

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, DECEMBER 10, 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 Council Members present: Lyle Ten Haken, Mike Kuhle, Scott Nelson, Ron Wood, Mike Woll. Council Elects: Diane Graber, Rod Sankey. Members absent: Julia Berger, Honorary Council Member (excused).

Staff present: Craig Clark, City Administrator; Dwayne Haffield, Director of Engineering; Brad Chapulis, Director of Community/Economic Development; Brian Kolander, Finance Director; Scott Rosenberg, Park Supervisor; Pat Demuth, Electric Superintendent; Janice Oberloh, City Clerk; Scott Hain (7:31 p.m.).

Others present: Rod Sankey; Diane Graber; Carol Biren; Aaron Hagen, Daily Globe.

The Pledge of Allegiance was recited.

Mayor Oberloh asked if anyone was in attendance for the Truth in Taxation Hearing for item F.4. to move that item to the beginning of the meeting. Hearing no response, the item was left as ordered in the agenda.

**PUBLIC HEARING AND RESOLUTION NO. 3514 ADOPTED ORDERING  
IMPROVEMENT - MORNING VIEW SECOND ADDITION**

Pursuant to published notice, this was the time and date set for a public hearing for the Morning View Second Addition Sanitary Sewer Improvements project.

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, presented a brief background on the project, noting that this was the preliminary assessment roll with estimated trunk assessments receivable of \$7,370.51, of which there is no projected City share.

Mayor Oberloh called for testimony regarding the hearing. None was received.

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

The motion was made by Council Member Kuhle, seconded by Council Member Woll and unanimously carried to adopt the following Resolution No. 3514 ordering the improvement:

RESOLUTION NO. 3514

ORDERING IMPROVEMENT

(Refer to Resolution File for complete copy of Resolution)

**AGENDA APPROVED WITH CHANGES**

Staff requested the addition of item 3.a.3 *Additional 2013 License Renewal Applications* to the consent agenda, and noted the distribution of Nominating Committee recommendations as stated in the agenda.

The motion was made by Council Member Ten Haken, seconded by Council Member Woll and unanimously carried to close the agenda with the requested additions.

**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 November 26, 2012
- Minutes of Boards and Commissions - Water and Light Commission Minutes of Regular Meeting December 3, 2012; Park and Recreation Advisory Board Minutes of Wednesday, November 28, 2012; Airport Advisory Board Minutes of November 30, 2012
- Application for Temporary On-Sale Liquor License from Worthington Country Club for Sunday, February 3, 2013
- Application for 2013 Off-Sale Beer License renewal from Hy-Vee Gas Station
- 2013 Olson Campground Rates:

	<u>2013 Fee</u>
Sites 1-12 (electric bay sites)	\$ 28.00
Sites 13-63 (electric)	\$ 24.00
Sites 64-68 (tent sites)	\$ 18.00
Weekly rate	\$160.00
Monthly rate	\$425.00
- 2013 closed/open shelter house fees:

Closed shelters (Chautauqua and Centennial parks	\$45.00 + \$40.00 deposit
Open shelters	\$25.00 + \$25.00 deposit
- 2013 Band Shell usage fee \$45.00 + insurance
- 2013 Special Event Fee Open Green Spaces within City Parks:

99 people or less	\$ 45.00
100-499 people	\$100.00
500-1,000 people	\$200.00

Any event generating more than 50 people is to be addressed on a case-by-case basis.
- Change order #1 to the South Apron Reconstruction Project in the amount of \$3,850.00
- Bills payable and totaling \$1,318,013.19 be ordered paid

**RESOLUTION NO. 3515 ADOPTED ESTABLISHING A COMPLETE STREETS POLICY**

Carol Biren, Health and Human Services Planner for Southwest Health and Human Services and the Statewide Health Improvement Program Coordinator, was present at the meeting and provided information to Council on the effort to look at road designs and the implications for walkers, bikers, transit, and those with any physical limitation. Ms. Biren noted that over 9% of households in Worthington do not have vehicles at all, and another 31% only have one vehicle, and the numbers do not include nursing homes.

Following discussion, the motion was made by Council Member Wood, seconded by Council Member Nelson and unanimously carried to adopt the following resolution regarding a Complete Streets Policy:

RESOLUTION NO. 3515

A RESOLUTION ESTABLISHING A COMPLETE STREETS POLICY

(Refer to Resolution File for complete copy of Resolution)

**DISPOSAL OF CITY OWNED REAL PROPERTY AND CONVEYANCE OF PROPERTY TO STATE OF MINNESOTA/MINNESOTA WEST COMMUNITY AND TECHNICAL COLLEGE**

At their November 26, 2012 meeting, Council approved a lease with MN West for the old fire hall to allow them to add classroom instruction for Auto and Small Engine Repair. Council also set the asking price for the facility as \$200,000 for future potential sale. Following previous discussions regarding the disposal of the old fire hall and how best to proceed according to the City's property disposal policy, the City Attorney has now advised that if Council were to decide that it would not be in the best interest to have a public sale of the facility, they could opt to sell the property directly to the State of Minnesota/MN West. Furthermore, the zoning limitations and the potential negative implications to the neighborhood could be the basis for that decision.

The motion was made by Council Member Kuhle, seconded by Council Member Woll, and with Council Member Wood abstaining from the vote as a MN West Employee, was unanimously carried to approve the directed sale of the former fire hall to the State of Minnesota/MN West Community and Technical College and make a limited exception to the City's disposal policy that acknowledges the public interest in a directed sale, and to authorize the Mayor and Clerk to sign the appropriate documents.

**CHANGES APPROVED TO MAXIMUM MATURITY SECTION OF CITY OF**

**WORTHINGTON’S INVESTMENT POLICY**

Based on continued low rates on investment opportunities, it is difficult to invest the City’s funds in allowed investments to maximize the rate of return for the City, when current policy allows investment with a maturity of “not significantly beyond a three (3) year maturity”. Staff was recommending increasing the three (3) year maturity limitation to five (5) years to expand the investment opportunities to hopefully increase investment earnings for the City. The change would impact all monies other than the Worthington Regional Hospital legacy dollars, which has a maximum of twenty (20) years for investments.

The motion was made by Council Member Woll, seconded by Council Member Wood and unanimously carried to adopt the changes as requested to the City’s investment policy length of maturity.

**RESOLUTIONS ADOPTED APPROVING THE 2012 TAX LEVIES COLLECTIBLE IN 2013**

No public comment was received for the Truth in Taxation Hearing regarding the proposed 2013 tax levies.

The motion was made by Council Member Ten Haken, seconded by Council Member Kuhle and unanimously carried to adopt the following resolutions approving the 2012 tax levies collectible in 2013:

CITY OF WORTHINGTON, MINNESOTA  
 RESOLUTION APPROVING 2012 TAX LEVIES COLLECTIBLE IN 2013

Be it resolved, by the City Council of the City of Worthington, County of Nobles, State of Minnesota, that the following sums of money are to be levied for the current year, collectible in 2013 upon the taxable property in said City of Worthington, Minnesota for the following purposes:

LIMITED GENERAL PURPOSE TAX:	2012/2013 LEVY	SPECIAL TAX LEVIES:	2012/2013 LEVY
General Fund	963,883	G.O. Debt Service Funds including Improvement Bonds (MS 275.50 Subd. 5e and MS 429.091)	
Recreation Fund	755,556		
Economic Development Authority Fund	10,555	PIR Series 2004A \$3,055,000	150,000
		PIR Series 2007A \$4,370,000	338,000
Improvement Construction Fund	272,837	PIR Series 2009C \$2,710,000	169,620
		PIR Series 2010A \$1,915,000	<u>206,000</u>
Aquatic Center Facility Fund	100,000		
		SUBTOTAL DEBT SERVICE FUNDS	863,620

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Memorial Auditorium Fund	66,185	Economic Development Tax Abatement	31,500
GENERAL PURPOSE TAX LEVY-CITY	<u>2,169,016</u>	TOTAL SPECIAL TAX LEVIES	<u>895,120</u>
EDA TAX LEVY	<u>83,000</u>		
TOTAL GENERAL PURPOSE TAX	<u>2,252,016</u>		
SPECIAL TAX LEVIES: (Other than Debt Service)		RECAP OF TAX LEVY TOTALS:	
Housing & Redevelopment	Separate	General Purpose Levy	2,252,016
Authority (MS 462.545 Subd. 6)	Certified Levy	Special Tax Levies	895,120
		TOTAL NET LEVY	<u>3,147,136</u>

RESOLUTION APPROVING 2012 TAX LEVIES COLLECTIBLE IN 2013

BE IT RESOLVED, by the City Council of the City of Worthington and the Economic Development Authority of the City of Worthington, County of Nobles, State of Minnesota, that the following sum of money be levied for the current year, collectible in 2013, upon the taxable property in said City of Worthington Minnesota, for the following purposes:

SPECIAL TAX LEVY	CERTIFIED LEVY 2012/2013
ECONOMIC DEVELOPMENT AUTHORITY TAX LEVY (Minnesota Statute 469.107, Subdivision 1)	
Special Tax for Operations	\$83,000.00
NET CERTIFIED LEVY \$83,000.00	

RESOLUTION APPROVING 2012 TAX LEVY COLLECTIBLE IN 2013

BE IT RESOLVED, by the City Council of the City of Worthington and the Housing and Redevelopment Authority of the City of Worthington, County of Nobles, State of Minnesota, that the following sum of money be levied for the current year, collectible in 2013, upon the taxable property in said City of Worthington, Minnesota, for the following purposes:

SPECIAL TAX LEVY	CERTIFIED LEVY 2012/2013
HOUSING AND REDEVELOPMENT AUTHORITY TAX LEVY (Minnesota Statute 469.033, Subdivision 6)	

Special Tax for Operations

\$85,093.41

NET CERTIFIED LEVY \$85,093.41

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The total net levy of \$3,147,136 represents a 2% increase over the 2012 levy.

**RESOLUTION NO. 3516 ADOPTED APPROVING THE 2013 FUND BUDGETS FOR THE CITY OF WORTHINGTON, MINNESOTA**

The motion was made by Council Member Woll, seconded by Council Member Nelson and unanimously carried to approve the following resolution for the 2013 budget:

RESOLUTION NO. 3516

A RESOLUTION FOR THE APPROVAL OF THE 2013 FUND BUDGETS FOR THE CITY OF WORTHINGTON, MINNESOTA

(Refer to Resolution File for complete copy of Resolution)

**ORDINANCE NO. 1062 ADOPTED AMENDING TITLE V, CHAPTER 54, SECTION 54.04 (C) OF THE WORTHINGTON CITY CODE - STORM SEWER UTILITY RATES**

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance amending Title V, Chapter 54, Section 54.04 (C) of the Worthington City Code as follows:

SECTION I.

Worthington City Code, Title V, Chapter 54, Section 54.04 (C), is hereby amended and shall read as follows:

(C) The annual fee per acre for residential is \$237.00.

SECTION II.

This ordinance shall take effect January 1, 2013.

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

ORDINANCE NO. 1062

AN ORDINANCE RELATING TO STORM WATER UTILITY RATES

(Refer to Ordinance File for complete copy of Ordinance)

**ORDINANCE NO. 1063 ADOPTED AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, TO REZONE PROPERTY FROM "TZ" (TRANSITIONAL ZONE) TO "R-2" (LOW DENSITY RESIDENTIAL)**

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance amending Title XV of the City Code of the City of Worthington, Nobles County, Minnesota, by rezoning certain property as follows:

The following legally described area, presently included in the "TZ" district, shall henceforth be included in the "R-2" district:

All that part of the Northeast Quarter of the Southeast Quarter of Section 13, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Commencing at the East Quarter corner of said Section 13; thence South 00 degrees 13 minutes 55 seconds East (assumed bearing) on the east line of the Southeast Quarter of said Section 13, a distance of 300.41 feet to a point on the southerly right-of-way line of Interstate Highway No. 90, said point also being the point of beginning; thence South 00 degrees 13 minutes 55 seconds East on said east line, 314.70 feet to the northeast corner of Lot 1, Block 2, MORNING VIEW FIRST ADDITION, according to the recorded plat thereof; thence South 89 degrees 46 minutes 05 seconds West on the north line of said Lot 1, a distance of 153.00 feet to the northwest corner of said Lot 1; thence South 00 degrees 13 minutes 55 seconds East on the west line of said Lot 1, a distance of 16.03 feet to a point on the easterly extension of the north line of Block 1, said MORNING VIEW FIRST ADDITION; thence North 89 degrees 07 minutes 32 seconds West on said easterly extension and on the north line of said Block 1, a distance of 333.38 feet to the northwest corner of Lot 1, said Block 1, said point also being a point on the east line of DANO ADDITION, according to the recorded plat thereof; thence North 00 degrees 18 minutes 33 seconds West on said east line, 350.38 feet to the northeast corner of said DANO ADDITION, said point also being a point on the southerly right-of-way line of Interstate Highway No. 90; thence easterly 185.51 feet, not tangent to previous line, on said southerly right-of-way line and on a 68938.94 foot radius curve to the left having a central angle of 00 degrees 09 minutes 15 seconds and a 185.51 foot chord that bears South 89 degrees 21 minutes 51 seconds East; thence South 85 degrees 48 minutes 50 seconds East, not tangent to previous curve, on said southerly right-of-way line, 302.21 feet to the point of beginning.

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

ORDINANCE NO. 1063

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, TO REZONE PROPERTY FROM “TZ” (TRANSITIONAL ZONE) TO “R-2” (LOW DENSITY RESIDENTIAL)

(Refer to Ordinance File for complete copy of Ordinance)

**ORDINANCE NO. 1064 ADOPTED AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - MAJOR EDUCATIONAL LAND USES**

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance amending Title XV, Section 155 of the City Code of Worthington, Nobles County, Minnesota, as follows:

That Worthington City Code, Title XV, Section 155, Table 5 (Schedule of Use Regulations), shall be amended to read as follows:

Table 5: Schedule of Use Regulations  
Subtitle: Residential Use Group

Letter V - Major Educational be amended to allow the land use group as a special use permit in the “R-4” - Medium Density Residential, “B-2” - Central Business, “B-3” - General Business, and “B-4” -Shopping Center Districts.

The motion was made by Council Member Woll, seconded by Council Member Nelson, and unanimously carried to adopt the following ordinance:

ORDINANCE NO. 1064

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA

(Refer to Ordinance File for complete copy of Ordinance)

**ORDINANCE NO. 1065 ADOPTED AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - PETROLEUM BULK STORAGE**

Pursuant to published notice, this was the time and date set for the third reading of a proposed ordinance amending Title XV, Section 155.010 of the City Code of Worthington as follows:



**Section I.**

That Worthington City Code, Title XV, Section 155.010, shall be amended to include the following definition:

Petroleum Bulk Storage - The storage of chemicals, petroleum products, or hazardous materials in above ground tanks designed for subsequent sale for wholesale distribution or mass consumption off-premise.

**Section II.**

That Worthington City Code, Title XV, Section 155.010, Table 5 (Schedule of Use Regulations), shall be amended as to read:

BB. Manufacturing, Heavy - The manufacturing of acetylene in excess of 15 pounds pressure psi; and acid; asbestos; asphalt and concrete mixing but not manufacturing; automobile assembly; bleaching, cleaning and dyeing plant brewing or distilling of liquors; brick, pottery, tile and terra cotta manufacturing; petroleum bulk storage in excess of 125,000 gallons cumulatively; candle or sperm oil manufacturing; disinfectant, insecticide or poison manufacturing; crematory; cooperage works dextrine, starch or glucose manufacturing; emery cloth or sandpaper manufacturing; felt manufacturing; flour or grain mill; forge or foundry works; hair or hair products manufacturing; lime or lime products manufacturing; linoleum, oil cloth or oiled goods manufacturing; match manufacturing; meat packing, stockyards or slaughterhouses; paper and pulp manufacturing; perfume manufacturing; pickle sauerkraut or sausage manufacturing; plaster manufacturing; poultry slaughterhouse, including packing and storage for wholesale; printing ink manufacturing; radium products; sewage treatment plant; shoddy manufacturing; shoe blacking or polish manufacturing; steel fabrication; steam power plant, except where accessory to a permitted principal use; and stone and monument works.

KK. Petroleum Bulk Storage - Storage of less than 125,000 gallons cumulatively.

**Section III.**

That Worthington City Code, Title XV, Section 155, Table 5 (Schedule of Use Regulations), shall establish the following:

Table 5: Schedule of Use Regulations  
Subtitle: Non-Residential Use Group

KK. Petroleum Bulk Storage shall be permissible by special use the "M-1" -Light Manufacturing District.

The motion was made by Council Member Ten Haken, seconded by Council Member Woll and

unanimously carried to give a third reading to, and subsequently adopt, the following ordinance:

ORDINANCE NO. 1065

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON,  
NOBLES COUNTY, MINNESOTA

(Refer to Ordinance File for complete copy of Ordinance)

**NOMINATING COMMITTEE RECOMMENDATIONS**

The Nominating Committee met at 9:00 a.m. on Monday, December 10, 2012 and were making the following recommendations for committee appointments:

Airport Advisory Board-

Jim Laffrenzen - to fill the unexpired term of Rich Lowe, who is unable to complete his term and which term will expire October 2015

Brian Larsen - to fill the unexpired term of Rod Sankey, who has been elected to Council and unable to complete this term, term to expire October 2013

Memorial Auditorium Adv Board:

Stephen Woitalewicz - for a three year term to replace Kieth Olson, term to expire August 2015

Dave Reeves - to fill the unexpired term of Diane Graber (Council Elect), which term will expire August 2013

The motion was made by Council Member Nelson, seconded by Council Member Ten Haken and unanimously carried to approve the Nominating Committee recommendations for Committee appointments as presented.

**2013 UTILITY DEPARTMENT STRATEGIC FINANCIAL PLANS APPROVED**

Scott Hain, General Manager Worthington Public Utilities, presented information on the 2013 Worthington Public Utilities Strategic Financial Plans to Council for approval. The Water and Light Commission reviewed and approved the 2013 Water Department Strategic Financial Plan at their regular meeting on November 5, 2012; reviewed and approved the 2013 Wastewater Department

Strategic Financial Plan, including the 2013 sewer rates as established by the Sewer Service Charge System; reviewed and approved the 2013 Electric Department Strategic Financial Plan at their regular meeting on December 3, 2012. Mr. Hain noted that, under the City Charter, the Water and Light Commission has the power to establish rates, fees, rules, regulations and policies for the operation and management of the municipal utilities under their control but City Council must adopt them.

The motion was made by Council Member Wood, seconded by Council Member Kuhle and unanimously carried to adopt the 2013 Utility Department Strategic Financial Plans.

**RESOLUTION NO. 3517 ADOPTED APPROVING THE CONTRACT FOR FIRM ELECTRIC SERVICE AGREEMENT WITH THE WESTERN AREA POWER ADMINISTRATION**

Scott Hain, General Manager Worthington Public Utilities noted to Council that the current contract with the Western Area Power Administration (WAPA) for firm electric service to Worthington expires December 31, 2020. Under its 2021 Power Marketing Initiative, WAPA is currently offering post-2020 contracts to existing customers. The new contract would become effective January 1, 2021 and continue through December 31, 2050. The Water and Light Commission reviewed the proposed contract at their regular meeting on December 3, 2012 and were recommending Council approval by adoption of a resolution approving execution of the contract.

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

RESOLUTION NO. 3517

APPROVING THE CONTRACT FOR FIRM ELECTRIC SERVICE AGREEMENT WITH THE WESTERN AREA POWER ADMINISTRATION

(Refer to Resolution File for complete copy of Resolution)

**AUTHORIZATION FOR PROCESS TO LIST CHAUTAUQUA PARK ON THE NATIONAL REGISTER OF HISTORICAL PLACES**

Scott Rosenberg, Park Superintendent, told Council that the Nobles County Historical Society received a \$6,500 grant to hire a historian to research Chautauqua Park in an attempt to declare the entire park eligible for the National Register of Historical Places. If declared eligible, the Minnesota Historical Society would still need to review the findings to actually list it in the National Register, and once the park is declared eligible, repair and maintenance restrictions would apply. The Park Advisory Board reviewed and discussed the information and agreed to approve the Nobles County

Historical Society to proceed in the process.

The motion was made by Council Member Woll and seconded by Council Member Ten Haken with the following Council Members voting for the motion: Ten Haken, Kuhle, Nelson, Woll, and the following Council Members voting against the same: Wood. Motion carried.

**2013 HANGAR LEASE FEES ESTABLISHED**

The motion was made by Council Member Kuhle, seconded by Council Member Ten Haken and unanimously carried to establish the following 2013 Hangar Lease Fees as recommended by the Airport Advisory Board:

Hangar 1 (dirt floors) -	\$50.00 per month \$500.00 annually paid in full by January 1 <sup>st</sup>
Hangar 2 (40 ft. door) -	\$90.00 per month \$1,020.00 annually paid in full by January 1 <sup>st</sup>
Hangar 3 (49 ft. door) -	\$120.00 per month \$1,380.00 annually paid in full by January 1 <sup>st</sup>
Hangar 5-1 -	\$712.49 per month \$8,549.00 annually paid in full by January 1 <sup>st</sup>
Hangar 5-2 -	\$172.00 per month \$2,000.00 annually paid in full by January 1 <sup>st</sup>

**RESOLUTION ADOPTED APPROVING AGREEMENT BETWEEN CITY OF WORTHINGTON AND MINNESOTA DEPARTMENT OF TRANSPORTATION FOR ROUTINE MAINTENANCE - OLD HIGHWAY 60**

The motion was made by Council Member Nelson, seconded by Council Member Woll and unanimously carried to adopt the following resolution approving an agreement between the City of Worthington and MnDOT for routine maintenance of old Highway 60 as defined by the agreement:

CITY OF WORTHINGTON  
RESOLUTION

IT IS RESOLVED that the City of Worthington enters into Mn/DOT Agreement No. 02669 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for routine maintenance by the City upon, along and adjacent to Old Trunk Highway No. 60, the limits of which are defined in said Agreement.

The agreement provides for a payment of \$2,625 to the City for providing the required maintenance and terminates May 31, 2013.

**CONDITIONAL USE PERMIT APPROVED - WORTHINGTON SCHOOL DISTRICT 518 - 1211 CLARY STREET**

Worthington School District 518 was requesting issuance of a conditional use permit that would allow for the construction/erection of an electric message sign on its property located at 1211 Clary Street, specifically on the north wall of the Worthington Senior High School and facing straight north. The Planning Commission considered the application at its December 5, 2012 meeting, and after holding a public hearing, voted unanimously to recommend City Council approve the conditional use permit subject to the adoption of a text amendment eliminating mandatory restrictions #3 and #4 from the sign ordinance, but with the following restrictions:

1. Sign is for a public institutional land use as defined in Title XV, Section 155 of the City Code;
2. Electronic message board does not exceed 30 square feet;
3. Message display is limited to 7 a.m. to 8 p.m.;
4. Messages are limited to change once every 10 seconds;
5. Messages are prohibited to flash or flutter (scroll only);
6. Messages may only display public service announcements.

Staff recommended amending the sign ordinance to eliminate the restrictions #3 and #4 as proposed by the Planning Commission, rather than requiring the applicant to submit a variance application. Brad Chapulis, Director of Community/Economic Development, noted that, because the proposed site is located within a residential neighborhood, notifications were sent to residents within 350 feet of the school property.

The motion was made by Council Member Kuhle, seconded by Council Member Ten Haken and unanimously carried to approve the conditional use permit for Worthington School District 518 as proposed by the Planning Commission.

**FINAL PLAT APPROVED - MORNING VIEW SECOND ADDITION**

Council considered a final plat of Morning View Second Addition submitted by the Southwest Minnesota Housing Partnership for approval. Council had approved the preliminary plat at their November 13, 2012 meeting contingent upon inclusion of several easements requested by the

Electric Superintendent, the approval of a change of zone, and the public improvements petitioned for by the Developer are ordered to proceed by Council. The plat was revised to illustrate the requested easements, and Council acted on the other two items earlier.

The motion was made by Council Member Kuhle, seconded by Council Member Wood and unanimously carried to approve the Final Plat - Morning View Second Addition, subject to the applicant's submission of a financial guarantee in the amount of the engineer's estimate of \$223,000 (or the amount of the awarded contract(s) should a contract be executed prior to the submission of the financial guarantee) for the following public improvements that the applicant is responsible for installing:

1. The extension of Pauline Avenue and Eleanor Street - the street improvements including the street grading, base including fabric, curb and gutter;
2. The installation of the water main and services within the subdivision; and
3. The installation of the sanitary sewer main and services within the subdivision.

### **COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - Reminded Council of the upcoming special City Council meeting scheduled for Friday at 7 a.m.

Council Member Ten Haken - nothing to report but noted it would be his last public meeting after 12 years - he will miss it - it has been a pleasure to serve and he wishes the new Council the best.

Council Member Kuhle - nothing to report.

Council Member Nelson - Convention and Visitors Bureau met regarding the city entrance signs - they are looking more variations but don't think all their money can be used for signs.

Council Member Wood - nothing to report.

Council Member Woll - Expressed his thanks for allowing him to serve eight years - he is excited for the new Council to step in.

### **CITY ADMINISTRATOR'S REPORT**

Craig Clark, City Administrator, noted that several communities are meeting with Representative Hamilton and Senator elect Weber to impress on them the important issues to the cities before they head off to St. Paul. The meeting will be on Thursday the 13<sup>th</sup> from 10 to noon.

### **ADJOURNMENT**

The motion was made by Council Member Woll, seconded by Council Member Ten Haken and unanimously carried to adjourn the meeting at 9:05 p.m.

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Janice Oberloh, MCMC  
City Clerk