

ARLINGTON CITY COUNCIL
MEETING MINUTES
MARCH 1, 2010

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

Members present: Mayor Kreft, Pederson, Pichelmann, Reetz, Vrklan, Wills

Members absent: None

Also present: Adm. Jaunich, City Attorney Arneson, Ambulance Director Kevin Sullivan, Police Chief Rovinsky, Kurt Menk

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

4C) Remove Spare Time Bowling Center-On Sale and Setup license.

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

- A) Approval of the February 16th Regular and February 18th Special Meeting Minutes
- B) Approval of the Bills, excluding the bill for Klehr Excavating
- C) Approve the renewal of 3.2 Malt Liquor Licenses and Setup License for the Arlington Baseball Association (On-Sale), Arlington Raceway (On & Off-Sale), and American Legion Post #250 (On-Sale & Setup)
- D) Approval of Ambulance/Raceway Service Agreement
- E) Approval of 2009 SEDCO Contribution of \$2,048.

It was noted that there were no public hearings scheduled.

Ambulance Director Kevin Sullivan presented the annual report for the Ambulance Service. He stated that the Ambulance Service had 297 runs for the year, of which approximately 1/3 to 1/2 were ALS related. It was noted that the 2010 calls are continuing in the same fashion. Sullivan commented briefly on current staffing and recruitment efforts. He also talked about the "Vial of Life" program and explained what it was and how it worked. Sullivan is currently working on the implementation of a county-wide 'chase' system (Arlington's paramedics helping out surrounding communities).

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

The following announcements were reviewed:

- 1) Electric Improvement Project Open House – March 15th from 5 pm to 7 pm
- 2) MMUA Winter Legislative Conference is March 24-26 in Bloomington
- 3) LMC Legislative Conference is March 24-26 in St. Paul
- 4) LMC Safety and Loss Control Workshops take place in March/April in various locations
- 5) Mayor and City Administrator meeting with Rep. Laura Brod on March 22nd.

The Council reviewed the following communications:

- 1) February Building Permit Report
- 2) 2009 Total Compensation Report
- 3) LMC Report – "Governor's 2010 Budget: Preparing for More City Cuts".

It was the consensus of the Council to tentatively hold a special meeting on Monday, March 8th to discuss the 2010 Budget (cuts).

Police Chief Rovinsky presented his monthly police report. It was noted that the department had responded to 70 calls for the month of February. Rovinsky commented on the number of harassment (threatening) calls and how technology (internet programs such as My Space, Facebook, etc.) is contributing to them.

The second reading of Ordinance 249 – An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance by Replacing Section 10, Subd. 5 Relating to Performance Standards within the I-2 General Industrial District, was held. Adm. Jaunich noted that there were not any changes from the first reading.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve Ordinance No. 249 – An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance by Replacing Section 10, Subd. 5 Relating to Performance Standards within the I-2 General Industrial District, as follows:

ORDINANCE NO. 249

AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE BY REPLACING SECTION 10, SUBD. 5 RELATING TO PERFORMANCE STANDARDS WITHIN THE I-2 GENERAL INDUSTRIAL DISTRICT

SECTION ONE:

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 Repealing Section 10, Subdivision 5, pertaining to Performance Standards within the I-2 General Industrial District and replacing as follows:

SUBDIVISION 5. PERFORMANCE STANDARDS.

1. Noise, Smoke, Dust, Fumes or Gases, Sewer and Water Discharge:
 - A. The City hereby adopts by reference all State of Minnesota standards in regard to pollution control, to include noise standards, dust, fumes or gases sources, and sewer and water discharge standards instituted to protect the health and welfare of the general public.
 - B. In order to insure compliance with said performance standards, the City Council may require the owner or operator of any permitted use to have made such investigations or tests as may be required to show adherence to the performance standards. Such investigation or tests as are required shall be carried out by an independent testing organization selected by the owner or operator and approved by the City. Such investigations or testing shall be ordered by the owner or operator. The cost of same shall be paid by the owner or operator.
2. Exterior Lighting. Any lights used for exterior illumination shall direct light away from adjoining property. Glare, whether direct or reflected, such as from floodlights, spotlights, or high-temperature processing, and as differentiated from general illumination, shall not be visible beyond the limits of the property.
3. Vibration. No vibration shall be discernible at any property line to the human sense of feeling for an accumulated total of three (3) or more minutes during any hour. This standard shall not apply to vibration created during the process of construction.

SECTION TWO: EFFECTIVE DATE.

This Section shall be effective upon publication.

Adopted by the City Council this 1st day of March, 2010.

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

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

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

**RESOLUTION 12-2010
A RESOLUTION APPROVING ORDINANCE 249, AN ORDINANCE AMENDING ORDINANCE 169,
THE ARLINGTON ZONING ORDINANCE BY REPLACING SECTION 10, SUBD. 5 RELATING TO
PERFORMANCE STANDARDS WITHIN THE I-2 GENERAL INDUSTRIAL DISTRICT AND
PROVIDING FOR SUMMARY PUBLICATION THEREOF.**

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

WHEREAS, the from time to time the Arlington Planning Commission reviews the Zoning Ordinance to make sure standards are appropriate and up to date; and

WHEREAS, local business representatives requested the City review existing performance standards within the I-2 General Industrial District to determine whether or not the standards should be updated/clarified; and

WHEREAS, the Planning Commission suggests the existing language contained in Ordinance 169, Section 10, Subd. 5 should be clarified; and

WHEREAS, the Arlington Planning Commission has drafted Ordinance 249 which provides for performance standards within the I-2 District; and

WHEREAS, a public hearing was properly noticed and held on February 4, 2010 by the City of Arlington Planning Commission; and

WHEREAS, the Planning Commission approved a resolution recommending the City Council approve Ordinance 249; and

WHEREAS, the City Council held first reading of Ordinance 249 on February 16, 2010; and

WHEREAS, the City Council held second reading and approved Ordinance 249 on March 1, 2010; and

WHEREAS, the City Council has determined the publication of the title and a summary of Ordinance 249 would clearly inform the public of the intent and effect of Ordinance 249; 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 hereby approves Ordinance 249, entitled "An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance by Replacing Section 10, Subd. 5 Relating to Performance Standards within the I-2 General Industrial District".

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 249 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 March 1, 2010 the City Council of the City of Arlington approved Ordinance 249, entitled, 'An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance by Replacing Section 10, Subd. 5 Relating to Performance Standards within the I-2 General Industrial District'. 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 revises performance standards within the I-2 District."

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

Approved by the City Council of the City of Arlington this 16th day of February, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

Discussion was held on the coverage rates being charged to the Townships and City of Green Isle related to both Fire and Ambulance services. It was noted that Attorney Arneson was in the process of drafting new contracts. Some comments were made about the most recent meeting with the Townships, City of Green Isle, Fire Department and Ambulance Service, more specifically the idea of creating an advisory board.

Motion by Pederson, seconded by Wills, and passed by unanimous vote to authorize the Mayor and City Administrator to enter into contracts with the surrounding townships for fire and ambulance coverage at the rate of \$90/section-ambulance and \$235/section-fire.

Adm. Jaunich presented an Electrical Service Line and Meter Policy that he had drafted. He stated that the City has had a policy in the past, but not in writing.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to approve the Electrical Service Line & Meter Policy as presented. *(See attached)*

Discussion was held on the 2010 Seal Coating Project. Adm. Jaunich presented a map that showed what was done in 2008, and what was projected to be done in 2010-2011. He commented that the Streets Committee had considered the idea of doing a cost sharing project with the County. However, due to a timing issue (County was ready to bid their project out) and doing more research, it was decided that the City should bid its own project.

Motion by Vrklan, seconded by Pichelmann, and passed by unanimous vote to approve the 2010 Seal Coat Plan as presented.

Reetz commented on the most recent Police Committee meeting. He stated that it was a good meeting with lots of questions/answers as there were 2 new members.

Wills provided an update on the Cable Commission. He stated that the City of Winthrop will be moving their Council Chambers within their building and had requested new recording equipment through the Cable Commission. The old equipment will be offered to GFW and SE schools. He stated that SE schools both elementary and senior high have utilized funds from the Commission for various recording productions.

Vrklan provided an update on the Hospital Board. He stated that patient volume continues to decrease during this economic period. It was noted that most of the HVAC system had been put in place.

Pichelmann commented on the 'Safe Routes to School' Committee meeting. He stated that there were representatives from Sibley East (both Gaylord and Arlington) and St. Paul's Lutheran school and will be meeting monthly.

A brief update was given on what the Arlington EDA and UFC (Elevator) were proposing with regards to the moving of the elevator to a new location.

Vrklan commented that the EDA had gone through the enabling resolution and were making some revisions.

Motion by Reetz, seconded by Pichelmann, and passed by unanimous vote to adjourn the meeting at 7:47 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft