

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
JANUARY 22, 2013 AT 6:30 PM  
COUNCIL CHAMBERS**

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

1. Call meeting to order and Pledge of Allegiance
2. Roll Call
3. Approve the agenda and any agenda additions

**CONSENT AGENDA**

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

4. Approval of Consent Agenda
  - A) Approval of the January 7<sup>th</sup> Regular Meeting Minutes
  - B) Approval of Bills
  - C) Approval of changes to the Fire Department's SOG
  - D) Approve the Hiring of Keith Dressen as 1<sup>st</sup> Assistant Chief (2-Year Term)
  - E) Approve the Hiring of Doug Mackenthun as Safety/Training Officer (2-Year Term)

**PUBLIC HEARINGS**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) Citizens Addressing the Council
6. Announcements
  - A) Meeting with Townships/G.I. on Fire/Ambulance Coverage is January 24<sup>th</sup> @ 7:00 p.m.
7. Communications
  - A) November Water & Wastewater Report
  - B) December/Year-End Financial Reports
  - C) 2012 Compensation Report
  - D) 2012 Overtime Report
  - E) WWTF Project Update

**REPORTS OF OFFICERS, BOARDS & COMMITTEES**

**ORDINANCES & RESOLUTIONS**

8. Ordinance 279 (1<sup>st</sup> Reading) ó Urban Reserve District

9. Resolutions

- A) 6-2013 ó Vacating a Portion of an Alley
- B) 10-2013 ó Approving Fund Transfers
- C) 11-2013 ó Accepting a Resignation and Declaring a Vacancy (City Administrator)

**UNFINISHED BUSINESS**

10. Water Tower Rental Space

- A) Unison Proposal
- B) Discussion/Provide Direction on the Verizon Water Tower Lease Agreement

**NEW BUSINESS**

11. Approve/Deny Request to Waive Community Center Rental Fees

12. Review/Discuss Letter from MN/DOT on Highway 5/Main Street Signal Light

13. Review/Discuss Response Letter from Bolton & Menk on Costs Associated with the Railroad Crossings Project

- A) Approve/Deny Pay Estimate #3

14. Review of Fire and Ambulance Coverage Rates

- A) 2012 Revenue and Expense Report
- B) Township Coverage Rates for 2014

15. Approve/Deny Purchase

- A) Mosquito Sprayer
- B) Lawn Mower

16. City Administrator Position

- A) Approve/Deny Proposal for Interim City Administrator
- B) Approve/Deny a Proposal to Hire a Firm to conduct an Executive Search for a new Administrator

17.

**MISCELLANEOUS BUSINESS**

18. Council Committee Updates

19. Open Discussion

**ADJOURNMENT**

Reminders:

- 1) Hospital Board ó January 28<sup>th</sup> @ 5 pm (SMC)
- 2) Parks ó January 28<sup>th</sup> @ 7 pm
- 3) EDA ó January 29<sup>th</sup> @ 6 pm

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
JANUARY 22, 2013**

The regular meeting was called to order at 6:37 p.m., Mayor Kreft presiding.

Members present: Mayor Kreft, Jaszewski, Nuesse, Reetz, Ruehling, Wills

Members absent: None

Also present: City Administrator Jaunich, Attorney Arneson, Eng. Hawbaker, Bruce Brau, Kurt Menk

Motion by Ruehling, seconded by Wills, and passed by unanimous vote to approve the agenda as presented.

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

- A) Approval of the January 7<sup>th</sup> Regular Meeting Minutes
- B) Approval of Bills
- C) Approval of changes to the Fire Department's SOG
- D) Approve the Hiring of Keith Dressen as 1<sup>st</sup> Assistant Chief (2-Year Term)
- E) Approve the Hiring of Doug Mackenthun as Safety/Training Officer (2-Year Term).

It was noted that there were no public hearings scheduled.

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

The following announcements were reviewed:

- 1) Meeting with Townships/G.I. on Fire/Ambulance Coverage is January 24<sup>th</sup> @ 7:00 p.m.

The Council reviewed the following communications:

- F) November Water & Wastewater Report
- G) December/Year-End Financial Reports
- H) 2012 Compensation Report
- I) 2012 Overtime Report
- J) WWTF Project Update

It was noted that there were no reports from Officers, Boards & Committees.

The first reading of Ordinance 279-An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance by Adding Section 4.25 Establishing an UR Urban Reserve District, was held.

Discussion resumed on the request from Brau Motors to vacate a portion of the alley, which was tabled at the previous meeting. It was noted that if approved, the remaining alley would be considered a dead-end alley and a utility easement would have to be created. Some concern was expressed about restricting access to the neighboring property.

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

**RESOLUTION 6-2013  
A RESOLUTION VACATING A PORTION OF AN ALLEY**

**WHEREAS**, the City Council previously passed Resolution 82-2012 noting its interest in vacating pursuant to Minnesota Statute §412.851 a portion of the alley, known as the Brau Alley, between West Main Street & West Adam Street to the north and south and 5<sup>th</sup> Avenue SW (Highway 5) and 6<sup>th</sup> Avenue SW to the east and west, legally described as:

*“The portion of the alley located adjacent to Lots 1 & 2 and the east ½ of Lot 3 along with the east ½ of Lot 10 and Lots 11 & 12, Block 18 of Original Plat between 5<sup>th</sup> Avenue SW and 6<sup>th</sup> Avenue SW”*

And setting a public hearing to consider the vacation of such street; and

**WHEREAS**, a public hearing to consider the vacation of such alley as held on the 7<sup>th</sup> day of January, 2013, before the City Council in the Council Chambers at the Community Center located at 204 Shamrock Drive at 6:30 p.m. after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Administrator on the 21<sup>st</sup> day of December, 2012 and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

**WHEREAS**, any person, corporation or public body owning or controlling easements contained upon the property vacated, reserves the right to continue maintaining the same or to enter upon such way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

**WHEREAS**, the Council in its discretion has determined that the vacation will benefit the public interest because of the following:

- The alley has no need for public use with no underground utilities within the alley;
- The portion of the ally that is being vacated is surrounded by one property owner;
- The portion of the ally to be vacated will serve has a public benefit for economic purposes provided additional land and property taxes to an already established business; and

**WHEREAS**, the first consideration of this resolution was tabled during the meeting on January 7, 2012 for additional information;

**NOW THEREFORE BE IT RESOLVED** by the City Council of Arlington, Minnesota that the vacation of an alley is hereby granted and the portion of the alley described is hereby vacated:

*“The portion of the alley located adjacent to Lots 1 & 2 and the east ½ of Lot 3 along with the east ½ of Lot 10 and Lots 11 & 12, Block 18 of Original Plat between 5<sup>th</sup> Avenue SW and 6<sup>th</sup> Avenue SW”*

**BE IT FURTHER RESOLVED**, that the Mayor and City Administrator are hereby authorized to sign all documents necessary to effectuate the intent of this resolution.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Wills and upon poll being taken thereon the following voted in favor thereof: Jaszewski, Nuesse, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 22<sup>nd</sup> day of January, 2013.

CITY OF ARLINGTON, MINNESOTA  
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

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

**RESOLUTION 10-2013  
A RESOLUTION TRANSFERRING CITY FUNDS**

**WHEREAS**, sound financial planning by the City Council of the City of Arlington and City Staff is the purpose behind the transfer of funds; and

**WHEREAS**, the City Council deems it expedient under the circumstances to transfer the following funds:

- \$59,884 -- From the General Fund (101) to the 2008 GO Equipment Certificate Fund (320)
- \$21,041 -- From the A-GI Fund (603) to the 2008 GO Equipment Certificate Fund (320)
  - To Cover Debt Service Payments
- \$178,800 -- From the General Fund (101) to the Capital Equipment Fund (401)
  - To Increase the Capital Improvement Fund Balance
- \$200,000 -- From the Arlington Sewer Fund (602) to the A-GI Fund (603)
  - To Account for Proper Fund Balances

**NOW THEREFORE BE IT RESOLVED**, that the aforementioned funds are hereby transferred to said funds of the City of Arlington.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Ruehling and upon poll being taken thereon the following voted in favor thereof: Jaszewski, Nuesse, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 22<sup>nd</sup> day of January, 2013.

CITY OF ARLINGTON, MINNESOTA  
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

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

**RESOLUTION 11-2013**  
**A RESOLUTION ACCEPTING THE RESIGNATION OF THE CITY ADMINISTRATOR AND**  
**DECLARING THAT A VACANCY EXISTS**

**WHEREAS**, the City Council has received a written submission of resignation from Matthew Jaunich as its City Administrator; and

**WHEREAS**, the Arlington City Council has accepted the resignation effective February 9, 2013; and

**WHEREAS**, due to the resignation of the City Administrator, the City Council declares that a vacancy of its City Administrator exists.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Arlington hereby has received and has accepted the resignation of its City Administrator, effective February 9, 2013, and does so declare that a vacancy exists for the City Administrator position.

**BE IT FURTHER RESOLVED** that the City Council expects to fill the vacancy with all due diligence and expediency.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Reetz and upon poll being taken thereon the following voted in favor thereof: Jaszewski, Nuesse, Reetz, Ruehling, Wills; and the following voted against the same: None; and the following abstained from voting: None; and the following were absent: None.

Approved by the City Council of the City of Arlington this 22<sup>nd</sup> day of January, 2013.

CITY OF ARLINGTON, MINNESOTA  
/s/ James R. Kreft, Mayor

Attest: /s/ Matthew Jaunich, City Administrator

The Council reviewed a letter from Bolton & Menk regarding Pay Estimate #3 in conjunction with the Railroad Crossings Project. The letter indicated that the City would have a credit with B&M in the amount of \$14,258.80 for the unauthorized cost overages for the project.

Motion by Reetz, seconded by Jaszewski, and passed by unanimous vote to approve the Contractor's Pay Estimate No. 3 for the Railroad Crossings Project in the amount of \$13,545.86, along with the Settlement Agreement with Bolton & Menk for future engineering costs in the amount of \$14,258.80.

Adm. Jaunich provided an update on the negotiations with Verizon Wireless regarding Water Tower Lease Agreements. He stated that he had been contacted by a company that does contract negotiations for cities. It was the consensus that the Council was not interested in hiring an outside firm at this time. Adm. Jaunich was directed to continue working with Verizon on the terms for the Lease Agreements.

The Council reviewed a request from the Rock on 80's Relay for Life Team asking to have the non-profit fees waived for two separate events they are hosting at the Community Center. Adm. Jaunich explained that the non-profit rate was established to cover cleaning and utility costs for these types of events.

Motion by Ruehling, seconded by Nuesse, and passed by unanimous vote to deny both requests from the Rock on 80's Relay for Life Team to waive the non-profit rate for use of the Community Center.

Discussion was held on the letter received from MnDOT regarding the removal of the stoplight at Hwy 5 and Main Street. Considerable discussion was held, concern about public safety was expressed. Adm. Jaunich will be sending a letter to MnDOT expressing the City's concerns. He encouraged residents, business owners and organizations to submit letters to MnDOT also.

Adm. Jaunich presented the 2012 Revenue and Expense Reports for both the Fire and Ambulance Services, along with the proposed 2014 Township Coverage rates for both services. He commented that both services experienced a reduction in the number of calls from the previous year. It was noted that the 2014 Cost per Section for Fire Coverage will be \$371.74. It was noted that the 2014 Cost per Section for Ambulance Coverage will be 125.20.

The Council reviewed estimates that St. Supt. Thomes had obtained regarding the purchase of a new mosquito sprayer.

Motion by Reetz, seconded by Ruehling, and passed by unanimous vote to approve the low bid from Univar Environmental Sciences in the amount of \$7,850 for the purchase of a mosquito sprayer.

The Council reviewed estimates that St. Supt. Thomes had obtained for the purchase of a new lawn mower.

Motion by Wills, seconded by Jaszewski, and passed by unanimous vote to approve the low bid from Arnold's in the amount of \$7,748.44 for the purchase of the Kubota 720 Pro Commercial Lawn Mower.

Discussion was held on the City Administrator Position. Mayor Kreft explained that Consultant Smith-Strack had submitted a proposal to act as Interim City Administrator. It was noted that she could provide up to 20 hours a week to the City at \$78/hour for the combined City Administrator services, current Zoning Administrator services, and EDA Director services.

Motion by Ruehling, seconded by Nuesse, and passed by unanimous vote to accept the proposal from Cynthia Smith-Strack of Municipal Development Group for providing Interim Administrative Services to the City.

The Council reviewed a couple of proposals from Executive Search Firms who help find applicants to fill vacant Administrative positions. It was noted that both proposals were pretty comparable. Brief discussion was held on whether the City should hire a firm or try to hire on their own.

Motion by Jaszewski, seconded by Wills, and passed by unanimous vote to hire Brimeyer Fursman, LLC Executive Search Firm to do the City Administrator search.

Jaszewski gave an update on the SMC Board. He stated that they are designing the new clinic in Winthrop. He stated that they are also looking at a sagging floor problem at the Gaylord Clinic.

Motion by Jaszewski, seconded by Nuesse, and passed by unanimous vote to adjourn the meeting at 8:15 pm.

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City Administrator Matthew Jaunich

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Mayor James R. Kreft