

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
MARCH 16, 2015 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 March 2<sup>nd</sup> Regular Meeting Minutes.
  - B) Approval of the March 2<sup>nd</sup> Workshop Meeting Minutes.
  - C) Approval of Bills.
  - D) Approval of Bid from Mini Biff Inc. for Portable Toilets at City Parks (\$411.70/month).
  - E) Authorize Zerorez to Clean Folding Room Dividers in Community Center at \$2,228.
  - F) Accept Letter of Withdrawal from Police Officer Candidate John Stepien.

**PUBLIC HEARINGS**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) Citizens Addressing the Council.
6. Announcements
  - A) 2015 LMCIT Safety & Loss Control Workshops, Various Locations, March/April, 2015.
  - B) Council Workshop Meeting to Discuss Community Center, April 6, 5:15 p.m.
  - C) 2015 Street & Utility Improvement Project Assessment Hearing on April 20, 2015 at 6:30 p.m.
  - D) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 23, 2015; 3-8 p.m.  
Sibley County Assessor's Office, Gaylord.

7. Communications
  - A) February Financial Report
  - B) February Building Permit Report.
  - C) February Water/Wastewater Report.
  - D) Invitation to Attend Ridgeview Sibley Medical Foundation's Annual Spring Fundraiser on April 25, 2015.

## **REPORTS OF OFFICERS, BOARDS & COMMITTEES**

8. Annual Report – Al Ihrke, Parks Committee.

## **ORDINANCES & RESOLUTIONS**

9. Ordinances
  - A) First Reading: Ordinance 297 - An Ordinance Amending Section 8 of Ordinance 169, the Arlington Zoning Ordinance by Adding Subdivision 6 Providing for Limited Design Standards within the B-2 Central Business District.
10. Resolutions
  - A) 26-2015 – Calling for a Hearing on Assessments for the 2015 Street & Utility Improvement Project.

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

11. Consider Creating Ad-Hoc Committee RE: Tri-County Solid Waste Management Plan.
12. Approve/Deny Providing Dumpsters for City Property Owners at Clean-Up Day on June 25, 2015.
13. Authorize/Deny Conditional Offer and Starting Salary for Police Officer Position to Jordan Voigt.

## **MISCELLANEOUS BUSINESS**

14. Council Committee Updates.
15. Open Discussion.

## **ADJOURNMENT**

Reminders:  
Parks – March 23<sup>rd</sup> @ 7 pm

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
MARCH 16, 2015**

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

Members present: Battcher, Jaszewski, Heiland, Mayor Nagel, Nuesse, Wills

Members absent: None

Also present: City Administrator Donabauer, City Attorney Arneson, Parks Committee Chairperson Al Ihrke, Police Chief Danner

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

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

- A) Approval of the March 2<sup>nd</sup> Regular Meeting Minutes
- B) Approval of the March 2<sup>nd</sup> Special Meeting Minutes
- C) Approval of Bills
- D) Approval of Bid from Mini Biff Inc. for Portable Toilets at City Parks (\$411.70/month)
- E) Authorize Zerorez to Clean Folding Room Dividers in Community Center at \$2,228
- F) Accept Letter of Withdrawal from Police Officer Candidate John Stepien.

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) 2015 LMCIT Safety & Loss Control Workshops, Various Locations, March/April, 2015
- B) Council Workshop Meeting to Discuss Community Center, April 6, 5:15 p.m.
- C) 2015 Street & Utility Improvement Project Assessment Hearing on April 20, 2015 at 6:30 p.m.
- D) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 23, 2015; 3-8 pm Sibley County Assessor's Office, Gaylord.

The Council reviewed the following communications:

- E) February Financial Reports
- F) February Building Permit Report
- G) February Water/Wastewater Report
- H) Invitation to Attend Ridgeview Sibley Medical Foundation's Annual Spring Fundraiser on April 25, 2015.

Al Ihrke presented the annual report for the Parks/Trails Committee. He commented that during the past year the Committee's focus was on making improvements to the Sportsman's Park with intent being to have everything completed this year, in conjunction with the trail completion. The improvements made included leveling/grading, all new redrock and seeding of the entire ball field (which was also named the Dan 'Buck' Thomes Field in a dedication ceremony), new tin was put on the shelter, and new mulch was put in the play area. Proposed improvements for this year include new fencing around the ball field, bases and complete the trail. The Committee has begun discussing possible improvements to be made to the Senior Building at Four Seasons Park in 2016. Ihrke recognized the many donations received from the various organizations for the Sportsman's Park improvements. The Committee is very grateful for the

donations. It was noted that the Committee tours all the parks twice a year for inventory purposes and also long term planning needs.

The first reading of Ordinance 297-An Ordinance Amending Section 8 of Ordinance 169, the Arlington Zoning Ordinance by Adding Subdivision 6 Providing for Limited Design Standards within the B-2 Central Business District, was held. Preserving the traditional, pedestrian-friendly, commercial core of the downtown was one the Planning Committee's goals outlined in a detailed memo from PZ Adm. Smith-Strack. It was the consensus of the PZ Committee to create an appreciation for historic structures; they did not want to establish a formal historic preservation district. The PZ Committee considered various standards with regards to building positioning on lots and building exteriors (several revisions). After drafting the proposed ordinance, the EDA was asked to review it and provide their opinion. The EDA expressed their concerns. The Planning Committee then made several adjustments including: (a) the removal all language relating to minimum heights for buildings but retained a requirement to have new buildings set at the front lot line; (b) provided additional flexibility for exterior materials through a CUP process but retained proposed standards prohibiting wood, vinyl, and metal on sides of the building facing public streets; (c) relaxed standards relating to storefront windows on street level but retained language promoting larger windows, prohibiting boarding up of windows in vacant buildings, and discouraging reduction in size of existing windows.

It was noted that during the public hearing process (held at the Planning Committee meeting) for the proposed ordinance, a member of the community voiced their opposition to the ordinance citing increased costs for businesses and a potential to drive business from the downtown. The member of the public opined the downtown was intact event without such laws. The Planning Committee accepted the public input.

After reviewing the proposed ordinance and having concerns about potential costs to businesses, the EDA will be looking into possibly providing a conceptual grant program for downtown business owners, which could help defer costs associated with quality exterior building materials and retaining of larger windows.

Heiland sympathized concern with the increased costs to business owners and the potential to push business away from the downtown due to the standards being proposed within the ordinance. He wants to see the downtown being kept nice, but doesn't want to be so restrictive that business owners won't remodel or rebuild. Battcher commented that there are no standards currently in place and some are needed in order to retain the 'historical' downtown. Nuesse commented that during the EDA meeting, the concern was centered on how the standards would affect (cost for remodeling) existing structures versus new construction. Wills questioned if an existing structure has to be restored to its original façade upon remodeling. The ordinance does not dictate that things have to go back to original; rather it is designed to deny or recommend (encourage) the use of certain materials. The PZ Committee was looking for consistency in the downtown area without being too restrictive. Mayor Nagel commented that there are some older buildings that need to be preserved (part of Arlington's history). Wills expressed concern about pushing business away from the downtown. It was noted that the Planning Committee had spent considerable time putting the ordinance language together and was recommending its approval.

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

**RESOLUTION 26-2015**

**A RESOLUTION CALLING FOR A HEARING ON ASSESSMENTS FOR THE  
2015 STREET & UTILITY IMPROVEMENT PROJECT**

**WHEREAS**, the City Administrator, with the assistance of the City consulting engineer, has prepared an assessment roll for the 2015 Street and Utility Improvements, and said proposed assessment roll is on file with the City Administrator and open to public inspection;

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Arlington, Minnesota, as follows:

1. The Administrator shall publish notice that this Council will meet to consider the proposed assessments on April 20<sup>th</sup>, 2015, at 6:30 P.M. in the Council Chambers of said City of Arlington, Minnesota. The published notice shall be in substantially the form set forth on Exhibit A attached hereto.
2. A copy of the notice in substantially the form set forth in Exhibit B attached hereto shall be mailed to the owners of each parcel of property described in the assessment roll.

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: Battcher, Heiland, Jaszewski, Nuesse, 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 16<sup>th</sup> day of March, 2015.

CITY OF ARLINGTON, MINNESOTA

/s/ Richard Nagel, 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.

*EXHIBIT A*

NOTICE OF HEARING ON ASSESSMENTS  
FOR 2015 STREET & UTILITY IMPROVEMENTS

TO WHOM IT MAY CONCERN:

TIME AND PLACE  
GENERAL NATURE OF  
IMPROVEMENTS:

Notice is hereby given that the City Council of the City of Arlington, Minnesota, will meet in the City Hall in the City of Arlington, Minnesota, on the 20<sup>th</sup> day of April, 2015, at 6:30 P.M. to consider objections to the proposed assessments for 2015 Street & Utility Improvements heretofore ordered by the City Council.

ASSESSMENT ROLL  
OPEN TO INSPECTION:

The proposed assessment roll is on file with the City Clerk and open to public inspection.

AREA PROPOSED  
TO BE ASSESSED:

The area proposed to be assessed consists of every lot, piece or parcel of land benefitted by said improvement, which has been ordered made and is as follows: W. Douglas St (from 4<sup>th</sup> Ave NW to 2<sup>nd</sup> Ave NW), W. Chandler St (from Hwy 5 to 3<sup>rd</sup> Ave NW), 4<sup>th</sup> Ave NW (north of W. Chandler Street, 1 ½ blocks), 3<sup>rd</sup> Ave NW (north of W. Chandler St, 2 blocks), and Elgin St as an alternate in the City of Arlington, MN.

TOTAL AMOUNT  
AND TERM OF PROPOSED  
ASSESSMENT:

The total amount proposed to be assessed is \$\_\_\_\_\_ and is proposed to be payable in annual installments over a period of \_\_\_\_ years.

WRITTEN OR ORAL  
OBJECTIONS:

Written or oral objections will be considered at the hearing.

RIGHT OF APPEAL:

An owner of property to be assessed may appeal the assessment to the district court of Sibley County pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice

with the district court within ten days after service upon the Mayor or Clerk.

LIMITATION ON APPEAL:

No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

DEFERMENT OF ASSESSMENTS:

Under the provisions of Minnesota Statutes, Sections 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. [However, the City has elected not to establish any deferment procedure pursuant to those Sections.]

MAILED NOTICE:

The notice of this hearing mailed to property owners contains additional information.

DATED: \_\_\_\_\_, 200\_.

BY ORDER OF THE CITY COUNCIL  
\_\_\_\_\_  
/s/  
City Clerk

\* Bracketed language should be deleted if City Council intends to establish a deferment procedure pursuant to Sections 435.193 to 435.195, and the following language should be substituted in its place: "The procedure for applying for such a deferment has been set forth by resolution [ordinance] adopted on \_\_\_\_\_, 200\_, by the City Council, a copy of which resolution [ordinance] is available upon request at the office of the City Clerk." See also footnote 6 on page 10.

*EXHIBIT B*

NOTICE OF HEARING ON ASSESSMENTS  
FOR 2015 STREET & UTILITY IMPROVEMENTS

TO:[Specify owner,  
address and  
parcels]

TIME AND PLACE  
GENERAL NATURE OF  
IMPROVEMENTS:

Notice is hereby given that the City Council of the City of Arlington, Minnesota, will meet in the City Hall in the City of Arlington, Minnesota, on the 20<sup>th</sup> day of April, 2015, at 6:30 P.M. to consider objections to the proposed assessments for 2015 Street & Utility Improvements heretofore ordered by the City Council.

ASSESSMENT ROLL  
OPEN TO INSPECTION:

The proposed assessment roll is on file with the City Clerk and open to public inspection.

AREA PROPOSED  
TO BE ASSESSED:

The area proposed to be assessed consists of every lot, piece or parcel of land benefitted by said improvement, which has been ordered made and is as follows: W. Douglas St (from 4<sup>th</sup> Ave NW to 2<sup>nd</sup> Ave NW), W. Chandler St (from Hwy 5 to 3<sup>rd</sup> Ave NW), 4<sup>th</sup> Ave NW (north of W. Chandler Street, 1 ½ blocks), 3<sup>rd</sup> Ave NW (north of W.

	Chandler St, 2 blocks), and Elgin St as an alternate in the City of Arlington, MN.
TOTAL AMOUNT AND TERM OF PROPOSED ASSESSMENT:	The total amount proposed to be assessed is \$_____ and is proposed to be payable in annual installments over a period of ____ years.
WRITTEN OR ORAL OBJECTIONS:	Written or oral objections will be considered at the hearing.
RIGHT OF APPEAL:	An owner of property to be assessed may appeal the assessment to the district court of Sibley County pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.
LIMITATION ON APPEAL:	No appeal may be taken as to the amount of any assessment adopted by the City Council unless a written objection signed by the affected property owner is filed with the Clerk prior to the assessment hearing or presented to the presiding officer at the hearing. All objections to the assessments not received at the assessment hearing in the manner prescribed by Minnesota Statutes, Section 429.061 are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.
DEFERMENT OF ASSESSMENTS:	Under the provisions of Minnesota Statutes, Sections 435.193 to 435.195, the City may, at its discretion, defer the payment of assessments for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. [However, the City has elected not to establish any deferment procedure pursuant to those Sections.]
SPECIFIC AMOUNT TO BE ASSESSED:	The amount to be specifically assessed against your particular lot, piece of parcel of land is \$_____.
ADOPTION OF ASSESSMENT AT HEARING:	The City Council may adopt the proposed assessment at the hearing.
PREPAYMENT:	You may prepay the entire assessment to the Treasurer of the City until the assessment roll is certified to the County Auditor; after certification to the County Auditor, prepayments of the entire amount remaining due may be made to the Treasurer at any time prior to November 15 of any year.
NO PARTIAL PREPAYMENT	The City Council has [not] authorized the partial prepayment of assessments prior to certification of the assessment or the first installment thereof to the County Auditor.
PREPAYMENT WITHOUT INTEREST, OR WITH INTEREST TO END OF YEAR:	No interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment roll. At any time prior to November 15 of any year, the owner may prepay to the Treasurer the whole assessment remaining due with interest accrued to December 31 of the year in which the prepayment is made.

INTEREST RATE:

If the assessment is not prepaid within 30 days from the adoption of the assessment roll, interest will accrue on the assessment at the rate of \_\_\_\_%. Interest accrues from the date to be specified in the resolution levying the assessment, but not earlier than the date of such resolution.

DATED: \_\_\_\_\_, 200\_.

BY ORDER OF THE CITY COUNCIL

/s/  
\_\_\_\_\_  
City Clerk

\*\*\*\*\* Subject to the same provisions as noted at \*\* above.

Adm. Donabauer talked about the need to create an ad-hoc committee for the purpose of meeting with Al Christensen of Tri-County Solid Waste, to discuss organized collection. The City is not currently in compliance with the Tri-County Waste Plan as far as disposal (having waste incinerated and not placed in landfills). Battcher, Heiland, Wills and Mayor Nagel stated they would be available to meet with Al Christensen from Tri-County Solid Waste on April 6<sup>th</sup>.

Adm. Donabauer reviewed the proposed flyer for the City of Arlington Clean Up Day, which showed proposed items to be allowed for collection. Various changes were suggested. Discussion was also held on whether the City should or should not provide dumpsters (at no charge) for the residents during the Clean Up day scheduled on June 25<sup>th</sup> at the fairgrounds. Concern was expressed about the public abusing the service. Nuesse felt there should not be a charge this year with the hope of encouraging residents to utilize the service.

Motion by Wills, seconded by Heiland, and passed by unanimous vote to provide dumpsters for the Clean Up Day event at no cost to the City's residents this year.

Since the Council accepted Police Officer Candidate John Stepien's Letter of Withdrawal from the Police Officer position, Adm. Donabauer was seeking authorization to make a conditional offer to Jordan Voigt at a starting salary of \$17.70 per hour (step one) with benefits.

Motion by Wills, seconded by Jaszewski, and passed by unanimous vote to authorize the conditional offer and starting salary for the Police Officer position to Jordan Voigt.

Motion by Nuesse, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 7:25 pm.

---

City Administrator Liza M. Donabauer

---

Mayor Richard Nagel