

**WORTHINGTON CITY COUNCIL  
REGULAR MEETING, APRIL 25, 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, Amy Ernst. Absent: Chris Kielblock.

Staff present: Steve Robinson, City Administrator; Steve Schnieder, City Engineer; Todd Wietzema, Public Works Director; Troy Appel, Public Safety Director; Dustin Roemeling, Police Sergeant; Mindy Eggers, City Clerk.

Others present: Emma McNamee, The Globe; Ryan McGaughey, Radio Works; Chris Heinrichs, Stacy Heinrichs, Rachel Roemeling, Roslyn Roemeling, Layna Roemeling, Iyla Roemeling, Mark Roemeling, and Gloria Roemeling.

The Pledge of Allegiance was recited.

**AGENDA APPROVED WITH ADDITIONS/CHANGES**

Mayor Kuhle stated Item *F.5. Application to Conduct Off-Site Gambling - Currie Town & Country Boosters, Inc.* would be added to the agenda.

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

**CONSENT AGENDA**

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

- City Council Meeting Minutes of April 11, 2022
- Planning Commission Meeting Minutes of March 1, 2022
- Water & Light Commission Meeting Minutes of April 4, 2022
- Park & Recreation Advisory Board Meeting Minutes of March 23, 2022
- Traffic & Safety Committee Meeting Minutes of February 22, 2022
- Application for Exemption from Gambling Permit - King Turkey Day, Inc.
- Application for Exemption from Gambling Permit - King Turkey Day, Inc.
- Approve 2022 Worthington Soccer League Agreement
- Approve Girl's Softball Association Agreement
- Approve Dock Permits
- Municipal Liquor Store Income Statement for the Period January 1, 2022 through February 28, 2022
- Bills payable and totaling \$2,609,846.05 be ordered paid

**RESOLUTION NO. 2022-04-22 AUTHORIZING TRANSFER OF K-9 FRANK'EE TO PET STATUS**

Troy Appel, Public Safety Director, said K-9 Frank'ee started his career with WPD in 2016 when Sergeant Roemeling was hired and Frank'ee was purchased from the Nobles County Sheriff's Office. Together they have displayed professionalism and dedication to Worthington and have been instrumental in keeping the City safe. Throughout Frank'ee's career he was deployed over 110 times, performed dozens of public demos, located large quantities of controlled substances including; 800+ pounds of marijuana, and 12+ pounds of methamphetamine. Frank'ee certified twice every year with high enough scores to qualify for the national dog trials. He received numerous awards including 1st place in obedience in 2017, and National Case of the Quarter in 2018. Frank'ee's official retirement date is April 26, 2022.

Mr. Appel said staff is requesting that Frank'ee be decommissioned as City property and that Council resolve he becomes the family pet of Dustin Roemeling. Dustin has signed an agreement that Frank'ee will not be used for law enforcement purposes on or after April 26, 2022.

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

RESOLUTION NO. 2022-04-22

A RESOLUTION AUTHORIZING TRANSFER OF K-9 FRANK'EE TO PET STATUS

(Refer to Resolution File for complete copy of Resolution)

**APPROVED EMERGENCY RESPONSE/MULTI-USE VAN REPAIRS (PROPOSED EXPENDITURES OF RESERVE FUNDS)**

Mr. Appel said the Police Department has seized and received in forfeiture a 2015 Ford Transit Cargo Van. The van only has 55,000 miles on it but is in need of significant body and minor mechanical repairs. The Department requested quotes from multiple body shops and received one quote from Schuett Auto Body. Schuett Auto Body provided an estimate of \$15,390 and offered to assist with other improvements at no cost.

Mr. Appel explained the van would replace the current Emergency Response Unit 1986 Cube Van and a 1993 GMC Vandura, both of which have been with the department since the early 1990s. It is expected the van will be in service for at least 20 years if Council approves of the repairs.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the expenditures from reserve funds for the emergency response/multi-use van repairs.

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**WORTHINGTON PROCLAMATION - PROVIDER APPRECIATION DAY APPROVED**

Steve Robinson, City Administrator, said a Proclamation recognizing Provider Appreciation Day on Friday, May 6, 2022 is included in your packet.

Mayor Kuhle stated the importance in recognizing our childcare providers.

A motion was made by Council Member Cummings, seconded by Council Member Kolpin and unanimously carried to approve the proclamation for Provider Appreciation Day.

**RESOLUTION NO. 2022-04-16 ADOPTED CONVEYING CERTAIN PROPERTY TO THE WORTHINGTON ECONOMIC DEVELOPMENT AUTHORITY**

Mr. Robinson said Council is requested to consider approval which would convey the City's Glenwood Heights Second Addition and Third Addition to the EDA so that lots may be sold to interested parties for residential development in accordance with Minnesota Statute 469.105.

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

RESOLUTION NO. 2022-04-16

A RESOLUTION CONVEYING CERTAIN PROPERTY TO THE WORTHINGTON ECONOMIC DEVELOPMENT AUTHORITY

(Refer to Resolution File for complete copy of Resolution)

**SECOND READING PROPOSED ORDINANCE TO AMEND TITLE XV OF THE CITY CODE OF WORTHINGTON, NOBLES COUNTY, MINNESOTA, RETAIL SHOPPING OVERLAY 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 - Retail Shopping Overlay District.

A complete copy of the ordinance was provided in the April 11, 2022 council agenda.

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

**LAW ENFORCEMENT LABOR SERVICES #274 CONTRACT APPROVED**

Mr. Robinson said the current LELS #274 agreement which represents patrol sergeants, the detective sergeant and dispatch supervisor expired on December 31, 2021.

He explained City and WPU management participated in a number of negotiating session with LELS #274 representatives and have reached an agreement for a three-year contract with a 3.50% cost-of-living adjustment effective January 1, 2022, a 3.50% cost-of-living adjustment effective January 1, 2023, a 3.50% cost-of-living adjustment effective January 1, 2024.

Additional changes to the proposed agreement include:

- Adjusting longevity payments to the following:
- \$0.20 per hour after five years of continuous service from the current \$0.14 per hour,
- \$0.30 per hour after ten years of continuous service from the current \$0.23 per hour,
- \$0.40 per hour after fifteen years of continuous service from the current \$0.32 per hour,
- \$0.50 per hour after twenty years of continuous service from the current \$0.40 per hour, and
- \$0.60 per hour after twenty-five years of continuous service from the current \$0.49 per hour.
- Allow employees to accumulate up to sixty (60) hours of compensatory time from the current forty (40) hours,
- Allow employees providing training to receive one hour of compensatory time or one hour of straight time pay for each shift in which they are training a new employee,
- Increase the footwear and clothing allowance for non-uniformed supervisors by 4% to \$0.47/hour,
- Adjust fitness membership reimbursement from \$350.00 per year to \$400.00 per year, and
- Eliminated Cell Phone compensation of \$75.00/month for all supervisors and replaced it with On-Call Duty in which supervisors assigned to on call duty will receive one (1) hour of pay at their regular rate for every ten (10) hours they are assigned to such duty.

Mr. Robinson said the terms of the agreement have been presented to the Compensation Committee, comprised of City Council members Ernst and Kielblock. The committee recommends approval of the proposed terms.

In addition, a Memorandum of Understanding (MOU) is included noting that the On-Call Duty compensation will become effective on the first full pay period following execution of the agreement.

A motion was made by Council Member Ernst, seconded by Council Member Cummings and unanimously carried to approve the terms of the 2022-2024 LELS #274 agreement and MOU.

**RESOLUTION NO. 2022-04-17 ADOPTED REGARDING OFF-SITE GAMBLING AND APPLICATION TO CONDUCT OFF-SITE GAMBLING - CURRIE TOWN & COUNTRY BOOSTERS, INC. APPROVED**

Mr. Robinson said the Currie Town & Country Boosters, Inc. have been doing Bingo at the Worthington Event Center this winter season. Due to the weather conditions on March 23, 2022, the Bingo date was moved to April 27, 2022. The State of MN is requiring an approved application and resolution.

A motion was made by Council Member Kolpin, seconded by Council Member Ernst and unanimously carried to approve the Off-Site Gambling application and the following resolution:

RESOLUTION NO. 2022-04-17

A RESOLUTION REGARDING OFF-SITE GAMBLING PERMIT

(Refer to Resolution File for complete copy of Resolution)

**APPROVE PLANS AND AUTHORIZATION TO BID FOR THE OLSON PARK WALK BRIDGE PROJECT**

Todd Wietzema, Public Works Director, said Council approved a proposal from Short Elliott Hendrickson Inc. on December 28, 2021 for design and bidding services for Olson Park Trail improvements, Olson Park Pedestrian Bridge replacement, and Sunset Park Boat Landing parking lot improvements.

The design has been completed by SEH and the construction documents for the Olson Park pedestrian bridge portion of the project have been received. Mr. Wietzema said the project would include an 8' wide, fully ADA approved, steel structured walk bridge. The proposed walk bridge would replace the existing bridge that connects the Olson Park Trail to Sunset Park. The advertising schedule would be as follows:

Advertise on the City website April 26, 2022  
Open bids May 17, 2022  
Consider bids and award contract May 23, 2022

A motion was mde by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the and authorize SEH to advertise for bids.

**RESOLUTION NO. 2022-04-18 ACCEPTING A DONATION OF PERSONAL PROPERTY - SILENT OAK SOCIETY**

Mr. Wietzema said the Park and Recreation Advisory Committee discussed and recommended that the council accept the donation of 8 oak trees from the Silent Oak Society. The 8 oak trees will be planted on the old pool site, between the fish rearing ponds.

Mayor Kuhle asked if Council should be concerned about who is donating the oak trees and for what reason, in case it wasn't something the City supported. Council Member Ernst said she doesn't follow the concern and that is the reason for it being the Silent Oak Society, people want to donate and do not want any recognition.

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

RESOLUTION NO. 2022-04-18

A RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY - SILENT OAK SOCIETY

(Refer to Resolution File for complete copy of Resolution)

**RESOLUTION NOS. 2022-04-19 AND 2022-04-20 ACCEPTING PARK BENCH DONATIONS**

Mr. Wietzema said the Park and Recreation Advisory Committee received two requests from parties to place benches in city parks and along the bike trails. The requests are as follows:

- Mike, Steve and Tom Johnson to place a double wide bench on the trail by Lake St. and 7th Avenue in memory of Donavon, Sally Ann & Billy Johnson on one side and Jack and Vera Hagge & Kelly and Blanche Johnson on the other side.
- WHS class of 1970 to place a bench at the Chautauqua Park Bandshell, in recognition of WHS class of 1970.

Mr. Wietzema noted the donations meet all the requirements as set forth in the Park Donation policy adopted by City Council.

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

RESOLUTION NO. 2022-04-19

A RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2022-04-20

A RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY

(Refer to Resolution File for complete copy of Resolution)

**PROPOSAL FROM MIDWEST ALARMS FOR PARK AND CITY BUILDING SECURITY  
CAMERAS APPROVED**

Mr. Wietzema said Midwest Alarms who the City has contracted with on numerous past projects has submitted a proposal to put video cameras in city parks and on city buildings. The proposal is for \$81,334.30. This proposal includes all of the cameras, servers, and network equipment needed for a turn key system. The facilities and areas included in this proposal are:

1. Buss Field and 10th Street Plaza cloud video system.
2. Chautauqua Park cloud video system.
3. Centennial Park cloud video system.
4. Olson Park cloud video system.
5. Theater parking lot cameras.
6. Water tower wireless links, and equipment.

Mr. Wietzema explained with the large investments the city has made in our facilities, staff thinks it would be wise to have the ability to monitor the different locations. These systems would also allow for law enforcement to check and investigate any illegal activities occurring in these areas. The Park and Recreation Advisory Board reviewed this proposal and is in support of it. Covid Relief funds are available to use for the system.

The motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to accept the proposal from Midwest Alarms in the amount \$81,334.30.

**APPROVED FIELD HOUSE CHANGE ORDER #3**

Mr. Wietzema said Tri-State General Contracting has submitted Change Order #3 for our JBS Field House project. This change order is in the amount of \$12,445.06 and will replace a gypcrete surface, that was to be installed on the mezzanine, with an additional layer of 3/4" subflooring and LVT tile.

Mr. Wietzema explained the subcontractor who was installing the gypcrete, a flowable indoor concrete flooring, voiced concerns about the prospect of keeping the floor clean. They are concerned that it would possibly look dirty and stained. Staff explored the option of using some sort of sealer to try and make the proposed surface more user friendly, but were concerned about the added cost while still not getting our desired results. Staff decided to go with a tiled flooring that we know will be easy to maintain and will have a long life expectancy. This additional change order will bring our total contract price to \$2,452,836.06.

A motion was made by Council Member Janssen, seconded by Council Member Kolpin and unanimously carried to approve change order #3 on the JBS Field House project.

**RESOLUTION NO. 2022-04-21 ADOPTED FOR STATE OF MINNESOTA AGENCY AGREEMENT CONTRACT NUMBER 1049771**

Steve Schnieder, City Engineer, said planning is continuing to move forward for the reconstruction of Oxford Street in 2022. The project is from McMillan Street to Smith Avenue, one block west of Trunk Highway 59. Funding for this project includes Federal State Transportation Program Funding (STPF). Mr. Schnieder explained to receive the federal funding, the State of Minnesota needs to be the fiscal agent. The federal funding is for fiscal years 2022 and 2023. The State will advance funding for this project and will convert to "real" funds in federal fiscal year 2023 or sooner when the funds become available.

In order for the State of Minnesota to act as fiscal agent in accepting federal aid in connection with project SP 177-020-013/SP 053-635-029, STPF5322(070), Oxford Street Reconstruction Project, the agreement and resolution needs to be approved.

A motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to approve the Agency Agreement and the following redolution:

RESOLUTION NO. 2022-04-21

A RESOLUTION FOR THE STATE OF MINNESOTA AGENCY AGREEMENT CONTRACT NUMBER 1049771

(Refer to Resolution File for complete copy of Resolution)

**GRANT REQUEST – WORTHINGTON BOY SCOUT TROOP 134 APPROVED**

Mr. Robinson said the Worthington Boy Scouts of America (BSA) Troop 134 wishes to apply for a \$10,000 grant with the Nobles County United Way. The grant funds will be used to help defray the cost of Scout Camp and replace equipment. The BSA does fundraise throughout the year but still needs to secure additional funds to continue providing camp scholarships and equipment. The fundraising last year was made difficult with the COVID-19 pandemic. The Worthington Troop is requesting the City to act as the fiscal agent on its behalf as we've done in the past so that the funds can remain with the local chapter.

The motion was made by Council Member Kolpin, seconded by Council Member Janssen and unanimously carried to approve the application for the United Way on behalf of Worthington Boy Scouts of America Troop 134.

**COUNCIL COMMITTEE REPORTS**

Mayor Kuhle - No report.



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Council Member Janssen - No report.

Council Member Ernst - No report.

Council Member Kielblock - No report.

Council Member Kolpin - No report.

Council Member Cummings - No report.

### **CITY ADMINISTRATOR REPORT**

Mr. Robinson said Mr. Wietzema would like to give an update on the Aquatic Center.

Mr. Wietzema said that due to the inclement weather the aquatic center will not be opening on July 1<sup>st</sup>. He explained that the walls were to be poured the first week in April and with the forecast this week it doesn't look good this week either. He said while it's disappointing we want to make sure it's done right and it wouldn't pay to open it for just a few short weeks. Council agreed it is disappointing but nothing that can be controlled.

Mr. Robinson said the new Accountant position employee started today. The first Emergency collaborative meeting will be held on Wednesday at City Hall.

### **ADJOURNMENT**

A motion was made by Council Member Kolpin, seconded by Council Member Janssen and unanimously carried to adjourn the meeting at 7:43 p.m.

Mindy L. Eggers. MCMC

City Clerk