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STON CITY COUNCIL MEETING AGENDA

**SEPTEMBER 7, 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 August 16th Regular Meeting Minutes
 - B) Approval of the August 23rd Special Workshop Meeting Minutes
 - C) Approval of Bills
 - D) Approving the Proposal from Haggemiller Lumber to fix the Sportsman's Club Roof in the amount of \$1,801.22

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council
6. Announcement
 - A) Annual Statewide Historic Preservation Conference ó September 16-17 in Winona
 - B) LMC Regional Meetings ó Various Locations in September and October
7. Communications
 - A) August Financial Report
 - B) August Police Calls Report
 - C) August Building Permit Report
 - D) Community Center Cleaning Contract
 - E) 2011 DNR Grant for Fire Department

REPORTS OF OFFICERS, BOARDS & COMMITTEES



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FINANCES & RESOLUTIONS

8. Ordinance 252 (1 - Reading) / Amending Ordinance 214 (Addressing the Methods of Assessment)
9. Resolutions
 - A) 40-2010 ó Accepting a Donation and Designating its Use
 - B) 41-2010 ó Approving Amendments to the Personal Policy Handbook

UNFINISHED BUSINESS

10. 2011 Railroad Crossings Project
 - A) Approve/Deny Plan for Upgrade
 - B) Approve/Deny Withdrawing \$25,000 MN/DOT Contribution for Infrastructure Costs

NEW BUSINESS

11. Community Center Re-Roof Project
 - A) Comments from RA Morton
 - B) Approve/Deny Bid
12. 2011 Budget
 - A) Approve/Determine Preliminary Tax Levy (Resolution 42-2010)
 - B) Set time and place of public comment meeting
13. Acceptance/Denial of Snow Bids
 - A) Blading
 - B) Molnau Trucking for Hauling
 - C) Haggemiller Lumber for City Properties
14. Discussion on Patio Homes Portion of the Arlington Meadows Development
- 15.

MISCELLANEOUS BUSINESS

16. Council Committee Updates
17. Open Discussion

ADJOURNMENT

Reminders:

- 1) Planning and Zoning ó September 9th @ 7 pm
- 2) Parks ó September 15th @ 6 pm
- 3) EDA ó September 22nd @ 6 pm (Tech Center)
- 4) Township/Fire/Ambulance Meeting ó September 23rd @ 7 pm
- 5) Police Committee ó September 27th @ 1 pm (Tech Center)
- 6) Hospital Board ó September 27th @ 5 pm
- 7) Cemetery Board ó September 29th @ 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: City Administrator Jaunich, City Attorney Arneson, Joey Winter, Anna Molnau, Architect Jim Haugen, Kurt Menk

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

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

- A) Approval of the August 16th Regular Meeting Minutes
- B) Approval of the August 23rd Special Workshop Meeting Minutes
- C) Approval of the Bills
- D) ~~Approving the Proposal from Haggemiller Lumber to fix the Sportsman's Club Roof in the amount of \$1,801.22.~~ (Removed and listed as item 15.)

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) Annual Statewide Historic Preservation Conference ó September 16-17 in Winona
- 2) LMC Regional Meetings ó Various Locations in September and October.

The Council reviewed the following communications:

- 1) August Financial Report
- 2) August Police Calls Report
- 3) August Building Permit Report
- 4) Community Center Cleaning Contract
- 5) 2011 DNR Grant for Fire Department.

It was noted that there were no Officers, Boards or Committees reporting to the Council.

Discussion was held on the Community Center roof problems. Adm. Jaunich shared an email that he had received from John Kaiser of RA Morton (former project manager for the building during construction) about the City's concerns with the roofing problems (that included some framing, insulating and ventilation issues) at the Community Center. He questioned if the City was interested in pursuing the matter further with RA Morton. Adm. Jaunich commented that the construction file for the building is missing some documentation; there was some question that the shingles currently on the building are of a lesser quality and were not what had been approved originally. Attorney Arneson suggested that the City should continue to pursue the matter with RA Morton as the burden of proof for what work was done lies on them. He will contact RA Morton about the remaining issues not addressed in the email.

Architect Haugen presented the bids that had been received for the Community Center Reroofing project. He stated that eight bids had been received for doing the project with asphalt shingles (30 year warranty). The low bid was \$52,940 from Tuchtenhagen Construction (an extended warranty could be added for

was noted that Vos Construction had provided a cost estimate, which there were 3 bids in that range. Haugen stated that the project with metal shingles (50 year warranty). The low bid was \$106,531 from EJ Pinske Builders and the high bid was \$289,000. There was no cost estimate for this type of project. Haugen stated that one bid in the amount of \$195,800 had been received for doing the project as a standing seam metal roof. Vos Construction had provided a cost estimate (2 years ago) in the amount of \$142,000, which did not include removing old roofing materials. Haugen commented that snow guards would have to be put on if the standing seam metal roof is put on and the cost would \$9,500. Considerable discussion was held on which roofing material would be best for the building; warranties for each product were also taken into consideration.

Motion by Pichelmann, seconded by Wills, and failed unanimously to table the approval/denial the bid for the Community Center Reroof project until the next meeting to give Architect Haugen a chance to research the warranty information.

Motion by Pederson, seconded by Pichelmann, and carried (Vrklan and Wills opposed) to approve the low bid to reroof the Community Center with asphalt shingles from Travis Tuchtenhagen Construction in the amount of \$52,940 contingent on the clarification of the (extended) warranty information.

Brief discussion was held on having the other roof problems (mentioned above) fixed by issuing a change order to Tuchtenhagen Construction. Haugen commented that Tuchtenhagen has expressed some concern about being responsible for an existing problem (essentially remove old product and replace with new in an attempt to fix a potential problem only to find out that it doesn't fix it and/or makes things worse at a future date). Haugen commented that Tuchtenhagen would be advised to document/photograph things as they go along through the project.

Bids for snow removal (blading, hauling and skid loader) were reviewed. Adm. Jaunich stated that one bid had been received for each of the hauling and skid loader portions, and two bids had been received for the blading portion. He summarized the difference in blading equipment used and how long each contractor took to do the work. Reetz stated that he would like to see itemized bills from the blading contractor.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the (snow removal) blading bid from Klehr Grading in the amount of \$110 per hour per machine with a 3 hour minimum.

Motion by Wills, seconded by Vrklan, and passed by unanimous vote to approve the (snow removal) hauling bid from Molnau Trucking in the amount of \$90 per hour per truck with a 3 hour minimum.

Motion by Pederson, seconded by Pichelmann, and passed by unanimous vote to approve the (snow removal) skid loader bid from Haggemiller Lumber as follows:

- 1) Public Library Sidewalk - \$10
- 2) Main Street Municipal Parking Lot Sidewalk - \$15
- 3) Police Department Sidewalk ó \$10
- 4) Services/Tech Center Sidewalk - \$20
- 5) Main Street Parking Lot Sidewalk (next to Lido Theater) ó \$10.

Discussion was held on amending the Assessment Policy. Adm. Jaunich drafted proposed Ordinance No. 252 which addresses the methods of assessments related to irregular-shaped lots. Considerable discussion was held and a few changes were suggested. Adm. Jaunich will make the changes and bring the proposed ordinance back for a first reading at the next meeting.



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...ing resolution and moved for its adoption:

RESOLUTION 40-2010

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 Glen Luff in the memory of Andy and Elsie Luff for a project in the Parks and Recreation Department.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Arlington that the City accepts the \$2,500 donation in full and designates its use to the general fund for use in the parks.

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, 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 7th day of September, 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 41-2010

A RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL POLICY HANDBOOK

WHEREAS, the Arlington City Council feels that it is its responsibility to establish policies and procedures to provide a uniform and equitable system of personnel administration for all employees of the City; and

WHEREAS, amendments and additions or subtractions to the Handbook shall be authorized only by the City Council; and

WHEREAS, Sections 13.2 and 15.2 are in need of amending.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Arlington that the following amendments to Sections 13.2 and 15.5 are hereby approved and shall become a part of the official Personnel Policy Handbook.

BE IT FURTHER RESOLVED, that the City Employees of Arlington are hereby responsible for reading and understanding the provisions of the amendments.

Amendments

13.2 Sick Leave

Sick leave is authorized absence from work with pay, granted to qualified full-time employees. Sick leave is a privilege, not a right. Employees are to use this paid leave only when they are unable to work for medical reasons and under the conditions explained below. Sick leave does not accrue during an unpaid leave of absence.

- Full-time employees will accumulate sick leave at a rate of eight (8) hours per month for each full month the employee has been employed by the City, up to a maximum of 720 hours of accumulated sick leave.
- Part-time, temporary and seasonal employees will not earn or accrue sick leave.
- Sick leave may be used only for days when the employee would otherwise have been at work. It cannot be used for scheduled days off.

Sick leave may be used as follows:

- When an employee is unable to perform work duties due to illness or disability (including pregnancy).

appointments.
spouse has a child.
contagious disease of such a nature that his/her presence at the work

place could endanger the health of others.

- To care for the employee's injured or ill children, including stepchildren or foster children, for such reasonable periods as the employee's attendance with the child may be necessary.
- To take children, or other family members to a medical, dental or other care provider appointment.
- To care for an ill spouse, father, mother, sister or brother.

After accrued sick leave has been exhausted, vacation leave may be used upon approval of the City Administrator, to the extent the employee is entitled to such leave. Should there be no balance of vacation or sick leave, the absence will be unpaid.

To be eligible for sick leave pay, the employee will:

- Communicate with his/her department head, as soon as possible after the scheduled start of the work day, for each and every day absent;
- Keep his/her department head informed of the status of the illness/injury or the condition of the ill family member;
- Submit a physician's statement upon request.

After an absence, a physician's statement may be required on the employee's first day back to work, indicating the nature of the illness or medical condition and attesting to the employee's ability to return to work and safely perform the essential functions of the job with or without reasonable accommodation. Absences lasting longer than three (3) consecutive work days will require a written verification of condition by the treating doctor.

Any work restrictions must be stated clearly on the return-to-work form. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this provision. Sick leave may be denied for any employee required to provide a doctor's statement until such a statement is provided.

The City has the right to obtain a second medical opinion to determine the validity of an employee's worker's compensation or sick leave claim, or to obtain information related to restrictions or an employee's ability to work. The City will arrange and pay for an appropriate medical evaluation when it is required by the City.

Any employee who makes a false claim for sick leave will be subject to discipline up to and including termination.

Employees must normally use sick leave prior to using paid vacation, or compensatory time and prior to an unpaid leave of absence during a medical leave, except where Parenting Leave under Minnesota law and the medical leave overlap.

Accumulated sick leave shall be considered lost if not used by termination of employment, except that employees who leave the City in good standing and with seniority shall be paid for accumulated unused sick leave under the following formula, at the employee's normal hourly pay rate at time of termination.

5 or more years of service:	20% of accrued sick leave
10 or more years of service:	30% of accrued sick leave
15 or more years of service:	40% of accrued sick leave
20 or more years of service:	50% of accrued sick leave

Employees may voluntarily choose to donate up to ten (10) working days of their personal sick leave for use by another employee who has exhausted their own sick leave due to an extended illness or injury. The donating employee's accrued sick leave balance will be decreased and the rate of pay for these hours donated to the receiving employee will be computed at the lesser of the two rates of pay.

15.2 Severance Pay

Employees who leave the employment of the City in good standing by retirement or resignation will receive pay for 100% of earned unused accrued vacation leave, and will receive pay for accumulated sick leave according to the formula under section 13.2. Employees who do not leave the City in good standing are not eligible for vacation or sick leave payout.

Earned unused accrued vacation leave will be defined as vacation earned and paid out at retirement/resignation on a pro-rated basis. (Example: An employee who retires or resigns in good standing at the end of March and had a balance of 120 vacation hours on January 1st will be paid out for 30 hours, because that would have been the amount (3/12) of vacation earned during the year.)

If an employee retires or resigns and has already taken and been paid for more vacation time than earned, the employee shall reimburse the City for excess pay.



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resolution was duly seconded by Councilmember Wills and upon poll thereof: Pederson, Pichelmann, Reetz, Vrklan, Wills; 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 September, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

Discussion was held on the 2011 Railroad Crossings Project. Adm. Jaunich stated that MnDOT and the Rail Authority want to know by mid-October (this year) what the plan is for 2011 with regards to the railroad crossings project. He commented that the Council has discussed doing utility upgrades at the intersections, leaving or closing 1st Avenue and putting in medians with curb realignment. The Council reviewed 2 preliminary cost estimates which showed both the County's costs and City's costs as they related to the project. The City's portion for the first estimate was in the amount of \$226,023.01 and included utility upgrades; and the second one was in the amount of \$64,392.16 and did not include utility work. It was noted that 1st Avenue was being left open and would cost \$21,371.57. Adm. Jaunich stated that the money for the improvements would come out of the TIF Fund.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the projected costs without utilities in the amount of \$64,392.16 (\$43,020.59 for Adams Street and \$21,371.57 for 1st Avenue) for the Railroad Crossings Project.

Mayor Kreft commented that at the May 18, 2009 Council meeting, the Council had voted to contribute \$25,000 to MnDOT for infrastructure costs associated with the railroad crossing project. He stated that this decision was made before knowing what the financial impact of the project was going to be on the City and asked the Council if they wanted to consider withdrawing the offer.

Motion by Wills, seconded by Pichelmann, and passed by unanimous vote to withdraw the \$25,000 contribution to MnDOT for infrastructure costs that had been approved at the May 18, 2009 Council Meeting.

Discussion was held on the proposed 2011 Tax Levy. Adm. Jaunich explained that the 2010 tax levy collectible in 2011 being proposed was \$819,701, which was an increase of 10.7% above the current tax levy. He reminded the Council that preliminary tax levy (once approved) can only be reduced. Mayor Kreft added that the preliminary levy is usually set higher, with the intent to reduce it by year end when the actual levy is set and/or approved. Adm. Jaunich spoke briefly on the LGA allotments/cuts.

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

**RESOLUTION 42-2010
A RESOLUTION PROPOSING THE 2010 TAX LEVY, COLLECTIBLE IN 2011**

BE IT RESOLVED, by the City Council of the City of Arlington, County of Sibley, Minnesota, that the following sums of money be levied for the current year, collectible in 2011, upon taxable property in the City of Arlington, for the following proposed purposes:

General Fund	\$670,792
2000 Improvement Bond	\$ 16,535
2001 Improvement Bond	\$ 15,100
Fire Certificate	\$ 17,274



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\$ 55,000
\$ 45,000
 \$819,701

TOTAL CERTIFIED TAX LEVY \$ 819,701.00

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 7th day of September, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
 Mayor

Attest: /s/ Matthew Jaunich
 City Administrator

Motion by Reetz, and seconded by Pederson, and passed by unanimous vote to hold a public hearing for the Public Comment Meeting (formerly Truth & Taxation) on Monday, December 6th at 6 pm in the Council Chambers.

Discussion was held on the Patio Homes portion of the Arlington Meadows Development. Adm. Jaunich explained that the State Bank of Delano (owner) had contacted him about selling the lots to the City for a specified price for use as a park. He stated that the information was given to the Parks Committee for consideration. The Parks Committee had no recommendations at this time and had some concerns about the cost. Pederson added that the entire area was already plumbed with utilities (pipe stub-ins are sticking up all over). He questioned if the City could buy it and resell it to a developer. Wills commented that the City is not in the business of buying property just because someone wants to get rid of it. It was the consensus that the City was not interested in the offer and Adm. Jaunich would respond to the Bank.

A proposal from Haggemiller Lumber in the amount of \$1,801.22 for supplies to repair the Sportsman's Club roof was reviewed. Pederson explained that some of the rafters are rotten and need to be replaced and the building needs to be re-roofed (per Building Official Haslip's recommendations). He stated that in an effort to save some money, members of the Park Committee volunteered to provide the labor on a Saturday (or more if needed) this fall. Wills expressed concern about sticking any amount of money into an older building, was it worth it. Pederson commented that if the building would get fixed up, more people could be interested in renting it out more. Reetz questioned what the long range plan was for the park, was a concession stand needed. The Park Committee was recommending making the rafter repairs and putting on a steel roof.

Motion by Pederson, seconded Vrklan, and passed by unanimous vote to approve the bid from Haggemiller Lumber in the amount of \$1,801.22 for supplies for the Sportsman's Club Roof.

Wills commented that the Library Committee (APL, a/k/a Friends of the Library) had received some money from the Luff family. He stated that they plan to use the money to buy more books for the Library.

Reetz gave an update on the Planning & Zoning Committee. He stated that a couple is interested in moving their business from Cologne to Arlington on the current Mid-County Co-Op property. PZ Adm. Smith-Strack was in the process of drafting up a Memorandum of Understanding (MOU). Reetz added that the PZ Adm. and Building Inspector are looking into some of the dilapidated buildings around town.

would be meeting with some of the property owners on said

Vrklan commented that the EDA is currently reviewing their By-Laws and making some modifications. He added that they are looking at ways to work with outside agencies to bring some funding/grants to the businesses of Arlington.

Pederson commented that the Parks Committee is looking at some new benches for the parks, which the old ones would be moved out to the Sportsmanø Park. He stated that they are also in the process of getting estimates for a new slide at the Sportsmanø Park.

Vrklan commented that a new Interim Administrator has been hired for the hospital. The plan is the Interim Adm. would be short term, about six months and then hire a permanent Adm. later.

Adm. Jaunich questioned if there was any interest or need to hang onto the light poles being taken down in conjunction with the electrical improvement project. He stated that the contractor will take them and get rid of them, if there isnø a need to keep them. It was suggested to check with Supt. Thomes if any of the barriers around town (such as at the Sportsmanø Park) need to be replaced. Wills commented that individuals had mentioned to him that it would be nice to remove the barriers at Four Seasons Park so people could park their vehicles in the area of the outdoor skating rink space.

Reetz commented that the Electrical Contractor has been doing a real good job in setting transformer boxes in concrete and re-landscaping around them. Adm. Jaunich agreed and said he hasnø received any complaints.

Brief discussion was held on mosquito spraying and how it was affecting the monarch butterflies.

Motion by Pederson, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 8:37 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft