

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, JULY 28, 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, Mike Kuhle, Bob Petrich. Aldermen absent: Ron Wood (excused). Honorary Council Person: Hector Andrade.

Staff present: Gary Hoffmann, Interim Administrator; Mike Cumiskey, Director of Public Safety; Jason Beckmann, Brett Wiltrout and Randy Liepold, Public Safety Department.

Others present: Darrell Stitt, KWOA; Kari Lucin, Daily Globe; Eric Benevides, Long Branch Dance Hall.

HONORARY COUNCIL PERSON

Mayor Oberloh introduced Hector Andrade as the Honorary Council Person for the months of July, and August, and September, 2008.

AGENDA APPROVED WITH ADDITIONS

Staff was requesting the addition of the following items to the agenda:

1. Administration Item E.5 - Authorization to Partially Close an Alley for a Foam Party
2. Public Works Item 1 - Modification of Arnt Aerial Spraying Contract

The motion was made by Alderman Petrich, seconded by Alderman Kuhle and unanimously carried to close the agenda with the addition of E.5 and Public Works Item 1.

CONSENT AGENDA APPROVED

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

- City Council Minutes - Regular Meeting July 14, 2008, Special Meeting 6:30 a.m. July 15, 2008, and Special Meeting 12:00 Noon July 15, 2008.
- Bills Payable and totaling \$1,261,601.40 be ordered paid.

**SECOND READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE
WORTHINGTON CITY CODE - CENTRAL BUSINESS DISTRICT**

Pursuant to notice this was the time set for the second reading of a proposed ordinance amending Title XV of the Worthington City Code, Section 155.086 (B)(2) 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.~~

After some discussion on whether this proposed ordinance had previously been given a second reading, the motion was made by Alderman Woll, seconded by Alderman Kuhle and unanimously carried to give a second reading to the proposed ordinance.

APPOINTMENT OF ELECTION JUDGES AND DESIGNATION OF POLLING PLACES

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to appoint Election Judges and designate polling places for the September 9, 2008 Primary Election and the November 4, 2008 General Election as presented.

ON-SALE BEER LICENSE APPLICATION APPROVED

An application for an On-Sale Beer License was received for El Torito, Raul Godinez, 1719 East Avenue. Mr. Godinez had an On-Sale Beer License in 2007 but did not renew at the end of the year.

The motion was made by Alderman Woll, seconded by Alderman Petrich and unanimously carried to approve the On-Sale Beer License for El Torito, Raul Godinez, 1719 East Avenue.

ALDERMAN MIKE KUHLE DESIGNATED AS THE OFFICIAL DELEGATE TO REPRESENT THE CITY OF WORTHINGTON IN CUERO, TEXAS FOR TURKEYFEST, AND AUTHORIZATION GIVEN TO REIMBURSE HIM FOR HIS RELATED EXPENSES

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to designate Alderman Kuhle as the official delegate to represent the City at Turkeyfest in Cuero, Texas October 10-12, 2008, and to reimburse him for his related expenses.

REQUEST TO PARTIALLY BLOCK AN ALLEY FOR A FOAM PARTY APPROVED WITH STIPULATION

Eric Benevidas, Long Branch Dance Hall, was requesting Council authorization to partially close the alley behind his establishment for a Foam Party. Mr. Benevidas was planning to hold the party from 11:30 p.m. or midnight to 1:00 a.m. August 2nd, and would also have a band. Alderman Kuhle

asked if there were any chemicals in the foam that would be detrimental to the lake if it got into the storm sewer system. Mr. Benevidas responded the foam was primarily made up of soap, and that he would do the clean up when the event was over. Alderman Ten Haken cautioned Mr. Benevidas that he would need to keep the event under control or he would not support it again. Mr. Benevidas assured Council he had six (6) security guards in place and would try for more. Mayor Oberloh said he could support the idea but only if information on the foam product was received that showed it would not be harmful to the lake. Mike Cumiskey, Public Safety Director, noted he had also cautioned Mr. Benevidas about the potential noise problem regarding the music. Mr. Benevidas responded that he would monitor the situation.

The motion was made by Alderman Petrich, seconded by Alderman Kuhle and unanimously carried to authorize Eric Benevidas to partially block the Alley behind the Long Branch Dance Hall for a foam party to be held from 11:30 p.m. to 1:00 a.m., with clean up occurring later that morning, and contingent on Mr. Benevidas supplying the possible pollution information from the foam to the City Engineer for his approval. If the information was not received in time for the August 2nd date, the event would be postponed until it was received and approved.

TRANSFER OF BUDGET FUNDS FOR PURCHASE OF PAGERS AUTHORIZED

Mike Cumiskey, Public Safety Director, and his staff were seeking Council authorization to transfer \$12,000 from the Fire Department Revolving Equipment Fund to the General Fund to be utilized for purchasing 20 new Motorola pagers. The pagers are scheduled to be purchased in 2009, but purchasing them now would result in a savings of \$1,500 by taking advantage of a \$75/pager rebate that Motorola is now offering. Any of the funds not used will be transferred back to the Fire Department Revolving Equipment Fund.

The motion was made by Alderman Ten Haken, seconded by Alderman Petrich and unanimously carried to authorize the transfer of funds for the purchase of new pagers.

RECOGNITION OF OFFICER RANDY LEIPOLD AND CANINE LAIKA, AND UPDATE ON SECOND CANINE UNIT FUNDRAISING

Mike Cumiskey, Public Safety Director, related that on July 21 and 22, 2008, Officer Randy Leipold and his Canine, Laika, re-certified in the Regional Canine Trials. Laika finished in first place for the *suspect find*, second place in *agility*, and she scored a perfect score in *article search*. Chief Cumiskey said her performance is due to Officer Randy Leipold's and Laika's tireless training efforts with the help of Sergeant Beckmann and Officer Wilttrout. There were 84 dogs in the competition. Council applauded Officer Leipold and Canine Laika for their tremendous efforts.

Chief Cumiskey provided an update on the fundraising efforts for the second canine unit. The dog that had previously been donated for the program had issues of aggression and could not be used.

They are now looking at Officer Wilttrout attending the St. Paul Canine Academy in March of 2009. Fundraising is continuing, and at this time they have raised enough funds for the canine school, the canine, and the costs associated with the school (per diem and lodging). They are looking now at raising funds for the canine vehicle. Officer Wilttrout gave a progress report on their fundraising efforts, noting they have raised \$15,000 in the one year since the effort began. They are half way to their goal of \$30,000 to \$35,000. Alderman Woll noted that possibly during the budget process Council could look at supporting the effort for a second canine unit.

MODIFICATION OF ARNT AERIAL SPRAYING CONTRACT APPROVED

Staff presented a modification to the Arnt Aerial Spraying Contract involving requirements for subcontractors. The change deletes several paragraphs and substitutes simply "those who are licensed by the MN Department of Agriculture as *Pesticide Applicators Under Minnesota Pesticide Control Laws and Rules*. The list is updated daily. The change has been reviewed and approved by the City Attorney.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the modification of the Arnt Aerial Spraying Contract.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - Attended a meeting with Aldermen Kuhle and Petrich in Windom hosted by Windom and Mountain Lake regarding Highway 60. Several area legislators were in attendance along with the Commissioner of Transportation and several MnDOT employees. The best thing to come out of the meeting was someone asked how much it would cost to finish the remaining 20 mile stretch of road, and after some calculations, the cost was estimated at \$20,000,000. It was then pointed out that the Commissioner of Transportation has a \$35,000,000 discretionary budget they can spend on any project he feels deserving.

Alderman Ten Haken - nothing to report.

Alderman Woll - He and Alderman Kuhle participated in a watershed tour by bus which was good. The YMCA/aquatic center project is progressing and the drawings are essentially done, they have some small things to iron out but have an aggressive time line. Also gave an update on the Parks and the soccer program.

Alderman Wood - (absent).

Alderman Kuhle - Mentioned the Nemo tour attended with Alderman Woll. Requested an update to full Council on the YMCA/Aquatic Center.

Alderman Petrich - Received a call from Senator Coleman's assistant with an invitation to the Travelodge for a meeting with Tom Freeman. He will also be attending the Coalition of Greater Minnesota Cities summer meeting Wednesday thru Friday, and the Minnesota Municipal Utilities Summer meeting in August.

CITY ADMINISTRATOR'S REPORT

Gary Hoffmann, Interim Administrator, reported that he had contacted Springsted to inquire about applications received for the full time Administrator position. They had so far received 10 applications and heard from four additional interested parties. Also attended a regional Administrators meeting where they discussed issues within the communities. Reminded Council to contact the Secretary with their availability in setting up a joint meeting with the Nobles County Board of Commissioners, and asked Council if they had any interest in a Joint Truth in Taxation meeting again this year.

UPDATE ON CAUSEWAY

Dwayne Haffield, Director of Engineering, provided an update on the improvements to the causeway, indicating it should be open to traffic by late Wednesday to late Thursday if the weather holds. Seeding may or may not be done before it is opened.

ADJOURNMENT

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to adjourn the meeting at 7:52 p.m.

Janice Oberloh
City Clerk