

**ARLINGTON CITY COUNCIL
MEETING AGENDA
AUGUST 20, 2012 AT 6:30 PM
COUNCIL CHAMBERS**

The City Council is provided background information for agenda items in advance by city staff, committees and boards. Many decisions regarding agenda items are based upon this information, as well as: City policy and practices, input from constituents, questions or information that has not yet been presented or discussed regarding an agenda item. If you have a concern or question, please ask to be recognized by the Mayor during the "Citizens addressing the Council" portion of the agenda—state your name and address for the record. Please keep comments under 5 minutes. Individuals wishing to speak for more than five minutes should ask to be included on the agenda in advance. All comments are appreciated, but please refrain from personal or derogatory attacks on individuals.

1. Call meeting to order and Pledge of Allegiance
2. Roll Call
3. Approve the agenda and any agenda additions

CONSENT AGENDA

The items listed for consideration will be enacted by one motion unless the Mayor, a member of the City Council, City Staff or a person in attendance requests an item to be removed from the Agenda.

4. Approval of Consent Agenda
 - A) Approval of the August 6th Regular Meeting Minutes
 - B) Approval of the August 6th Special Meeting Minutes
 - C) Approval of Bills

PUBLIC HEARINGS

5. Administrative Hearing on Liquor License Violations

PETITIONS, REQUESTS, & COMMUNICATIONS

6. Addressing the Council
 - A) Citizens Addressing the Council
7. Announcements
 - A) City Offices will be closed on Monday, September 3rd for Labor Day (Council Meeting will be Tuesday, September 4th)
 - B) Special Budget Workshop Meeting ó September 4th @ 5:30 p.m.
8. Communications
 - A) July Financial Reports
 - B) Council Candidates for 2012 Election

REPORTS OF OFFICERS, BOARDS & COMMITTEES

9. Yearly Fire Relief Association Update (Curtis Ling)
 - A) Approval/Denial of City contribution for 2012 of \$
 - B) Discussion on Schedule SC-12 and the required minimum City contribution for 2013

ORDINANCES & RESOLUTIONS

10. Ordinances

11. Resolutions

- A) 58-2012 ó Authorizing Project Memo and Survey Work for Safe Routes to School Project
- B) 59-2012 ó Ordering Improvements
- C) 60-2012 ó Bond Resolution
- D) 61-2012 ó Authorizing Transfer of Funds
- E) 62-2012 ó Approving a Gambling License for Sibley East Wolverines Boosters, Inc.

UNFINISHED BUSINESS

12. Approve/Deny Tower Site Agreement with Broadband Corp.

13. Approve/Deny Grant Network Subscription

NEW BUSINESS

14. Approve/Deny Penalty to be placed on Arlington Liquor and the Arlington Haus for Liquor License Violation

15. Approve/Deny Location of Historic Marker in Public Parking Lot on Main Street

16. Approve/Deny Request for Financial Assistance on Special Assessment

17.

18.

MISCELLANEOUS BUSINESS

19. Council Committee Updates

20. Open Discussion

ADJOURNMENT

Reminders:

- A) SMC Board ó August 27th @ 5 pm (SMC)
- B) Parks ó August 27th @ 7 pm
- C) EDA ó August 28th @ 6 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
AUGUST 20, 2012**

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

Members present: Mayor Kreft, Pederson, Pichelmann, Reetz, Ruehling, Wills

Members absent: None

Also present: City Administrator Jaunich, City Attorney Arneson, Engineer Femrite, Financial Advisor Sweeney, Renae Dose, Denise Swenson, Curtis Ling, Kurt Menk

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

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

- A) Approval of the August 6th Regular Meeting Minutes
- B) Approval of the August 6th Special Meeting Minutes
- C) Approval of Bills.

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

Mayor Kreft called to order the administrative hearing regarding liquor license violations. It was noted that Renae Dose of Arlington Liquors and Denise Swenson of the Arlington Haus were present to express their concerns with the proposed suspensions/fines. Adm. Jaunich explained that both establishments had been caught serving alcohol to minors. He stated that per the Liquor Ordinance 267, the City would be imposing the minimum penalty allowed for a first time offense which was a one day business suspension and a \$500 fine; however the fine would be waived if the business owners and/or employees agreed to attend a Server Awareness Class (offered by the County). Attorney Arneson commented that the County Attorney could have pursued gross misdemeanor charges against each employee who violated the liquor law, but chose not to due to the fact it was a first offense for each of them. Swenson made the suggestion that in lieu of a fine that the businesses should be allowed to use that money to purchase a card reader (starting at \$400).

Motion by Ruehling, seconded by Wills, and passed by unanimous vote to adjourn the administrative hearing.

Mayor Kreft adjourned the administrative hearing and reconvened the regular meeting at 6:55 pm.

Engineer Femrite was present to briefly talk about the Safe Routes to School Project. He briefly reviewed the proposed project. Adm. Jaunich stated that the City has been awarded a federal grant and the funds must be expensed by December 31, 2013.

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

**RESOLUTION 58-2012
A RESOLUTION AUTHORIZING A PROJECT MEMO AND SURVEY WORK FOR THE SAFE
ROUTES TO SCHOOL PROJECT**

WHEREAS, the City will be receiving Federal Funding for the Safe Routes to School Program; and

WHEREAS, the City has been authorized to proceed with the project of which a completion date must be by December 31, 2013.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON:

That the proposed following work is to be completed and responses reported back to the City Council with all convenient speed by Jason Femrite of Bolton & Menk:

- Project memorandum;
- Topographic and boundary survey;
- Concrete sidewalk and ADA compliance design;
- Erosion control measures

FURTHERMORE, that the work will be accomplished and laid out as described in the attached proposal which is dated August 16, 2012.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Pichelmann and upon poll being taken thereon the following voted in favor thereof: Pederson, Pichelmann, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 20th day of August, 2012.

CITY OF ARLINGTON, MINNESOTA
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

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

**RESOLUTION 59-2012
A RESOLUTION ORDERING IMPROVEMENTS
(THE 2012 STREET AND UTILITY IMPROVEMENT PROJECT)**

BE IT RESOLVED by the City Council of the City of Arlington, Minnesota (the City), as follows:

1. The City has, pursuant to Minnesota Statutes, Chapter 429, undertaken proceedings relating to proposed improvements (the Improvements), consisting of (a) the street surface, including curb and gutter, sanitary sewer main and services, water main and services, and storm sewer improvements on Marion Drive, (b) the street surface, including curb and gutter, sanitary sewer main and services, water main and services, and storm sewer improvements on Shamrock Drive east of Marion Drive, (c) the storm sewer main south of Highway 5, and (d) the street surface, including curb and gutter, water main and services and storm sewer improvements on West Elgin Street, collectively designated the 2012 Street and Utility Improvement Project.
2. The City has, pursuant to Resolution No. 31-2012, adopted April 16, 2012, received an engineering report prepared by Bolton & Menk, Inc. (the Report) with reference to the Improvements. The Improvements are deemed necessary, cost-effective and feasible, as further detailed in the Report.
2. The City has, on May 7, 2012, held a public hearing with respect to the Improvements, pursuant to duly mailed and published notice.
3. The Improvements are hereby ordered.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Ruehling and upon poll being taken thereon the following voted in favor thereof: Pederson, Pichelmann, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 20th day of August, 2012.

CITY OF ARLINGTON, MINNESOTA
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

Financial Advisor Sweeney was present to discuss the sale of \$795,000 General Obligation Improvement Bonds related to the 2012 Street and Utility Improvement Project.

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

RESOLUTION 60-2012

A RESOLUTION AUTHORIZING ISSUANCE, AWARDED SALE, PRESCRIBING THE FORM AND DETAILS AND PROVIDING FOR THE PAYMENT OF \$795,000 GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2012A

(See attached for complete copy.)

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Pederson and upon poll being taken thereon the following voted in favor thereof: Pederson, Pichelmann, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 20th day of August, 2012.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

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 closed on Monday, September 3rd for Labor Day (Council Meeting will be Tuesday, September 4th)
- 2) Special Budget Workshop Meeting 6 September 4th @ 5:30 pm.

The Council reviewed the following communications:

- 1) July Financial Reports
- 2) Council Candidates for 2012 Election.

Curtis Ling presented the annual Fire Relief Association Audit.

Discussion was held on the various EDA Funds and moving monies around within said funds to facilitate the purchase of land for an industrial park.

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

**RESOLUTION 61-2012
A RESOLUTION TRANSFERRING CITY FUNDS**

WHEREAS, sound financial planning by the City Council of the City of Arlington and City Staff is the purpose behind the transfer of funds; and

WHEREAS, the Arlington EDA has requested that the City Council transfer the following amounts from one fund to another;

- | | |
|--------------|--|
| \$180,000 -- | From the Non-Designated EDA Fund (#410) to the Property Development Fund within the Special EDA Fund (#204) |
| \$60,000 -- | From the Lot Loan Program Fund within the Special EDA Fund (#204) to the Property Development Fund within the Special EDA Fund (#204); and |

WHEREAS, funds cannot be transferred out of the Non-Designated EDA Fund (#410) without approval of the City Council; and

WHEREAS, the purpose of the fund transfers is to facilitate the purchase of bare land.

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 Pichelmann and upon poll being taken thereon the following voted in favor thereof: Pederson, Pichelmann, Reetz, Ruehling, Wills;

and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 20th day of August, 2012.

CITY OF ARLINGTON, MINNESOTA
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

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

RESOLUTION 62-2012

A RESOLUTION APPROVING THE APPLICATION FOR A LAWFUL GAMBLING PERMIT FOR THE SIBLEY EAST WOLVERINES BOOSTERS, INC.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the application for a Lawful Gambling Permit as submitted by the Sibley East Wolverines Boosters, Inc. for a raffle event on October 17, 2012.

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: Pederson, Pichelmann, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 20th day of August, 2012.

CITY OF ARLINGTON, MINNESOTA
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

Adm. Jaunich presented information he had obtained regarding water tower lease agreements. The Council reviewed the proposed Tower Site Agreement with Broadband Corp. It was agreed that the City should draft their own Lease Agreement in order to address their concerns and have rent start at \$500 a month.

Motion by Ruehling, seconded by Pichelmann, and passed by unanimous vote to table action on the Tower Site Agreement with Broadband Corp. in order to give staff time to develop a Lease Agreement.

Brief discussion was held on the current arrangement that Verizon Wireless has for space they are using on the water tower. It was suggested to have staff try to renegotiate the contract.

Adm. Jaunich presented the information he had obtained regarding the Grant Network Subscription with eCivis. Several concerns were expressed.

Motion by Pederson, seconded by Pichelmann, and carried (Ruehling and Wills opposed) to approve the eCivis Grant Network Subscription in the amount of \$2,800 for one year.

Further discussion was held on the liquor license violations and the penalty to be imposed for same.

Motion by Pederson, seconded by Reetz, and passed by unanimous vote to approve a one-day Monday suspension within the next two months (business owners can negotiate a different day with the City Administrator) and impose a fine of \$500, which will be waived if the business owners (employees also encouraged) attend the Serve Awareness Training.

The Council reviewed a proposal from the Historical Society for the placement of a Historic Marker in the public parking lot on Main Street.

Motion by Ruehling, seconded by Wills, and passed by unanimous vote to approve the placement of the Historic Marker in the parking lot on Main Street.

The Council reviewed a request from a resident seeking financial assistance regarding a special assessment. Adm. Jaunich explained that there is nothing in the City Policy for this type of request.

Motion by Pichelmann, seconded by Ruehling, and passed by unanimous vote to deny the request from the resident seeking financial assistance for special assessments.

Pederson committed that the Sportsmanø Park had been vandalized with graffiti.

Motion by Wills, seconded by Ruehling, and passed by unanimous vote to adjourn the meeting at 8:13 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft