

ARLINGTON CITY COUNCIL
MEETING MINUTES
JUNE 1, 2009

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

Members present: Mayor Kreft (stepped out mid-meeting for 30 minutes), Griep, Pederson, Reetz, Vrklan

Members absent: Pichelmann

Also present: Administrator Jaunich, Street Supt. Thomes, Engineer Hawbaker, EDA Director Schultz, Engineer Cordt, EDA President Lundstrom, Police Chief Rovinsky, Chris Neisen, Finance Director Sweeney, Kurt Menk

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

Add item 4G) Acceptance of Resignation from Kendal Duck from Fire Department

Add item 7A1) Consideration for Bill from Chris Neisen for street patching work done

Add item 7B) May Building Permit Report

Add item 14.5) Approval to authorize for up to \$500 for Fire Department (125th) and Ambulance (40th) Anniversary Celebration during Town & Country Days.

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

A) Approval of the May 18th Regular Meeting Minutes

B) Approval of the Bills

C) Approve the Renewal of On Sale, Off Sale, Sunday & Community Center Liquor Licenses for the Arlington Haus

D) Approve the Renewal of On Sale and Off Sale Liquor Licenses for The Dugout

E) Approve the Renewal of an Off Sale Liquor License for Arlington Liquors

F) Approval of Street Dance Permit for Arlington Haus on June 20th from 8:30 p.m. – 12:30 a.m.

It was noted that there were no public hearings scheduled.

It was noted that there were no citizens present to address the Council on non-agenda items.

The following announcements were reviewed:

- 1) Special EDA Meeting with Region 9 and DEED – June 3rd @ 10:00 a.m. (Council Chambers)
- 2) Sibley County Municipalities Meeting – June 11th @ 6:00 pm in Gibbon
- 3) Arlington Town & Country Days is June 19th – 20th
- 4) League of MN Cities Annual Conference – June 24-26 in St. Paul.

Street Supt. Thomes provided an update on the street (asphalt) patch work that was done. He stated that there were six different locations and that one location (in front of Reflections on Main Street) had to be cut larger than originally bid due to damage done while waiting to be patched. Thomes added that when the street repair was being done in front of Norb Brau's house, a 4 foot section of curbing fell out due to soft/poor road conditions, which was replaced with asphalt as a temporary fix. Supt. Thomes commented that he and a representative from Mueller & Sons measured all six locations together, so that way when the bids were let out, they were for the same amounts. It was noted that 5 of 6 locations were overcut. Chris Neisen was present to explain why the larger cuts were done. Adm. Jaunich stated that the bill for the street repairs was \$1,635.73 more than the original bid. Neisen also commented that they bid 28 ton of material and actually needed 43 ton. Adm. Jaunich talked about change orders and that one wasn't done for these repairs.

Motion by Griep, seconded by Vrklan, and carried (Reetz opposed) to pay the bill in the amount of \$5,055.73 (includes \$1,635.73 bid overage) to Chris Neisen for the street patch work that he did, with the condition that future bids will be more accurate (no overages will be allowed).

EDA President Lundstrom and Director Schultz presented the annual report on the EDA. Brief discussion was held on the First Impressions Program that the EDA participated in with Cokato. It was an overall positive experience. Details of the Comprehensive Plan Update were reviewed, along with the downtown revitalization project. It was noted that the EDA will be refining their By-Laws, Revolving Loan Fund and Lot Loan Acquisition programs. It was also noted that the EDA would like to work with the Council to redefine the EDA's role/authority. Some discussion was held on the Small Cities Development Program and how it helped to make improvements to the Main Street business district. Some discussion was also held on maintaining the historic integrity of Main Street. It was noted that the EDA is excited about their role in the proposed Seneca Foods Expansion project.

The Council reviewed the following communications:

- 1) May Building Permit Report.

The second reading of Ordinance No. 243 – An Ordinance Amending Ordinance 198, Regulating the Conduct of Peddlers, Solicitors, Professional Fundraisers, and Transient Vendors Within the City of Arlington, was held. It was noted that there were no changes made after the first reading.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve Ordinance No. 243 – An Ordinance Amending Ordinance 198, Regulating the Conduct of Peddlers, Solicitors, Professional Fundraisers, and Transient Vendors Within the City of Arlington, as follows:

Ordinance No. 243

AN ORDINANCE AMENDING ORDINANCE 198, REGULATING THE CONDUCT OF PEDDLERS, SOLICITORS, PROFESSIONAL FUNDRAISERS, AND TRANSIENT VENDORS WITHIN THE CITY OF ARLINGTON

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:

Ordinance 198 is amended in its entirety to read as follows:

(SEE ATTACHED FOR COMPLETE DOCUMENT).

This ordinance shall become effective immediately upon passage and publication.

For City of Arlington

/s/ James R. Kreft
By James R. Kreft
It's Mayor

/s/ Matthew Jaunich
By Matthew Jaunich
It's City Administrator

The second reading of Ordinance No. 245 – An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance by Adding Section 15.5 Relating to Interim Use Permits , was held. It was noted that there were no changes made after the first reading.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to approve Ordinance No. 245 – An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance by Adding Section 15.5 Relating to Interim Use Permits, as follows:

Ordinance No. 245

AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE BY ADDING SECTION 15.5 RELATING TO INTERIM USE PERMITS

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND

WELFARE, HEREBY ORDAINS ORDINANCE 169 SHALL BE AMENDED BY ADDING SECTION 15.5 AS FOLLOWS:

SUBDIVISION 1. PURPOSE/INTENT.

The purpose and intent of allowing interim uses is:

- A. To allow a use for a limited period of time that reasonably utilizes the property in the manner not permitted in the applicable zoning district.
- B. To allow a use that is presently acceptable but that, with anticipated development, may not be acceptable in the future.

SUBDIVISION 2. APPLICATION, HEARING, PROCEDURE.

The application, public notice and procedure requirements for interim use permits shall be the same as those for Conditional Use Permits as provided in Section 15 of the Zoning Ordinance.

SUBDIVISION 3. CRITERIA FOR REVIEW.

Criteria for review of interim use permits shall be the same as those for Conditional Use Permits as provided in Section 15 of the Zoning Ordinance.

SUBDIVISION 4. CONDITIONAL APPROVAL.

- A. Criteria for approval of interim use permits shall be the same as those for Conditional Use Permits as provided in Section 15 of the Zoning Ordinance.
- B. The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permits only if it finds that such use at the proposed location:
 - 1. Meets the standards of a conditional use permit set forth in Section 15 of this Ordinance.
 - 2. Conforms to the zoning regulations, performance standards and other requirements of this Ordinance.
 - 3. Is allowed as an interim use in the applicable zoning district.
 - 4. Will terminate upon a tangible date or event specified in the resolution approving said interim use permit.

SUBDIVISION 5. TERMINATION.

An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs:

- A. The date specified in the permit;
- B. A violation of the conditions under which the permit was issued; or
- C. A change in the City’s zoning regulations which render the use nonconforming.

This ordinance shall become effective immediately upon passage and publication.

For City of Arlington

/s/ James R. Kreft
By James R. Kreft
It’s Mayor

/s/ Matthew Jaunich
By Matthew Jaunich
It’s City Administrator

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

RESOLUTION NO. 34-2009

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 243 ENTITLED “AN ORDINANCE AMENDING ORDINANCE 198, REGULATING THE CONDUCT OF PEDDLERS, SOLICITORS, PROFESSIONAL FUNDRAISERS, AND TRANSIENT VENDORS WITHIN THE CITY OF ARLINGTON”

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 (243) to amend Ordinance 198, regulating the conduct of peddlers, solicitors, professional fundraisers, and transient vendors within the City of Arlington; and

WHEREAS, the City Council held a first reading of Ordinance 243 at its regular meeting on May 18, 2009; and

WHEREAS, the City Council approved the second reading and adoption of Ordinance 243 at its regular meeting on June 1, 2009; and

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 243 entitled “An Ordinance Amending Ordinance 243, Regulating the Conduct of Peddlers, Solicitors, Professional Fundraisers, and Transient Vendors within the City of Arlington” would clearly inform the public of the intent and effect of Ordinance 243; 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 243 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 June 1, 2009, the City Council of the City of Arlington approved Ordinance 243 entitled ‘An Ordinance Amending Ordinance 243, Regulating the Conduct of Peddlers, Solicitors, Professional Fundraisers, and Transient Vendors within the City of Arlington’. 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 guidelines and regulations for any person going in and upon private residences in the City of Arlington by peddlers, professional fundraisers, solicitors, and transient vendors of merchandise, not having received an advance request or invitation to do so by an owner or adult occupant of said private residence, for the purpose of direct sales or soliciting orders for the sale of goods, services, wares, produce or merchandise.”

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, Pederson, Reetz, Vrklan; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Pichelmann.

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

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

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

RESOLUTION NO. 35-2009

A RESOLUTION APPROVING ORDINANCE 245, AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE BY ADDING SECTION 15.5 RELATING TO INTERIM USE PERMITS AND PROVIDING FOR SUMMARY PUBLICATION THEREOF.

WHEREAS, the City of placed Ordinance 169 into effect several years ago; and

WHEREAS, the City and Planning Commission have determined a need to amend the ordinance to allow for the issuance of interim use permits; and

WHEREAS, the Arlington Planning Commission and City Council have reviewed and studied proposed Ordinance 245 relating to interim use permits; and,

WHEREAS, a public hearing was properly noticed and held on May 7, 2009 by the City of Arlington Planning Commission; and,

WHEREAS, the Planning Commission approved a resolution recommending the City Council approve Ordinance 245; and,

WHEREAS, the City Council held first reading of Ordinance 245 on May 18, 2009; and,

WHEREAS, the City Council held second reading and approved Ordinance 245 on June 1, 2009; and,

WHEREAS, the City Council has determined the publication of the title and a summary of Ordinance 245 would clearly inform the public of the intent and effect of Ordinance 245; 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 Council of the City of Arlington hereby approves Ordinance 245;

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 245 to be published in the City's official newspaper at the earliest practicable date; and

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

"On June 1, 2009 the City Council of the City of Arlington approved Ordinance 245, entitled, 'An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance by Adding Section 15.5 Relating to Interim Use 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 Ordinance provides for the issuance of interim use permits within the City of Arlington."

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

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

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

Electrical Engineer Cordt was present to discuss the proposed electric improvements to the old substation, which include line upgrades throughout town and moving load to the new substation. Adm. Jaunich reminded the Council that the proposed project had not been budgeted for, but due to the problems that arose earlier this year, he was recommending moving forward with the project. It was noted that there were funds available in the electric fund. Cordt reviewed the details and costs associated with the project. He stated that there is much more work to be done, but it can be added to the work plan they are currently putting together. Some discussion was also held on the proposed Seneca Foods expansion and how these upgrades could help indirectly.

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

RESOLUTION NO. 36-2009

A RESOLUTION ORDERING AN IMPROVEMENT AND PREPARATION OF PLANS

WHEREAS, to a resolution passed by the City Council on May 4, 2009, the city's electrical engineer (Curtis Cordt – Heartland Engineering) has prepared a report on a proposed improvement project to the City's electrical system which would include replacing the old substation through upgrading distribution and feeder lines throughout town, and has presented such report to the council for action; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ARLINGTON, MINNESOTA:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the Electrical Engineer's report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted on the 4th day of May, 2009.
3. Curtis Cordt of Heartland Engineering is hereby designated as the engineer for this improvement project. The engineer shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to pay for this improvement through electrical fund reserves and/or user rates.

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: Griep, Pederson, Reetz, Vrklan; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Pichelmann.

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

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

The Council reviewed a new cost estimate in the amount of \$25,000 from Engineer Cordt regarding the wind turbine installation. Cordt stated that he had spoke with members from MMPA and was informed that some of the items had had proposed in his original cost estimate were being covered by MMPA, thus the reduced cost. Cordt recommended that the City require Avant Energy to enter into an interconnection agreement, which would hold Avant accountable for any issues that arise such as power quality or noise issues (their equipment causes problems) and the City harmless from any liability.

Police Chief Rovinsky presented his monthly police report. It was noted that the department had responded to 94 calls. He stated the call rate is staying consistent with previous years and the time of year. Brief discussion was held on the upcoming Town & Country Days Celebration. It was noted that weekly checks have started for nuisance lawns.

Engineer Hawbaker gave an update on the 2009 Street Improvement Project. He stated that the Watershed District wants a storm water pond put in versus the storm manhole. He added that the Watershed wanted the County to be involved with the project as well. Engineer Hawbaker reiterated that a pond is not required under MPCA standards for reconstruction projects. Lengthy discussion was held on the Watershed's authority over this project and what options are available to the City. Adm. Jaunich suggested moving forward with the project, including the storm manhole, but to keep trying to resolve the issue(s) with the Watershed in the meantime. Mayor Kreft stated that a meeting with the Watershed is in order and being worked out.

Motion by Pederson, seconded by Griep, to deny the placement of a storm water pond in the construction plans for the 2009 Street Improvement Project. Motion and second were rescinded after further discussion was held. It was agreed to have Attorney Arneson pursue the legal issues; and Mayor Kreft, Adm. Jaunich and available Councilmembers would attend the Watershed's meeting on June 22nd. It was noted that the County is aware of the proposed project.

Engineer Hawbaker reviewed the bids received for the 2009 Parking Lot Improvements. It was noted that the Engineer's Report was \$50,764 and the low bid was from Chard Tiling & Excavating in the amount of \$49,088.75. Adm. Jaunich noted that this project will be paid for by TIF money. Adm. Jaunich commented that Attorney Arneson expressed some legal concerns about using TIF money for the part that belongs to the church in the back (wraps around the building).

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to accept the low bid from Chard Tiling & Excavating in the amount of \$49,088.75 and to exclude the section owned by the Church in the back where it wraps around the building/leave as gravel.

City Financial Advisor Sweeney was present to discuss the Issuance and Sale of \$450,000 General Obligation Disposal System Bonds related to the 2009 Wastewater Treatment Plant Project.

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

RESOLUTION NO. 39-2009

A RESOLUTION APPROVING THE ISSUANCE OF GENERAL OBLIGATION DISPOSAL SYSTEM BONDS SERIES 2009A; COVENANTING AND OBLIGATING THE CITY TO BE BOUND BY AND TO USE THE PROVISIONS OF MINNESOTA STATUTES, SECTION 446A.086 TO GUARANTEE THE PAYMENT OF THE PRINCIPAL AND INTEREST ON THE BONDS

BE IT RESOLVED by the City Council of the City of Arlington, State of Minnesota (herein, the "City"), as follows:
(See attached for complete document).

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

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

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

Mayor Kreft stated that Seneca Foods was considering the addition of a can manufacturing facility on their property here in Arlington or in another community. However, if the City of Arlington would agree to finance this project (building and equipment) through General Obligation Bonds, it would consider Arlington site first. Mayor Kreft stated that this would create 15-20 jobs and would add approximately \$100,000 of electric service fees per year to the revenue of the city's electrical system. He added that there are many benefits and also a large risk with the type of venture. Financial Advisor Sweeney reviewed what options were available to the City for such a project (which included Financing Leases, Operating Leases, TIF Districts, Economic Development Districts). Considerable information was presented for the Councils' consideration. Mayor Kreft noted that the EDA had made the recommendation to the Council to support this proposed project.

Motion by Pederson, seconded by Griep, and passed by unanimous vote to support Seneca Foods' planned expansion project.

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

RESOLUTION NO. 40-2009

A RESOLUTION CALLING PUBLIC HEARING ON THE MODIFICATION OF MUNICIPAL DEVELOPMENT DISTRICT NO. 1, THE MODIFICATION OF THE DEVELOPMENT PROGRAM RELATED THERETO, THE ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 1-4 AND THE ADOPTION OF A TAX INCREMENT FINANCING PLAN RELATING THERETO

BE IT RESOLVED by the City Council (the "Council") of the City of Arlington, Minnesota (the "City"), as follows:

1. Public Hearing. This Council shall meet on Monday, July 20, 2009, at approximately 7 p.m. to hold a public hearing on the following matters; (a) the proposed modification of Municipal Development District No. 1, (b) the modification of the Development Program relating thereto, (c) the proposed establishment of Tax Increment Financing District No. 1-4, and (b) the adoption of the Tax Increment Financing Plan relating thereto, pursuant to and in accordance with Minnesota Statutes, Sections 469.124 to 469.134 and 469.174 to 469.1799, both inclusive, as amended (collectively, the "Act").

2. Notice of Hearing. Filing of Program and Plan. The City Administrator is hereby authorized to cause a notice of the hearing, substantially in the form attached hereto as Exhibit A, to be published as required by the Act and to place a copy of the proposed modified Development Program and Tax Increment Financing Plan on file in City Administrator's Office at City Hall and to make such copies available for inspection by the public.

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

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

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

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

RESOLUTION NO. 37-2009

A RESOLUTION RATIFYING ADDITIONAL MAYORAL APPOINTMENTS

BE IT RESOLVED that Mayor James R. Kreft has appointed the following individuals to the following appointments:

Parks/Shade Tree Committee: (Term Length: Two years)

Citizen Appointees: Peter Arneson

Police Committee: (Term Length: Two years)

Citizen Appointees: Sharla Allison.

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

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

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

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

RESOLUTION NO. 38-2009

A RESOLUTION ACCEPTING DONATIONS AND DESIGNATING THEIR USE

WHEREAS, the City of Arlington may accept a gift of real or personal property, including money, and use it in accordance with the terms prescribed by the donor; and

WHEREAS, the City may not, however, accept or use gifts for religious or sectarian purposes; and

WHEREAS, the City of Arlington has received four donations of money to be used in the Ambulance and Fire Departments.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Arlington that the City accepts the donations in full and designates its use as follows:

- \$1,000 donation from Minnesota Valley Electric Cooperative – Ambulance General Fund for the purchase of a three season hi-visibility coats
- \$150 donation from New Auburn Fire Relief Association – Fire Department General Fund
- \$5,000 donation from the Carl and Verna Schmidt Foundation – Ambulance General Fund for the purchase of a automatic power cot
- \$1,100 donation from CenterPoint Energy – Fire Department General Fund for the purchase of a dual head radio.

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, Pederson, Reetz, Vrklan; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Pichelmann.

Adopted by the City Council of the City of Arlington this 1st day of June, 2009.

Signed: /s/ James R. Kreft Attested: /s/ Matthew Jaunich
Mayor City Administrator

Whereupon said 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 the land purchase from Arneson/Hennies (in Industrial Park) for the proposed wind turbine. Adm. Jaunich stated that MMPA has decided to contribute \$20,000 to each member city to help reduce the costs associated with the proposed project. He reminded the Council that a quarter to half an acre is needed for the wind turbine and was recommending that the City purchase one acre.

Motion by Vrklan, seconded by Pederson, and passed by unanimous vote to authorize Adm. Jaunich to enter into a Purchase Agreement for one (1) acre of land from Arneson/Hennies for the wind turbine.

Discussion was held on entering into a Letter of Understanding with High Island Creek Developers regarding unpaid bills/fees (for Park Dedication fees, etc. in the amount of \$43,070). The Council reviewed a couple of bills from the Developers (\$20,921.21 for construction of 8th Avenue and \$4,791.75 for flooding damages on 8th Avenue) also. Reetz expressed his feelings on the subject matter and questioned the footage being charged to the City. Adm. Jaunich explained that the Developers had enlarged the size of the storm water holding pond to accommodate the City's need for park space (area around the pond would be used for a walking path) and were considering that as part of the Park Dedication fees. It was noted that many details were never documented when the Developer's Agreement was being put together, just here say between all parties involved at the time. Lengthy discussion was held.

Motion by Griep, seconded by Vrklan, and passed by unanimous vote to table discussion/action on the Letter of Understanding with the High Island Creek Developers until the next meeting to allow City Staff time to research a few questions raised during this meeting.

The Council reviewed a letter from the Town & Country Days Committee inviting them to attend the Anniversary Family Picnic scheduled for June 20th to honor the local Fire Dept. on their 125th Anniversary and the Ambulance on their 40th Anniversary. The letter also requested financial assistance in the amount of \$300-\$500. Adm. Jaunich stated that this would be a donation to the Chamber of Commerce.

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to spend up to \$500 on a celebration event on June 20th at Four Seasons Park at 1:30 pm for the Fire Department's 125th Anniversary and Ambulance's 40th Anniversary.

Griep gave an update on the Hospital Board. He stated they voted to accept bids for the mechanical work (boilers, HVAC) being done and for the removal of the underground fuel tank. He noted that they still had to approve bids for the installation work. It was noted that the cost of the project was estimated at \$2.5-3 million. It was noted that they are also discussing some remodeling of the third floor and physical therapy areas and may be coming to the City for financial assistance (bonding). Hospital Board Members Denny Schultz commented that the hospital continues to improve even in these bad economic times.

Vrklan gave an update on the Cemetery Committee. He commented that they would like to open up the area on the south side of the new entrance area for cremation lots and include a columbarium. He noted that they would like the area where the old (capped) well is to be filled in as it is sinking.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to adjourn the meeting at 9:50 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft