

ARLINGTON CITY COUNCIL  
MEETING MINUTES  
MARCH 20, 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, Police Chief Rovinsky, P&Z Administrator Jenness, Ambulance Manager Brian Thomes

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

Motion by Griep, seconded by Borchert, and passed by unanimous vote to approve the minutes from the March 6, 2006 meeting as corrected.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to approve the bills as presented and Statement of Funds for February.

P&Z Administrator Jenness presented proposed Ordinance No. 193 – Amendment to Zoning Ordinance. He explained that some language (catch-all phrase) was being added to the R-1 and R-2 zoning districts that covers Conditional Use Permits (basically giving the City the right to deny a CUP even though it would normally be permitted as it is unsafe or an unreasonable request for the area or possibly to grant a CUP for something not normally permitted as it would be low impact or non-detrimental to the area). Attorney Arneson commented that the additional language is good and helps to govern Conditional Use Permits under these zones; the City does not lose any control by adding the new language; when in fact, it has more discretion. Wills questioned if anything existing would be grandfathered in. Attorney Arneson commented that certain uses can be allowed, but would still need a Conditional Use Permit and with the new language the Planning & Zoning Board and Council have the right to say no if they feel it is not appropriate for the area. Attorney Arneson gave a brief summary of how the State looks at “grandfathering”. This was considered the first reading and the second reading will be held at the next regular meeting.

P&Z Administrator Jenness presented proposed Ordinance No. 194 – Drug Cleanup. He stated that the Planning & Zoning Board had reviewed said ordinance and was recommending that Council approve it. The City does not currently have anything related to the cleanup of clandestine drug lab sites and chemical dump sites. He stated that without such an ordinance on record, the City could become responsible and/or liable for the cleanup of property if any would exist within city limits. Voight questioned how writing ordinances falls under the Planning & Zoning Administrator’s position. Attorney Arneson explained that it does fall under the heading of Planning and Zoning as it does relate to property and condemnation of said property. It would also fall under the Police Department and Health Officer, all in a combined effort. Attorney Arneson commented that the State has responded to the meth epidemic and implemented new very strict laws regarding meth properties. Administrator Krueger explained that he had asked P&Z Administrator Jenness to look into this and put something together. Jenness explained that he had obtained the information from the League of MN Cities and revised it to fit Arlington’s needs with Attorney Arneson’s help. This was considered the first reading and the second reading will be held at the next regular meeting.

The Council reviewed the travel request from P&Z Administrator Jenness to travel to Mankato to attend the State Building Codes and Standards Spring Seminar on April 6<sup>th</sup> and 11<sup>th</sup>.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to authorize P&Z Administrator Jenness to attend the State Building Codes and Standards Spring Seminar in Mankato on April 6<sup>th</sup> and 11<sup>th</sup>.

The Council reviewed the notice from the County Assessor related to the Board of Appeal and Equalization hearing on April 11<sup>th</sup>.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to authorize the County Assessor's Office to hold the Board of Appeal and Equalization hearing on April 11<sup>th</sup> at the Assessor's office in Gaylord from 3-8 p.m.

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

RESOLUTION NO. 7-2006

**RESOLUTION APPROVING THE APPLICATION FOR A LAWFUL GAMBLING LICENSE FOR THE VFW POST #6031**

BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the application for a Lawful Gambling License to be held at Neisen's Grill & Bar of Arlington (306 West Main Street, Arlington, MN 55307) as submitted by the VFW Post #6031.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Griep 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 20<sup>th</sup> day of March, 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.

Motion by Voight, seconded by Wills, and passed by unanimous vote to contribute \$5,000 to the Sesquicentennial Celebration.

Administrator Krueger stated that Engineer Hawbaker will be at the next regular Council meeting to discuss the 2005-6 Street Improvement Project. He will have the proposed assessments figured up and therefore a public hearing needs to be scheduled.

Motion by Griep, seconded by Borchert, and passed by unanimous vote to set Monday, April 3, 2006 as the date to hold a public hearing to discuss the proposed curb and gutter assessments related to the 2005-6 Street Improvement Project.

Police Chief Rovinsky explained that he and 3 other officers need to attend a mandatory training class in St. Cloud related to emergency vehicle operation and police pursuit on May 30<sup>th</sup>. He stated this is something that all officers must do every 3 years. The cost of the class is \$314 per officer, but 80% of the cost gets reimbursed upon the officer successfully completing the course.

Motion by Borchert, seconded by Wills, and passed by unanimous vote to approve the travel request from Police Chief Rovinsky as stated above.

Ambulance Manager Brian Thomes was present to talk about the need to replace the pagers for the Ambulance members. He stated that they are currently using a #2 pager, which can no longer be fixed. They would like to upgrade to a #5 pager. The ambulance service has not purchased any pagers within the last 3-4 years. He was requesting permission to purchase 5 new pagers now and then purchase 1-2 a year thereafter to switch out older pagers. He had obtained a few quotes which ranged from \$375 to \$395 per pager. He was recommending the quote from Supreme Wireless in the amount of \$375. He stated that the Ambulance Association would like to

contribute to the cost of the pagers (half the price or up to \$1,000). Administrator Krueger suggested checking into a service contract for the pagers. Thomes said there were 5-year warranties, but would check into a service contract.

Motion by Voight, seconded by Griep, and passed by unanimous vote to authorize Ambulance Manager Thomes to purchase 5 new pagers from Supreme Wireless in the amount of \$375 per pager.

Administrator Krueger talked about the most recent EDA meeting. He stated that the EDA had voted to move forward with the signage for the former Swenson property advertising it for commercial development. The cost of a 2-sided (5x7) sign would be \$668 (the city staff would make the frame and do the installation) and it would be placed on Hwy 5 and Cty 9 as a marketing tool.

Motion by Reetz, seconded by Voight, and passed by unanimous vote to accept the EDA's recommendation to have a sign made and placed on the former Swenson property as mentioned above.

Administrator Krueger presented a Housing Study Proposal for the Council to review. He stated that it would cost approximately \$10,000 to have one done for Arlington (paid for out of the EDA Fund), of which the City would receive a 50% match from the Minnesota Housing Partnership if applied for by April 4<sup>th</sup>. Krueger commented that the housing study would help with the Winkelmann situation and market additional EDA properties and would be able to tell what types of apartments and/or housing is needed in Arlington; it will also help with the Small Cities Development Grant and other things in the future. Reetz questioned how the information would be obtained (if a written survey would be sent out) and expressed concern about paying for the same information twice within a 12-month time period. Administrator Krueger stated that he believed their representatives would walk around and actually talk to businesses, apartment owners, etc. Reetz questioned if the information from Pettipiece & Associates' survey could be utilized in the housing study, so that residents don't get overwhelmed with having to fill out too many surveys. Administrator Krueger explained that the information does belong to the City and could be used for other things. He added that the survey from Pettipiece was for a specific grant and was targeting just a certain area (slum and blight) and not the whole town; whereas the housing study is a marketing study for housing. Krueger commented that all studies (hotel study, housing study, etc.) are done for a specific reason and target certain things, which some of the information does overlap (seem redundant) and can be interchanged.

Motion by Borchert, seconded by Wills, and passed by unanimous vote to authorize Administrator Krueger to proceed with the housing study.

Administrator Krueger thanked the Council for allowing the EDA to attend the event at the Mall of America related to hotel chains. He stated it was a good experience and they all learned a few things good and bad about pursuing a hotel in Arlington. He commented that Arlington was the only community there, the event was geared more towards franchises and investors, but it showed the people that the EDA has been working with that Arlington is interested in pursuing this.

The Council reviewed the letter from DEED regarding the Small Cities Development Grant. Administrator Krueger stated that the City of Arlington was not selected this year. He added that the rules to qualify will be changing for next year and some of the information will be able to be used again. After he spoke with Chuck Pettipiece about the letter, he found out there were cities that had been declined 2-3 times before being awarded grant money and encouraged the Council to reapply next year. He stated that a more detailed report/point system would be coming explaining why the City was not selected.

Administrator Krueger commented on the meeting that was held earlier that day with the County and Township regarding annexation and city limits. It was a good discussion and everyone is now clear on the annexation process and what is or is not city limits.

Reetz questioned what was happening with the Community Center cleaning. Administrator Krueger stated that the Public Buildings Committee would be meeting the Jay's Cleaning Service in the next day or so.

Wills commented on the alley behind the Methodist Church and asked if something could be done with it (water just sits and does not run off). Administrator Krueger said he would check on this to see what exactly the problem was (he thought it had something to do with the grade of the alley). It was suggested to add some gravel.

Borchert commented that he had been in contact with Jay's Cleaning Service about the Community Center Cleaning Contract. They expressed an interest in working things out with the City.

Reetz expressed his gratitude towards the website and the recent changes/additions (most recent meetings being added). Administrator Krueger explained that he has been having monthly meetings with staff to update the website on a regular basis. He further explained that the City has a new web host due to the fact the old one (ACME) did not allow staff to update the site properly and they lost the entire website.

Reetz questioned if the bucket truck had been fixed and if so what the cost was for fixing it. Administrator Krueger explained that he had been working on this with Ron Traeger (insurance company).

Reetz questioned if anything had been found in the minutes regarding the Meyerson Development and the racetrack clause. Administrator Krueger commented that he and Mayor Czech had watched the tapes from the Planning & Zoning and Council meetings and the motions were clear with no conditions added; Mr. Meyerson had commented during the discussion that he would put the clause in, but it was not included in the motion. Mayor Czech suggested that Reetz should watch the tapes to see what was said. Reetz said he was not challenging what was said; he recalls the discussion. Reetz expressed concern about the "mistrust" that is being formed between residents and the City. He feels that the input given by the residents at a public hearing should be considered when motions are being made.

Motion by Wills, seconded by Borchert, and passed by unanimous vote to temporarily adjourn the regular meeting in order to hold a closed session under the State Law regarding attorney-client privilege at 7:40 p.m.

Mayor Czech called the closed session to order.

The Council expressed their best wishes to Glenn Klitzke (the owner of G.E.I.S. Inc.) with his current health condition.

Attorney Arneson gave an overview of the circumstances related to the G.E.I.S. loans with the EDA. Attorney Arneson was authorized by consensus of the Council to do the following: Send a letter to Mr. Klitzke indicating that his note dated March 21, 2003, amended February 13, 2006 is now in default for non-payment of the monthly installment payments of \$569.55 for January, February, and March in the total amount of \$1,708.65. The letter is also to serve as his 30-day default notice and that the entire remaining principal balance of said note, plus accrued interest will be accelerated and due immediately 31 days after the date he receives said letter, unless all payments are brought up to date, including additional payments that come due within the 30 days (April 1<sup>st</sup> payment of \$569.55). The letter should also suggest getting all of his creditors together to discuss working out a payment plan (so that everyone has the same information).

Motion by Voight, seconded by Wills, and passed by unanimous vote to adjourn the closed session.

Mayor Czech reconvened the regular meeting.

Brief discussion was held on open/closed meetings.

Motion by Reetz, seconded by Voight, and passed by unanimous vote to adjourn the regular meeting.