

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
DECEMBER 3, 2012 AT 6:00 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 November 19<sup>th</sup> Regular Meeting Minutes
  - B) Approval of the November 19<sup>th</sup> Special Meeting Minutes
  - C) Approval of Bills

**PUBLIC HEARINGS**

5. Annual Truth-in-Taxation Hearing

**PETITIONS, REQUESTS, & COMMUNICATIONS**

6. Addressing the Council
  - A) Citizens Addressing the Council
7. Announcements
  - A) Sibley County Municipalities Meeting ó Thursday, December 13<sup>th</sup> @ 6:00 p.m. in Gaylord
  - B) City Offices will be Closing at Noon on Monday, December 24 and will be closed all day on Tuesday, December 25 for the Christmas Holiday
  - C) City Offices will be Closed on Tuesday, January 1 for the New Year's Holiday
8. Communications
  - A) November Police Calls Report
  - B) November Building Permit Report

**REPORTS OF OFFICERS, BOARDS & COMMITTEES**

## **ORDINANCES & RESOLUTIONS**

### 9. Ordinances

### 10. Resolutions

- A) 76-2012 ó Approve/Deny Revised Truck-Route Map
- B) 77-2012 ó Approving the 2013 Fee and Rate Schedule
- C) 78-2012 ó Opposing Freight Rail Relocation Design for Southwest Light Rail Transitway

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

- 11. Approve/Deny requests for Move Strong Commitment Run and Walk Event on January 1, 2013
- 12. Approve/Deny Work Order Change for WWTF Improvement Project
- 13. Approve/Deny Pay Estimate #3 for the RR Crossings Project
- 14. Approve/Deny Calling a Public Hearing Regarding Residency Requests for EDA Board Membership
- 15. Approve/Deny Calling a Public Hearing to Consider Vacating Alley behind Brau Motors
- 16. Discussion on future Freedom Drive/CR 166 Improvements
- 17. 2013 Budget/Levy Discussion
- 18. Verizon Lease Agreements

## **MISCELLANEOUS BUSINESS**

- 19. Council Committee Updates
- 20. Open Discussion

## **ADJOURNMENT**

### Reminders:

- A) Hospital Board ó December 17<sup>th</sup> @ 5 p.m. (SMC)

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
DECEMBER 3, 2012**

The regular meeting was called to order at 6:00 p.m., Mayor Kreft presiding.

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

Members absent: None

Also present: City Administrator Jaunich, Attorney Arneson, Bruce Anderson, Amanda Fisher, Kurt Menk

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

Add item 10C) Resolution 78-2012 ó Opposing Freight Rail Relocation Design for Southwest Light Rail Transitway

Add item 18) Verizon Lease Agreements.

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

Mayor Kreft called to order the annual Truth-In-Taxation public hearing. It was noted that Bruce Anderson was present. Adm. Jaunich stated the purpose of the hearing was to enhance the public participation in the property tax system by allowing a public forum to: discuss the budget, discuss the tax levy, explain the increases and hear public comments and questions on the budget and tax levy. He added that this hearing was not to discuss property valuations; as they are handled in the spring by the County Assessor. He gave a detailed presentation and explained the budget, budget process and tax process. It was noted that the City's financial status is healthy. Various questions were asked and answered. Anderson commented that he feels the City could save more money if they eliminate the contract with People Service and hire their own employees again. Reetz explained that there might be a small savings, but when looking at the big picture there would not be; as several expenses would have to be added to the City's budget (examples: vehicles, fuel, chemicals, operator certifications, employee benefits, etc.).

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

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

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

- A) Approval of the November 19<sup>th</sup> Regular Meeting Minutes
- B) Approval of the November 19<sup>th</sup> Special Meeting Minutes
- C) Approval of Bills.

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

The following announcements were reviewed:

- 1) Sibley County Municipalities Meeting ó Thursday, December 13<sup>th</sup> @ 6:00 p.m. in Gaylord
- 2) City Offices will be Closing at Noon on Monday, December 24 and will be closed all day on Tuesday, December 25 for the Christmas Holiday
- 3) City Offices will be Closed on Tuesday, January 1 for the New Year's Holiday

The Council reviewed the following communications:

- C) November Police Calls Report
- D) November Building Permit Report.

It was noted that there were no reports from Officers, Boards & Committees.

Amanda Fisher was present to promote the Move Strong Commitment Run and Walk Event that she and her friend Jennifer Carpenter would like to host on January 1, 2013. She stated that the purpose of the event is to get individuals to make a commitment to themselves to lead a more active and healthy life in 2013. They were hopeful to host a few more of these types of events throughout the year. It was noted that the event would be free to the public. Fisher explained that it was their plan to hold the run/walk on First Avenue South (from Adams Street) down to Henderson Road/Freedom Drive and out to the Sportsman's Park. They were requesting permission to block off First Avenue, waive the fee for the Senior Building so it could be used as a warming house and advertise on the City's website and Facebook page.

Motion by Wills, seconded by Pichelmann, and passed by unanimous vote to approve the Move Strong Commitment Run and Walk Event on January 1, 2013, along with barricading First Avenue, waiving the fee for the Senior Building which is to be used as a warming house and advertisement on the City's website and Facebook page.

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

**RESOLUTION 76-2012  
A RESOLUTION ESTABLISHING TRUCK ROUTES**

**WHEREAS**, the City Council has the authority to regulate the use of public streets; and

**WHEREAS**, from time to time the establishment of truck routes for truck traffic has been established by the City Council; and

**WHEREAS**, after recent improvements railroad improvements adjacent to 1<sup>st</sup> Avenue South and West Adams Street, a revision of the current truck route map was needed to protect the public safety, health, and welfare of the community.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of Arlington that the following attached map is the official truck route map of the City and that any other existing truck route maps are null and void.

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 3<sup>rd</sup> day of December, 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 77-2012  
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**, any changes in the current fees and charges shall take effect on January 1, 2013, 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 2013 Fee and Rate Schedule. *(See attached for complete schedule.)*

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 3<sup>rd</sup> day of December, 2012.

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

Attest: /s/ Matthew Jaunich, City Administrator

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

**RESOLUTION 78-2012**

**A RESOLUTION OPPOSING THE FREIGHT RAIL RELOCATION DESIGN RECOMMENDATION IN THE DEIS TO ACCOMMODATE THE SOUTHWEST LIGHT RAIL TRANSITWAY (SWLRT)**

**WHEREAS**, the City of Arlington is served by the Minnesota Valley Regional Rail Authority's (MVRRA) rail line, which is operated by Twin Cities & Western Railroad (TC&W); and

**WHEREAS**, the City of Arlington recognizes the growing importance of rail traffic to ease congestion on our state and local highways; and

**WHEREAS**, MVRRA rail line runs through Arlington and provides rail service to one of Arlington's largest employers, Seneca Foods; and

**WHEREAS**, Arlington's new Industrial Park accesses the MVRRA rail line; and

**WHEREAS**, the City of Arlington understands that the Southwest Transitway Draft Environmental Impact Statement (DEIS) recommends a relocation of the freight rail route to accommodate the Southwest Light Rail Transitway (SWLRT); and

**WHEREAS**, we further understand, based on information provided to us by TC&W and concern expressed to us by Seneca Foods, that the recommended freight rail relocation design as shown in the DEIS released on October 12, 2012 will result in increased costs for TC&W to operate its trains through the City of Arlington; and

**WHEREAS**, any increased costs to freight rail will have a negative economic impact on Arlington businesses and any other business that decides to relocate in Arlington along the MVRRA rail line; and

**WHEREAS**, the City of Arlington supports the alternatives to the recommended design as presented by TC&W and believes those recommended changes provide for more competitive freight rail transportation through the City of Arlington.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of Arlington that the City Council hereby recommends to Hennepin County and the Met Council that they address TC&W's concerns over the design of the freight rail relocation shown in the DEIS, and work with the TC&W to arrive at a freight rail solution that preserves the existing economical freight rail transportation through the City of Arlington.

**FURTHERMORE BE IT RESOLVED**, since rural Minnesota provides a significant amount of exports from the State of Minnesota, and since having economic freight rail transportation is imperative to allow rural Minnesota to compete in the global marketplace, we hereby recommend to Hennepin County and the Met Council that you reject the freight rail design as recommended in the DEIS and arrive at an acceptable design, as our community depends on economical freight rail transportation.

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 3<sup>rd</sup> day of December, 2012.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

The Council reviewed a Work Order Change for the WWTF Improvement Project. Adm. Jaunich explained that the work order was to extend the contract time an additional 21 days to January 21, 2013. He stated that during the course of the project some additions and/or equipment changes had been made that took more time than originally had been allowed for, thereby setting the rest of the schedule back slightly.

Motion by Pederson, seconded Reetz, and passed by unanimous vote to approve the Work Order Change for the WWTF Improvement Project extending the contract to January 21, 2013.

The Council reviewed Pay Estimate #3 for the RR Crossings Project in the amount of \$13,545.86. Adm. Jaunich explained that this project was now \$38,122.25 over budget (with this pay estimate included). He expressed his concerns about this fact, as only one change order in the amount of \$3,561.20 had been presented to the City for approval. Further concern was expressed about the lack of communication during the entire project between the RR and City and/or the Engineer and City. Mayor Kreft commented that he feels Bolton & Menk should be held accountable for the bill (overage) as they made the approval for changes made in the field without the City's consent.

Motion by Reetz, seconded by Ruehling, and passed by unanimous vote to deny payment on Pay Estimate #3 for the RR Crossings Project.

Discussion was held on changing the residency requirement for being on the EDA Committee. Mayor Kreft stated that it is not uncommon for residents who live outside city limits, but within the Orderly Annexation Area (OAA) to be on committees. He added that there are some residents currently living in the OAA who have a vested interest in the future growth and development of the City, as they own and/or operate a business in town. Reetz expressed some concern about adding a non-taxpaying resident to the Committee.

Motion by Ruehling, seconded by Pederson, and carried (Reetz and Wills opposed) to call a public hearing regarding Residency Requirement for EDA Board Membership.

The Council reviewed a request from Brau Motors to have the portion of the alley that lies between their building and parking lot on south side vacated. Adm. Jaunich explained the reason for the request was so Brau's could accommodate an expansion project being required by GM. He stated that there is an overhead electric line that needs to be addressed if the alley is vacated; no other utilities are within the alley.

Motion by Pederson, seconded by Wills, and passed by unanimous vote to call a public hearing to consider Vacating the Alley behind Brau Motors.

Discussion was held on future Freedom Drive/County Road 166 Improvements. Adm. Jaunich commented that he had been in contact with Tim Becker from the County about possibly replacing the utilities from Creekview Lane to the WWTF at the time the work is being done for the new bridge/trail. He stated that the proposed work is not included in the CIP at this time. Reetz commented that the lines

were put in new at the time the WWTF was built (approximately 20 years ago). It was the consensus not to do anything at this time.

Discussion was held on the proposed 2013 Budget/Levy.

Adm. Jaunich gave an update on the Lease Agreement with Verizon. He and Attorney Arneson continue to negotiate terms for the Agreement.

Comments were shared about the Arli-Dazzle Parade that was held on Saturday, December 1<sup>st</sup>. Consensus was it was a wonderful parade/evening.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to adjourn the meeting at 8:15 pm.

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City Administrator Matthew Jaunich

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Mayor James R. Kreft