

**ARLINGTON CITY COUNCIL
MEETING AGENDA
FEBRUARY 6, 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 January 17th Regular Meeting Minutes.
 - B) Approval of the January 17th Tour Workshop Meeting Minutes.
 - C) Approval of the January 17th Special Workshop Meeting Minutes.
 - D) Approval of the February 2nd Special Minutes.
 - E) Approval of Bills.
 - F) Approval of 2016 Pay Equity Report.
 - G) Appoint Lee Ortloff as Wellhead Protection Manager per Request of MN Rural Association.
 - H) Accept Resignation from Mavis Miller, Community Center Attendant.

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council.
6. Announcements
 - A) Prairie Line Trail Committee Meeting, February 9th, 7:00 p.m. Sibley County Service Center.
 - B) City Offices will be closed on Monday, February 20th for the President's Day Holiday.
 - C) Council Meeting Rescheduled for Tuesday, February 21st @ 6:30 p.m.
 - D) Award of Darwin Mathwig Award at the Arlington Lions Fish Fry, February 24th @ 5:00 p.m.
 - E) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 20th @ 3-8 p.m. Sibley County Assessor's Office, Gaylord.
7. Communications
 - A) December Water/Wastewater Report.
 - B) Sibley County Public Works Bridge Safety Inspection.
 - C) MMPA Press Release on Adding Wind Farm to Arlington's Electric Renewable Energy Portfolio.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

8. Fire and Ambulance Service Coverage.
 - A) Recap of the 1-30-17 Fire & Ambulance Funding Presentation to the Townships/Green Isle.
 - B) Review 2018 Service Coverage Rates.
 - C) Yearly Fire Department Update. (Chief John Zaske)

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 3 (City Council) and Chapter 4 (Committees). (City Attorney Arneson)
10. Resolutions
 - A) 14-2017 – Accepting a \$100 Donation from Arlington Chamber for Purchase of Fire Brush Rig.
 - B) 15-2017 – Accepting a \$500 Donation from Mary & Steven Cary for Purchase of Fire Brush Rig.

UNFINISHED BUSINESS

11. Warranty Information on Cenex Ditch Area for the 2015 Street & Utility Improvement Project.

NEW BUSINESS

12. Approve/Deny City-Issued Electronic Device Use Policy for Council Members.

MISCELLANEOUS BUSINESS

- ~~13. Maintenance Department Update. (Tony Voigt) (removed)~~
 - ~~A) Streets Committee Update on City Street Lights – Hatlestad & Heiland. (removed)~~
 - ~~B) Johnson Controls. (removed)~~
14. Council Committee Updates.
 - A) Semi-Annual Sibley County Municipalities Meeting – Heiland.
 - B) Experienced & Newly Elected Officials Leadership Conference – Cowell, Hatlestad & Jaszewski.
 - C) Special Council Meeting – Medical School Delegation.
 - D) Planning & Zoning – Battcher.
15. Open Discussion.
 - A) Update from 2-03-17 SW Corridor Coalition Meeting – Jaszewski.

ADJOURNMENT

Reminders:

EDA – February 13th @ 5:30 pm
Library – February 15th @ 5:30 pm (Library)
Parks – February 27th @ 7 pm
Planning & Zoning – March 2nd @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
FEBRUARY 6, 2017**

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

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

Members absent: None

Also present: City Adm. Donabauer, Attorney Arneson, Curt & Barb Reetz, Interim Police Chief Voigt,
Fire Chief John Zaske, 2nd Assist Fire Chief Corey Carpenter, Kurt Menk

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

Remove item 13) Maintenance Department Update (Tony Voigt)

- C) Streets Committee Update on City Street Lights – Hatlestad & Heiland
- D) Johnson Controls.

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

- A) Approval of the January 17th Regular Meeting Minutes
- B) Approval of the January 17th Tour Workshop Meeting Minutes
- C) Approval of the January 17th Special Workshop Meeting Minutes
- D) Approval of the February 2nd Special Meeting Minutes
- E) Approval of Bills
- F) Approval of 2016 Pay Equity Report
- G) Appoint Lee Ortloff as Wellhead Protection Manager per Request of MN Rural Association
- H) Accept Resignation from Mavis Miller, Community Center Attendant.

Curt and Barb Reetz were present to address the Council. Mr. Reetz spoke on the 2015 Improvement Project (things he felt went well and could have been improved). He stated that since the project was completed under budget, the residents who were assessed were entitled to refunds on their assessments. He also commented that the final assessment hearing for the 2017 Project should be held after the project is completed, not before like it was for the 2015 Project. He felt the assessments should be based on actual project numbers, not estimates.

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

The following announcements were reviewed:

- A) Prairie Line Trail Committee Meeting, February 9th, 7:00 p.m. Sibley County Service Center.
- B) City Offices will be closed on Monday, February 20th for the President's Day Holiday
- C) Council Meeting Rescheduled for Tuesday, February 21st @ 6:30 p.m.
- D) Award of Darwin Mathwig Award at the Arlington Lions Fish Fry, February 24th @ 5:00 p.m.
- E) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 20th @ 3-8 p.m. Sibley County Assessor's Office, Gaylord.

The Council reviewed the following communications:

- A) December Water/Wastewater Report
- B) Sibley County Public Works Bridge Safety Inspection
- C) MMPA Press Release on Adding Wind Farm to Arlington's Electric Renewable Energy Portfolio.

Adm. Donabauer provided a detailed overview of the information that was presented recently to the Townships and City of Green Isle regarding the Ambulance Service, more specifically, the 2016 revenues and expenses, service call rate changes and the proposed coverage rates for 2018. It was noted that the townships will be paying \$138.67/section in 2017 for ambulance coverage and are projected to pay \$50.95/section in 2018. Projected capital needs in the next five years include ambulance replacement in 2022. Recruitment and retention of Ambulance members/EMT's is an ongoing issue.

Adm. Donabauer provided a detailed overview of the information that was presented recently to the Townships regarding the Fire Service, more specifically, the 2016 revenues and expenses, future capital needs, and the proposed coverage rates for 2018. It was noted that the townships are projected to pay \$265.60/section in 2018 for fire coverage and \$167.25/section for the new brush rig. Projected capital needs for 2017 include a new brush rig. It was noted that seven members resigned in 2016. Recruitment and retention of Fire Fighters is an ongoing issue.

Fire Chief John Zaske presented the Annual Report on behalf of the Fire Department. The report included a detailed summary of the number and type of calls responded to, along with mutual aid calls given and/or received in 2016; and a breakdown of non-billable (civic/medical calls) man hours.

Zaske talked further about the number of non-billable man hours, increasing number of medical calls and member retention. He explained that it is getting more difficult for members to achieve their percentages due to the number of medical calls as most members don't work in town or their employers can't afford to let them respond to calls so often. He commented that if members can't make their percentages they will retire since it affects their pension contribution; several members are vested and could leave at any time. A committee has been put together to discuss retention of members and recruitment ideas for new members.

Zaske commented on some of the equipment that the Relief Association purchased for the Department in the last year. He stated that these items were budgeted for, but the Relief raised the funds in an effort to protect the City and Township's levies. He added that the Relief Association has been saving up and created a fund already for purchasing the next brush rig. Some donations have been received for the new brush rig also.

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 3 (City Council) and Chapter 4 (Committees). Attorney Arneson explained how the new Code will work versus having individual ordinances; and how it will be updated.

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

RESOLUTION 14-2017

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 donation of a \$100 from Arlington Chamber of Commerce to be used toward the purchase of a Fire Brush Rig; 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 Hatlestad, and upon poll being taken thereon the following voted in favor thereof: Battcher, Cowell, Hatlestad, Heiland, Jaszewski; 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 6th day of February, 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 15-2017

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 donation of a \$500 from Mary & Steven Cary to be used toward the purchase of a Fire Brush Rig; 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 Hatlestad, and upon poll being taken thereon the following voted in favor thereof: Battcher, Cowell, Hatlestad, Heiland, Jaszewski; 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 6th day of February, 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 she spoke with Engineer Femrite after the last Council meeting about the Councils' concerns regarding the final payment for the 2015 Improvement Project; knowing there were still ongoing issues with the ditch adjacent to Cenex. Engineer Femrite drafted warranty language that

covered the ditch for the next two years and submitted same to the Contractor. The Contractor agreed to the 2-year warranty language. Donabauer stated that the final payment was made to the Contractor.

Adm. Donabauer explained that the Council was given their new Chrome Book devices, which will allow the Council to receive the meeting packets electronically now and eliminate paper packets. A City-Issued Electronic Device Use Policy for Council Members was drafted for the Councils' consideration.

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote to approve the following City-Issued Electronic Device Use Policy for Council Members:

**City-Issued Electronic Device Use Policy
For Council Members**

Adopted February 6, 2017

Purpose and Need for Policy

The City of Arlington requires members of the Council and City Attorney to read meeting materials and prepare for regular meetings, work sessions and public hearings. In order to facilitate this process in an environmentally friendly and efficient manner, the City purchased electronic devices for the City Council to be used to provide Council Members with the tools needed to access and store written materials for council meeting purposes. The purpose of this policy is to establish guidelines for Council Members' use of these tools. This policy applies to all Council Members and the Mayor. The policy applies to all tools allowed under this policy including but not limited to computer systems, notebooks/pads or other electronic technology devices, voicemail systems, electronic mail, text messages, the Internet and other informational systems. The intent of this policy and the establishment of council technology "tools" are to transfer and store meeting materials. All users of this data, technology and equipment are intended to maintain appropriate levels of data control.

General Information

This policy serves to protect the security and integrity of the City's electronic communication and information systems by ensuring that said systems are used for a public purpose.

Computers and related equipment used by the City Council are property of the City. The City has purchased electronic devices for the City Council for the purpose of enhanced electronic communication with the City. Council Members are being provided City communications electronically and will use tablets for this purpose.

Policy Guidelines

This policy hereby establishes a four-year term for the purposes of providing electronic means of receiving, reviewing and storing council meeting materials. The City data maintained on these devices are to be of a "public data" level and available to any requesting party. The materials are from and for the use at open public meetings. Members of the public may obtain the same materials when requested before and after each meeting.

The life expectancy of the tools is expected to be four years. The tools will, at the end of each four year term, become the property of the City. If a Council Member or Mayor serves more than one consecutive term, that person will be eligible for a new tool.

Personal Use

The City recognizes that some personal use of computers and related equipment will likely occur.

Reasonable, incidental personal use of computers and software (e.g. word processing, spreadsheets, email, Internet, etc.) is allowed but should never preempt or interfere with the conduct of public business. All use of computers and software, including personal use, must adhere to provisions in this policy, including the following:

- City Council Members shall not connect personal peripheral tools or equipment (such as printers, digital cameras, disks, USB drives, or flash cards) to City-owned systems, without prior approval from the City Administrator. If permission to connect these tools/peripherals is granted, the Council Member must follow provided directions for protecting the City's computer network.

- Personal files should not be stored on City computer equipment. This also applies to personal media files, including but not limited to mp3 files, wav files, movie files, iTunes files, or any other created by copying a music CD, DVD, or files from the Internet. The City Administrator will delete these types of files if found on the network, computers, or other City-owned equipment. Exceptions would be recordings which the City has created, owns, purchased, or has a license.
- City equipment or technology shall not be used for personal business interests, for-profit ventures, political activities, or other uses deemed by the City Administrator to be inconsistent with City activities. If there is any question about whether a use is appropriate, it should be forwarded to the City Administrator for a determination.

Hardware

In general, the City will provide the hardware required for the City Council to perform its job duties. Requests for new or different equipment should be made to the City Administrator.

The City will supply electronic devices to the City Council Members. City Council Members are responsible for the proper use and care of this equipment. Council Members will be required to replace the device if the hardware is damaged due to negligence of the Council Member.

Software

In general, the City will not provide software for Council Members. Software will be purchased at the discretion of the City Council Member.

Electronic Mail: The City Council Member shall provide an email address for work-related use.

City Council emails (including those that are personal in nature) may be considered public data for both e-discover and information requests and may not be protected by privacy laws.

City Council Members must adhere to these email guidelines:

- Never transmit an email that you would not want city officials, or the media to read or publish (e.g. avoid gossip, personal information, swearing, etc.).
- Use caution or avoid corresponding by email on confidential communications (e.g. letters of reprimand, correspondence with attorneys, medical information).
- Do not open email attachments or links from an unknown sender. Delete junk or “spam” email without opening it if possible. Do not respond to unknown senders.
- Do not use harassing language (including sexually harassing language) or any other remarks, including insensitive language or derogatory, offensive, or insulting comments or jokes.

Electronic Calendars: A shared calendar environment may be provided as part of the City’s email software program.

Instant Messaging: Due to data retention concerns, the City does not provide City Council Members with resources or tools to communicate by instant messaging (IM) when conducting City business.

Personal Devices: City Council Members may choose to use their own equipment to read or compose email or other City data as governed in this policy. Council Members understand that by connecting their personal equipment to the City’s server, their personal devices could be searched during an e-discovery or other court-ordered scenarios, and agree to grant access to their personal devices should such a situation arise.

Security

Passwords: City Council Members are responsible for maintaining computer/network passwords and must adhere to these guidelines:

- Passwords should not be shared or told to other staff.
- Passwords should not be stored in any location on or near the computer, or stored electronically such as in a cell phone or other mobile device.

Network Access: Non City-owned computer equipment used in the City’s building should only use the wireless connection to the Internet. Under no circumstances should any non City-owned equipment be connected to the City’s computer network via a network cable.

Personal computer equipment may not be connected to the City's network without prior approval of the City Administrator. Personal equipment may be subject to password requirements or other electronic security measures as determined by the City Administrator.

Internet

The following considerations apply to all uses of the Internet:

- Information found on the Internet and used for City work must be verified to be accurate and factually correct.
- Reasonable personal use of the Internet is permitted. City Council Members may not at any time access inappropriate sites. Some examples of inappropriate sites include but are not limited to adult entertainment, sexually explicit material, or material advocating intolerance of other people, races, or religions. If you are unsure whether a site may include inappropriate information, you should not visit it.
- If a City Council Member's use of the Internet is compromising the integrity of the City's network, the City Administrator may temporarily restrict that Council Member's access to the Internet. If the City Administrator does restrict access, the City Administrator will notify the Council Member as soon as possible, and work with the Council Member to rectify the situation.

Data Retention

Storing and Transferring Files: If you are unsure whether an email or other file is a government record for purposes of records retention laws or whether it is considered protected or private, check with the City Administrator. If you are unsure how to create an appropriate file structure for saving and storing electronic information, contact the City Administrator.

City Council Member Signature

I have received and read the above policy and have had an opportunity to ask any questions. I understand that my failure to follow this policy may result in disciplinary action, including revocation of system privileges.

City-Issued Electronic Device Use Policy

I have received a city-issued electronic device as described below, and have read and understand the City's Policy on City Issued Electronic Device Use.

Print Council Member Name

Council Member Signature

Description of Device, S/N #, Value of Equipment

Date

Heiland talked about the Semi-Annual Sibley County Municipalities Meeting. He stated that each City gave an update on what was happening within their respective communities. Two representatives from the League of MN Cities gave a presentation on civility and communications.

Cowell talked about the Newly Elected Officials Leadership Conference that he attended. He stated that the speakers were good. He stated he was well prepared for the conference due to the information he was given by the City prior to attending. Hatlestad agreed. Jaszewski commented on the session he attended for Experienced Elected Officials; the focus was racial equity.

Discussion was held on the Medical School Delegation meeting that had been held recently. Heiland commented he was impressed with the amount of background that is being done; as there are a lot of moving parts. He added that it will impact surrounding communities. Battcher commented that it takes approximately 5-10 years before communities will see gains/benefits. Some concern was expressed that the School's accreditation hadn't been approved yet, which would allow the process to move forward (or the whole process would be pushed off another year).

Battcher provided an update on the most recent Planning & Zoning meeting. They reviewed open meeting law, elected officers and discussed the Medical School Delegation meeting briefly. They will be holding a goal setting session at their next meeting.

Jaszewski provided an update on the most recent Parks Committee meeting. He stated that the Garden Club would like to construct a butterfly garden within Memorial Park. They would like to plant it at the same time the gazebo is moved/rebuilt due to the hospital construction project. Jaszewski commented that Steve Trocke was thinking about donating some land for a park in the southeast area of town. Community Ed/Summer Rec Coordinator Jen Strack was at the meeting to talk about a summer program she was working on. The Committee discussed replacing playground equipment and setting money aside within the CIP for this. They also discussed purchasing “Adopt-A-Park” signs to give some recognition to those residents who have volunteered their time in the City parks. The City will be repurposing the old football field lights from the school at Sportsman’s Park this summer. The Parks Committee will be starting a memorial tree and/or bench program.

Jaszewski provided an update on the most recent hospital board meeting. He stated that three new doctors will soon be or have recently joined the staff at RSMC. RSMC continues in their recruiting efforts for doctors, nurses and assistants. The construction project is moving forward with an anticipated start date in June. The board discussed some goals for the next year.

Adm. Donabauer and Councilmember Jaszewski attended a SW Corridor Coalition Meeting recently in Chaska. Adm. Donabauer stated that Carver County is asking all the Cities within that county to consider a half percent sales tax increase to pay directly for the Highway 212 improvements. It was noted that when the State Highway improvements are made in Norwood Young America, that an underpass will be installed so children can get to and from school safely.

Discussion was held on the comments made by Mr. Reetz earlier in the meeting related to the 2015 & 2017 Improvement Projects and assessments. It was agreed to have staff contact Engineer Femrite and Financial Advisor Sweeney for clarification on how to resolve the situation with the assessments.

Motion by Heiland, seconded by Battcher, and passed by unanimous vote to adjourn the meeting at 8:09 pm.

City Administrator Liza M. Donabauer

Mayor Richard Nagel