

ARLINGTON CITY COUNCIL
MEETING MINUTES
DECEMBER 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, Paul Christensen, Councilmember Elect Pederson

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to approve the agenda with the following changes:

Removed the December 4th Special Meetings Minutes from item 4A)

Removed items 10F) 2009 Tax Levy, 10G) 2009 Budget, and 19) Employee Wage/Benefit Package.

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

- A) Approval of the Regular December 1st Regular Meeting Minutes
- B) Approval of the Bills
- C) Approval of Contract Extension with 101 Development Resources Inc. as Building Inspector
- D) Approve Proposal for Continuing Education Training by Emergency Medical Training Specialists for \$5,175 over a two-year period.
- E) Approve the donation of an old AED to Snap Fitness
- F) Approve the purchase of uniforms for Ambulance members for \$1,800
- G) Approve the payout of Ambulance Retirement Funds to Mary Spurling-\$1,500, Gene Johnson-\$626 and Marge Kloeckl-\$10,240.

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

Mayor Kreft called to order the Special Assessments public hearing. It was noted that there were no citizens present. Adm. Jaunich commented that he had been contacted by the Bank, now owner of property known as the Meyerson Development asking for some leniency. He explained that the assessments being proposed were for unpaid park dedication fees on Meyerson Development and delinquent utility accounts.

Motion by Vrklan, seconded by Reetz, and passed by unanimous vote to adjourn the public hearing.

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

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

The following announcements were reviewed:

- 1) City Offices will be closing at noon on Wednesday, December 24th and will be closed all day on Thursday, December 25th and Thursday January 1st for the Christmas and New Year's Holidays.
- 2) City Appreciation Dinner is Saturday, January 17th at 6:00 pm
- 3) LMC Conference for new and experienced officials set for January and February.

The Council reviewed the following communications:

- 1) November Financial Reports.

Discussion was held on the wind turbine that MMPA wants to put up on each member city. Adm. Jaunich explained that the base was 80 ft. and the blades were 35 ft. (total height 115 ft.) and was significantly

smaller than the one proposed earlier in the year. He stated that the turbines have been ordered and are expected to arrive in Minnesota in February or March with construction expected to start this Spring (presumably in the larger member cities first). He stated that a location still needs to be chosen for the turbine in Arlington. The Council reviewed the various sites that had been selected earlier for the larger turbine. Adm. Jaunich reiterated that MMPA would like the turbine to be placed within city limits, on public property and as close to the substation as possible. Staff will re-evaluate the locations in the northwest corner of town (including in the Industrial Park) to see if one of them will work now due to the reduction in the turbine's size.

Paul Christensen of PeopleService was present to discuss the DNR Water Emergency and Conservation Plan being proposed for the City of Arlington. He gave a brief summary on the plan (which included data that was collected over a 10-year period) and explained why it was needed.

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

RESOLUTION NO. 72-2008

**A RESOLUTION APPROVING THE DNR WATER EMERGENCY
& CONSERVATION PLAN**

WHEREAS, the Minnesota Department of Natural Resources requires the City of Arlington to formulate and implement a Water Emergency & Conservation Plan.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the attached plan as its Water Emergency & Conservation Plan. *See Attached.*

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Wills 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 December, 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.

Wills thanked PeopleService for all they have done with regards to improving the water quality.

The second reading of Ordinance No. 238 – An Ordinance of the City of Arlington, Minnesota, Establishing A Shade Tree Program, Providing Regulations for the Control of Certain Diseases and Pests Affecting Trees, Incorporating Agency Rules and Regulations, and Providing for Penalty for Violation Thereof, was held.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to approve Ordinance No. 238 – An Ordinance of the City of Arlington, Minnesota, Establishing A Shade Tree Program, Providing Regulations for the Control of Certain Diseases and Pests Affecting Trees, Incorporating Agency Rules and Regulations, and Providing for Penalty for Violation Thereof. *See attached.*

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

RESOLUTION NO. 64-2008

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE NO. 238
ENTITLED "AN ORDINANCE ESTABLISHING A SHADE TREE PROGRAM"**

WHEREAS, the City Council of Arlington routinely passes ordinances to promote the public safety, health and welfare of the residents of Arlington; and

WHEREAS, the City Council initiated an ordinance (238) to establish a shade tree program and providing for the regulation and control of certain trees; and

WHEREAS, the City Council held a first reading of Ordinance 238 at its regular meeting on December 1, 2008; and

WHEREAS, the City Council approved the second reading and adoption of Ordinance 238 at its regular meeting on December 15, 2008; and

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 238 entitled "An Ordinance Establishing a Shade Tree Program" would clearly inform the public of the intent and effect of Ordinance 238; 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 of Administrator shall cause a summary of Ordinance No. 238 to be published in the City's official newspaper at the earliest practicable date.

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

"On December 15, 2008, the City Council of the City of Arlington approved Ordinance 238 entitled 'An Ordinance Establishing a Shade Tree Program, Providing Regulations for the Control of Certain Diseases and Pests, Affecting Trees, Incorporating Agency Rules and Regulations, and Providing for Penalty for Violation Thereof.' 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 purpose of the Ordinance is to regulate the use, management, protection and disposal of shade trees."

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Borchert 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 December, 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.

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

RESOLUTION NO. 65-2008

A RESOLUTION ORDERING THE FILING OF ASSESSMENTS

BE IT RESOLVED, that the City Council of the City of Arlington does hereby order the filing of assessments due to the City of Arlington for bad debt. Such assessments are to be filed with the Sibley County Auditor. Said assessments are as follows:

(See Attachments)

BE IT FURTHER RESOLVED that the assessments shall be for 1-year with an interest rate of 8%.

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: 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 December, 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.

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

RESOLUTION NO. 66-2008

A RESOLUTION TRANSFERRING CITY FUNDS

WHEREAS, the City Council of the City of Arlington deems it expedient under the circumstances to transfer the following funds:

- \$70,000 -- From the General Fund (101) to the Fire Fund (201)
- \$15,000 -- From the General Fund (101) to the Ambulance Fund (202)
- \$20,000 -- From the General Fund (101) to the Community Center Fund (203)
- \$10,000 -- From the General Fund (101) to the Cemetery Fund (207)
 - *To cover Special Revenue Fund Deficits and to increase Special Revenue Fund Balances*

- \$167,101 -- From the Water Fund (601) to the 04 W&S Refund Bond Fund (317)
- \$71,687 -- From the Sewer Fund (602) to the 04 W&S Refund Bond Fund (317)
- \$37,000 -- From the Sewer Fund (602) to the Wastewater Sinking Fund (318)
 - *To cover Debt Service Payments*

- \$60,000 -- From the Water Improvement Fund (415) to the Water Fund (601)
- \$50,000 -- From the Sewer Improvement Fund (420) to the Sewer Fund (602)
- \$250,000 -- From the Electric Improvement Fund (425) to the Electric Fund (604)
- \$45,000 -- From the Bldg/Street/Park Equip. Improvement fund (430) to the General Fund (101)
 - *To cover Capital Expenditures and/or Fund Deficits*

NOW THEREFORE BE IT RESOLVED, that the aforementioned funds are hereby transferred to said funds of the City of Arlington

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 December, 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.

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

RESOLUTION NO. 68-2008

A RESOLUTION ADOPTING A SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES, LICENSES AND PERMITS

WHEREAS, the City Council is desirous of establishing a uniform system of fees for requests relating to official controls, information, permits, applications or other matters handled by the City; and

WHEREAS, all fees and charges shall take effect on January 1, 2009, and shall remain in effect unless otherwise modified by the City Council through resolution; and

WHEREAS, in the event of a conflict, the following Fee Schedule shall prevail.

THEREFORE, BE IT RESOLVED, by the City Council of the City of Arlington that the following fees and charges for permits, licenses and services be adopted as the 2009 Fee and Rate Schedule:

(See Attached)

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Borchert 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 December, 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.

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

RESOLUTION NO. 73-2008

A RESOLUTION APPROVING A CAPITAL ASSET POLICY

WHEREAS, the City Council of the City of Arlington wishes to adopt a formal Capital Asset Policy.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Arlington hereby adopts the attached Capital Asset 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: 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 December, 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.

A letter from Sibley County Public Health requesting free use of the Community Center for a county-wide baby shower was reviewed. Adm. Jaunich recommended denial of the request based on the fact that the non-profit rate (cleaning fee) was established for these types of functions.

Motion by Vrklan, seconded by Borchert, and passed by unanimous vote to deny the request from the Sibley County Public Health to waive the fees for the use of the Community Center for a county-wide baby shower for the reason stated above.

The Council reviewed a letter from a resident who was asking to have a handicap parking sign placed near their property (residential area). Adm. Jaunich explained that the Streets Committee had reviewed the request and were recommending denial of same based on the fact that they would be setting precedence. The Council is sympathetic to the resident.

Motion by Borchert, seconded by Wills, and passed by unanimous vote to deny the request for the placement of a handicap parking sign at 107 West Alden Street for the above stated reason.

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

RESOLUTION NO. 71-2008

**A RESOLUTION APPROVING THE 2008 ARLINGTON COMPREHENSIVE PLAN UPDATE,
A COMPILATION OF POLICY STATEMENTS, GOALS, STANDARDS, AND MAPS
GUIDING THE OVERALL DEVELOPMENT AND REDEVELOPMENT OF THE CITY**

WHEREAS, Pursuant to Minnesota Statute 462.355; the City may adopt and amend a comprehensive municipal plan.

WHEREAS, The City Council of the City of Arlington, authorized the updating of its Comprehensive Plan in 2007; and,

WHEREAS, The proposed Comprehensive Plan Update is based on local and regional historical facts, trends, and governmental planning standards; and,

WHEREAS, The proposed City of Arlington Comprehensive Plan Update is a dynamic planning tool intended to guide the future growth and development of the City; and,

WHEREAS, The 2008 Comprehensive Plan Update for Arlington, Minnesota; is reflective of a community planning process involving elected officials, appointed officials, city staff, community organizations, the public at large, and others throughout 2007 and 2008; and,

WHEREAS, Before adopting the comprehensive municipal plan, plan update, or plan amendment, the City's planning agency must hold at least one public hearing thereon; and,

WHEREAS, A notice of the time, place and purpose of a hearing on the proposed Comprehensive Plan Update was published in the City's official newspaper at least ten days before the day of the hearing with a copy of the notice posted for public viewing; and,

WHEREAS, A copy of the proposed Comprehensive Plan was on display at the City Offices for public review and inspection as provided in the public hearing notice; and,

WHEREAS, A joint public hearing by the Planning Commission and City Council was held on December 4, 2008 as described in the public notice; and,

WHEREAS, Following completion of the public hearing, the Planning Commission approved PC Resolution 14-2008 recommending the City Council approve the proposed Comprehensive Plan Update.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Arlington, Minnesota hereby approves the 2008 Arlington Comprehensive Plan Update.

BE IT FURTHER RESOLVED, that the Comprehensive Plan Update shall be immediately effective upon approval of this Resolution.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Borchert 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 December, 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.

Discussion was held on replacing the copy machines at both the City Office and Library. Adm. Jaunich presented 3 bids, which included either buy or lease options, plus maintenance agreements for both.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to purchase a Toshiba e-Studio 203L copier from Copier Business Solutions in the amount of \$2,195, plus service (monthly charge of \$30) for the Library.

Motion by Griep, seconded by Vrklan, and passed by unanimous vote to enter into a 60-month lease with Copier Business Solutions for a Toshiba e-Studio 2830c copier in the amount of \$172.73 per month, plus service agreement (based on number of copies made per month) for the City Office.

Mayor Kreft recessed the regular meeting at 7:45 pm to hold a closed meeting. He stated that the purpose of the closed meeting was to review employee evaluations.

The Council performed their annual employee evaluation of City Administrator Jaunich and reviewed the performance evaluations for the City Staff/Police Department.

Mayor Kreft adjourned the closed meeting and reconvened the regular meeting.

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

Vrklan gave an update on the Library. He stated that Dee Czech has agreed to be the alternate on the County Library Board.

Reetz commented on a couple of issues (ordinances) the Planning & Zoning will be looking at in the near future. He stated that PZ Adm. Smith-Strack will be checking on the CUP's that have been approved for compliance and providing reports to the Planning & Zoning and Council.

Griep commented briefly on the Hospital Board and where they are at and what is projected (HVAC improvements) for the upcoming year.

Brief discussion was held on how things were progressing with the ambulance service now that Director Sullivan is on staff and the upcoming change in the licensing status. Adm. Jaunich commented that another community has expressed interest in helping out with the intercepts. There were many good comments about the direction the ambulance service is taking, including the equipment upgrades that have occurred.

Brief discussion was held on water and sewer hookup charges.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 9:17 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft