

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA

March 5, 2018

The City Council met as the Zoning Commission—Board of Adjustment. Present on Roll Call were Mayor Amiel Redfish and Council Members: Terry Rowbotham, Garth Johnson, Jesse Steffensen, Rob Achterberg and Cory Falconer. Absent: Curt Lundquist.

Austin Brandt requested a hearing for an application to construct a 40 X 56 storage shed with 12 foot side walls at 210 West Poplar which is too large for the current zoning ordinances. Motion was made by Steffensen, seconded by Rowbotham to recommend to deny the variance request since it is too large and there is nothing peculiar about the lot to give the commission reason to allow the exception. All in favor—Carried.

The Arlington Planning and Zoning Commission called to order to consider the application of Douglas K. Malone and Sandra K Malone, dated the 12th day of February, 2018, requesting an amendment of the Zoning Ordinance to add 2.08.03 Special Exception 7. Pet Services, including boarding. The purpose of the proposed amendment was to allow business in the Central Commercial District C1 to apply for a Special Exception in the C1 district.

The proper notice was given to the property owners within the required proximity of the proposed change and was further given by published notice of the time and date for the hearing on the application.

That Douglas K. Malone and Sandra K. Malone, as the applicants, each presented testimony or proponents of the change. The Malone's indicated they felt there would be no adverse noise impact, as the dogs would be boarded in the basement and the walls were very thick. That the business wants to be full service and to do so would include overnight boarding of dogs. That they anticipate no order or health issues. That the business would bring additional business to the town and that dogs with a proper service dog designation would board free for disabled veterans.

Randy Bullis, owner of a Main Street business, spoke in favor of the application, indicating it would be positive for the increased consumer traffic. Terry Hanson spoke in favor of the application, indicating it would increase business and offer a reliable service to veterans with free boarding of dogs.

Josh Jensen spoke in opposition to the application. Mr. Jensen owns the Chiropractic Clinic next to the Malone's proposed business. That he employees two massage therapists in his business. He indicated he has a clinical setting, which is an existing business and the proposed use could be disruptive to patients and staff by barking inside and outside of the building. That the business could result in order issue.

Health and safety concerns were addressed with the possibility of the dogs defecating and urinating outside the proposed site, which could be tracked into Main Street businesses.

After all parties wishing to speak had addressed the Commission, the members of the Commission made comments and asked questions. Several Commission members mentioned citizens, who had contacted them expressing their disapproval of the proposed amendment.

The commission considered the application and listing presented. A motion was made by Falconer, seconded by Steffensen to recommend denying the proposed amendment on a roll call vote—Falconer-Aye; Achterberg-Aye; Steffensen-Aye; Johnson-Nay; and Rowbotham-Aye. Motion Carried.

Motion to adjourn the Zoning Commission was made by Johnson, seconded by Falconer. All in favor—Carried.

Sue Falconer, Finance Officer

Amiel Redfish, Mayor

The City of Arlington is an equal opportunity provider and employer.

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA

March 5, 2018

The City Council met in regular session in the Municipal Building—202 West Elm Street. Present on Roll Call were Mayor Amiel Redfish and Council Members: Terry Rowbotham, Garth Johnson, Jesse Steffensen, Rob Achterberg and Cory Falconer. Absent: Curt Lundquist.

Motion was made by Rowbotham, seconded by Steffensen to approve the minutes of the February 5th & 21st meetings with a change to the Water Rate Ordinance amended to #560. All in favor—Carried.

Motion was made by Achterberg, seconded by Rowbotham, to approve Final Pay Request to Efraimson Electric in the amount of \$117,190.44 for the Electric Distribution Conversion Project and the Final Pay Request to Harold K Scholz Co in the amount of \$52,226.32 for the Substation Project. All in favor—Carried.

Bills on file were submitted for consideration and on Motion by Rowbotham, seconded by Johnson, the Finance Officer was instructed to issue payment for same. All in favor on Roll Call Vote—Carried.

Bills approved as follows:

25972-25979	Salaries	General Fund	101	4027.46
		Water	602	1470.77
		Electric	603	2498.93
		Sewer	604	497.12
25980	Arlington Sun	Renewal/Library		49.98
25981	Birch Communications	Phone Chges		232.27
Auto Debit	Citizens State Bank	EFTPS—Feb 15 th WH-SS-Medicare		3147.64
25982	East River Electric Power	Energy		3648.68
25983	Electric Fund	City Bills		3478.23
25984	Ben Elliott	Preparation of 2017 Annual Report		1000.00

25985	Heartland Consumer Power Dist	Energy		38344.16
25986	Kingsbury County Auditor	County Law Enforcement Contract		5655.00
25987	Mediacom	Internet		163.90
25988	Prairie Ag Partners	Fuel		3770.00
25989	SD State Treasurer	Sales Tax		6522.06
25990	US Post Office	Annual Box Rent/Library		56.00
25991	Western Area Power Adm	Energy		17298.78
25992-26005	Salaries	General Fund	101	7766.69
		Water	602	1498.95
		Electric	603	3612.29
		Sewer	604	1232.06
26006	AFLAC	Payroll Deduction		255.06
Auto Debit	Citizens State Bank	EFTPS-Feb 28 th WH/SS/Medicare		5006.97
26007	Northwestern	Service to Shop & Coop Shop Bldgs		532.63
26008	PLIC-SBD Grand Island	Short Term Disability		204.56
26009	SD Retirement System	February Retirement		3169.90
26010	Sioux Valley Energy	Electricity @ Airport		50.00
26011	SD Supp Retirement	Supp Retirement/Steve Carlson		100.00
26012	The Health Pool of SD	March Health Insurance Premiums		4436.16
26013	Visa—Cor Trust Bank	Motel Rooms-Tourism Conf/Food-Meeting Expense/ Meals/Motel Room-W Conf-Steve Carlson		621.61
26014	Amazon Credit Plan	Books/Library		155.71
26015	A-Ox Welding Supply Co	Cylinder rent		151.99
26016	Arlington Insurance Agency	Add'l Premium—2018 Chev Pickup		308.00
26017	Arlington Sun	Publications		255.67

26018	Banner Associates Inc	Design Work-Street Projects/General Engineering/ Fire Hall Documents	3243.00
26019	Baum Hydraulics Corp	Repairs	79.28
26020	Brookings Health System	Hepatitis B Vaccines—Fire Dept	412.88
26021	Citizens State Bank	March Service Chge	20.00
26022	Cook's Wastepaper & Recycling	January garbage	4731.55
26023	Core & Main	Inserta Tees	1107.62
26024	Maranda Crose	Refund bal meter deposit	19.60
26025	Dept of Revenue	Water Testing	15.00
26026	DGR Engineering	Rate Updates	510.00
26027	Jennifer Dilley	CPR Class—Ambulance (5)	200.00
26028	Division of Motor Vehicles	Title & License Plates—2018 Chev Pickup	21.20
26029	East River Electric Power Coop	Repairs—Memorial Day @ substation	2797.42
26030	Eframson Electric Inc	Final Pay Request—Distribution Project	117190.44
26031	Eighty-One Auto	Bar oil	10.99
26032	Electric Fund	Meter deposits app to RO bills	180.40
26033	Gale	Books/Library	148.00
26034	Infotech Solutions LLC	Monthly HR/maintenance/hosting	297.00
26035	Kingbrook Rural Water System	February Water & Lease	9484.83
26036	Lake Preston Lutheran Church	Refund Meter Deposit	100.00
26037	Lowes	Shop supplies/picnic table materials/door repairs/ Photo cells/Electric supplies	499.94
26038	Macksteel Warehouse	Picnic table materials	58.85
26039	Nelson Drug	Batteries/envelopes	5.06
26040	Office Peeps Inc	Towels-restrooms/service agreement-copier	97.77

26041	PCC Ambulance Billing Service	Amb billing—January 2018	699.52
26042	Plagman’s Food Center	Cleaning supplies/meeting expense	43.88
26043	Prairie Ag Partners	Welding supplies—picnic tables	210.63
26044	Schein Inc	Ambulance Supplies	249.50
26045	HK Scholz Co	Final Pay Request—Substation Project	52226.32
26046	Michael Todd & Co	Snow plow blades	431.53
26047	Two Way Radio	Radios—repaired-clones/antenna-FD	345.96
Auto Debit	Rural Development	Water Improvement Loan	1343.00
Auto Debit	Rural Development	Wastewater Improvement Loan	2859.00

Scott Mohror, Banner Associates, delivered an amendment to the Owner-Engineer Agreement for the Adams, Washington, and Park Circle Drive Street Improvement Project. The increase cost to the contract included such items as: storm sewer evaluation, curb and gutter on Birch Street and adding Hemlock and Walnut Streets to the project.

Motion was made by Steffensen, seconded by Falconer to agree to an additional \$11,000 above the original \$49,000 contract price for a total of \$60,000 per the amendment to the contract for the project. All in favor—Carried.

The bids for the Arlington Street Improvements—2018 project had been opened on February 22nd.

Two bids were received—Bowes Construction Inc, Brookings, SD for \$605,474.35 and Duininck, Inc Prinsburg, MN for \$740,180.85. The Engineer’s estimate for the projects was \$726,843.00. Banner Associates recommends awarding the Contract for the unit price bid schedule to Bowes Construction, Inc contingent upon approval of the curb and gutter assessment. Motion was made by Johnson, seconded by Steffensen to accept this recommendation. All in favor—Carried.

The council had a short discussion on the Water Improvement Plan—but tabled any action until they can meet with Scott Mohror on a couple of concerns.

Motion was made by Rowbotham, seconded by Falconer to accept the recommendation from the zoning commission to deny the variance for a large storage shed for Austin Brandt. All in favor—Carried.

Motion was made by Rowbotham, seconded by Steffensen to accept the recommendation from the zoning commission to deny changing the Central Commercial Zoning Ordinance for Doug & Sandra Malone to allow boarding dogs on Main Street. All in favor—Carried.

The council reviewed the bids that were received for the Parks Lawn Mower as advertised. Two companies submitted quotes: Roelofsen’s, Toronto, SD Option #1 Hustler mower with a 27hp Kawasaki motor @ \$7448 and Option #2 Hustler mower with a 29 hp motor @ \$7862 each allowing \$2200 trade in allowance for the Dixon mower. Badger Oil Inc., Badger, SD Bad Boy Outlaw XP mower with an 842cc-33 hp Yamaha motor @ \$8174 with a trade in allowance for the Dixon mower of \$2597.

Motion was made by Steffensen, seconded by Falconer to accept the quote from Badger Oil, Inc for the Bad Boy mower with a 33 hp motor at a cost of \$5577.00. All in favor—Carried.

The Finance Office had sent out letters to representatives from the area township boards inviting them to meet with the council and fire dept members. No township members attended the meeting.

Now was the time as advertised to open the seal coating bids. There were three companies that submitted bids for the project to seal coat approximately 45,000 sq yards of street:

Bituminous Paving Inc, Ortonville, MN--\$1.68/sq yd

The Road Guy, Yankton, SD--\$1.45/sq yd

Topkote Inc, Yankton, SD--\$1.027/sq yd

Next, the Council reviewed the quotes that had been received for the crack sealing project for 18,000 linear feet. There were three companies that submitted quotes for this project:

Asphalt Pros, Madison, SD--\$.65/l.f.

Highway Improvement, Inc, Sioux Falls, SD--\$.80/l.f.

Topkote Inc, Yankton, SD--\$.64/l.f.

Motion was made by Johnson, seconded by Achterberg to accept the bid as received from Topkote Inc to do 45,000 sq yds more or less of seal coating at the cost of \$1.027/sq yd. And to accept the quote as submitted by Topkote Inc to do 18,000 linear feet (more or less) of crack sealing at a cost of \$.64/linear ft. All in favor—Carried.

Motion was made by Rowbotham, seconded Achterberg to enter into executive session at 7:55 P.M. for a confidential matter. All in favor—Carried. Tammy Anderson was contacted by telephone conference call due to the weather conditions.

Motion was made by Falconer, seconded by Achterberg to come out of executive session at 8:02 P.M. All in favor.

Tammy Anderson, Kingsbury County DOE, explained to the council that an error had occurred at the county level on a tax abatement in the amount of \$283.94 that she needed the council to approve.

Motion was made by Achterberg, seconded by Steffensen to approve the tax abatement in the amount of \$283.94 for Applicant #7. All in favor.

The Arlington School District presented a building permit application for a new press box/concession stand and bathrooms and remove the existing structures at the football field—Tract 1 OL A 1-110-53 & Westerly 16' of E 24 Rods of OLA 10.00 AC County Auditor's Plat. The new building will be 10 X 100. Motion was made by Rowbotham, seconded by Steffensen to approve this building permit application as presented. All in favor—Carried.

The City/School combined election will be held on Tuesday, April 10th and the following individuals have been contacted to serve on the Election Board—Brenda Mix Osbeck, Marilyn Johnson, Shirley Rowen and Deloris Gilbertson to be paid \$8.65/hr with the expenses to be split between the City and School District. Motion was made by Achterberg, seconded by Steffensen to approve this board. All in favor—Carried.

Motion was made by Rowbotham, seconded by Achterberg to approve the first reading of an ordinance revising the Nuisance Ordinance—Dogs. All in favor—Carried.

Motion was made by Falconer, seconded by Achterberg to order that the dog belonging to Brad Virchow be euthanized based on the dog bite complaint that was filed on January 20, 2018 and the Judgement of Conviction from the court date of February 26, 2018. All in favor—Carried.

The City received a Notice of Intent from Kingbrook Rural Water System to provide water service within three miles of the Municipality in their expansion project to be constructed in 2018. The City does not desire to provide water to this location. Motion was made by Rowbotham, seconded by Steffensen to approve this Notice of Intent. All in favor—Carried.

Motion was made by Johnson, seconded by Steffensen to approve the employee overtime. All in favor—Carried.

Ordinance #563 received the second reading and on Motion by Johnson, seconded by Steffensen same was approved with all Voting Aye—Carried.

ORDINANCE #563

AN ORDINANCE AMENDING ARTICLE III ADMINISTRATION, CHAPTER 3.01. GENERAL; CHAPTER 3.02. ADMINISTRATIVE OFFICIAL; AND CHAPTER 3.03. BOARD OF ADJUSTMENT, OF THE ZONING ORDINANCES OF THE CITY OF ARLINGTON, KINGSBURY COUNTY, SOUTH DAKOTA.

BE IT ORDAINED BY THE CITY OF ARLINGTON, SOUTH DAKOTA: That Article III, Chapter 3.01 General, Chapter 3.02 Administrative Official and Chapter 3.03 Board of Adjustment be and the same is hereby to read as follows:

Chapter 3.01. GENERAL

Section 3.01.01. Permits Required.

1. No building or other structure shall be erected, moved to, structurally altered or used without a building permit issued by the City of Arlington Zoning Official. The Zoning Official, except in conformity with the provisions of this ordinance, shall issue no permit unless said Official received a written order from City of Arlington Board of Adjustment in the form of an administrative review, a conditional use permit, or variance as provided by this ordinance.
2. It shall be unlawful to commence the excavation for the construction of any building or any accessory building without a permit, unless the building meets the requirements of the Arlington City Zoning Ordinance. A permit is also required for any filing, grading, lagooning, or dredging which is related to site preparation for future construction. Deviations shall be deemed a violation of this Ordinance, and punishable in accordance with 1.02.02 of this Code.

Section 3.01.02. Applications.

All applications for permits shall be accompanied by a site plan drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of the buildings already existing, if any; and the location and dimensions of the proposed building(s) or alteration. The applicant shall also state the existing and intended use of all such buildings, and the location of existing or proposed water and sewer facilities. In the case of a change of use, the applicant shall, in writing, state the intended change. The application shall include such other information as lawfully may be required by the Zoning Official, including legal description, existing or proposed buildings or alterations; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; existing or proposed water, sewer, electrical facilities; and such other matters as may be necessary to determine conformity with, and provide for the enforcement of, this ordinance. All plans and data accompanying the permit shall be final and conclusive. Deviations shall be deemed a violation of this Ordinance, and punishable in accordance with 1.02.02 of this Code and shall require an updated building permit and/or a conditional use a permit.

Section 3.01.03. Building Permits.

1. **Building Permits Required.** It shall be unlawful to commence the excavation for, or the construction of, any building, structure, or any accessory building, or to commence the moving or alteration of any buildings, including accessory buildings, until the City Zoning Official has issued a building permit for such work. Furthermore, it shall be unlawful to commence work until the building permit is displayed in a conspicuous place visible from public right-of-way. Deviations shall be deemed a violation of this Ordinance, and punishable in accordance with 1.02.02 of this Code.
 - a. No building permit is necessary for the following: shingling, replacement siding, window replacement, painting of exterior, and any interior improvements that do not involve the moving of load-bearing walls.
2. **Issuance of a Building Permit.** In applying to the City Zoning Official for a building permit, the applicant shall submit a dimensioned sketch or a scale plan indicating the shape, size, and height and location of all buildings, to be erected, altered, or moved and of any building already on the lot. The City Zoning Official shall also state the existing and intended use of all such buildings, the location of existing or proposed water and sewer facilities, and supply such other information as may be required by the City Zoning Official for determining whether the provisions of this regulation are being observed. If the proposed excavation or construction, as set forth in the application, are in conformity with the provisions of this regulation, and other regulations of the City then in force, including the International Building Code (IBC) and International Residence Code (IRC), as adopted by the City of Arlington, the City Zoning Official shall issue a building permit for such excavation or construction. If a building permit is refused, the Zoning Official shall state such refusal in writing, with the cause, and shall thereupon mail notice of such refusal to the applicant at the address indicated upon the application, and a copy retained by the Finance Officer of the City of Arlington. The City Zoning Official shall grant or deny the permit within a reasonable time from the date the application is submitted.
3. The issuance of a building permit shall, in no case, be construed as waiving any provisions of this regulation. All building permits shall be valid for eighteen (18) months after the date of issuance; however, a building permit shall become void six (6) months from the date of issuance unless substantial progress has been made by that date on the project described therein. A six (6) month extension may be granted if requested in writing at least one (1) month prior to the expiration date. Maximum extension authorized is six (6) months.

Section 3.01.04. Building Permits Displayed.

1. **Permits Displayed.** It shall be unlawful to commence work until the building permit is displayed in a conspicuous place visible from public right-of-way. The permit shall be placed upon the premises at all times from the beginning

until the completion of such construction, alteration, repair, occupancy or change of use. Deviations shall be deemed a violation of this Ordinance, and punishable in accordance with 1.02.02 of this Code.

Section 3.01.04. Fees.

1. The City of Arlington shall establish, by resolution, a schedule of fees, charges, and expenses and a collection procedure for building permits, appeals, and other matters pertaining to this regulation. The schedule of fees shall be posted at City Hall and may be altered or amended only by the City Council.
2. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

Chapter 3.02 ZONING OFFICIAL

Section 3.02.01. Enforcing Officer.

The provisions of this Ordinance shall be administered and enforced by the Zoning Official appointed by the City Council, who shall have the power to make inspection of buildings or premises necessary to enforce this Ordinance.

Section 3.02.02. Duties.

The powers and duties of the City Zoning Official shall be as follows:

1. Issue all building permits and make and maintain records thereof.
1. Conduct inspections of buildings, structures, and the use of land to determine compliance with this Ordinance.
1. Notify in writing persons responsible for violations, indicating the nature of the violation and ordering action necessary to correct.
1. Order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions; alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

1. Revoke any building permit, which was unlawfully issued, or any building permit wherein defective work has been performed, and when such work has not been corrected within ninety (90) days of notification.
2. Maintain permanent and current records, in accordance with the State of South Dakota Record Retention, as adopted by resolution by the Arlington City Council, of this regulation, including, but not limited to, all maps, amendments, variances, appeals, and applications.
3. Prepare all necessary documents as required by this Ordinance, or at the direction of the Arlington City Council and/or the Arlington City Board of Adjustment and/or the Arlington Planning and Zoning Commission. The Zoning Official shall consult with the City Attorney as needed for assistance with drafting said documents.
4. Provide public information relative to all matters arising out of this Ordinance.

1. Forward to the City Finance Officer all plats and/or applications for amendments to this Ordinance.

1. Forward to the Arlington City Board of Adjustment, applications for appeals, conditional use permits, variances, or other matters on which the Board of Adjustment is required to pass under this Ordinance.

1. Initiate, direct, and review, from time to time, a study of the provisions of this Ordinance, and to make such reports available to the Arlington City Finance Officer.

1. The Zoning Official shall receive applications required under this Ordinance, specifically but not limited to Building Permits, Conditional Use Permits, Variances, and Zoning Amendments.

- a. For building permits, the Zoning Official shall approve the application only in accordance with the provisions of the City's Zoning Ordinance.
- b. For Conditional Uses and Variances, the Zoning Official shall review the application, and shall make recommendations regarding said application to the Arlington City Board of Adjustment.
- c. For Zoning Amendments, the Zoning Official shall review the application, and shall make recommendations regarding said application to the Arlington City Planning and Zoning Commission and the Arlington City Council.

Section 3.02.03. Right of Entry.

Whenever necessary to make an inspection to enforce any of the provisions of this regulation, or whenever the Zoning Official or an authorized representative has reasonable cause to believe there exists in any building or upon any premises a regulation violation, the Zoning Official or an authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Zoning

Official by this Ordinance, provided that if such building or premises be occupied, they shall first present proper credentials and request entry; and if such building or premises be unoccupied, they shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Zoning Official or an authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Zoning Official or an authorized representative shall have first obtained a court order or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Zoning Official or an authorized representative for the purpose of inspection and examination pursuant to this regulation.

Section 3.02.04. Stop Order.

Whenever any work is being done contrary to the provisions of this Ordinance, the Zoning Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the Zoning Official to proceed with the work.

Section 3.02.05. Occupancy Violation.

Whenever any building or structure regulated by this Ordinance is being used contrary to the provisions of this Ordinance, the Zoning Official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such persons shall discontinue the use within the time prescribed after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this Ordinance.

In the event of a violation or a threatened violation of these regulations or restrictions, the Arlington City Council or any member thereof, in addition to other remedies, may institute an appropriate action or proceeding to seek an injunction in a court of competent jurisdiction to prevent, restrain, correct or abate such violation or threatened violation, and it is the duty of the City Attorney to institute such action.

Chapter 3.03. PLANNING AND ZONING COMMISSION.

Section 3.03.01. Establishment.

Within the City limits of Arlington, the power and jurisdiction related to this article shall be executed by the Arlington Planning and Zoning Commission.

Section 3.03.02. Per Diem and Expenses of Commission.

Per Diem and expenses of the City Planning and Zoning Commission shall be established by the City Council of Arlington and paid by the City.

Section 3.03.03 Duties of Planning and Zoning Commission.

The Planning and Zoning Commission shall have the following duties:

1. Comprehensive Land Use Plan:

- a. The Planning Commission may prepare, or cause to be prepared, a comprehensive plan for the City of Arlington. Upon preparation the Planning and Zoning Commission shall make recommendation to the City Council after complying with the public hearing and noticing requirements.
- b. The comprehensive plan shall be for the purpose of protecting and guiding the physical, social, economic, and environmental development of the City; to protect the tax base; to encourage a distribution of population or mode of land utilization that will facilitate the economical and adequate provisions of transportation, roads, water supply, drainage, sanitation, education, recreation, or other public requirements; to lessen governmental expenditure; and to conserve and develop natural resources.

1. Zoning Ordinance:

- a. For the purpose of promoting health, safety, or the general welfare of the City, the City Council, upon recommendation from the Planning and Zoning Commission, may adopt a zoning Ordinance to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of the yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, flood plain, or other purposes.
- b. The City Council may divide the City into districts of such number, shape, and area as may be deemed best suited to carry out the purposes of this chapter; and within the districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land. All such regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one (1) district may differ from those in other districts.
- c. The regulations shall be made in accordance with the Comprehensive Plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration or scattering of population; to facilitate the adequate provision of transportation, water, sewage, schools, parks; and other public requirements.

- a. The regulations shall be made with reasonable consideration, among other things, to the character of the district, and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

- a. Upon preparation of a zoning Ordinance, or any amendment thereto, the Planning and Zoning Commission shall make a recommendation to the Arlington City Council after complying with the public hearing and noticing requirements.

1. Subdivision:

- a. The Planning and Zoning Commission may make recommendations to the City Council for the adoption of a subdivision Ordinance which shall be made in accordance with the Comprehensive Plan. The regulations may establish standards and procedures to be employed in land development including subdividing of land and the approval of land plats and the preservation of streets and land for other public purposes requiring future dedication or acquisition and general design of physical improvements.
- b. To review proposals for subdivision Ordinance adoption, or amendments thereto, to determine whether such subdivisions comply with the subdivision Ordinance of the City of Arlington and make recommendation to the City Council relating to the approval of subdivisions.
- c. Upon preparation of a subdivision Ordinance, or any amendment thereto, the Planning and Zoning Commission shall make a recommendation to the City Council after complying with the public hearing and noticing requirements.

4. Amendments:

The Planning and Zoning Commission may from time to time propose and make recommendation on amendments to the comprehensive land use plan, zoning Ordinance, and subdivision regulations to the City Council after complying with the public hearing and noticing requirements.

Dated this 5th day of March, 2018.

ATTEST:

CITY OF ARLINGTON

City Finance Officer

Mayor

Motion was made by Falconer, seconded by Achterberg to authorize the finance office to advertise for Residential Garbage Bids since the current contract has been in effect for 10 years and can no longer be renewed. All in favor—Carried.

The council reviewed the Revenue/Expense, Cash and Utility Reports. Marshal Mix advised that there is an increased water loss and when the weather improves the crew will have to listen to hydrants to try to find where the water loss is occurring.

Motion was made by Steffensen, seconded by Falconer to approve the 2017 Annual Report as prepared by Ben Elliott and it was noted that there were no unusual comments made dealing with the report. All in favor—Carried.

Marshal Mix gave a short report from ACDC. The paperwork will be signed this week for the loan funds obtained thru Heartland Consumer Power District to pay off the loans with the local banks and also pay for the paving of the street in the Industrial Park. Marshal had also received a phone call from Casey Crabtree, Heartland Consumer Power District, advising that there is a company that is possibly interested in relocating to Arlington—more information should be received soon.

Marshal Mix gave a report on behalf of the HRC group advising that the group has purchased a lot in the Johnson Addition and plans are in the works to build a spec house this spring.

The council was reminded that they will meet as the Local Board of Equalization on March 19th and that will be followed by a council meeting to hire seasonal workers, review quotes for the wall project in the fire hall, and any other issues that are brought to the finance office.

The SDML District Meeting will be held in Huron on Wednesday, March 28th.

Motion was made by Steffensen seconded by Achterberg to enter into executive session at 8:43 P.M. for personnel and contract matters. All in favor—Carried.

Motion was made by Achterberg, seconded by Johnson to come out of executive session at 9:15 P.M. All in favor—Carried. No action taken at this time.

Motion to adjourn was made by Rowbotham, seconded by Achterberg. All in favor—Carried.

Sue Falconer, Finance Officer

Amiel Redfish, Mayor

The City of Arlington is an equal opportunity provider and employer.