

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, JUNE 13, 2011**

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.

Staff present: Craig Clark, City Administrator; Brian Kolander, Finance Director; Brad Chapulis, Director of Community/Economic Development; Dwayne Haffield, Director of Engineering; Janice Oberloh, City Clerk.

Others present: Jim Bunner, KWOA; Ryan McGaughey, Daily Globe; Rolin Sinn, MnDOT; Wayne Drealan, Turbes Drealan Kvilhaug Hoefker & Co. P.A., and other various parties.

**AGENDA APPROVED**

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

**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 of Regular Meeting May 23, 2011 and Special Meeting June 2, 2011
- Minutes of Boards and Commissions - Worthington Economic Development Authority Meeting of May 23, 2011; Fire Hall Design Development/Construction Meeting Minutes of April 27, 2011
- Application from the Shop Worthington Committee to block Tenth Street from Second Avenue to Fifth Avenue on July 5, 2011 from 3:00 p.m. to 8:30 p.m. for their Shop Worthington Kick Off
- Liquor License Renewal Applications as follows:
  - On-Sale Liquor Licenses
    - 2011-4ON Long Branch Saloon, 206 Tenth Street
    - 2011-5ON Hickory Lodge Bar & Grill, 2015 Humiston Avenue
    - 2011-6ON A & T Tap, 107 12<sup>th</sup> Street
  
  - Club On-Sale Liquor Licenses
    - 2011-5 The Historic Dayton House, 1311 Fourth Avenue
  
  - Wine Licenses
    - 2011-4W Long Branch Saloon, 206 Tenth Street
    - 2011-5W Hickory Lodge Bar & Grill, 2015 Humiston Avenue
    - 2011-6WA & T Tap, 107 12<sup>th</sup> Street

- Fire Escrow Affidavit as allowed by MS 65A.50
- Leases Agreement between the City of Worthington and Beach Nook II
- Placement of stop signs at the intersection of West Okabena Avenue and Tower Street and to replace a yield sign at the intersection of Ninth Avenue and Tower Street
- Bills payable and totaling \$1,389,002.24 be ordered paid

### **2010 COMPREHENSIVE ANNUAL FINANCIAL REPORT RECEIVED**

Wayne Drealan, of Turbes, Drealan, Kvilhaug, m Hoefker & Co. P.A. presented the City's 2010 Comprehensive Annual Report. Mr. Drealan commended the City once again for the extra effort in submitting the CAFR (Comprehensive Annual Financial Report) for outside party review, for which the City has received the Award of Excellence for quite some time for their financial reporting. He added that his firm was able to bring the City a clean unqualified opinion.

Mr. Drealan reviewed the Independent Auditor's Report and the Financial Statements, noting that Worthington's tax burden is 188<sup>th</sup> out of 200 reported on the State's website, even after LGA cuts of \$431,000. While other cities are struggling Worthington has reserves of \$4,501,694, or about nine months of expenditures, which is good.

The motion was made by Alderman Wood, seconded by Alderman Ten Haken and unanimously carried to approve the 2010 Comprehensive Annual Financial Report.

### **REVISED COOPERATIVE AGREEMENT WITH SCHOOL DISTRICT 518 TABLED**

Staff presented a revised Cooperative Agreement with School District 518 for joint eight tennis court project. The revised agreement reflected the elimination of the restrooms and storage building from the original project, and reduced the number of years for the City's participation from ten to eight with a 30 year expected life span, and no ongoing costs for the City.

The motion was made by Alderman Kuhle and seconded by Alderman Woll to approve the revised Cooperative Agreement with ISD 518 for the eight court tennis court project.

Alderman Ten Haken questioned what happens after the eight years - do we get continued use? Craig Clark, City Administrator, responded no - as Council had indicated earlier that they did not want any on-going maintenance costs with this project.

Following discussion, Alderman Kuhle amended his motion to table this item to allow for clarification on the eight years and whether city residents would be cut off from using it - what was the intent.

Following further discussion on the District's potential time line, Alderman Woll made a motion to

table the item to the end of the meeting.

The motion was unanimously carried.

**PERMIT APPROVED TO PLACE PRIVATE DOCK ON PUBLIC PROPERTY ACROSS FROM 1977 SOUTH SHORE DRIVE WITH MORATORIUM ON FUTURE REQUESTS**

At their May 16, 2011 Special Meeting, Council voted to table action on a request from Jenny Anderson/Arturo Martinez for a permit to place a private dock on public property, across the street from their residence at 1977 South Shore Drive, until an opinion could be rendered from staff. Jim Laffrenzen, Public Works Superintendent, researched the history of the address and found that a dock permit had been issued to previous owners of the property in question in 1986 and in 1981. In addition, Mr. Laffrenzen noted it was his opinion that installation of the dock would not create a traffic hazard. As with previous dock permits, the owner would be required to provide liability insurance with the City named as an additional insured.

Council discussed the permit fees and the potential future growth in the number of requests for such installations, and agreed that while past practice has allowed them, a policy should be established before consideration of future permit approvals.

The motion was made by Alderman Wood and seconded by Alderman Nelson to approve the permit to install a private dock on public property across the street from 1977 South Shore Drive; discussion ensued. Alderman Wood called the question, with the following Aldermen voting in favor of the motion: Nelson; and the following Aldermen voting against the same: Ten Haken, Kuhle, Wood, Woll. Motion failed.

The motion was made by Alderman Woll to approve the application for the dock permit but with a moratorium on further applications. Following discussion, Alderman Ten Haken seconded the motion. Additional discussion followed, and Alderman Wood called the question, with the following Aldermen voting in favor of the motion: Ten Haken, Kuhle, Nelson, Woll; and the following Aldermen voting against the motion: Wood. Motion carried.

Alderman Wood also requested a clarification that there be no damage to the trees, shoreline or bushes with the installation process. Mayor Oberloh stated that he wanted to go on record as being opposed to the dock permit approval.

**INFORMATIONAL PRESENTATION - SELECT COMMITTEE ON RESOURCES AND ENVIRONMENT (SCORE) PROGRAM**

Wayne Smith, Nobles County Public Works Environmental Services office, provided information on benefits received by city residents for the \$2.00 solid waste/recycling assessment charged on their

monthly utility bills (\$24/year). The fee was established in 1991 as a match to the \$58,000 grant from the State. Currently, rural residents pay \$18.00 per year. Mr. Smith reviewed past landfilled and recycled figures for past years, noting that Worthington has a high recycle rate.

Council thanked Mr. Smith for his report.

### **RECOGNITION OF WORTHINGTON SENIOR HIGH STATE TRACK MEET PARTICIPANTS**

Mayor Oberloh recognized Jeremy Clark, Will Collin, and O.J. Ojullo, Worthington Senior High School students who are State champions in the 4 x 400, beating the next closest competitor by four seconds. Absent from the group was team member Brandon Berger. Several other Worthington students also competed at the State level. Council congratulated the students on their achievements.

### **AGREEMENT BETWEEN CITY OF WORTHINGTON AND SCHAAP SANITATION FOR RESIDENTIAL SOLID WASTE/RECYCLING COLLECTION APPROVED**

The current five year agreement with Schaap Sanitation for residential solid waste/recycling collection for the City will expire on June 30, 2011. Staff met with representatives of Schaap Sanitation to review the existing agreement and any proposed changes. Council was presented with the proposed new agreement. The biggest change in the agreement, at Schaap's request, is to replace the small green recycling container with a 95-gallon cart that would be collected every other week (beginning October 1) instead of on a weekly basis as is the smaller current recycling container. Schaap will be responsible for the total cost to purchase and distribute the containers to each residential household, and will be responsible for replacement of the cart unless it is damaged due to negligence of the property owner. They will also be purchasing a new automated truck for the pick-up. In return, Schaap is not requesting an increase in the service fee for the first year of the agreement (otherwise 3.2%). The current solid waste charges are:

	<b>65 gallon customer</b>	<b>95 gallon customer</b>
Schaap-solid waste	\$15.18	\$17.18
Schaap-recycle	\$ 3.43	\$ 3.43
Administration-city for billing	\$ .52	\$ .52
County Solid Waste	\$ 2.00	\$ 2.00

Eric Joens, Schaap Sanitation, was present at the meeting and told Council the request to move to a 95-gallon cart is to increase the amount of recycling and shrink the amount of garbage in the next term. Alderman Nelson questioned the move to limit the recyclable pick up to every other week and asked what the cost would be to maintain the weekly pickup. Mr. Joens responded it would be approximately \$1 more per month - if the alternate week pick up is not enough, Schaap would gladly return to the weekly pick up. Any future annual adjustments would be based on the CPI as in the

past.

The motion was made by Alderman Ten Haken seconded by Alderman Kuhle and unanimously carried to approve the Agreement with Schaap Sanitation for Residential Solid Waste/Recycling Collection for the period July 1, 2011 through June 30, 2016.

**YARD WASTE AND TREE/BRUSH DISPOSAL SITE AGREEMENT APPROVED BETWEEN CITY OF WORTHINGTON AND SCHAAP SANITATION**

Staff noted that the current agreement with Schaap Sanitation for providing a site and meeting required conditions for city residents to dispose of yard waste and tree/brush material expires June 30, 2011, and presented a new contract for Council's consideration. The term of the agreement July 1, 2011 through June 30, 2016) and the basis for determining cost of service (CPI for Urban Cities) mirrors the agreement for the collection of solid waste/recycling, and will result in a 3.2% increase. Eric Joens, Schaap Sanitation, updated Council on their plans for a new office facility and layout that will separate trucks from other traffic and result in more convenience for users.

The motion was made by Alderman Wood, seconded by Alderman Kuhle and unanimously carried to approve the Yard Waste and Tree/Brush Disposal Site agreement between the City of Worthington and Schaap Sanitation.

**RECAP OF 2011 ANNUAL SPRING CLEAN-UP**

Jim Laffrenzen, Public Works Superintendent, provided a recap of the 2011 Annual Spring Clean-up noting that the changes implemented paid off, and resulted in a 5-day clean-up as opposed to the 10 days previously needed. The estimated cost of the collection is \$34,039.61 (after deducting \$12,795 from tag revenue) compared to \$77,116.00 total cost for 2010. Staff also suggested that, if the pick-up is continued in 2012, the cost per tag purchased after the pick-up begins would increase from \$10 to \$15, and to establish a refund policy provided the purchaser returned the tag unaltered. Council thanked Mr. Laffrenzen for the update.

**LETTER TO DECLINE MAINTENANCE SERVICES**

In the past, the Worthington Area Youth Baseball Association (WAYBA), American Legion and Veteran's of Foreign Wars (VFW) have utilized City employees for maintenance and preparation of the infields prior to a scheduled game at the District 518 baseball field on North Crailsheim Drive, and on other fields as requested. Each organization was charged a fee of \$325 for the services.

The organizations no longer desire the City to provide any type of maintenance for them, however, they will still be required to provide a schedule to the YMCA Director to avoid scheduling programs between the organizations and City programs. The City's programs take precedence over the

organizations as the City has an agreement with District 518 for the use of the District's middle school softball diamonds on North Crailsheim Road.

Jim Laffrenzen, Public Works Superintendent, noted the letter of declination of services also states that should the organizations determine at a future time that they desire the City to once again provide these services, they will need to submit a formal request to the Superintendent of Public Works.

**RESOLUTION ADOPTED AUTHORIZING EXECUTION OF MN WARN MUTUAL AID AGREEMENT**

Staff presented a Minnesota Water Agency Response Network (MnWarn) Mutual Aid Agreement for Council consideration. The program exists through mutual aid agreements whereby water, wastewater, and storm water utilities sustaining physical damage from natural or man-made disasters in the state of Minnesota can obtain emergency assistance, in the form of personnel, equipment, and materials and other associated services necessary to protect the health and welfare of the utilities customers. Participation is voluntary and there is not obligation to respond or any cost to be a member.

The League of Minnesota Cities helped staff develop the agreement and report that there should not be any liability to the City. The City Attorney has also reviewed the agreement. The Water and Light Commission indicated their support of the water and wastewater departments participating at their April 18, 2011 regular meeting, and proposed to include storm water resources in the mutual aid agreement.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to adopt the following resolution authorizing execution of the MN Warn Mutual Aid agreement:

**RESOLUTION AUTHORIZING GOVERNMENTAL  
UNIT TO BE A PARTY TO MINNESOTA WATER AGENCY RESPONSE NETWORK  
(MnWARN)**

WHEREAS, Minnesota Statutes, Section 471.59 authorizes governmental units by agreement of their governing bodies to jointly or cooperatively exercise any power common to them;

WHEREAS, MnWARN has been established by the adoption of a Mutual Aid Agreement (the Agreement) among Governmental Units to allow their water, wastewater and storm water utilities to assist each other in case of an emergency;

WHEREAS, the Agreement allows other governmental units to become a party to the Agreement by the adoption of this Resolution and sending notice to the Secretary of the Statewide Committee

for MnWARN; and

WHEREAS, the governing body of City of Worthington, Minnesota considers it to be in the best interests of the City to be a party to the Agreement.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Worthington, Minnesota:

1. Authorizes the Mayor and City Clerk to sign this resolution evidencing the intent of the City of Worthington be a party to MnWARN; and
2. The City Clerk is directed to send a certified copy of this resolution and a completed membership information form to the Secretary of the Statewide Committee of MnWARN; and
3. The City of Worthington agrees to comply with all terms of the Agreement.

Scott Hain, General Manager of Worthington Public Utilities, will be the primary contact person, with Jim Laffrenzen, Public Works Superintendent, as the additional contact person.

### **TH 59/60 IMPROVEMENTS PROJECT PHASE III LAYOUT APPROVED**

At their May 23, 2011 meeting, Council reviewed MnDOT's proposed layout of the Hwy. 59/60 Phase III project and a Good Faith estimate of the project costs including those of the City. During the review, Council suggested trading the "free right" near SWIFT, which MnDOT had put into the design and now wished to remove, for a "right-in/right-out" at the "hammerhead" location by Sungold Heights, and requested a right turn from TH 60 onto the easterly portion of Service Road.

Rolin Sinn, Mn DOT, now presented Council with various options based on the May 23<sup>rd</sup> review. MnDOT's staff found that the right-in only that Council had requested was not feasible and traffic did not warrant it. Options for a right-in/right-out were also explored, but it was found that this would require modifications and/or improvements to the City's street(s) that MnDOT would not be able to participate in. However, a layout was presented that would establish the approval for a right-in/right-out intersection to be developed when local improvement is initiated to accommodate one of the options MnDOT provided. Council reviewed the options and discussed them with Mr. Sinn at length, particularly the road spur that would be installed near Sungold Heights to accommodate the future right-in/right-out. Final plans for Phase III are due completed in September, 2011.

Mr. Sinn also noted that, regarding the entrance for trucks to Graham Tire, the road is on City right of way, not MnDOT's as they initially thought. They will improve the turn onto the road by the MnDOT truck station with curb and gutter, and may have room to bring the road back towards the truck station.

The motion was made by alderman Ten Haken, seconded by Alderman Nelson and unanimously carried to accept the revisions as presented, with Dwayne Haffield and Rolin Sinn to work out an acceptable cut off for the road spur.

**PLANS AND SPECIFICATIONS FOR 2011 BITUMINOUS PAVEMENT IMPROVEMENTS PROJECT APPROVED**

Staff was requesting Council approval of the plans and specifications for the 2011 Bituminous Pavement Improvements project and authorize the advertisement for bids to be received on July 11, 2011 and considered for award at the Council meeting that evening. The following schedules are included in the project:

*Schedule 1 - Bituminous Overlays* - streets proposed for overlay this year are:

- 8<sup>th</sup> Avenue - 10<sup>th</sup> Street to 11<sup>th</sup> Street
- 11<sup>th</sup> Street - East 9<sup>th</sup> Street to Paulson Avenue
- 12<sup>th</sup> Street - 6<sup>th</sup> Avenue to 7<sup>th</sup> Avenue
- 13<sup>th</sup> Street - 6<sup>th</sup> Avenue to 8<sup>th</sup> Avenue
- Miller Street - Humiston Avenue to Burlington Avenue
- West side of Strait Avenue south of Miller Street

Due to possible LGA funding cuts, \$100,000 of the \$350,000 in the 2011 Construction Fund Budget is being set aside for budget reduction or for use in 2012 if not needed in 2011. Of the remaining \$250,000, \$150,000 will be used for street overlays and the remaining \$100,000 will be set aside for seal coating.

*Schedule 2 - Ehler's Park Boat Ramp* - installation of a bituminous pavement surface to replace the gravel boat landing/parking area, with limited curbing to be installed between the ramp driveways. The estimated project cost is \$45,000 and would be funded by the use of a percentage of the \$250,000 allocated by Council from hospital impact monies

*Schedule 3 - Tennis Court Overlays* - total estimated cost for reconditioning of the Pleasant Park and Centennial Park tennis courts is \$40,000 including engineering and contingencies, but does not include the color coat that will be applied in 2012 at an estimated cost of \$14,000.

*Schedule 4 - Eighth Avenue and Eleventh Street Concrete Pavement Restoration* - restoration of concrete pavement on 8<sup>th</sup> Avenue from 10<sup>th</sup> Street to 11<sup>th</sup> Street and at various locations on 11<sup>th</sup> Street from 8<sup>th</sup> Avenue to East 9<sup>th</sup> Avenue. Total estimated cost of the project is \$70,000.

The motion was made by Alderman Wood, seconded by Alderman Ten Haken and unanimously carried to approve the Plans and Specifications for the 2011 Bituminous Pavement Improvements project.

**AUTHORIZATION FOR TAKING QUOTES FOR 2011 STREET SEAL COATING**

Staff has identified the following streets for seal coating in 2011:

Castlewood Drive - near Spring Avenue to the east  
Cecilee Street - near Skyline Drive to the west  
Donavon Drive - north of Briarwood Drive continuing north and west  
James Boulevard - from end concrete to the south  
Lexington Avenue - Sundown Drive to Thompson Avenue  
Moon Circle - West Shore Drive thru cul-de-sac  
Tower Street - 11<sup>th</sup> Street to Cynthia Avenue  
Third Avenue - 13<sup>th</sup> Street to Okabena Street  
Okabena Street - 14<sup>th</sup> Street to First Avenue  
Alley Block 21 - 6<sup>th</sup> Avenue to 7<sup>th</sup> Avenue  
Dayton Drive - CSAH 10 (S. Crailsheim Drive) to the west end  
Sterling Avenue - Sutherland Drive to the north  
Sutherland Drive - CSAH 10 (S. Crailsheim Drive) to the west dead end  
S. Lake Street - S. Shore Drive to TH 59/60

Staff was requesting Council authorization to procure the work by quote rather than the formal bid process to reduce costs and time associated with soliciting bids.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to authorize staff to solicit quotes and award the contract for the 2011 Seal Coating project, provided the total estimated cost after receiving the quotes remains under \$100,000.

**FIRST READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - INTERIM USE PERMITS**

Mayor Oberloh requested to take item H.4. *Proposed Ordinance Amendment - Interim Use Permits* out of order to accommodate those in attendance at the meeting for that item.

Staff presented a proposed ordinance amending Title XV of the Worthington City Code, Section 155.190 - Interim Use Permit, that would basically clean up the language as it is currently contradictory to the intent and purpose, requiring that the proposed interim use must conform with all zoning regulations, which through interpretation would include land uses, making use of the permit null and void. The language changes would allow the permit to be used as intended.

The Planning Commission considered the text amendment at their June 7, 2011 meeting and after holding a public hearing, was unanimously recommending approval.

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to give a first reading to the proposed ordinance.

**SPECIAL USE PERMIT GRANTED - 213 TENTH STREET**

Lyle Voss was requesting a special use permit for his property at 213 Tenth Street, legally described as:

Lot 6 and the northwest ½ of the alley between Lots 5 & 6, Block 8, Plat of Worthington, City of Worthington, Nobles County, Minnesota

The property is located within the Retail Shopping Overlay District but issuance of the permit would allow the applicant to lease his building to a health fitness center.

The Planning Commission considered the request at their June 7, 2011 meeting, and was unanimously 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 the property at 213 Tenth Street.

**COMPREHENSIVE PLAN AMENDMENT REQUEST APPROVED - WORTHINGTON COUNTRY CLUB**

Council considered a request from the Worthington Country Club for an amendment to the City's Comprehensive Plan Land Use section from park/open space to medium density residential. The amendment would allow for residential development along the westerly 3.18 acres of their 122.5 acre parcel. The subject property is legally described as:

That part of the Northwest Quarter of Section 22, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Commencing at the Northwest corner of the East Half of the Northwest Quarter of said Section 22; thence on an assumed bearing of South 0 degrees 15 minutes 59 seconds East, along the west line of the East Half of the Northwest Quarter of said section, a distance of 994.63 feet to the intersection with a line 50.00 feet southeasterly of, as measured at right angles from, the existing centerline of County State Aid Highway No. 10; thence continuing South 0 degrees 15 minutes 59 seconds East, along the west line of said East Half of the Northwest Quarter, a distance of 409.17 feet; thence North 63 degrees 26 minutes 14 seconds West a distance of 19.00 feet to the point of beginning of the tract to be described; thence continuing North 63 degrees 26 minutes 14 seconds West a distance of 120.00 feet to the intersection with the easterly right of way line of County State Aid Highway No. 10, said intersection being 50.00 feet southeasterly of, as measured at right angles from, the existing centerline of said County State Aid Highway No. 10; thence northeasterly, along said easterly right of way line, along a non-tangential curve, concave to the northwest, having a radius of 1482.40 feet, a central angle of 25 degrees 17 minutes 08 seconds, the chord of said curve bears North

13 degrees 55 minutes 12 seconds East, a chord distance of 648.91 feet, an arc distance of 654.21 feet; thence North 0 degrees 15 minutes 59 seconds West, along said easterly right of way line, a distance of 472.38 feet; thence North 89 degrees 44 minutes 01 seconds East a distance of 120.00 feet; thence South 0 degrees 15 minutes 59 seconds East a distance of 473.96 feet; thence southwesterly, along a non-tangential curve, concave to the northwest, having a radius of 1602.40 feet, a central angle of 25 degrees 20 minutes 40 seconds, the chord of said curve bears South 13 degrees 53 minutes 26 seconds West, a chord distance of 703.05 feet, an arc distance of 708.81 feet to the point of beginning, containing 3.18 acres.

The Planning Commission considered the amendment request at their June 7, 2011 meeting and was unanimously recommending approval.

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to approve the Comprehensive Plan Amendment request from Worthington Country Club.

**FIRST READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, TO REZONE PROPERTY FROM "S" (NATURAL FEATURES) TO "R-4" (MEDIUM DENSITY RESIDENTIAL**

The Worthington Country Club submitted an application to rezone 3.18 acres of their property at 851 West Oxford Street, which would allow them to sell the 3.18 acres for development. The subject property is legally described as:

That part of the Northwest Quarter of Section 22, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Commencing at the Northwest corner of the East Half of the Northwest Quarter of said Section 22; thence on an assumed bearing of South 0 degrees 15 minutes 59 seconds East, along the west line of the East Half of the Northwest Quarter of said section, a distance of 994.63 feet to the intersection with a line 50.00 feet southeasterly of, as measured at right angles from, the existing centerline of County State Aid Highway No. 10; thence continuing South 0 degrees 15 minutes 59 seconds East, along the west line of said East Half of the Northwest Quarter, a distance of 409.17 feet; thence North 63 degrees 26 minutes 14 seconds West a distance of 19.00 feet to the point of beginning of the tract to be described; thence continuing North 63 degrees 26 minutes 14 seconds West a distance of 120.00 feet to the intersection with the easterly right of way line of County State Aid Highway No. 10, said intersection being 50.00 feet southeasterly of, as measured at right angles from, the existing centerline of said County State Aid Highway No. 10; thence northeasterly, along said easterly right of way line, along a non-tangential curve, concave to the northwest, having a radius of 1482.40 feet, a central angle of 25 degrees 17 minutes 08 seconds, the chord of said curve bears North 13 degrees 55 minutes 12 seconds East, a chord distance of 648.91 feet, an arc distance of 654.21 feet; thence North 0 degrees 15 minutes 59 seconds West, along said easterly right of way line, a distance of 472.38 feet; thence North 89 degrees 44 minutes 01 seconds East a distance of 120.00 feet; thence South 0 degrees 15 minutes 59 seconds East a distance of 473.96 feet; thence southwesterly, along a non-tangential curve, concave to the northwest, having a radius of 1602.40 feet, a central angle of 25 degrees 20 minutes 40 seconds, the chord of said curve bears South 13 degrees 53 minutes 26 seconds West, a chord distance of 703.05 feet, an arc distance of 708.81 feet to the point of beginning, containing 3.18 acres.

The Planning Commission considered the change of zone application at their June 7, 2011 meeting and was unanimously recommending approval with the condition that the affiliated Comprehensive Plan Amendment earlier considered by Council was approved/adopted.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to give a first reading to the proposed ordinance.

**CONTINUATION OF DISCUSSION - REVISED COOPERATIVE AGREEMENT - SCHOOL DISTRICT 518**

Council determined at this time to continue to table this item to a future meeting to allow for discussion with District 518 personnel.

**COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - reported on his recent trip to Washington D.C. - very fruitful - spend lots of time with our Senators and attended some hearings - he received many comments regarding the Lewis and Clark project. Also mentioned an article he read on Clive, IA - 12 miles of trails - the locals were unhappy with the cleaning provided by the City so purchased equipment on their own and are cleaning the trails.

Alderman Ten Haken - nothing to report.

Alderman Kuhle - nothing to report.

Alderman Nelson - nothing to report.

Alderman Wood - nothing to report.

Alderman Woll - attended an arts presentation for the mural located near Sailboard Beach.

**CITY ADMINISTRATOR'S REPORT**

Craig Clark, City Administrator, thanked everyone for turning out for the Regatta, and said he hoped for a speedy budget resolution from the State.

**ADJOURNMENT**

The motion was made by Alderman Kuhle, seconded by Alderman Wood and unanimously carried to adjourn the meeting at 10:02 p.m.

Janice Oberloh  
City Clerk