

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, FEBRUARY 28, 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: Roger E. Nelson, Bob Petrich, Lyle Ten Haken, and Mike Woll. Absent (Excused): Leland Hain and Honorary Council Person Steve Berning.

City staff present: Bob Filson, City Administrator; Dwayne Haffield, Director of Engineering; Alice Hoffman, Public Works Secretary/Prairie View Club House Supervisor; and Karen Buchman, City Clerk.

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; Randy Davis, Cable 3; the following represent either Prairie View Board Members or Friends of Prairie View: Mark & Jennifer Wibbens, Nick Kellen, Randy Thompson, Bernie Ahlberg, Denny Vosburgh, Chuck Winter, and Paul Hoffman.

**AGENDA APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to accept the agenda as presented.

**MINUTES APPROVED**

The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried to approve the regular City Council minutes of February 14, 2005 as presented.

**MINUTES OF BOARDS AND COMMISSIONS**

The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried to accept for review the Water and Light Commission minutes of February 22, 2005 as presented. Council expressed concern pertaining to Lewis and Clark Rural Water Project and the request of Sioux Falls, SD for an increased allocation of 17 million gallons of water per day.

**APPROVED REQUEST TO APPROPRIATE \$50,000 FOR REMODELING OF THE CLUB HOUSE AT PRAIRIE VIEW GOLF LINKS**

The Friends of Prairie View offered to supply the labor for the construction of a building addition to the club house at Prairie View for the purpose of adding a catering kitchen and large dining area. Council has been asked to appropriate \$50,000 for the necessary materials, with the "Friends" willing to supply the necessary labor to construct the project. The funds will be closely monitored and spent only as necessary. It is expected that final material costs will be at or below the \$50,000 level.

Discussion followed whereby Alderman Petrich noted he had 12 to 15 contacts with those being 3-1 in favor; Alderman Woll stated his concerns, he had several contacts with a majority against, he didn't know if there was a lot of money out there for tournament play and renting of the facility, but he is impressed with the volunteer aspect; Alderman Nelson felt this was a worthwhile endeavor - as most people know he is very conservative but feels this is something we need to do; Mayor Oberloh stated would we sell, lease it out, make it a 9-hole course - private developers could make hay with it. Not everyone uses the pool, memorial auditorium, or the parks, but together they are amenities to the community, the same with Prairie View. Alderman Ten Haken asked if it would be possible to have the new revenue monitored for possibly a pay back.

Following a discussion the motion was made by Alderman Nelson, seconded by Alderman Ten Haken to approve the request to appropriate not to exceed \$50,000 for the remodeling of the Club House at Prairie View Golf Links. The following Aldermen voted in favor of the motion: Nelson, Petrich, and Ten Haken; the following Alderman voted against the same: Woll. Whereby the Mayor declared, the motion carried.

**CONTRACT WITH SEH TO PROVIDE ARCHITECTURAL DESIGN SERVICES FOR THE PRAIRIE VIEW CLUB HOUSE ADDITION APPROVED**

A proposal from Short Elliott Hendrickson (SEH) to provide design services for the Prairie View project was presented. They will provide the following on a time and material basis for a fee not to exceed \$5,000.00:

1. Perform a building code review,
2. Review the existing clubhouse building to compare the as-built condition to the original plans,
3. Prepare the following architectural plan sheets: Title Sheet (building code review, project directory, general notes, and typical mounting heights), Demolition, New Floor Plan for the existing area and the addition, Wall Section, and a limited site plan that will note door landings and grade adjacent to the building,
4. The kitchen layout will be selected by the Owner,
5. Floor, wall, and ceiling finishes for the kitchen area and bathrooms will be noted. All other finishes will be selected by the Owner.

The motion was made by Alderman Nelson, seconded by Alderman Ten Haken and unanimously carried to approve the contract with SEH to provide the services as outlined and to authorize the City Administrator to sign. The fees will come from the \$50,000 appropriated for the project.

**ON-SALE BEER LICENSE FOR NOBLES COUNTY SPEEDWAY APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to approve the following on-sale beer license for the period April 15, 2005 through October 15,

2005:

No. 2005-14 Nobles County Speedway, Inc., 1600 Stower Drive, Worthington

**POLICY PERTAINING TO MAILBOXES AND LANDSCAPING IN PUBLIC RIGHT-OF-WAYS APPROVED**

A policy intended to protect the public from incurring costs for protecting and restoring non public amenities placed in the right-of-way by choice of the property owner although no permits were issued for such amenities was presented and discussed. In the recent past, construction projects have not significantly affected elaborate installations. This year projects include a trunk water main improvement along Collegeway where most mailboxes along the north side of this street are within brick support structures. Several areas within the boulevard are landscaped with rock and shrubbery, including a raised landscape area. A majority of the work will be in the street, but some areas of completion will disturb such installations at those locations. While the installation of mailboxes on City owned right-of-way is permitted, the mailbox owner assumes all risk of damage except where a mailbox is damaged through direct contact by snow removal vehicles. If the mailbox is damaged due to direct contact by a snow removal vehicle, the City at its option, will repair or replace the mailbox with a standard metal mailbox, acceptable for delivery of mail by the US Post Office, a wood post type support of appropriate proportions. The property owner may desire to replace or repair the mailbox themselves. The City may reimburse the property owner, for materials only, not to exceed \$40.00. The property owner will be required to submit an itemized statement. A property owner assumes all risks and responsibilities for replacement of mailboxes and supports that are constructed of materials such as but not limited to brick and mortar, stone aggregate, ornamental railings or antique type supports.

Following discussion, the motion was made by Alderman Nelson, seconded by Alderman Ten Haken and unanimously carried to approve the Policy Pertaining to Mailboxes and Landscaping in Public Right-of-Ways as presented. Alderman Ten Haken stated he would like us to be as user friendly as possible.

**RESOLUTION NO. 3033 ADOPTED, APPROVING PLANS AND SPECIFICATIONS FOR WEST-NORTH INTERCEPTOR PHASE VI SANITARY SEWER EXTENSION PROJECT**

The plans and specifications were presented for the West-North Interceptor Phase VI Sanitary Sewer Extension project and authorize the advertisement for bids to be received on March 25, 2005 and considered for award on March 28, 2005. The project is as proposed in the feasibility report submitted to Council at its January 24, 2005 meeting and ordered ahead at the February 14, 2005 Council meeting. The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the plans and specifications for the project and authorize the advertisement for bids by adopting the following resolution:

RESOLUTION NO. 3033

APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

(Refer to Resolution file for complete copy of Resolution)

**RESOLUTION NO. 3034 ADOPTED, PERTAINING TO INTENT TO BOND FOR COSTS INCURRED IN MAKING PUBLIC IMPROVEMENT**

Federal tax regulations require that Local Governments declare the intent to reimburse themselves for prior costs incurred in making public improvements with proceeds from bonds. In other words, the City must state the intent to sell bonds for a project after significant costs have already been incurred for the project. It is typical for the City to temporarily finance improvements with construction fund reserves until an adequate amount of costs from various projects have been incurred to warrant the issuance of a bond. The following improvement projects are:

Project	Maximum Amount of Bonds Expected to be Issue for Project
West-North Interceptor Phase VI Sanitary Sewer Improvement	\$285,200
C.S.A.H. 10/Sutherland Drive Drainage Area Storm Sewer Improvement	\$351,000

The maximum amount listed in the resolution is approximately 10% higher than the project estimates included in the applicable project report or stated at the improvement hearing. It may be noted that it is not anticipated at this time that the storm sewer improvement will be financed by bond proceeds although no specific funds have been specifically designated for the project.

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

RESOLUTION 3034

RELATING TO FINANCING OF CERTAIN PUBLIC IMPROVEMENTS BY THE CITY OF WORTHINGTON; ESTABLISHING COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

(Refer to Resolution file for complete copy of Resolution)

**CHANGE ORDER EIGHT FOR CITY HALL REMODELING PROJECT APPROVED**

The motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to approve Change Order 8 to the City Hall Remodeling project and authorize the Mayor to execute the same. The change order establishes formal approval of the work items pre approved at the January 24, 2005 Council meeting. The \$14,678.45 for the additional work included in the change order is approximately 1.8% of the contract. This change order together with Change Orders 1 through 7 increases the contract by \$80,740.57 or approximately 10.1% of the contract. It was noted that the Change Order increases the contract time by 14 days bringing the completion date to April 28, 2005. At this time a final inspection is anticipated about March 25, 2005.

**BILLS PAYABLE**

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried that bills payable and totaling \$724,277.37 be ordered paid.

**ADJOURNMENT**

The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried to adjourn the meeting at 7:30 p.m.

Karen Buchman  
City Clerk