

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, APRIL 22, 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, Scott Nelson. Honorary Council Member: Carl Nagel. Council Members absent: Ron Wood (excused).

Staff present: Craig Clark, City Administrator; Brad Chapulis, Director of Community and Economic Development; Jim Eulberg, Public Works Director; Janice Oberloh, City Clerk.

Others present: Aaron Hagen, Daily Globe; Ken Moser; Andy Johnson; Mike Woll; C.J. Nelson.

The Pledge of Allegiance was recited.

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

AGENDA APPROVED WITH CHANGES

Staff requested that item 4.a.2 *Application for Temporary On-Sale Liquor License* be pulled from the agenda, as the applicant did not intend to sell liquor at their event, and that item G.1. *Consider Award for Debris Management Site* be pulled from the agenda and moved to the continued meeting on April 24, 2014 to allow for the meeting with FEMA representatives on April 23rd..

The motion was made by Council Member Nelson, seconded by Council Member Kuhle and unanimously carried to approve the agenda with the requested changes.

CONSENT AGENDA APPROVED

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

- City Council Minutes of Regular Meeting April 8, 2013 and Emergency Meeting April 10, 2013
- Minutes of Boards and Commissions - Water and Light Commission Minutes of April 15, 2013; Worthington Economic Development Authority Minutes of April 8, 2013
- Municipal Liquor Store Income Statement for the Period January 1, 2013 through March 31, 2013; General Fund Statement of Revenues and Expenditures for the Period January 1, 2013 through March 31, 2013
- Application for Temporary On-Sale Beer License for the Worthington Okabena Windsurfers for 2013 Regatta on Sailboard Beach on Friday, June 7th from 3:00 p.m. to 11:59 p.m., and on Saturday, June 8th from 12:00 Noon to 11:59 p.m.
- Application from the Nobles County Fair Association for the Nobles County Fairgrounds for an On-Sale Beer License for the license period May 1, 2013 through December 31, 2013

- Application from the Worthington Okabena Windsurfers to Block Streets for the 2013 Regatta from 8:00 a.m. Thursday, June 6th to 12:00 Noon on Monday, June 10th for the following streets:
 - Lake Street from 2nd Avenue to 7th Avenue
 - 3rd Avenue from 8th Street to Lake Street
 - 4th, 5th, and 6th Avenues to the alleys
 - (*Lake Street from 4th Avenue to 7th Avenue will be opened at 5:00 p.m.)
- Bills payable and totaling \$1,028,397.81 be ordered paid

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

Pursuant to published notice this was the time and date set for the second reading of a proposed ordinance for a text amendment to Title XV, Section 155.043 (C)(1) of the Worthington City Code - Walls and Fences 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, plastic lumber or chain link materials. 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.

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

FIRST READING PROPOSED ORDINANCE PROVIDING CRIMINAL HISTORY BACKGROUND CHECKS FOR APPLICANTS FOR CITY EMPLOYMENT

Craig Clark, City Administrator, stated that due to new requirements for using the Bureau of Criminal Apprehension's MN Justice Information System, effective January 1, 2015, a City or County using a resolution as the basis for the local background check, or whose ordinance does not meet the minimum requirements established will receive a sanction as part of the audit process. This would include the requirement to stop running local checks until an acceptable ordinance is in place.

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

Staff said an additional ordinance will be presented at a later date that will address the same issue

for background checks required for City licensing.

EMERGENCY STORM RESERVE POLICY TO BE RE-EVALUATED

Council considered an amendment to the current Emergency Storm Reserve Policy, which is currently funded by a \$1 surcharge on monthly residential utility bills to cover costs associated with emergency disasters in the city, and has a cap of \$200,000. The revised policy would raise the cap to \$500,000 and increase the monthly surcharge to \$2 per month. Staff was also requesting to add a certain dollar amount or percentage of the current annual tree trimming costs as a reduction to the reserve on an annual basis.

Following discussion, the motion was made by Council Member Nelson, seconded by Council Member Graber and unanimously carried to re-evaluate the Emergency Storm Reserve Policy after FEMA is done or primarily done regarding the recent ice storm.

CODE ENFORCEMENT OFFICER / HOUSING INSPECTOR JOB DESCRIPTION APPROVED WITH AUTHORIZATION TO ADVERTISE THE POSITION

Council reviewed a proposed job description for a Code Enforcement Officer/Housing Inspector position within the Community. Brad Chapulis, Director of Community/Economic Development, noted the creation of the position is due to the continued rental housing concerns and the dissatisfaction with services provided by the City's contracted inspector, as only about half of the number of expected inspections are being performed. The position will initially be funded through the rental registration revenue and general funds, and has been included in the 2013 budget.

The motion was made by Council Member Nelson, seconded by Council Member Sankey and unanimously carried to approve the Code Enforcement Officer/Housing Inspector Job Description and authorize staff to advertise the position.

YMCA FEE ADJUSTMENT FOR SUMMER CITY PROGRAMS APPROVED

Jim Eulberg, Public Works Director, noted that, typically, a request for a fee adjustment would be brought first to the Park Advisory Board for their approval and recommendation prior to coming before Council, however, due to the time line for publication of the rates, and the lack of quorum at the last Park Advisory Board meeting, the rates were being presented directly to Council for their consideration. Andy Johnson and C.J. Nelson from the YMCA were present at the meeting, and said the increases were very nominal, with about a \$1 increase for each of the sport programs, and about a \$5 increase for the camps. Following is a schedule of the proposed fee increases:

<u>Program</u>	<u>Times</u>	<u>2012 Fees</u>	<u>2013 Proposed</u>
6 week day camp	Mon-Wed-Fri 9am - noon	\$64/54	\$69/59

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6 week day camp	Mon through Fri 9am - noon	\$100/90	\$105/95
6 week day camp	Mon through Fri Noon - 3pm	\$100/90	\$105/95
6 week day camp	Mon through Fri 9am - 3pm.	\$180/170	\$185/175
6 week day camp	Early drop	\$30	\$30
6 week day camp	Late pick up	\$30	\$30

<u>Sports Programs</u>	<u>2012 Fee</u>	<u>2013 Proposed</u>
Rookie League	\$46/36	\$47/37
Junior League	\$51/41	\$52/42
Softball League	\$51/41	\$52/42
Track	\$39/29	\$40/30
Tennis	\$41/31	\$42/32
Golf	We provide program advertisement and all registration takes place through Prairie View	

High School Volleyball - \$65 per team - 6 week program plus 2 week playoff, 1 game night Sunday Nights

New Extended 2 Week Daycamp - July 15th - 26th

Mon-Wed-Fri 9 am - Noon	\$30/\$25
Mon through Fri 9 am - Noon	\$46/\$41
Mon through Fri Noon - 3 pm	\$46/\$41
Mon through Fri 9 am - 3 pm	\$81/76
Early Drop/Late Pick Up	\$20.00

The motion was made by Council Member Graber, seconded by Council Member Kuhle and unanimously carried to approve the YMCA Fee Adjustment for Summer City Programs.

ACCEPTANCE OF 2013 HOUSING STUDY

At their April 22, 2013 Special Joint City Council/HRA meeting, Council and HRA heard a presentation by Jay Thompson of View Point Consulting Group, Inc. of their Housing Market Analysis and Demand Estimates for Worthington, Minnesota. Staff was requesting that Council now formally accept the study.

The motion was made by Council Member Sankey, seconded by Council Member Nelson and unanimously carried to accept the 2013 Housing Market Analysis and Demand Estimates for Worthington, Minnesota.

Council expressed a desire to make sure the information in the study was disseminated to the public and the contractors.

REQUEST FOR WORTHINGTON REDISCOVERED FUNDS APPROVED

Application was received from BTLA, LLC for financial assistance in renovating the property at 701 11th Street, formerly known as the Kilbride Clinic. The property is currently owned by a non-profit organization, making it tax exempt. Purchase of the property by BTLA, LLC will bring the property back on the tax roll with an estimated assessed market value of \$63,000.

The Worthington Rediscovered Committee considered the request at their February 5, 2013 meeting and determined that the project met the purpose and intent of the program and would assist with the community's goal of preserving affordable housing. The Committee also determined that it would be in the best interest of the City to provide the funds as a grant instead of a loan. Their approval was contingent on receiving proof of a purchase agreement, which BTLA provided on April 5th.

Council Member Sankey said he could not support this as it would take 22 years for the City to get the benefit off the property taxes, and why would they not be willing to borrow the money instead of the funds being granted. Mayor Oberloh explained that the purpose of the program was to improve blighted areas of the city. All of the other requests have been approved as grants. Brad Chapulis, Director of Community/Economic Development, noted the balance in that fund is \$250,000.

The motion was made by Council Member Nelson and seconded by Council Member Kuhle to approve the request for Worthington Rediscovered funds as a grant in the amount of \$7,000, as recommended by staff and the Worthington Rediscovered Committee, with the following Council Members voting in favor of the motion: Kuhle, Graber, Nelson; and the following Council Members voting against the same: Sankey. Motion carried.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - Reminded Council of the meeting with FEMA tomorrow at the Fire Hall at 2 p.m. Also a reminder of the Special City Council meeting scheduled for 7 a.m. on Wednesday to award bids for storm work, and the Hwy 60 meeting at the Farmer's room from 4:30 to 6:00 p.m that same day.

Council Member Kuhle - No meetings to report but wanted to compliment and thank City and Utility staff for their time and effort with the storm recovery - it's been a strain on everybody.

Council Member Graber - The important issue at the Center for Active Living meeting is getting the parking spaces straightened out - there will be signing. The open house is Friday and the invitations are out - ribbon cutting at 10:00 a.m. Senior Dining begins there on May 1st. They have received a grant from SHIP for \$7,000 for food producing. Also wanted to thank City staff for the good cleanup work and their great attitudes. Attended a Heron Lake Watershed meeting - talked about repair and rework of dike breaches and Jack Creek. There is a meeting April 23rd in the Farmers Room on invasive aquatic species. Memorial Auditorium Advisory Board meeting - there was a good turnout for the Johnny Cash performer - no updates on the ceiling issue.

Council Member Sankey - No committee reports but also wanted to commend City staff.

Council Member Nelson - Attended a CVB meeting - talked about the fees for transient merchant licenses and live animals at the farmers markets.

CITY ADMINISTRATOR'S REPORT

Craig Clark, City Administrator, reminded Council of the Special Meeting scheduled for 7:00 a.m. on Monday the 29th, and of the Board of Review meeting scheduled that day at 9:00 a.m. in the Nobles County Commissioners Board Room. Also gave a reminder of the Event Center Gala on the 18th of May - \$1500 was the suggested amount to go towards advertising that event. Mr. Clark noted that the burning ban is off and recreational burning is allowed. Emergency parking is off. There have been a number of questions from constituents regarding watering - the watering ban is still on, the wells are still ten feet below our ten-year average. There is a Brain Gain meeting on Tuesday sponsored by the Chamber, a Statewide Health Improvement meeting on Wednesday that staff is participating in, and Mr. Clark reminded Council of the upcoming League of Minnesota Cities Annual Summer Conference June 19-21st if they were interested in attending.

ADJOURNMENT

The motion was made by Council Member Sankey, seconded by Council Member Nelson and unanimously carried to adjourn the meeting at 8:24 p.m.

Janice Oberloh, MCMC
City Clerk