

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, AUGUST 10, 2015**

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Pro Tem Scott Nelson with the following Council Members present: Diane Graber, Larry Janssen, Mike Harmon, Rod Sankey. Honorary Council Member: Jessica Velasco. Council Members absent: Mayor Mike Kuhle (excused).

Staff present: Steve Robinson, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; Janice Oberloh, City Clerk.

Others present: Justine Wettschreck, KWOA; Kristin Kirtz, Daily Globe; Steve Dudley; Jorge Lopez; Members of the Worthington FC U15 Soccer Team.

The Pledge of Allegiance was recited.

**HONORARY COUNCIL MEMBER**

Mayor Pro Tem Nelson welcomed Jessica Velasco as the Honorary Council Member for the months of June, July and August 2015.

**RECOGNITION OF WORTHINGTON FC U15 (SOCCER TEAM)**

Council recognized and congratulated members of the Worthington FC U15 Soccer Team for their recent win at state. Team members introduced themselves and noted their position on the team. The team won the Fire Cup Tournament last year, and hopes to add 8 to 10 year olds this year and some girls.

**AGENDA APPROVED/CLOSED**

The motion was made by Council Member Janssen, seconded by Council Member Sankey and unanimously carried to approve/close the agenda as presented.

**CONSENT AGENDA APPROVED**

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

- City Council Minutes of Regular Meeting July 27, 2015
- Minutes of Boards and Commissions - Center for Active Living Committee Minutes of July 13, 2015; Cable 3 Joint Powers Board Minutes of June 4, 2015; LEC Joint Powers Board Minutes of February 19, 2015
- Application for renewal of on-sale liquor license for Intrepidus, Inc., 325 Oxford Street, Gary Petersen, for the license period September 1, 2015 through April 30, 2015
- Application for Exemption from Lawful Gambling Permit:

Organization: Tomorrow's Turkeys  
CEO: Clyde Scheevel  
Type of Event: Raffle  
Date and Location of Event: September 26, 2015  
Elk's Lodge 2287, 1105 Second Avenue

- Application to Block Street from United Pentecostal Church - Fourth Avenue between 14<sup>th</sup> Street and 15<sup>th</sup> Street from 11:00 a.m. to 6:00 p.m. on Saturday, September 19, 2015
- Bills payable and totaling \$521,494.66 be ordered paid

### **INFORMATIONAL PRESENTATION - COALITION OF GREATER MINNESOTA CITIES**

Marty Seifert, Lobbyist with the Coalition of Greater Minnesota Cities (CGMC), presented a 2015 Legislative Update to Council and talked about the CGMC's effort to get LGA funding back to the 2002 funding level. They had pushed for an increase of \$22.75 million for 2016 and \$22.75 million in 2017, but the outcome was that LGA stayed where it was. 65% of the funding goes to greater Minnesota. Worthington is about \$250,000 short of the 2002 funding. Mr. Seifert also discussed environmental regulatory reform, workforce housing issues, employer driven job training, broadband infrastructure, annexation, lack of transportation funding, and local street funding. He also reminded Council of the CGMC Fall Conference scheduled for November 12-13 in Alexandria, encouraging them to send a representative to discuss and bring attention to our issues here.

### **SECOND READING PROPOSED ORDINANCE VACATING PORTION OF PLATTED PUBLIC UTILITY EASEMENT - LOT 7, BLOCK 3, COLLEGEWAY HEIGHTS ADDITION**

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance that would vacate a portion of a platted public utility easement as follows:

#### Section I

An ordinance vacating that portion of the platted public utility easement over the southerly 15 feet of Lot 7, Block 3, College View Heights Addition, City of Worthington, Nobles County, Minnesota, except the westerly 8 feet thereof, lying north of the following described line:

Commencing at the southeast corner of said Lot 7; thence north along the east line of said Lot 7 a distance of 15.00 feet to the point of beginning of said line; thence westerly to a point on the west line of said Lot 7 distant 7.50 feet north of the southwest corner of said Lot 7, and there terminating.

Adoption of the ordinance would allow the property owner at 1045 Lexington Avenue to replace an existing shed on the property with a larger shed.

The motion was made by Council Member Sankey, seconded by Council Member Graber and unanimously carried to give a second reading to the proposed ordinance.

**AWARD OF CONTRACT - GRAND AVENUE STREET AND SIDEWALK EXTENSIONS PROJECT**

Dwayne Haffield, Director of Engineering, distributed an abstract of bid information that was received on Friday, August 7, 2015 for the Grand Avenue Street and Sidewalk Extensions project as ordered by Council at their June 22, 2015 meeting. Only one bid was received, and it was about \$118,000, or 14%, over the Engineer's Estimate. Mr. Haffield said there was not a lot of interest in the project at this time as the contractors were booked, and he thought we could do better if we re-bid the project. The Housing Partnership's need for the aggressive timing of the project has changed due to a change in funding for their housing project, which will now be started in the later part of the summer of 2016. In addition, Mr. Haffield said, the mall developer did not identify a conflict if the Grand Avenue project completion was delayed until mid summer 2016. It was staff's recommendation to reject the bid and to authorize a re-bid in November or December, to be received in January or February 2016. The project must be under contract before June 22, 2016, or within one year of the date the improvement was ordered in order for the assessable improvement process undertaken this year to remain valid. Staff was requesting the bid information remain non-public as allowed by statute if the bid is rejected.

The motion was made by Council Member Graber and seconded by Council Member Sankey to reject the bid, keep the project alive and re-authorize bids for November or December.

In response to a question from Mayor Pro Tem Nelson, Jorge Lopez of the Housing Partnership was at the meeting and agreed with Mr. Haffield's information on their housing project.

Council Member Janssen asked if it would be the same bid in November. Mr. Haffield responded it would be the same project but a different completion date. Mr. Janssen suggested that perhaps we needed to wait on the project and have more discussion - could the project still be stopped at this point. Mr. Haffield said the project has been through the hearing process and ordered by Council - but, yes, it could be stopped but then the entire process would need to be re-started. You could abandon this process, which maybe isn't fair to those who petitioned for it - and it is ordered. You could hold a separate hearing for the remainder of it - Council initiated. We would need to go back and repackage the plans and specs for the full length of the project and that will be some additional costs.

The following Council Members voted in favor of the motion: Nelson, Graber, Harmon, Sankey; and the following Council Members voted against the motion: Janssen. Motion carried.

**AWARD OF CONTRACT - 2015 STATE AID STREET OVERLAYS**

Bids were received on Friday, August 7, 2015 for the 2015 State Aid Street Overlays project which includes overlaying the following streets:

- Clary Street from Omaha Avenue to Milton Avenue
- First Avenue from 12<sup>th</sup> Street to 16<sup>th</sup> Street

Dwayne Haffield, Director of Engineering, noted that only one bid was received, which was significantly over the Engineer's Estimate by about 46%. Mr. Haffield said the product for the project itself was not so far over but the problem again was getting subcontractors who were interested in filling out that work. We have an urban project, which tend to have a limited number who are willing to do it, unless we're able to piggyback onto a plant that's been set up for either a state or a county project.

Staff's recommendation was to reject the bid and authorize re-advertisement for project completion before September 2016. A specific bid schedule would be presented to Council in late November or early December, with bids to be received in late January or early February. Should Council vote to reject the bid from August 7<sup>th</sup>, Mr. Haffield noted the bid abstract would remain non-public information as allowed by statute.

The motion was made by Council Member Sankey and seconded by Council Member Graber to reject the bid and re-authorize bids in November or December.

Council Member Graber asked if we would be causing a lot of delay in rejecting these bids. Mr. Haffield responded that it is a rideability issue, not function.

Following additional discussion, the motion was unanimously carried.

### **TRANSFER OF FEDERAL AVIATION ADMINISTRATION ENTITLEMENT FUNDS ACCEPTED**

Entitlement funds gained by General Aviation airports as an Airport Improvement Grant can only be maintained for up to four years, then they expire and are redistributed within the grant program. Dwayne Haffield, Director of Engineering, said the cities of Sauk Centre and Glenwood have expiring AIP airport entitlement funds from Fiscal Year 2012. To keep those funds in Minnesota, the Minnesota Department of Transportation was looking to have those cities transfer their expiring funds to Worthington to use towards the Taxiway C extension project. If full funding for the project is not available this year, the City might be able to use them towards a design only grant. The Transfer Agreement received from the City of Glenwood acknowledges acceptance of the funds (\$25,433) and does not obligate the City of Worthington to repayment of the transfer. The Transfer Agreement received from the City of Sauk Centre for \$7,900 also included an additional agreement for repayment through a reciprocating transfer. Mr. Haffield said because it is not certain that the

City will be able to expend those funds before they expire, staff was not recommending approval of that transfer from Sauk Centre.

The motion was made by Council Member Sankey, seconded by Council Member Janssen and unanimously carried to approve the Federal Airport Funding Transfer Agreement between the City of Glenwood, Minnesota and the City of Worthington, Minnesota and to authorize the Mayor to execute the agreement.

### **SPECIAL USE PERMIT APPLICATION APPROVED - 915 WINIFRED STREET**

The American Lutheran Church was seeking the issuance of a special use permit for construction of a 3,379 square foot addition to the existing church located at 915 Winifred Street. Brad Chapulis, Director of Community/Economic Development, noted the property is zoned "R-3" - Low Density Preservation Residential. Religious Institutions are permitted in the "R-3" district through the issuance of a special use permit. The property is legally described as:

Lots 1 through 4, Block 1, Auditor's Plat of Schumm's Addition, City of Worthington, Nobles County, Minnesota.

AND

Lots 1 through 4, Block 1, North Lake Subdivision, City of Worthington, Nobles County, Minnesota.

The Planning Commission considered the request at its August 4, 2015 meeting, and after holding a public hearing, voted unanimously to recommend Council approval of the special use permit with the following conditions:

1. The applicant agrees to prohibit simultaneous use of the facility in writing;
2. The applicant submit a parking plan that clearly illustrates the existing parking stalls;
3. The applicant relocate the dumpster and construct/maintain an exterior trash enclosure as required by City Code;
4. The applicant complies with the provisions of the Flood Plain Ordinance; and
5. All other site improvements are completed as illustrated.

The motion was made by Council Member Graber, seconded by Council Member Harmon and unanimously carried to approve the special use permit application for the American Lutheran Church, 915 Winifred Street, subject to the conditions set by the Planning Commission.

### **SPECIAL USE PERMIT APPLICATION APPROVED - 628 TENTH AVENUE**

T & S Rentals, LLC was seeking issuance of a special use permit that would allow placement of four self-storage buildings on property it owns at 628 10<sup>th</sup> Avenue. The buildings would range from

1,920 square feet to 2,700 square feet in size and will have a cumulative total of 9,240 square feet of storage when fully developed. Brad Chapulis, Director of Community/Economic Development said warehousing is permitted in the "B-3" - General Business district through issuance of a special use permit, which is the proposed zoning classification for the subject property legally described as:

A tract of land in the SE 1/4 NW 1/4 of Section 23, Township 102, Range 40, in the City of Worthington, described as follows:

Commencing at the point of intersection of the north line of Tenth Avenue and the Railroad Company's main track; thence southeasterly along the centerline of said Railroad Company's main track a distance of 349 feet; thence southwesterly perpendicular to the centerline of said Railroad Company's main track a distance of 90 feet to the point of beginning; thence continuing southwesterly perpendicular to the centerline of said Railroad's Company's main track a distance of 205 feet, more or less, to the west line of Lot 4 in Block 53 of the Second Addition to the City of Worthington; thence north along said west line of Lot 4 a distance of 340 feet, more or less, to the south line of Tenth Avenue; thence east along said south line of Tenth Avenue a distance of 65 feet, more or less, to a point on a line parallel with and 90 feet from the centerline of said Railroad Company's main track; thence southeasterly along said parallel line a distance of 305 feet, more or less, to the point of beginning.

Together with

A parcel of land in Nobles County, Minnesota, described as follows:

In Block 53, Second Addition to the City of Worthington, Nobles County, Minnesota, in the West Half of Section 23, Township 102 North, Range 40 West; commencing at the Northwest corner of Albinson and Boberg's Subdivision thence Westerly along the South line of Tenth Avenue for a distance of approximately 200.41 feet; thence Southeasterly along the Easterly line of a parcel Grantor's predecessor conveyed to Alvin Krusemark by Quit Claim Deed dated December 26, 1969, recorded as Document No. 179229, for a distance of approximately 306.24 feet; thence Southwesterly along the Southerly line of a parcel conveyed to Alvin Krusemark for a distance of approximately 178.62 feet; thence Southerly along the West line of Lot 11, Block 53 for a distance of 210 feet; thence Easterly along the North line, extended, of that parcel Grantor's predecessor conveyed to L.P. Deuel and Louise K. Deuel, by Quit Claim Deed dated January 18, 1956 for a distance of approximately 375 feet; thence North 17 degrees 46 minutes West, more or less, along the West line of that parcel Grantor's predecessor conveyed to Lampert Lumber Yard by Quit Claim Deed dated May 27, 1970, for a distance of 410.95 feet; thence North 72 degrees 14 minutes East, more or less, along the Northerly line of that parcel conveyed to Lampert Lumber Yard, for a distance of 79.97 feet; thence North 17 degrees 46 minutes West, more or less, for a distance of approximately 145.72 feet to the point of the beginning.

EXCEPT

That part of Lots 1, 2 and 3 of Block 53 of Second Addition to the City of Worthington,

Nobles County, Minnesota, described as follows:

Beginning at the Northwest corner of Albinson and Boberg's Subdivision, according to the recorded plat thereof; thence on an assumed bearing of South 17 degrees 46 minutes 00seconds East, along the westerly line of said Albinson and Bobergs Subdivision, a distance of 145.72 feet to an iron monument; thence South 72 degrees 14 minutes 10 seconds West, a distance of 79.97 feet to an iron monument; thence South 17 degrees 46 minutes 00 seconds East, a distance of 28.00 feet to an iron monument; thence South 72 degrees 14 minutes 00 seconds West, a distance of 70.00 feet to an iron monument; thence North 13 degrees 49 minutes 00 seconds West, a distance of 221.73 feet to an iron monument located on the north line of Block 53 of said Second Addition; thence South 88 degrees 20 minutes 44 seconds East, along said north line, a distance of 142.82 feet to the point of beginning.

The Planning Commission considered the request at its August 4, 2015 meeting, and after holding a public hearing, voted unanimously to recommend Council approval of the special use permit, subject to the following conditions:

1. The applicant properly screens any trash areas in compliance with the Zoning Ordinance;
2. The applicant properly provides off-street parking facilities that are in compliance with the Zoning Ordinance; and
3. The proposed improvements are completed in accordance with the submitted site plan.

The motion was made by Council Member Sankey, seconded by Council Member Janssen and unanimously carried to approve the special use permit application for 628 Tenth Avenue, subject to the conditions set by the Planning Commission.

#### **PRELIMINARY PLAT APPROVED - PARK VIEW ACRES SECOND ADDITION**

Todd Schwebach was seeking preliminary plat approval of Park View Ares Second Addition, a proposed four-lot residential development. The proposed subdivision is on approximately 1.55 acres located at the northwest corner of the intersection of Dayton Drive and Crailsheim Road. The Planning Commission considered the plat at their August 4, 2015 meeting, and after holding a public hearing, voted unanimously to recommend Council approval of the preliminary plat of Park View Acres Second Addition as presented.

The motion was made by Council Member Sankey, seconded by Council Member Graber and unanimously carried to approve the preliminary plat of Park View Acres Second Addition as presented.

#### **FINAL PLAT APPROVED - PARK VIEW ACRES SECOND ADDITION**

Todd Schwebach was seeking final plat approval of Park View Acres Second Addition, a proposed

four-lot residential development on approximately 1.55 acres located on the northwest corner of the intersection of Dayton Drive and Crailsheim Road. Brad Chapulis, Director of Community/Economic Development, said that before a final plat can be approved and recorded, the subdivider is required to install all applicable public infrastructure improvements. In lieu of completion of the public improvements prior to final plat approval, the subdivider may submit a financial guarantee (i.e., cash deposit, certified check, irrevocable letter of credit) to the City to assure that the improvements will be installed within one year. Mr. Chapulis noted no surety is needed as the public improvements necessary are already abutting the subject property. Planning Commission consideration is not necessary as the final plat is in substantial conformance with the approved preliminary plat.

The motion was made by Council Member Graber, seconded by Council Member Sankey and unanimously carried to approve the final plat - Park View Acres Second Addition.

### **COUNCIL COMMITTEE REPORTS**

Mayor Pro Tem Nelson - Attended a LEC Joint Powers Board meeting - they are looking at replacing the battery backups at approximately \$10,000. They discussed other potential building expenses also - still talking about hiring an architect and looking at collaboration with other counties for dispatch services.

Council Member Graber - The Oxford Redevelopment meeting was well attended for the public portion - those she spoke to thought it was excellent - it was a successful event. The Joint Powers Transit Board met July 30<sup>th</sup> - the service provides 35,000 rides a year. They will be submitting an application for a grant to continue their services. The Public Arts Commission also met July 30<sup>th</sup> and discussed the two sculpture projects. They will be looking to present their plans on September 24<sup>th</sup>. The City picnic was August 3<sup>rd</sup>, and she attended Night to Unite on August 4<sup>th</sup> - another successful event. The Planning Commission met August 4<sup>th</sup> - they were very busy at the meeting.

Honorary Council Member Velasco - had a very low key couple of weeks - she attended an International Festival meeting today - they talked about how to make the festival even better.

Council Member Janssen - Attended the Oxford Street meeting on July 29<sup>th</sup> - they came to a consensus that there needs to be a design standard - it was well attended. They have one more meeting and then they will be presenting. Also attended the Joint Powers Transit meeting on July 30<sup>th</sup> - reviewed the MnDOT contract.

Council Member Harmon - Attended the Joint Powers Meeting at the LEC on August 3<sup>rd</sup>. The CAL meeting on August 10<sup>th</sup> was cancelled for lack of agenda items. They had Water and Light Commission meeting today - the wells are 4" back into the below but okay area - a 6" improvement over a week ago. They talked about Lewis and Clark funding - current level will get it to Luverne and Adrian and hook up to the Lincoln Pipestone system, and get it shovel ready to Worthington. Yesterday attended the Manos Unidos event- the City should be proud of its police force - they did a good job, covered when to use 911 and how to handle a traffic stop. There were 60 to 70 people in attendance.

Council Member Sankey - Attended the Steering Committee meeting - the committee's thoughts were echoed by the public. Attended the employee picnic August 3<sup>rd</sup> - thanks to all the employees for their work. August 4<sup>th</sup> attended Farm Fest to see the broad band presentation. August 10<sup>th</sup> had a broad band meeting - the PC's for People program for Adrian - working on a grant due December 10<sup>th</sup> for 2016.

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

Steve Robinson, City Administrator, reported that staff is finishing preliminary budget work - there will be a budget work session scheduled for the week of August 24<sup>th</sup> for three hours, and a second work session the following week for two hours to finish. Prairie View Golf course - the financials continue to lag behind last year - total revenue is about 9.7% behind last year, but the operating expenses are nearly identical. If this pattern continues the actual operating loss will exceed the budgeted loss of \$169,000. The Prairie View Long Range Planning Committee meets Wednesday, it his hope that following the meeting the Committee will be ready with their recommendation to Council. Construction of the city entrance sign began today, and site preparation on North 59. Axel Huss, the sculptor from Crailsheim, will be in Worthington later this month - will be having a lunch meeting with him on the 28<sup>th</sup>. We are in the process of completing an agreement that will allow us to duplicate his sculpture in Crailsheim, the bridge sculpture. On July 28<sup>th</sup> he met with the mall developer's engineers and reviewed the process to keep moving forward on the development agreement. August 3<sup>rd</sup> we had the Prairie Justice Center Joint Operations Committee - met with an architect Friday and reviewed a number of projects that we'll be requesting proposals on - several of them at the Prairie Justice Center that came up at the meeting and there's a couple that the City will be looking at working on. On August 5<sup>th</sup> the Forrester from the DNR was here to inspect our re-forestation project so they can approve our grant, \$25,000, for all the trees we planted. Yesterday was at the Manos Unidos event for a while at Chautauqua Park - there was about 75 people in attendance - very good event and turnout.

### **ADJOURNMENT**

The motion was made by Council Member Sankey, seconded by Council Member Janssen and unanimously carried to adjourn the meeting at 8:32 p.m.

Janice Oberloh, MCMC  
City Clerk