

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, APRIL 25, 2005**

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 and Mike Woll. Honorary Council Person Jorge Lopez.

City Staff present: Bob Filson, City Administrator; Dwayne Haffield, Director of Engineering, Brad Chapulis, Director of Community/Ec. Development; and Karen Buchman, City Clerk.

Others present: Ryan McGaughey, Daily Globe; Darrell Stitt, KWOA Radio; Randy Davis, Cable 3; and Matt Widboom, King Turkey Day Board representative.

HONORARY COUNCIL PERSON INTRODUCED AND THANKED FOR HIS PARTICIPATION

Mayor Oberloh introduced Jorge Lopez as the Honorary Council person for the months of March and April. He presented him with a certificate and thanked him for participating in our program. Mr. Lopez thanked Council for the opportunity.

AGENDA APPROVED

The motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried to accept the agenda as presented with the addition of E6 - Dock Permit.

MINUTES APPROVED

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the regular City Council minutes of April 11, 2005 as previously distributed.

MINUTES OF BOARDS AND COMMISSIONS

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to accept for review the Water and Light Commission minutes of April 18, 2005 and the Memorial Auditorium Advisory Board minutes of March 10, 2005.

TEMPORARY ON-SALE BEER LICENSE APPROVED

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the following temporary on-sale beer license for the period June 10 and 11, 2005 from 12:00 noon to 12:00 midnight:

Worthington Okabena Windsurfers, Sailboard Beach

APPLICATION FOR EXEMPTION FROM LAWFUL GAMBLING APPROVED

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

Organization	Worthington Okabena Windsurfers
Chief Executive Officer	David Reeves
Types of Games	Raffles
Date of Activity	Sunday, June 12, 2005, Sailboard Beach, Worthington, MN

APPLICATION FOR STREET CLOSURES FOR TURKEY DAY APPROVED

The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried to approve the street closures for the King Turkey Day Events as proposed in the submitted list and map delineating the areas and times of street closure. They will be complying with the insurance and barricading requirements and work with City departments. The closures are for the beer garden, the Turkey bowling the Turkey shuffle, and Turkey toss events, kiddy rides, and the King Turkey Day Parade.

TEMPORARY ON-SALE BEER LICENSE APPROVED

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to approve the following temporary beer license application for the period September 16, and 17, 2005 from 12:00 noon until 12:00 midnight:

King Turkey Day, Inc., Beer Garden located on Third Avenue

APPLICATION FOR EXEMPTION FROM LAWFUL GAMBLING APPROVED

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

Organization	King Turkey Day, Inc.
Chief Executive Officer	Matthew Widboom
Types of Games	Raffles
Date of Activity	Friday, September 16, 2005, Beer Garden Corner of Third Avenue between 10 th and 11 th Streets, Worthington

DOCK PERMIT APPROVED

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the following application for permit to install a dock on public property, with Alderman Nelson abstaining from the vote:

Roger Nelson

Across from 602 West Lake Avenue

RESOLUTION NO. 3039 ADOPTED, RECEIVE REPORT AND ORDER HEARING FOR 2005 STREET RECONSTRUCTION IMPROVEMENTS

A feasibility report was presented on the improvement of the following streets:

Dover Street from the west line of Virginia Avenue to 168 feet west

Fredrick Avenue Area Streets from Clary Street to Dover Street
Fredrick Avenue from Clary Street to Dover Street
Sunset Road from Dover Street to Fredrick Avenue

Morningside Drive - the entire length

Spruce Avenue from Morningside Drive to Douglas Avenue

Virginia Avenue from Oxford Street to Dover Street

This report provides detailed information on the proposed improvement including location, nature of improvement, cost, and proposed financing. By including all street segments in one improvement project decreases the publication cost. Any particular street could be excluded from the improvement at the time it is authorized. The resolution presented proposes that the hearing be held at 7:00 p.m. on May 9, 2005, at the regular City Council meeting.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried with Alderman Nelson abstaining from the vote due to his being a property owner in one of the areas, to pass the following resolution:

RESOLUTION NO. 3039

RECEIVING REPORT AND CALLING FOR HEARING ON PROPOSED IMPROVEMENT

(Refer to Resolution file for complete copy of resolution)

RESOLUTION NO. 3040 ADOPTED, RECEIVE REPORT AND ORDER HEARING FOR IMPROVEMENT OF UNNAMED STREET LYING BETWEEN BLOCKS 2 AND 3 HOMEWOOD HILLS NINTH ADDITION

A cooperative construction agreement providing for development of the unnamed street lying between Blocks 2 and 3, Homewood Hills Ninth Addition was approved at the May 10, 2004 Council meeting. In the same manner as a street improved by a developer, the street surfacing is allowed to be undertaken as an assessable public improvement project. The owners abutting each

side of the street extension did petition for surfacing of the street extension and Council has ordered preparation of a report on the proposed improvement. The feasibility report provides detailed information on the proposed improvement including its location, nature of improvement, cost, and proposed financing. The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to adopt the following resolution with the hearing to be held at 7:00 p.m. on May 9, 2005, at the regular City Council meeting:

RESOLUTION NO. 3040

RECEIVING REPORT AND CALLING FOR HEARING ON PROPOSED IMPROVEMENT

(Refer to Resolution file for complete copy of Resolution)

CHANGE ORDER TEN FOR CITY HALL REMODELING PROJECT APPROVED

The proposed change order includes two items resulting in a net increase in the contract of \$1,173.00. Item 1 deletes installation of the vinyl tile in mechanical/electric room in the lower level of the building. A decision to place the "Clerk's" vault in this room made the flooring undesirable. The flooring materials had been acquired by the contractor and remain in property of the City. Some were used for the flooring in the vending room floor located between the east and west corridors in the lower level. Item 2 provides for placement of vinyl base with oak trim board at various locations and metal base at the middle landing in the east stairwell. This item also addresses installation of a three piece wood base in the front entry area. The \$1,173.00 for the additional work included in the change order is approximately .15% of the contract. This change order together with Change Orders 1 through 9 increases the contract by \$90,168.73 or approximately 11.2% of the contract. The motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to approve Change Order Ten for the City Hall Remodeling Project and authorize the Mayor to execute the same.

APPROVED PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION OF FIRST AVENUE SOUTHWEST

The reconstruction of South Shore Drive and First Avenue Southwest from 155' southwest of Pleasant Avenue to 1646' southwest of Lake Street is proposed to be completed in 2005 utilizing Municipal State Aid Street (MSAS) and federal financing. This project was primarily intended to provide for the reconstruction of the full depth bituminous pavement placed from near the southwest end of the "parks buildings" (former Heles buildings) to Eckerson's First Addition (near Schaap Drive). The project evolved to include street modifications to allow for an off street bikeway to be constructed along the street segment in a subsequent project. The bikeway project, which will include the street modifications required northeast and southwest of the subject project, is scheduled for 2006. The project plans have been approved for the state aid and federal funding with the current project estimate as follows:

Federal Funding:	\$500,000
Municipal State Aid Street Financing	<u>\$688,500</u>
TOTAL PROJECT	\$1,188,500

The motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to approve the plans and authorize an advertisement for bids to be received May 20, 2005 and considered at the May 23, 2005 Council meeting.

RESOLUTION NO. 3041 ADOPTED, JOBZ ZONE MODIFICATION

Bedford Technology, LLC is proposing to construct a 12,000 foot addition to its existing facility located at 2424 Armour Road. To assist with the cost of the expansion, the company is requesting JOBZ designation. The designation will allow the company to receive local and state tax exemptions related to the expansion (responsible to pay local and state tax, including real estate, on all existing improvements). In order for the company to formally request the designation from the City of Worthington, the City, County and School District must support a “swap” or relocation of 12,000 square feet from an established JOBZ zone to the property in question since it is not located within a JOBZ zone. The “swap” is then presented to the Minnesota Department of Employment and Economic Development for final approval. The proposal is to relocate 12,000 square feet from the commercial area of Sub-Zone E to 2424 Armour Road to facilitate the proposed expansion. The Nobles County Board of Commissioners and the ISD #518 School Boards have both approved resolutions of support for the proposed “swap”. The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to support the proposed “swap” and adopt the following resolution:

RESOLUTION NO. 3041

JOBZ ZONE MODIFICATION

(Refer to Resolution file for complete copy of resolution)

BILLS PAYABLE

The motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried that bills payable and totaling \$490,008.08 be ordered paid.

ADJOURNMENT

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to adjourn the meeting at 7:42 p.m.

Karen Buchman

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City Clerk