

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, MAY 28, 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, Scott Nelson. Absent: Honorary Council Member, Carl Nagel (excused).

Staff present: Craig Clark, City Administrator; Brad Chapulis, Director of Community/Economic Development; Mike Cumiskey, Public Safety Director; Jim Eulberg, Public Works Director; Scott Rosenberg, Parks Superintendent; Janice Oberloh, City Clerk.

Others present: Randy Thompson, HRA; Lisa Graphenteen, Southwest Minnesota Housing Partnership; Ken Moser; Gail Hanscom, CERES; Marquis White, True North EM; Ryan Sykora, YMCA; Abraham Algade, WREDC; Raymond Mason and Dave Winterle, FEMA.

The Pledge of Allegiance was recited.

**PUBLIC HEARING / RESOLUTION NO. 3520 ADOPTED CONCURRING WITH THE AUTHORIZATION BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF WORTHINGTON OF ITS ISSUANCE OF A HOUSING DEVELOPMENT REVENUE BOND AND ADOPTING A MULTIFAMILY HOUSING PROGRAM THEREWITH**

Pursuant to published notice, this was the time and date set for a public hearing to consider adoption of a Multi-Family Rental Housing Program for the Worthington Housing and Redevelopment Authority and the approval of a Housing Development Project known as Rising Sun Estates.

The motion was made by Council Member Kuhle, seconded by Council Member Nelson and unanimously carried to open the hearing.

Brad Chapulis, Director of Community/Economic Development, presented a brief background on the project, noting the HRA is moving forward with the 36-unit town home project on the southeast end of town, and are looking at issuing revenue bonds to finance 80% of the total project costs. The bonding would not be a general obligation of the HRA or the City. Minnesota Statute requires a public hearing to be held on the issuance of the bonds prior to moving forward. Mr. Chapulis also noted that, following the hearing, Council will be requested to adopt a resolution of support for the project.

Lisa Graphenteen, Southwest Minnesota Housing Partnership, said the purpose of the hearing was to gather public input on the proposed housing program and for issuance of the bonds for the 36-unit project. The financing listed is a *not to exceed* \$3.8 million, however, the bonds will be for less than that amount - bond counsel suggested they use the entire development costs for public awareness of the project. Ms. Graphenteen stated the bonds will be approximately \$2.7 million, with repayment from the rents collected.

Mayor Oberloh asked if there was anyone present who wanted to offer testimony regarding the project. None was received.

The motion was made by Council Member Nelson, seconded by Council Member Graber and unanimously carried to close the hearing.

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to approve the Multi-Family Rental Housing Program for the Worthington Housing and Redevelopment Authority and the Rising Sun Estates Housing Development Project, and to adopt the following Resolution of support:

RESOLUTION NO. 3520

RESOLUTION CONCURRING WITH THE AUTHORIZATION BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF WORTHINGTON OF ITS ISSUANCE OF A HOUSING DEVELOPMENT REVENUE BOND AND ADOPTING A MULTIFAMILY HOUSING PROGRAM THEREWITH

(Refer to Resolution File for complete copy of Resolution)

**AGENDA APPROVED**

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

**CONSENT AGENDA APPROVED**

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

- City Council Minutes of Regular Meeting May 13, 2013
- Minutes of Boards and Commissions - Water and Light Commission Minutes of May 20, 2013; Park and Recreation Advisory Board Minutes of May 21, 2013; Airport Advisory Board Minutes of May 7, 2013
- Off-Sale Beer License - Worthington Comfort Suites, 1447 Prairie Drive
- On-Sale Liquor, Club On-Sale Liquor, and on-Sale Wine License Renewals:

**2013 On-Sale Liquor Licenses**

1. The Tap, 107 12<sup>th</sup> Street
2. The Ground Round Grill & Bar, 1290 Ryan's Road

3. Oxford Bowl, 325 Oxford Street
4. Hickory Lodge Bar & Grill, 2015 N. Humiston Avenue
5. Long Branch Saloon, 206 Tenth Street
6. La Azteca Tiendo Mexicana Inc., 223 Tenth Street
7. Worthington Hotel Group, LLC dba Worthington Event Center, 1447 Prairie Drive

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2013 Club On-Sale Liquor Licenses

1. Worthington Country Club, 851 W. Oxford Street
2. VFW 3958, 1117 Second Avenue
3. Worthington Eagles Club FOE Aerie 3282, 205 Oxford Street
4. Elk's Lodge BPOE Lodge 2287, 1105 Second Avenue
5. Historic Dayton House, 1311 Fourth Avenue

2013 Wine Licenses

1. LaAzteca Tiendo Mexicana Inc., 223 Tenth Street
  2. The Ground Round Bar & Grill, 1290 Ryans Road
  3. Hickory Lodge Bar & Grill, 2015 N. Humiston Avenue
  4. Long Branch Saloon, 206 Tenth Street
  5. Tshaytu Agre Café & Restaurant, 304 Tenth Street
- Application to Block Street - Worthington Area YMCA to block 2<sup>nd</sup> Avenue from Tenth Street to the intersection of Lake Street/South Shore Drive from 9:00 a.m. to 12:00 noon for their color run
  - Approved the following dock permit applications:

Clarence Kremer	Across the street from 916 W. Lake Avenue
Rolf Carlson	Across the street from 117 Lake Avenue
Dale Ryen	Across the street from 920 W. Lake Avenue
Doug Fransen	Across the street from 702 W. Lake Avenue
Tim Gaul	Across the street from 625 Lake Avenue
Jenny Anderson/Arturo Martinez	Across the street from 1977 S. Shore Drive

Past applicants approved contingent on receipt of application, insurance and fee:

- |                |   |
|----------------|---|
| David Holinka  | Across the street from 200 Lake Street    |
| Bruce Pass     | Across the street from 214 Lake Street    |
| Evelyn Lambert | Across the street from 610 W. Lake Avenue |
- Park Concession Fees:

One day permit (non-profit)	\$65
One day permit (profit making)	\$75
Annual non-profit permit	\$80
Annual profit making	\$175

- Annual mobile permit (non-profit)   \$275
- Annual mobile permit (profit making)   \$375
- 2013 Centennial softball diamond reservation fee   \$55
- Approved the 2013 Beach Nook Agreement between the City of Worthington and Patricia Arnt
- Bills payable and totaling \$741,896.79 be ordered paid

**ORDINANCE NO. 1068 ADOPTED PROVIDING CRIMINAL HISTORY BACKGROUND CHECKS FOR APPLICANTS FOR CITY EMPLOYMENT**

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance that creates Sub-chapter 30.09 *Criminal History Background Checks*, which provides authorization for the Police Department to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system, and is accordance with the BCA's policy.

The motion was made by Council Member Wood, seconded by Council Member Graber and unanimously carried to give a third reading to, and subsequently adopt the following ordinance:

ORDINANCE NO. 1068

AN ORDINANCE TO PROVIDE CRIMINAL HISTORY BACKGROUND CHECKS FOR APPLICANTS FOR CITY EMPLOYMENT

(Refer to Ordinance File for complete copy of Ordinance)

**DONATION TO CENTER FOR ACTIVE LIVING ACCEPTED**

The motion was made by Council Member Graber, seconded by Council Member Wood and unanimously carried to accept a donation to the Center for Active Living that will provide materials and programming for a raised bed garden, and to reimburse Ryan Seykora for his fuel costs on the project.

Mr. Seykora has agreed to provide the labor for the project.

**APPLICATION FOR TEMPORARY ON-SALE LIQUOR LICENSE APPROVED WITH LIMITATION - WORTHINGTON OKABENA WINDSURFERS**

The motion was made by Council Member Wood, seconded by Council Member Nelson and unanimously carried to approve a temporary on-sale liquor license for the Worthington Okabena Windsurfers for the beer tent at the 2013 Regatta during the following days and times:

Friday, June 7, 2013 from 3 p.m. to 11:59 p.m., and Saturday, June 8<sup>th</sup> from 12:00 noon to 11:59 p.m. - Sales are restricted to wine, strong beer, malt based wine coolers, and pre-packaged items not having more than 14% alcohol by volume.

Council also noted there would be no refund of the fee paid for a temporary on-sale beer license that had been approved at the April 22, 2013 Council meeting for the event.

### **APPLICATIONS FOR PARK DONATIONS APPROVED**

Jim Eulberg, Public Works Director, noted that the Park Advisory Board had reviewed two applications for park donations, and was recommending approval of both. The City's donation policy states that "the City has an interest that the donor covers the full cost for the purchase and installation of donated park elements. However, both donations are for materials only, with the Park Department doing the installation.

The first was for two park benches to be placed on the west end of Centennial Park near Whiskey Ditch on the lakeside. The donor was originally looking at donating one bench if installation, but agreed to two if the City did installation. Per the Park Superintendent, installation by City Park personnel would not be a difficult or time consuming process.

The second donation request was from a local group working with the Statewide Health Improvement Program (SHIP) for a grant for bicycle racks at several locations throughout the city, and trail signs to be placed on trails throughout the system within the city. Aaron Hagen and Ryan Seykora were present at the meeting to discuss the request with Council. The grant is specifically for materials only but, providing installation can be spread out somewhat, the installation shouldn't be an issue. Besides labor, there will be some direct costs for concrete bases.

The motion was made by Council Member Graber, second by Council Member Kuhle and unanimously carried to approve the donation for two park benches in Centennial Park, with the City completing the installation.

Following discussion the motion was made by Council Member Wood, seconded by Council Member Graber and unanimously carried to approve the grant expenditure and acceptance of funds.

### **UPDATE ON ICE STORM RECOVERY AND AUTHORIZATION TO EXPEND FUNDS FOR ADDITIONAL TRIMMING AND MONITORING SERVICES**

Craig Clark, City Administrator, reported that we had estimated 50,000 cubic yard to be hauled from the April 9-11th ice storm, but we are currently at 68,953 cubic yards that have been hauled. A little over 6,000 trees have been trimmed and 407 trees have been removed, but we are looking at 750 to be removed as we move forward. Staff met with HMES this afternoon - the \$250,000 appropriated

by the legislature for non-FEMA eligible expenses would be split between the five counties named in the disaster declaration.

Jim Eulberg, Public Works Director, reported, with respect to continuation of tree work, he had visited with CERES reps about doing some additional trimming. Their lift truck can reach a height of 70 feet, where ours only goes 30-35 feet up. Their price for that was roughly \$100 per tree plus the cost of debris removal. Mr. Eulberg suggested we set a number to initially deal with the worst cases, then go back and follow up on an annual basis. Stump-grinding costs will be \$75-\$100 per tree (mid size tree), which includes grinding, fill, and clean-up. There will be potentially 600-700 stumps. Mr. Clark noted that applications for assistance with non-FEMA eligible costs will go forward for consideration by the Minnesota Recovers Task Force, with consideration based on life, health and safety - we should do well but there are no guarantees - the \$250,000 is the maximum amount available, but the other counties in the disaster declaration would be eligible for those funds too. We could potentially incur \$170,000 in costs for trimming and stump removal. Raymond Mason FEMA, was present at the meeting and said we're ahead of the game with them - and they're anticipating a timely turn around of funds to us. Mr. Clark reminded Council that we also have some of the storm funds available that we've collected.

Following further discussion, the motion was made by Council Member Wood seconded by Council Member Graber and unanimously carried to authorize a not to exceed amount of \$100,000 for additional tree trimming, including monitoring service.

Council also directed Mr. Eulberg to come back to Council, preferably at the next meeting, with a proposal for stump grinding.

#### **DATE SET FOR CITY-WIDE CLEAN-UP**

The motion was made by Council Member Graber, seconded by Council Member Kuhle and unanimously carried to set the date for the city-wide clean up as June 17-21, 2013.

Residents can start to set their items out on Monday, June 10<sup>th</sup> for pick-up.

#### **COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - Nothing to report.

Council Member Kuhle - Attended an LEC Joint Powers meeting - nothing new there. Cable 3 Board discussed the renewal of franchise agreement with Knology- they're not on the same field as our contract with Mediacom.

Council Member Graber - Attended a Heron Lake Watershed meeting on May 21<sup>st</sup> - talked about Heron Meadows and receiving approval of land owners to correct dam issues and move forward with a proposal. Also discussed manure management - received a grant of \$120,000 for sediment control

and reviewed the invasive species workshop that was here. Center for Active Living Committee met on the 21<sup>st</sup> for a special meeting regarding the grant. They will be meeting with the County regarding RSVP sometime in June. Park Board discussed the donation of benches and the clean-up week. Noted the Event Center program was well done.

Council Member Sankey - nothing to report.

Council Member Wood - Water and Light Minutes are in the agenda, hopefully we'll see some change in the water level this time.

Council Member Nelson - HRA met last week - received an update on the 36-unit housing project.

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

WREDC set the dates for the 2014 Bioscience Conference as April 3-4, which will be held at the Event Center except for the lab portion, which will be held at the college. WREDC and the Chamber are exploring a potential new office location. The legislature did approve added LGA payments of \$404,000 for the City of Worthington. The sales tax exemption for government entities will produce about \$150,000 of additional revenue for the City, but a lot of that is under the utility fund. The legislature advanced a limited bonding bill that did not include the funding for the Biotechnology Advancement Center build-out, will look at that again next session. The Coalition of Greater Minnesota Cities will hold their summer conference in Bemidji July 24-26, if Council is interested in attending they should let staff know.

### **ADJOURNMENT**

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to adjourn the meeting at 8:31 p.m.

Janice Oberloh, MCMC  
City Clerk