

ARLINGTON CITY COUNCIL MEETING MINUTES  
NOVEMBER 6, 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, City Attorney Arneson, Street Supt. Thomes, Jim Kreft, P&Z  
Administrator Jenness, Kurt Menk

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

5b) Hire 2 Snow Drivers

12c) Police Committee – Hiring Eligibility

14 b1) Council and Mayor Pay Increase.

Motion by Voight, seconded by Borchert, and passed by unanimous vote to approve the minutes from the October 16, 2006 meeting as corrected.

Motion by Griep, seconded by Reetz, and passed by unanimous vote to approve the bills as presented.

Administrator Krueger stated that the biocube has been put into place. Street Supt. Thomes presented an estimate from Haggemiller Lumber Co. in the amount of \$7,994.86 to construct a building for the biocube unit. He explained that the building is to be a simple insulated steel building with a heater and service door. It will also have a garage door for maintenance/removal reasons. He explained that Joel Wentzlaff Construction will construct the building (figured into above bid). He stated that the plumbing can be roughed in, but the electrical can't be done until the building is completed and is not included in the estimate.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to approve the bid from Haggemiller Lumber Co. in the amount of \$7,994.86 to construct the steel building for the biocube unit.

Street Supt. Thomes stated that David "Charlie" Thomes and Donald Pomplun had applied for the temporary part-time snow removal positions as they had last year. Administrator Krueger commented that the pay would be \$10 per hour (due to them having Class "B" driver's licenses).

Motion by Reetz, seconded by Griep, and passed by unanimous vote to approve hiring David "Charlie" Thomes & Donald Pomplun for the temporary part-time snow removal positions at \$10.00 per hour.

Street Supt. Thomes explained that he has been approached by Wendell Terlinden to purchase his used heavy duty trailer for \$2,000. He stated that he has borrowed the trailer on numerous occasions at no charge. Wendell was looking at a new trailer and had reduced the price.

Motion by Griep, seconded by Wills, and carried (Voight opposed) to purchase the used heavy duty trailer from Wendell Terlinden for \$2,000.

Borchert questioned when the white lines were going to be repainted (angle parking on side streets – too narrow). Street Supt. Thomes explained that they would have to be recoated and the temperature should be above 50 degrees. He stated that they could be blacked out for the time being and he will try to get this done in the next week (weather permitting).

Administrator Krueger explained that they have found some space in the Arlington Services building for Faith In Action to put their offices. He stated that they (FIA) really wanted to stay in Arlington and he was proposing the area known as the old filter room (where the ambulance used to hold their meetings) and had Supt. Thomes construct a cement ramp to the door to accommodate them. Reetz questioned if they would be responsible for their phone and internet services. Krueger stated they would be. Voight questioned what the cement ramp cost. Supt. Thomes stated city staff installed it and only used about a yard of cement (approximately \$90). Borchert

questioned how long they were going to be permitted to use this space. Krueger stated that they were looking for at least a 1 year commitment, which the City is not utilizing this space right now. Voight commented that this organization is good and is really not costing the City anything; they should be allowed longer if they choose. Borchert liked the idea of keeping FIA based in Arlington. It was the consensus of the Council to allow the Faith In Action the use of the space at the Arlington Services Building.

Voight commented that it was reported at the last Hospital Board meeting that Winthrop's Good Samaritan Center was starting an Adult Day Center (essentially for the County). Reetz commented that Trailblazer was looking for riders (had vacancies) since Arlington's Day Center closed.

Krueger spoke on the certified land that is owned by the Weber family and the City uses to apply its sludge to. In the past they have not charged the City anything for this, but were now requesting \$50 per acre for the 40 acres to be used totaling \$2,000. He stated that it is too late to find/certify new land at this time of the year.

Motion by Griep, seconded by Wills, and passed by unanimous vote to pay the Weber family \$50 per acre for 40 acres totaling \$2,000 to allow the City to apply its sludge on.

The Council reviewed the letter regarding the upcoming Sibley County Municipalities meeting in Henderson on November 30<sup>th</sup>.

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

At 7:00 p.m. Mayor Czech called to order the public hearing to discuss the possibility of hard surfacing the alleyway that lies within the 300 Block of West Alden Street and West Brooks Street, including assessments to affected property owners. It was noted that Street Supt. Thomes was the only one present. He stated that the question originated by one of the residents wanting to put up a garage and had approached him about the drainage issues. Administrator Krueger stated that the Methodist Church has also expressed concern with the drainage issues and has asked the City to fix these problems. Thomes stated that gravel has been both taken out and added to try to get the water to flow out the alley more and Klehr Grading has tried grading the alley, none of these have helped. The City engineer was contacted on this matter and the following 3 options have been determined:

- 1) Leave the alley as it is-gravel.
- 2) Hard surface and lower the alley in anticipation of the reconstruction of 4<sup>th</sup> Avenue NW in 2008. This will create a canal for the water to flow to the street; which will correct one problem and create a new one in another area. Also a portion of the alley (at the end) will have to be ripped up and redone after the reconstruction of 4<sup>th</sup> Avenue in order to align everything.
- 3) Hard surface and lower the alley, but wait to include this as part of the 2008 reconstruction of 4<sup>th</sup> Avenue NW at which time a catch basin can be put in the street at the end of the alley and all drainage problems will be taken care of.

Administrator Krueger stated that the cost estimate for the alley project was \$35,774.06, which 100% would be assessed to the property owners. Reetz expressed concern about spending money on this project only to find out at a later date that there are still problems with drainage (example given was elevations from the parking lot were not considered). Administrator Krueger believed that Bolton & Menk did get elevations from the parking lot when they were on site. Reetz questioned if the catch basin proposed at the end of the alley would be the city's responsibility or the property owners. Krueger stated that would be the city's responsibility as part of the street project. Krueger questioned if this should be brought back for more discussion at a future meeting. It was commented that maybe this wasn't as pressing of an issue as it had been made out to be due to the fact none of the affected property owners showed up for the hearing and could wait until 2008.

Mayor Czech adjourned the public hearing and reconvened the regular meeting.

P&Z Administrator Jenness was present to discuss the Variance & Conditional Use Permit request from St. Cloud Wireless Holdings to put up a cell tower at 305 SW 5<sup>th</sup> Avenue. He reviewed the current ordinance related to cell towers. He stated they were requesting the variance because of the location and the current setbacks as specified by the ordinance. He stated that a public hearing had been held during the November

Planning & Zoning meeting, which 3 letters from concerned citizens were read. The P&Z Board denied the request for the variance based on the following:

- 1) The setback would only be ¼ (55 ft.) of the height of the tower (195 ft.) creating a safety, health and welfare issue for people traveling on Hwy 5, people using Frenzel Park and other buildings located on the property should the tower collapse.
- 2) The Planning & Zoning Board was not convinced that all avenues had been explored to find a location within the city that did not need a variance.

The Council did not favor the location chosen for this tower and did not feel there was an immediate hardship for cell phone service. Jenness explained that the representatives from the company were planning to come back and look for possible new sites for the tower. Jenness thought that the property the EDA had acquired in the southwest corner (intended for commercial use) would be a good location. Krueger commented that it could be positioned back near the holding pond area (out of the way) in the southwest corner of the city. Krueger also suggested that it could possibly be located in the Industrial Park or near the Fairgrounds. Jenness stated that this company had checked into putting their equipment on the water tower, but there was not enough room. He added that the proposed tower would house this company's service plus 4 other carriers; the ordinance states that if a tower goes up it must be able to handle more than one carrier. Jenness stated that the ordinance is trying to discourage towers away from highway business areas, the main business district and residential areas. Krueger commented that as a resident he is not opposed to a cell tower, just the proposed location. He feels the tower is a good thing and will bring more to the area with it, such as internet services, etc.

Motion by Voight, seconded by Reetz, and passed by unanimous vote to deny the variance request from St. Cloud Wireless Holdings, LLC to construct a cell tower at 305 SW 5<sup>th</sup> Avenue for the same reasons given by the Planning & Zoning Board as mentioned above; and to work with the company to find a suitable location for the tower.

Motion by Voight, seconded by Reetz, and passed by unanimous vote to deny the Conditional Use Permit request from St. Cloud Wireless Holdings, LLC to construct a cell tower at 305 SW 5<sup>th</sup> Avenue as the required setbacks cannot be met without a variance, which was also denied.

P&Z Jenness reviewed the October building permit report. He stated that a couple new construction permits may still come in weather permitting.

Motion by Reetz, seconded by Borchert, and passed by unanimous vote to authorize P&Z Administrator Jenness to attend the quarterly Southwest Building Officials meeting in Redwood Falls on November 8<sup>th</sup>; and to attend the Building Codes Seminar in Mankato on November 14-15<sup>th</sup>.

Administrator Krueger commented that the Utility Committee had met with Engineer Dan Geiger from Heartland Engineering Services, (he used to work for United Services Group, assisted with 20-year electrical plan and oversaw the initial work on the new substation) regarding the city's electrical service and future Scope of Services (dealing with cooperatives). During the meeting Geiger gave an explanation to the Committee about how electric service providers and cooperatives each work with municipalities. Geiger will be putting a Scope of Services together, which will help the City look for new alternatives and/or services for its electrical needs. Reetz stated that Geiger is planning to include in the Scope of Service (for free) information/suggestions on how to rewrite the electrical contract with the current provider as it is not very defined (specific to what is or is not covered). Reetz explained the reason this is being looked at is there have been a few instances that have arisen with the current service contractor (are unable to provide service needed, etc.). It was noted that a couple of other service providers would be interested in the contract with the City.

Krueger, Wills and Reetz commented on a recent Utility Committee meeting that had been held with Bolton & Menk regarding the City's current water problems. Reetz stated that the issue of miscommunication between the City Office, Plant Operators and Bolton & Menk representatives was discussed in detail and is being taken care. It was determined at that meeting that once PeopleService took over operation of the water/wastewater plants, the representatives from Bolton & Menk (who designed the water plant) would come in and go through the facility to start working on the problem together. Krueger added that they (Bolton & Menk) agreed to come out for free as often as needed to correct the water problem(s).

Mayor Czech commented that the City should starting compiling an eligibility list for hiring a new police officer. Wills felt it was in the City's best interest to wait until the matter with the existing police officer gets settled. Attorney Arneson and the remaining Council agreed.

Mayor Czech commented that the Sesquicentennial Committee will be meeting for the last time to finalize the finances. He stated that the celebration was a success and had money left over, which some will be designated to cover the cost of the monument for the time capsule. He stated that the Historical Society was continuing with the restoration of the old fire building and they were now looking at the final phase (the top of the building and tower).

Voight commented that the Hospital Board had met and discussed selling the former Adult Day Health Center building. She stated that the new Administrator has started and is doing well. Wills questioned how things were progressing with the new helipad. She stated the Board has been discussing this and is currently working with the State on this, a few more trees have been proposed for removal, including the "light of hope" tree. The engineer is putting a new plan together.

Mayor Czech invited the Council to the upcoming Joint Trail Committee on November 9<sup>th</sup>.

Borchert commented on the lights on West Main Street. He stated he knows the lights are set by timers, but expressed concern that they are not coming on when they should be as it gets dark sooner now with the time change. Krueger stated that he will address this.

Mayor Czech recessed the regular meeting and called the closed meeting to order.

*\*\*Minutes Incomplete – See Council Folder for Complete Information\*\**

Administrator Krueger talked about the health insurance for the city employees for next year.

Administrator Krueger spoke on some issues with the water/wastewater department and possibly accelerating the date for PeopleService to take over the water/wastewater operations.

Motion by Reetz, seconded by Griep, and passed by unanimous vote to allow Administrator Krueger to use his discretion with regard to accelerating the date of the Service Contract with PeopleService.

Attorney Arneson reviewed the letter from Officer Longbehn's attorney dated October 12<sup>th</sup> regarding settling this matter. Attorney Arneson agreed to check with the League of MN Cities to find an attorney who handles this type of litigation. It was agreed to hold a special closed meeting on Monday, November 13<sup>th</sup> to see what Attorney Arneson found out.

Mayor Czech suggested increasing the pay for the Mayor and Council. It was noted that any pay increase would not become effective until January 2007 (future Mayor and Council positions).

Motion by Griep, seconded by Reetz, and carried (Borchert, Wills opposed) to increase the pay \$1,000 for the Mayor and Council positions plus pay for an unlimited number of approved committee meetings.

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

Mayor Czech reconvened the regular meeting.

Motion by Wills, seconded by Borchert, and passed by unanimous vote to adjourn the closed meeting.

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Administrator David L. Krueger

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Mayor David Czech