

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, MARCH 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, Alaina Kolpin, Larry Janssen, Chris Kielblock, Amy Ernst.

Staff present: Steve Robinson, City Administrator; Steve Schnieder, City Engineer; Matt Selof, City Planner; Hyunmyeong Goo, Assistant City Engineer; Mindy Eggers, City Clerk.

Others present: Emma McNamee, The Globe; Ryan McGaughey, Radio Works; Jim Laffrenzen, Erin Makela, Abebe Alubel, Ashagire Teshome, Gbremachen Dejen, Helen Axaya, Jorge Lopez, Jeanette McCormick, Steven Fuerstenberg, Mike Woll, Genny McCuen, Travis Winters, Bolton & Menk; Lizbeth Lerma, Honorary Council Member;

The Pledge of Allegiance was recited.

Mayor Kuhle welcomed Lizbeth Lerma as the Honorary Council Member for the months of February, March and April.

AGENDA APPROVED WITH ADDITIONS/CHANGES

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

PUBLIC HEARING AND RESOLUTION NO. 2022-03-10 ADOPTED ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS

Pursuant to published notice this was the time and date for a public hearing on the 2022 Bituminous Pavement Improvements.

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

Travis Winters, Bolton & Menk presented the 2022 Bituminous Pavement Improvement Projects. He explained the improvements will improve street conditions, repair driveway aprons, curb and gutter where needed, ADA improvements on sidewalks along with minor storm sewer repairs where needed.

Mr. Winters said construction will be starting in June 2022, an assessment hearing will be held in the fall. The estimated costs of the five projects is \$1,183,854.34.

Mr. Winters said Eleanor will be a full curb and gutter replacement but only on the older segment of the street.

Mayor Kuhle asked if Armour Road will also be done. Mr. Winters said that Armour Road and Omaha and Burlington Avenues are State Aid funded projects and will be done separately.

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

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

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

RESOLUTION NO. 2022-03-10

ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS

(Refer to Resolution File for complete copy of Resolution)

CONSENT AGENDA

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

- City Council Meeting Minutes of March 14, 2022
- Water & Light Commission Meeting Minutes of March 21, 2022
- Housing & Redevelopment Authority Meeting Minutes of February 23, 2022
- Worthington Public Arts Commission Meeting Minutes of February 8, 2022
- Cross Cultural Advisory Committee Minutes of February 15, 2022
- Worthington Public Arts Commission Meeting Minutes of January 11, 2022
- Traffic & Safety Committee Meeting Minutes of December 28, 2021
- Bills payable and totaling \$2,268,196.99 be ordered paid

NOMINATING COMMITTEE RECOMMENDATIONS FOR COMMITTEE APPOINTMENTS/REAPPOINTMENTS APPROVED

Steve Robinson, City Administrator, said the Nominating Committee met on March 22, 2022 and are making the following recommendations for a committee appointment:

Planning Commission

Re-appoint Andy Berg to a second three-year term, term to expire March 31, 2025

Appoint Lizbeth Lerma to a first three-year term to replace Ben Weber who declined a

second term, term to expire March 31, 2025

Cross Cultural Committee

Appoint Paul Summers LaRoche to fill the unexpired term of Cheniqua Johnson who resigned her position, term to expire December 31, 2022

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to approve the Nominating Committee Recommendations for Committee Appointments/Reappointments.

APPROVED POSITION GUIDELINES AND SALARY GRADE

Mr. Robinson said Administration requested the creation of an additional Accountant position in the Finance Department during discussions for the 2022 annual budget. This position was approved by Council and included in the current budget. The position guidelines, essential duties and salary grade were included for review.

Positions for the City and Public Utilities are classified for salary grade based on nine separate factors. The score places the Accountant position as Non-Exempt Grade 7 (N-7) which has a minimum wage rate of \$25.31/hour.

In addition, staff is requesting Council approve renaming the Staff Accountant position to Assistant Finance Director. The renaming does not change the current salary grade of Grade 3 (E-3), benefits, position guidelines or essential duties.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the position classification of the Accountant effective immediately and authorize staff to advertise and seek qualified candidates; and to approve renaming the Staff Accountant to Assistant Finance Director.

APPROVE PLANS FOR OXFORD STREET (COUNTY STATE HIGHWAY 35) RECONSTRUCTION, SP 177-020-013, MINN. PROJ. NO. TSTPF 5322 (070) FROM MCMILLAN STREET TO SMITH AVENUE

Steve Schnieder, City Engineer, said the consultant has completed, and Minnesota Department of Transportation has approved, plans and specifications for the reconstruction of Oxford Street. The project will provide for a 4-lane roadway with left turn lanes and an 8-foot pedestrian/bicycle trail on both sides of the roadway with a grass boulevard. Mr. Schnieder said the anticipated substantial completion date for this project is November 15, 2022. The contract completion date is June 1, 2023.

The estimated total cost of the project, including engineering and contingencies is \$4,456,000. The funding for this project will be federal funds \$3,048,000 and State Aid funds \$1,390,000 split between the county and the city, and utility funds \$18,000.

A motion was made by Council Member Janssen, seconded by Council Member Ernst and unanimously carried to approve the plans and authorize an advertisement for bids to be received on Wednesday, May 4, 2022 at 2:00 p.m. and considered at the Council meeting on Monday, May 23, 2022 after review by the State of Minnesota.

APPROVE A UTILITY EASEMENT FOR A NATURAL GAS SERVICE TO THE NEW AQUATIC CENTER LOCATED ON THE MINNESOTA WEST CAMPUS

Mr. Schnieder explained there is an existing utility easement on the Minnesota West Campus. The easement was acquired November 13, 2008 and does not permit the installation of other utilities within the easement. This proposed easement will allow the installation of a gas line within the existing easement to service the Aquatic Center that is currently under construction. The cost for this easement is \$1.00.

A motion was made by Council Member Cummings, seconded by Council Member Kielblock and unanimously carried to approve the utility easement and authorize the Mayor and City Clerk to sign the easement and to have the Clerk record it with the Nobles County Recorder's office.

RESOLUTION NO. 2022-03-11 ADOPTED APPROVING PLANS AND SPECIFICATIONS AND ORDERING ADVERTISEMENT FOR BIDS

Mr. Schnieder said Bolton and Menk, Inc. has prepared plans for the improvement of 8th Avenue.

Mr. Schnieder explained the project includes the replacement of the water main on Eighth Avenue from Ninth Street to Tenth Street. The watermain is undersized to meet current standards. Replacement of a section of the water main has been included in the project because complications were found in positioning the valves needed to make the required connections to the existing water mains.

It was determined that updating the remainder of the watermain at this time was the least disruptive and most cost-effective option. This section of watermain is in the long-term plan for updating.

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

RESOLUTION NO. 2022-03-11

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ORDERING

ADVERTISEMENT FOR BIDS

(Refer to Resolution File for complete copy of Resolution)

CONDITIONAL USE PERMIT - 300 11TH STREET

Matt Selof, City Planner, said Tsadkane Mariam Ethiopian Orthodox Church has applied for a conditional use permit to operate a church in the existing building at 300 11th Street (former Globe office building). Pursuant to Minnesota Statute § 462.3595 and as outlined in Worthington City Code §155.086 (C), and Appendix E, public institutional and cultural uses are permitted by conditional use permit only in ‘B-2’ Central Business District, the zoning of the subject property. The legal description of the subject property is as follows:

The Southwesterly Twenty-six feet (26`) of Lot Four (4) in Block Fifteen (15) of the Original Plat, City of Worthington, Nobles County, Minnesota. TOGETHER WITH The Southeasterly Ninety feet (90`) of Lot Five (5) and Six (6) in Block Fifteen (15) of the Original Plat, City of Worthington, Nobles County, Minnesota.

Mr. Selof said the Planning Commission voted unanimously to recommend approval of the requested conditional use permit at its March 1, 2022 meeting, subject to the following conditions:

1. Occupancy for the building does not exceed 64 persons, unless a joint-use parking agreement is approved and recorded with Nobles County in accordance with City Code §155.042 (E) (3). Occupancy shall then be based on the number of parking spaces provided through the joint-use agreement plus the 16 provided on the subject property and;
2. The Subject property must maintain compliance with all applicable local, State, and Federal standards requirements.

Mr. Selof explained the applicant has provided copies of a letter from Southwestern Minnesota Opportunity Council Inc. stating they would allow the Church to utilize their parking lot across the street. Mr. Selof explained City Code §155.042 governs regulations regarding “joint but alternative use” parking. Under this section, up to 50% of the parking facilities for the proposed Church may be supplied by SMOC provided a “properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities...” is filed. He noted the first condition recommended by the Planning Commission was amended to reflect this requirement. The agreement has also been sent to the City Attorney.

Abebe A Lubel said the mission of the church is to build good citizens through worship by teaching the word of God. He said in 2019 the church purchased land from the City but the cost was too high to build at that time and the anonymous donor that was interested has changed their mind. He said they would eventually like to build and are saving money to do so. He thanked Council for

considering their request. Mayor Kuhle thanked them for their persistence.

Mike Woll said he fully supports the conditional use permit for the church. He said there are already six churches in the neighborhood and feels this will be a good fit.

Pastor Jeanette McCormick also said she is fully in favor of this move for the church, they have been using the First Lutheran facilities for the past ten years and have been easy to work with but understands their desire for their own worship space. She said it will also benefit the We Care Day Care as they will be able to expand so everyone will benefit from this.

Jim Laffrenzen said he has served as a liaison for the project and the church has worked very hard on this to make it a reality.

A motion was made by Council Member Kielblock, seconded by Council Member Cummings and unanimously carried to approve the conditional use permit for 300 11th Street.

FINAL PLAT - GLENWOOD HEIGHTS THIRD ADDITION

Mr. Selof said City Council approved the preliminary plat for Glenwood Heights Third Addition on March 14, 2022. At the time staff requested no action on the final plat to allow for time to name the two stub streets. Mr. Selof explained it was ultimately decided that it would be better to incorporate the stub street off Buchanan Court into Outlot A and to designate the stub street off Sutherland as Outlot D. Since it is unknown whether the two stub streets will connect in the future or not it's better to wait and name them with the next phase of platting. The intention is to develop these as future streets remains.

Mr. Selof noted Planning Commission approval of the final plat is not necessary since it is in "substantial conformance" with the preliminary plat.

A motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to approve the final plat of the Glenwood Heights Third Addition.

COUNCIL COMMITTEE REPORTS

Mayor Kuhle - Attended a Nominating Committee meeting last week. The first hearing was held in the Senate today for the Legislative funding for the pilot program targeting workforce development. The hearing in the House will be Wednesday.

Council Member Janssen - No report.

Council Member Ernst - No report.

Council Member Kielblock - Visited Texas everyone says "Hello"

Council Member Kolpin - Attended a Sales Tax sub-committee meeting to address repairs to the existing outdoor pool and incorporating it seamlessly with the new aquatic center.

Council Member Cummings - Attended the YMCA Board meeting, aquatic center management is

Worthington City Council
March 28, 2022
Page 7

working on finalizing everything for the anticipated July 1st opening.

CITY ADMINISTRATOR REPORT

Mr. Robinson said there would not be an EDA meeting this week. A public hearing will need to be held so notices will need to be published.

ADJOURNMENT

A motion was made by Council Member Cummings, seconded by Council Member Janssen and unanimously carried to adjourn the meeting at 7:50 p.m.

Mindy L. Eggers. MCMC
City Clerk