

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, AUGUST 11, 2008**

The meeting was called to order at 7:15 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. Honorary Council Person: Hector Andrade. Aldermen absent: Bob Petrich (excused).

Staff present: Brad Chapulis, Director of Community/Economic Development; Dwayne Haffield, Director of Engineering; Mike Cumiskey, Public Safety Director; Jim Laffrenzen, Public Works Director; Janice Oberloh, City Clerk.

Others present: Darrell Stitt, KWOA; Randy and Charlene Heeringa, Scott Johnson, Southwest Mental Health Center Director; Damon Eisman, David Benson, Norm Holman, and Marlene Tragesen, Southwest Mental Health Center Board; Steve Johnson, Johnson Builders and Realtors, Larye Mick, Midwest Engineering; Matt Sherwood, Fareway Stores, Inc.

**HONORARY COUNCIL PERSON**

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

**AGENDA APPROVED**

Staff requested the removal of item F.2. from the agenda as requested by the Meadows of Worthington, LLC, and noted a correction to item D.3.A.2. - the date of the temporary license should be September 11, 2008.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to approve the agenda with the deletion of item F.2. and the correction to item D.3.A.2.

**CONSENT AGENDA APPROVED**

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

- City Council Minutes - Regular Meeting July 28, 2008, Special Meeting July 30, 2008, Special Meeting August 4, 2008
- Minutes of Boards and Commissions - Water and Light Commission Minutes of Regular Meeting August 4, 2008
- Application to Block Streets for King Turkey Day as presented.
- Application for Temporary On-Sale Beer License for the King Turkey Day Mixer September 11, 2008 as presented.
- Application for Temporary On-Sale Beer License for the King Turkey Day Beer Garden in the former Campbell Soup parking lot as presented.
- Information received on the Fareway First Addition Public Improvements

- Bills payable and totaling \$348,905.53 be ordered paid.

### **SOUTHWEST MENTAL HEALTH CENTER REQUEST FOR FUNDING**

In April, 2008, Scott Johnson, Director of the Southwest Mental Health Center, made a presentation to City Council on their proposed new facility. The cost of the facility to be located in Worthington on the former Central Elementary site is \$3.5 million. Mr. Johnson informed Council they had hoped to raise between \$600,000 and \$700,000 through their Capital Campaign, but only raised somewhere between \$100,000 and \$150,000. They have recently requested \$250,000 to \$500,000 from Nobles County in the form of a no interest or low interest loan, and he, along with several of his Board members were here now seeking assistance from the City of Worthington. They have also requested funding from the State of Minnesota, but will not know the outcome of that for approximately six months. Council heard information on the structure of the Southwest Mental Health Center and their programming, noting the State of Minnesota mandates that Counties provide Mental Health services but doesn't fully fund them. Mr. Johnson reported he had approached Jason Vote, Chair of the Health Care Foundation, to see if any of the dollars recently contributed to that foundation from the Hospital Sale would be available, and was told they would not fund a brick and mortar project. Several Council members expressed their desire that if requested, Mr. Vote would take the issue before his Board and not speak for them. Mayor Oberloh noted in agreement with Alderman Woll, that the City is just beginning their budget process and could look at the request for assistance, and maybe also visit with the Health Care Foundation about the request.

Mr. Johnson thanked Council for their time and added that he would need to know by September 15, 2008 whether there will be any assistance forthcoming from the City.

### **ORDINANCE NO. 1015 ADOPTED AMENDING TITLE XV OF THE WORTHINGTON CITY CODE - CENTRAL BUSINESS 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 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.~~

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

ORDINANCE NO. 1015

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 ADOPTED CALLING FOR A PUBLIC HEARING ON A PROPOSAL FOR A MULTIFAMILY HOUSING DEVELOPMENT PROJECT PURSUANT TO MINNESOTA STATUTES, CHAPTER 462C, AND AUTHORIZING THE PUBLICATION OF A NOTICE OF THE HEARING (MEADOWS OF WORTHINGTON)**

The Meadows of Worthington, LLC, is proposing to add an additional 40 units of congregate living to the Meadows and to convert 14 units of existing assisted living into memory care units. As they did in May of 2007, they are requesting the City issue additional bonds (approximately \$7,000,000) under the 2007 Indenture to finance the addition. The bonds would be issued under Minnesota Statutes 462C, which provided that the City would not be responsible for payment of the bonds, which would instead be a liability of the Borrower. Brian Kolander, Finance Director, noted this method is basically a pass through for non-profits and has no liability to the City. It would, however, apply to our total bonding ability until the end of the year. The proposal had been discussed between the Finance Director, the Community/Economic Development Director, and the Interim Administrator. If approved, a public hearing and final approval of the bonds would be at the regular City Council meeting on September 8, 2008.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to adopt the following resolution calling for a public hearing and authorizing the publication of a Notice of Hearing:

**RESOLUTION CALLING FOR A PUBLIC HEARING ON A PROPOSAL FOR A MULTIFAMILY HOUSING DEVELOPMENT PROJECT PURSUANT TO MINNESOTA STATUTES, CHAPTER 462C, AND AUTHORIZING THE PUBLICATION OF A NOTICE OF THE HEARING (MEADOWS OF WORTHINGTON PROJECT)**

(a) WHEREAS, Minnesota Statutes, Chapter 462C confers upon cities the power to issue revenue bonds to finance or refinance a program for the purposes of planning, administering, making or purchasing loans with respect to one or more multifamily housing developments within the boundaries of the city; and

(b) WHEREAS, the City Council of the City of Worthington, Minnesota (the "City"), has received a request from Meadows of Worthington, LLC, a Minnesota limited liability company (the "Company"), whose sole member is Ecumen, a Minnesota nonprofit corporation, that the City issue revenue bonds, pursuant to the Act in one or more series of taxable or tax-exempt, short or long term bonds, in an amount not to exceed \$7,000,000 to finance (i) the construction of an additional approximately 40 units of senior congregate housing to be adjacent to and/or attached to its currently 52 units of senior congregate living and assisted living located at 1801 Collegeway in the City, and (ii) renovation of 14 units of existing assisted living into memory care units (collectively, the "Project"); and

(c) WHEREAS, before proceeding with consideration of the request of the Company, it is necessary for the City to hold a public hearing on the proposal pursuant to Section 142(d) of the Internal Revenue Code of 1986, as amended;

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

- A public hearing on the proposal of the Company will be held at the time and place set forth in the Notice of Public Hearing hereto attached.
- The general nature of the proposal and an estimate of the principal amount of Bonds to be issued to finance the proposal are described in the attached form of Notice of Public Hearing.

The City staff is hereby authorized and directed to cause notice of the hearing to be given one publication in the official newspaper of the City and also in a newspaper of general circulation available in the City, not less than 15 days nor more than 30 days prior to the date fixed for the hearing, substantially in the form of the attached Notice of Public Hearing.

Adopted by the City Council of the City of Worthington, Minnesota, this 11th day of August, 2008.

#### **FUEL AGREEMENT WITH NOBLES COUNTY APPROVED**

In the past, the City and Nobles County have had an unwritten agreement for the City's purchase of fuel from the County. The County was now requesting the agreement be formalized. The proposed agreement was reviewed by the City Attorney, and by staff, who had requested a change to the agreement which called for a 30 day written notice to terminate the agreement. Nobles County had agreed to the change.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to approve the fuel agreement with Nobles County.

#### **LIQUOR COMMITTEE RECOMMENDATIONS REGARDING 2007 COMPLIANCE CHECK VIOLATIONS APPROVED**

In May of 2007, the Worthington Police Department performed alcohol compliance checks at

random on 17 local businesses. Of those 17, nine businesses were found to be in violation. The violations have now been resolved through the court system. The Liquor Committee met on July 15, 2008 and determined to inform the businesses in violation that they are entitled to a public hearing before City Council as provided by Ordinance. With that notification, they were also given the option of waiving the right to a public hearing and instead meet with the Liquor Committee on August 5, 2008, to resolve the issue. Based on the results of that meeting, the Liquor Committee was recommending a one week-end license suspension from 5 p.m. Friday to 5 p.m. Sunday, for first violations (weekend to be determined by the violating establishment), and for a second violation a full week suspension from 5 p.m. Sunday to 5 p.m. the following Sunday, to be determined by the establishment in violation.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to concur with the Liquor Committee recommendations and approve the license suspensions as follows:

Eagles Aerie 3282 (2nd violation) - 5:00 p.m. Sunday, September 14, to 5:00 p.m. Sunday, September 21, 2008  
Hy-Vee - 5:00 p.m. Friday, September 5, to 5:00 p.m. Sunday, September 7, 2008  
Travel Express - 5:00 p.m. Friday, October 24 to 5:00 p.m. Sunday, October 26, 2008  
VFW - 5:00 p.m. Friday, October 3, 2008 to 5:00 p.m. Sunday, October 5, 2008  
Elks Club - 5:00 p.m. Friday to 5:00 p.m. on Sunday - weekend yet to be selected  
Casey's West - 5:00 p.m. Friday, November 7 to 5:00 p.m. Sunday, November 9, 2008  
A & T Tap - 5:00 p.m. Friday, August 15 to 5:00 p.m. Sunday, August 17, 2008  
Worthington Travel Plaza - 5:00 p.m. Friday, September 5 to 5:00 p.m. Sunday, September 7, 2008

#### **PRELIMINARY PLAT - FAREWAY FIRST ADDITION APPROVED**

Fareway Stores, Inc. Of Boone, Iowa was seeking preliminary plat approval of 15.31 acres of land they acquired 110 feet east of the southeast corner of the intersection of Ryan's Road and McMillan Street. Approval of the plat would create four commercial lots. The Planning Commission held a public hearing on the matter at its August 5, 2008 meeting and was recommending approval of the preliminary plat subject to the following conditions:

- A. The applicant submits a revised preliminary plat that complies with Title XV, Section 154.12 of the City Code (signature block and building setbacks missing); and
- B. Access to Lot 1, Block 1, and Lot 3, Block 2 shall be restricted to Davis Drive. Any driveway constructed parallel with the right-of-way of Ryan's Road shall be setback a minimum of 40 feet to allow for vehicular movement.

Brad Chapulis, Director of Community/Economic Development, told Council that the applicant has

with the two conditions set by the Planning Commission. Council questioned why the new street would be called Davis Drive and not just be an extension of Stower Drive. Mr. Chapulis responded he had visited with the applicant about this and he agreed to the change, but we would need to check on the procedure to do so. Dwayne Haffield, Director of Engineering, stated we would need to amend the plat by ordinance to change the name. Alderman Woll noted he didn't want to hold up the project for three ordinance readings. Mr. Chapulis replied it could be made a condition of approving the preliminary plat. Council discussed storm water runoff and green space.

The motion was made by Alderman Wood, seconded by Alderman Ten Haken and unanimously carried to approve the Preliminary Plat - Fareway First Addition, with the condition that the street be named Stower Drive, and subject to the other conditions set by the Planning Commission.

**FIRST READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF THE CITY OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - CHANGE OF ZONE**

Staff presented a proposed Ordinance that would rezone 7.83 acres of land located directly south of Olson Park and referred to as 1375 S. Crailsheim Drive. Johnson Builders and Realtors is seeking to rezone the property from the "R-1" - One Family Detached Residential to "PUD" - Planned Unit Development. Approval of the rezoning would allow the applicant to construct 2 and 3-unit condominium structures without having to obtain a special use permit for each building constructed. The Planning Commission held a public hearing on this matter at its August 5, 2008 meeting and was unanimously recommending approval of the proposed Ordinance that would rezone the property to PUD #10 and establishes the applicable zoning regulations for such area, subject to the approval of the final plat of Cherrywood Addition. The third reading of the proposed Ordinance will not take place until Council orders the public infrastructure improvements petitioned for by the developer to proceed.

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 City Code by rezoning the following property from "R-1" One Family Detached Residential Districts to a Residential Planned Unit Development (PUD) District #10:

That part of the Southeast Quarter of the Southeast Quarter of Section 28, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Commencing at the Southeast corner of said Section 28; thence on an assumed bearing of North 0 degrees 27 minutes 21 seconds West, along the east line of said section, a distance of 493.00 feet; thence South 87 degrees 53 minutes 14 seconds West, parallel with the south line of said section, a distance of 20.00 feet to the point of beginning of

the tract to be described; thence continuing South 87 degrees 53 minutes 14 seconds West, parallel with the south line of said section, a distance of 749.71 feet to the easterly right of way line of County State Aid Highway No. 10; thence North 0 degrees 39 minutes 31 seconds West, along said easterly right of way line, a distance of 449.96 feet to the south line of Olson Park; thence North 87 degrees 53 minutes 14 seconds East, along the south line of said Olson Park, a distance of 771.30 feet to the east line of said section; thence South 0 degrees 27 minutes 21 seconds East, along said east line, a distance of 176.70 feet; thence South 87 degrees 53 minutes 14 seconds West, parallel with the south line of said section, a distance of 20.00 feet; thence South 0 degrees 27 minutes 21 seconds East, parallel with the east line of said section, a distance of 273.30 feet to the point of beginning, containing 7.83 acres, subject to easements now of record in said county and state.

#### **PRELIMINARY PLAT APPROVED - CHERRYWOOD ADDITION**

Johnson Builders and Realtors (JBR) was seeking preliminary plat approval for property it owns at 1375 South Crailsheim Drive. The plat consists of 8 lots on 7.83 acres of land. The Planning Commission held a public hearing on this matter at its August 5, 2008 meeting, and unanimously recommended approval of the preliminary plat of Cherrywood Addition subject to the following conditions:

- A. Council's order to proceed with the public infrastructure improvements petitioned for by the Developer.
- B. County Engineer authorizes access to C.S.A.H. 10.
- C. Subdivision covenants illustrate that the establishment and maintenance of the two landscaping islands located within the Cherrywood Lane right-of-way are the responsibility of the property owners within the subdivision.
- D. The subdivision covenants prohibit / restrict Lots 1 and 8, Block 1, from access to C.S.A.H. 10.
- E. The applicant grants the following easements:
  - 10' easement along the west property line of Lot 3, Block 1; and
  - 10' easement along the south property line of Lots 5, 6, 7, and 8, Block 1.

The motion was made by Alderman Kuhle, seconded by Alderman Woll and unanimously carried to approve the Preliminary Plat - Cherrywood Addition, subject to the conditions set by the Planning Commission.

#### **BIDS FOR SALE OF S & L PARKING LOT REJECTED AND AUTHORIZATION GIVEN TO RE-SOLICIT BIDS**

Jim Laffrenzen, Public Works Director, stated that staff had solicited sealed bids for the sale of the

S & L Parking Lot in accordance with the terms established by Council at their April 30, 2008 meeting. Bids were to be submitted by 1:00 p.m. on Monday, July 7, 2008, however, none were received by the appointed time. One bid was received later that afternoon from Mike Woll and another was received the following morning from Gene Kovacs. The first bid was opened by staff (on advice from City Attorney Mark Shepherd), but when the second bid was received Mr. Shepherd's recommendation was to reject both bids and to repeat the process. Alderman Ten Haken asked if the integrity of the bidding process had been maintained. Mr. Laffrenzen responded it had.

The motion was made by Alderman Ten Haken, seconded by Alderman Wood and, with Alderman Woll abstaining from the vote, was unanimously carried.

#### **PURCHASE OF REPLACEMENT FRONT-END LOADER APPROVED**

Staff was seeking Council approval to replace the 1994 front-end loader used by the Public Works Department. The unit is scheduled for replacement in 2009, however, there is an opportunity to trade it in now as one of the dealers has a market for it. Staff requested bids for the purchase of a new machine through the Minnesota State Cooperative Purchasing Venture, and received a very favorable bid from Sheehan Equipment of Sioux Falls at a total cost of \$85,253.25 including trade and sales tax. Current funds in reserve for replacement of the unit are \$94,925.00. Should Council approve the purchase, staff was requesting an additional \$2,000 to replace the radio in the unit. Jim Laffrenzen, Public Works Director, told Council the unit had actually gone down in need of repair earlier that morning. Alderman Woll asked if that problem would affect the trade in amount, to which Mr. Laffrenzen replied it would not. Alderman Kuhle expressed concern about the number of times Council is asked to authorize these replacements early instead of waiting until the budgeted time. Mr. Laffrenzen replied we would be looking at an approximate increase of 30% if we wait.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to approve the purchase of a replacement front-end loader and the radio.

#### **APPROVAL OF NON-REPLACEMENT OF DEAD TREES ON TENTH STREET TABLED FOR FURTHER INPUT**

Staff has attempted to maintain four trees on Tenth Street in front of Avera Worthington Specialty Clinic with not success. The quantity and type of chemicals applied to control ice on the sidewalk in the winter causes them to die in the spring. The situation was assessed by a DNR Forester, who agreed the trees were not surviving due to chemical damage and recommended planting an Emerald Queen Norway Maple. This planting has also proven to be unsuccessful due to the chemicals. Because the trees planted within the central business district was part of an approved landscape plan, Council approval is required to not replace the trees. The clinic has several large mature trees on its property, and the clinic administrator is in agreement that the trees should be removed and replaced by concrete as the safety of the clinic's patients far outweighs the planting of trees. Council briefly



discussed the situation, noting they would prefer further investigation into what other communities do in these situations before making the decision to not replace them.

The motion was made by Alderman Wood, seconded by Alderman Kuhle and unanimously carried to table this item for further information.

**AUTHORIZATION FOR FUNDING FOR CONSTRUCTION OF “T” HANGAR ENTRANCE ROAD AND AUTOMATED SECURITY GATES DENIED**

The 2008 Airport budget included funds for construction of a service road and installation of an automated sliding entrance gate to serve the “T” hangar tenants and to increase security and safety at the airport. The engineer’s estimate for the project is \$35,550. The project is eligible for 50% state aid funding, however, during the 2008 legislative session the Minnesota Aeronautics budget was cut by \$15,000,000 to balance the 2009 budget, thus eliminating the State’s 50% funding. The Airport Advisory Board discussed the situation at their July meeting and the impact on the airport as it related to safety and security. There is increased unauthorized traffic entering on the ramp and concern for safety at the entrance of the maintenance building due to a blind spot. The current gate is often not locked by users as it should be, and needs to be shoveled after a snowfall before it can be opened creating a difficult situation for emergency personnel. The Airport Advisory Board determined the project should be completed this season, and a second automated gate should be installed south of the main building for a more direct route for the ambulance. Total cost for the project with the second gate is estimated at \$42,000. Mr. Laffrenzen presented the following options for financing the project:

Option 1

Use 2008 Airport Capital Reserves as budgeted	\$17,775.00
Authorize use of additional Airport Capital Reserves and/or Undesignated/Unreserved Funds and <b>levy</b> for replenishment in 2009	<u>\$24,225.00</u>
	\$42,000.00

Option 2

Use 2008 Airport Capital Reserves as budgeted	\$17,775.00
Authorize use of additional Airport Capital Reserves and/or Undesignated/Unreserved and <b>not levy</b> for replenishment in 2009	<u>\$24,225.00</u>
	\$42,000.00

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Dwayne Haffield, Director of Engineering, told Council there could be a big swing yet in how the funding program is reauthorized for 2010. It could be at 90%, which creates the funding issue or at 95% that would provide funding for the project. Alderman Ten Haken asked if there would be and

Homeland Security dollars available for the project. That source has not been checked. Alderman Wood suggested we plan for the next 18 to 24 months and let the reauthorization play out. Alderman Kuhle said the funds should not be a big issue and we need to look hard at the budget.

The motion was made by Alderman Ten Haken and seconded by Alderman Woll to deny authorization for use of additional 2008 Airport Capital Reserves and to look at our priorities during the upcoming budget cycle. The following Aldermen voted for the motion: Ten Haken, Woll, Wood; with the following Aldermen voting against the same: Kuhle. Motion passed.

### **BID AWARDED FOR 2008 STORM SEWER IMPROVEMENTS PROJECT**

Bids were received on August 11, 2008 for the 2008 Storm Sewer Improvements Project. The project includes storm sewer replacement on Franklin Street and Trevor Street from East Avenue to Murray Avenue and on Lake Avenue from Winifred Street to Shell Street. It also includes the repair of the County Ditch 12 outlet for the storm sewer serving the Prairie Justice Center area. The Engineer's estimate for the project is \$188,939.05. The only bid received for the project was from Larson Crane in the total amount of \$195,596.40. Dwayne Haffield, Director of Engineering, stated he was recommending awarding of the bid to Larson Crane, but would like to have more contingency than the approximate 5% this bid left us with. Mr. Haffield added there should be funds in the budget from past projects to cover the amount over estimate.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to award the bid for the 2008 Storm Sewer Improvements project to Larson Crane in the amount of \$195,596.40.

### **RESOLUTION NO. 3345 ADOPTED DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF FEASIBILITY REPORT ON PROPOSED IMPROVEMENT**

The City received a petition for the improvement of 27<sup>th</sup> Street, 29<sup>th</sup> Street and North Rose Avenue by street and storm sewer construction. The petition was signed by owners of more than 35% of the property abutting on the proposed improvement. The improvement of 27<sup>th</sup> Street extends to just east of the south Prairie Justice Center drive. The project will be proposed for initial construction in 2009.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to adopt the following resolution:

RESOLUTION NO. 3345

DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF FEASIBILITY

REPORT ON PROPOSED IMPROVEMENT

(Refer to Resolution File for complete copy of Resolution)

**RESOLUTION NO. 3346 ADOPTED DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF FEASIBILITY REPORT ON PROPOSED IMPROVEMENT**

The City received a petition from the land owners for improvement of the property proposed to be platted as Cherrywood Addition. The petition is for extension of the municipal sewer and water systems, and for improvement of the area by extension of the municipal storm water collection and management system, and is indicated by the City's development regulations as part of the platting process. Although the petition was not received prior to the last day of October 2007, the developer is requesting construction of necessary public improvements in 2008. Dwayne Haffield, Director of Engineering, explained the layout of the proposed improvements, noting that the sewer extension will largely be a City share project. We need to work on where the City's project will end to set up for this addition and for having some options available for development immediately to the south. Storm sewer covers a larger area, and it's been the practice of the City to provide the crossing for water under a roadway like County State Aid Highway 10/Crailsheim Drive. Mr. Haffield said we are booked and well behind schedule, and to accommodate these services we will need the services of a consulting engineer. Midwest Engineering is available to undertake the project and will be working with the property developer as his engineer as well. The proposed fees are not exceed \$18,800 including permit fees.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to accept the proposal from Midwest Engineering and adopt the following resolution:

**RESOLUTION NO. 3346 DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF FEASIBILITY REPORT ON PROPOSED IMPROVEMENT**

(Refer to Resolution File for complete copy of Resolution)

**TRUNK HIGHWAY 60 PRELIMINARY LAYOUT FOR THE LAKE STREET AREA APPROVED**

Following the July 14, 2008 presentation and meeting with MnDOT regarding the proposed T.H. 60 layouts, MnDOT staff evaluated additional variations in the layout for the Lake Street/County Road 57 area, including consideration of the comments from Council as well as applicable design criteria. Also available for their evaluation were the results of a traffic count conducted by the City on July 16, 2008, which indicated that of the TH 60 traffic turning from or to Lake Street north of Th60, 65% was interfacing to/from the west and 35% to/from the east. MnDOT was seeking preliminary

approval of the concept and layout they developed as a result of their evaluation. The layout includes the following key elements:

1. Flower Lane does not connect to new TH 60.
2. Old TH 60 from Flower Lane to the ditch would remain in place.
3. CR 57 would intersect TH 60, but have no other improvements.
4. The Township Road would be dead ended with a cul-de-sac on the north of the highway. MnDOT will investigate closing it on the south, but may settle for a right in right out.
5. A new connection with existing TH 60 would be added near the ditch.

Council discussed the proposal at length, including access to the recycling center and maintenance of the old TH 60 and the loss of the Flower Lane connection to the new TH 60. Council also discussed future economic development of that area. Alderman Ten Haken suggested that as we have given up the Flower Lane connection, he would like to see us ask for an improved radius to the County Road 57 connection.

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to approve the preliminary layout including the removal of the Flower Lane connection to new TH 60 but with two other connections, and an improved radius to the CR 57 connection.

### **COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - Received a call from Representative Hamilton regarding Highway 60, noting there seems to be more resistance all the time to completing it as proposed, may need additional support in the future. Also noted Council needs to select some dates for upcoming budget meetings.

Alderman Ten Haken - Attended an Event Center meeting where they discussed having a strategy to get to as many folks as possible about the half-cent sales tax, and may be asking the media for help in about 30 days.

Alderman Woll - said in all the discussions about the event center, discussions regarding a senior center were lacking heavily, perhaps there should be a work session on it. Also briefly reported the Public Works Superintendent was trying to get the Park Board to do some long range planning. They will meet on Thursday morning.

Alderman Wood - nothing to report.

Alderman Kuhle - nothing to report.

### **ADJOURNMENT**

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to adjourn the meeting at 10:00 p.m.

Janice Oberloh  
City Clerk