

**ARLINGTON CITY COUNCIL
MEETING AGENDA
SEPTEMBER 19, 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 September 6th Regular Meeting Minutes.
 - B) Approval of Bills.
 - C) Approval of Providing Barricades and Closing Main Street from the East Side of Highway 5 to 1st Ave N for Chamber of Commerce Event on Halloween.
 - D) Approval of Drone Permit for Photography of Arlington Veterans Walking Path.
 - E) Approval of Changes to Personnel Policy Handbook.
 - F) Approval of Job Descriptions for Deputy Clerk, Administrative Coordinator and Assistant Deputy Clerk.
 - G) Approval of Hiring Angela Treu, Volunteer EMT, Arlington Area Ambulance.
 - H) Accept Resignation of Karen Johnson as Arlington Community Center Attendant.

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council.
6. Announcements
 - A) Arlington Farmer's Market, Every Monday in September, 4-7 p.m. at Arlington Community Center.
 - B) Ambulance Assn's 24th Annual Harvest Event – Friday, September 30th, 4-8:00 p.m. at Arlington Community Center.
 - C) LMC Regional Meetings – Various Locations in October.

7. Communications
 - A) July Water/Wastewater Report.
 - B) August Financial Reports.
 - C) August Police Report.
 - D) Arli-Dazzle Kick-Off.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

8. Ordinances
 - A) Second Reading: Ordinance 309 – Repealing and Replacing Ordinance 295 Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor.
 - B) First Reading: Ordinance 310 – Amending the 2014 Arlington Comprehensive Plan Future Land Use Map and Section 4, Subd. 2 (Official Zoning Map) of Ordinance 169, the Zoning Ordinance.
9. Resolutions
 - A) 53-2016 – Summary Publication of Ordinance 309.

UNFINISHED BUSINESS

NEW BUSINESS

10. Authorize/Deny City Attorney Arneson to Draft Joint Powers Agreement with High Island Watershed Board for Project 13 Construction.
11. 2017 Budget Discussion
 - A) Approve/Determine Preliminary Tax Levy (Resolution 54-2016).
 - B) Set Time and Place of Truth & Taxation Hearing for Monday, December 5th at 6:00 p.m.

MISCELLANEOUS BUSINESS

12. Council Committee Updates.
13. Open Discussion.

ADJOURNMENT

Reminders:

Library – September 21st @ 5:30 pm (Library)
Cemetery – September 26th @ 5:30 pm
Parks – September 26th @ 7 pm
Township/Fire/Ambulance – October 26th @ 6 pm (EMS Bldg)

**ARLINGTON CITY COUNCIL
MEETING MINUTES
SEPTEMBER 19, 2016**

The regular meeting was called to order at 6:30 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, Tom Hatlestad, Maintenance Supvr. Voigt, Kurt Menk

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

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

- A) ~~Approval of the September 6th Regular Meeting Minutes~~ *(removed from Consent Agenda and moved to 11.5 on Regular Agenda)*
- B) Approval of Bills
- C) Approval of Providing Barricades and Closing Main Street from the East Side of Highway 5 to 1st Avenue N for Chamber of Commerce Event on Halloween
- D) Approval of Drone Permit for Photography of Arlington Veterans Walking Path
- E) Approval of Changes to Personnel Policy Handbook
- F) Approval of Job Descriptions for Deputy Clerk, Administrative Coordinator and Assistant Deputy Clerk
- G) Approval of Hiring Angela Treu, Volunteer EMT, Arlington Area Ambulance
- H) Accept Resignation of Karen Johnson as Arlington Community Center Attendant.

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:

- D) Arlington Farmer's Market, Every Monday in September, 4-7 p.m. (except Labor Day) @ Arlington Community Center
- E) Ambulance Assn's 24th Annual Harvest Event – Friday, September 30th, 4-8:00 p.m. @ Arlington Community Center
- F) LMC Regional Meetings – Various Locations in October.

The Council reviewed the following communications:

- A) July Water/Wastewater Report
- B) August Financial Reports
- C) August Police Report
- D) Arli-Dazzle Kick-Off.

The second reading of Ordinance No. 309 – An Ordinance Repealing and Replacing Ordinance 295 Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor, was held. Adm. Donabauer commented on the various discussions that had been held with regards to the proposed ordinance and suggested changes thereto. She reviewed the proposed language being added to Section 6-Consumption in Public Places.

Heiland expressed his concern that a motion had been made at the last meeting to send the ordinance back and have staff re-word it, however no second was made as discussion took over. He felt the motion and/or action was lost in the process. Mayor Nagel stated that he called for a consensus versus a second to feel out if it should be considered a first reading or not; there was a motion and second for consideration of a first reading. Attorney Arneson commented that the Chair can ask for a second, but does not have to; a member can volunteer a second. Arneson added that regardless of the procedural failure of the first motion, it was overwritten by the second motion, which was seconded and passed. Nuesse commented that the proposed new ordinance is less restrictive than what was in place. She invited the public to express their comments about the ordinance to the Council, either at a Council meeting or directly with a Councilmember. Jaszewski commented that he still wanted to see even more leniency, allow a smaller gathering (a family having a picnic with no permission need, was example used). Heiland agreed with Jaszewski.

The first reading of Ordinance No. 310 – An Ordinance Amending the 2014 Arlington Comprehensive Plan Future Land Use Map and Section 4, Subd. 2 (Official Zoning Map) of Ordinance 169, The Zoning Ordinance, was held. Adm. Donabauer explained that the purpose of the ordinance was to amend the future land use map and Comp Plan, and to rezone a 6.46 acre parcel of land from R1/Ag-R2/Ag Residence & Agricultural District to I-1, Light Industrial. The proposed parcel is located across from Scott Equipment on Circle Drive and owned by Mary Hennies and Sheila Arneson and being purchased by Cemstone. The property is currently used for agricultural purposes, guided toward residential use, and zoned residence agriculture. The applicant proposes re-guiding and rezoning to I-1 to provide for the relocation of their (Cemstone’s) operation from the downtown to the northeast side of town. The Planning Commission considered several factors when they reviewed the request and were recommending approval of the request.

Motion by Wills, seconded by Battcher, and carried (Jaszewski and Heiland opposed) to approve Ordinance 309 – An Ordinance Repealing and Replacing Ordinance 295 Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor, as follows:

ORDINANCE 309

AN ORDINANCE REPEALING AND REPLACING ORDINANCE 295 REGULATING THE POSSESSION, SALE AND CONSUMPTION OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR

See Attached for Complete Ordinance.

This Ordinance is effective upon its adoption and publication as prescribed by law.

/s/ Richard Nagel
By Richard Nagel, It’s Mayor

/s/ Liza M. Donabauer
By Liza M. Donabauer, It’s Administrator

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

RESOLUTION NO. 53-2016

A RESOLUTION APPROVING ORDINANCE NO. 309 ENTITLED, “AN ORDINANCE REPEALING AND REPLACING ORDINANCE 295 REGULATING THE POSSESSION, SALE AND CONSUMPTION OF INTOXICATING AND 3.2 PERCENT MALT LIQUOR WITHIN THE CITY OF ARLINGTON, MINNESOTA” AND PROVIDING FOR SUMMARY PUBLICATION THEREOF

WHEREAS, the City Council of Arlington routinely passes ordinances to promote the public safety, health and welfare of the residents of Arlington; and

WHEREAS, the City Council initiated an update (Ordinance 309) an Ordinance superseding Ordinance 295 regulating the possession, sale, and consumption of intoxicating and 3.2 percent malt liquor within the City of Arlington by updating Section 6 Consumption in Public Places; and

WHEREAS, the City Council held a first reading of Ordinance 309 at its regular meeting on September 6, 2016; and

WHEREAS, the City Council approved the second reading and adoption of Ordinance 309 at its regular meeting on September 19, 2016; and

WHEREAS, Chapter 6, Section 2 of the Arlington City Charter requires publication of Ordinances following first and second reading and approval; and,

WHEREAS, City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 309 entitled “An Ordinance Repealing and Replacing Ordinance 309, Regulating the Possession, Sale, and Consumption of Intoxicating and 3.2 Percent Malt Liquor Within the City of Arlington, Minnesota” is sufficient; 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 Administrator shall cause a summary of Ordinance 309 to be published in the City’s official newspaper at the earliest practicable date.

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On September 19, 2016, the City Council of the City of Arlington approved Resolution 53-2016 entitled ‘A Resolution Providing for Summary Publication of Ordinance 309 Entitled “An Ordinance Repealing and Replacing Ordinance 295 Regulating the Possession, Sale, and Consumption of Intoxicating and 3.2 Percent Malt Liquor Within the City of Arlington, Minnesota’. 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. Ordinance 309 allows the City Council, at its own discretion, to make exception to Section 6, to allow consumption of alcohol in public parks, for special events sponsored by community service organizations, or a city celebration, class reunion, family reunion, company party, or other special event group activity. The city, in granting any such exception, may set such terms for the event, as it deems appropriate to protect the public property and the rights of other users of the park area.”

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: Battcher, Nuesse, Wills; and the following voted against the same: Jaszewski, Heiland; 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 19th day of September 2016.

Signed: /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.

Adm. Donabauer stated that the City has been working with the High Island Watershed Board for over two years regarding Project 13 or Tile 6A Improvement Project. She explained that the Watershed wishes to tie into the City’s oversized storm drain system south of and running parallel with Freedom Drive. In doing so, a portion of tile on the west end near 4th Avenue SE toward 5th Avenue SE will need to be abandoned and the line between 5th Avenue SE and Creekview Lane will need to be relined. Work to be done in the spring of 2017. It was noted that a cost share for the project has been agreed upon, whereby the Watershed agrees to pay 80% of the repairs toward the repairs to Tile 6A and the City pays the remaining 20%. Adm. Donabauer stated that a storm water utility fee would be collectable for the properties being connected to the Freedom Drive storm sewer. It was noted that both parties agreed that the City would design, bid out, and manage the construction of the project, along with collect the storm water fees. Attorney Arneson commented that the Mayor and City Adm. did a great job in negotiating this project with the Watershed Board.

Motion by Heiland, seconded by Battcher, and passed by unanimous vote to authorize Attorney Arneson to draft a Joint Powers Agreement with the High Island Watershed Board for Project 13 Construction.

Adm. Donabauer presented the preliminary tax levy at a 4.2% increase over 2016's adopted tax levy. She explained that once the preliminary tax levy has been set, it cannot be increased; only decreased. The proposed increase in the general fund levy reflects in an increase in services in a few departments:

- Council: raises, paperless devices, having a moderated Goal Setting & Strategic Planning Session;
- Law/Legal: increase in City Attorney's fees;
- Building Official, PZ and EDA: anticipating busy construction year, new EDA Consultant;
- Increase in contribution to CIP and a transfer to the Cemetery Fund;
- Health insurance and wage increases (steps and COLA).

She stated the debt service levy reflects an increase due to the new 2015 General Obligation Bond.

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

RESOLUTION 54-2016

RESOLUTION PROPOSING THE 2016 TAX LEVY, COLLECTIBLE IN 2017

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 2017, upon taxable property in the City of Arlington, for the following proposed purposes:

General Fund	\$581,204
Fire Pumper Cert	\$ 62,280
2015 G.O. Bond	\$ 71,312
Pub. Proj. Lease Rev.	\$ 59,000
2009 G.O. RF Bonds	\$ 31,400
2012 G.O. Bonds	\$ 17,100
Other Levies (Tax Abatement)	<u>\$ 2,600</u>
Total Tax Levy	\$824,896

TOTAL CERTIFIED TAX LEVY \$ 824,896

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: 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.

Adopted by the City Council of the City of Arlington this 19th day of September, 2016.

Signed: /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.

It was the consensus of the Council to set Monday, December 5, 2016 at 6:00 p.m. as the date/time for the 2016 Truth in Taxation Hearing for Taxes Payable in 2017, which is to be held at the Arlington Community Center in the Council Chambers.

Mayor Nagel questioned if there were any more issues to discuss with regards to the minutes from the last meeting; there were none.

Nuesse commented on the most recent Employee Relations Committee meeting. The Committee reviewed the job descriptions approved earlier in the meeting. They still need to discuss step/wage increases for employees.

Mayor Nagel talked about the most recent Hwy 212 Coalition meeting he attended. It was noted that the Coalition continues to focus their attention on trying to obtain funding to make the area between Carver and Cologne a 4-lane highway. Another topic that was discussed was a safety issue in Norwood Young America, where students are crossing the highway; a pedestrian underpass was discussed. Nagel commented that the meetings are very well attended; the western portion of the state is well represented.

Maintenance Supvr. Voigt commented that they had attempted to camera the storm sewer main in the area (Clinton & 2nd Ave SE) mentioned at a previous Council meeting. The camera did not work very well and did not provide very good pictures, and he was not able to go very far. However, what he was able to see was that the joints were still all together and he could not see any major issues within the lines themselves. It was suggested to hire a company to televise the line so the City can decide whether it needs to re-arrange the priority of future street improvement projects. Adm. Donabauer expressed concern about the cost (\$10,000-\$15,000) to have an outside source do the televising from that intersection out to the creek. Voigt commented that he didn't feel it was necessary to spend the money; he feels the system is ok and operating at its maximum capacity, it is just undersized for the area now. It was noted that it was a very wet year (heavy rains) and the creek level has been high. Adm. Donabauer commented that the City Engineer will be at the next Council meeting to discuss this and future street improvement projects.

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote to adjourn the meeting at 7:26 pm.

City Administrator Liza M. Donabauer

Mayor Richard Nagel