

**ARLINGTON CITY COUNCIL
MEETING AGENDA
SEPTEMBER 18, 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 September 5th Regular Meeting and September 5th Special Work Session Minutes
 - B) Approval of Bills
 - C) Approval of Publication – Columbarium Brochure
 - D) Approval of 1-4 Day Temporary On-Sale Liquor License (Arlington Dugout, LLC)
 - E) Approval of Temporary Road Closure (Sibley East Homecoming Parade)
 - F) Approval of Temporary Closure of Parking Stalls in Main Street Municipal Parking Lot (~~Sibley County~~ Arlington Historical Society)
 - G) Approval of the Resignation of Rickey Schmidt (First Responder) effective September 1
 - H) Approval of Application to the Prairie Lake Regional Arts Council – Fiscal Agent for Arli-Dazzle

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council
6. Announcements
 - A) Arlington Farmer's Market, September 18th & 25th @ 4-6:30 p.m., Arlington Community Center West Parking Lot
 - B) City Administrator Applicant Public Reception – September 25th, 12:00-1:00 p.m., Arlington Community Center
 - C) City Hall Offices Closed – September 25th, 12:30 – 4:00 p.m.
 - D) League of Minnesota Cities Regional Meetings (Various Locations) – September www.LMC.ORG/RM17
 - E) Tree Planting – September 30th @ 10:00 a.m. (Volunteers Needed)
 - F) Arlington Fire Department Fall Block Party, October 14 @ 5:30 p.m., Arlington Fire Hall

7. Communications
 - A) Monthly Financial Report - August
 - B) Building Permit Report – August
 - C) Police Reports – August
 - D) Sibley County Community Development Newsletter - September

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

8. 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.
 - Chapter 30 - Utilities
9. Resolutions/Proclamations
 - A) 2017-01 Arbor Day Proclamation

UNFINISHED BUSINESS

10. Johnson Controls Update – City Attorney Arneson

NEW BUSINESS

11. Approve/Deny Partial Pay Estimate No. 1 to Juul Contracting, Inc. (\$31,509.51)
12. Approve/Deny Partial Pay Estimate No. 4 to OMG Midwest, Inc. (\$432,330.71)
13. Replacement of Ambulance Doors
14. Sanitary Sewer Capacity and Usage Level Review and Options Proposal
15. Approve 2018 Preliminary Tax Levy and Budget

MISCELLANEOUS BUSINESS

16. Department Update – Police
17. Council Member/Committee Updates
18. Open Discussion

ADJOURNMENT

Reminders:

Special Meeting City Administrator Interviews and Deliberation – September 25th @ 1:00 p.m.
Arlington Fire and Ambulance Fall Appreciation Open House – September 27 @ 6:00 p.m.

**ARLINGTON CITY COUNCIL
MEETING MINUTES
SEPTEMBER 18, 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: Interim City Adm. Elvebak, City Attorney Arneson, Haley Rohwer, Wendy Rohwer, Amy Doehling, Engineer Jason Femrite, Police Officer Sandquist, Kurt Menk

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

Add item 4G) Approval of the Resignation of Rickey Schmidt (First Responder) effective September 1

Add item 4H) Approval of Application to the Prairie Lake Regional Arts Council – Fiscal Agent for Arli-Dazzle.

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

- A) Approval of the September 5th Regular Meeting and September 5th Special Work Session Minutes
- B) Approval of Bills
- C) Approval of Publication – Columbarium Brochure
- D) Approval of 1-4 Day Temporary On-Sale Liquor License (Arlington Dugout, LLC)
- E) Approval of Temporary Road Closure (Sibley East Homecoming Parade)
- F) Approval of Temporary Closure of Parking Stalls in Main Street Municipal Parking Lot (~~Sibley County~~ Arlington Historical Society)
- G) Approval of the Resignation of Rickey Schmidt (First Responder) effective September 1
- H) Approval of Application to the Prairie Lake Regional Arts Council – Fiscal Agent for Arli-Dazzle.

It was noted that there were no public hearings scheduled.

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

The following announcements were reviewed:

- A) Arlington Farmer’s Market, September 18th & 25th @ 4-6:30 p.m. Arlington Community Center West Parking Lot
- B) City Administrator Applicant Public Reception – September 25th, 12:00-1:00 p.m., Arlington Community Center
- C) City Hall Offices Closed – September 25th, 12:30-4:00 p.m.
- D) League of Minnesota Cities Regional meetings (Various Locations) – September www.LMC.ORG/RM17
- E) Tree Planting – September 30th at 10:00 a.m. (Volunteers Needed)
- F) Arlington Fire Department Fall Block party, October 14 @ 5:30 p.m., Arlington Fire Hall.

The Council reviewed the following communications:

- A) Monthly Financial Report – August
- B) Building Permit Report – August
- C) Police Reports – August
- D) Sibley County Community Development Newsletter - September.

Attorney Arneson stated that he was not quite ready to present the next chapter (30-Utilities) of the proposed City Code (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). He noted that it was a much larger chapter as compared to the other chapters he had presented to date. The final chapter (31-Zoning) would be the longest of them all. Battcher requested that a paper copy of the entire Code be given to the Council for them to review and allow a couple of weeks to do so prior to holding the second reading (approving it).

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

MAYORAL PROCLAMATION 2-2017

ARBOR DAY PROCLAMATION

September 30, 2017

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal;

NOW, THEREFORE, I, Richard Nagel, Mayor of the City of Arlington, do hereby proclaim September 30, 2017 as Arbor Day in the City of Arlington and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

The motion for the adoption of the foregoing proclamation 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 proclamation was adopted by the City Council of the City of Arlington this 18th day of September, 2017.

Signed: /s/ Richard Nagel
Mayor

Attested: /s/ Laura Elvebak
Interim City Administrator

Whereupon the proclamation was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the Interim City Administrator.

Attorney Arneson stated that he had attempted to make contact with the attorney reviewing the Johnson Controls case prior to the meeting with the intent of providing an update to the Council. Unfortunately the attorney was unavailable. Attorney Arneson was confident he would have something for the Council at the next regular meeting.

The Council reviewed Partial Pay Estimate No. 1 to Juul Contracting, Inc. in the amount of \$31,509.51. Engineer Femrite clarified the work done was for stormwater rerouting on Freedom Drive (Project 12-Tile 6A Improvements-2017). He stated no additional documents were required at this time as conditions have been met for partial payment. He commented that final payment (5%) would be held until the turf is established (next spring). He added that there is a two-year warranty for settling issue, etc.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to approve Partial Pay Estimate No. 1 to Juul Contracting, Inc. in the amount of \$31,509.51.

The Council Reviewed Partial Pay Estimate No. 4 to OMG Midwest, Inc. in the amount of \$432,330.71. Engineer Femrite stated that all of the underground dirt work was 100% completed; concrete work, reshaping of boulevards and paving of the alley was yet to be done within the next two weeks.

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote to approve Partial Pay Estimate No. 4 to OMG Midwest, Inc. in the amount of \$432,330.71.

Motion by Heiland, seconded by Cowell, and passed by unanimous vote to approve the bid from Travis Tuchtenhagen Construction in the amount of \$5,090 to replace two doors on the ambulance building.

Engineer Femrite commented that a new business (Northland Drying) was going to be moving into the old Seneca Foods site. He stated that the sanitary sewer needs would be that of an industrial user versus standard user and would produce a higher strength waste. He expressed some concerns about the volume and strength of product that would be produced from the facility and how it would affect the City's current infrastructure system. He felt the City should meet with the business owner and discuss all options (so the City does not accept product the facility is not designed for or exceed its capacity) and develop a Significant Industrial User Agreement. Engineer Femrite estimated that it could cost approximately \$4,000-\$5,000 to have their environmental engineer investigate/research this situation further. He stated the City could seek reimbursement as part of the service agreement.

Motion by Heiland, seconded by Hatlestad, and passed by unanimous vote to authorize Bolton & Menk to move forward with the sanitary sewer capacity and usage level review as it relates to Northland Drying at amount of \$4,000-\$5,000 and seek reimbursement from Northland Drying.

Interim Adm. Elvebak presented the proposed 2018 Preliminary Tax Levy and Budget (a 5.98% increase from last year). It was noted that the final tax levy approved at the end of the year may be keep at the same rate as the preliminary or lowered; it cannot be increased.

Motion by Battcher, seconded by Hatlestad, and withdrawn before a roll call vote was taken, to approve the 2018 Preliminary Tax Levy in the amount of \$811,428 (General Fund of \$567,928). The motion was withdrawn in order to clarify the correct figures being proposed for adoption.

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

RESOLUTION 74-2017

A RESOLUTION SETTING THE PRELIMINARY 2018 TAX LEVY

WHEREAS, the City of Arlington strives to proactively address the needs of the public we service in an efficient and effective manner to enhance the quality of life for the citizens; and

WHEREAS, the preliminary tax levy is required by statute to be set by September 30th and subsequent final adoption may not exceed this amount; and

WHEREAS, it is the intent of the City Council to continue to examine the budget over the next few months and to make adjustments according to City Council priorities and resource limitations; and

WHEREAS, the taxpayers of the City of Arlington will be notified of the impact of the preliminary tax levy on their truth in taxation statements sent out in November and will be provided an opportunity to provide input regarding the proposed net tax levy and budget at the public hearing December 4th at 6:00 p.m. held in the Council Chambers at the Arlington Community Center.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Arlington, County of Sibley, Minnesota, that the following sums of money be levied for the current year, collectible in 2018, upon taxable property in the City of Arlington for the following proposed purposes:

General Fund	\$587,634
Fire Pumper Certificate	\$35,000
2015 G.O. Bond	\$70,000
Pub. Project Lease Rev.	\$61,000
2009 G.O. RF Bonds	\$47,000
2012 G.O. Bonds	\$5,000
2017 G.O. Bonds	\$51,800
Other Levies (Tax Abatement)	<u>\$2,500</u>
Total Tax Levy	\$859,934

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Heiland, 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 18th day of September, 2017.

Signed: /s/ Richard Nagel
Mayor

Attested: /s/ Laura Elvebak
Interim City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the Interim City Administrator.

Officer Sandquist provided the monthly update on the Police Department. He stated that Interim Chief Nienaber had completed the background on the new chief and the psych test had been scheduled. The projected start date for the new chief was the second to third week of October. Interim Adm. Elvebak stated that the City was advertising for the police officer position, but no applications had been received yet. Officer Sandquist stated that things were going well for him (being new).

Cowell provided an update on the Cemetery Committee. He stated that some arborvitae had been planted between the boundary of the cemetery and residential homes. Maintenance Staff was going to be planting some shrubs around the columbarium. The Committee discussed that children have been playing within the cemetery and vandalism has been occurring. The Police Department had been asked to patrol the area more. It was suggested to put a notice (also in other languages) in the newsletter and on Facebook that children should not play in the cemetery.

Hatlestad provided an update on the Cable Commission. He reported that the City was benefiting and/or receiving as much from, if not a little more than it contributes annually to the Cable Commission. He had spoken with Library Director Homme and encouraged her to apply for another grant if she still needed additional equipment as there were plenty funds available. He added that he was also going to contact the school and St. Paul's School and encourage them to apply for additional funds. Some changes were made and the volume issue on the cable channel has improved.

Battcher provided an update on the EDA. They met with representatives from the Southern Minnesota Initiative Foundation (SMIF) and Amy Newsom (Sibley County) about the child day care shortage that is occurring throughout the county, but prevalently in Arlington.

Heiland questioned if the Brinkman tree issue was settled. Hatlestad stated that he had reached out to Brinkman a couple of times. Attorney Arneson stated that he too had been trying to reach them so he could complete the agreement.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to adjourn the meeting at 7:33 pm.

Interim City Administrator Laura Elvebak

Mayor Richard Nagel