

**STON CITY COUNCIL
AGENDA (Revised)
JUNE 21, 2010 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 May 26th Special Meeting Minutes
 - B) Approval of the June 7th Regular Meeting Minutes
 - C) Approval of Bills
 - D) Approval of Temporary Liquor License for the Sibley County Agricultural Association from August 4th to August 8th for the Sibley County Fair
 - E) Approval of Engineer's Proposal for Construction Administration on the Highway 5 Lift Station
 - F) Approval of Work Order Change for the Electrical Improvement Project in the Amount of \$4,540

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council
6. Announcement
 - A) Sibley County Municipalities Meeting ó June 29th @ 6:00 p.m. in Henderson
 - B) City Offices will be closed on Monday, July 5th for Independence Day (Council Meeting will be Tuesday, July 6th)
7. Communications
 - A) May Financial Reports

REPORTS OF OFFICERS, BOARDS & COMMITTEES

8. Yearly Parks/Trails Committee Update

ORDINANCES & RESOLUTIONS

9. Ordinance 250 (2nd Reading) ó Relating to Residential Material and Design Standards
10. Resolutions
 - A) 26-2010 ó Summary Publication of Ordinance 250
 - B) 27-2010 ó Approving County Transportation Project within Municipal Corporate Limits
 - C) 28-2010 ó Grant Application Resolution

UNFINISHED BUSINESS

11. Discussion on Railroad Crossings Project in Arlington
12. Approve/Deny Transfer of \$5,000 from General Fund to Water Fund

NEW BUSINESS

13. Approve/Deny Assessment Deferral Form
14. Discussion on a Task Force for the "Fiber to the Home" Project
15. Approve/Deny Transient Merchant/Peddlers permit for Thomas Malchow (Food Stand)
- 16.

MISCELLANEOUS BUSINESS

17. Council Committee Updates
18. Open Discussion
19. CLOSED meeting to develop or consider an offer for the purchase of real property

ADJOURNMENT

Reminders:

- 1) EDA ó June 23rd @ 6 pm (Tech Center)
- 2) Hospital Board ó June 28th @ 5 pm
- 3) Cemetery ó June 30th @ 8:30 am

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

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

Members absent: None

Also present: Adm. Jaunich, City Attorney Arneson, EDA Director Schultz, Alan Ihrke, Charlie Woehler, Darin Mielke, Bruce Pinske, Kurt Menk

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the agenda as presented.

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

- A) Approval of the May 26th Special Meeting Minutes
- B) Approval of the June 7th Regular Meeting Minutes
- C) Approval of the Bills
- D) Approval of Temporary Liquor License for the Sibley County Agricultural Association from August 4th to August 8th for the Sibley County Fair
- E) Approval of Engineer's Proposal for Construction Administration on the Hwy 5 Lift Station
- F) Approval of Work Order Change for the Electrical Improvement Project in the Amount of \$4,540.

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) Sibley County Municipalities Meeting ó June 29th @ 6:00 pm in Henderson
- 2) City Offices will be closed on Monday, July 5th for Independence Day (Council Meeting will be Tuesday, July 6th)

The Council reviewed the following communications:

- 1) May Financial Reports.

Parks Committee Chairperson Al Ihrke presented the annual report for the Parks Committee. He commented that the Committee has been trying to develop a (trail) plan to connect the parks. He explained that they are also trying to develop a plan for the Sportsman's Park, which includes maintenance to existing structures, replacing play equipment and placement of walking bridge. Ihrke stated that the shelter in Fairview Park and the gazebo in Memorial Park had been reroofed. He stated that the Garden Club was going to be re-doing the plantings around the gazebo in Memorial Park. It was noted that construction of the shelter in Frenzel Park would be starting soon pending weather conditions.

The second reading of Ordinance 250 ó An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, by Adding Section 13, Subdivision 8 Relating to General Building and Yard Standards within the City, was held. Adm. Jaunich stated that there were no changes from the first reading.

Motion by Vrklan, seconded by Pederson, and passed by unanimous vote approve Ordinance 250 - An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, by Adding Section 13,

and Yard Standards within the City. (See ordinance book for

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

RESOLUTION 26-2010

A RESOLUTION APPROVING ORDINANCE 250, AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING SECTION 13, SUBDIVISION 8 RELATING TO GENERAL BUILDING AND YARD STANDARDS 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 a need to update portions of Ordinance 169 relating to dwelling units in residential zones; and

WHEREAS, the City of Arlington initiated an amendment to Ordinance 169, the Arlington Zoning Ordinance to provide for building design and exterior material standards for dwelling units in residential zones; and

WHEREAS, the Arlington Planning Commission has reviewed and studied the issue and developed text to be included in Ordinance 250; and

WHEREAS, a public hearing was properly noticed and held on June 3, 2010 by the City of Arlington Planning Commission; and

WHEREAS, the Planning Commission approved a resolution recommending the City Council approve Ordinance 250; and

WHEREAS, the City Council held first reading of Ordinance 250 on June 7, 2010; and

WHEREAS, the City Council held second reading and approved Ordinance 250 on June 21, 2010; and

WHEREAS, the City Council has determined the publication of the title and a summary of Ordinance 250 would clearly inform the public of the intent and effect of Ordinance 250; 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 250;

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 250 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:

öOn June 21, 2010 the City Council of the City of Arlington approved Ordinance 250, entitled, "An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance by Adding Section 13, Subdivision 8 Relating to General Building and Yard Standards Within the City and Providing for Summary Publication Thereof" 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 provides for exterior building material and architectural design standards for dwelling units within the City of Arlington.ö

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



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ington this 21st day of June, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
 Mayor

Attest: /s/ Matthew Jaunich
 City Administrator

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

RESOLUTION 28-2010
A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO SUBMIT A TOTAL DAILY MAXIMUM LOAN (TMDL) AND PHOSPHORUS REDUCTION GRANT APPLICATIONS TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (PFA) AND TO AUTHORIZE CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF ARLINGTON FOR THE WASTEWATER TREATMENT FACILITY IMPROVEMENTS

WHEREAS, under the provisions contained in Minnesota Statutes 446A.073 the TMDL grant program was created and funds appropriated; and

WHEREAS, under the provisions contained in Minnesota Statutes 446A.074 the Phosphorus Reduction grant program was created and funds appropriated; and

WHEREAS, a TMDL study has been approved by the US Environmental Protection Agency and the Minnesota Pollution Control Agency has determined that the Arlington Wastewater Treatment Facility Improvement Project is necessary to meet the wasteload reductions required by the TMDL; and

WHEREAS, the City has determined that the construction of the Wastewater Treatment Facility Improvement Project is necessary to reduce phosphorus limits; and

BE IT RESOLVED, that the City of Arlington has the legal authority to apply for the grants, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED, that upon approval of its applications by the PFA, the City of Arlington may enter into an agreement with the PFA for the above referenced project, and that the City of Arlington certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

NOW, THEREFORE BE IT FURTHER RESOLVED by the City Council of the City of Arlington, Minnesota, that Mayor James Kreft and City Administrator Matthew Jaunich, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the above project on behalf of the City of Arlington.

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, Vrklan, 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 21st day of June, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
 Mayor

Attest: /s/ Matthew Jaunich
 City Administrator

Sibley County Engineer Darin Mielke was present and spoke briefly on their Project No. S.P. 72-070-05, which is for an improvement to County State Aid Hwy 12, which lies within city limits. He stated that



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and County State Aid funds; there will be no cost to the City was working with the railroad on this project so that the time.

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

RESOLUTION 27-2010
A RESOLUTION APPROVING A COUNTY TRANSPORTATION PROJECT WITHIN THE MUNICIPAL CORPORATE LIMITS

WHEREAS, plans for Project No. S.P. 72-070-05, attached, showing proposed alignment and typical section for the improvement of County State-Aid Highway 12 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Arlington, Minnesota, that said plans be in all things approved as presented.

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, Vrklan, 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 21st day of June, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
 Mayor

Attest: /s/ Matthew Jaunich
 City Administrator

Sib. County Engineer Mielke, RR representative Bruce Pinske and County Comm. Charlie Woehler were present to discuss the proposed railroad improvements, including crossing arms at 3 intersections within city limits. Mielke spoke briefly on the intersection/bridge on 4th Avenue NW (a/k/a County Road 17) and how it would be affected by the proposed improvements. It was noted that Bolton & Menk had been asked to help with the designing of the railroad intersections for Main Street and Adams Street by adding medians, which will narrow down the streets to 24ø (more suitable for gate arms). Cost estimates for the project were reviewed, along with replacement of underground utilities. Mielke commented that the work is proposed for 2011. Pinske believes the project would be closer to 2 years out. Concerns were expressed that the City shouldn't have to pick up certain costs in excess of \$80,000 (more specifically the medians) as they are being mandated by MnDOT and not petitioned for by the City. It was suggested that the costs associated with the medians, etc. should be split with the City covering costs up to the railroad easement area and the County/Railroad covering costs within the easement area. It was also suggested that the length of the medians could be reduced. Considerable discussion was held. Pinske will take the City's questions/concerns to MnDOT and the Railroad and report back.

Discussion was held on transferring \$5,000 from the General Fund to the Water Fund. Adm. Jaunich explained the reason for the transfer was related to an outstanding water bill for the Sibley East Baseball Field. He stated that a donation had been received in January from the Baseball Association, who in turn had intended it to go towards said water bill as it had done in previous years. Adm. Jaunich talked about the acceptance of donations. Attorney Arneson commented that the Baseball Association should just make the donation to the school and the school can then use the money to pay the bill. Mayor Kreft stated that they have advised the School/Baseball Association to do just that from now on. Attorney Arneson commented that years ago an agreement had been drafted between the School District and Baseball Association addressing the issue of utilities.



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passed by unanimous vote to transfer \$5,000 from the General

Adm. Jaunich presented a policy for the Deferment of Assessments. It was reviewed.

Motion by Wills, seconded by Pichelmann, and passed by unanimous vote to approve the City Policy on Deferment of Assessments. *(See attached)*

Discussion was held on the Fiber to the Home project. Adm. Jaunich stated that an ad-hoc committee is being put together and in moving forward, they would like to have an elected official from each community sit in on a Task Force to review a feasibility study. It was noted that Request for Proposals were currently being bid to do a feasibility study. Adm. Jaunich stated that the appointment has to come from Mayor Kreft. Reetz expressed interest in the appointment.

The Council reviewed a Peddler Permit from Thomas Malchow. Adm. Jaunich noted that the applicant did not specify a specific location that he planned to set up his stand. Concern was expressed about allowing a roaming permit. It was the consensus of the Council that more information, more specifically designated location(s), is needed.

Motion by Wills, seconded by Vrklan, and passed by unanimous vote to table discussion/action on the Peddler Permit Application from Thomas Malchow until more information can be obtained.

Reetz gave a brief update on the Planning & Zoning Committee.

Pederson commented that the Parks Committee will be meeting with a play equipment representative at their next meeting. He stated that they will be discussing the structures at the Sportsman's Park also.

Adm. Jaunich spoke briefly on the upcoming MMPA dinner that the City will be hosting.

Mayor Kreft recessed the regular meeting to hold a closed meeting at 8:02 pm.

Mayor Kreft opened the closed portion of the meeting. He stated the purpose of the meeting was to develop or consider an offer for the purchase of real property.

Discussion was held on said purchase of real property. No action was taken.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to adjourn the closed portion of the meeting.

Mayor Kreft adjourned the closed meeting and reconvened the regular meeting.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to adjourn the meeting at 8:44 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft