

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, JULY 14, 2008**

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 Woll, Ron Wood, Mike Kuhle, Bob Petrich.

Staff present: Gary Hoffmann, Interim Administrator; Brad Chapulis, Director of Community/Ec. Development; Dwayne Haffield, Director of Engineering; Janice Oberloh, City Clerk.

Others present: Darrell Stitt, KWOA; Ryan McGaughey, Daily Globe; Krayton Stenzel, Melvin Janssen, Jr.; David (?); Seth Gilbert; Chuck Slame and Peter Harff, MnDOT.

HONORARY COUNCIL PERSON

Mayor Oberloh introduced Hector Andrade as the Honorary Council Person for the months of July, August, and September, 2008. Mr. Andrade is a senior Pastor at a local church.

AGENDA APPROVED

Mayor Oberloh requested that item F.6 be pulled out of order to accommodate the MnDOT representatives.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the agenda with item F.6 pulled out of order.

CONSENT AGENDA APPROVED

The motion was made by Alderman Petrich, seconded by Alderman Woll and unanimously carried to approve the Consent Agenda as follows:

- City Council Minutes: Regular meeting June 23, 2008, Special meeting June 30, 2008.
- Minutes of Boards and Commissions: Water and Light Commission Minutes of July 7, 2008; Memorial Auditorium Advisory Board of Directors Minutes of June 8, 2008; Housing and Redevelopment Authority Minutes of June 12, 2008; Airport Advisory Board Minutes of June 3, 2008; Park and Recreation Advisory Board Minutes of June 5, 2008; Planning Commission / Board of Appeals Minutes of July 1, 2008.
- Municipal Liquor Store Income Statement for the Period January 1, 2008 through June 30, 2008.
- Application to Block Streets for the annual downtown Crazy Days event as follows:
 - 10th Street from Second Avenue to Fifth Avenue, with the intersections open, from 6:00 a.m. to 6:00 p.m. on Thursday, July, 2008.
- Application to Block a Portion of a Sidewalk for a sidewalk sale on Tenth Street from Second Avenue to Fifth Avenue for the period 8:00 a.m. to 6:00 p.m July 17th through July 19th.

- Application to Block a Portion of a Sidewalk for a sidewalk sale on Tenth Street from Second Avenue to fifth Avenue for the period 8:00 a.m. to 6:00 p.m. on August 1st and August 2nd.
- Bills payable and totaling \$937,954.97 be ordered paid.

SMALL CITIES DEVELOPMENT PROGRAM OWNER OCCUPIED / RENTAL RESIDENTIAL POLICIES APPROVED

Staff presented two Small Cities Development Program policies regarding owner occupied and rental residential properties. The policies must be formally approved before applications for properties within the target area can be approved.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to approve the Small Cities Development Program Residential Owner Occupied Housing Rehabilitation Program Procedural Guidelines and the Small Cities Development Program Residential Rental Rehabilitation Program Procedural Guidelines.

SPECIAL USE PERMIT 2550 HIGHWAY 60 APPROVED

Staff presented an application from JBS Swift & Company for a special use permit for their property at 2550 Highway 60 NE. The permit would allow the applicant to construct a 10,800 square foot casings facility on its campus. The legal description of the property under consideration is:

A tract of land lying in the West Half of Section 18, Township 102, Range 39, described as follows:

Commencing at the southwest corner of Section 18, Township 102, Range 39; thence East along said Section line a distance of 1,293.5 feet; thence North at 90° to said section line a distance of 1,010 feet to the point of beginning; thence North a distance of 100 feet to a point; thence West at 90° 397.38 feet to a point on the southeast right-of-way line of the C.St.P.M. & O. Railroad; thence northeast at an interior angle of 42° 08' and along said right-of-way a distance of 2,657.69 feet to a point on quarter section line; thence South at an interior angle of 47° 41' and along said quarter line a distance of 1,882.90 feet; thence West at an interior angle of 90° 11' a distance of 1,567.51 feet to the point of beginning.

Less and Except:

All that part of the following described tract:

That part of the Southeast Quarter of the Northwest Quarter and of the Northeast Quarter of the Southwest Quarter of Section 18, Township 102, Range 39 lying southeasterly of the railroad right-of-way;

Which lies northerly of a line run parallel with and distant 184 feet southerly of the following described line:

Beginning at a point on the east line of said Section 18, distant 100 feet south of the east quarter corner thereof; thence run westerly at an angle of 89° 14' 15" with said east section line (when measured from south to west) for 3,300 feet and there terminating;

Together with all that part of the above-described tract adjoining and southerly of the above-described strip, which lies northerly of the following described line:

From a point on the above-described line, distant 2,629.78 feet westerly of its point of beginning; run southerly at right angles to said line for 184 feet to the point of beginning of the line to be described; thence run southwesterly to a point distant 199 feet southerly (measured at right angles) from a point on the above-described line, distant 2,729.78 feet westerly of its point of beginning; thence run westerly and parallel with the above-described line to the northwesterly boundary of the above-described tract and there terminating.

Together with:

A tract of land in the West Half of Section 18, Township 102, Range 39, described as follows:

Commencing at the southwest corner of said Section 18; thence East along said section line a distance of 1,293.5 feet; thence North at 90° to said section line a distance of 1,010 feet; thence East at 90° a distance of 522 feet to the point of beginning; thence easterly on said projected line a distance of 798 feet; thence South at 90° a distance of 250 feet; thence at 90° West a distance of 798 feet; thence at 90° North a distance of 250 feet, to the point of beginning.

And Also:

The northerly 50 feet of the following described tract:

Commencing at the southwest corner of Section 18, Township 102, Range 39; thence East along section line, a distance of 1,293.5 feet; thence North at 90° a distance of 740 feet to the point of beginning; thence North along same said line, a distance of 270 feet; thence East 90° a distance of 522 feet; thence South at 90° a distance of 270 feet; thence West at 90° a distance of 522 feet to the point of beginning.

The Planning Commission considered the application at its July 1, 2008 meeting, and after a public hearing, voted unanimously to recommend City Council approval with the following condition:

1. The applicant completes the proposed addition as outlined in the Site Plan.

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to approve the Special Use Permit for JBS Swift & Company, 2550 Highway 60.

FIRST READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY

CODE OF WORTHINGTON - CENTRAL BUSINESS DISTRICT

Staff presented a proposed ordinance amending Title XV of the City Code - Downtown Business District, which would eliminate the one year vacancy requirement as follows:

That Worthington City Code, Title XV, Section 155.086 (B)(2) shall be amended to read as follows:

(2) Central Business District (B-2).

(a) *Purpose.* This district is intended to preserve and enhance the Central Business District as the prime center for office and government employment, shopping and cultural activities.

(b) *Number.* Only one B-2 District shall be permitted.

~~(c) *New non-retail use.* No new non-retail use shall be permitted at ground level unless such frontage shall remain vacant for one year or more and no retail use can be found to occupy such space..~~

Earlier this year, Council completed a text amendment eliminating the same one year vacancy requirement for non-retail ground level storefronts along 10th Street between Second and Fifth Avenue. The Planning Commission held a public hearing on the proposed amendment, after which they voted unanimously to recommend City Council approval of the text change amendment.

The motion was made by Alderman Wood, seconded by Alderman Kuhle and unanimously carried to give a first reading to the proposed ordinance amending Title XV of the Worthington City Code.

DENIAL OF VARIANCE APPLICATION FOR 1024 PAULSON AVENUE UPHELD

Krayton Stenzel was appealing the Zoning Board of Appeals and Adjustments decision at their June 10, 2008 meeting to deny his application for a variance request for property he owns at 1024 Paulson Avenue. Approval of the variance would have allowed the applicant to construct a 160 square foot addition to his existing 2,032 square foot detached garage, which is classified as legally non-conforming. The Zoning Board of Appeals based their denial on the following:

1. The application failed to meet the definition of an undue hardship as outlined by State Statute and City Ordinance;
2. Approval of the variance would have granted the applicant greater property rights than other residential property owners; and

3. Approval of the requested variance would impact the City's ability to effectively enforce the provisions of the Zoning Ordinance equitably.

Brad Chapulis, Director of Engineering, noted to Council that Title XV, Section 155.218 Paragraph (E) requires that a 4/5's vote of City Council is required to alter or rescind the Commissions's decision.

Council discussed the issue at length with Mr. Stenzel, who was present at the meeting to appeal the denial by Zoning Board of Appeals. Alderman Kuhle noted the Planning Commission had received a letter of opposition to Mr. Krayton's plans. Mr. Stenzel assured Council he would maintain the property although there are several others in the area that need attention. Council responded that maintenance wasn't the issue but rather that it may be setting a precedent to allow the structure. Alderman Kuhle noted the Zoning Board of Appeals went through the hearing process and we need to support them.

The motion was made by Alderman Wood and seconded by Alderman Petrich to override the Zoning Board of Appeals and grant the Variance, with the following Aldermen voting in favor of the motion: Wood, Petrich; and the following Aldermen voting against the same: Ten Haken, Woll, Kuhle. The Mayor declared the motion failed.

RESOLUTION ADOPTED REQUESTING DELETION OF THE PROPOSED NOISE WALL ON SOUTH SIDE OF HIGHWAY 60 BETWEEN NOBLES STREET AND EAST AVENUE, AND DIRECTION GIVEN FOR PREFERRED ACCESS

Peter Harff of the Minnesota Department of Transportation was present at the meeting to discuss the Highway 60 project with Council and to get some direction from them regarding the preferred access to Worthington, and for a decision on the proposed noise wall at Morningside Drive addition. Mr. Harff noted MnDOT, in an effort to avoid the expense of going through Shine Brothers' property, had realigned their proposed route of Highway 60 to deviate from its current route at the Flower Lane exit and going east, then turning north at County Road 57, to rejoin the current route just prior to the Morningside Addition. This would eliminate all the residential relocations and there would also be no business relocations. There would be issues involving farmland but MnDOT's plan does its best to minimize cutting through those fields at diagonals or creating problems in that respect. Mr. Harff asked Council if any of them had any questions or concerns regarding the four-lane part of the proposed route, which Council replied they did not, and agreed that the Plan "B" option was the best option.

The challenges faced with this proposal is how to regain the connection back into town. Discussion was held on several options, including curving County Road 57 towards Shines to bring it directly across from Lake Street at the intersection, or leaving the County Road 57 route as is but adding a 30 mph curve to end at the existing road bed by Intervet. Mr. Harff noted from a MnDOT

standpoint, they were sure they could get either access route to work. Mayor Oberloh expressed his concern regarding access to the businesses along the frontage road off of Lake Street, noting there would have to be a large enough turn around at the end of the road so incoming trucks would not need to back out or try to turn around on someone's private property. Council discussed a cul-de-sac as a solution, but Dwayne Haffield, Director of Engineering, reminded them that cul-de-sacs involve taking more property. Discussion then centered on access over the ditch at the end of that frontage. Council also discussed the merits of a round-about as opposed to a four-way stop at the intersection of Lake Street. Mayor Oberloh asked why they couldn't leave County Road 57 alone and add an access from the "dead-end old highway".

Mr. Harff reiterated then, that Council's direction was to stay with "Plan B", with the adjustment by Shine Brothers, and an access over the ditch to the businesses on the frontage road, the intersection with Lake Street will be modified, and with the Flower Lane connection to be maintained although that connection was not yet completely designed. He will take Council's comments back to MnDOT for their consideration.

The second issue for discussion was for Council to give direction to MnDOT regarding the noise wall at Morningside Addition. That section of roadway was the only section to merit such a wall. Mr. Harff noted that over 50% of the people who attended the recent public meeting were opposed to the wall. If Council opted against a noise wall, MnDOT was asking they do so by passing a resolution indicating such. An alternative to the wall would be by berm with a fence or by vegetation. MnDOT is looking at putting together a small committee with a landscape architect, the City Forester, a MnDOT maintenance person and some citizens to work out that aspect.

The motion was made by Alderman Petrich and seconded by Alderman Kuhle to adopt the following resolution denying the installation of a noise wall at Morningside Addition, with the following Aldermen voting in favor of the motion: Woll, Wood, Kuhle, Petrich; with the following voting against the same: Ten Haken:

**RESOLUTION REQUESTING DELETION OF THE
PROPOSED NOISE WALL
ON SOUTH SIDE OF HIGHWAY 60 BETWEEN
NOBLES STREET AND EAST AVENUE**

WHEREAS, the preliminary layout for the future reconstruction of Highway 60 includes a possible 20 foot high noise wall between Nobles Street and East Avenue; and

WHEREAS, the Minnesota Department of Transportation has received input from residents indicating there is limited support for a 20-foot high wall;

WHEREAS, the Minnesota Department of Transportation is planning to work with an advisory

committee consisting of City staff and residents that will be tasked with determining appropriate fencing and planting solutions to keep children off the highway and provide a sense of separation from the highway;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WORTHINGTON, MINNESOTA, that the Minnesota Department of Transportation if formally requested to delete the noise wall from the preliminary layout.

Adopted by the City Council of the City of Worthington, Minnesota, this the 14th day of July, 2008.

The third issue for Council consideration was to re-establish access between Morningside Drive and State Avenue. A 20 mph curve will be installed and will reconnect outside the MnDOT right of way. The vacating of Circle Drive will need to be done by petition. Discussion was held on that access, with Council in agreement with MnDOT. Mayor Oberloh and Alderman Ten Haken expressed their desire to stay involved with the project.

AMENDMENT TO SPECIAL SEWER USER AGREEMENT WITH SWIFT AND COMPANY APPROVED

Staff presented a third amendment to the Special User Agreement that had originally been entered into in February of 1993 with Swift's predecessor, Monfort. The agreement provides the allocation Swift can use at the treatment plant, which, in this case, it is basically all allocated to them. Staff went through a design review looking at Swift's mass of pollutants discharged in the wastewater (which they've reduced since the latest improvements were completed), and in exchange tried to increase the volume they could discharge. In 2007 Council approve the first phase of volume increase, but the second phase of increase was going to be brought about only after the fourth anaerobic cell was put into process, which has now occurred. This will use all the capacity of the plant, the next step would be much more massive upgrade to the facility. Council has already approved a study by Pharmer Engineering to see what that would be. Until that would occur, Swift is up against a volume barrier of what the plant can receive. The amendment has been reviewed by the City Attorney and executed by Swift.

The motion was made by Alderman Ten Haken, seconded by Alderman Kuhle and unanimously carried to approve the Amendment to the Special Sewer User Agreement with Swift and Company.

RESOLUTION ADOPTED VACATING A PORTION OF EASEMENT IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 18, T102N, R40W

Swift and Company applied for a vacation of an existing occupied electric distribution easement, and proposes to grant the necessary replacement easement and financially provide for the relocation of the existing electrical lines and appurtenances as needed. Vacating the easement would allow Swift

to construct a casing processing facility south of their main production building. The Water and Light Commission concurred with the recommendation to vacate subject to Swift providing for the necessary utility relocation and executing the required replacement easement.

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to adopt the following resolution vacating a portion of the easement:

RESOLUTION

VACATING PORTION OF EASEMENT IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 18, T102N, R40W

WHEREAS, a portion of a certain easement in the South Half of the Southwest Quarter of Section 18, Township 102 North, Range 40 West, Nobles County, Minnesota is no longer required by the City.

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

1. That portion of the easement described in Document No. 239633, recorded in the Office of the County Recorder, Nobles County Minnesota, lying 5.00 feet either side of the following described line be hereby vacated and released:

Commencing at the southwest corner of Section 18, Township 102 North, Range 39 West, Nobles County Minnesota; thence east along the south line of said Section a distance of 1293.5 feet; thence north at 90° along the east line of township road a distance 1005 feet; thence in an easterly direction at 90° a distance of 1059.5 feet; thence in southerly direction at 90° a distance of 10.0 feet to the point of the beginning of the line to be described; thence continuing southerly along a projection of the last described line a distance of 230.0 feet and 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.

Adopted by the City Council of the City of Worthington, Minnesota, this the 14th day of July, 2008.

CHANGE ORDER TWO TO PRE-DEMOLITION ABATEMENT PROJECT AT FORMER CAMPBELL SOUP COMPANY SITE APPROVED

Staff presented Change Order 2 to the Asbestos, Hazardous Material, and Lead Based Paint Abatement Project at the Former Campbell Soup Company Facility. The change order addresses the

removal and disposal of asbestos exposed at two separate times and locations during building demolition. The first item provides for \$7,740.00 in compensation to the contractor for disposing of asbestos insulated piping exposed in the ceiling of the former shipping and receiving room. The second item is for removal of the debris from a damaged asbestos insulated steam heat line encountered within a wall near the smoke stack at an additional cost of \$4,149.43. In response to a question from Alderman Ten Haken, Dwayne Haffield, Director of Engineering, noted it appears we will have approximately \$300,000 remaining from the \$800,000 grant to use for additional remediation.

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the Change Order Number 2 to the Asbestos, Hazardous Material, and Lead Based Paint Abatement Project at the Former Campbell Soup Company Facility.

2008 STORM SEWER IMPROVEMENTS PROJECT PLANS APPROVED

Staff presented the plans for the 2008 Storm Sewer Improvements Project, which includes four storm sewer reconstruction or repair projects proposed to be completed as a single project. Schedules 1 and 4 involve the reconstruction of existing storm sewer mains under Franklin Street and Trevor Street, both from East Avenue to Murray Avenue, and tentatively scheduled for street reconstruction in 2010. The current total estimated project cost, including engineering and contingencies, for these two schedules is budgeted at \$131,000, and does not include costs for future permanent restoration of concrete surfaces.

Schedule 2 of the project is the replacement of the storm sewer on Lake Street from Winifred Street to Shell Street with 15" reinforced concrete pipe. The total estimated cost of the work is \$92,000 including engineering and contingencies, which is over the budgeted amount of \$85,940. Staff suggested the projected cost overrun of \$6,060 can be funded from the surplus projected to be available from the Schedule 3 work. Current project costs do not include those for future permanent restoration of concrete surfaces.

Schedule 3 is the repair of a storm sewer outlet to County Ditch 12, serving the Prairie Justice Center area. The repairs include installation of a manhole to provide a drop in the outlet elevation, ditch bank repairs, and proper rip-rap. Total estimated project cost, including engineering and contingencies, is \$16,000, or \$9,000 under the \$25,000 project budget.

Bids for the project would be received August 11th for consideration at the Council meeting that evening.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the 2008 Storm Sewer Improvements Project plans.

CHANGE ORDER NO. 1 TO THE 2008 BITUMINOUS PAVEMENT IMPROVEMENTS PROJECT APPROVED

Council had previously approved a modified Class 5 aggregate base for the 2008 Bituminous Improvements Project pertaining to street reconstruction. The bid for that project also included an alternate bid for Class 6 material, however, due to the increased cost the Class 6 material was not found to provide a value. Staff is proposing to construct a 125 foot test section within a segment of the Pleasant Avenue portion of the 2008 Bituminous Pavement Improvements Project in order to determine performance differences for future information. The increase in the project cost will be \$527.00 (or .2% increase in the City share), and will not be used to determine assessment rates.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to approve the Change Order No. 1 to the 2008 Bituminous Pavement Improvements Project.

ORDINANCE NO. 1014 ADOPTED AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - RETAIL SHOPPING OVERLAY DISTRICT

Pursuant to published notice, this was the time set for the third reading of a proposed ordinance amending Title XV of the City Code of the City of Worthington, Section 155.086 (C) as follows:

(C) Retail Shopping Overlay District.

- (1) This overlay district is intended to preserve the concentration of retail shopping activities at ground level along Tenth Street from Second Avenue to Fifth Avenue.
- (2) Only one Retail Shopping Overlay District shall be allowed.
- (3) Ground level uses permitted in this district shall be as designated in Table 5 of this title for non-residential use groups (A, B, C, D, E, F). ~~If none of these permitted uses can be found to occupy a store front which has remained vacant for a period of one year, then a~~Any use permitted in the underlying zoning district, as indicated on the official zoning map, may be allowed as a conditional use in accordance with §§§§ 155.185 and 155.186 of this chapter.
- (4) Non-ground level uses permitted in this district shall be those uses allowed and regulated in the underlying zoning district as indicated on the official zoning map.

The motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to give a third reading to and subsequently adopt the following Ordinance:

ORDINANCE NO. 1014

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON,
NOBLES COUNTY, MINNESOTA

(Refer to Ordinance File for complete copy of Ordinance)

**RESOLUTION #3344 ADOPTED AUTHORIZE PLACING CITY QUESTION BALLOT
BEFORE VOTERS AT THE GENERAL ELECTION ON NOVEMBER 4, 2008 AND
APPROVING THE FORM OF THE CITY QUESTION BALLOT**

At their June 23, 2008 regular meeting, Council considered a proposed resolution authorizing placing the question of the half-cent sales tax before voters at the General Election on November 4, 2008 and approving the form of the City Question Ballot. After discussing the proposed wording, Council voted to table the item until further clarification. Mark Shepherd, City Attorney, now resubmitted four new wording options for Council consideration. Council agreed that Option 3 was the best option, but with a couple of adjustments. Alderman Ten Haken requested that the word "half" be shown instead as a fraction ($\frac{1}{2}$), and Mayor Oberloh also requested that the number "\$6,000,000" be changed to "\$6 million", as follows.

CITY QUESTION BALLOT

CITY OF WORTHINGTON

To vote for a question, completely fill in the oval next to the word "YES" for that question. To vote against a question, completely fill in the oval next to the word "NO" for that question.

QUESTION OF IMPOSITION OF
LOCAL SALES TAX IN THE
CITY OF WORTHINGTON

May the City of Worthington, Minnesota impose by ordinance a sales and use tax of $\frac{1}{2}$ of one percent for the exclusive purpose of paying the costs of a community center complex and for renovations to the Memorial Auditorium which tax shall terminate 10 years after the date of initial imposition of the tax or when the City Council determines that the amount of revenue received from the taxes to pay for the projects equals or exceeds \$6 million, plus the costs related to the issuance of bonds?

OVAL YES

OVAL NO

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried

to adopt the following resolution authorizing placing City Question Ballot before voters at the General Election on November 4, 2008 and approving the form of the City Question Ballot with the requested changes:

RESOLUTION NO. 3344

A RESOLUTION TO AUTHORIZE PLACING CITY QUESTION BALLOT BEFORE VOTERS AT THE GENERAL ELECTION ON NOVEMBER 4, 2008 AND APPROVING THE FORM OF THE CITY QUESTION BALLOT

(Refer to Resolution File for complete copy of Resolution)

PRE-CONSTRUCTION AGREEMENT BETWEEN CITY OF WORTHINGTON AND THE YMCA APPROVED

Staff presented a pre-construction agreement, drafted by City Attorney Mark Shepherd, between the City of Worthington and the YMCA regarding the previously approved aquatic center to be located at the proposed new YMCA facility. The agreement outlines several stipulations including location, staffing, YMCA membership/non-membership, etc. Council discussed the agreement at length. Aldermen Ten Haken and Kuhle questioned the reduced rate for citizens of Worthington as opposed to other non-members of the YMCA, with Alderman Kuhle suggesting it did not belong in the agreement. Also discussed was the proposed pool schedule for both summer and winter, and an annual shut down period for pool maintenance. Council agreed the shutdown should not occur until after August when students would be back in school. Alderman Wood noted the College has had an agreement in place with the YMCA for a year for pool rights in exchange for land use for the facility.

After further review of the document, Council noted items 1 through 5 and item 7 were acceptable, but item 6 regarding the Sublease and Operating Agreement should still be up for discussion and not be part of this document.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the Pre-Construction Agreement Between the City of Worthington and the YMCA, with Item 6 removed.

USE OF VANCE TRUST MONEY AUTHORIZED FOR REPLACEMENT OF FRONT STEPS OF MEMORIAL AUDITORIUM

At their July 8, 2008 meeting, the Memorial Auditorium Advisory Board of Directors reviewed a quote received from Groninga Construction, Inc. for replacement of the front steps at Memorial Auditorium in the amount of \$5,999. Dwayne Haffield, Director of Engineering, told Council the

proposal amount reflects some donation from Groninga to the project. As the Memorial Auditorium is in receipt of the Vance Trust money, the Advisory Board was recommending Council's approval of use of those funds for the replacement of the steps.

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the use of the Vance Trust funds for replacement of the front steps at the Memorial Auditorium.

CHANGE TO CITY OF WORTHINGTON, MINNESOTA INVESTMENT POLICY APPROVED

Staff was requesting Council approval of a change in the City's investment policy to reflect a longer maximum maturity limit for investing the proceeds received by the recent sale of Worthington Regional Hospital. Due to special circumstances of how the funds will be used, a longer maturity option is requested than the existing limit of three years. The three year limit would remain for all of the City's other cash. Staff was requesting the addition of the following amendment to the current investment policy under Section IX:

AMENDMENT

For the purposes of the City of Worthington's WRH fund managed by Investment Brokers (currently Wells Fargo Investment Management & Trust), cash assets can be placed in investments with a maximum maturity of 20 years.

The motion was made by Alderman Wood and seconded by Alderman Woll to approve the change to the City of Worthington, Minnesota Investment Policy with the following Aldermen voting in favor of the motion: Ten Haken, Woll, Wood, Petrich; and the following Alderman voting against the same: Kuhle. Motion passed.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - just wanted to remind Council of the 6:30 a.m. Special Council Meeting tomorrow.
Alderman Ten Haken - Attended a Southwest Regional Development Commission meeting, award was given to Monogram Meats and Snacks, who was a very worthy recipient. Also noted he was replaced on the ATP committee.

Alderman Woll - nothing to report.

Alderman Wood - nothing to report.

Alderman Kuhle - nothing to report.

Alderman Petrich - reported the new Worthington Public Utilities water tower is going up, Council should stop out and take a look.

CITY ADMINISTRATOR REPORT

The ad for the full-time Administrator is on the City's web site and several places. Has already had applications and phone calls, which were referred to Springsted. Has received good comments on the fireworks and the flowers downtown. There will be a Pool Design Committee meeting on July 23, 2008.

ADJOURNMENT

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

Janice Oberloh
City Clerk