

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, MARCH 22, 2021**

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, Chris Kielblock, Amy Ernst and Larry Janssen.

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

Others present: Ryan McGaughey, The Globe; Alaina Kolpin, Honorary Council Member.

The Pledge of Allegiance was recited.

INTRODUCTIONS AND OPENING REMARKS

Mayor Kuhle welcomed Alaina Kolpin as the Honorary Council Member for the months of February, March and April.

AGENDA APPROVED WITH ADDITIONS/CHANGES

A motion was made by Council Member Ernst, seconded by Council Member Kielblock and unanimously carried to approve the agenda with changes and additions.

CONSENT AGENDA APPROVED

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

- City Council Minutes of Regular Meeting of March 8, 2021
- Cross Cultural Advisory Committee Minutes of February 16, 2021
- Cross Cultural Advisory Committee Minutes of March 16, 2021
- Exemption from Gambling Permit - Pheasants Forever Nobles County Chapter 14
- Exemption from Gambling Permit - Pheasants Forever Nobles County Chapter 14
- Exemption from Gambling Permit - Worthington Area YMCA
- Exemption from Gambling Permit - Worthington Hockey Association
- Application to Conduct Off-Site Gambling - Worthington Hockey Association
- Committee Assignments
- Girls Softball Association Agreement
- Bills payable and totaling \$751,668.06 be ordered paid

ELECTION OF MAYOR PRO TEM

Council Member Harmon passed away on March 4, 2021 and had been previously elected Mayor Pro Tem at our Annual Meeting on January 11, 2021. In accordance with our City Charter, Council shall elect, by ballot, a Mayor Pro Tem to preside over the meetings of the City Council during the absence of the Mayor from the City, or upon the inability of the Mayor, from any cause, to discharge the duties of the office

Following distribution of ballots and voting, the following votes were cast:

Council Member Cummings - 2
Council Member Kielblock - 1
Council Member Ernst - 1

Following vote tabulation by the Clerk, Council declared Council Member Cummings as Mayor Pro Tem for the remaining of 2021.

THIRD READING AND ORDINANCE NO. 1068 ADOPTED TO AMEND WORTHINGTON CITY CODE TITLE XV, CHAPTER 155 FOR A MAXIMUM LOT COVERAGE

Pursuant to published notice, this is the time and date set for the third reading of a proposed ordinance to amend Worthington City Code Title XV, Chapter 155 for a Maximum Lot Coverage.

A complete copy of the ordinance was provided in your February 8, 2021 council agenda.

A motion was made by Council Member Ernst, seconded by Council Member Cummings and unanimously carried to approve the third reading and subsequently adopt the proposed ordinance:

ORDINANCE NO. 1168

AN ORDINANCE TO AMEND WORTHINGTON CITY CODE TITLE XV, CHAPTER 155 FOR A MAXIMUM LOT COVERAGE

(Refer to Ordinance File for complete copy of Ordinance)

RESOLUTION NO. 2021-03-19 DECLARING VACANCY IN THE POSITION OF WARD 2 COUNCIL MEMBER CITY COUNCIL WORTHINGTON

Steve Robinson, City Administrator, said Council Member Mike Harmon passed away on March 4, 2021 resulting in a vacancy for a Ward 2 seat. In accordance with the City's Charter and Minnesota Statute 412.02, Council shall declare a vacancy and fill the position as soon as possible. Since there is less than two years remaining in the vacant term, Council may appoint any qualified person to fill

the remainder of the term expiring on December 31, 2022 by simple majority. In the case of a tie vote in the Council, the Mayor shall make the appointment in writing and file it with the City Clerk.

Mr. Robinson explained to be eligible for consideration of this appointment, a candidate must be eligible to vote in Minnesota, be at least 21 years of age, and be a resident of Ward 2 for the past 30 days.

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

RESOLUTION NO. 2020-03-19

A RESOLUTION DECLARING VACANCY IN THE POSITION OF WARD COUNCIL MEMBER CITY COUNCIL WORTHINGTON

(Refer to Resolution File for complete copy of Resolution)

APPROVED PLANS AND SPECIFICATIONS FOR CECILEE STREET EXTENSION

Mr. Robinson said Bolton and Menk has completed the plans and specifications for the extension of Cecilee Street approximately 650-feet from its current termination to Grand Avenue. Mr. Robinson said the work includes curb and gutter, storm sewer, bituminous pavement base bid with a concrete alternate, an alternate to replace the existing watermain, installation of water services, installation of sanitary sewer services at the existing sanitary main and boulevard sidewalks on both sides of Cecilee.

The project will add seventeen single-family lots, a future street extension into the undeveloped former Northland Mall site and a future sidewalk north to the movie theater site.

He said the estimated project cost of the base bid is \$669,000.00. The estimated total project cost including both alternates is \$767,000.00. Funding will be provided by Hospital proceeds.

A motion was made by Council Member Janssen, seconded by Council Member Ernst and unanimously carried to approve the plans and specifications for the project and authorize advertisement for bids to be received on April 21, 2021 and considered for award at the April 26, 2021 Council meeting.

SEPARATION RELEASE AGREEMENT BETWEEN CITY OF WORTHINGTON AND RODNEY ODELL APPROVED

Mr. Robinson stated a Separation Release Agreement between the City of Worthington and Rodney

Odell was received by Council under Separate Cover.

A motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to approve the Separation and Release Agreement between the City of Worthington and Rodney Odell.

**APPROVED AMENDMENT TO SUBORDINATION AND STANDSTILL AGREEMENT,
THE VILLAS AT WORTHINGTON**

Mr. Robinson explained the City of Worthington and the Villas at Worthington, LLC (Blue Jay Villas) entered into a loan agreement in November 2017 for a 27-unit student housing building on the Minnesota West campus. The City's loan was \$900,000.00 for 25 years at a floating rate per annum equal to the Prime Rate. The City's loan is subordinated to the primary lender.

Mr. Robinson said The Villas are refinancing and are requesting an amendment to subordination and standstill agreement with the City.

Council Member Cummings asked if the sunset date remained the same, Mr. Robinson stated that it would.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the amendment to the subordination and standstill agreement.

CHANGE ORDERS NO. 1 AND NO. 2 FIELD HOUSE PIPE LINING PROJECT

Mr. Robinson explained Change Order No. 1 includes eliminating the lining of 160 linear feet of 12-inch diameter pipe and a four-manhole. This change order is a net deduct of \$25,410.00. City staff replaced this section of pipe with new 12-inch diameter PVC.

He said Change Order No. 2 includes eliminating the lining of 265 linear feet of 15-inch diameter pipe and rehabbing four manholes. It was determined that this section of storm pipe was no longer active and could be eliminated. This change order is a net deduct of \$40,475.00.

The total deduction for both change orders is \$65,885.00. The original unit price contract was \$624,988.00. The revised unit price contract is \$559,103.00.

A motion was made by Council Member Cummings, seconded by Council Member Kielblock and unanimously carried to approve the Field House Pipe Lining Project Change Orders No. 1 and No. 2.

RESOLUTION NO. 2021-03-20 ADOPTED AUTHORIZING EXECUTION OF SPEED AND

AGGRESSIVE DRIVING GRANT

Troy Appel, Public Safety Director, said The Minnesota Department of Public Safety, Office of Traffic Safety, has initiated a grant program regarding speed and aggressive driving from Feb. 1 - Sept. 30, 2021. Mr. Appel explained the grant will pay for officers' overtime during the operational waves to combat the increased speeds and rising number of speed-related traffic fatalities on Minnesota's roads. The City of Worthington is partnered with the counties of Jackson, Cottonwood, Nobles and Rock and the City of Mountain Lake.

Mayor Kuhle asked if this was a new program, Mr. Appel said it is a program being implemented due to the pandemic as traffic fatalities are up. There will be additional officers on to help with the implementation of the aggressive driving campaign.

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

RESOLUTION NO. 2021-03-20

A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2021-03-21 ADOPTED ACCEPTING PARK BENCH DONATION

Todd Wietzema, Public Works Director, stated the Park and Recreation Advisory Committee received a request from Elena Harmon to donate a park bench in memory of her husband Mike Harmon. The request is as follows:

- Elena Harmon, to place a bench along the trail by the 10th Ave. bridge, in memory of Mike Harmon.

Mr. Wietzema said the donation meets all the requirements as set forth in the Park Donation policy.

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

RESOLUTION NO. 2020-03-21

A RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY

(Refer to Resolution File for complete copy of Resolution)

AUTHORIZED EXECUTION OF AIRPORT/INDUSTRIAL PARK FARM LAND LEASE

Mr. Wietzema said the current rental lease for the 353 acres of agricultural land at the Worthington Municipal Airport and Highway 59 Industrial Park property expired on February 28, 2021.

Area renters were contacted and proposals were advertised in the local newspaper. Sealed proposals were opened at 11am on March 15th, four proposals were submitted and Mr. Tom Martin had the highest bid in the amount of \$98,009.00 per/year. The 2-year lease would commence on April 10, 2021 and end on February 28, 2023.

A motion was made by Council Member Janssen, seconded by Council Member Kielblock and unanimously carried to award the 2-year Airport/Industrial Park Farmland lease to Mr. Tom Martin.

APPROVED 2021 PRIVATE DOCKS ON PUBLIC PROPERTY

Mr. Wietzema said in accordance with the city policy that was adopted in 2013 regarding the issuance of permits for private docks to be located on public property, the City Council shall annually set the number of private docks allowed on public property. In 2020 council allowed all submitted permits on the condition that they met the dock policy.

Mr. Wietzema said last year the City issued 10 permits for docks on public property in the amount of \$175.00 each. Owners who currently have a valid dock permit will have first option for the 2021 renewal.

The 2020 dock permit holders were:

- 200 Lake Street, Dave Holinka
- 214 Lake Street, Bruce Pass
- 516 Lake Street, Cecilia Burchill
- 512 Lake Street, Scott Kraft
- 117 Lake Avenue, Tim Crooks
- 625 Lake Avenue, Herman Kremer
- 721 Lake Avenue, Steve Prins
- 916 West Lake Avenue, Clarence Kremer
- 1977 South Shore Drive, Bradly Shwartz
- 713 May Street, Brian Standafer

Council Member Cummings suggested that staff send a letter to the current permit holders that clarifies the current City policy.

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

unanimously carried to set the dock permit fee at \$175.00 for 2021 and allow all permits on the condition they meet the parameters of the dock policy.

APPROVED RECOMMENDATION ON THE BIDS RECEIVED FOR THE CHAUTAUQUA PARK RESTROOM PROJECT

Mr. Wietzema said on March 17, 2021 sealed bids were opened for the Chautauqua Park project. The project includes, new public restrooms, a realigned park road and new sidewalks. The cost estimated for the project was \$513,150.55. The city received five bids and they are as follows:

Bidder	Bid Amount
Clair Van Grouw Construction	\$380,000.00
Tri-State General Contracting	\$388,116.00
D K Buildings, LLC	\$391,800.00
Wilcon Construction Services	\$407,400.00
Duininck Inc.	\$584,788.30

After reviewing the bids, Clair Van Grouw Construction, had the lowest bid in the amount of \$380,000.00. This contracted amount is \$133,150.55 or 25.9% under the engineer's estimate.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to award the bid for the Chautauqua Park Restroom Project to Clair Van Grouw Construction in the amount of \$38,000.00.

COUNCIL COMMITTEE REPORTS

Mayor Kuhle - Council subcommittee met on moving forward with filling the Council Member Ward 2 vacancy.

Council Member Janssen - Public Arts Commission met, there are a lot of inquires about the bridge at Chautauqua Park and the history behind it. Mr. Robinson said staff is looking into signing that would explain what it is and the history.

Council Member Ernst - The Cross Cultural Advisory Committee met and are determining the purpose and direction they would like to go. They would like to eventually hold a public gathering. Attended the Water & Light Commission meeting, Worthington is 100% Carbon Free and environmentally friendly.

Council Member Kielblock - Attended a Park Board meeting, looking for an adult soccer league organizer.

Council Member Cummings - No report.

CITY ADMINISTRATOR'S REPORT

Steve Robinson, City Administrator, stated a vaccination clinic was held last Thursday and Friday at the Memorial Auditorium and 430 people received the shot. Sanford Clinic held a vaccination clinic at JBS on Friday and 1,550 people received the shot. This weekend there will be a vaccination clinic at the Event Center from 11:00 a.m. to 7:00 p.m., 1000 shots will be available.

ADJOURNMENT

The motion was made by Council Member Janssen, seconded by Council Member Cummings and unanimously carried to adjourn the meeting at 7:31 p.m.

Mindy L. Eggers, MCMC
City Clerk