

ARLINGTON CITY COUNCIL
MEETING MINUTES
SEPTEMBER 2, 2008

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

Members present: Mayor Kreft, Griep, Reetz, Vrklan, Wills

Members absent: Borchert

Also present: Administrator Jaunich, Joe Morgan, Police Chief Rovinsky, P&Z Adm. Smith-Strack, Kurt Menk

Motion by Griep, seconded by Wills, and passed by unanimous vote to approve the agenda as presented.

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

- A) Approval of the August 18th Regular Meeting & August 25th Special Meeting Minutes
- B) Approval of the Bills
- C) Approve the hiring of Taylor Weber as a Co-Op Education Employee
- D) Approve the hiring of Timothy Vos to the Fire Department
- E) Approve entering into an agreement with the Heatshare Program
- F) Approve setting December 1st as the date for the Truth-in-Taxation Hearing and December 15th as the Continuation Hearing date
- G) Approval of special liquor license to Arlington Lions Club for event on November 14, 2008.

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

The following announcements were reviewed:

- 1) Fire Hall Tower Ribbon Cutting Ceremony – Friday, September 5th at 4:00 pm
- 2) Primary Election is Tuesday, September 9th from 7:00 am to 8:00 pm
- 3) Filing for City Offices close at 5:00 pm on Tuesday, September 9th.

The Council reviewed the following communications:

- 1) Water/Sewer Reports
- 2) August Building Permit Report
- 3) Coalition of Greater Minnesota Cities Letter
- 4) Thank You Letter from Sibley Medical Center.

The Council reviewed the revised numbers for the proposed utility extension to the north on 401st Avenue. Adm. Jaunich commented that he had spoken with both of the residents who would be affected by this project and they favored Option 1B which provided services to the right-of-way and allowed for future lot considerations (connections).

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

RESOLUTION NO. 39-2008

A RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS

WHEREAS, a resolution of the City Council adopted the 4th day of August, 2008, fixed a date for a Council hearing on the proposed improvement of the extension of water and sewer mains and services on 401st Avenue to the properties at 22994 and 22998 401st Avenue; and

WHEREAS, ten days' mailed notice and two weeks published notice of the hearing was given, and the hearing was held on the 18th day of August, 2008, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the estimated project cost is \$61,776.07.

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 County Road 69 Utility Extension report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted on the 4th day of August, 2008.
3. Bolton & Menk is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse a portion of its costs of the improvement through assessments in accordance to the City's Assessment Policy.

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

Adopted by the City Council of the City of Arlington this 2nd 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.

Police Chief Rovinsky presented the monthly report for the Police Department. He stated that they had responded to 66 calls of which several required lengthy investigations. Rovinsky commented that the Police Committee has been discussing the idea of implementing an ordinance that would require a permit to be issued to individuals who want to hold special/public events (dances) that require additional police services above the already scheduled officer on duty.

The second reading of Ordinance No. 227 – An Ordinance Repealing and Replacing Section 11 of Ordinance 169, the Arlington Zoning Ordinance, Relating to Planned Unit Developments was held. P&Z Adm. Smith-Strack summarized the details of the proposed ordinance.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve Ordinance No. 227 – An Ordinance Repealing and Replacing Section 11 of Ordinance 169, the Arlington Zoning Ordinance, Relating to Planned Unit Developments. (*See attached*)

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

RESOLUTION NO. 41-2008

A RESOLUTION APPROVING ORDINANCE NO. 227 ENTITLED “AN ORDINANCE REPEALING AND REPLACING SECTION 11 OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO PLANNED UNIT DEVELOPMENTS” AND APPROVING SUMMARY PUBLICATION THEREOF

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

WHEREAS, the Arlington Planning Commission routinely reviews portions of the Zoning Ordinance to ensure it is up to date; and

WHEREAS, the Planning Commission identified Section 11 of the Arlington Zoning Ordinance relating to Planned Unit Developments was in need of updating; and

WHEREAS, the Planning Commission has studied the proposed text repealing and replacing existing Section 11 of the Arlington Zoning Ordinance; and

WHEREAS, the Planning Commission held a public hearing on Ordinance 227 on August 14, 2008 pursuant to proper publication and posting; and

WHEREAS, The City Council of the City of Arlington held a first reading of Ordinance 227 at its regular meeting on August 18, 2008; and

WHEREAS, The City Council of the City of Arlington approved the second reading and adoption of Ordinance 227 at its regular meeting on September 2, 2008; and

WHEREAS, The City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 227 entitled “An Ordinance repealing and replacing Section 11 of Ordinance 169, the Arlington Zoning Ordinance, relating to Planned Unit Developments” would clearly inform the public of the intent and effect of Ordinance 227; 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 adopts Ordinance 227 as presented in Exhibit A which is attached to this resolution; and

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 227 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 September 2, 2008 the City Council of the City of Arlington approved Ordinance 227, entitled, ‘An Ordinance repealing and replacing Section 11 of Ordinance 169, the Arlington Zoning Ordinance, relating to Planned Unit Developments.’ 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 establishes standards for planned unit developments including, but not limited to: definitions, types of PUD’s, public benefits required, general performance standards, review requirements, requirements for approval, and standards related to amending PUD’s.”

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

Adopted by the City Council of the City of Arlington this 2nd day of September, 2008.

Signed: /s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator/Treasurer/Clerk

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

The second reading of Ordinance No. 228 – An Ordinance Amending Section 5 (R-1 Single and Two Family District), Subdivision 2 (Permitted Uses) of Ordinance 169, the Arlington Zoning Ordinance, Relating to Funeral Homes was held. P&Z Adm. Smith-Strack summarized the details pertaining to the proposed ordinance.

Motion by Griep, seconded by Wills, and passed by unanimous vote to approve Ordinance No. 228 – An Ordinance Amending Section 5 (R-1 Single and Two Family District), Subdivision 2 (Permitted Uses) of Ordinance 169, the Arlington Zoning Ordinance, Relating to Funeral Homes as follows:

ORDINANCE NO. 228

AN ORDINANCE AMENDING SECTION 5 (R-1 SINGLE AND TWO FAMILY DISTRICT), SUBDIVISION 2 (PERMITTED USES) OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO FUNERAL HOMES

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

WELFARE, HEREBY ORDAINS:

I. SECTION 5 (R-1 SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT), SUBD. 2 (PERMITTED USES) OF ORDINANCE 169 SHALL BE AMENDED TO INCLUDE SUBSECTION 7 AS FOLLOWS:

7. Funeral homes, provided side and/or rear yard screening is provided where the funeral home abuts a lot containing a residential dwelling unit.

II. EFFECTIVE DATE. This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the City of Arlington on the 2nd day of September, 2008.

/s/ James R. Kreft
Mayor

/s/ Matthew Jaunich
City Administrator

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

RESOLUTION NO. 42-2008

RESOLUTION PROPOSING THE 2008 TAX LEVY, COLLECTIBLE IN 2009

BE IT RESOLVED, by the City Council of the City of Arlington, County of Sibley, Minnesota, that the following sums of money be levied for the current year, collectible in 2009, upon taxable property in the City of Arlington, for the following proposed purposes:

General Fund	\$586,143
2000 Improvement Bond	\$29,000
2001 Improvement Bond	\$15,100
Equipment Certificates	\$18,380
2004 Improvement Bond	\$50,000
Pub. Proj. Lease Rev.	<u>\$35,000</u>
Total Tax Levy	\$733,623

TOTAL CERTIFIED TAX LEVY \$ 733,623.00

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

Adopted by the City Council of the City of Arlington this 2nd day of September, 2008.

Signed: /s/ James R. Kreft
Mayor

Attested: /s/ Matthew Jaunich
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.

Adm. Jaunich explained that over 50 applications had been received for the open full-time Maintenance Worker position. He stated that he, Street Supt. Thomes and the Streets Committee had reviewed all the applications and narrowed the number down to six finalists to be interviewed and they went well. The Committee recommended the position be offered to Jeff Paine of Gaylord at the rate of \$15.50 per hour. Adm. Jaunich informed the Council that Mr. Paine was interested in the position, but was offered a promotion by his current employer and asked for a couple of days to think about his options. Adm. Jaunich asked for authorization to work with Mr. Paine and/or the second most qualified applicant, Timothy Bratsch-Gaylord at \$13.50 per hour), if things don't work out with Mr. Paine. It was noted that reason for the hourly rate differential was based on qualifications.

Motion by Griep, seconded by Wills, and passed by unanimous vote to offer the full-time Maintenance Worker position to Jeff Paine at the rate of \$15.50 per hour; and if he declines offer it to Timothy Bratsch at the rate of \$13.50 per hour.

A proposal from Brian Matthew Hauer Enterprises pertaining to the collection of electronic waste and fluorescent light bulbs was reviewed. Adm. Jaunich stated that there is no form of collection like this in the area and new laws have been implemented regarding this type of collection. Some discussion was held on whether a fee should be charged or not (as in the case of solid waste collectors or peddler permits). It was the consensus of the Council to have Attorney Arneson review the Ordinance for Peddler Permits to see if this service would qualify or not.

The Council reviewed a proposal in the amount of \$21,900 (Hourly-Not to-Exceed) from Engineer Hawbaker pertaining to the implementation of a Capital Improvement Program, in conjunction with GIS data gathering. Adm. Jaunich explained that the program would include analysis of the existing street conditions, water distribution system, sanitary sewer system and storm water system. It was the consensus of the Council that this was a good idea and is very much needed, but concern was expressed about how it was going to be kept up-to-date. Considerable discussion was held and it was agreed to have Adm. Jaunich inquire with Engineer Hawbaker on how soon they could start and how long it would take to do the complete analysis; that way the Council would know if this could be done yet this year or if it should be budgeted for in 2009.

Mayor Kreft gave a brief summary to-date of the Ambulance Service upgrade. He explained that the next step in the upgrade process is to hire an Ambulance Director, but before doing so the Ambulance Committee needs to meet to determine who should be on the 'Hiring' Committee, in addition to determining what duties the Director will perform for both the Ambulance Service and at the Medical Center. Adm. Jaunich will contact the Ambulance Committee members to set up a meeting date.

Adm. Jaunich explained that he would like to have several workshop meetings with the Council (a minimum of 1 per month until the Truth in Taxation hearing on December 1st) to work on lowering the tax levy for 2009. It was the consensus to set Wednesday, September 17th at 5:30 for the first workshop meeting.

Griep commented on the most recent Cable Commission meeting.

Vrklan and Mayor Kreft gave an update on the Library Committee. The 501c(3) application has been submitted to the accountant for review.

Adm. Jaunich spoke briefly on the Notice on Non-Compliance that he received earlier in the day from the Department of Finance and Employee Relations pertaining to pay equity report, more specifically female pay in 2007. He was researching this matter and will report back to the Council at the next regular meeting.

Adm. Jaunich commented that they are looking at mid-October for the Fall Cleanup Day. Staff is working out the details with the companies that assist with this.

Vrklan commented that he has been contacted by 3 separate individuals about dogs defecating in the playground areas of the parks. He suggested getting some signs made up for this. Wills commented that the Parks Committee had discussed this also. Adm. Jaunich will have Street Supt. Thomes get some estimates on signs.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to adjourn the meeting at 7:55 pm.