

**WORTHINGTON CITY COUNCIL
REGULAR MEETING
SEPTEMBER 11, 2023**

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, Chris Kielblock, Alaina Kolpin, Amy Ernst, Larry Janssen.

Staff present: Steve Robinson, City Administrator; Todd Wietzema, Public Works Director; Matt Selof, Community Development Director; Hyunmyeong Goo, Assistant City Engineer; Deb Olsen, Finance Director; Lori Henning, Human Resource Assistant/Compensation Specialist; Mindy Eggers, City Clerk.

Others Present: Julie Buntjer, The Globe; Ryan McGaughey, Radio Works; Pat Janicek, JB Brooks Properties.

The Pledge of Allegiance was recited.

AGENDA APPROVED WITH ADDITIONS/CHANGES

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

CONSENT AGENDA

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

- Regular City Council Meeting Minutes of August 28, 2023
- Water & Light Commission Meeting Minutes of September 5, 2023
- PJC Joint Operations Committee Meeting Minutes of August 9, 2023
- Worthington Public Arts Commission Meeting Minutes of August 8, 2023
- Bills Payable Totaling \$2,557,076.11

NEW OFF-SALE BEER LICENSE APPLICATION - KWIK TRIP, INC. APPROVED

Steve Robinson, City Administrator, said Kwik Trip, Inc. submitted an application for a new Off-Sale Beer License for their new location at 1755 N. Humiston Avenue. The anticipated opening date is September 28, 2023. The license period would run from September 28, 2023 - December 31, 2023. All of the required paperwork and fees have been submitted.

A motion was made by Council Member Ernst, seconded by Council Member Janssen and unanimously carried to approve the new Off-Sale Beer license for Kwik Trip, Inc.

RESOLUTION NO. 2023-09-31 AND WORTHINGTON HOUSING AND REDEVELOPMENT AUTHORITY RESOLUTION NO. 2023-09-32 ADOPTED APPROVING THE PROPOSED 2022 TAX LEVIES COLLECTIBLE IN 2024

A resolution approving the proposed City of Worthington Tax Levy of \$7,739,156, which breaks down into an operating levy of \$6,702,011 and Special Tax Levies of \$1,037,145, and represents a 18.00% increase over 2024. The proposed levy is an amount not to exceed and may be lowered, but not raised for the final levy certification in December. Also presented was a resolution approving the Housing and Redevelopment Authority's 2024 proposed levy of \$186,000, an increase of \$35,000 over 2023.

The motion was made by Council Member Cummings, seconded by Council Member Kolpin and unanimously carried to adopt the following Resolutions Approving the Proposed 2023 Tax Levies collectible in 2024.

RESOLUTION NO. 2023-09-31

A RESOLUTION APPROVING 2022 TAX LEVIES COLLECTIBLE IN 2023

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO. 2023-09-32

A RESOLUTION APPROVING THE 2023 TAX LEVY COLLECTIBLE IN 2024 - WORTHINGTON HOUSING & REDEVELOPMENT AUTHORITY

(Refer to Resolution File for complete copy of Resolution)

APPROVED CHANGE ORDER FOR SUNSET PARKING LOT PROJECT

Todd Wietzema, Public Works Director, said Ideal Landscaping, the contractor for the Sunset parking Lot project, has submitted a change order for the project. This change order would include:

- Additional cost for stump removal
- Additional removal cost for unexpected soil conditions

The proposed amount of the change order is \$14,171.30. Approving this change order would bring our total contract price to \$473,698.05.

A motion was made by Council Member Kolpin, seconded by Council Member Ernst and unanimously carried to approve the change order in the amount of \$14,171.30.

RESOLUTION NO.'S 2023-09-33 AND 2023-09-34 ADOPTED DECLARING COST TO BE

ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

Hyunmyeong Goo, Assistant City Engineer, said the following costs have been determined for the improvement of the following described streets by regrading, base reconstruction, necessary curb and gutter reconstruction and resurfacing for the following 2022 Bituminous Paving Improvements:

- Appel Avenue – from Clary Street to Bristol Street
- Bristol Street – from near Apel Avenue to west end
- Cynthia Avenue – from Diagonal Road to Tower Street
- Eleanor Street – the entire length within the plat of Dano Addition
- West Oxford Street – from Elmwood Avenue to Park Avenue

Mr. Goo said also included are the special services/charges for the additional assessment as follows:

- Removal of Ice and Snow
- Removal of Noxious Weeds & Vegetation

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

RESOLUTION NO. 2023-09-33

A RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

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

RESOLUTION NO. 2023-09-34

A RESOLUTION DECLARING COST TO BE ASSESSED AND ORDERING PREPARATION OF PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

RESOLUTION NO.'S 2023-09-35 THROUGH 2023-09-39 CALLING FOR HEARINGS ON PROPOSED ASSESSMENTS

Staff presented Resolutions Calling for Hearings on Proposed Assessments for the following:

PAVING IMPROVEMENT NO. 119 2022 Bituminous Pavement Improvements

- Apel Avenue – from Clary Street to Bristol Street
- Bristol Street – from near Apel Avenue to west end
- Cynthia Avenue – from Diagonal Road to Tower Street
- Eleanor Street – the entire length within the plat of Dano Addition
- West Oxford Street – from Elmwood Avenue to Park Avenue

PAVING IMPROVEMENT NO. 116 CHERRYWOOD

- Cherrywood Lane - the entire length

STORM SEWER IMPROVEMENT NO. 32 CHERRYWOOD ADDITION

The improvement of Cherrywood Addition together with that part of the Southeast Quarter of Section 28, Township 102 North, Range 40 West, lying east of South Crailsheim Road and south of Cherrywood Addition, all in the City of Worthington, Nobles County, Minnesota, or parts thereof, by extension of the municipal storm water collection and management system.

PAVING IMPROVEMENT NO. 118 HOMEWOOD HILLS

- Birchwood Place - Miles Drive to south end
- Briarwood Drive - Oakwood Drive to Homewood Avenue
- Fairway Lane - Miles Drive to Oxford Street
- Green View Road - Miles Drive to Homewood Avenue
- Homewood Avenue - West line of Homewood Hills Eighth Addition to Viking Road
- Johnson Lane - Miles Drive to south end
- Maplewood Drive - Oakwood Drive to Pinewood Drive
- Miles Drive - Oakwood Drive to Diagonal Road
- Oakwood Drive - Oxford Street to Briarwood Drive
- Pinewood Drive - Maplewood Drive to north line of Homewood Hills Ninth Addition
- Rust Road - Miles Drive to Homewood Avenue
- Sally's Alley- Maplewood Drive to Oxford Street
- Viking Road - Miles Drive to Diagonal Road

2023 MISCELLANEOUS UNPAID CHARGES

- Removal of Ice and Snow
- Removal of Noxious Weeds & Vegetation

The hearings will be held on October 9, 2023 at the Council meeting.

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

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RESOLUTION NO. 2023-09-35

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

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

RESOLUTION NO. 2023-09-36

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

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

RESOLUTION NO. 2023-09-37

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

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

RESOLUTION NO. 2023-09-38

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

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

RESOLUTION NO. 2023-09-39

CALLING FOR HEARING ON PROPOSED ASSESSMENT

(Refer to Resolution File for complete copy of Resolution)

CONDITIONAL USE PERMIT - 1260 27th STREET

Matt Selof, Community Development Director, said JB Brooke Properties has submitted a request

for a conditional use permit that would allow for an approximately 45' x 60' addition to the existing warehouse/distribution center located at 1260 27th Street. Pursuant to City Code Chapter 155 Appendix E: Table 5, warehouses and motor freight terminals are permitted by conditional use only. The legal description of the property under consideration is as follows:

A tract of land in the Northeast Quarter of Section 14, Township 102 North, Range 40 West, Nobles County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter; thence westerly on the north line of said Section a distance of 776 feet to the point of beginning; thence at right angles southerly a distance of 288 feet; thence at right angles easterly and parallel to the north line of said Section a distance of 170 feet; thence at right angles northerly a distance of 288 feet; thence at right angles westerly along the north line of said Section a distance of 170 feet to the point of beginning; EXCEPTING therefrom the north 35.00 feet thereof.

The City Planning Commission at its September 5, 2023 meeting voted unanimously to recommend approval of the requested conditional use permit subject to the following conditions:

1. The subject property must maintain compliance with all applicable local, State, Federal standards and requirements.

Mr. Selof said it is a straight forward project and will be low volume and low impact. There are also no concerns from neighbors.

Council Member Kielblock asked what the determination was concerning the encroachment in the setback. Mr. Selof said the applicant has three options, a ladder could be used for the door exit, the door could be moved or a variance could be sought.

Pat Janicek said he will be adding a 2700 square foot addition to the east side of the building. Frito Lay is growing and they are consolidating with Sheldon and Windom which will add two more routes. He explained after a third party inspector for Frito Lay did an inspection of the facility it was determined that an emergency exit door should be added so they added a door in on the east side of the building and added a metal removable stair case for safety reasons. In applying for the conditional use permit it was determined that the stair case is in the setback. Mr. Janicek said that he would prefer to leave it on the east side as moving the door and staircase to the south side of the building would create issues in moving snow and would be too close to the loading dock area. He said he will work with staff on applying for a variance.

A motion was made by Council Member Kielblock, seconded by Council Member Janssen and unanimously carried to approve the Conditional Use Permit at 1260 27th Street.

COUNCIL COMMITTEE REPORTS

Mayor Von Holdt - No report.

Council Member Janssen - No report.

Council Member Ernst - Attended a Water & Light Commission meeting. There will be an opening on the commission so if anyone has any suggestions please let her know.

Council Member Kielblock - No report.

Council Member Kolpin - Attended a Community Childcare Task Force meeting. The Town Hall meeting has been rescheduled to October 11th. The YMCA Board extended a job offer and it has been accepted by Kari Olemsen, she will start in October.

Attended an HRA meeting and are working on filling a board position. The townhome construction is currently underway.

Council Member Cummings - The marketing committee of the CVB/Chamber is using The Globe marketing package.

CITY ADMINISTRATOR REPORT

Mr. Robinson said he volunteered to attend a CGMC emergency service group meeting regarding staffing and medical services equipment tomorrow morning.

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

Mayor Von Holdt 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 Ernst and unanimously carried to close the meeting at 6:04 p.m.

A motion was made by Council Member Cummings, seconded by Council Member Kielblock and unanimously carried to reopen the meeting at 6:46 p.m.

ADJOURNMENT

The motion was made by Council Member Kielblock, seconded by Council Member Ernst and unanimously carried to adjourn the meeting at 6:47 p.m.

Mindy L. Eggers, MCMC
City Clerk