

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, MAY 10, 2010**

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Alan E. Oberloh with the following Aldermen present: Lyle Ten Haken, Mike Kuhle, Scott Nelson, Ron Wood, Mike Woll; Honorary Council Person: Lon Lien.

Staff present: Craig Clark, City Administrator; Brad Chapulis, Director of Community/Economic Development; Mike Cumiskey and Kevin Flynn, Public Safety Department; Jim Laffrenzen, Superintendent of Public Works; Dwayne Haffield, Director of Engineering; Janice Oberloh, City Clerk.

Others present: Amanda Waljasper, Bob Demuth, Jim Arnt, Jorge Lopez; Laura Grevis, Daily Globe.

**HONORARY COUNCIL PERSON**

Mayor Oberloh introduced Lon Lien as the Honorary Council Person for the months of March, April and May, 2010.

**AGENDA APPROVED**

The City Clerk requested a correction to the agenda page to include the listing of the Public Works second agenda item "Grant Funding Assistance Airport Capital Projects", which the information had been included in the agenda for approval but not listed.

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to approve the agenda with the correction.

**CONSENT AGENDA APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to approve the consent agenda as follows:

- City Council Minutes - Regular meeting April 26, 2010; Special Meeting April 26, 2010.
- Minutes of Boards and Commissions - Water and Light Commission Minutes of May 3, 2010; Planning Commission/Board of Appeals Minutes of May 4, 2010.
- Application for Exemption from Lawful Gambling from the Worthington Gun Club for raffles on September 15, 2010.
- Application to block street from the Solid Rock Assembly Church to block South Shore Drive from Flower Lane to Linda Lane from 12:00 p.m. to 12:45 p.m. on Sunday, May 16, 2010 for their motorcycle rally.
- Reappoint Myra Onnen as Weed Inspector for the City of Worthington for 2010.
- Bills payable and totaling \$586,972.05 be ordered paid.

**USE OF FORMER CAMPBELL SOUP PARKING LOT FOR DOWNTOWN FARMERS**

**MARKET APPROVED**

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to approve the use of the former Campbell Soup parking lot for a farmers market on Tuesday nights from 4 to 7 p.m.- June 22, 2010 to October, depending on the weather. The Worthington Area Chamber of Commerce will carry liability insurance for the events.

**GRANT ACCEPTED FROM THE WORTHINGTON REGIONAL HEALTH CARE FOUNDATION FOR SENIOR CENTER PROGRAMMING**

The motion was made by Alderman Kuhle, seconded by Alderman Ten Haken and unanimously carried to accept a grant amount of \$100,000, over a period of 2 to 3 years, to be used for expanded programming at the Senior Center, and to authorize the Mayor to sign a memorandum of understanding between the Worthington Regional Health Care Foundation and the City of Worthington on behalf of the Senior Center as to the use of the funds.

**GRANT FUNDING ASSISTANCE FOR AIRPORT CAPITAL PROJECTS APPROVED**

Notification was received May 6<sup>th</sup> from the Minnesota Department of Transportation, Office of Aeronautics, that matching grant funds were available for two projects at the airport. The first project is improvement to the fueling facility at an estimated cost for the project of \$150,000 to \$175,000, including a proposal from Mead and Hunt for design services at a cost of \$23,757. The project would fit with the recently installed credit card system.

The second project involves construction of an aerial crop spray loading pad and chemical storage building at an estimated cost of \$150,550. This project was submitted to Council at their March 17, 2010 meeting where it was determined not to proceed as it was not mandated by the MN Department of Agriculture and the current aerial crop sprayer, Jim Arnt, was unwilling to enter into an agreement for use of the facility. With notification of availability of matching funds, Mr. Arnt has indicated an interest in such an agreement with the conditions that he have exclusive use of the facility and that the facility would be usable by him. Mead and Hunt submitted proposal for design services for the loading pad and chemical storage at a cost of \$29,358.

Jim Laffrenzen, Public Works Superintendent, noted that bids would not be awarded for the projects if the state funds were not available, however, in order to apply for the matching state funds the design for the projects needs to be completed by June 30<sup>th</sup>. Discussion continued on whether to expend funds for project designs when the projects themselves could very well be shelved if the funding became unavailable.

The motion was made by Alderman Kuhle, seconded by Alderman Ten Haken and unanimously carried to approve the first project of improvements to the fueling facility at an estimated cost of

\$150,000 to \$175,000 (including design services) based on availability of 50/50 matching state funds and to accept the proposal from Mead and Hunt for design services at a cost of \$23,757.00.

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to approve the second project of establishing an aerial crop spraying loading pad and chemical storage building at an estimated cost of \$150,550 (including design services) based on availability of 50/50 matching state funds, and to accept the proposal from Mead and Hunt for design services at a cost of \$29,358.00, on the contingency a memorandum of understanding would be in place by Friday between the City of Worthington and Jim Arnt regarding a lease and what the dollar value was of his participation.

**MEMORANDUM OF UNDERSTANDING REGARDING SCHOOL RESOURCE OFFICER APPROVED**

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to approve a Memorandum of Understanding as presented between the City of Worthington and Independent School District 518 regarding the School Resource Officer, and to authorize the Mayor and Clerk to execute the agreement.

**REQUEST TO TRANSFER BUDGET FUNDS APPROVED**

The motion was made by Alderman Woll, seconded by alderman Wood and unanimously carried to approve a transfer of \$46,000 from the Law Enforcement Equipment Revolving Service Fund Mobile Date Terminal Reserve and \$47,000 from the Fire Department Equipment Revolving Service Fund into the General Fund. The Police Department funds will be used to pay for completion of the CAD/RMS project, and the Fire Department funds will be used to purchase turn-out gear and breathing apparatuses scheduled for replacement in 2010.

**RESOLUTION ADOPTED VACATING A PORTION OF A UTILITY EASEMENT-2385 HIGHWAY 60**

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to adopt the following resolution vacating a portion of an easement at 2385 Highway 60 to allow the property owner to complete an addition east and south of the existing building on the property:

RESOLUTION

VACATING A PORTION OF AN EASEMENT

WHEREAS, The owner of certain property in the Southwest Quarter of Section 18, Township 102 North, Range 39 West desires to place a structure over a portion of an easement over a part of said property, and

WHEREAS, That portion of the easement is no longer required by the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WORTHINGTON, MINNESOTA:

1. That the following described portion of the easement described in Document No. 298563, recorded in the office of the County Recorder, Nobles County Minnesota, be hereby vacated and released:

A 10 wide tract of land over that part of the West Half of the Southwest Quarter of Section 18, Township 102 North, Range 39 West, City of Worthington, Nobles County, Minnesota, lying left of the following described line:

Commencing at the west quarter corner of said Section 18; thence on an assumed bearing of South 0 degrees 13 minutes 06 seconds East, along the west line of said Section, a distance of 300.62 feet to a Minn. D.O.T. right of way monument; thence continuing South 0 degrees 13 minutes 06 seconds East, along said west line, a distance of 832.74 feet; thence continuing South 0 degrees 13 minutes 06 seconds East, along said west line, a distance of 683.04 feet to the northwesterly right of way line of Minnesota Trunk Highway No. 60; thence North 47 degrees 52 minutes 09 seconds East, along said northwesterly right of way line, a distance of 44.34 feet; thence South 0 degrees 13 minutes 06 seconds East, along said northwesterly right of way line, a distance of 67.19 feet; thence North 47 degrees 51 minutes 57 seconds East, along said northwesterly right of way line, a distance of 596.18 feet; thence North 47 degrees 53 minutes 04 seconds East, along said northwesterly right of way line, a distance of 8.00 feet; thence North 42 degrees 06 minutes 56 seconds West a distance of 10.00 feet to the point of beginning of the line to be described; thence continuing North 42 degrees 06 minutes 56 seconds West a distance of 50.00 feet to a point which lies 10 feet southeasterly, as measured at right angles to, a Robert J. Boots tract as recorded in Document No. 234855; thence North 47 degrees 53 minutes 04 seconds East, parallel with the southeasterly line of said Robert J. Boots tract, a distance of 192.00 feet and said line there terminating.

2. That the City Clerk is hereby directed to file a certified copy of this resolution in the office of the Recorder in and for the County of Nobles, State of Minnesota.

**FLOWER LANE - 12<sup>TH</sup> STREET QUIET ZONE STUDY RECEIVED/DISCUSSED**

Council and staff discussed a quiet zone study regarding the Flower Lane and 12<sup>th</sup> Street crossings and the process for doing so should they decide to establish such a zone. Several types of safety measures were discussed that could be used in a quiet zone, however, the estimated cost a quiet zone at the 12<sup>th</sup> Street crossing is in the \$450,000 range. Council also discussed the potential closing of the Flower Lane crossing and how the Highway 60 improvement project will impact the crossing. Dwayne Haffield, Director of Engineering, noted Council may at some time wish to seek local public comment prior to filing any notice of intent to establish a quiet zone.

### **SPECIAL USE PERMIT APPROVED - 426 TENTH STREET**

Iowa Lakes Orthopaedics was requesting a special use permit for their property at 426 Tenth Street that would allow them to operate their clinic there. A special use permit is required as the property is located within the City's Retail Shopping Overlay Area. The property is legally described as follows:

Lots 6 & 7, Block 17, Plat of Worthington, Village (now City) of Worthington,  
Nobles County, Minnesota

The Planning Commission considered the request at its May 4, 2010 meeting and was recommending approval of the special use permit.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to approve the special use permit for Iowa Lakes Orthopaedics for the property at 426 Tenth Street.

### **EXECUTION OF SMALL CITIES DEVELOPMENT PROGRAM GRANT AUTHORIZED**

Staff reported that the City of Worthington, along with the Cities of Round Lake and Wilmont, have been notified by the Minnesota Department of Employment and Economic Development of an additional SCDP grant in the amount of \$254,250 to rehab an additional 15 owner occupied homes.

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to authorize the Mayor to execute the Development Agreement for the grant.

### **COMMUNITY/SENIOR CENTER CONSTRUCTION/OPERATIONAL BUDGET DISCUSSION**

Council and staff discussed the operational budget and possible funding sources for the Community/Senior Center redevelopment project at the former YMCA location. Brad Chapulis, Director of Community/Economic Development, noted the center would require a minimum annual payment of \$47,542 from the City to balance its operations for the first three years, and that there

would be an additional \$33,333 gap after that when the Worthington Regional Health Care Foundation grant expires. Phase II of the environmental clean up has not yet been completed. Alderman Ten Haken requested that membership rates to the Center be looked as they are ridiculously low, and added the YMCA should also be a partner in the clean up of the old facility. Mr. Chapulis noted that there are grant opportunities available that staff will pursue over the course of the project.

Mr. Chapulis thanked Council for their direction.

**ARCHITECTURAL SERVICES AWARDED FOR COMMUNITY/SENIOR CENTER REDEVELOPMENT PROJECT**

Staff received the following proposals for architectural services for the Community/Senior Center redevelopment project:

<u>Firm</u>	<u>Base Flat Fee</u>
I & S Group	\$26,500.00
Brunton Architects	\$29,187.00
Langemeier Architects	\$39,500.00
MSH Architects	\$80,000.00
Blumentals/Architecture, Inc.	\$61,500.00

Each proposal also included possible additional charges based on necessity. Staff was recommending award of the bid to I & S Group who's bid remained the lowest even with the additional cost estimate of \$1,600.00 for a topographic survey.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to award the bid for the Community/Senior Center redevelopment project to the I & S Group at an amount not to exceed \$28,100.

**COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - nothing to report.  
Alderman Ten Haken - nothing to report.  
Alderman Kuhle - nothing to report.  
Alderman Nelson - attended a Cable 3 meeting  
Alderman Wood - nothing to report.  
Alderman Woll - nothing to report.

**CITY ADMINISTRATOR'S REPORT**

Craig Clark, City Administrator, reported the following:

- Brad Chapulis was recognized and received a certificate for his efforts on the 2010 Census.
- Jeff Beman received a certificate of commendation for his work at the Industrial Wastewater Treatment Facility.
- The Supreme Court ruled against the Governor's 2010 additional reductions.
- The Meadow's Open House is scheduled for May 16<sup>th</sup> from 1 to 3 p.m..
- The Senior Citizen group has scheduled a Spring Fling for Thursday, May 13<sup>th</sup> from 8 am to 2 p.m.

**ADJOURNMENT**

The motion was made by Alderman Wood, seconded by Alderman Kuhle and unanimously carried to adjourn the meeting at 8:58 p.m.

Janice Oberloh  
City Clerk