

Adm. Jaunich gave an update on the wind generator. He stated that MMPA is still doing some site evaluations and are hopeful to have a recommend to the City by the end of February or beginning of March.

Brief discussion was held on the city's disconnection policy.

Reetz commented that a Fire/Ambulance Committee member (himself or Wills) should be included in the meetings regarding the ambulance service negotiations with SMC. Mayor Kreft commented that the process was going to be a difficult and there were several options to work through.

Mayor Kreft commented on the most recent Comprehensive Planning meeting.

Mayor Kreft commented that the Charter Commission had been approved by the District Court Judge and recommended putting the City Charter on the next agenda. Adm. Jaunich will notify the Charter Commission members.

Adm. Jaunich commented that he continues to research and make contacts with regards to becoming a "Tree City". He noted that Attorney Arneson was in the process of drafting an ordinance.

Vrklan commented that a meeting was being organized with Bolton & Menk for creating a Geographic Information System.

Motion by Griep, seconded by Borchert, and passed by unanimous vote to adjourn the meeting at 8:56 p.m.

City Administrator Matthew Jaunich

Mayor James R. Kreft