

**ARLINGTON CITY COUNCIL
MEETING AGENDA
NOVEMBER 7, 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 October 17th Regular Meeting Minutes.
 - B) Approval of the October 17th Special Meeting Minutes.
 - C) Approval of Bills.
 - D) Authorize Eligibility of Donation of Stryker 6082 MX Pro R3 Stretcher, Value \$3,000.
 - E) Authorize Eligibility of Donation of Stryker 6080 MX Pro Stretcher, Value \$2,495.
 - F) Authorize Eligibility of Donation of Zoll AutoPulse with Charger and Batteries, Value \$3,200.
 - ~~G) Approval of Changes to Arlington Fire's Standard Operating Guidelines to Extend Emergency Response Time from Five Minutes to Eight Minutes. (removed for discussion purposes)~~
 - H) Approval of Summary Rules for Public Comment for Distribution at all Council Meetings.
 - I) Approval of Data Practices Policy for Data Subjects.
 - J) Approval of Data Practices Policy for Members of the Public.

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council.
6. Announcements
 - A) General/City Election, Tuesday, November 8th, 7 a.m. to 8 p.m. @ Community Center.
 - B) Coffee with Mayor Nagel, Thursday, November 10th @ 1:30 p.m. Good Samaritan Society.
 - C) City Offices will be Closed on Friday, November 11th for the Veteran's Day Holiday.
 - D) Special Council Meeting to Canvass Election Results from the 2016 General/City Election and Host Budget Workshop, November 15, 2016 @ 5:00 p.m.
 - E) City Offices will be Closed on Thursday/Friday, November 24-25 for the Thanksgiving Holiday.
 - F) Arli-Dazzle, Saturday, December 3rd.
 - G) Truth-in-Taxation Hearing – December 5th @ 6:00 p.m.

7. Communications
 - A) September Water/Wastewater Report.
 - B) October Police Report.
 - C) Letter from SW Corridor Transportation Coalition to MnDOT Commissioner Charlie Zelle.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

8. Ordinances
 - A) None.
9. Resolutions
 - A) Open.

UNFINISHED BUSINESS

NEW BUSINESS

10. Present 2017 Street & Utility Improvement Project's Preliminary Engineering Report & Assessment Roll (Jason Femrite, Bolton & Menk).
 - A) Resolution 61-2016 – Accepting Report and Call for Improvement Hearing.
11. Arli-Dazzle (Leah Prah and Mike Stumm)
 - A) Approve/Deny the Following:
 - 1) Parade Route Permit Request, Use of Barricades & Cones for the Parade.
 - 2) Closing a Portion of Main Street on December 3rd for Pre-Parade Activities.
 - 3) Placement of Fire Pits on a Public Right-of-Way during the Parade.
 - 4) Use of Main Street Parking Lot as a "Fish House Camp" and 3rd Ave NW Parking Lot for Food Vendor.
 - 5) Use of EMS Building Meeting Room on Day of Event.
 - B) Resolution 62-2016 – Approving Request from Chamber of Commerce for an Outdoor Festival Event and Waiving General Prohibition of Public Consumption on Main Street.
12. Authorize Trade-In/Sale of 2008 Chevy Police Vehicle.

MISCELLANEOUS BUSINESS

13. Approval of Changes to Arlington Fire's Standard Operating Guidelines to Extend Emergency Response Time from Five Minutes to Eight Minutes.
14. Council Committee Updates.
 - A) Hwy 5 Speed Reduction Request
15. Open Discussion.

ADJOURNMENT

Reminders:

Library – November 16th @ 5:30 pm (Library)
Parks – November 28th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
NOVEMBER 7, 2016**

The regular meeting was called to order at 6:37 p.m., Mayor Richard Nagel presiding.

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

Members absent: None

Also present: City Adm. Donabauer, City Attorney Arneson, Council Candidates Tom Hatlestad & Adam Cowell, Police Officer Voigt, John Wemeier, Jacob Wemeier, Tim Kube, Eng. Jason Femrite, Leah Prah, Mike Stumm, Kurt Menk

Motion by Wills, seconded by Heiland, and passed by unanimous vote to approve the agenda with the following change:

Add item 14A) Hwy 5 Speed Reduction Request

Remove 4G) 'Approval of Changes to Arlington Fire's Standard Operating Guidelines to Extend Emergency Response Time from Five Minutes to Eight Minutes' from consent agenda and move it to item 13 for discussion purposes.

Motion by Nuesse, seconded by Battcher, 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 October 17th Special Meeting Minutes
- C) Approval of Bills
- D) Authorize Eligibility of Donation of Stryker 6082 MX Pro R3 Stretcher, Value \$3,000
- E) Authorize Eligibility of Donation of Stryker 6080 MX Pro Stretcher, Value \$2,495
- F) Authorize Eligibility of Donation of Zoll AutoPulse with Charger and Batteries, Value \$3,200.
- G) Approval of Summary Rules for Public Comment for Distribution at all Council Meetings
- H) Approval of Data Practices Policy for Data Subjects
- I) Approval of Date Practices Policy for Members of the Public.

Tim Kube addressed the Council about his concerns with Cemstone's anticipated relocation out to the area of Meadowlark Lane. He was concerned about the truck traffic going through a residential area; and also about the lack of enforcement for large equipment/trucks using the roadway when they shouldn't be. Mayor Nagel commented that Cemstone had requested that a 10-ton road be put in from the Cty Rd 12 intersection to their site.

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

The following announcements were reviewed:

- A) General/City Election, Tuesday, November 8th, 7 a.m. to 8 p.m. @ Community Center
- B) Coffee with Mayor Nagel, Thursday, November 10th @ 1:30 p.m. Good Samaritan Society
- C) City Offices will be Closed on Friday, November 11th for the Veteran's Day Holiday
- D) Special Council Meeting to Canvass Election results from the 2016 General/City Election and Host Budget Workshop, November 15, 2016 @ 5:00 p.m.
- E) City Offices will be Closed on Thursday/Friday, November 24-25 for the Thanksgiving Holiday
- F) Arli-Dazzle, Saturday, December 3rd
- G) Truth-in-Taxation hearing – December 5th @ 6:00 p.m.

The Council reviewed the following communications:

- A) September Water/Wastewater Report
- B) October Police Report
- C) Letter from SW Corridor Transportation Coalition to MnDOT Commissioner Charlie Zelle.

City Engineer Femrite was present to discuss the 2017 Street and Utility Improvement Project's Preliminary Report and Assessment Roll. He explained that the proposed project will be an extension of the 2015 project and will include the area of 4th Avenue NW, 3rd Avenue NW, West Brooks St. and West Alden Street (around the school). He added that some drainage issues will be addressed in the alley between 3rd and 4th Avenues; and improve water quality and flow in the entire industrial area (in northeast quadrant) by looping the watermain. He reviewed the scope of the proposed project in detail. Femrite stated that the residential roads will be 7-ton, except Alden Street will be a 9-ton road for commercial purposes (fire station on this road). It was noted that the roads will include "T" connections for sump pumps (to help improve I & I issues). Femrite reviewed the proposed schedule for the project, which showed construction starting in May 2017 and final completion in June 2018.

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

RESOLUTION 61-2016

**A RESOLUTION RECEIVING REPORT AND CALLING HEARING ON
2017 STREET & UTILITY IMPROVEMENTS**

WHEREAS, The City Council deems it necessary and expedient that the City of Arlington, Minnesota, consider the construction of the 2017 Street & Utility Improvements, in the City as described in and in accordance with the preliminary report prepared by Bolton & Menk, Inc., consulting engineers; and

WHEREAS, The Council has been advised by the consulting engineers that said 2017 Street & Utility Improvements are necessary, cost-effective, and feasible and should best be made as proposed, and the consulting engineers' report to this effect has heretofore been received by the Council on November 7, 2016, and filed with the City Administrator; and

WHEREAS, The statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the "Impact of Assessments") has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments;

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

1. A public hearing will be held at the time and place set forth in the Notice of Hearing attached hereto to consider said proposed improvements.
2. The nature of the improvements, the estimated cost of each major portion thereof, and the areas proposed to be assessed therefor are described in the form of Notice of Hearing hereto attached.
3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached.
4. The City Administrator is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the City Administrator shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk shall ascertain such ownership by any practicable means and give mailed notice to such owners.
5. The City Administrator is hereby authorized and directed to cause to be prepared the Impact of Assessments, consistent with the determinations of this City Council on and prior to the date hereof.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Nuesse, 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 7th day of November, 2016.

Signed: /s/ Richard Nagel
Mayor

Attested: /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.

NOTICE OF PUBLIC HEARING ON IMPROVEMENTS

TO WHOM IT MAY CONCERN:

TIME AND PLACE: Notice is hereby given that the City Council of the City of Arlington, Minnesota, will meet at the City Hall in the City of Arlington, Minnesota, at 6:30 p.m. o'clock P.M. on December 5, 2016, to consider the construction of the 2017 Street & Utility Improvements

NATURE OF IMPROVEMENT: The construction of sanitary sewer, watermain, storm sewer and street improvements

ESTIMATED COST: The total estimated cost of said improvements is \$1,712,861.50 with \$156,461.25 in alternates.

ASSESSED: The area proposed to be assessed for such improvements is as follows: W. Brooks St (from 5th Ave NW to 3rd Ave NW), W. Alden St (from Hwy 5 to 2nd Ave NW), 4th Ave NW (W. Chandler to W. Alden Street), 3rd Ave NW (W. Brooks to W. Alden Street).

AUTHORITY: The Council proposes to proceed under the authority granted by Minn. Stat. §§ 429.011 to 429.111

A reasonable estimate of the impact of the assessment for each project area will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting

DATED: November 7, 2016.

BY ORDER OF THE CITY COUNCIL
/s/ Liza M. Donabauer
City Administrator

Mike Stumm and Leah Prah were present on behalf of the Arli-Dazzle Committee to make their annual requests associated with the event (closing & sanding of Main Street, placement of fire pits, use of city parking lot, cones and barricades, etc.). There are twice as many food vendors this year. The Committee would like to place them on the side streets and the parking lot next to the movie theater. The Committee was asking to close the side streets (1st Ave N/S, 3rd Ave NW/SW and 4th Ave SW) from Main to the alleyways.

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

RESOLUTION 62-2016

A RESOLUTION APPROVING THE REQUEST FROM THE CHAMBER OF COMMERCE-ARLI-DAZZLE COMMITTEE FOR AN OUTDOOR FESTIVAL EVENT ON DECEMBER 3, 2016

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the request from the Chamber of Commerce-Arli-Dazzle Committee to host an outdoor festival event on December 3, 2016 on Main Street between County Rd 9 and Fourth Ave SE and the City Parking Lot.

BE IT FURTHER RESOLVED, that the City Council of the City of Arlington waives its general prohibition of public consumption from County Rd 9 to Fourth Ave SE on Main Street from 3-8 p.m. and the City Parking Lot from 1 p.m. to 2 a.m. as allowed in Section 6 of Ordinance 287 (adopted 7-07-14) during this community event on December 3, 2016.

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 7th day of November, 2016.

Signed: /s/ Richard Nagel
Mayor

Attested: /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.

Discussion was held on whether the City should trade-in, sell outright or keep the 2008 Chevy Police vehicle. Adm. Donabauer stated that the City was offered \$750 as the trade-in value of the vehicle. Nuesse questioned if the existing city vehicle (formerly a '03 squad vehicle) should be retired and then demote the '08 police vehicle to the city car due to value and age. Officer Voigt pointed out that the removal of all of the decals on the '08 was included as part of the trade-in offer.

Motion by Nuesse, seconded by Battcher, and passed by unanimous vote to table action on the 2008 Chevy Police Vehicle until more information can be obtained from assessing value and/or maintenance of both 2008 and 2003 vehicles and determining which vehicle is more beneficial to keep.

Discussion was held on the proposed revisions to the Fire Dept.'s Standard Operating Guidelines. Heiland commented that the response time was being changed from five minutes to eight. Some concern was expressed about the percentage (25% or 30%) of number of calls members have to make; and if medical calls should be included or not. It was noted that skywarn/weather watch calls were not included.

Motion by Wills, seconded by Heiland, and passed by unanimous vote to amend the Fire Dept.'s Standard Operating Guidelines (SOGs) to extend emergency response time from five (5) minutes to eight (8) minutes.

Wills provided a brief update on the Cable Commission. He stated that they were updated on viewing on Ch. 7 & 8. Adm. Donabauer questioned if sound quality had been discussed. Wills stated it was being looked into.

Mayor Nagel commented on the newly increased speed on Hwy 5 (State issued) and expressed concerns about the new retail store and the curve in the northeast area of town. He would like a letter to be sent to MnDOT requesting that the speed be reduced (stepped down 40, 35, 30) before the curve to forego accidents/fatalities at that intersection. It was the consensus of the Council that a letter should be sent. It was suggested to get supporting letters from both the Chamber of Commerce and Sibley County.

Jaszewski commented on a safety situation he observed at the intersection of Main Street and County 17 (4th Ave) dealing with several cars and an individual on a skateboard traveling down the middle of the street (violating traffic laws). Officer Voigt commented that skateboarders should use the sidewalks for their safety. Wills thought there was an ordinance pertaining to recreational activity on city streets. Attorney Arneson affirmed it is prohibited. He stated that bicycles are viewed as transportation; whereas skateboarding could be viewed as either recreation or transportation. Nuesse commented that she is observing motorized golf carts also not abiding by traffic laws.

Motion by Nuesse, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 7:42 pm.

City Administrator Liza M. Donabauer

Mayor Richard Nagel