

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, OCTOBER 8, 2012**

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 Kuhle, Scott Nelson, Ron Wood, Mike Woll.

Staff present: Craig Clark, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; Myra Onnen, Neighborhood Services Officer; Officers Daniel Walton and Joe Joswiak; Janice Oberloh, City Clerk.

The Pledge of Allegiance was recited.

RESOLUTION NO. 3507 ADOPTED REGARDING SPECIAL ASSESSMENT FOR 2012 MISCELLANEOUS UNPAID CHARGES

Pursuant to published notice, this was the time and date set for a public hearing on the proposed Assessment of 2012 Miscellaneous Unpaid Charges as follows:

2012 MISCELLANEOUS UNPAID CHARGES

- Removal of Ice and Snow
- Removal of Noxious Weeds and Vegetation
- Removal of Solid Waste

➤ 2.75%¹ ; 1 year

¹Based on estimated current interest rate for a PIR Bond plus 1% +/-

The motion was made by Council Member Ten Haken, seconded by Council Member Wood and unanimously carried to open the hearing.

Dwayne Haffield, Director of Engineering, requested that if there was no one in attendance for the hearing the presentation be cancelled as the same information was provided to the affected parties by mail. Mayor Oberloh asked if there was anyone in attendance for the hearing. Hearing no response, Mr. Haffield's request was granted.

The motion was made by Council Member Woll, seconded by Council Member Wood and unanimously carried to close the hearing.

The motion was made by Council Member Nelson, seconded by Council Member Ten Haken and unanimously carried to adopt the following resolution:

RESOLUTION NO. 3507

ADOPTING THE SPECIAL ASSESSMENT FOR 2012 MISCELLANEOUS UNPAID CHARGES

(Refer to Resolution File for complete copy of Resolution)

AGENDA APPROVED

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to approve the agenda, with the notation that an updated listing of election judges was presented to Council.

CONSENT AGENDA APPROVED

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

- City Council Minutes of Regular Meeting September 24, 2012
- Minutes of Boards and Commissions - Water and Light Commission Minutes of Regular Meeting October 1, 2012; Worthington Area Convention and Bureau Board of Directors Minutes of August 29, 2012
- Approved a First Amendment to the Parking Lease with Southwestern Mental Health Center, Historic Worthington and the City of Worthington
- Bills Payable and totaling \$650,003.70 be ordered paid

MEMORIAL AUDITORIUM REQUEST FOR EQUIPMENT APPROVED

The Memorial Auditorium Advisory Board was requesting Council concurrence for approval of the following equipment to replace current equipment that was purchased in 1997:

3 Shure SLX2/58 Handheld Transmitters for SLX @ 208.00 = 624.00
2 Shure SLX1 - Beltpack Transmitters for SLX (no mic) @ 152.00 = 304.00
2 Shure WL185 - Cardioid Lav Mics with TA4F Connector @ 106.00 = 212.00
1 Shure SLX124/185/SM50 Handheld/Lav Combo System = 795.00

Total Request: \$1,935.00

The cost of the equipment will be from the Florence Vance Trust.

The motion was made by Council Member Woll, seconded by Council Member Wood and unanimously carried to approve the equipment purchase at a total cost of \$1,935.00, with funds to come from the Florence Vance Trust.

ELECTION JUDGES APPOINTED FOR NOVEMBER 6, 2012 GENERAL ELECTION

The motion was made by Council Member Kuhle, seconded by Council Member Woll and unanimously carried to appoint the following slate of election judges for the November 6, 2012 General Election:

GENERAL ELECTION NOVEMBER 6, 2012
Election Board

Updated 10-5-12

First Ward - First Precinct

First Baptist Church - 1000 Linda Lane

Karen Buchman, 2650 East Avenue (co-head)
Gary Brandt, 307 Lake Avenue (co-head)
Ginny Tate, 705 Ash Road
Judy Eykyn, 1133 Elmwood Avenue
Pat Eggers, 402 Worthmore Street
Marcia Shepherd, 1110 Elmwood Avenue

First Ward - Second & Third Precinct

First Baptist Church - 1000 Linda Lane

Corky Tate, 705 Ash Road (co-head judge)
Jacoba Nagel, 804 Omaha Avenue (co-head judge)
Kathy Roslansky, 804 W. Shore Drive
Bob Wieme, 223 W. Clary Street
Garnet Burns, 1209 Collegeway
Elaine Rockne, 1969 S. Shore Drive
Judy Fiola, 608 13th Street
Chuck Winter, 1733 N. Douglas Ave (6:00 am-2:00 pm)

First Ward - Fourth & Fifth Precinct

American Reformed Church, 1720 N. Burlington

Bill Knigge, 962 Briarwood Drive (co-head judge)
Burt Levine, 1702 Rust Road (co-head judge)
Evelyn Lambert, 610 W. Lake Avenue
John Groendyke, 1434 1st Avenue SW
Mary Ferguson, 907 Liberty Drive
Glenis Marsh, 814 Humiston Avenue
Bonnie Beman, 1518 Dover St (6:00 am - 12:00 pm &
3:00 pm - 8:00 pm)

Second Ward - First Precinct

YMCA - 1501 Collegeway

Mary Ann Winter, 1733 N. Douglas Ave - (co-head judge)
(6:00 am - 2:00 pm)
Sharon Johansen, 620 Thompson Ave - (co-head judge)
Kathy Reker, 515 Strait Avenue
Carole Wiese, 320 W. Okabena Street
Bob Petrich, 1010 W. Lake Avenue
Carol Scherff, 1070 S. Crailsheim Road
Jeanne Townswick, 936 Miles Drive
Kelly Reeves, 517 Lake Avenue (2:00 pm - 8:00 pm)
Betty Burns, 925 Liberty Drive

Second Ward - Second & Third Precincts

Nobles County Public Works Bldg.- 960 Diagonal Rd.

David Copperud, 1111 5th Avenue (co-head judge)
Loren Marsh, 814 Humiston Avenue - (co-head judge)
Pat Ingenthron, 120 W. Okabena Street
Marjorie Livingston, 418 W. Clary Street
George Habeck, 1919 Doratheia Blvd.
Dee Hale, 406 Galena Street
Pat Bosma, 919 Sterling Avenue

Second Ward - Fourth & Fifth Precincts

Solid Rock Church, 1730 Diagonal Road

Gary Koster, 1321 E. Ninth Avenue (co-head judge)
Bernice Camery, 1031 Liberty Drive (co-head judge)
Rosie Nerem, 1823 S. Shore Drive
Fern Anderson, 1214 Clary Street
Norma Janssen, 1717 Rust Road
Shirley Adel, 1328 E. Ninth Avenue
Karen Doeden, 1016 Apel Avenue
Sharon Henderson, 984 Briarwood Drive

PRELIMINARY PLAT - McDONALD'S ADDITION APPROVED

The motion was made by Council Member Ten Haken, seconded by Council Member Wood and unanimously carried to approve the preliminary plat of McDonald's Addition contingent upon the following:

1. The applicant removes Ray Drive right-of-way from the plat as it has already been deeded to the City; and
2. The applicant records the deed for the former MnDOT right-of-way along Humiston Avenue

The subdivision is on approximately 3.188 acres located directly west of the intersection of Ray Drive and Humiston Avenue.

FIRST READING PROPOSED ORDINANCE TO ANNEX PROPERTY IN SECTION 30 OF LORAIN TOWNSHIP

Ridley USA, Inc. submitted a petition requesting that the City annex 6,509 square feet of land adjoining their Ridley Block plant located at 2740 County Road 35. Ridley is currently building a structure outside the corporate limits of the city and would like to hook on to the City's sewer and water system. Current City policy prohibits such a connection to any property/development located outside the city limits/boundaries. The land in question is located in the NW 1/4 of the SE 1/4 of Section 30, Township 102 North, Range 39 West, Nobles County Minnesota, and legally described as:

That part of the Northwest Quarter of the Northeast Quarter of Section 30, Township 102 North, Range 39 West, Nobles County, Minnesota, described as follows:

Commencing at the North Quarter corner of said Section 30; thence on an assumed bearing of North 90 degrees 00 minutes East, along the north line of said section, a distance of 275.00 feet to the Northwest corner of Tract 3 as recorded in Doc. No. 267428; thence South 0 degrees 01 minutes 30 seconds East, along the west line of said tract, a distance of 163.90 feet to the point of the tract to be described; thence North 89 degrees 58 minutes 30 seconds East a distance of 100.00 feet; thence South 0 degrees 01 minutes 30 seconds East, a distance of 65.09 feet; thence South 89 degrees 58 minutes 30 seconds West, a distance of 100.00 feet to the west line of said Tract 3 as recorded as Doc. No. 267428; thence North 0 degrees 01 minutes 30 seconds West, along said west line, a distance of 65.09 feet to the point of beginning.

The Planning Commission held a public hearing on the request at its October 2, 2012 meeting, and voted unanimously to recommend approval of the annexation as requested by the applicant.

The motion was made by Council Member Kuhle and seconded by Council Member Nelson to give a first reading to the proposed ordinance.

Council Member Ten Haken noted it seems unusual to carve out only the affected property for annexation, and why aren't we making them take the request to their property line. Council Member Kuhle asked if we needed to send this back to the Planning Commission. Mr. Chapulis responded that was one option, or Council could make a motion for the first reading to included carrying the annexation to the north end of the property, or whatever description Council would choose. Staff's recommendation was made very clear to the Planning Commission to bring as much, if not all of what is considered to have "been improved" into corporate limits. Mr. Chapulis said the applicant is concerned about an increase to his property taxes and an assessment if the entire property would be annexed.

Steve Jeppesen, who owns property to the east of the Ridley property, was present at the meeting and noted he had also attended the Planning Commission meeting when they considered this request. His concerns were whether this carving out of property was an orderly approach to annexation, and about drainage if there is a molasses leak - will the building be subject to the City code or the county code.

Following discussion, Council Members Kuhle and Nelson withdrew their motion.

Following additional discussion, the motion was made by Council Member Woll, seconded by Council Member Wood and unanimously carried to give a first reading to the proposed ordinance with an adjustment of the annexation to include all of the physically improved area of the subject property.

AMENDMENT TO PROFESSIONAL SERVICES CONTRACT APPROVED - EVENT CENTER PROJECT

The motion was made by Council Member Woll, seconded by Council Member Wood and unanimously carried to approve an amendment to the contract for architectural services for the Event Center with WCL Associates for their assistance in preparing bid packages for the FF&E and Audio/Visual system, at an hourly rate of \$105, with a total not to exceed \$8,500.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - Met about WREDC - the majority of the conversation was about changes to the job description and organizational changes- moving more towards funding the position and letting the private sector more fund the projects - the meeting was with Public Utilities and representatives of the County and more meetings will be held with the private sector. The City, County, Utilities, and the private sector will be represented on the administrative hiring team.

Council Member Ten Haken - Met with HRA regarding the hiring of a director - deferred to Council Member Nelson for details.

Council Member Kuhle - Noted a survey mentioned in the Water and Light Commission minutes that showed our local electric rates in the low end of the scale, with water rates at a median level.

Council Member Nelson - working with the City Administrator to schedule a meeting this week regarding the city signs. Attended HRA meeting but would defer the report to the City Administrator. Wants Council to think about selling naming rights for the event center and the inside space too.

Council Member Wood - finally found some agreement on the counties and how to handle public safety - the dispatch stuff will come under a new public safety committee which Lyle is a member of - and will be a joint powers board. Craig Clark clarified that the agreement concerned the logger.

Council Member Woll - wondered if there were additional photos available of the Event Center, specifically at the Chamber. Noted the Event Center Design Committee does have naming on the docket for their meeting on Friday - more generic - but must be determined by December 1st to start marketing it in January. Attended a school meeting prior to Council meeting regarding the school's buildings.

CITY ADMINISTRATOR'S REPORT

Craig Clark, City Administrator, noted the Southwest Initiative Foundation has their annual meeting on October 25th if anyone is interested in attending. The HRA Director position - the Board has extended an offer to a candidate and have yet to hear back. The County continues to ask for our assistance with their initiative on the County Library - we're providing supplementary information they need for infrastructure and economic development initiatives or relocation.

ADJOURNMENT

The motion was made by Council Member Nelson, seconded by Council Member Ten Haken and unanimously carried to adjourn the meeting at 7:55 p.m.

Janice Oberloh, MCMC
City Clerk