

ARLINGTON CITY COUNCIL MEETING AGENDA
JULY 5, 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.
 - A) CM Battcher Attending Meeting Via FaceTime. Location: 11054 Resort Rd., Nisswa MN.
3. Approve the Agenda and any Agenda Additions.

CONSENT AGENDA

The items listed for consideration will be enacted by one motion unless the Mayor, a member of the City Council, City Staff or a person in attendance requests an item to be removed from the Agenda.

4. Approval of Consent Agenda
 - A) Approval of the June 14th Public Forum Summary on Community Policing in Arlington.
 - B) Approval of the June 19th Regular Meeting Minutes.
 - C) Approval of the June 19th Special Workshop Meeting Minutes.
 - D) Approval of the June 26th Special Council Meeting Minutes.
 - E) Approval of Bills.
 - F) Approval of Emergency Operations Plan for 2017/2018.
 - G) Approve Two (1-4 day) Temporary On Sale Liquor Licenses for the Sibley County Agricultural Association, County Fair, August 2nd-4th & August 5th-6th.
 - H) Approve Temporary On Sale Liquor License (1-4 day) for Sibley County Agricultural Association, Bull Riding Fundraiser, September 8th-10th.
 - I) Accept Resignation of Ben Nelson 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, July – September 25th @ 4-6:30 p.m., Arlington Community Center West Parking Lot.
 - B) MMPA Annual Meeting & Dinner, July 25th @ 4:00 – 8:30 p.m., Shakopee Energy Park and Canterbury Park.
 - C) Arlington Night Out, August 1st @ 5-7:30 p.m., Four Seasons Park.
 - D) 2018 Budget Workshop, August 7th @ 5:00 p.m., Council Chambers.
 - E) Deadline to Register for 2017-2018 "Leading Sibley Together" Leadership Program, August 4th.
7. Communications
 - A) May Water/Wastewater Report.
 - B) City Administrator's Project List.
 - C) MnDOT's Speed Zone Study Results on TH 5 in Arlington.
 - D) Small Cities Assistance Program Funding for Construction & Maintenance of Roads, \$19,376.
 - E) ABDO EICK & MEYERS Introducing New Occupational Fraud Service.

REPORTS OF OFFICERS, BOARDS & COMMITTEES

8. Annual Update: Electrical Engineer – Curt Cordt and Sarah Peterson (MVEC)
 - A) Approve/Deny Purchase of Six Padmounted Transformers from B&B Transformer (\$36,570.00)
 - B) Authorize/Deny Repair of Radiator Valve Shaft Seal from Jordan Transformer, LLC (\$4,181.00)

9. Introduce Laura Elvebak, Interim City Administrator.

ORDINANCES & RESOLUTIONS

10. 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.

- Reserved (City Attorney Arneson)

- C) First Reading: Ordinance 315 – An Ordinance to Amend the City of Arlington Off-Sale Liquor License Regulations.

11. Resolutions

- A) 56-2017 – Authorize/Deny MnDOT Agreement to Provide Ownership and Maintenance of Crosswalk System at TH 5 and Adams Street.
- B) 57-2017 – Accepting Bid and Awarding Contract for Cemetery Improvements.
- C) 58-2017 – Accepting Bid and Awarding Contract for 2017 Bituminous Seal Coating.
- D) 59-2017 - ~~Authorize/Deny Employment Contract with Interim City Administrator -~~ Authorize/Deny Appointing an Interim City Administrator.
- E) 60-2017 - Authorize/Deny Employment Contract with Interim Police Chief.
- F) 61-2017 – Authorize/Deny Sponsorship Agreement with AgStar Financial Services for a Strategic Planning Session.
- F) 62-2017 – Authorize/Deny Service Agreement with Hamline Professor Craig Waldron for Strategic Planning Session in 2018.
- G) 63-2017 – Authorize/Deny Transferring City Funds.
- H) 64-2017 – Authorize/Deny a Lawful Off-Site Gambling Permit to German Days, Inc. during Sibley County Fair, August 2nd-6th.
- I) 65-2017 – Authorize/Deny Service Agreement with ABDO EICK & MEYERS, LLP for Administrating City's 2018 Budget Process.
- J) 66-2017 – Authorize/Deny City to Solicit Funds for Annual Arlington Night Out Event.

UNFINISHED BUSINESS

12. Discuss Sunday Off-Sale License Fee.
13. Johnson Controls Update. (City Attorney Arneson)

NEW BUSINESS

14. Cemetery Columbarium.
A) Approve/Deny Pricing for Niche(s).
B) Plaque Style.
15. Approve/Deny Partial Pay Estimate No. 2 to OMG Midwest, Inc. (\$199,218.91).
16. Approve/Deny Partial Pay Estimate No. 1 to WM Mueller & Sons, Inc. (\$62,894.28).

MISCELLANEOUS BUSINESS

17. Maintenance Department.
A) Department Update (Kirby Weckworth).
18. Council Committee Updates.
19. Open Discussion.

ADJOURNMENT

Reminders:

Planning & Zoning – July 6th @ 7 pm
Parks – July 24th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
JULY 5, 2017**

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

Members present: Mayor Nagel, Battcher (via Face Time from 11054 Resort Rd., Nisswa, MN), Cowell, Hatlestad, Heiland, Jaszewski

Members absent: None

Also present: City Adm. Donabauer, Interim City Adm. Laura Elvebak (Appointee), City Attorney Arneson, Engineer Jason Femrite, Electrical Engineer Curt Cordt, Sarah Peterson (MVEC), Curt Reetz, Maint. Supvr. Kirby Weckworth, Kurt Menk

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

Add item 8B) Authorize/Deny Repair of Radiator Valve Shaft Seal from Jordan Transformers, LLC (\$4,181.00)

Change item 11D) 59-2017 – Authorize/Deny Employment Contract with Interim City Administrator to “Authorize/Deny Appointing an Interim City Administrator”

Add item 11J) 66-2017 – Authorize/Deny City to Solicit Funds for Annual Arlington Night Out Event.

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

- A) Approval of the June 14th Public Forum Summary on Community Policing in Arlington
- B) Approval of the June 19th Regular Meeting Minutes
- C) Approval of the June 19th Special Workshop Meeting Minutes
- D) Approval of the June 26th Special Council Meeting Minutes
- E) Approval of Bills
- F) Approval of Emergency Operations Plan for 2017/2018
- G) Approve Two (1-4 day) Temporary On Sale Liquor Licenses for the Sibley County Agricultural Association, County Fair, August 2nd-4th & August 5th-6th
- H) Approve Temporary On Sale Liquor License (1-4 day) for Sibley County Agricultural Association, Bull Riding Fundraiser, September 8th-9th
- I) Accept Resignation of Ben Nelson as Arlington Community Center Attendant.

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

The following announcements were reviewed:

- A) Arlington Farmer’s Market, July – September 25th, 4-6:30 p.m. Arlington Community Center West Parking Lot
- B) MMPA Annual Meeting & Dinner, July 25th @ 4:00 – 8:30 p.m., Shakopee Energy Park and Canterbury Park
- C) Arlington Night Out, August 1st @ 5-7:30 p.m., Four Seasons Park
- D) 2018 Budget Workshop, August 7th @ 5:00 p.m., Council Chambers
- E) Deadline to Register for 2017-2018 “Leading Sibley Together” Leadership Program, August 4th.

The Council reviewed the following communications:

- A) May Water/Wastewater Report
- B) City Administrator’s Project List
- C) MnDOT’s Speed Zone Study Results on TH 5 in Arlington
- D) Small Cities Assistance Program Funding for Construction & Maintenance of Roads, \$19,376
- E) ABDO EICK & MEYERS Introducing New Occupational Fraud Service.

Electrical Engineer Curt Cordt talked about the need to purchase some transformers for the City. He commented that quotes were obtained from three vendors and B&B Transformer was the low bid, which was for six reconditioned/remanufactured units with standard warranties. Two of the units would be going to the new Cemstone property and the new urea business; the remaining units will be put into inventory and used as replacements when needed. Adm. Donabauer stated that this item had been budgeted for.

Motion by Battcher, seconded by Heiland, and passed by unanimous vote to approve the purchase of six pad mounted transformers from B&B Transformer in the amount of \$36,570.

Electrical Engineer Cordt stated that one of the transformers at the substation was leaking. He explained the process it was going to take to fix the problem, which included two scheduled power outages in fall with help from McLeod Power and estimated the total cost to be approximately \$10,000. He stated that it was a slow leak (oil levels were holding at good levels); therefore he was looking at doing the repairs in fall when the load level on the system would be down. Residents will be given notice of the outages. Heiland expressed concern about containing the leak. Cordt stated that a dry floor compound could be placed on the ground to collect the oil.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to authorize repair of radiator valve shaft seal from Jordan Transformer, LLC in the amount of \$4,181, along with the scope of the work needed up to an approximate total cost of \$10,000 (valve shaft seal cost included).

Electrical Engineer Curt Cordt, along with Sarah Peterson, presented the annual report for the electrical department. Cordt commented that additional buried wires were found along 4th Ave. and Alden Street during the street improvement project; they were not aware were there. McLeod Power was working on moving the wires around and retiring wire. Cordt commented that with the Circle Drive project, McLeod was going to be installing the backbone piece that goes up the street and the tap lines that go to the new facilities (individual properties). It was noted that six new street lights are to be installed as part of the street improvement project along Alden and 4th Ave. Sarah Peterson has been doing monthly inspections at the substation. Cordt commented that they will be obtaining quotes for doing pole testing this summer (pole replacement was budgeted for). He stated that they will be looking to increase the larger transformer inventory; along with obtaining another (spare) voltage regulator for the substation. Cordt commented that they are planning to do some feeder line replacement in 2019 (overhead and/or underground).

Mayor Nagel introduced (appointee) Interim City Adm. Laura Elvebak. Elvebak spoke briefly on her qualifications/experience with city and/or county government.

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. Adm. Donabauer stated that Attorney Arneson continues to work on this and submitted the index for Council review. Attorney Arneson stated that he continues to make changes to the number of chapters needed within the Code; he originally proposed 13 chapters, however the number continues to grow for organizational reasons. The Council liked the concept of more chapters, as being more user friendly and simple.

The first reading of Ordinance 315 – An Ordinance to Amend the City of Arlington Off-Sale Liquor License Regulations, was held. Adm. Donabauer explained that at the last meeting, the Council decided to allow off-sale liquor sales on Sundays to co-inside with the new State law changes. Attorney Arneson explained what changes were made to the proposed ordinance. He also commented on some new posting (in advance of adoption) regulations for ordinances.

Adm. Donabauer presented proposed Resolution 56-2017 – Authorize/Deny MnDOT Agreement to Provide Ownership and Maintenance of Crosswalk System at TH 5 and Adams Street. She explained that it is standard practice for cities to assume ownership and maintenance of such systems after MnDOT has removed a traffic signal and replaced it with a flashing crosswalk. It was questioned what would happen to the sign/crosswalk if the city did not accept ownership. It was noted that there were some issues with the flashing sign; it was not working properly. It was suggested to refuse ownership until the sign was working properly.

Motion by Jaszewski, seconded by Cowell, with no vote being taken to approve Resolution 56-2017 – Authorize/Deny MnDOT Agreement to Provide Ownership and Maintenance of Crosswalk System at TH5 and Adams Street. It was the consensus of the Council to table action on this Resolution until MnDOT can assure the City that the sign is working properly before taking ownership.

Engineer Femrite stated that three bids were received for the Cemetery Improvement Project. The bids were all very close in pricing and all were higher than the Engineer’s estimate. He stated that after speaking with the contractors about the bids, he realized his estimate was a little low as he based his figures on a typical street project; whereby the cemetery is more unique and a delicate work. He recommended acceptance of the lowest bid. It was noted that the project was for reconstructing existing roadway system (except new entrance area) and adding a new road to the south. Mayor Nagel commented that \$98,000 had been budgeted for this project, which the low bid, came in under that amount.

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

RESOLUTION 57-2017

A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE CEMETERY IMPROVEMENTS PROJECT

WHEREAS, pursuant to an advertisement for bids for the Cemetery Improvements project; and

WHEREAS, bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

	<u>Base Bid</u>
WM Mueller & Sons	\$104,062.65
OMG Midwest, Inc. (Chard)	\$99,942.50
Nielsen Blacktopping, Inc.	\$90,698.00

AND WHEREAS, it appears that Nielsen Blacktopping & Concrete, Inc. is the lowest responsible bidder.

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

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Nielson Blacktopping & Concrete, Inc. in the name of the City of Arlington for the Cemetery Improvements Project according to the plans and specifications therefore approved by the City Council and on file in the office of the City Administrator.
2. The contract with Nielsen Blacktopping will be for the Base Bid.
3. The City Engineer (Bolton & Menk) is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Cowell, 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 5th day of July, 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.

Engineer Femrite stated that three bids had been received for the sealcoating project. He noted that the three bids varied considerably. He recommended accepting the low bid, which was under the engineer's estimate. He commented that some repairs and/or crack filling have to happen before the sealcoating can be done.

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

RESOLUTION 58-2017

A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE 2017 BITUMINOUS SEAL COATING PROJECT

WHEREAS, pursuant to an advertisement for bids for the 2017 Bituminous Seal Coat project; and

WHEREAS, bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

	<u>Base Bid</u>	<u>Striping</u>	<u>Crackfilling</u>
Pearson Bros., Inc.	\$66,561.00	\$4,677.00	\$0.75/lin. Ft.
Caldwell Asphalt Co., Inc.	\$76,680.00	\$4,000.00	\$1.50/lin. Ft.
Allied Blacktop Company	\$84,744.00	\$3,400.00	\$0.94/lin. Ft.

AND WHEREAS, it appears that Pearson Bros., Inc. is the lowest responsible bidder.

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

1. The Mayor and City Administrator are hereby authorized and directed to enter into a contract with Pearson Bros., in the name of the City of Arlington for the 2017 Bituminous Seal Coat Project according to the plans and specifications therefore approved by the City Council and on file in the office of the City Administrator.
2. The contract with Pearson Bros., Inc. will be for the Base Bid.
3. The City Engineer (Bolton & Menk) is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Battcher, 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 5th day of July, 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 59-2017

A RESOLUTION APPOINTING AN INTERIM CITY ADMINISTRATOR

BE IT RESOLVED that Laura Elvebak is hereby appointed to serve as the Interim City Administrator for the City of Arlington until a permanent City Administrator is appointed, employed, presumably prior to November 1, 2017.

BE IT FURTHER RESOLVED that the Interim City Administrator is contracted at a rate of \$65 per hour with a not to exceed allowance of 40 hours per week, inclusive of time spent providing services for the 2018 budget process if the Council authorizes use of Elvebak's budgeting duties.

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

1. That the attached Agreement between Laura Elvebak and the City of Arlington is hereby approved. A copy of the Agreement for services to provide interim services relating to city administration as described in Exhibit A ("Interim City Administrator Contract") is attached to this Resolution and made a part of it. The services to be provided by Laura Elvebak are further described in attached Job Description.
2. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City.

BE IT FURTHER RESOLVED that either party may cancel the contractual arrangement, effective upon receipt of written notice.

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 5th day of July, 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 60-2017

A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO ENTER INTO AN AGREEMENT WITH PAT NIENABER FOR INTERIM POLICE CHIEF DUTIES

WHEREAS, the City of Arlington seeks to enter into an Agreement with Pat Nienaber for interim police chief services for the City of Arlington;

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

1. That the attached Agreement between Pat Nienaber and the City of Arlington is hereby approved. A copy of the Agreement for services to provide interim services relating to police administration as described in Exhibit A (“Interim Police Chief Contract”) is attached to this Resolution and made a part of it. The services to be provided by Pat Nienaber are further described in attached Job Description.
2. The Agreement commences on June 29, 2017 and compensation for services rendered is tendered at \$1,750 per month. The Agreement shall terminate upon a successive hiring of a full-time Police Chief unless terminated by either of the parties and with a thirty day written notice.
3. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City.

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 5th day of July, 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 61-2017

A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO ENTER INTO A SPONSORSHIP AGREEMENT WITH AGSTAR FINANCIAL FOR STRATEGIC PLANNING SERVICES

WHEREAS, the City of Arlington seeks to enter into a Sponsorship Agreement with AgStar Financial to partially fund the City Council’s Strategic Planning Session with Professor Craig Waldron;

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

1. That the attached Agreement between AgStar Financial Services ACA (“Sponsor”) and the City of Arlington (“Grantee”) is hereby approved. A copy of the Agreement for grant funding to support the mission of the City Council to engage in a strategic planning session is described in Exhibit A (“Sponsorship Agreement”) is attached to this Resolution and made a part of it.
2. The Agreement commences on July 5, 2017 and grant compensation is tendered at a not-to-exceed \$2,500.

The Agreement shall continue in effect until completion of the Strategic Plan, Mission Statement and Values Statement by Facilitator unless terminated by either of the parties.

3. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Cowell, 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 5th day of July, 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 Jaszewski introduced the following resolution and moved for its adoption:

RESOLUTION 62-2017

A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO ENTER INTO AN AGREEMENT WITH CRAIG WALDRON FOR STRATEGIC PLANNING SERVICES

WHEREAS, the City of Arlington seeks to enter into an Agreement with Craig Waldron for Strategic Planning Services for the City of Arlington;

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

1. That the attached Agreement between Craig Waldron and the City of Arlington is hereby approved. A copy of the Agreement for services to provide strategic planning services as described in Exhibit A (“Strategic Planning Agreement”) is attached to this Resolution and made a part of it.
2. The Agreement commences on July 5, 2017 and compensation for services rendered is tendered at a not-to-exceed \$5,000. The Agreement shall continue in effect until completion of the Strategic Plan, Mission Statement and Values Statement by Facilitator unless terminated by either of the parties with a thirty day written notice.
3. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City.

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 5th day of July, 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 Hatlestad introduced the following resolution and moved for its adoption:

RESOLUTION 63-2017

A RESOLUTION TRANSFERRING CITY FUNDS

WHEREAS, sound financial planning by the City Council of the City of Arlington and City Staff is the purpose behind the transfer and closing of funds; and

WHEREAS, the City Council deems it expedient under the circumstances to transfer the following funds:

\$ 53,925.00 -- From the General Fund (101) to the 2008 Equip Cert (320)

\$ 18,946.00 -- From the Sewer Fund (603) to the 2008 Equip Cert (320)

To cover Debt Service Payments, as budgeted.

\$ 21,304.41 -- From 2015 Impr. Constr. Fund (417) to 2015 GO Impr. Fund (317).

To close out 417 construction fund and appropriately transfer proceeds into debt fund.

NOW THEREFORE BE IT RESOLVED, that the aforementioned funds are hereby closed and/or transferred to the above mentioned funds of the City of Arlington.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Battcher, 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 5th day of July, 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 64-2017

**A RESOLUTION APPROVING THE APPLICATION FOR A
LAWFUL OFF-SITE GAMBLING PERMIT FOR GERMAN DAYS INC**

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby approves the application for an lawful Off-Site Gambling Permit as submitted by the German Days Inc. for a raffle, pull-tabs, bingo and paddlewheel event at the Sibley County Fair from August 2-6, 2017.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Cowell, 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 5th day of July, 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 Hatlestad introduced the following resolution and moved for its adoption:

RESOLUTION 65-2017

**A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO ENTER INTO AN
AGREEMENT WITH ABDO TO ASSIST IN PREPARING THE 2018 BUDGET FOR THE CITY**

WHEREAS, the City of Arlington seeks to enter into an Agreement with ABDO for preparation of the 2018 Budget for the City of Arlington;

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

1. That the attached Agreement between ABDO EICK & MEYERS, LLC and the City of Arlington is hereby approved. A copy of the Agreement for services to provide assistance in the budget process as described in Exhibit A is attached to this Resolution and made a part of it.
2. The Agreement commences on July 5, 2017 and compensation for services rendered is tendered at a not-to-exceed \$5,000. The Agreement shall continue in effect until completion of the budget process and final approval thereof unless terminated by either of the parties with a written notice.
3. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City.

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: 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 5th day of July, 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 Jaszewski introduced the following resolution and moved for its adoption:

RESOLUTION 66-2017

A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO SOLICIT FUNDS

WHEREAS, a new law, codified as Minnesota Statutes, Section 471-198, authorizes cities to expend and solicit funds on a limited basis for events that foster positive relationships between law enforcement and the Community;

WHEREAS, National Night Out, or events similar to the National Night Out event, promotes police-community partnerships and neighborhood camaraderie to make neighborhoods safer and more connected;

WHEREAS, the City’s annual event, named Arlington Night Out, provides a great opportunity to bring police and neighbors together under positive circumstances on an annual basis through events such as block parties, festivals, parades, cookouts, safety demonstrations, seminars, youth events, visits from emergency personnel, exhibits and more;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Arlington hereby authorizes city officials and staff to solicit funds for the annual Arlington Night Out event.

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 5th day of July, 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 questioned if the Council wanted to charge an additional fee for Sunday Off-Sale Liquor Licenses in light of the decision they made earlier in the evening to allow sales on Sundays. She stated that three licensees have an off-sale license currently, which allows sales Monday through Saturday. The fee for said license is \$100 a year. Per State statute, cities with a population of 5,000 or less may impose up to a \$240 fee for off-sale licenses; however, cities must hold a public hearing prior to any fee changes. Adm. Donabauer commented that if the Council decided to implement a fee, staff was recommending a minimal charge of \$10-\$25. It was noted that the licensees just renewed their liquor licenses and paid the fees for 2017-2018. Adm. Donabauer commented that a public hearing to change the off-sale license fee could be held at the end of the year in coordination with adopting the 2018 Fee Schedule, which the change would be in place for the 2018-2019 liquor license renewals. The Council questioned if a change in fees (or charge additional fee for Sundays) was necessary, since the only change was it was going from a 6-day license to a 7-day license.

Motion by Heiland, seconded by Hatlestad, and passed by unanimous vote to include the Sunday Off-Sale Liquor License under the regular Off-Sale licenses and leave the fee at \$100.

Attorney Arneson provided an update on the Johnson Controls (JC) street light issue. He stated that under the general contract, JC was to reduce the overall energy consumption of which they did meet the promised goals. They were also to provide quality materials (energy efficient street lights), which has not occurred. Attorney Arneson has attempted to reconcile the issue with JC through various means without success. He stated that he sent a letter to the manager and attorney for JC indicating the City was going to take legal action against them if the matter was not corrected. The legal department did reach out after receiving his letter, but they keep missing each other via the phone. Arneson commented that the City was granted a 10-year guaranty and is in year 9 of that now. He commented that the City cannot expect full reimbursement since approximately 95% of the lights have been working at any given time, some

replacement parts have been received and also due to depreciation value of the equipment. The Council expressed their concerns on the matter. It was the consensus to allow Attorney Arneson to attempt to reach out to the legal department one more time and report back at the next meeting.

Adm. Donabauer stated that the columbarium will be delivered to the cemetery on July 12th. The Cemetery Committee had met recently to discuss establishing fees for the columbarium niches. By setting various fees, it was their goal to cover the cost of the columbarium and installation (67% of sales go into the Perpetual Fund and the remaining go into the Operating Fund). The Committee recommended allowing sales of niches to start on August 1st in order to do some marketing/advertising.

Motion by Cowell, seconded by Hatlestad, and passed by unanimous vote to approve the pricing for the columbarium niches as presented and recommended from the Cemetery Committee.

The Council reviewed Partial Pay Estimate No. 2 to OMG Midwest, Inc. in the amount of \$199,218.91. Engineer Femrite provided an update on the progress of the 2017 Street & Utility Improvement Project. He stated things were going along well.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to approve Partial Pay Estimate No. 2 to OMG Midwest, Inc. in the amount of \$199,218.91.

The Council reviewed Partial Pay Estimate No. 1 to WM Mueller & Sons, Inc. in the amount of \$62,894.28. Engineer Femrite provided an update on the progress of the Circle Drive Improvement Project.

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote to approve Partial Pay Estimate No. 1 to WM Mueller & Sons, Inc. in the amount of \$62,894.28.

Maintenance Supvr. Weckworth provided an update on the maintenance department. He stated that the new maintenance worker had started last week and had a good attitude, enthusiasm and was eager to learn. Weckworth commented that he had done some mosquito spraying and was also using pellets in the parks (appeared to be working). They were going to install the new slide at Frenzel Park, but were provided with the wrong instructions. Weckworth was working with the company doing sign replacement/installations.

Jaszewski provided an update on the Parks Committee. The Committee will be holding a tree planting event on September 30th. They acknowledged receipt of a monetary donation from RSMC for replacing the gazebo at Memorial Park. They also reviewed some bids for reconstructing the gazebo. The Committee also recognized the Veterans for their monetary donation for the pitching mound; and Lions for the grant to remodel the Sr. Building.

Hatlestad provided an update on the Cable Commission. The Commission is in the process of signing a 10-year agreement with Mediacom for two channels. They discussed increasing the grant amounts for the schools and libraries. Hatlestad stated that he would be getting a copy of the annual financial report soon, as they are changing banking, etc. It was noted that the Commission hadn't been audited for some time. The Commission continues to try to find the solution for the 'Arlington' volume issue on cable TV.

Mayor Nagel presented Adm. Donabauer with a Certificate of Appreciation for her years of service.

Motion by Hatlestad, seconded by Battcher, and passed by unanimous vote to adjourn the meeting at 8:51 pm.

Interim City Administrator Laura Elvebak

Mayor Richard Nagel