

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
JULY 2, 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 June 18<sup>th</sup> Regular Meeting Minutes
  - B) Approval of Bills
  - C) Approve the Hiring of Katie Guanzini as a Part-Time Police Officer
  - D) Approve the Hiring of Tim Hagenmiller as Emergency Management Director

**PUBLIC HEARINGS**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) Citizens Addressing the Council
6. Announcements
  - A) City Offices will be closed on Wednesday, July 4<sup>th</sup> for the Independence Day Holiday
  - B) Special Council Meeting ó Monday July 23<sup>rd</sup> @ 5:30 p.m. (Assessment Hearing)
  - C) MMPA Annual Meeting ó July 24<sup>th</sup> @ 5:30 p.m. in Shakopee
  - D) Filing for 3 City Council Positions Opens July 31<sup>st</sup>
7. Communications
  - A) June Building Permit Report
  - B) June Police Calls Report
  - C) Report on Alcohol Compliance Checks

**REPORTS OF OFFICERS, BOARDS & COMMITTEES**

## **ORDINANCES & RESOLUTIONS**

8. Ordinance 273 (2<sup>nd</sup> Reading) ó Establishing a Storm Water Drainage Utility
9. Resolutions
  - A) 43-2012 ó Summary Publication of Ordinance 273
  - B) 44-2012 -- Approving Final Plat Entitled "Seneca Foods Corporation"
  - C) 45-2012 ó Resolution Accepting Bid on Railroad Crossings Project
  - D) 46-2012 ó Accepting a Donation and Designating Its Use
  - E) 47-2012 ó Appointing Election Judges for the 2012 Elections

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

10. Review of Bids for the 2012 Street & Utility Improvement Project
  - A) Assessment Hearing
11. Approve/Deny Addition of Heater to the Wastewater Treatment Plant Improvement Project under Allowances
12. Approve/Deny Purchase of Park Equipment
  - A) Playground Set
  - B) Benches & Picnic Tables
13. Curb & Gutter Replacement Request
- 14.

## **MISCELLANEOUS BUSINESS**

15. Council Committee Updates
16. Open Discussion

## **ADJOURNMENT**

### Reminders:

- A) P&Z Meeting ó July 12<sup>th</sup> @ 7 pm
- B) SMC Board ó July 23<sup>rd</sup> @ 5 pm (SMC)
- C) Parks ó July 23<sup>rd</sup> @ 7 pm
- D) EDA ó July 24<sup>th</sup> @ 6 pm

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
JULY 2, 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, Bruce Pinske, Engineer Femrite, Paul Wiemann, Kurt Menk

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

Add item 10A) Resolution 48-2012 ó Assessment Hearing

Add item 13) Curb and Gutter Replacement Request.

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

- A) Approval of the June 18<sup>th</sup> Regular Meeting Minutes
- B) Approval of Bills
- C) Approve the Hiring of Katie Guanzini as a Part-Time Police Officer
- D) Approve the Hiring of Tim Hagenmiller as Emergency Management Director.

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 Wednesday, July 4<sup>th</sup> for the Independence Day Holiday
- 2) Special Council Meeting ó Monday, July 23<sup>rd</sup> @ 5:30 p.m. (Assessment Hearing)
- 3) MMPA Annual Meeting ó July 24<sup>th</sup> @ 5:30 pm in Shakopee
- 4) Filing for 3 City Council Positions Opens July 31<sup>st</sup>.

The Council reviewed the following communications:

- 1) June Building Permit Report
- 2) June Police Calls Report
- 3) Report on Alcohol Compliance Checks.

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

The second reading of Ordinance 273-An Ordinance Establishing a Storm Water Drainage Utility and Authorizing the Imposition of Storm Water Drainage Charges, was held. Adm. Jaunich noted that some minor changes had been made, as had been recommended during the first reading.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve Ordinance 273-An Ordinance Establishing a Storm Water Drainage Utility and Authorizing the Imposition of Storm Water Drainage Charges, as follows:

**ORDINANCE 273**

**AN ORDINANCE ESTABLISHING A STORM WATER DRAINAGE UTILITY AND AUTHORIZING THE  
IMPOSITION OF STORM WATER DRAINAGE CHARGES**

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

**SECTION 1. ESTABLISHMENT**

The City hereby establishes a storm water drainage utility, pursuant to Minnesota Statutes, section 444.075, from which revenues will be derived subject to the provisions of this Ordinance and Minnesota Statutes. The storm water drainage utility shall be established and operated as a separate public utility and shall be supervised by the City Administrator or their designee.

**SECTION 2. FINDINGS AND DETERMINATIONS**

In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the City has constructed, operated and maintained a storm water drainage system (the system). This Ordinance is adopted in the further exercise of such authority and for the same purposes.

- A. The system, as constructed, heretofore has been financed and paid for through the imposition of special assessments and ad valorem taxes. It is now necessary and desirable to provide an alternative method of recovering some or all of the future costs of improving, maintaining and operating the system through the imposition of charges as provided in this Ordinance.
- B. In imposing charges, it is necessary to establish a methodology that undertakes to make them just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the city and other relevant factors, it is determined that it would be just and equitable to assign responsibility for some or all of the future costs of operating, maintaining and improving the system, on the basis of the expected storm water runoff from the various parcels of land within the city during a standard rainfall event.
- C. Assigning costs and making charges based upon expected typical storm water runoff cannot be done with mathematical precision but can only be accomplished within reasonable and practical limits. The provisions of this ordinance undertake to establish a reasonable and practical methodology for making such charges.

**SECTION 3. FINANCE**

For the purpose of paying the cost of building, constructing, reconstructing, repairing, enlarging, improving, or in any other manner obtaining the facilities or any portion of them, or administering the City’s storm water drainage system, the City may issue and sell general or special obligations in accordance with Chapter 475 of the Minnesota Statutes. These obligations may be payable from any of the sources as set forth in Minnesota Statutes, section 444.075, Subd. 2 which include, but are not limited to, those revenues derived by the utility as set forth below.

**SECTION 4. STORM WATER DRAINAGE UTILITY FUND**

There shall be maintained within the City’s accounting system a separate fund to be known as “Storm Water Drainage Utility Fund”. All revenues derived by the utility shall be deposited in such fund. Such fund shall be used for the purpose of paying the cost of building, constructing, reconstruction, repairing, enlarging, improving, or in any other manner obtaining the facilities or any portion of them, or administering the City’s storm water drainage system.

**SECTION 5. RATES AND CHARGES**

- A. Rate Determination. Minnesota Statutes, section 444.075, subd.3a states that storm water utility rates may be established using one of the following systems:
  - 1. By reference to the square footage of the property charged, adjusted for a reasonable calculation of storm water runoff; or
  - 2. By reference to a reasonable classification of the types of premises to which service is furnished; or
  - 3. By reference to the quantity, pollution qualities, and difficulty of disposal of storm water runoff produced; or
  - 4. On any other equitable basis, including any combinations of equitable bases referred to in 1 to 3.
- B. Storm water drainage charges. Due to unique circumstances, the City Council finds it to be excessively and unnecessarily expensive to determine a “Residential Equivalent Factor” (REF) for every parcel in town at this time. Because of this, in determining charges, the city council hereby establishes a basic system rate to be charged against every property based on the land use description of that property. For the purposes of establishing this ordinance, the following rate class, land use description and charge will be used:

Rate Class	Land Use Description	Monthly \$\$
1	Residential, 0.0 – 0.9 acres	\$2.00
2 (Small Commercial)	Residential, 1.0+ acres Multifamily, 2 – 15 units Churches, 0.0 – 4.9 acres Public-Institutional, 0.0 – 4.9 acres Commercial, Business, Industrial, 0.0 – 4.9 acres Mixed-Use, 0.0 – 4.9 acres	\$4.00
3 (Medium Commercial)	Multifamily, 16+ units Churches, 5.0 – 9.9 acres Public-Institutional, 5.0 – 9.9 acres	\$6.00

	Commercial, Business, Industrial, 5.0 – 9.9 acres Mixed-Use, 5.0 – 9.9 acres	
4 (Large Commercial)	Churches, 10.0+ acres Public-Institutional, 10+ acres Commercial, Business, Industrial, 10+ acres Mixed-Use, 10+ acres	\$8.00

Future drainage charges may be established by a resolution of the City Council in a fair and equitable manner. This Ordinance also does not prohibit the establishment of a REF system at a future time.

- C. Other land uses. Land uses not listed in the foregoing table are to be classified by the city administrator by assigning those uses to classes most nearly like the listed uses. An appeal from the administrator's determination of the property classification may be made to the city council.
- D. Exemptions. The following land uses are exempt from storm water drainage fees:
1. Public right-of-way;
  2. Wetlands and public waters as defined by state law;
  3. Vacant, undeveloped land with sufficient ground cover so as not to create any significant runoff as determined by the City Administrator;
  4. Agricultural Land; and
  5. Land owned by the City.

**SECTION 6. ACCESS OR CONNECTION CHARGES**

A Storm Water Access or Connection Charge (SWAC) to every new or improved property in the storm water utility system will be charged a SWAC. A SWAC of \$1.00 per 100 square feet of a lot size or area, with a minimum charge of \$100, will be charged to every new or improved property. Future access or connection charges may be established by a resolution of the City Council in a fair and equitable manner.

**SECTION 7. ADJUSTMENT OF CHARGES**

The city council may by resolution adopt policies providing for the adjustment of charges for parcels or groups of parcels, based upon land use data supplied by affected property owners. The adjustment will be made only upon recommendation of the city administrator and may not be made effective retroactively.

**SECTION 8. SUPPLYING INFORMATION**

The owner, occupant or person in charge of any premises shall supply the City with such information as the City may reasonably request related to the use, development and area of the premises. Willful failure to provide such information or to falsify it is a violation of this ordinance.

**SECTION 9. ESTIMATE CHARGES**

If the owner, occupant or person in charge of any premises fails or refuse to provide the information requested, as provided in section 7, the charge for such premises shall be estimated and billed in accordance with such estimate, based upon information then available to the City.

**SECTION 10. BILLING METHOD**

Statements for storm water drainage utility fees will be computed every month and collected by the City monthly along with the water, sewer and electric utilities. Any prepayment or overpayment of charges shall be retained by the City and applied against subsequent monthly fees. Delinquent accounts will be treated the same as water, sewer and electric accounts.

**SECTION 11. CERTIFICATION OF PAST DUE FEES ON TAXES**

Any storm water utility fees past due on October 1 of any year may be certified to the County Auditor for collection with real estate taxes in the following year or any year thereafter. In addition, the City shall also have the right to bring a civil action or to take other legal remedies to collect unpaid fees.

**SECTION 12. RECALCULATION OF CHARGES**

If a property owner or person responsible for paying the storm water drainage fees or charges questions the correctness of an invoice for such charge or fee, such person may have the determination of the charge recomputed by written request to the City Administrator made within 90 days of mailing of the invoice in question by the City.

**SECTION 13. EFFECTIVE DATE.**

This Ordinance is effective upon its adoption and publication as prescribed by law.

For City of Arlington:

/s/ James R. Kreft  
By James R. Kreft  
Itø Mayor

/s/ Matthew Jaunich  
By Matthew Jaunich  
Itø Administrator

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

**RESOLUTION 43-2012**

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 273 ENTITLED “AN ORDINANCE ESTABLISHING A STORM WATER DRAINAGE UTILITY AND AUTHORIZING THE IMPOSITION OF STORM WATER DRAINAGE CHARGES”**

**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 (273) to establish and set charges for a Storm Water Drainage Utility; and

**WHEREAS**, the City Council held a public hearing and a first reading of Ordinance 273 at its regular meeting on June 18, 2012; and

**WHEREAS**, the City Council approved the second reading and adoption of Ordinance 273 at its regular meeting on July 2, 2012; and

**WHEREAS**, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 273 entitled “An Ordinance Establishing a Storm Water Drainage Utility and Authorizing the Imposition of Storm Water Drainage Charges” is sufficient; 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 Administrator shall cause a summary of Ordinance 273 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 July 2, 2012, the City Council of the City of Arlington approved Ordinance 273 entitled “An Ordinance Establishing a Storm Water Drainage Utility and Authorizing the Imposition of Storm Water Drainage Charges” 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 Ordinance establishes a storm water drainage utility, pursuant to Minnesota Statutes, section 444.075, from which revenues will be charged and collected to help fund the cost of a storm water drainage system. The storm water drainage utility is now established and will be operated as a separate public utility of the City.”

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 2<sup>nd</sup> day of July, 2012.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

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

**RESOLUTION 44-2012**

**A RESOLUTION APPROVING A FINAL PLAT ENTITLED “SENECA FOODS CORPORATION”**

**WHEREAS**, the City has received a request for plat approval for property contained in Section 9 from Seneca Foods Corporation; and

**WHEREAS**, the property is being platted so as to clearly define a southern boundary for the City of Arlington corporate limits and to convert the legal descriptions to Lot/Block from lengthy metes/bounds descriptions; and

**WHEREAS**, the City Council reviewed and approved the preliminary plat for Seneca Foods on September 21, 2009 through Resolution 61-2009; and

**WHEREAS**, the Planning and Zoning Commission reviewed the final plat for Seneca Foods at a meeting on October 1, 2009; and

**WHEREAS**, the Planning and Zoning Commission recommended approval of the final plat upon the conditions that there was evidence of a clear title and that the City/Developer execute a Memorandum of Understanding (MOU) prior to final plat approval by the City Council; and

**WHEREAS**, the City Attorney has reviewed information presented to the City by Seneca Foods on the title of the property and has provided a "Clear Title" determination which is attached to this resolution; and

**WHEREAS**, a MOU on the Seneca Foods Plat has been executed between the City and Seneca Foods which is attached to this resolution; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Arlington, Minnesota, that the City Council hereby approves the final plat for Seneca Foods

**FURTHERMORE BE IT RESOLVED**, that the final plat be signed by the Mayor, City Administrator, and City Attorney and be filed and recorded with the Sibley County.

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 2<sup>nd</sup> day of July, 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 46-2012**  
**A RESOLUTION ACCEPTING A DONATION AND DESIGNATING ITS USE**

**WHEREAS**, the City of Arlington may accept a gift of real or personal property, including money, and use it in accordance with the terms prescribed by the donor; and

**WHEREAS**, the City may not, however, accept or use gifts for religious or sectarian purposes; and

**WHEREAS**, the City of Arlington has received a donation of money from VFW Post 6031 to be used within the summer recreation department to assist with the cost of the Minnesota Twins Game; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Arlington that the City accepts the \$900 donation in full and designates its use to the summer recreation department.

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 2<sup>nd</sup> day of July, 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 47-2012**  
**A RESOLUTION APPOINTING ELECTION JUDGES FOR THE 2012 ELECTIONS**

**WHEREAS**, a State Primary Election will be held on Tuesday, August 14, 2012, and polls must be open from 7:00 a.m. to 8:00 p.m.; and

**WHEREAS**, a General Election will be held on Tuesday, November 6, 2012, and polls must be open from 7:00 a.m. to 8:00 p.m.; and

**WHEREAS**, Minnesota Statute 204B.21, subd. 2 requires Election Judges for precincts in a municipality be appointed by the governing body of the municipality; and

**WHEREAS**, the City of Arlington has one precinct; and

**WHEREAS**, the attached list of individuals have applied to serve as Election Judges for the Primary and General Elections and have agreed to perform all statutory duties related to the election process.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Arlington, Minnesota, that the attached list of individuals is hereby approved for the 2012 elections:

Barb Haggemiller	Dennis Van Moorlehem	Loanne Sorenson
Helen Kittock	Rena Dose	Diane Ebersviller
Carol Mesenbring	Pauline Wiemann	Marion Van Moorlehem
Ruth Voight	Ramona Bade	Pat Grabitske
Marie Schneider	William Ehlke	Audrey Sickmann.

**BE IT FURTHER RESOLVED**, that the hourly wage for training time and the election judge services are hereby approved for the 2012 election at \$8.75 per hour, except that the Head Judges will be paid \$9.25 per hour. Mileage incurred due to training and election duties shall be reimbursed at the current IRS rate.

**FURTHERMORE BE IT RESOLVED**, that the City Administrator is hereby authorized to appoint any substitutions to Election Judges if necessary.

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 2<sup>nd</sup> day of July, 2012.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

Engineer Femrite was present to discuss the Railroad Crossings Improvement Project. He stated that one bid in the amount of \$207,187.10 had been received from Wm Mueller & Sons. The Engineer's Estimate was \$179,975. Femrite stated that the bid received was a good bid even though it was approximately 10% higher than the engineer's estimate and did not recommend rebidding the project. He stated that the bid was in-line with other bids/projects in the area. Adm. Jaunich commented that \$230,000 had been budgeted for this project.

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

**RESOLUTION 45-2012**  
**A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE RAILROAD CROSSINGS IMPROVEMENT PROJECT**

**WHEREAS**, pursuant to an advertisement for bids for the Railroad Crossings Improvement Project; and

**WHEREAS**, bids were received, opened, and tabulated according to the law, and the following bid was received complying with the advertisement:

WM. Mueller & Sons	\$207,187.10
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**AND WHEREAS**, it appears that WM. Mueller & Sons is the lowest responsible bidder.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of Arlington, Minnesota:

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with WM. Mueller & Sons in the name of the City of Arlington for the Railroad Crossings Improvement Project according to the plans and specifications therefore approved by the city council and on file in the office of the City Administrator.
2. The City Engineer (Bolton & Menk) is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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 2<sup>nd</sup> day of July, 2012.

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

Attest: /s/ Matthew Jaunich, City Administrator

Bids for the 2012 Street & Utility Improvement Project were reviewed. It was noted that four (4) competitive bids had been received with the low bid being \$609,697.79 and the Engineer's Estimate being \$665,431.75. Adm. Jaunich presented the proposed assessment roll, which was reviewed in detail.

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

**RESOLUTION 48-2012  
 A RESOLUTION RECEIVING A REPORT AND CALLING A HEARING ON A PROPOSED  
 ASSESSMENT**

**WHEREAS**, by a resolution passed by the Council on June 4, 2012 calling for an advertisement for bids, it was intended that a portion of the improvement of the 2012 Street & Utility Improvement Project, which includes the improvement of the street surface including curb and gutter, sanitary sewer main and services, water main and services, and storm sewer improvements on Marion Drive and 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, would be assessed to the abutting properties; and

**WHEREAS**, the City Administrator has prepared a report on the proposed assessment of the cost of the improvement and has notified the Council that such report has been completed and is on file in his office for public inspection.

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

1. A hearing shall be held at 5:30 p.m. on July 23, 2012 in the Council Chambers at the Community Center, located at 204 Shamrock Drive, to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.
2. The City Administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and he shall state in the notice the total cost of the improvement. He shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City of Arlington, except that no interest shall be charged if the entire assessment is paid before November 1, 2012 after the adoption of the assessment. An owner may at any time thereafter, pay to the City of Arlington the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

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 2<sup>nd</sup> day of July, 2012.

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

Attest: /s/ Matthew Jaunich, City Administrator

The Council reviewed a request from PeopleService to purchase a heater in the amount of \$16,214 to act as a backup unit for the wastewater treatment plant in conjunction with the improvement project. Adm. Jaunich stated that the costs would be covered by the allowances within the project fund.

Motion by Wills, seconded by Ruehling, and passed by unanimous vote to purchase a heater in the amount of \$16,214 for the wastewater treatment plant.

The Council reviewed bids for play equipment for the Sportsmanø Park, and benches and picnic tables for Four Seasons Park. Pederson commented that they would be looking for some volunteers from the community to help with construction when the equipment comes in. It was noted that some of the older (in better shape) tables at Four Seasons Park would be moved out to the Sportsmanø Park once the new ones come in.

Motion by Pichelmann, seconded by Wills, and passed by unanimous vote to approve the bid from Midwest Playscapes in the amount of \$15,177.32 for play equipment for the Sportsmanø Park.

Motion by Wills, seconded by Reetz, and passed by unanimous vote to approve the bid from Midwest Playscapes in the amount of \$4,946.18 for benches and picnic tables.

The Council reviewed a request from St. Paulø Lutheran Church asking the City to split the cost of replacing the curb and gutter adjacent to their property in conjunction with their parking lot reconstruction project. Adm. Jaunich noted that the Assessment Policy permits a 50/50 split of the costs with the property owner if the City deems the project is feasible. He stated that this was not budgeted for, but there were funds available in the maintenance fund. It was noted that the Cityø portion would be approximately \$5,000. Various concerns (engineering related) were expressed about participating in the project since it wasnø City initiated.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve the request from St. Paulø Lutheran Church for curb and gutter replacement and to split the cost up to 50% of \$10,745; contingent upon the City Engineerø approval of the grades with engineering costs (if any) being paid by the Church, which would be reimbursable costs paid upon completion of work.

Wills commented that the Fire Department has updated their SOGø and incorporated the Department Handbook into them. The SOGø should be reviewed by the City Attorney before final approval.

Adm. Jaunich commented that a sub-committee consisting of EMS Department Heads has toured the Tech Center and had some discussion about renovating it into a Public Safety Building.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to adjourn the meeting at 7:22 pm.

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City Administrator Matthew Jaunich

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Mayor James R. Kreft