

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, OCTOBER 8, 2009**

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Alan E. Oberloh with the following Aldermen present: Lyle Ten Haken, Mike Kuhle, Scott Nelson, Ron Wood, Mike Woll.

Staff present: Craig Clark, City Administrator; Janice Oberloh, City Clerk; Dwayne Haffield, Director of Engineering; Brian Kolander, Finance Director; Jim Laffrenzen, Public Works Director (7:03 a.m.) and Brad Chapulis (7:10 a.m.)

Others present: Tom Kresco, Department of Natural Resources

DISCUSSION WITH DEPARTMENT OF NATURAL RESOURCES (DNR) REPRESENTATIVE

Tom Kresco, Area Hydrologist with the DNR, was present at the meeting to discuss riparian rights for installation of lawn watering systems, and the level of authority/control the City and the DNR have over them. The DNR has no major concerns over those pumping less than 10,000 gallons per day and less than 1 million gallons annually, however, anyone without riparian rights should have an approved permit from the City, with the City also named on the permit. Anyone pumping more than the 10,000 gallons per day / 1 million gallons annually needs to have a permit from the DNR. Both the City and the DNR have the ability to terminate a permit at any time. As the City owns approximately 50% of the land around Lake Okabena, Alderman Wood inquired if there was a way to determine what our maximum appropriation would be. Mr. Kresco said he could calculate that number.

Mr. Kresco stated that the DNR becomes concerned when a body of water approaches what they call the Q90 level, where the flow decreases to 90% of the normal flow level. It is at that point where their permitted appropriations would need to cease to protect the body of water in question. Typically, July and August are the problem months. Council agreed that, not only should the City have a plan in place to protect the lake should levels fall that far, but the Worthington Country Club, who holds an appropriation permit from the DNR allowing them to pump up to 34 million gallons annually, should also have a plan in place. Per their agreement, their appropriation would cease when the water level drops to two feet below the spillway at the dam. Also discussed was whether there should be some penalty or assessment amount where the City has been called out to repair or investigate a leak or break, and it turns out to be a private irrigation system line, or perhaps penalties if the lake reaches the Q90 level and they won't quit pumping. The DNR would be the enforcing entity should permits they've issued need to be terminated for decreased lake levels, and would send letters to the individual permit holders, then try to follow up with on site visits. Mr. Kresco said he would furnish us with a letter to use for those appropriating at the less than 10,000 gallon per day / 1 million gallons per year level.

2010 BUDGET

2010 Overlay Program

Council and staff discussed the 2010 overlay program and the funding level. Council at an earlier meeting had determined to use \$200,000 of the \$400,000 new money from the overlay program to decrease the proposed levy, and let staff prioritize their projects. Council consensus was to wait until near the end of the year to determine if an additional adjustment would be made. City Administrator, Craig Clark, reported that legislation had passed that would allow cities to re-certify in January if further LGA cuts were handed out yet this year. Alderman Kuhle noted he had received complaints from several constituents regarding the quality of the overlay work being done in the city. Dwayne Haffield, Director of Engineering, noted they had contacted the owners of company and discussed the issues - corrective work has already begun.

YMCA Funding

The YMCA had submitted a proposal for the 2010 City/YMCA Contract, which included an increased apportionment for programming after the YMCA determined their time had not been allocated correctly between programming and the pool. The reallocation resulted in a \$3,180 increase over the 3% requested increase (\$1,113), for a total increase over the 2009 programming fees of approximately 10%.

Following discussion, the motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to approve the contract at \$39,982, which reflects an increase of \$2,913 over the 2009 program fees, or slightly less than 8%.

Additional 2010 Budget Reduction Discussion - Community Development Position

Council requested this item be moved to a future meeting to allow time to review the supporting information distributed just prior to the meeting.

Equipment Revolving Schedule

Council discussed proposed withdrawals from the 2010 Equipment Revolving Schedule (ERS) for Prairie View Golf Course and the Public Safety Department. Mayor Oberloh noted he didn't feel qualified to determine which pieces of equipment were more imperative to replace than others, and would rather rely on staff for that determination. Council agreed. Alderman Wood stated he would visit with the groundskeeper at Prairie View regarding his request, and City Administrator Craig Clark with work with the Public Safety Director regarding his request.

Assessor Cost Information

The Nobles County Assessor is proposing a \$10,000 increase in 2010 Assessment Services over the

2009 fee, even though his budget information indicates expenditures have decreased. Council discussed information presented by City Administrator Craig Clark on what other communities pay per parcel for assessment services from their respective counties. The average per parcel cost was approximately \$14, except for the City of Mankato, who pays nothing. The City currently pays Nobles County a per parcel fee of \$23.91. Council felt the difference was substantial enough to look at what our options may be. Council requested that Mr. Clark find out if the City is actually obligated to assess, and requested that Brian Kolander, Finance Director, provide the history of our assessor rates/increases from Nobles County.

Hospital Sale Proceeds Discussion

This item will be moved to a future meeting due to time constraints.

ADJOURNMENT

The motion was made by Alderman Wood seconded by Alderman Woll and unanimously carried to adjourn the meeting at 8:24 a.m.

Janice Oberloh
City Clerk