

**ARLINGTON CITY COUNCIL
MEETING AGENDA
AUGUST 6, 2018 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 July 2nd Council Meeting Minutes.
 - B) Approval of the July 2nd Council Special Workshop Meeting Minutes.
 - C) Approval of the July 16th Council Meeting Minutes.
 - D) Approval of the July 16th Council Special Workshop Meeting Minutes.
 - E) Approval of Bills.
 - F) Accept Resignation from Shannon Nix, Adm. Assistant.

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Wendell Terlinden
6. Announcements
 - A) Arlington Night Out, Tuesday, August 7th, Four Seasons Park, 5 p.m.-7:30 p.m.
 - B) Arlington Farmer's Market, Mondays August - September 24th, 4:00 p.m.–6:30 p.m., Arlington Community Center West Parking Lot.
 - C) Cemstone Sibley County Open House, August 16th, 10:30 a.m.-2:00 p.m., 1108 Circle Drive.
 - D) Sibley County Enrichment Programs-2 Hrs Technology Help for \$10, Contact Liliann at (507) 237-4050 or Liliann@co.sibley.mn.us.
 - E) City Offices will be closed on Monday, September 3rd for Labor Day (Council Meeting will be Tuesday, September 4th)
7. Communications
 - A) Minnesota Public Utilities Commission Notice of Commission Meeting and Notice of Oral Argument Times and Procedures in the Matter of Possible Amendments to Rules Governing Certificates of Need and Site and Route Permits for Large Electric Power Plants and High-Voltage Transmissions Lines.
 - B) Mediacom Notice of Rate Adjustments Taking Effect On or About September 1, 2018.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

8. July Maintenance Department Update- Kirby Weckworth

9. Update on Open Meeting Law- Attorney Ross Arneson
10. Update on City of Arlington's 2019 Certified Local Government Aid

ORDINANCES & RESOLUTIONS

11. Resolutions

- A) Approve/Deny Resolution 52-2018 Local Government Resolution Supporting Application to the Business Development Public Infrastructure Program.

UNFINISHED BUSINESS

12. Approve/Deny Additional Payment of \$812.95 to Juul Contracting Inc. for Replacement of Lead Fittings During Water Meter Replacement at Fairgrounds.
13. Approve/Deny Summit Companies Revised Fire Alarm Upgrade Project Costs to Include Monitoring Fees for a Total of \$11,261.00, exceeding the Council's July 16 Motion by \$261.00

NEW BUSINESS

14. Approve/Deny Community Center Committee's Recommendation to Revise the Fee Schedule By Adding Sunday Room Rental for \$150 for One Room and Kitchen at the Community Center.
15. Approve/Deny Community Center Committee's Recommendation to Revise the Fee Schedule By Adding Community Center Commercial Kitchen Rental Rate of \$100 from 8:00 am – 12 Midnight.
16. Approve/Deny Community Center Committee's Recommendation to Waive the Community Center Rental Fee for Fundraising Events for Organizations that Have a Budget with the City.
17. Approve/Deny Cleaning at the TSE Building.
18. Approve/Deny Purchase of Variable Frequency Drive from Nuessmeier Electric, Inc. for \$2,700 for the Wastewater Treatment Facility.
19. Review and Discuss Conflict of Interest Disclosure Form Associated with the Requested Business Development Public Infrastructure Program.
20. Approve/Deny Purchase and Installation of Two Catch Basins and Seven Valve Box Tops from Juul Contracting Company with Funding from the Maintenance Department 2018 Budget.
21. Approve/Deny Repair of Manhole for \$1,150 from Litzau Excavating, Inc. with Funding from the Maintenance Department 2018 Budget.
22. Approve/Deny Installation of Drain Tile at the North Side of Sheila and Shamrock Drive by Litzau Excavating, Inc. for \$1,600.
23. Approve/Deny Paver Project on Main Street by Trocke Construction for \$11,000 with Funding From the 2018 Maintenance budget.
23. Approve/Deny County of Sibley and City of Arlington Routine Maintenance Agreement for Maintenance on CSAH 17 From Freedom Drive to State Highway 5.
24. Approve/Deny County of Sibley and City of Arlington Routine Maintenance Agreement for Maintenance on Highway No. 34 From CSAH 9 (411th Avenue) to CSAH 17 (4th Avenue NE).
25. Review Arlington Economic Development Director Amy Newsom's Hours Through June.
26. Discussion about the Administrative Assistant Position in Administration.

MISCELLANEOUS BUSINESS

27. Council Member/Committee Updates
28. Open Discussion

ADJOURNMENT

Reminders:

Budget - TBD

EDA - August 13th @ 5:30

Planning & Zoning - September 6th @ 7 pm

**ARLINGTON CITY COUNCIL
MEETING MINUTES
AUGUST 6, 2018**

The regular meeting was called to order at 6:43 p.m., Mayor Richard Nagel presiding.

Members present: Mayor Rich Nagel, Michelle Battcher, Adam Cowell, Tom Hatlestad, Jim Heiland, Ben Jaszewski

Members absent: None

Also present: City Adm. Pat Melvin, City Attorney Ross Arneson, Wendell Terlinden, Maintenance Supvr. Kirby Weckworth, Kurt Menk

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

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

- A) Approval of the July 2, 2018 Council Meeting Minutes
- B) Approval of the July 2, 2018 Council Special Workshop Meeting Minutes
- C) Approval of the July 16th Council Meeting Minutes
- D) Approval of the July 16th Council Special Workshop Meeting Minutes
- E) Approval of Bills
- F) Accept Resignation from Shannon Nix, Adm. Assistant.

It was noted that there were no public hearings scheduled.

Wendell Terlinden addressed the Council about the decision they made to deny waiving the Water Access Charge for Quickshop/Subway at the previous Council meeting. It was noted that Terlinden was a part owner of the business. Terlinden explained that years ago an improvement project was done, whereby utilities were installed in the area of his business and across the highway. Quickshop was hooked up to the City's sanitary sewer system at that time. The City had a meter installed so that monthly sewer charges could be billed out. At the same time, the water service was stubbed in (not paid for), but was not connected. They were allowed to continue using their well with the understanding that they could hook up to the water service at time. Terlinden added that since they were on the end of the system, they had to install a separate pump (maintained at their expense) that helps to push their sewage along to the other side of the highway where it joins the rest of the system. They have had to replace the pump twice over the years. He stated the well is starting to give them trouble and have decided it is time to connect to the water service. He was requesting that the Water Access Fee of \$1,325 be waived in lieu of the above circumstances and/or costs already incurred. It was questioned how long ago the improvements were done and when the WAC/SAC fees were implemented. Attorney Arneson explained that the WAC/SAC fees were buy-in fees to the City's infrastructure. City Staff will research their records to see what, if anything, can be found on the above topic.

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 Night Out, Tuesday, August 7th, Four Seasons Park, 5 p.m.-7:30 p.m.
- B) Arlington Farmer's Market, Mondays August - September 24th, 4:00 p.m. – 6:30 p.m., Arlington Community Center West Parking Lot.
- C) Cemstone Sibley County Open House, August 16th, 10:30 a.m.-2:00 p.m., 1108 Circle Drive.
- D) Sibley County Enrichment Programs-2 Hrs Technology Help for \$10, Contact Liliann at (507) 237-4050 or Liliann@co.sibley.mn.us.

- E) City Offices will be closed on Monday, September 3rd for Labor Day (Council Meeting will be Tuesday, September 4th).

The Council reviewed the following communications:

- A) Minnesota Public Utilities Commission Notice of commission Meeting and Notice of Oral Argument Times and Procedures in the Matter of Possible Amendments to Rules Governing Certificates of Need and Site and Route Permits for Large Electric Power Plants and High-Voltage Transmissions Lines.
- B) Mediacom Notice of Rate Adjustments Taking Effect on or About September 1, 2018.

Attorney Arneson provided a refresher on the Open Meeting Law to those present. He commented on types of meetings (regular, special, closed), carpooling, emails, and posting notice regulations.

Maintenance Supvr. Kirby Weckworth provided an update on the Maintenance Department. He reported that weed spraying had been completed finally, which was difficult to do with all the rain; the ‘no parking’ signs were put up around the school and fire department; some mosquito spraying had been done. He stated that he has obtained some bids for having some street work done, which is to include patching, manholes, catch basin repairs, water valve boxes, etc. Weckworth stated that Maintenance Worker Willmsen had been addressing some minor maintenance items at the Community Center. It was noted that the security cameras were just installed at the Lions Center/Four Seasons Park. Heiland commented that he would like to have the dog park conversation/policy move forward. It was suggested to have the Parks Committee work together with a few members from the public (residents who signed the document presented at the last meeting) on the matter.

Adm. Melvin provided an update on the 2019 Certified Local Government Aid. He stated that the aid was not being reduced; it was being increased slightly over 2018’s amount and the projected amount was \$750,127.

Adm. Melvin stated that the City was going to be applying for a grant from the State, whereby the funds would be used to extend utilities to the parcel in the southwest corner for the new business coming to town. The estimated cost for this project was \$224,850 (grant funds to cover half). It was noted that the sewer line was coming from the south (along the highway) and the water line was being extended from the north; and a lift station would have to be installed.

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

RESOLUTION NO. 52-2018

**A RESOLUTION IN SUPPORT OF A BUSINESS DEVELOPMENT
PUBLIC INFRASTRUCTURE APPLICATION**

BE IT RESOLVED that the City of Arlington, acting as the legal sponsor for the project contained in the Business Development Infrastructure Application to be submitted on _____ and that Mayor Richard Nagel (Mayor) and Pat Melvin (City Administrator) are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Arlington.

BE IT FURTHER RESOLVED that the City of Arlington has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds, adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Arlington has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

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, and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that the non-BDPI source(s) of funds identified in the sources and uses outline in the application in the total amount of \$112,425.00 are committed and adequate to fully fund the project identified in the application.

BE IT FURTHER RESOLVED that per MN statute 116J.431 Subd 7, the City of Arlington understands the grant may be cancelled if the project identified in the Application is not proceeding within 18 months of the execution of a grant agreement, or if not complete after five years of any grant award.

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

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

I CERTIFY THAT the above resolution was adopted by the Arlington City Council of the City of Arlington on August 6, 2018.

The motion for the adoption of the foregoing Resolution was duly seconded by Hatlestad, and upon poll being taken thereon the following voted in favor thereof: Battcher, Cowell, Hatlestad, Heiland, Jaszewski; and the following 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 August, 2018.

Signed: /s/ Richard Nagel
Mayor Richard Nagel

Attested: /s/ Patrick Melvin
City Administrator Patrick Melvin

Whereupon the resolution was declared duly passed and executed.

Adm. Melvin provided an update on the negotiations between the City and Juul Contracting with regards to the payment for the water meter replacement project at the fairgrounds. He stated that when the work was completed, the bill for the project was almost double the estimate. It was noted that the initial amount quoted to the City had been paid, however discussions were ongoing for the balance. Melvin stated that lead fittings were replaced as part of the project. He explained that if the City paid this amount, it would fulfill the City's portion for this project and the remaining balance was between PeopleServices and Juul to work out. Attorney Arneson reminded the Council that the Fair Board had agreed to pay for half of this project.

Motion by Heiland, seconded by Battcher, and passed by unanimous vote to approve the additional payment of \$812.95 to Juul Contracting Inc. for replacement of lead fittings during the water meter replacement at the Fairgrounds and to bill the Fair Board for half of said amount.

Adm. Melvin explained that the Council authorized the upgrading of the fire alarm system at the Community Center at a cost not to exceed \$11,100 at a previous meeting. Since that meeting, it was brought to the City's attention that the total bid was for \$11,261, which included monitoring fees. Melvin questioned if the Council wished to revise their previous motion or approve a new motion approving the difference. It was noted that the new system had been installed.

Motion by Battcher, seconded by Cowell, and passed by unanimous vote to approve Summit Companies Revised Fire Alarm Upgrade Project Costs to include Monitoring Fees for a total of \$11,261.00, exceeding the Council's July 16th motion by \$161.00.

Adm. Melvin stated that the Community Center Committee had met recently and discussed some ideas (rental packages) for enticing the public to rent the facility.

Motion by Hatlestad, seconded by Jaszewski, and passed by unanimous vote to approve the Community Center Committee's recommendation to revise the Fee Schedule by adding Sunday Room Rental for \$150 for One Room and Kitchen at the Community Center.

Motion by Cowell, seconded by Hatlestad, and passed by unanimous vote to approve the Community Center Committee's recommendation to revise the Fee Schedule by adding Community Center Commercial Kitchen Rental Rate of \$100 from 8:00 am – 12 midnight.

Motion by Hatlestad, seconded by Battcher, and passed by unanimous vote to approve the Community Center Committee's recommendation to Waive the Community Center Rental Fee for Fundraising Events for Organizations that have a Budget with the City.

Adm. Melvin explained that there were some issues occurring (growth on the carpet) at the TSE Building. It was not known how the growth got started, but it was speculated that it was due to the wet spring and no air movement (building being closed up). Three separate cleaning services were contacted to evaluate the facility. Adm. Melvin suggested that the carpets be cleaned and sanitized; and then do something with the air system and add some dehumidifiers. Heiland questioned what the cost would be to remove the carpet. Adm. Melvin was unsure, but anticipated it to be costly. It was noted that the cleaning/sanitizing included more than just the carpet.

Motion by Hatlestad, seconded by Cowell, and carried (Heiland opposed) to accept the bid from Legacy in the amount of \$8,200 to clean the TSE Building.

Motion by Battcher, seconded by Jaszewski, and passed by unanimous vote to approve the purchase of a Variable Frequency Drive from Nuessmeier Electric, Inc. for \$2,700 for the Wastewater Treatment Facility.

Motion by Jaszewski, seconded by Hatlestad, and passed by unanimous vote to approve the signing of the Conflict of Interest Form associated with the requested Business Development Public Infrastructure Program.

Maintenance Supvr. Weckworth explained that there were two catch basins that needed to be replaced and were located at the intersections of East Douglas Street/1st Ave. North and East Main Street/4th Ave. NE/SE. It was noted that several valve box tops also needed to be replaced.

Motion by Battcher, seconded by Cowell, and passed by unanimous vote to accept the bid from Juul Contracting in the amount of \$9,425 to purchase and install two catch basins and seven valve box tops with funding from the Maintenance Department 2018 Budget.

Maintenance Supvr. Weckworth presented two bids for repairing two manholes. He commented that he was interested in using the higher of the two bids because of the process used (appeared to be better, longer lasting).

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to accept the bid from Floorcoat Midwest in the amount of \$3,400 to repair two manholes on Shamrock Drive/Mary Street and Elgin Street/4th Ave. NW with funding from the Maintenance Department 2018 Budget.

Maintenance Supvr. Weckworth explained that water tends to pool at the end of Sheila Street (a dead end) by the DAC and is eroding their driveway. The DAC would like to fix the approach to their driveway and asked if something could be done about the water. Weckworth had some people look at the area, and it was suggested to install a 6-inch drain tile, which could connect to an existing drain tile system 150 ft. away. It was questioned who owned the property with the exiting tile line.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to table discussion and/or action on the installation of drain tile at the north side of Sheila and Shamrock Drive by Litzau Excavating, Inc. for \$1,600 until more research can be done and property owners can be determined.

Maintenance Supvr. Weckworth explained that some of the brick pavers along Main Street need to be reset as they are causing trip hazards. Concern was expressed about the cost to reset the pavers versus cementing out the area. Concern was also expressed about the wiring for the lights that run underneath the pavers/ground and possibly covering them permanently with cement.

Motion by Heiland, seconded by Cowell, and passed by unanimous vote to approve the paver project on Main Street by Trocke Construction for \$11,000 with funding from the 2018 Maintenance Budget.

Motion by Battcher, seconded by Cowell, and passed by unanimous vote to approve County of Sibley and City of Arlington Routine Maintenance Agreement for Maintenance on CSAH 17 from Freedom Drive to State Highway 5.

Motion by Battcher, seconded by Hatlestad, and passed by unanimous vote to approve County of Sibley and City of Arlington Routine Maintenance Agreement for Maintenance on CSAH 9 (411th Avenue) to CSAH 17 (4th Avenue NE).

The Council reviewed EDA Director's hours through June. It was noted that the City and County had an Agreement together whereby 8 hours a week were allocated for EDA services. EDA Dir. Newsom has exceeded the allotted time due to the time spent with getting the Ninkasi project going. The County was questioning if the City would be continuing with the services in 2019 and if additional hours would be needed. It was the consensus of the Council to leave things as they were for 2019 (same as 2018 - 8 hours and pay for any hours over).

It was noted that the Council held a special workshop session prior to the meeting to discuss the Administrative Assistant position. Hatlestad commented that he liked the idea of 32 hours a week with benefits through the end of 2018; and budget differently for 2019.

Motion by Hatlestad, seconded by Heiland, and passed by unanimous vote to keep the Administrative Assistant position at 32 hours a week with pro-rated benefits through 2018 and possibly becoming a full-time position in 2019.

Cowell provided an update on the recent Community Center Committee meeting. They discussed the following items:

- a patio out front is sinking and needs to be jacked up,
- the kitchen cabinets need to be replaced,
- a door on the stage needs to be replaced,
- brick is falling off the planter under the sign,
- marketing the facility,
- outsourcing the setup of the facility versus using city staff,
- repair the floor in the walk-in cooler,
- find space for a nursing room for mothers.

It was noted that the final loan payment would be made next year with the building being 20 years old.

Jaszewski provided an update on the Hospital Board. Ridgeview and Allina will be working on a new email system that helps protect the HIPPA laws. Things are proceeding with the construction/remodel project.

Motion by Hatlestad, seconded by Heiland, and passed by unanimous vote to adjourn the meeting at 8:54 pm.