

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
JUNE 20, 2016 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 June 6<sup>th</sup> Regular Meeting Minutes.
  - B) Approval of the June 14<sup>th</sup> Special and Closed Meeting Minutes.
  - C) Approval of Bills.
  - D) Approval of Fireworks Possession and Display on July 2<sup>nd</sup> @ Sibley County Fairgrounds.
  - E) Authorize Painting Curb in Front of Fire Hall to Restrict Parking.
  - F) Accept the Resignation of Krista Kube, Arlington Library Aide.
  - G) Approve Hiring Julie Holmes, Arlington Library Aide.

**PUBLIC HEARINGS**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) Citizens Addressing the Council.
6. Announcements
  - A) Arlington Farmer's Market, Every Monday in June, 4-7 p.m. @ Arlington Community Center.
  - B) City of Arlington Clean Up Day, June 23<sup>rd</sup>, 9-4:00 p.m. @ Sibley County Fairgrounds.
  - C) Sibley County Municipalities Association Semi-Annual Meeting, June 23<sup>rd</sup>, 6:00 p.m. @ Gaylord
  - D) City Office Closed Monday, July 4<sup>th</sup> for Independence Day Holiday; City Council Meeting held Tuesday, July 5<sup>th</sup> @ 6:30 p.m.
  - E) MMPA Annual Summer Meeting in Anoka, July 26<sup>th</sup> @ 5:30 p.m.
7. Communications
  - A) May Police Report.
  - B) May Financial Report.
  - C) Leading Sibley Together Leadership Program.
  - D) Thank You Memo from Felicia Brockoff, Cancer Cruise Coordinator.

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

8. Tom Olinger (Abdo, Eick & Meyers)
  - A) Approve/Deny 2015 Audit Report.
9. Annual Report – Cemetery – Dennis Van Moorlehem.

## **ORDINANCES & RESOLUTIONS**

10. Ordinances
  - A) First Reading: Ordinance 307 – An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, by Adding Subdivision 11 to Section 13 Providing for Certain Solar Energy Systems as Accessory Uses.
11. Resolutions
  - A) 45-2016 – Approve/Deny a Second Location for the Purpose of Lawful/Charitable Gambling for the Veterans of Foreign Wars Post 6031.
  - B) 46-2016 – Appoint/Deny Election Judges for the Primary and General Elections.
  - C) 47-2016 – Rescinding Resolution 44-2016 & Authorizing the Purchase of Real Property from Seneca Foods Corp.

## **UNFINISHED BUSINESS**

12. Johnson Controls. (Ross Arneson)
13. TSE Building. (Ross Arneson)

## **NEW BUSINESS**

14. Authorize Reroofing Project of Effluent Building at Waste Water Treatment Plant.
15. Mid-Year Update on Mayoral Goals:
  - A) Enter the Planning and Proposal Phase for Improvements of the Arlington Public Cemetery.
  - B) Obtain Access to and Begin Development of Arlington’s Industrial Park.
  - C) Continue to Identify Properties and Parked Vehicles that are Unsightly and in Violation of City Ordinances.
  - D) Create Activities and Gatherings to Foster “Community” in the City of Arlington.
  - E) Attain Step 2 and Work Toward Attaining Step 3 of the GreenStep Cities Program.
  - F) Inventory the City Tree Population and Formulate a Replanting Plan.
  - G) Complete a Citywide Inventory of All Traffic Control Signs and Street Signs.

## **MISCELLANEOUS BUSINESS**

16. Police Department Update.
17. Set Budget Workshop Date and Time (Proposed Dates: July 18<sup>th</sup> or August 1<sup>st</sup> at 5:00 p.m.).
18. Council Committee Updates.
19. Open Discussion.

## **ADJOURNMENT**

### Reminders:

Cemetery – June 27<sup>th</sup> @ 5:30 pm  
Parks – June 27<sup>th</sup> @ 7 pm

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
JUNE 20, 2016**

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

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

Members absent: Battcher

Also present: City Adm. Donabauer, City Attorney Arneson, City Auditor Tom Olinger from Abdo, Eick & Meyer, LLP; Cemetery Committee member Dennis Van Moorlehem, Police Chief Danner, Kurt Menk

Motion by Jaszewski, seconded by Nuesse, and passed by unanimous vote to approve the agenda with the following changes:

Add item 11C) 47-2016 – Rescinding Resolution 44-2016 & Authorizing the Purchase of Real Property from Seneca Foods Corp.

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

- A) Approval of the June 6<sup>th</sup> Regular Meeting Minutes
- B) Approval of the June 14<sup>th</sup> Special & Closed Meeting Minutes
- C) Approval of Bills
- D) Approval of Fireworks Possession and Display on July 2<sup>nd</sup> @ Sibley County Fairgrounds
- E) Authorize Painting Curb in Front of Fire Hall to Restrict Parking
- F) Accept the Resignation of Krista Kube, Arlington Library Aide
- G) Approve Hiring Julie Holmes, Arlington Library Aide.

It was noted that there were no public hearings scheduled.

It was noted that there were no other citizens present to address the Council on non-agenda items.

The following announcements were reviewed:

- F) Arlington Farmer's Market, Every Monday in June, 4-7 p.m. @ Arlington Community Center
- G) City of Arlington Clean Up Day, June 23<sup>rd</sup>, 9-4:00 p.m. @ Sibley County Fairgrounds
- H) Sibley County Municipalities Association Semi-Annual Meeting, June 23<sup>rd</sup>, 6:00 p.m. @ Gaylord
- I) City Office Closed Monday, July 4<sup>th</sup> for Independence Day Holiday; City Council Meeting held Tuesday, July 5<sup>th</sup> @ 6:30 p.m.
- J) MMPA Annual Summer Meeting in Anoka, July 26<sup>th</sup> @ 5:30 p.m.

The Council reviewed the following communications:

- A) May Police Report
- B) May Financial Report
- C) Leading Sibley Together Leadership Program
- D) Thank You Memo from Felicia Brockoff, Cancer Cruise Coordinator.

City Auditor Tom Olinger, Abdo, Eick & Meyers presented the 2015 Audit Report and Management Letter. Olinger stated that they had implemented GASB68 for (liability numbers for) PERA, which is a qualified opinion, but held a modified opinion (as the City opted not to do the actuarial) for the Fire Relief Association, which may change in the future. He stated that by adding PERA, which was something new this year, the government-wide standards had put a \$285,000 liability on the books (City's unfunded portion of PERA). He commented on the issue of segregation of duties and need for Council oversight. He noted there was one compliance issue with regards to outstanding checks being over four years old and explained how this can be corrected. It was noted that the fund balance at the end of the year was over \$900,000, which was approximately 63% of the budgeted amount for the next year. He added that this was consistent with the previous year. Olinger commented this was healthy. He noted the changes

and/or improvements made from the previous year for each fund. Olinger commented that the sewer fund had a little bit of a cushion now, but it should continue to be monitored in order to build up more reserves (possibly raise rates). He stated that with regards to the electric fund, more specifically debt service, things are at a break-even point, but as soon as principal payments kick in the rates will not likely cover the debt; the City will have to either raise rates or spend down the cash balance. Adm. Donabauer commented that the City is in the process of dealing with the segregation of duties and the outstanding checks.

Motion by Nuesse, seconded by Jaszewski, and passed by unanimous vote to approve the 2015 Annual Financial Report and Management Letter as presented by Abdo, Eick & Meyers.

Dennis Van Moorlehem presented the annual report for the Cemetery Committee. He commented that they have been discussing several items this past year including:

- planting some bushes and/or trees along the northern edge of the cemetery to screen the view from the city shop area;
- bringing the area in the east-northeast corner brought up to grade (fill hauled in);
- creating a separate area within the cemetery for cremation burials only (2 ft sq lots) with flat stones, which is also to include a columbarium with benches (approximately \$90,000 has been set aside in the perpetual care fund for said structure);
- having a map that showed all open lots on it and put a moratorium in place on any future expansion until all open areas are filled;
- making improvements to the current roads and adding a road to the south;
- re-establishing the southern boundary line of the cemetery and do some planting of shrubbery;
- re-claiming vacant or abandoned lots.

The first reading of Ordinance No. 307 – An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, by Adding Subdivision 11 to Section 13 Providing for Certain Solar Energy Systems as Accessory Uses, was held. Adm. Donabauer explained that the proposed ordinance was reviewed at the last Council meeting and language pertaining to ground mounted systems was requested to be added. PZ Consultant Smith-Strack was contacted and provided the following for consideration:

- 1) Ground mounted utility scale systems tie up property for decades and do not create jobs or attract very much of a tax base;
- 2) Size is a big issue. For each MW of solar energy produced, approximately 6-8 acres of land is covered with solar panels (i.e. a 5 MW system would cover 40 acres). Such uses do not require water/sewer and therefore can be a deterrent for municipal utility extensions and/or cost more to extend utilities without having any benefit to the property (therefore no ability to access costs).

Smith-Strack said there should be some restrictions on ground-mounted systems such as size of the system, glare, berming/screening from adjacent uses, a decommissioning plan, a site plan, and ability for neighbors to comment. She also questioned if the Council was thinking of allowing ground-mounted systems as a principal or accessory use and in which zoning districts would they be allowed. It was the consensus of the Council to remove the newly added language referring to ground-mounted systems and revert to the original language proposed at the last meeting.

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

#### **RESOLUTION 45-2016**

#### **A RESOLUTION APPROVING A SECOND LOCATION FOR THE PURPOSE OF LAWFUL GAMBLING FOR THE VETERANS OF FOREIGN WARS POST 6031**

**WHEREAS**, the Veterans of Foreign Wars Post 6031 currently host charitable gambling activity at the Arlington Dugout at 310 West Main Street; and

**WHEREAS**, the Veterans of Foreign Wars Post 6031 request a second site to establish another lawful gambling activity at the Double Tap Bowling & Sports Bar, 508 2<sup>nd</sup> St. NW.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Arlington hereby approves a second location for Lawful Gambling as submitted by the Veterans of Foreign Wars Post 6031 effective immediately.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Heiland and upon poll being taken thereon the following voted in favor thereof: Heiland, Jaszewski, Nuesse, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Battcher.

The foregoing resolution was adopted by the City Council of the City of Arlington this 20<sup>th</sup> day of June, 2016.

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.

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

**RESOLUTION 46-2016**

**A RESOLUTION APPOINTING ELECTION JUDGES FOR THE 2016 ELECTIONS**

**WHEREAS**, a State Primary Election will be held on Tuesday, August 9, 2016, and polls must be open from 7:00 a.m. to 8:00 p.m.; and

**WHEREAS**, a General Election will be held on Tuesday, November 8, 2016, and polls must be open from 7:00 a.m. to 8:00 p.m.; and

**WHEREAS**, Minnesota Statute 204B.21, subd. 2 requires Election Judges for precincts in a municipality be appointed by the governing body of the municipality; and

**WHEREAS**, the City of Arlington has one precinct; and

**WHEREAS**, the attached list of individuals have applied to serve as Election Judges for the Primary and General Elections and have agreed to perform all statutory duties related to the election process.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Arlington, Minnesota, that the attached list of individuals is hereby approved for the 2016 elections.

**BE IT FURTHER RESOLVED**, that the hourly wage for training time and the election judge services are hereby approved for the 2016 election at \$9.50 per hour, except that the Head Judges will be paid \$10.00 per hour. Mileage incurred due to training and election duties shall be reimbursed at the current IRS rate.

**FURTHERMORE BE IT RESOLVED**, that the City Administrator is hereby authorized to appoint any substitutions to Election Judges if necessary.

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: Heiland, Jaszewski, Nuesse, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Battcher.

The foregoing resolution was adopted by the City Council of the City of Arlington this 20<sup>th</sup> day of June, 2016.

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.

**ELECTION JUDGES – 2016 PRIMARY & GENERAL ELECTION SCHEDULE**

**MORNING SHIFT** (6:00 am – 2:45 pm)

Minimum requirement: 4 Judges

Dennis Van Moorlehem – *Head Judge*  
507 West Elgin Street  
Arlington, MN 55307

Barb Haggemiller  
409 Circle Lane  
Arlington, MN 55307

Pat Grabitske  
302 West Adams Street  
Arlington, MN 55307

Loanne Sorenson  
724 Marion Drive  
Arlington, MN 55307

Helen Kittock  
401 Creekview Lane  
Arlington, MN 55307

Ron Laabs (*new*)  
412 Circle Lane  
Arlington, MN 55307

Rodney Stemme (*new*)  
306 West Brooks Street  
Arlington, MN 55307

**AFTERNOON SHIFT** (2:30 – 8:00 pm+)  
Minimum requirement: 5 Judges

Rena Dose - *Head Judge*  
107 East Brooks Street  
Arlington, MN 55307

Carol Mesenbring  
502 West Elgin Street  
Arlington, MN 55307

Diane Ebersviller  
505 Circle Lane  
Arlington, MN 55307

Marion Van Moorlehem  
507 West Elgin Street  
Arlington, MN 55307

Pauline Wiemann  
503 West Adams Street  
Arlington, MN 55307

Ruth Voight  
206 East Dayton Street  
Arlington, MN 55307

Roseann Nagel (*new*)  
311 E. Clinton Street  
Arlington, MN 55307

**ALTERNATES**

\*\*Election Official – Vicki Pomplun (for both elections)\*\*

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

**RESOLUTION 47-2016**

**A RESOLUTION RESCINDING RESOLUTION 44-2016 AND AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM SENECA FOOD CORPORATION**

**WHEREAS**, the City of Arlington has listed developing an industrial park, with rail access, as a priority in the 2008 and 2014 Comprehensive Plan for the purpose to retain existing commercial/industrial uses and encourage new commercial/industrial development; and

**WHEREAS**, the City of Arlington owns 22.18 acres designated for an industrial park which abuts TH 5 and the Prairie Line Railroad; and

**WHEREAS**, the City of Arlington has exhausted all options in order to gain access to the land locked parcel; and

**WHEREAS**, the City of Arlington entered into negotiations with Seneca to gain access to the City industrial park land through Seneca's property; and

**WHEREAS**, both parties have agreed to a purchase price of \$200,000 for approximately 14.64 acres (as shown in the attached exhibit), contingent upon the City's receipt and award of state funding for infrastructure improvements by June 30, 2017, for development and access to the City's industrial park.

**WHEREAS**, the Greater MN Business Development Public Infrastructure (BDPI) Grant Program (state funding) would cover no more than 50% of the infrastructure costs for the construction of an industrial park; with a preliminary engineering estimate of \$2.4 million for a complete project; including access, land, surveying, engineering and legal costs, road and utilities.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Arlington hereby authorizes entering into a purchase agreement with Seneca Food Corporation for approximately 14.64 acres of land adjacent to the City's industrial park property with a contingency of an award of a DEED grant for infrastructure improvements.

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: Heiland, Jaszewski, Nuesse, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Battcher.

The foregoing resolution was adopted by the City Council of the City of Arlington this 20<sup>th</sup> day of June, 2016.

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.

City Attorney Arneson provided an update on his dealings with Johnson Controls regarding the ongoing issues with the street lights. He stated initially Johnson Controls was receptive to helping and/responding to the City, but has since stopped in all efforts of communication. He stated that he has since spoken with a representative from the installation company (On Sight) about the equipment. The equipment was supplied from American Induction and rated for varying climates, but now are finding that it is not. Arneson commented that there are two issues at hand: replacement parts are of the same poor quality and supply is very poor. A second vendor (Nexlume) has been contacted for parts; the parts are not much better. Arneson commented that the City of Glencoe is having the same issues. He suggested looking into if there are any other cities having the same issues with Johnson Controls and bring a class action suit against them and American Induction. The City's electrical engineers have ruled out there are no voltage issues on the city's end; its faulty equipment. It was agreed something needs to be done as this problem has been dragging on far too long.

Attorney Arneson stated that he had been authorized to examine the title for the TSE property and found it to be free and clear. He noted that if the City takes ownership this year, the property will not revert to tax exempt status until 2017 and questioned responsibility for the second half property taxes for 2016 (approximately \$1,400). He stated that TSE had an appraisal done of the property and he found it to be fair. TSE is proposing to vacate the property at the end of July; with the City taking ownership August 1<sup>st</sup>. Arneson advised of a few things the City needed to do with the date getting closer such as adding the property to the City's insurance, coordinate change of utilities, turning over of keys, manuals and passwords for technology being left, and determine a final walk through of the property (what is actually being left behind – not just junk that will cost the City to dispose of).

Adm. Donabauer stated that Lee Ortloff (People Services) has obtained two bids for reroofing the effluent building at the wastewater treatment facility. The current roof does contain asbestos. The Utilities Committee met and reviewed the bids: one was for removing the asbestos and replacing the roof; the other was to place a pitched roof directly over the existing (no asbestos removal necessary). The Committee was recommending approval of the lower bid for the pitched re-roof over existing roof.

Motion by Heiland, seconded by Wills, and passed by unanimous vote to accept the bid from Haggemiller and Fredin in the amount of \$10,315.19 for reroofing the effluent building at the wastewater treatment plant.

Mayor Nagel and Councilmembers each provided a mid-year update on the mayoral goals that they had been assigned at the beginning of the year.

--Enter the Planning and Proposal Phase for Improvements of the Arlington Public Cemetery (Nuesse): She re-iterated what was said earlier in the meeting by Van Moorlehem, priorities being work on the northern edge, repair roads and columbarium.

--Obtain Access to and Begin Development of Arlington's Industrial Park (Heiland): He stated the City is taking steps to gain access to the industrial park with the purchase of land from Seneca.

--Continue to Identify Properties and Parked Vehicles that are Unsightly and in Violation of City Ordinances (Nagel): He has seen significant improvement via the Police Department's enforcement of the ordinances.

--Create Activities and Gatherings to foster "Community" in the City of Arlington (Jaszewski): He commented that the Farmer's Market was off and running and expected to grow as summer produce becomes available. He added that an "Arlington Night Out" is being planned for this summer in the park on August 2<sup>nd</sup>, including emergency service departments. Coffee with the Mayor sessions have been held at various locations.

--Attain Step 2 and Work Toward Attaining Step 3 of the GreenStep Cities Program (Donabauer): She reported that both steps 2 and 3 have been attained.

--Inventory the City Tree Population and Formulate a Replanting Plan (Wills): He stated that two training classes had been offered to the public pertaining to trees (becoming tree stewards for the City). The inventory process is scheduled to start shortly and then a replanting plan can be discussed. The City is removing diseased trees.  
--Complete a Citywide Inventory of all Traffic Control Signs and Street Signs (Battcher): tabled until the next meeting.

Police Chief Danner presented his monthly update. He stated they are busy with normal day-to-day calls, plus enforcing ordinances pertaining to nuisance properties. He commented that the residents are receptive to the letters and getting things cleaned up/taken care of. He added that the new owner of the trailer park has been very receptive to what needs to be done; progress is being made, but it is just going to take time. Danner commented that the second police work station area (in the back) is complete now; it was needed after the secretary was hired. He commented that there are still some technology issues for the secretary, but things are functioning. It has been successful having the secretary in the office as she has been able to help with various computer duties and the public knows she is there.

It was the consensus of the Council to set August 1<sup>st</sup> at 5:00 pm for a budget workshop meeting.

Jaszewski, Mayor Nagel and Adm. Donabauer commented on the LMC Conferences that they attended. Jaszewski attended a good one that pertained to getting staff/EMS trained on mental health issues. Nagel attended one that pertained to infrastructure improvements; more specifically partial improvements and/or slip lining water and sewer mains. He also attended one called 'Drab to Dreamy' Inspiring Homeowners to Re-invest. He explained that it was a program the City of Coon Rapids did regarding repurposing/revitalizing homes. Nagel also attended a session called Community & Development Planning through Parks. He explained that this was a program the City of Bemidji had done; where they identified what they wanted from each park (i.e. kid friendly). Donabauer commented that the theme of the conference was future and innovation.

Wills talked about the overflow/backup pipe at the school that was abandoned at the recommendation of the City Engineer. He expressed concern about the things being done on the city's behalf without Council approval and/or not being done (i.e. televising of the pipe) that is supposed to be getting done. He doesn't feel city tax payers should have to be incurring costs associated with this project (for a backup pump for the lift station). He would like to hear from Bolton & Menk on this.

Mayor Nagel encouraged the Council to watch one of the webinar links pertaining to the Broadband Grant Program sent via email from Representative Gruenhagen so a discussion could be held at a future meeting.

Motion by Heiland, seconded by Nuesse, and passed by unanimous vote to adjourn the meeting at 8:46 pm.

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City Administrator Liza M. Donabauer

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Mayor Richard Nagel