

**ARLINGTON CITY COUNCIL  
MEETING AGENDA  
JULY 5, 2011 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 June 20<sup>th</sup> Regular Meeting Minutes
  - B) Approval of Bills
  - C) Approval of Temporary Liquor License for Sibley County Agricultural Association from August 3<sup>rd</sup> to August 7<sup>th</sup>

**PUBLIC HEARINGS**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) CenterPoint Energy – Presentation of Community Partnership Grant
  - B) Citizens Addressing the Council
6. Announcements
  - A) Public Hearing for West Elgin Alley Project is July 18<sup>th</sup> @ 5:30 p.m.
  - B) Budget Workshop Meeting – July 19<sup>th</sup> @ 5:30 p.m.
  - C) MMPA Annual Meeting – July 26<sup>th</sup> @ 5:30 p.m. in Buffalo
7. Communications
  - A) June Building Permit Report
  - B) June Police Calls Report
  - C) State Budget Update
  - D) GreenStep Cities Designation
  - E) Henderson Police RFP

## **REPORTS OF OFFICERS, BOARDS & COMMITTEES**

### **ORDINANCES & RESOLUTIONS**

8. Ordinance 259 (2<sup>nd</sup> Reading) – Regulating Nuisances
9. Resolutions
  - A) 41-2011 – Summary Publication of Ordinance 259
  - B) 42-2011 – Custodian Agreement

### **UNFINISHED BUSINESS**

10. Update on Capital Projects
  - A) Railroad Crossings Project
  - B) Wastewater Treatment Plant Upgrade
11. Approve/Deny Direction on Water/Sewer Service to Eric Bergersen

### **NEW BUSINESS**

12. Approve/Deny Request for a DJ at Four Seasons Park for an Event on August 13<sup>th</sup>
13. Approve/Deny City Administrator Job Description
- 14.
- 15.

### **MISCELLANEOUS BUSINESS**

16. Council Committee Updates
17. Open Discussion

### **ADJOURNMENT**

#### Reminders:

- 1) P&Z – July 7<sup>th</sup> @ 7:00 p.m.
- 2) Library – July 20<sup>th</sup> @ 6:30 p.m. (Library)
- 3) Police Committee – July 25<sup>th</sup> @ 1 pm (Tech Center)
- 4) SMC Board – July 25<sup>th</sup> @ 5 pm (SMC)
- 5) Parks – July 25<sup>th</sup> @ 7 pm

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
JULY 5, 2011**

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

Members present: Mayor Kreft, Pederson, Pichelmann, Reetz, Ruehling, Wills

Members absent: None

Also present: City Administrator Jaunich, City Attorney Arneson, Eric Bergersen, John Jensen from CenterPoint Energy, Kurt Menk

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

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

- A) Approval of the June 20th Regular Meeting Minutes
- B) Approval of the Bills
- C) Approval of Temporary Liquor License for Sibley County Agricultural Association from August 3rd to August 7th.

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) Public Hearing for West Elgin Alley project is July 18th @ 5:30 pm
- 2) Budget Workshop Meeting – July 19th @ 5:30 pm
- 3) MMPA Annual Meeting – July 26th @ 5:30 pm in Buffalo

The Council reviewed the following communications:

- 1) June Building Permit Report
- 2) June Police Calls Report
- 3) State Budget Update
- 4) GreenStep Cities Designation
- 5) Henderson Police RFP.

The second reading of Ordinance 259 – An Ordinance Regulating Nuisances within the City of Arlington, was held. Adm. Jaunich commented that no changes had been made since the first reading.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to approve Ordinance 259 - An Ordinance Regulating Nuisances within the City of Arlington, as follows:

**ORDINANCE 259  
AN ORDINANCE REGULATING NUISANCES WITHIN THE CITY OF ARLINGTON**

The purpose of the Ordinance is to regulate nuisances as defined therein, in a manner designed to protect and promote the health and welfare of the public, and to maintain property values. *(See attached for complete ordinance.)*

Adopted by the City of Arlington on the 5th day of July, 2011.

Signed: /s/ James R. Kreft  
Mayor

Attest: /s/ Matthew Jaunich  
City Administrator

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

**RESOLUTION 41-2011**  
**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 259 ENTITLED**  
**“AN ORDINANCE REGULATING NUISANCES WITHIN THE CITY OF ARLINGTON”**

**WHEREAS**, the City Council of Arlington routinely passes ordinances to promote the public safety, health and welfare of the residents of Arlington; and

**WHEREAS**, the City Council initiated an ordinance 259 to regulate nuisances in a manner designed to promote the health and welfare of the public, and to maintain property values; and

**WHEREAS**, the City Council held a first reading of Ordinance 259 at its regular meeting on June 20, 2011; and

**WHEREAS**, the City Council approved the second reading and adoption of Ordinance 259 at its regular meeting on July 5, 2011; and

**WHEREAS**, the City Council of the City of Arlington has determined the publication of the title and a summary of Ordinance 259 entitled “An Ordinance Regulating Nuisances within the City of Arlington”; and

**WHEREAS**, prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Administrator shall cause a summary of Ordinance 259 to be published in the City’s official newspaper at the earliest practicable date.

**BE IT FURTHER RESOLVED**, the summary publication shall read as follows:

“On July 5, 2011, the City Council of the City of Arlington approved Ordinance 259 entitled ‘An Ordinance Regulating Nuisances within the City of Arlington’. The Ordinance in its entirety is available for review and/or photocopying during regular office hours at the City of Arlington, 204 Shamrock Drive, Arlington, Minnesota 55307. The purpose of the ordinance is to regulate nuisances in a manner to protect and promote the health and welfare of the public, and to maintain property values. The Ordinance also addresses repeat nuisance violators and establishes a service fee for repeat violators.”

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Pichelmann and upon poll being taken thereon the following voted in favor thereof: Pederson, Pichelmann, 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 5th day of July, 2011.

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

Attest: /s/ Matthew Jaunich  
City Administrator

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

**RESOLUTION 42-2011**  
**A RESOLUTION ESTABLISHING A CUSTODIAN AGREEMENT WITH THE**  
**PENINSULA BANK**

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Arlington is approved to enter into the attached Custodian Agreement and is hereby allowed to enter into a custodial account in the name of the City of Arlington with Peninsula Bank in accordance with the terms of the attached Custodian Agreement; and

**BE IT FURTHER RESOLVED**, that the City Administrator, Deputy Clerk, and Mayor are authorized to act on behalf of the City of Arlington with the custodian account with Peninsula Bank.

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: Pederson, Pichelmann, 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 5th day of July, 2011.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft  
Mayor

Attest: /s/ Matthew Jaunich  
City Administrator

Discussion was held on the possibility of providing utilities to the Eric Bergersen property in the southeast corner of the City. The Council reviewed two options/cost estimates from Engineer Hawbaker: Option #1 included a cost estimate of \$102,101.98 (City's portion long-term, but assessable to future development-\$86,131.10 and Bergersen portion-\$15,970.88) to extend both an eight inch water and sewer main to the property, which would then allow for future development (of potentially 50 homes) in the area to tap into the system. Adm. Jaunich commented that survey work would need to be done to determine whether or not the grade would allow for the proper flow of the sewer, if not either a lift station or grinder pump would have to be added increasing costs. Option #2 included a cost estimate of \$94,058.27 (City's portion-\$58,295.05 and Bergersen's portion-\$35,763.22) to extend an eight inch water main and a two inch forced sewer main with grinder pump to the property.

It was noted that both of the above options were costly to the City and not included in the Capital Improvement Plan. Adm. Jaunich briefly reviewed Ordinance 200 and commented that it did not have an exemption clause within it, but one could be added. Reetz did not fully agree and interpreted the language within the ordinance somewhat differently. Considerable discussion was held on how the ordinance could possibly be amended either by deleting or adding language (one of several suggestions was to add a sunset provision regarding the sale or transfer of property). Adm. Jaunich explained that the property could be detached from city limits, brief discussion was held.

Motion by Reetz, seconded by Pichelmann, and passed by unanimous vote to table discussion on providing utilities to the Eric Bergersen property so that Staff can either develop language to amend Ordinance 200 to account for properties that are a great distance and would be a financial burden to the City of Arlington by connecting them to city utilities and/or research detachment/de-annexation options.

Adm. Jaunich reported that the Rail Authority had withdrawn its request for MnDOT to do a safety investigation of the intersection of West Main Street and 1st Avenue South. He commented that the project still could not move forward at least from the Rail Authority's perspective, as they were not sure if they would have enough funds available to cover their portion of the project yet this year. It was noted that the Mayor and Administrator were going to be meeting with the Rail Authority later in the month on this matter to see what, if anything can be done.

Adm. Jaunich reported that the State Shutdown was not going to affect the funding for the Wastewater Treatment Plant Upgrade. It was noted that the City would be saving approximately \$1,114,305 in interest costs by utilizing the Minnesota Public Facilities Authority financing package. Adm. Jaunich estimated that construction could begin within a month's time and there shouldn't be any disruptions to the system.

John Jensen from CenterPoint Energy (CPE) stated that CPE likes to assist local emergency services with funding for safety equipment purchases. He explained that the Arlington Fire Department (AFD) had applied for their Community Partnership Grant to purchase some confined space rescue equipment. He announced that the AFD had been chosen and presented the City of Arlington/Fire Department with a check in the amount of \$1,850 for the purchase said equipment.

Adm. Jaunich explained that he had received a request from a resident to use Four Seasons Park for a party and wanted to hire a DJ. Ordinance 246-Use of Parks was reviewed.

Motion by Pederson, seconded by Ruehling, and passed by unanimous vote to approve the request to have a DJ at an event in Four Seasons Park on August 13, 2011.

Adm. Jaunich explained that he was asked to update job descriptions when time allows. He presented a copy of a job description for the City Administrator position that he had put together.

Motion by Ruehling, seconded by Wills, and passed by unanimous vote to approve the City Administrator Job Description as presented. *(See attached)*

Reetz gave an update on the Fiber to Home project. He stated that they have been meeting with companies that do design/build/lease programs. He commented that the Joint Powers Board has hired Shannon Sweeney as their financial advisor/consultant.

Pichelmann commented that the EDA had met with Tim Dolan from SEDCO, who explained what is being done with the money the cities contribute.

Adm. Jaunich commented that he had recently met with PeopleService, who informed him that their employee Paul Moe was being transferred to another community, but they were actively seeking a replacement operator to have in Arlington.

Adm. Jaunich stated that PZ Adm./EDA Dir. Smith-Strack would be on vacation from July 18th-29th, but will have someone from her office filling in for her.

Motion by Wills, seconded by Pichelmann, and passed by unanimous vote to adjourn the meeting at 7:47 pm.

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City Administrator Matthew Jaunich

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Mayor James R. Kreft