

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, JANUARY 24, 2005**

The meeting was called to order by Mayor Alan E. Oberloh at 7:00 p.m., in the Nobles County Board of Commissioners Room with the following Aldermen present: Leland Hain, Roger E. Nelson, Bob Petrich, Lyle Ten Haken, and Mike Woll. Honorary Council Person: Steve Berning.

City Staff present: Bob Filson, City Administrator; Dwayne Haffield, Director of Engineering; Mark Shepherd, City Attorney; and Karen Buchman, City Clerk.

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; Randy Davis, Cable 3; David Benson, Erlin Weness, Larry Lang, Bill Wetering, and Thomas O'Meara.

INTRODUCTIONS

Mayor Oberloh welcomed Steve Berning as the Honorary Council Person for the months of January and February.

AGENDA APPROVED

The motion was made by Alderman Ten Haken, seconded by Alderman Woll, and unanimously carried to accept the agenda as presented with the addition of Addendum E3 - Community South Wind Project.

MINUTES APPROVED

The motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to approve the regular City Council minutes of January 10, 2005.

MINUTES OF BOARDS AND COMMISSIONS

The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to accept for review the Water and Light Commission minutes of January 18, 2005 and the Housing and Redevelopment Authority minutes of December 9, 2004.

MICHAEL'S RESTAURANT

Following an earlier public hearing regarding the liquor license for Michael's Restaurant, the motion was made by Alderman Hain, seconded by Alderman Ten Haken to allow Mr. Thomas O'Meara to keep his liquor license provided that he meets the remaining past-due state sales tax obligations by February 1, 2005. If he fails to clear his debt with the state by that date, Council will immediately suspend his liquor license and hold a special hearing at their February 14 meeting to determine the next step. Council will establish a civil penalty - fine to cover the cost of the hearing. Following discussion the following Aldermen voted in favor of the motion: Hain, Petrich, Ten Haken and Woll; the following Alderman voted against the same: Nelson. Whereby the Mayor declared, the motion

passed.

RESOLUTION TO THE MN STATE LEGISLATURE REQUESTING QUICK ACTION IN CONSTRUCTING THE T.H. 60 HIGHWAY IMPROVEMENT ADOPTED

In order to move the TH 60 project along faster than the current time line discussed by the MnDOT, a motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to adopt the following resolution with the addition of a paragraph regarding the economic benefits to the metro area resulting from the ability to move commerce cross country from Omaha, Nebraska to Minneapolis, Minnesota:

RESOLUTION

SUPPORTING TRUNK HIGHWAY 60 4-LANE CONSTRUCTION

WHEREAS, Trunk Highway 60 has been identified as an Interregional Corridor in both the states of Minnesota and Iowa; and,

WHEREAS, the improvement of Trunk Highway 60 to a 4-lane expressway has been a priority in Minnesota for over 35 years; and,

WHEREAS, the State of Iowa will be completing the reconstruction of Trunk Highway 60 as a 4-lane expressway by the year 2007; and,

WHEREAS, recent and future increased industrial and agricultural development along the Trunk Highway 60 corridor has created a higher volume of loaded vehicles on the roadway; and,

WHEREAS, the increase in movement and types of vehicles along the corridor creates a growing safety problem; and

WHEREAS, Trunk Highway 60 is an intricate part of moving commerce cross country from Omaha, Nebraska to Minneapolis, Minnesota and areas beyond, we feel there would be direct economic development benefits to the State of Minnesota and its citizens as a result of its reconstruction to a 4-lane expressway.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Worthington, Nobles County, Minnesota, that the completion of Trunk Highway 60 as a 4-lane expressway from the Iowa border to the City of Saint James is a top priority to be completed.

COMMUNITY WIND SOUTH PROJECT

David Benson and Erlin Weness were present at the meeting to present information on the proposed

Community Wind South Project, and to request a letter of endorsement from the City Council for the project. The Community Wind South Project, north of Worthington, will consist of 15 large two megawatt generating towers (wind turbines) in Nobles County. This project is set up to allow landowners, usually farmers, who have wind towers or power lines on their property to directly invest in wind farms. Community Wind South also has a non-profit community-based development corporation which will co-own the wind farm, thereby guaranteeing that the project will be relevant to the community and that it will target ongoing economic benefits to the community. The cost of the project is estimated at \$30 million with generated annual revenues estimated at \$3.4 million. The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to authorize the Mayor to write a letter of support of the Community Wind South Project.

RESOLUTION NO. 3026 and 3027 ADOPTED, RECEIVE REPORT AND ORDER HEARING FOR CSAH 10/SOUTHERLAND DRIVE DRAINAGE AREA IMPROVEMENTS

At its December 9, 2003 meeting, Council received a petition for the improvement of certain property lying west of South Crailsheim Road and south of Glenwood Heights by construction of a municipal storm water collection and management system. At its February 9, 2004 meeting, Council proceeded toward development of a feasibility report for the storm water improvement by authorizing a contract with the firm

of SEH, Inc. to provide professional service to study necessary improvements. The master plan phase and the feasibility report have now been completed. The motion was made by Alderman Nelson, seconded by Alderman Ten Haken and unanimously carried to approve the following resolutions:

RESOLUTION NO. 3026

ORDERING PREPARATION OF FEASIBILITY REPORT ON PROPOSED IMPROVEMENT

(Refer to Resolution file for complete copy of Resolution)

RESOLUTION 3027

RECEIVING REPORT AND CALLING FOR HEARING ON PROPOSED IMPROVEMENT

(Refer to Resolution file for complete copy of Resolution)

RESOLUTION NO. 3028 ADOPTED, RECEIVE REPORT AND ORDER HEARING FOR WEST-NORTH INTERCEPTOR PHASE VI SANITARY SEWER EXTENSION

At its December 9, 2003 and December 27, 2004 meetings, Council received separate petitions and ordered preparation of a report for the improvement of certain properties lying west of South Crailsheim Road and south of Glenwood Heights by extension of the municipal wastewater collection system. The motion was made by Alderman Ten Haken, seconded by Alderman Woll and

unanimously carried to adopt the following resolution, with Alderman Hain abstaining from the vote:

RESOLUTION NO. 3028

RECEIVING REPORT AND CALLING FOR HEARING ON PROPOSED IMPROVEMENT

(Refer to Resolution file for complete copy of Resolution)

RESOLUTION ADOPTED RELATING TO PARKING RESTRICTIONS

The 2005 Capital Improvements Program includes the reconstruction of South Shore Drive and First Avenue Southwest from 155' southwest of Pleasant Avenue to 1646' southwest of Lake Street utilizing Municipal State Aid Street (MSAS) and federal financing. The project includes street modifications to allow for an off street bikeway to be constructed along the street segment in a subsequent project. The street modifications include width reductions eliminating the southeast parking lane for most of the segment southwest of South Shore Drive and both parking lanes near the former Heles building. Project plans have been completed and are in the approval process. As with any MSAS project, parking restrictions must be established at any location parking lanes are not being provided.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to pass the following resolution restricting parking at the locations parking lanes will not be provided on the South Shore Drive and First Avenue Southwest project. Along with the resolution parking restrictions included in the motion was the restriction of parking on the southwest side of the road throughout the entire length of the project. It was noted that the bikeway project planned for 2006 includes additional street modifications beyond the reach of the 2005 federal aid project which will require additional parking restrictions. These restrictions would be on the northwest side of South Shore Drive from Lake Street through the Slater Park boat ramp (parking is currently not allowed) and on the southeast side of First Avenue Southwest to the elementary school site.

RESOLUTION

RELATING TO PARKING RESTRICTIONS

S.A.P. 177-107-06, M. P. STPX 5305 (017), South Shore Drive and First Avenue Southwest from 155' southwest of Pleasant Avenue to 1646' southwest of Lake Street in the City of Worthington, Minnesota.

WHEREAS, THIS RESOLUTION was passed this 24th day of January, 2005, by the City of Worthington in Nobles County, Minnesota. The Municipal Corporation shall hereinafter be called the "City",

WITNESSETH:

WHEREAS, the "City", has planned the improvement of South Shore Drive and First Avenue, State Aid Route No. 107 from 155' southwest of Pleasant Avenue to 1646' southwest of Lake Street in the City of Worthington, Minnesota; and

WHEREAS, the "City" will be expending Municipal Street Aid Funds on the improvements of this Street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

That the "City" shall ban the parking of motor vehicles at all times as follows:

On the southeast side of First Avenue Southwest from 155' southwest of Pleasant Avenue to 290' southwest of the South Shore Drive and First Avenue Southwest intersection.

On the northwest side of South Shore Drive from 1,010' northwest of the South Shore Drive and First Avenue Southwest intersection to 1,320' northwest of the South Shore Drive and First Avenue Southwest intersection.

On the southeast side of South Shore Drive from 1,060' northwest of the South Shore Drive and First Avenue Southwest intersection to 1,320' northwest of the South Shore Drive and First Avenue Southwest intersection.

CHANGE ORDER SEVEN FOR CITY HALL REMODELING PROJECT APPROVED

The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried to approve change order seven for the City Hall remodeling project. The change order presented establishes formal approval of the work items pre-approved at the November 22, 2004 Council meeting. These items included painting of metal stair components including rails, risers, etc., refinishing stair handrails, refinishing doors and trim remaining in the front stairwell, and adding an exterior flag light.

The change orders to date increase the contract by \$66,062.12 or approximately 8.3% of the contract.

PRE-APPROVED CHANGES FOR CITY HALL REMODEL PROJECT

At its November 22, 2004 meeting, the City Council requested cost proposals for certain additional

work items on the City Hall Project. In addition to these additional work items, other necessary and optional items have been identified. The motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried to approve, modify, or delete the following proposal requests 9 through 14.

Proposal Request #9 - Items 1 through 3 approved

1. Add wood trim and vinyl wall coverings to existing tack boards in upstairs office Rooms 313, 314, and 317
2. Delete Wall Finishes in basement area Rooms 112, 114 and 115
3. Replace Window Jamb at Relocated Window in Room 327 between computer room and Sr. Computer Operator

Proposal Request #10 - Items 3 through 10 approved

1 and 2 Terazzo Floor Work - directly procured by City - Gibbons Terrazzo

3. Laminate Drywall in basement Rooms 212, 213, 214, and 219
4. Remove Paneling and Install Drywall in reception, administrative secretary, and city administrator Rooms 126, 127, and 128
5. Install Jamb and Trim Between reception area and first floor corridor Rooms 212 and 215
6. Install Vinyl Base and Wood Trim in Stairs - no action requested at this time
7. Add Access Panel in Cabinet Soffit in first floor mail/work room - Room 216
8. Add Electrical for UFD's at RTU2 roof top HVAC unit - required
9. Relocate Wiring at Door to Room 211 - stair well into reception area
10. Connect Sump Pump-1 to Storm Sewer Line at the South Side of the Elevator Shaft

Proposal Request #11 -Item 1 approved

1. Change Countertop in reception area to meet accessibility requirements Room 213

Proposal Request #12 - Items 1 and 2 approved

1. Delete Conduit for Sound and Video System - deducts based on the requirements of Dascom
2. Delete Conduit and Junction Boxes for Sound and Video System - deducts based on the requirements of Dascom
3. Delete Switch and Wiring for Motorized Screen in Room 218. Relocate Duplex for Control Desk - erroneously requested - not accepted

Proposal Request #13 - Items 1 and 2 approved

1. Add Oak Trim at Existing White Board/Tack Board in Council Chambers Room 218
2. Change Existing Door Between Room 214 and 215 to a New FS13 Door with Hardware Group12 - First floor corridor and City Clerk's office to make it a standard height and width door

Proposal Request #14 - Item 4 approved

1. Change from Floor Boxes to Wall at the Council Desk - Not accepted

2. Add Three Data Outlets to Council Desk - Not Accepted
3. Add Gypsum Board to Plaster Walls in Rooms 126, 127, 128, 212 and 213 - Included in other items
4. Add 4-way Switch to basement Room 115 Adjacent to Door 117

Council also authorized acceptance of the proposal from Gibbon's Terrazzo in the amount of \$3,600 for necessary patching and/or restoration of the floors in the north entry, stairways and reception area.

RESOLUTION NO. 3029 ADOPTED, ORDERING PREPARATION OF A REPORT ON THE IMPROVEMENT FOR STREET SURFACING

Council approved a cooperative construction agreement providing for development of the unnamed street lying between Blocks 2 and 3 Homewood Hills Ninth Addition on May 10, 2004. The owners abutting each side of the street extension have petition for surfacing of the street extension. The petition was received after the deadline usually required however, little or no field work is required to undertake the project and receipt of the petition was anticipated. The motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to accept the petition and pass the following resolution:

RESOLUTION 3029

DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF FEASIBILITY REPORT ON PROPOSED IMPROVEMENT

(Refer to Resolution file for complete copy of Resolution)

EMC'S ANNUAL REPORT

EMC's annual report on the operations and improvements at the Industrial Wastewater Treatment Facility was submitted with the agenda packets.

BILLS PAYABLE

The motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried that bills payable and totaling \$553,239.13 be ordered paid.

ADJOURNMENT

The motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to adjourn the meeting at 8:43 p.m.

Karen Buchman
City Clerk