

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, OCTOBER 28, 2013**

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Alan E. Oberloh with the following Council Members present: Mike Kuhle, Diane Graber, Rod Sankey, Ron Wood, Scott Nelson. Honorary Council Member: Jerry Eykyn.

Staff present: Craig Clark, City Administrator; Brad Chapulis, Director of Community/Economic Development; Mike Cumiskey, Public Safety Director; Janice Oberloh, City Clerk; Troy Appel, Buffalo Ridge Drug Task Force; Dave Hoffman, Public Safety Department.

Others present: Aaron Hagen and Erin Trester, Daily Globe; Kathleen Kusz, Nobles County Attorney; Jackie Tentinger, Worthington Event Center.

The Pledge of Allegiance was recited.

HONORARY COUNCIL MEMBER

Mayor Oberloh welcomed Jerry Eykyn as the Honorary Council Member for the months of October, November and December, 2013.

AGENDA APPROVED WITH INCLUSION OF EXHIBIT

Craig Clark, City Administrator, requested the addition to the agenda of Exhibit A to item E.3. *Renewal of Legal Services Agreement with Nobles County Attorney.*

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to approve the agenda with the requested addition of Exhibit A to item E.3.

CONSENT AGENDA APPROVED

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

- City Council Minutes of Regular Meeting October 14, 2013
- Minutes of Boards and Commissions - Water and Light Commission Minutes of October 21, 2013; Memorial Auditorium Advisory Board Minutes of October 16, 2013; Worthington Area Convention and Visitors Bureau Board of Directors Minutes of September 25, 2013
- Application for Exemption from Lawful Gambling Permit for the Worthington Area YMCA to conduct raffles March 28, 2014 at the Worthington Event Center - Chief Executive Officer, Andy Johnson
- Bills payable and totaling \$870,848.80 be ordered paid

**ORDINANCE NO. 1074 ADOPTED AMENDING CHAPTER 110, SECTION 110.02
PERTAINING TO APPLICATIONS FOR CITY LICENSES**

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance amending Chapter 110, Section 110.02 of the Worthington City Code regarding background checks for applications for City licenses.

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to give a third reading to, and subsequently adopt, the following ordinance:

ORDINANCE NO. 1074

AN ORDINANCE TO AMEND CHAPTER 110, SECTION 110.02 PERTAINING TO APPLICATIONS FOR CITY LICENSES

(Refer to Ordinance File for complete copy of Ordinance)

REQUEST AND RENTAL RATE APPROVED TO UTILIZE SUNSET PARK GRAVEL PARKING AREA FOR WINTER BOAT LIFT STORAGE

The motion was made by Council Member Nelson, seconded by Council Member Kuhle and unanimously carried to allow Mark Thier to store boat lifts at Sunset Park gravel parking area south of the former dredge shed, at the season rate of \$500, contingent on providing proof of insurance.

RENEWAL OF LEGAL SERVICES AGREEMENT BETWEEN CITY OF WORTHINGTON AND NOBLES COUNTY ATTORNEY APPROVED

Council considered the proposed renewal contract for legal services between the City of Worthington and the Nobles County Attorney for a five year term. Based on the previously agreed 25% of the County Attorney's operation expenses for prosecution services, the proposed fee for 2014 is \$170,198.00, which reflects a 21% increase over the last year. Kathy Kusz, Nobles County Attorney, was present and reminded Council that the formula for the contract had previously been negotiated with Gordon Moore. Ms. Kusz also noted that she had incorrectly billed the City last year for the services provided by her office resulting in a lesser billing amount. Council Member Wood questioned getting the contract this late in the year after the City had already pre-certified.

The contract primarily remains the same, with some minor technical corrections that included the City will be notified and meet and discuss any increased staffing needs, the incorporation of the 25% formula basis from the historical practice, a requirement for the County Attorney to provide the City Council with an update on the prosecution services advanced through the year, and other minor adjustments.

Following discussion, the motion was made by Council Member Graber and seconded by Council Member Kuhle to approve the renewal of the Legal Services Agreement between the City of

Worthington and the Nobles County Attorney, with the following Council Members voting in favor of the motion: Kuhle, Graber, Sankey, Nelson; and the following Council Members voting against the same: Wood. Motion carried.

ALCOHOL COMPLIANCE CHECKS VIOLATIONS/PENALTIES

Council reviewed a list of violations that had occurred during the December 2011 and May 2012 alcohol compliance checks and the corresponding penalties as recommended by the Liquor Committee. The Liquor Committee met October 3rd with representatives of the establishments where the violations occurred, and reviewed the violations, penalties, and whether or not they wished to waive their right to a public hearing before City Council and instead work with the Liquor Committee for their penalties. All of the businesses involved chose to waive their right to a public hearing, and accepted the following penalties:

Video Lupita	Purchase of a Card Reader (or if cost prohibitive will opt for a weekend suspension of license
El Taco	Weekend suspension of license
Tacos Lupe	\$500 fine (1 st offense)
Bob & Steve's Shell	\$500 fine (1 st offense)
Ground Round	\$1,000 fine (2 nd offense)
Panda House	Weekend suspension of license (1 st offense)
Tienda La Morenita	Business is not currently licensed but will be submitting application - has chosen a weekend suspension following license implementation (1 st offense)
Worthington Liquor Store	\$500 penalty and mandatory attendance at an alcohol compliance class for the manager (1 st offense)

The motion was made by Council Member Wood, seconded by Council Member Nelson and unanimously carried to approve the penalties for the December 2011 and May 2012 alcohol compliance check violations.

WORTHINGTON EVENT CENTER RENTAL FEE ADJUSTMENTS APPROVED

Council reviewed the following list of proposed room rental fee increases for Fridays and Saturdays at the Worthington Event Center with Jackie Tentinger, Sales and Event Manager:

Room Rates - Full Room -	Saturday \$1350 (currently \$1200)
	Friday \$950 (currently \$900)
	Weekday \$700 (same)
Half Room -	Saturday, \$900 (currently \$800)
	Friday \$650 (currently \$600)

Weekday \$500 (same)

Bar Prices - Wine - \$6/glass (currently \$4-\$6/glass)
Soda - \$1.95/glass (currently \$1.50/glass)
Keg (Domestic) - \$250 (currently \$230-\$295)
Keg (Import/Premium) - Market (currently not priced)

Hotel Bar Packages will replace the Cocktail By Hour options:

Package 1

Tap beer, house wine, soda..... \$14.00 pp

Package 2

Package 1 plus rail brand cocktails..... \$20.00 pp

Package 3

Package 2 plus call brand cocktails..... \$25.00 pp

Champagne Toast..... \$ 1.25 pp
House Champagne..... \$18.00/bottle
House Wine..... \$18.00/bottle

Soda (unlimited)..... \$ 1.50 pp
Keg - Domestic Beer..... \$250.00
Keg - Import/Premium..... Market

\$300 bar minimum per bar

In addition to the basic fee schedule, the management group also proposed to establish the following package prices for Corporate meetings, bereavements, and patio/garden events:

Corporate Meeting Package Prices - Monday-Thursday A.M.to 4:00 P.M.

Quarter Room..... \$125.00
Half Room..... \$250.00
Full Room..... \$350.00
\$2.00 per person charge
Including Breakfast/Lunch/Snack Catering from Hy-Vee

Bereavement Package Prices - Monday-Thursday - A.M. - 4:00 P.M.

Quarter Room.....\$125.00
Half Room..... \$250.00
Full Room.....\$350.00
\$2.00 per person charge
Including Breakfast/Lunch/Snack/Dinner Catering

Patio Rental Package..... \$400.00
Garden Ceremony Package..... \$400.00
Garden Ceremony Package + Patio Ceremony Space.....\$+ \$250.00

The motion was made by Council Member Wood, seconded by Council Member Sankey and unanimously carried to approve the Worthington Event Center rental fee adjustments as presented.

BUFFALO RIDGE DRUG TASK FORCE INFORMATIONAL PRESENTATION

Troy Appel, Commander of the Buffalo Ridge Drug Task Force (BRDTF) provided information to Council on the Task Force and their work in Southwest Minnesota, noting that, early on, the BRDTF was recognized as the top rated task force in the state of Minnesota. Mr. Appel shared pictures of local meth homes, stories of children in those homes, and of meth users and how the drug affects them, and of the drugs and other forfeitures obtained through their drug busts and arrests. The presentation provided an extensive look into the presence of drugs in our area. Council thanked Mr. Appel for the presentation and for the work the Buffalo Ridge Drug Task Force performs in dealing with the manufacture, distribution and use of illegal drugs.

FIRST READING PROPOSED ORDINANCE VACATING PART OF AN EASEMENT IN LAKEVIEW HEIGHTS ADDITION

The motion was made by Council Member Kuhle, seconded by Council Member Wood and unanimously carried to give a first reading to a proposed ordinance that would vacate a part of an easement in Lakeview Heights Addition as follows:

Section I.

The following described portion of the platted public utility easement in Lot 28, Block 4, Lakeview Heights Addition, City of Worthington, Nobles County, Minnesota, be vacated:

The east 7.00 feet of the west 10.00 feet of Lot 28, Block 4, Lakeview Heights Addition, City of Worthington, Nobles County, Minnesota, except the north 8.00 feet thereof.

Adoption of the proposed ordinance will allow the owner of the property located at 1914 Summit

Avenue to construct a detached garage that would otherwise extend onto a platted utility easement, which was previously occupied by a now abandoned sanitary sewer line. The Water and Light Commission concurred with the partial easement vacation at its October 21, 2013 meeting.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - attended the mixer at the newly completed Field House on the Minnesota West Campus - the facility was impressive. While at the college, he spoke to a Domestic Violence Awareness Group - stats showed there have been 278 women, 26 men, and 301 children who have used the services of the Group in the past year, and 35 people died in Minnesota in 2012 as a result of domestic violence.

Council Member Kuhle - nothing to report.

Council Member Graber - the Memorial Auditorium Advisory Board is still waiting to hear from the sign contractor and from the rigging people.

Council Member Sankey - nothing to report.

Council Member Wood - also attended the Field House Mixer - it was good to see the project completed.

Council Member Nelson - the HRA has been meeting off and on - they will be coming back to Council for approval of changing their 36 unit project to a 48 units. The Convention and Visitors Bureau has been working on the Holiday Parade - they also have a planning meeting coming up.

CITY ADMINISTRATOR'S REPORT

Craig Clark, City Administrator, reminded Council of the Special City Council meeting that was continued to 7:00 a.m. on Wednesday, and that the first regular meeting in November will be held on Tuesday, November 12th as Monday is a holiday.

ADJOURNMENT

The motion was made by Council Member Nelson, seconded by Council Member Kuhle and unanimously carried to adjourn the meeting at 8:50 p.m.

Janice Oberloh, MCMC
City Clerk