

**ARLINGTON CITY COUNCIL
MEETING AGENDA
JULY 21, 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 July 7th Regular Meeting Minutes.
 - B) Approval of Bills.
 - C) Approval of Increasing Hourly Rate to \$8.00 for Ashley Mercier and Becky Ziegler, Library Assistants.
 - D) Approval of Road Closure from Clinton Street to Dayton Street on 3rd Ave SE as Requested by Pinske Real Estate & Auctioneers.

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council.
6. Announcements
 - A) MMPA Annual Summer Meeting, North St. Paul, July 22, 2014 at 5:30 p.m.
 - B) Filing for Mayor and Two City Council Positions from July 29 - August 12, 2014.
 - C) Primary Election is August 12, 2014.
 - D) RSMC Annual Ice Cream Social is August 20 from 4-7:30 p.m. in Memorial Park.
7. Communications
 - A) June Financial Reports
 - B) June Water/Wastewater Report.
 - C) Bolton & Menk's 2015 Street & Utility Improvements Proposed Project Schedule.
 - D) City of Arlington GreenStep City, Step 1 Level Certificate.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

8. Ordinances

None.

9. Resolutions

A) 47-2014 – Approving/Denying A Site Plan for a Retail Facility (Overland Engineering – Dollar General).

B) 48-2014 – Accepting a Bid and Awarding a Contract for the 2014 Bituminous Seal Coat of Various Streets.

C) 49-2014 - Approving a Gambling License for Ducks Unlimited.

D) 50-2014 – Ratifying Additional Mayoral Appointments.

UNFINISHED BUSINESS

10. None.

NEW BUSINESS

11. Approve/Not Approve Tax increment Financing/Tax Abatement Policy.

MISCELLANEOUS BUSINESS

12. Council Committee Updates.

13. Open Discussion.

A) Update on LED Sign Panels.

ADJOURNMENT

Reminders:

EDA – July 22nd @ 6 pm

Parks – July 28th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
JULY 21, 2014**

The regular meeting was called to order at 6:37 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

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

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

- A) Approval of the July 7th Regular Meeting Minutes
- B) Approval of Bills
- C) Approval of Increasing Hourly Rate to \$8.00 for Ashley Mercier and Becky Ziegler, Library Assistants
- D) Approval of Road Closure from Clinton Street to Dayton Street on 3rd Avenue SE as Requested by Pinske Real Estate & Auctioneers for an Auction on September 4, 2014.

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 following announcements were reviewed:

- A) MMPA Annual Summer Meeting, North St. Paul, July 22, 2014 at 5:30 pm
- B) Filing for Mayor and Two City Council Positions from July 29 – August 12, 2014
- C) Primary Election is August 12, 2014
- D) RSMC Annual Ice Cream Social is August 20th from 4-7:30 pm in Memorial Park.

The Council reviewed the following communications:

- A) June Financial Reports
- B) June Water/Wastewater Report
- C) Bolton & Menk's 2015 Street & Utility Improvements Proposed Project Schedule
- D) City of Arlington GreenStep City, Step 1 Level Certificate.

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

A memo from Zoning Consultant Smith-Strack, along with a site plan for the proposed Dollar General Store was reviewed. It was noted that the proposed access to the property could impact future traffic patterns. It was also noted that extension of the water main would need to be done to the property as it currently terminates at the end of Polar Circle. The water main extension would be placed in the right-of-way of the new street running east to State Hwy 5. If the Council decides to approve the site plan, the following conditions would have to be met:

- 1) The proposed 'use' of the facility is intended to be a 9,100 sq. ft. variety retail store at the northeastern-most corner of the property owned by Mark Hennen July 1, 2014;
- 2) Submittal of a revised set of plans illustrating compliance;
- 3) Compliance with all standards required and set forth by Consulting Planner Smith-Strack;
- 4) Compliance with all recommendations from City Engineer;

- 5) Approval of minor subdivision;
- 6) Submittal of revised landscaping plan;
- 7) Exterior siding may be steel but it shall feature concealed fasteners;
- 8) Any signage shall require submittal of a sign permit;
- 9) A building permit is required;
- 10) Approval of this site plan does not approve any future expansion.

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

RESOLUTION 47-2014

**A RESOLUTION APPROVING A SITE PLAN FOR A RETAIL FACILITY
(OVERLAND ENGINEERING – DOLLAR GENERAL)**

WHEREAS, Overland Engineering (the Developer) has submitted a request for site plan approval for a retail store; and,

WHEREAS, City staff and consultants have reviewed proposed plans for the retail facility and forwarded comments and recommendations to the City of Arlington; and,

WHEREAS, City staff, consultants, or the Applicant may refer site plan approval to the Planning and Zoning Committee and City Council for approval; and,

WHEREAS, The Consulting Planner has referred site plan approval to the Planning and Zoning Commission and City Council due to long-term transportation and drinking water system improvements necessitated by the site plan and required of the Developer at the Developer’s cost; and,

WHEREAS, the Planning and Zoning Commission on July 10, 2014 reviewed the request and recommended conditional approval of the site plan; and,

WHEREAS, the City Council reviewed the request at a regular meeting on July 21, 2014.

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

THAT: A site plan for a retail store at a portion of the Lot 1, Block 1 Martha Frenzel Addition is hereby approved based on the following conditions:

1. The “Use” is a 9,100 square foot retail facility (Dollar General) at the northeastern-most corner of property owned by Mark Hennen July 1, 2014.
2. Submittal of a revised set of plans (2 large scale sets and two 11 X 17 sets) illustrating compliance with required conditions of approval.
3. Compliance with all standards required and as set forth within a memo to the City Council from Consulting Planner, Cynthia Smith Strack, Municipal Development Group, dated July 15, 2014.
4. Compliance with all recommendations as set forth within a memo to Consulting Planner Strack from Jason Femrite, Bolton-Menk (City Engineer) dated July 10, 2014.
5. Approval of a minor subdivision. Said approval of a minor subdivision is conditioned on the following:
 - A. A sixty (60) foot right of way shall be provided north of the subject site extending from Highway 5 to a line perpendicular to the rear lot line of the subject site. Said right of way shall be designed as a local street and meet the design standards for local streets as specified by the City Engineer. At a minimum there shall be bituminous paving from the intersection with Highway 5 to a point at least ten (10) feet west of the local access/approach to the subject site. The paved width shall be a minimum of forty (40) feet. Concrete curb shall be installed.
 - B. A temporary turnaround, with a design approved by the City Engineer, shall be provided for west of the local access/approach to the subject site. It may be compacted gravel.
 - C. Water main shall be extended in the new street right of way from Polar Circle to the eastern property boundary (at Highway 5).
 - D. Drainage and utility easements shall be provided within ten (10) feet of both side lot lines and the rear lot line.

- E. Installation of eight (8) trees adjacent to the required street and along the length of the subject parcel. Said trees shall meet the species requirements contained in the Subdivision Ordinance and shall be planted within five feet of the public right of way, or at the Council's discretion within the right of way.
 - F. Payment of a fee in lieu of parkland dedication in the amount of \$464 (required for minor subdivision approval).
6. Submittal of a revised landscaping plan for administrative approval illustrating a landscaped buffer of at least 15 feet in depth in the rear yard. The buffer may extend into the required setback but shall not encroach into required utility/drainage easements. The buffer must be planted prior to the issuance of a certificate of occupancy for the project.
 7. Exterior siding may be steel but it shall feature concealed fasteners, unless a variance is approved by the City of Arlington related to exterior building materials.
 8. Any signage shall require submittal of a sign permit application and approval by the Zoning Administrator and/or Building Official.
 9. A building permit shall be required prior to any building construction or improvements on the property.
 10. This approval is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
 11. This approval shall expire one year after date of approval unless the Applicants have commenced construction of the Use on the Property.
 12. Approval of this site plan does not approve any future expansion or associated improvements on-site.
 13. Any modifications not defined as "minor" by the Zoning Administrator shall require separate site plan approval.

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.

The foregoing resolution was adopted by the City Council of the City of Arlington this 21st day of July, 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.

Adm. Donabauer stated that two bids had been received for the 2014 Seal Coating project. Both were over the budgeted amount of \$90,000. The City Engineer and Maintenance Supervisor reviewed the bids and were recommending certain streets be removed from the scope of the project (as they were part of the 2017-2018 Improvement Project) in order to meet budget. It was noted that by removing these streets, the project would be under budget and therefore another smaller street (Polar Circle) was added; still keeping project under budget. The total cost of the revised project would be \$85,490.87. Recommendation was to accept the low bid. Adm. Donabauer explained that even though Marion Drive, Circle Lane and Horseshoe Drive are fairly new streets (just done in last couple of years); they are being seal coated now to help prolong the life of the wear course (recommendations from the industry). Reetz commented that he had heard differently (not to seal coat newer roads).

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

RESOLUTION 48-2014

A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE 2014 BITUMINOUS SEAL COAT OF VARIOUS STREETS

WHEREAS, pursuant to an advertisement for bids for the 2014 Bituminous Seal Coat project; and

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

Caldwell Asphalt Co., Inc.	\$1.65/square yard
Pearson Bros., Inc.	\$1.45/square yard

AND WHEREAS, it appears that Pearson Bros., Inc. is the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED, by the City Council of Arlington, Minnesota, the Mayor and City Administrator are hereby authorized and directed to enter into a contract with Pearson Bros., Inc. in the name of the City of Arlington for the 2014 Bituminous Seal Coat Project according to the plans and specifications therefore approved and modified by the city council and on file in the office of the City Administrator.

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.

The foregoing resolution was adopted by the City Council of the City of Arlington this 21st day of July, 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 49-2014

A RESOLUTION APPROVING THE APPLICATION FOR A LAWFUL GAMBLING PERMIT FOR DUCKS UNLIMITED CHAPTER 191

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the application for a Lawful Gambling Permit as submitted by Ducks Unlimited Chapter 191 for a raffle event on September 11, 2014.

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 21st day of July, 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 Ruehling introduced the following resolution and moved for its adoption:

RESOLUTION 50-2014

A RESOLUTION RATIFYING ADDITIONAL MAYORAL APPOINTMENTS

BE IT RESOLVED that Mayor James R. Kreft has appointed the following individual to the following appointment:

Planning & Zoning Committee

Citizen Appointee: Bob Pichelmann (City of Arlington).

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.

The foregoing resolution was adopted by the City Council of the City of Arlington this 21st day of July, 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.

The Council reviewed a memo from EDA Director Smith-Strack regarding the need to adopt a Tax Increment Financing/Tax Abatement Policy. The proposed policy was reviewed and being recommended for approval by the EDA.

Motion by Jaszewski, seconded by Wills, and passed by unanimous vote to adopt the TIF (Tax Increment Financing)/Abatement Policy as presented (see attached).

Jaszewski gave an update on the most recent RSMC Board meeting. They reviewed the first quarter financials and approved the final audit which covered September through December 2013.

Adm. Donabauer gave a brief update on the sign panels for the LED sign. She has been in touch with the company making the panels to let them know that the new website was up and running so they could now move forward with designing the new panels. The new panels take approximately one month to make/install.

Motion by Nuesse, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 6:59 pm.

City Administrator Liza M. Donabauer

Mayor James R. Kreft