

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, FEBRUARY 10, 2014**

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Alan E. Oberloh with the following Council Members present: Mike Kuhle, Rod Sankey, Ron Wood, Scott Nelson. Honorary Council Member: Andy Johnson. Council Members absent: Diane Graber (excused).

Staff present: Craig Clark, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; Janice Oberloh, City Clerk.

Others present: Aaron Hagen, Daily Globe; Members of Boy Scout Troop 134; Steve Robinson, SEH (7:08 p.m.); Dale Ryen (7:26 p.m.).

The Pledge of Allegiance was recited.

HONORARY COUNCIL MEMBER

Mayor Oberloh welcomed Andy Johnson as the Honorary Council Member for the months of January, February and March, 2014.

AGENDA CLOSED/APPROVED

The motion was made by Council Member Wood, seconded by Council Member Nelson and unanimously carried to close/approve the agenda as presented.

CONSENT AGENDA APPROVED

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to approve the consent agenda as follows:

- City Council Minutes of Regular Meeting January 27, 2014
- Minutes of Boards and Commissions - Water and Light Commission Minutes of February 5, 2014; Worthington Housing and Redevelopment Authority Regular Board Meeting of December 17, 2013; Park and Recreation Advisory Board Minutes of January 31, 2014; Airport Advisory Board Minutes of February 4, 2014; Planning Commission/Board of Appeals Minutes of February 4, 2014; Traffic and Safety Committee Minutes of January 29, 2014
- WREDC Bioscience Conference Request for City Sponsorship Participation in the amount of \$1,500, to come from the carry-forward funds identified for economic development
- A 15 Minute Parking Stall in front of 300 11th Street
- Bills payable and totaling \$574,801.30 be ordered paid

PROPOSAL FOR PROFESSIONAL SERVICES FOR REPLACEMENT OF TENTH AVENUE BRIDGE ACCEPTED

Proposals for necessary professional services were solicited from three firms, SEH, Widseth Smith Nolting (WSN), and Bolton and Menk, for replacement of the Tenth Avenue Bridge over Whiskey Ditch, as included in the Capital Improvement Program. The bridge construction is not planned to occur in 2014, but design and permitting need to begin in 2014 to accommodate construction in 2015, or as soon as funding may be available. Dwayne Haffield, Director of Engineering, noted the existing bridge is anticipated to be replaced by precast box culverts, with a new alignment of the Tenth Avenue/Lake Avenue/Park Avenue intersection.

Of the proposals received, and based on the scope of services to be provided, qualifications and fees, staff was recommending acceptance of the proposal from SEH at a fee of \$26,700 for the design phase, which was \$9,000 less than the fees of the next lowest proposal.

The motion was made by Council Member Wood, seconded by Council Member Nelson and unanimously carried to accept the proposal from SEH for professional services for the replacement of the Tenth Avenue Bridge at a fee of \$26,700, subject to the City Attorney's approval of the contract.

Financing of the design will be from fund 401 with reimbursement from Municipal State Aid Street funding.

SELECTION OF PROFESSIONAL SERVICES FOR PREPARATION OF APPLICATION FOR CONDITIONAL LETTER OF MAP REVISION DELAYED

At their October 14, 2013 meeting, Council was presented with the Flood Mitigation Study for Nobles County Ditch 12 (CD12), which identified improvements to reduce the risks of CD 12 flooding. While Council did not formally approve the plan, they did indicate their acceptance and desire to advance the improvements outlined in the plan. Since then, staff has met with reps from the Minnesota Department of Public Safety Division of Homeland Security and Emergency Management and the Minnesota Department of Natural Resources to discuss possible funding sources and other considerations in advancing the improvements. Dwayne Haffield, Director of Engineering, noted that based on followup exploration with FEMA, staff was informed that no funding was available for the proposed improvements through federal programs administered through those agencies. However, investigation into possible funding options will continue.

Mr. Haffield noted that one of the tangible outcomes of reducing the risks of flooding within the community can be the reduction of the area mapped as being in a high flood hazard zone - which is accomplished by obtaining a letter of Map Revision (LOMR) from FEMA. However, rather than complete the improvements and then request a LOMR from FEMA, it is possible to submit for a Conditional Letter of Map Revision (CLOMR). This allows for FEMA review of the modeling, design and data to determine the mapping revisions that will be made subject to the improvements being constructed as designed, and offers assurance that the desired results in regard to hazard

mapping will be achieved. A request for a LOMR is still required after construction, however, issuance of the LOMR is based on documentation that the improvements were constructed as proposed rather than on evaluation of all aspects of the project.

Staff presented a proposal from Bolten and Menk to provide professional services to request a CLOMR from FEMA. The CLOMR to be requested will allow for phased implementation of improvements and map revisions, for total fees of \$16,900 which includes fixed fees and estimated hourly fees. Staff was recommending approval of the proposal, and approval of a budget amendment to the Storm Water Utility Fund budget to utilize \$25,000 of the \$250,000 budget for land acquisition for CD 12 improvements, for the consulting fees and other costs associated with obtaining the CLOMR. Additional costs include fees to be paid to FEMA, which are expected to be \$4,400 to \$6,050.

Council noted several concerns and requested to delay action on this item for an opportunity to review the Flood Mitigation study one more time prior to moving ahead with this proposal. Mr. Haffield said he will provide the study information to Council electronically and will bring this item back for Council approval at the next regular meeting.

FIRST READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, TO REZONE PROPERTY FROM "M-1" (LIGHT MANUFACTURING) TO "B-3" (GENERAL BUSINESS) AND "M-2" (GENERAL MANUFACTURING)

Staff presented a proposed ordinance that would re-zone the area bounded by Oxford Street, Rowe Avenue, Stower Drive and McMillan Street, and would address the unorganized development that has occurred there over the past 60 years and which doesn't comply with current zoning regulations. The Planning Commission has studied the land use activities in the area and determined that regulatory changes need to be made to encourage reinvestment in the target area. The Commission held a public hearing on the proposed zoning changes at their February 4, 2014 meeting, and after closing the hearing, voted unanimously to recommend Council approval of the requested change of zone.

The proposed ordinance would rezone the M-1 (Light Manufacturing) properties abutting Oxford Street and McMillan Street to B-3 (General Business), and the remaining M-1 properties would be rezoned as M-2 (General Manufacturing). The legal description of the property under consideration for rezoning is as follows:

The following legally described area, presently included in the "M-1" district, shall henceforth be included in the "B-3" district:

Block 1, Prins Addition; Outlot 2 of the Auditor's Plat of Outlots 1-12, Section 14 T102N R40W; the southerly 334.35 feet of Outlot 1 of the Auditor's Plat of Outlots 1-12,

Section 14, T102N, R40W; the southerly 230 feet of the former railroad right-of-way lying north of Oxford Street in the South ½ of the Southwest 1/4 Section 14, T102N, R40W; and the southerly 263.3 feet of that part of the South ½ of the Southwest 1/4 of Section 14, T102N, R40W lying west of the former railroad right-of-way and east of North Frederick Avenue except that part currently zoned B3; all in Nobles County, Minnesota.

The following legally described area, presently included in the "M-1" district, shall henceforth be included in the "M-2" district:

That part of the Southwest 1/4 Section 14, T102N, R40W, Nobles County, Minnesota lying south of Stower Drive, north of Oxford Street, east of Rowe Avenue and west of McMillan Street except those parts currently zoned B3 and except that part proposed to be rezoned to B3 as described above

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to give a first reading to the proposed ordinance.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - the ATP Committee out of Mankato is ranking 12 proposed projects from the communities around us - they will be meeting next Tuesday for selection. Oxford Street is deteriorating from Smith Avenue to Douglas Avenue - out of the City's control - MnDOT may be looking at a temporary patch job in the spring.

Council Member Kuhle - attended a meeting for regional fire protection/mutual aid - big participation. Discussed the cost for fire protection in the different communities - the townships will be looking at increased costs - may present an opportunity for us to leverage our equipment or enlarge our protection area.

Council Member Sankey - attended a Traffic & Safety Committee meeting January 29th and an Airport Advisory Board meeting on February 4th - they replaced a heater in one of the hangars. WPU will be removing two of the marker balls from the power lines - the Airport Board also narrowed the seven applications for professional services down to three.

Council Member Wood - the Water and Light Commission just received IPADs to use for their meetings, they can receive their agendas and minutes on them and take notes.

Council Member Nelson - nothing to report.

CITY ADMINISTRATOR'S REPORT

Craig Clark, City Administrator, reported he had received word back from Mark Shepherd regarding the former pool site - it will be early March before a decision will be made. It looks like February 20th is the date for a discussion with Senator Weber - will discuss Lewis and Clark along with other matters. Staff will be sending out an email to Council looking for a date for a work session.

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ADJOURNMENT

The motion was made by Council Member Nelson, seconded by Council Member Kuhle and unanimously carried to adjourn the meeting at 7:46 P.M.

Janice Oberloh, MCMC
City Clerk