

**ARLINGTON CITY COUNCIL
MEETING AGENDA
JUNE 16, 2014 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 2nd Regular Meeting Minutes.
 - B) Approval of Bills.
 - C) Authorize Payment for City's Portion of the Community Education/Recreation Coordinator Position to Sibley East School District, \$17,417.40. (\$7.80*2,233 residents)
 - D) Authorize Replacement of VFD Drive at Water Plant from Ideal Service (\$2,870.00).
 - E) Approval of Hiring Joseph Lemke, Volunteer EMT, Arlington Area Ambulance.
 - F) Approval of Hiring Brad Droege, Volunteer EMT, Arlington Area Ambulance.
 - G) Approval of Hiring of Edward Aranda as Community Center Attendant.

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Presentation of CenterPoint Energy Community Partnership Grant Award to the City of Arlington Fire Department. (Kyle Popt, CPE Home Service Plus Special Tech)
 - B) Citizens Addressing the Council.
6. Announcements
 - A) Sibley County Municipalities Association at Henderson Roadhaus – June 17, 2014, 6:00 p.m.
 - B) LMC's Annual Meeting in St. Cloud – June 18-20, 2014.
 - C) City Offices will be closed on Friday, July 4th for the Independence Day Holiday.
 - D) MMPA Annual Summer Meeting, North St. Paul, July 22, 2014 at 5:30 p.m.
7. Communications
 - A) May Financial Reports.
 - B) 2013 Drinking Water Report.
 - C) Pay Equity Compliance.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

8. Yearly Update: Ridgeview Sibley Medical Center (Todd Sandberg).

ORDINANCES & RESOLUTIONS

9. Ordinances

- A) First Reading: Ordinance 287 “An Ordinance Amending Ordinance 267, An Ordinance Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor within the City of Arlington, Minnesota, by Amending Section 21. Hours and Days of Sale.”

10. Resolutions

- A) 37-2014 – Approving the Preliminary and Final Plat of “HUTCHO SCOTTEQUIP SUBDIVISION” A Replat of a Portion of “Arlington Industrial Park”.
- B) 38-2014 – Approving/Denying a Variance to Required Maximum Building Height for an Elevator and Fertilizer Storage Facility at 23189 State Highway 5.
- C) 39-2014 – Approving/Denying Rezoning a Portion of Parcel Number 31.0881.000 from R-1 One and Two Family Residential to B-1 Service Business District.
- D) 40-2014 – Accepting a Donation from the Arlington Lions Club and Designating Its Use Toward the Purchase and Planting of Trees.

UNFINISHED BUSINESS

11. None.

NEW BUSINESS

12. Jason Femrite, City Engineer, Bolton & Menk.
 - A) Approve/Not Approve 2014 Seal Coating Plan and Authorize Advertisement for Bids.
 - B) 2015 Street & Utility Improvement Project.
13. Approve/Not Approve Request from Arlington Dugout to Use Main Street for Town Cook Out on Third Thursdays (June-September, 2014) and Allow Alcohol to be Consumed within those Boundaries.
14. Authorize/Not Authorize Haggemiller Lumber to Replace Roof and Wall Steel on Park Shelter at Sportsmans Park, \$6,855.53.
15. CLOSED SESSION - For the purposes of evaluating an employee’s performance.

MISCELLANEOUS BUSINESS

16. Set Budget Workshop Date and Time (Proposed Dates: July 21st or August 4th at 5:00 p.m.).
17. Council Committee Updates.
18. Open Discussion.

ADJOURNMENT

Reminders:

Parks – June 23rd @ 7 pm (tentative)
EDA – June 24th @ 6 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
JUNE 16, 2014**

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

Members present: Jaszewski, Mayor Kreft, Nuesse, Reetz, Ruehling, Wills

Members absent: None

Also present: City Administrator Donabauer, City Attorney Arneson, Police Chief Danner, City Engineer Jason Femrite, RSMC Adm. Todd Sandberg; RSMC Board Member Kevin Lindstrand; Matt and Corine Carney, Steve Thompson of Overland Engineering; Kyle Popt of CenterPoint Energy, Kurt Menk

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

Date correction: item 4A) Approval of the June 2nd Regular Meeting Minutes.

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

- A) Approval of the June 2nd Regular Meeting Minutes
- B) Approval of Bills
- C) Authorize Payment for City's Portion of the Community Education/Recreation Coordinator Position to Sibley East School District, \$17,417.40 (\$7.80*2,233 residents)
- D) Authorize Replacement of VFD Drive at Water Plant from Ideal Service (\$2,870.00)
- E) Approval of Hiring Joseph Lemke, Volunteer EMT, Arlington Area Ambulance
- F) Approval of Hiring Brad Droege, Volunteer EMT, Arlington Area Ambulance
- G) Approval of Hiring of Edward Aranda as Community Center Attendant.

It was noted that there were no public hearings scheduled.

Kyle Popt CenterPoint Energy Home Service Plus Special Tech, was present to award the Arlington Fire Department with a CenterPoint Energy Community Partnership Grant in the amount of \$750, which is to be used to help purchase a multi-use gas monitor/detector. He stated that the grant program was designed to partner with communities to help purchase safety equipment; and to-date have awarded over \$1.2 million in grants and have helped 632 projects.

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

The following announcements were reviewed:

- A) Sibley County Municipalities Association at Henderson Roadhaus – June 17th, 2014, 6:00 pm.
- B) LMC's Annual Meeting in St. Cloud – June 18-20, 2014
- C) City Offices will be closed on Friday, July 4th for the Independence Day Holiday
- D) MMPA Annual Summer Meeting, North St. Paul, July 22, 2014 at 5:30 pm.

The Council reviewed the following communications:

- A) May Financial Reports
- B) 2013 Drinking Water Report
- C) Pay Equity Compliance.

The first reading of Ordinance 287-An Ordinance Superseding Ordinance 280 Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor within the City of Arlington, Minnesota, was held. Adm. Donabauer explained that the ordinance was being amended to reflect a 2 A.M. closing time for liquor establishments as had been requested by the Arlington Dugout. She stated

that she had spoken with both Interim Police Chief Doeden and soon-to-be Police Chief Danner about the extended closing time. Neither one was opposed to the change, but had suggested that the bar/establishment closes at 2 A.M., not the additional half hour (2:30) that the ordinance allows for. Adm. Donabauer commented that a public hearing was not needed as there were no zoning related issues. Some concern was expressed about how the extended hours would affect the schedule for the police department. Matt Carney commented that he would like to be able to sell right up to 2 AM (last call) and still have the extra (evacuation) time to close down. Chief Danner held firm on the closing time being 2 AM. Attorney Arneson talked about last call/sale and evacuation time. It was noted that no other liquor establishments in Sibley County have the 2 AM closing. Ruehling expressed concern for public safety as he sees people ‘racing’ from neighboring towns to come get another drink knowing Arlington has the 2 AM closing.

RSMC Adm. Todd Sandberg presented the annual report for the Ridgeview-Sibley Medical Center/Clinic. Kevin Lindstrand, President of the SMC Foundation, was also present. Sandberg commented that the official affiliation with Ridgeview took place January 1, 2014. He stated that in conjunction with the Ridgeview Affiliation their primary focus is physician recruitment and primary care. He commented that they are looking at growth opportunities such as pain management, orthopedics, etc., along with ways to improve the emergency department. He added that a good relationship has developed with the nursing home facilities. It was noted that a master facility plan was in the process of being reviewed as they look ahead to future needs (of the campus, services, etc.). Kevin Lindstrand commented that it has been a busy 5-6 months since the affiliation and it has been a positive experience.

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

RESOLUTION 37-2014

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT OF “HUTCHCO SCOTTEQUIP SUBDIVISION” A REPLAT OF A PORTION OF “ARLINGTON INDUSTRIAL PARK”.

WHEREAS, Hutchinson Co-Op is requesting approval of a replat of a portion of the Arlington Industrial Park so as to facilitate expansion of an existing use; and,

WHEREAS, preliminary and final plats for “Hutchco Scottequip Subdivision” have been developed and are attached hereto as “Exhibit A”; and,

WHEREAS, the Planning and Zoning Commission held a public hearing on the preliminary plat following proper publication, posting, and mailing of notices; and,

WHEREAS, the Planning and Zoning Commission finds the resulting lots conform to all lot standards in the appropriate zoning classification; and,

WHEREAS, following a public hearing the Planning and Zoning Commission recommended the City Council approve preliminary and final plats for Hutchco Scottequip Subdivision; and,

WHEREAS, the City Council finds improvements are not contemplated as the “Hutchco Scottequip Subdivision” is a replat of an existing improved area; and,

WHEREAS, the City Council finds the preliminary plat is compatible with the Comprehensive Plan and conforms with or exceeds the design standards established by the Subdivision Ordinance; and,

WHEREAS, the Subdivision Ordinance provides for simultaneous review of preliminary and final plats for simple resubdivisions of property.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the preliminary and final plat of “Hutchco Scottequip Subdivision”.

BE IT FURTHER RESOLVED the City Council hereby authorizes and directs execution of the final plat as required under law.

BE IT FURTHER RESOLVED the City Council hereby authorizes and directs recording of the final plat with the Sibley County Recorder.

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 16th day of June, 2014.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Liza M. Donabauer, City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

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

RESOLUTION 38-2014

A RESOLUTION APPROVING A VARIANCE TO REQUIRED MAXIMUM BUILDING HEIGHT FOR AN ELEVATOR AND FERTILIZER STORAGE FACILITY AT 23189 STATE HIGHWAY 5

WHEREAS, Hutchinson Co-Op has submitted a request for a variance from the required maximum height in the I-1 Light Industrial District under Section 9, Subd. 4(A) of the Arlington Zoning Ordinance; and,

WHEREAS, the purpose of the variance is to accommodate the height of a conveyer used to fill storage bins; and,

WHEREAS, notice of a public hearing to accept input on the variance request was published in the official newspaper on May 15, 2014 and sent to property owners within 350 feet of the property; and,

WHEREAS, the Planning and Zoning Committee acting as the Board of Zoning Adjustment conducted a public hearing on the variance request on June 3, 2014 and accepted input on the variance request; and

WHEREAS, the Planning Committee approved a resolution recommending the City Council approve the variance request; and,

WHEREAS, the City Council has reviewed the variance request and made the following findings:

- The variance is consistent with the Comprehensive Plan in terms of the future use classification and economic development priorities to expand existing facilities. The proposed structure houses vertical storage facility for fertilizer and the bin size required necessitates a building height of 46' 2". The fertilizer bin is an essential function of the existing use as operated by Hutch Co-Op.
- The I-1 District provides for administrative, wholesaling, manufacturing, and related uses which can maintain high standards of appearance, including open spaces and landscaping, and limit external effects such as noise, odors, smoke and vibration. The proposed expansion of an existing use and the quality building is consistent with applicable standards in the I-1 zoning district. The limited height variance will accommodate a piece of equipment used at the fertilizer plant.
- The variance will provide for the expansion of an existing ag-based business within the City of Arlington. The variance height is essential to the function of the cooperative at the Arlington site.
- The property is an existing cooperative facility including a fertilizer plant. The expansion is proposed to enhance the existing operation. The excess building height will not include livable/useable space.
- The surrounding locale is industrial in nature. The existing business operation is a permitted use in the applicable district. The proposed structure will not significantly deviate from the required maximum height and therefore, not alter the essential character of the locality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON THAT: the City Council of the City of Arlington hereby approves a request for a variance to the maximum building height for a structure at 23189 State Highway 5.

BE IT FURTHER RESOLVED: The maximum height of the structure at 23189 shall not exceed forty-six and one half (46½) feet; except the elevator tower itself is exempt from this requirement.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Nuesse and upon poll being taken thereon the following voted in favor thereof: Jaszewski, Nuesse, Reetz, Ruehling, Wills; and the

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 16th day of June, 2014.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Liza M. Donabauer, City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

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

RESOLUTION 39-2014

A RESOLUTION APPROVING REZONING A PORTION OF PARCEL NUMBER 31.0881.000 FROM R-1 ONE AND TWO FAMILY RESIDENTIAL TO B-1 SERVICE BUSINESS DISTRICT

WHEREAS, Mark Hennen (the Property Owner) and Overland Engineering (the Developer) have submitted a request to rezone an area approximately 100' X 266' from R-1 Single and Two Family to B-1 Service Business District; and,

WHEREAS, the purpose of the rezoning is to accommodate a retail facility; and,

WHEREAS, notice of a public hearing to accept input on the variance request was published in the official newspaper on May 15, 2014 and sent to property owners within 350 feet of the property; and,

WHEREAS, the Planning and Zoning Committee conducted a public hearing on the rezoning request on June 3, 2014; and

WHEREAS, the Planning and Zoning Committee approved a resolution recommending the City Council approve the rezoning request; and

WHEREAS, the City Council has reviewed the rezoning request and has made the following findings:

1. The 2008 Arlington Comprehensive Plan provides for highway commercial development adjacent to arterial street corridors, most notably the T.H. 5 corridor. The proposed lot abuts T.H. 5 just south of Frenzel Park.
2. The Future Land Use Map contained in the Arlington Comprehensive Plan guides the area to a combination of commercial and tiered residential density use in the future. The strip zoned commercial was done as a means of ordering future commercial and transitional residential density for the area but without the development of a plat. At this time the subject lot is proposed for a split from the larger development property. As such the known boundary for commercial property is now evident. The proposed rezoning reflects intent of future uses in the area. The existing uses within the subject area include a public park, industrial, commercial, and agricultural. As such the proposed rezoning is compatible with existing uses.
3. There is no minimum lot size or required lot width within the B-1 Service Business District. As such the proposed lot and rezoning conforms with the standards of the B-1 District.
4. The subject parcel is adjacent to existing urban services. The proposed retail structure will be serviced by municipal utilities. Sanitary sewer is to the site, water main will need to be extended from Polar Circle to Highway 5. Storm water must not exceed pre-development rates in terms of total volume, runoff rate, and/or pollutant load.
5. The rezoning request impacts an area approximately 100' by 266'. The request will not alter the future vision for the area which is one of a transition between higher intensity commercial uses and low density residential.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON THAT: the City Council of the City of Arlington hereby approves a request to rezone a portion of PID 31.0881.000, an area approximately 100' X 266' from R-1 Single and Two Family to B-1 Service Business District certain property contingent upon approval of a site plan by the City Council.

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: Jaszewski, Nuesse, Reetz, Ruehling, Wills; and the

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 16th day of June, 2014.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Liza M. Donabauer, City Administrator

Whereupon the 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 40-2014

A RESOLUTION ACCEPTING A DONATION AND DESIGNATING ITS USE

WHEREAS, Minnesota State Statutes 465.03 states that cities may accept gifts of real or personal property, including money, and use them in accordance with the terms the donor prescribes; and

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

WHEREAS, every such acceptance shall be by resolution of the governing body adopted by two-thirds majority of its members; and

WHEREAS, the City of Arlington has received a donation of a \$2,000 from the Arlington Lions Club for the purchase and planting of trees; and

WHEREAS, charitable contributions to governmental units are tax-deductible under Section 170(c)(1) of the Internal Revenue Code if made for public purpose, and

WHEREAS, the Arlington City Council would like to express its thankfulness for this gracious community support, and

NOW THEREFORE BE IT RESOLVED, pursuant to Minnesota State Statute 465.03 the Arlington City Council does hereby accept the aforementioned donation.

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 16th day of June, 2014.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Liza M. Donabauer, City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

Engineer Femrite was present to discuss the 2014 Seal Coating Project. He stated that he and Maintenance Supervisor Voigt had reviewed the streets scheduled to be done for this project. He commented that the City has also been discussing the 2015 Street Improvement Project. It was noted that if a street is part of the 2015 project and is also slated for seal coating, it would be removed from the seal coating project. Engineer Femrite reviewed the advertisement for bids for the seal coating project, noting the deadline is July 17th and the work is scheduled to be completed in August. Brief discussion was held on a proposed new 'fog' seal process (regular seal coating process with additional layer over the top of it).

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve the 2014 Seal Coating Plan and authorize the Advertisement for Bids.

Discussion was held on the 2015 Street & Utility Improvement Project. Engineer Femrite commented that there was some question about possibly revising the scope of the project due to the recent flooding. It

was noted that some of the streets proposed in the project are to be televised this year, which will give the City a better idea of what they will be dealing with (conditions of pipe). Engineer Femrite stated he understands the concerns about the flooding recently and wanting to possibly change the scope of the project to address same. He explained that the improvements proposed (better, deeper outlet and larger pipes) will help with the drainage problem in the long run. Engineer Femrite stated that Bolton & Menk will be finalizing the preliminary report. He and City Administrator Donabauer will then meet with the Watershed District to keep them up-to-date on the project before bringing anything back to the Council.

Matt and Corine Carney were present to discuss the idea of a “Town Cook Out” to be held one Thursday evening a month during the summer months on Main Street where people can bring their classic cars, bikes or tractors to show them off. Food vendors would also be allowed. Matt Carney stated that they had approached local businesses to see if they would be interested and presented a signed petition from those who were. He feels this would bring people to town so they can see what Arlington has to offer. It was noted that Henderson and Lafayette have had good turnouts to their events. Ruehling questioned if the request was to close down Main Street (or section of it) and also allow alcohol or not. Carney stated he would like to see part of Main Street closed for safety reasons and allow alcohol in a specified area only. Policing of the event was questioned. Wills commented that additional policing should be paid for by the event. Concern was also expressed about trash left behind after the event and need for port-a-potties. Carney stated that he has spoken with the business owners about cleaning up in front of their businesses and or providing extra trash cans. Mayor Kreft commented that the County would have to be approached about closing the road since Main Street is technically a county road. Adm. Donabauer was asked to look into this request further. Attorney Arneson will review the State Statutes regarding the liquor portion of the request. Carney was opposed to a fenced off area with regards to where the alcohol could/not be. He commented that the intent of the event is to benefit all Main Street businesses. More information will be obtained via City Staff, the Carneys and City Attorney Arneson and brought to a future Council meeting.

The Council reviewed a bid in the amount of \$6,855.53 from Haggemiller Lumber to replace the roof and wall steel on the Park Shelter at the Sportsman’s Park.

Motion by Ruehling, seconded by Jaszewski, and passed by unanimous vote to approve the above mentioned bid.

Brief discussion was held on setting budget meetings. It was noted that the County had sent notice that cities were being allowed to push back their Tax Levy Certifications to September 30th this year. It was the consensus of the Council to hold a budget workshop meeting on July 21st at 5 pm.

Jaszewski gave an update on the Parks Committee. He stated that after touring all the parks, it was determined that mulch, red rock and weeding were much needed. The Parks Committee intends to focus on Sportsman’s Park in 2014-2015 and then focus on the Four Seasons Park, Senior Building and Shelter in 2016. It was noted that the lawn mower and leaf blower equipment has been breaking down.

Adm. Donabauer commented that there is considerable cleanup to be done after the June 14th storm. Residents were encouraged to bring branches, etc. to the City’s compost site when possible. Adm. Donabauer stated that Sibley County Emergency Services Manager noted that Arlington appeared to be hit the hardest in the County.

At 8:25 pm Mayor Kreft recessed the regular meeting to hold a closed meeting.

Mayor Kreft called the closed meeting to order. He stated the purpose of the closed meeting was to evaluate an employee’s performance. Discussion was held.

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

Mayor Kreft adjourned the closed meeting and reconvened the regular meeting at 8:30 pm.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to approve the termination of Lee Zwart, Maintenance Worker, with cause, upon the recommendation of the City Administrator and Maintenance Supervisor, effective Tuesday, June 17, 2014.

With consensus, the Council authorized Bob Shanahan's Tree Service to chip large brush along the City boulevards and remove dangerous and broken branches from boulevard trees. City mowers Matt Pichelmann and John Doerr to pick up small brush.

Motion by Nuesse, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 8:52 pm.

City Administrator Liza M. Donabauer

Mayor James R. Kreft