

**ARLINGTON CITY COUNCIL
MEETING AGENDA
NOVEMBER 20, 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. City Administrator Official Oath – Pat Melvin
4. 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.

5. Approval of Consent Agenda
 - A) Approval of the November 6th Regular Meeting Minutes
 - B) Approval of Bills

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

6. Addressing the Council
 - A) Citizens Addressing the Council
7. Announcements
 - A) City Offices Closed on Thursday, November 23rd & Friday, November 24th for Thanksgiving Holiday
 - B) Ribbon Cutting on Monday, November 27th @ 4:30 p.m., Alice's Family Hair Center, 422 West Main Street
 - C) Arli-Dazzle, Saturday, December 2nd (<http://arlidazzle.com>) Raffle Tickets Available @ City Hall
 - D) Truth-In-Taxation/Budgeting Hearing, December 4th @ 6:00 p.m.
8. Communications
 - A) Police Department Monthly Reports – October
 - B) Building Permit Report - October

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

9. Ordinances
 - A) Second Reading Ordinance No. 316: Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Certain Definitions to Section 2, Subdivision 2 (Definitions), Amending Section 5 Related to the R-1 One and Two Family Residence District, and Amending Section 6 Relating to the R-2 Multiple Family District.

- B) Second Reading Ordinance No. 317: Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Section 5.5 Creating the R-2 One and Two Family Residence District.
- C) Second Reading Ordinance No. 318: Ordinance Amending Section 4, Subd. 1 of Ordinance 169, the Arlington Zoning Ordinance, Relating to the Official Zoning Map for the City of Arlington.

10. Resolutions/Proclamations

- A) Resolution 79-2017: Designation of polling locations for the City of Arlington for 2018 in accordance with M.S. 204B.16, Subd. 1, Municipal and County-Unorganized Territory Polling Place Designations.
- B) Resolution 80-2017: Authorizing Sibley County to conduct a mill/overlay on CSAH 17 from Main Street to the railroad tracks in the City of Arlington in 2018.
- C) Resolution 81-2017: Approving a Loan to Grand K, LLC from the Arlington EDA Façade Improvement Loan Program for a Project at 209 Main Street West.
- D) Resolution 82-2017: Approving Ordinance 316, Entitled “An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, By Adding Certain Definitions To Section 2, Subdivision 2 (Definitions), Amending Section 5 Relating To The R-1 One And Two Family Residence District, And Amending Section 6 Relating To The R-2 Multiple Family Residence District” And Authorizing Summary Publication Thereof
- E) Resolution 83-2017: Approving Ordinance 317, Entitled “An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, By Adding Section 5.5 Creating The R-2 One And Two Family Residence District” And Authorizing Summary Publication Thereof
- F) Resolution 84-2017: Approving Ordinance 318, Entitled “An Ordinance Amending Section 4, Subd. 1 Of Ordinance 169, The Arlington Zoning Ordinance, Relating To The Official Zoning Map For The City Of Arlington” And Authorizing Summary Publication Thereof

UNFINISHED BUSINESS

11. EDA Services Contract – Sibley County

- 12. ~~Approve/Deny Partial Pay Estimate No. 6 to OMG Midwest, Inc. (\$98,487.16) (removed)~~
Discussion on Liquidated Damages Negotiation Status with OMG Midwest, Inc.

13. Johnson Controls Update – City Attorney Arneson

NEW BUSINESS

14. Economic Development Committee Report – Holly Krefl

- A) Recommendation to authorize staff to contact local realtors, Bruce Pinske and Leah Prahl, to list the former TSE building and to have them recommend a listing price.
- B) Recommendation to fund a joint city comprehensive housing study at a cost of \$3,720.50. This is an increase from what was approved in June because Sibley County has elected not to participate.
- C) Recommendation to enter into a lease agreement with Doehling Farms to rent the farm land for \$5,500. This is a \$266.80 reduction from 2017 due to a reduction in corn prices and comparable leases of farm land.

MISCELLANEOUS BUSINESS

15. Department Update

- A) Maintenance Department

16. Council Member/Committee Updates

17. Open Discussion

ADJOURNMENT

Reminders:

- Parks – November 27th @ 7 pm (if needed)
- Planning & Zoning – December 7th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
NOVEMBER 20, 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. Patrick Melvin, City Attorney Arneson (arrived late), Engineer Jason Femrite, Police Chief Petterson, EDA Dir. Holly Kreft, Mike Weber, Kurt Menk

Mayor Nagel administered the Official Oath of Office to City Administrator Patrick Melvin.

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

Remove item 12) Approve/Deny Partial Pay Estimate No. 6 to OMG Midwest, Inc. (\$98,487.16) *duplicate from last meeting* and replace it with: Discussion on Liquidated Damages Negotiation Status with OMG Midwest, Inc.

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

- A) Approval of the November 6th Regular Meeting Minutes
- B) Approval of Bills
- C) Approval of Personnel Agenda.

It was noted that there were no public hearings scheduled.

Mike Weber, 209 5th Ave. NW, was present to express his concerns about the lack of street sweeping being done around his property this year. He also expressed concerns about snow plowing issues along the highway.

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

The following announcements were reviewed:

- A) City Offices Closed on Thursday, November 23rd & Friday, November 24th for Thanksgiving Holiday
- B) Ribbon Cutting on Monday, November 27th @ 4:30 p.m., Alice's Family Hair Center, 422 West Main Street
- C) Arli-Dazzle, Saturday, December 2nd (<http://arlidazzle.com>) Raffle Tickets Available @ City Hall
- D) Truth-In-Taxation/Budgeting Hearing, December 4th @ 6:00 p.m.

The Council reviewed the following communications:

- A) Police Department Monthly Reports – October
- B) Building Permit Report - October.

Police Chief Petterson provided an update on the Police Department. He stated that the background, physical and psych evaluation have been completed for prospective new officer Sara Jancoski. He was looking for authorization to officially hire her starting December 4th. Chief Petterson stated that the repair work was being done on the backup squad. He noted that the handguns, rifles, WatchGuard and cameras had been ordered. He added that the gun safes had been purchased and installed at the PD. Chief Petterson stated that once the new officer is on board, he would like to change from a 12-hour shift to a 10-hour shift. He believes the change will allow for more coverage (additional two days worked per officer a month) and less overtime.

Chief Petterson commented that both Gaylord and Henderson Police Departments have offered to assist with staffing needs during the Arli-Dazzle Parade. Mayor Nagel questioned how much coverage the County/Sheriff's Office is still providing and also how that will change once the new officer is on board at the PD. Chief Petterson stated that the Sheriff's Department currently takes calls and may do very limited patrol in the off hours when an Arlington officer is not on duty. Once the new officer starts, both Arlington officers will be providing on-call time in their off hours and the Sheriff's Department coverage will be almost eliminated.

The second reading of Ordinance 316 – An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Certain Definitions to Section 2, Subdivision 2 (Definitions), Amending Section 5 Related to the R-1 One and Two Family Residence District, and Amending Section 6 Relating to the R-2 Multiple Family District, was held.

The second reading of Ordinance 317 – An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Section 5.5 Creating the R-2 One and Two Family Residence District, was held.

The second reading of Ordinance 318 – An Ordinance Amending Section 4, Subd. 1 of Ordinance 169, the Arlington Zoning Ordinance, Relating to the Official Zoning Map for the City of Arlington, was held.

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

RESOLUTION NO. 79-2017

**A RESOLUTION RELATING TO DESIGNATING POLLING PLACE
LOCATION FOR ALL ELECTIONS IN 2018**

WHEREAS, The City of Arlington is an election precinct within the County of Sibley;

WHEREAS, pursuant to Minnesota Statutes, Section 204B.16, subd. 1, by December 31 of each year, the Council must designate by ordinance or resolution a polling place for each election precinct. The polling place designated in the ordinance or resolution is the polling place for the following calendar year, unless a change is made:

- (a) pursuant to section 204B.175;
- (b) because a polling place has become unavailable; or

THEREFORE, BE IT RESOLVED, it is hereby found, determined, and declared by the City Council of Arlington, State of Minnesota as follows:

The Council designates the polling place to serve all of the precincts located within the boundaries of the City of Arlington for all elections in 2018. The polling place is as follows:

POLLING PLACE:
Arlington Community Center
204 Shamrock Drive
Arlington, MN 55307

The City Administrator is hereby authorized and directed to file a certified copy of this resolution with the County Auditor of Sibley County by December 31, 2017 for the next calendar year.

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.

Adopted by the City Council of the City of Arlington this 20th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /s/ Patrick Melvin
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 Heiland introduced the following resolution and moved for its adoption:

RESOLUTION NO. 80-2017

A RESOLUTION APPROVING COUNTY PROJECT WITHIN MUNICIPAL CORPORATE LIMITS

WHEREAS, plans for Project No. 072-617-031 showing proposed alignment, profiles grades and cross-sections for the construction, reconstruction or improvement of County State-Aid Highway No. 17 within the limits of the City as a State Aid Project have been prepared and presented to the City.

NOW, THEREFORE, BE IT RESOLVED: That said plans be in all things approved.

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.

Adopted by the City Council of the City of Arlington this 20th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /s/ Patrick Melvin
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 NO. 81-2017

**A RESOLUTION APPROVING TERMS OF A LOAN TO GRAND K, LLC
FROM THE ARLINGTON EDA FAÇADE IMPROVEMENT LOAN PROGRAM
FOR A PROJECT AT 209 MAIN STREET WEST**

WHEREAS, Brandon, Howard & Deb Brinkman, d.b.a. Grand K, LLC, has applied for a Façade Improvement Loan available through the EDA; and

WHEREAS, the Applicant requests a forgivable loan in the amount of \$2,500 or fifty (50) percent of the actual project cost, whichever is less; and

WHEREAS, the purpose of the loan is to replace the front window, reside the structure, add dimension to the roof and redo the brick on the building at 209 Main Street West in the Central Business District; and,

WHEREAS, the EDA has reviewed the loan application to determine compliance with loan policies and procedures.

NOW, THEREFORE, BE IT RESOLVED, that the Arlington City Council hereby approves a façade improvement loan in the amount of \$2,500 to Grand K, LLC as follows:

1. The City and the EDA previously approved the EDA's Façade Improvement Loan Program which is administered by the Arlington EDA.
2. Brandon, Howard & Deb Brinkman, d.b.a. Grand K, LLC (the "Borrower") have submitted an official application form requesting financial assistance from the EDA Façade Improvement Loan Program (the "Loan") in the amount of \$2,500 or fifty (50) percent of the project cost, whichever is less in order to finance replace the front window, reside the structure, add dimension to the roof and redo the brick on the building (the "Project") at 209 Main Street West (the "Property").
3. The Loan is to be made from the EDA Façade Improvement Loan Program and will be forgiven provided the Borrower remains in business on the Property for at least one year following the disbursement of the Loan and the Project is substantially completed within a reasonable period of time defined as one hundred eighty (180) days.
4. The Board hereby approves the Loan proposed to be provided to the Borrower contingent on:
 - a. Execution of a Promissory Note by the Property Owner.
 - b. Submittal of valid invoices from a licensed contractor relating to the window replacement, residing, and awning placement.
5. The Board has had an opportunity to review the Note to be executed by the Borrower. The Board hereby approves the form of Note.
6. Effective Date. This resolution shall be effective as of the date hereof.

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.

Adopted by the City Council of the City of Arlington this 20th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /s/ Patrick Melvin
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 NO. 82-2017

A RESOLUTION APPROVING ORDINANCE 316, ENTITLED “AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING CERTAIN DEFINITIONS TO SECTION 2, SUBDIVISION 2 (DEFINITIONS), AMENDING SECTION 5 RELATING TO THE R-1 ONE AND TWO FAMILY RESIDENCE DISTRICT, AND AMENDING SECTION 6 RELATING TO THE R-2 MULTIPLE FAMILY RESIDENCE DISTRICT” AND AUTHORIZING SUMMARY PUBLICATION THEREOF

WHEREAS, the City of Arlington placed Ordinance 169, the Zoning Ordinance, into effect several years ago; and,

WHEREAS, the Arlington Planning and Zoning Commission recommends certain changes to residential zoning classifications so as to remedy variance issues, decrease the volume of non-conformities, allow for accessory dwelling units, and provide for alternative housing styles; and,

WHEREAS, a public hearing was properly noticed and held on November 2, 2017 by the City of Arlington Planning and Zoning Commission; and,

WHEREAS, the Planning and Zoning Commission, following discussion, approved a resolution recommending the City Council approve the proposed ordinance; and,

WHEREAS, the City Council held first reading of the Ordinance at a regular meeting on November 6, 2017; and,

WHEREAS, the City Council held second reading of the Ordinance at a regular meeting on November 20, 2017; and,

WHEREAS, the Ordinance is itemized in Exhibit A which is attached to this resolution; and,

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 316 would clearly inform the public of the intent and effect of the Ordinance; and,

WHEREAS, prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Arlington City Council hereby approves an Ordinance No. 316 entitled: “An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Certain Definitions to Section 2, Subdivision 2 (Definitions), Amending Section 5 Related to the R-1 One and Two Family Residence District, and Amending Section 6 Relating to the R-2 Multiple Family District”. A copy of Ordinance 316 is attached as Exhibit A.

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 316 to be published in the City’s official newspaper at the earliest practicable date; and,

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On November 20, 2017 the City Council of the City of Arlington approved Ordinance No. 316, entitled, ‘An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Certain Definitions to Section 2, Subdivision 2 (Definitions), Amending Section 5 Related to the R-1 One and Two Family Residence District, and Amending Section 6 Relating to the R-2 Multiple Family District’. The Ordinance in its entirety is available for review and/or photocopying during regular office hours at the City of Arlington, 204 Shamrock Lane, Arlington, Minnesota 55307. Ordinance 316: (1) Adds definitions applicable to different types of dwellings, including but not limited to: accessory dwelling unit, apartment, multiple family, single family – attached, single family – detached,

townhome, twin home, and two family (duplex); (2) Amends allowable uses in the current R-1 Single and Two Family Residence District. Currently one and two family dwellings are allowed in the District. Ordinance 316 allows only one family dwellings in the R-1 District with the district renamed as R-1 Single Family Residence District. (3) Renumbers the current R-2 Multiple Family Residence District to R-3 Multiple Family Residence District. (4) Allows accessory dwelling units, often known as mother in law apartments or accessory apartments, in the R-1 District, provided specific standards are achieved/maintained and an interim use permit is secured.”

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.

Adopted by the City Council of the City of Arlington this 20th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /s/ Patrick Melvin
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 Heiland introduced the following resolution and moved for its adoption:

RESOLUTION NO. 83-2017

A RESOLUTION APPROVING ORDINANCE 317, ENTITLED “AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING SECTION 5.5 CREATING THE R-2 ONE AND TWO FAMILY RESIDENCE DISTRICT” AND AUTHORIZING SUMMARY PUBLICATION THEREOF

WHEREAS, the City of Arlington placed Ordinance 169, the Zoning Ordinance, into effect several years ago; and,

WHEREAS, the Arlington Planning and Zoning Commission recommends certain changes to residential zoning classifications so as to remedy variance issues, decrease the volume of non-conformities, allow for accessory dwelling units, and provide for alternative housing styles; and,

WHEREAS, a public hearing was properly noticed and held on November 2, 2017 by the City of Arlington Planning and Zoning Commission; and,

WHEREAS, the Planning and Zoning Commission, following discussion, approved a resolution recommending the City Council approve the proposed ordinance; and,

WHEREAS, the City Council held first reading of the Ordinance at a regular meeting on November 6, 2017; and,

WHEREAS, the City Council held second reading of the Ordinance at a regular meeting on November 20, 2017; and,

WHEREAS, the Ordinance is itemized in Exhibit A which is attached to this resolution; and,

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 317 would clearly inform the public of the intent and effect of the Ordinance; and,

WHEREAS, prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Arlington City Council hereby approves an Ordinance No. 317 entitled: “An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Section 5.5 Creating the R-2 One and Two Family Residence District, and Approving Summary Publication Thereof”. A copy of Ordinance 317 is attached as Exhibit A.

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 317 to be published in the City’s official newspaper at the earliest practicable date; and,

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On November 20, 2017 the City Council of the City of Arlington approved Ordinance No. 317, entitled, ‘An Ordinance Amending Ordinance 169, the Arlington Zoning Ordinance, by Adding Section 5.5 Creating the R-2 One and Two Family Residence District’. The Ordinance in its entirety is available for review and/or photocopying

during regular office hours at the City of Arlington, 204 Shamrock Drive, Arlington, Minnesota 55307. Ordinance 317: (1) Establishes a new residential zoning classification labeled R-2 One and Two Residence District which would allow single family detached dwellings, single family attached dwellings up to six dwellings per structure, triplexes, and quadraplexes as permitted uses provided required performance standards are met, including those related to minimum lot size and setbacks. Apartments not exceed four units could be considered as conditional uses. (2) Reduces corner side setback requirements for existing single family lots in the proposed R-2 district to remedy non-conformity and variance issues related to the current setback requirement. (3) Allows accessory dwelling units, often known as mother in law apartments or accessory apartments, in the R-1 District, provided specific standards are achieved/maintained and an interim use permit is secured.”

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.

Adopted by the City Council of the City of Arlington this 20th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /s/ Patrick Melvin
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 NO. 84-2017

A RESOLUTION APPROVING ORDINANCE 318, ENTITLED “AN ORDINANCE AMENDING SECTION 4, SUBD. 1 OF ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, RELATING TO THE OFFICIAL ZONING MAP FOR THE CITY OF ARLINGTON” AND AUTHORIZING SUMMARY PUBLICATION THEREOF

WHEREAS, the City of Arlington placed Ordinance 169, the Zoning Ordinance, into effect several years ago; and,

WHEREAS, the Arlington Planning and Zoning Commission previously recommended certain changes to residential zoning classifications, including adding a third residential zoning classification as a means of remedying variance issues, decreasing the volume of non-conformities, and providing for alternative housing styles; and,

WHEREAS, a public hearing was properly noticed and held on November 2, 2017 by the City of Arlington Planning and Zoning Commission; and,

WHEREAS, the Planning and Zoning Commission, following discussion, approved a resolution recommending the City Council approve the proposed ordinance; and,

WHEREAS, the City Council held first reading of the Ordinance at a regular meeting on November 6, 2017; and,

WHEREAS, the City Council held second reading of the Ordinance at a regular meeting on November 20, 2017; and,

WHEREAS, the Ordinance is itemized in Exhibit A which is attached to this resolution; and,

WHEREAS, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 318 would clearly inform the public of the intent and effect of the Ordinance; and,

WHEREAS, prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Arlington City Council hereby approves an Ordinance No. 318 entitled: “An Ordinance Amending Section 4, Subd. 1 of Ordinance 169, the Arlington Zoning Ordinance, Relating to the Official Zoning Map for the City of Arlington”. A copy of the official zoning map is attached as Exhibit A.

BE IT FURTHER RESOLVED that the City Administrator shall cause a summary of Ordinance No. 317 to be published in the City’s official newspaper at the earliest practicable date; and,

BE IT FURTHER RESOLVED, the summary publication shall read as follows:

“On November 20, 2017 the City Council of the City of Arlington approved Ordinance No. 318, entitled, ‘An Ordinance Amending Section 4, Subd. 1 of Ordinance 169, the Arlington Zoning Ordinance, Relating to the Official Zoning Map for the City of Arlington’. The Official Zoning Map is available for review and/or photocopying during regular office hours at the City of Arlington, 204 Shamrock Lane, Arlington, Minnesota 55307. Ordinance 318 is a general amendment to the official zoning map rezoning most areas currently zoned R-1 Single and Two Family Residence District to R-2 Single and Two Family Residence Districts. Certain areas within the High Island Creek Subdivision, the Matz Trocke Addition, the Marie Meadows Addition, and Lynch 1st Addition will be retained as R-1 Single Family Residence District. The proposed general map update will also address several instances where existing uses are not consistent with existing zoning classifications: school athletic fields proposed to be zoned public/institutional; former Cemstone downtown site and elevator proposed to be rezoned to Central Business District vs. Industrial; residences adjacent to Cemstone were zoned Industrial proposed for R-2 Residential, dwelling adjacent to TH 5 by Napa proposed to be rezoned in its entirety from B-1 Service Business to R-2. Because the entire zoning map was updated, notices of public hearing for rezoning were not sent to individual property owners.”

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.

Adopted by the City Council of the City of Arlington this 20th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /s/ Patrick Melvin
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.

Mayor Nagel commented that the Council had met in a workshop session prior to the meeting to discuss the EDA Services Contract being offered by Sibley County. Battcher commented that she would like to find out exactly what services the County is currently providing to the City’s EDA, so that the City does not lose any services and/or there is not a duplication and the City does not get charged for the same services twice. Adm. Melvin commented that as long as the City continues to move forward, the joint venture should be good. Battcher expressed opposition to the term of the contract being three years; she felt one year with option to renew would be better. Heiland and Jaszewski agreed.

It was the consensus of the Council to move forward with contracting with Sibley County for EDA services and authorize Adm. Melvin to negotiate the details such as hours to be worked and length of term of the contract.

Engineer Femrite was present to discuss the liquidated damages negotiations with OMG Midwest. He stated that he sent the contractor a letter stating the Council had reduced the number of days down to 23 from 37 to be at a cost of \$11,500. OMG has since made a counter offer of 13 days at \$6,500. The Council reiterated their concerns about the lack of communication from the contractor during the project. The majority of the Council was adamant about not reducing the number of days any further. Attorney Arneson talked about the mediation process

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote, to hold firm at 23 days (\$11,500) liquidated damages final offer to OGM Midwest, Inc. and if mediation is sought then the number of days will revert back to the original 37 days at \$18,500.

Attorney Arneson provided an update on the Johnson Controls matter. He noted that to-date, seven lights were not working; at one point in time as many as 15 were not working. The Attorney would be willing to send a demand letter to Johnson Controls in hopes they would pay something to the City; this would cost \$450.

Motion by Cowell, seconded by Hatlestad, and passed by unanimous vote to have the attorney send the demand letter as mentioned above in an attempt to reach some type of settlement.

EDA Dir. Holly Kreft presented an EDA report. She stated that the EDA was recommending that the Council list the former TSE building for sale with local realtors Bill Pinske and Leah Prah. Heiland expressed some reservations about using the local realtors, since they don't have the means to properly promote commercial properties. Battcher commented that she was not comfortable setting the price for the building; she would prefer that the realtor provide that knowledge.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to solicit bids from Fahey Realtors and Randy Kubes Realtor for listing the former TSE building.

EDA Dir. Kreft commented that the County had decided not to participate in the joint comprehensive housing study that had been proposed earlier in the year. The cities of Arlington, Gaylord, Gibbon and Winthrop are still interested in doing the study; Request for Proposals were sought. The City's portion would now be \$3,720.50; originally had been approved at \$3,000. Kreft noted that a grant had been obtained to help offset some of the costs. Hatlestad commented that he would like to see Arlington do its own independent study. Battcher expressed her opposition to having a study done at this time. Heiland and Jaszewski agreed.

Motion by Heiland, seconded by Cowell, and passed by unanimous vote to not participate in the housing study with the other communities at this time.

Motion by Heiland, seconded by Battcher, and passed by unanimous vote to enter into a Lease Agreement with Doehling Farms for \$5,500.

Maintenance Supvr. Weckworth was unable to attend the meeting and provide an update as he was attending to a water main break in one of the city streets near the hospital. Heiland noted that the garland and Christmas lights were going up. Mayor Nagel commented that the 'seasons greetings' sign on Community Center is being replaced with 'Happy Holidays'.

Cowell provided an update on the Library Committee. He stated that some vandalism has been occurring in the front entrance area. The WiFi will now be turned off at night, hoping to deter individuals from sitting in the entrance area.

Jaszewski commented that the Hospital Foundation was selling raffle tickets for the ice house to be giving away at the Arli-Dazzle event.

Hatlestad commented that the compost site area looks really nice now that it has been cleaned up (product removed).

Battcher and Mayor Nagel reminded residents to lock their doors (houses and garages) and vehicles due to the recent break-ins.

Heiland commented that he hired Critter Gitters to address the skunk problem.

Cowell requested to have the signage in front of the fire hall on the next meeting agenda; change it from 2-hour parking to no parking. Mayor Nagel commented that installation of stop signs should also be added.

Motion by Hatlestad, seconded by Battcher, and passed by unanimous vote to adjourn the meeting at 8:22 pm.

City Administrator Patrick Melvin

Mayor Richard Nagel