

**ARLINGTON CITY COUNCIL  
SPECIAL MEETING AGENDA  
APRIL 24, 2017 AT 5:30 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 3<sup>rd</sup> Regular Meeting Minutes.
  - B) Authorize Hiring of Thomas Schuckert, Seasonal Mower.

**PUBLIC HEARINGS**

5. 2017 Street & Utility Improvement Project Assessment Hearing.

**PETITIONS, REQUESTS, & COMMUNICATIONS**

6. Addressing the Council
  - A) Citizens Addressing the Council.
7. Announcements
  - A) Arlington Chamber "Spring into Arlington", April 27<sup>th</sup>, 5-8 p.m. Main Street & EMS Building.
  - B) How to Become a Tree Steward Class, Sat. May 13<sup>th</sup> 10-4:30 p.m., Arlington Community Center.
  - C) City of Arlington Clean-Up Day, May 24<sup>th</sup>, 9-4 p.m. in Partnership with Tri-County Waste @ Sibley County Fair Grounds.
8. Communications

## **ORDINANCES & RESOLUTIONS**

### 9. Ordinances

- A) None.

### 10. Resolutions

- A) 32-2017 – Accept/Deny ACT on Alzheimer’s Agreement for Phase 4 Activities and Proceeds.
- B) 33-2017 – Accept/Deny Amendment to Special Assessment Policy RE Alleyway Assessment.

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

### 11. 2017 Street & Utility Improvement Project.

- A) Resolution 34-2017 – Accepting the Low Bid and Awarding the Contract.
- B) Resolution 35-2017 – Approving an Assessment.
- C) Resolution 36-2017 – Providing for the Competitive Negotiated Sale of \$1,830,000 General Obligation Improvement and Utility Revenue Bonds, Series 2017A.
- ~~D) Resolution 37-2017 – (Reserved for Consideration of Deferment). –(removed)~~

### 12. (Reserved) Authorize/Deny Conditional Offer and Starting Salary for Maintenance Supervisor.

## **MISCELLANEOUS BUSINESS**

### 13. Council Committee Updates.

- A) Police Committee

### 14. Open Discussion.

## **ADJOURNMENT**

### Reminders:

Planning & Zoning – May 4<sup>th</sup> @ 7 pm

**ARLINGTON CITY COUNCIL  
SPECIAL MEETING MINUTES  
APRIL 24, 2017**

The regular meeting was called to order at 5:30 p.m., Mayor Richard Nagel presiding.

Members present: Mayor Nagel, Battcher, Cowell (arrived a few minutes late), Hatlestad, Jaszewski

Members absent: Heiland

Also present: City Adm. Donabauer, Curt Reetz, Tom Kluver, Larry Sorenson, Roberta Zaske, Keith Dressen, Amanda Tupa, Sibley County Community Development Program Manager Amy Newsom, Engineer Femrite, Financial Advisor Sweeney, Police Officer Voigt, Kurt Menk

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

Remove item 11D) Resolution 37-2017 – (Reserved for Consideration of Deferment).

Cowell arrived at 5:35 pm.

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

- A) Approval of the April 3<sup>rd</sup> Regular Meeting Minutes
- B) Authorize Hiring of Thomas Schuckert, Seasonal Mower.

Mayor Nagel recessed the special meeting to hold a public hearing.

Mayor Nagel called to order the 2017 Street & Utility Improvement Project Assessment public hearing. Engineer Femrite presented information pertaining to the final assessment roll. He talked about how the alley assessments are calculated. He stated that he refigured the assessment roll to reflect a 25% charge to property owners for the alley, based on the Council's decision at a previous meeting. It was noted that the assessment values were figured using the actual bid numbers, not the engineer's estimate. Engineer Femrite commented there were some differences from the preliminary hearing assessments (slight decreases and increases). The Council reviewed the proposed assessments. Mayor Nagel questioned if there would be some areas of sidewalk that would be saved; would not have to be replaced. Engineer Femrite said there would be. It was noted that the majority of the sidewalk and trees (on the north side of the street) would remain between 2<sup>nd</sup> and 3<sup>rd</sup> Avenues. If anything changed due to the school construction project, the school would be responsible for replacing.

Curt Reetz commented that he understood that two trees on the east side of his house would be removed. He requested that the wood be left so he could use it. He stated that a couple of years ago he had new sewer and water lines put in and run to the curb box; which will need to be connected. He needs to know in advance so he can switch something inside his house first. He questioned what the process will be for providing temporary water services to the properties. Engineer Femrite stated that the contractor will have to determine this and submit a plan. Reetz requested that during construction the engineer's onsite inspector check all manholes and stormwater inlets at the end of every shift to assure the property owners there will not be any leaks or flooding issues like with the previous project. He also requested that all construction equipment and material stay off of Chandler Street, since it was a new street. Engineer Femrite commented that topic was specifically pointed out in the construction plans.

Mayor Nagel adjourned the public hearing and reconvened the regular meeting at 5:46 p.m.

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

The following announcements were reviewed:

- A) Arlington Chamber "Spring into Arlington", April 27<sup>th</sup>, 5-8 p.m. Main Street & EMS Building.
- B) How to Become a Tree Steward Class, Sat. May 13<sup>th</sup>, 10-4:30 p.m., Arlington Community Center

- C) City of Arlington Clean-Up Day, May 24<sup>th</sup>, 9-4 p.m. in Partnership with Tri-County Waste @ Sibley County Fair Grounds.

ACT on Alzheimer's Coalition Coordinator Amy Newsom was present to talk about the accomplishments of the Coalition and the recent award of the final phase (\$7,000) to support ongoing education and support activities. She commented that not all of the funds from the first three phases were utilized and will be used with the final phase (approximately \$10,000 total). Newsom commented that there was concern about the sustainability of the project once the funds were depleted. In an effort to keep things going a couple of things will be happening. The first thing is they will be starting support groups throughout Sibley County; and will be working with Lutheran Social Services and Barb Alsleben with classes being held at the hospital. ACT approved that the funds could be used effective April 1<sup>st</sup>. The funds will be used to purchase books and supplies and pay for advertising. Alsleben does not get paid for this; she volunteers her time. The second thing being done is to create a dementia friendly garden; a place for families to spend time when they get together. The ACT Committee will be partnering with the Arlington Garden Club on this venture.

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

**RESOLUTION 32-2017**

**A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO ENTER INTO A CONTRACT AGREEMENT WITH METROPOLITAN AREA AGENCY ON AGING, INC.**

**WHEREAS**, the City of Arlington (Contractor) seeks to enter into an Agreement with Metropolitan Area Agency on Aging Inc. (Agency) to obtain funding for technical assistance on facilitating Phase 4 of the ACT on Alzheimer's dementia friendly communities toolkit;

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

1. That the attached Agreement between the Agency and the Contractor is hereby approved. A copy of the Agreement for services, outlined in Appendix A, for Phase 4 activities to create a dementia friendly community, is attached to this Resolution and made a part of it.
2. The term of this Agreement commences on April 1, 2017 and continues until December 31, 2017. The Agreement may be terminated upon 30 days written notice by the Contractor if the Contractor deems it impossible to fulfil the terms of the contract.
3. The proposed project budget is for a not-to-exceed of \$10,139.77; of which \$2,000 can be utilized toward staffing resources.
4. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City/Contractor.

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, 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 24<sup>th</sup> 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 presented an Amendment to the Special Assessment Policy for the Council's consideration. The purpose of the amendment was to give the Council discretion to assess the adjoining property owners of an alley (for reconstruction or upgrading thereof) at 25% versus 100% if an alleyway is determined to primarily benefit the general public and not adjoining property owners. Cowell expressed some concern about the 75% of the alley now falling onto the City's (taxpayer/bonding) portion. Battcher commented that there is a similar situation by St. Mary's Church; the general public traverses through it like a road. Concern was expressed about setting precedent and also being fair.

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

**RESOLUTION 33-2017**

**A RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO SECTION 10 OF THE SPECIAL ASSESSMENT AND TRUNK AREA POLICIES AND PROCEDURES FOR PUBLIC IMPROVEMENTS AND MAINTENANCE COSTS**

**WHEREAS**, the City Council of the City of Arlington wishes to amend Section 10 of the Special Assessment and Trunk Area Policies and Procedures for Public Improvements and Maintenance Costs to provide sole discretion of the City Council, upon a finding that an alleyway primarily benefits the general public and not adjoining property owners, the cost of either a reconstruction or an upgrading of the alleyway shall be assessed 25% to all lots abutting on the alley;”

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

That the City Council of the City of Arlington hereby approves the attached amendment to the Special Assessment and Trunk Area Policies and Procedures for Public Improvements.

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: Cowell, Jaszewski, Mayor Nagel (to break the tie vote); and the following voted against the same: Battcher, Hatlestad; 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 24<sup>th</sup> 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 Jaszewski introduced the following resolution and moved for its adoption:

**RESOLUTION 34-2017**

**A RESOLUTION ACCEPTING A BID AND AWARDING A CONTRACT FOR THE 2017 STREET & UTILITY IMPROVEMENT PROJECT**

**WHEREAS**, pursuant to an advertisement for bids for the 2017 Street & Utility Improvement 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>Alley</u> | <u>Alternate Looping</u> | <u>Total</u>   |
|-----------------------------|-----------------|--------------|--------------------------|----------------|
| OMG Midwest, Inc. (Chard)   | \$1,327,864.40  | \$26,864.25  | \$85,258.75              | \$1,439,987.40 |
| WM Mueller & Sons           | \$1,335,518.50  | \$30,117.90  | \$83,521.00              | \$1,449,454.40 |
| Dirt Merchant, Inc.         | \$1,358,933.43  | \$32,345.30  | \$85,486.27              | \$1,482,509.99 |
| Quam Construction Co., Inc. | \$1,496,295.55  | \$32,696.00  | \$83,678.00              | \$1,617,944.55 |
| C&L Excavating, Inc.        | \$1,533,804.45  | \$35,075.00  | \$91,000.00              | \$1,669,104.45 |
| Kuechle Underground, Inc.   | \$1,616,365.00  | \$31,273.00  | \$91,095.00              | \$1,745,458.00 |

**AND WHEREAS**, it appears that OMG Midwest, Inc. (Chard) 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 OMG Midwest, Inc. in the name of the City of Arlington for the 2017 Street & Utility Improvement 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 OMG Midwest will be for the Base Bid, Alley Alternate and Watermain Looping.
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 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 24<sup>th</sup> 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 Cowell introduced the following resolution and moved for its adoption:

**RESOLUTION 35-2017**

**A RESOLUTION ADOPTING AN ASSESSMENT**

**WHEREAS**, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed assessment for the 2017 Street & Utility Improvement Project, an improvement affecting properties on W. Brooks St. (from Hwy 5 to 3<sup>rd</sup> Ave NW), W. Alden St. (from Hwy 5 to 2<sup>nd</sup> Ave NW), 4<sup>th</sup> Ave NW.(W. Chandler St. to W. Alden St.), and 3<sup>rd</sup> Ave NW (W. Brooks St. to W. Alden St.), and has amended such proposed assessment as it deems just;

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

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefitted by the proposed improvement in the amount of the assessment levied against it.
2. The assessments shall be payable in equal annual installments including principal and interest extending over a period of 15 years, with interest accrued at the rate of five percent (5%) per annum, the first of said installments to be payable with general property taxes, collectible during the year 2018.
3. The owner of any property so assessed may, at any time prior to certification of the assessment (November 15, 2017) to the County Auditor, pay to the City of Arlington, the entire assessment, or portion thereof, without interest. And thereafter at any time prior to November 15 of any year pay to the City of Arlington, the whole, or portion thereof, of the principal amount of the assessment remaining on such property, understanding that the current year's installment of principal and interest through December 31 is payable to the County Auditor.
4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid in the same manner as other municipal taxes.

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: Cowell, Jaszewski, Mayor Nagel (to break the tie vote); and the following voted against the same: Battcher, Hatlestad; 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 24<sup>th</sup> 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.

Financial Advisor Sweeney was present to discuss the 2017 Street & Utility Reconstruction Project financing. He reviewed the bonding process and details of the proposed bond issue. Questions were asked and answered about the credit rating and prepaying on the bond.

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

**RESOLUTION 36-2017**

**A RESOLUTION PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF \$1,830,000 GENERAL OBLIGATION IMPROVEMENT AND UTILITY REVENUE BONDS, SERIES 2017A**

A. WHEREAS, the City Council of the City of Arlington, Minnesota (the "City"), has heretofore determined that it is necessary and expedient to issue the City's \$1,830,000 General Obligation Improvement and Utility Revenue Bonds, Series 2017A (the "Bonds"), to finance the 2017 Street and Utility Reconstruction Project; and

B. WHEREAS, the City has retained David Drown Associates, Inc., in Minneapolis, Minnesota ("David Drown"), as its independent financial advisor for the Bonds and is therefore authorized to sell the Bonds by a competitive negotiated sale in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9):

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

Authorization. The Council hereby authorizes David Drown to solicit bids for the competitive negotiated sale of the Bonds.

Meeting; Bid Opening. The Council shall meet at the time and place specified in the Terms of Offering attached hereto as Exhibit A for the purpose of considering sealed bids for, and awarding the sale of, the Bonds. The City Administrator, or designee, shall open bids at the time and place specified in such Terms of Offering.

Terms of Offering. The terms and conditions of the Bonds and the negotiation thereof are fully set forth in the "Terms of Offering" attached hereto as Exhibit A and hereby approved and made a part hereof.

Official Statement. In connection with said competitive negotiated sale, the officers or employees of the City are hereby authorized to cooperate with David Drown and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

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 24<sup>th</sup> 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 stated that four applications were received for the Maintenance Supervisor position. Interviews were held and it was the Streets Committee's recommendation to offer the position to current Maintenance Worker Kirby Weckworth at a starting salary of \$19.64 (Step 9).

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to authorize the conditional offer and starting salary for the Maintenance Supervisor position to Kirby Weckworth at step 9 on the Maintenance Supervisor scale (\$19.64/hr.)

It was noted that the Streets Committee would be meeting to discuss the Maintenance Worker position.

Battcher and Hatlestad provided an update on the most recent Police Committee. There were many questions about the merging process at that meeting. The Committee felt it was best to meet with representatives from other communities who have gone through the merging process.

Jaszewski commented that he read an article in the Mankato Free press about high school students being trained as EMT's in high school. The students are trained as a class in school and when they turn 18 they are qualified to be EMT's. The program appears to be successful. Jaszewski commented that it should be looked into. Mayor Nagel commented that it could be incorporated as part of the health occupations course.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to adjourn the meeting at 6:31 pm.

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City Administrator Liza M. Donabauer

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Mayor Richard Nagel