

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, DECEMBER 23, 2019**

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, Amy Ernst, Alan Oberloh, Mike Harmon. Larry Janssen, excused.

Staff present: Steve Robinson, City Administrator; Jason Brisson, Assistant City Administrator/Director of Economic Development; Jeremiah Cromie, City Planner; Mindy Eggers, City Clerk.

Others present: Leah Ward, The Globe.

The Pledge of Allegiance was recited.

**AGENDA CLOSED / APPROVED**

Staff requested the addition of Item G.4. *Proposed Vacation of part of May Street*. The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to close / approve the agenda with the addition of *G.4. Proposed Vacation of part of May Street*.

**PUBLIC HEARING AND RESOLUTION NO. 2019-12-95 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- PARCEL #31-3406-265 - 1388 NORTH CRAILSHEIM ROAD**

Pursuant to published notice this was the time and date for a public hearing on a Nobles Home Initiative application for tax abatement.

The motion was made by Council Member Harmon, seconded by Council Member Ernst and unanimously carried to open the hearing.

Jason Brisson, Assistant City Administrator/Director of Economic Development, stated a Nobles Home Initiative (NHI) application was submitted by Dan Krueger. The applicant is seeking approval of tax abatement for the construction of a single-family home at 1388 North Crailsheim Road. The house is approximately 1,217 square feet with an approximately 822 square foot attached garage. The estimated value of the project is \$200,000, which would generate approximately \$2,129 in annual taxes utilizing the 2019 tax rate. The City's share would be approximately \$1,013.

Staff has reviewed the application and finds that it meets all the parameters of the NHI Guidelines.

Mayor Kuhle asked if there was anyone who wished to present testimony. None was received.

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

The motion was made by Council Member Cummings, seconded by Council Member Oberloh and

unanimously carried to adopt the following resolution approving the Nobles Home Initiative application for Parcel ID# 31-3406-265 - 1388 North Crailsheim Road

RESOLUTION NO. 2019-12-95

A RESOLUTION APPROVING TAX ABATEMENT FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813

(Refer to Resolution File for complete copy of Resolution)

**PUBLIC HEARING AND RESOLUTION NO. 2019-12-96 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- PARCEL #31-3406-270 - 1420 AND 1426 NORTH CRAILSHEIM ROAD**

Pursuant to published notice this was the time and date for a public hearing on a Nobles Home Initiative application for tax abatement.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to open the hearing.

Jason Brisson, Assistant City Administrator/Director of Economic Development, stated a Nobles Home Initiative (NHI) application was submitted by Dan Krueger.

The applicant is seeking approval of tax abatement for the construction of a two-family duplex at 1420 and 1426 North Crailsheim Road. The duplex is approximately 2,300 square feet with two approximately 664 square foot attached garages. The estimated value of the project is \$280,000, which would generate approximately \$2,980 in annual taxes utilizing the 2019 tax rate. The City's share would be approximately \$1,418.

Staff has reviewed the application and finds that it meets all the parameters of the NHI Guidelines.

Mayor Kuhle asked if there was anyone who wished to present testimony. None was received.

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

The motion was made by Council Member Ernst, seconded by Council Member Harmon and unanimously carried to adopt the following resolution approving the Nobles Home Initiative application for Parcel ID# 31-3406-270 - 1420 and 1426 North Crailsheim Road

RESOLUTION NO. 2019-12-96

A RESOLUTION APPROVING TAX ABATEMENT FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. 469.1813

(Refer to Resolution File for complete copy of Resolution)

**CONSENT AGENDA APPROVED**

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

- Special City Council Meeting Minutes of December 18, 2019
- City Council Minutes of Regular Meeting Minutes of December 9, 2019
- Water & Light Commission Meeting Minutes of December 16, 2019
- Convention & Visitors Bureau Planning Conference Minutes of November 19, 2019
- Convention & Visitors Bureau Meeting Minutes of October 30, 2019
- Housing & Redevelopment Authority Meeting Minutes of December 18, 2019
- Application for Exemption from Lawful Gambling - Whitetails's Unlimited Southwest Deer Camp
- 2020 Additional License Renewals
- Bills payable and totaling \$2,087,459.38 be ordered paid

**SECOND READING PROPOSED ORDINANCE TO VACATE PART OF AN ALLEY IN CLIFTON ADDITION, CITY OF WORTHINGTON, NOBLES COUNTY, MINNESOTA**

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to Vacate Part of an Alley in Clifton Addition, City of Worthington, Nobles County, Minnesota. The legal description of the property is:

That part of the alley lying between Lot 2 and Lots 3, 4 and 5, Block 4, Clifton Addition to the Village (now City) of Worthington, Nobles County Minnesota lying north of the northeasterly right-of-way of Trunk Highway 59 and 60 is hereby vacated.

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

**SECOND READING PROPOSED ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA TO REZONE PROPERTY FROM "TZ" (TRANSITION ZONE) AND "B-3" (GENERAL BUSINESS DISTRICT) TO "R-1" (ONE FAMILY DETACHED)"**

Pursuant to published notice, this was the time and date set for the second reading of a proposed

ordinance to amend Title XV of the City Code of Worthington, Nobles County, Minnesota, to Rezone Property from "TZ" (Transitional Zone) and "B-3" (General Business District) to "R-1" (One Family Detached) The legal description of the property is:

Lots 1 through 9, and Lots 11 and 12; all in the County Auditor's Plat of the Southwest Quarter of the Southwest Quarter of Section 12, Township 102 North, Range 40 West, Worthington Township, Nobles County, Minnesota,

Together with,

That part of the County Auditor's Plat of the Southwest Quarter of the Southwest Quarter of Section 12, Township 102 North, Range 40 West, Worthington Township, Nobles County, Minnesota described as follows:

Beginning at the southeast corner of Lot 6 of said Auditor's Plat; thence north along the west line of Rose Avenue to the northeast corner of Lot 3 of said Auditor's Plat; thence west to the northwest corner of said Lot 3, thence north to the southwest corner of Lot 2 of said Auditor's Plat; thence east along the north line of Twenty Ninth Street and its easterly extension to the southeast corner of Lot 7 of said Auditor's Plat; thence south to the northeast corner of Lot 8 of said Auditor's Plat; thence west to the northwest corner of said Lot 8; thence south along the east line of Rose Avenue to the southwest corner of Lot 11 of said Auditor's Plat; thence west to the point of beginning.

A motion was made by Council Member Ernst, seconded by Council Member Harmon and unanimously carried to approve the second reading of the proposed ordinance.

**SECOND READING PROPOSED ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, TO REZONE PROPERTY FROM "R-4" (MEDIUM FAMILY RESIDENTIAL DISTRICT) TO "R-3" (LOW DENSITY PRESERVATION RESIDENTIAL DISTRICT)**

Pursuant to published notice, this was the time and date set for the second reading of a proposed ordinance to amend Title XV of the City Code of Worthington, Nobles County, Minnesota, to Rezone Property from "R-4" (Medium Family Residential District) to "R-3" (Low Density Preservation Residential District) The legal description of the property is:

Lot 6, Block 6, East Addition to Worthington, Nobles County, Minnesota.

A motion was made by Council Member Cummings, seconded by Council Member Harmon and unanimously carried to approve the second reading of the proposed ordinance.

### **PROPOSED VACATION OF MAY STREET DENIED**

Steve Robinson, City Administrator, stated that a hearing on a petition to vacate the southerly portion of May Street was held at the December 9, 2019 Council meeting. The action on the petitioned vacation was postponed until tonight's meeting.

Mayor Kuhle said that he had been contacted today by a neighbor and was asked if they could speak at tonight's meeting. Mayor Kuhle stated that the hearing was closed at the last meeting but he would allow for the neighbor to speak. Council Member Oberloh stated that everyone involved in the proposed vacation should be allowed to speak that is in attendance. Council agreed that they would like to hear from anyone in attendance on the proposed vacation.

Karen Freese explained she has a great concern because she feels that the property has monetary value and if it's given to the property owner they would gain the value and it would limit the neighbors access to the lake. She said these neighbors bought the property on May Street because they had access to the lake. While it would be to all of the neighbors advantage that Kness's would take care of the retaining wall she said she is still against the vacation because of the limitations it would place on the neighbors access. She also feels that it is part of the E.O. Olson legacy that everyone on May Street have the access to the lake. Mayor Kuhle thanked Ms. Freese for her comments.

Mayor Kuhle asked if there were any other people that would like to speak concerning the vacation, none was received. Mayor Kuhle stated that he would like clarify that the City does not have the ability to charge for this property considering the way the plats were laid out. Mark Shepherd stated that May Street was dedicated for purposes of a street but the City does not own it.

Council Member Cummings stated that he had asked for staff to list pro's and con's and that was received and he felt they were very adequate. He also said he contacted the DNR and was told that once a vacation would take place it is very unlikely that another point of public access would be allowed. He said that he does not feel that removing an access point for residents be an option.

Council Member Oberloh stated that there is a fence in the location and asked if the City owns the fence. Mr. Brisson said that it is in fact the city's fence. Mr. Oberloh asked if the fence could be taken out and the tree stump removed. Mr. Robinson stated that the City would look into removing the fence and tree stump.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to deny the proposed vacation request for part of May Street.

### **COUNCIL COMMITTEE REPORTS**

Mayor Kuhle - None.

Council Member Janssen - None.

Council Member Oberloh - None.

Council Member Cummings - Attended Housing Committee meeting, moving forward with Phase 1 of the project. Phase 1 is not impacted by the wetland, there will be mitigation restructuring needed to move forward with Phase 2. There will be Executive, villas, townhomes and move up lots available.

Council Member Ernst - None.

Council Member Harmon - Attended Water & Light Commission meeting, approved the I.U.O.E. Local #49 Contract.

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

Steve Robinson, City Administrator, said the signed Sales & Use Tax agreement was received from the State.

### **ADJOURNMENT**

The motion was made by Council Member Cummings, seconded by Council Member Oberloh and unanimously carried to adjourn the meeting at 7:35 p.m.

Mindy L. Eggers, MCMC  
City Clerk