

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
OCTOBER 7, 2013 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 September 16th Regular Meeting Minutes.
  - B) Approval of Bills.
  - C) Authorize Signature and Entering into 60-Month Lease with U.S. Bank Equipment Finance for a Toshiba e-Studio 3555C Copier from Copier Business Solutions at \$138.65/month.

**PUBLIC HEARINGS (NONE)**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) Citizens Addressing the Council.
6. Announcements
  - A) Wednesday, October 9, 5:30 ó 7 p.m. ó Arlington Fire Department Home Delivery (Local Restaurant Food Delivery & Replace Batteries in Smoke Detectors).
  - B) Friday, October 11, 5:30 ó 7 p.m. ó Fire Prevention & Safety Open House at EMS Building.
  - C) Thursday, October 31, 5:30 p.m. ó Arlington Area Chamber of Commerce Fright Night, Downtown Halloween Trick-or-Treat Event.
7. Communications
  - A) August Water/Wastewater Report.
  - B) September Building Permit Report.
  - C) September Financial Reports.
  - D) Arli-Dazzle Parade Registration Form.

## ORDINANCES & RESOLUTIONS

### 8. Ordinances

- A) Second Reading: Ordinance 283 – An Ordinance to Regulate the Keeping of Animals within the City Limits of Arlington. This Ordinance Supersedes Ordinances 172, 185, 186 and 206 in their Entirety.

### 9. Resolutions

- A) 37-2013 – A Resolution Accepting A Donation of Cabinetry from Kreft Cabinets and Designating its Use at the EMS Building.
- B) 38-2013 – A Resolution Accepting A Donation of a Park Bench from Midwest Playscapes in Memory of Dan – Buckö Thomes and Designating Its Use at Sportsman’s Park.
- C) 39-2013 – A Summary Publication of Ordinance 283 – An Ordinance to Regulate the Keeping of Animals within the City Limits of Arlington. This Ordinance Supersedes Ordinances 172, 185, 186 and 206 in their Entirety.
- D) 40-2013 - Approving a Construction and Maintenance Easement for the CR 166, Parcel #13A, 387<sup>th</sup> Ave, Prairie Line Trail Construction.
- E) 41-2013 - Approving a Construction and Maintenance Easement for the CR 166, Parcel #6, 387<sup>th</sup> Ave, Prairie Line Trail Construction.
- F) 42-2013 - Approving a Construction and Maintenance Easement for the CR 166, Parcel #13, 387<sup>th</sup> Ave, Prairie Line Trail Construction.

## UNFINISHED BUSINESS

### 10. Discussion Items.

## NEW BUSINESS

### 11. Arli-Dazzle (Kim Schneider)

- A) Approve/Deny Parade Route Permit Request and – No Parking – Signs for the Parade.
- B) Approve/Deny Closing a Portion of Main Street on December 7 for Pre-Parade Activities.
- C) Approve/Deny the Placement of Fire Pits on a Public Right-of-Way during the Parade.
- D) Approve/Deny the Use of Main Street Parking Lot as a – Fish House Campö.
- E) Discussion on Staff Use and City Involvement on Saturday, December 7.

### 12. Approve/Deny Closing of Alley North of Main Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue along with Main Street from 5<sup>th</sup> Avenue to 1<sup>st</sup> Avenue for a Chamber of Commerce Event on Halloween.

### 13. Jeff Paine, Maintenance Worker.

- A) Accept Resignation.
- B) Discuss Interim.

## MISCELLANEOUS BUSINESS

### 14. Council Committee Updates

### 15. Open Discussion

## ADJOURNMENT

#### Reminders:

EDA – October 22<sup>nd</sup> @ 6 pm

A-GI WW – October 24<sup>th</sup> @ 5 pm

Parks – October 28<sup>th</sup> @ 7 pm

Hospital Board – October 28<sup>th</sup> @ 5 pm (SMC)

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
OCTOBER 7, 2013**

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

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

Members absent: None

Also present: City Administrator Donabauer, City Attorney Arneson, Kim Schneider, Kurt Menk

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

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

- A) Approval of the September 16<sup>th</sup> Regular Meeting Minutes
- B) Approval of Bills
- C) Authorize Signature and Entering into 60-Month Lease with U.S. Bank Equipment Finance for a Toshiba e-Studio 3555C Copier from Copier Business Solutions at \$138.65/month.

It was noted that there were no public hearings scheduled.

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

The announcements were reviewed:

- 1) Wednesday, October 9, 5:30-7 p.m. ó Arlington Fire Department Home Delivery (Local Restaurant Food Delivery & Replace Batteries in Smoke Detectors).
- 2) Friday, October 11, 5:30-7 p.m. ó Fire Prevention & Safety Open House at EMS Building
- 3) Thursday, October 31, 5:30 p.m. ó Arlington Area Chamber of Commerce Fright Night, Downtown Halloween Trick-or-Treat Event.

The Council reviewed the following communications:

- A) August Water/Wastewater Report
- B) September Building Permit Report
- C) September Financial Reports
- D) Arli-Dazzle Parade Registration Form.

The second reading of Ordinance 283-An Ordinance to Regulate the Keeping of Animals within the City Limits of Arlington. This Ordinance Supersedes Ordinances 172, 185, 186 and 206 in their Entirety, was held. Adm. Donabauer commented that the ordinance was basically staying the same, except that the language referring to animal impoundment at the local vet clinic was being removed as this was no longer an option available to the City; and the language referencing strays animals was being amended to reflect that the City will no longer be picking up strays.

Motion by Reetz, seconded by Ruehling, and carried (Wills opposed) to approve Ordinance 283 ó An Ordinance to Regulate the Keeping of Animals within the City Limits of Arlington. This Ordinance Supersedes Ordinances 172, 185, 186 and 206 in their Entirety, as follows:

**ORDINANCE NO. 283**

**AN ORDINANCE TO REGULATE THE KEEPING OF ANIMALS WITHIN THE CITY LIMITS OF ARLINGTON. THIS ORDINANCE SUPERSEDES ORDINANCES 172, 185, 186 AND 206 IN THEIR ENTIRETY**

*(See official ordinance book for complete copy of ordinance.)*

Adopted by the City of Arlington on the 7<sup>th</sup> day of October, 2013.

For City of Arlington:

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

/s/ Liza M. Donabauer  
By Liza M. Donabauer  
Itø City Administrator

Mayor Kreft excused himself from the meeting, in turn giving control of the meeting to Vice Mayor Ruehling briefly.

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

**RESOLUTION 37-2013**  
**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 upper and lower cabinets with countertop from Kreft Cabinets to be installed and used in the meeting room at the EMS Building; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Arlington that the City accepts the donation of cabinetry in full and designates its use in the EMS Buildingø meeting room.

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.

Approved by the City Council of the City of Arlington this 7<sup>th</sup> day of October, 2013.

CITY OF ARLINGTON, MINNESOTA

/s/ Jason Ruehling, Vice 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.

Mayor Kreft resumed control of the meeting from Vice Mayor Ruehling.

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

**RESOLUTION 38-2013**  
**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 a park bench from Midwest Playscapes to be used at Sportsmanø Park, in memory of Dan øBuckø Thomes, Streets/Parks/Cemetery/Grounds Superintendent; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Arlington that the City accepts the park bench in full and designates its use at Sportsmanø Park.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Jaszewski 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.

Approved by the City Council of the City of Arlington this 7<sup>th</sup> day of October, 2013.

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 39-2013**

**A RESOLUTION PROVIDING FOR SUMMARY PUBLICATION OF ORDINANCE 283 ENTITLED “AN ORDINANCE TO REGULATE THE KEEPING OF ANIMALS WITHING THE CITY LIMITS OF ARLINGTON. THIS ORDINANCE SUPERSEDES ORDINANCES 172, 185, 186 AND 206 IN THEIR ENTIRETY”.**

**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 update Ordinance (Ordinance 283) superseding Ordinances 172, 185, 186 and 206 regulating the keeping of animals within the City of Arlington after finding portions of said Ordinance (206) in regard to Arlington Animal Clinic as an impoundment site no longer accurate; and

**WHEREAS**, the City Council held a first reading of Ordinance 283 at its regular meeting on September 16, 2013; and

**WHEREAS**, the City Council approved the second reading and adoption of Ordinance 283 at its regular meeting on October 7, 2013; and

**WHEREAS**, Chapter 6, Section 2 of the Arlington City Charter requires publication of Ordinances following first and second reading and approval; and,

**WHEREAS**, City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 283 entitled “An Ordinance to Regulate the Keeping of Animals within the City Limits of Arlington. This Ordinance supersedes Ordinances 172, 185, 186 and 206 in their Entirety” 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 283 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 October 7, 2013, the City Council of the City of Arlington approved Ordinance 283 entitled “An Ordinance to Regulate the Keeping of Animals within the City Limits of Arlington. This Ordinance Supersedes Ordinances 172, 185, 186 and 206 in their Entirety”. 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. Ordinance 283 amends ordinance 206, deleting paragraph 11 referring to the Arlington Animal Clinic as the impoundment site, and states that the City will not pick up stray animals. Some references to veterinarians were deleted in paragraph 12.”

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: 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.

Approved by the City Council of the City of Arlington this 7<sup>th</sup> day of October, 2013.

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 40-2013**

**A RESOLUTION APPROVING A CONSTRUCTION AND MAINTENANCE EASEMENT FOR THE CR 166, PARCEL #13A, 387<sup>TH</sup> AVE, PRAIRIE LINE TRAIL CONSTRUCTION.**

**WHEREAS**, the plans for the Prairie Line Trail Construction Project, and the reconstruction of County Road 166 from CSAH 17 to 387<sup>th</sup> Avenue and the reconstruction of 387<sup>th</sup> Avenue from CR 166 to Sportsmanø Park by Sibley County has been presented to the City of Arlington and they have been reviewed and approved by the Arlington City Council; and

**WHEREAS**, the City of Arlington has jurisdiction over and ownership of Sportsmanø Park; and

**WHEREAS**, the occupancy will cause no harm in nature to Sportsmanø Park and there will be no change in ownership of the land; and

**WHEREAS**, there are no anticipated permanent adverse physical impacts nor will there be interference with the activities or purposes of the park on a either a permanent or temporary basis; and

**WHEREAS**, the land being used will be fully restored to a condition that is at least as good as the one that existed prior to the project

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Arlington, Minnesota, that the City agrees with the work that is being proposed to be done, and that a construction and maintenance easement of the trail within the 1.67 acre parcel for the Prairie Line Trail Construction Project is hereby approved for the reconstruction of County Road 166 from CSAH 17 to 387<sup>th</sup> Avenue and the reconstruction of 387<sup>th</sup> Avenue from CR 166 to the Sportsmanø Park.

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.

Approved by the City Council of the City of Arlington this 7<sup>th</sup> day of October, 2013.

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 41-2013**

**A RESOLUTION APPROVING A CONSTRUCTION AND MAINTENANCE EASEMENT FOR THE CR 166, PARCEL #13, 387<sup>TH</sup> AVE, PRAIRIE LINE TRAIL CONSTRUCTION.**

**WHEREAS**, the plans for the Prairie Line Trail Construction Project, and the reconstruction of County Road 166 from CSAH 17 to 387<sup>th</sup> Avenue and the reconstruction of 387<sup>th</sup> Avenue from CR 166 to Sportsmanø Park by Sibley County has been presented to the City of Arlington and they have been reviewed and approved by the Arlington City Council; and

**WHEREAS**, the City of Arlington has jurisdiction over and ownership of Sportsmanø Park; and

**WHEREAS**, the occupancy will cause no harm in nature to Sportsmanø Park and there will be no change in ownership of the land; and

**WHEREAS**, there are no anticipated permanent adverse physical impacts nor will there be interference with the activities or purposes of the park on a either a permanent or temporary basis; and

**WHEREAS**, the land being used will be fully restored to a condition that is at least as good as the one that existed prior to the project

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Arlington, Minnesota, that the City agrees with the work that is being proposed to be done, and that a construction and maintenance easement of the trail within the .69 acre strip of right of way and .42 acre for a temporary easement for the Prairie Line Trail Construction Project is hereby approved for the reconstruction of County Road 166 from CSAH 17 to 387<sup>th</sup> Avenue and the reconstruction of 387<sup>th</sup> Avenue from CR 166 to the Sportsmanø Park.

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.

Approved by the City Council of the City of Arlington this 7<sup>th</sup> day of October, 2013.

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 Ruehling introduced the following resolution and moved for its adoption:

**RESOLUTION 42-2013**

**A RESOLUTION APPROVING A CONSTRUCTION AND MAINTENANCE EASEMENT FOR THE CR 166, PARCEL #6, 387<sup>TH</sup> AVE, PRAIRIE LINE TRAIL CONSTRUCTION.**

**WHEREAS**, the plans for the Prairie Line Trail Construction Project, and the reconstruction of County Road 166 from CSAH 17 to 387<sup>th</sup> Avenue and the reconstruction of 387<sup>th</sup> Avenue from CR 166 to Sportsmanø Park by Sibley County has been presented to the City of Arlington and they have been reviewed and approved by the Arlington City Council; and

**WHEREAS**, the City of Arlington has jurisdiction over and ownership of Sportsmanø Park; and

**WHEREAS**, the occupancy will cause no harm in nature to Sportsmanø Park and there will be no change in ownership of the land; and

**WHEREAS**, there are no anticipated permanent adverse physical impacts nor will there be interference with the activities or purposes of the park on a either a permanent or temporary basis; and

**WHEREAS**, the land being used will be fully restored to a condition that is at least as good as the one that existed prior to the project

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Arlington, Minnesota, that the City agrees with the work that is being proposed to be done, and granting a permanent easement of .47 acre of the trail and .09 acre for a temporary easement for the Prairie Line Trail Construction Project is hereby approved for the reconstruction of County Road 166 from CSAH 17 to 387<sup>th</sup> Avenue and the reconstruction of 387<sup>th</sup> Avenue from CR 166 to the Sportsmanø Park.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Jaszewski 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.

Approved by the City Council of the City of Arlington this 7<sup>th</sup> day of October, 2013.

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.

Motion by Reetz, seconded by Jaszewski, and passed by unanimous vote to approve the request from the Chamber of Commerce to close the alley north of Main Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue along with Main Street from 5<sup>th</sup> Avenue to 1<sup>st</sup> Avenue for their Halloween event.

Kim Schneider was present to discuss the Arli-Dazzle Event. She stated that the event continues to grow, more things are being added, such as a vintage snowmobile show and 5K Run/Walk. She stated that the parade route would be crossing Hwy 5 this year and the staging area was being moved to the east end of Main Street by the City Shop. It was noted that Hwy 5 would not be completely closed during the parade; it would be controlled by the Police Department (essentially allowing cross traffic through). Due to time the starting time of the 5K and other activities, the Chamber was asking permission to close Main Street much earlier (12:00 pm) than previous years. Schneider commented that they are foreseeing things

winding down between 8-9 pm once all door prizes are given away. She commented that it is fun to see the excitement brew throughout the community and new ideas/events being added.

Motion by Reetz, seconded by Nuesse, and passed by unanimous vote to approve the following requests from the Chamber of Commerce for the Arli-Dazzle Event with the caveat that if the Police Dept. deems it is necessary to keep a portion of Main Street (in area of fish camp) closed longer it may:

- 1) Approve/Deny Parade Route Permit Request and "No Parking" Signs for the Parade.
- 2) Approve/Deny Closing a Portion of Main Street on December 7 for Pre-Parade Activities.
- 3) Approve/Deny the Placement of Fire Pits on a Public Right-of-Way during the Parade.
- 4) Approve/Deny the Use of Main Street Parking Lot as a "Fish House Camp".

Discussion was held on the use of City Staff and City Involvement for the Arli-Dazzle Event. It was suggested to see if the Sheriff's Department would be willing to provide officers to help out.

The Council reviewed a Letter of Resignation from Maintenance Worker Jeff Paine.

Motion by Wills, seconded by Nuesse, and passed by unanimous vote to accept with regret Jeff Paine's resignation as Maintenance Worker.

Adm. Donabauer explained that the Streets Committee had met to review the Maintenance Position. It was noted that the position would be posted for two weeks with interviews following and hoping to have new person hired by first week of November and on staff by mid to end of November. Adm. Donabauer stated that Jeff Paine had offered to come back (schedule permitting) to help hang Christmas decorations at time and a half (his hourly rate) during the interim. The Council did not feel that was a reasonable request and had offered \$15 per hour and were not favorable to after hours or weekends, which would incur staff overtime. It was suggested to see if past part-time staff had experience and could possibly help out.

Jaszewski commented that the Community Center Committee had met with Lana Beck recently. Beck had provided many ideas on how to make the Community Center more appealing/attractive; priority centered on new paint and lighting.

Jaszewski provided an update on the SMC/RMC Lease Agreement. He stated that things are moving along; the goal is Jan 1<sup>st</sup> for the transition to take place. He commented that a Community Health Assessment had been done and was available for review. It was noted that the Gaylord Clinic project was behind schedule due to the contractor's delay in ordering the flooring. The Winthrop Clinic was ahead of schedule and they anticipate seeing patients in December.

Reetz gave an update on the Planning & Zoning Committee. He stated that some ordinance amendments are in the works pertaining to permitting guidelines and home occupations.

Motion by Nuesse, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 7:40 pm.

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City Administrator Liza M. Donabauer

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Mayor James R. Kreft