

ARLINGTON CITY COUNCIL
MEETING MINUTES
MAY 19, 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, Attorney Arneson, John Blair, Marc Blair, Rosemarie Barry, Lee Cooper, Kim Vigen, Wade Schneider, Peter & Karen Archer, Dwight Grabitske, Lee Hilgers, Bobbie Yocum

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

17.5) Tobacco Free Policy Statement.

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

- A) Approval of the April 21st Regular Meeting Minutes
- B) Approval of the Bills.

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

At 6:35 p.m. Mayor Kreft called to order the public hearing for the Sidewalk Improvement Projects. It was noted that John Blair, Marc Blair, Rosemarie Barry, Lee Cooper, Kim Vigen, Wade Schneider, Peter & Karen Archer, Dwight Grabitske, Lee Hilgers, and Bobbie Yocum were present. Mayor Kreft explained that the City was considering doing both the 2008 & 2009 Sidewalk Improvements due to the very good value (\$4 per sq. ft.) on the bids received from the contractors for doing the work. Residents expressed concern about the proposed costs as they cannot afford them; about the amount of sidewalk being replaced, and replacing sidewalk that is not used or connected to any other sidewalks. Adm. Jaunich read a letter from Ken Custer, a resident who was in favor of the project, but expressed concern about having "void or non-continuous" sidewalks running through a block.

Motion by Vrklan, seconded by Griep to adjourn the public hearing.

Mayor Kreft reconvened the regular meeting.

The Auditor for the City of Arlington, Mark Babcock, presented the 2007 Audit/Summary. It was noted that the Hospital and Fire Relief statements were not included within the report and that the report did not comply with the GASBY 34 Rule. He gave a brief explanation of what the City had to do in order to comply with the rule. Brief discussion was held on whether the City should consider switching to the GASBY accounting system or wait for the date mandate by the State.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to approve the 2007 Audit from Babcock, Langbein & Company as presented above.

Wade Schneider of After Burner Auto Body addressed the Council regarding a letter that he had received about the unsightliness of his property on West Main Street. He commented that the letter suggested that he erect a fence around the back portion of his lot to conceal the clutter. He explained that a fence would not work due to the volume of trucks from the elevator that travel through during a single day under the lifetime easement on the property. He commented that he has made a conscious effort to maintain his property given the type of business he operates, but asked the Council to consider re-writing the ordinance pertaining to

“junk” properties so that there are separate guidelines for residential and commercial properties. Adm. Jaunich commented that most cities do have 2 separate guidelines for residential and commercial properties. Reetz agreed that residential and commercial properties should have separate guidelines; however he was concerned about the commercial guidelines being too generic and would not cover all businesses appropriately. It was suggested to issue Conditional Use Permits to certain businesses and include specific conditions allowed and/or not allowed for that business. Mayor Kreft suggested that a meeting be held with the Planning & Zoning Adm. about the issuance of a CUP.

The following announcements were reviewed:

- 1) City Offices will be closed on Monday, May 26th for Memorial Day
- 2) LMC Annual Conference is June 11-13 in Rochester
- 3) Sibley County Municipalities Association Meeting on June 19th in Arlington.

The Council reviewed the following:

- 1) April Financial Reports
- 2) Fire Hydrant Report
- 3) Wellhead Protection Plan (approved by the MN Dept. of Health).

Darin Mielke and Lowell Nagel were present on behalf of the Planning & Zoning Committee to give the annual report. Mayor Kreft commented that the PZ Committee has become more knowledgeable and organized since the addition of Consultant Smith-Strack.

The second reading of Ordinance No. 225 – An Ordinance Amending Ordinance 218, Establishing that No Building Permit will be Issued to Any Party Delinquent in the Payment of Other City Fees was held. Adm. Jaunich noted what changes had been made after the first reading.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to approve Ordinance No. 225 – An Ordinance Amending Ordinance 218, Establishing that No Building Permit will be Issued to Any Party Delinquent in the Payment of Other City Fees, as follows and becomes effective upon publication:

ORDINANCE 225

AN ORDINANCE AMENDING ORDINANCE 218, ESTABLISHING THAT NO BUILDING PERMIT WILL BE ISSUED TO ANY PARTY DELINQUENT IN THE PAYMENT OF OTHER CITY FEES

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA, TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

SECTION 1. No building permit shall be issued to any applicant under City of Arlington Ordinance 218, or any ordinances amending or superseding said ordinance, if said applicant is delinquent in the payment of other city fees or charges, to include, but not limited to, city utility charges, license fees, ambulance fees, fire call fees, improvement assessments or real estate taxes.

SECTION 2. All other portions of Ordinance 218 not amended by this ordinance shall remain in full force and effect.

This Ordinance shall become effective immediately upon publication.

Adopted by the City Council of the City of Arlington on the 19th day of May, 2008.

For the City of Arlington:

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

ATTEST: /s/ Matthew Jaunich
Matthew Jaunich
It's City Administrator

Adm. Jaunich presented a resolution that would authorize the 2008 Sidewalk Improvement Project to move forward into the construction phase. Discussion was held on the various comments made from the residents at the previous meeting regarding the sidewalk project. Wills commented that he was concerned about replacing the sidewalk at 602 West Adams Street when it is the only one on the block and does not connect to anything. He suggested leaving it as is until such time that the City implements a sidewalk expansion program. Concern was expressed about the existing (poor) condition of the sidewalk and the liability issues it creates if it is left alone. Vrklan commented that the property owner said she would be willing to remove the sidewalk and then seed in the area with grass. Some concern was expressed about abandoning sidewalks just because they don't go anywhere or connect to other sidewalks. Mayor Kreft suggested leaving the sidewalk as is right now, but include it in a future project due to the fact that the area in question was not scheduled to be done until next year. Reetz expressed his feelings about taking funds from the Reserve Fund to help cover the cost difference of what had been budgeted for (East Adams Street) and what is actually proposed to be done (additional sidewalk that was scheduled for next year West Adams Street).

Motion by Griep, seconded by Reetz, (no vote taken) to introduce Resolution No. 25-2008 A Resolution Ordering Improvement. Discussion continued on sidewalks along Adams Street: the rear parking lot of Arlington Liquors (no sidewalk exists), Nuessmeier Electric (sloped and filled with blacktop), Y-Not Plumbing & Heating's rear parking lot, 116 E. Adams (sidewalk just ends) and the 400-500 Block of East Adams Street (sidewalk just ends). Some concern was expressed about mandating Arlington Liquors to put sidewalk in when the project at hand is "replacement" of sidewalk. It was noted that Arlington Liquors was not included in the original public hearing notification. Attorney Arneson stated that the City could still communicate with Arl. Liquors that a sidewalk should be put in (primarily for safety reasons) and that the City would be willing to split the cost.

Motion by Griep, seconded by Reetz, and failed (Borchert, Reetz and Wills opposed) to amend the previous motion to include the following changes:

- 1) Exclude 602 W. Adams Street, but include it in a future project; and
- 2) Include Arlington Liquors, 418 West Main Street by putting in sidewalk in their rear parking lot approach (one time offer to split the cost 50-50).

Reetz commented that he understands the pricing for the proposed sidewalk project is really good, but was in opposition to using money from the Reserve Fund to cover the additional cost associated with pulling up the West Adams Street sidewalk project a year early. He was in favor of proceeding with the East Adams Street portion of the project as it had been originally budgeted for. Wills commented that he would like to see a plan put together that addresses the issues where no sidewalk currently exists, but should have one; "island" sidewalks and/or extension of sidewalks that just end. Borchert commented that he would like to see the project move forward excluding the west portion and any sidewalks along the Avenues.

Motion by Vrklan, seconded by Wills, and carried (Griep opposed) to table the 2008 Sidewalk Improvement Program until a future meeting so that the Council could research the matter further and hold a workshop meeting. (*Resolution No. 25 will be reassigned as needed.*)

Adm. Jaunich explained that 27 bids had been obtained for the 5 vehicles the City had for sale. He reviewed and recommended acceptance of the high bid (or second high bid because 2 individuals bid for more than 1 vehicle and may not want both vehicles) for each vehicle as follows:

- 1) '94 Ford Explorer: John & Kristin O'Hara - \$1,000
- 2) '95 Ford Crown Victoria: John & Kristin O'Hara - \$1,000
- 3) '98 Ford Crown Victoria: Lee Hilgers - \$601
- 4) '01 Chevy Impala: Lee Hilgers - \$1,795
- 5) '02 Dodge Dakota Pickup: Bob Thomes - \$6,000.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to accept the high bids for the 5 vehicles as listed above or the second highest bid if the first one is rescinded.

The Council reviewed the seal coating bids from Caldwell Asphalt Co., Inc. in the amount of \$99,993.07 and Morris Sealcoat & Trucking, Inc. in the amount of \$114,978.55. Adm. Jaunich commented that \$60,000 had been budgeted for street improvements which included patching. Reetz expressed concern that one bid included skin patching and the other did not and questioned if this was the reason for the price difference.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to accept the low bid from Caldwell Asphalt Co., Inc. in the amount of \$99,993.07 provided verification of cost control adjustment and that skin patching was included.

The Council reviewed the liquor license renewals for the Arlington Haus (On/Off/Sunday/Community Center), Arlington Liquors (Off Sale) and Neisen's Bar (On/Off/Sunday). Adm. Jaunich commented that the City Office was not aware of any violations.

Motion by Griep, seconded by Vrklan, and passed by unanimous vote to approve the following liquor licenses renewals:

- 1) Arlington Haus - On Sale/Off Sale/Sunday/Community Center
 - 2) Arlington Liquors – Off Sale;
- and table Neisen's Liquor License renewal until the address on the application can be verified and the Sunday license can be researched further.

The Solid Waste Collection Permit Applications were reviewed. Adm. Jaunich explained that 4 applications had been received for residential (ordinances allows 3), 6 applications for commercial and 2 applications for the recycling contract. He recommended that the 3 residential haulers currently licensed be renewed.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to approve the following Solid Waste Collection/Dumpster Permits:

- 1) Residential: Tidy Disposal, Evergreen Sanitation, Waste Management
- 2) Commercial/Dumpster: Tidy Disposal, Evergreen Sanitation, Waste Management, TCW, Gaylord Sanitation, Renville-Sibley Sanitation
- 3) Recycling: Waste Management.

A letter from the Historical Society was reviewed asking the Council to allow them to store their old fire engine at the Wastewater Treatment facility.

Reetz motioned (died due to lack of a second) to allow the fire engine to be stored at the Wastewater Treatment facility.

Some discussion was held on the Historical Society's request. Griep was opposed because no time line was given as to how long they wanted to store the truck at the facility. He does not want to see it stored for any great length of time.

Motion by Griep, and seconded by Borchert, and passed by unanimous vote to deny the Historical Society's request to store their fire engine at the Wastewater Treatment facility.

Discussion was held on the Underground Locating Contract. Adm. Jaunich explained that there have been 2 instances in the last 6 months where lines have been cut because the company currently locating for the City (electric) has failed to do so, which has cost the City money. He stated that he has tried on several occasions

to contact the company, but has not had any responses back. It was the consensus of the Council that Adm. Jaunich should write an RFP or RFQ for locating services.

Information from the Tobacco Free Youth Crew of Meeker, McLeod and Sibley Counties was reviewed. Adm. Jaunich explained that this group was asking him to sign the policy statement even though the date was past, however he did not feel comfortable doing so (didn't have Council authorization) because of some of the obligations they were asking. Attorney Arneson suggested that they approach the City and ask for a letter of support if they are writing a grant.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to deny the request from the Tobacco Free Youth Crew of Meeker, McLeod and Sibley Counties due to the fact the event was over.

The Council reviewed and discussed the Administrative Project listing. Various changes/additions were made.

Some discussion was held on starting the '09 Budget process. Adm. Jaunich suggested that a workshop meeting be held so that the Council can discuss the process in more detail. Mayor Kreft noted that the City's LGA for 2008 was \$701,806 and the proposed 2009 LGA is \$722,687. It was the consensus of the Council to set Tuesday, June 3rd at 4:00 p.m. as the date to hold a Budget/Sidewalk Improvement Workshop meeting.

Reetz commented that the Planning & Zoning Committee has been discussing sidewalks and lighting (especially in the core part of town) and making revisions to the PUD section of the Zoning Ordinance. He stated that the Comp Plan Task Force Committee has been discussing sidewalks and transportation. Griep commented briefly on a "draft" proposal regarding the Ambulance Service. Vrklan gave an update on the Police Committee and what was being planned for law enforcement on the last day of school for Seniors.

Reetz commented that the new play equipment in Fairview Park looked good and that he has heard many positive remarks about it.

Mayor Kreft commented that he and Street Supt. Thomes had attended a tree workshop recently. They met an individual who can provide the City with Forestry services and would be willing to come to Arlington for a meeting to review the City's tree program and give some pointers.

Adm. Jaunich commented on Code Enforcement and violators and how the City is currently handling the violations.

Motion by Griep, seconded by Vrklan, and passed by unanimous vote to adjourn the meeting at 9:06 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft