

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, DECEMBER 28, 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, Alan Oberloh, Amy Ernst and Mike Harmon, Larry Janssen (excused absence).

Staff present: Jason Brisson, Assistant City Administrator/Director of Economic Development; Troy Appel, Public Safety Director; Steve Robinson, City Administrator; Debra Olsen, Staff Accountant; Mindy Eggers, City Clerk.

Others present: Ryan McGaughey, The Globe; Chris Kielblock, Cheniqua Johnson, Honorary Council Member (7:02 p.m.).

The Pledge of Allegiance was recited.

**HONORARY COUNCIL MEMBER**

Mayor Kuhle welcomed Cheniqua Johnson as the Honorary Council Member for the months of October, November, December 2020 and presented her with a certificate. Cheniqua Johnson thanked Council for allowing her to serve and enjoyed learning about the role of the Council.

**AGENDA APPROVED WITH ADDITIONS/CHANGES**

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

**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 December 14, 2020
- Heron Lake Watershed Board Minutes of October 19, 2020
- Housing & Redevelopment Authority Meeting Minutes of May 27, 2020
- Housing & Redevelopment Authority Meeting Minutes of June 24, 2020
- Housing & Redevelopment Authority Meeting Minutes of July 29, 2020
- Housing & Redevelopment Authority Meeting Minutes of August 27, 2020
- Housing & Redevelopment Authority Meeting Minutes of September 30, 2020
- Housing & Redevelopment Authority Meeting Minutes of October 28, 2020
- 2021 Industrial Wastewater Treatment Fund Budget
- Municipal Liquor Store Income Statement for the Period of January 1, 2020 through November 30, 2020
- Bills payable and totaling \$2,997,562.26 be ordered paid

**RESOLUTION NO. 2020-12- 120 ADOPTED ALLOCATING CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT FUNDS (KNOWN AS THE CARES ACT FUNDS) TO LOCAL GOVERNMENT ACTIVITIES**

Steve Robinson, City Administrator, stated the final allocations of the Coronavirus Aid, Relief and Economic Security Act Funds (CARES Act Funds) are done. He noted the \$22,500.00 that was returned to Nobles County was for the non-profit businesses in Worthington. The funds had to be distributed from the County.

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

RESOLUTION NO. 2020-12-120

A Resolution Allocating Coronavirus Aid, Relief and Economic Security Act Funds (Known as the Cares Act Funds) to Local Government Activities

(Refer to Resolution File for complete copy of Resolution)

**LEGISLATIVE HEARING OFFICER APPROVED**

Mr. Robinson said Assistant City Attorney, Jeff Flynn, recommended to appoint Travis Smith as Worthington's Legislative Hearing Officer. Mr. Smith is the Murray County Attorney and has agreed to the appointment. The duties of the Officer include hearing and deciding appeals from notice of violations issued by enforcement officers. The Legislative Hearing Officer also has the authority to conduct hearings on such other matters as the City Council may from time to time direct.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to approve Travis Smith as the new Legislative Hearing Officer.

**RESOLUTION NO. 2020-12-121 ADOPTED APPROVING THE PROPOSED TRANSFER OF THE CABLE FRANCHISE CURRENTLY HELD BY CLARITY TELECOM, LLC**

Mr. Robinson stated Clarity Telecom, LLC, doing business as (DBA) Vast Broadband has requested the City consider approval of a transfer of ownership to GI DI Rushmore TopCo, LLC. He said pursuant to the City's local franchise agreement, state and federal law the cable franchise is non-transferable without the consent of Council. The ordinance also requires that the consent will not be unreasonably denied or delayed.

Mr. Robinson said staff worked with attorney Brian T. Grogan, with Moss & Barnett, who has been the City's legal counsel for matters concerning our local franchise agreement. The report satisfies

the requirements under the City's ordinance. Moss & Barnett recommends that the City maintain any performance bonds or corporate parent guaranty required under any City Franchise Agreement.

Council Member Oberloh stated in the past that each cable provider would need to come to Council with rate changes, etc for their franchise agreement. Council Member Ernst stated that there has not been any rate changes or franchise agreements presented to Cable 3 either. Mr. Robinson stated staff would have to review the agreements.

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

RESOLUTION NO. 2020-12-121

A RESOLUTION APPROVING THE PROPOSED TRANSFER OF THE CABLE FRANCHISE CURRENTLY HELD BY CLARITY TELECOM, LLC

(Refer to Resolution File for complete copy of Resolution)

**RESOLUTION NO. 2020-12-122 ADOPTED ACCEPTING A DONATION OF FUNDS**

Troy Appel, Public Safety Director, stated Tricia and Joel Mikle generously donated \$1,000 to the Worthington Police Department and encouraged the department to use the funds to enhance officer safety. Mr. Appel said the police department plans to use the funds in the purchase of a patrol shield which will be stored in a primary patrol squad. The shield will be available to officers during high risk incidents with limited cover and will aid in keeping the public and officers safe.

Cheniqua Johnson asked if this equipment would be used for use of force. Mr. Appel stated the equipment is for the protection of officers in certain situations.

Council Member Oberloh asked the life expectancy for the piece of equipment. Mr. Appel said life expectancy of this equipment is ten plus years.

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

RESOLUTION NO. 2020-12-122

A RESOLUTION ACCEPTING A DONATION OF FUNDS

(Refer to Resolution File for complete copy of Resolution)

### **COUNCIL COMMITTEE REPORTS**

Mayor Kuhle - Thanked staff and Council for their hard work and a great year. Thanked Council Member Oberloh for his years of service on the City Council.

Council Member Janssen - No report.

Council Member Oberloh - Said it was his last meeting and wanted to thank staff, Council and the community as he served on Council for the last four years. He said the project at the former Campbell soup site is a highlight for him with the new Fire Hall being built and in the next 1 to 2 years the entire area will be redeveloped. The Memorial Auditorium, The Event Center, and the park projects are all highlights as well. Encouraged people to become involved in local government.

Council Member Cummings - Thanked Alan for his years of service and common sense approach to politics.

Council Member Ernst - Thanked Alan for his service to the community.

Council Member Harmon - Thanked Alan for all of his years of service.

### **CITY ADMINISTRATOR'S REPORT**

Mr. Robinson thanked Council Member Oberloh for his years of service. He highlighted all of the committees that Mr. Oberloh was involved with and the role of citizen government and the importance of the local elected officials in the smaller communities. There are many meetings that need to be attended and it takes a lot of time and dedication.

Mayor Kuhle presented Council Member Oberloh with a plaque recognizing his years of service on the City Council.

### **ADJOURNMENT**

The motion was made by Council Member Oberloh, seconded by Council Member Ernst and unanimously carried to adjourn the meeting at 7:25 p.m.

Mindy L. Eggers, MCMC  
City Clerk