

**ARLINGTON CITY COUNCIL**  
**MEETING AGENDA**  
~~**MARCH 5, 2018 AT 6:30 PM CANCELLED**~~  
**THURSDAY, MARCH 8, 2018 @ 6:30 PM RESCHEDULED**  
**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 February 20, 2018 City Council Meeting Minutes.
  - B) Approval of Bills
  - C) Approval of Bid from Mini Biff for Portable Toilets at City Parks. (\$538/month)
  - ~~D) Accept Resignation from Jon Hazelwood from the Planning Committee (removed)~~

**PUBLIC HEARINGS**

**PETITIONS, REQUESTS, & COMMUNICATIONS**

5. Addressing the Council
  - A) Citizens Addressing the Council
6. Announcements
  - A) Congratulations to Lowell Nagel for Receiving the Darwin Mathwig Community Service Award at the Arlington Lion's Fish Fry.
  - B) Bloodmobile on March 6<sup>th</sup>, Arlington Community Center, 12:30-6:30 pm.
  - C) Transportation Day at the Capital, March 7<sup>th</sup>, 9:30 a.m. - 2:30 p.m. Best Western Capital Ridge in St. Paul.
  - D) Arlington Property Value Changes presentation by Laura Hacker, Sibley County Assessor and Gina Sievert, Appraiser II, at the Council Meeting on Monday, March 19<sup>th</sup> @ 6:30 p.m.
  - E) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 19<sup>th</sup> @ 3-8 p.m. Sibley County Courthouse, 400 Court Avenue, Gaylord.
  - F) 3rd Annual Sibley County Community and Business Expo Thursday, April 19<sup>th</sup>, Arlington Community Center, 4:00 - 7:00 p.m., Contact Amy Newsom at (507) 237-4117 to arrange for a booth.
  - G) Council Strategic Long-Range Planning, March 12<sup>th</sup> @ 4 pm, Sibley East High School with Craig Waldron
  - H) Planning & Zoning Open House to Seek Input on Structure of Rental Housing Policy, April 5<sup>th</sup>, 5:00-6:30 pm.

7. Communications
  - A) People Services, Inc. January Operations Update
  - B) Certificate of Membership, MN Rural Water Association.

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

- ~~8. Annual Arlington Ambulance Update—Ambulance Director Kevin Sullivan (removed)~~
9. Monthly Maintenance Report – Maintenance Supervisor Kirby Weckworth
10. Fire and Ambulance Service Coverage Rates - Powerpoint Presentation
11. Review League of MN Cities Loss Control Consultation and Summary Reports

### **ORDINANCES & RESOLUTIONS**

12. First Reading for Amending Chapter 31, Section 8, Subd. 3 of the City Code to Provide for New or Used Passenger Automobile Sale or Storage Lots and Minor Passenger Automotive Repair in the B-2 Central Business District.
13. Resolution 22-2018 – Mayoral Appointment to Planning Committee – Jennifer Nuesse
14. Resolution 23-2018 - A Resolution Amending the 2018 City Calendar.
15. Resolution 24-2018 - A Resolution Recommending Approval of a Conditional Use Permit for Minor Auto Repair and Auto Sales at 307 5<sup>th</sup> Avenue NW.
16. Resolution 25-2018 – Authorizing the City of Arlington to Enter into a Sponsorship Agreement with Compeer Financial for a Housing Study for the City of Arlington
17. Resolution 26-2018 – Approving State of Minnesota Joint Powers Agreement and Court Data Service Subscriber Amendment to CJDN Subscriber Agreement with the City of Arlington on behalf of its City Attorney and Police Department.

### **UNFINISHED BUSINESS**

18. Consider revisions to City of Arlington Personnel Policy Handbook, Section 13- Leaves, as it pertains to Paid Time Off Accrual for Employees, Funeral Leave and Annual Leave Conversion.

### **NEW BUSINESS**

### **MISCELLANEOUS BUSINESS**

19. Council Member/Committee Updates
20. Open Discussion-

### **ADJOURNMENT**

#### Reminders:

Strategic Planning Session March 12<sup>th</sup> @ 4 pm (SE School - North side entrance)  
EDA March 12<sup>th</sup> @ 5:30 pm

**ARLINGTON CITY COUNCIL  
MEETING MINUTES  
MARCH 8, 2018**

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

Members present: Mayor Rich Nagel, Michelle Battcher, Adam Cowell, Tom Hatlestad, Jim Heiland

Members absent: Ben Jaszewski

Also present: City Adm. Pat Melvin, City Attorney Ross Arneson, Maintenance Supvr. Kirby Weckworth, Jeff Yohnke

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

Remove item 4D) Accept Resignation from Jon Hazelwood from the Planning Committee

Add item 6G) Council Strategic Long-Range Planning, March 12<sup>th</sup> @ 4 pm, Sibley East High School with Craig Waldron

Add item 6H) Planning & Zoning Open House to Seek Input on Structure of Rental Housing Policy, April 5<sup>th</sup>, 5:00-6:30 pm.

Add new item 16) Resolution 25-2018 – Authorizing the City of Arlington to Enter into a Sponsorship Agreement with Compeer Financial for a Housing Study for the City of Arlington

Add new item 17) Resolution 26-2018 – Approving State of Minnesota Joint Powers Agreement and Court Data Service Subscriber Amendment to CJDN Subscriber Agreement with the City of Arlington on behalf of its City Attorney and Police Department.

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

- A) Approval of the February 20, 2018 City Council Meeting Minutes
- B) Approval of Bills
- C) Approval of Bid from Mini Biff for Portable Toilets at City Parks. (\$538/month).

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:

- A) Congratulations to Lowell Nagel for Receiving the Darwin Mathwig Community Service Award at the Arlington Lions' Fish Fry.
- B) Bloodmobile on March 6<sup>th</sup>, Arlington Community Center, 12:30-6:30 pm.
- C) Transportation Day at the Capital, March 7<sup>th</sup>, 9:30 a.m. – 2:30 p.m. Best Western Capital Ridge in St. Paul.
- D) Arlington Property Value Changes Presentation by Laura Hacker, Sibley County Assessor and Gina Sievert, Appraiser II, at the Council Meeting on Monday, March 19<sup>th</sup> @ 6:30 p.m.
- E) Local Board of Appeal and Equalization Open Book Meeting: Thursday, April 19<sup>th</sup> @ 3-8 p.m. Sibley County Courthouse, 400 Court Avenue, Gaylord.
- F) 3<sup>rd</sup> Annual Sibley County Community and Business Expo Thursday, April 19<sup>th</sup> at Arlington Community Center from 4:00 to 7:00 p.m. Contact Amy Newsom at (507) 237-4117 to arrange for a booth.
- G) Council Strategic Long-Range Planning, March 12<sup>th</sup> @ 4 pm, Sibley East High School with Craig Waldron.
- H) Planning & Zoning Open House to Seek Input on Structure of Rental Housing Policy, April 5<sup>th</sup>, 5:00-6:30 pm.

The Council reviewed the following communications:

- A) People Services, Inc. January Operations Update
- B) Certificate of Membership, MN Rural Water Association.

Maintenance Supvr. Weckworth provided his monthly update on the Maintenance Department. Weckworth commented that they had been very busy in the last month cleaning up after all the snow events. He stated that with the warmer temps expected, their focus would turn to getting the catch basins opened up so ponding water could drain away. Weckworth stated that several street lights were not working and he has run out of parts to fix them with. He has attempted to order more parts, but has been unsuccessful. He explained that the only option left is to start looking at changing over to LED heads.

Adm. Melvin gave a detailed overview of the information that was presented recently to the Townships and City of Green Isle regarding the Ambulance Service, more specifically, the 2017 revenues and expenses, service call rate changes and the proposed coverage rates for 2019. It was noted that the townships are projected to pay \$70.03/section for ambulance coverage in 2019.

Adm. Melvin provided a detailed overview of the information that was presented recently to the Townships regarding the Fire Service, more specifically, the 2017 revenues and expenses, future capital needs, and the proposed coverage rates for 2019. It was noted that the townships are projected to pay \$331.72/section for fire coverage in 2019.

Adm. Melvin stated that he and Maintenance Supervisor Weckworth recently met with a representative from the League of MN Cities Insurance Trust. Several items were addressed during the visit, including risk management, development of city policies, safety/training opportunities, etc. Adm. Melvin also reviewed the information in the Workers' Compensation report.

The first reading to amend Chapter 31, Section 8, Subd. 3 of the City Code was held. The proposed amendment would Provide for New or Used Passenger Automobile Sale or Storage Lots and Minor Passenger Automotive Repair in the B-2 Central Business District. It was noted that there were existing businesses within this zoning district already. However if these businesses opted to expand, they could not as they were considered legal non-conforming uses; with the Code amendment they could expand.

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

#### **RESOLUTION NO. 22-2018**

##### **A RESOLUTION RATIFYING ADDITIONAL MAYORAL APPOINTMENT**

**WHEREAS**, a vacancy has occurred on the Planning and Zoning Committee;

**BE IT RESOLVED** that Mayor Richard Nagel has appointed the following individual to the following appointment to fulfill the remainder of the vacant term:

##### **CITIZEN COMMITTEES:**

*Planning & Zoning Committee: (Term Length: Three years)*

Citizen Appointees: Jennifer Nuesse (2020).

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

Adopted by the City Council of the City of Arlington this 8<sup>th</sup> day of March, 2018.

Signed: /s/ Richard Nagel  
Mayor

Attest: /s/ Patrick Melvin  
City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

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

**RESOLUTION NO. 23-2018**

**A RESOLUTION AMENDING THE 2018 CITY CALENDAR**

**BE IT RESOLVED** that the attached City Calendar is hereby designated as the official City of Arlington Calendar of Public Meetings for the year 2018. *(See attached calendar)*

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

Adopted by the City Council of the City of Arlington this 8<sup>th</sup> day of March, 2018.

Signed: /s/ Richard Nagel  
Mayor

Attest: /s/ Patrick Melvin  
City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

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

**RESOLUTION NO. 24-2018**

**A RESOLUTION RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT FOR MINOR AUTO REPAIR AND AUTO SALES AT 307 5<sup>TH</sup> AVENUE NW**

**WHEREAS**, Mr. Jeff Yohnke and Jim Heiland have submitted a request for a Conditional Use Permit to operate a minor passenger automobile repair and used automobile sales establishment at 307 5<sup>th</sup> Avenue North; and

**WHEREAS**, The property is legally described as Lots 8-10 & 15-18, Block 3, Charles Hillemann Addition, City of Arlington, Sibley County MN; and,

**WHEREAS**, the property identification number is 31.0401.000; and,

**WHEREAS**, Chapter 31, Section 7, Subd. 3 of the Arlington City Code provides for conditional uses allowed in the B-1 Service Business District; and,

**WHEREAS**, the Applicants represent:

1. The proposed use of the property is minor auto repair including: performing classic car repair and restoration; general automotive repair including: tune ups, engine repair, transmission repair, part replacement and repair of struts, springs, suspension components, brakes, exhaust, shocks, tires, starters, alternators, internal wiring, electronic components, etc.
2. Classic and vintage autos and light truck repair is to be the main focus of the business with an occasional vintage farm tractor repaired/restored.
3. Car sales or consignment may be added in the future.
4. No more than twenty cars will be parked outside at any one time.

**WHEREAS**, notice of a public hearing to accept input on the CUP request was published in the official newspaper on February 15, 2018 and sent to property owners within 350 feet of the property; and

**WHEREAS**, the Planning and Zoning Committee conducted a public hearing on the CUP request on March 1, 2018 and accepted input on the CUP request; and

**WHEREAS**, the Planning Committee has reviewed the CUP request and has made the following findings:

1. That with the conditions listed below the use will not be detrimental to the health, safety, morals, comfort, convenience or welfare of the persons residing in the neighborhood since the use will be consistent with adjacent land uses within the same zoning district.
2. That with the conditions listed below the use will not be detrimental to the public welfare, or injurious to property or improvements in the neighborhood since the use will be consistent with adjacent land uses within the same zoning district.

**WHEREAS**, the City Council met in regular session March 8, 2018 and considered the conditional use permit request; and,

**WHEREAS**, the City Council accepted the Planning Commission's findings of fact.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF ARLINGTON THAT:**  
The City Council hereby approves a conditional use permit and site plan for minor auto repair and auto sales at 307 5<sup>th</sup> Avenue NW with the following conditions:

1. Uses of the subject property shall be limited to the following:
  - a. Minor passenger automobile repair and service defined as performing classic car repair and restoration; general automotive repair including: tune ups, engine repair, transmission repair, part replacement and repair of struts, springs, suspension components, brakes, exhaust, shocks, tires, starters, alternators, internal wiring, electronic components, etc.
  - b. Classic and vintage autos and light truck repair is to be the main focus of the business with an occasional vintage farm tractor repaired/restored
  - c. Display of used passenger vehicles for sale. The total volume of passenger automobiles stored on site combined with necessary parking spaces shall at no time exceed twenty (20) vehicles. All vehicles on site shall have up-to-date licenses. Loading and unloading of used cars shall occur directly on site and shall not occupy the public right of way.
  - d. Detailing of vehicles, defined as scratch and oxidation removal, buffing, interior and exterior washing or shampooing, molding repair/replacement, paint overspray removal, stain removal, non-spray touch up painting, power washing, hand drying, road tar removal, polishing or deodorizing of any type of passenger vehicle or truck.
  - e. Retail sales shall be allowed indoors.
2. The applicant/property owner must submit details (i.e. location, type and volume) of signage to the City for approval prior to placing any signage on site. Signage must conform to Code requirements and is subject to permit issuance.
3. This conditional use permit is in effect for the property at 307 5<sup>th</sup> Avenue NW and assigned to the current and/or any future owner of the property. The conditional use permit may be revoked by the City following written notice to the property owner if the conditions of the permit as listed herein are not met and/or maintained. The conditional use permit will expire if/when the use of the property is changed.
4. The applicant shall provide evidence to the City of and maintain compliance with any federal or state laws or regulations which are applicable (i.e. collection/disposal of hazardous materials, etc. on site).
5. No changes in the approved plans or scope of the conditional use shall be undertaken without prior approval of those changes by the City. Proposed permit modifications shall be classified as major or minor, as determined by the Zoning Administrator. Major permit modifications may include, but shall not be limited to, hours of operation, number of employees, expansion of structures and/or premises, operational modifications resulting in increased traffic, and the like.
6. The CUP shall be recorded with the Sibley County Recorder's Office.

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

Adopted by the City Council of the City of Arlington this 8<sup>th</sup> day of March, 2018.

Signed: /s/ Richard Nagel  
Mayor

Attest: /s/ Patrick Melvin  
City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

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

**RESOLUTION NO. 25-2018**

**A RESOLUTION AUTHORIZING THE CITY OF ARLINGTON TO ENTER INTO  
A SPONSORSHIP AGREEMENT WITH COMPEER FINANCIAL FOR A HOUSING STUDY  
FOR THE CITY OF ARLINGTON**

**WHEREAS**, the City of Arlington seeks to enter into a Sponsorship Agreement with Compeer Financial to partially fund the City Council's Housing Study;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Arlington, Minnesota as follows:

1. That the attached Agreement between Compeer Financial Services ACA (“Sponsor”) and the City of Arlington (“Grantee”) is hereby approved. A copy of the Agreement for grant funding to support the mission of the City Council to conduct a Housing Study is described in Exhibit A (“Sponsorship Agreement”) is attached to this Resolution and made a part of it.
2. The Agreement commences on February 14, 2018 and grant compensation is tendered at a not-to-exceed \$2,500. The Agreement shall continue in effect until completion of the Housing Study unless terminated by either of the parties.
3. That the City Administrator, or his or her successor, and Mayor are designated the Authorized Representatives for the City.

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

Adopted by the City Council of the City of Arlington this 8<sup>th</sup> day of March, 2018.

Signed: /s/ Richard Nagel  
Mayor

Attest: /s/ Patrick Melvin  
City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

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

**RESOLUTION NO. 26-2018**

**A RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS  
AND APPROVING COURT DATA SERVICE SUBSCRIBER AMENDMENT TO CJDN  
SUBSCRIBER AGREEMENT WITH THE CITY OF ARLINGTON ON BEHALF OF ITS  
CITY ATTORNEY AND POLICE DEPARTMENT**

**WHEREAS**, the City of Arlington on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State’s criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Arlington, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Arlington on behalf of its Prosecuting Attorney and Police Department, are hereby approved.
2. That the Police Chief, John Petterson, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City’s connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Vicki Pomplun, Administrative Assistant, is appointed as the Authorized Representative’s designee.

3. That the City Attorney, Ross Arneson, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City’s connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Carol Thomes, Administrative Assistant, is appointed as the Authorized Representative’s designee.

4. That Rich Nagel, the Mayor for the City of Arlington, and Patrick Melvin, the City Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

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

Adopted by the City Council of the City of Arlington this 8<sup>th</sup> day of March, 2018.

Signed: /s/ Richard Nagel  
Mayor

Attest: /s/ Patrick Melvin  
City Administrator

Whereupon the resolution was declared duly passed and adopted and was signed by the Mayor whose signature was attested by the City Administrator.

Adm. Melvin commented that the Council recently approved the change from vacation/sick leave to Paid Time Off (PTO) within the Personnel Policy Handbook. He stated that employees had some concerns about the policy and some clarification revisions were made within the areas of PTO accrual, funeral leave and annual leave conversion.

Motion by Cowell, seconded by Battcher, and passed by unanimous vote to approve the changes to the Personnel Policy Handbook, Section 13-Leaves as it was presented and pertained to PTO accrual for employees, funeral leave, and annual leave conversion.

Brief discussion was held on the street light issue and what should be the plan moving forward. A Streets Committee meeting will be scheduled to look at this subject further.

Attorney Arneson gave a brief update on the Johnson Controls situation. He stated that Attorney Nickelson was having the same issue of no contact with Johnson Controls. Attorney Nickelson's stance was that Johnson Controls was still legally responsible as they were the contracting company and put the lights in. The lights (entire system) were not fit for Minnesota winters, which goes back to day one under the contract.

Motion by Heiland, seconded by Hatlestad, and passed by unanimous vote to adjourn the meeting at 8:19 pm.

\_\_\_\_\_  
City Administrator Patrick Melvin

\_\_\_\_\_  
Mayor Richard Nagel