

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, SEPTEMBER 23, 2019**

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Pro Tem Mike Harmon with the following Council Members present: Larry Janssen, Chad Cummings, Amy Ernst. Mike Kuhle and Alan Oberloh (excused absence).

Staff present: Steve Robinson, City Administrator; Jason Brisson, Assistant City Administrator/Director of Economic Development; Jeremiah Cromie, City Planner; Todd Wietzema, Public Works Director; Dwayne Haffield, Director of Engineering; Mindy Eggers, City Clerk.

Others present: Leah Ward, The Globe; Justine Wettschrek, Radio Works; Chris Kielblock; Sharon Johnson; Julie Foote; Josh Miller; John She; Jason Larsen; Kylie Larsen; Nathan Kraft; Ryan Loomens; Jaime Salinas; Pat Shorter; Anne Foley; Bernice Camery.

The Pledge of Allegiance was recited.

AGENDA CLOSED / APPROVED

Steve Robinson, City Administrator, stated that staff is requesting that Item *F. 1. Life Saving Awards* be removed from the agenda due to scheduling conflicts. The item will be brought back to Council in October.

The motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to close / approve the agenda with the proposed changes.

CONSENT AGENDA APPROVED

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

- City Council Minutes of Regular Meeting Minutes of September 9, 2019
- Public Arts Commission Minutes of September 3, 2019
- Park & Recreation Advisory Board Minutes of September 5, 2019
- Municipal Liquor Store Income Statement for the Period of January 1, 2019 through August 31, 2019
- Storm Water Utility Credits and Adjustments
- Bills payable and totaling \$2,878,234.82 be ordered paid

RESOLUTION NO. 2019-09-69 ADOPTED AUTHORIZING ISSUANCE AND AWARDING SALE OF \$9,595,000 GENERAL OBLIGATION BONDS, SERIES 2019A

Steve Robinson, City Administrator, noted a correction reflecting a reduction to the bond sale amount listed in the agenda, to \$9,595,000 based on the bids received earlier that day. Rebecca Kurtz, Ehlers and Associates, was present at the meeting and told Council the City had a rating call prior to the bid, and she congratulated the City on Standard and Poors' reaffirming the City's AA-

rating. She said the City has very strong budgetary flexibility, and the rating was reflected in the bids received today. Eight bids were received, and Ehlers was recommending the sale of the Bond be to Northland Securities, Minneapolis, MN at 2.0831% interest. With the lower bond amount, Ms. Kurtz said the City would still receive the \$9,595,000 needed for the project. They were recommending award of the sale to Northland Securities, Minneapolis, MN.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to adopt the following resolution authorizing issuance and awarding sale of \$9,595,000 General Obligation Bond, Series 2019A.

RESOLUTION NO. 2019-09-69

RESOLUTION RELATING TO \$9,595,000 GENERAL OBLIGATION BONDS, SERIES 2019A; AUTHORIZING THE ISSUANCE, AWARDING THE SALE, FIXING THE FORM AND DETAILS, PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND THE SECURITY THEREFOR AND LEVYING AD VALOREM TAXES FOR THE PAYMENT THEREOF

(Refer to Resolution File for complete copy of Resolution)

HEARD PRESENTATION BY SHARON JOHNSON, DISTRICT 518 COMMUNITY EDUCATION - WOMEN OF VISION

Sharon Johnson, District 518 Community Education, provided information on the Women of Vision project that was funded by a grant from the Southwest Initiative Fund. Ms. Johnson explained that the purpose was to bring local women together to share ideas and insights related to the future of the Worthington Area. She explained the committee met and identified needs and have suggested positive solutions. They are now sharing the information gathered with community groups and elected officials. Ms. Johnson introduced the committee members that were in attendance and worked on the project, they were Jule Foote, Ann Foley, Bernice Camery.

Staff explained that some of the amenities that they identified are projects in the process of being done in the next year or two.

Council thanked the group for coming and sharing their ideas.

APPOINTMENT OF WORTHINGTON FIRE DEPARTMENT FIRE CHIEF

Steve Robinson, City Administrator stated that the City's Personnel Policy for Firefighters and Standard Operating Guidelines for the Worthington Fire Department note that City Council shall appoint a person fully qualified to serve as the Fire Chief, taking into account the recommendation of the Fire Department personnel.

On September 10, 2019 members of the fire department met and have forwarded the recommendation to appoint Jason Larsen as the Chief. Mr. Larsen has served on the department for the past 10 years.

Mr. Robinson explained the Chief shall have general supervision of the department at all times and have control over all apparatus, equipment and supplies and command over all persons who are employees of the department. The Chief reports to the Director of Public Safety.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to appoint Jason Larsen as the Worthington Fire Department Chief.

THIRD READING AND ORDINANCE NO. 1146 ADOPTED TO AMEND THE WORTHINGTON CITY CODE, TITLE V, CHAPTER 54, SECTION 54.10 (E) (a) 4.H. - RELATING TO STORM WATER PROTECTION

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance - amending the Worthington City Code, Title V, Chapter 54, Section 54.0, (E) (4) (a) 4.H. relating to storm water protection.

Adoption of the proposed ordinance will update the existing ordinance to include all of the necessary provisions associated with mitigation. For clarity the ordinance rewrites all of the mitigation provisions.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously approved to give a third reading and subsequently adopt the following ordinance:

ORDINANCE NO. 1146

AN ORDINANCE TO AMEND THE WORTHINGTON CITY CODE, TITLE V, CHAPTER 54, SECTION 54.10 (E) (a) 4.H. - RELATING TO STORM WATER PROTECTION

(Refer to Ordinance File for complete copy of ordinance)

SECOND READING PROPOSED ORDINANCE TO AMEND TITLE XV OF THE CITY OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - PLANNED UNIT DEVELOPMENT AMENDMENT (PUD 5) - LAKE SHORE PARK CONDOMINIUM ASSOCIATION

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Amend Title XV of the City Code of Worthington, Nobles County, Minnesota - Planned Unit Development Amendment (PUD) - Lake Shore Park Condominium Association.

The proposed ordinance would amend and make the maximum deck size 216 square feet and the

maximum landing size 16 square feet. The legal description of the property is:

Lots 1, 2, 3 and the Northeasterly 50 feet of Lot 4, Block 1, Okabena Addition to the City of Worthington, and Lot 3, the alley between Lots 3 and 4, the southwesterly 109 feet of Lot 4, and the southwesterly 109 feet of Lot 5, all in Block 12, Original Plat, City of Worthington

TOGETHER WITH

That part of Government Lot 4 of Section 23, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Beginning at the most westerly corner of Lot 1 of Block 19 of the Original Plat of the Village (now City) of Worthington, according to the recorded plat thereof; thence on an assumed bearing of South 45 degrees 00 minutes 00 seconds East, along the southwesterly line of said Block 19 and its southeasterly extension, a distance of 122.00 feet to the most westerly corner of Block 12 of said Original plat; thence continuing South 45 degrees 00 minutes 00 seconds East, along the southwesterly line of said Block 12, a distance of 176.21 feet to the most southerly corner of Lot 3 of said Block 12; thence South 2 degrees 28 minutes 11 seconds West a distance of 94.99 feet to the southwesterly line of Eight Street as platted; thence South 45 degrees 00 minutes 00 seconds East a distance of 130.000 feet to the most northerly corner of Block 1 of Okabena Addition to the Village (now City) of Worthington, according to the recorded plat thereof; thence South 44 degrees 56 minutes 30 seconds West, along the northwesterly line of said Block 1, a distance of 209.00 feet to the northwest corner of said Block 1; thence continuing South 44 degrees 56 minutes 30 seconds West a distance of 134 feet more or less, to the shoreline of Okabena Lake, thence northerly, along said shoreline, a distance of 620 feet, more or less, to a line that bears South 44 degrees 56 minutes 30 seconds East a distance of 113 feet, more or less, to the point of beginning, containing 2.72 acres, more or less, subject to easements now of record in said county and state. Total Acres with Plat 3.70 acres, more or less.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to give a second reading to the proposed ordinance.

SECOND READING PROPOSED ORDINANCE - TO REZONE PROPERTY FROM "T-Z" (TRANSITION ZONE) AND "R-3" (LOW DENSITY PRESERVATION RESIDENTIAL DISTRICT) TO "R-2" (ONE FAMILY, LOW DENSITY DISTRICT) - DK BUILDERS

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Rezone Property from "T-Z" (Transition Zone) and "R-3" (Low Density Preservation Residential District) to "R-2" (One Family, Low Density District).

The proposed ordinance would rezone certain property from its current "T-Z" Transitional Zone and "R-3" Low Density Preservation Residential District to "R-2" One Family, Low Density District. The legal description of the property is:

That part of the 3.08 acre tract located in the South Half of the Southeast Quarter (S1/2 SE1/4) of Section Twenty-four (24), Township One Hundred Two (102), Range Forty (40), formerly Railroad Right of Way between Sunny View Addition and Circle Addition (a/k/a Parcel #2 Map #V-10-M-1) lying east of a line which passes through the east corner of Block Ten (10), Sunny View Addition, which line is parallel to the East line of Section Twenty-four (24), Township One Hundred Two (102), Range Forty (40), all in the City of Worthington, Nobles County, Minnesota;

TOGETHER WITH

That part of the tract located in the South Half of the Southeast Quarter (S1/2 SE1/4), Section Twenty-four (24), Township One Hundred Two (102), Range Forty (40), formerly Railroad Right of Way south of Sunny View Addition (a/k/a Parcel #3 Map #V- 9-M-4) lying east of a line which passes through the east corner of Block Ten (10), Sunny View Addition, which line is parallel to the east line of Section Twenty-four (24), Township One Hundred Two (102), Range Forty (40), all in the City of Worthington, Nobles County, Minnesota.

A motion was made by Council Member Ernst, seconded by Council Member Cummings and unanimously carried to give a second reading to the proposed ordinance.

SECOND READING PROPOSED ORDINANCE - TO REZONE PROPERTY FROM "R-1" (ONE FAMILY DETACHED) TO "R-2" - ONE FAMILY, LOW DENSITY DISTRICT) - YELLOW COMPANY

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Rezone Property from "R-1" (One Family Detached) to "R-2" (One Family, Low Density District). The legal description of the property is:

That part of Outlot A, WORTHINGTON COMMUNITY ADDITION, according to the plat thereof on file at the County Recorder's office, Nobles County, Minnesota, lying easterly of the following described line:

Commencing at the northwest corner of said Outlot A; thence on an assumed bearing of South 89 degrees 07 minutes 22 seconds East, along the north line of said Outlot A, a distance of 536.48 feet to the point of the beginning of the line to be described; thence South 00 degrees 50 minutes 36 seconds West, a distance of 312.12 feet to the southerly line of said Outlot A, and said line there terminating.

A motion was made by Council Member Ernst, seconded by Council Member Cummings and

unanimously carried to give a second reading to the proposed ordinance.

SECOND READING PROPOSED ORDINANCE - TO REZONE PROPERTY FROM "R-1" (ONE FAMILY DETACHED) TO "R-4" (MEDIUM DENSITY RESIDENTIAL DISTRICT) - YELLOW COMPANY

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Rezone Property from "R-1" (One Family Detached) to "R-4" - (Medium Density Residential District). The legal description of the property is:

That part of Outlot A, WORTHINGTON COMMUNITY ADDITION, according to the plat thereof on file at the County Recorder's office, Nobles County, Minnesota, described as follows:

Beginning at the northwest corner of said Outlot A; thence on an assumed bearing of South 89 degrees 07 minutes 22 seconds East, along the north line of said Outlot A, a distance of 536.48 feet; thence South 00 degrees 50 minutes 36 seconds West, a distance of 312.12 feet to the southerly line, a distance of 108.10 feet; thence North 00 degrees 01 minute 21 seconds West, a distance of 93.58 feet; thence South 89 degrees 58 minutes 57 seconds West, a distance of 423.92 feet to the west line of said Outlot A; thence North 00 degrees 03 minutes 25 seconds East, along said west line, a distance of 225.05 feet to the point of the beginning.

A motion was made by Council Member Ernst, seconded by Council Member Cummings, and unanimously carried to give a second reading to the proposed ordinance.

SECOND READING PROPOSED ORDINANCE TO REZONE PROPERTY FROM "R-1" (ONE FAMILY DETACHED) TO "B-3" (GENERAL BUSINESS DISTRICT) - YELLOW COMPANY

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Rezone Property from "R-1" (One Family Detached) to "B-3" (General Business District). The legal description of the property is:

That part of Outlot A, WORTHINGTON COMMUNITY ADDITION, according to the plat thereof on file at the County Recorder's office, Nobles County, Minnesota, described as follows:

Commencing at the northwest corner of said Outlot A; thence on an assumed bearing of South 89 degrees 07 minutes 22 seconds East, along the north line of said Outlot A, a distance of 536.48 feet; thence South 00 degrees 50 minutes 36 seconds West, a distance of 312.12 feet to the southerly line of said Outlot A; thence North 89 degrees 02 minutes

51 seconds West, along said southerly line, a distance of 108.10 feet to the point of beginning; thence North 00 degrees 01 minute 21 seconds West, a distance of 93.58 feet; thence South 89 degrees 58 minutes 57 seconds West, a distance of 423.92 feet to the west line of said Outlot A; thence South 00 degrees 03 minutes 25 seconds West, along said west line, a distance of 354.13 feet to said southerly line, a distance of 289.35 feet; thence North 00 degrees 01 minute 22 seconds East, along said southerly line, a distance of 102.94 feet; thence South 89 degrees 02 minutes 51 seconds East, along said southerly line, a distance of 135.00 feet; thence North 00 degrees 01 minute 21 seconds West, along said southerly line, a distance of 160.00 feet to the point of beginning.

A motion was made by Council Member Cummings, seconded by Council Member Janssen, and unanimously carried to give a second reading to the proposed ordinance.

SECOND READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - TEXT AMENDMENT

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Amend Title XV of the City Code of Worthington, Nobles County, Minnesota - Text Amendment. The proposed ordinance would create a new subsection in the Worthington City Code under General Regulations §155.040 Lots and Yards that would include the following provision:

Setback exceptions for handicap/wheelchair ramps in all R districts. The Zoning Administrator may authorize installation of a handicap/wheelchair ramp within a required setback in accordance with the following criteria:

(1) The applicant has submitted a letter from a licensed physician specifying that the handicap/wheelchair ramp is necessary to accommodate a resident of the property.

(2) The handicap/wheelchair ramp shall be designed so as to encroach into the required setback the minimum distance feasible. In no case shall the ramp be closer than three feet from a property line unless in the opinion of the Zoning Administrator there is no other feasible alternative to the location of the ramp.

(3) The handicap/wheelchair ramp shall not encroach into any recorded easement or into the public right-of-way.

(4) The encroachment into the required setback shall be removed when the individual requiring the handicap/wheelchair ramp no longer resides on the property or the ramp is no longer required.

(5) The handicap/wheelchair ramp shall be designed and constructed in accordance with the applicable provisions of the Americans with Disabilities Act (ADA).

A motion was made by Council Member Ernst, seconded by Council Member Janssen, and unanimously carried to give a second reading to the proposed ordinance.

CONSIDERATION OF STREET CLOSURE APPROVED

Steve Robinson, City Administrator, explained every year on Halloween, large numbers of children and adults participate in festivities on Smith Avenue. For the safety of the public, the Worthington Police Department is recommending a temporary closure of Smith Avenue and a portion of Clary Street. The same closure was approved and occurred successfully without issue or concern in 2018. WPD will have officers and a stand in the area to provide safety items to the children.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to approve the street closure of Smith Avenue and a portion of Clary Street, on October 31, 2019 (Halloween) from 5:00 p.m. to 8:00 p.m.

PARK SALES TAX PROJECTS PROFESSIONAL SERVICES PROPOSAL APPROVED

Todd Wietzema, Public Works Director, explained staff, with the approval of our Parks Sales Tax committee, requested a proposal from Brian Bergstrom of Short Elliott Hendrickson Inc. for design and construction services, for three of our phase 1 sales tax projects. The projects are as follows:

- Centennial Park Shelter
- Slater Park Restroom and Shelter
- Buss Field Restroom

Mr. Wietzema said that Mr. Bergstrom's proposal for these design and construction services calls for a lump sum fee of \$68,000.00 plus some reimbursable expenses. Mr. Wietzema noted staff has had very positive experiences working with Mr. Bergstrom on previous City projects and is supportive of his proposal.

A motion was made by Council Member Janssen, seconded by Council Member Cummings, and unanimously carried to approve the park sales tax projects professional services proposal.

COUNCIL COMMITTEE REPORTS

Mayor Kuhle - no report.

Council Member Janssen - no report.

Council Member Oberloh - no report.

Council Member Cummings - no report.

Council Member Ernst - On behalf of the School District they would like to thank the police department for all of their hard work concerning the school threat last Thursday.

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Council Member Harmon - no report.

CITY ADMINISTRATOR'S REPORT

Steve Robinson, City Administrator, stated that he attended the open house for the American Lutheran Church, representatives from the church commended city staff on how easy they were to work with through the construction process. He also attended the JBS Awards ceremony and said one of their employee has had perfect attendance for 29 years.

ADJOURNMENT

The motion was made by Council Member Janssen, seconded by Council Member Cummings and unanimously carried to adjourn the meeting at 7:42 p.m.

Mindy L. Eggers, MCMC
City Clerk