

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, JULY 24, 2006**

The meeting was called to order by Mayor Alan E. Oberloh at 7:00 p.m., in the City Hall Council chambers with the following Aldermen present: Leland Hain, Roger E. Nelson, Bob Petrich, Lyle Ten Haken, Mike Woll and Honorary Council Person Tim Meyer.

City Staff present: Mike Cumiskey, Public Safety Director; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Ec. Development; Brian Kolander, Director of Finance; Jim Laffrenzen, Supt. of Public Works; and Karen Buchman, City Clerk.

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; a delegation of people for the YMCA; Veterans's Memorial; Lake Street Neighbors, Jesus Leon and Antonio Pena, Club DeLeones; and Kari Meyer, King Turkey Day Board.

**AGENDA APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to accept the agenda as presented with the addition of addendum G10 and G11.

**MINUTES APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to accept the Regular City Council minutes of July 10, 2006 and the Special City Council minutes of July 17, 2006 as previously distributed.

**MINUTES OF BOARDS AND COMMISSIONS**

The motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to accept for review the Water and Light Commission minutes of July 17 and Special Water and Light Commission minutes of July 21, 2006; Worthington HRA minutes of June 8, 2006; and Planning Commission/Board of Appeals of July 5, 2006.

**FINANCIAL STATEMENTS**

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to accept the Municipal Liquor Store Income Statement for the period January 1, 2006 through June 30, 2006; Prairie View Golf Links Statement of Revenues vs. Expenditures for the period January 1, 2006 through June 30, 2006; and General Fund Statement of Revenues vs. Expenditures - Budget and Actual for the six months ended June 30, 2006.

**AWARDED BID FOR SOUTH SHORE DRIVE AND 1ST AVENUE SOUTHWEST STREET**

**AND BIKE PATH IMPROVEMENTS PROJECT**

Bids were received at 2:00 p.m. on July 21, 2006 for the South Shore Drive and 1<sup>st</sup> Avenue Southwest Street and Bike Path Improvements Project. The following bids were received:

<u>Bidder</u>	<u>Amount</u>
Dunnick Brothers, Inc.	\$698,003.65
Rupp Construction	\$591,784.61
Worthington Excavating, Inc.	\$561,945.25

After review and discussion of the bids received the motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to award the bid to the low qualified bidder, Worthington Excavating, Inc. in the amount of \$561,945.25.

**APPROVED STORM WATER UTILITY CREDITS**

City Council adopted policies for adjustment of the Storm Water Utility Fees as provided for in the ordinance establishing the storm water utility. The ordinance establishes that credits be reviewed regularly by City staff and recommendations be provided to the Council for final action. Following are three credits recommended in regard to properties recently developed and now subject to storm water utility charges:

Mini storage facility, 1025 Oxford Street. The property is eligible for a vacant land credit equaling .78 acres. Total area of the site is 1.36 acres, yielding a billable area of .58 acres. Staff recommends approval of the land credit equaling .78 acres.

Okabena Estates, 2257 Nobles Street. Site development of the apartments included construction of the storm water management facility (retention pond) needed to meet NPDES permitting requirements. The storm water credit policy states that a 50% credit shall apply to properties having a system meeting the standards of the current General storm-water NPDES Permit for Construction Activity. Staff recommends approval of a 50% credit for Lots 4 and 5 Nobles Square Addition.

Dollar General Store, 1190 Ryan's Road. A majority of the property remains vacant making it eligible for a vacant land credit equaling 5.58 acres. The total area of the site is 6.66 acres, yielding a billable area of 1.08 acres. Staff recommends approval of the 5.58 acre credit.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the storm water utility credits as presented.

**ORDINANCE NO. 990 ADOPTED, VACATING A PLATTED UTILITY EASEMENT**

Pursuant to published notice this was the time set for the third reading to the proposed ordinance to vacate a portion of the platted public utility easement in Lot 23, Block 4, Lakeview Heights Addition. The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to give a third reading to and adopt the following ordinance:

ORDINANCE NO. 990

AN ORDINANCE TO VACATE A PORTION OF THE PLATTED PUBLIC UTILITY EASEMENT IN LOT 23, BLOCK 4 LAKEVIEW HEIGHTS ADDITION

(Refer to Ordinance file for complete copy of Ordinance)

**YMCA AGREEMENT APPROVED**

The Interim Administrator referred the YMCA agreement to City Attorney Mark Shepherd for review. Mark had originally modified the proposed memorandum of understanding to a binding agreement and so it was felt he should review the subsequent changes that the City and Y Board had made. Mark suggested some language changes to clarify the agreement. This final copy presented should be acceptable to both parties. Following a lengthy discussion which included Alderman Nelson - whether it needed to be presented more to the public, Alderman Woll, we have been talking about this for some time, Alderman Hain questioned pool reserves, Alderman Nelson, we need to do more partnering with other community entities, Jim Laffrenzen, its time to move forward, Mayor Oberloh, let's get it done. Andy Johnson, YMCA Director, they are glad to be here tonight, they want to partner with the City, and they hope to be good stewards of the agreement. Alderman Ten Haken asked about the timetable and Andy said they are hoping 2008, it's a timing issue, but they hope it doesn't go into 2009.

Following the discussion a motion was made by Alderman Ten Haken, seconded by Alderman Nelson and unanimously carried to approve the agreement as presented.

**MC FITNESS PROPOSAL**

A letter was presented from Steve Robinson, SEH, regarding a building code review for the Senior Center/MC Fitness that includes the following scope of work: Performing a building code review to convert certain spaces within the MC Fitness facility to senior Center purposes, Prepare a list of required building code and accessibility improvements, Prepare a cost estimate for the improvements. SEH will perform the Scope of Work on an hourly basis for a fee not to exceed \$500.00. This will be brought back to Council at a future meeting. The Senior Citizen's found this site and seem to be very satisfied with it. If the costs come back as reasonable we will have the City Attorney prepare a lease agreement along the

lines of the letter of intent we signed with Mr. Ossenfort.

**LICENSE APPLICATIONS FOR THE CLUB DE LEONES, INC. APPROVED**

Jesus Leon on behalf of the Club de Leones, Inc., 415 Ninth Street, submitted the following license applications with the license expiration dates as follows:

- No. 2006 - 8 On - Sale Liquor, August 1, 2006 through June 30, 2007
- No. 2006 - 6 Wine, August 1, 2006 through June 30, 2006
- No. 2006 - 16 On-Sale Beer, August 1, 2006 through December 31, 2006
- No. 2006 - 18 Off Sale Beer, August 1, 2006 through December 31, 2006
- No. 2006 - 5 Dance, August 1, 2006 through December 31, 2006

2:00 A.M. closing goes directly to the State of Minnesota

Also, request strong beer on Sunday in conjunction with their On-Sale Beer and Wine License.

Following a lengthy discussion with questions asked of Mr. Leon and comments presented by area neighbors the motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to approve the license applications as presented.

**OFFICIAL DELEGATE TO TURKEYFEST, CUERO, TEXAS**

The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to designate Mayor Alan and Janice Oberloh as the official delegates to represent the City of Worthington at Turkeyfest in Cuero, Texas the weekend of October 13-14-15, 2006 and to reimburse the Mayor for all of his expenses.

**APPROVED REQUEST TO BLOCK STREETS, TEMPORARY BEER, AND DANCE LICENSE APPLICATIONS OF THE KING TURKEY DAY, INC. FOR TURKEY DAY FESTIVITIES**

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to approve the following for the Turkey Day festivities:

**Request to Block Streets**

From 6:00 p.m., Wednesday, September 13, 2006 until 11:00 p.m. Saturday, September 16, 2006 for the carnival and vendors - Ninth Street from 1<sup>st</sup> Avenue to 4<sup>th</sup> Avenue and Fourth Avenue from Ninth to Tenth Street

From 4:00 p.m., Friday, September 15, 2006 to midnight Saturday, September 16 for the beer garden and Turk Olympics, 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Avenue from Ninth to Tenth Street and Tenth Street between 1<sup>st</sup> and 2<sup>nd</sup> Avenue.

From 8:00 a.m. through 10:30 a.m., Saturday, September 16, 2006 for the 10K run and 5K walk, 11<sup>th</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue.

Saturday, September 16, 2006, 6:00 a.m. to 5:00 p.m. the parade route that was distributed with the packets. Including First Avenue, Tenth Street, McMillan to Clary Street.

No. 2006 - 2 Temporary Beer License for the Turkey Day Mixer, Thursday, September 14, 2006 from 5:00 p.m. to 11:00 p.m. at Pioneer Village with the alternate location (in case of rain) Worthington Arena.

No. 2006 - 3 Temporary Beer License for the Turkey Day Beer Garden, Friday, September 15, 2006 hours 2:00 p.m. to 12:00 midnight and Saturday, September 16, 2006, hours 12:00 noon to 12:00 midnight.

No. 2006 - 6 Dance License for 2:00 p.m. to midnight, Friday, September 15, 2006 and 12:00 noon to midnight, Saturday, September 16, 2006, downtown Worthington King Turkey Day Beer Garden

### **APPOINTED ELECTION JUDGES AND DESIGNATE POLLING PLACES**

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to approve the list of election judges and polling places as presented.

### **DISPOSAL OF REAL PROPERTY - JOINT CITY/COUNTY PARKING LOT - TABLED**

Following a discussion on this item it was agreed it should be tabled so that a couple representatives of the City could meet with the County. Alderman Nelson, Alderman Ten Haken and Brad Chapulis were designated to meet with County officials and bring back a recommendation to the full Council at a later meeting.

### **SIGNAGE PROPOSAL FOR FREEDOM SHORE PARK AND VETERAN'S MEMORIAL APPROVED**

Members of the Veteran's Memorial Park were present to discuss the proposal to erect a granite sign at the Freedom Shore Park. This will be erected at no cost to the City. The Park and Recreation Advisory Board members voice no objection to the proposed signage. Following a short discussion the motion was

made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to approve the signage proposal. Mike Kuhle on behalf of the committee thanked the City Council and staff for all of their assistance.

### **REQUEST TO BLOCK ALLEY APPROVED**

Jerry Olsen, W. A. Klinger, L.L.C. Company of Sioux City, Iowa, is doing the radiation/oncology project for the Worthington Regional Hospital. They are requesting permission to block a portion of the alley behind the old Dr. Kilbride building to use for the equipment trailers. They anticipate that the project will take about 8 months to complete. Mr. Olsen has talked to Jim Laffrenzen and he will work with them on the signing of the closure. Mike Cumiskey, Police Chief has been informed of the project request as well as has no problem with the closure. The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the request to block alley.

### **US HIGHWAY 59 DISCUSSION**

Alderman Ten Haken had received a letter from the Southwest Regional Development Commission regarding MnDOT updating the functional classification of the public road system. The last update was completed in 1993. The update is intended to “Better align current travel demand patterns and highway system usage” and “Move toward greater parity between similar areas statewide”.

The Southwest Region is currently working with each of the County Engineers and City Engineers from the State Aid Cities (Marshall, Redwood Falls and Worthington) to address revisions to the roads classified as Major Collector, Minor Collector and Local. These roads are non-Trunk Highways - primarily County State Aid Roads, Municipal State Aid Roads, County Roads, City Streets, and Township Roads.

The Region is also to coordinate and submit comments on the Functional Classification for the Trunk Highway System. The state has developed a draft map of changes to the Trunk Highways based on a technical analysis based on Average Annual Daily traffic (AADT), the location of the National Highway System and Interregional Corridors, and input from MnDOT District staff. During SRDC staff review of the draft Trunk Highway map, two proposed changes in the Southwest Region were found:

- \* US highway 59 - Worthington to Marshall. Currently functionally classified as Principal Arterial, proposed to change to Minor Arterial; and
- \* State Highway 19 - Marshall to Redwood Falls. Currently functionally classified as Principal Arterial, proposed to change to Minor Arterial.

The Southwest Regional Development Commission is requesting your comments regarding changes to the Functional Classification of the State Trunk Highway System. They asked for written comments be sent

to them by Wednesday, August 9, 2006.

Following a discussion on the proposed changes to the Functional Classification of Highway 59 the motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to have Mayor Oberloh draft a letter stating that we are not in favor of this change in classification.

### **CITY COUNCIL REPORTS**

Mayor Oberloh discussed meeting some people in town doing work who commented on how clean Worthington is. He also noted the letter Dave Von Holtum distributed to Council on the great job that Myra Onnen is doing as Neighborhood Officer.

Alderman Hain - Prairie View doing better than last year, board is more upbeat, has more enthusiasm, and Alice is doing a great job.

Alderman Petrich - asked Council to note the last page of the Water and Light Commission minutes where they discussed the Lewis & Clark Rural Water System Unallocated Capacity. We were offered shares of unallocated capacity based on the prorated share of the total Lewis & Clark project system capacity - agreement. If members chose to accept the offered shares, they would be responsible for back dues and future dues for the additional water amounts taken. In our case our original capacity was 96,000 gallons per day and 67,000 gallons per day of excess capacity for a total of an additional 163,000 gallons per day. We are locked into this extra. He also noted there is to be a water tower constructed somewhere between Worthington and Rushmore.

Alderman Woll - Housing Partnership folks in town with National folks, MN Green Communities and Blue Cross people.

Alderman Ten Haken noted that he and Alderman Hain serve on the Task Force with the County and Township representatives to discuss the band around Worthington. Next week he and Alderman Nelson have a meeting of the Joint Transit to discuss a three-year contract with the Taxi provider. Alderman Nelson noted we have the only public/private transit - another partnering in the community. Alderman Ten Haken noted next week there is a City/County/School meeting.

### **BILLS PAYABLE**

The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried that bills payable and totaling \$779,375.64 be ordered paid.

### **ADJOURNMENT**

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to adjourn the meeting at 8:48 p.m.

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Karen Buchman  
City Clerk