

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, FEBRUARY 25, 2019**

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

Staff present: Jason Brisson, Director of Community Development, Planning, Zoning and Building Services; Dwayne Haffield, Director of Engineering; Troy Appel, Public Safety Director; Sgt. Brett Wiltrout; Janice Oberloh, City Clerk.

Others present: Leah Ward, The Globe; Ben Weber.

The Pledge of Allegiance was recited.

**HONORARY COUNCIL MEMBER**

Mayor Pro Tem Harmon welcomed Orville Janssen as the Honorary Council Member for the months of January, February and March, 2019.

**AGENDA CLOSED / APPROVED**

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

**CONSENT AGENDA APPROVED**

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

- City Council Minutes of Regular Meeting February 11, 2019
- Joint City Council / Nobles County Commission Minutes of Special Meeting February 19, 2019
- Minutes of Boards and Commissions - Water and Light Commission Minutes of February 19, 2019; Worthington Public Arts Commission Minutes of January 17, 2019; Planning Commission Minutes of February 5, 2019
- Application for Exemption from Lawful Gambling Permit - Pheasants Forever, Nobles County Chapter #14
- Temporary On-Sale Liquor License - Avera Medical Group Worthington
- City of Worthington Proposed Fixed Asset Policy
- Bills payable and totaling \$1,760,068.57 be ordered paid

**RESOLUTION NO. 2019-02-08 ADOPTED AUTHORIZING INTERNET CRIMES  
AGAINST CHILDREN TASK FORCE AGREEMENT**

Troy Appel, Public Safety Director, said the Worthington Police Department has been a member of the Minnesota Internet Crimes Against Children (ICAC) Task Force since December of 2008. The Task Force operates under a Joint Powers Agreement administered by the Minnesota Bureau of Criminal Apprehension, and provides expertise and assistance, and has been instrumental in local convictions for crimes related to the possession of child pornography. The current agreement expires soon and the new agreement will be effective through May 31, 2024. The agreement was reviewed and approved by the City Attorney.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to adopt the following resolution authorizing the execution of the Internet Crimes Against Children Task Force Agreement:

RESOLUTION NO. 2019-02-08

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF WORTHINGTON ON BEHALF OF ITS POLICE DEPARTMENT REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

(Refer to Resolution File for complete copy of Resolution)

**FIRST READING PROPOSED ORDINANCE TO REGULATE ALL-TERRAIN VEHICLES ON CITY STREETS**

Troy Appel, Public Safety Director, said staff was looking for Council approval and a first reading of a proposed ordinance that would regulate the use of all-terrain vehicles (ATVs) on public and private property in the City of Worthington. Sgt. Brett Wiltrout, who served on the committee with Council Members Janssen and Oberloh along with Special City Attorney Mark Shepherd, was at the meeting and handed out a draft of a brochure on the proposed regulations. Applications for the permits would be made at the Prairie Justice Center. Permits for Class 1 ATV's would be valid from November 1<sup>st</sup> through March 31<sup>st</sup>, and permits for Class 2 ATVs would be valid from January 1<sup>st</sup> through December 31<sup>st</sup>. Applicants would be given an information packet at the time of application.

The proposed ordinance provides that the City Council may temporarily suspend the permitting requirements and allow persons age sixteen or older to operate ATVs on designated city streets for parades and other city-wide festivals, with the suspension for one or more specified dates and for a fixed number of hours on those dates. Council Member Cummings requested a better definition, if lifting of the suspension only applied to festival organizations. Chief Appel suggested that a statement could be added that the lifting of the suspension applies to festival participants and workers only.

Council Member Cummings also asked for clarification to the definition of "inclement weather" as

referred to in the ordinance. Sgt. Wiltout responded that the State does define inclement weather, and that language could be also be included in our policy.

Following discussion, the motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to give a first reading to the proposed ordinance to include the minor changes as suggested

### **PLANS APPROVED FOR REPLACEMENT OF MANHOLES ON INDUSTRIAL SANITARY SEWER LINE**

Dwayne Haffield, Director of Engineering, said staff was looking for Council approval to replace five manholes on the industrial sanitary sewer main. The 2019 Wastewater Fund Budget includes \$162,992 for the replacement, and Mr. Haffield noted those funds have come primarily from JBS except a small amount from Worthington Rendering. The project is fairly expensive per manhole and will be done on weekends, potentially during the entire construction season. Staff was requesting Council authorization to advertise for bids to be received March 22, 2019 and considered at the March 25, 2019 Council meeting.

The motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the plans for the replacement of manholes on the industrial sanitary sewer line and to authorize staff to advertise for bids to be received on March 22, 2019 for consideration at the March 25<sup>th</sup> Council meeting.

### **COUNCIL COMMITTEE REPORTS**

Mayor Pro Tem Harmon - Water and Light Commission met and selected and approved plans from Van Grouw Construction for renovation of the old Liquor Store building.

Council Member Janssen - nothing to report.

Council Member Oberloh - nothing to report.

Council Member Cummings - nothing to report.

Council Member Ernst - attended a kick-off meeting last Friday for the Housing Development last Friday, with all of the various parties involved - Bolton and Menk presented three main proposals for layouts of the project, basically based on our housing study - there was some difference in what their take was and what we thought it should be. they will take the input received from the Committee and tweak their proposal and bring it back in a couple of weeks- design will include twin homes and villas. We are keeping our options open for Phase II.

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

In the absence of Administrator Steve Robinson, Jason Brisson, Director of Community Development, Planning, Zoning and Building Services reported on the carbon monoxide leak that

occurred at the Thompson Hotel last week. The alarm system that the City made them install recently worked like it should have. The exposure was primarily on the second and third floors, and was minimal. The boiler was shut down, leaving the commercial businesses on the ground floor without heat, but the apartments are supplied with electric heat. Mr. Brisson said the commercial businesses are using space heaters temporarily. In response to a question from Council Member Oberloh, Mr. Brisson said any billings for repairs are going to the receiver - the City is not responsible for them, however, we are continuing to work on the roof at the hotel.

**ADJOURNMENT**

The motion was made by Council Member Janssen, seconded by Council Member Oberloh and unanimously carried to adjourn the meeting at 7:26 p.m.

Janice Oberloh, MCMC  
City Clerk