

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, DECEMBER 23, 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: Diane Graber, Rod Sankey, Ron Wood, Scott Nelson. Council Members absent: Mike Kuhle and Honorary Council Member Jerry Eykyn (excused).

Staff present: Craig Clark, City Administrator; Mike Cumiskey, Public Safety Director; Janice Oberloh, City Clerk.

Others present: Darlene Macklin; Ken & Zuby Janssen; Aaron Hagen, Daily Globe.

The Pledge of Allegiance was recited.

**AGENDA APPROVED/CLOSED WITH CHANGES**

Staff noted the following changes to the agenda:

- Consent agenda addendum - additional on-sale beer license renewal Tacos Lupe, Francisco Resendiz, 415 Ninth Street
- Note that Item E7 was included in the agenda packet but not listed on the agenda page
- Remove Item F1 as Officer Liepold was unable to attend the meeting

The motion was made by Council Member Graber, seconded by Council Member Wood and unanimously carried to approve/close the agenda with the noted changes.

**CONSENT AGENDA APPROVED**

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

- City Council Minutes of Regular meeting December 9, 2013 and Special meeting December 16, 2013
- Minutes of Boards and Commissions - Worthington Economic Development Authority Minutes of December 9, 2013; Worthington Housing and Redevelopment Authority Minutes of December 4, 2013, November 25, 2013 and November 19, 2013; Heron Lake Okabena Watershed Regular Board Meeting Minutes of October 15, 2013
- Municipal Liquor Store Income Statement for the Period January 1, 2013 through November 30, 2013
- 2014 License Renewals:
  - On-Sale Beer
  - 2014-11 Tsehaytu Agre Café & Restaurant, Abay Melaku, 304 Tenth Street
  - 2014-12 El Taco Restaurant, Jose Maldonado, 418 Tenth Street

Off-Sale Beer

2014-17 Top Asian Food Store, Bill Souksavong, 312 Tenth Street  
2014-18 Food N' Fuel, Cho V Lo, 907 Diagonal Road

Dance

2014-3 Fraternal Order of Eagles #3282, 205 Oxford Street

- Amendment No. 2 to Agreement with the EMC for Operation of the Industrial Wastewater Treatment Facility
- Bills payable and totaling \$697,358.29 be ordered paid

**ON-SALE BEER, ON-SALE WINE, AND ON-SALE LIQUOR LICENSES APPROVED FOR MINI MARKET LUPITA, MARIA PARGA, 1906 OXFORD STREET**

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to approve the following license applications for Mini Market Lupita, Maria Parga, 1906 Oxford Street:

On-Sale Beer - license period January 1 through December 31, 2014

On-Sale Wine - license period January 1 through June 30, 2014

On-Sale Liquor - license period January 1 through June 30, 2014

**ON-SALE BEER AND ON-SALE WINE LICENSE APPROVED - BENLEE'S BROS. CAFÉ, DAVE HARTZLER, 212 TENTH STREET**

The motion was made by Council Member Graber, seconded by Council Member Nelson and unanimously carried to approve the following license applications for BenLee's Bros. Café, Richard Hartzler, 212 Tenth Street:

On-Sale Beer - license period January 1 through December 31, 2014

On-Sale Wine - license period January 1 through June 30, 2014

**ON-SALE BEER LICENSE APPROVED - LA MORENITA, OLIVIA FIGUEROA, 1517 OXFORD STREET**

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to approve the following license application for La Morenita, Olivia Figueroa, 1517 Oxford Street:

On-Sale Beer - license period January 1 through December 31, 2014

La Morenita will be subject to a weekend license suspension as a penalty for an alcohol compliance

check violation that occurred in 2012 and has now been through the court system.

### **SUMMARY OF PERFORMANCE EVALUATION OF CITY ADMINISTRATOR**

At their December 16, 2013 Special Meeting, Council completed a performance evaluation of City Administrator Craig Clark in closed session as allowed by MS § 13D.05 Subd. 3(a). The statute also provides that Council must provide a summary of the performance evaluation at their next open meeting. Mayor Oberloh stated that the review was favorable, that Council provided some work items for Mr. Clark, and that based on the level of the review he is entitled to a raise, steps, and cost of living adjustment. The Clerk noted that the cost of living adjustment will be provided as of January 1<sup>st</sup>.

### **SECOND READING PROPOSED ORDINANCE AMENDING TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA-ZONING FEE SCHEDULE**

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

That Worthington City Code, Title XV, Section 155.224 shall be re-titled "Zoning Fee Schedule" and amended to read as follows:

Zoning Fees shall be assessed for work governed by this Title with the fee schedule established from time to time by Resolution of the City Council. Such fees shall be non-refundable.

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

### **NOMINATING COMMITTEE RECOMMENDATIONS APPROVED**

The motion was made by Council Member Graber, seconded by Council Member Nelson and unanimously carried to approve the following Nominating Committee recommendations for committee appointments:

Center for Active Living -

Jesse Leopold to replace Mike Woll who's first term will expire December 31, 2013 but has declined to serve another term

Carole Wiese to replace Sharon Johansen who's first term will expire December 31,

2013 but has declined to serve another term.

Pat Henderscheidt to replace Bobbie Korthals who's first term will expire December 31, 2013 but has declined to serve another term.

**QUOTE FOR CITY ENTRANCE SIGNS APPROVED WITH AUTHORIZATION FOR CITY EXPENDITURE OF \$50,000**

Council reviewed a proposed design from Fullerton Building system for three city entrance signs that would be similar to those originally proposed by MnDOT but more affordable. Total cost of the three signs from Fullerton is \$45,312, with an additional cost for the illuminated portion of the sign of \$18,735 from Harvey Signs. Additional costs for concrete and dirt work brings the estimated final total for the three signs to \$73,547 plus electrical connections - of this amount, the City is committed to \$50,000 of the proposed costs. Council Member Nelson noted the asymmetrical design of the sign was selected because the committee wanted something that would be different.

The motion was made by Council Member Nelson, seconded by Council Member Wood and unanimously carried to approve the quotation and design from Fullerton Building Systems in the amount of \$45,312, Harvey Sign Company for \$18,735, the material, fuel and connection expense for the three entrance signs for the city of Worthington, and to authorize the Mayor to sign the agreements.

Foundation work for the signs will be donated by Bob McCuen at \$2,000 per sign, and the dirt work will be donated by Suzanne Murphy, Worthington Excavating.

**RESOLUTION ADOPTED AUTHORIZING TRANSFER OF K-9 LAIKA TO PET STATUS**

After 8 ½ years of working together with Police Officer Randy Liepold, Canine Laika will be retiring at the end of December after 10 years of service. Staff was requesting that on December 31, 2013 Laika be decommissioned as City property and that Council resolve that she becomes the family pet of Randy Liepold. Officer Liepold has signed an agreement that Laika will not be used for law enforcement purposes.

The motion was made by Council Member Nelson, seconded by Council Member Sankey and unanimously carried to adopt the following resolution authorizing the transfer of K-9 Laika to Pet Status:

**RESOLUTION AUTHORIZING TRANSFER OF K-9 LAIKA TO PET STATUS**

Whereas: K-9 Laika will retire from duty on the Worthington Police Department on December 31, 2013, 2013.

Therefore: Be it resolved that upon Laika's retirement from duty she be assigned to pet status and officially be decommissioned as property of the City of Worthington. Laika, upon decommissioning, will become the family pet of Randy Liepold and will no longer be used for law enforcement purposes.

Staff will be hosting an open house for Laika and the K-9 Unit from 10:00 to 12:00 p.m. on December 31, 2013 at the Worthington Fire Hall training room to honor Laika and her partner, Officer Randy Liepold.

**RESOLUTION ADOPTED AUTHORIZING GRANT AGREEMENT WITH MN DEPARTMENT OF PUBLIC SAFETY FOR BUFFALO RIDGE DRUG TASK FORCE**

The motion was made by Council Member Nelson, seconded by Council Member Graber and unanimously carried to adopt the following resolution authorizing a grant agreement with the Minnesota Department of Public Safety for continued funding for the Buffalo Ridge Drug Task Force for 2014-2015:

RESOLUTION RELATING TO BUFFALO RIDGE DRUG TASK FORCE GRANT AGREEMENT

WHEREAS, the Counties of Nobles, Murray and Pipestone, by and through their Sheriff's Departments, and the Cities of Adrian, Fulda, Slayton and Worthington, by and through their Police Departments (sometimes referred to herein as the 'parties'), have formed and operated a task force for the purpose of coordinating regional drug enforcement efforts; and

WHEREAS, the parties have determined that the task force should be called the 'Buffalo Ridge Drug Task Force'; and

WHEREAS, the parties have determined that, pursuant to Minn. Stat. §471.59, they should form a Joint Powers Agreement for the purposes of coordinating and administrating Buffalo Ridge Drug Task Force efforts, and to receive law enforcement funds available for regional narcotics task forces through the State and Federal Government; and

WHEREAS, by the Worthington City Council resolution, the City of Worthington entered into a Joint Powers Agreement with the parties for the purpose of forming and operating the 'Buffalo Ridge Drug Task Force'.

NOW THEREFORE BE IT RESOLVED, Worthington Police Department, on behalf of Buffalo Ridge Drug Task Force, enter into an agreement with the Minnesota Department of Public Safety, Office of Justice Programs and that Michael J. Cumiskey, Worthington Public Safety Director, is authorized to execute such agreement and any amendment thereto;

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the task force grants administrator of Minnesota Department of Public Safety, Office of Justice Programs.

### **COUNCIL COMMITTEE REPORTS**

Mayor Oberloh - attended a WREDC meeting, their annual meeting is coming up in January and will be held at the Event Center - the BioScience conference is also in the planning stage now - also received an update on some things that WREDC is doing.

Council Member Graber - the CAL committee met December 2<sup>nd</sup>, they identified a need for more volunteers, also discussed racquetball, and reviewed proposed programs. They met earlier regarding a request from the food delivery service for a reduced rate for the meals they deliver there - up to 50 are delivered but only 2 to 4 people are eating there during the day - they would like their current cost of \$10/day to be reduced. Memorial Auditorium Board - discussed Margaret's retirement, the budget, and the sign. Margaret's party will be held on the 30<sup>th</sup>. Attended the SW Mental Health Center's open house - very impressed by number of employees and their programming. Library discussion held on December 16<sup>th</sup>. She and Mr. Clark will be meeting with the Friends of the Auditorium within the next week regarding the future of that organization.

Council Member Sankey - nothing to report.

Council Member Wood - nothing to report.

Council Member Nelson - the Chamber Annual meeting will be held January 10<sup>th</sup> at the Event Center.

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

Attended a meeting with local builders on the 12<sup>th</sup> regarding housing - looking for solutions - they established a target date of April 1<sup>st</sup> for a proposal to move forward with - will continue to work on it.

### **ADJOURNMENT**

The motion was by Council Member Sankey, seconded by Council Member Nelson and unanimously carried to adjourn the meeting at 7:37 p.m.

Janice Oberloh, MCMC  
City Clerk