

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, JUNE 13, 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. Absent (excused): Honorary City Council Person, Karen Fury.

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

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; Randy Davis, Cable 3; and Wayne Drealan, Turbes, Drealan, Kvilhaug & Co., P.A.

**RESOLUTION NO. 3046 ADOPTED, LOCAL GOVERNMENT RESOLUTION  
ECONOMIC DEVELOPMENT PROGRAM**

Pursuant to published notice this was the time set for the hearing on the proposed application for Yourway Transportation, Inc. for Minnesota Investment Fund (MIF) monies available through the Minnesota Department of Employment and Economic Development (DEED).

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to open the hearing. Mayor Oberloh opened the hearing for presentation and Brad Chapulis, Manager of Community/Economic Development gave the hearing presentation. Brad noted that as with all DEED programs, the City has to serve as the applicant on behalf of the recipient. The City's responsibility would consist of managing and disbursing DEED money in compliance with their requirements and policies. The money requested is anticipated to be in the form of a grant (\$44,000) and therefore will not include any compensation for management of funds/project. The money would financially assist the company with the construction costs of its 16,000 square foot warehouse/freezer facility to be constructed in the Worthington Industrial Park.

The Mayor opened the floor for testimony. None was received. The motion was made by Alderman Petrich, seconded by Alderman Ten Haken and unanimously carried to close the hearing. The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to sponsor Yourway Transportation's application to DEED, and to adopt the following resolution:

RESOLUTION NO. 3046

LOCAL GOVERNMENT RESOLUTION ECONOMIC DEVELOPMENT PROGRAM

(Refer to Resolution file for complete copy of Resolution)

**HONORARY COUNCIL PERSON**

Karen Fury was unable to attend tonight's City Council meeting.

**AGENDA APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to accept the agenda as presented with the addition of I-5 Additional Liquor Renewals and Informational - short visit with Council.

**MINUTES APPROVED**

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the Regular City Council minutes of May 23, 2005 and the Special City Council minutes of May 31, 2005 as previously distributed.

**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 June 6, 2005; Housing and Redevelopment Authority minutes of April 14, 2005; Convention & Visitors Bureau minutes of March 28, and April 25, 2005; and Planning Commission/Board of Appeals minutes of June 7, 2005.

**COUNCIL COMMITTEE REPORTS**

Mayor Oberloh had nothing to report.

Alderman Hain - Planning Commission had two variances presented at the last meeting one was denied the other tabled.

Golf Advisory Board - remodeling is coming along nicely - mid week carpet should be installed.

Alderman Petrich - Water and Light Commission - the Public Utilities hired a firm that does leak detection - they are able to find the smallest leaks. The water tower should be completed by the end of the month.

Memorial Auditorium - water problems in the basement area. They are working with the City Engineer to see what can be done. They would like to invite Council and staff to the Chamber Mixer which will be held in August.

Alderman Nelson - HRA meeting

Alderman Woll - Health Insurance Board of Trustees meeting will meet again on the 15<sup>th</sup> to look at HSA information provided by the Hays Companies, Convention & Visitors Bureau, trying something new a Pork Feed and entertainment at the Pioneer Village called Wild West Days.

Alderman Ten Haken - SRDC - They are going to be accepting bids for an addition to their building, July 21 is their annual meeting. He was a guest at the Water and Light Commission meeting and found it to be very interesting. He noted that he would like to see more attention given to the soccer fields. They have packed fields on the week-ends.

**CITY ADMINISTRATOR REPORT**

Bob Filson                      Wednesday morning's worksession will include a discussion on trees and how to fund cost  
Fireworks contract is ready he signed it and returned it - at this point there is a funding shortfall, but will work on it.  
ASCAP - any sound system usage of the City - we are required to pay a royalty.  
Trip to Lincoln, NE with Don Habicht was very worthwhile. The main reason they went was to discuss the Aquila purchase and found that we have options. The bonus was they talked to Paul Blotkamp who toured them through the bio science properties he is associated with. It is amazing what they have going on down there. Bob stated he had contacted Glen at the WREDC and urged him to arrange a trip to look it over.  
FBO - we may have new owners. Same faces will be out there to deal with just an infusion of money.

**FINANCIAL STATEMENTS**

The motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried to accept the Prairie View Golf Links Statement of Revenues vs. Expenditures for the period January 1, 2005 through May 31, 2005 and Municipal Liquor Store Income Statement for the period January 1, 2005 through May 31, 2005.

**2004 COMPREHENSIVE ANNUAL FINANCIAL REPORT ACCEPTED**

Mr. Wayne Drealan, Auditor of Turbes Drealan Kvilhaug and Company, presented the 2004 Audit and Comprehensive Annual Financial Report. He reviewed the transmittal letter, basic financial statements, and statistical data with the City Council. Mr. Drealan thanked the Mayor, City Council, management and staff for their cooperation and courtesies.

The motion was made by Alderman Hain, seconded by Alderman Petrich and unanimously carried to accept the 2004 Comprehensive Annual Financial Report and authorize its publication in the official newspaper.

**ORDINANCE NO. 977 ADOPTED, TO VACATE A PORTION OF THE PLATTED PUBLIC UTILITY EASEMENT IN LOT 9, BLOCK 1, DANO ADDITION**

Pursuant to published notice this was the time set for the third reading of the proposed ordinance vacating the west 7 feet of that portion of the easement lying south of the easement along the property's north lot line, in Lot 9, Block 1, Dano Addition in the City of Worthington. The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to give a third reading to and adopt the following ordinance:

ORDINANCE NO. 977

AN ORDINANCE TO VACATE A PORTION OF THE PLATTED PUBLIC UTILITY EASEMENT IN LOT 9, BLOCK 1, DANO ADDITION

(Refer to the Ordinance file for a complete copy of Ordinance)

**ORDINANCE NO. 978 ADOPTED, TO AMEND TITLE XV OF THE CITY CODE OF THE CITY OF WORTHINGTON**

Pursuant to published notice this was the time set for the third reading of the proposed ordinance to amend Title XV of the City Code by rezoning 10.776 acres of land directly north of Homewood Hills 9<sup>th</sup> Addition from the current "TZ" Transitional Zone and "R-1" One Family Detached Residential Districts to a Residential Planned Unit Development No. 9. The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to give a third reading to and adopt the following ordinance:

ORDINANCE NO. 978

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF THE CITY OF WORTHINGTON, NOBLES COUNTY, MINNESOTA

(Refer to Ordinance file for complete copy of Ordinance)

**OFF-SALE BEER LICENSE HOLDER NAME CHANGE**

An application for Off-Sale Beer License name change was received from Jesus Leon for Maria's Fashion, 219 Tenth Street who's license runs through December 31, 2005. He is changing the name of his store to La Azteca Tienda Mexicana, Inc. Grocery Store, same location of 219 Tenth Street. The motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to approve the application for Off-Sale Beer License name change.

**ON-SALE LIQUOR LICENSE RENEWALS APPROVED**

The motion was made by Alderman Petrich, seconded by Alderman Nelson and unanimously carried to approve the following On-Sale Liquor License Renewals for the period July 1, 2005 through June 30, 2006:

- |        |  |
|--------|--|
| 2005-1 | The Ground Round Grill & Bar, 1290 Ryans Road - Diversified Ventures LLC |
| 2005-2 | A & T Tap, 107 12 <sup>th</sup> Street, Craig Sailor                     |
| 2005-3 | Long Branch Saloon, 206 Tenth Street, Bob Henderson                      |
| 2005-4 | Stephanie's Restaurant & Lounge, 2015 Humiston Avenue, Omehari, Inc.     |

2005-5 Intrepidus, Inc., DBA Oxford Bowl, 325 Oxford Street, Gary Petersen

**CLUB LIQUOR LICENSE RENEWALS APPROVED**

The motion was made by Alderman Petrich, seconded by Alderman Nelson and unanimously carried to approve the following Club Liquor License renewals for the period July 1, 2005 through June 30, 2006:

2005-1 Worthington Eagles club #3282, 205 Oxford Street  
2005-2 Worthington Elks Lodge #2287, 1105 Second Avenue

**CLUB LIQUOR LICENSE APPLICATION APPROVED**

Alderman Woll noted he would be abstaining from the vote for this application due to his being a member of the Board of Directors. The motion was made by Alderman Petrich, seconded by Alderman Nelson and unanimously carried (with Alderman Woll's abstain) to approve the following license which is a change from a full On-Sale Liquor License to a Club Liquor License for the period July 1, 2005 through June 30, 2006:

2005-3 The Historic Dayton House, Historic Worthington, 1311 4<sup>th</sup> Avenue

**WINE LICENSE RENEWALS APPROVED**

The motion was made by Alderman Petrich, seconded by Alderman Nelson and unanimously carried to approve the following Wine license renewals for the period July 1, 2005 through June 30, 2006:

2005-1 The Ground Round Grill & Bar, 1290 Ryans Road - Diversified Ventures LLC  
2005-2 A & T Tap, 107 12<sup>th</sup> Street, Craig Sailor

**TEMPORARY DANCE LICENSE APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the following Temporary Dance License Application:

2005-1 Convention & Visitors Bureau for Whiskey Ditch Motorcycle Rally from 9:00 p.m. - 1:00 a.m., Saturday, August 27, 2005, held in the Worthington Arena

**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:

2005-3 Convention & Visitors Bureau for Whiskey Ditch Motorcycle Rally from 5:00 p.m to midnight, August 26, 2005 and from 12:00 noon - 1:00 a.m., Saturday, August 27, 2005 - Beer Garden at the Fairgrounds - in case of rain, in the arena.

### **INFORMATIONAL**

The City Engineer and Public Works Superintendent had a short visit with Council immediately following the meeting.

### **FIRST READING PROPOSED ORDINANCE TO AMEND TITLE V OF THE CITY CODE**

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to give a first reading to the proposed ordinance to amend Title V, Chapter 52 of the City Code dealing with Solid Waste. Chapter 52, Section 52.30 refers to definitions and this adds language to the definition of unwholesome substance “inoperable lawn mowers and other such parts or equipment.”

### **LEASE AGREEMENT APPROVED**

Becky Schilling, owner of the Coffee Nook, operated a concession stand at the Centennial Beach House during the summer of 2004. Prepackaged items such as bottled water, canned beverages, ice-cream novelty items, chips, candy, and other snack items were sold. In lieu of rent, Becky and her staff maintained the restroom and beach areas seven days per week. The City supplied the necessary cleaning supplies, Becky was required to purchase a concession permit and to provide proof of insurance prior to opening the business. Becky has again requested to operate the concession stand for the summer of 2005 with the same stipulations.

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to approve the use of the concession area and to enter into the lease agreement authorizing the Mayor and Clerk’s signatures.

### **RESOLUTION NO 3047 AND 3048 ADOPTED**

A petition for improvement of property proposed to be platted as Homewood Hills Eleventh Addition. The petition is for extension of the municipal sewer and water systems, and for improvement of the area by extension of the municipal storm water collection and management system. The petition was submitted by the landowners as indicated by the City’s development regulations as part of the platting process.

It is requested that the hearing on the proposed trunk and storm water improvements be held at 7:00 p.m. on June 27, 2005. Council should note that the improvements were petitioned for by an adequate number of benefitted property owners for the water project to be considered as petition initiated.

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to accept the petition and report, and to pass the following resolutions:

RESOLUTION NO. 3047

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

(Refer to Resolution file for complete copy of Resolution)

RESOLUTION NO. 3048

RECEIVING REPORT AND CALLING FOR HEARING ON PROPOSED IMPROVEMENTS

(Refer to Resolution file for complete copy of Resolution)

**FINAL PLAT - HOMEWOOD HILLS 11<sup>TH</sup> ADDITION APPROVED**

Johnson Builders and Realtors (JBR) seek final plat approval for certain property located directly north of Homewood Hills 9<sup>th</sup> Addition. The plat consists of 13 lots on 10.776 acres of land. The property is 11<sup>th</sup> phase in the Homewood Hills Addition development. Upon recommendation of the Planning Commission who considered the proposed final plat at their May 3, 2005 meeting, the motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried to approve the Homewood Hills 11<sup>th</sup> Addition's final plat contingent on the following conditions:

1. City Council authorization of sewer, storm sewer and water improvements.
2. The completion of the public improvements by the applicant or that a proper financial guarantee (the amount of the engineer's estimate) is submitted to the City by the applicant.

**FINAL PLAT - NORTHLAND PARK 2<sup>ND</sup> ADDITION**

Johnson Builders and Realtors (JBR) seek final plat approval for certain property located directly west of Northland Park 1<sup>st</sup> Addition on Cecilee Street. The plat consists of 10 residential lots on 2.63 acres of land. The property is second phase in the Northland Park Addition development. Upon recommendation of the Planning commission who considered the proposed final plat at their June 7, 2005 meeting, the motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to approve the Northland Park 2<sup>nd</sup> Addition's final plat contingent on the applicant granting the following:

1. City Council authorization of sewer and water improvements.
2. The completion of the public improvements by the applicant or that a proper financial

guarantee (the amount of the engineer's estimate) is submitted to the City by the applicant.

### **BUILDING INSPECTION SERVICE CONTRACT**

A proposed contract between the City of Worthington and Southwest Minnesota Housing Partnership for building inspection services was presented. The contract allows the Community Development Department to provide building code inspections when the Building Official is on vacation or out of town on City business. The Contract, which is for one year, would reduce the cost of this service by \$14.00 per hour from the current provider.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken to approve the contract and authorize the Mayor's signature. Following a vote taken the following Aldermen voted in favor of the motion: Nelson, Petrich, Woll and Ten Haken; the following Alderman voted against the same: Hain. Whereby the Mayor declared, the motion carried.

### **BILLS PAYABLE**

The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried that bills payable and totaling \$843,736.61 be ordered paid.

### **ADJOURNMENT**

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to adjourn the meeting at 8:20 p.m.

Karen Buchman  
City Clerk