

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, OCTOBER 16, 2019**

The meeting was called to order at 3:30 p.m. in City Hall Council Chambers by Mayor Pro Tem Mike Harmon with the following Council Members present: Larry Janssen, Alan Oberloh, Chad Cummings, Amy Ernst, Mike Kuhle (excused).

Staff present: Steve Robinson, City Administrator; Jason Brisson, Assistant City Administrator/Director of Community Development; Mindy Eggers, City Clerk.

Others present: Leah Ward, The Globe; Justine Wettshreck, Tom Johnson.

W.E.L.L. PROJECT LAND /BUILDING OWNERSHIP

Steve Robinson, City Administrator, stated that the land and building ownership may become a little problematic. Mr. Robinson said City Attorney Jesse Flynn advised that it was not recommended to have one entity own the land and one entity own the building. Mr. Flynn advised that it would be best to have one owner for the land and an owner for the building, which may lead into problems for the county and it's bonding and any grants that may be used for funding. The City, County and School District will have to determine an agreement that will make the most sense for all entities involved.

W.E.L.L. PROJECT CITY SHARED AND COMMON SPACE

Mr. Robinson stated that there has been contact with a private business that has shown interest but there have not been any formal commitments made.

W.E.L.L. PROJECT CITY SHARE OF ARCHITECTURAL AND ENGINEERING DESIGN AND CONSTRUCTION SERVICES MEMORANDUM OF UNDERSTANDING

Mr. Robinson stated that council approved a Memorandum of Understanding that states the City, County, and School District will evenly split expenses related to environmental and geotechnical services needed on the W.E.L.L. site. He said the school board agreed to the MOU at its Tuesday meeting and Tom Johnson said the County Board will vote on it at their October 22nd meeting.

W.E.L.L. PROJECT LEASE AND/OR JOINT OPERATIONS AGREEMENT

Mr. Robinson explained that the City does not need the other two entities on board in order to start on the field house project. While the proposed site is supposed to be connected with a corridor plans can include space for that connection. The City can take care of the field house and a similar agreement can be done similarly to the agreement with the County for the Prairie Justice Center.

W.E.L.L. PROJECT JOINT CITY COUNCIL/SCHOOL BOARD/COUNTY COMMISSIONER BOARD ROOM

Mr. Robinson explained direction will be needed when we get to the design phase on the inclusion of a board room that could be used by the three entities. Regular meetings could take place in the current location, but the shared space would be used when boards are combined. The council chambers is in need of a technology update and there would be added costs of adding new technology to a new board room as well.

OUTDOOR AQUATIC CENTER LEASE AND OPERATIONS

Jason Brisson, Assistant City Administrator/Director of Economic Development, explained staff is looking for direction from Council on whether or not council would like staff to move forward with discussions with MN West on proposed parking for the addition to the aquatic center. MN West has advised if the City stays within the approximately 1.7-acre optional tract within the current lease approval it would be easier and timelier to obtain. Though outside of the optional lease tract, MN West has also expressed their willingness to work with the City on the property just north of the law enforcement skills center for parking. He said staff has also begun discussions with the owner of the Collegeway Apartments regarding purchasing property for a separate entrance for the aquatic center. The current YMCA ground lease was for 40 years and has 28 years remaining as of 2019. MN West has indicated that they may issue a new lease or lease amendment for up to 30 years. Any lease with a term longer than 30 years will require legislative approval. City staff believes that securing a lease for longer than 30 years may present difficulties for hitting the summer 2021 target opening date. Council would like staff to find out more information from the owner of the Collegeway Apartments because a separate entrance is preferred but want to make sure that the city gets the most pool space and/or equipment for the budget.

Mr. Brisson said staff would like to reach consensus for a new operations agreement between the City and the YMCA for the outdoor pool operations. The consensus reached will then be formalized and presented as a memorandum of understanding for consideration to City Council and the YMCA at their October 28th meetings. He said staff has discussed terms with the YMCA and recommends the following be considered in a new operating contract with the YMCA:

- The City of Worthington agrees to cover any operational shortfall of the outdoor pool area operations; the indoor pool operational costs are the responsibility of the YMCA. Based on similar projects in the region, City staff expects operational costs of the new facility will exceed revenue. Staff proposes that the YMCA will annually provide financials to identify the shortfall and the City will reimburse for the actual amount.
- The City pays 100% of the capital expenses of the outdoor pool facility. Capital expenses shall include, but not be limited to, aquatic play features, filters, heater, pool pump, and structural components.
- Maintenance expenses for the indoor pool component remain the responsibility of the

YMCA. Maintenance expenses (noncapital expenses) shall include, but not be limited to, the following: pool chemicals, light bulbs, routine maintenance of motors and other pool equipment such as are listed in the OEM manuals.

- The City is responsible for all maintenance (noncapital) expenses of the outdoor pool facility and will be included in the outdoor facility operational costs.
- The City agrees to cost share with the YMCA for an aquatic center director position that will oversee all aquatic center operations.
- The City Council shall annually set the admission rates for the aquatic center. Consideration should be given to a separate rate for the outdoor portion.
- Consideration should be given to whether a YMCA membership will include access to the expanded outdoor facility or if an additional fee will be required for entry.
- Consideration should be given to a discounted fee for City residents who will subsidize the annual operations of the pool through the City's tax levy.
- Consideration should be given to the responsibility of future capital expenses in the shared areas (the shared entryway and the locker rooms)

Discussion was held and council members were not in favor of the YMCA membership including access to the outdoor aquatic center or city residents having a reduced rate as it would be a bookkeeping nightmare and very difficult to monitor.

ADJOURNMENT

Mayor Pro Tem Harmon adjourned the meeting at 4:39 p.m.

Mindy Eggers, MCMC
City Clerk