

**ARLINGTON CITY COUNCIL
MEETING AGENDA
NOVEMBER 7, 2011 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 October 17th Regular Meeting Minutes
 - B) Approval of Bills
 - C) Approve the Hiring of Nicholas Rauch to the Fire Department
 - D) Approve the Rehiring of Brian Frauendienst and Taylor Weber as Winter Snow Removal Helpers

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council
6. Announcements
 - A) City Offices will be closed on Friday, November 11 for the Veterans Day Holiday
 - B) City Offices will be closed on Thursday & Friday, November 24 & 25 for the Thanksgiving Holiday
 - C) Truth-in-Taxation Hearing is Monday, December 5 @ 6:00 p.m.
7. Communications
 - A) October Building Permit Report
 - B) October Police Calls Report
 - C) Leak Survey Report
 - D) Drainage Ditch Request

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

8. Ordinances

- A) 265 (2nd Reading) – Relating to Size Limits for Garages Attached to Existing Structures
- B) 266 (2nd Reading) – Accessory Uses in the Public Institutional District
- C) 267 (2nd Reading) – Beer and Liquor Ordinance

9. Resolutions

- A) 61-2011 – Summary Publication of Ordinance 265
- B) 62-2011 – Summary Publication of Ordinance 266
- C) 63-2011 – Summary Publication of Ordinance 267
- D) 64-2011 – Accepting Donation
- E) 65-2011 – Gambling Permit

UNFINISHED BUSINESS

NEW BUSINESS

10. Arli-Dazzle (Kim Vigen)

- 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 3rd for Pre-Parade Activities
- C) Approve/Deny the placement of Fire Pits on a Public Right-of-Way during the Parade
- D) Discussion on Staff Use on Saturday, December 3rd

11. Approve/Deny Sunday Liquor License for the Dugout

12. Approve/Deny Direction on Michael Neisen Criminal Case

13. Approve/Deny Selling Old Laptops

14.

MISCELLANEOUS BUSINESS

15. Set Date for Annual Meeting and Dinner

16. Council Committee Updates

17. Open Discussion

ADJOURNMENT

Reminders:

- A) EDA – November 22nd @ 6 pm
- B) Hospital – November 28th @ 5 pm (SMC)
- C) Parks – November 28th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
NOVEMBER 7, 2011**

The regular meeting was called to order at 6:40 p.m., Mayor Kreft presiding.

Members present: Mayor Kreft, Pederson, Pichelmann, Reetz, Ruehling, Wills

Members absent: None

Also present: City Administrator Jaunich, Attorney Arneson, Fire Dept. Jen Otto, Chamber President Kim Vigen, Kathy Homme, Arlington Dugout Owner Matt Carney, Kurt Menk

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

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

- A) Approval of the October 17th Regular Meeting Minutes
- B) Approval of the Bills
- C) Approve the Hiring of Nicholas Rauch to the Fire Department
- D) Approve the Rehiring of Brian Frauendienst and Taylor Weber as Winter Snow Removal Helpers.

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:

- 1) City Offices will be closed on Friday, November 11 for the Veteran's Day Holiday
- 2) City Offices will be closed on Thursday & Friday, November 24 & 25 for the Thanksgiving Holiday
- 3) Truth-in-Taxation Hearing is Monday, December 5 @ 6:00 p.m.

The Council reviewed the following communications:

- 1) October Building Permit Report
- 2) October Police Calls Report
- 3) Leak Survey Report
- 4) Drainage Ditch Request.

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

The second reading of Ordinance 265 – An Ordinance Amending Section 13, Subdivision 6(G) of Ordinance 169, The Arlington Zoning Ordinance, Relating to the Maximum Size of Accessory Structures Within the City, was held. A memo from PZ Adm. Smith-Strack was reviewed. Adm. Jaunich noted that there had not been any changes since the first reading.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve Ordinance 265 – An Ordinance Amending Section 13, Subdivision 6(G) of Ordinance 169, The Arlington Zoning Ordinance, Relating to the Maximum Size of Accessory Structures Within the City. *(See official ordinance book for complete ordinance.)*

The second reading of Ordinance 266 – An Ordinance Amending Section 10.5, Subdivision 5 of Ordinance 169, The Arlington Zoning Ordinance, Relating to Accessory Uses Within the Public Institutional District, was held. A memo from PZ Adm. Smith-Strack was reviewed. Adm. Jaunich commented that he had asked the Building Official to provide him with some information on ‘permanent’ structures, but had not received it in time for the meeting. It was noted that there had not been any changes since the first reading.

Motion by Ruehling, seconded by Pederson, and carried (Wills opposed) to approve Ordinance 266 – An Ordinance Amending Section 10.5, Subdivision 5 of Ordinance 169, The Arlington Zoning Ordinance, Relating to Accessory Uses Within the Public Institutional District. *(See official ordinance book for complete ordinance.)*

The second reading of Ordinance 267 – An Ordinance Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor Within the City of Arlington, Minnesota, was held. Adm. Jaunich noted that there had not been any change since the first reading. He commented that he had contacted surrounding communities to see how they handle their Sunday licenses with regards to the food requirement and provided a brief summary.

Motion by Wills, seconded by Reetz, and failed (Pederson, Pichelmann, Ruehling opposed) to deny approval of Ordinance 267 – An Ordinance Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor Within the City of Arlington, Minnesota.

Motion by Pichelmann, seconded by Ruehling, and carried (Reetz and Wills opposed) to approve Ordinance 267 – An Ordinance Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 percent Malt Liquor Within the City of Arlington, Minnesota. *(See official ordinance book for complete ordinance.)*

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

RESOLUTION 61-2011

A RESOLUTION APPROVING ORDINANCE 265 ENTITLED “AN ORDINANCE AMENDING SECTION 13, SUBDIVISION 6(G) OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO THE MAXIMUM SIZE OF ACCESSORY STRUCTURES WITHIN THE CITY” AND PROVIDING FOR SUMMARY PUBLICATION THEREOF

WHEREAS, the City of Arlington placed Ordinance 169 into effect several years ago; and

WHEREAS, the Arlington Planning Commission finds portions of Ordinance 169 relating to accessory structures in residential zones are in need of updating; and

WHEREAS, the Planning Commission initiated an amendment Ordinance 169 relating to the maximum size of attached garages; and

WHEREAS, the Arlington Planning Commission has reviewed and studied the issue and developed text to be included in Ordinance 265; and

WHEREAS, a public hearing was properly noticed and held on October 6, 2011 by the City of Arlington Planning Commission; and

WHEREAS, the Planning Commission approved a resolution recommending the City Council approve Ordinance 265; and

WHEREAS, the City Council approved the first reading of Ordinance 265 at its regular meeting on October 17, 2011; and

WHEREAS, the City Council approved second reading and the adoption of Ordinance 265 at its regular meeting on November 7, 2011; and

WHEREAS, the proposed ordinance is itemized in Exhibit A which is attached to this resolution; and

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 265 would clearly inform the public of the intent and effect of the Ordinance 265; 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 Council of the City of Arlington hereby approves Ordinance 265 as presented in Exhibit A which is attached to this resolution; and

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 265 to be published in the City's official newspaper at the earliest practicable date; and

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On November 7, 2011 the City Council of the City of Arlington approved Ordinance 265, entitled, ‘An Ordinance amending Section 13, Subdivision 6(G) of Ordinance 169 the Zoning Ordinance, Relating to the Maximum Size of Accessory Structures within the City.’ 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 limits the maximum size of attached garages to 60% of the dwelling to which it is attached”.

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 7th day of November, 2011.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

EXHIBIT A

ORDINANCE NO. 265

AN ORDINANCE AMENDING SECTION 13, SUBDIVISION 6(G) OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO THE MAXIMUM SIZE OF ACCESSORY STRUCTURES WITHIN THE CITY.

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 13, SUBD. 6(G) OF ORDINANCE 169 SHALL BE AMENDED AS FOLLOWS:

SECTION 13 GENERAL STANDARDS.

SUBDIVISION 6. ACCESSORY STRUCTURES.

G. Size Limit. Accessory structures shall be clearly and reasonably subordinate to the principal structure in terms of both scale and bulk based on the following:

1. The total square footage of a garage attached to an existing principal structure shall not exceed sixty percent (60%) of the foundation size of the dwelling unit to which it is attached, unless a Conditional Use Permit as provided in Section 13, Subd. 8 (B)(5) and Section 15, as may be amended, of this Ordinance is issued.
2. Total accessory structure square footage, excluding attached garages shall not exceed ten (10) percent of the lot area or 576 square feet whichever is greater within the R-1, R-2, Manufactured Home or any commercial district unless a conditional use permit is issued. In addition, aggregate square footage of building coverage per lot shall not exceed the maximum allowed within the applicable zoning classification.
3. Total accessory structure square footage within the Agricultural Residence District or any industrial district shall not exceed fifteen (15) percent of the lot area unless a conditional use permit is issued. In addition, aggregate square footage of building coverage per lot shall not exceed the maximum allowed within the applicable zoning classification.

- II. EFFECTIVE DATE. This Ordinance is effective upon its adoption and publication as prescribed by law. Adopted by the City of Arlington on the _____ day of _____, 2011.

James R. Kreft, Mayor

Attest: Matthew Jaunich, City Administrator

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

RESOLUTION 62-2011

A RESOLUTION APPROVING ORDINANCE 266 ENTITLED “AN ORDINANCE AMENDING SECTION 10.5, SUBDIVISION 5 OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO ACCESSORY USES WITHIN THE PUBLIC INSTITUTIONAL DISTRICT” AND PROVIDING FOR SUMMARY PUBLICATION THEREOF

WHEREAS, the City of Arlington placed Ordinance 169 into effect several years ago; and

WHEREAS, the Arlington Planning Commission finds portions of Ordinance 169 relating to allowed uses within the Public Institutional District are in need of updating; and

WHEREAS, the Planning Commission initiated an amendment Ordinance 169 relating to Accessory uses subordinate to educational, government, and/or public facilities; and

WHEREAS, the Arlington Planning Commission has reviewed and studied the issue and developed text to be included in Ordinance 266; and

WHEREAS, a public hearing was properly noticed and held on October 6, 2011 by the City of Arlington Planning Commission; and

WHEREAS, the Planning Commission approved a resolution recommending the City Council approve Ordinance 266; and

WHEREAS, the City Council approved the first reading of Ordinance 266 at its regular meeting on October 17, 2011; and

WHEREAS, the City Council approved second reading and the adoption of Ordinance 266 at its regular meeting on November 7, 2011; and

WHEREAS, the proposed ordinance is itemized in Exhibit A which is attached to this resolution; and

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 266 would clearly inform the public of the intent and effect of the Ordinance 266; 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 Council of the City of Arlington hereby approves Ordinance 266 as presented in Exhibit A which is attached to this resolution; and

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 266 to be published in the City’s official newspaper at the earliest practicable date; and

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On November 7, 2011 the City Council of the City of Arlington approved Ordinance 266, entitled, ‘An Ordinance amending Section 10.5, Subdivision 5 of Ordinance 169 the Zoning Ordinance, Relating to Accessory Uses within the Public Institutional District’. The Ordinance in its entirety is available for review and/or photocopying during regular office hours at the City of Arlington, 204 Shamrock Lane, Arlington, Minnesota 55307. The Ordinance provides for accessory uses that are subordinate to educational, governmental, and/or public facilities”.

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 7th day of November, 2011.

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

Attest: /s/ Matthew Jaunich, City Administrator

EXHIBIT A

ORDINANCE NO. 266

AN ORDINANCE AMENDING SECTION 10.5, SUBDIVISION 5 OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO ACCESSORY USES WITHIN THE PUBLIC INSTITUTIONAL DISTRICT

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS SECTION 10.5, SUBD. 5 OF ORDINANCE 169 SHALL BE AMENDED AS FOLLOWS:

SUBDIVISION 5. ACCESSORY USES

The following are accessory uses within the P-I Public and Institutional District.

1. Accessory uses incidental and customary to uses allowed as permitted, conditional, interim and administrative permits in this section.
2. Off-street parking and loading.
3. Signs as regulated by the Zoning Ordinance.
4. Accessory uses subordinate to educational, government, and/or public facilities such as:
 - a. Playgrounds;
 - b. Athletic facilities;
 - c. Portable buildings;
 - d. Office and maintenance buildings;
 - e. Field houses;
 - f. Satellite educational facilities resulting from specific subjects taught at an educational institution such as greenhouses, grow houses, gardens, independent laboratories, construction laboratories;
 - g. Satellite training facilities; and,
 - h. Similar uses considered reasonably beneficial to educational, governmental, and/or public purposes providing they are consistent with the Comprehensive Plan.

- II. EFFECTIVE DATE. This Ordinance is effective upon its adoption and publication as prescribed by law. Adopted by the City of Arlington on the _____ day of _____, 2011.

James R. Kreft, Mayor

Attest: _____
Matthew Jaunich, City Administrator

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

RESOLUTION 63-2011

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 267 ENTITLED “AN ORDINANCE REGULATING THE POSSESSION, SALE, AND CONSUMPTION OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR WITHIN THE CITY OF ARLINGTON, MINNESOTA”

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 (267) to amend and supersede several ordinances regulating the possession, sale, and consumption of intoxicating and 3.2 percent malt liquor within the City of Arlington; and

WHEREAS, the City Council held a first reading of Ordinance 267 at its regular meeting on October 17, 2011; and

WHEREAS, the City Council approved the second reading and adoption of Ordinance 267 at its regular meeting on November 7, 2011; and

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 267 entitled “An ordinance regulating the possession, sale, and consumption of intoxicating and 3.2 percent malt liquor within the City of Arlington, Minnesota”; 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 267 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 November 7, 2011, the City Council of the City of Arlington approved Ordinance 267 entitled ‘An ordinance regulating the possession, sale, and consumption of intoxicating and 3.2 percent malt liquor within the City of Arlington, Minnesota’. 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 purpose of the ordinance is to amend and codify all of the city’s ordinances relating to the possession, sale, and consumption of intoxicating and 3.2 percent malt liquor.”

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 7th day of November, 2011.

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 64-2011
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 Seneca Foods Foundation; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Arlington that the City accepts the \$612.50 donation in full from Seneca Foods Foundation and designates its use to the Fire Department.

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 7th day of November, 2011.

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 65-2011
A RESOLUTION APPROVING THE APPLICATION FOR A LAWFUL GAMBLING PERMIT FOR THE SIBLEY MEDICAL FOUNDATION

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 the Sibley Medical Foundation for a raffle on August 15, 2012.

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 7th day of November, 2011.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

Arli-Dazzle Committee Members Kim Vigen and Kathy Homme were present to discuss the upcoming parade and additional activities planned for December 3rd. They submitted a parade permit application and were requesting permission to close off certain streets for same. It was noted that the additional activities included:

Carolers along Main Street – 2 pm-5:30 pm

Horse drawn sleigh/Carriage Rides – 2pm-5:30 pm

Santa's Reindeer Visit on Main Street – 4pm-5:30 pm

Angela Archer Photography will take Family Christmas Photo's in front of Police Station Red Doors – 2pm-5:30pm

Arlington Grey's Snowball Baseball Game at Sibley East Playground – 3pm

St. Paul's Lutheran Church hosting Bethlehem Express 1pm-3:30 pm

Fire pits (6-8) along Main Street.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the parade route permit as presented for the Arli-Dazzle Parade as presented, along with “no parking” signs for the parade.

Motion by Pichelmann, seconded by Wills, and passed by unanimous vote to approve the closing of a portion of Main Street on December 3rd for Pre-Parade (Arli-Dazzle) Activities as presented above.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the placement of Fire Pits on a Public Right-of-Way during the Arli-Dazzle Parade.

Discussion was held on the need/use of City Staff for the Arli-Dazzle event. Adm. Jaunich stated that City Staff use should be minimal on Saturday; the Chamber members will be taking care of the barricades that day. It was the consensus that minimal City Staff use was permitted.

Adm. Jaunich explained that once the Summary Publication of Ordinance 267 (Beer/Liquor Ordinance) was published, the Arlington Dugout would be eligible for a Sunday Liquor License. The Council reviewed an application from Matt Carney, the owner of the Dugout for same, along with his Limited Food License. Adm. Jaunich stated that the license fee was \$100 and would be pro-rated through the end of June 2012 so that it would become due with the other liquor licenses.

Motion by Ruehling, seconded by Pichelmann, and passed by unanimous vote to approve the Sunday Liquor License for the Arlington Dugout pending publication of the summary publication of Ordinance 267 and State approval.

Attorney Arneson gave an update on the Neisen Criminal Case. He stated that the City continues to issue Mr. Neisen weekly citations as his property remains in non-compliance. Neisen, through his attorney, has

offered to vacate the site, as a plea offer to allow him to continue his probation from his conviction last December versus ensuing new charges. It was noted that the City could revoke the Conditional Use Permit as well. Concerns were expressed about dealing with Mr. Neisen and his failure to meet deadlines in the past.

Motion by Pederson, seconded by Wills, and passed by unanimous vote to authorize Attorney Arneson to negotiate with Neisen's attorney on their plea offer and also to leave the December 12th Court date in place.

Adm. Jaunich commented that the City has 3-4 older (6-10 years old) laptop computers that it is looking to get rid of.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to sell the old laptop computers for \$100 each.

Adm. Jaunich presented several dates to the Council for consideration for the Annual Appreciation Dinner/Meeting.

It was the consensus of the Council to set Friday, January 13, 2012 as the date for the Annual Meeting/Dinner.

Reetz gave an update on the Planning and Zoning Committee. He stated that Darin Mielke (from the County) gave a presentation on aerial mapping and the High Island Creek.

Reetz commented briefly on the Green Step Cities Program.

Reetz gave an update on the Fiber to the Home Project. He stated that of the original \$72,000 that they started with, there is approximately \$45,000 left in the account. They have picked a potential investment company and now have to start negotiating bond terms, etc. They have also hired an engineering firm to validate all their initial information/numbers.

Wills talked about semi-truck parking on Hwy 5. He had been contacted by a resident who was concerned about view obstruction. The resident had suggested restricted or limited parking, example given was 2-hour parking or even to a specific length vehicle. Considerable discussion was held. Adm. Jaunich will do some research on this subject.

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

City Administrator Matthew Jaunich

Mayor James R. Kreft