

**ARLINGTON CITY COUNCIL
MEETING AGENDA
APRIL 17, 2017 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 April 3rd Regular Meeting Minutes.
 - B) Approval of the April 3rd Special Workshop Meeting Minutes.
 - C) Approval of the March 28th Special Meeting Minutes.
 - D) Approval of Bills.
 - E) Replace Variable Speed Drive at Water Well #4, located at EMS Building. (\$6,150, Ideal Service)
 - F) Authorize Hiring of Kenneth Perschau, Seasonal Mower.

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council.
6. Announcements
 - A) Senior Expo, Tuesday, April 18th, 9-2:15 p.m., Arlington Community Center.
 - B) Coffee with the Mayor, April 20th @ 1:30 p.m. Cenex Gas Station.
 - C) Go Local: Live and Work in Sibley County 2nd Annual Business Expo, April 20th, 4-8 p.m. @ Arlington Community Center.
 - D) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 20th @ 3-8 p.m. Sibley County Assessor's Office, Gaylord.
 - E) Arlington Library Hosts Meteorologist Belinda Jensen, Friday, April 21st @ 12:00 p.m. (Location Change: Arlington Community Center)
 - F) How to Become a Tree Steward Class, Sat. May 13th 10-4:30 p.m., Arlington Community Center.
 - G) Arlington Chamber "Spring into Arlington", April 27th, 5-8 p.m. Main Street & EMS Building.
 - H) City of Arlington Clean-Up Day, May 24th, 9-4 p.m. in Partnership with Tri-County Waste @ Sibley County Fair Grounds.

7. Communications
 - A) March Water/Wastewater Report.
 - B) March Police Reports.
 - C) March Building Permit Report.
 - D) March Financial Reports.
 - E) League of MN Cities Annual Conference, “Signs of a Vibrant City!”, June 14-16, Rochester, MN.
 - F) Sibley County Community Development Newsletter (April).

REPORTS OF OFFICERS, BOARDS & COMMITTEES

8. Annual Report – PeopleService. (Greg Stang and Lee Ortloff)

ORDINANCES & RESOLUTIONS

9. Ordinances
 - A) First Reading: Ordinance 313 – An Ordinance Enacting a Code of Ordinances for the City of Arlington, Minnesota, Amending, Restating, Revising, Updating, Codifying, and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances, and Providing Penalties for the Violation of the Code of Ordinances.
 - Review Chapter 9 (Fire Department) and Chapter 10 (Police Department). (City Attorney Arneson)

10. Resolutions
 - A) 27-2017 – Approving/Denying Plans & Specifications and Ordering Advertisement for Bids for Circle Drive.
 - B) 28-2017 – Approving/Denying a Site Plan for a Batch Processing Facility (Cemstone Products) at 1108 Circle Drive.
 - C) 29-2017 – Approving/Denying a Conditional Use Permit and Site Plan to Allow a Diesel Exhaust Fluid Blending Facility at 39625 230th Street.
 - D) 30-2017 – Requesting MnDOT to Accept Letter of Request & Authorize Speed Study on Hwy 5.
 - E) 31-2017 – Accepting a \$300 Donation from German Days, Inc. to be Designated for the 2nd Annual Arlington Night Out Event.

UNFINISHED BUSINESS

NEW BUSINESS

- 10.5 Alleyway Improvement Behind Methodist Church Discussion

MISCELLANEOUS BUSINESS

11. Police Department Update. (Interim Chief Padilla)
12. Council Committee Updates.
 - A) Utilities Committee
 - B) Police Committee
 - C) Streets Committee
 - D) EDA
 - E) Planning & Zoning.
13. Open Discussion.
 - A) Johnson Controls Update.

ADJOURNMENT

Reminders:

Special Council Meeting - April 24th @ 5:30 p.m.
 Parks – April 24th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
APRIL 17, 2017**

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

Members present: Mayor Nagel, Battcher, Cowell, Hatlestad, Jaszewski

Members absent: Heiland

Also present: City Adm. Donabauer, Attorney Arneson, Engineer Jason Femrite, Gaylord Police Chief Tony Padilla, Rod Stemme, Larry Sorenson, Tony Nerud, Wayne Quast, Lee Ortloff & Greg Stang of PeopleServices, Todd Smutz, Pilot Travel Centers, Kurt Menk

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

Add item 10.5) Alleyway Improvement Behind Methodist Church Discussion.

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

- A) ~~Approval of the April 3rd Regular Meeting Minutes~~ (removed)
- B) Approval of the April 3rd Special Workshop Meeting Minutes
- C) Approval of the March 28th Special Meeting Minutes
- D) Approval of Bills
- E) Replace Variable Speed Drive at Water Well #4, located at EMS Building (\$6,150 Ideal Service)
- F) Authorize Hiring of Kenneth Perschau, Seasonal Mower.

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:

- A) Senior Expo, Tuesday, April 18th, 9-2:15 p.m., Arlington Community Center
- B) Coffee with the Mayor, April 20th @ 1:30 p.m. Cenex Gas Station
- C) Go Local: Live and Work in Sibley County 2nd Annual Business Expo, April 20th, 4-8 pm. @ Arlington Community Center
- D) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 20th @ 3-8 p.m. Sibley County Assessor's Office, Gaylord
- E) Arlington Library Hosts Meteorologist Belinda Jensen, Friday, April 21st @ 12:00 p.m. (Location Change: Arlington Community Center)
- F) How to Become a Tree Steward Class, Sat. May 13th, 10-4:30 p.m., Arlington Community Center
- G) Arlington Chamber "Spring into Arlington", April 27th, 5-8 p.m. Main Street & EMS Building
- H) City of Arlington Clean-Up Day, May 24th, 9-4 p.m. in Partnership with Tri-County Waste @ Sibley County Fair Grounds.

The Council reviewed the following communications:

- A) March Water/Wastewater Report
- B) March Police Reports
- C) March Building Permit Report
- D) March Financial Reports
- E) League of MN Cities Annual Conference, "Signs of a Vibrant City!", June 14-16, Rochester, MN
- F) Sibley County Community Development Newsletter (April).

Greg Stang and Lee Ortloff of PeopleServices presented the annual report for the City's water and wastewater departments. Ortloff summarized the major activities of the past year: the water tower was repainted, the effluent building was reroofed, the make-up air handling unit was replaced on at headworks building, communications system was upgraded at the water treatment plant (12 phone lines were replaced with radio communications and tied into a central SCADA system), improvements were made to the Brooks Street and School lift stations, and made changes to the wastewater treatment plant operations (WWTP). Ortloff explained that they worked with MN TAP to reduce the electrical usage at the WWTP. The plant had been running at 100% capacity and did not need to be; so they reduced the footprint of the facility in half (and working well) and have observed substantial savings already.

Ortloff presented their goals for 2017. They would like to replace the jetting machine, replace the tires on the sludge wagon, continue energy reductions at the WWTP, continue working on biological phosphorus removal, continue working on the water supply plan (DNR Emergency Response Plan – water conservation efforts and in emergencies), updated the Wellhead Protection Plan, and continue working on Inflow and Infiltration (I&I) issues. The public needs to be educated on I&I as the City is paying for (clear) water to be treated that doesn't need to be treated (from sump pumps, tile lines, roof drains, etc.).

Jaszewski thanked PeopleServices for watching out for the wellbeing of the City and its residents.

The first reading of Ordinance 313 – An Ordinance Enacting a Code of Ordinances for the City of Arlington, Minnesota, Amending, Restating, Revising, Updating, Codifying, and Compiling Certain Ordinances of the City Dealing with the Subjects Embraced in the Code of Ordinances, and Providing Penalties for the Violation of the Code of Ordinances, was held. The Council reviewed Chapter 9 (Fire Department) and Chapter 10 (Police Department). Attorney Arneson explained that both the Fire and Police Departments are largely regulated by the State with regards to qualifications and polices; however, both departments do have their own internal policies.

Engineer Femrite commented on the plans and specifications for the Circle Drive Improvement Project. As far as costs go, they appear to be on track with the Preliminary Engineer's estimate. The proposed bid opening for the project is May 10th.

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

RESOLUTION 27-2017

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

WHEREAS, pursuant to a resolution adopted by the Council on April 3rd, 2017, the consulting city engineer has prepared plans and specifications for street and utility improvements of the Circle Drive Street & Utility Improvements;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA:

1. Such plans and specifications are hereby approved and ordered placed on file in the office of the City Clerk.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in the Finance and Commerce an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published in three separate (weekly) issues, shall specify the work to be done, and shall state that bids will be received by the City Clerk until 11:00 a.m. on Wednesday May 10th, 2017 at which time they will be publicly opened in the Council Chambers of City Hall by the Clerk and Engineer, will be tabulated, and will be considered by the Council at the next scheduled council meeting.

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 17th day of April, 2017.

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.

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

RESOLUTION 28-2017

**A RESOLUTION APPROVING A SITE PLAN FOR A BATCH PROCESSING FACILITY
(CEMSTONE PRODUCTS) AT 1108 CIRCLE DRIVE**

WHEREAS, Cemstone Products, Co. (the Applicant) has submitted a request for site plan approval for a concrete batch plant, weir structure, and associated parking and drive aisles; and,

WHEREAS, the property is legally described as Part of the NW ¼ of NW ¼, Sect. 10, Twp. 112, Range 27; Parcel No. 31.0834.120; and,

WHEREAS, City staff and consultants have reviewed proposed plans for the batch plant and forwarded comments and recommendations to the City of Arlington; and,

WHEREAS, City staff, consultants, or the Applicant may refer site plan approval to the Planning and Zoning Committee and City Council for approval; and,

WHEREAS, The Consulting Planner has referred site plan approval to the Planning and Zoning Commission and City Council due to the nature of the use; and,

WHEREAS, the Planning and Zoning Commission on April 6, 2017 reviewed the request and recommended conditional approval of the site plan; and,

WHEREAS, the City Council met in regular session April 17, 2017 and considered the site plan.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF ARLINGTON THAT: The City Council hereby approves a site plan for a concrete batch plant at 1108 Circle Drive with the following conditions:

1. The "Use" is a 3,360 square foot concrete batch plant, weir structure, and associated parking and drive aisles at 1108 Circle Drive.
2. Compliance with standards contained in Ordinance 169 (Zoning), Section 9, Subd. 5, as may be amended, relating to noise, smoke, dust, fumes or gases, sewer and water discharge, odor, and vibration.
3. Lighting shall be directed away from adjoining property. Glare, whether direct or reflected, such as from floodlights, spotlights, or high-temperature processing, and as differentiated from general illumination, shall not be visible beyond the limits of the property.
4. Signage shall require submittal of a sign permit application and approval by the Zoning Administrator and/or Building Official.
5. Compliance with recommendations contained in the City Engineer's review memo dated March 20, 2017 and the Consulting Planner's review memo dated April 6, 2017.
6. Installation of a berm on the subject property adjacent to the southern property line with a minimum height of at least three (3) feet.
7. The aggregate/recycle pile shall not exceed fifteen (15) feet in height at any time.
8. Issuance of a building permit.
9. This approval is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
10. This approval shall expire one year after date of approval unless the Applicant has commenced construction of the Use on the Property.
11. Approval of this site plan does not approve any future expansion or associated improvements on-site.
12. Any modifications not defined as "minor" by the Zoning Administrator shall require separate site plan approval.

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, Cowell, Hatlestad, Jaszewski; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Heiland.

The foregoing resolution was adopted by the City Council of the City of Arlington this 17th day of April, 2017.

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.

Adm. Donabauer highlighted the details from the Planning & Zoning meeting pertaining to the Conditional Use Permit request from Pilot Travel Centers. Todd Smutz of Pilot Travels was present and talked about the business briefly, along with answering various questions.

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

RESOLUTION 29-2017

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN TO ALLOW
A DIESEL EXHAUST FLUID BLENDING FACILITY AT 39625 230TH STREET**

WHEREAS, Pilot Travel Centers LLC, and Warren Dressen, (Fee Owner) have submitted a request to operate a diesel exhaust fluid blending facility at 39625 230th Street; and,

WHEREAS, The property is legally defined in Exhibit A attached hereto; and,

WHEREAS, the property identification number is 31.0843.000; and,

WHEREAS, the property is zoned I-1 Limited Industrial District and the proposed use is identified as a Conditional Use within the I-1 District; and,

WHEREAS, the Applicants represent:

- Pilot Travel Centers LLC will blend a diesel exhaust fluid (DEF) at the site. The process includes purifying city water through deionization and reverse osmosis and then blending the purified water with a urea concentrate brought to the site by rail tanker. The blended product will be stored on site and hauled away in tanker trucks. The solute and the resulting product is non-flammable, non-toxic, and not hazardous.
- A 175' X 55' (9,625 sf) slab on grade, prefabricated metal building is proposed for the site. The building will be 25 feet in height with two roll-up overhead doors (18' X 16' & 18' X 22') on the north and south side of the building and three typical exterior entry doors. No windows are proposed. Details on building color or architectural metal gauge/fastening type were not provided.
- The building will contain two 15,000 gallon water storage tanks, twelve 20,000 DEF storage tanks, water purification equipment, blending equipment, a restroom for workers, a railcar heater, and an off-load room for truck drivers picking up DEF loads.
- The use is expected to generate three truck transports to the facility each day initially with a fourth anticipated. A maximum of five truck transports per day are anticipated.
- The business will require approximately five employees.
- Municipal water and sanitary sewer will serve the building.
- No outdoor storage will occur.
- Rail cars may be stored on the rail spur located on the subject site.
- The property will be ground leased to Pilot Travel Centers LLC.
- Hours of operations are twenty-four (24) hours per day, seven (7) days per week.
- No storage of flammable, hazardous, or toxic materials shall occur on site.
- Ancillary employee and truck parking spaces are illustrated on the site plan (five total with one handicap accessible; concrete surface).
- Lot surfacing post-project is to include concrete, compacted gravel and pervious surface (grass). No additional landscaping is proposed. No exterior lighting or fencing is proposed.

WHEREAS, the proposed use is a conditional use under Section 9, Subdivision 3(A) of Ordinance 169, the Arlington Zoning Ordinance; and

WHEREAS, notice of a public hearing to accept input on the CUP request was published in the official newspaper on March 23, 2017 and sent to property owners within 350 feet of the subject property; and

WHEREAS, the Planning and Zoning Committee conducted a public hearing on the CUP request on April 6, 2017 and accepted input on the CUP request; and

WHEREAS, the Planning Committee reviewed the CUP request and made the following findings:

- The planned land use and existing zoning are consistent with the proposed use.
- The Use is located in an area with primarily other industrial uses.
- The establishment, maintenance, or conducting of the use for which a permit is sought will not under the circumstances of the particular case be detrimental to the public welfare, or injurious to property or improvements in the neighborhood. The use is industrial in nature and involves the production of a non-flammable, non-toxic, and non-hazardous compound.

WHEREAS, the City Council met in regular session April 17, 2017 and considered the site plan; and,

WHEREAS, the City Council accepted the Planning Commission's findings of fact.

NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF ARLINGTON THAT:

The City Council hereby approves a conditional use permit and site plan for a diesel exhaust fluid blending facility at 39625 230th Street with the following conditions:

1. The 'Use' is defined as and limited to the blending of diesel exhaust fluid (DEF) as described herein. The process includes purifying city water through deionization and reverse osmosis and then blending the purified water with a urea concentrate brought to the site by rail tanker. The blended product will be stored on site and hauled away in tanker trucks. The solute and the resulting product is non-flammable, non-toxic, and not hazardous.
2. The 'Site' is defined as and strictly limited to Lot 5 and part of lots 4 & 6, Arlington Industrial Park, City of Arlington, Sibley County MN (full legal description attached) property identification number: 31.0843.000 as existing on April 6, 2017 the date of public hearing.
3. This conditional use permit supersedes and replaces any previous conditional use permit issued for the Site.
4. The approved Use is limited to the Site defined above and at all times shall meet the conditions set forth herein.
5. The Use shall at no time exceed an average of five (5) tanker trucks at the site each day.
6. The recommendations included in a review memo from the Consulting Planner dated April 6, 2017 and the recommendations included in a review memo from the City Engineer dated March 27, 2017 are hereby incorporated by reference.
7. No outdoor storage is allowed. This includes any/all personal property owned by the property owner or lessee or others, any debris, or miscellaneous items.
8. The Property Owner/Lessee shall at all times keep the property weed free, control dust on the property, prevent soil erosion, prevent tracking of debris onto public rights of way, prevent contamination of soil, prevent infestation of rodents, prevent infestation by insects, and retain items in specific storage areas. It is noted the site is currently not in compliance with this standard due to lack of weed control.
9. The Property Owner/Lessee shall ensure each and every day that any material/debris tracked from the site on to County Road 12 is swept off the public right of way.
10. All truck traffic maneuvers and parking, staging, or stacking shall occur on site on private property.
11. The Use is subject to re-review and approval by the Fire Chief prior to establishment.
12. A building permit for the proposed structure is required.
13. Signage intended to be viewed from off the site shall require a separate permit and is subject to Section 13.5 (Signs) of the Zoning Ordinance, as may be amended.
14. Exterior lighting, if proposed, shall require administrative review and approval. Any lights used for exterior illumination shall direct light away from adjoining property. Glare, whether direct or reflected, such as from floodlights, spotlights, or high-temperature processing, and as differentiated from general illumination, shall not be visible beyond the limits of the property.
15. Fencing, if proposed, requires the issuance of a permit.
16. The use shall at all times meet the requirements of Section 9, Subdivision 5 of the Zoning Ordinance (as may be amended) relating to noise, vibration, smoke, particulate matter, odor, sewer and water discharge, exterior lighting, and glare.
17. This approval shall expire one year after date of approval unless the Applicant has commenced operation of the Use on-site.

18. This permit is subject to all applicable codes, regulations and ordinances, and violation thereof shall be grounds for revocation.
19. The City may revoke the CUP upon violation of the conditional use permit standards in the Zoning Ordinance or violation of the conditions of this resolution.
20. The conditional use permitted under this Resolution shall be expire with no further action of the City if the Use ceases for more than twelve (12) consecutive months.
21. The Use permitted under this Resolution may change to a permitted use in the I-1 District without further action by the City Council; however the Use may not change to another conditional use or be increased in intensity without a new application and approval by the City Council.
22. Approval of this site plan does not approve any future expansion or associated improvements on-site.
23. Any modifications not defined as “minor” by the Zoning Administrator shall require separate site plan approval.

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 17th day of April, 2017.

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.

Adm. Donabauer explained that the City was proposing a letter to MnDOT requesting that the speed limit be decreased along State Hwy 5 between Cenex (2nd Avenue NW) and the easterly curve just past Cty. Rd. 17. MnDOT has asked the Council to approve a resolution that requests MnDOT to do a speed study on the area of Hwy 5 and affirms the Council’s support of the study’s recommendations. The recommendation could include an increase to the speed limit or modification of existing limits. Mayor Nagel expressed his concerns about the wording within the proposed resolution, more specifically that the speed limit could be increased and the Council would have to accept it. Battcher felt confident that the speed would not be increased in the area in question. Jaszewski commented that there has been an increase in foot traffic since Dollar General opened. Attorney Arneson commented that the City has made the request to reduce the speed many times over the years, only to be turned down for various reasons.

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

RESOLUTION 30-2017

A RESOLUTION REQUESTING MnDOT TO ACCEPT THE CITY’S LETTER OF REQUEST TO DECREASE THE SPEED LIMIT AND AUTHORIZE A SPEED STUDY OF HIGHWAY 5

WHEREAS, the City of Arlington has determined that the existing 60 mph speed limit on Highway 5 from 2nd Ave NW (CENEX) to the northeast turning curve (east of CSAH 17) is a dangerous speed given the topography of the northeast turning curve and increased pedestrian traffic related to the location of the school activity fields and retail between these areas; and

WHEREAS, the concern stems from the newly constructed retail facility, Dollar General and Subway/Quick Shop at CSAH 17 and the proximity of the Sibley East field/tennis courts/track in this area; and

WHEREAS, the County will be replacing the CSAH 17 bridge in 2020/21 which is designed to accommodate wider pedestrian pathways on either side of the road promoting increased pedestrian traffic at the intersection of CSAH 17 and Highway 5; and

WHEREAS, Minnesota Statute 169.14, Subd. 5 requires the City to request that the Commission of Transportation (Commissioner) authorize, upon the basis of an engineering and traffic investigation (speed study) the erection of appropriate signs designating a reasonable and safe speed limit; and

WHEREAS, the City acknowledges that completion of a speed study could result in a decrease or an increase of the posted speed limit on Highway 5 between 2nd Ave NW and the northeast turning curve (east of CSAH 17); and

WHEREAS, the City acknowledges that the requested limits of investigation on Highway 5 could be revised by the Commissioner, based on observations made while conducting the speed study; and

WHEREAS, the City agrees to accept the findings of the completed speed study, and implement any recommended signing changes; and

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby formally requests that the Commissioner complete a speed study on Highway 5 between 2nd Ave NW and the Northeast turning curve (east of CSAH 17) to determine the reasonable and safe speed limit for the roadway given the increased pedestrian traffic.

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

The foregoing resolution was adopted by the City Council of the City of Arlington this 17th day of April, 2017.

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.

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

RESOLUTION 31-2017

A RESOLUTION ACCEPTING A DONATION AND DESIGNATING ITS USE

WHEREAS, Minnesota State Statutes 465.03 states that cities may accept gifts of real or personal property, including money, and use them in accordance with the terms the donor prescribes; and

WHEREAS, the City may not, however, accept or use gifts for religious or sectarian purposes; and

WHEREAS, every such acceptance shall be by resolution of the governing body adopted by two-thirds majority of its members; and

WHEREAS, the City of Arlington has received a \$300 donation from the Belle Plaine German Days, Inc. for the 2nd Annual Arlington Night Out event; and

WHEREAS, charitable contributions to governmental units are tax-deductible under Section 170(c)(1) of the Internal Revenue Code if made for public purpose, and

WHEREAS, the Arlington City Council would like to express its thankfulness for this gracious community support, and

NOW THEREFORE BE IT RESOLVED, pursuant to Minnesota State Statute 465.03 the Arlington City Council does hereby accept the aforementioned donation.

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, Cowell, Hatlestad, Jaszewski; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: Heiland.

The foregoing resolution was adopted by the City Council of the City of Arlington this 17th day of April, 2017.

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 the proposed alleyway improvement between 3rd and 4th Avenue near the Methodist Church. Mayor Nagel stated that the Council had met with representatives from the Methodist Church in a workshop setting just prior to the meeting and discussed this subject at length. Attorney Arneson's interpretation of the current assessment policy was that this project would not be allowed as a reconstruction project; since what was being proposed was a gravel alley surface being converted over to bituminous surface, essentially a new construction project. Per the assessment policy, new construction is assessed 100% to the adjoining property owners. The church was requesting that they be assessed for only 25% as the use of the alley was more for the general public. Attorney Arneson stated that a special exception could be added to the policy along the lines of: "any right-of-way considered to generally benefit the general public and not the property owners could be assessed on a different basis". Comments were made that this alley is unique in its use due to the proximity of the school. It was the consensus of the Council to amend the assessment policy to include the special exception as mentioned above at a rate of 25% at a future meeting (April 24th).

Interim Police Chief Padilla gave an update on the Police Department. He has been reviewing and updating the department's policies and will be bringing them to the Council for approval soon. He has also been working on monthly reports to the BCA and community relations (visiting businesses). The Gaylord Officers have been working on 'hot' topics and doing park checks, business checks/shift changes, and apartment walk-throughs. Chief Padilla summarized the various types of calls they have addressed since they have started providing coverage; and also talked briefly about the working patrol schedule with the County so there is not double coverage.

Cowell provided an update on the Utilities Committee. He stated that they met with members of the Fair Board to discuss I&I issues and getting the property/buildings properly metered, which will include smoke testing. Attorney Arneson talked with the Fair Board members about camping issues on the property.

Hatlestad provided an update on the most recent Police Committee meeting. They plan to move forward with looking at a joint powers agreement. Both cities agreed to put \$2,500 into a separate yet joint account to cover expenditures during this interim period (guest speakers, etc.).

Hatlestad commented that the most recent Streets Committee meeting dealt with the pending street improvement project and the alley by the Methodist Church, which were mentioned earlier.

Battcher provided an update on the EDA. She stated that they toured the former TSE Building. They discussed succession planning and outreach visits; creating a policy for the rental rehab program, and their goals.

Attorney Arneson provided an update on the Johnson Controls issue. He has attempted to reach out to the regional director and attorney at the corporate headquarters in order to find out whom the decision maker was and send that individual a letter; and to also give them one final opportunity to make good on the contract. There was no response. Arneson is in the process of drafting a letter to the president of Johnson Controls International informing him of the situation and that the City intends to pursue legal action unless the City receives a satisfactory response on the new light system.

Mayor Nagel commented that Maintenance Worker Weckworth has talked with him about the compost site and he is questioning what he can do with it (getting too large and not much room left). Ideas were suggested, no action was taken.

Motion by Hatlestad, seconded by Jaszewski, and passed by unanimous vote to adjourn the meeting at 8:13 pm.