

ARLINGTON CITY COUNCIL
MEETING MINUTES
JULY 5, 2006

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

Members present: Mayor Czech, Borchert, Griep, Reetz, Voight, Wills

Members absent: None

Also Present: Administrator Krueger, Attorney Arneson

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

10.) Thank You from Chamber of Commerce

11.) Monthly building permit report

12.) Resolution Approving the Land Transfer to the Arlington Good Samaritan Center.

Motion by Griep, seconded by Voight, and passed by unanimous vote to approve the minutes from the June 5 & 19, 2006 meetings as presented.

Motion by Voight, seconded by Wills, and passed by unanimous vote to approve the bills as presented.

Administrator Krueger spoke briefly on the Small Business Development Centers. He stated that they were seeking donations, to which the City has contributed to them in past years. Both he and Asst. EDA Director Schultz have directed local business owners to this organization when they are looking for financial assistance.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to contribute \$750 to the Minnesota Small Business Development Centers.

Motion by Voight, seconded by Borchert, and passed by unanimous vote to approve a temporary one-time On-sale 3.2 Malt Liquor License for the Sibley County Agricultural Association during the Sibley County Fair on August 2-6, 2006 during the Sibley County Fair.

The Council reviewed the following correspondence:

a) Thank you letter from the Arlington Polka Festival

b) Thank you card from the Arlington Chamber of Commerce.

Considerable discussion was held on whether or not to put the signage back up in the alley that lies within the 400 Block of East Main Street and East Adams Street and also on alleys in general, whether or not to adopt an ordinance that covers them. The Council reviewed the Alley Descriptions and Definitions General Policy Use Guidelines that Councilmember Reetz had drafted last fall. Administrator Krueger stated that more research would have to be done before comprising an ordinance to make sure all aspects are covered such as, defining each alley, parking in alleys, maintenance/plowing/grading of alleys, and who is responsible to cover repair costs, etc. He suggested that the Streets Committee should work on this with him. Krueger commented that things are in a constant state of change and the alley policy needs to be kept as generic as possible (easily adaptable). Reetz and Voight commented that putting something together would also give the police department something to work with for enforcement reasons. It was suggested to check with other cities to see what kinds of policies/ordinances they have regarding alleyways. Administrator Krueger commented that when more information becomes available he will bring it to the Streets Committee for them to review and make their recommendation to Council. It was the consensus of the Council to leave things as they are currently regarding the alley on the 400 Block of East Main/Adams Streets.

Administrator Krueger explained that he would like to get meetings set up with the various committees and supervisors/chairpersons to start looking at budgets for next year. This way everyone gets involved in the budgeting process.

Mayor Czech and Councilmember Borchert gave an update on the Cemetery Board. Mayor Czech commented that the Cemetery Board was putting together a 5-year plan. Borchert commented that the Board is meeting monthly and making progress. Wills questioned how things were progressing with the "reserved" lots. Borchert explained that letters were sent out, a few people have come in and paid for their lots, but some are still discussing it and have not made the commitment yet; however the lots are available to the public at this point. Attorney Arneson commented that a few people have come in expressing an interest in lots that have been abandoned, which family members have been found and were willing to give the lots back to the City for re-sale.

Reetz commented that the Fire Department is still having water problems related to the downspout and runoff on the backside of the building. He questioned if the city engineer could look at this and make a recommendation on how to correct the problem. Administrator Krueger will pass this on to the engineer.

Attorney Arneson questioned if the work being done on Main Street was done. Administrator Krueger commented that the lines were going to be painted in the next day or so. Brief discussion was held on the number of illegal u-turns happening on Main Street. Wills commented that the City had an ordinance for this. Attorney Arneson said it was still on the books, but it comes down to catching the people doing the illegal u-turns. Voight suggested having a yellow line painted down the middle of Main Street.

Borchert questioned when the sidewalk project was expected to start. Administrator Krueger said it was scheduled to start the second week in July.

Mayor Czech spoke on the Sesquicentennial Celebration and the need to have workers for that weekend. He was thinking of putting a letter in the paper asking for people to help out during the celebration. He stated that the Committee was looking at a monument to put over a capsule that would be buried in the ground to be opened 50+ years later.

Mayor Czech and Administrator Krueger talked about the annual LMC Conference that they had recently attended in St. Cloud. They brought back some information about establishing trails with other communities. Mayor Czech stated that the City of Gaylord has invited Arlington to come to a trail meeting on July 18th to discuss possibly connecting the 2 cities. Mayor Czech commented on a session he attended about keeping the communication open between the city, township, school district, county and State. Administrator Krueger commented on a session about bridging the gap between generations.

Voight stated that she had spoken with the Hospital Board about having a joint meeting with the City Council to discuss the current situation with the diminishing ambulance service.

The Council reviewed the building permit report for June.

Attorney Arneson presented a proposed resolution to put the official cap on the land transaction with the Arlington Good Samaritan Center. He stated that he incorporated a letter that the Council had approved at a previous meeting.

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

RESOLUTION NO. 12-2006

BE IT RESOLVED, That the City of Arlington, to promote the public health and safety of its citizens and to provide for Economic Development, shall transfer title to the real estate parcel described at Appendix A attached hereto to The Evangelical Lutheran Good Samaritan Society, a North Dakota non-profit corporation.

In conjunction with said transfer, the City shall also grant a non-exclusive access easement to the same party across the strip described at Appendix B attached hereto.

These transfers shall be subject to certain conditions which will be set out in Restrictive Covenants to be filed on the real estate record at the Sibley County Recorder's office.

The Mayor and City Administrator are authorized and directed to execute all necessary documents to accomplish these transfers.

The conditions for said transfers are specifically as follows:

1. Four existing trees would be removed to accommodate the Good Samaritan construction. These would be removed, the stumps ground and grass restored at the cost of Good Samaritan. They would also pay for the cost of replanting four new trees in the park, of a species and at a location to be determined by the Park Committee.
2. The existing Lions' shelter and the adjoining sidewalk and bathroom building would be removed at the cost of Good Samaritan. A shelter would be constructed at another location in the park of similar size and function, as approved by the City, at the cost of Good Samaritan.
3. Good Samaritan would also pay 50 percent of the cost of creating a new sidewalk in the park to service the new shelter, but with the cost sharing not to exceed \$3,500.00 for Good Samaritan.
4. The demolished bathroom structure would not be replaced.
5. The city waterline and any other buried utilities displaced by the new construction will be moved at the cost of Good Samaritan to a location designated by the City.
6. Good Samaritan must complete the construction of an assisted living facility on the site no later than December 31, 2007. If they fail to use the land for this purpose by that date, the land title will automatically revert back to the City.
7. The City will donate the designated parcel, to be determined by survey, to Good Samaritan free of charge as an economic development activity, and to meet the needs of the Arlington community for this type of facility.
8. The City will also grant a 7 foot buffer zone easement along the south side of the site, to allow Good Samaritan the necessary room to conduct the construction and landscaping activities for this project, and to give Good Samaritan sufficient access to the site for future maintenance and repairs. This 7 foot buffer zone shall remain the property of the City, and may be used for city park activities which do not interfere with the Good Samaritan use of the buffer zone for access as described above. Good Samaritan shall hold the City harmless from any liability whatsoever stemming from Good Samaritan's use of the buffer zone for construction, maintenance or repairs on its site. Good Samaritan shall keep the surface of this easement in a good covering of grass at its cost, and promptly repair or replace said grass surface as needed after any construction, maintenance or repair of its adjoining building.
9. Good Samaritan shall promptly reimburse the City for the legal costs of this transfer, including \$610.00 legal services fees, \$1.65 deed stamp tax and \$138.00 court recording fees.

APPENDIX A

That part of Fairview Park, Memorial Park Addition, according to the recorded plat thereof, City of Arlington, Sibley County, Minnesota, lying 21.00 feet South of and adjacent to the following described line: Commencing at the northeast corner of Fairview Park; thence South 89 degrees 36 minutes 43 seconds west (bearings based on Memorial Park Addition) on the North line of Fairview Park, 151.84 feet to the point of beginning of said line; thence South 89 degrees 36 minutes 43 seconds West on said north line, 177.13 feet and there terminating. Subject to and together with any and all easements of record.

APPENDIX B

A 7.00 foot wide easement over, on and under that part of Fairview Park, Memorial Park Addition, according to the recorded plat thereof, City of Arlington, Sibley County, Minnesota, lying 7.00 feet left of and adjacent to the following described line: Commencing at the northeast corner of Fairview Park; thence South 89 degrees 36 minutes 43 seconds West (bearings based on Memorial Park Addition) on the North line of Fairview Park, 335.97 feet to the point of beginning of said line; thence South 00 degrees 23 minutes 17 seconds East, 28.00 feet; thence North 89 degrees 36 minutes 43 seconds East, 191.13 feet; thence North 00 degrees 23 minutes 17 seconds West, 28.00 feet to the North line of said Fairview Park and there terminating.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Wills and upon vote being taken thereon the following voted in favor thereof: Borchert, Griep, Reetz, Voight, 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 5th day of July, 2006.

Signed: /s/ David Czech
Mayor

Attested: /s/ David L. Krueger
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.

Mayor Czech commented that the ground breaking ceremony was delayed and will not be held until sometime in July.

Motion by Borchert, seconded by Wills, and passed by unanimous vote to adjourn the regular meeting at approximately 8:30 p.m.

Administrator David L. Krueger

Mayor David Czech