

**SPECIAL JOINT CITY COUNCIL,
ECONOMIC DEVELOPMENT AUTHORITY, &
PLANNING & ZONING COMMITTEE
WORKSHOP MEETING AGENDA
THURSDAY, AUGUST 11, 2016 @ 6:00 P.M.
Arlington Community Center - Council Chambers**

1. Call to Order.
 - A) Council
 - B) EDA
 - C) Planning & Zoning
2. Pledge of Allegiance.
3. Approval of Agenda.
4. Rental Housing Issues
5. Adjourn – EDA portion
6. 6:45 p.m. – Council & PZ Discussion: Review Nuisance Ordinances
7. Adjourn
 - A) Planning & Zoning
 - B) Council

**SPECIAL ARLINGTON CITY COUNCIL,
JOINT EDA COMMITTEE &
JOINT PLANNING & ZONING COMMITTEE
MEETING MINUTES
AUGUST 11, 2016**

The Special Council Meeting was called to order at 6:05 p.m., Mayor Nagel presiding.

The Special EDA Meeting was called to order at 6:06 p.m., President Thomes presiding.

The Special Planning & Zoning Meeting was called to order at 6:07 p.m., Chairman Pauly presiding.

Council Members present: Battcher (via telephone), Heiland, Jaszewski, Mayor Nagel, Wills

Council Members absent: Nuesse

EDA Members present: Bergersen, Kloeckl, Sorenson, President Thomes, Councilmember Battcher (via telephone)

EDA Members absent: Hatlestad, Councilmember Nuesse

P&Z Members present: Carlson, Deno (arrived at 6:49), Grabitske, Chairperson Pauly, Pichelmann, Councilmember Battcher (via telephone)

P&Z Members absent: Kreft

Also present: City Administrator Donabauer, City Attorney Arneson, EDA Dir./P&Z Adm. Smith-Strack, Police Chief Danner

The agenda was approved as presented.

EDA Dir. Smith-Strack spoke about the importance of having a variety of life-cycle housing in a well-established community. A variety of life-cycle housing promotes a healthy community over time. She explained that different sizes, types, styles, values, configurations, and dwelling unit ownerships provide for the changing needs of residents as they move through lifespans from just starting out to end of life. Rental dwelling units are an essential component of complete housing supplies. Freestanding apartment buildings, apartment units above businesses, duplexes, rental town/twin homes, and single family rental houses are part of the housing mix and dispersed throughout the City; and are a vital part of the community.

Smith-Strack explained that the City (over the years) has received numerous complaints about rental housing within the community. Recently, she had been contacted by a local government unit inquiring if EDA Revolving Loan Funds (RLF) were available for rental housing (to mitigate health-related issues). After doing some research, she found the RLF could not, as they were very specific to commercial and industrial uses. She asked those present to consider the following:

- 1) How to process nuisance/health/safety complaints at this time;
- 2) Gauge interest in and support for a rental property loan fund (regular loan, not forgivable) to assist with specific rehabilitation and/or maintenance issues;
- 3) Discuss interest in a rental ordinance/rental licensing program.

The question was asked how many rental properties there were in Arlington. Smith-Strack stated that the number was unknown at this time; there was only knowledge of what is in apartment complexes, not single family housing. It was noted that the complaints have been coming from independently owned facilities, not managed facilities. EDA President Thomes commented that he doesn't want to add more rules and/or over tax people; he has been hearing via the public that the City is 'over ordinance' and

people don't want to move here for those same reasons. Attorney Arneson commented on student renters in single family units, what happens to those rental properties and what other cities are doing for such properties. He stated that rental housing should not be discouraged, but felt that some restrictions should be put in place.

Discussion was held on a proposed loan or incentive program. Smith-Strack stated the loan could be used for rehabilitation, maintenance, extermination of pests, address radon issues in single family home basements, etc. Licensing fees could be used to help build up a loan fund. Smith-Strack commented that a loan program does not need to be coupled with a rental ordinance, as they are separate issues. Thomes and Battcher were opposed to licensing fees. The question was asked what, if any, legal liability the City had with poor rental properties if the City does not have a rental ordinance or license. Attorney Arneson stated that the City does not have an obligation to regulate that industry. He added that even if a City does have regulations, but they are not followed/enforced and there is harm, cities are not liable per statute. It was noted that Human Services does address poor rental housing when they are alerted. Wills was opposed to a loan or ordinance; he felt that because landlords want to make money on their property, that they should then put the money back into it. PZ Member Pichelmann commented that he favored the idea of loaning money out so that more apartment complexes could be built versus putting it towards individual residential housing. Two questions were repeatedly asked: what is currently available for rental property and what is the need/demand. EDA Members Bergersen and Sorenson both felt that the EDA should discuss a loan/incentive for rental properties if there is a need (properties need work, but owners can't afford).

Motion by Sorenson, seconded by Bergersen, and passed by unanimous vote to adjourn the EDA portion of the special joint meeting.

President Thomes adjourned the EDA portion of the special joint meeting at 7:09 pm.

Adm. Donabauer stated that the Council and Planning & Zoning Committee were meeting to review/discuss Ordinance 300-Outdoor Storage. She stated that ordinance has been in place just over a year. City Staff/Police have received numerous complaints about the ordinance. Police Chief Danner shared the comments/complaints he has received from the public about the ordinance. Residents feel the ordinance is very aggressive and too restrictive. He wants to be as fair and consistent as is possible. He shared some of his concerns from the law enforcement side of the ordinance (determining how long something can sit outside before it is considered storage {bikes or kid's toys}, cannot go on private property to look inside trailers or look through fencing/screening materials, determining approved surfaces to park on, etc.).

Considerable discussion was held on whether or not to allow gravel in front yards. Concern was expressed about the appearance of front yards and maintaining adequate green space. Concern was also expressed about weeds/grass growing up through the gravel. Discussion was also held on the need to clarify the language regarding if an entire vehicle/trailer/camper must be on approved surface or just tires.

Mayor Nagel requested that the Planning Committee review Ordinance 300 and make the necessary changes. Smith-Strack asked if the Council had specific changes they'd like to see made. Adm. Donabauer read Councilmember Nuesse's comments (as she was unable to be at the meeting), which addressed protocol of sending out notices/warning letters to residents and also informing the public about the nuisance ordinances. Mayor Nagel suggested softening the tone of the letters sent out from the Police Department. Concern was expressed that one area of the city was being targeted more than the rest (due to staff perception of violations).

Motion by Grabitske, seconded by Pichelmann, and passed by unanimous vote to adjourn the PZ portion of the special joint meeting.

Chairperson Pauly adjourned the PZ portion of the special joint meeting at 7:53 pm.

Motion by Wills seconded by Heiland, and passed by unanimous vote to adjourn the Council portion of the special joint meeting at 7:54 pm.

EDA:

PLANNING & ZONING:

EDA Dir., Cynthia Smith-Strack

PZ Adm., Cynthia Smith-Strack

EDA President, Richard Thomes

Chairperson, Mark Pauly

Council:

City Administrator, Liza M. Donabauer

Mayor, Richard Nagel