

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, AUGUST 14, 2006**

The meeting was called to order by Mayor Alan E. Oberloh at 7:03 p.m. in the City Hall Council Chambers with the following Aldermen present: Leland Hain, Roger E. Nelson, Lyle Ten Haken, Mike Woll and Honorary Council Person Tim Meyer. Absent (excused): Bob Petrich.

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

Others present: Darrell Still, KWOA Radio; Ryan McGaughey, Daily Globe; Mick Eggers, Scott Bradley, Mark Nelson, Dale Ryen, and Wally Onnen representing the Whiskey Ditch Motorcycle Rally; Richard Hartzler, and Norman and Darlene Kness.

INTRODUCTION OF HONORARY COUNCIL MEMBER

Mayor Oberloh introduced Tim Meyer who is the Honorary Council Person for the months of July and August.

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 addendum F3 and F4.

MINUTES APPROVED

The motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to approve the Regular City Council minutes of July 24, 2006 as previously distributed.

MINUTES OF BOARDS AND COMMISSIONS

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to accept for review the Water and Light Commission minutes of August 7, 2006; Worthington HRA minutes of July 13, 2006; Convention & Visitors Bureau minutes of June 26, 2006; Airport Advisory Board minutes of August 1, 2006; Park/Rec. Advisory Board minutes of August 3, 2006; and Planning Commission/Board of Appeals minutes of August 1, 2006.

FINANCIAL STATEMENTS

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to accept the Prairie View Golf Links Statement of Revenues vs. Expenditures for the period January 1, 2006 through July 31, 2006; and Municipal Liquor Store Income Statement for the period January 1, 2006 through July 31, 2006.

APPROVED STORM WATER UTILITY CREDITS

As per Council policy for adjustment of the Storm Water Utility Fees as provided for in the ordinance, it was established that credits be reviewed regularly by City Staff and recommendations be provided to Council for final action.

The 4x4 Truck Wash at 2405 T.H. 60 has constructed a storm water retention area meeting NPDES storm water permitting requirements and has graded the site to route drainage through the pond. A field survey was conducted to verify that the pond layout would meet the NPDES permitting requirements. The storm water credit policy states that a 50% credit shall apply to properties having a system meeting the standards of the current General Storm-water NPDES Permit for Construction Activity. Upon staff's recommendation, the motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to approve a 50% credit for the 4x4 Truck Wash site (Parcel No. 31-3803-000).

APPROVED CITY HALL STEPS AND LANDSCAPING

In an effort to restore the appearance of City Hall to a condition similar to its original design, the consulting firm of SEH was authorized to prepare a request for quotes document for replacing the steps and providing appropriate landscaping for the front of the building. This includes removal of the ramp and elevated areas on each side of the steps, replacement of the steps and sidewalks (including street sidewalk), and landscaping. Estimated cost, including engineering and contingencies, is \$34,100. The motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to authorize solicitation and award of quotes for the work, with funding of the improvement costs coming from the municipal building fund.

FIRST READING PROPOSED ORDINANCE - VACATE A PORTION OF PLATTED UTILITY EASEMENT

The property owners of 1714 Viking Road propose to construct a detached garage in the southeast portion of their property which would encroach on a platted public utilities easement over the south 8 feet of their lot (Lot 12). There are no utilities currently located in the easement, however, there is a possible need for future installations which will require use of the easement. A platted utility easement over the north 8 feet of Lot 3, Block 4, Homewood Hills First Addition adjoins the subject easement creating a total easement width of 16 feet. The Electric Superintendent has determined that vacation of the west 5.00 feet of the subject easement is acceptable because of the availability of the remaining 11 feet of total easement width. Vacation of platted easement requires an ordinance to, in effect, modify the plat. The most easterly 8 feet of the easement would not be vacated because that portion of the easement provides for continuation of the easement along the east lot line.

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to give a first reading to the proposed ordinance vacating the north 5 feet of the south 8 feet of the easement except the easterly 8 feet thereof. It was noted the third reading will not be given without

concurrence of the Water and Light Commission.

RESOLUTION ADOPTED - VACATE A PORTION OF UTILITY EASEMENT IN VACATED BETTY AVENUE

The property owners of 522 Thompson Avenue are proposing to construct a detached garage to the east of their home which would slightly encroach on a public utilities easement over the south one half of the vacated Betty Avenue. There are utilities in the easement including a Frontier Communications line near the south line of the vacated Betty Avenue. Vacation of a minor portion of the easement would allow the garage to be constructed as planned. The Frontier Communications line will have minimal easement coverage along its south side. Following discussion the motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to pass the following resolution vacating 1.25 feet of the easement for a length of 30 feet:

RESOLUTION

VACATING PORTION OF EASEMENT IN VACATED BETTY AVENUE

WHEREAS, The owner of Lot 1, Block 2, College View Heights Addition and the south one half of the vacated Betty Avenue lying north of said Lot 1 desires to construct a structure upon a certain easement over a portion of such property, and

WHEREAS, A portion of the easement is not required by the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WORTHINGTON, MINNESOTA:

1. That the following described portion of the easement described in Document No. 233477, recorded in the office of the County Recorder, Nobles County Minnesota, be hereby vacated and released:

The southeasterly 1.25 feet of the west 30.00 feet of the east 45.00 feet of the vacated Betty Avenue lying between Lot 1, Block 2 and Lot 13, Block 1, all in College View Heights, City of Worthington, Worthington Township, Nobles County, Minnesota.

2. That the City Clerk is hereby directed to file a certified copy of this resolution in the office of the Recorder in and for the County of Nobles, State of Minnesota.

It was noted that adoption of the resolution was subject to concurrence of the Water and Light Commission.

SMALL CITIES DEVELOPMENT PROGRAM BUDGET AMENDMENT APPROVED

Brad Chapulis presented a proposed budget amendment for the Small Cities Development Program which is necessary to allow funds to be shifted from program administration and relocation to assist additional residential rental rehab and achieve the program goal of 30 rehabbed units. It also includes the inclusion of the loan repayment received to date. The revised budget will be sent to the Department of Employment and Economic Development (DEED) for state approval.

The motion was made by Alderman Nelson, seconded by Alderman Ten Haken and unanimously carried to approve the Small Cities Development Program Budget Amendment and authorize the Mayor to sign the same.

FIRST READING PROPOSED ORDINANCES (2) - TEXT CHANGE AMENDMENTS FOR TITLE XV, SECTIONS 151 AND 153 OF THE CITY CODE

On August 1 the Planning Commission reviewed the proposed revisions to the Planning and Sign Regulations of Title XV (Land Use) of the City Code recommended by the Zoning Task Force. The proposed revisions clean up old language as well as provide a clear understanding of which signs are permitted/not permitted within the City of Worthington. Upon recommendation of the Planning Commission/Zoning Task Force the motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to approve the proposed revisions by giving a first reading to the two proposed ordinances as presented.

TEMPORARY ON-SALE BEER AND DANCE APPLICATIONS APPROVED FOR WHISKEY DITCH MOTORCYCLE RALLY

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to approve the following applications submitted by the Worthington Convention and Visitor's Bureau for the Whiskey Ditch Motorcycle Rally:

No 2006 - 4 Temporary On-Sale Beer for Friday, August 25, 2006 from 5:00 p.m. - 12:00 midnight and Saturday, August 26, 2006 from 12:00 noon - 12:00 midnight. This will be located in a fenced in area in Pioneer Village.

No. 2006 - 7 Dance License for Saturday, August 26, 2006 from 8:00 p.m. - 12:00 midnight located in the barn at Pioneer Village.

TEMPORARY ON-SALE BEER APPLICATION - WORTHINGTON FIRE DEPARTMENT

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to approve the following application submitted by the Worthington Fire Department:

No. 2006 - 5 Temporary On-Sale Beer for Saturday, September 9, 2006, from 2:00 p.m. - 9:00 p.m., Worthington Fire Department - fenced in beer garden at Centennial Park Shelter House.

NOMINATING COMMITTEE RECOMMENDATIONS APPROVED

Upon recommendation of the Nominating Committee the motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the following appointment and reappointments:

Memorial Auditorium Advisory Board

Appoint Bernice Camery to a three-year term expiring August 2009.

Reappoint Kris Pederson and Shelly Gieselman to three-year terms expiring August 2009.

STREET CLOSURE FOR NEIGHBORHOOD PICNIC ON DUGDALE

This was listed as an informational item. A small portion of the street will be closed for a neighborhood picnic for a couple of hours. The Street Department has been contacted for barricades to be used during the closure.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - no report

Alderman Hain - no report

Alderman Nelson - Reported on the Airport Advisory Board meeting where they discussed doing an annual Air Show.

Alderman Woll - no report

Alderman Ten Haken Discussed City/County/School meeting. School district wanted to know the time frame for projects - will the work be completed before school starts. Is there any way that the schedule can be discussed with them?

Truth in Taxation meeting has been set for 7:00 p.m., Tuesday, December 12, 2006 in the College Fine Arts Building.

Meet the teachers reception is schedule for Wednesday, August 23, 2006 from 4:00 - 5:30 p.m. at the Dayton House.

Mayor Oberloh - Thanked Alderman Ten Haken for bringing the Highway 59 designation issue to our attention. He thanked Dwayne for writing the letter.

CITY ADMINISTRATOR REPORT

Mayor Oberloh welcomed Interim Administrator Bill Bassett back after being absent for a couple of weeks recuperating from a fall. Mr. Bassett had nothing to report - other than he was glad to be back.

BILLS PAYABLE

The motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried that bills payable and totaling \$ 1,404,663.04 be ordered paid.

ADJOURNMENT

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to adjourn the meeting at 7:55 p.m.

Karen Buchman
City Clerk