

**WORTHINGTON CITY COUNCIL
REGULAR MEETING
MARCH 25, 2024**

The meeting was called to order at 5:30 p.m., in City Hall Council Chambers by Mayor Rick Von Holdt with the following Council Members present: Chad Cummings, Alaina Kolpin, Larry Janssen, Amy Ernst, Chris Kielblock.

Staff present: Steve Robinson, City Administrator; Hyunmyeong Goo, City Engineer; Todd Wietzema, Public Works Director; Matt Selof, Community Development Director; Cristina Adame, Communications & Relations; Mindy Eggers, City Clerk.

Others Present: Sam Martin, The Globe; Travis Winters, Bolton & Menk; Dennis Simpson, Quarnstrom& Doering Law Firm; Lynette Thompson; Scott Kraft; Geta Kraft.

The Pledge of Allegiance was recited.

AGENDA APPROVED WITH ADDITIONS/CHANGES

The Mayor stated the following additions would be added to the agenda: Item *E.3. Public Hearing - Third and Fourth Avenue Street Improvement will replace the East Ninth Avenue Sanitary Sewer Construction Public Hearing and Item J.3. Commercial and Industrial Tax Abatement Program.*

A motion was made by Council Member Kielblock, seconded by Council Member Cummings and unanimously carried to approve the agenda with the noted additions.

PUBLIC HEARING AND ADOPTED RESOLUTION NO. 2024-03- 26 PROVIDING FOR THE ISSUANCE OF REVENUE BONDS BY THE SOUTH DAKOTA HEALTH AND EDUCATIONAL FACILITIES AUTHORITY FOR AVERA HEALTH

Pursuant to published notice, this was the time and date set for a public hearing for the issuance of revenue bonds by the South Dakota Health and Educational Facilities Authority for Avera Health.

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

Steve Robinson, City Administrator, said the South Dakota Health and Educational Facilities Authority (the "South Dakota Authority"), on behalf of Avera Health, a South Dakota nonprofit corporation, and Avera McKennan, a South Dakota nonprofit corporation (together, the "Borrowers"), previously issued the South Dakota Health and Educational Facilities Authority Revenue Bonds, Series 2012A (Avera Health Issue) (the "Series 2012A Bonds"), which financed the costs of acquiring, constructing, remodeling, renovating and equipping certain health care facilities owned by the Borrowers, including, but not limited to, the costs of acquiring, constructing, remodeling, renovating and equipping an approximately three-story, approximately 60,000 square foot health care facility, located at 1216 Ryan's Road in Worthington, Minnesota (the "City").

He explained in 2019, the South Dakota Authority on behalf of the Borrowers, issued the South Dakota Health and Educational Facilities Authority Taxable Revenue Bonds, Series 2019B (Avera Health) (the "Series 2019B Bonds"), which refinanced the outstanding Series 2012A Bonds. The South Dakota Authority, on behalf of the Borrowers, expects to issue a series of bonds (the "Series 2024 Bonds"), proceeds of which will be used by the Borrowers to purchase and refinance existing debt of the Borrowers, including the Series 2019B Bonds, which refinanced the Series 2012A Bonds.

Since the debt is to be refinanced with proceeds of the Series 2024 Bonds originally financed projects located within the City, Section 147(f) of the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder, requires that, prior to the issuance of the Series 2024 Bonds, this Council approve the use of proceeds of the Series 2024 Bonds, after conducting a public hearing thereon.

While the City has no financial liability with respect to the Series 2024 Bonds, the public hearing provides the public with the opportunity to voice their support or opposition to the issuance of the Series 2024 Bonds, which are to be issued by the South Dakota Authority.

Mayor Von Holdt asked if there was any testimony. None was received.

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

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

RESOLUTION NO. 2024-03-26

A RESOLUTION PROVIDING FOR THE ISSUANCE OF REVENUE BONDS BY THE SOUTH DAKOTA HEALTH AND EDUCATIONAL FACILITIES AUTHORITY FOR AVERA HEALTH

(Refer to Resolution File for complete copy of Resolution)

PUBLIC HEARING HELD ON THIRD AND FOURTH AVENUE STREET IMPROVEMENT

Pursuant to published notice, this was the time and date set for a public hearing on the Third and Fourth Avenue Street Improvement project.

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

Travis Winters gave a presentation of the project. He said Council accepted the feasibility report in November but since that time there was a decision made to include the replacement of the water main from the curbside to each building meter. These replacements will be the businesses responsibility. The total cost of the additional water service is \$50,000 and will be an amendment to the feasibility report. The additional cost will be included in the assessment amounts.

Mayor Von Holdt asked if there was any testimony. Bill Kietel said he was glad the water service will be included so everything is done at once.

Scott & Greta Kraft asked if there was any way to get more parking if the sidewalks were narrowed. Mr. Winters said just a couple of feet would not make a difference in the amount of space for parking.

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

Mr. Goo said no Council action was required.

CONSENT AGENDA

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

- Special City Council Meeting Minutes of March 14, 2024
- City Council Meeting Minutes of March 11, 2024
- Water & Light Commission Meeting Minutes of March 18, 2024
- Park & Recreation Advisory Board Meeting Minutes of March 6, 2024
- Heron Lake Watershed Board Meeting Minutes of February 27, 2024 and January 24, 2024
- Cross Cultural Advisory Board Meeting Minutes of February 20 2024
- Housing & Redevelopment Authority Meeting Minutes January 24, 2024
- Application for Exemption from Lawful Gambling Permit - King Turkey Day, Inc for a raffle on May 1, 2024, Worthington High School, 1211 Clary Street
- Seasonal Renewal for On-Sale Liquor License Application - Nobles County Fair Association/Worthington Speedway for the license period of May through September 20, 2024
- Municipal Liquor Store Income Statement for th Period of January 1, 2024 through February 29, 2024
- Fieldhouse Statement of Revenue and Expenditures - Budget and Actual for the Period of January 1, 2024 through February 29, 2024
- Olson Park Statement of Revenue and Expenditures - Budget and Actual for the Period of January 1, 2024 through February 29, 2024

- Bills Payable Totaling \$2,554,994.24

ADOPTED RESOLUTION NO. 2024-03-27 TO DESIGNATE A NEW POLLING PLACE FOR ELECTION PRECINCTS WITHIN THE CITY OF WORTHINGTON

Minnesota Statute requires that the City Council designate polling places for each precinct. Ward 2 Precinct 2 & 3 will now be held at the American Lutheran Church, 915 Winifred Street, the polling place was formerly located at the Nobles County Public Works Building, 960 Diagonal Road. A notice to voters will be sent to every affected household with at least one registered voter in the precinct at least 25 days before the next election which is the Primary Election on August 6, 2024.

The polling places for the 2024 primary election and the 2024 general election will be as follows:

- Ward 1 - Precinct 1 - Lakeside Church - 1000 Linda Lane
- Ward 1 - Precinct 2 - Lakeside Church - 1000 Linda Lane
- Ward 1 - Precinct 3 - Lakeside Church - 1000 Linda Lane
- Ward 1 - Precinct 4 - American Reformed Church - 1720 N. Burlington
- Ward 1 - Precinct 5 - American Reformed Church - 1720 N. Burlington
- Ward 2 - Precinct 1 - YMCA - 1501 Collegeway
- Ward 2 - Precinct 2 - American Lutheran Church - 915 Winifred Street
- Ward 2 - Precinct 3 - American Lutheran Church - 915 Winifred Street
- Ward 2 - Precinct 4 - Solid Rock Church - 1730 Diagonal Road
- Ward 2 - Precinct 5 - Solid Rock Church - 1730 Diagonal Road

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

RESOLUTION NO. 2024-03-27

A RESOLUTION TO DESIGNATE A NEW POLLING PLACE FOR ELECTION PRECINCTS WITHIN THE CITY OF WORTHINGTON

(Refer to Resolution File for complete copy of Resolution)

NOMINATING COMMITTEE RECOMMENDATIONS FOR COMMITTEE APPOINTMENTS/REAPPOINTMENTS APPROVED

A Nominating Committee meeting was held on March 19, 2024 and the following recommendations for committee appointments/reappointments were made:

Water & Light Commission

Re-appoint Kathy Hayenga to a third three-year term, term to expire March 31, 2027

Park & Recreation Advisory Board

Appoint Jessica Noble to replace Dan Krueger, who has served two terms, first term to expire March 31, 2027

Appoint Adam Blume to replace Craig Stock, who has served two terms, first term to expire March 31, 2027

Planning Commission

Re-appoint Erin Schutte-Wadzinski to a second three-year term, term to expire March 31, 2027

Re-appoint Jason Gerdes to a second three-year term, term to expire March 31, 2027

A motion was made by Council Member Ersnt, seconded by Council Member Kolpin and unanimously carried to approve the committee appointments/reappointments.

ADOPTED RESOLUTION NO. 2024-03-28 IN SUPPORT OF STATE LEGISLATION TO MODERNIZE THE FUNDING STRUCTURE FOR LOCAL COMMUNITY PUBLIC, EDUCATION AND GOVERNMENT PROGRAMMING

Mr. Robinson said community television in Worthington is funded through franchise fees with our local cable television providers. The franchise fees received by the City are based on the number of customers. As viewing preferences have changed, many individuals have cut the cable TV cord and turned to streaming services, thereby reducing the fees we receive to continue to fund Cable 3. Worthington Cable 3 broadcasts many of the high school's athletic and cultural events, local celebrations and, of course, our city council meetings.

The current state law does not require alternative streaming (internet) companies to compensate cities for use of our public right of way.

Two House and Senate bills have been introduced to modernize and provide sustainable funding for community television:

- HF 4186/SF3930: Assess a fee on streaming services, collected by local governments, to fund local public, education and government community television.
- HF4182/SF4262: In exchange for private use of the City's public right of way by broadband providers, establish a broadband franchise requirement to generate compensation.

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Alternative funding sources for local community television are needed to be able to continue providing this service to our residents.

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

RESOLUTION NO. 2024-03-28

A RESOLUTION IN SUPPORT OF STATE LEGISLATION TO MODERNIZE THE FUNDING STRUCTURE FOR LOCAL COMMUNITY PUBLIC, EDUCATION AND GOVERNMENT PROGRAMMING

(Refer to Resolution File for complete copy of Resolution)

ADOPTED RESOLUTION NO. 2024-03-29 ACCEPTING A GRANT FROM THE SOUTHWEST MINNESOTA ARTS COUNCIL

Mr. Robinson said staff applied for and received a grant for \$6,000.00 from the Southwest Minnesota Arts Council. The project title is "Dia de Los Muertos Catrinas Community Art Project (Day of the Dead Celebration) at the Memorial Auditorium". The City will serve as the grant administrator. The funds will be used for the celebration and a final report will be completed within 60 days of completion of the project in compliance with the approved budget.

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

RESOLUTION NO. 2024-03-29

A RESOLUTION ACCEPTING A GRANT FROM THE SOUTHWEST MINNESOTA ARTS COUNCIL

(Refer to Resolution File for complete copy of Resolution)

APPROVED MN WEST BALLFIELD MAINTENANCE CONTRACT

Todd Wietzema, Public Works Director, said the City of Worthington and MN West have a proposed maintenance agreement to have the Public Works staff do annual maintenance on the athletic fields located on the MN West Worthington campus. The fields included are the baseball, softball, and football practice field. The maintenance duties that staff will be responsible for include mowing, dragging, lining, fertilizing, aerating, and general cleanup.

The proposed fee that MN West would pay for these services is not to exceed \$15,000.00. Mr. Wietzema noted it is a 10% increase over last year. Staff has reviewed the contract and supports the approval.

The motion was made by Council Member Kolpin, seconded by Council Member Ernst and unanimously carried to approve the MN West Ballfield Maintenance contract as presented.

APPROVED DISTRICT 518 BALLFIELD MAINTENANCE AGREEMENT

Mr. Wietzema said the City of Worthington currently leases the Middle School baseball complex from Worthington School District 518. The Public Works Department maintains and schedules all activities for these fields. The duties include:

- Field maintenance
- Cleaning and trash removal
- Minor maintenance of facilities

The proposed fee by District 518 to the City of Worthington, is \$11,660.00 which is a 10% increase over last year.

The motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the agreement with District 518.

APPROVED 2024 HANGAR LEASE RATES - WORTHINGTON MUNICIPAL AIRPORT

Mr. Wietzema said at the March 20, 2024 Airport Advisory Board meeting they reviewed and recommended a 10% increase in the hangar rates for 2024 at the Worthington Municipal Airport. Mr. Wietzema noted the last rate increase of 5% was in 2020 and the Airport Advisory Board felt the increase was needed due to increased costs.

At this time 19 of the 22 available hangars are currently rented for an 86% occupancy rate. Full occupancy would result in annual revenue of \$34,836.88.

A motion was made by Council Member Kielblock, seconded by Council Member Ernst and unanimously carried to approve the 2024 hangar lease rate increase.

RESOLUTION NO. 2024-03-30 ADOPTED FOR AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT IMPROVEMENT EXCLUDING LAND ACQUISITION

Mr. Wietzema said the City of Worthington was recently notified that they have been awarded a Minnesota Department of Transportation Grant to purchase a Kubota Zero Turn mower at the Worthington Municipal Airport. The price quoted for the new 2024 mower is \$19,599.06. The trade-in value of the existing 2013 mower is \$5,500.00, for a cost difference of \$14,099.06. The state grant will pay 70% of the cost of \$9,319.35 and the City of Worthington will use airport E.R.S. funds to pay the remaining 30%, of \$4,779.71. The extended warranty will also be purchased at a cost of \$1,200.00. The warranty will be funded through operating expenses.

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

RESOLUTION NO. 2024-03-30

A RESOLUTION FOR AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT IMPROVEMENT EXCLUDING LAND ACQUISITION

(Refer to Resolution File for complete copy of Resolution)

AWARDED CONTRACT FOR THE SECOND AVENUE STREET RECONSTRUCTION PROJECT

Hyunmyriong Goo, City Engineer, said bids were opened on Wednesday, March 13, 2024, at 2:00 p.m. for the Second Avenue street reconstruction project from Twelfth Street to Thirteenth Street. The lowest bid received was from Henning Construction in the amount of \$326,894.25.

The motion was made by Council Member Kolpin, seconded by Council Member Janssen and unanimously carried to award the contract to Henning Construction in the amount of \$326,894.25.

AWARDED CONTRACT FOR CHURCH AVENUE PAVEMENT RECONSTRUCTION PROJECT

Mr. Goo said bids were opened on Wednesday, March 13, 2024, at 2:00 p.m. for the Church Avenue pavement reconstruction project from Oxford Street to Clary Street. The lowest bid was received from Duininck, Inc. in the amount of \$371,421.00.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to award the contract to Duininck, Inc. in the amount of \$371,421.00.

FIRST READING TEXT AMENDMENT - CITY CODE CHAPTER 155, SECTION 52 AND APPENDIX B: TABLE 2

Matt Selof, Community Development Director, said the City of Worthington is considering a text amendment to City Code Chapter 155, Section 42 and Chapter 155 Appendix B: Table 2. The proposed changes would require fewer parking stalls for “retail” and “other commercial” uses. It would also alter cooperative parking allowances and make other minor edits to City Code.

At the March 12, 2024 Planning Commission meeting the Commission held a public hearing and voted unanimously to recommend approval of the proposed text amendment. Their recommendation was based on the following:

1. In an effort to encourage development within the City, and to better align our minimum parking requirements with the actual needs of businesses, Staff brought forth the idea of revising them. After a few months of discussion, Planning Commission directed the City to move forward with the changes.

2. At its last meeting, the City Planning Commission reviewed a draft of a text amendment to alter the parking requirements for “retail” uses, “other commercial” uses, and the cooperative parking facilities. After a positive review, it was forwarded to City Council, who supported it and directed staff to schedule a public hearing.

3. The proposed text is as follows:

§155.042

(A) Requirements.

(1) All parking and loading space needs generated by development shall be accommodated off-street. Such spaces shall not be less in number than the parking and loading space requirements of Table 2 (See Appendix B following this chapter), except as provided in division (ML). below of this section.

(E) Collective usage.

(1) Mixed occupancies. In the cases of two or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the several uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as herein after specified in division (E)(3) below, for joint use.

(2) Cooperative parking facility. Up to 15% reduction in the number of required parking spaces for three four or more separate uses; 10% for three separate uses; and 10 5% for two separate uses may be authorized by the Administrator following approval of a plan which provides for a collective parking facility of no less than 20,000 square feet, serving two or more buildings or uses developed through voluntary cooperation or under any parking district which may hereafter be provided by law.

Appendix B: Table 2:

<i>Use Classification</i>	<i>Number of Parking Spaces Required Per Unit of Measurement</i>		<i>Number of Loading Spaces Required Per Unit of Floor Area</i>	
	<i>Number</i>	<i>Unit</i>	<i>Number</i>	<i>Floor Area</i>
<i>Residential</i>				

Dwelling, 1 & 2 family (including mobile home)	1.0	existing dwelling unit	-	-
	2.0	new dwelling unit	-	-
Dwelling, multi-family	1.5	dwelling unit	1.0	if over 20,000 sq. ft.
Dwelling, multi-family which is specifically designed for and exclusively occupied by persons 60 years of age or older	1.0	dwelling unit, except that at the sole discretion of the Planning Commission it may be reduced to 0.5 spaces per dwelling unit	1.0	if over 20,000 sq. ft.
Guest, Boarding or Lodging House	1.0	dwelling or lodging unit	-	-
Fraternity/Sorority House or Dormitory	1.0	2 occupants	1.0	if over 10,000 sq. ft.
Motel or Hotel	1.0	sleeping unit	1.0	5,001 - 50,000 sq. ft.
			2.0	if over 50,000 sq. ft.

Educational, Cultural and Institutional

Auditorium, Church, Temple, or other place of assembly	1.0	4 seats	1.0 2.0	5,001 - 50,000 sq. ft. if over 50,000 sq. ft.
Public Library, Art Gallery, Museum, etc.	1.0	300 sq. ft. floor area		
Elementary School, Nursery School, and Day Care Center	1.0	employee		
Junior and Senior High School and College	1.0	employee		
	1.0	5 students or		
	1.0	5 seats in auditorium, whichever is greater ^{*A}		
Convalescence or Nursing Home	1.0	3 beds		
Hospital	1.5	bed		

Use Classification	Number of Parking Spaces Required Per Unit of Measurement		Number of Loading Spaces Required Per Unit of Floor Area	
	Number	Unit	Number	Floor Area
Bowling Alley	5.0	bowling lane	1.0 2.0	5,001 - 100,000 sq. ft. if over 100,000 sq. ft.
Funeral Home	1.0	4 seats		
Office, Bank or Public Administration	1.0	300 sq. ft. floor area		
Service Garage	3.0	service bay	-	-
Car Wash (self-service)	2.0	service bay		
Car Wash (not self-service)	1.0	employee		
Drive-In or Roadside Services	1.0	20 sq. ft. floor area, or		
	1.0	4 seats, or employee on largest		
	3.0	shift, whichever is greater ^{*A}		

Automobile or Machinery Sales	1.0	500 sq. ft. floor area		
Clinics or Service Establishments	1.0	200 sq. ft. floor area		
Furniture or Appliance Store	1.0	600 sq. ft. floor area		
Restaurants, Night Clubs and Clubs	1.0	4 seats	1.0 2.0 3.0 4.0	5,001 - 10,000 sq. ft. 10,001 - 20,000 sq. ft. 20,001 - 40,000 sq. ft. 40,001 - 70,000 sq. ft. plus 1 per 50,000 sq. ft. over 70,000
Retail Stores	1.0	400-200 sq. ft. floor area ^B		
Theater	1.0	4 seats		
All other commercial	1.0	400-300 sq. ft. floor area ^B		
Warehouse, Storage, Motor Freight Terminal, Industrial, or Utilities	1.0 1.05	2,000 sq. ft. floor area, or employee on largest shift, whichever is greater ^A	1.0 2.0 3.0	0 - 20,000 sq. ft. 20,001 - 40,000 sq. ft. 40,001 - 70,000 sq. ft. plus 1 per 50,000 sq. ft. over 70,000 sq. ft.

^AIn the event that the lesser standard will provide sufficient off-street parking to accommodate demand generated by development, a property owner may comply with the lesser standard in accordance with the following conditions:
 (1) The parking plan shall show, and the property owner shall preserve, areas to be set aside and reserved for the installation of parking sufficient to accommodate, if necessary, the greater standard at some future time; and
 (2) In the event that, due to changes in use or intensity of use, the lesser standard becomes insufficient to accommodate parking demand generated by a particular use, then the property owner shall install sufficient parking within one year of such notice being given by the Administrator. In such cases, the number of stalls required for sufficient parking shall be determined by the Administrator, but shall in no event be less than the lesser standard or more than the greater standard.

^B The Administrator reserves the right to determine whether the proposed use will have adequate parking under this requirement. The Administrator may require additional information or a parking generation study be prepared by a qualified professional to aid in this determination. In the event the minimum requirements are found to be insufficient, the Administrator may require additional parking spaces be provided or may request a determination be made by the Planning Commission.

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

TEXT AMENDMENT – CITY CODE CHAPTER 155, APPENDIX E: TABLE 5

Mr. Selof said the Worthington Karen Baptist Church is seeking a text amendment to City Code Chapter 155 Appendix E: Table 5 to allow for a cemetery on a property zoned ‘B-3’ General Business District. He explained the proposed change would permit cemeteries by conditional use only in the ‘B-3’ General Business District. If approved, the applicant would be able to request a conditional use permit for a cemetery on property they own. The Planning Commission held a public hearing and voted unanimously to recommend approval of the proposed text amendment at the March 12, 2024 meeting. Their recommendation was based on the following:

1. Worthington City Code Chapter 155, Appendix E: Table 5 specifies what types of land use are permitted in each zoning district. Presently, cemeteries are permitted only in areas zoned

‘TZ’ Transition Zone and permitted with issuance of a conditional use permit in zones ‘R-2’, ‘R-4’, R-7’, and ‘M-1’. Cemeteries are prohibited in all other zoning districts.

2. The Worthington Karen Baptist Church is seeking to eventually establish a cemetery on property they currently own that is zoned ‘B-3’ General Business District. They have applied for a text amendment that would allow cemeteries on ‘B-3’ zoned properties. City Staff has worked with the Church to alter the request to allow cemeteries to be permitted by conditional use only in the ‘B-3’ zoning district.

The request under consideration is only for a text amendment to City Code. Approval of the text amendment does not constitute approval of a cemetery and the Church will need to later apply for a conditional use permit. At this time, consideration should be limited only to the merits of the text amendment request. The specific site and cemetery request will be considered upon application for a conditional use permit.

3. The majority of commercial properties in Worthington are zoned ‘B-3’ General Business District. Most of these areas would not be suitable for the establishment of a cemetery. By requiring a conditional use permit, it would allow the City to conduct a site-specific review of any request for a cemetery of a property zoned ‘B-3’ General Business District. The City would have the right to deny any request where the use is not suitable for the site, does not align with future land use goals, is not compatible with the surrounding uses, etc.

4. The proposed text amendment is as follows:

RESIDENTIAL USE GROUPS	RESIDENTIAL								BUSINESS				INDUSTRIAL		OTHER					
	R-2	R-1	R-R-4	R-R-5	R-R-6	R-R-7	R-R-8	R-R-1	R-B-2	BB-3	BB-4	B-3	MB-4	MI	M-2	SI	I	T	TZ	L
Y. Cemetery			S		S	SC	S			C		C	SS	S	SC	S			P	
			C		C		C							C		C				

Council Member Kielblock said he is not in favor of a cemetery in the B-3 district. Council Member Cummings said he would like to have a longer look at this since it would affect the whole “B-3” district. Council Member Kolpin agreed and would like more time to look into it as well.

No Council action was taken.

COMMERCIAL AND INDUSTRIAL TAX ABATEMENT PROGRAM DISCUSSION

Mr. Selof said staff is looking for direction on pursuing a Commercial and Industrial Tax Abatement Program for the City of Worthington.

Council Member Cummings said he would support this idea as bordering states have similar programs and this may help attract businesses to come to Worthington.

Discussion was held and it was agreed it would be city taxes only and directed staff to move forward with initiating a program. Mr. Selof said staff will continue to work on the program and bring it back to Council for formal approval.

COUNCIL COMMITTEE REPORTS

Mayor Von Holdt - No report.

Council Member Janssen - No report.

Council Member Ernst - No report.

Council Member Kielblock - No report.

Council Member Kolpin - Attended a YMCA Board meeting, the Kids Camp enrollment will be opening soon.

Council Member Cummings - No report.

CITY ADMINISTRATOR REPORT

Mr. Robinson stated the first meeting was held concerning the Ice Arena and another meeting has been scheduled for next week.

CLOSED SESSION UNDER MINN. STAT. § 13D.05, SUBD. 3(B) ATTORNEY CLIENT PRIVILEGE - 8TH AVENUE RECONSTRUCTION

Mayor Von Holdt announced Council would be going into closed session under the above referenced Minnesota Statute for attorney client privilege, litigation strategy.

The following were present for the closed session: Mindy Eggers, Steve Robinson, Chad Cummings, Alaina Kolpin, Larry Janssen, Amy Ernst, Chris Kielblock, Todd Wietzema, Hyunmyeong Goo, Travis Winter, Dennis Simpson.

The motion was made by Council Member Kielblock, seconded by Council Member Cummings and unanimously carried to close the meeting at 6:17 p.m.

The motion was made by Council Member Ernst, seconded by Council Member Kolpin and unanimously carried to reopen the meeting at 6:33 p.m.

The motion was made by Council Member Ernst, seconded by Council Member Cummings and unanimously carried to authorize the City's attorney, Dennis Simpson to reach out to the mediator letting them know the city will not negotiate from the liquidated damages amount already agreed

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upon.

ADJOURNMENT

The motion was made by Council Member Kielblock, seconded by Council Member Cummings and unanimously carried to adjourn the meeting at 6:35 p.m.

Mindy Eggers, MCMC
City Clerk