

**STON CITY COUNCIL
MEETING AGENDA
JULY 6, 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 June 21st Regular Meeting Minutes
 - B) Approval of Bills
 - C) Approving the Purchase of six 8øSteel Picnic Tables from the EFA Company for \$4,153.50

PUBLIC HEARINGS

PETITIONS, REQUESTS, & COMMUNICATIONS

5. Addressing the Council
 - A) Citizens Addressing the Council
6. Announcement
 - A) Public Hearing on Proposed Assessments ó July 12th @ 6:30 p.m. in Room 2
 - B) MMPA Annual Meeting in Arlington ó July 29th @ 5:30 p.m.
 - C) MMUA Annual Summer Meeting ó August 23-25 in Alexandria
7. Communications
 - A) May Water/Wastewater Report
 - B) June Building Permit Report
 - C) June Police Calls Report
 - D) Summer Rec. Participation Report
 - E) Update on League of MN Cities Annual Conference
 - F) MMPA 1st Quarter 2010 Financial Statement
 - G) Thank You from APLL

ICERS, BOARDS & COMMITTEES

8. Yearly Cemetery Committee Update

ORDINANCES & RESOLUTIONS

9. Ordinance 251 (1st Reading) ó Regarding Setbacks in B-1 Service Business District
10. Resolutions
 - A) 29-2010 ó Approve/Deny Variance from front yard setback ó 703 Horseshoe Drive
 - B) 30-2010 ó Appointing Election Judges
 - C) 31-2010 ó Approving Specs and Authorizing an Advertisement for Bids on a 3,500 Tank for the New Fire Truck
 - D) 32-2010 ó Appointing Curt Reetz to Sibley County Broadband Task Force
 - E) 33-2010 ó Removing Parcels of Property from TIF District #2

UNFINISHED BUSINESS

11. Update on Railroad Crossings Project in Arlington
12. Approve/Deny Transient Merchant/Peddlers permit for Thomas Malchow (Food Stand)

NEW BUSINESS

13. Approve/Deny Disposal of City Property
 - A) Water Department Truck (1976 I.H. Dump Truck)
 - B) Landscape Bricks
14. Discussion on Infrastructure Projects to Consider for ó Safe Routes to School ó Grant Application
15. Approve/Deny Dance Permit for the Arlington Area

MISCELLANEOUS BUSINESS

16. Council Committee Updates
17. Open Discussion
18. CLOSED meeting to develop or consider an offer for the purchase of real property

ADJOURNMENT

Reminders:

- 1) Parks ó July 14th @ 7 pm
- 2) Police Comm. ó July 26th @ 1 pm (Tech Center)
- 3) Hospital Board ó July 26th @ 5 pm
- 4) EDA ó July 28th @ 6 pm



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ARLINGTON CITY COUNCIL
MEETING MINUTES
JULY 6, 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, EDA Director Schultz, Fire Dept. Members Keith Dressen & Tom Pomplun, Karin Ramige, Gary St. John

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

Add item 15) Approve/Deny Dance Permit for the Arlington Aø.

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

- A) Approval of the June 21st Regular Meeting Minutes
- B) Approval of the Bills
- C) Approving the Purchase of six 8øSteel Picnic Tables from the EFA Company for \$4,153.50.

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 on Proposed Assessments ó July 12th @ 6:30 pm in Room 2
- 2) MMPA Annual Meeting in Arlington ó July 29th @ 5:30 pm
- 3) MMUA Annual Summer Meeting ó August 23-25 in Alexandria.

The Council reviewed the following communications:

- 1) May Water/Wastewater Report
- 2) June Building Permit Report
- 3) June Police Calls Report
- 4) Summer Rec. Participation Report
- 5) Update on League of MN Cities Annual Conference
- 6) MMPA 1st Quarter 2010 Financial Statement
- 7) Thank You from APLL.

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

RESOLUTION 29-2010
A RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE FROM FRONT YARD SETBACK
REQUIREMENT FOR 703 HORSESHOE DRIVE, PARCEL #310720050

WHEREAS, Gary St. John has submitted a request for variance from the required front yard setback under Section 5, Subd. 4(2)(a) of the Arlington Zoning Ordinance; and

WHEREAS, the purpose of the variance is to accommodate a 12-foot wide front porch/deck entry for existing structure on the property legally described as Lot 2, Block 1, Matz Trocke First Addition, City of Arlington, Sibley County MN; and

...input on the variance request was published in the official ...y owners within 350 feet of the property; and

WHEREAS, the Planning and Zoning Committee acting as the Board of Zoning Adjustment conducted a public hearing on the variance request on July 1, 2010 and accepted input on the variance request; and

WHEREAS, the Planning and Zoning Committee has discussed the variance request and approved a resolution recommending the City Council approve the request; and

WHEREAS, the City Council has made the following findings:

- The purpose of the R-1 One and Two Family District is to provide low density residential areas and restrict incompatible commercial and industrial uses. The integrity of a residential neighborhood is characterized by its suitability for dwelling unit habitation. Inherent in the concept of suitability for habitation is convenient and safe access to the structure. Without safe and convenient access to the existing structure's front entry the value of the property for habitation could be impacted which, in turn, could negatively impact the use of the property for dwelling purposes.
- The landowner's situation is unique to the property as it is a pie shaped lot at the top of a curvilinear street cul-de-sac terminus; the fact there is 25' right of way from the back of the curb to the property line which is unusually large within the City of Arlington; the fact the lot depth is shallow; and the fact the existing front entry that is being replaced previously encroached onto the setback.
- If granted the variance will not alter the essential character of the locality. The resulting porch/deck/entry on the lot is adjacent to a cul-de-sac curve and will not abnormally protrude into a consistent front yard setback adjacent to a grid-like street pattern. There is abundant volume of boulevard between the proposed porch/deck/entry and the street curb which makes the front yard appear larger than that in other adjacent dwellings.

NOW, THEREFORE, BE IT RESOLVED BY THE ARLINGTON CITY COUNCIL THAT: A variance request to allow encroachment in the front yard setback requirement for the property at 703 Horseshoe Drive is hereby approved.

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, 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 6th day of July, 2010.

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 30-2010
A RESOLUTION APPOINTING ELECTION JUDGES FOR THE 2010 ELECTIONS**

WHEREAS, a State Primary Election will be held on Tuesday, August 10, 2010, and polls must be open from 7:00 a.m. to 8:00 p.m.; and

WHEREAS, a General Election will be held on Tuesday, November 2, 2010, and polls must be open from 7:00 a.m. to 8:00 p.m.; and

WHEREAS, Minnesota Statute 204B.21, Subd. 2 requires Election Judges for precincts in a municipality be appointed by the governing body of the municipality; and

WHEREAS, the City of Arlington has one precinct; and



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...ve applied to serve as Election Judges for the Primary and General
...ry duties related to the election process.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Arlington, Minnesota, that the attached list of individuals are hereby approved for the 2010 elections.

BE IT FURTHER RESOLVED, that the hourly wage for training time and the election judge services are hereby approved for the 2010 election at \$8.75 per hour, except that the Head Judges will be paid \$9.25 per hour. Mileage incurred due to training and election duties shall be reimbursed at the current IRS rate.

FURTHERMORE BE IT RESOLVED, that the City Administrator is hereby authorized to appoint any substitutions to Election Judges if necessary.

ELECTION JUDGES – 2010 PRIMARY ELECTION SCHEDULE

MORNING SHIFT (6:00 am . 2:45 pm)

Minimum requirement: 4 Judges

Barb Haggemiller - Head Judge
409 Circle Lane
Arlington, MN 55307

Loanne Sorenson
724 Marion Drive
Arlington, MN 55307

Pat Grabitske
302 West Adams Street
Arlington, MN 55307

Helen Kittock
401 Creekview Lane
Arlington, MN 55307

AFTERNOON SHIFT (2:30 . 8:00 pm)

Minimum requirement: 5 Judges

Renae Dose - Head Judge
107 East Brooks Street
Arlington, MN 55307

Carol Mesenbring
502 West Elgin Street
Arlington, MN 55307

Diane Ebersviller
505 Circle Lane
Arlington, MN 55307

Pauline Wiemann
503 West Adams Street
Arlington, MN 55307

Marion Van Moorlehem
507 West Elgin Street
Arlington, MN 55307

ALTERNATES

Ruth Voight
206 East Dayton Street
Arlington, MN 55307

Marie Schneider
108 East Douglas Street
Arlington, MN 55307

Audrey Sickmann
310 Frenzel Drive
Arlington, MN 55307

Deb Brinkman
401 4th Avenue NE
Arlington, MN 55307

William Ehlke
110 East Clinton Street
Arlington, MN 55307

Edythe Haggemiller
822 West Main Street, Apt. 205
Arlington, MN 55307

Ramona Bade
511 East Elmwood Street
Arlington, MN 55307

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, 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 6th day of July, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Krefl
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

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

RESOLUTION 31-2010

A RESOLUTION APPROVING SPECIFICATIONS AND ORDERING AN ADVERTISEMENT FOR BIDS

ons for the construction of a 3,500 gallon stainless steel, elliptical ment of such tank on a 2005 International Chassis (Model: 7500; Style CR), and has presented such specifications to the Council for approval.

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

1. Such specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper and in *Finance & Commerce* an advertisement for bids upon the making of such Tank under approved specifications. The advertisement shall be published for two weeks, shall specify the work to be done, shall state that bids will be received by the City Administrator until 11:00 a.m. on July 29, 2010, at which time they will be publicly opened in the Council Chambers at the Community Center by the City Administrator, will then be tabulated, and will be considered by the Council at 6:30 p.m. on August 2, 2010 in the Council Chambers at the Community Center. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator.
3. Tax Exempt Bonds will be used to finance this project.

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, 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 6th day of July, 2010.

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 32-2010
A RESOLUTION APPOINTING CURT REETZ TO A TASK FORCE TO STUDY "BROADBAND" THROUGHOUT SIBLEY COUNTY

BE IT RESOLVED that Mayor James R. Kreft has appointed Council Member Curt Reetz to sit on a Task Force to study ðBroadbandö throughout Sibley County.

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.

Approved by the City Council of the City of Arlington this 6th day of July, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
Mayor

Attest: /s/ Matthew Jaunich
City Administrator

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

RESOLUTION 33-2010
A RESOLUTION REMOVING PARCELS OF PROPERTY FROM TIF DISTRICT #2

WHEREAS, an Agreement was made and entered into by and between the City of Arlington and Golden Hearts, Inc. on a development project; and



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City Resolution 16-2007 authorized a Tax Abatement for properties

WHEREAS, the properties owned by Golden Hearts, Inc. to receive Tax Abatement are parcel #s 31-0817-000 & 31-0819-000; and

WHEREAS, parcel #s 31-0817-000 & 31-0819-000 are currently located in TIF District #2 and are not eligible for Tax Abatement.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Arlington, that parcel #s 31-0817-000 & 31-0819-000 are hereby removed from TIF District #2.

FURTHERMORE BE IT RESOLVED, that a copy of this resolution be presented to the Sibley County Auditor.

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, 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 6th day of July, 2010.

CITY OF ARLINGTON, MINNESOTA

/s/ James R. Kreft
 Mayor

Attest: /s/ Matthew Jaunich
 City Administrator

The first reading of Ordinance 251 ó An Ordinance Amending Ordinance 169, The Arlington Zoning Ordinance, by Replacing Section 7, Subd. 4 (2-4) Relating to Setbacks Within the B-1 Service Business District, was held.

Adm. Jaunich gave an update on the railroad crossings project. It was noted that the Utility Committee, City Engineer Hawbaker and Sibley County Engineer Mielke met recently to discuss said project. Adm. Jaunich explained that the costs for said project were discussed, along with the consideration of closing 1st Avenue South. Reetz commented that the scope of the project was not what they thought it was going to be, the streets/intersections will not be getting disturbed much at all, and therefore replacement of the underground utilities may not happen. Adm. Jaunich spoke briefly on õwhistle freeö zones. Reetz questioned if a public hearing should be held in order to get residents input on possibly closing off 1st Avenue. Mayor Kreft would like to see it stay open. Adm. Jaunich stated that other avenues are still being researched and will report back as information is obtained.

Discussion resumed (from last meeting) on the Peddler Permit Application from Thomas Malchow. Adm. Jaunich reported that Mr. Malchow had provided a copy of his State License and had decided to park his unit on the parking lot at Four Seasons Park/Senior Building area.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the Peddler Permit for Thomas Malchow as presented.

Discussion was held on selling city property, more specifically: 1976 I.H. Dump Truck and paver blocks. Adm. Jaunich stated that the transmission had gone out in the dump truck and it was too old and costly to fix. He commented that the pavers have been sitting for years and have not been needed. It was suggested to have an open advertisement for sale of the pavers and a sealed bid for the truck.

Motion by Wills, seconded by Reetz, and passed by unanimous vote to sell the paver brick by open advertisement and the dump truck by sealed bid.

Wills reviewed regarding infrastructure improvements for the Safe Routes to School Grant application. The memo included several suggestions for improvements, including the addition of sidewalks in various areas.

The Council reviewed the annual Cemetery report that Chairperson Bernet Pinske had put together. Vrklan commented that discussions on a columbarium have started again.

The Council reviewed a Dance Permit from the Arlington AØ. It was noted that the permit had been dropped off in the afternoon and the dance was planned for the upcoming Saturday. Adm. Jaunich stated that Chief Rovinsky was on vacation and had not had a chance to review the security plan. Wills expressed some concern about the short notice with the permit and that he would like to see 2-3 weeks for review/approval time.

Motion by Reetz, seconded by Pederson, and passed by unanimous vote to approve the Dance Permit for the Arlington AØ as presented contingent upon the Police Chief/DepartmentØ approval of the security plan.

Wills gave an update on the Cable Commission.

Pederson reported that members of the Park Committee had met with a play equipment representative regarding the SportsmanØ Park.

Reetz gave a brief update on the Planning Committee.

Adm. Jaunich, Councilmembers Pederson and Pichelmann stated that they will not be at the 2nd meeting in July.

Mayor Kreft recessed the regular meeting to hold a closed meeting at 7:23 pm.

Mayor Kreft opened the closed portion of the meeting. He stated the purpose of the meeting was to develop or consider an offer for the purchase of real property.

Considerable discussion was held on said purchase of real property. EDA Dir. Schultz spoke on the EDAØ perspective on the purchase of the property as a whole.

Motion by Vrklan, seconded by Pederson, and passed by unanimous vote to offer the property owner \$5,500 per acre for 60 acres with building site; then in the mean time, negotiate an Agreement with UFC to purchase 12 acres at \$7,500 per acre.

Motion by Wills, seconded by Pederson, and passed by unanimous vote to adjourn the closed portion of the meeting.

Mayor Kreft adjourned the closed meeting and reconvened the regular meeting.

Motion by Vrklan, seconded by Wills, and passed by unanimous vote to adjourn the meeting at 8:31 pm.

City Administrator Matthew Jaunich

Mayor James R. Kreft