

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, SEPTEMBER 14, 2020**

The meeting was called to order at 7:00 p.m., in City Hall Council Chambers by Mayor Mike Kuhle with the following Council Members present: Chad Cummings, Amy Ernst, Alan Oberloh, Mike Harmon, Larry Janssen.

Staff present: Steve Robinson, City Administrator; Jason Brisson, Assistant City Administrator/Director of Economic Development; Todd Wietzema, Public Works Director; Jeff Faragher, Acting Director of Engineering; Deb Olsen, Staff Accountant; Jeremiah Cromie, City Planner; Mindy Eggers, City Clerk.

Others present: Ryan McGaughey, TheGlobe; Gunner Beckering, Honorary Council Member; Chris Kielblock, John Landgaard, District 518; Sal Bagley, Wold Architects; Travis Winters, Bolton & Menk.

The Pledge of Allegiance was recited.

AGENDA CLOSED I APPROVED

Staff stated that Item *G.5. Approve Park Sales Tax Project Change Order* would be pulled from the agenda. A motion was made by Council Member Cummings, seconded by Council Member Harmon and unanimously carried to approve the agenda with the proposed change.

CONSENT AGENDA APPROVED

A motion was made by Council Member Oberloh, seconded by Council Member Harmon and unanimously carried to approve the consent agenda as presented.

- City Council Minutes of Regular Meeting of August 24, 2020
- Special City Council Minutes of August 24, 2020
- Special City Council Minutes of September 2, 2020
- Economic Development Authority Minutes August 25, 2020
- Water & Light Commission Minutes of August 10, 2020
- Center for Active Living Committee Minutes of August 11, 2020
- Convention & Visitors Bureau Board Minutes of July 29, 2020
- Heron Lake Waterhed Board Minutes of July 15, 2020
- Municipal Liquor Store Income Statement for the period of January 1, 2020 through August 31, 2020
- Application to Block Streets - District 518 Spirit of Worthington Marching Band
- Bills payable and totaling \$1,793,109.72 be ordered paid

APPROVED NOMINATING COMMITTEE RECOMMENDATION FOR COMMITTEE APPOINTMENTS

The Nominating Committee met on September 8, 2020 and are making the following recommendations for committee appointments:

Center for Active Living - Appoint Terri Janssen to fill the unexpired term of Beth Ten Haken who resigned her seat, term was set to expire 12/31/2021.

Memorial Auditorium Advisory Board - Appoint Beth Habicht for a first three year term to replace Karen Fury who is not eligible for another term, term to expire 7/31/2023

The motion was made by Council Member Ernst, seconded by Council Member Harmon and unanimously carried to approve the appointment as recommended by the Nominating Committee.

RESOLUTION NO. 2020-09-70 AND WORTHINGTON HOUSING AND REDEVELOPMENT AUTHORITY RESOLUTION NO. 2020-09-71 ADOPTED APPROVING THE PROPOSED 2020 TAX LEVIES COLLECTIBLE IN 2021

A Resolution approving the Proposed City of Worthington Tax Levy of \$5,052,541, which breaks down in to an operating levy of \$3,929,921 and Special Tax Levies of \$1,122,620, and represents a 4% levy increase over 2020. The proposed levy is an amount not to exceed and may be lowered but not raised for the final levy certification in December. Also presented was a Resolution approving the Housing and Redevelopment Authority's 2021 proposed levy of \$143,000, an increase of \$6,000 over 2020.

The motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to adopt the following Resolutions Approving the Proposed 2020 Tax Levies collectible in 2021.

RESOLUTION NO. 2020-09-70

A RESOLUTION APPROVING 2020 TAX LEVIES COLLECTIBLE IN 2021

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2020-09-71

A RESOLUTION APPROVING THE 2020 TAX LEVY COLLECTIBLE IN 2021 - WORTHINGTON HOUSING & REDEVELOPMENT AUTHORITY

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2020-09-72 ADOPTED INTENT TO BOND FOR SALES TAX PROJECTS

Steve Robinson, City Administrator, stated a resolution needs to be passed to declare the official intent to reimburse certain expenditures from the proceeds of bonds to be issued by the City. The intent to bond allows the City to bond, but does not obligate the City to issue bonds. The bonds are for financing various sales tax projects stated in the Resolution, with the amount of bonds not to exceed \$7,800,000.

A motion was made by Council Member Oberloh, seconded by Council Member Harmon and unanimously carried to adopt the following resolution.

RESOLUTION NO. 2020-09- 72

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF WORTHINGTON, MINNESOTA TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY

(Refer to Resolution File for complete copy of Resolution)

APPROVED AWARD OF CONTRACT - GLENWOOD HEIGHTS SECOND ADDITION SITE GRINDING, SANITARY SEWER, WATERMAIN, STORM SEWER, AND STREETS

Mr. Robinson stated bids were received at 2:00 p.m. on September 10, 2020. Nine bids were received and the apparent low bid was \$1,755,904.55, more than \$132,000 below the engineer's estimate. Staff is asking Council to refer it back the Housing Committee to examine the future lot prices at this time.

Council Member Oberloh questioned why it needs to go back to the Housing Committee when the bids came in \$132,000 below the estimate. Mayor Kuhle asked how long it would delay the project. Travis Winters, Bolton & Menk, stated that everything should be in place to move forward at the next City Council meeting which would still allow for grading and utility work to start this fall.

PROFESSIONAL SERVICES AGREEMENT - INDUSTRIAL WASTE WATER TREATMENT PLANT FACILITY PLAN APPROVED

Mr. Robinson explained the City owns the Industrial Waste Water Treatment Facility that receives and treats the discharge from the JBS processing facility. JBS pays the City for the cost of operating and maintaining the facility. The most recent NPDES pennit has expired and we are beginning the process of issuance of a new permit based on discharge limits for keyparameters including chloride,

phosphorus and nitrogen. Staff recommends preparing a comprehensive Facility Plan that addresses critical parameters that includes the condition, capacity and treatment operations.

The estimated fee for this work is \$75,000 which was included in the 2020 budget. The agreement has been reviewed by the City Attorney with Bolton and Menk making changes as recommended by legal counsel.

A motion was made by Council Member Oberloh, seconded by Council Member Ernst and unanimously carried to approve the proposal and authorize execution of the professional services agreement for the Industrial Waste Water Treatment Plant Facility Plan.

APPROVED PROFESSIONAL SERVICES AGREEMENT - CECILEE STREET EXTENSION

Mr. Robinson explained staff requested a proposal from Bolton and Menk to provide engineering services to prepare construction and bid documents for the extension of Cecilee Street from its current termination point to Grand Avenue. Mr. Robinson said in addition, Bolton and Menk will prepare preliminary and final plat documents for the entire 11 acre tract which includes the Entertainment Building parcel, a multi-family residential parcel and lots along the extension of Cecilee Street.

The scope of work that the agreement will include:

- Preliminary and final plats;
- Preliminary engineering to provide schematic layouts and cost estimates;
- Final design and construction and bid document
- Project meetings; and
- Bidding assistance and bid award recommendation.

The work will be performed on an hourly basis for a fee not to exceed \$45,000.00.

A motion was made by Council Member Oberloh, seconded by Council Member Janssen and unanimously carried to approve the professional services agreement for the Cecilee Street Extension.

RESOLUTION NO. 2020-09-73 AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE CITY OF WORTHINGTON AND THE MINNESOTA BUREAU OF CRIMINAL APPREHENSION

Troy Appel, Public Safety Director, stated the City of Worthington Public Safety Department and Nobles County Sheriffs Office utilize a Records Management System (RMS), a Computer-Aided Dispatch system (CAD) and a mobile computing system. These systems require additional services

from the State of MN through the Bureau of Criminal Apprehension (BCA). The BCA hosts the Criminal Justice Data Network (CJDN) through which computer interface is made between the State of Minnesota and law enforcement agencies. The State of MN requires a Joint Powers Agreement (JPA) with local agencies, which must be renewed every five years.

The JPA agreement allows our agency continued access to CJDN and other services offered by the BCA related to computer interface with the State of Minnesota.

The Court Data Services Subscriber Amendment, identifies and implements user obligations associated with the court system.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to adopt the following resolution and authorize Troy Appel, Public Safety Director to execute this agreement on behalf of the City of Worthington.

RESOLUTION NO. 2020-09-73

A RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF WORTHINGTON ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

(Refer to Resolution File for complete copy of Resolution)

ADOPTED RESOLUTION NO. 2020-09-74 AUTHORIZING EXECUTION OF TOWARD ZERO DEATHS GRANT AGREEMENT

Troy Appel, Public Safety Director, stated The Minnesota Department of Public Safety, Office of Traffic Safety, has initiated the process to participate in the Toward Zero Deaths Communities grant from October 1, 2020 through September 30, 2021. Mr. Appel said the grant pays for officers' overtime during the operational waves that focus on traffic safety and impaired driving enforcement. The City of Worthington is partnered with the Counties of Jackson, Cottonwood, Nobles and Rock and the City of Mountain Lake.

A motion was made by Council Member Ernst, seconded by Council Member Harmon, and unanimously carried to adopt the following resolution and authorize Troy Appel, Public Safety Director to execute the grant.

RESOLUTION NO. 2020-09-74

A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2020-09-75 ADOPTED ACCEPTING A DONATION OF PERSONAL PROPERTY-BEDFORD INDUSTRIES

Todd Wietzema, Public Works Director, stated in 2016 representatives from Bedford Industries, contacted staff about making some improvements and additions to Ludlow Park. The property that Ludlow Park is located on was donated by H.J. Ludlow, whose descendant Bob Ludlow, founded the local company known as Bedford Industries.

Bedford Industries in cooperation with the City of Worthington, have made substantial improvements to Ludlow Park in the last couple of years. Some of these improvements include a new amphitheater , new sidewalks, donated benches, and a new parking lot. Last year, a new restroom was also added. Bedford Industries has once again reached out and offered a \$50,000.00 donation towards the installation of the new restroom.

The restroom project was completed in May and last week the City received the \$50,000.00 donation from Bedford Industries.

A motion was made by Council Member Janssen, seconded by Council Member Cummings and unanimously carried to adopt the following resolution accepting the donation.

RESOLUTION NO. 2020-09-75

A RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2020-09-76 ADOPTED ACCEPTING A DONATION OF PERSONAL PROPERTY- BEDFORD TECHNOLOGIES

Mr. Wietzema stated that Bedford Technologies had contacted staff asking if the City would be interested in displaying new Split Rail fence product, called Smarter Fence, they have been developing. The new fencing could be used to replace the current metal cable that defines the parking area. Mr. Wietzema said Bedford Technologies agreed to provide 128 feet of their Smarter Fence product, in exchange for marketing and documenting it's installation.

Council Member Cummings stated that he had been asked if there was water available to fill bowls for their animals on hot days. Mr. Wietzema stated that staff will check into it.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and

unanimously carried to adopt the following resolution accepting the donation.

RESOLUTION NO. 2020-09-76

A RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY

(Refer to Resolution File for complete copy of Resolution)

APPROVED AIRPORT CHANGE ORDER

Todd Wietzema, Public Works Director, stated Henning Construction, the contractor for the Airport Apron Reconstruction project, has proposed a change order for the project. The change order would involve installation of a new storm water catch basin structure. The total cost of this change order would be \$5,800.00. Bolton and Menk, the City's airport consultant, has gotten FAA approval to pay a large portion of this proposed change order. Of the \$5,800.00 change, the federal and state portions would cover 93.4% of the total. The additional expense to the City would be \$383.00.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the change order for the Airport Apron Reconstruction Project.

APPROVED DECLARATION OF CITY OWNED BUILDINGS AS SURPLUS PROPERTY

Todd Wietzema, Public Works Director, stated in accordance with our City Surplus Property Policy, any disposal of City owned buildings shall be declared surplus property by City Council. There are 5 buildings that are located at the following addresses:

- The police storage building located at 707 South Shore Drive
- The former park shop located at 707 South Shore Drive
- The semi-trailer storage building at 700 2nd Ave. (Fieldhouse site)
- The 2 former maintenance shops at 700 2nd Ave. (Fieldhouse site)

Staff proposed that the City advertise these buildings for sale, to relocate or salvage, by sealed bid. After speaking with the City's insurance representative, strict requirements will be required for prospective bidders, regarding insurance and also deadlines for removal. If no bids are received, demolition plans will be prepared and we will take quotes to remove these buildings. Council Member Janssen stated staff needs to make sure there are deadlines put into place for removal of the buildings.

A motion was made by Council Member Oberloh, seconded by Council Member Ernst and unanimously carried to declare the city owned buildings as surplus property.

APPROVED 10th STREET PLAZA CHANGE ORDER

Mr. Wietzema stated, DK Buildings LLC, the contractor for the Downtown Plaza project has submitted a change order. A spreadsheet was handed out that showed the breakdown of the charges. Mr. Wietzema explained the change order has two components, the first is for removal of unknown items on the site and the second is for soil corrections on the site. There were a number of unknown footings, utilities and parts of the former gas station that needed to be removed during excavation. There were also soil corrections that were required for this project that included a small over dig for the restroom footings and a substantial amount of aggregate be placed under the shelter floor. The soil corrections were recommended by our consultant with American Testing.

Mr. Wietzema said the change order amount of \$37,718.00, will bring our total contract price to \$1,185,218.00. Our estimated cost for the project was \$1,601,799.82.

A motion was made by Council Member Oberloh, seconded by Council Member Ernst and unanimously carried to approve the 10th Street Plaza change order as presented.

AWARD CONTRACT FOR CHERRYWOOD ADDITION STORM SEWER IMPROVEMENT APPROVED

JeffFaragher, Acting Engineer, stated that bids were opened on September 10, 2020 at 2:00 p.m. Mr. Faragher introduced Travis Winters from Bolten & Menk to go over the bid letting. Mr. Winters explained the project consists of the larger sized storm sewer improvement including a bioretention pond for treatment for the area to be developed. Based on the tabulation of actual unit prices, the low bidder for the project is Hulstein Excavating of Edgerton, Minnesota.

Council Member Oberloh asked if it is possible that the low bid is not taken due to past work on projects. Mr. Winters said that there is nothing that would disqualify the low bidder from being awarded the bid.

A motion was made by Council Member Oberloh, seconded by Council Member Harmon and unanimously carried to award the contract for the Cherrywood Addition Storm Sewer Improvement to Hulstein Excavating.

RESOLUTION NO.'S 2020-09-77 THROUGH 2020-09-85 ADOPTED DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT AND CALLING FOR HEARING ON PROPOSED ASSESSMENTS; AND DECLARING BENEFIT TO BE ASSESSED AND CALLING FOR HEARING ON PROPOSED ADDITIONAL ASSESSMENTS

Staff presented a Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed

Assessment and a Resolution Calling for Hearing on Proposed Assessment for the following:

Sanitary Sewer Improvement No. 113

- East Avenue from Spring avenue to 950 feet southeast.

Paving Improvement No. 115

- East Avenue from C.S.A.H. 5 to 565 feet east of the right-of-way line C.S.A.H. 5.

2019 Miscellaneous Unpaid Charges

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

Also a tract of land located in the Northeast Quarter of the Southwest Quarter south of 1-90, Section 13-102-40, City of Worthington, Nobles County, Minnesota. It is the property on which the entertainment spec building is located. The reassessment is to be the proportional share of the balance of assessments for Water Main Improvement No. 74-09 that had been cancelled due to tax forfeiture.

The property was returned to private ownership. The issuance of the building permit for the entertainment spec building is cause for property to be deemed developed.

Also presented was a Resolution Declaring Benefit to be Assessed and Calling for Hearing on Proposed Additional Assessment regarding the tract of land located in the Northeast Quarter of the Southwest Quarter south of 1-90, Section 13-102-40, City of Worthington, Nobles County.

Jeff Faragher, Acting Engineer, said the connection of the entertainment spec building located at 1631 Darling Drive to the municipal wastewater collection system is cause to initiate the additional assessment. That portion of the property had not been assessed lateral or trunk benefit for Sanitary Sewer Improvement No. 88. The additional assessment is a trunk assessment only as the lateral improvement was developer installed.

The motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-77

DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-78

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Harmon, seconded by Council Member Ernst and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-79

DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Ernst, seconded by Council Member Hannon and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-80

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-81

DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Ernst, seconded by Council Member Harmon and

unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-82

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-83

DECLARING REASSESSMENT OF WATER MAIN IMPROVEMENT NO. 74-09

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Ernst, seconded by Council Member Harmon and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2020-09-84

CALLING FOR HEARING ON PROPOSED ASSESSMENT FOR REASSESSMENT OF WATER MAIN IMPROVEMENT NO. 74-09

(Refer to Resolution File for complete copy of Resolution)

The motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to adopt the following resolution calling for the time and date of the hearings to be set as 7:00 p.m. on Monday, October 12, 2019 at the regular City Council meeting:

RESOLUTION NO. 2020-09-85

DECLARING BENEFIT TO BE ASSESSED AND CALLING FOR HEARING ON PROPOSED ADDITIONAL ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

CONDITIONAL USE PERMIT-INTERMEDIATE SCHOOL (ISD 518)

Jeremiah Cromie, City Planner, stated Independent School District No. 518 submitted a request for

a Conditional Use Permit for the development of a new 123,846 square foot intermediate school (grades 3-5) on property they own located along the west side of North Crailsheim Drive. The location is approximately a little less than ½ of a mile north of Fox Farm Road just south of the Alternative Learning Center (ALC). The legal description of the property under consideration is as follows:

That part of the Southeast Quarter of Section 21, Township 102 North, Range 40 West, Nobles County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section 21; thence on an assumed bearing of South 89 degrees 22 minutes 38 seconds West, along the south line of said section, a distance of 395.48 feet to the point of beginning of the tract to be described; thence North 0 degrees 37 minutes 22 seconds West a distance of 33.00 feet to the Southeast corner of a Nobles County Sight Easement as recorded in Document No. 184052; thence North 34 degrees 13 minutes 33 seconds West, along the northeast line of said sight easement, a distance of 104.74 feet to the easterly line of a Nobles County Highway Easement as recorded in Document No. 335990; thence North 22 degrees 10 minutes 02 seconds East, along the easterly line of said highway easement, a distance of 95.56 feet; thence North 25 degrees 01 minutes 46 seconds East, along the easterly line of said highway easement, a distance of 100.13 feet; thence North 22 degrees 10 minutes 02 seconds East, along the easterly line of said highway easement, a distance of 100.00 feet; thence North 27 degrees 52 minutes 40 seconds East, along the easterly line of said highway easement, a distance of 100.50 feet; thence North 25 degrees 01 minutes 46 seconds East, along the easterly line of said highway easement, a distance of 100.13 feet; thence North 22 degrees 10 minutes 02 seconds East, along the easterly line of said highway easement, a distance of 200.00 feet; thence North 16 degrees 27 minutes 24 seconds East, along the easterly line of said highway easement, a distance of 100.50 feet; thence North 38 degrees 51 minutes 59 seconds East, along the easterly line of said highway easement, a distance of 52.20 feet; thence North 22 degrees 10 minutes 02 seconds East, along the easterly line of said highway easement, a distance of 179.11 feet; thence northeasterly, along the easterly line of said highway easement, along a tangential curve, concave to the northwest, having a radius of 1562.40 feet, a central angle of 4 degrees 04 minutes 55 seconds, the chord of said curve bears North 20 degrees 07 minutes 33 seconds East, a chord distance of 111.29 feet, an arc distance of 111.31 feet to the east line of said section; thence North 0 degrees 19 minutes 45 seconds West, along said east line, a distance of 1519.91 feet to the East Quarter corner of said section; thence South 89 degrees 00 minutes 31 seconds West, along the east-west quarter line of said section, a distance of 2637.81 feet to the Center of said section; thence South 0 degrees 18 minutes 39 seconds East, along the north-south quarter line of said section, a distance of 2662.26 feet to the South Quarter corner of said section; thence North 89 degrees 22 minutes 38 seconds East, along the south line of said section, a distance of 2243.05 feet the point of beginning, containing 155.29 acres, subject to easements now of record in said county and state,

EXCEPTING THEREFROM the following described real property:

That part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Beginning at the South Quarter corner of said Section 21; thence on an assumed bearing of North 89 degrees 22 minutes 38 seconds East, along the south line of said section, a distance of 371.88 feet to an iron monument; thence North 4 degrees 30 minutes 00 seconds West a distance of 257.64 feet to an iron monument; thence North 80 degrees 00 minutes 00 seconds West a distance of 167.00 feet to an iron monument; thence North 71 degrees 00 minutes 00 seconds West a distance of 200.00 feet to an iron monument located on the north-south quarter line of said section; thence South 0 degrees 18 minutes 39 seconds East, along said north-south quarter line, a distance of 355.00 feet to the point of beginning, containing 2.48 acres, subject to easements now of record in said county and state.

TOGETHER WITH

A 60 foot wide Easement for drainage & recreational use over that part of the Southwest Quarter of the Southeast Quarter of Section 21, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota. The West and South line of said Easement is described as follows: Commencing at the South Quarter corner of said Section 21; thence on an assumed bearing of North 89 degrees 22 minutes 38 seconds East, along the south line of said section, a distance of 371.88 feet to an iron monument, said iron monument being the point of beginning of the West and South line to be described; thence North 4 degrees 30 minutes 00 seconds West a distance of 257.64 feet to an iron monument; thence North 80 degrees 00 minutes 00 seconds West a distance of 167.00 feet to an iron monument; thence North 71 degrees 00 minutes 00 seconds West a distance of 200.00 feet to an iron monument located on the north-south quarter line of said section and said West and South line there terminating. The north line of said easement is intended to close on the north-south quarter line of said section and the east line of said easement is intended to close on the south line of said section.

Mr. Cromie, explained the Planning Commission considered the application at its August 4, 2020 meeting. While holding a public hearing, the Commission voted unanimously to table the request and keep the public hearing open so that a traffic study could be completed for the school. The commission continued the hearing and considered the request at their September 1, 2020 meeting. At that meeting, the commission voted 5-1 to recommend approval of the requested conditional use permit subject to the following conditions:

1. The site plan be in accordance with Exhibit 1B including the option for an additional south parking lot, except the southerly drive entrance be located as indicated in

- Exhibit I C;
2. Dumpster location(s) shall be enclosed on three sides by opaque screening at least six feet in height;
 3. Accessory buildings shall not exceed a cumulative of 1,400 square feet without an amendment to the conditional use permit; and
 4. The site and owner follow all applicable locate, state and federal regulations.

Council Member Oberloh suggested that possible partnerships be sought between the School District, E.O. Olson, Heron Lake Watershed when planning the retention pond as water flows into the lake from that area of town. John Landgaard, District 518 stated that he has already had conversations with Dan Livdahl and a meeting is being planned for October.

The motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to approve the Conditional Use Permit for the Intermediate School (ISD 518).

COUNCIL COMMITTEE REPORTS

Mayor Kuhle - No report.
Council Member Jansen - No report.
Council Member Oberloh - No report.
Council Member Cummings - No report.
Council Member Ernst - No report.
Council Member Harmon - No report.

CITY ADMINISTRATOR'S REPORT

Steve Robinson, City Administrator, stated that the three round-a-bouts that the State of MN have planned have been postponed until next year.

The Aquatic Center survey is online for public input and is open until September 30th. Jason Brisson, Assistant City Administrator/Director of Economic Development stated that over 300 people have answered the survey to date.

Mr. Robinson said that, to date 165 CARES Act applications have been turned in. After all of the applications have been reviewed there is a chance that a second round may be done. Application deadline is September 15th.

Todd Wietzema stated that the Early Riser Kiwanis Club has applied for a \$25,000 grant for the All Inclusive Park. The information to vote for Worthington is on the City web-site and social media sites.

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Mr. Brisson stated that the Census is winding down and the State as a whole has had a 93% completion rate. He is trying to get local results but to date has not been able to get the information. The deadline is September 30th.

ADJOURNMENT

The motion was made by Council Member Oberloh, seconded by Council Member Ernst and unanimously carried to adjourn the meeting at 8:06 p.m.

Mindy L. Eggers, MCMC
City Clerk