

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, JANUARY 23, 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 Mike Peil.

City Staff present: Bob Filson, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; Jim Laffrenzen, Public Works Superintendent; and Karen Buchman City Clerk.

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; Steve Johnson, Johnson Builders, and Donald and Emma Feit. Arriving a little later in the meeting Steve Robinson (SEH).

INTRODUCTION OF HONORARY COUNCIL PERSON

Mayor Oberloh introduced Mike Peil as the Honorary Council person for the months of January and February.

RESOLUTION NO. 3097 ADOPTED, ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS

Pursuant to published notice this was the time set for the public hearing on the improvement of Castlewood Drive by grading, base construction, curb and gutter construction, and surfacing; by extension of the municipal wastewater collection system therein; and by extension of the municipal water distribution system therein.

The motion was made by Alderman Ten Haken, seconded by Alderman Petrich and unanimously carried to open the hearing.

City Engineer Dwayne Haffield presented the proposed project. He noted that the project was initiated by petition, therefore, only a simple majority vote of the Council is required to order the project ahead. The project report on the improvement and preliminary assessment roll was submitted to Council at its January 9, 2006 meeting.

The Mayor opened the floor for testimony. None was received.

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to close the hearing. The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to adopt the following resolution:

RESOLUTION NO. 3097

ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS

(Refer to Resolution file for complete copy of Resolution)

RESOLUTION NO. 3098 ADOPTED, ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS

Pursuant to published notice this was the time set for the public hearing on the proposed improvement of the following described street segments by necessary grading and base, and by bituminous surfacing: Cecilee Street, Donavon Drive, Sterling Avenue and Sutherland Drive.

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to open the hearing.

City Engineer Dwayne Haffield presented the proposed project. He noted that the project was initiated by petition, therefore, only a simple majority vote of the Council is required to order the project ahead. The project report on the improvement and preliminary assessment roll was submitted to Council at its January 9, 2006 meeting.

The Mayor opened the floor for testimony. None was received.

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to close the hearing. The motion was made by Alderman Ten Haken, seconded by Alderman Petrich and unanimously carried to adopt the following resolution:

RESOLUTION NO. 3098

ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS

(Refer to Resolution file for complete copy of Resolution)

AGENDA APPROVED

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the agenda as presented with the addition of addendum H-4 Pay Equity.

MINUTES APPROVED

The motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to accept the Regular City Council minutes of January 9, 2006 as previously distributed.

MINUTES OF BOARDS AND COMMISSIONS APPROVED

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 January 17, 2006; Airport Advisory Board minutes of December 6, 2005; Park and Recreation Advisory Board minutes of December 8, 2005; Worthington Housing & Redevelopment Authority minutes of December 8, 2005; Memorial Auditorium Advisory Board minutes of January 5, 2006; Golf Advisory Board minutes of November 2, 2005 and January 18, 2006; and Planning Commission of January 10, 2006.

CHANGE ORDERS 1 AND 2 FOR BIOSCIENCE INDUSTRIAL PARK STORM SEWER IMPROVEMENTS

Change Orders 1 and 2 for the Bioscience Industrial Park Storm Sewer Improvements project include the following: Change Order 1 adds a standard design (Design F) manhole for use as a catch basin structure in lieu of the straight small diameter barrel (Design N) structure at one location. It was determined during review of shop drawings that the Design F structure was more appropriate for use at the particular location. The net additional cost is \$1,410.25. Change Order 2 establishes the unit price for furnishing a bend identified on the plans to be located on a 48" diameter main. The contract documents did not include this item although it was included in the plans. The unit price established for the bend is \$1,850.00. The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to approve the change orders and authorize the Mayor to execute the same.

APPROVED PROFESSIONAL SERVICES FOR DEVELOPMENT OF SOCCER COMPLEX PRELIMINARY PLAN

The soccer fields located in the Buss Field site were not developed so as to satisfy the long term needs of a successful soccer program. Development of a designed soccer complex was deferred pending an evaluation of the success of the soccer program. The continued and growing level of participation in the soccer program is leading to a demand for soccer field improvements. Generalized estimates indicate costs of about \$250,000 for development of three fields at the site. In order to fully explore the feasibility of the improvement concepts, further refine the cost estimate, and be in position to pursue grant assistance, a preliminary plan needs to be developed. The consulting firm of SEH submitted a proposal for the development of the preliminary plan which includes obtaining a site survey, devising a grading plan, and preparation of a probable cost projection. This does not include information needed to prepare construction plans and contract documents. The not to exceed fee is \$15,000 with funding split between the City and Swift on a 50 -50 basis. Council, at their December 9, 2005 meeting, approved the appropriation of \$7,500 and Swift has agreed to fund the additional \$7,500. The motion was made by Alderman Ten Haken, seconded by Alderman Hain and unanimously carried to approve the acceptance of the proposal.

FIRST READING PROPOSED ORDINANCE, VACATE A PLATTED ALLEY

Steve Johnson and other interested parties requested the vacation of a portion of the public right-of-way (alley) located directly north of the Worthington High School Athletic Complex between Oslo Street and the north/south alley formerly known as 13th Street. At their January 10th meeting, the Planning Commission held a public hearing on this item. Upon recommendation of the Planning Commission, the motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to give a first reading to the proposed ordinance approving the vacation of the requested right-of-way subject to the following conditions:

1. ISD#518 grants or dedicates the north 7.5 feet of the western 47 feet of Street Lot "D" and the north 7.5 feet of Lots 14 through 17, Block 2, Auditor's Plat of Chermak's Sub-Division to the City of Worthington for right-of-way purposes.
2. The abutting property owners provide evidence of holding underlying title to the right-of-way to be vacated and conveyed.
3. The City establishes and maintains a 7.5 foot utility easement over the existing alley for existing utility infrastructure.

FIRST READING PROPOSED ORDINANCE, CHANGE OF ZONE

The City of Worthington submitted an application to amend the Prairie Expo Planned Unit Development (PUD #7). Approval of the proposed amendment would revise the master plan for the 90 acre development and rezone the northern 55 +/- acres from the current "TZ" designation to "PUD #7". Both amendments are necessary for the City to proceed with the establishment of Worthington Bio-Science Industrial Park Addition. At their January 10, 2006 meeting, the Planning Commission held a public hearing on this item and approved the change of zone application. Upon recommendation of the Planning Commission, the motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to give a first reading to the proposed ordinance as presented.

APPROVED PRELIMINARY PLAT - WORTHINGTON BIOSCIENCE INDUSTRIAL PARK ADDITION

The City of Worthington seeks preliminary plat approval for certain property located directly north of the Prairie Holdings Center, 1520 Prairie Drive. The Plat consists of 25 lots on 56.09 acres of land. Upon recommendation of the Planning Commission, who voted unanimously to recommend approval of the Worthington Bioscience Industrial Park Addition's preliminary plat, the motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to approve the Worthington Bioscience Industrial Park Addition's preliminary plat contingent on the following:

1. The applicant submits a revised preliminary plat that illustrates the following:
 - * Required public infrastructure extensions;
 - * Accurately depicted existing easements; and
 - * Inclusion of the proposed easements shown in condition #2.

2. The applicant grants the following easements:
 - * 10' utility easement along the east property lines of Lots 9 through 16, Block 3;
 - * 15' drainage and utility easement along the east property lines of Lots 1 through 4, Block 2;
 - * 15' drainage and utility easement along the west property lines of Lots 5 through 8, Block 2;
 - * 40' drainage and utility easement along the north property lines of Lots 1 through 8, Block 3.

2006 INDUSTRIAL WASTEWATER TREATMENT FUND BUDGET APPROVED

The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to approve the proposed 2006 Industrial Wastewater Treatment (605) Fund Budget, Equipment Revolving Schedules, and Capital Improvement Programs. Staff met with Swift regarding the Industrial Wastewater Budget. They had a 30-day comment period per our agreement and no comments were received.

RESOLUTION ADOPTED REGARDING GAMBLING PERMIT - ELK'S LODGE #2287

A motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to adopt the following resolution:

RESOLUTION

REGARDING GAMBLING PERMIT

RESOLVED, the City of Worthington agrees to approve the gambling permit for the Elk's Lodge #2287 to conduct lawful gambling at 1105 Second Avenue, Worthington, Minnesota, for the premise permit period of April 1, 2006 through March 31, 2008.

Council members Woll and Hain moved the adoption of the foregoing resolution at the regular January 23, 2006 Council meeting and the same was adopted upon a unanimous yea vote of all members present.

RESOLUTION ADOPTED REGARDING GAMBLING PERMIT - WORTHINGTON HOCKEY ASSOCIATION

A motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to adopt the following resolution:

RESOLUTION

REGARDING GAMBLING PERMIT

RESOLVED, that the City of Worthington agrees to approve the gambling permit for the Worthington Hockey Association to conduct lawful gambling at the A & T Tap, 107 12th Street, Worthington, Minnesota, for the premise permit period April 1, 2006 through March 31, 2008.

Council members Woll and Hain moved the adoption of the foregoing resolution at the regular January 23, 2006 Council meeting and the same was adopted upon a unanimous yea vote of all members present.

AUTHORIZATION FOR SIGNATURES ON LABOR CONTRACTS WITH LOCAL 49 IUOE AND LOCAL #4 LAW ENFORCEMENT LABOR SERVICES, AND AUTHORIZATION FOR 3% ADJUSTMENT TO THE PAY OF NON-UNION EMPLOYEES

Union contracts are complete and ready for signatures. The contracts provide for three-year agreements with Local 49 IUOE and Local #4 LELS. The contracts also contain the “meet and confer” language with the clarification of the \$374 per month employee family health premium health contribution clarified as Council requested. The City Council and Water and Light Commission have also used these contracts as the basis to determine compensation for their non union employees. The Water and Light Commission met on January 17, 2005 and approved the contract with Local 49 IUOE and a 3% one year adjustment for its non union employees subject to concurrence by the City Council. Following a discussion the motion was made by Alderman Ten Haken, seconded by Alderman Hain and unanimously carried to approve the contracts, and the adjustment for the non-union employees.

PAY EQUITY REPORT APPROVED

City, County, and School Districts are required to complete a pay equity implementation report to submit to the State. The state requirement was completion every three years, then they went to five years (our last one was submitted in January of 2001). Now, they are going back to a three year reporting cycle. Our current pay equity report is due January 31, 2006. Staff members have been working on this report, which documents job positions, number of men or women in the position, points for the position, and the minimum and maximum salary range. The report is basically complete and ready to send to the state, but due to staff illnesses the final figures need to be tallied. Staff asked Council to authorize the Mayor’s signature on the Pay Equity Implementation Report when it is completed so that we can submit it to the State by the January 31, 2006-deadline. The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to authorize the Mayor’s signature on the Pay Equity Implementation Report.

COUNCIL REPORTS

Mayor Oberloh reminded Council members of the Immigration Meeting to be held at 2:00 p.m., Sunday, at the West Elementary School Building. Housing Study Group met - they are just getting started. He

distributed a letter from a patron of Olson Campground, it was a very complimentary letter.

Alderman Hain - Golf Committee met and they are very enthusiastic. Tournaments and the new room rentals are already coming in. Discussed the salary budget line item and wanted the distribution looked at.

Alderman Petrich - Water and Light Commission had a very brief meeting due to Don Habicht's illness, approved 49er's contract and non-union salary increases subject to Council concurrence. He also reminded everyone about the Memorial Auditorium singing valentine opportunity.

Alderman Woll - briefly discussed Hospital and Housing meetings.

Alderman Ten Haken - SRDC - Aging - Sr. Linkage line takes health insurance, health care questions. In 2005, they took 25,000 telephone calls regarding Medicare Part D. He noted some trivia information the SRDC distributed. One item by 2020 there will be more retirees than school age children in Minnesota.

CITY ADMINISTRATOR REPORT

Bob Filson noted he is working on lease for railroad 12th Street, and 4th of July firework's contract.

BILLS PAYABLE

The motion was made by Alderman Petrich, seconded by Alderman Nelson and unanimously carried that bills payable and totaling \$613,688.13 be ordered paid.

ADJOURNMENT

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to adjourn the meeting at 8:15 p.m.

Karen Buchman
City Clerk