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**STON CITY COUNCIL
MEETING AGENDA
APRIL 5, 2010 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 March 15th Regular Meeting Minutes
 - B) Approval of Bills
 - C) Approval of Charitable Gambling Permit for the Chamber of Commerce on June 19th for a raffle
 - D) Approve the renewal of 3.2 Malt Liquor & Setup Licenses for Spare Time Bowling Center
 - E) Approve the closing of W. Chandler from Highway 5 to 6th Avenue on April 17th from 8:00 a.m. to 1:30 p.m. for the 6th Annual Racer Preview Day
 - F) Approve the Purchase of 1 Truckload of Wood Mulch from Midwest Playscapes for \$2,046.66

PUBLIC HEARINGS

5. Public Hearing on Proposed Changes to the EDA's Enabling Resolution

PETITIONS, REQUESTS, & COMMUNICATIONS

6. Addressing the Council
 - A) Citizens Addressing the Council
7. Announcement
 - A) Board of Appeal & Equalization Hearing is April 12th from 3-8 p.m. at the Sibley County Assessor's Office.
 - B) Spring Clean Up Day is Saturday, May 1 from 8 a.m. to 1 p.m. in the Municipal Parking Lot
 - C) LMC Annual Conference is June 23-25 in St. Cloud
8. Communications
 - A) February Water/Wastewater Report
 - B) March Building Permit Report
 - C) March Police Calls Report
 - D) EDA Director Activity Report

- H) Federal Warning System's Report on Arlington's Storm Sirens
- I) Discussion on Fire Dept. Truck

REPORTS OF OFFICERS, BOARDS & COMMITTEES

- 9. Yearly Electrical Engineer Update (Curtis Cordt)
- 10. Update on the WWTP Digester Improvement Project ó Kris Swanson (Bolton & Menk)

ORDINANCES & RESOLUTIONS

- 11. Resolutions
 - A) 14-2010 ó Receiving Report and Ordering Improvement on the Highway 5 Lift Station Upgrade
 - B) 15-2010 ó A Resolution Amending the City's EDA Enabling Resolution

UNFINISHED BUSINESS

- 12. Approve/Deny Charging Fees for Spring Clean Up

NEW BUSINESS

- 13. Paul Pieper
 - A) Approve/Deny Extending Ordinance 220 Deadline by 18 Months
- 14. Approve/Deny Right-of-Way Access to Vos Construction for the Construction of a Storm Sewer Line
- 15. Approve the Hiring of Harold Melsha, Eric Haefs & Eric Schultz for Spring/Summer /Fall Lawn Mowing Help
- 15.1 Approval of bid from Mini Biff, LLC for summer portable restrooms @ \$294.20/month
- 15.2 Approve the Purchasing and Planting of Five Trees from Traverse des Sioux Garden Center for \$1,949.95
- 15.3 Advertise for a Summer Recreation Director

MISCELLANEOUS BUSINESS

- 17. Council Committee Updates
- 18. Open Discussion

ADJOURNMENT

Reminders:

- 1) A-GI WW ó April 8th @ 7 pm (Arlington)
- 2) Planning & Zoning - April 15th @ 7 pm
- 3) Parks ó April 21st @ 7 pm
- 4) Police ó April 26th @ 1 pm (Tech Center)
- 5) SMC Board ó April 26th @ 5 pm
- 6) EDA ó April 28th @ 6 pm (Tech Center)

INGTON CITY COUNCIL
MEETING MINUTES
APRIL 5, 2010

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

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

Members absent: None

Also present: Adm. Jaunich, City Attorney Arneson, Jim Heiland, Engineer Curt Cordt, Paul Pieper,
Engineer Kris Swanson, Kurt Menk

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the agenda with the following changes:

Remove item 4E and move it to item 15.1

Remove item 4H and move it to item 15.2

Add item 15.3) Advertise for a Summer Recreation Director.

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

- A) Approval of the March 15th Regular Meeting Minutes
- B) Approval of the Bills
- C) Approval of Charitable Gambling Permit for the Chamber of Commerce on June 19th for a raffle
- D) Approve the renewal of 3.2 Malt Liquor & Setup Licenses for Spare Time Bowling Center
- E) Approve the closing of West Chandler Street from Hwy 5 to 6th Avenue on April 17th from 8:00 am to 1:30 pm for the 6th Annual Racer Preview Day
- F) Approve the Purchase of 1 Truckload of Wood Mulch from Midwest Playscapes for \$2,046.66.

Mayor Kreft recessed the regular meeting to hold a public hearing.

At 6:35 pm Mayor Kreft called to order the public hearing regarding the proposed changes to the EDA's Enabling Resolution. It was noted that there was no public comment.

Motion by Pederson, seconded by Wills, and passed by unanimous vote to adjourn the public hearing. Mayor Kreft adjourned the public hearing and reconvened the regular meeting.

Prospective business owner Paul Pieper explained that he was in the process of purchasing the Steve Geib property located along Hwy 5 near the industrial park with the intent of operating a heavy-duty equipment repair business. He understands that the City has an ordinance in place requiring the property to be hooked up to city utilities upon purchase. He asked for an 18-month extension due to financial reasons, plus he added that the private well and septic were still in good working order. It was noted that the Purchase Agreement was contingent upon the approval of Conditional Use Permit to operate the proposed business on said property, which Pieper has since applied for. Adm. Jaunich recommended granting an extension, but to also set a deadline that the utility hook ups must be completed by.

Motion by Reetz, seconded by Pichelmann, and passed by unanimous vote to grant an 18-month extension from the date of closing on the property to Paul Pieper or by a deadline of October 31, 2011 to get the property hooked up to city utilities.

Electrical Engineer Cordt presented the annual report for the Electrical Utility Department. He commented briefly on the upcoming electrical improvements, which are anticipated to start very soon and be done by mid-August. Engineer Cordt stated that they are still trying to work out the wind turbine issues. It was noted that they were waiting on a bid proposal for getting started on changing out the

er Cordt also commented that system studies (arc flashing and downtown substation and switching station. He commented that ground. Vrklan questioned what kind of life is left in the old substation. Cordt commented that they are hoping to get 2-3 more years out of it by splitting the load between the two substations.

Engineer Kris Swanson was present to provide an update on the Wastewater Treatment Plant Digester Improvement Project. He stated that the Contractor had asked for a substantial completion expansion, which has now been met. It is anticipated that all work (weather pending) for this project will be completed by June 1st and within budget.

Discussion was held on the Hwy 5 Lift Station and the need to make improvements. Engineer Swanson commented on the age of the lift station and amount of deterioration and/or problems that have or continue to occur. He presented information on the following 3 proposals for said improvements:

- Option 1) Replace pumps and controls ó approximate cost \$30,000
- Option 2) Replace pumps, controls, top hatch, isolation and check valves ó approximate cost \$65,000
- Option 3) Provide new lift station and valve vault with controls and new generator ó approximate cost \$250,000.

He recommended option 2 as it would address the immediate needs of the lift station (and last another 10 years) and provide a modest growth for future development. Adm. Jaunich commented that this type of extensive project was not included in the budget, but there were funds available in the sewer account and/or reserves.

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

**RESOLUTION 14-2010
A RESOLUTION RECEIVING A REPORT AND ORDERING AN IMPROVEMENT
WITH A PREPARATION OF PLANS**

WHEREAS, a report was prepared by Kris Swanson of Bolton and Menk on a rehabilitation project for the Highway 5 Lift Station; and

WHEREAS, it is proposed to replace pumps, controls, top hatch, isolation and check valves (Alternate 1 and 2 from report) at an estimated cost of \$65,000; and

WHEREAS, such report was accepted by the City Council and is hereby attached.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ARLINGTON, MINNESOTA:

1. Such improvement is necessary, cost-effective, and feasible as detailed in the Highway 5 Lift Station Rehabilitation report.
2. Kris Swanson of Bolton & Menk is hereby designated as the engineer for this project, and a preparation of plans and specifications for such improvement is hereby ordered as proposed.
3. A solicitation of bids for this project is hereby ordered with a deadline/bid opening of May 12, 2010.
4. The City Council intends on paying for this project through fund reserves.

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: Pederson, Pichelmann, Reetz, Vrklan, 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 April, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

is present to address the Council on non-agenda items.

The following announcements were reviewed:

- 1) Board of Appeal & Equalization Hearing is April 12th from 3-8 pm at the Sibley County Assessor's Office.
- 2) Spring Clean Up Day is Saturday, May 1st from 8 am to 1 pm in the Municipal Parking Lot.
- 3) LMC Annual Conference is June 23-25 in St. Cloud.

The Council reviewed the following communications:

- 1) February Water/Wastewater Report
- 2) March Building Permit Report
- 3) March Police Calls Report
- 4) EDA Director Activity Report
- 5) Update on Budget/LGA Cuts
- 6) 2009 Tree City USA Designation
- 7) Governor's Fit City Designation
- 8) Federal Warning System's Report on Arlington's Storm Sirens
- 9) Discussion on Fire Dept. Truck.

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

RESOLUTION 15-2010
A RESOLUTION AMENDING THE CITY'S EDA ENABLING RESOLUTION (4-1997):
ESTABLISHING AN ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, Minnesota Statutes, Sections 469.090 to 469.108 (Economic Development Act) authorize the City of Arlington to adopt an enabling resolution establishing an Economic Development Authority (Authority) for the purposes of promoting and providing for industrial and economic development and redevelopment within the City; and

WHEREAS, the City finds a need for the Authority to develop housing development projects pursuant to Minnesota Statutes, Sections 469.001 to 469.047; and

WHEREAS, the City wishes to grant to the Authority such industrial and economic development and redevelopment powers pursuant to the Economic Development Act subject to the limitation set forth herein; and

WHEREAS, the original Enabling Resolution (4-1997) giving power to the EDA was approved in January of 1997 and amendments to that resolution are needed; and

WHEREAS, the original Enabling Resolution is hereby amended and City Resolution 4-1997 is replaced in its entirety; and

WHEREAS, the City has provided a public notice and conducted a public hearing on April 5, 2010 concerning the amendments to the Enabling Resolution and has fulfilled all other legal requirements for the establishment of the same.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON that the Authority has the powers contained in Sections 469.090 to 469.108 and the power of a housing and redevelopment authority under Sections 469.001 to 469.047 or other law, and of a City under Sections 469.124 to 469.134 or other law.

BE IT FURTHER RESOLVED, that the actions of the Authority are subject to the following limitations:

- a. Except when previously pledged by the Authority, the City Council may by resolution require the Authority to transfer any portion of the reserves generated by activities of the Authority that the City

sary for the successful operation of the Authority to the debt service
ly to reduce tax levies for bonded indebtedness of the City;
ons issued by the Authority shall be approved by the City Council

- before issuance,
- c. The Authority is granted, by the City Council, full consent to purchase land and/or buildings or other real property at the Authority's sole discretion using funding under the direct control of the Authority, the extent of which is provided for in Council Resolution 84-2009.
 - d. The Authority shall follow the budget process for the City departments as provided by the City and as implemented by the City Council and Mayor;
 - e. All official actions of the Authority must be consistent with the adopted 2009 Comprehensive Plan Update of the City, and any official controls implementing the comprehensive plan;
 - f. The Authority shall obtain approval of its proposed plans for development and redevelopment from the City Council in accordance with City planning procedures and law.
 - g. The Authority shall submit all planned activities for influencing the action of any other governmental agency, subdivision, or body to the City Council for approval;
 - h. When so requested by the City Council, the Authority shall submit its administrative structure and management practices to the City Council for approval;

BE IT FURTHERMORE RESOLVED, that the Authority shall be a public body corporate and politic and a political subdivision of the State of Minnesota. Its relationship to the Mayor and the City Council shall be governed by the Economic Development Act, this Enabling Resolution and the other economic development laws contained in the Minnesota Statutes, Chapter 469 under which it operates. In the event a conflict arises between the Economic Development Authority Act and this Enabling Resolution, the Economic Development Act shall control; and

FURTHERMORE RESOLVED, that the powers of the Authority shall be vested in the Commissioners thereof in office at any time, a majority of whom shall constitute a quorum for all purposes. Such Commissioners shall be seven in number, two of whom shall be members of the City Council, and shall be appointed by the Mayor with the approval and consent of the City Council. The terms of office of each member of the City Council appointed as a Commissioner shall coincide with that Council member's remaining term as a member of the City Council. All of the Commissioners shall be residents of the City. Each vacancy in an unexpired term shall be filled in the same manner in which the original appointment was made. Commissioners shall hold office until their successors have been appointed and qualified. A copy of the City Council Appointment Resolution shall be filed with the City Administrator. Whenever the membership of the Authority is changed by reason of a new appointment, a certificate of the appointment and a certified copy thereof shall be promptly filed. A certificate filed with the City Administrator shall be conclusive evidence of appointment or change of membership; and

FURTHERMORE RESOLVED, the Commissioners of the Authority shall adopt by-laws and elect officers as provided in Minnesota Statutes, Section 469.096. The Commissioners may also amend the Authority's by-laws to bring them into current administrative practices; and

FURTHERMORE RESOLVED, that nothing shall prevent the City Council from modifying the Enabling Resolution to impose new limitations on the powers of the Authority or to grant new authorities or to provide for other matters as authorized by Sections 469.090 to 469.108 or other law. Modification to this Enabling Resolution may take place only after qualifying notice and public hearing as required and as authorized by the Act.

BE IT FURTHER RESOLVED, As provided in the Act it is the intention of the City Council that nothing in this Resolution nor any activities of the EDA shall be construed to impair the obligations of the City under any contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City. The City Council shall not modify any limit in effect at the time any bonds or obligations are issued or contracts executed to the detriment of the holder or the bonds or obligations or any contracting party.

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

City of Arlington this 5th day of April, 2010.

/s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

Discussion was held on whether or not a fee should be charged for the Spring Clean Up. Adm. Jaunich explained that the City does incur costs to host this event: employee wages and bill from garbage collector for their time/trucks and waste collected. He stated that the City has collected a flat rate for appliances in the past. He checked with other cities to see what (if anything) they charged and found that some didn't charge anything, some charged a per piece fee, and some charged a flat gate fee (regardless of size of load being disposed of). Reetz expressed his concerns with the City covering the costs for collecting garbage that individual residents could dispose of through their respective garbage company. Pederson commented that he would like to see the program continue, but not charge a fee (except for appliances like has been done in the past). Mayor Kreft commented that it is a good program, but the City is facing LGA cuts and needs to consider all expenses. Adm. Jaunich suggested continuing the program with just appliance and metal collection. It was suggested to see if the garbage companies would be interested in collecting the money for the junk and then city staff would not have to be on site.

Motion by Reetz, seconded by Pichelmann, and passed by unanimous vote to table discussion/action on charging a fee for Spring Clean Up until the next regular Council meeting, in order to allow Adm. Jaunich to contact the garbage companies to see if they would be interested in providing personnel and equipment.

The Council reviewed a proposal from Vos Construction to direct pipe a storm sewer line from the Gustafson Dental Clinic into a catch basin being installed at the corner of 3rd Avenue NW and West Alden Street. Adm. Jaunich commented that the City does not require a permit at access a right-of-way (easement) area.

Motion by Pederson, seconded by Wills, and passed by unanimous vote to approve right-of-way access to Vos Construction for the construction of a storm sewer line as mentioned above with the understanding that it is restored to its original condition.

Brief discussion was held on the summer lawn mowing positions. Adm. Jaunich noted that 20 applicants had applied.

Motion by Reetz, seconded by Vrklan, and passed by unanimous vote to hire Harold Melsha, Eric Haefs and Eric Schultz as the Spring/Summer/Fall lawn mowers.

Discussion was held on the bids received for port-a-potties. Concern was expressed that they should be handicap accessible, which the bids did not include. Adm. Jaunich stated that handicap units are more expensive and the City is not required to provide since they are temporary units.

Motion by Wills, seconded by Vrklan, and passed by unanimous vote to put handicap accessible port-a-potties in all the City parks and authorize the City Administrator to approve the lowest bid for same.

Adm. Jaunich talked about the bids received from Redwood Falls Nursery and Traverse Des Sioux Garden Center (TDSGC) for planting trees in the cemetery. He stated that Traverse Des Sioux was the low bidder. However, the Cemetery Committee had requested a specific tree-Crimson King Maple, which Traverse Des Sioux did not have. It was the Cemetery Committee's recommendation to purchase 3 Greenspire Linden trees from Redwood this year and seek new bids for the Crimson King Maple.

and passed by unanimous vote to purchase 3 Greenspire Linden of \$265 each, plus \$100/labor for planting.

Adm. Jaunich stated that they were notified earlier in the day that Doug Flieth had changed his mind about returning to be the Summer Recreation Director. He questioned if they should re-advertise the position or look at other options.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to re-advertise for the Summer Recreation Director position.

Pederson commented that the Ambulance Service will be covering the Arlington Raceway's Test-N-Tune day Saturday, April 17th, along with the Rodeo that same evening.

Pederson commented on the most recent Trails Committee meeting. He stated that they will be receiving two grants (totaling \$800,000) that will cover the road/bridges in 2014 and trail in 2013. He stated that the County received a Shift grant, which is used primarily to help with advertising costs. The next County Trail meeting will be an open house held on Thursday, June 3rd at the Arlington Sportsman's Park with a healthy meal provided. The idea behind the open house is to get people interested in the trail system. The Committee will also be having a booth at the Sibley County Fair to hand out pamphlets about the trail system. Pederson added that information will also be included in the "Explore Minnesota" books produced and the "As the Crow Flies from the Minnesota River Byway" magazine.

Wills commented on the most recent Cable Commission meeting. He stated that they Commission will be purchasing new equipment called "Tight Rope", which allows for the incorporation of computers to access the public access channel so residents can watch Council meetings, etc. through the internet. He stated that cities will have access to put up emergency messages. They are hopeful to have the system up and going by July/August.

Wills questioned if certain streets with bad spots in them will be patched this year, in conjunction with the seal coating project. Adm. Jaunich stated they will not be (per the Streets Committee recommendation) as they are on the schedule for reconstruction in 2-3 years. He stated that some repairing can be done.

Motion by Reetz, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 8:23 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft