



**ARLINGTON CITY COUNCIL
MEETING AGENDA
November 21, 2022, 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 individual.

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

CONSENT AGENDA

5. Approval of Consent Agenda
 - A) Approval of Bills
 - B) November 7, 2022 Meeting Minutes

C) November 14, 2022 Council Canvass Board Minutes

PETITIONS, REQUESTS & COMMUNICATIONS

6. Resignation of Douglas Brown from the Arlington Ambulance
7. Resignation of Matthew Scharpe from the City Council

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

8. October Public Works Department- Public Works Supervisor Kirby Weckworth
9. October Police Department Report-Chief Glenn Gerads
10. October Fire Department Report-Fire Chief Doug Mackenthun
11. October People Service Report- Operator Lee Forcier

ORDINANCES AND RESOLUTIONS

12. SECOND READING OF ORDINANCE NO. 346 AN ORDINANCE AMENDING CHAPTER 6: NUISANCES
AN ORDINANCE AMENDING CHAPTER 6, THE ARLINGTON NUISANCES CODE TO ALLOW THE ADJUSTMENT OF CHAPTER 6 FOR THE ADDITION OF DEFINITIONS, UNDER 6.03, THE ADJUSTMENT TO 14 BUSINESS DAYS, UNDER 6.07, 6.09, 6.10, THE ADJUSTMENT OF THE ABATEMENT PROCEDURE, UNDER 6.10
13. Approve/Deny Resolution -2022 TO AUTHORIZE STAFF TO PUBLISH A SUMMARY OF ORDINANCE No. 346

UNFINISHED BUSINESS

NEW BUSINESS

14. Appointment of Council Vacancy
15. Discussion of Library Board Membership to include outside resident from Green Isle or surrounding area
16. Discussion Regarding On-Call Planning Assistance -Bolton & Menk Proposal

MISCELLANEOUS BUSINESS

Committee Updates

Open discussion

ADJOURNMENT

Reminders:

December 5-City Council Meeting at 6:30pm

December 12- EDA Meeting at 5:30pm

December 19-City Council Meeting at 6:30pm



**ARLINGTON CITY COUNCIL
MEETING MINUTES
November 7, 2022, AT 6:30 PM
COUNCIL CHAMBERS**

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1. Call Meeting to Order and Pledge of Allegiance-Meeting was called to order by Mayor Nagel at 6:30 pm.

2. Roll Call-

Members Present-Mayor Richard Nagel, Michelle Battcher, Matt Scharpe, Dave Meyer, Joe Morgan and John Thomes (via phone)

Members Absent- None

Staff Present-City Attorney Ross Arneson, Interim City Administrator Shirley Slater-Schulte, Library Director Andy Kelton, Assistant Ambulance Manager Mark Grover

Guests Present-Kurt Menk *Arlington Enterprise*, Lee Forcier People Services, Amy Berger, Brandon Bracht, Curtis Ling, Derek Hahn, Tom Hatlestad

3. Approve the Agenda and any Agenda Additions-Mayor Nagel stated that number 16 would be put on the next agenda as Kirby was not available for this meeting and moved number 32 be moved to number 14 on the agenda. Meyer made a motion to approve the agenda as amended. Battcher seconded. Motion carried.
4. Addressing the Council- Amy Berger had questions for verification regarding the moratorium relating to food and beverages with THC. Arneson stated that the moratorium was put into place for up to one year so that the city could do research

relating to the purchase and sale of THC products. Arneson wanted to know how other cities are handling this.

Brandon Bracht stated the curb in front of his house still has not been fixed and is concerned with the storm drain behind his property that has a catch basin that is overgrown with weeds and trees. Slater-Schulte was advised by the Council to discuss with Kirby from the Public Works department.

CONSENT AGENDA

Scharpe made a motion to approve the Consent Agenda.

5. Approval of Consent Agenda
 - A) Approval of Bills
 - B) October 17, 2022 Workshop Meeting Minutes
 - C) October 17, 2022, Meeting Minutes
 - D) November 3, 2022 Personnel Meeting Minutes

Meyer seconded. Motion carried.

PETITIONS, REQUESTS & COMMUNICATIONS

6. Resignation of Piper Whitmore-Schatz as an EMR from the Arlington Ambulance
7. Resignation of Ross Arneson as City Attorney
8. MMPA Public Summary October 2022
9. MMPA Rate Adjustment for November 2022
10. MMPA Statement of Net Position
11. MMPA Statements of Revenues, Expenses and Changes in Net Positions
12. MMPA-Xcel Investor Relations Presentation September 28, 2022

13. CenterPointe- gas meter notice of information for homeowners.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

14. October Ambulance Report-Ambulance Director Jamie Weikle-Weikle was unable to make it to the meeting. Assistant Ambulance Manager Mark Grover gave a report. The ambulance is requesting West Alden St be closed from Hwy 5 to 3rd Ave North on Dec. 3 from noon to 8 pm so that the ambulance has access to Highway 5 for any emergencies, requested closure of the south entrance of the Methodist Church. Council instructed Grover to talk to the Church about the closure of the South entrance. Weikle participated in Fire Prevention Week in October and participated in incident command scenarios at Ridgeview-Sibley Medical Center (mass casualty training), she will officially drop to parttime status as of December 9. Ambulance Members participated in Trunk or Treat and handed out a lot of treats. The Ambulance also received in some training materials that they will share with the Fire Department.

15. October Library Report-Library Director Andy Kelton

- Approve hiring Ardis Husefeldt, Pat Gribitske and Kathy Bierstedt at \$13 an hour

A motion was made by Battcher to approve the hiring of Husefeldt, Grabitske and Bierstedt as Library Assistants with the City. Morgan seconded. Motion carried.

- ~~16. October Public Works Report-Public Works Supt. Kirby Weekworth- With the absence of Kirby, the Public Works report will be given at the following meeting.~~

17. Review Revenue, Expenditure & Investment Summaries- September 2022

ORDINANCES AND RESOLUTIONS

18. FIRST READING OF ORDINANCE NO. 346 AN ORDINANCE AMENDING CHAPTER 6: NUISANCES

Arneson reviewed Ordinance No. 346. Nagel stated that this was a first reading.

19. Resolution 62-2022 A RESOLUTION APPROVING TERMS OF A LOAN TO GWEN SCHARPE FROM THE ARLINGTON EDA CHILD CARE LOAN PROGRAM.

Discussion was held regarding the legality of this since this pertains to a current city employee. Attorney Arneson confirmed that this was legal.

- Battcher made a motion to approve Resolution 62-2022. Scharpe seconded. Motion carried. Battcher, Morgan, Meyer and Thomes (via phone) voted in favor. None against. Scharpe abstained. None were absent.
20. Resolution 63-2022 A RESOLUTION ACCEPTING A DONATION AND DESIGNATING ITS USE
Morgan made a motion to approve Resolution 63-2022. Battcher seconded. Motion carried. Battcher, Scharpe, Morgan, Meyer and Thomes (via phone) voted in favor. None against. None abstained. None were absent.
21. Resolution 64-2022 A RESOLUTION RELATING TO DESIGNATING A COMBINED POLLING PLACE LOCATION FOR ALL ELECTIONS IN 2023
Battcher made a motion to approve Resolution 64-2022. Scharpe seconded. Motion carried. Battcher, Scharpe, Morgan, Meyer and Thomes (via phone) voted in favor. None against. None abstained. None were absent.

UNFINISHED BUSINESS

22. Discussion on Tony Hoff Property-People Service Lee Forcier- Forcier presented information to the Council regarding a water hookup that was installed without City knowledge at the Tony Hoff property. Discussion included having Hoff pay apply and pay for all WAC/SAC charges of \$4825 and has 30 days to submit plans for water and sewer hookups. Hoff will need to hire a licensed contractor to do the work and it will need to be inspected. He is not allowed to do the work himself. Hoff will also be responsible to pay all contractor expenses including inspection and installation.
- Meyer made a motion to have Hoff pay WAC/SAC fees, has 30 days to submit plans, and hire and pay for all contractor expenses regarding installation and inspection fees. Scharpe seconded. Motion carried.
23. Resolution 59-2022 A RESOLUTION ADOPTING THE SIBLEY COUNTY ALL-HAZARD MITIGATION PLAN
Motion was tabled at the previous meeting. Motion made by Battcher to bring it back for approval. Scharpe seconded. Motion carried.
There was a brief discussion regarding this resolution. Morgan made a motion to approve the resolution adopting the Sibley County all-hazard mitigation plan. Battcher seconded. Motion carried.

NEW BUSINESS

24. Approve/Deny Recommendation of the Personnel Committee to amend section 7.2 On Call Hours of the Personnel Policy
Scharpe made a motion to approve the recommendation of the Personnel Committee.
Meyer seconded. Motion carried.
25. Approve WAC/SAC waiver for 237 Frenzel Drive
Motion to approve WAC/SAC waiver was made by Morgan. Battcher seconded. Motion carried.
26. Approve/Deny Pay request No. 7 from Gridor Construction for \$344,382.60
Morgan made a motion to approve pay request number 7 from Gridor Construction.
Meyer seconded. Motion carried.
27. Set Date for Special Council Meeting-Canvas General Election Results-Nov 14-18-It was the consensus of the Council to meet on Monday November 14 at 6:30pm in the Council Chambers to approve the canvassing of election results.
28. Discussion on Northland Drying Smell- Morgan stated that he had received a phone call from a lady regarding the smell from Northland Drying. Morgan looked into smells and will be sending an email to Slater-Schulte with a link to the CDC. Odor is still an issue with residents of Arlington.
29. New Administrator Search Timeline-Nagel and previous City Administrator Amy Newsom met with SCSC Representative to go over a timeline for finding a new City Administrator as well as salary range.
30. Approve/Deny Updated Operations and Maintenance Agreement with People Service-Morgan made a motion to approve the updated Operations and Maintenance Agreement with People Services. Scharpe seconded. Motion carried.
31. Discussion on having the City Council Appointee a voting member of the Hospital Board
Thomes explained to the Council that the Hospital Board would like to make the City Council Appointee a voting member of the Board. No action is needed at this time.
Thomes is the current appointee through the end of 2022.
32. Approve/Deny Arli-Dazzle Parade Route, 5K Route and Request for City Assistance-Item was brought forth to be acted upon under the reports section. Hahn requested closing Main St at 12 pm on December 3 for the Arli-Dazzle events. He also requested

the use of the Main St parking lot for the Fire Dept Fish Camp, sand to be put down on Main St if it is icy, orange cones for the 5K, waive "prohibition of public consumption" on the parade route, permission to place portable fire pits on Main St. He also asked that road barricades to be placed on the corners of Main St on Friday December 2 so that they can be moved into place easily on Saturday December 3.

MISCELLANEOUS BUSINESS

ADJOURNMENT

Motion to adjourn at 8:18pm was made by Thomes (via phone). Morgan seconded.
Motion carried.

Interim City Administrator Shirley Slater-Schulte

Mayor Richard Nagel



**CITY COUNCIL SPECIAL CANVASSING
MEETING MINUTES**

November 14, 2022 @ 6:30 P.M.

Arlington Community Center—Council Chambers

1. Call Meeting to Order-Meeting was called to order by Vice-Mayor Battcher at 6:32 pm.

Members Present-Dave Meyer, Matt Scharpe, Michelle Battcher, John Thomes and Joe Morgan

Guests Present-Gwen Scharpe

Morgan made a motion to approve the agenda. Thomes seconded. Motion carried.

2. Approve Resolution 65-2022 A RESOLUTION CANVASSING ELECTION RESULTS-
Morgan made a motion to approve resolution 65-2022. Thomes seconded. Motion carried.
Scharpe, Meyer, Thomes and Morgan voted in favor; none against; Battcher abstained; None were absent.

3. Adjourn-Motion to adjourn the meeting was made by Scharpe at 6:35 pm. Meyer seconded. Motion carried.

Gwen Scharpe

From: Jaime Weikle
Sent: Wednesday, November 16, 2022 10:46 AM
To: Gwen Scharpe
Subject: FW: Return from Doctor Appt.

Please include this on the next City Council Agenda.
Thank you.

Jaime Weikle, NRP, CADS
Arlington Area Ambulance Manager

Office: 507-964-2828
Cell: 612-357-2749
Fax: 507-964-5973
jweikle@arlingtonmn.com



City of Arlington
204 Shamrock Drive
Arlington, MN 55307

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From: Doug
Sent: Wednesday, November 16, 2022 10:45 AM
To: Jaime Weikle
Subject: Return from Doctor Appt.

Jamie, I apparently damaged my shoulder replacement when helping my son move. I had X-rays taken today and a visit with the Dr. They plan to do a MRI soon with contrast dye to get a better image of the damage. I was asked if I would consider a reverse shoulder replacement, but I declined.

Having seen the Dr. and the prognosis is not good, I must submit my resignation from Arlington ambulance immediately. It is not fair to our patients to have an EMT working at 50% strength or less. Nor is it right to keep working knowing I may be damaging my shoulder more.

I appreciate the opportunity to work for you and wish you and the crew the best in the future.

AND, yes, I will return my coat and shirts.

Sincerely,

Douglas O. Brown

November 17, 2022

Honorable Mayor and City Council:

Please accept this as my official resignation from the Arlington City Council effective December 31st, 2022, so I may fulfill my duties as Mayor of the City of Arlington.

A handwritten signature in blue ink, appearing to read "Matthew Scharpe", is written over a horizontal line.

Matthew Scharpe



Arlington Police Department

Glenn Gerads, Chief of Police

108 4th Ave. NW
Arlington, MN 55307

Office: (507)964-5200 Fax: (507)964-2737

OCTOBER 2022 – 257 Recorded ICR's

Traffic Stops	67
Business/Door Checks	31
Ordinance Violations	22
Agency Assist	20
Suspicious Activity	16
Park Checks	12
Directed Patrol/Traffic Detail	12
Theft	11
Residence Watch	10
Informational	8
Civil Matters	5
Animal Calls	4
Medical Calls	4
Driving Complaint	3
Public Assist	3
Alarms	3
911 Hang-up	3
Domestic	2
Property Damage	2
Fire Call	2
Vehicle Lockouts	2
School Patrols	2
Public Relations/School Event	2
Juvenile Trouble/Truancy	1
Noise Complaint	1
Child Protection/Custody	1
Scams	1
Welfare Checks	1
Narcotic Sale/Possess	1
OFP/HRO Violation	1
Runaway/Missing Person	1
DUI/DWI	1
Adult Protection	1
Trespass	1

Glenn Gerads #301
Police Chief



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OCTOBER 2022

10-1-22

▪

10-2-22

- Traffic Stop – Intersection Hwy 5 & 411th Ave. (SO)
- Agency Assist/911 Hangup – 200 Block 3rd Ave. NW (SO)

10-3-22

- Agency Assist/Fire Call – Intersection Cty. Rd. 12 & 425th Ave.
- Animal Call – 400 Block E. Adams St.
- Theft – 700 Block W. Main St.
- Trespass/Public Assist – 200 Block E. Dayton St.
- Traffic Stop – Intersection Hwy 5 & W. Chandler St.
- Agency Assist/Driving Complaint – Intersection Hwy 5 & 441st Ave., Gaylord
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Business Check – 500 Block 2nd Ave. NW
- Business Check – 300 Block W. Main St.

10-4-22

- Driving Complaint – 300 Block W. Douglas St.
- Agency Assist – 500 Block 2nd Ave. NW
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Brooks St.
- Agency Assist – 400 Court Ave., Gaylord (*actual assist @ RSMC*)
- Traffic Stop – Intersection W. Chandler St. & 6th Ave.
- Business Check – 300 Block W. Main St.

10-5-22

- Agency Assist/Domestic – 42100 Block 190th St.

10-6-22

- Agency Assist/Animal Call – 400 Block W. Adams St. (SO)
- Motor Vehicle Theft/Agency Assist – 500 Block W. Main St.

10-7-22

- Directed Patrol/Traffic Detail/School Event – 200 Block 3rd Ave. NW
- Directed Patrol – 400 Block 2nd Ave. NE
- Traffic Stop – Intersection 411th Ave. & W. Main St.



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10-8-22

- Business Check – 300 Block W. Main St.
- Alarm/Agency Assist – 23200 Block 401st Ave.
- Alarm/Agency Assist – 400 Block W. Main St.
- Medical Call/Agency Assist – 400 Block W. Elgin St.
- Traffic Stop – Intersection Hwy 5 & W. Brooks St.
- Traffic Stop – Intersection 411th Ave. & W. Alden St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Adams St.
- Agency Assist – 300 Block 4th St., Gaylord

10-9-22

- Business Check – 300 Block W. Main St.
- Suspicious Activity/Agency Assist – 400 Block W. Alden St.
- Animal Call – 300 Block Frenzel Dr.
- Agency Assist – 400 Block Harrison St., Gaylord (*actual assist @ RSMC*)
- Business Check – 300 Block W. Main St.

10-10-22

- Agency Assist – 600 Block W. Chandler St.
- Driving Complaint/Agency Assist – Intersection 4th Ave. NW & W. Chandler St.
- Informational – 100 Block 4th Ave. NW
- Informational – 100 Block 4th Ave. NW
- Traffic Stop – Intersection Cty. Rd. 17 & 5th Ave.
- Suspicious Activity/Agency Assist – 500 Block W. Main St.
- Ordinance Violation – 400 Block W. Brooks St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Animal Call – 300 Block W. Main St.
- Traffic Stop – Intersection Cty. Rd. 12 & Cty. Rd. 9 (SO)

10-11-22

- Animal Call – 600 Block W. Chandler St. (SO)
- Theft/Dishonored Check – 300 Block W. Main St.
- Suspicious Activity – 400 Block W. Elgin St.
- Suspicious Activity – 400 Block E. Adams St.
- Traffic Stop – Intersection 411th Ave. & W. Chandler St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection Hwy 5 & 4th Ave.
- Ordinance Violation – 100 Block Henderson Rd.



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10-12-22

- DUI/Driving Complaint – Intersection Hwy 5 & Cty. Rd. 9
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Ordinance Violation – 23100 Block 411th Ave.
- Business Check – 300 Block W. Main St.
- Business Check – 500 Block 2nd Ave. NW

10-13-22

- Traffic Stop – Intersection Hwy 5 & W. Adams St.
- Traffic Stop – Intersection Hwy 5 & W. Chandler St.

10-14-22

- Business Check – 300 Block W. Main St.
- Informational – 500 Block 2nd Ave. NW
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Ordinance Violation – 300 Block W. Chandler St.
- Public Assist – 23200 Block 401st Ave.
- Business Check – 23200 Block 401st Ave.
- Park Check – 24200 Block 387th Ave.
- Park Check – 300 Block 1st Ave. S.
- Residence Watch – 400 Block W. Alden St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Business Check – 300 Block W. Main St.

10-15-22

- Informational – 500 Block 2nd Ave. NW
- Property Damage – 400 Block E. Brooks St.
- Agency Assist/Welfare Check – 100 Block E. Douglas St. (SO)
- Domestic – 100 Block E. Douglas St. (SO)
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Park Check – 300 Block 1st Ave. S.
- Vehicle Lockout – 100 Block E. Baker St.
- Ordinance Violation – 300 Block 5th Ave. SE
- Residence Watch – 400 Block W. Alden St.
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Park Check – 24200 Block 387th Ave.
- Business Check – 300 Block W. Main St.



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10-16-22

- Residence Watch – 400 Block W. Alden St.
- Traffic Stop/Agency Assist – Intersection Hwy 5 & W. Chandler St.
- Suspicious Activity – 300 Block W. Douglas St.
- Suspicious Activity – 200 Block E. Baker St.
- Suspicious Activity – 500 Block E. Elmwood St.
- Theft/Suspicious Activity – 200 Block E. Adams St.
- Theft/Suspicious Activity – 200 Block E. Adams St.
- Theft/Suspicious Activity – 200 Block E. Adams St.
- Public Assist – 100 Block 4th Ave. NW
- Business Check – 100 Block 1st Ave. N.
- Traffic Stop – Intersection 1st Ave. S. & Adams St.
- Park Check – 300 Block 1st Ave. S.
- Residence Watch – 400 Block W. Alden St.
- Traffic Stop – Intersection Hwy 5 & Sheila Dr.
- Directed Patrol – Main St.

10-17-22

- Suspicious Activity – 300 Block 5th Ave. NW
- Suspicious Activity – 100 Block E. Adams St.
- Suspicious Activity – 200 Block E. Baker St.
- Narcotic Sale/Possession – 200 Block 3rd Ave. NW
- Assault – 200 Block 3rd Ave. NW
- Assault – 200 Block 3rd Ave. NW
- Scam – 20500 Block 441st Ave.
- Theft/Dishonored Check – 400 Block W. Main St.

10-18-22

- Informational/Med Disposal – 100 Block 4th Ave. NW
- Child Protection – 100 Block E. Douglas St.

10-19-22

- Agency Assist/911 Hangup – 23100 Block Hwy 5 (SO)
- Civil Matter – 600 Block W. Baker St.
- Theft – 400 Block W. Douglas St.
- Theft – 700 Block Horseshoe Dr.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Park Check – 300 Block 1st Ave. S.
- Traffic Stop – Intersection Hwy 5 & 2nd Ave. NW
- Traffic Stop – Intersection Hwy 5 & W. Chandler St.
- Traffic Stop – Intersection Hwy 5 & W. Main St. (SO)
- Business Check – 300 Block W. Main St.
- Business Check – 500 Block 2nd Ave. NW



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- Traffic Stop – Intersection 411th Ave. & W. Chandler St.
- Traffic Stop – Intersection 411th Ave. & 228th Ln.
- Traffic Stop – Intersection Hwy 5 & W. Main St.

10-20-22

- Directed Patrol – 800 Block 7th Ave. NW
- Directed Patrol – 100 Block Shamrock Dr.
- Residence Watch – 400 Block W. Alden St.
- Informational – 500 Block 2nd Ave. NW
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Brooks St.
- Traffic Stop – Intersection Hwy 5 & W. Baker St.
- Traffic Stop – Intersection Hwy 5 & Northland Drying
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Residence Watch – 400 Block W. Alden St.
- Agency Assist/Traffic Stop – Intersection Hwy 5 & Cty. Rd. 9
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection Hwy 5 & 401st Ave.
- Park Check – 300 Block 1st Ave. S.
- Residence Watch – 400 Block W. Alden St.
- Business Check – 300 Block W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.

10-21-22

- Residence Watch – 400 Block W. Alden St.
- Traffic Stop – Intersection Hwy 5 & W. Alden St.
- Agency Assist – 100 Block E. Douglas St.
- Civil Matter – 400 Block E. Dayton St.
- Welfare Check – 100 Block Henderson Rd.
- HRO Violation – 200 Block E. Adams St.
- Traffic Stop – Intersection Hwy 5 & W. Chandler St.
- Residence Watch – 400 Block W. Alden St.
- Park Check – 24200 Block 387th Ave.
- Traffic Stop – Intersection Hwy 5 & 411th Ave.
- Residence Watch – 400 Block W. Alden St.
- Business Check – 300 Block W. Main St.

10-22-22

- Juvenile Trouble/Agency Assist – 120 Henderson Rd. (SO)



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10-23-22

- 911 Hangup – 23100 Block Hwy 5 (SO)
- Agency Assist/Scam – 400 Block 7th Ave. NW
- Suspicious Activity/Agency Assist – 200 Block 4th Ave. NE

10-24-22

- Theft – 400 Block E. Adams St.
- Property Damage/Theft – 200 Block W. Main St.
- Agency Assist – 100 Block E. Douglas St.
- Traffic Stop – Intersection Hwy 5 & 401st Ave. (SO)
- Civil Matter – 500 Block W. Main St.
- Civil Matter – 100 Block Henderson Rd.
- Theft – 400 Block E. Adams St.
- Medical Call/Agency Assist – 100 Block E. Douglas St.
- Traffic Stop – Intersection Main St. & 4th Ave.
- Traffic Stop – Intersection Freedom Dr. & Cty. Rd. 17
- Traffic Stop – Intersection 4th Ave. & Adams St.
- Traffic Stop – Intersection Hwy 5 & W. Adams St.
- Traffic Stop – Intersection Cty. Rd. 9 & W. Main St. (SO)
- Directed Patrol – 800 Block W. Brooks St.
- Business Check – 100 Block 1st Ave. N.
- Business Check – 300 Block W. Main St.
- Directed Patrol/Traffic Detail – Intersection 4th Ave. SE & Henderson Rd.

10-25-22

- Directed Patrol/Traffic Detail – Intersection E. Main St. & 4th Ave.
- Ordinance Violation – 400 Block E. Adams St.
- Ordinance Violation – 400 Block E. Adams St.
- Ordinance Violation – 400 Block E. Adams St.
- Informational – 200 Block W. Main St.
- School Patrol/Directed Patrol – 200 Block 3rd Ave. NW
- Driving Complaint – Intersection W. Douglas St. & 7th Ave. NW
- Traffic Stop – Intersection 411th Ave. & W. Main St.
- Traffic Stop – 200 Block E. Main St.
- Business Check – 500 Block 2nd Ave. NW
- Business Check – 23200 Block 401st Ave.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- 911 Hangup – 200 Block 3rd Ave. NW
- Park Check – 300 Block 1st Ave. S.
- Business Check – 300 Block W. Main St.
- Business Check – 100 Block E. Shamrock Dr.



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10-26-22

- Vehicle Lockout – 600 Block W. Chandler St.
- Domestic – 100 Block Henderson Rd.

10-27-22

- Agency/Public Assist – 600 Block W. Chandler St. (SO)
- Suspicious Activity – 100 Block W. Alden St.
- Medical Call/Agency Assist – 100 Block E. Alden St. (SO)
- Runaway/Juvenile Trouble – 100 Block Henderson Rd. (SO)
- Agency Assist/Welfare Check – 100 Block 7th Ave. SW (SO)

10-28-22

- Ordinance Violation – 400 Block E. Adams St.
- Ordinance Violation – 400 Block E. Adams St.
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- Ordinance Violation – 400 Block E. Adams St.
- Ordinance Violation – 400 Block E. Adams St.
- Suspicious Activity – 400 Block 7th Ave. NW
- Adult Protection – 400 Block 7th Ave. NW
- School Patrol/Directed Patrol – 200 Block 3rd Ave. NW
- Business Check – 500 Block 2nd Ave. NW
- Traffic Stop – Intersection 1st Ave. & Adams St.
- 911 Hangup – 800 Block W. Main St.
- Park Check – 300 Block 1st Ave. S.
- Traffic Stop – Intersection 4th Ave. & E. Main St.
- Public Relations/School Event/Directed Patrol – 200 Block 3rd Ave. NW
- Directed Patrol/Traffic Detail – Intersection 4th Ave. SE & Henderson Rd.
- Alarm/Agency Assist – 100 Block Shamrock Dr.
- Directed Patrol/Traffic Detail – 200 Block 3rd Ave. NW
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection Main St. & 3rd Ave.
- Business Check – 600 Block W. Chandler St.



Arlington Police Department

Glenn Gerads, Chief of Police

108 4th Ave. NW
Arlington, MN 55307

Office: (507)964-5200 Fax: (507)964-2737

10-29-22

- Noise Complaint – 400 Block E. Adams/Baker St.
- Business Check – 300 Block W. Main St.
- Suspicious Activity – 400 Block W. Alden St.
- Suspicious Activity – 200 Block 5th Ave. NW
- Informational – 500 Block 2nd Ave. NW
- Directed Patrol/Traffic Detail – 400 Block E. Baker St.
- Business Check – 500 Block 2nd Ave. NW
- Agency Assist – 600 Block W. Chandler St.
- Suspicious Activity – 300 Block W. Main St.
- Business Check – 600 Block W. Chandler St.
- Traffic Stop – Intersection Hwy 5 & W. Baker St.
- Directed Patrol – 800 Block 7th Ave. NW
- Park Check – 24200 Block 387th Ave.
- Park Check – 300 Block 1st Ave. S.

10-30-22

- Business Check – 300 Block W. Main St.

10-31-22

- Agency Assist/Suspicious Activity – 400 Block 7th Ave. NW (SO)
- Medical Call/Agency Assist – Intersection Hwy 5 & W. Alden St.
- Civil Matter – 600 Block Olive St.
- Public Assist – 400 Block E. Adams St.
- Public Relations – Main St.
- Business Check – 100 Block 1st Ave. N.
- Business Check – 300 Block W. Main St.

Glenn Gerads #301
Police Chief

Date: November 11, 2022

To: City of Arlington

From: Lee Ortloff/Lee Forcier/Corbin Kiecker, Operators

O & M Report: October 2022

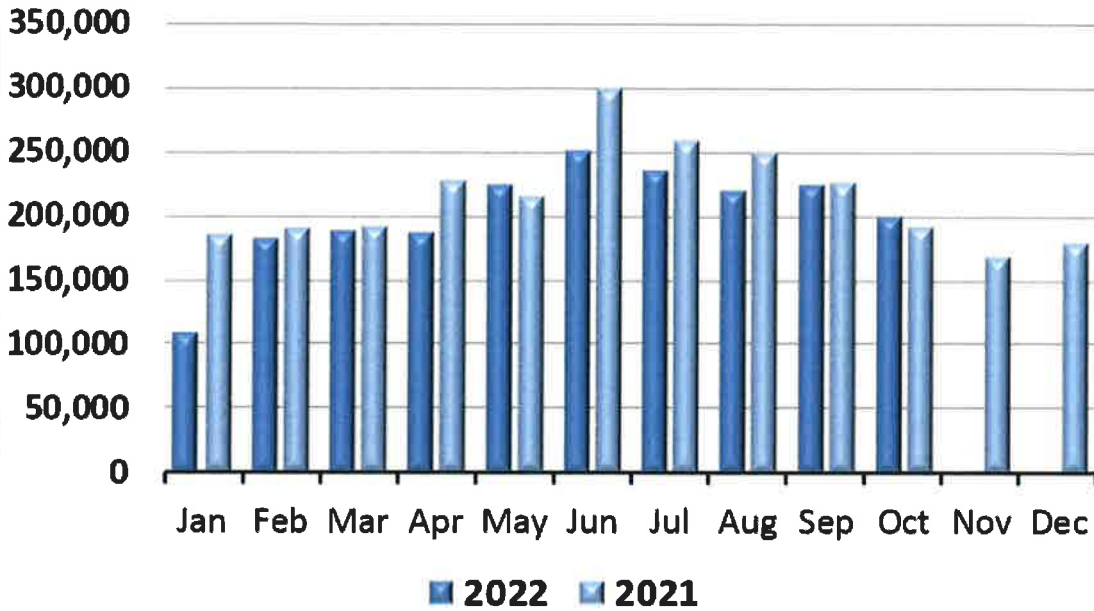
Water Operation & Maintenance

- McCarthy Well Co. was here for the annual high service pump and well checks.
- There was a total of 39 Gopher State One Locates.
- WTP Rehab:
 - Backwashed twice and permanganate added to cells for charging of media.
 - Bac – T samples taken.
 - Much of the electrical lighting has been replaced.
 - Valves in EFF channel and detention tank replaced, waiting for pneumatic valve.
 - Plant back into service and off bypass.
- Performed preventative maintenance on water plant equipment.
- Performed weekly residual testing of chlorine, manganese, iron, and fluoride.
- There was a total of seven service requests.
 - (3) Repair/replacing of existing radio read meters.
 - (1) Resident requesting curb stop located.
 - (1) House winterized-check-unhook meter/shut off water at curb stop.
 - (1) Water quality question.
 - (1) Resident requesting lowering of curb stop.
- Oct 3rd – Weber Multi Service repair service line on Creekview LN.
- Oct 10th – Weber Multi Service repair WWTP service line and redo dog park hydrant.
- Oct 31st – WTP off bypass and placed back into service.

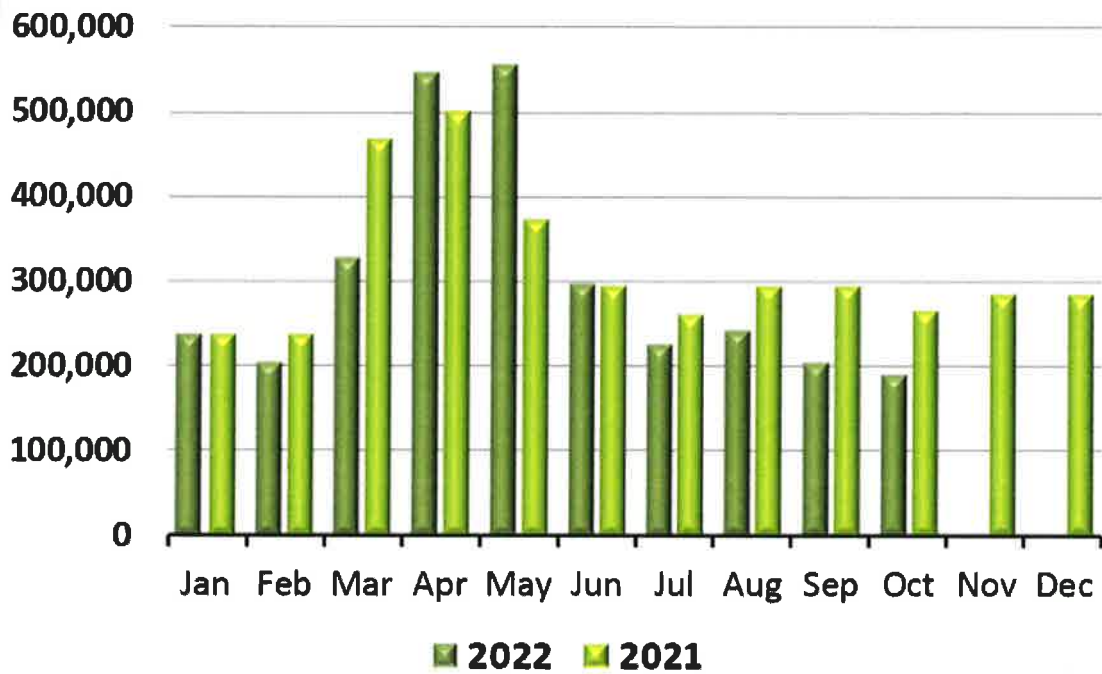
Wastewater Operation & Maintenance

- Preventative maintenance performed on wastewater plant equipment.
- Jetting completed for the year.
- Start and completed hauling of bio-solids.
- Exercise emergency backup generators and testing of alarm dialers.

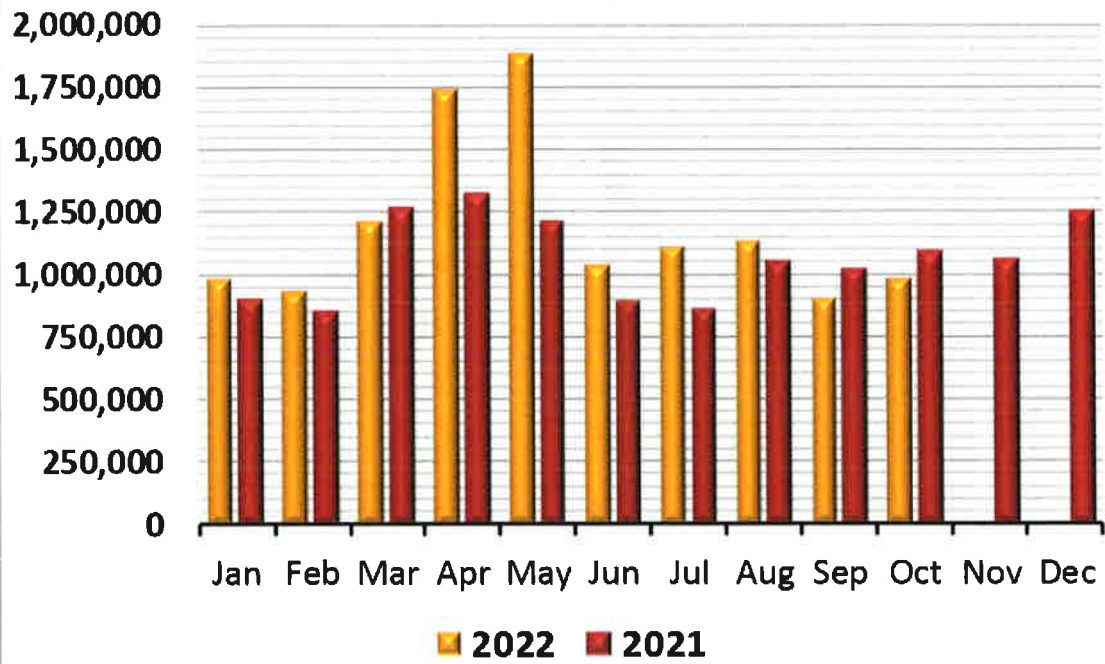
Arlington Average Daily Water Pumped - In Gallons



Arlington Average Daily Wastewater Pumped - In Gallons



Green Isle Lift Station Total Flow In Gallons



		October-22	September-22	October-21
Water				
	Units			
Average Daily Pumped	gallons	200,000	225,200	192,000
Maximum Daily Pumped	gallons	287,000	422,000	277,000
Minimum Daily Pumped	gallons	119,000	60,000	0
Total Monthly Pumped	gallons	6,000,000	6,756,000	5,952,000
Well #2 Pumped	gallons	6,684,000	7,255,000	3,665,000
Well #3 Pumped	gallons	0	0	0
Well #4 Pumped	gallons	0	0	2,251,000
Average Daily Fluoride Conc.	mg/L	0.69	0.71	0.71
Fluoride concentration Permit Limit	mg/L	.5-0.9 mg/L	.5-0.9 mg/L	.5-0.9 mg/L
Fluoride used	gallons	8.00	9.50	13.50
Total Chlorine Residual	mg/L	1.14	0.84	1.13
Total Chlorine Concentration Permit Limit	mg/L	1-2 mg/L	1-2 mg/L	1-2 mg/L
Chlorine used	lbs	127.00	96.40	105.80
Potassium Permanganate used	gallons	0.00	0.00	41.00
Wastewater				
CBOD				
CBOD Influent	mg/L	228	192	223
CBOD Effluent-Monthly	mg/L	1	2	0
CBOD Effluent-Monthly Permit Limit	mg/L	15	15	15
CBOD Max Weekly	mg/L	2	2	1
CBOD Max Weekly-Permit Limit	mg/L	25	25	25
CBOD Effluent Monthly kg/day	kg/day	1	1	0
CBOD Monthly kg/day-Permit Limit	kg/day	46	46	46
CBOD Effluent Weekly kg/day	kg/day	1	2	1
CBOD Weekly kg/day-Permit Limit	kg/day	70	70	70
CBOD % Removal	%	100%	99%	100%
CBOD % Removal Permit Limit	%	85%	85%	85%
TSS				
TSS Influent	mg/L	237	211	244
TSS Effluent-Monthly	mg/L	<3	1	2
TSS Effluent Permit Limit	mg/L	30	30	30
TSS Effluent Max Weekly	mg/L	<3	3	3
TSS Max weekly - Permit Limit	mg/L	45	45	45
TSS Effluent-Monthly kg/day	kg/day	<2.2	1	2
TSS Monthly kg/day-Permit Limit	kg/day	91	91	91
TSS Effluent Max Weekly kg/day	kg/day	<2.3	3	3
TSS Max weekly kg/day- Permit Limit	kg/day	140	140	140
TSS % Removal	%	99%	99%	99%
TSS % Removal Permit Limit	%	85%	85%	85%
Phosphorus				
Phos Influent	mg/L	6.90	6.30	5.30
Phos Effluent	mg/L	0.20	0.20	0.20
Phos Effluent Permit Limit	mg/L	1	1	1
Phos Effluent Loading	kg/day	0.30	0.24	0.70
Phos Effluent Loading Permit Limit	kg/day	2.50	2.50	2.50

Fecal Coliform				
Fecal Effluent	ml	3	2.90	15
Fecal Effluent Permit Limit	ml	200#/100ml	200#/100ml	200#/100ml
Dissolved Oxygen				
DO Effluent	mg/L	7	6	7
DO Effluent Permit Limit	mg/L	5	5	5
Effluent Flow				
Average Daily	gallons	189,000	204,000	266,000
Maximum Daily	gallons	254,000	245,000	437,000
Total Monthly	gallons	6,871,000	6,117,000	8,244,000
Total Monthly Precipitation	inches	0.20	0.47	2.30
Green Isle Lift Station Total Flow	gallons	983,000	901,000	1,099,000
Contract True-Ups - Current Contract Year				
Item	Budgeted Amount	Amount Spent	% of Budget	% of Time
Maintenance Budget	\$20,627.00	\$10,168.00	49%	83%
Chemical Budget	\$12,853.00	\$14,587.00	113%	83%
Total	\$33,480.00	\$24,755.00	74%	83%

CITY OF ARLINGTON ORDINANCE NO. 346

AN ORDINANCE AMENDING CHAPTER 6: NUISANCES

AN ORDINANCE AMENDING CHAPTER 6, THE ARLINGTON NUISANCES CODE TO ALLOW THE ADJUSTMENT OF CHAPTER 6 FOR THE ADDITION OF DEFINITIONS, UNDER 6.03, THE ADJUSTMENT TO 14 BUSINESS DAYS, UNDER 6.07, 6.09, AND 6.10, THE ADJUSTMENT OF THE ABATEMENT PROCEDURE, UNDER 6.10

CHAPTER 6: NUISANCES

- 6.01 Adoption of State Laws
- 6.02 Violation Penalties
- 6.03 Definitions
- 6.04 Noise Nuisances
- 6.05 Outdoor Gatherings
- 6.06 Fires
- 6.07 Refuse Control and Removal
- 6.08 Outdoor Parking and Storage
- 6.09 Lawn and Weed Control
- 6.10 Abatement Procedures
- 6.11 Repeat Nuisance Calls Service Fee

6.01 ADOPTION OF STATE LAWS

Minnesota Statute 609.74 PUBLIC NUISANCE is hereby adopted, to include any amendments or replacements thereof.

6.02 VIOLATION PENALTIES

Any violation of any section of this chapter shall be punishable as a misdemeanor under Minnesota Statute 609.02, Subdivision 3, or any laws amending or replacing such statute. However, in the discretion of the City, any such violation may be certified as a petty misdemeanor.

6.03 DEFINITIONS

- A. Abatement: lessen, reduce, or remove.
- B. Mail: Service by mail shall mean depositing the item with the U.S. Postal Service addressed to the intended recipient at their last known address with First Class postage prepaid thereon.
- C. Outdoor Gatherings: Any public or private event, attraction, festival or show which is in one area.
- D. Owner: Those shown as owner or owners on the records of the Sibley County Recorder.
- E. Personal Service: Service by personally handing a copy to the intended recipient or by leaving a copy at the intended recipient's residence or place of business with a person of suitable age and discretion.
- F. Public Nuisance: Maintaining or permitting a condition that unreasonable annoys, injures, or endangers the safety, health, morals, or repose of any considerable number of members of public. The following acts are declared a public nuisance:
 - (1) Engaging in any business or activity which is dangerous, hurtful, unwholesome, offensive, or unhealthy to the neighborhood, or which constitutes an annoyance to the persons in the neighborhood or is detrimental to the property in the neighborhood.
 - (2) Permitting, suffering, or maintaining, or failing to remove any offensive, nauseous, hurtful, dangerous, unhealthy condition resulting from a failure to properly dispose of garbage, sewage, waste, debris or any other unwholesome or offensive substance, liquid, or thing, upon one's premises, or dropping, discharging, passing, depositing, or otherwise delivering the same upon the premises of another or public property.
- G. Responsible Party: Any one or more of the following: Agent, assignee or collector of rents for owner; holder of a contract for deed; a mortgagee or buyer in possession; receiver,

executor or trustee for owner; lessee; or other person or entity exercising apparent control over a property.

6.04 NOISE NUISANCES

- A. Any person who keeps or harbors a pet or other animal on his property, in the case where the pet or animal is of such a nature or disposition or is kept in such confinement or condition that the animal disrupts the peace of the neighboring property owners by emitting barking or other noises at late night hours, shall be considered as maintaining a public nuisance. Late night hours for purpose of this section shall be defined as any time after 11:00 p.m. It shall also be a violation of this ordinance if any person keeps or harbors a pet or other animal who emits barking or other noises at any time of the day or night in a continuous or persistent manner. The phrase “continuous or persistent manner” for purpose of this section shall be defined as any barking or loud noises created by the pet continuously for a period of 10 minutes or more, or on an average of more than once each hour.
- B. Any person who causes or allows loud music or other disturbing noises to originate from his property in an unreasonable manner or at unreasonable hours which would tend to alarm or disturb the peace and tranquility of his neighbors shall be guilty of creating or maintaining a public nuisance. Noise or music sources located on the yard or other portions of the property outside the structures of a person’s property after the hour of 12:00 a.m. midnight shall be considered prima facie a public nuisance. This provision shall also apply to any noise or music sources located in a motor vehicle whether on private or public property. It shall be considered prima facie a public nuisance if music, muffler emission or engine noises or any other noise emitted from a motor vehicle can be clearly heard from a distance of more than 50 feet from the vehicle. The driver of any offending motor vehicle, or if no driver is present, the owner of said vehicle, shall be considered the party violating this ordinance.
- C. This ordinance shall not apply to activities, events or celebrations specifically authorized by the City Council, including but not limited to community celebrations and parades, the Sibley County Fair, auto racing held at the Sibley County Fairgrounds, or athletic events held in city parks or on school grounds. Instead, the City Council shall establish specific rules for any such events, as the City Council deems appropriate, balancing the interest of public health and safety with the reasonable needs of such events. The specific rules to be set by the City for such events shall include but not be limited to allowed levels of noise, crowd control, parking and traffic flow rules, and event activity closing time and crowd evacuation time.

6.05 OUTDOOR GATHERINGS

- A. It is unlawful for any persons to congregate on any private property to participate in any party or gathering of people unless the owner of said private property is present or unless said owner has given written permission for such gathering, and such written permission is in the possession of one or more persons participating at the gathering. In the absence of the property owner, failure to display written permission as described herein upon request of a police officer shall be considered prima facie evidence of a violation of this Ordinance.
- B. It shall be unlawful for persons to participate in any gathering on any city street, sidewalk or parking lot, which impedes the flow of traffic, or which disturbs the peace, quiet, or repose of other persons. City parking lots are to be used for the parking of motor vehicles only, and not for social gatherings, except by specific written permission of the City Council in conjunction with community social activities and celebrations. A gathering of more than 5 persons for a consecutive time of more than 15 minutes in any City parking lot shall be considered prima facie evidence of a violation of this Ordinance.

6.06 FIRES

This Section does not apply to the City of Arlington brush and yard waste dump site, where occasional controlled burns of accumulated brush may take place by City Staff.

- A. Indoor Fires. Indoor fires mean any fires created within a fully enclosed structure. Indoor fires shall be allowed only in properly built and safe, UL approved furnaces and fireplaces, and shall be created only for the purpose of heating and food preparation. Only natural gas, propane, fuel oil, coal, or wood products may be used to fuel said fires. The furnace or fireplace system shall be provided with proper vents or chimney and shall be properly maintained so as to function in a safe condition, and to prevent ash, smoke, and noxious odors from drifting onto neighboring property.
- B. Outdoor Fires. Outdoor fires are any fires created outside of a fully enclosed structure. No outdoor fires shall be allowed on open ground. Outdoor fires shall be created only in an outdoor fireplace, barbecue equipment or concrete-lined fire pit, sufficient to provide physical limitation to the spread of the fire. Outdoor fires are strictly prohibited except for recreational purposes. Recreational purposes shall include only the cooking of food or the providing of heat and light for outdoor social gatherings. Only propane, charcoal bricks, or wood products may be used to fuel outdoor fires. The outdoor fire shall be maintained and controlled in such a manner as to avoid smoke, ash, and obnoxious odors from drifting onto neighboring property. Outdoor fires shall be supervised at all times by at least one adult person, who will be responsible to properly maintain the fire, safeguard it from spreading, and safeguard it from children and animals. No objects other than the fuel materials approved in this ordinance shall be placed in such outdoor fires. No highly

flammable liquids such as gasoline or kerosene shall be used on such fires or stored near such files. Outdoor fires shall be created or maintained at a distance of at least 15 feet from all structures and property lines.

- C. Under no circumstances shall any garbage, lawn waste, or other objects be placed in any indoor or outdoor fire in the City of Arlington, except for the approved fuels noted in this ordinance.

6.07 REFUSE CONTROL AND REMOVAL

- A. Refuse Definition. Refuse includes, but is not limited to, household waste, discarded paper and cardboard, garbage, material resulting from the handling, processing, and consumption of food, vegetable or animal matter, offal, animal excrement, plant waste such as tree trimmings or grass cuttings, ashes, incinerator residue, street sweepings, construction debris, detached vehicle parts, furniture other than furniture designed as lawn furniture, appliances, inoperable equipment, and any other items or materials which are unsightly, attractive to insects or vermin, produce a noxious odor or are otherwise considered offensive by a reasonable person.
- B. Refuse Control and Removal: All refuse shall be kept or stored inside an enclosed building or appropriate garbage disposal containers and shall be removed from the premises to a proper garbage disposal facility or recycling collection center on a regular basis, which is defined as no less often than every 14 business days.
- C. Nuisances: Owners and/or responsible parties shall be considered as maintaining a nuisance if they are in violation of any of the rules of this ordinance, to include the following:
 - 1) It shall be considered a nuisance to collect, store or allow refuse contrary to this ordinance.
 - 2) During construction or repair of property within the city limits, building materials shall be stacked or stored in a neat and orderly fashion, and in a manner so as to avoid presenting any danger to the general public. Refuse building materials shall be neatly piled or stored in garbage disposal containers. All building materials and refuse shall be cleared from the construction project no later than 14 business days after completion of the construction or repair.
 - 3) Hazardous Waste, as defined by Minnesota law, shall at all times be properly handled, stored and promptly removed by a properly trained and equipped person or entity, as soon as possible after said hazardous waste is detected by any person or entity. No hazardous waste is to be created or transported into city limits except in conformity with all federal, state and local laws, regulations and permits.

6.08 OUTDOOR PARKING AND STORAGE

- A. Purpose. The purpose of this Subdivision is to allow exterior storage of certain items in certain zoning districts in a manner that is not a danger to the public's health, safety, or welfare and that does not negatively impact adjacent property values or constitute a public nuisance.
- B. Exemption. Outdoor Storage in U-R Urban Reserve District is exempt from this Section.
- C. General Provisions. The following provisions apply to all zoning districts:
- 1) No motor vehicles designed to operate on public highways which are unlicensed or in a condition prohibiting normal operation due to mechanical failure, defect, lack of required parts such as tires, or apparent damage from collision shall be stored on private property unless such vehicles are kept in a fully enclosed structure or fully enclosed manufactured licensed trailer, so that no part of the vehicle can be viewed by the public. Licensed Off-Road Vehicles, All-Terrain Vehicles and Off-Highway Motorcycles shall not be parked on a street or on private property for more than 48 concurrent hours within a 7-day week time period, unless such vehicles are kept in a fully enclosed manufactured licensed trailer, so that the public can view no part of the vehicle. Car parts, accessories, tools, and other items used to work on, repair, or otherwise used for said vehicles shall also be subject to the above conditions. Snowmobiles shall not be parked in front yard of any residential property for more than 48 concurrent hours within a 7-day week time period. No vehicles may be parked or stored on private property which are advertised for sale or rent, except not exceeding four total items, provided they are stored in a manner as approved under this Code.
 - h) The off-street parking of one (1) boat in a manner approved under City Code. Boats stored outdoors during non-boating season shall be effectively screened from adjacent property lines as viewed from a public street or alley. "Effectively Screened" shall mean eighty percent (80%) of what is stored is not visible from an adjacent property line or as viewed from a public street or alley.
 - i) The off-street parking of one (1) licensed and operable camper (camping trailer, truck camper, fifth wheel) or recreational vehicle (motor home, travel trailer) in a manner approved under City Code. A camper parked outdoors during the winter months shall be effectively screened from adjacent property lines as viewed from a public street or alley. "Effectively Screened" shall mean eighty percent (80%) of what is stored is not visible from an adjacent property line or as viewed from a public street or alley.

- j) The parking of one (1) licensed and operable commercial vehicle with a gross weight rating of less than 10,000 pounds in a manner approved under City Code. An additional commercial vehicle may be stored on a residential property provided an interim use permit is issued.
- k) The parking of one (1) licensed and operable trailer in a manner approved under City Code. An additional trailer may be stored on a residential property provided an interim use permit is issued. Horse and stock trailers are prohibited from being stored outdoors in a residential zoning district.

2) Outdoor storage area standards. The following standards apply to all outdoor storage areas in residential districts.

- a) Outdoor parking/storage areas in front yards and street-side corner yards shall be completely surfaced with an all-weather dustless material such as asphalt, concrete, pavers, bricks, or other equivalent material. Compacted gravel and/or rock is not a suitable surface. Existing outdoor parking/storage areas in front yards and street-side corner yards shall be brought up to all-weather, dustless surfacing standards upon receipt of a zoning application to improve, enlarge, and/or expand said parking or storage areas.
- b) The aggregate area of a front yard or street-side corner yard used for any combination of driveway, sidewalk, parking, and/or storage shall not exceed the following:
 - (1) Parcels with a total lot area of 5,999 square feet or less fifty (50) percent of the front yard.
 - b. Temporary storage (i.e. 90 days or less) of materials and equipment currently being used for landscaping or construction on the premises.
 - c. Merchandise on temporary display (i.e. 90 days or less) for sale.
 - d. Outdoor dining.
 - e. Outdoor sidewalk sales/signs.

F. Industrial Zoning Districts. The following standards apply to outdoor storage in all industrial zoning districts.

- 1) Outdoor storage/display. Outdoor storage/display shall be governed by the respective zoning district in which such use is located.
- 2) Outdoor storage requires the issuance of an interim use permit.
- 3) All outdoor storage shall be located in a rear or side yard. Outdoor storage is not allowed in a front yard.

- 4) Outdoor storage shall be screened with suitable materials so as to maintain fifty (50) percent or more opacity when viewed from a lot line. This performance standard applies to HVAC equipment and garbage dumpsters which is associated with new construction.
- 5) The following are exempt from this Section F:
 - a) Merchandise being displayed for sale in accordance with zoning district requirements.
 - b) Temporary storage (i.e. 90 days or less) of materials and equipment currently being used for landscaping or construction on the premises.

6.09 LAWN AND WEED CONTROL

A. Definitions.

- 1) "Control" means to destroy the aboveground growth of noxious weeds by a lawful method that prevents the maturation and spread of noxious weed propagating parts from one area to another. (Minnesota Statutes Chapter 18.77, Subdivision 3)
- 2) "Eradicate" means to destroy the aboveground growth and the roots of noxious weeds by a lawful method that prevents the maturation and spread of noxious weed propagating parts from one area to another. (Minnesota Statutes Chapter 18.77, Subdivision 4)
- 3) "Excessive Growth" means the growth of weeds or nonagricultural grass measured 12 inches or more in height.
- 4) "Nonagricultural Grass" means grasses that are not used or intended to be an agricultural commodity.
- 5) "Noxious Weed" means an annual, biennial, or perennial plant that the commissioner designates to be injurious to public health, the environment, public roads, crops, livestock, or other property. (Minnesota Statutes Chapter 18.77, Subdivision 8)
- 6) "Weed" means any unwanted or unsightly plant that hinders the growth of cultivated plants.

- B. Lawns and landscaped areas are to be cut or trimmed so that grass areas do not exceed 6 inches in height. Noxious weeds are to be controlled by physical removal or chemical treatment. Volunteer trees or bushes are to be removed or properly trimmed. Planted trees and bushes are to be properly trimmed so as to create a neat appearance, and to avoid overlapping boundary lines. Leaves, cut branches and logs are to be stored and handled in the same manner as other refuse, except that cut timber used for fireplaces may be kept and stored for use in an enclosed container or structure, or fenced off from public view.

- C. Public Nuisance. Any Noxious Weed or excessive growth of weeds and nonagricultural grasses measuring 12 inches or more in height is hereby declared to be a public nuisance affecting public health, safety, and welfare in the City of Arlington.
- D. Enforcement. When any condition exists on any parcel of land, both public and private within the City of Arlington, as described in this Section 6.09, City staff will serve a notice to the owner, and/or responsible party of said parcel, ordering them to cut and remove said weeds or grasses on the parcel within ~~ten (10) days~~ **fourteen (14) business days** upon service of the notice. Noxious weeds must be controlled or eradicated within ~~ten (10) days~~ **fourteen (14) business days** upon service of notice.

6.10 ABATEMENT PROCEDURES

- A. Abatement Procedures: In the event that a nuisance is found to exist within city limits in violation of this ordinance, the following abatement procedures will be used:
- 1) Notice: City staff shall serve a written notice on the owner and/or responsible party of the property in violation, using a notice form approved by the City Council, stating the specific manner in which the ordinance has been violated, and explaining that the nuisance must be abated within **(14) business days** ~~10 days~~ after the receipt of said notice. The notice may be served by personal service on the owner and/or responsible party, or by mail. If the notice is served by mail, the **(14) business days** ~~10-day~~ notice term shall begin to run from the date the notice was mailed.
 - 2) If the property owner and/or responsible party does not abate the nuisance within **the 14 business day notice term**, ~~the City shall do the following: 10-day notice term,~~ ~~the city may do any or all of the following:~~
 - a) **The City may issue an administrative citation and the property owner and/or responsible party will have 14 business days to pay the fee and abate the nuisance. In the alternative, if the property owner and/or responsible party believes there is no nuisance on their property, they can file a written appeal to the City Zoning Administrator as Hearing Officer, within the 14 business day abatement term. If appealed, the City Zoning Administrator shall issue a written decision within 5 business days to either dismiss, modify, or uphold the administrative citation.**
 - b) **If the property owner and/or responsible party does not satisfy an administrative citation and abatement, the Police Department may issue a criminal nuisance citation, which can result in a court hearing being scheduled. The court has the power to issue a fine and an abatement order.**

If the court order is not complied with in the time period ordered by the court, the court has the power to impose a jail term.

- c) If this matter goes to court, the City may request the court to allow the City to abate the nuisance by the use of city staff or hired contractors, and charge the cost of such abatement, plus an additional 25 percent added to such cost for the city administration costs, to the appropriate owner and/or responsible party. If the owner and/or responsible party fails to pay the City cost of abatement, the City may assess such charges against the property benefitted as a special assessment, under Minnesota law, for certification to the County Auditor for collection together with current taxes payable in the year following the violation
- d) ~~The City may abate the nuisance by the use of city staff or hired contractors, and charge the cost of such abatement, plus an additional 25 percent added to such cost for the city administration costs, to the appropriate owner and/or responsible party.~~
- e) ~~The City may cite the owner and/or responsible party with a violation of city ordinance, which shall be considered a criminal misdemeanor.~~
- f) ~~The City may request that the Court issue its Order compelling the appropriate owner and/or responsible party to abate the nuisance within a time designated by the Court, subject to a contempt of court citation for noncompliance.~~
- g) ~~If the owner and/or responsible party fails to pay the city cost of abatement, the City may assess such charges against the property benefitted as a special assessment, under Minnesota law, for certification to the County Auditor in collection together with current taxes payable in the year following the violation.~~

B. Emergency Abatement Procedure. When a nuisance is found to exist which constitutes an immediate danger or hazard if not immediately abated, and there does not exist sufficient time to follow the standard abatement procedures as set out in this ordinance, the City may abate the nuisance as follows:

- 1) The City shall order emergency abatement by an Order signed by either the Mayor, City Administrator, Chief of Police, Fire Chief or County Health Officer.
- 2) Following the emergency abatement action, a notice shall be served by personal service or by mail on the owner and/or responsible party connected with the property describing the nuisance, the action taken by the City, the reason emergency abatement was needed, and the costs incurred in abating the nuisance, which said costs shall be charged to the appropriate owner and/or responsible party as set out elsewhere in this ordinance. The notice shall also state that the owner

and/or responsible party shall have the right to appeal the emergency action abatement charge to the City Council, within 30 days after receiving the notice of said abatement. The City Council shall have the authority to waive the emergency abatement charge if the council, in its sole discretion, deems such waiver reasonable.

6.11 REPEAT NUISANCE CALLS SERVICE FEE

- A. Purpose: The purpose of this section is to protect the public safety, health and welfare and to prevent and abate repeat service response calls by the City to the same property or location for nuisance service calls, as defined herein, which prevent police or public safety services to other residents of the City. It is the intent of the City by the adoption of this Section to impose and collect service call fees from the owner or responsible party, or both, of property to which the City officials must repeatedly respond for any repeat nuisance event or activity that generates extraordinary costs to the City. The repeat nuisance service call fee is intended to cover the cost over and above the cost of providing normal law or code enforcement services and police protection City wide.
- B. Scope and Application: This Section shall apply to all owners and responsible party of private property, which is the subject or location of the repeat nuisance service call by the City. This Section shall apply to any repeat nuisance service calls as set forth herein made by an Arlington police officer.
- C. Definition of Nuisance Call or Similar Conduct:
 - 1) Any activity, conduct, or condition deemed as a public nuisance under any provision of City Ordinances.
 - 2) Any conduct, activity or condition constituting a violation of Minnesota state laws prohibiting or regulating prostitution, gambling, controlled substances, use of firearms; and
 - 3) Any conduct, activity, or condition constituting disorderly conduct under Chapter 609 of Minnesota Statutes.
- D. Repeat Nuisance Service Call Fee: The City may impose a repeat nuisance service call fee, said fee amount to be set from time to time by resolution of the City Council, upon the owner and/or responsible party of private property if the City has rendered services or responded to the property on three or more occasions within a period of 365 days in response to or for the abatement of nuisance conduct, activity or condition of the same or similar kind. The repeat nuisance service call fee under this Section shall be an amount as set forth and duly adopted by City Council resolution. All repeat nuisance service call fees imposed and charged against the owner or responsible party under this Section shall

be deemed delinquent 30 days after the City's mailing a billing statement, therefore. Delinquent payments are subject to ten percent late penalty of the amount due.

- E. Notice: No repeat nuisance service call fee may be imposed against an owner or responsible party of property without first providing the owner or responsible party with written notice of the prior nuisance service calls prior to the latest nuisance service call rendered by the City upon which the fee is imposed.

The written notice shall:

- 1) State the nuisance conduct, activity or condition that is or has occurred or is maintained or permitted on the property, the dates of the nuisance conduct, activity or condition.
- 2) State that the owner or responsible party may be subject to a repeat nuisance call service fee if a third or more nuisance service call is rendered to the property for the same nuisance, in addition to the City's right to seek other legal remedies or actions for the abatement of the nuisance or compliance with the law, and
- 3) Be serviced personally or by U.S. Mail upon the owner or responsible party at the last known address.

- F. Right to Appeal Repeat Nuisance Service Call Fee:

- 1) Upon the imposition of a repeat nuisance service call fee, the City shall inform the owner or responsible party of his/her right to a hearing on the alleged repeat nuisance service calls. The owner or responsible party upon whom the fee is imposed may request a hearing by service upon the City Administrator at City Hall within 10 business days of the mailing of the fee invoice, inclusive of the day the invoice is mailed, a written request for hearing. The hearing committee shall schedule the hearing within 14 days of the date of the owner's or responsible party's request for hearing.
- 2) The hearing shall be conducted in an informal manner and the Minnesota Rules of Civil Procedure and Rules of Evidence shall apply. The hearing shall be taped but need not be transcribed at the sole expense of the party who requests the transcription. After considering all evidence submitted, the hearing committee shall make written findings of fact and conclusions on the issue of whether the City responded to or rendered services for repeat nuisance service calls of the same or similar kind on three or more occasions within a 365-day period. The findings and conclusions shall be serviced upon the owner or responsible party by U.S. Mail within five days of the conclusion of the hearing.

- 3) An owner or responsible party's right to a hearing shall be deemed waived if the owner or responsible party fails to serve written request for hearing as required herein or fails to appear at the scheduled hearing date. Upon waiver of the right to hearing, or upon the hearing officer's written findings of fact and conclusions that the repeat nuisance call service fee is warranted hereunder, the owner or responsible party shall pay the fee imposed and shall be deemed delinquent 30 days after the failure to appear at the appeal hearing or after the hearing committee's written findings of fact and conclusion.

- 4) Legal Remedies Nonexclusive: Nothing in this section shall be construed to limit the City's other available legal remedies for any violation of the law which may constitute a nuisance service call hereunder, including criminal, civil, injunctive or others.

Adopted by the City of Arlington on the 7TH day of November 2022.

Attest:

Mayor

City Administrator

First Reading: 11/7/2022
Second Reading: 11/21/2022
Adopted: 11/21/2022
Published: 11/24/2022



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

RESOLUTION 66-2022
RESOLUTION APPROVING A SUMMARY PUBLICATION OF ORDINANCE NO. 346

WHEREAS, the City of Arlington adopted Ordinance No. 346 City Code Chapter 6, Arlington Nuisance Code; and,

WHEREAS, this Ordinance has had a first and second reading; and,

WHEREAS, the City Council has authorized the publication of said Ordinance; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ARLINGTON THAT: The Arlington City Council authorizes a “Summary Publication” of this Ordinance to be published in the official newspaper of the City in summary form, as authorized by Minnesota Statute 412.191, Subdivision 4.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____; and upon poll being taken thereon the following voted in favor thereof: _____; and the following voted against the same: _____; and the following abstained from voting: _____; and the following were absent: none.

The foregoing resolution was adopted by the City Council of the City of Arlington this 21st day of November 2022.

Signed: _____
Mayor Richard Nagel

Attest: _____
Interim City Administrator Shirley Slater-Schulte

TO: Mayor Nagel and Councilmembers

FROM: Shirley Slater-Schulte, Interim City Administrator

DATE: November 17, 2022

RE: Bolton & Menk Proposal for On-call Planning Assistance

At the last meeting, the City Council authorized staff to check into having an On-call Planning Assistance since the previous Planner has resigned. Attached is the proposal submitted by Bolton & Menk regarding this service.

I had suggested that the city could setup Escrow Options, but in talking with Mojra with Bolton & Menk, she suggested 2 other options. I reviewed all options, and I would suggest #2 Pass-thru Option and if the City Council would like to be reimbursed for city staff time, it would be suggested to adopted #2 and #3.

I am suggesting that the Council consider adopting this proposal as the City needs assistance in the Planning Area and this would be an option that is available to us until staff and Council consider other options. Please call me if you have any questions.



Real People. Real Solutions.

1960 Premier Drive
Mankato, MN 56001-5900

Ph: (507) 625-4171
Fax: (507) 625-4177
Bolton-Menk.com

November 14, 2022

Shirley Slater-Schulte
Interim City Administrator
City of Arlington
204 Shamrock Drive
Arlington, MN 55307
CityHall@arlingtonmn.com

RE: Proposal for On-call Planning Assistance

Dear Ms. Slater-Schulte:

The City of Arlington is seeking on-call planning services to provide high-quality review and consistent customer service. Bolton & Menk, Inc. has the experience and qualifications to provide professional planning services. Like you, we take great pride in helping create a community that is safe, sustainable, and beautiful. Our approach to planning services makes Arlington's priorities, our priorities.

Project Understanding

The City of Arlington is in need of daily planning services, set up for on-demand response when there is an application submitted. We can provide cost effective, efficient and responsive review of planning applications, while ensuring compliance with Federal, State and City codes and policies.

Planning Team

The Bolton & Menk team is intended to serve as an extension of city staff. We proposed a team that is available online from 8am to 5pm, Monday through Friday and is composed of a Planner I, Planner II and Senior Planner. Most of the applications that are typical will be handled by the Planner I. Planner II or the Senior Planner will be available for quality control and more complex applications or questions. This setup can provide the optimum combination of accessibility and specialized expertise.

Bolton & Menk's multidisciplinary approach means we can answer a lot of questions with a phone call, email, or Teams chat. If specific technical questions arise during the process, we can answer them, usually without outside consultation or additional cost. In addition to extensive planning experience, our firm has expertise in civil engineering, surveying, landscape architecture, community development, GIS, funding and grant writing, graphic design, public outreach/engagement, communication/media, economic development, historic and cultural resources, environmental services, and many other related areas.

Work Plan

Below is a general work plan. As we learn and understand the City's needs, we can adapt this plan and provide more flexibility.

Day-to-Day Services

Day to day services will be billed on an hourly basis and can be adjusted to meet city needs. We are available from 8:00 AM to 5:00 PM, Monday through Friday, except holidays. We also anticipate development review activities may likely occur outside or in addition to office hours. To keep coordination seamless, we would like to have remote access to your planning files via a VPN or secured network or receive scanned copies of

applications. We are also comfortable having access to an established city planning e-mail address to respond to inquiries and communicate on your behalf.

Specialized Projects

These projects are specialized, more complex than daily planning applications and usually have a specific timeframe for completion. Examples of these projects include environmental reviews, master plans, small area studies, complete zoning ordinance rewrites or other special planning studies. Projects are not a part of this proposal. We will work with the city to define a scope of services and budget for other special projects, as they come up.

Fee Estimate

Most typical planning applications (non-specialized) take a couple hours to review.

We recommend an hourly fee that can be recuperated by the applicant/developer in several ways:

- 1) **Escrow Options:** Currently the city has an escrow of \$2,000 as a deposit to bill the review costs against. After the review is completed, hours billed are reconciled with escrow deposit and any unused amount is refunded to applicant. Disadvantage: The \$2,000 deposit may be high for average applicant and refunding fees consumes city administrative time.
- 2) **Pass -thru Option:** establish an escrow deposit that is more typical to review costs, such as a few hours for review (\$110/hr x 2 = \$220) from applicant, charge the total fee for Bolton & Menk's review to the applicant without mark up and as a pass-thru cost. If Bolton and Menk exceed the 2-hour fee and the review is not complete, we will notify you, however this should cover most applications. This alleviates staff from holding large fund amounts and handling refunds.
- 3) **Hybrid Option:** Provide pass through option as described in item #2 above and add a city administrative fee as a % or flat fee to over city costs.

Bolton and Menk does not charge for mileage or incidentals. Rates for our key personnel are as follows:

Employee	Hourly Rate
Senior Planner	\$175 per hour
Planner II	\$130 per hour
Planner I	\$110 per hour

References

You can reach out to other jurisdictions for references and can provide more upon request:

1) City of Forest Lake:

Abbi Whitman
Community Development Director
abbi.wittman@ci.forest-lake.mn.us
T. 651-209-9752

2) City of Jordan:

Tom Nikunen
City Administrator
tnikunen@jordanmn.gov
T. 612-269-8518

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3) City of Newport:

Travis Brierley
Assistant to the City Administrator
tbrierley@newportmn.com
T. 651-556-4601

We are excited about this opportunity to work with you and assist the City in its planning needs. Please contact Mojra Hauenstein at 952-378-6354 or Mojra.Hauenstein@bolton-menk.com if you have any questions regarding our proposal.

Respectfully submitted,



Mojra Hauenstein, AICP, Architect, LEED ND

Senior Planner

Bolton & Menk, Inc.

Office: 507-625-4171

Mobile: 775-722-6494

mojra.hauenstein@bolton-menk.com

Bolton-Menk.com



JENNI FAULKNER Project Manager, Senior Planner

Jenni will be the project manager and primary point of contact. She will coordinate with Arlington to deliver a transparent planning process. She can also assist with development review.

Jenni is a senior planner on the Bolton & Menk team who began her professional career in 1995. Her expertise spans the fields of city planning and land use, economic development, and housing. She has been a part of community development and planning teams for several metro cities in her career and most recently served as the Community Development Director for the City of Burnsville for over for 17 years. Her passion stems from her desire to provide sustainable and beautiful solutions to the communities she works in— “In my profession, I have the ability to positively impact and influence how people experience their physical environment.”



NATHAN FUERST, AICP Planner

Nathan will provide development review and planning support.

Nathan is a community planner at Bolton & Menk whose professional career began in 2016. He has worked in city planning departments. At Bolton and Menk his responsibilities include providing support to senior planners and project managers, assisting with the development of planning studies and reports, performing research, producing staff reports, coordinating with communities on development reviews, and presenting to planning commissions and city councils. Nathan’s passion for the field stems from how rewarding he finds it to see the impacts of planning on our everyday lives.



FRANNIE NIELSEN, Assistant Planner

Frannie will provide in person planning services and code enforcement and minor development review projects.

Frannie began her professional planning career when she joined Bolton & Menk in 2021. Her skills in public engagement, urban design, policy, and environmental sustainability make her a jack of all trades and an integral part of our planning team. Most recently Frannie served as planner for the City of Forest Lake until they filled a permanent position. In her role as a community planner, Frannie is able to combine her interests and passions of serving those in need, making human connections, and problem solving.