

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, JUNE 15, 2022**

The meeting was called to order at 3:30 p.m. in City Hall Council Chambers by Mayor Mike Kuhle with the following Council Members present: Larry Janssen, Alaina Kolpin, Chad Cummings, Amy Ernst, Chris Kielblock.

Staff present: Steve Robinson, City Administrator; Matt Selof, Community Development Director; Deb Olsen; Todd Wietzema, Public Works Director; Angela Thiner, Assistant City Clerk.

Others present: Jeff Flynn, City Attorney; Emma McNamee, The Globe; Ryan McGaughey, RadioWorks.

GREAT LIFE GOLF AND FITNESS DONATION PROPOSAL

Steve Robinson, City Administrator, stated Tom Walsh, Sr. is proposing to deed Great Life Golf and Fitness, an 18-hole golf course sitting on approximately 118 acres also including a clubhouse, restaurant, fitness center, swimming pool, maintenance and cart buildings to the City contingent upon the City appointing Great Life to operate, maintain and manage the facility. The initial term of the operations appointment is 3 years with mutual options of one-year renewals thereafter.

According to the proposed agreement the City would be responsible for:

- Improvements necessary to comply with ADA requirements as determined by State and local building codes,
- All costs and expenses associated with facility capital improvements,
- Maintaining adequate supply of irrigation water from Lake Okabena, and
- The cost of all necessary chemicals and fertilizers utilized in the maintenance of the golf course grounds.

Other than turf fertilizer and chemicals, the City would have no financial responsibility for the day to day operations of the facility.

Great Life would be responsible for:

- Operating, maintaining and managing the golf course, restaurant, fitness facility, swimming pool, grounds, amenities and equipment in a manner substantially similar to past practice; and
- Retaining 50% for the first \$100,000 in annual “cash flow” (net profit) with 50% of the first \$100,000 in annual “cash flow” paid to the City. Thereafter, Great Life will retain all annual “cash flow” in excess of \$100,000.

Mr. Robinson explained Mr. Walsh first approached the City with this idea in late 2020. No formal proposal was received at that time so it was never brought to City Council. Mr. Walsh then approached the City in December 2021, again with no formal proposal. The most recent discussion took place in April 2022 when Mr. Walsh was told he would need to submit a formal proposal to City Council for consideration.

Jeff Flynn, City Attorney, stated Mr. Walsh's biggest concern is irrigation of the golf course. He explained the DNR is questioning Great Life's use of the water from Lake Okabena without owning any lake property, therefore having no riparian rights. Mr. Flynn added due to the several City owned parks abutting Lake Okabena, by State Statute, the City has riparian rights which allows them the use of water from Lake Okabena on City owned property. Mr. Flynn also stated there is no agreement between the City and Great Life for use of the lake water but it has been taking place for 60 years.

Council Members Ernst, Kolpin and Cummings expressed how they felt the cost for the City to be involved would be much greater than how the proposal made it sound.

Council Member Kolpin stated she would like to see someone else have a chance to own it adding she has issues with subsidizing private business with tax payer dollars. Council Member Janssen agreed.

Council Member Ernst stated she would prefer to help with the irrigation vs. owning the course.

Council Member Cummings stated the public needs to be made aware of what is being proposed and also he would like to know if there was ever a legal agreement in place for the golf course to use the lake water and if so what that agreement states.

Discussion took place whether or not the City would be able to assign municipal riparian rights to a corporation. After discussion Council directed Jeff Flynn, City Attorney, to research if riparian rights were assignable and also determine the historical use of the water. Mayor Kuhle noted he would like to see if there was anything in writing from the DNR to Great Life.

ADJOURNMENT

Larry Janssen made a motion to adjourn the meeting at 4:35 p.m.

Angela Thiner
Assistant City Clerk