

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, NOVEMBER 28, 2022**

The meeting was called to order at 7:00 p.m., in City Hall Council Chambers by Mayor Mike Kuhle with the following Council Members present: Chad Cummings, Chris Kielblock, Amy Ernst, Larry Janssen, Alaina Kolpin.

Staff present: Steve Robinson, City Administrator; Matt Selof, Community Development Director; Troy Appel, Public Safety Director; Hyunmyeong Goo, Assistant City Engineer; Mindy Eggers, City Clerk.

Others Present: Emma McNamee, Daily Globe; Ryan McGaughey, Radio Works.

The Pledge of Allegiance was recited.

AGENDA APPROVED WITH ADDITIONS/CHANGES

A motion was made by Council Member Kielblock, seconded by Council Member Kolpin and unanimously carried to approve the agenda as presented.

CONSENT AGENDA

A motion was made by Council Member Ernst, seconded by Council Member Kielblock and unanimously carried to approve the consent agenda as presented.

- Economic Development Authority Meeting Minutes of November 14, 2022
- LEC Joint Powers Meeting Minutes of November 9, 2022
- Heron Lake Watershed Board Special Meeting Minutes of November 2, 2022
- Heron Lake Watershed Board Meeting Minutes of October 19, 2022
- Cross Cultural Committee Meeting Minutes of October 18, 2022
- Water & Light Commission Meeting Minutes of November 21, 2022
- 2023 License Renewals
- Municipal Liquor Store Income Statement for the period of January 1, 2022 through October 31, 2022
- Bills Payable Totaling \$6,727,474.28

SECOND READING PROPOSED ORDINANCE TO VACATE PLATTED PUBLIC UTILITY EASEMENTS AND PUBLIC DRAINAGE AND UTILITY EASEMENTS IN GLENWOOD HEIGHTS FIRST ADDITION

Pursuant to published notice this is the time and date set for the second reading of a proposed ordinance to Vacate Platted Public Utility Easements and Public Drainage and Utility Easements in Glenwood Heights First Addition.

A complete copy of the ordinance was provided in your November 14, 2022 Council Agenda.

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

SECOND READING PROPOSED ORDINANCE RELATING TO STORM WATER UTILITY RATES

Pursuant to published notice this is the time and date set for the second reading of a proposed ordinance Relating to Stormwater Utility Rates.

A complete copy of the ordinance was provided in your November 14, 2022 Council Agenda.

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

THIRD READING AND ORDINANCE NO. 1190 TO AMEND TITLE V OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY - CHAPTER 51 - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT APPROVED

Pursuant to published notice this is the time and date set for the third reading of a proposed ordinance to Amend Title V of the City Code of Worthington, Nobles County - Chapter 51 - National Pollutant Discharge Information System (NPDES) Permit.

A complete copy of the ordinance was provided in your October 12, 2022 Council Agenda.

The motion was made by Council Member Kielblock, seconded by Council Member Cummings and unanimously carried to give a third reading and subsequently adopt the following ordinance.

ORDINANCE NO. 1190

AN ORDINANCE TO AMEND TITLE V OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY - CHAPTER 51 - NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT APPROVED

(Refer to Ordinance File for complete copy of Ordinance)

CONSIDERATION OF CITY COUNCIL MEETING TIME

Steve Robinson, City Administrator, said Council members have requested discussion and consideration of changing the starting time of regular meetings.

He explained under the Code of Ordinances Section 30.01 states "Regular meetings of the Council shall be held on the second and fourth Monday of each month at 7:00 p.m. in the Council Chambers

of city hall." If Council agrees an amendment to the ordinance will need to be done and brought to City Council for three readings. The new ordinance would go into effect upon approval of the third reading and publication in the newspaper of record.

Council Member Cummings said that he found several other cities that hold their council meetings at 5:00 or 5:30 p.m. and also talked to community members and receive favorable comments on the potential time change of the meetings.

Council Member Kolpin said that if Council moves the time she would be in favor of 5:30 p.m.

Council Members agreed that moving the Council meetings to 5:30 p.m. would allow time for members to get off of work and get to City Hall.

Staff will proceed with amending the ordinance.

CONSIDERATION OF CITY COUNCIL EXTRA MEETING PAY ADJUSTMENT

Mr. Robinson said Council members have requested discussion and consideration of changing the extra meeting compensation. He said the Code of Ordinances Section 30.06, (C) "Salaries of Mayor and Aldermen", stipulates that the Mayor and Aldermen shall receive \$50 per day for extra meeting compensation. The City Attorney has reviewed State Statutes, City Charter and City Ordinances and gave the opinion that Extra Meeting Compensation is not subject to statutory restrictions in Minnesota Statute 415.11, Subd. 2 and can be adjusted at any time.

Council Member Ernst said she is proposing changing the current per diem amount of \$50.00 per day to \$100.00 per meeting. Council Member Kolpin asked if \$100.00 per meeting was too much. Mr. Robinson noted that it has been 20 years since and adjustment has been made.

No formal action was taken on the per meeting amount proposed but staff will proceed with amending the ordinance.

NOBLES HOME INITIATIVE PROGRAM RENEWAL DENIED

Council discussed extending the Nobles Home Initiative (NHI) program through December 31, 2027 at the November 14, 2022 regular meeting. Mr. Robinson said concerns were raised regarding the stipulation that the abatement amount shall remain the same as the initial full year throughout the eligible term rather than annual adjustments based on the actual captured tax capacity.

As previously noted, the NHI program was adopted by the City of Worthington, Nobles County and ISD 518 in May 2014. It was initially approved through December 31, 2017. The program was extended for an additional five-year period and is set to expire on December 31, 2022. Council is asked to consider extending the program for another five-year term, expiring on December 31, 2027.

The amended NHI guidelines were included in the November 14, 2022 packet.

Mr. Robinson said the purpose of the program is to encourage construction of new housing units by providing five years of property tax abatement to eligible participants. The amount of taxes to be abated shall be based on the value added, or captured tax capacity, to the new residential construction. The first year of abatement commences once the Nobles County Assessor has determined that the project is complete and the property is assessed at the full estimated market value thereby enabling the calculation of the full captured tax capacity. The abatement dollar amount will remain the same as the initial full year throughout the term of the program as long as the property owner adheres to all provisions of the agreement each of the five years.

Mr. Robinson noted fifty-three housing units in the City of Worthington have been approved through the program since its inception. Approximately seventeen of those have received the full five-year abatement and are now contributing to the City's net tax capacity.

After a lengthy discussion concerning the current formula used in calculating the abatement and Council wanting the program to continue in the manner it was intended when it started, Council is open to the idea of staff running our own abatement program.

A motion was made by Council Member Ernst, seconded by Council Member Cummings and unanimously carried to deny the Nobles Home Initiative Program Renewal.

RESOLUTION NO. 2022-11-83 REGARDING PROGRAM AUTHORIZATION WITH MN DEPARTMENT OF PUBLIC SAFETY

Troy Appel, Public Safety Director, said the Worthington Police Department has participated in an agreement with the Minnesota Department of Public Safety Law Enforcement Support Office (LESO) for over 25 years. As part of the agreement, authorization from City Council is needed to abide by federal protocols, supervise the appropriate use of the property, and provide public notifications.

A motion was made by Council Member Cummings, seconded by Council Member Kolpin and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2022-11-83

A RESOLUTION REGARDING PROGRAM AUTHORIZATION WITH MN DEPARTMENT OF PUBLIC SAFETY

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2022-11-84 ACCEPTING A DONATION OF FUNDS

Mr. Appel said, the Homestead Cooperative of Worthington generously donated \$100 to the Worthington Police Department and will be placed in Police Programs Reserves and utilized towards public safety equipment purchases.

A motion was made by Council Member Ernst, seconded by Council Member Kielblock and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2022-11-84

A RESOLUTION ACCEPTING A DONATION OF FUNDS

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2022-11-85 ACCEPTING A DONATION OF FUNDS

Mr. Appel said Arthea Raak and family donated \$50 to the Worthington Police Department and will be placed in Police Programs Reserves and will be utilized towards public safety equipment purchases.

A motion was made by Council Member Cummings, seconded by Council Member Kolpin and unanimously carried to adopt the following resolution:

RESOLUTION NO. 2022-11-85

A RESOLUTION ACCEPTING A DONATION OF FUNDS

(Refer to Resolution File for complete copy of Resolution)

BUDGET AMENDMENT/EXPENDITURE OF RESERVE FUNDS APPROVED

Mr. Appel said Worthington Police K9 Shep who was purchased in 2022 passed away due to a tragic accident. A replacement canine has been secured by the Worthington Police Department. Ultimately, insurance coverage will likely reimburse all associated costs but to cover the initial purchase price of \$11,500.00, the department is seeking a budget amendment approval for the expenditure of \$4,000 in Alarm Reserves to supplement the \$7,500 in American Kennel Club Reunite K9 Cop grant funds. The reserve fund will be refunded with the insurance reimbursement.

A motion was made by Council Member Ernst, seconded by Council Member Kielblock and unanimously carried to approve the budget amendment for purchase of the new canine.

RESOLUTION NO. 2022-11-86 OF SUPPORT FOR THE CITY OF WORTHINGTON GRANT APPLICATION SUBMITTAL FOR THE 2022/2023 MINNESOTA DEPARTMENT

OF TRANSPORTATION ACTIVE TRANSPORTATION INFRASTRUCTURE PROGRAM

Hyunmyeong Goo, Assistant City Engineer, said the City of Worthington is applying for Active Transportation Grant Funds from the Minnesota Department of Transportation's Active Transportation Program. The proposed project includes reconstruction of the trail from Cynthia Avenue to West Clary Street (through Centennial Park) and trail crossing improvements at the intersection of Tower Street/Lake Ave (includes trail extension, ADA work, signage etc..).

The Minnesota AT Infrastructure Program provides grant funding for the construction of pedestrian and bicycle infrastructure projects. The program does not require a local match, and grants are paid on a reimbursable basis. Grant requests can be between \$50,000 and \$500,000 to fund up to 100% of eligible AT construction costs.

A motion was made by Council Member Ernst, seconded by Council Member Kolpin and unanimously carried to approve the following resolution:

RESOLUTION NO. 2022-11-86

A RESOLUTION OF SUPPORT FOR THE CITY OF WORTHINGTON GRANT APPLICATION SUBMITTAL FOR THE 2022/2023 MINNESOTA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION INFRASTRUCTURE PROGRAM

(Refer to Resolution File for complete copy of Resolution)

COUNCIL COMMITTEE REPORTS

Mayor Kuhle - No report.

Council Member Janssen - No report.

Council Member Ernst - No report.

Council Member Kielblock - No report.

Council Member Kolpin - No report.

Council Member Cummings - Attended the CGMC Conference, informative and lots of questions on how the recent elections will impact LGA and out state Minnesota since there is full control by the democratic party.

CITY ADMINISTRATOR REPORT

Mr. Robinson reminded Council of the Special Budget meeting on Thursday at 4:30 p.m. He said he will be attending and LMC meeting in Windom and a City Administrator meeting in Marshall this week.

ADJOURNMENT

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The motion was made by Council Member Kolpin, seconded by Council Member Cummings and unanimously carried to adjourn the meeting at 7:52 p.m.

Mindy L. Eggers, CMC
City Clerk