

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, JUNE 13, 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 and Chris Kielblock.

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

Others present: Emma McNamee, The Globe; Ryan McGaughey, Radio Works; Rick Von Holdt, Honorary Council Member; Robyn Moser, The Stag; Mike Daley, Chamber of Commerce/CVB/WREDC Director; Terry Bramel, Axel Gschwind, Armin Klingenberg, Oberbürgermeister Dr. Christoph Grimmer.

The Pledge of Allegiance was recited.

INTRODUCTIONS AND OPENING REMARKS

Mayor Kuhle welcomed Rick Von Holdt as the Honorary Council Member for the months of May, June and July.

Mayor Kuhle welcomed Oberbürgermeister Dr. Christoph Grimmer of Crailsheim, Germany and presented him with a collage portrait of pictures celebrating the 75 year Anniversary of the sister city partnership. Dr. Grimmer thanked everyone for a wonderful time and the hospitality that was shown to their delegation this past week.

AGENDA APPROVED WITH ADDITIONS/CHANGES

The Mayor stated that Administration Case Item *K.7. Closed Session Under Minn. Stat §13D.05, Subd. 3 (A) Performance Evaluation - City Administrator would be moved to K.8. Administration Item K.7. Application for Parade Permit / to Block Street - Spirit of Worthington Trojan Marching Band* 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 presented.

PUBLIC HEARING AND RESOLUTION NO. 2022-06-32 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- JBS

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.

Matt Selof, City Planner said, staff has reviewed the Nobles Home Initiative (NHI) application submitted by JBS. The applicant is seeking approval of tax abatement for the construction of a single-family home on Lot 1, Block 1, DK Addition.

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

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

The motion was made by Council Member Cummings, seconded by Council Member Kolpin and unanimously carried to adopt the following resolution approving the Nobles Home Initiative application submitted by JBS.

RESOLUTION NO. 2022-06-32

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. 2022-06-33 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- JBS

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 Janssen, seconded by Council Member Cummings and unanimously carried to open the hearing.

Matt Selof, City Planner, said staff has reviewed the Nobles Home Initiative (NHI) application submitted by JBS. The applicant is seeking approval of tax abatement for the construction of a single-family home on Lot 2, Block 1, DK Addition.

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

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

The motion was made by Council Member Ernst, seconded by Council Member Kielblock and unanimously carried to adopt the following resolution approving the Nobles Home Initiative

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application submitted by JBS.

RESOLUTION NO. 2022-06-33

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. 2022-06-34 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- JBS

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 Kolpin and unanimously carried to open the hearing.

Matt Selof, City Planner, said staff has reviewed the Nobles Home Initiative (NHI) application submitted by JBS. The applicant is seeking approval of tax abatement for the construction of a single-family home on Lot 3, Block 1, DK Addition.

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

The motion was made by Council Member Kolpin, 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 approving the Nobles Home Initiative application submitted by JBS.

RESOLUTION NO. 2022-06-34

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. 2022-06-35 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- JBS

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 Kolpin and unanimously carried to open the hearing.

Matt Selof, City Planner, said staff has reviewed the Nobles Home Initiative (NHI) application submitted by JBS. The applicant is seeking approval of tax abatement for the construction of a single-family home on Lot 4, Block 1, DK Addition.

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

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

The motion was made by Council Member Kielblock, seconded by Council Member Cummings and unanimously carried to adopt the following resolution approving the Nobles Home Initiative application submitted by JBS.

RESOLUTION NO. 2022-06-35

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. 2022-06-36 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- JBS

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.

Matt Selof, City Planner, said staff has reviewed the Nobles Home Initiative (NHI) application submitted by JBS. The applicant is seeking approval of tax abatement for the construction of a single-family home on Lot 5, Block 1, DK Addition.

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

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

The motion was made by Council Member Kolpin, seconded by Council Member Kielblock and unanimously carried to adopt the following resolution approving the Nobles Home Initiative application submitted by JBS.

RESOLUTION NO. 2022-06-36

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. 2022-06-37 ADOPTED APPROVING NOBLES HOME INITIATIVE APPLICATION FOR TAX ABATEMENT- JBS

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 Janssen and unanimously carried to open the hearing.

Matt Selof, City Planner, said staff has reviewed the Nobles Home Initiative (NHI) application submitted by JBS. The applicant is seeking approval of tax abatement for the construction of a single-family home on Lot 6, Block 1, DK Addition.

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

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

The motion was made by Council Member Cummings, seconded by Council Member Kolpin and unanimously carried to adopt the following resolution approving the Nobles Home Initiative application submitted by JBS.

RESOLUTION NO. 2022-06-37

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

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

- Special City Council Meeting Minutes of May 25, 2022
- Special City Council Meeting Minutes of May 25, 2022
- City Council Meeting Minutes of May 9, 2022
- Special City Council Meeting Minutes of May 18, 2022
- Worthington Public Arts Commission Meeting Minutes of May 10, 2022
- Planning Commission Meeting Minutes of May 3, 2022
- Safe Roads Committee Minutes of April 26, 2022
- Airport Advisory Board Meeting Minutes of April 20, 2022
- Traffic & Safety Committee Meeting Minutes of March 29, 2022
- Bills payable and totaling \$2,032,057.12 be ordered paid

SECOND READING OF A PROPOSED ORDINANCE TO AMEND TITLE XI, CHAPTER 111, REPEALING CURRENT SUBCHAPTER 111.05 TO CREATE AMENDED SUBCHAPTER PERTAINING TO LIQUOR LIABILITY INSURANCE

Pursuant to published notice this is the time and date set for the second reading of a proposed ordinance to Amend Title XI, Chapter 111, Repealing Current Subchapter 111.05 to Create Amended Subchapter Pertaining to Liquor Liability Insurance.

A complete copy of the ordinance was provided in your May 9, 2022 Council Agenda.

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

SECOND READING PROPOSED ORDINANCE TO AMEND WORTHINGTON CITY CODE TITLE XV, CHAPTER 150: BUILDING REGULATIONS TO ESTABLISH CHANGED RENTAL PROPERTY STANDARDS, INSPECTIONS, AND ENFORCEMENT

Pursuant to published notice this is the time and date set for the second reading of a proposed ordinance to Amend Worthington City Code Title XV Chapter 150: Building Regulations to Establish Changed Rental Property Standards, Inspections, and Enforcement.

A complete copy of the ordinance was provided in your May 9, 2022 Council Agenda.

A Summary Ordinance has been drafted for publication purposes and a printed copy of the entire ordinance is available for viewing in the City Clerk's office.

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

THIRD READING AND ORDINANCE NO. 1180 ADOPTED TO AMEND WORTHINGTON CITY CODE TITLE XI, CHAPTER 113: PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS TO ESTABLISH AN ANNUAL PERMIT FOR MOBILE FOOD UNITS

Pursuant to published notice this is the time and date set for the third reading of a proposed ordinance to Amend Worthington City Code Title XI, Chapter 113: Peddlers, Solicitors and Transient Merchants to Establish an Annual Permit for Mobile Food Units.

The motion was made by Council Kielblock, seconded by Council Member Kolpin and unanimously carried to give a third reading and subsequently adopt the proposed ordinance.

ORDINANCE NO. 1180

AN ORDINANCE TO AMEND WORTHINGTON CITY CODE TITLE XI, CHAPTER 113: PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS TO ESTABLISH AN ANNUAL PERMIT FOR MOBILE FOOD UNITS

(Refer to Ordinance File for a complete copy of Ordinance)

THIRD READING AND ORDINANCE NO. 1181 ADOPTED TO AMEND TITLE XV OF THE CITY CODE OF THE CITY OF WORTHINGTON, NOBLES COUNTY, MINNESOTA - RETAIL SHOPPING OVERLAY DISTRICT

Pursuant to published notice this is the time and date set for the third reading of a proposed ordinance to Amend Worthington City Code of the City of Worthington, Nobles County, Minnesota - Retail Shopping overlay District.

Matt Selof, City Planner, said included in the packet was a memo regarding ten other cities and their regulations for downtown business restrictions. Mr. Selof said of the ten that were contacted none of them had a retail only restriction in their downtown districts.

Mr. Selof noted he wanted to clarify previous discussions that 10th Street Laundromat complied with all aspects of city codes when they opened their business. Mr. Selof also said a letter was submitted by local downtown businesses asking that Council deny the amendment to remove the Retail Overlay District from the city code and bring it back for approval when the B-2 Central Business District list has been updated to not include parking, terminals, cleaning and railroad right-of-way. Mr. Selof said the rail road right of way would be difficult to remove as the railroad has the jurisdiction over the city. Council Member Cummings said if Council moves forward with the third reading they could start the process to amend the "B-2" Central Business District.

The motion was made by Council Member Ernst, seconded by Council Member Kolpin and unanimously carried to give a third reading and subsequently adopt the proposed ordinance with full knowledge that amending the "B-2" Central Business District list would start immediately.

AUTHORIZATION GIVEN TO ADVERTISE FOR QUOTES FOR A MOBILE STAGE

Steve Robinson, City Administrator, explained mobile stage units are utilized by various groups for a number of community events throughout the year including the Regatta, Beach Bash, International Festival and Turkey Day. The sponsoring group pays rental fees of upwards of \$5,000 to \$10,000 per event for a stage. Currently, the City provides financial support for Turkey Day (\$3,500), International Festival (\$1,000) and the Regatta (\$2,000).

It has been proposed that the City acquire a mobile hydraulic stage unit that would be available for local groups sponsoring civic events as an in-kind contribution in place of financial support. In addition, it is also being considered that the mobile stage could be made available to non-Worthington organizations on a rental basis.

Mr. Robinson said the proposed stage is built on a trailer unit for easy hauling from storage to set up. The stage deck we are recommending is approximately 34-feet in length and 24-feet wide. A roof covers the stage platform. Attached as Exhibit 4 is an example of one manufacturer's product that represents a typical mobile hydraulic stage.

The estimated cost for a stage unit as shown in the attached exhibit is \$220,000. Staff recommends that funding for a stage unit could come from the City's 2022 ARPA allocation that is expected to be received in the coming weeks.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to authorize staff to seek quotes for a mobile stage.

RESOLUTION NO. 2022-05-38 ADOPTED ACCEPTING A DONATION OF FUNDS

Troy Appel, Public Safety Director, said the Police Department received a \$7,500 donation from the American Kennel Club (AKC) Reunite Adopt a K9 Cop matching fund program. Mr. Appel noted if approved the funds will be included in a future purchase of a dog for our canine program.

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

RESOLUTION NO. 2022-05-38

A RESOLUTION ACCEPTING A DONATION OF FUNDS

(Refer to Resolution File for complete copy of Resolution)

DECOMMISSION SURPLUS PROPERTY (CIVIL SERVICE SIREN DONATION)

Mr. Appel said the City of Worthington Public Safety Department is in the process of replacing the entire Civil Service Siren system. The new sirens are budgeted in the Equipment Revolving Schedule (ERS) and scheduled for replacement, biennially, through 2026. The next siren will be replaced in July.

The Public Safety Department has received a request to decommission the siren and donate it to the City of Reading. The City of Reading currently has no warning siren in place and hopes to salvage some life from the replaced Worthington siren.

A motion was made by Council Member Kolpin, seconded by Council Member Kielblock and unanimously carried to decommission surplus property (Civil Service Siren Donation)

APPROVED ADVERTISEMENT FOR BIDS FOR THE 2022 STATE AID FUNDED BITUMINOUS PAVEMENT IMPROVEMENTS

Steve Schnieder, City Engineer, said staff has prepared plans and specifications for the 2022 State Aid Funded Bituminous Pavement Improvements. The projects include mill and overlay on the following streets:

- SAP 177-102-009 - Clary Street - from Fredrick Avenue to McMillan Street
- SAP 117-105-008 - Fourteenth Street - from Third Avenue to Second
- SAP 177-110-005 - Fifth Avenue - from Tenth Street to Eleventh Street Avenue

Mr. Schnieder said staff is recommending Council approve the plans and specifications and authorize the advertisement for bid, Exhibit 1, to be received on July 13, 2022 at 2:00 p.m. in the Council Chambers, 303 9th Street. The bid results will be reviewed and a recommendation for award at 7:00 p.m. at the July 25, 2022 Council meeting.

A motion was made by Council Member Janssen, seconded by Council Member Kielblock and unanimously carried to approve the advertisement for bids for the 2022 State Aid Funded Bituminous Pavement Improvements.

APPROVED CONDITIONAL USE PERMIT AMENDMENT - IGLESIA PENTECOSTAL UNIDA HISPANA - 500 STOWER DRIVE

Matt Selof, City Planner, said Pentecostal Unida Hispana is seeking an amendment to their conditional use permit that permits the operation of a church at 500 Stower Drive. The proposed amendment would allow for new property to be included with the permit. The newly acquired property will allow the applicant to expand their building and meeting parking requirements. The legal description of the subject property is as follows:

That part of Lot 7 of the Auditor's Outlots 1 to 12, inclusive in the South Half of the Southwest Quarter of Section 14, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows: Commencing at the northwest corner of

said Lot 7 of Auditor's Outlots 1 to 12, inclusive, according to the recorded plat thereof; thence on an assumed bearing of North 90 degrees 00 minutes 00 seconds East, along the north line of Lot 7, also being the north line of a tract as recorded in Document No. 219705, a distance of 100.62 feet to an iron monument, said iron monument being the point of beginning of the tract to be described; thence continuing North 90 degrees 00 minutes 00 seconds East, along said north line, a distance of 300.00 feet to the northeast corner of said tract; thence South 0 degrees 00 minutes 00 seconds West, along the east line of said tract, a distance of 200.00 feet to an iron monument; thence South 90 degrees 00 minutes 00 seconds West a distance of 200.00 feet to an iron monument; thence North 26 degrees 33 minutes 54 seconds West a distance of 223.61 feet to the point of beginning.

AND

That part of Lot 1 and Lot 7 of the Auditor's Outlots 1 to 12, inclusive in the South Half of the Southwest Quarter of Section 14, Township 102 North, Range 40 West, City of Worthington, Nobles County, Minnesota, described as follows:

Commencing at the northwest corner of said Lot 7 of said Auditor's Outlots 1 to 12, inclusive; thence on an assumed bearing of North 89 degrees 09 minutes 45 seconds East, along the north line of Lot 7, also being the north line of a tract as recorded in Document No. 219705, a distance of 100.62 feet to an iron monument located at the northwest corner of a tract as recorded in Document No. A349668; thence continuing North 89 degrees 09 minutes 45 seconds East, along the north line of said Lot 7, a distance of 300.00 feet to the northeast corner of last said tract; thence South 0 degrees 50 minutes 15 seconds East, along the east line of last said tract, a distance of 200.00 feet to the southeast corner of said tract, said southeast corner being the point of beginning of the tract to be described; thence continuing South 0 degrees 50 minutes 15 seconds East a distance of 125.00 feet to an iron monument; thence North 75 degrees 57 minutes 34 seconds West a distance of 130.00 feet to an iron monument; thence North 39 degrees 54 minutes 02 seconds West a distance of 118 feet to the southwest corner of last said tract; thence North 89 degrees 09 minutes 45 seconds East, along the south line of last said tract, a distance of 200.00 feet to the point of beginning, containing 0.39 acres, subject to easements now of record in said county and state.

The Planning Commission voted unanimously to recommend approval of the requested conditional use permit amendment subject to the following conditions:

1. An application for a change of zone from 'M-2' to 'M-1' for the new portion of property is received by the City of Worthington; and
2. The subject property must maintain compliance with all applicable local, State, and Federal standards and requirements.

Their recommendation was based on the following:

1. On January 11, 2016, the Worthington City Council approved a conditional use permit that allows Iglesia Pentecostal Unida Hispana to operate a religious institution/church on the subject property subject to the following conditions:
 1. The applicant complies with the City's off-street parking requirements, including eliminating simultaneous use of the property; and
 2. The applicant properly screen any outdoor trash area in compliance with City Code.
2. In the years since approval, the Church has grown and is now looking to potentially expand their building and buy additional property to increase their parking lot. The property they have a purchase agreement on can be seen in Exhibit 2A and 2B. However, to incorporate the new property they must amend the existing permit. It should be noted that the conditional use permit the Church currently operates under does not require a new CUP for any building expansion (therefore the Commission would not see building plans if they do indeed decide to expand).
3. As shown in Exhibit 2C, the existing property at 500 Stower Drive is zoned 'M-1' Light Manufacturing District. The property being bought buying is zoned 'M-2' General Manufacturing. Staff is of the opinion that the property should be uniformly zoned and it should be required that the applicant also apply for a change of zone.
4. This new property will allow the Church to relieve parking congestion and keep more cars off the street. Staff finds that keeping parked cars off the street when possible is in the best interest of the community. It would also provide the space needed to meet parking requirements should they expand.
5. Staff finds that with any kind of land use request, the surrounding land uses should be considered to reduce future land use conflicts. The abutting land uses are as follows and shown in Exhibit 2A:
 - North – Fairgrounds and an ice arena.
 - East – A bus depot.
 - South – A storage building and car dealership.
 - West – Mini-storage.

A motion was made by Council Member Kolpin, seconded by Council Member Cummings and unanimously carried to approve the conditional use permit for Iglesia Pentecostal Unida Hispana - 500 Stower Drive.

COUNCIL COMMITTEE REPORTS

Mayor Kuhle - Great week of Crailsheim events, thanked Mindy & Angela for their hard work coordinating all of the events for the visitors.

Council Member Janssen - No report.

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Council Member Ernst - Kuddos to Mindy and Angela for securing all of the host families for the Crailsheim delegation and coordinating everything for the Crailsheim visitors.

Council Member Kielblock - Enjoyed meeting the Crailsheim guests, they were very appreciative of the hospitality they received.

Council Member Kolpin - Enjoyed hosting the Crailsheim guests. HRA purchased two lots on Cecilee Street, will be waiting on building at this time due to costs.

Council Member Cummings - thanked the Regatta committee for a fabulous weekend of entertainment. Enjoyed the opportunity to spend time with Dr. Grimmer taking him to different events.

CITY ADMINISTRATOR REPORT

Mr. Robinson said the Regatta was fun, attended the Fieldhouse open house which was a success. Thanked Mindy & Angela for the hard work on the Crailsheim visit.

CLOSED SESSION UNDER MINN. STAT §13D.05, SUBD. 3 (A) PERFORMANCE EVALUATION - CITY ADMINISTRATOR

Mayor Kuhle announced that Council would be going into closed session under Minn. Stat § 13D.05, Subd. 3(a) Performance Evaluation of the City Administrator. Those not entitled to stay left the meeting.

The motion was made by Council Member Kielblock, seconded by Council Member Janssen and unanimously carried to close the meeting at 8:15 p.m.

A motion was made by Council Member Cummings, seconded by Council Member Kielblock and unanimously carried to reopen the meeting at 8:51 p.m.

ADJOURNMENT

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to adjourn the meeting at 8:52 p.m.

Mindy L. Eggers. MCMC
City Clerk