

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, APRIL 8, 2013**

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, Diane Graber, Rod Sankey, Ron Wood. Also present: Honorary Council Member, Carl Nagel. Council Members absent: Scott Nelson (excused).

Staff present: Craig Clark, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; Janice Oberloh, City Clerk; Police Officers Mark Riley and Joe Joswiak.

Others present: Aaron Hagen, Daily Globe; Jorge Lopez and Lisa Graphenteen, SMHP; Randy Thompson, Worthington HRA; Ryan Weber, United Prairie Bank; Tom Jansa and Marty VanderMoore, Dakota Golf Management.

HONORARY COUNCIL MEMBER

Mayor Oberloh welcomed Carl Nagel as the Honorary Council Member for the months of March, April and May, 2013.

AGENDA APPROVED WITH ADDITION

Staff requested the addition of item *E.2 Adoption of Daily Rate Fees for Prairie View Golf Links* to the agenda.

The motion was made by Council Member Graber, seconded by Council Member Kuhle and unanimously carried to approve the agenda with the requested addition of item E.2.

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 the Regular Meeting March 25, 2013
- Minutes of Boards and Commissions - Water and Light Commission Minutes of April 1, 2013; Convention and Visitors Bureau Board of Directors Minutes of February 20, 2013
- Municipal Liquor Store Income Statement for the Period January 1, 2013 through February 28, 2013
- Bills Payable and totaling \$590,533.31 be ordered paid

RESOLUTION NO. 3519 ADOPTED IN SUPPORT OF PROPOSED LOCAL GOVERNMENT AID (LGA) FORMULA BEFORE THE LEGISLATURE

The Coalition of Greater Minnesota Cities (CGMC) was requesting that Cities adopt a resolution in

support of the proposed formula for LGA as well the over additional funding amount of \$80 million as was proposed by Governor Dayton. With the additional \$80 million, Worthington would receive \$3,109,731 in LGA in 2014.

The motion was made by Council Member Kuhle, seconded by Council Member Graber and unanimously carried to adopt the following resolution in support of the proposed LGA formula:

RESOLUTION NO. 3519

A RESOLUTION IN SUPPORT OF LOCAL GOVERNMENT AID REFORM INCLUDING AN ADDITIONAL APPROPRIATION OF \$80 MILLION FOR LOCAL GOVERNMENT AID AND A NEW, FAIRER DISTRIBUTION FORMULA CONTAINED IN HF 1608 AND SF 1491

(Refer to Resolution File for complete copy of Resolution)

2014 DAILY RATE FEES FOR PRAIRIE VIEW GOLF LINKS APPROVED

Tom Jansa and Marty VanDeMore were present at the meeting and presented the proposed 2013 Daily Rate Fees for Prairie View Golf Links. In addition to the regular fees, Mr. Jansa has proposed a “peak season” fee while keeping early and late fees for the daily rates the same as last year as follows:

	<u>2012</u>	<u>2013</u>	<u>Before 1-1-13</u>	<u>Before 4-1-13</u>
Card Fee	\$ 65.00	\$ 75.00	\$ 65.00	\$ 70.00

			<u>Regular Rate</u>
9 Holes	\$ 8.50	\$ 9.00	\$ 16.00-17.00
18 Holes	\$ 12.00	\$ 12.50	\$ 24.00-26.00
2 nd 9	\$ 3.50	\$ 3.50	\$ 8.00-9.00
Weekend 9	\$ 9.50	\$ 10.00	\$ 18.00-19.00
Weekend 18	\$ 13.00	\$ 13.50	\$ 26.00-28.00
½ Cart - 9 Holes	\$ 7.50	\$ 8.00	\$ 11.00
½ Cart - 18 Holes	\$ 10.75	\$ 11.25	\$ 16.25
Range - Warm up	\$ 2.25	\$ 2.25	\$ 4.00
Range - Regular	\$ 3.25	\$ 3.50	\$ 7.00

Daily Green Fees

	<u>2012</u>	<u>2013 (Peak)*</u>	<u>w/Prairie Card (\$65-75 cost)</u>
9 Holes	\$ 16.00	\$ 17.00	\$ 9.00
18 Holes	\$ 24.00	\$ 26.00	\$ 12.50
2 nd 9	\$ 8.00	\$ 9.00	\$ 3.50
Weekend 9	\$ 18.00	\$ 19.00	\$ 10.00

Weekend 18	\$ 26.00	\$ 28.00	\$ 13.50
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*Peak season rates - Memorial Day weekend thru Labor Day Weekend
2012 rates remain as Spring/Fall rates

Golf Carts

	<u>2012</u>	<u>2013</u>	<u>w/Prairie Card (\$65-75 cost)</u>
9 Holes	\$ 10.75	\$ 11.00	\$ 8.00
18 Holes	\$ 16.00	\$ 16.25	\$ 11.25

Driving Range

	<u>2012</u>	<u>2013</u>	<u>w/Prairie Card (\$65-75 cost)</u>
Warm up	\$ 3.75	\$ 4.00	\$ 2.25
Regular	\$ 5.50	\$ 7.00	\$ 3.50

	<u>2012</u>	<u>2013</u>	<u>Before 1-1-13</u>	<u>Before 4-1-13</u>
Range Pass	\$ 65.00	\$ 65.00	\$ 55.00	\$ 60.00
Warm up w/Rng Pass	N/C	N/C		
Reg. w/Range Pass	\$ 1.00	\$ 1.00		

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to adopt the 2013 Daily Rate Fees for Prairie View Golf Links.

**RESOLUTION ADOPTED AUTHORIZING MASTER PARTNERSHIP CONTRACT BETWEEN
STATE OF MINNESOTA AND CITY OF WORTHINGTON**

Staff presented a Master Partnership Contract from the Minnesota Department of Transportation, which provides for certain professional services to the City including bridge inspection and design, certain types of surveying and other land management support, roadway maintenance, and materials testing, and also allows the City to provide services to MnDOT. The agreement will expire on June 30, 2017, and replaces the current agreement approved in 2007. Dwayne Haffield, Director of Engineering, noted the agreement is generally the same as the 2007 agreement: the first change is allowing technical services to be performed without a work order. Also new are added provisions to address the need for emergency services. The City Attorney has reviewed Sections 9 through 24 of the Master Partnership Contract.

The motion was made by Council Member Wood, seconded by Council Member Graber and unanimously carried to adopt the following resolution authorizing the Master Partnership Contract:

RESOLUTION

CITY OF WORTHINGTON RESOLUTION TO ENTER INTO A MASTER PARTNERSHIP AGREEMENT WITH MNDOT

Whereas, The Minnesota Department of Transportation wishes to cooperate closely with local units of government to coordinate the delivery of transportation services and maximize the efficient delivery of such services at all levels of government; and

Whereas, MnDOT and local governments are authorized by Minnesota Statutes sections 471.59, 174.02, and 161.20, to undertake collaborative efforts for the design, construction, maintenance and operation of state and local roads; and

Whereas: the parties wish to able to respond quickly and efficiently to such opportunities for collaboration, and have determined that having the ability to write "work orders" against a master contract would provide the greatest speed and flexibility in responding to identified needs.

Therefore, be it resolved:

1. That the City of Worthington enter into a Master Partnership Contract with the Minnesota Department of Transportation, a copy of which was before the City Council.
2. That the proper City officers are authorized to execute such contract, and any amendments thereto.
3. That the Worthington City Engineer is authorized to negotiate work order contracts pursuant to the Master Contract, which work order contracts may provide for payment to or from MnDOT, and that the Worthington City Engineer may execute such work order contracts on behalf of The City of Worthington without further approval by this City Council.

Adopted by the City Council of the City of Worthington, Minnesota, this the 8th day of April, 2013.

RESOLUTION ADOPTED IN SUPPORT OF LEGISLATION AUTHORIZING THE ESTABLISHMENT OF MUNICIPAL STREET IMPROVEMENT DISTRICTS

The League of Minnesota Cities and the Cities Engineers Association of Minnesota were seeking support for a bill that is advancing through the legislative process that will allow cities to collect fees from property owners within a district to fund municipal street maintenance, construction, reconstruction, and facility upgrades. The legislation is enabling and does not require a city to create a municipal street improvement district.

The motion was made by Council Member Wood, seconded the Council Member Graber and unanimously carried to adopt the following resolution supporting the legislation:

RESOLUTION

A RESOLUTION SUPPORTING LEGISLATION AUTHORIZING THE ESTABLISHMENT OF MUNICIPAL STREET IMPROVEMENT DISTRICTS

WHEREAS, Minnesota contains over 135,000 miles of roadway, and over 19,000 miles--or 14 percent--are owned and maintained by Minnesota's 853 cities; and

WHEREAS, 84 percent of municipal streets are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, the more than 700 Minnesota cities with populations below 5,000 are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, city streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA), property taxes and special assessments, have limited applications, leaving cities under-equipped to address growing needs; and

WHEREAS, maintenance costs increase as road systems age, and no city--large or small--is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, for every one dollar spent on maintenance, a road authority saves seven dollars in repairs; and

WHEREAS, the Council of the City of Worthington finds it is increasingly more difficult to develop adequate funding systems to support the City's needed street improvement and maintenance programs while complying with existing State statutes; and

WHEREAS, cities need flexible policies and greater resources in order to meet growing demands for municipal street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WORTHINGTON supports enabling legislation that would authorize cities to establish street improvement districts to fund municipal street maintenance, construction and reconstruction.

ADOPTED by the Worthington City Council this 8th day of April, 2013.

WORTHINGTON HOUSING AND REDEVELOPMENT AUTHORITY (HRA) REQUEST FOR FINANCIAL ASSISTANCE APPROVED - RISING SUN ESTATES

The Worthington HRA and the Southwest Minnesota Housing Partnership (SMHP) have been working on the development of a market rate rental housing project that will be known as Rising Sun Estates, a 36 unit townhouse development. Estimated cost of the project is \$3.768 million. To secure private sector financing for the project, the HRA must bring \$1.068 million into the project. The HRA has secured donations from various parties and is injecting \$383,000 from its non-HUD reserves. The organization was requesting a loan from the City for \$600,000 to cover the remaining "gap", for a 30-year term at 4.5%, with adjustment

windows every 10 years for no more than 1.5%. Lisa Graphenteen, SMHP, and Randy Thompson, Worthing HRA, were present at the meeting to discuss the request with Council. The project would consist of six 6-unit townhouse buildings of 2 and 3 bedroom units that would rent for \$830/\$925 respectively per month. The site for the project is currently owned by the Partnership but will be sold to the HRA.

Council discussed the request, noting the interest rate was more favorable than what the funds are earning now, and expressed interest in potentially investing more than the requested amount. Brad Chapulis, Director of Community/Economic Development, noted that only 49% could be publicly financed without throwing up the competitive bid flag.

Following further discussion, the motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to approve the HRA loan request for a minimum of \$600,000 up to \$800,000 of the Hospital legacy funds, at the terms stated, for the Rising Sun Estates project.

CHANGE ORDER #5 APPROVED - CENTER FOR ACTIVE LIVING

Staff presented a change order for the Center for Active Living which consisted of seven items, four of which were staff requests for necessary improvements, two were credits to the project and the final item was for the installation of the tectum panels. The net cost of the change order is an increase of \$5,444.00, bringing the contract value to \$829,197.50.

The motion was made by Council Member Graber, seconded by Council Member Kuhle and unanimously carried to approve Change Order #5 for the Center for Active Living.

CHANGE ORDERS APPROVED - WORTHINGTON EVENT CENTER

Staff presented change orders for various contracts regarding the Worthington Event Center for changes made on-site to address code compliance, design deficiencies, or improve the finished product. The total cost of the change orders is \$26,313, which will come out of the project contingency fund, currently at \$56,986.

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to approve the change orders for the Worthington Event Center at a total cost of \$26,986.

FIRST READING PROPOSED ORDINANCE AMENDING TITLE XV, SECTION 155.043 (C)(1) OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - WALLS AND FENCES

At their March 8, 2013 Special Meeting, Council discussed a proposed text change amendment to Title XV, Section 155.043 of the City Code, pertaining to walls and fences, that would allow sheet metal as an approved fencing material. Following discussion at that meeting, Mr. Chapulis said that sheet metal could be omitted from the ordinance as an approved fencing material, but that the ordinance could state approval of anything other than approved fencing would need to be granted through the conditional use permit process, which requires final approval by Council.

Staff was now presenting the proposed ordinance that would amend Title XV, Section 155.043 (C)(1) of the

Worthington City Code, as follows:

That Worthington City Code, Title XV, Section 155.043 (C)(1) shall be amended to read as follows:

(1) All walls and fences hereafter erected shall be durable, weather resistant, rust proof and easily maintained. Masonry walls shall be erected on foundations which are a minimum of 42 inches below grade. All fences shall be constructed of stone, brick, wood, wrought iron, PVC, vinyl, aluminum, sheet metal (commercial and industrial zoned properties only), plastic lumber or chain link materials ~~designed/manufactured as permanent fencing~~. Snow fencing and chicken wiring is prohibited. Any material not specified in this section may be permissible through the issuance of a conditional use permit.

All walls and fences shall be kept in good condition, plumb and true without damage.

Following discussion, the motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to give a first reading to the proposed ordinance, with the portion sheet metal (commercial and industrial zoned properties only) being struck from the approved materials.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - Nothing to report but reminded Council of the upcoming BioScience Conference on the 18th and 19th of April and the Special Meeting on Thursday morning.

Council Member Kuhle - Nothing to report.

Council Member Graber - Attended a Memorial Auditorium Advisory Board meeting April 2nd - the seating replacement/repair needs will be moved into the budget process. Issues with the heating and cooling system may be able to be handled by the Public Works Department. There is still serious concern with the ceiling and the rigging issues. She and Brad visited with the Kiwanis group regarding the Event Center.

Council Member Sankey - Nothing to report.

Council Member Wood - Nothing to report.

CITY ADMINISTRATOR'S REPORT

Craig Clark, City Administrator, reported that he had testified before the Legislature with Glenn Thuringer for the reallocation of the dollars for the BioScience Build Out inclusion.

ADJOURNMENT

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to adjourn the meeting at 7:56 p.m.