

ARLINGTON CITY COUNCIL
MEETING MINUTES
SEPTEMBER 15, 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, Engineer Hawbaker

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

10a) Sidewalk Improvement Project Bill

15.5) Conflict of Interest Statement

Remove item 4f) from Consent Agenda and placed on the regular agenda as item 8.5) Denial of Contractor Bid.

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

- A) Approval of the September 2nd Regular Meeting Minutes
- B) Approval of the Bills
- C) Approve the purchase of Phosphorus Credits from the City of Mankato
- D) Approve EMT Class attendance for Deb Luskey, Ethan Mork, Nancy Streeter
- E) Approve RFP for Auditing Services.

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) Rail Coalition Organizational Meeting – September 17th at 1:00 pm (Vets Club in Winthrop)
- 2) Budget Workshop is Wednesday, September 17th at 5:30 pm
- 3) Minnesota River Celebration – September 23rd at 6:00 pm (Mankato)
- 4) Sibley County Public Safety Radio System Meeting – September 25th at 7:00 pm (Sibley County Courthouse)
- 5) Fall Clean-Up Day – Saturday, October 11th from 8 am to 1 pm (Municipal Parking Lot)
- 6) LMC Regional Meetings begin in October.

The Council reviewed the following communications:

- 1) August Financial Reports
- 2) Small Cities Development Program Monitoring Report.

Engineer Hawbaker summarized the plans and specifications for the improvement project titled ‘County Road 69 Utility Extension’, for the improvement and extension of water and sewer mains/services on 401st Avenue.

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

RESOLUTION NO. 43-2008

**A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, pursuant to a resolution passed by the City Council on September 2, 2008, the city engineer (Bolton & Menk) has prepared plans and specifications for an improvement titled "County Road 69 Utility Extension", for the improvement of the extension of water and sewer mains and services on 401st Avenue to the properties at 22994 and 22998 401st Avenue; and has presented such plans and specifications to the council for approval.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, and are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper and in the *Construction Bulletin*, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for two weeks, shall specify the work to be done, shall state that bids will be received by the City Administrator until 10:00 a.m. on October 6, 2008, at which time they will be publicly opened in the council chambers of the community center by the City Administrator and engineer, will then be tabulated, and will be considered by the Council at 6:30 p.m. on October 6, 2008, in the council chambers of the community center. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Administrator for five (5) percent of the amount of such bid.

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: 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 15th day of September, 2008.

Signed: /s/ James R. Kreft
Mayor

Attested: /s/ Matthew Jaunich
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.

Engineer Hawbaker discussed the water drainage issue in the Frenzel Park and Polar Circle area. He explained that the site elevation shows the lowest point in the park to be the exact same as the lowest entrance point of the property located at the end of Polar Circle on the southeast side (having flooding issues). It was his recommendation to hire a local contractor to do some grading/excavating in the area to change the elevations. He presented a preliminary cost estimate for such a project (included excavation, adjust storm casting, erosion and sediment control, and turf establishment).

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to authorize Administrator Jaunich and Engineer Hawbaker to work together in putting an advertisement for bids together for the Southwest Drainage Improvements (Polar Circle & Frenzel Park), to include option 'A' for the park area only and option 'B' park area and cleanout of drainage ditch.

Discussion was held on possibly extending utility services to 23319 and 23189 State Hwy 5. Administrator Jaunich explained that these 2 properties have non-compliant septic systems and must hook up to city services if available/feasible per Ordinance 200. Griep excused himself as Councilmember for this discussion as he was one of the affected property owners. Engineer Hawbaker presented several preliminary

cost estimates for extending utilities to the area (just sewer and/or both water and sewer). It was the consensus of the Council to put this on the next regular meeting agenda in order to give Engineer Hawbaker some time to revise some of the numbers/estimates.

Discussion was held on the Capital Improvement Plan/GIS. Reetz expressed concern about establishing a policy to make sure that the information gets updated on a regular (annual) basis. Engineer Hawbaker commented that the information is continuously be updated. He commented that GIS data collection could be started in October (this year).

Engineer Hawbaker discussed the issues with the southern boundary line. He stated that with the legal descriptions they have, there is a 40 ft. discrepancy. The area is being surveyed and there are possibly 2 options available to correct the problem.

Engineer Hawbaker gave an update on the Circle Lane and Horseshoe Drive Improvement project. He stated that Bolton & Menk had received the packet of information from Pipe Services (company who did televising of the area). He noted that the area has clay sanitary pipe, which they were hoping it was pvc pipe due to when it was constructed (70's). Mayor Kreft stated that this project has been pushed back to next Spring due to the lateness in the year and slow response time of the televising company.

Engineer Hawbaker spoke briefly on the easement and space available around the lift station in the Lynch Addition for a generator. Adm. Jaunich stated that a generator has to be added to run the lift station in emergency situations (power outages).

Mayor Kreft commented that the City had received 2 bids to have some street repair work done (due to water main/valve repairs). Adm. Jaunich was recommending approval of the higher of the 2 bids on the basis of most responsible bidder. Adm. Jaunich stated that he had spoken with Paul at PeopleServices about the number of service line repairs in the last year. They would like to hold a meeting with the Utility Committee to discuss this further. Attorney Arneson gave a brief summarization pertaining to acceptance/denial of bids. Mayor Kreft noted that this item had been removed from the Consent Agenda at the request of the contractor who had submitted the low bid so he could address the Council and was not present.

Motion by Reetz, seconded by Wills, and carried (Griep and Borchert opposed) to accept the bid in the amount of \$5,000 from Wm. Mueller & Sons, Inc. for bituminous and skin patching work. The Council did not approve the low bid based on past reputation and experience of that contractor.

The Council reviewed a proposal from Countryside Concrete, Inc. regarding a change to the Sidewalk Improvement Project. Adm. Jaunich stated that the contractor for this project had approached him about placing concrete in the area behind Bob Meyers Plumbing instead of the scheduled bituminous at the same rate of \$2,000. The concrete would be 6 inches thick and reinforced with rebar. Some concerns were expressed about how the concrete would hold up with the truck/semi traffic from the Elevator.

Motion by Griep, seconded by Reetz, and carried (Borchert and Wills opposed) to allow the Contractor for the Sidewalk Improvement Project to put concrete in the area originally slated for bituminous behind Bob Meyers Plumbing in the amount of \$2,000.

The Council reviewed the final invoice from Countryside Concrete, Inc. related to the Sidewalk Improvement Project. Some concern was expressed about the square footage overages, what they were for and who authorized them. Adm. Jaunich recommended approval of this invoice excluding the \$834.72 for square footage overages until such time that the City and Contractor can determine the reason for such overages (mis-measurement or other). Some other concerns were expressed about the quality of work that was done.

Motion by Vrklan, seconded by Borchert, and passed by unanimous vote to pay the invoice for Countryside Concrete, Inc. in the amount of \$41,174 (excluded the \$834.72 for square footage overages) for the Sidewalk Improvement Project.

The Council reviewed the proposed revised City Charter. Adm. Jaunich commented that the Charter Commission was a good group of people to work with and thanked them for their time and efforts. Attorney Arneson commended Adm. Jaunich for all his work on the proposed Charter. It was noted that a public hearing must be held prior to approving the ordinance amending the City Charter.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to hold a public hearing on October 6th (during the regular Council meeting) to receive public input on a proposed ordinance amending the City Charter.

Wills commented on Ordinance No. 128 – Truck Routes. He expressed concern that the truck routes are not marked with appropriate signage and need to be. The Streets Committee will try to mark out such streets on a map of the city and pass it onto City Staff. Adm. Jaunich will check with Bolton & Menk and Seneca Foods to see what they have on truck routes.

Adm. Jaunich presented information from MMUA regarding the Red Flags Rule, an Identity Theft Prevention Program. He stated that an Administrator needs to be appointed and the city must have a plan developed and in place.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote (Griep was absent) to appoint City Adm. Jaunich as the Program Administrator for the MMUA Red Flags Rule.

The Council looked at some examples of pet waste disposal systems for city parks. Vrklan commented that he would like to see just ‘pet’ signs to start with.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to place signs in the city parks notifying pet owners to clean up after their pets.

Discussion was held on an employee’s vacation time. It was noted that the employee had been allowed to carry over some vacation time from last year, which was supposed to be used up by mid-summer. However due to extenuating circumstances, the employee has not been able to take or use much of said vacation time, or any of the vacation time allotted for this year (together totaling 143.5 hours) and was asking for some of the time to be paid out so that he would have only 40 hours of vacation time left. Adm. Jaunich reviewed the Personnel Policy regarding vacation time. He was recommending that the employee’s vacation time be converted to comp time and pay out 63.5 hours, leaving the employee with 80 hours of vacation, with the understanding that 40 hours could be carried over to next year. Reetz expressed concern about setting precedence. Adm. Jaunich commented that if an explanation is attached to any action taken would cover this.

Motion by Griep, seconded by Vrklan, and passed by unanimous vote to convert 63.5 hours of vacation time into comp time for employee Dan Thomes, due to the circumstances that he was the only employee working within the Streets Department for a good portion of the year-to-date.

The Council, along with Attorney Arneson reviewed a Conflict of Interest Determination letter from Curt Reetz. It stated that he was planning to apply for the Housing Rehabilitation Assistance through the Small Cities Development Grant program. It was noted that a conflict arises as he is a resident applying for said

assistance and a member of the City Council. It was the consensus of the Council that they acknowledge receipt of Curt Reetz's Conflict of Interest Determination letter.

Wills gave an update on the most recent Trails Committee meeting. He stated that they should know very shortly whether the 501c3 status will be going through or not.

Griep gave an update on the Ambulance Committee Meeting. He stated that they learned a great deal about the ambulance service boundaries and how they work in conjunction with other ambulance services and or mutual aid situations. The hospital is still having issue with transfers (within a timely fashion) to other facilities. Adm. Jaunich commented that he and SMC Adm. Rhonda Matz have been working with Darel Radde of Ridgeview Medical Center on some other 'stop gap' options to help keep things moving along until the Part-Time ALS status can be attained. Mayor Kreft noted that a Committee had been put together to interview Paramedics for the Ambulance Director Position.

Reetz commented on obtaining bids from Contractors and how this is handled. Brief discussion was held on the various types of contractors that city works with.

Adm. Jaunich handed out and reviewed the information within the packets for the Special 'Budget' Workshop meeting on September 17th.

Motion by Griep, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 8:20 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft