

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, FEBRUARY 12, 2007**

The meeting was called to order at 7:00 p.m., in the City Hall Council Chambers by Mayor Alan E. Oberloh with the following Aldermen present: Mike Kuhle, Bob Petrich, Lyle Ten Haken, Mike Woll, and Ron Wood.

City Staff present: Joe Parker, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; and Karen Buchman, City Clerk.

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; Chad Jaycox, Jaycox Implement, Inc.

AGENDA APPROVED

The motion was made by Alderman Ten Haken, seconded by Alderman Petrich and unanimously carried to accept the agenda as presented with the addition of Addendum G-6.

MINUTES APPROVED

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the Regular City Council minutes of January 22, 2007 as previously distributed.

MINUTES OF BOARDS AND COMMISSIONS

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to accept for review the Water and Light Commission minutes of February 5, 2007 and Housing and Redevelopment Authority minutes of January 11, 2007.

RESOLUTION NO. 3266 ADOPTED, APPROVING PLANS AND SPECIFICATIONS FOR KNOLLWOOD DRIVE SANITARY SEWER EXTENSION PROJECT

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to approve the plans and specifications for the Knollwood Drive Sanitary Sewer Extension project and authorize the advertisement for bids to be received on March 12, 2007 and considered for award at the Council meeting that evening by adopting the following resolution:

RESOLUTION NO. 3266

APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

(Refer to Resolution file for complete copy of Resolution)

It was noted that the bids need to be received on Monday due to the change in the publication date of the Construction Bulletin from Fridays to Mondays. Publication in the Construction Bulletin satisfies statutory advertising requirements for such a project (assessable improvement with a contract over \$100,000) and is an industry standard means of reaching prospective bidders.

APPROVED CHANGE ORDER ONE FOR TAXIWAY C RECONSTRUCTION PROJECT

The taxiway C reconstruction project included new edge lighting and related electrical equipment. The new voltage regulator installed in the electrical building was 2" wider than the 32" clear opening available. Because the existing door frame was attached by tabs imbedded into the walls of the masonry structure, the frame was unable to be salvaged. The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the Change Order One for the Taxiway C Reconstruction project which provides \$2,123.00 in compensation to the contractor to provide a new door and frame, and to authorize the Mayor to execute the same. It is anticipated that the work will be eligible for 95% federal funding.

APPROVED REQUEST FOR SITE PREPARATION ASSISTANCE - JAYCOX IMPLEMENT

Jaycox Implement submitted a request for site preparation assistance for their proposed project at 1801 and 1909 Oxford Street. The company is proposing to construct a 14,400 square foot addition to their existing facility located at 1909 Oxford Street. The proposed addition will eliminate the company's existing outdoor display area requiring it to relocate the display area to property it recently acquired at 1801 Oxford Street (site of the former Oxford Motel). The request for financial assistance is to assist with the costs affiliated with the soil corrections necessary for the proposed addition and the demolition of the former motel.

Staff assessed the application using the established Site Preparation Guidelines. The guideline's limit the amount of assistance the City may consider at the present value of 10 years of property taxes at a market rate of return (3% discount rate). Using this method, the maximum participation that may be considered is \$71,213, which is less than the \$117,629 requested and the \$102,701 of eligible expenses.

Following discussion the motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried that site preparation assistance be limited to the costs affiliated with the eligible improvements (soil correction and building demolition) at an amount not to exceed \$71,213.

ORDINANCE NO. 999 ADOPTED, REZONING PROPERTY FROM "I" INSTITUTIONAL TO "R-1" SINGLE FAMILY DETACHED RESIDENTIAL

Pursuant to published notice this was the time scheduled for the third reading of the proposed ordinance to amend Title XV of the City Code to rezone property located at the northwest corner of the intersection

of First Avenue Southwest and Knollwood Drive from "I" (Institutional) to "R-1" (Single Family Detached Residential). The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to give a third reading to and adopt the following Ordinance:

ORDINANCE NO. 999

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, TO REZONE PROPERTY FROM "I" (INSTITUTIONAL) TO "R-1" (SINGLE FAMILY DETACHED RESIDENTIAL)

(Refer to Ordinance file for complete copy of Ordinance)

APPLICATION FOR EXEMPTION FROM LAWFUL GAMBLING APPROVED

The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to approve the following Application for Exemption from Lawful Gambling as requested:

Organization:	Nobles County Pheasants Forever, Inc. #14
Chief Executive Officer:	Scott Rall
Types of Games:	Raffles
Date of Activity:	Friday, March 30, 2007, Cole's, 206 Tenth Street, Worthington

APPLICATION FOR ON-SALE BEER LICENSE RENEWAL APPROVED

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the following On-Sale Beer License renewal for the period February 13, 2007 through December 31, 2007:

Queen of Sheba Restaurant, 304 Tenth Street - Tsehau Retta

The reason for the late renewal was that Tsehau Retta was out of the country on vacation and unable to complete the renewal application.

APPLICATION TO BLOCK STREET APPROVED

An application to temporarily block the street in front of the Freedom Veterans Memorial Park, from 11:00 a.m. - 4:00 p.m., May 27, 2007 for the Park Dedication was presented. Members of the committee have contacted the Police Department to make them aware of their plans and check for any problems they might foresee. The Public Works Department has been contacted and will work with them on barricading, etc.

It was noted that due to the small area and their anticipation of a large crowd, they are checking with a couple of churches to see if we could use their parking lots and then shuttle people out to the Park Dedication. Following discussion the motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the application to block street.

RESOLUTION REQUESTING COMPREHENSIVE ROAD AND TRANSIT FUNDING IN 2007

The City received a League of MN Cities Action Alert requesting cities to adopt a transportation funding resolution. They noted that in the weeks since the 2007 Legislative Session began, a number of legislators have told local government advocates that comprehensive transportation funding will not become a reality this year without significant pressure from local leaders. They request cities to pass a resolution of support for transportation funding and send copies to the governor, legislators and local media, and share a copy with the League. Following a discussion the motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to adopt the following resolution requesting comprehensive road and transit funding in 2007:

RESOLUTION

REQUESTING COMPREHENSIVE ROAD AND TRANSIT FUNDING IN 2007

WHEREAS, all Minnesota communities benefit from a sound, efficient and adequately funded transportation system that offers diverse modes of travel; and

WHEREAS, local cost participation requirements for trunk highway and county projects and the increasing deferring maintenance on their own roads making future repairs more costly, are contributing to strains on city budgets; and

WHEREAS, existing local funding mechanisms, such as Municipal State Aid (MSA), property taxes, special assessments and bonding, have limited applications, leaving cities unable to adequately address growing transportation needs and contribute to rising property taxes; and

WHEREAS, the recently approved constitutional amendment that phases in dedication of 100 percent of the motor vehicle sales tax (MVST) for transportation purposes will address only a fraction of the transportation funding needs in Minnesota, and total MVST revenues are not meeting projections; and

WHEREAS, transportation analysts in consultation with the Minnesota Department of Transportation (MnDOT) estimate Minnesota will have to invest an additional \$1.5 billion per year in transportation infrastructure for the next ten years in order to meet identified needs of capacity necessary to sustain population growth and promote economic development; and

WHEREAS, lack of state funding has delayed regionally significant road construction and reconstruction projects across Minnesota with many rural roads not built to modern safety standards and not meeting the needs of industries that depend on the ability to transport heavy loads, with the under-investment hindering Minnesota's progress as a national business, economic and civic leader; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WORTHINGTON they request that in 2007 the Minnesota Legislature pass a comprehensive transportation funding package that permanently increases dedicated funding for transportation, and that in 2007 Governor Tim Pawlenty allow a comprehensive transportation funding package that permanently increases dedicated funding for transportation that is passed by the Legislature to become law; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WORTHINGTON that they support funding options including, but not limited to, the following:

- * An increase in the gas tax, increases in vehicle registration taxes, sales tax exemptions for state and local transportation construction projects;
- * Trunk highway bonding; general obligation bonding for local roads and bridges;
- * New local funding tools, such as local option sales tax authority, expanded wheelage tax authority and/or street utility authority.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF WORTHINGTON that they define a comprehensive transportation funding package as an initiative that permanently increases dedicated funding for state and local road and transit systems in Greater Minnesota.

APPLICATION FOR 2:00 A.M. CLOSING - COLE'S APPROVED

The motion was made by Alderman Petrich, seconded by Alderman Kuhle and unanimously carried to approve Marc Bergjord, Cole's, 206 Tenth Street, Suite #1, application for Optional 2:00 A.M. Liquor License (closing).

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - On Friday, Joe Parker and I went to the cities and met with the Governor and Senator Vickerman. Asked about clarifying language on money for Campbell Soup site property cleanup. The component of public purpose has to stay, but they suggested that we could own (public entity) and lease it for 99 years to a private party. It was a good meeting. They visited some about the Highway 60 project, and invited the Governor down for the Veteran's Memorial Park dedication.

Alderman Ten Haken - City/County/School meeting discussed funding aspect of that Board. Knollwood Project discussed the grade also what are our options for foot traffic. Encouraged us to utilize the new YMCA for Sr. Center location. He also noted he attended a Chamber meeting with Latino business

owners. There were about 15 members present. They are planning a Latino organization which would be an arm of the Chamber. The Chamber agreed to actively work together.

Alderman Woll - thanked the Mayor and Joe for taking their time and going to the cities to meet with the Governor. He, Brad and Bob - Worthington Rediscovered tear down - good bids.

Alderman Wood - Planning and Zoning with County/Townships. March 5 is their next meeting and hope to have the Task Force Document ready for review by July. Housing & Redevelopment Authority meeting last week - it was educational - get up to speed on his end. Planning session will be held in the evening of February 22.

Alderman Kuhle - Airport Advisory Board meeting - it is a busy place out there. They are working on hangar situation - opportunities.

Alderman Petrich - Utility Board working on updating the Water System Master Plan. He will be going to the cities Wed. - Fri to legislature - discuss Lewis & Clark and Wind Towers. He noted the Lewis & Clark water will be softer than our own and so it will be blended.

CITY ADMINISTRATOR REPORT

Nothing to Report.

BILLS PAYABLE

The motion was made by Alderman Ten Haken, seconded by Alderman Kuhle and unanimously carried that bills payable and totaling \$396,519.37 be ordered paid.

ADJOURNMENT

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to adjourn the meeting at 7:45 p.m.

Karen Buchman
City Clerk