

CITY HALL, CITY OF ARLINGTON, SOUTH DAKOTA

April 2, 2018

The City Council met as the Zoning Commission. There was no business. Meeting adjourned.

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

Now was the time as advertised for the Hearing for the Curb and Gutter Assessment on Park Circle, Hemlock Street and Walnut Street. There were 2 property owners in attendance at the hearing. The bids for the street projects had been opened on February 22, 2018 when it was determined that the price for the curb and gutter was in the amount of \$13.90/lf rather than the \$23.00/lf that had been estimated at the previous hearing.

Motion was made by Steffensen, seconded by Rowbotham to adopt Resolution #2559-A to approve the curb and gutter assessments as follows:

RESOLUTION NO. 2559-A

A RESOLUTION AUTHORIZING NECESSARY CURB AND GUTTER IMPROVEMENT BY SPECIAL ASSESSMENT PURSUANT TO SDCL 9-43-82.

WHEREAS, The City of Arlington intends to reconstruct a portion of Hemlock Street from Highland Street to Spruce Street; Walnut Street from Highland Street to Spruce Street and Park Circle from the intersection Hopkins Drive and Park Circle east to the intersection of Park Circle and Ash Street and the City Council deems it necessary to construct and install curb and gutter located North of the North real property line of the following described property, to-wit:

**Lot 2 in Block 1, Johnson's 2nd Addition,**

**Lot 3 in Block 1, Johnson's 2nd Addition,**

**Lots 20A, 21 and 22 in Block 2 of Johnson's Addition, and**

**Lot 1 of Johnson's Addition except Blocks 1, 2, 3, and 4 and except the assigned Street and except replat of Johnson's Addition and except Lot B1 in Section 1-110-53, all in the City of Arlington, Kingsbury County, South Dakota.**

Located South of the South real property line of the following described property, to-wit:

**Lots 1, 2, 3, 4, 5, 6 and 7 in Block 2 and all of Block 3 in Ecklein's First Addition to the City of Arlington, being a part of the SE ¼ of Section 1, Township 110, Range 53, City of Arlington, Kingsbury County, South Dakota.**

Located North of the North real property line of the following described property, to-wit:

**Lot 6 in Block 5, Chandler's 1st Addition,**

**Lot 7 in Block 5, Chandler's 1st Addition,**

**Lot 6 in Block 3, Chandler's 1st Addition, and**

**Lot 7 in Block 3, Chandler's 1st Addition, all in the City of Arlington, Kingsbury County, South Dakota.**

Located South of the South real property line of the following described property, to wit:

**Lot 12 in Block 1, Chandler's 1<sup>st</sup> Addition,**

**Lots 1 and 2 in Block 1, Chandler's 1<sup>st</sup> Addition, and**

**Lots 1 and 2 in Block 3, Chandler's 1<sup>st</sup> Addition, both in the City of Arlington, Kingsbury County, South Dakota.**

WHEREAS, to facilitate this curb and gutter construction project a special assessment is necessary for the curb and gutter improvements to be made;

NOW THEREFORE BE IT RESOLVED that it is necessary to construct and install curb and gutter adjacent to the above described property located in the City of Arlington, in Kingsbury County, South Dakota. That the nature of such improvement is to remove and replace any existing curb and gutter and install new curb and gutter along said streets in accordance with the plans and specifications on file in the Office of the City Finance Officer of said City, which specifications are available for inspection by and person interested therein, or affected thereby, and the same by this reference, and made a part hereof any incorporated herein. That the materials to be used for said improvements are gravel, cement and other materials necessary for the removal, construction and installation of curb and gutter on the above described premises. That only the cost associated with the removal, installation, construction and replacement of curb and gutter is to be involved in this special assessment. That the estimate of the cost per square foot to the adjoining property owners for removal, construction and replacement of curb and gutter is estimated at \$23.00 per lineal foot. That the classes of the lots to be assessed are residential. That the cost of the improvement will be proportioned to the property fronting and abutting upon said streets by special assessment for the cost of the removal, construction and replacement of curb and gutter and all remaining costs shall be paid by the City out of general funds.

Special assessment, shall be collected under Plan One—Collection by County Treasurer in five annual installments, together with interest at seven (7) percent per annum in accordance with SDCL 9-43-102.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance officer's Office on the 12<sup>th</sup> day of March, 2018, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Finance Office on or before September 1, 2018.

Dated Adopted: 04-02-2018

CITY OF ARLINGTON

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It's Mayor

ATTEST:

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City Finance Officer

Motion was made by Lundquist, seconded by Falconer to approve the minutes of the March 5<sup>th</sup> & 19<sup>th</sup> meetings. All in favor—Carried.

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

Bills approved as follows:

26048	A T & T	Cell Phone Chges	63.45	
26049	U S Post Office	Post Card Stamps	350.00	
26050-26057	Salaries	General Fund	101	5679.98
		Water	602	502.33
		Electric	603	3046.04
		Sewer	604	472.16
26058	Birch Communications	Phone Chges	232.35	
Auto Debit	Citizens State Bank	EFTPS—Mar 15 <sup>th</sup> WH-SS-Medicare	3506.60	
26059	East River Electric Power Coop	Energy	3763.22	

26060	Electric Fund	City Utility Bills		4336.71
26061	Heartland Consumer Power Dist	Energy		40449.86
26062	Kingsbury County Auditor	County Law Enforcement Contract		5655.00
26063	Mediacom LLC	Internet		163.90
26064	SD Municipal League	District 2 meeting registrations		75.00
26065	SD State Treasurer	Sales Tax		7521.15
26066	SD Energy Assistance	Breanna Hofland repayment		100.97
26067	SDWWA	Wastewater Seminar Registration		90.00
26068	Western Area Power Adm	Energy		15771.12
26069-26092	Salaries	General Fund	101	11146.80
		Water	602	868.77
		Electric	603	3828.09
		Sewer	604	1018.84
26093	AFLAC	Payroll Deductions		255.06
Auto Debit	Citizens State Bank	EFTPS—Mar 30 <sup>th</sup> WH-SS-Medicare		5723.67
26094	Northwestern	Service to Shop & Coop Shop Bldgs		496.33
26095	PLIC-SBD Grand Island	Short Term Disability		204.56
26096	SD Retirement System	March Retirement		3316.22
26097	Sioux Valley Energy	Electricity @ Airport		50.00
26098	SD Supp Retirement	Supp Retirement/Steve		100.00
26099	The Health Pool of SD	April Health Insurance Premiums		4436.16
26100	Visa-Cor Trust	Door repairs/food-fuel @ water meeting/ambulance certifications-Medicare/Electric meeting expense/ parts-new pickup		848.07
26101	Amazon Credit Plan	Book-Library		9.17

26102	A-Ox Welding Supply Co	Cylinder Rent	156.26
26103	Arlington Sun	Publications	451.32
26104	Badger Oil Inc	2018 Bad Boy Lawn Mower	5577.00
26105	Bangor Township	Blading road & gravel	571.00
26106	Banner Associates	Design Engineering/Street Projects	17150.00
26107	Bobcat of Brookings	Skid loader bucket tooth repair	32.70
26108	Brookings Health System	Hepatitis B Vaccines-fire dept	214.16
26109	Bunker Auto Inc	Tail lamp-Ford Ranger/fuel	443.67
26110	Cor Trust/Bunker Auto	Property Damage Claim-2005 Dodge	599.06
26111	Jim Dahl	Checked Green Ford Truck	84.00
26112	Dept of Revenue	Water testing	15.00
26113	DGR Engineering	Post Construction-Substation Design & Voltage Conversion/Rate Updates	3271.00
26114	Eighty-One Auto Clinic	Bar Oil	10.99
26115	Emergency Apparatus Maintenance	Re-built primer motor/ordered new sending unit for water level gauge	1961.17
26116	L G Everist	Crushed quartzite	282.31
26117	Sue Falconer	Personal Auto Use	110.21
26118	Fastenal Company	Band saw blades	155.98
26119	Infotech Solutions LLC	Monthly maintenance/backup/hosting	297.00
26120	Interstate All Battery Center	Siren batteries	839.55
26121	Jay's Autobody	Material/Labor to paint & install utility box on 2018 Chev pickup	6441.43
26122	Kingbrook Rural Water System	March Water & Lease	8106.83
26123	Lowes	Door repairs/Mun bldg	24.66

26124	M & T Fire & Safety	Hem Patch C Doren	78.00
26125	Madsen Sewer Drain	Jet out culvert— Washington Street	637.50
26126	McLeod's Printing	Election supplies	25.86
26127	Northern Safety Company	Safety glasses/masks	141.17
26128	Office Peeps Inc	Service agreement-copier/copy paper/ink cartridge/ towels-shop	217.62
26129	PCC Ambulance Billing Service	Ambulance billings Feb 2018	522.18
26130	Pipe Masters	Jetted 5 frozen culverts	1095.00
26131	Plagman's Food Center	Cleaning supplies/batteries	24.45
26132	Prairie Ag Partners	Lights-new pickup/payloader blade repair/tire repair/ sander repairs/light-valve-labor on new pumper truck	746.14
26133	Amiel Redfish	Personal auto use/meal reimbursement	269.70
26134	Schein Inc	I-gel airways-ambulance	49.00
26135	SDML Worker's Comp Fund	2017 Audited Premiums	1316.00
26136	Snap on Tools	Soap/impact wrench/various tools	362.49
26137	Two Way Radio	Batteries & belt clip-ambulance/4-radios & battery for fire dept	2472.93
26138	Winsor Township	Annual road maintenance	926.00
26139	Charles Anderson	Refund bal meter deposit	80.49
26140	Kurt Christensen	Refund bal meter deposit	78.99
26141	Citizens State Bank	April Service Chge	20.00
26142	Cook's Wastepaper & Recycling	February Garbage	5139.39
26143	Electric Fund	Meter Deposits app to RO Bills	290.52
26144	US Post Office	Post Card Stamps	350.00

26145	A T & T	Cell Phone Chges	109.61
26146	Runnings	Clothing Allowance/brass nipple-pool/equipment repairs	380.44
Auto Debit	Rural Development	Water Improvement Loan	1343.00
Auto Debit	Rural Development	Wastewater Improvement Loan	2859.00

Ordinance #564 received the second reading and on Motion by Steffensen, seconded by Falconer same was approved with all Voting Aye—Carried.

### ORDINANCE NO. 564

AN ORDINANCE REPEALING AND REPLACING Section 4 of the Arlington City Code regarding nuisances:

#### GENERAL PROVISIONS

#### DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

*ANIMAL SHELTER.* A building and facilities therein approved by a law enforcement officer and the health authority for the impounding of animals.

*ANTI-ESCAPE.* Any housing, fencing, or device that a guard dog cannot go over, under, through, or around.

*APPARENT ATTITUDE OF ATTACK.* Threatening and overtly aggressive actions of an animal that places a reasonable person in imminent fear of bodily injury, including, but not limited to, snarling, growling, elevated or exaggerated noise, combined with an attack-ready body position when the animal is approached.

*AT LARGE.*

(1) An animal when off or away from the premises and not under the control of the owner, possessor, keeper, agent, servant, or a member of his or her immediate family by a leash.

(2) An animal when on the premises of the owner, possessor, keeper, agent, or servant if not attended by a competent person unless the animal is chained, restrained, enclosed, or confined in a manner preventing it from leaving the premises.

*LAW ENFORCEMENT OFFICER.* An officer of the Sheriff's Department or his or her designee.

*COMMERCIAL PROPERTY.*

- (1) A portion of land or building zoned for or utilized for commercial or business uses, within the city, including temporary sites.
- (2) Any vehicle utilized for commercial or business purposes within the city.

*DOMESTIC ANIMAL.* Any animal that through long association with man has been bred to a degree that has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes it unique and different from wild individuals of its kind.

*EXOTIC ANIMAL.* Any animal not occurring naturally in the United States either currently or historically. Alleged domestication of any exotic animal shall not affect its status under this definition.

*FOWL.* Chickens, ducks, geese, turkeys, pheasants, quail, partridge, guineas, or other like domestic birds.

*GUARD DOG.* Any dog that is utilized to protect commercial property, or is housed unattended on commercial property at any time other than normal business hours, except that the definition shall not apply to pet stores, boarding kennels, veterinary offices, and animal shelters.

*HANDLER.* A person who is responsible for and capable of controlling the operations of a guard dog.

*HEALTH AUTHORITY.* The health officer of the city or his or her authorized representative.

*HOUSING.* Any location where the guard dog is kept when not being utilized for protection purposes.

*LEASH.* A cord, thong, or chain, not to exceed six feet in length, by which an animal is controlled by the person accompanying it.

*LIVESTOCK.* Any species of animal other than fowl commonly used for food, fiber, or draft purposes.

*NONDOMESTIC ANIMAL.* Any animal that is not domestic.

*OWNER.* Any person harboring or keeping an animal and who is the head of the household of the residence or any adult residing thereat if any head of household is not present, or the person, owner, or manager in charge of the establishment or premises at which an animal remains or returns to.

*PET.* Any domestic animal kept in or near a household for the primary purpose of companionship for member(s) of the household and/or companionship for other such animals. This includes dogs, cats, guinea pigs, hamsters, rats, mice, ferrets, birds other than fowl, reptiles, amphibians, invertebrates, and species that a reasonable person would consider a pet. Fowl, rabbits, and livestock are not pets. The keeping of fowl, rabbits, or livestock including, but not limited to, swine, cattle, cows, sheep, horses, mules, or goats shall not be governed by this section of the code but shall be governed by other applicable sections of this code.

**RUNNING AT LARGE PROHIBITED.**

- (a) Except on property designated by the city as an animal off-leash area, it shall be unlawful for any person to have any animal which is owned, kept, harbored, or allowed to be habitually in or upon the premises occupied by



him or her or under his or her control to be at large and to go in or upon the private premises of others or upon any public property.

(b) Any person convicted of subsection (a) more than two times in a 12-month period shall be considered a reckless owner. Any fine for a reckless owner shall, at a minimum, be double the usual fine for animal running at large. For purposes of this section, each prior conviction must occur on a separate date than the present charge and any other prior conviction.

#### **RESTRICTED ANIMALS.**

(a) An animal may be declared restricted by a law enforcement officer, or the attending physician of the victim of an animal bite or scratch may request the declaration, under the following guidelines:

(1) An animal which in a vicious or terrorizing manner approaches in an apparent attitude of attack, or bites, inflicts injury, assaults, or otherwise attacks a person or other animal, upon the streets, sidewalks, or any public or private grounds or places.

(2) No animal may be declared restricted if the injury or damage is sustained to any person or animal who is committing a willful trespass or other tort upon premises occupied by the owner or keeper of the animal, or who was teasing, tormenting, abusing, or assaulting the animal, or was committing or attempting to commit a crime.

(3) An animal that has been previously declared by another jurisdiction if the circumstances leading to the declaration in the other jurisdiction would have been sufficient for a restricted declaration had the events occurred within the city of Arlington.

(b) When a law enforcement officer declares an animal restricted, the law enforcement officer shall notify the owner of the declaration in writing that the animal must be registered as a restricted animal within 15 days after the receipt of the written notice. The notice shall be served either in person or by mailing the notice by certified mail.

(c) The owner of an animal that has been declared restricted shall make application to the City Finance Officer to register the restricted animal and shall comply with the following:

(1) The owner of the animal shall notify the City Finance Officer of any changes in the following:

A. Ownership of the animal;

B. Name, address, and telephone number of a new owner;

C. Address change of the owner or any change in where the animal is housed;

D. Any change in the health status of the animal;

E. Death of the animal.

(2) If the animal is indoors, the animal shall be under the control of a person over 18 years old;

(3) If the animal is outdoors and attended, the animal shall be muzzled on a leash no longer than 6' and under the control of a person over 18 years of age;

(4) If the animal is outdoors and unattended, the animal must be locked in an escape-proof kennel approved by animal control. Minimum standards shall include the following:

A. Fencing materials shall not have openings with a diameter of more than 2". In the case of a wooden fence, the gaps shall not be more than 2".

B. Any gates within the pen or structure shall be lockable and of a design to prevent the entry of children or the escape of the animal;

C. The required pen or structure shall have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides shall be imbedded into the ground or concrete;

D. The pen or structure shall protect the animal from the elements.

(5) The owner shall carry \$100,000 animal liability insurance covering the medical and/or veterinary costs resulting from the vicious actions or any other damage the animal may do or cause to be done. Proof of insurance shall be filed with animal control;

(6) The owner shall present proof of current rabies vaccination and current city license of the animal to animal control; and

(7) The owner shall present proof the animal has been altered to prevent reproduction to animal control.

(d) The restricted animal shall be impounded by animal control at the owner's expense until a time as all provisions of division (c) above are complied with.

(e) If the conditions in division (c) above are not complied with, the animal shall be euthanized in a humane manner and proof of euthanasia filed with animal control.

(f) Any restricted animal not in compliance with this article shall be seized by any law enforcement officer and impounded. If the animal cannot be captured, it may be destroyed. A law enforcement officer may order the owner to deliver the animal to the animal shelter within 24 hours and the owner ordered to appear in court to show cause why this animal shall not be destroyed. If the owner of the animal fails to deliver the animal as ordered, the law enforcement officer shall use those means as are necessary to impound the animal.

## **VICIOUS ANIMALS.**

(a) An animal may be declared vicious by a law enforcement officer under the following guidelines:

(1) An animal which in a vicious or terrorizing manner bites, inflicts injury, assaults, or otherwise attacks a person or other animal, upon the streets, sidewalks, or any public or private grounds or places, resulting in the death of the person or other animal.

(2) An animal which in a vicious or terrorizing manner bites, inflicts injury, assaults, or otherwise attacks a person or other animal resulting in a Level 4 or higher on the Dunbar scale.

(3) An animal that has been previously declared in another jurisdiction if the circumstances leading to the declaration in the other jurisdiction would have been sufficient for a vicious declaration had the events occurred within the city of Arlington.

(4) No animal may be declared vicious if the injury or damage is sustained to any person or animal who is committing a willful trespass or other tort upon premises occupied by the owner or keeper of the animal, or who was teasing, tormenting, abusing, or assaulting the animal, or was committing or attempting to commit a crime.

(b) When a law enforcement officer declares an animal vicious, the law enforcement officer shall notify the owner of the declaration in writing. The notice shall be served either in person or by mailing the notice by certified mail.

(c) It is unlawful for any person to own, harbor, or possess a vicious dog.

(d) Any dog declared vicious shall be euthanized in a humane manner and proof of euthanasia filed with the City Finance Officer.

(e) Any dog declared vicious shall also have been deemed declared restricted for purposes of any administrative appeal.

#### **DUNBAR SCALE.**

(a) Level 1. Obnoxious or aggressive behavior but no skin contact by teeth.

(b) Level 2. Skin contact by teeth but no skin puncture. However, may be skin nicks (less than one tenth of an inch deep) and slight bleeding caused by forward or lateral movement of teeth against skin, but no vertical punctures.

(c) Level 3. One to four punctures from a single bite, which may have lacerations in a single direction, caused by victim pulling hand away, owner pulling dog away, or gravity.

(d) Level 4. One to four punctures from a single bite with at least one puncture deeper than half the length of the dog's canine teeth. May also have deep bruising around the wound (dog held and bore down) or lacerations in both directions (dog held and shook its head from side to side).

(e) Level 5. Multiple bite incident with at least two Level 4 bites or multiple attack incident with at least one Level 4 bite in each.

(f) Level 6. Victim dead.

#### **IMMEDIATE NOTICE OF BITE.**

The owner, keeper, possessor, caretaker, or attendant of an animal that bites, inflicts injury to, assaults, or otherwise attacks a person or other animal shall immediately by the quickest means of communication give notice of such incident to animal control or the police department and remain on the scene until the responding law enforcement officer has indicated the person may leave.

#### **DUTY TO GIVE INFORMATION, RENDER AID.**

The owner, keeper, possessor, caretaker, or attendant of an animal that bites, inflicts injury to, assaults, or otherwise attacks a person or other animal shall immediately stop and give his or her name and address and shall render to any person injured reasonable assistance.

**DISTURBING THE PEACE.**

- (a) The owner or custodian of an animal shall not allow the animal to create a disturbance by making loud noises any time of the night or day.
- (b) Any law enforcement officer may remove and impound any animal which is disturbing the peace when the owner of the animal cannot be located. A notice advising the owner of the impoundment shall be left on the premises.
- (c) Any person having custody or control of any female dog or cat in heat shall be required to keep the dog or cat confined in a building, secure enclosure, veterinary hospital or boarding kennel so that it cannot attract or come into contact with another animal on public or private property except for controlled breeding purposes.

**CRUELTY TO ANIMALS; RIGHT OF ENTRY.**

No person shall maltreat or abuse or neglect any animal or fowl. Any law enforcement officer finding an animal or fowl mistreated as described in this section shall have the power to lawfully enter the premises where the animal is kept and demand to examine the animal and to take possession of the animal, when in his or her opinion, the animal requires humane treatment.

**STRAY, ABANDONED OR UNKEPT ANIMALS.**

- (a) No person shall harbor or keep any stray animals. Animals known to be strays shall be immediately reported to the animal control officer.
- (b) No person shall put out any food for the purpose of feeding or attracting any stray, abandoned, or unkept animal. The placing of food to capture stray, abandoned, or unkept animals by animal control officers or for the purpose of turning the animal over to animal control is not prohibited.

Dated this 2<sup>nd</sup> day of April, 2018.

ATTEST:

CITY OF ARLINGTON

\_\_\_\_\_  
City Finance Officer

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Mayor

The recent court decision regarding a vicious dog incident that had occurred in January, 2018 was discussed and the council questioned the City Attorney as to how the judge over ruled their request to have the dog put down. Had the ordinance that was just passed by the council been in place at the time of the incident—a judge would not have been involved.

The council had requested that representatives from the Fire Dept and the Ambulance Squad come to the meeting to discuss plans for removing the wall. First of all, the Mayor asked them if they wanted to proceed and that they were sure

that this change would meet their needs for the placement of equipment, gear, etc. Fire Chief, Steve Dilley said that it would take care of their needs and this project is what they wanted to proceed with in the fire hall. The next question was the storage of the units during the construction time. Steve advised that he had been talking to Tyler Henriksen about using the Interstate Battery building and he said that Tyler thought they could make that work as long as his business had moved to their new location when they needed the space. The Fire Dept wanted to know when the work would begin and approximately how long it would take. The project cannot begin until the chance of a heavy snow fall would put stress on the building during the project and that the work should take about 2 weeks to complete.

Jay DeVries has ordered the commercial washer and Marshal Mix has been working with a plumber to have that installed along with a new sink and a shower in the current Women's bathroom area.

So, that portion of the project will probably be done prior to the work on the wall.

Jay DeVries also advised that he is continuing to do research on equipment for the ambulance including a cot, lift and possibly a new ambulance. He is not ready to proceed with any additional purchases at this time.

Scott Mohror thought that since we have some relatively new council members that he would provide them with what the duties and responsibilities of a resident engineer are during a project and what actions would fall back on the council. Motion was made by Johnson, seconded by Steffensen to accept and approve the Agreement between the City of Arlington and Banner Associates Inc for Professional Services for the Arlington Street Improvements 2018. All in favor—Carried.

Scott Mohror did a review of the Water Study and answered a few questions that were brought up.

Motion was made by Lundquist, seconded by Falconer to accept the Water Study as written. All in favor--Carried.

Motion was made by Lundquist, seconded by Falconer, to officially award the street project bid to Bowes Construction for the total amount of \$424,899.35 plus Schedule No. 2 at \$180,575.00. All in favor—Carried.

Marshal Mix presented a building permit application on behalf of the HRC for a spec house in the Johnson Addition. Motion was made by Johnson, seconded by Rowbotham to approve the building permit for an 1132 sq foot house with an attached oversized garage to be located at Lot 3, Block 7 of Lot C of Johnson's Addition to the City of Arlington. All in favor—Carried.

Matt Asmussen is planning the electric projects for the summer. He plans to work in two separate areas so that the power will be looped. In a third area, the overhead will be replaced with underground.

Motion was made by Rowbotham, seconded by Lundquist to authorize the Finance Officer to advertise the Garbage Contract since we can no longer renew the current contract. The only change that the City is making to the contract is that \$1.00 will be withheld per residential account rather than 50 cents. All in favor—Carried.

Motion was made by Falconer, seconded by Lundquist to approve the Employee Overtime and Police Reports. All in favor—Carried.

The finance office had received two additional applications to work at the pool this summer. Motion was made by Johnson, seconded by Steffensen to hire Rachel Miller as a lifeguard at \$11.00/Hr and Jaiden Kruse as a bathhouse worker at \$9.00/Hr. All in favor—Carried.

The council reviewed the Revenue/Expense, Cash and Utility Reports. There is still a water loss, however; it has been too wet to find the loss as there is water standing in several areas. When the weather straightens out; the city crew will begin to test the hydrants.

The Mayor and Marshal presented the ACDC report. The financial report was given to the council. Marshal advised that the Heartland Loan should be finalized within the next week. Another party has agreed to take over the office that was previously occupied by Jason Uphoff; so ACDC will no longer be responsible for the entire amount of rent for that office space—the current lease expires in August.

The council set April 16<sup>th</sup> at 7:00 as the time to canvass the municipal election results. Spring cleanup has been set for May 3<sup>rd</sup>. The Heartland Annual Meeting will be held on May 11<sup>th</sup>.

Garth Johnson advised that he had been contacted by Craig Converse who has won a bench through the Monsanto Fund and he would like to donate it to the City of Arlington. Motion was made by Johnson, seconded by Lundquist to accept this donation and would like to place the bench in the new playground area.

Garth had also been asked to check with the council about obtaining a beer license for the Legion for a Mountain Oyster feed that they would like to hold in the City Park on June 2<sup>nd</sup>. They would be able to apply for a special license; however, they would need to fence in an area and no beer would be able to leave that fenced area.

Marshal Mix advised that there is a problem with the pumps at the Coop Shop. There are no repairs available to fix the pumps; so he is looking into an alternative fix and until then the crew has been filling up the vehicles at Bunker Auto and 81 Auto.

Frank Crisler had been contacted by a resident regarding the denial of the insurance claim at the west substation as it was not believed that a fire had occurred. The resident has a video on their phone showing small flames on the equipment. When the city office receives that video, the insurance company will be contacted and hopefully will be able to receive a settlement.

Motion was made by Johnson, seconded by Steffensen to enter into executive session at 8:30 P.M. for personnel, contract matters and possible litigation. All in favor—Carried.

Motion was made by Lundquist, seconded by Rowbotham 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 Steffensen, seconded by Falconer. All in favor—Carried.

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Sue Falconer, Finance Officer

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Amiel Redfish, Mayor

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