



**ARLINGTON CITY COUNCIL
MEETING AGENDA
January 17, 2023, 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. Swearing in of Councilmembers Curtis Ling

2. Call Meeting to Order and Pledge of Allegiance

3. Roll Call

4. Approve the Agenda and any Agenda Additions

5. Citizens Addressing the Council

CONSENT AGENDA

6. Approval of Consent Agenda
 - A) Approval of Bills

- B) January 3, 2022, City Council Meeting Minutes
- C) November 14, 2022, EDA Meeting Minutes
- D) December 12, 2022, EDA Meeting Minutes
- E) December 1, 2022, Planning & Zoning Meeting Minutes
- F) Appointment of Abdo as City Auditor

PETITIONS, REQUESTS & COMMUNICATION

- 7. Introduction of Attorney Kenneth Janssen of Gavin Janssen Stabenow Ltd.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

- 8. December Library Report-Library Director Andy Kelton
- 9. December Police Department Report- Police Chief Glenn Gerads
 - Approve/Deny Contract with Morris Electronics
 - Approve/Deny Police Policy Handbook
- 10. December Fire Department Report-Fire Chief Doug Mackenthun
- 11. December Public Works Report-Public Works Supervisor Kirby Weckworth
 - Approve/Deny hiring Peg Drentlaw for snow removal services
 - Discussion regarding snow removal equipment
- 12. December People Service Report
- 13. Interim City Administrator Update- Shirley Slater-Schulte

ORDINANCES AND RESOLUTIONS

UNFINISHED BUSINESS

- 14. Discussion to choose a Planning & Zoning Consultant
- 15. Discussion on Tony Hoff property

NEW BUSINESS

16. Discussion on the future of the Electrical Ad Hoc Committee

17. Discussion of 2023 Goals
2022 Goals-
 - a) Electronic Records for the Cemetery
 - b) Continue to follow 10-year CIP Plan
 - c) Task EDA to look at Low Income Housing
 - d) Simplify/Correct City Codes
 - e) Update City Comprehensive Plan

18. Discussion on Cannabinoid Sales within the City- attached is a copy of the moratorium that was approved by Council on September 19, 2022

19. Lion's Fish Fry Donation- Ideas for recipients, possibly the pool

MISCELLANEOUS BUSINESS

ADJOURNMENT

Reminders

January 5 at 7 pm-Planning & Zoning Meeting

January 9 at 5:30 pm-EDA Meeting

January 16 at 6:30 pm-Council Meeting



**ARLINGTON CITY COUNCIL
MEETING MINUTES
JANUARY 3, 2023, 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. Swearing in of Mayor Matthew Scharpe and Councilmembers Christina Litfin and Jeff Matz.
2. **Call Meeting to Order and Pledge of Allegiance** – Meeting was called to order at 6:36 p.m. by Mayor Scharpe.
3. **Roll Call-**

Members Present- Mayor Matt Scharpe, Councilmembers Dave Meyer, John Thomes, Jeff Matz and Christina Litfin.

Members Absent: None

Staff Present: Interim City Administrator Shirley Slater-Schulte

Guests Present – Kurt Menk *Arlington Enterprise*, Shirley Slater-Schulte, Interim City Administrator, Mayor Matt Scharpe, Councilmembers Dave Meyer, John Thomes, Jeff Matz and Christina Litfin, Gwen Scharpe, Tom Hatlestad, Curtis Ling, Kent Hubek

Approve the Agenda and any Agenda Additions.. Councilor Meyer made motion to approve the agenda, seconded by Councilor Thomes. All voting ayes. Motion carried.

4. Addressing the Council – None.

CONSENT AGENDA

5. Approval of Consent Agenda

- A) Approval of Bills
- B) December 19, 2022, City Council Meeting Minutes
- C) Approve moving EMT Samantha Gregory from a 0.6 FTE to 0.8 FTE

Councilor Thomes made motion to approve the Consent Agenda. Councilor Meyer seconded. All voting ayes. Motion carried

PETITIONS, REQUESTS & COMMUNICATIONS

- 6. RFP for City Attorney – Melchert Hubert Sjodin –** Council reviewed the RFP and the cost per hour was higher than the RFP from Kenneth Janssen- Gavin Janssen Stabenow Ltd.
- 7. Introduction of Attorney Kenneth Janssen with Gavin Janssen Stabenow Ltd –** Due to the weather conditions Attorney Kenneth Janssen was not present.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

- 8. December Library Report -**Due to the weather Library Director Andy Kelton was not present.
- 9. December Ambulance Report** due to the weather Ambulance Manager Jamie Weikle was not present.
- Approve/Deny moving Samantha Gregory from a 0.6 FTE to a 0.8 FTE
 - Review of CPR Survey to go out in the February Bills
 - Review of Contract to allow EMS students to do ride along clinical hours with the Arlington Area Ambulance
 - Review of EMS Ride-Along Program Handbook

Consensus of the council to approve the above request.

10. December Public Works Report was given by Public Works Supervisor Kirby Weckworth

- Additional Snow Removal Haulers

Austin Frauendienst @ \$125.00 per hour, per truck, when needed.

PEEPS Repair @ \$120.00 per hour, per truck, when needed.

Motion made by Councilor Meyer, seconded by Councilor Thomes to approve the hiring of Austin Frauendienst and Peeps Repair for the 2023 Snow Season. All voting ayes. Motion declared passed.

11. Interim City Administrator Update- Shirley Slater-Schulte reported staff is working on year- end reports, setting up new files for the 2023.

ORDINANCES AND RESOLUTIONS

12. SECOND READING OF ORDINANCE NO. 347 AN ORDINANCE AMENDING
Chapter 4, Section 4.03 C (1) LIBRARY COMMITTEE COMPOSITION

Mayor Scharpe introduced the second reading of Ordinance No. 347. Motion made by Councilor Litfin, seconded by Councilor Matz to adopt Ordinance No 347 as presented and authorized the staff to publish this ordinance in the legal newspaper. All voting ayes.

13. RESOLUTION 01-2023 DESIGNATING THE OFFICIAL CITY DEPOSITORY

Resolution 01-2023 was introduced by Councilor Meyer, seconded by Councilor Litfin. Mayor Scharpe called for a Roll Call Vote as follows: Councilors Litfin, Matz, Thomes and Meyer all voting aye. Resolution declared passed.

14. RESOLUTION 02-2023 AUTHORIZING SIGNATURE AUTHORITY FOR CITY ACCOUNTS

Resolution 02-2023 was introduced by Councilor Thomes, seconded by Councilor Matz. Mayor Scharpe called for a Roll Call Vote as follows: Councilors Meyer, Matz, Litfin and Thomes all voting aye. Resolution declared passed.

15. RESOLUTION 03-2023 AUTHORIZING THE OFFICIAL CITY NEWSPAPER

Resolution 03-2023 was introduced by Councilor Meyer, seconded by Councilor Litfin. Mayor Scharpe called for a Roll Call Vote as follows: Councilors Matz, Litfin, Thomes and Meyer all voting aye. Resolution declared passed.

16. RESOLUTION 04-2023 APPROVING THE 2023 CITY CALENDAR

Resolution 04-2023 was introduced by Councilor Matz, seconded by Councilor Meyer. Mayor Scharpe called for a Roll Call Vote as follows: Councilors Thomes, Litfin, Meyer and Matz all voting aye. Resolution declared passed.

17. RESOLUTION 05-2023 ACCEPTING AN APPOINTMENT TO FILL A VACANCY ON THE CITY COUNCIL

Resolution 05-2023 was introduced by Councilor Meyer, seconded by Councilor Thomas to approve the appointment of Curtis Ling to fill a 2-year vacancy created by the resignation of former Councilor Matt Scharpe. Mayor Scharpe called for a Roll Call Vote as follows: Councilor Matz, Thomes, Meyer and Litfin all voting ayes. Resolution declared passed.

18. RESOLUTION 06-2023 APPROVING THE APPLICATION FOR A LAWFUL GEMBLING PERMIT FOR SIBLEY COUNTY AGRICULTURAL ASSOCIATION

Resolution 06-2023 was introduced by Councilor Litfin, seconded by Councilor Thomas. Mayor Scharpe called for a Roll Call Vote as follows: Councilors Meyer, Matz, Thomes, and Litfin all voting ayes. Resolution declared passed.

19. RESOLUTION 07-2023 RATIFYING MAYORAL APPOINTMENTS AND COMMITTEES

Resolution 07-2023 was introduced by Councilor Meyer, seconded by Councilor Litfin. Mayor Scharpe called for a Roll Call Vote as follows: Councilors Litfin, Matz, Thomes, and Meyer all voting ayes. Resolution declared passed.

UNFINISHED BUSINESS**NEW BUSINESS**

20. RECOMMENDATION TO HIRE KENNETH JANSSEN OF GAVIN JANSSEN & STABENOW LTD. AS OUR CONTRACTUAL CITY ATTORNEY

Motion was made by Councilor Meyer, seconded by Councilor Litfin to hire Kenneth Janssen with the firm of Gavin Janssen & Stabenow Ltd as the Contractual City Attorney for the City of Arlington at \$145.00 per hour and to attend one Council meeting per month. All voting ayes. Motion declared passed.

21. LEASING OF LAND TO NUVERA NEAR THE WATER TOWER FOR A CABINET SITE FOR A BURIED OPTIC PROJECT FOR 2023

Motion made by Councilor Meyer, seconded by Councilor Thomas to table this matter to the next meeting. All voting ayes. Motion declared passed.

~~**22. APPROVE/DENY ADDING AUSTIN FRAUENDIENST AND PEEPS REPAIR FOR 2023 HAULING SNOW SEASON FOR THE CITY OF ARLINGTON**~~

23. MOTION TO APPROVE PAY REQUEST NO. 9 FROM GRIDOR CONSTRUCTION IN THE AMOUNT OF \$78,188.80

Motion made by Councilor Thomes, seconded by Councilor Meyer to approve Pay Request No. 9 from Gridor Construction in the amount of \$78,188.80. All voting ayes. Motion declared passed.

MISCELLANEOUS BUSINESS

ADJOURNMENT

Motion to adjourn was made by Councilor Thomes, seconded by Councilor Meyer. All voting ayes. Meeting was adjourned at 7:04 p.m. Motion declared passed.

Mayor Matthew Scharpe

ATTEST: _____

Interim City Administrator Shirley Slater-Schulte



**ECONOMIC DEVELOPMENT AUTHORITY
MEETING MINUTES**

NOVEMBER 14, 2022 @5:30 P.M.

Arlington Community Center - Council Chambers

1. Call to Order – Meeting called to order at 5:30 p.m. by President Kurt Menk.
Present: Dean Bergersen, Larry Sorenson, Kurt Menk, Matt Scharpe, Tim Kloeckl, Joe Morgan, Howard Brinkman
Absent: None
Staff Present: EDA Director Amy Newsom
2. Pledge of Allegiance – All stood for the Pledge of Allegiance.
3. Approval of Agenda – Newsom asked to move Nuvera Fiber from 8.E. to 6.A. and add Siwek Driveway to 6.B. Motion by Bergersen to approve the agenda as amended, seconded by Kloeckl. Motion carried.
4. Approval of Minutes
 - A. October 10, 2022- Motion by Scharpe to approve the October 10, 2022, minutes, seconded by Sorenson. Motion carried.
5. Approval of Reports
 - A. October Financial Report -Motion by Kloeckl to approve the October Financial Report, seconded by Bergersen. Motion carried.
6. New Business
 - A. Nuvera Fiber – Newsom reported that she spoke with someone from Nuvera who said they still planned to move forward with fiber in the ground in Arlington. Nuvera asked if the city would be willing to offer incentives to the company. Motion by Brinkman to waive any permits for Nuvera, seconded by Kloeckl. Motion carried.
 - B. Siwek Lumber driveway – Newsom spoke with Siwek regarding the \$20,000 that was committed to Siwek as a business subsidy for the driveway at the Villa's. Newsom presented the bill for the driveway from Wm Mueller. Siwek was billed \$106,325.71 for paving the drive. Motion by Morgan to pay \$20,000 directly to Siwek for the driveway, seconded by Koeckl. Motion carried.
7. Old Business
 - A. 2023 Goals
EDA Goals will be:
 1. Business and Industrial Development

- a. Sell parcels of land owned by the EDA (2 left)
 - b. Work with P&Z on creating an Orderly Annexation
 - c. Work to attract specific businesses to town – i.e. meat market, pharmacy
 - d. CR 166 expansion
 - e. Work to bring motel to town
2. Housing Goals
- a. Work with developers on low-income housing as directed by City Council - create a Tiny Homes Policy
 - b. Continue to encourage new housing development in town including apartments
3. Marketing Goals
- a. Open for discussion
 - b. Business visits
 - c. EDA Facebook page
 - d. Focus on Main Street
 - e. Tour facilities
8. EDA Director update on businesses and housing
- A. Amba Homes update – Newsom reported that they are still waiting on easement for final plat.
 - B. CAD Properties update – Newsom reported that still she is still working with them on replating the lots from 8 to 6.
 - C. AJH Properties update – Councilmembers Morgan and Scharpe provided an update stating that Hoff hooked to the water main without asking. Council would like him to dig it up, have engineer inspect it. Attorney Arenson sent Hoff a letter. Hoff asked why an engineer had to inspect it instead of a plumber.
 - D. 419 West Main Street – Newsom spoke with Jesus Mendoza regarding his property and reviewed what would be allowed to be rebuilt under current Zoning Code.
 - ~~E. Nuvera Fiber~~
9. P&Z Update – nothing planned for P&Z.
10. Director and Board Comments - none.
11. Adjourn - Motion by Kloeckl to adjourn the meeting at 6:25 p.m., seconded by Bergersen. Motion carried.

EDA Director Amy Newsom

EDA President Kurt Menk



**ECONOMIC DEVELOPMENT AUTHORITY
MEETING MINUTES
DECEMBER 12, 2022 @5:30 P.M.
Arlington Community Center - Council Chambers**

1. Call to Order - Meeting was called to order at 5:30 by President Kurt Menk.
Present: Dean Bergersen, Larry Sorenson, Kurt Menk, Matt Scharpe, Joe Morgan, Tim Kloeckl
Absent: Howard Brinkman
Staff present: EDA Director Amy Newsom
2. Pledge of Allegiance – All stood for the Pledge of Allegiance
3. Approval of Agenda – Motion by Scharpe to approve the agenda, seconded by Bergersen. Motion carried.
4. Approval of Minutes
 - A. November 14, 2022 – Motion by Morgan to approve the November 14 minutes, seconded by Scharpe. Motion carried.
5. Approval of Reports
 - A. November Financial Report – Motion by Scharpe to approve the November Financial Report, seconded by Sorenson. Motion carried.
6. New Business
 - A.
7. Old Business
 - A. 2023 Goals – Consensus of the EDA Board to approve the 2023 goals. EDA Goals will be:
 1. Business and Industrial Development
 - a. Sell parcels of land owned by the EDA (2 left)
 - b. Work with P&Z on creating an Orderly Annexation
 - c. Work to attract specific businesses to town – i.e. meat market, pharmacy
 - d. CR 166 expansion
 - e. Work to bring motel to town
 2. Housing Goals
 - a. Work with developers on low-income housing as directed by City Council - create a Tiny Homes Policy
 - b. Continue to encourage new housing development in town including apartments

3. Marketing Goals
 - a. Open for discussion
 - b. Business visits
 - c. EDA Facebook page
 - d. Focus on Main Street
 - e. Tour facilities
 - B. Nuvera Fiber – Councilmembers Scharpe and Morgan provided an update to the EDA. They stated that Nuvera is working on a marketing plan. They are looking to get at least 30 percent of the town to commit and will build out those that commit first. City Council agreed to waive permit fees for Nuvera.
-
8. EDA Director update on businesses and housing
 - A. Business visits and Facebook page – Bakery, DAC and Sibley Seconds – Newsom reported on the month’s business visits and new EDA Facebook page.
 - B. Scott Equipment - Newsom reported that she spoke with a realtor who was looking for property for Scott Equipment.
 - C. Brent Rierson- Newsom spoke with Brent Rierson. He is interested in maybe building in Arlington. Rierson received TIF to build in Gaylord. Looking at building townhomes/twin homes on former Trocke property.
-
9. P&Z Update – No P&Z Administrator yet. Newsom stated that final plats, etc. must go before an engineer for final approval anyway. Scharpe stated that the city would make sure that projects moved forward.
-
10. Director and Board Comments - Newsom reported that she was working with Connect Business magazine on an EDA advertisement to sell our 10-acre parcel.
-
11. Adjourn – Motion by Bergersen to adjourn the meeting at 6 pm, seconded by Sorenson. Motion carried.

EDA Director Amy Newsom

EDA President Kurt Menk



PLANNING AND ZONING COMMITTEE
Meeting Minutes
December 1, 2022, AT 7:00 PM
Arlington Community Center – Council Chambers

Members Present

Tom Meyer

Jeanne Bearson

Jos Prasad

Tom Hatlestad

Brandon Brinkman

Michelle Battcher

1. Call Meeting to Order -
2. Pledge of Allegiance
3. Approve the Agenda – Add 6 B – Consulting Service Contract presented by Philip D. Mangis III

Motion by Michelle Battcher, seconded by Tom Hatlestad. All voting ayes.

4. Approve the Minutes of October 6th, 2022

Motion by Michelle Battcher, seconded by Tom Hatlestad. All voting ayes.

5. Update on Amba Homes

Interim City Administrator Slater-Schulte gave a brief update on Amba Homes and that the developer is working on obtaining easements for this project.

6. New Business

- a. Review Proposal for Planning Services with Bolton & Menk – Interim City Administrator reviewed the proposal that was in the packet of \$121.00 per hour to have a use of a Planner for review of planning projects, hours should not exceed 10 hours per month.
- b. Another proposal was presented by Consultant Philip Mangis III which would include 35 hours per month at \$50.00 per hour. Mr. Mangis did answer questions asked of him.

Matt Scharpe spoke to the Planning Commission in favor of hiring Philip Mangis III.

Brandon Bracht spoke in favor of Bolton & Menk.

Motion to include these fees on the fee schedule.

Motion made Michelle Battcher, seconded by Brandon Brinkman. All voting ayes.

MOTION: Motion to recommend the hiring of Bolton & Menk as the City Planner.

Motion made by Michelle Battcher, seconded by Dave Meyer. Ayes: Battcher, Meyer and Bearson. Nays: Prasad, Hatlestad and Brandon Brinkman. Motion failed.

After more discussion another motion was made to recommend the hiring of Bolton & Menk.

Motion made by Michelle Battcher, seconded by Dave Meyer. Ayes: Battcher, Meyer and Bearson. Nays: Prasad, Hatlestad and Brandon Brinkman. Motion failed.

Mayor Richard Nagel was in the audience and commented that the city is working on hiring a new city administrator and hopefully that individual will have planning experience but that the city needs someone to help staff at the present time.

7. Other/Updates

- a. None

8. Motion to adjourn at 7:46 p.m.

Motion made by Brinkman, seconded by Hatlestad. All voting ayes.

Joe Prasad, Planning & Zoning Chair

Attest: _____

Interim City Administrator Shirley Slater-Schulte

(FYI)



January 6, 2023

Management, Honorable Mayor and City Council
City of Arlington
Arlington, Minnesota

We are pleased to confirm our understanding of the services we are to provide the City of Arlington (the City) for the year ended December 31, 2022.

Audit Scope and Objectives

We will audit the financial statements of the the governmental activities, the business-type activities, the discretely presented component units, each major fund and the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of the City as of and for the year ended December 31, 2022. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management’s discussion and analysis (MD&A), to supplement the City’s basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City’s RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- 1) Management’s Discussion and Analysis
- 2) Schedule of Funding Progress, Employer’s Share of Net Pension Liability and Employer’s Contributions

We have also been engaged to report on supplementary information other than RSI that accompanies the City’s financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor’s report on the financial statements:

- 1) Combining and Individual Fund Financial Statements and Schedules
- 2) Summary Financial Report - Revenues and Expenditures for General Operations - Governmental Funds

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor’s report will not provide an opinion or any assurance on that other information.

- 1) Introductory Section

Edina Office

5201 Eden Avenue, Ste 250
Edina, MN 55436
P 952.835.9090

Mankato Office

100 Warren Street, Ste 600
Mankato, MN 56001
P 507.625.2727

Scottsdale Office

14500 N Northsight Blvd, Ste 233
Scottsdale, AZ 85260
P 480.864.5579



Arlington Police Department

Glenn Gerads, Chief of Police

108 4th Ave. NW

Arlington, MN 55307

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

DECEMBER 2022 – 227 Recorded ICR's

Business/Door Checks	47
Park Checks	26
Directed Patrol/Traffic Detail	24
Parking Violations	23
Traffic Stops	20
Agency Assist	12
Residence Watch	11
Ordinance Violations	7
Informational	7
Suspicious Activity	6
Public Assist	5
Animal Calls	4
Juvenile Trouble/Truancy	3
911 Hang-up	3
Civil Matters	3
School Patrols	3
Medical Calls	2
Accidents	2
Motorist Assist	2
Property Damage	2
Found Property	2
Driving Complaint	1
Noise Complaint	1
Public Relations/School Event	1
Child Protection/Custody	1
Harassment Complaint	1
Suicidal Calls	1
Death	1
Criminal Sexual Conduct	1
Fire Call	1
Alarms	1
Burglary	1
Theft	1
Adult Protection	1

Glenn Gerads #301
Police Chief



Arlington Police Department

Glenn Gerads, Chief of Police

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Arlington, MN 55307

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

DECEMBER 2022

12-1-22

- Park Check – 600 Block W. Baker St.
- Business Check – 800 Block 7th Ave. NW
- Business Check – 600 Block W. Chandler St.
- Public Assist/Agency Assist – 500 Block 2nd Ave. NW
- Public Assist – 100 Block 4th Ave. NW
- Public Assist – 100 Block 4th Ave. NW
- Found Property – 100 Block 4th Ave. NW
- Agency Assist – 100 Block 4th Ave. NW
- School Patrol – 200 Block 3rd Ave. NW
- Informational – 200 Block E. Dayton St. (SO)
- Agency Assist/Driving Complaint – Intersection Cty. Rd. 9 & Cty. Rd. 12
- Business Check – 500 Block 2nd Ave. NW
- Directed Patrol/Traffic Detail – 400 Block E. Adams St.
- Business Check – 100 Block 1st Ave. N.
- Directed Patrol/Traffic Detail – Intersection 4th Ave. & Main St.
- Traffic Stop – Intersection Main St. & 4th Ave.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection Hwy 5 & 401st Ave.

12-2-22

- Park Check – 24200 Block 387th Ave.
- Park Check – 300 Block 1st Ave. S.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & Marion Dr.
- Business Check – 300 Block W. Main St.
- Business Check – 600 Block W. Chandler St.
- Suspicious Activity – 200 Block E. Dayton St.
- Parking Violation – 300 Block 2nd Ave. NW
- Ordinance Violation – 300 Block 2nd Ave. NW
- Parking Violation – Intersection Hwy 5 & W. Alden St.

12-3-22

- Alarm – 400 Block W. Main St.
- Parking Violation – 300 Block E. Main St.
- Parking Violation – 200 Block W. Main St.
- Parking Violation – 400 Block W. Main St.
- Parking Violation – Intersection Hwy 5 & W. Alden St.
- 911 Hangup – 400 Block E. Adams St.
- Residence Watch – 300 Block Frenzel Dr.
- Traffic Stop – Intersection Hwy 5 & Marion Dr.
- Business Check – 100 Block 1st Ave N.
- Park Check – 600 Block W. Baker St.
- Park Check – 300 Block 1st Ave. S.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Park Check – 24200 Block 387th Ave.



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12-4-22

- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Main St.
- Business Check – 300 Block W. Main St.

12-5-22

- Agency Assist/Alarm – 23200 Block 401st Ave. (SO)
- Accident – 300 Block W. Alden St.
- School Patrol – 200 Block 3rd Ave. NW
- Traffic Stop – 100 Block 5th Ave. NW
- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 200 Block Shamrock Dr.
- Business Check – 500 Block 2nd Ave. NW
- Business Check – 100 Block 1st Ave. N.
- Ordinance Violation – 300 Block E. Main St.
- Ordinance Violation – 300 Block E. Main St.
- Business Check – 300 Block W. Main St.
- Park Check – 300 Block 1st Ave. S.

12-6-22

- Motorist Assist – Intersection Hwy 5 & 4th Ave.
- Found Property – 300 Block W. Main St.
- Agency Assist – 100 Block 4th Ave. NW
- School Patrol – 200 Block 3rd Ave. NW
- Directed Patrol/Traffic Detail – Intersection 411th Ave. & W. Main St.
- Traffic Stop – Intersection 401st Ave. & E. Chandler St.
- Ordinance Violation – 300 Block E. Baker St.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection 4th Ave. SE & E. Baker St.
- Business Check – 23200 Block 401st Ave.
- Directed Patrol/Traffic Detail – Intersection Henderson Rd. & 4th Ave. SE
- Business Check – 300 Block W. Main St.
- Park Check – 600 Block Frenzel Dr.
- Park Check – 24200 Block 387th Ave.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Alden St.

12-7-22

- Business Check – 600 Block W. Chandler St.
- Civil Matter – 400 Block 3rd Ave. SE
- Agency Assist – 100 Block 4th Ave. NW
- Agency Assist/Adult Protection – 100 Block 7th Ave. SW
- Med Disposal/Informational – 100 Block 4th Ave. NW
- Traffic Stop – Intersection Hwy 5 & 411th Ave. (SO)



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12-8-22

- Suspicious Activity – 200 Block 3rd Ave. NW

12-9-22

- Criminal Sexual Conduct – 200 Block 7th Ave. SW
- Civil Matter – 100 Block 4th Ave. NW
- Juvenile Trouble – 200 Block 3rd Ave. NW

12-10-22

- Suspicious Activity – Intersection WB Hwy 5 & City Limits (SO)
- Residence Watch – 300 Block Frenzel Dr.
- Ordinance Violation – 800 Block Pond View Dr.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Main St.
- Directed Patrol/Traffic Detail – Intersection 4th Ave. SE & Henderson Rd.
- Directed Patrol/Traffic Detail – 800 Block 7th Ave. NW
- Business Check – 500 Block 2nd Ave. NW
- Business Check – 500 Block 2nd Ave. NW
- Traffic Stop – Intersection Shamrock Dr. & Mary Ln.
- Traffic Stop – Intersection Hwy 5 & W. Chandler St.
- Park Check – 24200 Block 387th Ave.
- Suspicious Activity – Intersection Hwy 5 & Cty. Rd. 9

12-11-22

- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 300 Block W. Main St.
- Business Check – 600 Block W. Chandler St.
- Ordinance Violation – 700 Block Marion Dr.
- Directed Patrol/Traffic Detail – Intersection Main St. & 4th Ave.
- Traffic Stop – Intersection Hwy 5 & Marion Dr.
- Business Check – 23200 Block 401st Ave.
- Traffic Stop – Intersection Hwy 5 & Marion Dr.
- Suicidal Call – 300 Block 7th Ave. NW
- Business Check – 500 Block 2nd Ave. NW
- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 300 Block W. Main St.
- Business Check – 23200 Block 401st Ave.
- Park Check – 24200 Block 397th Ave.
- Directed Patrol/Traffic Detail – 800 Block 7th Ave. NW

12-12-22

- Agency Assist – 100 Block Tower St., Gaylord



Arlington Police Department

Glenn Gerads, Chief of Police

108 4th Ave. NW
Arlington, MN 55307

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

12-13-22

- Agency Assist/Suspicious Activity – 400 Block W. Alden St. (SO)
- Ordinance Violation – 500 Block W. Adams St.
- Animal Call – 100 Block 4th Ave. NW

12-14-22

- Death – 100 Block W. Alden St.
- Animal Call – 400 Block E. Adams St.
- Child Protection – 400 Block E. Adams St.
- Business Check – 500 Block 2nd Ave. NW
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Adams St.
- Park Check – 400 Block 2nd Ave. NE
- Business Check – 23100 Block 401st Ave.
- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 100 Block 1st Ave. N.
- Park Check – 300 Block 1st Ave. S.
- Park Check – 24200 Block 401st Ave.
- Park Check – 600 Block W. Baker St.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Alden St.

12-15-22

- Business Check – 300 Block W. Main St.
- Business Check – 600 Block W. Chandler St.
- Medical Call/Agency Assist – 100 Block 7th Ave. SW
- Agency Assist – 100 Block 4th Ave. NW
- Parking Violation – 100 Block E. Adams St.
- Parking Violation – 200 Block E. Adams St.
- Parking Violation – 200 Block E. Alden St.
- Parking Violation – 500 Block W. Baker St.
- Parking Violation – 500 Block W. Baker St.
- Parking Violation – 800 Block W. Main St.
- Parking Violation – Intersection 5th Ave. NW & W. Alden St.
- Parking Violation – Intersection 3rd Ave. & W. Adams St.
- Traffic Stop – Intersection 411th Ave. & Cty. Rd. 12
- Business Check – 23200 Block 401st Ave.
- Traffic Stop – Intersection 3rd Ave. & Adams St.
- Business Check – 500 Block 2nd Ave. NW
- Directed Patrol/Traffic Detail – Intersection Henderson Rd. & 4th Ave. SE
- Business Check – 100 Block 1st Ave. N.
- Park Check – 300 Block 1st Ave. S.
- Park Check – 24200 Block 387th Ave.
- Parking Violation – 600 Block W. Brooks St.



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12-16-22

- Parking Violation – Intersection W. Main St. & 3rd Ave.
- Informational – 400 Block W. Alden St.
- Business Check – 600 Block W. Chandler St.
- Fire Call/Agency Assist – 38800 206th St., Green Isle
- Accident – Intersection 401st Ave. & Hwy 5

12-17-22

- Harassment Complaint – 700 Block Chestnut Dr.
- Business Check – 500 Block 2nd Ave. NW
- Business Check – 100 Block 1st Ave. NW
- Business Check – 23200 Block 401st Ave.
- Suspicious Activity – 300 Block W. Main St.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Main St.

12-18-22

- Business Check – 300 Block W. Main St.
- Park Check – 300 Block 1st Ave. S.
- Directed Patrol/Traffic Detail – 800 Block 7th Ave. NW
- Informational – 500 Block 2nd Ave. NW

12-19-22

- Driving Complaint – Intersection 3rd Ave. SW & W. Adams St.
- Public Assist – 100 Block 4th Ave. NW
- Animal Call – 800 Block 7th Ave. NW
- Public Relations/Council Meeting – 200 Block Shamrock Dr.
- Traffic Stop – Intersection Hwy 5 & 411th Ave. (SO)
- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 500 Block 2nd Ave. NW
- Business Check – 100 Block 1st Ave. N.
- Park Check – 600 Block W. Baker St.
- Residence Watch – 300 Block Frenzel Dr.
- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Brooks St.

12-20-22

- Directed Patrol/Traffic Detail – 800 Block 7th Ave. NW
- Park Check – 300 Block 1st Ave. S.
- Business Check – 600 Block W. Chandler St.
- Theft – 200 Block 3rd Ave. NW
- Juvenile Trouble – 200 Block 3rd Ave. NW
- Juvenile Trouble – 200 Block 3rd Ave. NW
- Suspicious Activity – 400 Block W. Alden St.
- Traffic Stop – Intersection 2nd Ave. NW & Hwy 5
- Traffic Stop – Intersection 4th Ave. NE & Hwy 5



Arlington Police Department

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- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 100 Block 1st Ave. N.
- Directed Patrol/Traffic Detail – Intersection 4th Ave. & E. Main St.
- Business Check – 100 Block 1st Ave. N.
- Residence Watch – 300 Block Frenzel Dr.
- Business Check – 300 Block W. Main St.
- Park Check – 24200 Block 387th Ave.
- Residence Watch – 400 Block W. Alden St.
- Park Check – 600 Block W. Baker St.
- Park Check – 300 Block 1st Ave. S.

12-21-22

- Directed Patrol/Traffic Detail – Intersection Hwy 5 & W. Alden St.
- Parking Violation – 500 Block W. Baker St.
- Parking Violation – 500 Block W. Baker St.
- Parking Violation – 100 Block W. Alden St.
- Parking Violation – 300 Block E. Main St.
- Parking Violation – 200 Block E. Clinton St.
- Parking Violation – 100 Block W. Main St.
- Parking Violation – 800 Block W. Main St.

12-22-22

- Agency Assist/911 Hangup – 400 Block E. Baker St. (SO)
- Agency Assist/Juvenile Trouble – 100 Block Henderson Rd. (SO)
- 911 Hangup – 200 Block Frenzel Dr.

12-23-22

- Public Assist – 200 Block Shamrock Dr.
- Informational – Intersection Main St. & 4th Ave.
- Directed Patrol/Traffic Detail – Intersection 7th Ave. NW & W. Douglas St.
- Business Check – 500 Block 2nd Ave. NW
- Medical Call/Agency Assist – 800 Block W. Main St.
- Business Check – 23200 Block 401st Ave.
- Informational – 800 Block W. Main St.
- Business Check – 100 Block 1st Ave. NW
- Business Check – 100 Block 1st Ave. NW
- Park Check – 300 Block 1st Ave. S.
- Park Check – 24200 Block 387th Ave.

12-24-22

- Informational – 500 Block 2nd Ave. NW
- Park Check – 600 Block W. Baker St.
- Business Check – 300 Block W. Main St.
- Motorist Assist – Intersection Hwy 5 & 230th St. (SO)



Arlington Police Department

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108 4th Ave. NW
Arlington, MN 55307

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

12-25-22

12-26-22

12-27-22

- Property Damage – 200 Block E. Adams St.
- Burglary – 400 Block W. Brooks St.

12-28-22

12-29-22

- Animal Call – 100 Block Tower, Gaylord
- Adult Protection – 400 Block 7th Ave. NW

12-30-22

- 911 Hangup – 300 Block E. Main St.
- Traffic Stop – Intersection Hwy 5 & W. Alden St. (SO)
- Traffic Stop – Intersection Main St. & 5th Ave. NW (SO)
- Agency Assist/Alarm – 500 Block 2nd Ave. NW (SO)
- Noise Complaint – 400 Block E. Adams St.

12-31-22

- Civil Matter – 400 Block E. Brooks St.
- Property Damage – 500 Block 3rd Ave. NW

Glenn Gerads #301
Police Chief

2022 MONTHLY CALLS

	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	TOTALS
911 Hang-Up	5			1	4	5	1	3		3		3	25
Accident	3	2	3	1	1	2		2	1		1	2	18
Adult Protection		2			1	1		1		1	4	1	11
Agency Assist	8	10	9	6	11	20	22	13	18	20	11	12	160
Alarms (Burglary/Smoke/Fire)	2	1	1	1	1	5	3	1	1	3		1	20
Animal Calls	1	4	3	5	8	5	5	8	3	4	3	4	53
Apartment Checks											1		1
Assault			1		1		1		1		2		6
Burglary						2	3					1	6
Business/Door Checks	8	7	7	5	3	1	1	5	18	31	64	47	197
Child Endangerment		3											3
Child Protection/Custody		1	2	2	2	2	3	1	1	1		1	16
Civil Matters	2	1	1	2	2	1	2	3	7	5		3	30
Criminal Sexual Conduct											1	1	2
Death			1		1		1					1	4
Directed Patrol/Traffic Detail		2		1	2	1	7	8	8	12	46	24	111
Domestic	1	1	2		1	1	3	1	2	2	1		15
Driving Complaint			2	2	1	2	2	3		3	2	1	18
DUI/DWI	1				1		1	1		1			5
Fight in Progress				1									1
Fire Call	2		1		2	1	1		2	2	3	1	15
Found Property		2		2	1	3		10				2	20
Funeral/Public Escort		1							1				2
Harassment Complaints		1	2			1		3	1			1	9
Helipad Security													0
Informational	5	8	5	6	2	6	6	5	5	8	5	7	68
Juvenile Trouble/Truancy	3	4		2	1	1	2		3	1	2	3	22
K9 Activity/Demos/Training/Sniff							1						1
Medical Calls	3	7	7	11	11	3	6	1	4	4	9	2	68
Minor/Underage Consump/Possess													0
Missing Person/Runaway	1			1			1	1		1			5
Motorist Assist		2		1				1			1	2	7
Motor Vehicle Theft						1							1
Narcotic Sale/Possession										1			1
Noise Complaint		1	2	2	1	2	8	3	4	1		1	25
OFF/HRO/POR/Probation Violations	1				1		1			1			4
Open Door			2										2
Ordinance Violations					1	5	3	7	4	22	3	7	52
Paper Service/Delinquant Notices													0
Park Checks				1						12	36	26	75
Parking Violations		2			2			1			4	23	32
Prisoner Transport													0
Property Damage		1						2	1	2	3	2	11
Public Assist	4	5	5	7	3	4	2	4	4	3	9	5	55
Public Relations/School/CC Event			1							2		1	4
Residence Watch	28	51	52	10				1		10	4	11	167
Scams	1		2	1			1	2	1	1			9
School Patrols										2	4	3	9
Suicidal				1		1						1	3
Suspicious Activity	3	2	4	8	6	3	4	6	6	16	8	6	72
Theft			1			2	1	1	2	11	6	1	25
Threats					1	3	2	1			1		8
Traffic Hazard					1								1
Traffic Stops	29	44	48	33	47	26	20	29	35	67	46	20	444
Trespass										1			1
Vandalism					1								1
Vehicle Lockout								2		2	1		5
Voter Fraud													0
Warrant (Search/Check/Arrest)	1		4			1	4	1	1		1		13
Welfare Check	1	2	1	1	2	1		5	6	1	7		27
TOTALS	113	167	169	114	123	112	118	136	140	257	290	227	1966
													1966

*Interim Chief (Jan-July) {from SO}; FT Chief (Aug-Dec)

** 2 FT officers (Jan-mid Jun), 1 FT officer mid June-Aug; 2 FT officers (Sept-mid Oct), 1 FT officer (mid Oct-Dec)

{Public Relations: School/CC Event/Council Mtg: officer stopped to see how event was going or asked to provide security @ mtg}

ARLINGTON POLICE CALLS YEARLY TOTALS

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
911 Hang-Up	9	18	16	15	18	25			
Accident	18	30	22	24	22	18			
Adult Protection	12	7	11	9	11	11			
Agency Assist	135	125	155	148	124	160			
Alarms (Burglary/Smoke/Fire)	31	30	39	38	42	20			
Animal Calls	40	89	89	99	55	53			
Apartment Checks	51	137	114	3	0	1			
Assault	5	10	11	7	3	6			
Burglary	6	3	4	2	2	6			
Business Checks/Door Checks	317	401	349	159	14	197			
Child Endangerment	3	3	9	1	2	3			
Child Protection/Custody	18	34	28	28	8	16			
Civil Matters	20	20	40	30	24	30			
Criminal Sexual Conduct	2	3	0	2	1	2			
Death	4	15	2	0	3	4			
Directed Patrol/Traffic Detail	13	1	39	71	3	111			
Diversion	1	0	0	0	0	0			
Domestic	20	19	0	26	15	15			
Driving Complaint	23	26	21	48	36	18			
DUI/DWI	9	11	38	6	7	5			
Escort Court Ord	0	0	10	0	0	0			
Fight in Progress	3	4	4	1	0	1			
Fire Call	1	15	14	9	6	15			
Found Property	17	18	25	14	12	20			
Funeral/Public Escort	13	5	10	2	4	2			
Harassment Complaints	11	16	25	15	7	9			
Helipad Security	3	8	11	12	3	0			
Informational	23	48	134	116	75	68			
Juvenile Trouble/Truancy/Curfew	21	18	44	53	20	22			
K-9 Sniff/Activity/Training	0	23	12	1	0	1			
Medical Calls	29	65	134	83	65	68			
Minor/Underage Consump/Possess	2	4	2	0	1	0			
Missing Person/Runaway	9	0	5	3	2	5			
Motorist Assist	16	30	41	18	15	7			
Motor Vehicle Theft	1	3	3	1	2	1			
Narcotic Sale/Possession	8	9	6	4	5	1			
Noise Complaint	17	34	111	58	24	25			
OFP/HRO/Probation Violations	2	12	11	7	2	4			
Open Door	7	15	20	12	2	2			
Ordinance Violations	55	231	194	88	52	52			
Paper Service/Deliquent Notices	30	2	0	0	0	0			
Park Checks	360	189	249	171	3	75			
Parking Violations	45	98	155	71	43	32			
Possess Stolen Property	0	0	0	0	0	0			
Prisoner Transport	1	0	0	0	0	0			
Property Damage	10	13	30	22	16	11			
Public Assist	97	136	191	195	66	55			
Public Relations/School/CC Event	38	70	73	22	0	4			
Residence Watch	42	90	103	124	18	167			
Scams	11	21	21	20	11	9			
School Patrols	65	114	120	41	1	9			
Skywarn/Weather Warn	0	0	0	0	0	0			
Suicidal	2	1	3	0	3	3			
Suspicious Activity	110	108	171	138	99	72			
Theft	38	52	73	47	21	25			
Threats	3	6	7	17	4	8			
Traffic Hazard	6	9	20	7	14	1			
Traffic Stops	327	732	1307	824	935	444			
Trespass	5	8	7	7	4	1			
Vandalism	20	7	3	6	4	1			
Vehicle Lockout	18	40	29	18	2	5			
Voter Fraud	1	1	0	0	0	0			
Warrant (Search/Check/Arrest)	28	45	39	9	18	13			
Welfare Check	29	26	42	36	27	27			
TOTAL CALLS	2261	3308	4446	2988	1976	1966	0	0	0

From: Glenn Gerads
Sent: Thursday, January 5, 2023 7:40 AM
To: City of Arlington - General
Subject: Morris Electronics

Good morning, Shirley,

I've attached my contract with Morris Electronics for 2023. This is a renewal for the same rate as 2022. Does the council have to approve this renewal contract? I just received it yesterday. We pay \$200 a week for unlimited remote IT support. The only time we pay extra is if they need to come out for a hardware install but we should be done with all that for a while. They also monitor the system constantly for any system alarms and contact us if anything is set off.

Thank you,



Glenn Gerads

**Chief of Police
Arlington Police Department**

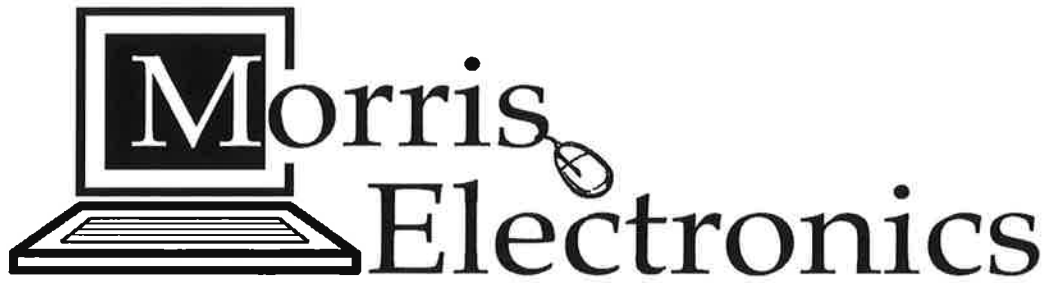
Phone: 507-299-7022

Fax: 507-964-2737

Email: ggerads@arlingtonmn.com

108 4th Avenue NW
Arlington, MN 55307

www.arlingtonmn.com



511 Atlantic Ave., Morris, MN 320-589-1781

ARLINGTON MINNESOTA POLICE DEPARTMENT

2023 Professional Service Contract

This Agreement made this 1st day of January 2023, between the Arlington Minnesota Police Department (hereinafter referred to as APD) and Morris Electronics (hereinafter referred to as IDC).

This Agreement shall become effective only upon mutual acceptance by both parties.

APD agrees to pay IDC, as full payment for services to be provided by IDC, a sum of \$200 a week for unlimited remote support Monday through Friday from 8:00AM to 5:00PM for the period January 1st through December 31st, 2023.

APD agrees to pay IDC for any on-site/special projects on a time and material basis (\$100.00 per hour and milage at current IRS rate), such as:

Implementing a new NAS solution

A written quote will be prepared by IDC for APD on each additional/special project itemizing all hardware, software (including licensing), planning and implementation time/cost. IDC and APD will agree on a written statement of work prior to any billing to APD. If APD approves the project, APD agrees to pay the costs in the statement of work.

Expense Reimbursement

IDC shall be entitled to reimbursement from APD for meals and lodging expenses, only if overnights are needed and are not to exceed the amount set in APD's Personnel Policy. Overnights, meals and lodging need to be preapproved by the contract coordinator specified below and invoiced separately.

It is expressly agreed by both parties that no payments will be considered wages and fringe benefits including but not limited to workers compensation and unemployment will not be provided or paid on behalf of the IDC. In the event that IDC fails to perform its obligations under this contract, APD shall have the option to terminate this contract with IDC within a responsible time and be reimbursed amount prepaid, minus the actual hours of services provided at the discounted rate.

The term of this agreement shall be from January 1, 2023, through December 31, 2023. The agreement will automatically terminate on January 1, 2024, and that no notice to either party is required.

The IDC, in consideration of the payments specified above, agrees to perform the following services within the terms of the contract:

Morris Electronics, Inc. (IDC) will assist in maintaining Arlington Minnesota Police Department's computer networks. Connectivity to other networks is also provided under this contract.

Below is a list, but not limited to types of possible services:

- 1) Address server and workstation issues
- 2) Maintain and monitor Anti-Virus software
- 3) Maintain E-mail software
- 4) Work with structured cabling issues
- 5) Assist with developing a strategic technology plan
- 6) Troubleshoot areas around technology
- 7) Backup APD's vSphere Environment, including Active Directory, File and Printer Server, and WatchGuard System/Data

The parties further agree that Morris Electronics, Inc. is an Independent Contractor (IDC) and that APD shall not exert any control over the responsibility for: (1) employees of the IDC; (2) the debts or purchases of the IDC; (3) the manner of means employed by the IDC in meeting its obligation under this contract.

Chief Glenn Gerads of the Arlington Minnesota Police Department of the City of Arlington Minnesota, to hereinafter represent APD in its dealings with the IDC. This agent shall have the authority to accept or reject, in whole or in part, the work and/or services specified above.

The parties further agree that:

- 1) This contract shall not be construed to authorize IDC to incur any expenses or debts on behalf of APD and
- 2) That all information and knowledge pertaining to this contract are the property of APD and no such information or knowledge shall be divulged to anyone but the designated agent and
- 3) That no knowledge or information obtained pursuant to this contract shall be published without prior written authorization of the designated agent and
- 4) Any and all work performed by IDC for his contract are property of APD and
- 5) That IDC shall hold APD harmless on account of any liabilities arising pursuant to the work and/or services performed under this contract and
- 6) That IDC shall abide by all applicable Federal and State Laws pertaining to the work and/or services to be performed hereunder and
- 7) Upon request of APD, IDC will provide prior to engagements of contract, a copy of all necessary proof of insurance.

Both APD and IDC agree to the above, Contract and the terms and conditions by signing below.

(Police Chief)
Printed Name

(Police Chief)
Signature/Date

(Authorized agent of IDC)
Printed Name

(Authorized agent of IDC)
Signature/Date

9 State Highway 28 East
Morris MN 55267
Address of IDC

41-1768938
IDC Federal ID Number

Date: January 10, 2023

To: City of Arlington

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

O & M Report: December 2022

Water Operation & Maintenance

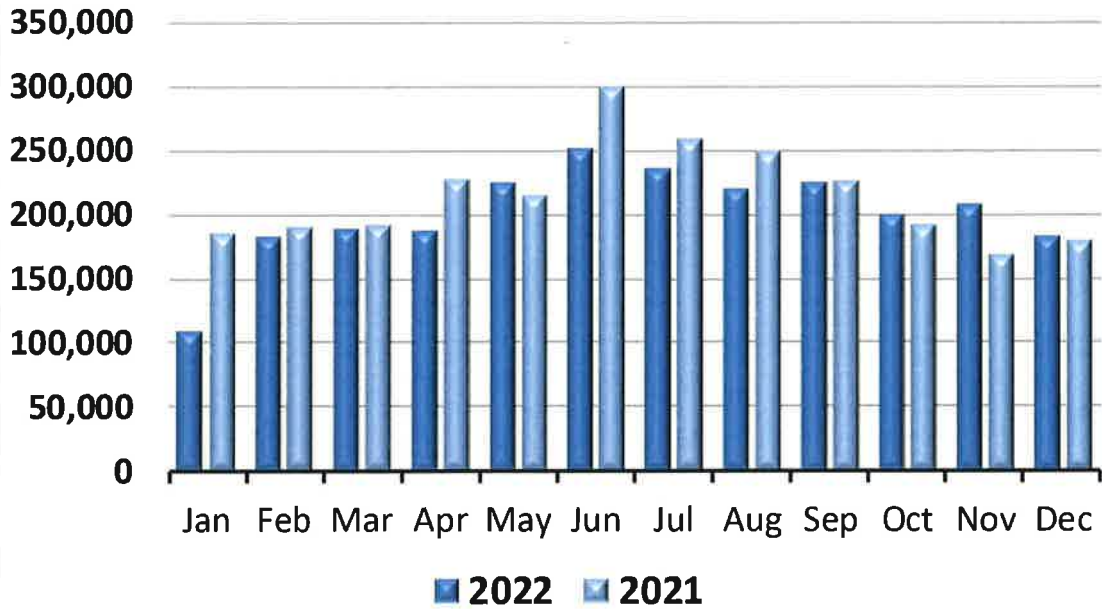
- Performed preventative maintenance on water treatment plant equipment.
- Performed exercising of emergency generators and testing of alarm dialers.
- There was a total of four service requests:
 - (3) Replace/repair of existing radio read meter.
 - (1) Deliver new meters to Siwek Properties.
- Performed weekly testing of iron, manganese, chlorine, and fluoride residuals.
- There was a total of 6 Gopher State One Locates for this month.
- WTP Rehab
 - New flow meters installed.
 - Paint touch ups.
 - New reclaim tank pumps installed.
- Dec. 7th – Checked out report of a damaged radio read head at Delta Metalcraft. Met up with employee who showed us damaged head. Head still functional just broken sight glass. New head ordered.
- Dec 9th – A fuel shutoff solenoid was installed at Well #4 generator. The generator now starts and stops normally.
- Dec 21st – Received report that a resident did not have water. PSI personnel determined water flowing up to resident's meter leading to believe line was frozen somewhere inside. Y-Not Plumbing did determine line was frozen and thawed.

- Dec 22nd – PSI personnel were called by plumbers to Siwek Properties on north end of 7th Ave to shut water off at curb stop for water meter installation.

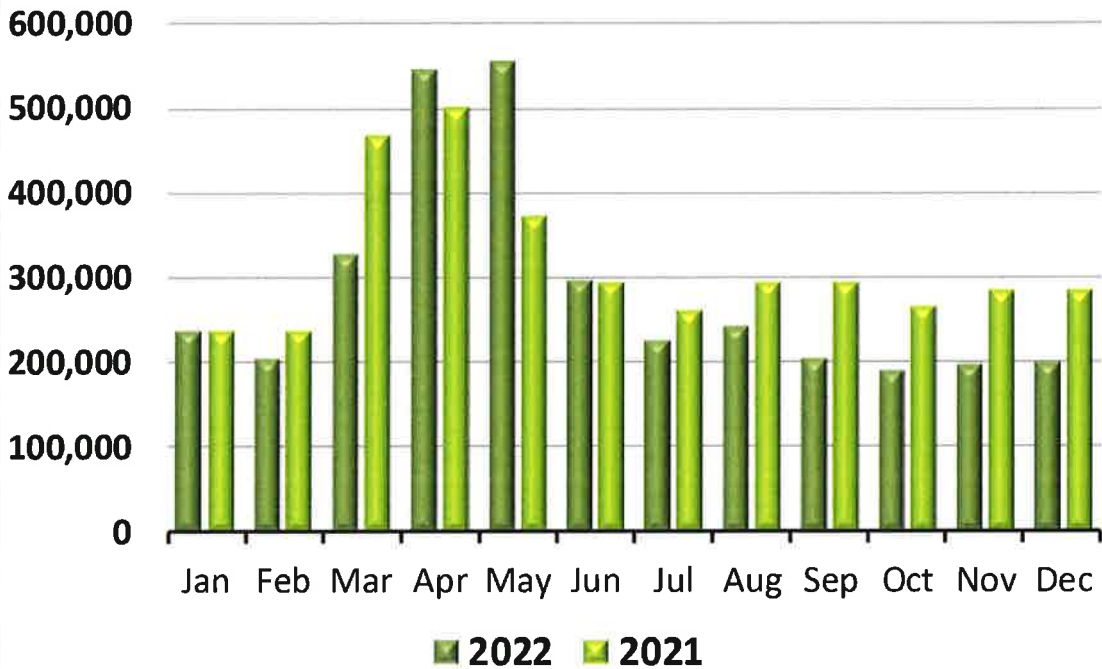
Wastewater Operation & Maintenance

- Performed weekly checks at lift stations.
- Performed preventative maintenance on wastewater plant equipment.
- Exercised emergency generators.
- Dec 8th – Quality Flow was here to pull a sludge mixer from a sludge storage tank that had malfunctioned at wastewater plant.
- Dec 14th – Quality Flow was here to pull pumps at HWY 5 lift station. Pumps were showing higher than normal runtimes and one pump seemed to be pumping more than the other. Quality Flow pulled both pumps, installed a different pump to replace the non-pumping pump, and checked over second pump.
- Dec 28th – Started up Clarifier #2 to combat increasing wastewater strength levels.

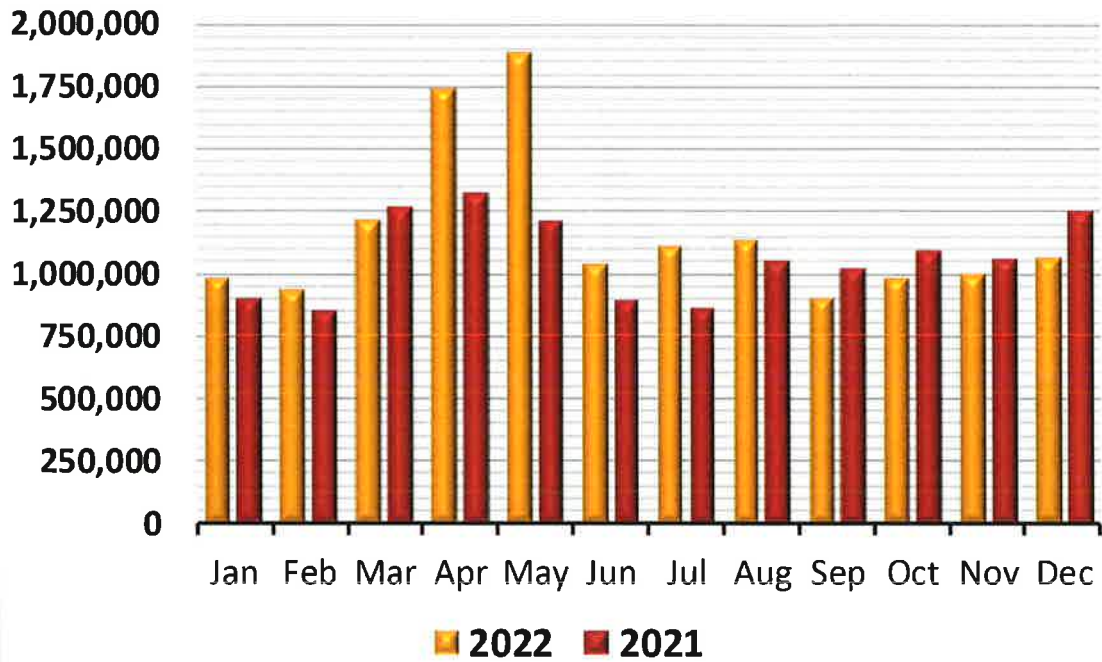
Arlington Average Daily Water Pumped - In Gallons



Arlington Average Daily Wastewater Pumped - In Gallons



Green Isle Lift Station Total Flow In Gallons



		December-22	November-22	December-21
Water				
	Units			
Average Daily Pumped	gallons	182,097	207,300	180,065
Maximum Daily Pumped	gallons	269,000	1,050,000	252,000
Minimum Daily Pumped	gallons	123,000	82,000	105,000
Total Monthly Pumped	gallons	5,645,000	6,219,000	5,582,000
Well #2 Pumped	gallons	0	3,694,000	2,573,000
Well #3 Pumped	gallons	0	0	0
Well #4 Pumped	gallons	5,854,000	2,904,000	2,884,000
Average Daily Fluoride Conc.	mg/L	0.58	0.56	0.66
Fluoride concentration Permit Limit	mg/L	.5-0.9 mg/L	.5-0.9 mg/L	.5-0.9 mg/L
Fluoride used	gallons	5.50	5.00	8.50
Total Chlorine Residual	mg/L	1.63	1.55	0.49
Total Chlorine Concentration Permit Limit	mg/L	1-2 mg/L	1-2 mg/L	1-2 mg/L
Chlorine used	lbs	123.10	113.00	68.00
Potassium Permanganate used	gallons	20.00	36.00	41.00
Wastewater				
CBOD				
CBOD Influent	mg/L	324	254	208
CBOD Effluent-Monthly	mg/L	0	1	0
CBOD Effluent-Monthly Permit Limit	mg/L	15	15	15
CBOD Max Weekly	mg/L	1	1	1
CBOD Max Weekly-Permit Limit	mg/L	25	25	25
CBOD Effluent Monthly kg/day	kg/day	0	1	0
CBOD Monthly kg/day-Permit Limit	kg/day	38	46	38
CBOD Effluent Weekly kg/day	kg/day	1	1	1
CBOD Weekly kg/day-Permit Limit	kg/day	70	1	70
CBOD % Removal	%	100%	100%	100%
CBOD % Removal Permit Limit	%	85%	85%	85%
TSS				
TSS Influent	mg/L	266	244	201
TSS Effluent-Monthly	mg/L	<3	<3	1
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	<2.3	<2.4	1
TSS Monthly kg/day-Permit Limit	kg/day	91	91	91
TSS Effluent Max Weekly kg/day	kg/day	<2.5	<2.6	4
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	6.80	7.50	4.20
Phos Effluent	mg/L	0.20	0.20	0.20
Phos Effluent Permit Limit	mg/L	1	1	1
Phos Effluent Loading	kg/day	0.11	0.35	0.09
Phos Effluent Loading Permit Limit	kg/day	2.50	2.50	2.50

Fecal Coliform				
Fecal Effluent	ml	0	0.00	0
Fecal Effluent Permit Limit	ml	N/A	N/A	N/A
Dissolved Oxygen				
DO Effluent	mg/L	8	8	8
DO Effluent Permit Limit	mg/L	6	6	6
Effluent Flow				
Average Daily	gallons	200,000	196,000	284,000
Maximum Daily	gallons	242,000	232,000	365,000
Total Monthly	gallons	6,189,000	5,878,000	8,811,000
Total Monthly Precipitation	inches	2.17	1.30	2.40
Green Isle Lift Station Total Flow	gallons	1,067,000	1,001,000	1,253,000
Contract True-Ups - Current Contract Year				
Item	Budgeted Amount	Amount Spent	% of Budget	% of Time
Maintenance Budget	\$20,627.00	\$15,769.00	76%	100%
Chemical Budget	\$12,853.00	\$14,953.00	116%	100%
Total	\$33,480.00	\$30,722.00	92%	100%

From: Darin Haslip
Sent: Wednesday, December 28, 2022 10:32 AM
To: City of Arlington - General
Subject: Co-zoning City Support

Hi Shirley,

Sorry for the delay on this, but I wanted to work this within the confines of our existing contract. Note that this zoning administration would be a joint venture relationship with the city (staff) to provide this service.

This is the language in the appendix of our existing contract regarding hourly work:

- *Hourly Rate fee: \$ 65.00 per hour for work requested by the community (reports, investigations, etc.)*

I would consider this rate at the present time with a minimum 2-hour rate per item/request. These rates are subject to change as we will be moving the fees forward at the next contract renewal.

Thank You,

Darin Haslip
Certified Building Official
HUD Inspector
Phone: 320-226-5189
Fax: 651-846-6034
101 Development Resources, Inc.
P.O. Box 22
Arlington, MN 55307
dri101@live.com



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AGREEMENT FOR CONSULTING SERVICES

THIS AGREEMENT is made and entered into this ____ day of _____ 2022 by and between the City of Arlington, a Municipal Corporation, hereinafter referred to as the "City" and Philip D Mangis III, hereinafter referred to as the "Consultant".

I. DEFINITIONS

- A. City – The "City" shall be defined as the City of Arlington, a Municipal corporation.
- B. Consultant – The "Consultant" shall be defined as Philip D Mangis III.
- C. Consulting Planning and Zoning Services – "Consulting Planning and Zoning Development Services" shall be defined as consulting services relating to business, zoning services, city, zoning and community planning, permitting process, permit enforcement, policy creation and amending for the City of Arlington.
- D. Hourly Rate - The "Hourly Rate shall be set at \$50 per hour. The Consultant shall be paid an hourly rate of \$50 with a maximum of 35 hours per month which will be billed to the City on a Monthly basis starting November 30, 2022.

II. SCOPE OF SERVICES AND FEES

The Consultant will work with the development applicants, City staff, City Consultants, the Economic Development Authority and the City Council, and others on various economic development projects which may include, at the City's direction, those outlined below. It is the intent of this agreement that there will be a close cooperative working relationship between the Consultant and the City.

Basic services and fees shall include:

- A. The Consultant shall work with the City and Planning and Zoning to prioritize Planning and Zoning Development projects and shall be available to facilitate various projects which may include some of the following, as directed by the City/Planning and Zoning:
 - Staff liaison for Planning and Zoning Department.
 - Attend all Planning and Zoning meetings, at least one per month
 - Work as directed on projects by Planning and Zoning and City Council
 - Provide agendas and minutes for Planning and Zoning
 - Work with Planning and Zoning and Council on duties/planning/goals for Planning and Zoning and the City

- City Planner contact for City of Arlington projects or as directed by Planning and Zoning or City Administrator
- Arlington specific planning training or support could be developed if requested
- Reports to Council on Planning and Zoning work, when needed.
- City of Arlington strategic planning
- Working with local, state, regional and federal programs to assist Arlington growth
- Grant writing and administration for the Arlington Planning and Zoning Department

B. Payment for Services

Payment for services shall be made directly to the Consultant after completion of services upon the presentation of claim in the manner provided by law for payment of claims against the City.

- The Consultant shall invoice the City monthly.
- The Consultant may provide additional assistance in conjunction with specific projects as authorized by the City on an hourly basis.

III. RESPONSIBILITIES

- A. The Consultant shall respond to inquiries from the City or development applicants in a timely fashion, generally within twenty-four (24) business hours.
- B. The Consultant shall provide office space for consulting services provided off-site.

Independent Contractor

Nothing contained in this Agreement is intended or should be construed as creating the relationship of copartners or joint ventures within the Consultant or the City.

Hold Harmless

Each Party agrees it will defend, indemnify and hold harmless the other party, its officers and employees against any and all liability, loss, costs, damages and expenses which the other party, its officers or employees may hereafter sustain, incur, or be required to pay arising out of the obligations imposed pursuant to this contract.

Data Practices

All data collected, created, received, maintained, or disseminated for any purposes because of this contract is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing such act now in force or as adopted, as well as federal regulations on data privacy.

Records-Availability and Retention

The Consultant agrees that the City, the State Auditor, or any of the Consultant's duly authorized

representatives at any time during normal business hours and as often as then may reasonable deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the Consultant and involve transactions relating to this Agreement.

The Consultant will maintain these records for a minimum of seven years.

MISCELLANEOUS PROVISIONS

- A. Assignment. Neither party hereto may assign, pledge, or transfer their interest, obligation, and responsibilities under and pursuant to this Agreement, without the other party's prior written consent. The Consultant intends to provide planning and zoning development consulting services staff, Philip D Mangis III. The assignment of consulting services to another individual will not occur without the consent of the City.
- B. Right of Termination. The City may terminate this Agreement upon thirty (30) days written notice to the Consultant. The Consultant may terminate this agreement upon thirty (30) days written notice to the City. In such event, the City will pay the Consultant for all billable hours provided by the Consultant and all approved reimbursable expenses up to the date of termination.
- C. Binding Effect. This Agreement shall inure to the benefit of and is binding upon the parties hereto and their respective heirs, representatives, successors, and assigns.
- D. Amendments. This Agreement can be amended only in writing signed by both parties.

TERM OF AGREEMENT

This Agreement covers the period beginning _____, 2022 through December 31, 2023. This agreement shall renew for successive one-year terms unless terminated by either of the parties hereto.

IN WITNESS WHEREOF, the parties have set their hand as of the date first written above.

Dated: _____, 2022

CONSULTANT

BY: _____

Philip D Mangis III

Dated: _____, 2022

CITY OF Arlington

BY: _____
Mayor

BY: _____
City Clerk



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

Arlington Planning Services

November 14, 2022

Page: 3

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

January 11, 2023

Memo to City Council

I spoke with Attorney Arneson on December 29, 2022, regarding Tony Hoff and the letter that was sent to him regarding illegal hookups. He had until December 15, 2022, to comply with the requirements laid out in the letter. We have not seen or heard from him at the City Office since the letter was sent out. Attorney Arneson thought that it should be left up to the new Council as to what the next steps should be. He could be brought into Civil Court for an order compelling him to cooperate or the city could proceed with Criminal charges. This will be put back on the agenda for 1/17/23 to have the Council decide how to proceed.

Gwen Scharpe

Administrative Assistant/ Event Center Coordinator

ROSS R. ARNESON

Attorney At Law

302 West Main, P.O. Box 529

Arlington, MN 55307-0529

Telephone: (507) 964-5753

Email: ross@arnesonlegal.com

November 11, 2022

AJH Properties, LLC
Attention: Anthony Hoff
17050 Otis Avenue
Norwood Young America, MN 55368

Our File: 2104
RE: Utility Services

Dear Mr. Hoff:

This is a notice directed by the Arlington City Council at its meeting on November 7, 2022. The Council was very disappointed to learn that you made an unauthorized utility connection to the City water system at your business property located at 23119 411th Avenue, Arlington. This violated both State laws and City Code.

To correct this situation, the City requires the following actions from you, to be performed no later than December 15, 2022:










1. Submit plans to be approved by the City Engineer for water and sewer connections to your business site. Pay the cost of the plans and the engineer review.
2. Accomplish the required permitting procedure to obtain City water and sewer service, and pay the standard water access charge and sewer access charge (WAC and SAC) to the City.
3. Hire a third party contractor approved by the City to excavate any water and sewer lines illegally installed on your business site so they can be inspected by People Service, to determine if such connections and service lines meet code requirements. Pay the cost of the excavation and inspection.
4. If any such utility lines do not pass inspection, hire the third party contractor to replace any such connections and service lines as soon as weather permits. Pay the cost of such replacement work.

Please understand that you are not to do any of the excavation or utility line installation yourself. You must perform the actions stated above in the proper sequence, and not attempt to skip any of these steps. You have unfortunately lost the trust of the City by your actions. You will need to work hard to regain such trust.

Thank you,

A handwritten signature in black ink, appearing to read "Ross R. Arneson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

ROSS R. ARNESON
Arlington City Attorney

 Delete  Archive  Report  Reply  Reply all  Forward   

Re: Illegal Utility Connection

Heather Arneson

To: Tony Hoff <tony@tonysoutdoorservices.com>

          ...

Mon 11/14/2022 8:55 AM

Tony:

You can have anyone do the plan, but it needs to be reviewed by our City Engineer, to determine the correct elevations, size of service lines, proper location for connections into the system.

Thanks,

Ross

Thanks,

Ross R. Arneson

Arneson Law Office

302 West Main, P.O. Box 529

Arlington, MN 55307

Phone: 507-964-5753

Email: ross@arnesonlegal.com

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From: Tony Hoff <tony@tonysoutdoorservices.com>

Sent: Friday, November 11, 2022 3:40 PM

To: Heather Arneson <heather@arnesonlegal.com>; Joe Morgan <jmorgan@arlingtonmn.com>; Matt Scharpe <mscharpe@arlingtonmn.com>; Mayor Richard Nagel <rnagel@arlingtonmn.com>; Michelle Battcher <mbattcher@arlingtonmn.com>; dmeyer@arlingtonmn.com <dmeyer@arlingtonmn.com>; jthomes@arlingtonmn.com <jthomes@arlingtonmn.com>; sslaterschulte@gmail.com <sslaterschulte@gmail.com>

Subject: Re: Illegal Utility Connection

Just want to know why it needs to be engineered not a plan by a master plumber?

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)



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

RESOLUTION NO. 57-2022

Moratorium on the Sale of Hemp Derived THC (tetrahydrocannabinols) Food and Beverages for up to one year

The City of Arlington hereby finds and declares as follows:

WHEREAS, based on the most reliable and up-to-date scientific evidence, the County Board finds that the rapid introduction of newly legalized edible tetrahydrocannabinol (THC, specifically Delta-9 and Delta-8) products (“edibles”), presents a significant potential threat to the public health, safety, and welfare of the residents of the City of Arlington, and particularly to youth; and

WHEREAS, the City of Arlington has the opportunity to be proactive and make decisions that will mitigate this threat and reduce exposure of young people to the products and to the marketing of these products.

WHEREAS, the United States Surgeon General has issued an advisory to alert the public to the known and potential harms to developing brains, posed by the increasing availability of highly potent THC in multiple, concentrated forms;¹ and the reasons for concerns with the increasing use of marijuana by pregnant women,² adolescents and youth; and

WHEREAS, the National Academies of Science, Engineering and Medicine note that the growing acceptance, accessibility, and use of cannabis and its derivatives have raised 2 important public health concerns, while the lack of knowledge by the public of known cannabis-related health effects has led to misinformation about the negative health impact of its use; and

WHEREAS, 32.8 million Americans ages 12 and older reported using cannabis in the past 30 days, 49.6 million reported use in the past year,⁵ and 90 percent of adult cannabis users in the United States said their primary use was recreational; and between 2002 and 2019, the percentage of past-month cannabis users in the U.S. population ages 12 and older increased steadily from 6.2 percent to 10.8 percent; and

WHEREAS, research has found cannabis use during adolescence, especially of products high in THC or when use is heavy, is associated with suicide attempt, high school drop-out, higher likelihood of use of other illicit drugs, mental health impairment, elevated risk for addiction to THC, impaired driving, and deficits in memory and learning; and

WHEREAS, nationally, there have been significant increases in cannabis use among those age 12 and older, but especially among those age 18-22, and cannabis use rates by youth age 18-22 are higher in many states with legal adult-use cannabis than in non-legal states; and

WHEREAS, in 2016, 15.7% of 11th grade students in Minnesota reported that they had used marijuana in the past 30 days, a number far exceeding that for cigarette smoking (8.4%); and

WHEREAS, Minnesota has recognized the danger of cannabis use among youth by prohibiting the sale of edibles to those under age 21 (Minn. Stat. § 151.72, subd. 3(c)) and by requiring that edibles be packaged without appeal to children and in child-resistant containers (Minn. Stat. § 151.72, subd. 5a(b)); and

WHEREAS, many years of alcohol and tobacco retailing, which are likely to have parallels in cannabis retailing, have demonstrated that Minnesota retailers continue to sell alcohol and tobacco to underage consumers; and

WHEREAS, children and young people are particularly influenced by cues suggesting tobacco smoking is acceptable, which holds relevance for cannabis smoking; and

WHEREAS, while the sale of edible THC products has been legalized in Minnesota, THC continues to be a Schedule I prohibited substance federally and its use in edibles is not approved by the DA, and therefore presents special challenges in multiple federally regulated spheres including banking, broadcasting, and immigration, as well as in the workplace THC-related impairment may be an issue; and

WHEREAS, all the above criteria and many more require consideration by health officials and policy makers before The City of Arlington can ensure the public safety is preserved.

NOW THEREFORE, The City of Arlington hereby establishes a moratorium on the sale of hemp derived THC (tetrahydrocannabinols) food and beverages in order to allow the city time to study the issue and consider zoning, licensing and rules, and sales management controls for the sale of hemp derived THC food and beverages, similar to tobacco sales and products, behind the sales counter, checking identifications (ID's), enforcement, compliance checks, license fees and other regulatory issues to consider.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Morgan, and upon a poll being taken thereon the following voted in favor thereof: Meyer, Morgan, Scharpe and Thomes; the following abstained: Battcher; and the following were absent: none.

Dated the 19th day of September, 2022


Mayor Richard Nagel

ATTEST:


Amy Newsom City Administrator

Amy Newsom

From: Ross Arneson <ross@arnesonlegal.com>
Sent: Wednesday, August 17, 2022 10:09 AM
To: Amy Newsom
Cc: Rich Nagel
Subject: RE: CANNABINOID PRODUCTS

Amy:

I have been thinking about this, and waiting to see what other cities are doing. The League also has an excellent memo on the subject. I got on their website and typed in THC in the search cell to pull up that memo.

The City can just let State law apply. The sale of THC products is still subject to local zoning controls, such as no businesses in residential zones except by variance.

The City can adopt an ordinance similar to the one you attached, which sets up a licensing procedure similar to liquor licenses.

The City can adopt a moratorium on sales for up to one year to give it time to study the issue, and see what the experience is in other cities. This is under Minnesota Statute 462.355, Subdivision 4.

It would be appropriate to ask the Council about this at the next meeting.

Thanks,

Ross

From: Amy Newsom [mailto:anewsom@arlingtonmn.com]
Sent: Wednesday, August 17, 2022 8:59 AM
To: Ross Arneson <ross@arnesonlegal.com>
Subject: CANNABINOID PRODUCTS

Ross -

Do we need an ordinance like this one from Spring Lake Park?

Amy R. Newsom

City Administrator
City of Arlington
204 Shamrock Drive
Arlington, MN 55307
507-964-2378 ext. 4
anewsom@arlingtonmn.com

Amy Newsom

From: Kyle Hartnett via LMC - MemberLink <Mail@ConnectedCommunity.org>
Sent: Thursday, August 18, 2022 2:58 PM
To: Amy Newsom
Subject: RE: City Clerks/Administrators : Cannabinoid Craze



City ClerksAdministrators

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Re: Cannabinoid Craze

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Aug 18, 2022 2:57 PM

[Kyle Hartnett](#)

Tina:

An on-sale liquor store may still be considered an exclusive liquor store under state statute and would still be prohibited from selling THC products under state law. Whether a particular establishment is a "exclusive liquor store" will depend on the specific license issued. The state Alcohol and Gambling Enforcement division of the Department of Public Safety has provided the following [guidance](#) regarding the sale of CBD or THC infused items:

As new laws get passed, Alcohol and Gambling Enforcement will share guidance on any implications for the liquor industry. Under state law, exclusive liquor stores are not allowed to sell products containing CBD, hemp and/or THC.

Minnesota statute 340A.412 subdivision 14 governs items that may be sold at an exclusive liquor store. Allowable items, and changes to allowable items, are vetted by the Minnesota Legislature.

For example, citrus fruit and glassware were items added via the 2022 Liquor Omnibus.

CBD, hemp, and/or THC infused beverages are not intended to be mixed with alcoholic beverages and are not classified as soft drinks.

The allowable items which may be sold at an exclusive liquor store can found in [Minnesota statute 340A.412 subdivision 14](#).

Most of the infused products will not include alcohol. Prior to licensing in Minnesota, alcoholic beverages must adhere to the federal requirements under the US Department of Treasury Alcohol, Tobacco, Tax and Trade Bureau (TTB) which require the submission and approval of the formulation and brand labels. Because the TTB consults with the FDA to determine if ingredients meet federal standards. The FDA has not authorized the use of CBD or THC for use in food or dietary supplements. Therefore, it is unlikely an alcoholic beverage containing THC would be approved by the TTB.

In addition, the Department of Health has informed us that any the newly legalized products could be sold at a food establishment but must meet the packaging requirements of the new law. Businesses, however, cannot add CBD/THC to food and beverages. Rather they can only make a hemp derived edible cannabinoid product under the requirements of Minnesota Statute, section 157.72.

Regards,

Kyle Hartnett | Assistant Research Manager
Phone: (651) 215-4084 | Mobile: (651) 247-8138
khartnett@lmc.org

League of Minnesota Cities | 145 University Ave. West | St. Paul, MN 55103
www.lmc.org | [Facebook](#) | [Twitter](#) | [Podcast](#)

This response is intended to convey general information and should not be taken as legal advice or as a substitute for competent legal guidance. Consult your city attorney for advice regarding specific situations.

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Original Message:

Sent: 8/18/2022 12:21:00 PM

From: Tina Rennemo

Subject: Cannabinoid Craze

Good morning.

In reading the LMC Q & A on the edible cannabinoid products-

Q3 indicates that it is not allowed in an exclusive liquor store-is the definition of exclusive liquor a bottle shop? So it can be sold in the on-sale??

I received notice that the liquor distributors are launching seltzers infused with the THC in the next 2 weeks---how does that play into this mess? Do the same things as discussed in the memo apply to the liquor infused with the THC?

Very thankful for the moratorium to sort through all of this 😞

Tina R Rennemo
Clerk/Treasurer
City of Baudette
P.O. Box 548
Baudette, MN 56623
218-634-1850

You are subscribed to "City ClerksAdministrators" as anewsom@arlingtonmn.com. To change your subscriptions, go to [My Subscriptions](#). To unsubscribe from this community discussion, go to [Unsubscribe](#).

ORDINANCE NO. 741
AN ORDINANCE AMENDING THE CITY CODE
AMENDING CHAPTER 16 OF THE CITY CODE
ADDING ARTICLE XIX. TETRAHYDROCANNABINOL PRODUCTS

The City Council of the City of Golden Valley hereby ordains as follows:

Section 1. City Code Chapter 16 is amended to add Article XIX, and shall read as follows:

ARTICLE XIX. TETRAHYDROCANNABINOL PRODUCTS

Sec. 16-550. Purpose and Intent.

The purpose of this Section is to regulate the sale of legalized adult-use of any product that contains tetrahydrocannabinol and that meets the requirements to be sold for human or animal consumption under Minnesota Statutes, section 151.72 ("THC Products") for the following reasons:

- (a) By enacting 2022 Session Law Chapter 98, Article 13, the Minnesota Legislature amended Minnesota Statutes, section 151.72 to allow the sale of certain products containing tetrahydrocannabinol (THC).
- (b) The new law does not prohibit municipalities from adopting and enforcing local ordinances to regulate THC product businesses including, but not limited to, local zoning and land use requirements and business license requirements.
- (c) The National Academies of Science, Engineering, and Medicine note that the growing acceptance, accessibility, and use of THC products, including for medical purposes, have raised important public health concerns, while the lack of aggregated knowledge of cannabis-related health effects has led to uncertainty about the impact of its use.
- (d) The City recognizes the danger THC use presents to the health, welfare, and safety of youth in Golden Valley.
- (e) The Minnesota Legislature recognized the danger of THC product use among the public at large by setting potency and serving size requirements.
- (f) The Minnesota Legislature recognized the danger of THC product use among youth by prohibiting the sale of any product containing THC to those under the age of 21, requiring that edible THC products be packaged without appeal to children and in child-resistant packaging or containers.
- (g) State law authorizes the Board of Pharmacy to adopt product and testing standards in part to curb the illegal sale and distribution of THC products and ensure the safety and compliance of commercially available THC products in the state of Minnesota.

- (h) The City has the opportunity to be proactive and make decisions that will mitigate this threat and reduce exposure of young people to the products or to the marketing of these products and improve compliance among THC product retailers with laws prohibiting the sale or marketing of THC products to youth.
- (i) A local regulatory system for THC product retailers is appropriate to ensure that retailers comply with THC product laws and business standards of the City of Golden Valley to protect the health, safety, and welfare of our youth and most vulnerable residents.
- (j) A requirement for a THC product retailer license will not unduly burden legitimate business activities of retailers who sell or distribute THC products to adults but will allow the City of Golden Valley to regulate the operation of lawful businesses to discourage violations of state and local THC Product-related laws.
- (k) In making these findings and enacting this ordinance, it is the intent of the Golden Valley City Council to ensure responsible THC product retailing, allowing legal sale and access without promoting increases in use, and to discourage violations of THC Product-related laws, especially those which prohibit or discourage the marketing, sale or distribution of THC products to youth under 21 years of age.

Sec. 16-551. Definitions.

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Compliance Checks. The system the City uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this article. Compliance checks involve the use of persons under 21 who purchase or attempt to purchase licensed products. Compliance checks may also be conducted by the City or other units of government for educational, research, and training purposes, or for investigating or enforcing Federal, State, or local laws and regulations relating to licensed products.

Exclusive Liquor Store. An establishment that meets the definition of exclusive liquor store in Minnesota Statutes, section 340A.101, subdivision 10.

Licensed Product or THC Product. Any product that contains more than trace amounts of tetrahydrocannabinol and that meets the requirements to be sold for human or animal consumption under Minnesota Statutes, section 151.72, as may be amended from time to time. Licensed product does not include medical cannabis as defined in Minnesota Statutes, section 152.22, subdivision 6, as may be amended from time to time.

Moveable Place of Business. Any form of business operated out of a kiosk, truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address storefront or other permanent type of structure authorized for sales transactions.

Retail Establishment. Any place of business where licensed products are available for sale to the general public, including, but not be limited to, grocery stores, tobacco products shops, CBD stores, convenience stores, gasoline service stations, bars, and restaurants.

Sale. Any transfer of goods for money, trade, barter, or other consideration.

Self-Service Merchandising. Open displays of licensed products in any manner where any person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employee. Assistance or intervention means the actual physical exchange of the licensed product between the customer and the licensee or employee.

Vending Machine. Any mechanical, electric, or electronic, or other type of device that dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

Sec. 16-552. License.

- (a) *License Required.* No person shall sell or offer to sell any licensed product within the City without first having obtained a license to do so from the City.
- (b) *Application.* An application for a license to sell licensed products shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the City deems necessary. Upon receipt of a completed application, the City Clerk shall forward the application to the City Council for action at its next regularly scheduled City Council meeting. If the City Clerk determines that an application is incomplete, they shall return the application to the applicant with notice of the information necessary to make the application complete.

The City shall conduct a background investigation on all new applications and applications to transfer a license. The investigation shall consider all facts and information bearing upon the question of the applicant's fitness to receive the license and to perform the duties imposed by this ordinance. The City may conduct a background and financial check on an application for a renewal of a license if it is in the public interest to do so. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this article and the City shall provide the person with a notice of revocation, along with information on the right to appeal.

A business applicant, at the time of application, shall furnish the City with a list of all persons that have an interest of five percent or more in the business. The list shall name all owners and show the interest held by each, either individually or beneficially for others. It is the duty of each business licensee to notify the City Clerk in writing of any change in ownership in the business. Any change in the ownership or control of the business shall be deemed equivalent to a transfer of the license, and any such license shall be revoked 30 days after any such change in

ownership or control unless the licensee has notified the Council of the change in ownership by submitting a new license application for the new owners, and the Council has approved the transfer of the license by appropriate action. Any time an additional investigation is required because of a change in ownership or control of a business, the licensee shall pay an additional investigation fee to be determined by the City. The City may at any reasonable time examine the transfer records and minute books of any business licensee to verify and identify the owners, and the City may examine the business records of any other licensee to the extent necessary to disclose the interest which persons other than the licensee have in the licensed business. The Council may revoke any license issued upon its determination that a change of ownership of a licensee has actually resulted in the change of control of the licensed business so as materially to affect the integrity and character of its management and its operation, but no such action shall be taken until after a hearing by the Council on notice to the licensee.

- (c) *Action.* The City Council may either approve or deny the application for a license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the City Council approves the license, the City Clerk shall issue the license to the applicant. If the City Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the City Council's decision. If a license application is denied, the earliest an applicant may reapply is 12 months from the date the license is denied.
- (d) *Term.* All licenses issued under this article shall be valid for one calendar year from the date of issue.
- (e) *Revocation or Suspension.* Any license issued under this article may be revoked or suspended as provided in Section 16-560.
- (f) *Transfers.* All licenses issued under this article shall be valid only on the premises for which the license was issued and only for the person or business to whom the license was issued. The transfer of any license to another location, business, or person is prohibited.
- (g) *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premises.
- (h) *Renewals.* The renewal of a license issued under this article shall be handled in the same manner as the original application. The request for a renewal shall be made at least 30 days but no more than 60 days before the expiration of the current license.
- (i) *Issuance as Privilege and Not a Right.* The issuance of a license issued under this article is a privilege and does not entitle the license holder to automatic renewal of the license.

Sec. 16-554. Fees.

No license shall be issued under this article until the appropriate license fee shall be paid in full. The fee for a license under this article shall be established by the City Council and adopted in the City fee schedule, and may be amended from time to time.

Sec. 16-555. Ineligibility and Basis for Denial of License.

(a) *Ineligibility.*

- (1) *Moveable Place of Business.* No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this article.
- (2) *Exclusive Liquor Store.* No license shall be issued to an exclusive liquor store as defined in Minnesota Statutes, section 340A.101, subdivision 10.

(b) *Grounds for Denial.* Grounds for denying the issuance or renewal of a license under this article include, but are not limited to, the following:

- (1) The applicant is under the age of 21 years.
- (2) The applicant is prohibited by Federal, State, or other local law, ordinance, or other regulation from holding a license.
- (3) The applicant has been convicted within the past five years for any violation of a Federal, State, or local law, other ordinance, provision, or other regulation relating to the licensed products.
- (4) The applicant has had a license to sell licensed products suspended or revoked during the 12 months preceding the date of application, or the applicant has or had an interest in another premises authorized to sell licensed products, whether in the City or in another jurisdiction, that has had a license to sell licensed products suspended or revoked during the same time period, provided the applicant had an interest in the premises at the time of the revocation or suspension, or at the time of the violation that led to the revocation or suspension.
- (5) The applicant is a business that does not have an operating officer or manager who is eligible pursuant to the provisions of this article.
- (6) The applicant is the spouse of a person ineligible for a license pursuant to the provision of Subsections (b)(2) and (3) of this section or who, in the judgement of the Council, is not the real party in interest or beneficial owner of the business to be operated, under the license.
- (7) The applicant fails to provide any information required on the application or provides false or misleading information. Any false statement on an application, or any willful omission of any information called for on such application form, shall cause an automatic refusal of license, or if already issued, shall render any license issued pursuant thereto void and of no effect to protect the applicant from prosecution for violation of this chapter, or any part thereof.

- (c) No license shall be granted or renewed for operation on any premises on which real estate taxes, assessments, or other financial claims of the City or of the State are due, delinquent, or unpaid. If an action has been commenced pursuant to the provisions of Minnesota Statutes, Chapter 278, questioning the amount or validity of taxes, the Council may, on application by the licensee, waive strict compliance with this provision; no waiver may be granted, however, for taxes, or any portion thereof, which remain unpaid for a period exceeding one year after becoming due unless such one-year period is extended through no fault of the licensee.

Sec. 16-556. Prohibited Acts.

(a) *In general.*

(1) No person shall sell or offer to sell any licensed product:

(i) By means of any type of vending machine.

(ii) By means of self-service merchandising.

(iii) By any other means, to any other person, on in any other manner or form prohibited by state or other local law, ordinance provision, or other regulation.

(2) No person shall sell or offer for sale a product containing THC that does not meet all the requirements of Minnesota Statutes, section 151.72, subdivision 3.

(b) *Legal Age.* No person shall sell any licensed product to any person under the age of 21.

(1) *Age verification.* Licensees shall verify by means of government issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

(2) *Signage.* Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the City, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

(c) *Samples Prohibited.* No person shall distribute samples of any licensed product free of charge or at a nominal cost.

Sec. 16-557. Additional Requirements.

(a) *Storage.* All licensed products shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public.

Sec. 16-558. Responsibility.

All licensees are responsible for the actions of their employees in regard to the sale, offer to sell, and furnishing of licensed products on the licensed premises. The

sale, offer to sell, or furnishing of any licensed product by an employee shall be considered an act of the licensee. Nothing in this section shall be construed as prohibiting the City from also subjecting the employee to any civil penalties that the City deems to be appropriate under this ordinance, state or federal law, or other applicable law or regulation.

Sec. 16-559. Compliance Checks and Inspections.

All premises licensed under this subdivision shall be open to inspection by the City during regular business hours. From time to time, but at least once per year, the City shall conduct compliance checks.

No person used in compliance checks shall attempt to use a false identification misrepresenting their age. All persons lawfully engaged in a compliance check shall answer all questions about their age asked by the licensee or their employee, and produce any identification, if any exists, for which they are asked. The City will conduct a compliance check that involves the participation of a person at least 18 years of age, but under the age of 21 to enter the licensed premises to attempt to purchase the licensed products. Persons used for the purpose of compliance checks shall be supervised by law enforcement or other designated personnel. Nothing in this article shall prohibit compliance checks authorized by state or federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

Additionally, from time to time, the City will conduct inspections to determine compliance with any or all other aspects of this ordinance.

Sec. 16-560. Violations and Penalty.

- (a) *Administrative Civil Penalties—Individuals.* If a person who is not a licensee is found to have violated this article, the person shall be charged an administrative penalty as follows:
- (1) *First Violation.* The Council shall impose a civil fine not to exceed \$50.00.
 - (2) *Second Violation Within 12 months.* The Council shall impose a civil fine not to exceed \$100.00.
 - (3) *Third Violation Within 12 months.* The Council shall impose a civil fine not to exceed \$150.00.
- (b) *Same—Licensee.* If a licensee or an employee of a licensee is found to have violated this article, the licensee shall be charged an administrative penalty as follows:
- (1) *First Violation.* The Council shall impose a civil fine of \$500.00 and suspend the license for not less than 1 day.
 - (2) *Second Violation Within 36 Months.* The Council shall impose a civil fine of \$1,000.00 and suspend the license for not less than 3 consecutive days.

- (3) *Third Violation Within 36 Months.* The Council shall impose a civil fine of \$2,000.00 and suspend the license for not less than 10 consecutive days.
- (4) *Fourth Violation Within 36 Months.* The Council shall revoke the license for at least one year.
- (c) *Administrative Penalty Procedures.* Notwithstanding anything to the contrary in this section:
 - (1) Any of the administrative civil penalties set forth in this section that may be imposed by the Council, may in the alternative be imposed by an administrative citation under Section 1-9.
 - (2) If one of the foregoing penalties is imposed by an action of the Council, no penalty shall take effect until the licensee or person has received notice (served personally or by mail) of the alleged violation and of the opportunity for a hearing before the Council, and such notice must be in writing and must provide that a right to a hearing before the Council must be requested within 10 business days of receipt of the notice or such right shall terminate.
- (d) *Misdemeanor Prosecution.* Nothing in this section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of this article.

Sec. 16-561. Severability.

If any section or provision of this ordinance is held invalid, such invalidity will not affect other sections or provisions that can be given force and effect without the invalidated section or provision.

Sec. 16-562. Effective Date.

This ordinance becomes effective upon passage and publication.

Secs. 16-563—16-599. Reserved.

Section 2. City Code Chapter 1 entitled "General Provisions" and Sec. 1-8 entitled "General Penalty; Continuing Violations" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall take effect form and after its passage and publication as required by law.

Adopted by the City Council this 16th day of August 2022.

ATTEST:

Theresa J. Schyma, City Clerk

Shepard M. Harris, Mayor

