

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, OCTOBER 10, 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, Lyle Ten Haken, and Mike Woll. Honorary Council Person: Pat Remme. Absent (excused): Bob Petrich.

City Staff present: Dwayne Haffield, Director of Engineering; Brian Kolander, Director of Finance; Brad Chapulis, Director of Community/Ec Development; Pat Demuth and Clair Van Grouw, Fire Department; and Karen Buchman, City Clerk.

Others present: Darrell Stitt, KWOA Radio; Ryan McGaughey, Daily Globe; Cullen Jorgensen, SEH; and one resident for the assessment hearing.

RESOLUTIONS 3076 - 3081 ADOPTING ASSESSMENT ROLLS ON IMPROVEMENTS

Pursuant to published notice, this was the time set for the final assessment hearing on the following projects. The City Engineer reviewed the assessment policy and procedures used. The appeal process allows the property owners 30 days from the final assessment hearing to file an appeal to the City, and to District Court within ten days after that. The property owners have 30 days to pay the assessments without interest - by November 9, 2005. Then they may pay at City Hall with interest due before November 15. Assessments not paid before November 15, 2005, will be certified to the County Auditor for collection and the first year's payment will include interest from the date of the hearing and all of 2006. The City now accepts partial payments and those would need to be paid before November 15, with a minimum amount accepted being \$50.00.

Paving Improvement No. 102 - Ash Road - from Nobles Street to Shady Lane;
Dugdale Avenue - from Fox Farm Road to West Ridge Road
West Ridge Road - from Dugdale Avenue to West Shore Dr.
Johnson Avenue - from Clary Street to south end
Murray Avenue - from Nobles Street, west to Sherwood St
Orchard Road - from Nobles Street to Shady Lane
West Okabena Street - from Tower Street to Winifred Street
West Okabena Street - from Winifred Street to Clement Street

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried to open the hearing. City Engineer Dwayne Haffield gave a presentation on the project and proposed assessments. He noted a minor change to the Murray Avenue portion of paving assessment. Mayor Oberloh opened the floor for testimony. As no comments were received, a motion was made by Alderman Ten Haken, seconded by Alderman Hain and unanimously carried to close the hearing.

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to adopt the assessment roll as amended, and set the terms of the Paving Improvement No. 102 for 13 year payback at 4.5% interest (based on interest rate of PIR Bond sold for street improvements plus 1% +/-) commencing October 10, 2005, and that the following resolution be adopted:

RESOLUTION NO. 3076

ADOPTING THE SPECIAL ASSESSMENT FOR PAVING IMPROVEMENT NO. 102

(Refer to Resolution file for complete copy of Resolution)

Downtown Parking Assessment District, Job No. 26 - 07/01/2004 through 06/30/2005

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to open the hearing. City Engineer Dwayne Haffield gave a presentation on the proposed assessments. Mayor Oberloh opened the floor for testimony. As no comments were received, a motion was made by Alderman Ten Haken, seconded by Alderman Hain and unanimously carried to close the hearing.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to adopt the assessment roll, and set the terms of the Downtown Parking Assessment District, Job No. 25 for 1 year payback at 4.5% interest (based on interest rate of PIR Bond sold for street improvements plus 1% +/-) commencing October 10, 2005 and that the following resolution be adopted:

RESOLUTION NO. 3077

ADOPTING THE SPECIAL ASSESSMENT FOR DOWNTOWN PARKING ASSESSMENT DISTRICT, JOB NO. 26

(Refer to Resolution file for complete copy of Resolution)

2005 Miscellaneous Unpaid Charges -

- Removal of Ice and Snow
- Removal of Noxious Weeds and Vegetation
- Removal of Solid Waste

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to open the hearing. Dwayne Haffield gave a presentation on the proposed assessments. Mayor Oberloh opened the floor for testimony. A letter was presented from Mark Koepsell who asked for an adjustment on a bill received for mowing and spraying of the Wagon Wheel property. Following a discussion with the Public Works Supt. who recommended an adjustment in the assessed amount from \$982.00 to \$627.16, a motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to approve the adjusted amount of \$627.15 for Mr. Koepsell and the Wagon Wheel property. As no further comments were received, a motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried to close the hearing.

The motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to

adopt the assessment roll with the adjustment made to the Wagon Wheel property as presented, and set the terms of the 2005 Miscellaneous Unpaid Charges for 1 year payback at 4.5% interest (based on interest rate of PIR Bond sold for street improvements plus 1% +/-) commencing October 10, 2005, and that the following resolution be adopted:

RESOLUTION NO.3078

ADOPTING THE SPECIAL ASSESSMENT FOR 2005 MISCELLANEOUS UNPAID CHARGES

(Refer to Resolution file for complete copy of Resolution)

Reassessment of Previously Cancelled Assessments Northland Park Second Addition

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to open the hearing. City Engineer Dwayne Haffield gave a presentation on the proposed reassessments. Mayor Oberloh opened the floor for testimony. As no comments were received, a motion was made by Alderman Hain, seconded by Alderman Nelson and unanimously carried to close the hearing.

The motion was made by Alderman Ten Haken, seconded by Alderman Hain and unanimously carried to adopt the assessment roll, and set the terms as follows:

Storm Sewer Improvement No. 4 for 15 year payback at 7.2% interest (per original terms) commencing October 10, 2005 and the following resolution be adopted:

RESOLUTION NO. 3079

ADOPTING THE ASSESSMENT FOR THE REASSESSMENT OF STORM SEWER IMPROVEMENT NO. 4

(Refer to Resolution file for complete copy of Resolution)

Storm Sewer Improvement No. 7 for 10 year payback at 6.0% interest (per original terms) commencing October 10, 2005 and the following resolution be adopted:

RESOLUTION NO. 3080

ADOPTING THE ASSESSMENT FOR THE REASSESSMENT OF STORM SEWER IMPROVEMENT NO. 7

(Refer to Resolution file for complete copy of Resolution)

Water Main Improvement No. 74-09 for 15 year payback at 6.5% interest (per original terms)

commencing October 10, 2005 and the following resolution be adopted:

RESOLUTION NO. 3081

ADOPTING THE ASSESSMENT FOR THE REASSESSMENT OF WATER MAIN
IMPROVEMENT NO. 74-09

(Refer to Resolution file for complete copy of Resolution)

AGENDA APPROVED

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

MINUTES APPROVED

The motion was made by Alderman Hain, seconded by Alderman Ten Haken and unanimously carried to accept the Regular City Council minutes of September 26, 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 October 3, 2005; Memorial Auditorium minutes of September 8, 2005; and Traffic & Safety minutes of September 28, 2005.

FINANCIAL STATEMENTS

The motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to accept the Municipal Liquor Store Income Statement for the period January 1, 2005 through September 30, 2005; Prairie View Golf Links Statement of Revenues vs. Expenditures for the period January 1, 2005 through September 30, 2005; and General Fund Statement of Revenues vs. Expenditures - Budget and Actual for the Nine Months ended September 30, 2005.

INCREASE IN THE FIREFIGHTER'S PENSION PAYMENTS APPROVED

The Worthington Fire Department Relief Association recommended a pension increase of approximately 10% in the lump sum payment and monthly life annuity programs. This will result in an increase from \$280 to \$310 for those older members on the monthly life annuity program and an increase from \$46,250 to \$51,200 for those members eligible for the lump sum plan. The recommended effective date is January 1, 2006 for the new benefit levels. This increase should not adversely effect the city's desire to reach full funding of the plan by 2007 - they have until the mandated date of 2010. Following a discussion on the last increase and type of increase, the motion was made by Alderman Woll, seconded by Alderman Nelson and unanimously carried to approve

the increase in pension payments as presented.

IMPROVEMENTS FOR INDUSTRIAL WASTEWATER TREATMENT FACILITY APPROVED

Manhole Reconstruction - It has been found that a manhole on the industrial wastewater sewer line has deteriorated to the extent that a hole has developed near the surface. The hole, which allowed significant storm water to enter the sewer, has been temporarily repaired. The condition of the manhole warrants reconstruction as soon as possible. The work needs to be completed during non production hours. Total cost for reconstruction is estimated to be \$9,500.00.

Access Wyes - Within the treatment process, wastewater is pumped from the anaerobic/flow equalization ponds to the aeration tank through a 12" force main. A chemical to increase the wastewater alkalinity (to maintain a proper pH) is added to the wastewater at a point on this force main. Over the years, a deposit has built up in the force main resulting in a reduced capacity. In order to provide access for cleaning of the force main it is proposed that wyes and riser pipes be installed which will allow cleaning downstream of the injection point as well as upstream of that point. The estimated cost for installation of the wyes is \$7,050.

As these improvements have not been included in the 2005 Industrial Wastewater Treatment Fund Budget, staff recommends that Council approve a budget amendment to include them. A rebate in the amount of \$10,000 to \$11,000 is to be received from EMC, the facilities contract operator, for maintenance budget reconciliation and for billings attributable to sludge disposal costs not incurred by EMC. The remaining balance of the improvement costs will need to be from additional revenues from Swift and Company. Swift is aware of the required work and estimated costs. Staff is currently seeking quotes for the work to be received on October 14, 2005.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the presented budget amendment to include these items.

APPROVED PLANS FOR BIOSCIENCE INDUSTRIAL PARK STORM SEWER IMPROVEMENTS

The consulting firm of SEH has completed the plans and specifications for the BioScience Industrial Park storm sewer improvements. It was anticipated that a single contract would be awarded for completion of all of these subsurface improvements, but the recent gulf hurricanes seriously disrupted the supply of PVC (plastic) pipe. The storms affected the supply of raw materials, labor to run facilities, and transportation of the resins to pipe manufacturers. Local pipe suppliers are in a position of not being able to supply pipe as quoted or not at all. Given the current status of PVC pipe, it is proposed to only proceed with installation of the storm sewer system which consists of concrete piping and pond reconstruction. Completion of the storm sewer system this year will be subject to weather.

The current estimate for the storm sewer work, including engineering and contingencies, remains at \$1,066,010, the amount provided at the time the preliminary layout was submitted for approval. There is concern as to what increases in costs may be revealed in the bids due to fuel costs, etc. This concern extends into the future phases of the project as well. The work on the segment extending to T.H. 59 will be bid as an add alternate to allow for elimination of improvements on this segment as budget dictates.

Following discussion the motion was made by Alderman Hain, seconded by Alderman Woll and unanimously carried to approve the plans and authorize an advertisement for bids to be received on November 10, 2005 and considered at the November 14, 2005 Council meeting.

AUTHORIZATION TO PURCHASE MOWER

The Park Department operates a Toro Mower (model year 2002), which requires major repairs estimated to exceed \$4,900 at the end of the mowing season. This unit is in the equipment revolving schedule to be replaced after the 2006 season. A replacement quote of \$26,978.58 (new unit with trade) was obtained utilizing the state contract quote process for equipment purchases. The current replacement reserve is \$21,511.00 or a shortfall of \$5,467.58. Following discussion the motion was made by Alderman Nelson, seconded by Alderman Hain and unanimously carried to approve the purchase of a new unit rather than repair, and authorize the transfer of \$21,511.00 from the Equipment Reserve Fund to the General Fund, and expend \$5,467.98 from the 2005 Park Operating Budget.

CONTRACT FOR PLATTING SERVICES APPROVED

The 2005 State Bonding Bill included \$2.5 million for the establishment of a Bio-Science Industrial Park on City/County/WPU/WREDC owned property directly north of Prairie Holdings Center (former Prairie Expo). The bond money is specifically intended for the design/construction of publicly owned infrastructure necessary to facilitate development, including platting services.

In order to proceed with platting the Bio-Science Industrial Park, the City must contract with a land surveying company to prepare preliminary/final plats and stake the boundaries of the newly created lots. Staff received the following two bids from local land surveying companies:

| | |
|---|------------|
| Madsen Land Surveying, Inc., Fairmont, MN | \$8,900.00 |
| Zieske Land Surveying, Inc., Windom, MN | \$7,000.00 |

Following discussion the motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to award the bid to Zieske Land Surveying, Windom, Minnesota with the lowest qualified bid of \$7,000.00. This was \$5,500 less than budgeted.

APPROVED SPECIFICATIONS FOR BIO-SCIENCE INDUSTRIAL PARK SPEC BUILDING

Short Elliot Hendrickson (SEH) has completed the plans and specifications for the spec building to be constructed within the Worthington Bio-Science Industrial Park. The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the plans and specifications and authorize the advertisement for bids to be received on November 9, 2005 and considered for award on November 14, 2005, making sure that a clause was added that the City can reject any and all bids.

NOMINATING COMMITTEE APPOINTMENTS AND REAPPOINTMENTS APPROVED

Upon recommendation of the Nominating Committee, the motion was made by Alderman Hain, seconded by Alderman Ten Haken, and unanimously carried to approve the following appointments and reappointments to boards and commissions:

- | | |
|-------------------------------------|---|
| Airport Advisory Board | Reappoint Rodney Elsing to a five-year term expiring October 2010 |
| Worthington Hospital Board | Appoint Steve Robinson to fill the unexpired term of Mike Clark - term to expire January 2008 |
| | Appoint John Widboom to a three-year term to replace Steve Dudley whose term will expire January 2006. John's term will be from January 2006 through January 2009 |
| Housing and Redevelopment Authority | Appoint Marjorie Larson to five-year term expiring November 2010 |
| Police Civil Service Commission | Reappoint Leticia Rodriguez to a three-year term expiring December 2008 |

APPROVED DONATING 1999 FORD CROWN VICTORIA SQUAD CAR TO BAYOU LA BATRE, ALABAMA

Bayou La Batre, Alabama's entire rolling stock of motor vehicles was destroyed in Hurricane Katrina. As the City has a 1999 Ford Crown Victoria Squad Car that is surplus to the city's needs, it is recommended that Council declare this vehicle as surplus property. The motion was made by Alderman Nelson, seconded by Alderman Woll and unanimously carried to authorize this vehicle to be surplus to the city's needs and authorize staff to take the necessary steps to transfer title to the City of Bayou La Batre, Alabama.

COUNCIL REPORTS

Mayor Oberloh reported on the Nominating Committee meeting and gave some background on the appointments approved earlier in the meeting.

Alderman Hain discussed zoning considerations

Alderman Nelson reported that the Housing & Redevelopment Authority would be meeting at 8:30 a.m. on Thursday, with an Annual Planning session scheduled for 10:00 at the Atrium

Alderman Woll reported on a nice, positive article about Worthington in a windsurfing magazine

Alderman Ten Haken reported on his trip to Cuero, TX for their Turkeyfest. They had a very enjoyable, interesting trip - one thing he noted is they have no zoning and are trying to get something in place. He thanked Council for the opportunity to go to Cuero as the City representative.

BILLS PAYABLE

The motion was made by Alderman Woll, seconded by Alderman Hain and unanimously carried that bills payable totaling \$640,438.49 be ordered paid.

ADJOURNMENT

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to adjourn the meeting at 8:05 p.m.

Karen Buchman
City Clerk