

**ARLINGTON CITY COUNCIL
MEETING AGENDA
NOVEMBER 6, 2017 AT 6:30 PM
COUNCIL CHAMBERS**

The City Council is provided background information for agenda items in advance by city staff, committees and boards. Many decisions regarding agenda items are based upon this information, as well as: City policy and practices, input from constituents, questions or information that has not yet been presented or discussed regarding an agenda item. If you have a concern or question, please ask to be recognized by the Mayor during the "Citizens addressing the Council" portion of the agenda– state your name and address for the record. Please keep comments under 5 minutes. Individuals wishing to speak for more than five minutes should ask to be included on the agenda in advance. All comments are appreciated, but please refrain from personal or derogatory attacks on individuals.

1. Call Meeting to Order and Pledge of Allegiance
2. Roll Call
3. Approve the Agenda and any Agenda Additions

CONSENT AGENDA

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

4. Approval of Consent Agenda
 - A) Approval of the October 16th Regular & Special Meeting Minutes
 - B) Approval of Bills
 - C) Approval of Personnel Agenda

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council
6. Announcements
 - A) City Offices Closed on Friday, November 10th in observance of Veterans' Day Holiday
 - B) City Offices Closed on Thursday, November 23rd & Friday, November 24th for Thanksgiving Holiday
 - C) Arli-Dazzle, Saturday, December 3rd (<http://arlidazzle.com>) Raffle Tickets Available @ City Hall
 - D) Truth-In-Taxation/Budgeting Hearing, December 4th @ 6:00 p.m.
7. Communications
 - A) Correspondence - Southern Minnesota Initiative Foundation (SMIF) Thank You
 - B) Building Permit Report – September
 - C) Water/Sewer Monthly Report - September

REPORTS OF OFFICERS, BOARDS & COMMITTEES

ORDINANCES & RESOLUTIONS

8. Ordinances
 - A) First 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) First 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) First 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.

9. Resolutions/Proclamations

- A) Resolution 76-2017: A resolution amending resolution 43-2016 & 19-2017 approving the business development public infrastructure application
- B) Resolution 77-2017: A resolution appointing Patrick Melvin as City Administrator
- C) Resolution 78-2017: Resolution in Support of Funding for US Highway 212: A Corridor of Commerce

UNFINISHED BUSINESS

10. EDA Services Contract – Sibley County

11. Johnson Controls Update – City Attorney Arneson

12. 2017 Street & Utility Reconstruction Project Liquidated Damages Follow-Up

NEW BUSINESS

13. Approve/Deny Partial Pay Estimate No. 6 to OMG Midwest, Inc. (\$98,487.16)

14. Arli-Dazzle Requests of City Approval and Resources

15. Oath of Office – Police Chief John Petterson

16. Police Committee

- A) Firearms Return/Purchase
- B) WatchGuard Video System

17. Utilities Committee

- A) Quotes Regarding 2017 Service Inspections (Green Isle/Arlington)
- B) Jet Trailer

18. Fire Department Revisions to Standard Operating Guidelines (SOG)

MISCELLANEOUS BUSINESS

19. Department Update – Police Department

20. Council Member/Committee Updates

21. Open Discussion

ADJOURNMENT

Reminders:

- EDA – November 13th @ 5:30 pm
- Library – November 15th @ 5:30 pm (Library)
- Parks – November 27th @ 7 pm (if needed)

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

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

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

Members absent: None

Also present: Interim City Adm. Elvebak, City Attorney Arneson, Police Chief John Petterson, City Engineer Jason Femrite, Leah Prah, Mike Stumm, Fire Chief John Zaske, Sibley County Adm. Roxy Traxler, Kurt Menk

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote to approve the agenda as presented.

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

- A) Approval of the October 16th Regular and Special Meeting Minutes
- B) Approval of Bills
- C) Approval of Personnel Agenda.

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) City Offices Closed on Friday, November 10th in observance of Veterans' Day Holiday
- B) City Offices Closed on Thursday, November 23rd & Friday, November 24th for Thanksgiving Holiday
- 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) Correspondence – Southern Minnesota Initiative Foundation (SMIF) Thank You
- B) Building Permit Report – September
- C) Water/Sewer Monthly Report - September.

The first 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 first 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 first 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. 76-2017

**A RESOLUTION AMENDING RESOLUTION 43-2016 AND 19-2017 APPROVING
THE BUSINESS DEVELOPMENT PUBLIC INFRASTRUCTURE APPLICATION**

BE IT RESOLVED that the City of Arlington act as the legal sponsor for project(s) contained in the Business Development Public Infrastructure (BDPI) Application which was submitted on June 17, 2016 and that Mayor Rich Nagel and the City Administrator were hereby authorized to apply to the Department of Employment and Economic Development (DEED) for funding of this project on behalf of the City of Arlington.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Arlington may enter into an agreement with the State of Minnesota for the above-referenced project(s), and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Arlington will commit \$166,557 toward the local match requirement.

BE IT FURTHER RESOLVED that the City of Arlington will the repay the grant if milestones are not realized by the completion date identified in the Application.

The City of Arlington certifies that it will comply with all applicable laws, regulations, and rules of the Application.

BE IT FURTHER RESOLVED that the sources and uses, private investors, equity, and other financing commitments represented in the attached document are accurate.

NOW, THEREFORE BE IT RESOLVED that Mayor Rich Nagel and the City Administrator or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

I CERTIFY THAT the original Resolution 43-2016 was adopted by the City Council of the City of Arlington on June 14, 2016 and Amendment 19-2017 was adopted by the City Council of the City of Arlington on February 21, 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.

Adopted by the City Council of the City of Arlington this 6th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /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.

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

RESOLUTION NO. 77-2017

A RESOLUTION APPOINTING PATRICK MELVIN AS CITY ADMINISTRATOR

WHEREAS, the City of Arlington desires to secure the services of the City Administrator and that Patrick Melvin has agreed to accept such employment;

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

1. That Patrick Melvin is hereby appointed to serve as the City Administrator for the City of Arlington effective November 8, 2017.
2. An Agreement between the City of Arlington and Patrick Melvin was approved October 2, 2017.
3. The Agreement describes the responsibilities of the City and City Administrator.
4. The Agreement may be terminated at any time for any reason upon written notification to the other party as provided in the Agreement.
5. That Patrick Melvin, as the City Administrator, or his 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 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 6th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /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.

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

RESOLUTION NO. 78-2017

A RESOLUTION IN SUPPORT OF FUNDING FOR US HIGHWAY 212: A CORRIDOR OF COMMERCE

WHEREAS, US Highway 212 serves a critical role in connecting Greater Minnesota to Twin Cities markets in the Metropolitan Area and has been designated an Interregional Corridor while also being placed on the National Highway System;

WHEREAS, US Highway 212 is heavily used by freight traffic with 1,850 heavy trucks in the corridor daily and freight traffic in Southwest Minnesota will potentially grow by 200 percent by 2030, increasing truck traffic on Highway 212 dramatically;

WHEREAS, The Corridors of Commerce program was created to accelerate improvements to corridors that are not being addressed through the regular program, including projects that span multiple MnDOT districts, and the legislature specifically identified US Highway 212 as a Corridor of Commerce in legislation passed in 2017;

WHEREAS, Traffic volumes in year 2030 are forecast to increase to between 21,000 and 28,000 vehicles per day or two to three times the existing traffic volumes, exceeding the capacity of the existing two-lane facility;

WHEREAS, An Environmental Assessment has been approved for the 4.6 mile 2-lane gap between Cologne and Carver and the project is ready for construction upon securing right-of-way and final design;

WHEREAS, forty-one communities and local chambers of commerce have passed resolutions supporting improvements to Highway 212 to expand the capacity of this highway and the Board of Commissioners of every county along the corridor has passed such a resolution;

WHEREAS, the current highway poses serious safety problems as it switches from a four-lane facility west of Chaska to a two-lane highway, then switches back to a four-lane highway around Cologne and back to a two-lane highway from Cologne to Norwood Young America and would be much safer and much better able to handle present and projected traffic flows if it were a continuous four-lane highway through this area;

WHEREAS, Congress and the State of Minnesota have recognized the need to expand this critical trade link to the Twin Cities Metropolitan Area and have previously provided funding through the ISTEPA Transportation Authorization bill, TEA-21 Authorization bill, the 2002 Transportation Appropriations bill, the 2003 Transportation Appropriations bill, the 2004 Transportation Appropriations bill and SAFETEA-LU;

WHEREAS, Multi-modal connections to or near Highway 212 include: freight rail lines, intermodal terminals, park-and-ride lots, transit service, state trails and airports.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Arlington, Minnesota strongly supports the inclusion of funding from the Corridors of Commerce program to support the \$110 million of needed improvements that will complete the highway to a continuous four-lane highway to Norwood Young America and that any maps or lists of Corridors of Commerce highways include US Highway 212.

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, 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 6th day of November, 2017.

Signed: /s/ Richard Nagel
Mayor

Attest: /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.

Sibley County Adm. Roxy Traxler was present to discuss the EDA Services Contract with Sibley County. Interim Adm. Elvebak explained that EDA Dir. Holly Kreft had submitted her notice that she would not be able to continue to provide EDA Services after this year. The Employee Relations Committee wished to pursue utilizing Sibley County's EDA services. The EDA reviewed a proposal from Sibley County and were recommending the Council approve it. Heiland expressed his opinion that the City should consider having an employee, whether it is contracted or on staff full-time to handle both the Planning/Zoning and EDA needs. Some concern was expressed about the number of hours being proposed by the County. Sibley County Adm. Traxler commented on some of the services that would be provided during the time worked in Arlington, such as grant writing and working with the Arlington businesses on their needs.

Motion by Battcher, seconded by Heiland, and passed by unanimous vote to table discussion and /or action on the EDA Services Contract with Sibley County until such time that the Council can hold a workshop session in order to review all its options before making a decision.

Attorney Arneson provided an update on the Johnson Controls matter. The attorney hired to review the case has gone through all the materials. Due to the way the contract was written, the City could bring a general performance arbitration suit against Johnson Controls. The attorney was seeking permission to initially contact Johnson Controls to try to get them talking with us again and settle the matter. The attorney also suggested having the Maintenance Department survey the lights again, but wait until it gets colder as that is when the problems occur.

It was noted that Councilmember Battcher left the meeting at 7:19 p.m.

Engineer Femrite was present to follow up on the 2017 Street & Utility Reconstruction Project liquidated damages. He stated that a meeting was held with the contractor, members from Bolton & Menk, and City Officials to discuss the issues with the project. He summarized the details from that meeting. Concerns were expressed about holding the contractor accountable and not reducing the penalty due to the lack of communication. Heiland felt that the City should consider reducing the penalty from 37 days down to 23 days due to the delayed start of waiting for school to get out and the addition of the alley.

Motion by Heiland, seconded by Jaszewski, and carried (Cowell and Hatlestad opposed, Mayor Nagel voted to break the tie) to reduce the penalty days from 37 to 23 due to alley and delayed start thereby changing the amount to \$11,500.

The Council reviewed Partial Pay Estimate No. 6 to OMG Midwest, Inc. in the amount of \$98,487.16. Engineer Femrite summarized the work covered by the pay estimate. It was noted there was an issue with the cement work done by the fire hall. Engineer Femrite stated that a silicone epoxy was added to solve the problem. Fire Chief Zasko stated that the attempted fix was not acceptable. It was noted that money is being retained and will not be paid out until all items on the punch list are taken care of and the grass is growing.

Motion by Cowell, seconded by Heiland, and passed by unanimous vote to approve Partial Pay Estimate No. 6 to OMG Midwest, Inc. in the amount of \$98,647.16.

Mike Stumm and Leah Prah were present to make the annual Arli-Dazzle requests for city equipment (barricades, etc.) and staff resources. Attorney Arneson addressed the waiver of alcohol request. He advised the City against waiving the prohibition of public consumption for the day. He explained that the ordinance may not be enforced that day due to staffing issues, but would still be in effect if it was needed.

Motion Heiland, seconded by Jaszewski, and carried (Hatlestad opposed) to approve the Arli-Dazzle requests for staff and resources as presented.

Mayor Nagel administered the Official Oath of Office to Police Chief John Petterson. Chief Petterson thanked the City for the opportunity.

Interim Adm. Elvebak and Chief Petterson provided an update on the most recent Police Committee meeting and possible police department purchases. Chief Petterson stated that years ago the police department received several fully automatic rifles from the federal government at no cost. At some point, the cities of Winthrop and Springfield were each given one of the rifles. Due to liability and training reasons he would like to return the weapons to the Homeland Security group. Springfield would like to keep the one they were issued. They have registered the weapon as belonging to them, but it keeps coming back to Arlington, even though paperwork has been submitted correcting this. Chief Petterson would like to replace them with another type of rifle; only need two (one for each squad). He presented a bid for the Council's consideration.

Chief Petterson noted that City policy currently requires police officers to supply their own handguns. He would like to see the policy changed so that the City issues a handgun to its officers for tactical, administrative and liability reasons. He presented a bid for three Glock handguns with night sites and flashlights for the Council's consideration.

Motion by Hatlestad, seconded by Heiland, and passed by unanimous vote to authorize the purchase of the firearms as presented above from Keeps, Inc. at a cost of \$5,049.47

Chief Petterson talked about the WatchGuard Video System in the squads and need to update the system in the 2013 squad so it is the same as the 2017 squad; along with adding a wireless connection. He explained the reason for having a wireless connection (potential for loss or damage to data/evidence).

Motion by Jaszewski, seconded by Hatlestad, and passed by unanimous vote to authorize the purchase of the WatchGuard Video System as presented above in the amount of \$11,955.

Chief Petterson gave an update on the activity within the Police Department. He stated that restructuring of office space has been done for the Chief and Adm. Assistant. He added that they have also been going through the evidence room; some items will need to be disposed of. Chief Petterson stated that he purchased some firearm safes, which will be placed in the evidence room. He stated that the department needs to purchase digital recording devices for taking interviews and also a new digital camera. Chief Petterson commented on the FTO program he was implementing for new officers. He commented that the policy manual has also been brought up-to-date to POST Board standards. Chief Petterson commented that he was a K-9 unit previously and would like to bring that aspect to Arlington. By adding the K-9 aspect to the position, the Adm. Assistant position will need to be utilized in a full-time capacity (will no longer be able to split time with city office responsibilities). Chief Petterson commented on the problem being observed with the current radio being used by police/EMS (not working when go inside buildings).

Interim Adm. Elvebak talked about the most recent Utilities Committee meeting. She stated that some service inspections were done on various lift stations. Repairs are needed to maintain the system and prevent wear and/or repair damaged and worn equipment. The cost would be \$9,250 for the four locations. The Committee also discussed replacing the jetting trailer and being in compliance with new federal regulations being implemented (regarding diesel fuel). The cost for the new jetter would be \$59,198.

Motion by Cowell, seconded by Heiland, and passed by unanimous vote to authorize the purchase of a new jetting trailer in the amount of \$59,198 and repair four lift stations in the amount of \$9,250.

Fire Chief John Zasko requested that the following revisions be made to the Fire Department's SOG's: removal of items 9 and 10 pertaining to response time. He stated that they have not been able to recruit new members even with the new sign on bonus; the younger generation does not want to commit to the hours. He added that other cities are eliminating their response times also due to recruitment issues. Zasko commented that by eliminating the response time, may allow a couple of members to come back that had moved out of the response time limit.

Motion by Hatlestad, seconded by Jaszewski, and passed by unanimous vote to revise the Fire Department's SOG's by eliminating numbers 9 and 10 pertaining to the response time.

Discussion was held on marking the curb across the street in front of the fire hall as no parking again. Zaske commented that prior to the 2017 Street Improvement Project the area was painted for no parking so they could get the trucks in/out of the hall and not worry about hitting other vehicles. He would like to see the curb line painted again now that the project has been completed as vehicles are parking along that side of the street making it difficult for them to get the trucks in/out; along with placing signage that stated 'no parking'.

Hatlestad commented that he would provide an update on the Cable Commission at the next meeting.

Cowell commented that during the most recent Fire Committee they reviewed member call/meeting attendance; everyone was in compliance.

Jaszewski provided an update on the hospital board. He stated that they toured the Le Sueur facility and discussed the strategic plan. The Ridgeview facilities are doing well financially. A new moto was adopted: "You matter here". Ridgeview continues to work out their communication issues between facilities (getting networked).

Interim Adm. Elvebak stated this was her last meeting with the City Council as the new Administrator was due to start on Wednesday. She thanked them for the opportunity to work for the City. The Council thanked her for helping out in the interim.

Motion by Heiland, seconded by Hatlestad, and passed by unanimous vote to adjourn the meeting at 9:07 pm.

Interim City Administrator Laura Elvebak

Mayor Richard Nagel