

WORTHINGTON CITY COUNCIL

AGENDA

**7:00 P.M. - Monday, April 9, 2012
City Hall Council Chambers**

- A. CALL TO ORDER**
- B. INTRODUCTIONS AND OPENING REMARKS**
- C. AGENDA ADDITIONS/CHANGES AND CLOSURE**
 - 1. Additions/Changes
 - 2. Closure
- D. CONSENT AGENDA**
 - 1. CITY COUNCIL MINUTES (WHITE)
 - a. City Council Minutes of Special Meeting March 19, 2012
 - b. City Council Minutes of Special Meeting March 26, 2012
 - c. City Council Minutes of Regular Meeting March 26, 2012
 - 2. MINUTES OF BOARDS AND COMMISSIONS (PINK)
 - a. Planning Commission Meeting Minutes of April 3, 2012
 - b. Water & Light Commission Meeting Minutes of April 2, 2012
 - 3. A. CITY COUNCIL BUSINESS - ADMINISTRATION (WHITE)
 - Case Items
 - 1. Application for On-Sale Beer License
 - 2. Application for Temporary On-Sale Liquor License
 - 4. B. CITY COUNCIL BUSINESS - PUBLIC WORKS (GREEN)
 - Case Items
 - 1. Approve Annual Park Concession Permit Fees
 - 2. Approve Adult Soccer League Fee
 - 5. BILLS PAYABLE

PLEASE NOTE: All utility expenditures are listed as 601,602,and 604, and are approved by the Water and Light Commission

E. CITY COUNCIL BUSINESS - ADMINISTRATION (WHITE)

Case Items

1. First Reading Proposed Ordinance for the Establishment of a Public Arts Commission
2. Recommendation to the County Board on Redistricting Plans

F. CITY COUNCIL BUSINESS- PUBLIC SAFETY (TAN)

Case Items

1. Consideration of Public Safety Plan
2. Consideration of Updated Job Description

G CITY COUNCIL BUSINESS - PUBLIC WORKS (GREEN)

Case Items

1. Approve Pleasant Park Lease Agreement
2. Approve Athletic Facilities Use Agreement
3. Approve Summer Youth Recreation Program Fees
4. Adopt a Park Donation Policy

H. CITY COUNCIL BUSINESS - ENGINEERING (BLUE)

Case Items

1. Receive Report and Order Hearing on 2012 Street and Alley Reconstruction Improvements.
2. Approve Sewer User Agreements

I. CITY COUNCIL BUSINESS - COMMUNITY/ECONOMIC DEVELOPMENT (GRAY)

Case Items

1. Tabled Item - Text Amendment (Petroleum Bulk Stations)
2. Workforce Housing Program Amendment

J. COUNCIL COMMITTEE REPORTS

1. Mayor Oberloh
2. Alderman Ten Haken
3. Alderman Kuhle
4. Alderman Nelson
5. Alderman Wood
6. Alderman Woll

K. CITY ADMINISTRATOR REPORT

L. ADJOURNMENT

**Planning Commission/Board of Appeals Minutes
April 3, 2012**

The meeting was called to order at 7:00 p.m. by Chad Nixon in the City Hall Council Chambers.

Members Present: Kelly Meyer, Ken Moser, Chad Nixon, Dana Oberloh, and Bruce Pass
Members Absent: Dale Ryen and Mike Kuhle (excused)
Staff Present: Brad Chapulis, Director of Comm/Econ. Dev., Mindy Eggers, Administrative Secretary/Asst. City Clerk
Others Present: Bill Wetering and Bill Collin

Approval of Minutes

Kelly Meyer motioned to approve February 7, 2012 meeting minutes. The motion was seconded by Ken Moser and passed unanimously.

Other Business

Request for Interpretation - B & J Oil

Bill Wetering and Bill Collin were in attendance to request the consideration and interpretation of the installation of three bulk tanks as not being an expansion to the business but a legal obligation that would make B & J Oil compliant with the bio diesel Content Mandate.

Bill Wetering stated that he was representing Bill Collin of B & J Oil and they are replying to the denial of the Text Amendment in the B-3 general business zoning district. Mr. Wetering explained that B & J Oil has been in the same location even before the Travelodge Hotel (previously the Holiday Inn) and has never had a spill or insurance claim.

Mr. Wetering stated that this request is because B & J Oil is being required by law to carry additional mixes of fuel and has to store them separately. By not complying with the law B & J Oil could potentially lose 20-25% of their business. The additional tanks would hold an additional 35,000 gallons of fuel.

Mr. Wetering stated that it is not their desire to have the zoning changed but to allow the business to accommodate the law.

Mr. Chapulis stated that it had just occurred to him that the recently adopted Interim Use Permit option, but would like time to confirm it is a legit option.

Bruce Pass made a motion that it is not an expansion of the business and to allow the construction of three additional storage tanks on the property while maintaining compliance with the state statute. Ken Moser seconded the motion and the following commission members voted in favor: Bruce Pass, Ken Moser, and Dana Oberloh. Voting against the same Kelly Meyer. Motion passed.

Outdoor Trash Facilities

Brad Chapulis explained that an excerpt from the Zoning Ordinance regarding outdoor trash areas for all land uses except single family home was included with the agenda. Mr. Chapulis explained that multi family housing and commercial businesses are required by law to have the garbage receptacles property screened from public view. Mr. Chapulis stated that this ordinance has been in existence since 1969 with sporadic enforcement. It has been suggested that compliance be sought with all applicable property owners. Mr. Chapulis stated that an initial contact could be made allowing for a grace period and after that time tickets could be issued.

After discussion by the commission staff was given direction to compile photos, contact the Chamber of Commerce about working with them and bring back the information to the next meeting.

Comprehensive Plan Review

Mr. Chapulis stated that with the planned improvements to Highway 59 including the infrastructure on the west side of the highway, staff would like to label the specific land use on the property next to Bedford Technology. Staff's suggestion would be to designate it as commercial which would serve as a buffer between the industrial and commercial areas.

Bruce Pass questioned whether it needed to have a specific designation right now. Mr. Chapulis stated that in his opinion you do or it is going to allow for a hodgepodge of things, considering the allowance that was made for B & J Oil. Mr. Chapulis stated that his professional opinion is that we cannot keep making exceptions as it could hinder the development of the area. Ken Moser stated that he disagreed with Brad and questioned the time frame of any new development in that area and stated that he is a strong supporter of the event center project and would hope that it would encourage growth in that area.

Ken Moser made a motion to have staff prepare the proper documentation necessary to move the comp plan amendment forward for formal consideration. Kelly Meyer seconded the motion and it was unanimously approved.

Next Meeting

The next meeting is scheduled for May 1, 2012 at 7:00 p.m.

Adjournment

As there was no further business before the Planning Commission, the meeting adjourned at 8:11 p.m.

Mindy Eggers, MCMC
Assistant City Clerk

UNAPPROVED

**WATER AND LIGHT COMMISSION MINUTES
REGULAR MEETING
APRIL 2, 2012**

The regular meeting of the Water and Light Commission was called to order in the Worthington Public Utilities Conference Room at 7:00 A.M., CST, by Vice-President Randy Thompson with the following members present: James Elsing, Ron Wood, Gary Hoffmann and Kevin Donovan.

Staff members present were Scott Hain, General Manager; Deb Scheidt, Secretary to the Commission

Others present: None

AGENDA ADDITIONS/CLOSURE

A motion was made by Commissioner Hoffmann, seconded by Commissioner Wood and unanimously carried to close the agenda as presented.

WATER AND LIGHT COMMISSION MINUTES

A motion was made by Commissioner Elsing, seconded by Commissioner Hoffmann and unanimously carried to approve the Water and Light Commission minutes of the regular meeting held March 5, 2012.

FINANCIAL STATEMENTS AND STAFF REPORTS

A motion was made by Commissioner Hoffmann, seconded by Commissioner Elsing and unanimously carried to accept the financial statements and the staff reports for February 2012.

APPROVE SEWER USER AGREEMENTS

After review of the proposed sewer user agreements, a motion was made by Commissioner Wood, seconded by Commissioner Elsing and unanimously carried to recommend City Council approval of the user agreements with Tru Shine Truck Wash and D & H Transportation as presented.

LINCOLN PIPESTONE RURAL WATER (LPRW) INTERCONNECTION

Scott Hain, General Manager, reported that he has had further conversations with Dennis Healy of Lincoln Pipestone Rural Water (LPRW) regarding the possible interconnection of Worthington Public Utilities' (WPU) water system with the LPRW water system.

LPRW has indicated that they are interested in an agreement under which either party can provide water to the other party on an "as needed" and "as available" basis at predetermined rates. While LPRW is confident that they could provide at least some level of water service to

Worthington well into the future, they are not interested in an agreement that includes any guaranteed rates of delivery. LPRW has suggested that the construction costs for the interconnection be shared equally between WPU and LPRW and indicated that their construction crews would be available to construct the interconnection. Information was also provided to the Commission on the current infrastructure and various interconnection options. Mr. Hain stated that LPRW would like to proceed with the interconnection as soon as possible.

After discussion, it was the consensus of the Commission that the two entities proceed with the development of cost estimates for the interconnection and a draft agreement to be presented to the Commission for consideration.

WORTHINGTON REGIONAL ECONOMIC DEVELOPMENT CORPORATION (WREDC) PLANNING SESSION

Scott Hain, General Manager, reported that Worthington Regional Economic Development Corporation (WREDC) has scheduled a planning session for April 13, 2012. Mr. Hain reported that WREDC has requested that each of the stakeholders be prepared to present their individual economic development goals at the planning session. Mr. Hain will be meeting with Craig Clark, City Administrator, and Mel Ruppert, Nobles County Administrator, on April 4, 2012, to discuss stakeholders' goals. Mr. Hain indicated that Commission members are invited to attend the April 13 planning session and asked that they let him know in advance if they planned on attending.

HERLEIN-BOOTE DIVERSION PROJECT

Scott Hain, General Manager, provided the Commission with an update on the status of the Herlein-Boote Diversion Project.

Commissioner Wood left the meeting at 8:02 a.m.

SUBSTATION TIE TRANSMISSION PROJECT

Scott Hain, General Manager, provided the Commission with an update on the substation tie transmission project. Mr. Hain reported that the crossing permits from MnDOT have been received and that construction bids for the project will be opened on April 25.

AMERICAN PUBLIC POWER ASSOCIATION (APPA) LEGISLATIVE RALLY

Commissioner Elsing provided a verbal report on the American Public Power Association (APPA) Legislative Rally he attended in Washington, DC, on March 12-14, 2012.

MISSOURI RIVER ENERGY SERVICES (MRES) ANNUAL MEETING

Missouri River Energy Services will hold their 47th annual meeting on May 9-10, 2012, at the Sioux Falls Convention Center. Discussion was held on attending the meeting.

UTILITY BILLS PAYABLE

A motion was made by Commissioner Hoffmann, seconded by Commissioner Donovan and unanimously carried to approve the utility bills payable totaling \$198,076.52 for March 9, March 16, March 23 and March 30, 2012.

ADJOURNMENT

A motion was made by Commissioner Elsing, seconded by Commissioner Hoffmann and unanimously carried to adjourn the meeting at 8:13 A.M., DST. Vice-President Thompson declared the meeting adjourned.

Deb A. Scheidt
Secretary to the Commission

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, MARCH 19, 2012**

The meeting was called to order at 6:02 p.m. in City Hall Council Chambers by Mayor Alan E. Oberloh with the following Aldermen present: Lyle Ten Haken, Mike Kuhle, Scott Nelson, Mike Woll, Ron Wood (6:04 p.m.). Honorary Council Member: Kevin Donovan.

Staff present: Craig Clark, City Administrator, Janice Oberloh, City Clerk.

Others present: none.

STRATEGIC PLANNING SESSION

Craig Clark, City Administrator, presented a review and update of the City of Worthington's Strategic Plan. Mr. Clark reported the following:

Low Hanging Fruit

- Storm Water Plan - Council has given preliminary approval and design is being work on and expected to be done by the end of 2012
- Event Center - on task and scheduled to be completed by March of 2013
- Auditorium - done
- Testing and Training Center - with the exception of the A/V equipment, is done
- Support of MN West Housing and Expansion Efforts - the ball is in MN West's court for moving forward - thinks they are hoping the City would come forward with some cash
- Letter to Education Institutions - done
- RMS/CAD - done
- ARMER - on track for May start date
- Dispatch consolidation - no agreement reached with other counties
- HWY 59 N. Infrastructure design improvements - moving toward spring start date this year

In the Works

- Railroad quiet study - did that with TKDA - achievement would be too costly
- Golf Course Issue - agreement with Dakota Golf in place

Further Prioritized

- Old YMCA/Complete Senior Center - authorization to go out for bid for the senior center will be on the next Council agenda
- Campbell Soup lot redevelopment/Fire Hall - will be completed October 2012
- Clear ED policy - Established by the ED Ad Hoc Committee and approved by Council
- Trail System - have had a lot of internal discussions - between trails and complete streets - looking at multi-modal focus on trails
- Training activities for Council/Staff/Community -
- Lake/Dam Improvements - Discussed at 2012 budget cycle - no interest in putting funds forward - working with college on a regional retention pond
- Information/Communication Specialist/Position assessment - done some work with WGTN-

- 3 and looked at the possibility of hiring a person with some of those funds in a partnership with the city and school or other resources to move that along
- Sports Complex - have RFP's out and met today and selected 4 firms to bring in for final presentation for selection

On-going

- Finish Park planning - \$250,000 to the Park Advisory Board to advance projects
- Public Safety plan - will be discussed April 9th
- Public Works plan - not much there, the discussion is on a new combined facility
- Move City into 21st Century Technology - still have areas we can work on but did update the web page

Discussion was held at length on various other issues that have come forth since the strategic planning session in 2009. Honorary Council Member Kevin Donovan noted he had no idea about the Strategic Plan but was impressed and stated the City needs to get the information out to the community. Council members agreed another session should be scheduled to continue this discussion.

ADJOURNMENT

The motion was made by Alderman Wood, seconded by Alderman Woll and unanimously carried to adjourn the meeting at 8:29 P.M.

Janice Oberloh, MCMC
City Clerk

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING, MARCH 26, 2012**

The meeting was called to order at 6:00 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. Honorary Council Member: Kevin Donovan.

Staff present: Craig Clark, City Administrator; Brian Kolander, Finance Director; Scott Hain, General Manager Worthington Public Utilities; Mike Cumiskey, Public Safety Director; Janice Oberloh, City Clerk.

CLOSED SESSION UNDER MS § 13D.03, SUBD. 1(B) - LABOR NEGOTIATIONS

Mayor Oberloh announced that Council would be going into closed session under MS § 13D.03, Subd. 1 (B) for the purpose of union negotiation discussion. Those present for the closed session were: Alderman Ten Haken, Alderman Kuhle, Kevin Donovan, Mike Cumiskey, Scott Hain, Brian Kolander, Alderman Nelson, Alderman Wood, Alderman Woll, Craig Clark Janice Oberloh, and Brandon Fitzimmons, Coalition of Greater Minnesota Cities, via phone conference during the closed session.

The motion was made by Alderman Ten Haken, seconded by Alderman Woll and unanimously carried to close the meeting at 6:01 p.m.

The motion was made by Alderman Wood, seconded by Alderman Ten Haken and unanimously carried to re-open the meeting at 6:45 p.m.

ADJOURNMENT

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to adjourn the meeting at 6:48 p.m.

Janice Oberloh, MCMC
City Clerk

**WORTHINGTON CITY COUNCIL
REGULAR MEETING, MARCH 26, 2012**

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. Honorary Council Member: Kevin Donovan.

Staff present: Craig Clark, City Administrator; Brad Chapulis, Director of Community/Economic Development; Mike Cumiskey, Public Safety Director; Dwayne Haffield, Director of Engineering; Janice Oberloh, City Clerk.

Others present: Ana Anthony, Daily Globe; Bobbi Korthals, Chuck Moore, Jorge Lopez.

HONORARY COUNCIL MEMBER

Mayor Oberloh introduced Kevin Donovan as the Honorary Council Member for the months March, April, and May, 2012.

AGENDA APPROVED WITH ADDITIONS

Mayor Oberloh requested an addition to the agenda of a discussion of private docks on public property. Craig Clark requested the addition of exhibit 1 and exhibit 2 to the agenda as supporting documents for item E1 *Approval of LELS 4 and 274 Labor Agreements for 2012–2014*.

The motion was made by Alderman Wood, seconded by Alderman Kuhle and unanimously carried to approve the agenda with the requested additions.

CONSENT AGENDA APPROVED

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the consent agenda as follows:

- City Council Minutes of Special Meeting March 13, 2012 and Regular Meeting March 13, 2012
- Memorial Auditorium Advisory Board Minutes of March 7, 2012
- Municipal Liquor Store Income Statement for the period January 1, 2012 through February 29, 2012
- Bills payable and totaling \$618,298.80 be ordered paid

LELS 4 AND LELS 274 LABOR AGREEMENTS FOR 2012-2014 APPROVED

Following negotiations between staff and union representatives, Council was presented with labor agreements between the City of Worthington and the LELS 4 and LELS 274 groups for approval. The basic changes to the contracts are as follows:

LELS 4 - 0% increase in 2012, 1.5% increase in 2013, 1.5% increase in 2014 with an additional .5% increase in December of 2014. There is also additional minor housekeeping language changes from the previous contract.

LELS 274 - 0% increase in 2012, 1% in 2013, and 2% in 2014. The agreement also increases the cell phone pay from \$50 per month to 75% per month as discussed previously by Council, and adds a provision that would allow them to go on merit pay.

The motion was made by Alderman Kuhle, seconded by Alderman Ten Haken and unanimously carried to approve the LELS 4 and LELS 274 Labor Agreements for 2012-2014.

INFORMATIONAL DISCUSSION - DOCKS/BOAT LIFTS ON PUBLIC PROPERTY

Mayor Oberloh stated he had receive a request from Mark Thier, who removes and installs boat lifts on the lake for people, for permission to stage the lifts for two weeks in a couple of city parks. He can only haul four at a time from his storage area, and would like the ability to move them all to the staging area prior to moving them out in the lake. The two areas would be at the parking lot by the walk bridge at Olson Park and near Slater Park. Mr. Thier said he would show he was insured if required by the City. Mayor Oberloh noted that this was not a Council issue but he wanted to mention it to them and then let staff handle it.

CONTRACT AWARDED FOR AIRPORT CHEMICAL LOADING PAD AND STORAGE BUILDING

Staff received the following bids on March 26, 2012 for the Chemical Loading Pad and Storage Building project at the airport:

<u>Engineer's Estimate</u>	<u>McCuen Const. Inc.</u>	<u>Groninga Const. Inc</u>	<u>Salonek Conc. & Const.</u>	<u>Wilcon Const Inc.</u>	<u>White Const.</u>
\$103,071.55	\$96,768.00	\$101,511.65	\$108,604.50	\$111,827.24	\$134,357.00

Staff was recommending awarding the bid to McCuen Construction, Inc. as the low responsible bidder in the amount of \$96,768.00. Dwayne Haffield, Director of Engineering, noted the award should be made contingent on receipt of the MnDOT grant, whether state or federal aviation, adding these are the only type of bids that we apply for grants after the bids are received.

The motion was made by Alderman Wood, seconded by Alderman Nelson and unanimously carried to award the bid for the Airport Chemical Loading Pad and Storage Building to McCuen Construction, Inc. as the low responsible bidder.

RESOLUTION NO. 3490 ADOPTED ORDERING PREPARATION OF REPORT ON

IMPROVEMENT

Staff presented a resolution ordering preparation of report on proposed street and alley improvements as follows:

Improving the following described streets by regrading, base reconstruction, resurfacing, and necessary curb and gutter reconstruction:

- Franklin Street from East Avenue to Sherwood Street;
- Sherwood Street from Nobles Street to Franklin Street;
- Trevor Street from East Avenue to Murray Avenue;

Improving the following described alleys by regrading, base reconstruction, and resurfacing:

- Alley in Block 28, Plat of Worthington (Between 9th Street and 10th Street) from Sixth Avenue to Seventh Avenue, abutting Lots 2, 3, 10, and 11 (northeasterly alley);
- Alley in Block 28, Plat of Worthington from Sixth Avenue to Seventh Avenue, abutting Lots 4, 5, 8, and 9 (southwesterly alley)

The improvements are proposed to be assessed to abutting owners. Upon receipt of the reports, Council will be requested to order a hearing on the proposed improvements.

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to adopt the following resolution ordering the reports:

RESOLUTION NO. 3490

ORDERING PREPARATION OF FEASIBILITY REPORT ON PROPOSED IMPROVEMENT

(Refer to Resolution File for complete copy of Resolution)

**RESOLUTION NO. 3491 ADOPTED AMENDING WARD AND PRECINCT BOUNDARIES
WITHIN THE CORPORATE LIMITS OF THE CITY OF WORTHINGTON, NOBLES
COUNTY, MINNESOTA**

As required by State Statute and the City Charter, following the 2010 Census the City must review its election boundaries and redraw them if necessary. The Census numbers themselves did not require the City to take any action, but the population numbers in the precincts made it impossible for the County to establish 5 districts that comply with State requirements. The City is obligated by Statute to redraw our precinct boundaries to accommodate the County. Brad Chapulis, Director of Community/Economic Development, presented a redistricting plan for the Council's consideration.

Following discussion, the motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to adopt the following resolution amending ward and precinct boundaries:

RESOLUTION NO. 3491

RESOLUTION ESTABLISHING AMENDED WARD AND PRECINCT BOUNDARIES WITHIN THE CORPORATE LIMITS OF THE CITY OF WORTHINGTON, NOBLES COUNTY, MN

(Refer to Resolution File for complete copy of Resolution)

SOLICITATION OF BIDS FOR FORMER YMCA REDEVELOPMENT PROJECT PHASE II APPROVED

Both staff and the project team for the former YMCA redevelopment project were seeking Council authorization to move forward with Phase II of the redevelopment project by soliciting bids for Construction of the Senior Center. The project would be advertised no later than April 6th with a bid deadline of April 27th. Budget for the project is approximately \$750,000. Several Council members expressed concern that the project stay within budget, or less than budget if at all possible. Jorge Lopez, representing the City on the project, along with Bobbi Korthals and Chuck Moore were at the meeting and discussed the project with Council. Alderman Kuhle noted this was a tough project for him to support citing the lack of support from the senior community for this location. Bobby Korthals agreed, saying the location was selected by the Council.

Following discussion, the motion was made by Alderman Ten Haken and seconded by Alderman Wood to move forward with soliciting bids for the rebuild, with the following Aldermen voting in favor of the motion: Ten Haken, Nelson, Wood, Woll; and the following Aldermen voting against the same: Kuhle. Motion carried.

FISCAL AGENT AGREEMENT BETWEEN THE CITY OF WORTHINGTON AND ISD 518 FOR LIGHTSPEED GRANT APPROVED

The motion was made by Alderman Woll, seconded by Alderman Wood and unanimously carried to approve a fiscal agent between the City of Worthington and ISD 518 for a Lightspeed grant awarded to the School District with the stipulation that the City serve as the fiscal agent.

The City would be responsible for administering the grant, which was estimated to consume no more than 3 to 4 hours of staff time, and which staff suggested it be provided pro bono.

COUNCIL COMMITTEE REPORTS

Mayor Oberloh - he and his spouse attended the Worthington Crailsheim banquet on Sunday for the

selection of the new exchange student for the 2012-2013 school year. John Martin was the student selected for the exchange. Also, he sent information to John Landgaard and Craig Clark regarding a grant opportunity for safe routes to school.

Alderman Ten Haken - will be attending an event center meeting this past week - they hope to have something if front of Council a couple of weeks. Reminded Council of the Rose Avenue issue that was in front of them about a year ago, which representatives of Council were going to visit with the residents there. He and Alderman Kuhle will perform the visits, possibly with Dwayne Haffield and Craig Clark.

Alderman Kuhle - attended an HRA meeting and heard another presentation from Rick Goodeman. The Board is still looking at continuing the search for an Executive Director.

Alderman Nelson - attended a Chamber meeting - the approved the purchase of a file and back up system. Sunday liquor was also discussed.

Alderman Wood - reminded Council and staff of the upcoming Bioscience Conference.

Alderman Woll - reminded Council and staff of the upcoming YMCA Cruise Dinner. Also noted he had participated in the LMC and CGMC lobbying efforts along with Craig Clark.

CITY ADMINISTRATOR'S REPORT

Craig Clark, City Administrator, reported on the lobbying effort in St. Paul. Governor Dayton was there and spoke but the party leaders weren't in attendance.

ADJOURNMENT

The motion was made by Alderman

Janice Oberloh, MCMC
City Clerk

ADMINISTRATIVE SERVICES MEMO

DATE: APRIL 6, 2012

TO: HONORABLE MAYOR AND CITY COUNCIL

SUBJECT: ITEMS REQUIRING CITY COUNCIL ACTION OR REVIEW

CONSENT AGENDA CASE ITEMS

1. APPLICATION FOR ON-SALE BEER LICENSE

The following application for an On - Sale Beer License has been received:

Nobles County Speedway, Inc. - 1600 Stower Drive

All the required documentation and fees have been received. Council action is requested on the application.

2. APPLICATION FOR TEMPORARY ON-SALE LIQUOR LICENSE

Worthington Area Chamber of Commerce has submitted an application for a temporary on-sale liquor license for their 2012 Salute to Women's Banquet:

Applicant: Worthington Area Chamber of Commerce - Dave Hartzler
Address: 1121 Third Avenue
Event: 2012 Salute to Women's Banquet
Date/Location: Monday, April 23, 2012
 Ben Lee's Café - 212 Tenth Street

All of the required documentation and fees have been received. Council action is requested on the application.

CASE ITEMS

1. FIRST READING PROPOSED ORDINANCE FOR THE ESTABLISHMENT OF A PUBLIC ARTS COMMISSION

In 2011 the AOK Club received a grant of \$2,000 for the development of an ordinance and policy and procedures for a Public Arts Commission. This process was supported by

the Southwest Arts and Humanities Council and Forecast Public Art who received funding from the state of Minnesota's legacy funding.

The City of Hutchinson served as the model for the establishment of both the ordinance and policy and procedures for the Public Arts Commission. Included as Exhibit 1 is the proposed Ordinance that establishes the Public Arts Commission (PAC) to provide a formalized structure to voluntarily review and gain public approval of art viewable from public spaces on both public and private property. Among other efforts the PAC will work towards promoting opportunities for public art, identifying funding sources for projects, determine the proper placement of art within public buildings and public spaces, ensure art is maintained and disposed of properly and establishes a public hearing process to help ensure public acceptance of the art projects.

The commission is comprised of seven members and are nominated by the Mayor and approved by the City Council. The PAC makes recommendations to the City Council for final approval before any project is approved.

The Policy and Procedures, included as *Exhibit 2*, develop a detailed scope, responsibility and authority, approval process, guidelines and standards and maintenance procedures for the Public Arts Commission by which to operate within.

The establishment of the Public Arts Commission is intended to situate the City for opportunities to capture funds from Minnesota's Arts and Legacy funds without requiring a specific annual appropriation of funds. This program again is voluntary but can help provide encouragement of public art and the enrichment that happens when a community embraces the arts as part of its community fabric.

Gail Holinka and Mindy Kuhl were the individuals who applied for the grant and Mrs. Holinka will be present to add comment and answer any questions. Their work is appreciated and establishing the PAC would not have been possible without their help and facilitation.

Should Council approve the first-third readings of the ordinance the Policies and Procedures (*Exhibit 2*) would be approved following third reading and are included at this point for reference purposes.

Council action is requested to give first reading for the ordinance shown as *Exhibit 1*.

2. **RECOMMENDATION TO THE COUNTY BOARD ON REDISTRICTING PLANS**

The Nobles County Board of Commissioners considered the redistricting plan at their April 3rd meeting. The County Auditor presented five plans for the Board's consideration. Plan 1 has two seats exclusively within Worthington, another one with 36% of the population in Worthington and a forth 59% comprised of a Worthington population. Plans 2-5 have three full Worthington representatives and divide the rest of the county with various alternatives.

Public comments are able to be submitted and staff wanted to take the opportunity to discuss the various alternatives presented to the County Board and determine if the City Council would like to make a recommendation. Public comments are due by April 17th and the County Board is scheduled to make final determination on that day at their regularly scheduled meeting. Copies of the various plans are included as *Exhibit 3*.

Council direction is requested.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE IX OF THE CITY CODE
OF WORTHINGTON, NOBLES COUNTY, MINNESOTA TO ESTABLISH THE
PUBLIC ARTS COMMISSION**

The City Council of the City of Worthington, do ordain:

Section I.

The Worthington City Code Title IX, Chapter 101 shall be added and shall read as follows:

§101.000 PUBLIC ARTS COMMISSION

- (A) Establishment. A Public Arts Commission is hereby established.
- (B) Definition. For the purposes of this Ordinance, Public Art is hereby defined as:
Artwork within the corporate limits of the City of Worthington for physical artwork which is viewable from public spaces, whether on public or private land or buildings, whether owned by an individual, a business entity or the City of Worthington.
- (C) Purpose. The purpose of the Public Arts Commission shall include but not be limited to:
 - (1) Promoting and providing opportunities for public art to enrich the Worthington Community.
 - (2) Establishing voluntary compliance standards and guidelines for public art within the City of Worthington;
 - (3) Determining the process and standards of accepting or declining gifts or installations of public art;
 - (4) Finding and evaluating funding sources for public arts projects;
 - (5) Establishing the procedure and funding sources for the maintenance of public art;
 - (6) Establishing voluntary compliance guidelines for placement of public art;
 - (7) Ensuring that obsolete public art is properly disposed of;

- (8) Providing forums and hearings to discuss public arts and/or architectural influences of projects and to determine and make recommendations about public arts projects to the City Council; and
 - (9) Reviewing and approving all public art proposals as provided within the guidelines of Title 15, Section 153.04 of the Worthington City Code.
- (D) **Composition.** The commission shall be comprised of seven members: five of whom shall be at-large members, one shall be a member of the City Council, and one member shall be either an ex-officio high school or college student member. The Council member and student member shall serve one-year terms. The initial terms for the at-large members shall be staggered as follows: (1) one-year term, (2) two-year terms, and (3) three-year terms. Thereafter, the at-large members shall serve 3-year terms. All members of the commission, including those appointed to fill an unexpired term, shall be appointed by the Mayor with Council approval. No member may be reappointed who has served 2 consecutive full terms of 3 years. A quorum of the commission shall consist of four members.
- (E) **Duties.** The Duties of the Commission shall be:
- (1) The Public Arts Commission shall act in an advisory capacity to the City Council for the City and shall make recommendations to the City Council on issues regarding public art within the city limits.
 - (2) The Public Arts Commission may develop and implement Policies and Procedures, as necessary, with approval by the City Council, to meet the purpose and objectives of the Commission.
 - (3) The Public Arts Commission shall review projects that meet any of the following criteria, in accordance with its written Policies and Procedures.
 - (a) Any art project on City park property, public or private property if such project meets the definition of public art.
 - (b) Gifts of public art offered to the City.
 - (c) Any non-public art project that requires a conditional use permit, variance, franchise agreement, or other action requiring approval of the City Council.
 - (d) Public art, as defined in Section B, that requires maintenance or restoration.
 - (e) City improvement or facility projects that may include public art.

- (f) Highly-visible private art, when requested by the owner.
 - (g) Other arts-related projects, as directed by the City Council.
- (4) Applications for projects, or requests to be on the meeting agenda, should be submitted to the Public Arts Commission 7 days prior to the date of regularly scheduled Commission meetings. Projects must be submitted on the form specified and include the criteria as stated in the Commission's Policies and Procedures.
- (F) Funding. Funds for construction or maintenance of Public Arts projects shall be held by the City in accounts dedicated for Public Arts use.

Section II.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed by the City Council of the City of Worthington, Minnesota, this ____ day of _____, 2012.

Mayor

Attest:

City Clerk

**City of Worthington
Public Arts Commission**

**Policies
&
Procedures**

Revised: Feb. 13, 2012

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Section 1. Purpose, Goals and Values

Statement of Purpose

The purpose of this policy is to support the display of public art in the City of Worthington and to provide a recommended mechanism for the inclusion of public art and memorial structures throughout the City public spaces. Public art can play a vital role in transforming the community:

- **Generating Economic Impact:**
attracting new audiences, supporting marketing efforts, attracting media attention, returning dollars to local economy for fabrication and installation, enhancing cultural tourism in our community
- **Establishing Unique Identity:**
giving character to a setting, representing the history and importance of a place, creating an iconic image for future generations, physically and aesthetically representing our values
- **Building Community, Creating Civic Pride:**
engaging local stakeholders in planning, design, and execution, encouraging community to participate in creating their own public spaces, demonstrating the strengths of a community, empowering individuals who don't usually have a role in decision-making
- **Supporting Great Art:**
setting the bar for cultural development, demonstrating aesthetic sophistication, attracting artists/activity to our neighborhoods

Purpose, Values, and Goals

The mission of Worthington's Public Arts Commission, hereinafter noted as WPAC, is to help enrich the lives of the citizens of, and visitors to, Worthington by supporting public art into City planning, services, design and infrastructure. The following values and goals shall guide the City in making decisions regarding public art. City Departments, project committees, panels, WPAC, and other interpreters of these goals and values should apply them as appropriate to projects, artist and affected neighborhoods. Criteria for all policy areas of public art shall be based on these values and goals.

Encourage excellence in the City's visual design and public arts:

- Enhance the aesthetic environment of public places within the City through engaging unique and high quality public artworks
- Insure consideration of aesthetic issues in local decision making

Strengthen community identity, place, and assets:

- Build awareness of community history, cultures and landscape
- Develop artworks that are integrated into City building and streetscape/development projects, and are compatible with their settings
- Encourage building architecture to be consistent with the character of the area and history of the City.
- Build Worthington to be recognized as a regional cultural center

Contribute to Worthington's health and vitality:

- Promote Worthington as a community that provides its' citizens with high quality of life;
- Invite visitors to Worthington as a popular art destination
- Develop mechanisms for encouraging partnership with and among the City's neighborhoods, commercial areas, and City's cultural/heritage organizations
- Provide places for art; lake, parks, gardens, architecture, facilities, streetscapes, trails, roadway, and art-related enterprises.
- Develop and maintain safe artworks.

Value artists and artistic processes:

- Provide a range of creative opportunities for artists.
- Ensure the ongoing integrity of artworks and environment.
- Involve artists directly in the concept, design and creation of artworks by inviting them to planning meetings and processes.

Use resources wisely:

- Manage projects in a cost-effective manner
- Utilize the various funding sources available for public art program.
- Encourage charitable donations to the Pubic Art Program.

Section 2. Scope

These public art Policies and Procedures pertain to artwork reviewed by WPAC, as well as to gifts and donations of public artwork to the City. They also apply to the planning, purchasing, handling, conservation, maintenance, and obsolescence of public artwork under the jurisdiction of the City. Any agreements the City of Worthington develops with site owners, site managers, and other partners for public art projects shall be consistent with these policies. The scope of these policies shall be revisited periodically and will be a topic of ongoing discussions between the WPAC, City Council and the independent boards and commissions of the City.

The breadth of what public art can reach is vast. It can be composed of, but not limited to, materials like bronze, brick, steel, water, or fabric; it can be a mural, sculpture, park bench, banner, or imprint; it can be colorful or subdued, interior or exterior, utilitarian or decorative, monumental or small scale, it can be integral with public works projects or a stand-alone piece of art of enduring material. Here we are considering any artwork generally visible to the public at large, as public art, whether it is on City Property, residential or non-residential, as long as it is easily viewable from public spaces. A strong emphasis is placed on the public art pieces to be able to withstand the elements of their given placement and require minimal maintenance as much as is practicable.

Nothing in this section must apply to art that is intended to be in place for a short duration (no more than 30 days) and does not otherwise regulate art that would be considered to be performance art.

Section 3. Responsibility and Authority

3.1 Commission Structure

- The commission serves as an advisory capacity to the City Council and Planning Commission.
- Commission does not require its own By-laws.
- The Mayor appoints and the council ratifies commission members.
- The WPAC shall be comprised of 7 members: five of whom shall be at-large members, one shall be a member of the City Council, and one member shall be either an ex-officio high school or college student member. The Council member and student member shall serve one-year terms. The initial terms for the at-large members shall be staggered as follows: (1) one-year term, (2) two-year terms, and (2) three-year terms. Thereafter, the at-large members shall serve 3-year terms. All members of the commission, including those appointed to fill an unexpired term, shall be appointed by the Mayor with Council approval. No member may be reappointed who has served 2 consecutive full terms of 3 years. A quorum of the commission shall consist of four members.
- Commission officers include; Chair, Vice Chair, and Secretary.
- Residency is required to serve on commission.
- The commission will submit recommended projects, ordinances or resolutions for the City Council, to the City Clerk at least 7 days prior to the Council meeting.
- Public Arts Commission approved meeting minutes must be filed with the office of the City Clerk. Published agendas may be developed but are not required.

3.2 Fiscal Management

The WPAC will have the ability to "pool" public arts funds to ensure it is directed toward projects with greatest visibility, economic impact or to projects with the greatest need for aesthetic design treatment because of their prominently visible location. The direction of funds toward specific projects will result in a program that truly addresses both the public art and the larger goals of the community.

3.3 Risk Management

The artist or sponsoring entity shall provide and maintain policies of comprehensive general liability insurance in specified amounts to be determined by the City covering the period from which the art is being installed until the final acceptance by the City. The City will be named as additionally insured on all insurance policies.

The following points should be considered:

- To reduce the City's liability, fabrication will be done off-site whenever possible;
- The engineer who signs off on artist's drawings must verify that the final artwork has been built to specifications by inspecting the artwork after installation;
- The artist or sponsoring entity is responsible for providing general liability insurance when the artwork is in transit, being delivered, and installed.
- The artist or sponsoring entity is responsible for damage to the artwork, or surrounding property until installation on City property is completed.

The City at its sole discretion may choose to compensate the artist for liability coverage for the projects development. A written agreement will be developed that requires the artist to defend and indemnify the City for any claims against the City related to the installation of the art until the City accepts ownership. Should the artist be a volunteer of the City, under the direction and control of the City, the artist would be covered under the City's liability coverage.

3.4 Conflict of Interest

Any member of the WPAC with a direct connection or interest in one of the artists or planned projects must disclose this conflict of interest.

Section 4. Financial Resources

In Worthington, funding for the public art and installation will generally be from private contributions, endowments or grant funds and private sources. Individual gifts or specified endowments can also be important elements to provide a lasting tribute from those who care about extending the benefits of art to others. These gifts must be done in conjunction with promoting art of broad appeal.

Some of the sources of funding for the WPAC may include:

- A line item or other funds allocated by the City's budget approved by the City Council each year.
- Other contributions such as gifts by corporations, foundations, or private individuals.
- Campaigns done in partnership with area businesses and City initiatives.
- Donations of artwork, or material goods to be used for public art.
- Grants:
 - National Endowment for the Arts
 - Access to Artistic Excellence-cultural based projects, commissions and public art
 - Save America's Treasures-Preservation of Historic Register properties.
 - Southwest Minnesota Art and Humanities Council (SMAHC)
 - Programs for organizations and individual artists
 - McKnight Foundation
 - State Arts Board
 - Valspar program
 - Minnesota Percent for Arts Program
 - Local foundations; Worthington Area Foundation

- Governmental Contributions
- Project for Public Spaces (www.pps.org)

Section 5. Processes

To encourage development and installation of projects and specific art works, and to meet the objectives as established in the "Purpose, Values, and Goals", it shall be the policy of the Commission to evaluate prospective works by the processes described in this section. The Commission will develop a list of project ideas by seeking public input, and maintain an inventory log of the City's completed Public Artworks. Artwork and memorial structures may be acquired through donations, sponsorships, competitions, or a direct selection process using common "call for artists", or "Request for Qualifications" (RFQ).

5.1 Project proposal

Artist or applicants shall fill out the WPAC Proposal Form and give a presentation to the WPAC. The information shall require these details as applicable:

- A slide, digital image or design of the project.
- Appraised or estimated cost of the structure and proposed funding sources.
- Description of materials used to create structure including materials needed to display/secure the structure.
- Dimensions of structure including appropriate base materials needed.
- Description, including materials, dimensions, wording and location, of interpretive signage. Statement regarding relationship to proposed site including aesthetic, cultural, or historic ties.
- Statement of design lifespan of the structure and potential annual maintenance needed to maintain structure integrity, and estimated cost of said maintenance.
- Statement as to whether the work is unique or duplicates other work.
- Statement regarding the significance of the person or event to be memorialized in relationship to the community and to the proposed site. (Memorial proposals only)
- Proposed construction methods

5.2 Proposed Project evaluation by the Worthington Public Arts Commission

Preliminary evaluation by the WPAC will be based on guidelines, standards, criteria, and public benefits as noted in this Policy.

Under the guidance of the WPAC, the proposal will be reviewed by appropriate City Departments, Boards and private land-owners (if applicable) for input and endorsement.

The WPAC/Artist will make a visual and conceptual presentation to City Council that includes the artist's proposal and project plan. Whenever possible the artist will be invited to participate in this process.

WPAC will seek public feedback on proposed and completed Public Art projects, and conduct evaluations through feedback processes commonly used.

5.3 Process for acceptance

The proposal will be announced to the public at the City Council meeting as the Period for Public Review, followed by a Comment Period of no less than 30 days before any action is taken by the City Council. Necessary hearings for comment shall be held by the WPAC. A final presentation is made by the WPAC to the City Council for approval to proceed.

5.4 Execution of approved project.

Artist(s) will create project based on approved project proposal and coordinate with City staff as applicable.

5.5 Validate project is completed as authorized.

Approved design concepts must match the final product. The WPAC may require the project to have an appropriate engineering review prior to placement. The City Council must take final action to accept the project before placement in a public space.

5.6 Gifting, transfer of ownership

For art placed on public land, absolute ownership and control of the art or memorial structure must pass to the City. With the transfer of ownership, the artist may also share copies of drawings, proposals, sketches, and other conceptualizations of the art or memorial. When deemed necessary, these items can be archived in the WPAC public Art inventory. The City will maintain property rights for image reproduction for promotional purposes, including moral and image usage rights, to the art or memorial structure. Final acceptance of the art classified as a gift will be approved by a resolution of the City council and adopted by a two-thirds majority of its members pursuant to Minn. Stat. Section 465.03.

Section 6. Guidelines and Standards

To encourage development and installation of projects and specific art works, and to meet the objectives as established in the "Purpose, Values, and Goals", it shall be the policy of the WPAC to evaluate prospective works on the following bases:

The overall goal is to bring high quality public art to Worthington which is tied to local events, people, history and cultures and contributes to the visual beauty of the City.

6.1 Public Art and Memorial Guidelines

Art and memorial structures must comply with applicable statues such as the Uniform Municipal Contracting Law, environmental laws, and disability/accessibility laws. In addition, all art and memorial structures must meet the following guidelines before being considered for placement on City-owned property:

Donations of public art will not be accepted where a condition requires permanent exhibition. In the judgment of the majority of the WPAC and the City Council, the structure design and content must be appropriate for display to the general public.

Donations that require the City to pay installation, framing, restoration, or repair are not encouraged; Artist or provider may request a specific site. However, each placement will be evaluated based upon suitability of the structure for the site. The WPAC will make a recommendation to the Council concerning an appropriate site for each structure.

Memorial Bench locations and types shall be identified by the Worthington Parks Departments policy. In the event new locations are not needed, the Department may allow the memorializing of an existing park bench according to the current Parks Department standards.

6.2 Criteria for Review

WPAC will make a recommendation based upon the following criteria; although projects may not meet all of these criteria, the committee will seek to meet as many as possible.

- The proposed artwork should be compared with the artists' best work and the best works in the City collection. The acquisition should strengthen, rather than dilute the City's collection.
- If the structure is to be erected outdoors, the physical condition of the structure should be considered in terms of durability in an outdoor setting. Any requirements for immediate or future conservation should be noted.
- The structure must add interest and meaning to the environment in which it is placed. It must be compatible in scale, material, form and content with its surrounding and form an overall relationship with the site. Structure must conform to any existing Master Plan for the site.
- The structure must have social, cultural, historical and physical context to the site, both existing and planned.
- The City's overall collection shall strive for diversity in style, scale, media, and artists. There shall be encouragement of exploratory types of work as well as established art forms.
- In addition to the criteria for a piece of art, memorials will be judged on the significance of the person or event being memorialized in relation to local social, cultural or historical context and must represent the broad community impact.
- Structures whose messages are exclusively religious in nature will not be accepted.
- Structures whose messages are exclusively political in nature will only be considered if the political message is of a historical context.
- Overall artistic merit, creativity and vision (originality, connection with people and region, technical competence and craftsmanship).
- Message and content shall be consistent with community standards.
- Preference given to work created by local and regional artists.
- Professional background and demonstrated ability of the artist.
- Pertinence to local people, history, events, and cultural & ethnic heritage or related to location.
- Support and collaboration for the project.
- No conflict of interest with funding sources.
- Clear title of ownership
- Must meet State Statutory requirements (465.03, 462.356) and City Codes and Ordinances.
- Avoid over-representation by any one artist.
- Prioritized list of sites and localities
- Public safety
- Works of art, in this context include, but are not limited to:
 - Sculptures
 - Painting, murals
 - Graphic arts
 - Mosaics
 - Photography
 - Fine crafts
 - Mixed media
 - Fiber and textiles
- Art should be sited in a location most fitting to the piece, keeping in mind its historical significance.
- Artwork should not block windows or entranceways, nor obstruct normal pedestrian circulation in and out of a building, unless such alteration is specifically a part of the experience or design of the artwork. In such case, it must not present a hazard in case of fire or emergency.
- Art should be placed in a site where it will enhance its surroundings or at least not detract from it, or create a transportation hazard.
- Art should be located in a site where it effectively enhances its surroundings, increases pedestrian traffic and the overall streetscape experience.
- Art should not be placed in a given site if the landscaping and maintenance requirements of that site cannot be met on a long term basis.

Indoor on-site locations for public art projects include, but are not limited to:

- Walls
- Ceilings
- Floors

- Windows
- Staircases
- Entrances and exits
- Rooftops

Outdoor locations for public art projects could include, but are not limited to:

- Parks
- Plazas
- Along roadways, traffic islands, or medians
- Bridges
- Historic places or landmarks
- Benches and areas of congregation
- Garden and landscaping projects

Section 7. Maintenance

On-going maintenance and repair anticipated throughout the lifespan of the structure will fall within normal budget allocations. In the case of gifts, part of the gifted amount may be set aside for future ongoing maintenance.

7.1 Removal of Public Art and Memorials

WPAC will annually review the Public Art inventory. Prior to removal of public art, the City of Worthington may opt to contact the artist regarding restoration/removal options. The City shall remove and dispose of works of art and memorials in its collection when it finds such action to be in the public interest based upon the following:

As a means of improving the quality of the City's collection,

- The artwork has lost relevance to the collection, or no longer serves intended function.
- The artwork has a duplicate in the collection.
- The artwork no longer meets the current standards for public art and memorials.
- The artwork no longer repairable or is in a seriously deteriorated condition.
- Due to concerns for public safety when a structure becomes a hazard or a public liability.
- Removal should not be based on current fashion or taste. Attention should be paid to maintaining a collection which forms a continuum of the City's visual art history.

Recommendations for removal should be made to the WPAC who will then make a recommendation based upon the public benefit of the action to the City Council for final approval. In extraordinary circumstances the City may take independent action for final removal.

Each request for removal will be announced to the public, and other appropriate Boards, at their regular meetings and then made available for public review and comment at a regularly scheduled WPAC meeting for a minimum of 30 days before action is taken by the WPAC.

Once approval for removal is granted, the structure shall be disposed of in accordance with Minnesota Statutes Chapter 471.

District 1 = Pink
District 2 = Yellow
District 3 = Green

County Commissioners District Boundaries
NOBLES COUNTY MINN.

PLAN 1

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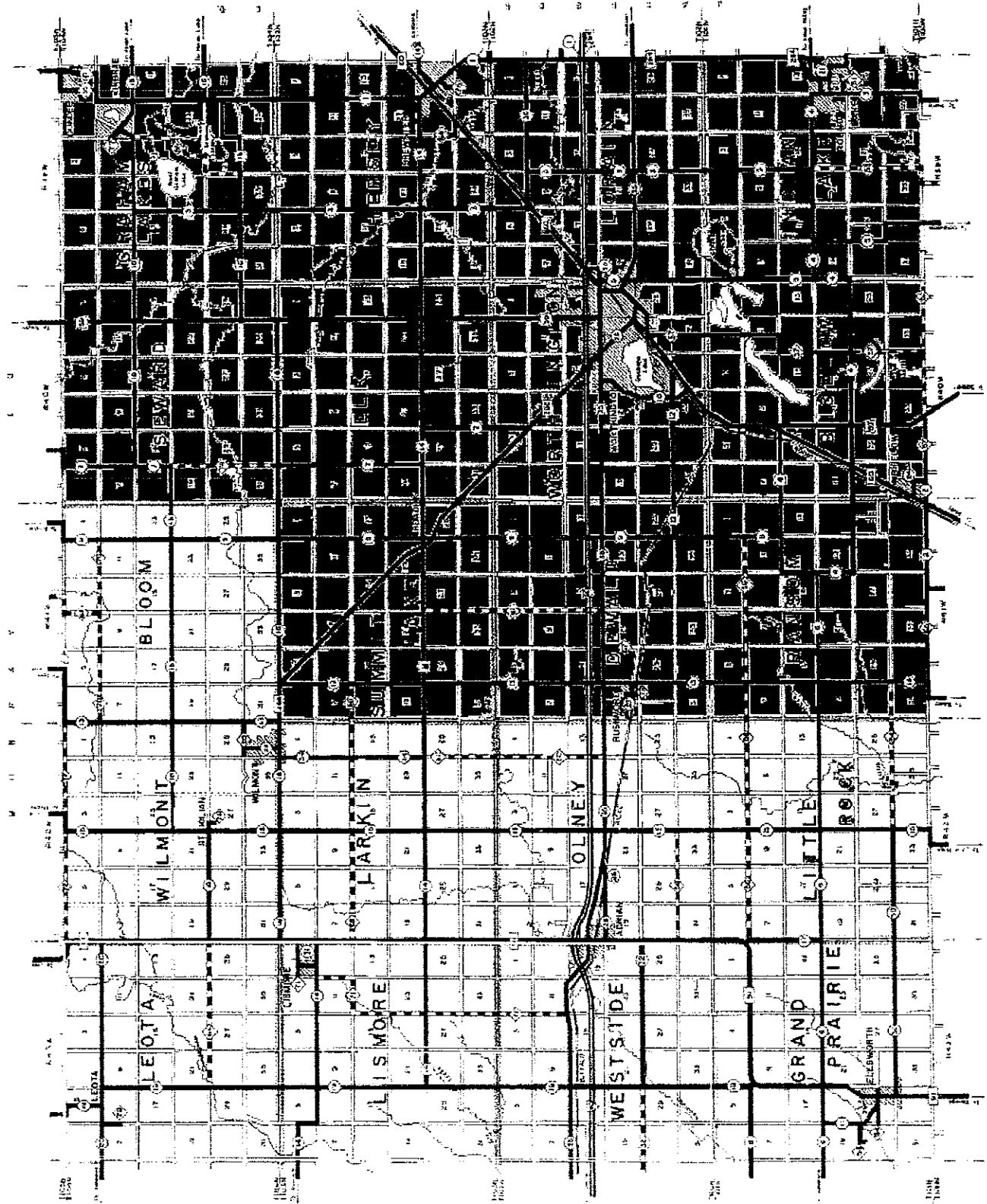
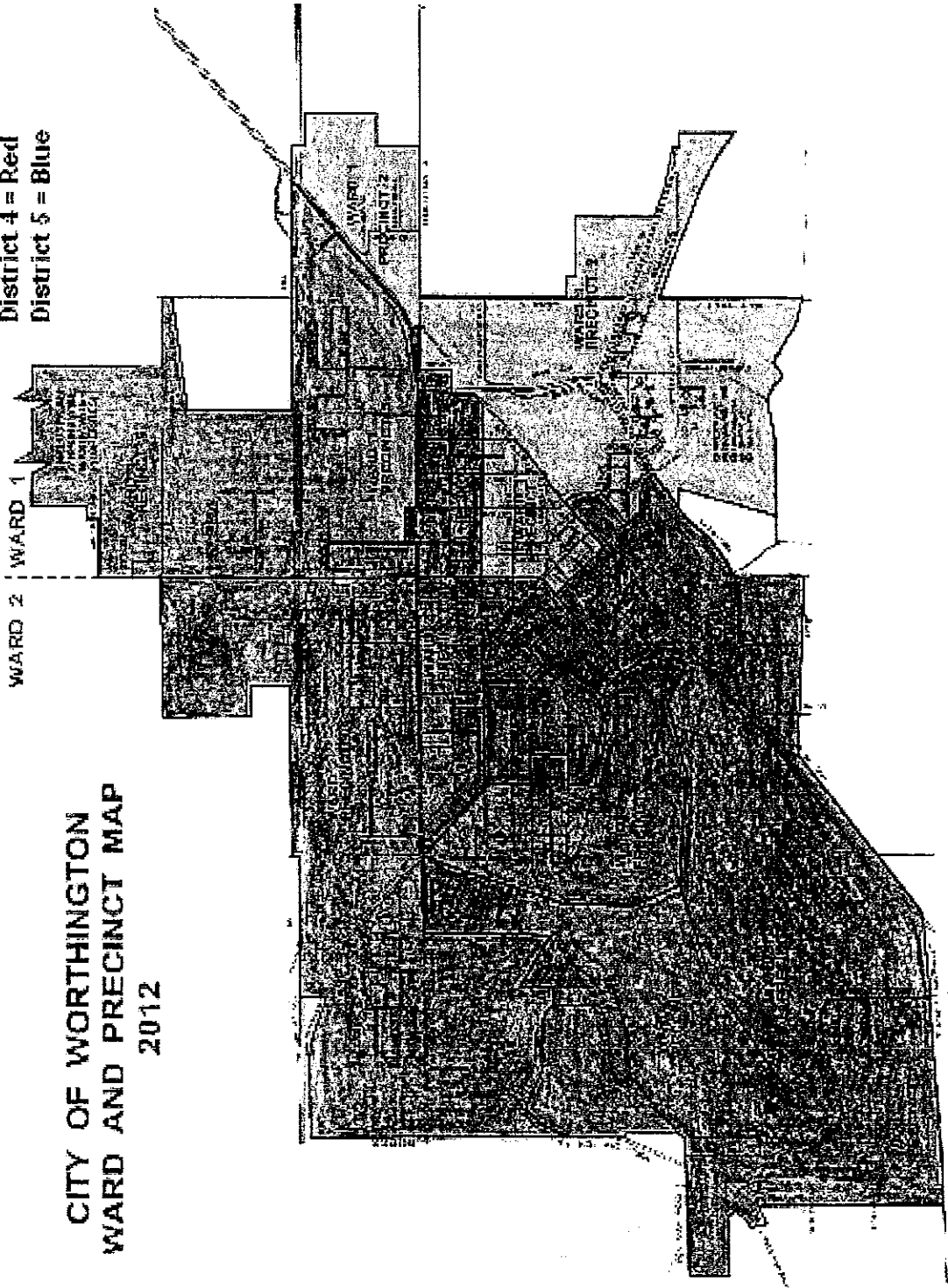


Exhibit 3A

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PLAN 1

- District 1 = Orange
- District 3 = Green
- District 4 = Red
- District 5 = Blue

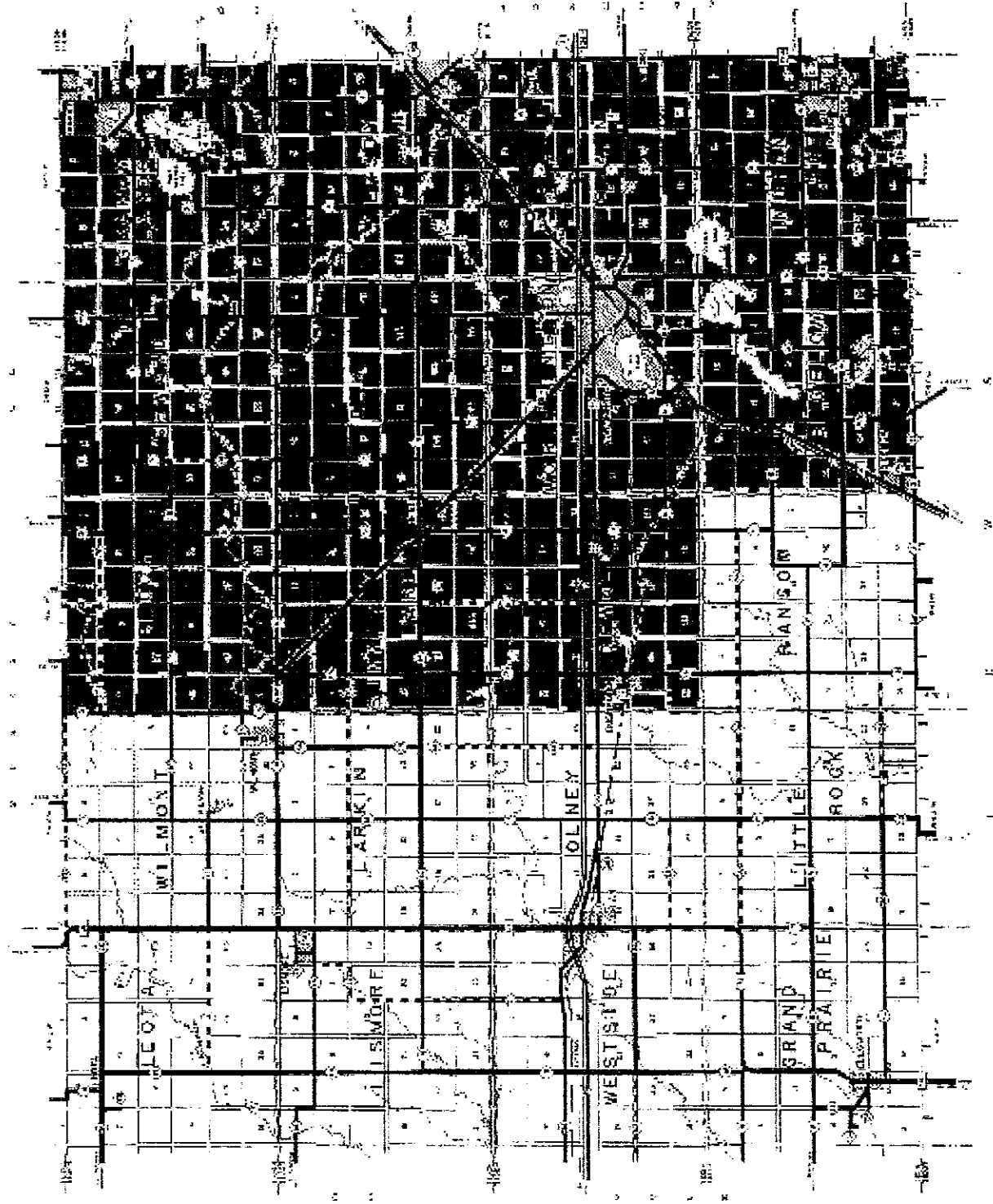


**CITY OF WORTHINGTON
WARD AND PRECINCT MAP
2012**

PLAN 2

NOBLES COUNTY MINN.

District 1 = Green
District 2 = Yellow

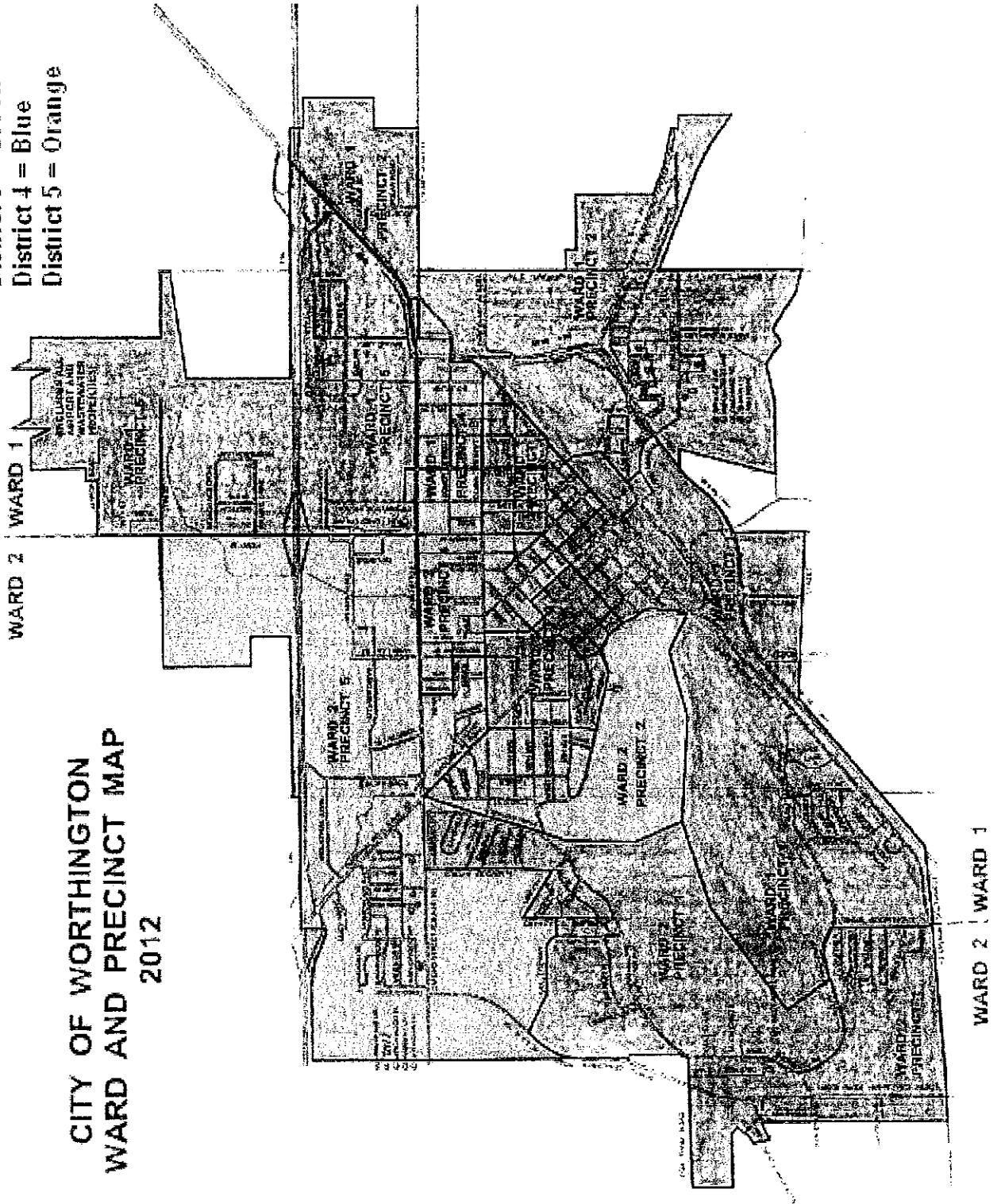


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PLAN 2

District 3 = Green
District 4 = Blue
District 5 = Orange

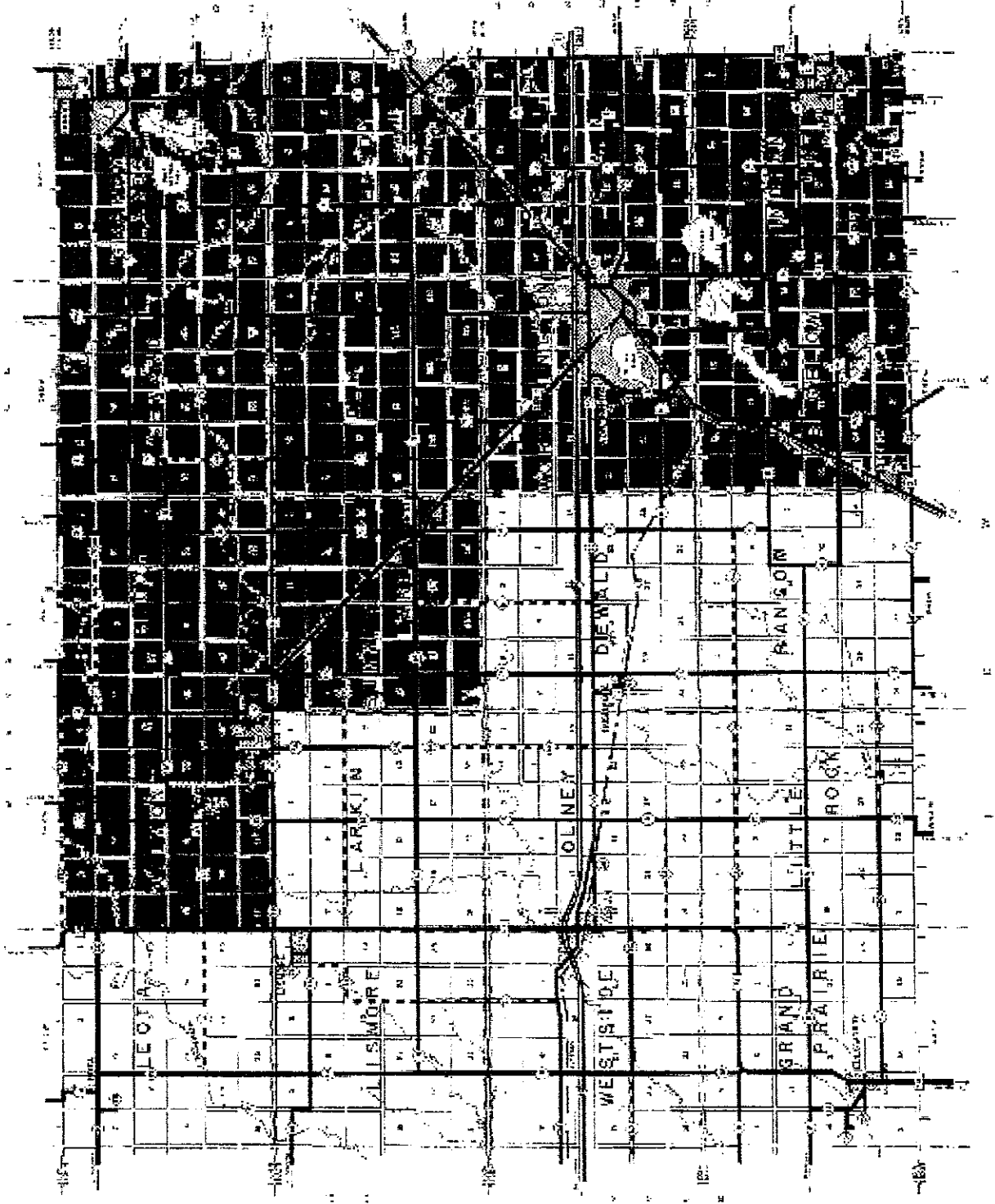


**CITY OF WORTHINGTON
WARD AND PRECINCT MAP
2012**

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District 1 = Green
District 2 = Yellow

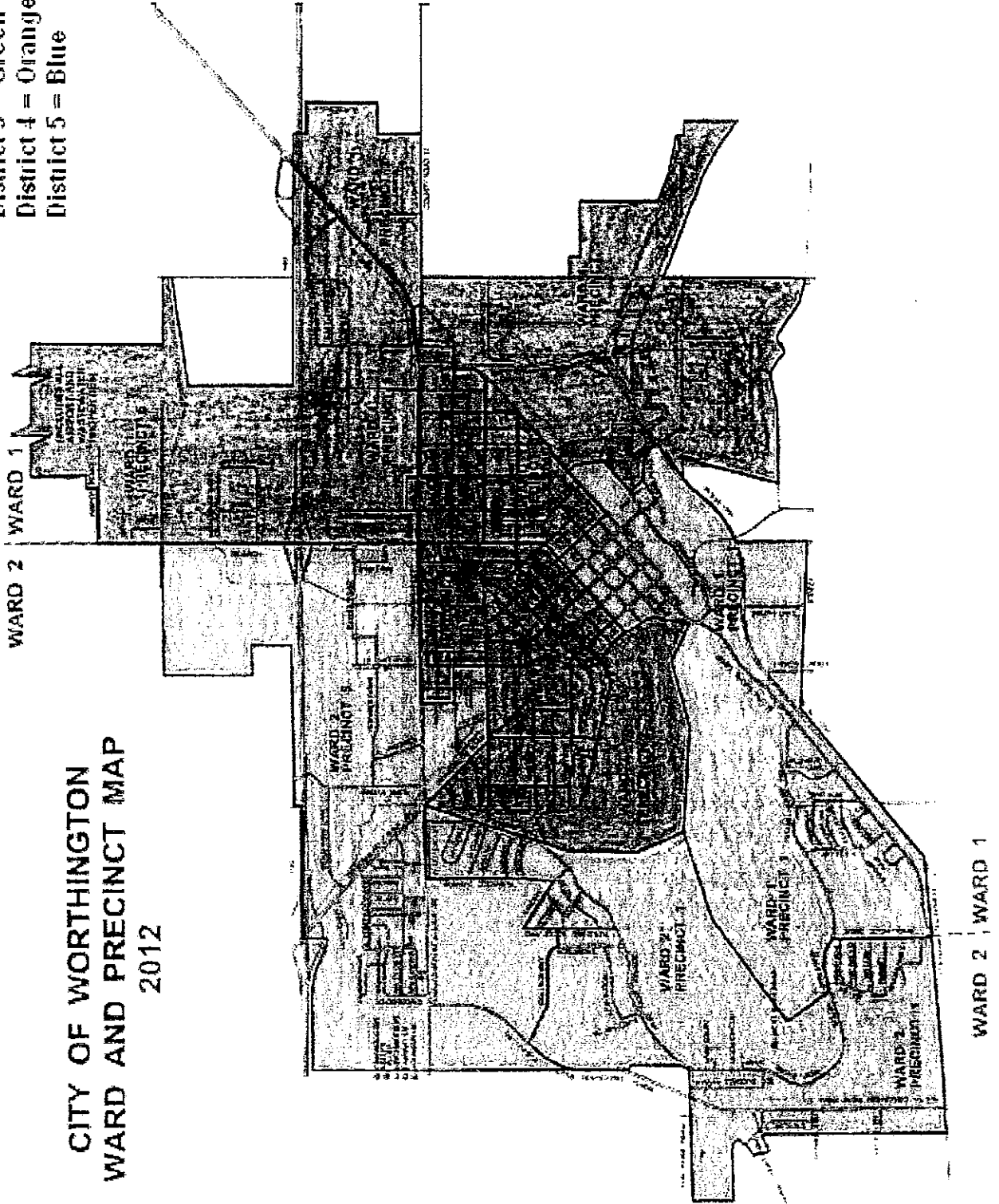
**PLAN 3
NOBLES COUNTY MINN.**



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PLAN 3

- District 3 = Green
- District 4 = Orange
- District 5 = Blue



PLAN 4

NOBLES COUNTY MINN.

District 1 = Green
District 2 = Yellow

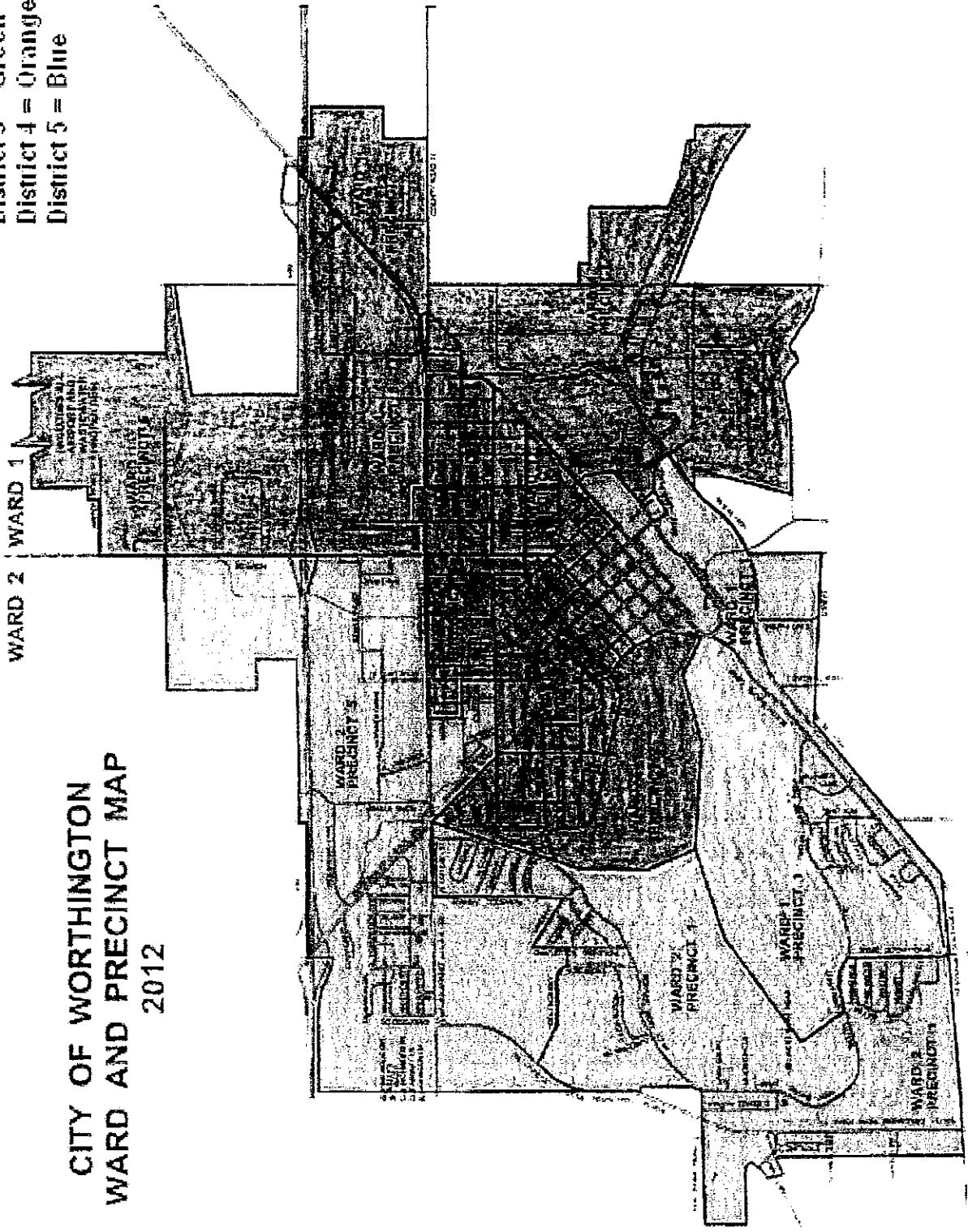


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PLAN 4

District 3 = Green
District 4 = Orange
District 5 = Blue



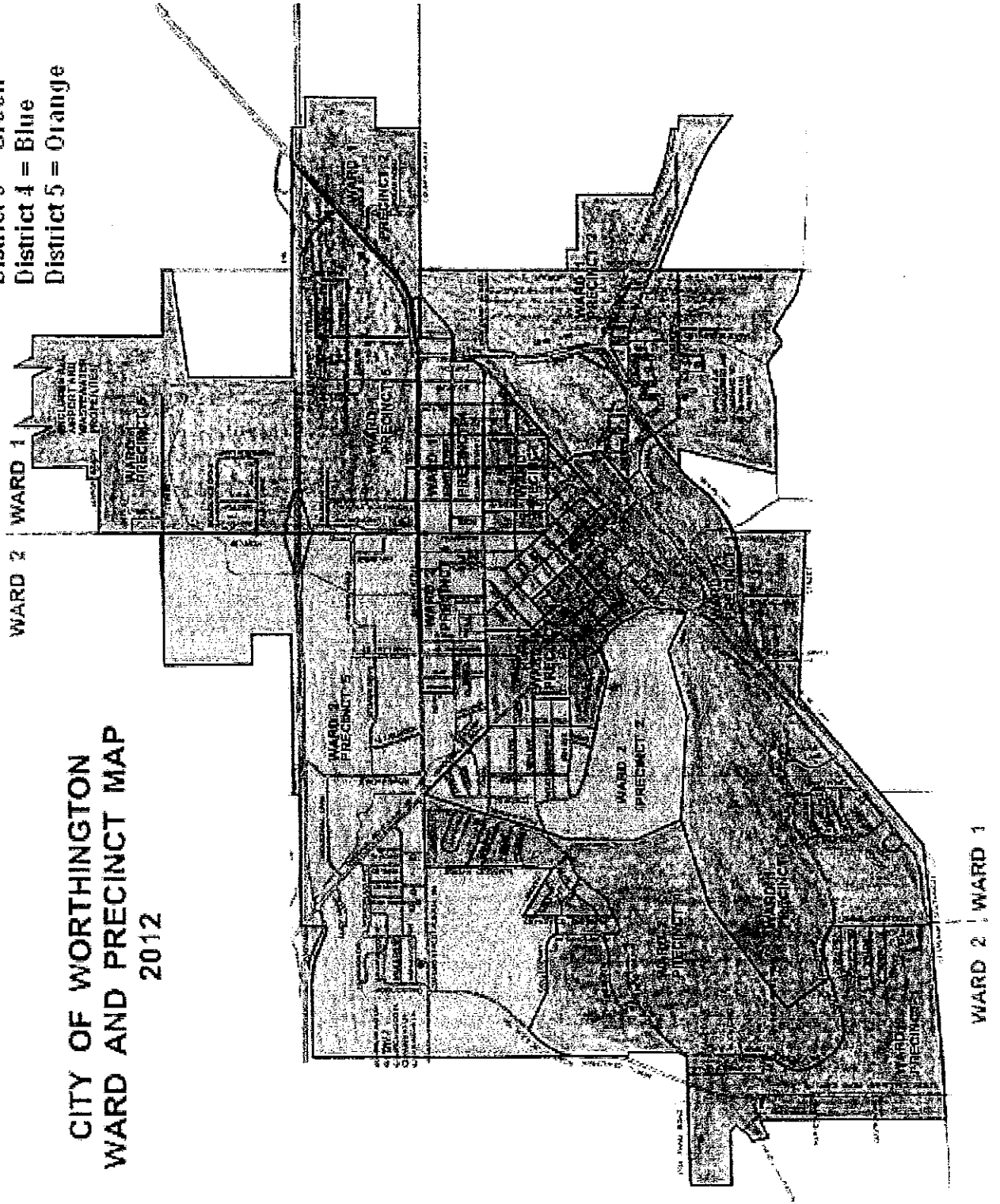
**CITY OF WORTHINGTON
WARD AND PRECINCT MAP
2012**

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PLAN 5

District 3 = Green
District 4 = Blue
District 5 = Orange

**CITY OF WORTHINGTON
WARD AND PRECINCT MAP
2012**



PUBLIC WORKS MEMO

DATE: April 9, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL
SUBJECT: ITEMS REQUIRING ACTION OR REVIEW

CONSENT AGENDA

1. APPROVE ANNUAL PARK CONCESSION PERMIT FEES

The City receives requests annually from vendors to sell concessions within the City's park system. For example, vendors sell food concessions each weekend during the soccer games at Buss Field. The permit process assures the City that each vendor has obtained the proper licensing and insurance to operate the concession. Prior to issuance of a permit, a vendor desiring to utilize an electrical hook up within a park must make arrangement with Worthington Public Utilities to assure the cost of the utility is recouped and proper electrical connections are made. Due to the operation of the Beach Nook concession, located at Centennial Park beach area, there will not be a concession permit issued for that park facility.

Staff proposes a slight increase of \$ 5.00 per permit type be implemented for 2012 with the exception of the "Historical Permit." The permit was established for the old popcorn wagon, a landmark in the City Center and later in Chautuqua Park for many years. The wagon was purchased by Bruce and Darlene Anderson, has been completely restored and has not been put back into service. By keeping the fee at a low cost it should not be considered a deterrent to its return if it was so desired.

PERMIT TYPE	2011 Fee	2012 Fee
One day permit (nonprofit) <i>(generating revenue for city supported recreational activity)</i>	\$ 55.00	\$ 60.00
One day permit (profit making) <i>(General group)</i>	\$ 65.00	\$ 70.00
Annual nonprofit	\$ 70.00	\$ 75.00
Annual profit making permit	\$ 165.00	\$ 170.00
Historical Permit <i>(Ex. Chautuqua Park-popcorn wagon)</i>	\$ 50.00	\$ 50.00
Annual mobile (non profit) <i>(allows utilization of all parks where off street parking is available, with the exception of Centennial Beach/Shelter)</i>	\$ 265.00	\$ 270.00
Annual mobile permit (profit making) <i>(allows utilization of all city parks where off street parking is available, with the exception of Centennial Beach/Shelter)</i>	\$ 365.00	\$ 370.00

NOTE: All permits require a \$ 100.00 clean up deposit which is refunded if all trash/garbage is removed and disposed of in a proper manner.

Suggested motion: Move to adopt the 2012 concession fee structure as listed.

2. APPROVE ADULT SOCCER LEAGUE FEE

The Park Advisory Board discussed the fee for the Adult Soccer League which plays at Buss field. It was unanimously agreed the fee should remain at the same level as 2011, which was \$ 2,000.00. This basically covered the cost of mowing the area. The League will continue to be

responsible for preparing the fields for play, maintaining the restrooms, picking up litter at the end of the day and be responsible for the disposal cost of refuse generated at the facility.

CASE ITEMS REQUIRING COUNCIL ACTION

1. APPROVE PLEASANT PARK LEASE AGREEMENT

Exhibit 1 is a lease agreement for the City to lease a portion of School District 518 property located on the west side of Pleasant Avenue for the continued usage of the property for a city park, officially named Pleasant Park. A lease for the property, which was originally entered into in May of 1973, was extended until May of 1983, and then was extended for an additional one year period. The extension was granted so the District could analyze the long range needs for the property and to consider the possibility of selling the parcel utilized for park purposes to the City, however, no further discussions ever took place, hence the City and School District have been operating on a verbal agreement.

Due to the result of an audit conducted by the League of Minnesota Cities loss control department, it was recommended the current play equipment should be replaced to meet Consumer Product Safety Guidelines for play equipment. The play equipment is scheduled for replacement this spring, therefore, it was agreed by city and school staff a formal lease agreement should be entered into.

District 518 has approved the lease contingent upon approval by City Council. The Park Board considered the lease at their April meeting and unanimously agreed to recommend council approval of the lease with District 518.

Suggested motion: Move to adopt the lease presented as exhibit 1 and to authorize the Mayor and City Clerk to sign the lease on behalf of the City.

2. APPROVE ATHLETIC FACILITIES USE AGREEMENT

Exhibit 2 is an agreement for the City and School District 518 for the District to use the Centennial softball-youth baseball diamonds for their varsity softball program and for the City to use the District's track for the City summer youth track program. Both entities have been operating on a verbal agreement.

District 518 has approved the agreement contingent upon approval by City Council. The Park Advisory Board considered the agreement at their April meeting and unanimously agreed to recommend council approve the agreement with District 518.

Suggested motion: Move to approve the agreement presented as exhibit 2 and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City.

3. APPROVE SUMMER YOUTH RECREATION PROGRAM FEES

The City's operation and management agreement with the YMCA for the City's summer youth's recreation program requires the YMCA to present to City Council, for adoption, the fee structure for the summer youth programs. As Council may recall, the 2012 agreed upon terms requires the YMCA to be responsible for all cost associated with the program, but in return, are to receive the generated revenues. Any new program offerings, should the cost exceed the generated revenue, will be shared on a 50/50 shared basis.

YMCA representatives' Andy Johnson and C.J. Nelson, presented to the Park Advisory Board a fee structure as shown for the Board's consideration:

Day Camp

<u>2011 Fees</u>	<u>2012 Proposal #1</u>	<u>2012 Proposal # 2</u>	<u>Times</u>	<u>Program</u>
\$47/37	\$64/54	\$54/44	Mon-Wed-Fri 9AM-Noon	Original program offering
\$84/74	\$100/90	\$90/80	Mon-Fri-9 AM-Noon	New Program 2011

\$84/74	\$100/90	\$90/80	Mon-Fri-Noon-3 PM	New Program 2011
\$158/148	\$180/160	\$170/160	Mon-Fri-9AM- 3:00 PM	New Program 2011
\$15.00	\$30.00	\$30.00	Early Drop/Late pick up	New Program 2011

** Fun and Adventure Day camp can now offer financial assistance to families in need of help paying for programs through the new City/YMCA contract. We believe these prices are very fair to participants. Prices are currently set at \$ 1.00 per hour for 2012. The price in 2011 for a full day of camp were \$ 0.89 an hour. We believe program prices need to rise to help pay for quality programming as well as staffing.

<u>Youth Sports Programs</u>	<u>2011 Fee</u>	<u>2012 Proposed Fee</u>
Rookie League Baseball	\$44.00	\$45.00
Junior League Baseball	\$49.00	\$50.00
Softball League	\$48.00	\$50.00
Track	\$37.00	\$38.00
Tennis	\$39.00	\$40.00
Golf	\$41.00	\$50.00 (This program is operated by Prairie View, the YMCA is only including this within the promotional brochure.

3 on 3 Basketball-\$ 95.00 per team-6 week program, 2 games per night, 2 nights a week

Summer Soccer -\$ 45.00 - 5 week program-3 hours per day-2 days a week.

The Park Board considered the fee structure at their April meeting and unanimously recommended Council adopts Proposal # 1 for day camp and the proposed fees for the youth sports program as shown.

Andy Johnson, will be attendance to discuss the proposed fee structure and to answer questions the Council may have as it relates to the day camp or youth sports programs.

4. ADOPT PARK DONATION POLICY

The Park Advisory Board had presented a Park Donation Policy for adoption at the regular city council meeting of July 25, 2011. The League of Minnesota Cities recommends cities have a policy in place which establishes guidelines, standards and procedures for the installation and care of donated park improvements. Council tabled action on the policy as the Memorial Auditorium Board was working on a Public Arts Policy. The concern was the Park Donation Policy may potentially conflict with the Public Arts Policy. Exhibit 3 is the proposed Park Donation Policy with minor revisions which removed any references to policies which would affect the donation of public art.

The Park Advisory Board requests Council adopt the Park Donation Policy as presented. The Policy is a guideline for acceptance of park improvement donations permitting the City to manage aesthetic impacts and to mitigate ongoing maintenance costs. As the policy states, "specific instances may develop that will require accommodations to the policy. There may be instances whereby the City Council may exercise its authority to make exceptions to this policy." All donations become the property of the City.

Suggested motion: Move to adopt the Park Donation Policy as presented as exhibit 3.

PLEASANT PARK LEASE AGREEMENT

This Lease ("**Lease**") made and entered into this ____ day of April, 2012, by and between Independent School District No. 518, 1117 Marine Avenue, Worthington, Minnesota 56187, hereinafter called "**Lessor**"; and the City of Worthington, 303 Ninth Street, Worthington, Minnesota 56187, hereinafter called "**Lessee**".

WITNESSETH THAT:

Whereas, Lessee is desirous of leasing from Lessor certain Premises now owned by Lessor, the following Agreement is hereby entered into:

1. **PREMISES.** Lessor is the owner of certain real property located in the City of Worthington. Subject to the terms and provisions of this Lease, Lessor hereby leases to Lessee and Lessee accepts from Lessor the real property, hereinafter the ("**Premises**") as described on **Exhibit A**, attached hereto.
2. **INITIAL TERM.** The initial term of the Lease shall be for a period of 3-month period commencing on April 1, 2012, and terminating on June 30, 2012.
3. **RENT AND AUTOMATIC RENEWAL.** The initial rent for the Premises shall be the sum of One and No/100 Dollars (\$1.00) per year. This Lease shall automatically renew on July 1, 2012, and upon the 1st day of July of each year thereafter unless a party shall give to the other party written notice of termination of the Lease no less than ninety (90) days prior to July 1st of any year.
4. **LESSEE'S EXISTING IMPROVEMENTS.** Lessee, pursuant to past agreements with Lessor, has placed playground equipment; tennis courts; and one or more basketball courts upon the premises for general recreation use by the public. Lessee may, at its own expense, continue to maintain such equipment and courts. The Premises shall remain open for general recreation use by the public.
5. **LATER LEASEHOLD IMPROVEMENTS.** Lessee may, at its own expense and subject to advance approval by Lessor, which approval shall not be unreasonably withheld, make leasehold improvements to the leased Premises including the replacement of playground equipment, tennis courts, and/or basketball courts and including fall protective surfacing provided that they be compliant with the current Consumer Product Safety Commission's (CPSC) "Public Playground Safety Handbook" and the American Society for Testing Materials (ASTM), "Standard Consumer Safety Performance Specifications for Playground Equipment for Public Use". Upon termination of the Lease, Lessee may remove any playground equipment at its own expense.
6. **OTHER MAINTENANCE.** Lessee shall be responsible for the mowing and trimming of grass upon the premises.
7. **PROPERTY OF LESSEE.** Any and all property of Lessee in and about the leased Premises shall be at Lessee's own risk.

Exhibit #1

8. **INSURANCE AND WAIVER OF SUBROGATION.** The Lessee and the Lessor shall maintain liability insurance in an amount equal to or greater than the maximum tort caps applicable to municipalities as set forth in Minnesota Statutes, Section 466.04, Subd. 1, as amended.
- A. The Lessee agrees to defend and indemnify the Lessor, and its officers, employees, and agents, against all claims, damages, losses and expenses, including attorney fees, arising out of or resulting from the Lessee's performance or failure to perform its obligations under this Lease; but only to the extent caused in whole or in part by the negligent acts, errors, or omissions if the Lessee or anyone for whose acts the Lessee may be liable.
- B. The Lessor agrees to defend and indemnify the Lessee, and its officers, employees, and agents, against all claims, damages, losses and expenses, including attorney fees, arising out of or resulting from the Lessor's performance or failure to perform its obligations under this Lease; but only to the extent caused in whole or in part by the negligent acts, errors, or omissions if the Lessor or anyone for whose acts the Lessor may be liable.
9. **UTILITIES.** Lessee shall pay for all electricity or other utilities servicing the Premises.
10. **RIGHT OF FIRST REFUSAL.** In the event that Lessor enters into a Purchase Agreement to sell the Premises during the term of this Lease, Lessee is hereby granted the right to purchase the Premises for the same terms as those proposed in the Purchase Agreement. Lessor shall provide Lessee with a copy of any such proposed Purchase Agreement. Lessee shall have ten (10) days to accept the Purchase Agreement and to be substituted as Purchaser instead of the proposed Purchaser. If, within the 10-day period, Lessee advises that it is not interested in purchasing the Premises on the same terms, this Right of First Refusal shall terminate. The Right shall also terminate automatically if Lessee has not, by the end of the 10-day period, provided written notice to Lessor that it exercises this Right. The Right shall also expire upon the termination of this Lease Agreement.
11. **NOTICES.** All notices, demands and requests required or permitted to be given under this Lease must be in writing and will be deemed to have been given when delivered personally, on the next business day following the day sent by nationally recognized overnight courier, or on the third (3rd) business day after being deposited in the United States mail, certified, return receipt requested, postage prepaid in each case addressed to the parties at their respective addresses set forth below (or to such other address as the Parties hereto may designate in the manner set forth herein):

Lessor: ISD #518
1117 Marine Avenue
Worthington, MN 56187

Lessee: City of Worthington
303 Ninth Avenue
PO Box 279
Worthington, MN 56187

12. **SUCCESSORS AND ASSIGNS.** This Lease shall bind the heirs, personal representatives, successor and assigns of the parties. This Lease may not be assigned by either party without written permission of the other.
13. **ENTIRE AGREEMENT.** This Lease contains the entire agreement of the parties with respect to any matter mentioned herein and supersedes any prior oral or written agreements.
14. **AMENDMENTS.** This Lease may be amended in writing only, signed by the parties in interest at the time of such amendment.

This Agreement shall be effective April 1, 2012, regardless of the dates set forth above.

**LESSOR: ISD #518
BOARD OF EDUCATION**

**LESSEE: CITY OF WORTHINGTON
CITY COUNCIL**

Bradley Shaffer, Its Chairman

Alan Oberloh, Its Mayor

Lori Dudley, Its Clerk

Janice Oberloh, Its Clerk

EXHIBIT A
LEGAL DESCRIPTION

That portion of the Southeast Quarter (SE¼) of Section 27, Township 102 North, Range 40 West of the 5th P.M., described as follows, to-wit: Beginning at a point 70.0 feet west of the southwest corner of Lot 11 in Block 14 of Auditor's Plat of Blocks 9 and 14, Ludlow Acres in Part of Government Lot 2, Section 27, Township 102 North, Range 40 West of the 5th P.M., Nobles County, Minnesota, said point of beginning being at right angles to the west line of said Lot 11; thence south 0 degrees 39' west 763.78 feet on a line parallel with the west line of said Lot 11; thence south 51 degrees 23' west 548.41 feet; thence north 38 degrees 37' west 124.72 feet to the point of curvature of a curve having a radius of 164.87 feet; thence northwesterly 111.18 feet along said curve to the point of tangency; thence north 0 degrees 00' 686.61 feet parallel with the west line of the SE¼ of said Section 27; thence north 73 degrees 15' east 27.75 feet to the point of curvature of a curve having a radius of 434.74 feet; thence northeasterly 92.67 feet along said curve to the point of tangency; thence north 61 degrees 02' east 459.84 feet to the point of curvature of a curve having a radius of 25.0 feet; thence northeasterly to southeasterly 52.19 feet along said curve to the point of tangency; thence south 0 degrees 39' west 25.7 feet to the point of beginning, enclosing 10.90 acres, more or less.

Exhibit C

COOPERATIVE FACILITY USE AGREEMENT

This Agreement made and entered into this _____ day of April, 2012, by and between the City of Worthington, 303 Ninth Avenue, Worthington, Minnesota 56187, hereinafter called the "City"; and Independent School District 518, 1117 Marine Avenue, Worthington, Minnesota 56187, hereinafter called the "School".

WHEREAS, there currently exists a Cooperative Facilities Use Agreement between the parties as to certain softball fields known as the School Softball Diamonds, a copy of which is attached hereto as Exhibit 'A'; and

WHEREAS, there currently exists a Cooperative Facilities Use Agreement between the parties as to the installation of a scoreboard by the School on the City's Centennial Softball Diamond #1, a copy of which is attached hereto as Exhibit 'B'; and

WHEREAS, the parties desire to terminate said Agreements in favor of this Agreement.

NOW, THEREFORE, and in consideration of the mutual Agreements and Covenants and Conditions expressed herein, it is hereby agreed as follows:

1. The initial term of this Agreement shall be for a 3-month term commencing on April 1, 2012, and terminating on June 30, 2012. Thereafter, the Agreement shall automatically renew on July 1, 2012, for successive one (1) year terms unless written notice is given to a party by the other party no less than ninety (90) days prior to July 1st of any year.
2. The Agreements attached hereto as Exhibits 'A' and 'B' are hereby terminated as of March 31, 2012.
3. The School shall continue to be permitted to maintain a scoreboard on City Centennial Softball Diamond #1. The School will remain as the owner of the scoreboard.
4. The School and the City will share the maintenance cost of the scoreboard equally.
5. The School will be responsible for 100% of the cost for replacement and/or removal of the scoreboard.
6. The City may use the scoreboard for City sponsored recreational activities.
7. The School may use Centennial Softball Diamonds #1 and #2 for its girls softball program in the spring sports season each year.
8. The City will be responsible for all utilities used upon the premises; for the repair of the outfield lighting; and for the mowing and trimming of the outfield turf areas. In the event of a major expense - either capital or personnel - specific to a competition field which would be outside of the normal maintenance and upkeep of the facility, the City shall notify the School of such expense and request that the School share in such expense.
9. The City and the School agree to share equally the purchase of ag-lime for the infields of Diamonds #1 and #2. The City will be responsible for distributing the ag-lime upon the infields. The City and School agree to work cooperatively as to the shaping of the infield.

10. The City and School will both use Softball Diamonds #1 and #2 from time to time; however, it is mutually agreed the spring high school girl's softball program will have preference.
11. The City will use its motor grader to grade the Worthington Middle School gravel parking lot at least twice a year upon request of the School.
12. The School hereby grants the City full use of the high school varsity track and field areas, including all related track and field apparatuses, for the City youth recreation track and field program as managed by the Worthington Area YMCA. Said program will begin approximately June 1st of each year and will continue for approximately six (6) weeks. It is agreed the City recreation program will have preference over other programs during said time period.
13. The School will remain responsible for all utilities at the high school fields and will be responsible for lighting, mowing and trimming of field areas.
14. The City and the School shall maintain liability insurance in an amount equal to or greater than the maximum tort caps applicable to municipalities as set forth in Minnesota Statutes, Section 466.04, Subd. 1, as amended.
15. The City agrees to defend and indemnify the School, and its officers, employees, agents, from and against all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from the City's performance or failure to perform its obligations under this Agreement; but only to the extent caused in whole or in part by the negligent acts, errors, or omissions of the City or anyone for whose acts the City may be liable.
16. The School agrees to defend and indemnify the City, its officers, employees, and agents from and against all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from the School's performance or failure to perform its obligations under this Agreement; but only to the extent caused in whole or in part by the negligent acts, errors, or omissions of the School or anyone for whose acts the School may be liable.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

INDEPENDENT SCHOOL DISTRICT # 518

CITY OF WORTHINGTON

Bradley Shaffer, Its Chairman

Alan Oberloh, Its Mayor

Lori Dudley, Its Clerk

Janice Oberloh, Its Clerk

CITY OF WORTHINGTON PARK, MULTI-USE PATHS AND RECREATION MEMORIAL DONATION POLICY

Purpose

The purpose of this policy is to establish guidelines, standards and procedures for the installation and care of donated park improvements, either as a result of a cash or physical donation. These donations may include, but are not limited to, park land, benches, picnic tables, monuments, playground equipment, flags, trees, landscaping plants and materials, gardens, and other types of park and multi use path accessories. The City desires to encourage donations while at the same time manage aesthetic impacts and mitigate ongoing maintenance cost.

The development of public facilities is expected to be the result of careful planning and quality construction. In addition, public facilities are expected to be maintained to a standard acceptable to the community. Guidelines established by this policy will apply to all donations made after the effective date of this policy. Standards established by this policy will apply to purchased equipment, installation techniques, donation acknowledgments, and long term care of all donations made after the adoption of this policy.

General Guideline

The City recognizes the desire of individuals and organizations to donate items to enhance a particular park facility by honoring a loved one or organization. The City has an obligation to its constituents to maintain park facilities in a cost effective manner. With this goal in mind, the City will consider the economic impact of each donation and will work with those individuals and organizations to accept donations that will not significantly impact the care and maintenance of a park facility.

Specific instances may develop that will require accommodations to the policy. There may be instances whereby City Council may exercise its authority to make exceptions to this policy.

Standards for Donations

Acquisition of Purchase: The City and the community have an interest in ensuring that park elements purchased and installed be of high quality related to style, appearance, durability and ease of maintenance. The City staff will be responsible for the purchase and installation of all park elements.

Appearance and Aesthetics: The City and the community have an interest in ensuring the best appearance and aesthetic quality of their public facilities. Park elements and/or their associated donation acknowledgments should reflect the character of the park facility. All park elements will be installed in such a manner that will not substantially change the character of a facility or its intended use.

Maintenance: Donated park elements and/or their associated donation acknowledgment, become City property. Accordingly, the City has the duty to maintain the donation only for the expected life cycle of the donation. In the case of a tree or landscaping plants/flowers or items of similar nature, the expected life cycle may not occur due to damage and/or disease or other natural causes beyond the control of the City which may cause the premature removal of such type of a donation.

Repair: The community has an interest in ensuring that all park elements remain in good repair. In addition, the public has an interest in ensuring that the short and long-term repair costs are reasonable. Repair parts and materials must be readily available. Donated park elements must be of high quality to ensure a long life, be resistant to the elements, wear and tear, and to acts of vandalism.

Cost: The City has an interest in ensuring that the donor covers the full-cost for the purchase, and installation of donated park elements. The City also has an interest in ensuring that ongoing maintenance costs do not negatively impact the resources available for maintenance of other City park facilities.

Park Plan: When applicable the donation of a park element for a specific park facility, should conform to the park plan for that park showing the available locations for park elements. If no plan exists or if a plan exists, but does not identify a particular park element proposed for donation, the City may accept the donation under certain conditions. Under this circumstance the donation must 1) meet a true need of the facility, 2) not interfere with the intended current or future use of the facility and 3) not require the relocation of other equipment or infrastructure to accommodate the donation. In the opinion of the City, a facility may be determined to be fully developed and the opportunity for donations would not be available.

Donation Acknowledgments/Memorial Plaques: Donation acknowledgments and memorial plaques or any items should be identified for the review and approval by the City Council. Acknowledgments and plaques should be of high quality and not be a predominate feature of the item. The donor will be responsible for the purchase of the memorial plaque.

Park Benches, Picnic Tables, Playground Equipment, Flags, Landscaping Plants and Materials, Gardens, and Other Types of Park and Multi Use Path Accessories: Park benches, picnic tables, playground equipment, flags, and other types of park and multi use path accessories must be sited in locations approved by the City, and these items become City property at time of purchase.

Trees and Landscaping Plants: The size and species of a tree or trees and a plant or plants shall be limited to those determined by the City.

Monuments: Upright monuments or monuments resembling those typically found in cemeteries may not be installed at any City park facility.

Interpretive Signs: Interpretive signs may be installed at sites that are appropriate for describing the history, geology, environment, and flora (flowers/plants) and fauna (animals) of a particular area. Interpretive signs shall be a size that is keeping with the character of the site. Interpretive signs shall be a design that meets requirements for access to the disabled. Interpretive signs shall be designed in such a manner that is consistent with other interpretive signs on the site. Interpretive signs shall be constructed of materials that are of high quality, vandal resistant, and able to withstand harsh environmental conditions.

Other Donations: There may be other donations possible, other than those expressly listed or contained within this policy. The city may accept those donations subject to review by the Park Advisory Board and final approval by the City Council.

Land, Buildings and Structures Donated land, buildings and structures (including playgrounds) are subject to full review and approval of the Park Advisory Board and the City Council, and are considered a part of this policy.

Procedure for Making a Donation

Application: The donor shall contact the City to determine whether a donation may be accepted based upon criteria contained in this policy. If a donation can be accepted, the donor will complete an application form and be placed on the next available Park Advisory Board agenda. Items deemed to be public art with the desire to be placed in a public park, will be directed to the Public Arts Commission for action.

All donations shall be reviewed by the City Park Advisory Board and a recommendation made to City Council on whether to accept the donation or not based upon the above described standards. City Council will take final action by resolution on whether to accept or not accept all donations.

Conditions

Installation: Installation of donated park elements, including the donor acknowledgment /memorial plaques, will be completed by City personnel. The installation will be scheduled at a time and date as determined by the City so as not to unnecessarily interfere with routine park maintenance activities.

Removal and/or Relocation: This section applies to both existing and new donations. The City reserves the right to remove and/or relocate donated park elements and their associated donation acknowledgment/memorial plaques, when they interfere with the site safety, maintenance or construction activities. In the event the donation must be permanently removed, the City will seek an alternative location consistent with this policy. If no such location can be found, the information contained on the memorial may be, at the donor's request, located on a memorial plaque set aside for this purpose at a designated location.

**CITY OF WORTHINGTON PARKS, MULTI USE PATHS AND RECREATION
MEMORIAL DONATION APPLICATION**

Name of Donor: _____

Address of Donor: _____

Phone Number: Work: Home: Fax: _____

Email: _____

Description of Donation: _____

Location of Donation: _____

Wording for Memorial Acknowledgment (if any): _____

All applications shall be accompanied with a letter describing the donation and how the proposed donation meets the applicable criteria outlined in the City Parks, Multi Use paths and Recreation Memorial Donation Policy.

I have read and understand the Memorial and Donation Policy.

Donor: _____ Date: _____

Sign and Print Both

Donor: _____ Date: _____

Sign and Print Both

PUBLIC SAFETY MEMO

DATE: APRIL 6, 2012
TO: HONORABLE MAYOR AND CITY COUNCIL
SUBJECT: ITEMS REQUIRING CITY COUNCIL ACTION OR REVIEW

CASE ITEMS

1. CONSIDERATION OF PUBLIC SAFETY PLAN

The City of Worthington in its 2009 Strategic Plan identified the task of developing a Public Safety Plan under the Strategic Direction: *Commit to Best Practices and Innovation*. The Public Safety Plan was shown as *Exhibit 1* in the prior meeting agenda and the Public Safety Plan Action Plan is shown as *Exhibit 2*. The Police and Fire Departments have gone through the following process in preparing the Public Safety Plan:

1. Team Establishment	March 1, 2010
2. Team Buy-In	April 1, 2010
3. Current Situation Analysis	May 1, 2010
4. Establish Strategic Direction	July – November 2010
5. Solicit Whole Department's Participation	November 2010 – July 2011
6. Solicit Fire Department's Participation	July – December 2011
7. Review/Revise with City Administrator	December 2011 – March 2012
Council Work Session	April 2012

There are no templates for public safety plans, so the Worthington Police and Fire Departments are on the cutting edge with the development of this plan. We modeled our process after the City's Strategic Planning process.

The Police Department's leadership (Chief, Captain and Sergeants) met and developed a vision statement to add to our mission statement. Next, every member of the department was involved so everyone would have a voice in the project. Personnel were grouped according to job assignments and given the task of identifying impediments, goals, and core values needed to achieve the mission and vision.

Every group met separately with Chief Cumiskey and identified potential problems and/or deficiencies. Each member was tasked to give long and short term goals for themselves, their shift and the department. All of the information was synthesized and condensed to the most important and workable ideas.

Chief Cumiskey and Captain Dybevick worked with Fire Chief VonHoldt to develop Fire Department goal areas and incorporate the goal areas and SMART (Specific, Measurable, Attainable, Realistic and Timely) objectives into the Public Safety Plan.

The Public Safety Plan is a very unique public safety document. We endeavored to involve all departmental members from fire and police in identifying and defining values and goals and developing SMART objectives to target impediments.

Staff recommends approval of the Public Safety Plan.

Proposed Motion: Approval of Public Safety Plan.

2. **CONSIDERATION OF UPDATED JOB DESCRIPTION**

Officer Bob Fritz will retire from the Worthington Police Department at the end of May. As part of the selection process for replacing him in the schools the job description for this position was reviewed. The job description (*Exhibit 3*) is classified as the Police School Liaison Officer and it was last updated in 1988.

The job description has been updated to incorporate the duties that have developed since the creation of this position and the position has been renamed to reflect the name by which it is commonly known, changing from Police School Liaison Officer to School Resource Officer.

The additional duties were assigned to this position when Worthington PD joined the Minnesota Task Force for Internet Crimes Against Children and when Worthington began to yearly visit registered sex offenders to update their files.

Staff recommends approving the updated job description (*Exhibit 4*).

Proposed Motion: Approval of School Resource Officer Job Description.

City of Worthington _ Action Plan for Public Safety Plan

STRATEGIC DIRECTION: Commit to Best Practices and Innovation		Start Date: 12/21/09	
		Update Date: 02/22/11	
GOAL: Goal #3		TEAM: Police and Fire management, et al	
PROJECT: City Public Safety Plan		LEADER/PROJECT MANAGER: Public Safety Director	
CURRENT SITUATION: <ul style="list-style-type: none"> Goal established in 2009 Strategic Plan sessions 		RESULTS UP TO DATE: <ul style="list-style-type: none"> Initial Planning 	INTENDED RESULTS: Develop Public Safety plan to identify and develop key strategies to ensure Worthington Public Safety becomes the best in MN.
RESOURCES: \$ Public Safety Budget		KEY PLAYERS (BEYOND TEAM): Police and Fire Departments, City Administrator and City Council	
MILESTONES:	DEADLINE:	DECISION	RESPONSIBLE
Establish Team	March 1, 2010	Public Safety Director	Mike Cumiskey
Secure Team Buy-in	April 1, 2010	Public Safety Director	" " " "
Current Situation Analysis	May 1, 2010	Team	Public Safety Director
Establish Public Safety Plan Strategic Direction	July - November 2010	Team	Public Safety Director
Solicit whole department's participation in Plan and present draft to Dept.	November 2010 -- July 2011	Team	Public Safety Director
Solicit Fire Department's participation in Plan	July 2011 -- December 2011	Fire Chief and Captain Dybevic	Public Safety Director
Plan Adopted	April 2012	Council	Public Safety Director
Assign tasks to key stakeholders	April 2012	Team and Fire	Public Safety Director
Implement task engagement	April 2012	Team and Fire	Public Safety Director
Evaluate task and goal	October 2012 and then on	Team and	Public Safety

successes	biannual basis thereafter	Fire	Director
Re-evaluate plan for continuous improvement	April 2013 and then every 6 months thereafter	Team and Fire	Public Safety Director

STORY: Why is this a significant priority	COORDINATION:
The priority is significant in that it could establish Worthington Public Safety as a model for others in MN and put us on a plan for continual improvement.	Next meeting: <u>TBD</u> Who: <u>Police management</u>

CITY OF WORTHINGTON

POSITION GUIDELINES

JOB TITLE: School Liaison Officer

CLASSIFICATION: Nonexempt

DIVISION: Public Safety

DATE APPROVED: 5-9-88

SUMMARY

Performs general responsibility for the prevention of delinquency, minor infractions of the law and assists in the investigation of juvenile crimes and other police duties as assigned.

ACCOUNTABILITIES

Reports to: Police Chief

Supervises: Generally has no supervisory responsibilities

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Keeps abreast of juvenile laws and their changes, and conducts training sessions for department personnel as assigned.
2. Assists regular officers in the investigation and preparation of juvenile cases as requested day or night.
3. Responsible for all administrative reports and records pertaining to the area of responsibility.
4. Works with Juvenile Court, Mental Health personnel and patrol and probation personnel.
5. Serves as a liaison consultant at the schools and works with the administrative personnel, counselors and teachers to:
 - a. Set up procedures and programs to prevent delinquency.
 - b. Conduct safety programs and assist with the School Patrol Program.
 - c. Help teachers to better understand and aid in the prevention of delinquency.
 - d. Counsel pupils and parents on behavior that leads to delinquency when required.
6. Cooperates in community affairs that are youth orientated as requested or assigned.
7. Patrols restaurants, youth centers and other areas where youth congregate.
8. Attends schools, short courses, seminars and conferences if requested.
9. The foregoing statements describe the principal functions of this position, but shall not be construed as an exclusive listing of all inherent requirements for the position.

PERIPHERAL DUTIES

Serves on various employee or other committees as assigned.

Attends seminars and workshops related to or relevant to the duties of the position.

EQUIPMENT

Motorized vehicles, personal computers, radio equipment, copy machine, fax machine, calculators and telephone.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to stand; walk; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee typically works 40 hour work week in an office setting and frequently out in the community attending to youth related events.

The noise level in the work environment is usually moderate.

JOB REQUIREMENTS

1. Minimum Qualifications

Five years of law enforcement work, requires knowledge gained through specialized courses in law enforcement acquired by completing two years of college, vocational or technical school.

POSITION GUIDELINES - School Liaison Officer

Page 3

2. Desirable Education and Experience

Eight years of law enforcement work, requires knowledge gained through specialized courses in law enforcement acquired by completing two years of college, vocational or technical school.

3. Certification Required

Must be licensed by the Minnesota Board of Peace Officers Standards and Training, and must have and maintain a valid State of Minnesota drivers license.

CITY OF WORTHINGTON

POSITION GUIDELINES

JOB TITLE: School Resource Officer

CLASSIFICATION: Nonexempt

DIVISION: Public Safety

DATE APPROVED: (TBD)

SUMMARY

Performs general responsibility for the prevention of delinquency, minor infractions of the law and assists in the investigation of juvenile crimes and other police duties as assigned.

ACCOUNTABILITIES

Reports to: Detective Sergeant

Supervises: Generally has no supervisory responsibilities

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Keeps current of juvenile laws and their changes and conducts training sessions for department personnel as assigned.
2. Assists patrol officers in the investigation and preparation of juvenile cases and general investigations as requested by a supervisor.
3. Works as the School Resource Officer and serves as the liaison for Independent School District 518 (ISD 518) by working with administration personnel, counselors, teachers and all other ISD 518 employees.
4. Responsible for all Worthington Police Department reports, ISD 518 reports, and records pertaining to the essential duties and responsibilities of the School Resource Officer.
5. Works with Nobles County Community Services (NCCS) and Nobles County Community Corrections (NCCC) by serving on the Nobles County Child Protection Team, conducting curfew checks, and representing the Worthington Police Department on any other juvenile related matter.
6. Conducts yearly predatory offender registration checks and file updates.
7. Represents the Worthington Police Department on the Minnesota Internet Crimes Against Children (MNICAC) Task Force.
8. Cooperates in youth-orientated community affairs as requested or assigned, such as D.A.R.E. Night Out, Night to Unite, International Festival, the Nobles County Fair and King Turkey Day.

9. Patrols all school properties, youth centers, parks, athletic events and other areas where youth congregate.
10. Attends schools, short courses, seminars and conferences as requested.
11. The foregoing statements describe the principal functions of this position, but shall not be construed as an exclusive listing of all inherent requirements for the position.

PERIPHERAL DUTIES

Teach D.A.R.E. as coordinated by the Worthington Police Department and ISD 518.

Assist ISD 518 with safety measures including lock down drills and K-9 sweeps of school property.

Attend the meetings of ISD 518 parent group and when required, counsel pupils and parents on behavior that leads to status offenses, delinquency and criminal activity.

Assist with Peer Mediation for ISD 518.

Give a yearly bicycle safety presentation in schools along with the yearly bicycle licensing and inspection event coordinated with the Kiwanis Club.

Conduct court ordered bicycle safety classes coordinated with NCCC as needed.

Conduct safety seminars and give presentations to the public.

Coordinate the D.A.R.E. participation in public events including the King Turkey Day parade.

Participate in community activities as directed by the Chief or Captain.

Serves on various employee or other committees as assigned.

Attends seminars and workshops related to or relevant to the duties of the position.

EQUIPMENT

Motorized vehicles, personal computers, radio equipment, copy machine, fax machine, calculators and telephone.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to stand; walk; use hands to finger, handle, or feel objects, tools, or controls; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and taste or smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee typically works a 40 hour work week in an office setting and frequently out in the community attending to youth related events.

The noise level in the work environment is usually moderate.

JOB REQUIREMENTS

1. **Minimum Qualifications**
Five years of law enforcement work, requires knowledge gained through specialized courses in law enforcement acquired by completing two years of college, vocational or technical school.
2. **Desirable Education and Experience**
Eight years of law enforcement work, requires knowledge gained through specialized courses in law enforcement acquired by completing two years of college, vocational or technical school.
3. **Certification Required**
Must be licensed by the Minnesota Board of Peace Officers Standards and Training and must have and maintain a valid State of Minnesota drivers license.

ENGINEERING MEMO

DATE: APRIL 6, 2012
TO: HONORABLE MAYOR AND COUNCIL
SUBJECT: ITEMS REQUIRING COUNCIL ACTION OR REVIEW

CASE ITEMS

1. RECEIVE REPORT AND ORDER HEARING ON 2012 STREET AND ALLEY RECONSTRUCTION IMPROVEMENTS

A feasibility report for the following improvements are included as a separate attachment to the agenda.

Improving the following described streets by regrading, base reconstruction, resurfacing, and necessary curb and gutter reconstruction:

- Franklin Street from East Avenue to Sherwood Street;
- Sherwood Street from Nobles Street to Franklin Street;
- Trevor Street from East Avenue to Murray Avenue;

Improving the following described alleys by regrading, base reconstruction, and resurfacing:

- Alley in Block 28, Plat of Worthington (between 9th Street and 10th Street) from Sixth Avenue to Seventh Avenue, abutting Lots 2, 3, 10, and 11 (northeasterly alley);
- Alley in Block 28, Plat of Worthington from Sixth Avenue to Seventh Avenue, abutting Lots 4, 5, 8, and 9 (southwesterly alley) .

A resolution receiving the report and ordering hearing on proposed improvement is included in Exhibit 1. Including all the street and alley reconstruction segments in one improvement project decreases the costs of assessment proceedings and helps optimize funding options. Any particular street or alley could be excluded from the improvement at the time it is authorized. Council should note the report information regarding the need to finance the improvements from construction fund reserves should neither alley project be approved. The 2012 Capital Improvement Budget does show use of reserves to finance the street projects.

Staff recommends that Council pass the resolution receiving reports and ordering the hearing. Staff suggests that the hearing be held at 7:00 p.m. on April 23, 2012, at the regular Council meeting. There are about 30 property owners proposed to be assessed for the street and alley reconstructions. The Council Chambers will seat approximately 45 persons.

Preliminary assessment rolls for the improvement will be distributed at the Council meeting.

2. APPROVE SEWER USER AGREEMENTS

The City's Sewer User Ordinance specifies that use of the Public Sewer by a Significant Industrial User (SIU) or a user having greater than Normal Domestic Strength Waste shall not be permitted except as provided for by a User Agreement. Federal and State requirements also provide that sewer use by SIU's be specifically controlled by municipalities and that restrictions on all users be in place to protect the treatment works.

Tru Shine Truck Wash and Washout

Sewer use by the Tru Shine Truck Wash (formerly 4x4 Truck Wash) demonstrated that its discharge exceeded the volume threshold of a SIU and that its waste loadings could substantially exceed the concentration of Normal Domestic Strength Waste. In June of 2001 a user agreement was approved which granted Tru Shine certain daily flow, biological oxygen demand (BOD) and total suspended solids (TSS) loading allocations. The BOD and TSS allocations equaled 1/3 of the industrial capacity remaining after the allocation previously provided for Campbell Soup Company (subsequently for ADI) is assumed to be encumbered. The user agreement was amended in 2002 to include a total phosphorus (TP) allocation due to the inclusion of a TP discharge limit on the wastewater treatment facility. The user agreement was last renewed in 2005. The 2005 agreement expired in May 2009, coinciding with the expiration of the wastewater treatment facility's discharge permit. Development of a new user agreement was initially delayed until the wastewater treatment facility's discharge permit was reissued. Non compliant and inconsistent discharge loadings from Tru Shine was cause to further evaluate the loadings and the terms of the agreement. Of particular concern was the variation and exceedances in TP loadings. Concurrently, the owner of Tru Shine was requesting an increase in the allocation of flow to reflect the growth in water usage resulting from an increase in business. Advancing formal consideration of an increase in the flow allocation was contingent on Tru Shine improving its pretreatment performance so as to yield consistent and compliant load (BOD, TSS, TP) discharges.

In order to address the need to maintain compliance with loading allocations, Tru Shine did solicit the services of a pretreatment equipment supplier. A trial operation of a

Dissolved Air Flootation (DAF) system was implemented earlier this year. Based on the results of this trial and projected performance of a permanent unit, Tru Shine has ordered a DAF unit. Although installation of the DAF does not guarantee to the City that compliance will be maintained, its installation does represent an appropriate action for Tru Shine to take to achieve compliance.

The proposed user agreement with Tru Shine is included in Exhibit 2. The agreement incorporates two significant changes from the 2005 agreement. The first change is the inclusion of a surcharge for TP loadings exceeding the allocation. The amount of the surcharge will be based on the variation in loadings as well as the extent of the exceedance. Variations in loading are addressed due to their impact on the City's ability to provide an effective wastewater treatment service for the community. The substantial and erratic changes in TP loadings that have been discharged by Tru Shine not only pose problems in maintaining compliance at the treatment plant, they also limit the City's ability to responsibly allocate treatment plant capacity to other users for community growth and result in increased operational costs. Charges based on monthly average loadings do not reflect these impacts resulting from substantial deviations from the average.

The TP surcharge rate decreases from the full TP usage rate to zero as the loadings approach allocation. Had the TP surcharge been in place during 2011, Tru Shine would have paid an additional 18% in user fees with monthly increases ranging from .7% to 40%. The TP surcharge is not intended to allow non compliance but rather recover the costs for non compliance while introducing a financial incentive to achieve compliance. Ultimately, compliance will be required and the surcharge should be null.

The second significant change is that the user agreement increases the flow allocation from 50,000 gallons per day to 100,000 gallons per day. Tru Shine initially discharged less than its flow allocation. As the volume of trucks being serviced increased, the volume has increased to 100,000 gallons per day or even slightly more. Although an allocation above 100,000 gallons per day was requested, the 100,000 gallon per day allocation is proposed to promote efficiency in operations and therefore, more effective pretreatment.

The proposed user agreement also includes revised language to better address the potential for Tru Shine to meter its discharge rather than having monitoring based on water consumption.

D&H Transportation Services

D&H Transportation Services, located at 1534 Joosten Road, cleans rail cars for various clients. The rail cars cleaned by the company are those that have transported products such as vegetable or grain oils, and animal fats and oils. D&H was not able to implement

a pretreatment system which could reduce its loading to Normal Domestic Strength Waste (NDSW). Following installation of an improved pretreatment system with flow equalization, D&H sought an allocation of loadings. In June of 2006 the City approved a user agreement with D&H providing the same loading allocations as granted 4x4 Truck Wash (now Tru Shine Truck Wash). The flow allocation was limited to less than 25,000 gallons/day, the threshold for being a Significant Industrial User. As with the Tru Shine user agreement, termination of the D & H User Agreement coincided with the 2009 expiration of the wastewater treatment facility's discharge permit.

D&H was in or near compliance with the terms of its user agreement from mid 2006 to mid 2009. TP and BOD allocations were periodically exceeded, however, the average of the loadings through this time period were below average. During the last half of 2009, TP loadings significantly exceeded allocation. Although compliance was regained for the first part of 2010, TP loadings began to consistently exceed allocation after mid 2010. Similar to the TP loadings from Tru Shine, the loadings from D&H varied significantly and presented the same difficulties in operation of the treatment works. D&H was directed to develop a compliance plan and was informed of the intention to propose a TP surcharge and/or other terms to address non compliance at the time the user agreement renewed.

By the end of 2011, D&H had worked with chemical suppliers to implement effective improvements in the operation of their pretreatment system. Although D&H has maintained its average TP loading since October of last year below allocation, it remains appropriate to include a TP surcharge in the user agreement with the company because of discharge history.

D&H's evaluation of various pretreatment chemicals did tend to confirm the difficulty the company will have in meeting the BOD allocation. It is apparent that a large portion of the BOD in the company's wastewater is soluble and therefore not effectively removed through mechanical pretreatment. D&H has requested an increase in its BOD allocation in order to maintain compliance with its user agreement without adding or converting to a different (biological) pretreatment system.

The proposed user agreement with D&H is also included in Exhibit 2. This agreement does include the same surcharge for TP loadings as that in the Tru Shine agreement. Had the TP surcharge been in place during 2011, D&H would have paid an additional 42% in user fees with monthly increases ranging from zero to 100%. As with Tru Shine's surcharge, the TP surcharge is not intended to allow non compliance but rather recover the costs for non compliance and should ultimately be null.

The proposed D&H user agreement also increases the BOD allocation from 241 pounds per day to 400 pounds per day. The BOD allocation is less than requested but compliance with the allocation will maintain D&H below the loading threshold of being a SIU. The

proposed user agreement also includes the same language as the Tru Shine agreement to better address the potential for D&H to meter its discharge rather than having monitoring based on water consumption.

Staff recommends that the City Council to authorize the Mayor and Clerk to execute the user agreements in Exhibit 2. The Water and Light Commission did concur with this recommendation at their April 2, 2012 meeting.

RESOLUTION NO.

RECEIVING REPORT AND CALLING FOR HEARING ON PROPOSED IMPROVEMENT.

WHEREAS, Pursuant to Resolution No. 3490 of the council passed on March 26, 2012, a report has been prepared by the city engineer with reference to the improvement of the following described streets by regrading, base reconstruction, necessary curb and gutter reconstruction, and resurfacing:

FRANKLIN STREET from East Avenue to Sherwood Street;

SHERWOOD STREET from Nobles Street to Franklin Street;

TREVOR STREET from East Avenue to Murray Avenue;

and with reference to the proposed improvement of the following described alleys by regrading, base reconstruction, and resurfacing:

ALLEY in BLOCK 28, PLAT of WORTHINGTON from Sixth Avenue to Seventh Avenue, abutting Lots 2, 3, 10, and 11;

ALLEY in BLOCK 28, PLAT of WORTHINGTON from Sixth Avenue to Seventh Avenue, abutting Lots 4, 5, 8, and 9;

and this report was received by the council on April 9, 2012; and

WHEREAS, The report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible, whether it should best be made as proposed or in connection with some other improvement, and the estimated total cost of the improvement as recommended.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WORTHINGTON, MINNESOTA:

1. The Council will consider the improvement of said streets and alleys in accordance with the report, and the assessment of the abutting property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$293,400.

2. A public hearing shall be held on such proposed improvement on the 23rd day of April, 2012, in Council Chambers of City Hall at 7:00 p.m.; and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the City Council of the City of Worthington, Minnesota, this the 9th day of April, 2012.

(SEAL)

Mayor

Attest: _____
City Clerk

**WASTEWATER TREATMENT AGREEMENT BETWEEN
THE CITY OF WORTHINGTON
TRU SHINE TRUCK WASH**

This Agreement made and entered into this ____ day of _____, 2012 by and between the City of Worthington, hereinafter called the "City", and TSTW Real Estate, LLC, a limited liability company under the laws of Minnesota, hereinafter called "Truck Wash".

WHEREAS, City has Adopted Ordinance No. 744, an Ordinance Establishing Sewer Use Regulations, which has been codified as Chapter 51 of the Worthington City Code and hereinafter called the "Ordinance"; and

WHEREAS, Truck Wash cleans trucks and is a Significant Industrial User having a discharge of more than 25,000 gallons of process wastewater per day, and greater than Normal Domestic Strength Waste of unusual strength and character; and

WHEREAS, The Ordinance provides that use of the Public Sewer by a Significant Industrial User or a user having greater than Normal Domestic Strength Waste shall not be permitted except as provided for by a User Agreement; and

WHEREAS, The Ordinance does not prevent any special agreement or arrangement between City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by City for treatment subject to payment therefore by the industrial concern and providing that National Categorical Pretreatment Standards and City's NPDES and/or State Disposal System Permit limitations are not violated; and

WHEREAS, City does have, as a part of the Wastewater Treatment Works, a Municipal Wastewater Treatment Facility, hereinafter referred to as MWTF, designed and built with a certain capacity for the treatment of wastewater from industrial users.

NOW THEREFORE, BE IT MUTUALLY AGREED AND UNDERSTOOD THAT:

1. Pursuant to the Ordinance and consistent with the conditions of the Ordinance, the City agrees to accept and treat the wastewater discharged by Truck Wash within the limits and in accordance with the conditions set forth in this agreement.
2. City shall accept the discharge from the Truck Wash facility located at 2405 Highway 60 which is located within the Northwest Quarter of the Southwest Quarter (NW1/4) of Section 18 , T 102 N, R 39 W. Truck Wash shall comply with all discharge prohibitions contained in the Ordinance and shall limit its discharge to within the following limits:

	<u>Maximum</u> Average in any 30-day period	<u>Maximum</u> Daily	<u>Units</u>
Flow:	100,000	100,000	gallons/day
Biological Oxygen Demand (BOD):	241	241	pounds/day
Total Suspended Solids (TSS):	314	314	pounds/day
Oil & Grease:	-	100	milligrams/liter
Ammonia Nitrogen		35	milligrams/liter
Total Phosphorus (TP)	8.4	8.4	pounds/day

pH: not less than 5.0 nor more than 9.5 at any time

In addition, the discharge of the following specific pollutants to the MWTF is prohibited:

- a) pollutants which create a fire or explosion hazard, including any discharge with a flash point less than 60°C (140°F),
- b) pollutants which will cause corrosive structural damage,
- b) solid or viscous pollutants which will cause obstruction to flow,
- c) heat which will inhibit biological activity, but in no case heat in such quantities that the temperature at the MWTF treatment plant exceeds 40-C (104-F),
- d) pollutants which result in the presence of toxic gases, vapors, or fumes that may cause acute worker health and safety problems, create a public nuisance, or are sufficient to prevent entry into the sewers for their maintenance and repair.

3. Truck Wash shall install and properly maintain such discharge monitoring equipment required to obtain representative flow or time-proportioned samples of all wastewater discharged from all operations. Such equipment shall be housed in a temperature controlled enclosure with access controllable by MWTF operators. The City will collect the wastewater samples on a schedule as may be set by the City which is not to be less than twice weekly.

The City will provide for the analyses of BOD not less than weekly, and TSS and TP not less than twice weekly to determine compliance with this Agreement and the Ordinance, and to establish user charges. Truck Wash shall reimburse the City for the costs of providing analyses of BOD, TSS and TP. The City will provide for the analyses of Ammonia Nitrogen, Oil and Grease, pH, and any other pollutant deemed appropriate by the City to determine compliance with this Agreement and the Ordinance. If a violation of this Agreement or the Ordinance occurs, Truck Wash shall reimburse the City for the costs of providing analyses of Ammonia Nitrogen, Oil and Grease, pH, and any other pollutants and for all subsequent analyses which may be deemed appropriate by the City to ensure compliance with this Agreement and the Ordinance.

Unless otherwise metered as allowed for herein, the volume of wastewater flow will be calculated from the volume of metered water usage. In the event that Truck Wash utilizes water from sources other than, or in addition to, the municipal water system, Truck Wash shall meter, in a manner approved by the City, any such water supply to allow determination of total monthly water usage.

Truck Wash may meter the volume of wastewater flow discharged to the Wastewater Treatment Works in a manner approved by the City. Any metering device or devices used to measure the volume of discharged wastewater shall be maintained as necessary to ensure accuracy. The City reserves authority to monitor the accuracy of such volume measurement through use of metered water usage and documentation of the disposition of any volume not discharged to the Wastewater Treatment Works. The City also reserves authority to calculate the volume of wastewater flow from the volume of metered water usage at any time the accuracy of the metered wastewater discharge is not able to be verified.

5. Truck Wash shall notify the City immediately by phone and within seven (7) days in writing, of any spill or slug discharge which may result in a violation of the limits stated above. Truck Wash shall also notify the City in advance of any changes in discharge. Truck Wash shall notify the City of any changes in discharge which will require an amendment of this Agreement at least 180 days prior to the planned change. Unless or until superseded, the limitations contained in this Agreement shall be controlling.

6. This Agreement is enforceable under the provisions of the Ordinance. A violation of this Agreement shall be a violation of the Ordinance and subject to the enforcement provisions contained in the Ordinance.

7. Truck Wash shall pay all user charges as specified in the City Ordinance No. 745 which has been codified as Chapter 51 of the Worthington City Code. Truck Wash shall also pay a surcharge on the quantity of Total Phosphorus that exceeds the limit defined in Section 2. The surcharge shall be calculated as follows:

$$\text{Surcharge} = \text{TPSU} \times F \times \text{TPSR}$$

Where:

TPSU (TP Surcharge Units) = Standard Deviation of TP concentrations sampled during the billing period (in mg/l) x 8.34

F (Flow) = Billable flow in million gallons of the billing period

TPSR (TP Surcharge Rate) is based on the following:

<u>L/A</u>	<u>Surcharge Rate</u>
≤1	\$0
>1 and <2	(L/A - 1) x TP Usage Charge Rate
≥ 2	TP Usage Charge Rate

L/A (Loading to Allocation Ratio) = The average discharge of total phosphorus per work day ÷ daily limit of total phosphorus defined in Section 2

TP Usage Charge Rate = the per pound rate for total phosphorus calculated annually in the Sewer Service Charge System

8. Truck Wash shall maintain all monitoring and other records relevant to its wastewater discharge for at least 3 years. As provided for in the Ordinance, the City shall have a right of entry into any Truck Wash facility where wastewater is produced; where wastewater is treated; where sampling and monitoring equipment is located; and where any records required to be maintained under the Ordinance or this Agreement are located. Further, the City may, at reasonable times, have access to and review and/or copy any wastewater discharge records; inspect the wastewater producing processes; wastewater treatment processes or sampling and monitoring facilities; and monitor and/or sample the wastewater discharged by the company.

9. In addition to other rights or remedies, upon violation of the terms of this Agreement, the Administrator, may terminate this Agreement upon five (5) days' written notice. If termination shall occur, Truck Wash shall immediately cease discharging to the treatment works. If, after notice hereunder, Truck Wash continues to discharge to the treatment works, the Administrator may order the Water Department to immediately discontinue service to Truck Wash.


10. This Agreement expires on March 31, 2016.

11. This Agreement is not transferable except with the prior written permission of the City, and with a specific written Agreement by the transferee as to all conditions of this Agreement.

Agreed To: **City of Worthington**

TSTW Real Estate, LLC

By: _____
Alan E. Oberloh, its Mayor

By: 
Mark L. Thier, its _____

By: _____
Janice Oberloh, its Clerk

**WASTEWATER TREATMENT AGREEMENT BETWEEN
THE CITY OF WORTHINGTON
AND D&H TRANSPORTATION SERVICES**

This Agreement made and entered into this ____ day of _____, 2012 by and between the City of Worthington, hereinafter called the "City", and D&H Transportation Services, Inc., a corporation under the laws of Minnesota, hereinafter called "D&H".

WHEREAS, City has Adopted Ordinance No. 744, an Ordinance Establishing Sewer Use Regulations, which has been codified as Chapter 51 of the Worthington City Code and hereinafter called the "Ordinance"; and

WHEREAS, D&H cleans rail cars and discharges wastewater having greater than Normal Domestic Strength Waste; and

WHEREAS, The Ordinance provides that use of the Public Sewer by a user having greater than Normal Domestic Strength Waste shall not be permitted except as provided for by a User Agreement; and

WHEREAS, The Ordinance does not prevent any special agreement or arrangement between City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by City for treatment subject to payment therefore by the industrial concern and providing that National Categorical Pretreatment Standards and City's NPDES and/or State Disposal System Permit limitations are not violated; and

WHEREAS, City does have, as a part of the Wastewater Treatment Works, a Municipal Wastewater Treatment Facility, hereinafter referred to as MWTF, designed and built with a certain capacity for the treatment of wastewater from industrial users.

NOW THEREFORE, BE IT MUTUALLY AGREED AND UNDERSTOOD THAT:

1. Pursuant to the Ordinance and consistent with the conditions of the Ordinance, the City agrees to accept and treat the wastewater discharged by D&H within the limits and in accordance with the conditions set forth in this agreement.
2. City shall accept the discharge from the D&H facility located at 1534 Joosten Road which is located within the South Half of the Southwest Quarter (S ½ SW ¼) of Section 18 , T 102 N, R 39 W. D&H shall comply with all discharge prohibitions contained in the Ordinance and shall limit its discharge to within the following limits:

	<u>Maximum</u> Average in any 30-day period	<u>Maximum</u> Daily	<u>Units</u>
Flow:	24,999	24,999	gallons/day
Biological Oxygen Demand (BOD):	400	400	pounds/day
Total Suspended Solids (TSS):	314	314	pounds/day
Oil & Grease:	-	100	milligrams/liter
Ammonia Nitrogen		35	milligrams/liter
Total Phosphorus (TP)	8.4	8.4	pounds/day

pH: not less than 5.0 nor more than 9.5 at any time

In addition, the discharge of the following specific pollutants to the MWTF is prohibited:

- a) pollutants which create a fire or explosion hazard, including any discharge with a flash point less than 60°C (140°F),
- b) pollutants which will cause corrosive structural damage,
- b) solid or viscous pollutants which will cause obstruction to flow,
- c) heat which will inhibit biological activity, but in no case heat in such quantities that the temperature at the MWTF treatment plant exceeds 40-C (104-F),
- d) pollutants which result in the presence of toxic gases, vapors, or fumes that may cause acute worker health and safety problems, create a public nuisance, or are sufficient to prevent entry into the sewers for their maintenance and repair.

3. D&H shall install and properly maintain such discharge monitoring equipment required to obtain representative flow or time-proportioned samples of all wastewater discharged from all operations. Such equipment shall be housed in a temperature controlled enclosure with access controllable by MWTF operators. The City will collect the wastewater samples on a schedule as may be set by the City which is not to be less than twice weekly.

The City will provide for the analyses of BOD and TSS not less than weekly, TP not less than twice weekly, and Ammonia Nitrogen not less than quarterly to determine compliance with this Agreement and the Ordinance, and to establish user charges. D&H shall reimburse the City for the costs of providing analyses of BOD, TSS, TP, and Ammonia Nitrogen. The City will provide for the analyses of Oil and Grease, pH, and any other pollutant deemed appropriate by the City to determine compliance with this Agreement and the Ordinance. If a violation of this Agreement or the Ordinance occurs, D&H shall reimburse the City for the costs of providing analyses of Oil and Grease, pH, and any other pollutants and for all subsequent analyses which may be deemed appropriate by the City to ensure compliance with this Agreement and the Ordinance.

Unless otherwise metered as allowed for herein, the volume of wastewater flow will be calculated from the volume of metered water usage. In the event that D&H utilizes water from sources other than, or in addition to, the municipal water system, D&H shall meter, in a manner approved by the City, any such water supply to allow determination of total monthly water usage.

D&H may meter the volume of wastewater flow discharged to the Wastewater Treatment Works in a manner approved by the City. Any metering device or devices used to measure the volume of discharged wastewater shall be maintained as necessary to ensure accuracy. The City reserves authority to monitor the accuracy of such volume measurement through use of metered water usage and documentation of the disposition of any volume not discharged to the Wastewater Treatment Works. The City also reserves authority to calculate the volume of wastewater flow from the volume of metered water usage at any time the accuracy of the metered wastewater discharge is not able to be verified.

4. D&H shall notify the City immediately by phone and within seven (7) days in writing, of any spill or slug discharge which may result in a violation of the limits stated above. D&H shall also notify the City in advance of any changes in discharge. D&H shall notify the City of any changes in discharge which will require an amendment of this Agreement at least 180 days prior to the planned change. Unless or until superseded, the limitations contained in this Agreement shall be controlling.

5. This Agreement is enforceable under the provisions of the Ordinance. A violation of this Agreement shall be a violation of the Ordinance and subject to the enforcement provisions contained in the Ordinance.

6. D&H shall pay all user charges as specified in the City Ordinance No. 745 which has been codified as Chapter 51 of the Worthington City Code. D&H shall also pay a surcharge on the quantity of Total Phosphorus that exceeds the limit defined in Section 2. The surcharge shall be calculated as follows:

$$\text{Surcharge} = \text{TPSU} \times F \times \text{TPSR}$$

Where:

TPSU (TP Surcharge Units) = Standard Deviation of TP concentrations sampled during the billing period (in mg/l) x 8.34

F (Flow) = Billable flow in million gallons of the billing period

TPSR (TP Surcharge Rate) is based on the following:

<u>L/A</u>	<u>Surcharge Rate</u>
≤1	\$0
>1 and <2	(L/A - 1) x TP Usage Charge Rate
≥ 2	TP Usage Charge Rate

L/A (Loading to Allocation Ratio) = The average discharge of total phosphorus per work day ÷ daily limit of total phosphorus defined in Section 2

TP Usage Charge Rate = the per pound rate for total phosphorus calculated annually in the Sewer Service Charge System

7. D&H shall maintain all monitoring and other records relevant to its wastewater discharge for at least 3 years. As provided for in the Ordinance, the City shall have a right of entry into any D&H facility where wastewater is produced; where wastewater is treated; where sampling and monitoring equipment is located; and where any records required to be maintained under the Ordinance or this Agreement are located. Further, the City may, at reasonable times, have access to and review and/or copy any wastewater discharge records; inspect the wastewater producing processes; wastewater treatment processes or sampling and monitoring facilities; and monitor and/or sample the wastewater discharged by the company.

8. In addition to other rights or remedies, upon violation of the terms of this Agreement, the Administrator may terminate this Agreement upon five (5) days' written notice. If termination shall occur, D&H shall immediately cease discharging to the treatment works. If, after notice hereunder, D&H continues to discharge to the treatment works, the Administrator may order the Water Department to immediately discontinue service to D&H.

9. This Agreement expires on March 31, 2016.

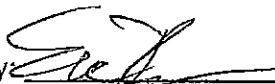
10. This Agreement is not transferable except with the prior written permission of the City, and with a specific written Agreement by the transferee as to all conditions of this Agreement.

Agreed To:

City of Worthington

D&H Transportation Services, Inc.

By: _____
Alan E. Oberloh, its Mayor

By:  _____
~~Joseph Re, Secretary/Treasurer~~
Eric Drumm VP

By: _____
Janice Oberloh, its Clerk

COMMUNITY/ECONOMIC DEVELOPMENT MEMO

DATE: APRIL 6, 2012
TO: HONORABLE MAYOR AND COUNCIL
SUBJECT: ITEMS REQUIRING COUNCIL ACTION OR REVIEW

CASE ITEMS

1. TABLED ITEM - TEXT AMENDMENT (PETROLEUM BULK STATIONS)

On February 13, 2012, City Council tabled a text amendment application submitted by B & J Oil that would allow petroleum bulk stations as a permitted or conditional land use in the "B-3" - General Business zoning districts. Tabling the application allowed the applicant the opportunity to explore other avenues to obtain approval for the installation of 3 additional bulk storage tanks on the applicant's property. A copy of the case item and an excerpt of the February 13th meeting minutes are included as Exhibit 1.

The applicant requested an interpretation of Title XV, Section 155.201 of the City Code. This section outlines the regulations related to non-conforming land uses. A copy of the Section is included in Exhibit 1. The applicant's position is that the installation of the 3 bulk tanks is not an expansion/enlargement to the business but a legal obligation so as to make B & J Oil compliant with the Biodiesel Content Mandate. Information regarding the mandate is provided in Exhibit 1.

Staff forwarded the request for interpretation to the Planning Commission, which considered it at its April 3rd meeting. Upon hearing presentations from B&J Oil and City staff, the Commission, by a 3-1 vote, adopted B&J Oil's urged interpretation that the installation of the 3 tanks was not an expansion and did not violate Title XV, Section 155.201 of the City Code. The day following the Planning Commission's meeting, staff asked to meet with the City Attorney to discuss the Planning Commission's interpretation of the Ordinance. Thereafter, the City Attorney has given his opinion that it was not appropriate for the Planning Commission to have addressed the interpretation issue by direct request from the applicant and City staff and without the request for advice having come from the City Council. Further, the attorney's opinion is that the Commission's jurisdiction to act upon B&J Oil's request ended with its recommendation to deny the text amendment as that issue remains pending with the City Council. A copy of the City Attorney's opinion is included in Exhibit 1.

Based on the City Attorney's opinion, the Council must take action on the text amendment request which was earlier tabled. If the Council decides to approve the text amendment, the applicant will be able to install the tanks in compliance with the Ordinance. However, approval of the text amendment would also grant all property owner's within B-3 districts the same opportunity as the applicant, which would contradict the City's Comprehensive Plan. If the Council denies the text amendment, the applicant may not add tanks to its property unless the Council were to interpret Title XV, Section 155.201 of the City Code as not prohibiting additional tanks.

If the Council wants to interpret Section 155.201 in such a way so as to allow the installation of additional storage tanks, it must do so in a reasonable manner which takes into account the fact that any interpretation in this case will apply to all applicable non-conforming land uses located in the City now and in the future. Please refer to the City Attorney's letter for a detailed explanation.

Staff recommends that the Council also consider another alternative which would be for B&J Oil to submit an application for an Interim Use Permit. The issuance of an interim use permit would be an option if the Council decides to deny the text amendment and wishes to avoid an interpretation of the non-conforming use ordinance which might have unintended consequences in the future. The purpose of an interim use permit is to allow a use of a property for a reasonable amount of time in a manner that is not permitted in the applicable zoning district or not part of the long-term plan set forth in the Comprehensive Plan. The interim use permit legislation was adopted in July 2011 and has been used a few times for the temporary contractor yards related to Hwy 60 project. A copy of the Interim Use Permit regulations are provided in Exhibit 1. This option was presented at the April Planning Commission meeting. Should Council believe this is the right option, there is a due process that must be adhered to. As such, the Council could suggest the applicant file an application.

Council action is requested.

2. **WORKFORCE HOUSING PROGRAM AMENDMENT**

City Council adopted a Workforce Housing Program in 2008 to stimulate home ownership opportunities for individuals or families with incomes that do not exceed 80% of the area median income (AMI) within the boundaries City's TIF District #7. The program essentially buys down the public infrastructure costs associated with a lot where a new single family home has been constructed or purchased by eligible home buyers. The funds are awarded as a 5 year forgivable loan. A copy of the current Workforce Housing Program is provided in Exhibit 2.

To date, the City has not received any applications. Staff recently approached the three largest owners of vacant property in TIF District #7 to discuss the Program. All three of them indicated that the program's major drawback was the sale price ceiling established (\$150,000) since the cost of construction easily exceeds that number. Upon review of the other homeowner financing programs available for eligible home buyers, staff discovered the maximum sales price ranged from \$169,000 (USDA Rural Development) to \$237,031 (MHFA - MCPP).

It is staff's opinion that the City's program was intended to compliment the other state/federal programs to stimulate new single family construction in the target area. Therefore, staff would recommend Council amend the program to increase the maximum sales price to the MHFA's MCPP ceiling of \$237,031.

Council action is requested.

Council should also note the program literature will be revised to reflect the income limits for 2012, which are:

1-4 person household	\$73,900
5 person household	\$79,800
6+ person household	\$84,895

COMMUNITY/ECONOMIC DEVELOPMENT MEMO

DATE: FEBRUARY 10, 2012
TO: HONORABLE MAYOR AND COUNCIL
SUBJECT: ITEMS REQUIRING COUNCIL ACTION OR REVIEW

CASE ITEMS

1. TEXT AMENDMENT

B & J Oil Company is requesting an amendment to Title XV, Section 155 of the City Code to allow petroleum bulk stations as a permitted or conditional land use in the “B-3” - General Business zoning districts. Approval of the text amendment would eliminate the applicant’s legally non-conforming (a.k.a. “Grandfathered”) status and allow the applicant to pursue expansion of its business at its current location of 2095 Hwy 59.

The Planning Commission held a public hearing on the proposed text amendment on January 3, 2012 and discussed the matter further on February 7, 2012. The Commission determined the application conflicted with the City’s Comprehensive Plan and that it believed petroleum bulk stations did not fit the purpose and intent of the “B-3” zoning district. Therefore, by unanimous vote, the Commission has recommended the denial of the proposed amendment.

Their recommendation is based on the following considerations:

1. Many communities, including Worthington, adopt a Zoning Ordinance to set forth regulations and standards relating to the nature and extent of uses of land within the community. Within the context of an ordinance, there is an adoption of an official zoning map that designates districts. These zoning districts outline uniform regulations for all properties to abide by, including land use. In the City of Worthington, there are 19 zoning districts (7 residential, 4 commercial, 2 industrial, and 6 special districts). Each district has its own regulations (i.e., setbacks, densities, building coverages, land uses) to assure the districts are developed harmoniously. The Worthington Zoning Ordinance groups similar land uses into land use groups and identifies in which zoning districts each land use group is permitted, permitted by special use or not permitted at all. A copy of the Schedule of Land Uses and Zoning Map are included as Exhibit 1 for reference.

2. According to the Zoning Ordinance, petroleum bulk stations are classified as a heavy manufacturing land use. Heavy manufacturing land uses are only permissible in the “M-2” - General Manufacturing zoning district through the issuance of a conditional use permit. The intent of the “M-2” zoning classification is to provide space for manufacturing and industrial operations which are potentially incompatible with most other uses. Ordinarily, these areas have few pedestrian movements and a large amount of truck and trailer traffic. It is common for land uses in industrial districts to emit various levels of noise, smoke, odor, vibration, etc... .

3. The general purpose of the “B-3” - General Business zoning district is to group compatible commercial/service business uses to draw trade that is mutually interchangeable and promotes prosperity and public convenience. This zoning classification is typically found along arterial roads (i.e., Oxford Street, Humiston Avenue - north of Oxford Street) and the collector roads that feed the arterial roads (i.e., Ryan’s Road, McMillan Street - north of Oxford Street).
4. The Comprehensive Plan is a planning tool that is used to guide growth, redevelopment and improvements in Worthington. The goals and objectives of the Comprehensive Plan are utilized to establish the zoning and subdivision regulations for the community. The Plan is also utilized to shape the City’s Capital Improvement Plan, which is a 5-year plan that outlines the infrastructure improvements within the community. Included in the Comprehensive Plan is the Land Use Map, which describes the use of property and enforces land use patterns, identifies places where change is needed, and sets the form and location for future growth.

The current Land Use Map designates the area in question for highway commercial (Exhibit 1). The purpose and intent of highway commercial is to provide space for high intensity commercial businesses that have a trade area greater than Worthington and due to the potential of generating high traffic volumes their location must be on or with adequate access to arterial roads. Furthermore, the area west of Hwy 59 is shown to be reserved for future commercial / industrial development. With a limited amount of virgin land for highway commercial development remaining south of Interstate 90, the City has begun to take steps to open this area up for development. In 2012, the City will commence several infrastructure improvements along and west of Hwy 59. These improvements, which are estimated to cost \$5 million, include Hwy 59 widening, County Ditch 12 relocation, storm water retention, and water and sewer extensions. The improvements have been designed to accommodate the projected land use patterns outlined in the master plan completed by SEH for the subject area in 2009. A copy of the land use section of the master plan is included as Exhibit 1.

5. The existing bulk station is defined as a legally non-conforming (a.k.a. “grandfathered”) land use under the provisions of the Zoning Ordinance. This designation recognizes that the use of the land was lawful before the adoption of the zoning regulation that prohibits the establishment of the land use today. “Grandfathered” land uses are allowed to continue in present form but not encouraged for growth or survival. To assure the “grandfathered” land use will eventually cease to exist, the Zoning Ordinance prohibits legally non-conforming land uses from being “enlarged or extended to occupy a greater area of land than was occupied at the effective date of this title. No non-conforming use of land shall be moved in whole or part to any portion of the lot or parcel...”.

Why was a building permit issued for a 36' x 40' storage building in 1994 when petroleum bulk stations are not a permitted use in the “B-3” District? The building permit for the building was approved by Bill Boltjes, the former City Building Official. According to Mr. Boltjes, the building permit was issued because the building was designed for cold storage. Since its design did not allow for the storage of hazardous

materials (petroleum gas, oils, etc...), the building was considered as ancillary to the non-conforming business (not expansion of non-conforming use) and if required to stand alone it would be considered a permitted use in the "B-3" District (warehousing).

6. What is the difference between a gas station and a petroleum bulk station? As indicated at the January meeting, the Worthington City Code does not provide a definition of either land use. To provide the Commission with a definition of both, staff utilized the services of the American Planning Association (APA), which is an independent, not-for-profit educational organization that provides leadership in the development of vital communities by advocating excellence in community planning, promoting education and citizen empowerment.

While each community has their own definitions unique to that community, the APA does have a glossary/dictionary that provides a generally accepted definition(s) for a word or phrase commonly used in zoning/planning matters. According to the "Planners Dictionary", a gas station and petroleum bulk station may be defined as:

GAS STATION

1. Any lot or parcel of land or portion thereof used partly or entirely for the storing and dispensing flammable liquids, combustible liquids, liquified flammable gas, or flammable gas into the fuel tanks of motor vehicles.
2. Any building structure, or area of land used for the retail sale of automobile fuels, oils, and accessories, where repair services, if any, is incidental.
3. That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a car wash.

PETROLEUM BULK STATION

1. A facility for the storage of fuels and other volatile products for distribution to retail sales facilities or other bulk purchasers.
2. An open air facility containing a number of aboveground, large containers for the bulk storage in liquid form of petroleum products.
3. The storage of petroleum products or hazardous materials in above ground containers for subsequent resale to distributors, retail dealers, or bulk purchasers.

ZONING DISTRICTS

R-1 One Family Detached Residential District

R-2 One Family Low Density Residential District

R-3 Low Density Preservation Residential District

R-4 Multi-Family Medium Density District

R-5 Multi-Family Medium and High Density District

R-6 Mobile Home District

R-7 One Family Incremental Growth Residential District

B-1 Neighborhood Business

B-2 Central Business District

B-3 General Business District

B-4 Shopping Center District

M-1 Light Industrial District

M-2 Heavy Industrial District

S Natural Features District

I Institutional

TZ Transitional Zone

L Lakeshore

PUD Planned Unit Development
(Ord. 808, passed 3-13-95)

KEY: P - Permitted Use
 S - Special Development
 A - Accessory Use

SCHEDULE OF USE REGULATIONS

RESIDENTIAL USE GROUPS	RESIDENTIAL							BUSINESS				INDUSTRIAL			OTHER		
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	M-1	M-2	I	S	TZ	L
A. Single Family	P	P	P	P	S	S	P	P	S	—	—	—	—	S	—	P	—
B. Townhouse	S	P	P	P	P	—	—	S	—	—	—	—	—	S	—	S	—
C. Two family	S	P	P	P	S	—	—	S	—	—	—	—	—	—	—	S	—
D. Multi-family	S	S	S	P	P	—	—	—	S	—	—	—	—	—	—	—	—
E. Mobile Homes	—	—	—	—	—	P	—	—	—	—	—	—	—	—	—	—	—
F. Home Occupations	A	A	A	A	A	A	A	A	A	—	—	—	—	A	—	A	—
G. Boarding Houses	—	—	S	S	S	—	—	S	S	—	—	—	—	S	—	—	—
H. Guest Home	—	—	—	S	S	—	—	—	S	S	—	—	—	S	—	—	—
I. Fraternity & Sorority Houses	—	—	—	S	P	—	—	—	S	—	—	—	—	S	—	—	—
J. Child Care	S	S	S	S	P	S	S	S	S	S	S	—	—	S	—	—	—
K. Convalescent, Nursing and Rest Homes	—	—	S	S	S	—	—	—	S	—	—	—	—	S	—	—	—
L. Hospitals	—	—	S	S	S	—	S	—	S	—	—	—	—	P	—	—	—
M. Motels	—	—	—	S	S	—	—	—	P	P	S	—	—	S	—	—	—
N. Seasonal Residential	—	—	—	—	—	—	—	—	—	S	—	—	—	—	S	S	—
O. Clubs	—	—	S	S	P	—	—	S	P	P	S	—	—	S	—	—	—
P. Civic	S	P	P	P	P	P	P	S	P	S	S	—	—	S	S	—	—
Q. Public Service	—	—	—	—	—	—	—	—	S	S	—	S	P	—	—	S	—
R. Utility Stations	P	P	P	P	S	P	P	S	S	P	S	P	P	S	S	S	—
S. Recreational: ¹	P	P	P	P	S	S	P	S	—	S	S	S	—	—	P	—	—
T. Recreational: ²	S	P	P	P	S	P	P	—	—	S	S	S	S	S	P	S	—
U. Public Institutional and Cultural	S	S	S	P	P	S	S	S	S	S	S	S	—	P	S	S	—

SCHEDULE OF USE REGULATIONS

KEY: P - Permitted Use
 S - Special Development
 A - Accessory Use

RESIDENTIAL USE GROUPS	RESIDENTIAL								BUSINESS				INDUSTRIAL			OTHER		
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	M-1	M-2	I	S	TZ	L	
V. Major Educational	—	—	—	—	S	S	—	—	—	—	—	—	—	P	—	—	—	
W. Agricultural	—	—	—	—	—	—	—	S	—	P	P	P	P	P	S	P	—	
X. Greenhouse	—	—	—	S	—	—	—	S	S	S	S	S	S	S	—	S	—	
Y. Cemetery	—	S	—	S	—	—	S	—	—	—	—	S	—	—	—	P	—	
Z. Parking Lots	S	S	S	S	P	S	S	P	P	P	P	P	P	P	S	S	—	

FOOTNOTES:

1. Public and quasi-public
2. Private
3. Temporary Occupancy

KEY: P - Permitted Use
S - Special Development
A - Accessory Use

SCHEDULE OF USE REGULATIONS

NON-RESIDENTIAL USE GROUPS	RESIDENTIAL								BUSINESS				INDUSTRIAL				OTHER			
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	M-1	M-2	I	S	TZ	L			
	A. Daily Retail	—	—	—	S	S	—	—	P	P	P	P	S	—	S	—	—	—		
B. Convenience Goods	—	—	—	—	S	—	—	P	P	P	P	—	—	—	—	—	—			
C. Shopper Common Goods	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—			
D. Shopper Occasional Goods	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—			
E. Home Furnishings	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—			
F. Restaurants	—	—	—	—	S	—	—	—	P	P	P	S	—	S	—	—	—			
G. Restaurants (Drive-In)	—	—	—	—	—	—	—	—	—	S	S	S	—	—	—	—	—			
H. Entertainment (Public)	—	—	—	—	—	—	—	—	P	S	S	S	—	—	—	—	—			
I. Open Air Recreation	—	—	—	—	—	—	—	—	—	P	S	S	—	—	—	—	—			
J. Daily Services	—	—	—	—	S	—	—	P	P	P	P	S	—	S	—	—	—			
K. Office Services	—	—	—	—	—	—	—	P	P	P	P	S	—	S	—	—	—			
L. Medical Services	—	—	—	—	S	—	—	—	P	P	P	—	—	P	—	—	—			
M. Household Goods - Repair Services	—	—	—	—	—	—	—	—	S	P	S	P	S	—	—	—	—			
N. Home Improvement Services	—	—	—	—	—	—	—	—	S	P	S	P	S	—	—	—	—			
O. Supplies	—	—	—	—	—	—	—	—	S	S	S	S	P	—	—	—	—			
P. Automotive and Farm Implement	—	—	—	—	—	—	—	—	S	P	S	S	S	—	—	—	—			
Q. Automotive Service	—	—	—	—	—	—	—	S	S	P	S	S	S	—	—	—	—			
R. Animal Services	—	—	—	—	—	—	—	—	—	S	S	S	S	—	S	S	—			
S. Mortuary	—	—	S	S	S	—	—	—	S	S	—	—	—	—	—	—	—			
T. Parking	—	—	—	S	S	—	—	S	P	P	P	P	P	S	—	—	—			
U. Terminals	—	—	—	—	—	—	—	—	P	P	S	P	S	AS	—	—	—			

KEY: P - Permitted Use
 S - Special Development
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SCHEDULE OF USE REGULATIONS

NON-RESIDENTIAL USE GROUPS	RESIDENTIAL								BUSINESS				INDUSTRIAL			OTHER		
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	M-1	M-2	I	S	TZ	L	
V. Printing Trades	-	-	-	-	-	-	-	-	P	P	S	P	P	-	-	-	-	
W. Cleaning	-	-	-	-	-	-	-	-	P	P	S	P	P	-	-	-	-	
X. Extractive and Recovery Industry	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	S	-	
Y. Manufacturing - Light Assembly	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	
Z. Figurines	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	
AA. Manufacturing- General	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
BB. Manufacturing-Heavy	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	
CC. Manufacturing- Primary Production	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	
DD. Manufacturing- Special Process	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	
EE. Transient Amusement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	
FF. Railroad Right-of-Way	-	-	-	-	-	-	-	-	P	P	P	P	P	S	-	P	-	
GG. Warehouse	-	-	-	-	-	-	-	-	-	P	-	S	P	-	-	-	-	
HH. Pet Stores	-	-	-	-	-	-	-	-	S	S	S	S	-	-	-	S	-	
II. Adult Oriented Businesses	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	-	
JJ. Contractor Yard	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	

TABLE OF USE GROUPS**PART I. RESIDENTIAL AND OTHER USE GROUPS**

- A. SINGLE FAMILY - Single family detached dwellings.
- B. TOWNHOUSE - Single family attached and detached dwellings.
- C. TWO FAMILY - Two family dwellings.
- D. MULTI-FAMILY - Dwellings designed to contain more than two families.
- E. MOBILE HOME - Mobile home parks.
- F. HOME OCCUPATIONS
- G. BOARDING HOUSES
- H. GUEST HOME
- I. FRATERNITY AND SORORITY HOUSES
- J. CHILD CARE - Nursery schools, child care centers (not including dormitories), and family and group day care centers.
- K. CONVALESCENT, NURSING, AND REST HOMES
- L. HOSPITALS
- M. MOTELS - Hotels, motels and apartment hotels
- N. SEASONAL RESIDENTIAL - Summer cabins, camps, cottages and travel trailer parks, for seasonal and not permanent or year-around occupancy, temporary occupancy
- O. CLUBS - Clubs, fraternities, lodges and meeting places for other organizations, not including any use that is customarily conducted as a gainful business
- P. CIVIC - Convention center, community center, public library, public museum, public art gallery, public recreation, fire station, public botanical garden, public auditorium and similar uses, each without outdoor storage
- Q. PUBLIC SERVICE - Warehouses, garages, storage yards and shops that are owned and operated by a governmental unit, together with accessory administrative buildings

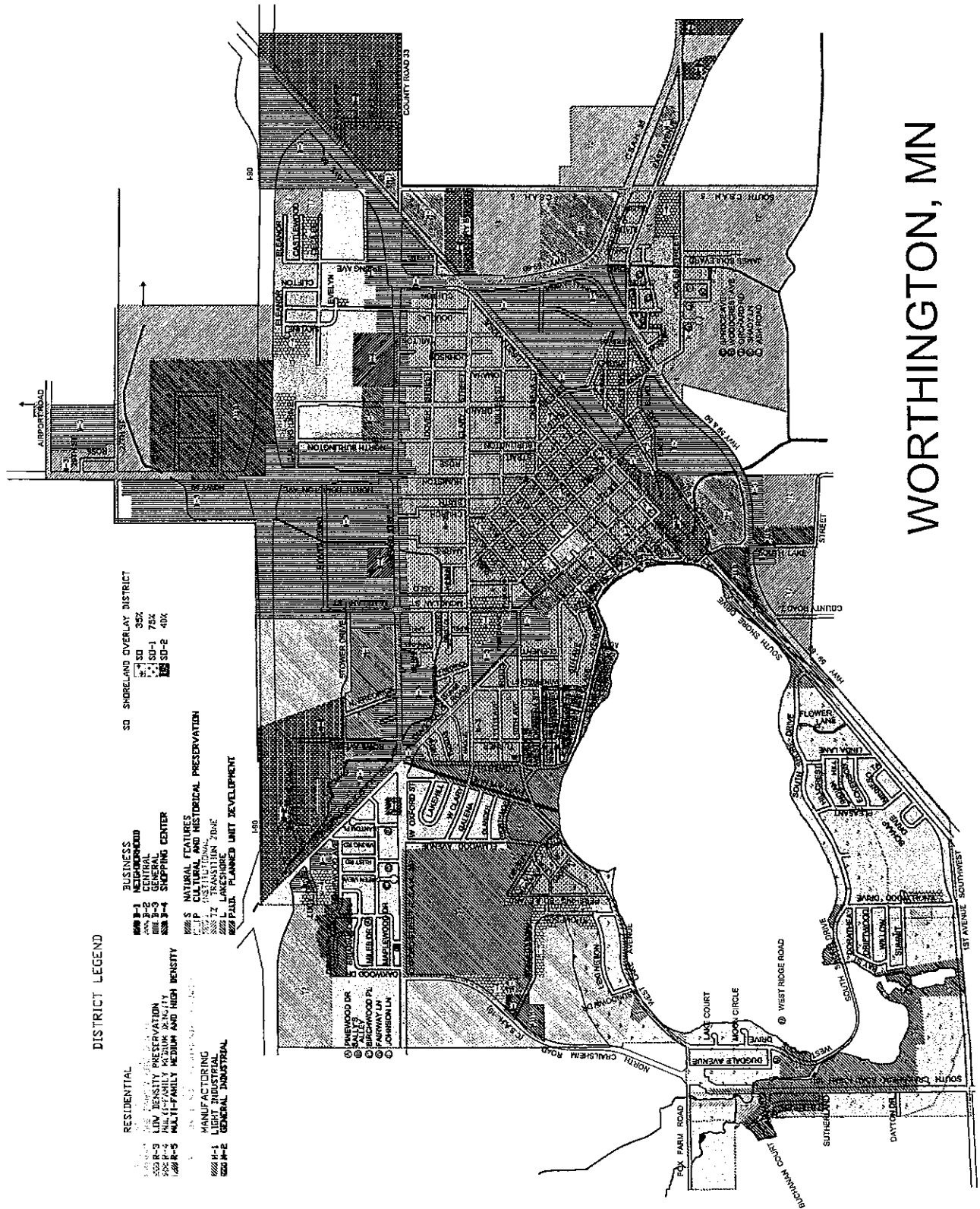
- R. UTILITY STATIONS - Static transformer stations, booster station, transmitters and other utility stations, when operating requirements necessitate locating in districts as determined by the Zoning Administrator
 - S. RECREATIONAL (Public and Quasi-Public) - Public parks, playgrounds, recreation and community center buildings and grounds; golf courses, country clubs, tennis courts and similar recreational uses, all of a non-commercial nature
 - T. RECREATIONAL (Private) - Private non-commercial recreation areas and facilities not listed above, including swimming pools, country club, and tennis club
 - U. PUBLIC INSTITUTIONAL AND CULTURAL - Public, parochial and other private elementary, junior high or high school offering courses in general education, and not operated for profit. Churches, temples and other places of worship, monasteries, convents, rectories and parsonages, including church schools, public libraries, public museums, public art galleries and similar public cultural uses
 - V. MAJOR EDUCATIONAL - Colleges, universities and seminaries, book stores, computer service centers, fraternity and sorority houses, dormitories and similar uses
 - W. AGRICULTURAL - Outdoor nurseries, forestry, sod farming and crop farming
 - X. GREENHOUSES - Nurseries, greenhouses
 - Y. CEMETERY - Cemeteries and mausoleums
 - Z. PARKING LOTS - Automobile parking lots and garages, excluding repair and parking of trucks, buses equipment and goods
- ('69 Code, Ch. 7 App. Table 5) (Am. Ord. 820, passed 3-25-96; Am. Ord. 822, passed 4-8-96)

PART II. NON-RESIDENTIAL USE GROUPS

- A. **DAILY RETAIL** - Any retail business supplying daily needs and commodities primarily for residents of the adjoining neighborhood, such as drugs, grocery, liquor for consumption off the premises, meats excluding slaughtering, and bakery and candy stores, including the baking and processing of food products when prepared for retail sale on the premises
- B. **CONVENIENCE GOODS** - Any retail business supplying only daily need commodities for the residents of the surrounding neighborhoods, such as supermarkets, drug stores, florists, gift and card, book and stationery, hardware, paint and wallpaper, coins and philately, cosmetics and perfume, hobbies and toys, office supplies, tobacco shops, photographic supply and cold storage lockers, excluding slaughtering
- C. **SHOPPER COMMON GOODS** - Such as apparel, variety, jewelry, shoes, and dry goods
- D. **SHOPPER OCCASIONAL GOODS** - Such as leather, luggage, furs and foundation ware
- E. **HOME FURNISHINGS** - Such as furniture, appliances, floor covering, draperies
- F. **RESTAURANTS** - Restaurants, cafes, delicatessens and tea rooms, but not including entertainment, dancing, alcoholic beverages not consumed with a meal or drive-in restaurants
- G. **RESTAURANTS (DRIVE-IN)** - Drive-in eating and drinking
- H. **ENTERTAINMENT (PUBLIC)** - Bars, taverns, cocktail lounges, night clubs, theaters, billiard parlors, pool halls, bowling alleys and massage parlors
- I. **OPEN AIR RECREATION** - Any type of commercial recreation including golf driving ranges, drive-in theaters, swimming pools, skating rinks, tennis clubs, but excluding auto race tracks
- J. **DAILY SERVICES** - Any service establishment performing services primarily for residents of the adjoining neighborhood such as a barber, beautician, self-service laundries, clothes cleaning and laundry pickup stations, shoe repair and shine, and tailor shops
- K. **OFFICE SERVICES** - Public and private offices, banks and financial, post office (not major distribution), utility office and collection, and photographers
- L. **MEDICAL SERVICES (EXCLUDING NON-HUMAN)** - Medical clinic, optometrist, optical services, and chiropody
- M. **HOUSEHOLD GOODS REPAIR SERVICES** - Including sales, parts and repair but not including appliance assembly or manufacturing, upholstery, watch and clock repair, locksmith, or pawn shop

- N. HOME IMPROVEMENT SERVICES - Carpenter shops, plumbing and heating repair, painting and paper hanging shops, janitorial services, excluding contractor yards
- O. SUPPLIES - Farm, feed and seed supply, lumber yards and lawn and gardening supplies
- P. AUTOMOTIVE AND FARM IMPLEMENT - Automotive sales, parts, repair or for hire, auto accessories, auto auction, used car lots, farm implement sales, parts and repair, recreation vehicle sales, parts and repair, mobile home sales and storage
- Q. AUTOMOTIVE SERVICE - Gas stations and car wash
- R. ANIMAL SERVICES - Kennels, animal hospitals, veterinarian clinics, animal auction, livestock buying and selling, extermination and pounds
- S. MORTUARY
- T. PARKING - Automobile parking lots and garages, excluding repairs
- U. TERMINALS - Ambulance and taxi service, bus, rail and rotocraft terminals excluding motor freight
- V. PRINTING TRADES - Publishing, job printing, lithographing, blue printing
- W. CLEANING - Clothes cleaning and dyeing, diaper service, laundries, linen supply and carpet and rug cleaning
- X. EXTRACTIVE AND RECOVERY INDUSTRY - This group includes the mining, quarrying, excavation, processing, storing, separating, cleaning or marketing of natural resources such as sand, gravel, earth, peat, coal, minerals, gas, and oil, etc., the establishment or operation of junk yards or the salvaging or reclamation of materials
- Y. MANUFACTURING - LIGHT ASSEMBLY - The manufacturing, compounding, assembling or treatment of products from the following previously prepared materials, bone, canvas, cellophane, cloth, cork, feathers, felt, fibre, fur, glass, hair, leather (tanned), horn, paper, plastics, precious or semi-precious metals or stones, sheet metal, shell, textiles, tobacco, wax, wood (except saw and planing mills) and yarns
- Z. FIGURINES - The manufacture of pottery, figurines or other similar products, using only previously pulverized clay, and kilns fired only by electricity or gas
- AA. MANUFACTURING - GENERAL - Any manufacturing use meeting performance standards (and not listed separately under MANUFACTURING: HEAVY, PRODUCTION, OR SPECIAL PROCESS)

- BB. MANUFACTURING, HEAVY - The manufacturing of acetylene in excess of 15 pounds pressure psi; and acid; asbestos; asphalt and concrete mixing but not manufacturing; automobile assembly; bleaching, cleaning and dyeing plant brewing or distilling of liquors, brick, pottery, tile and terra cotta manufacturing; petroleum bulk station; candle or sperm oil manufacturing; disinfectant, insecticide or poison manufacturing; crematory; cooperage works dextrine, starch or glucose manufacturing; emery cloth or sandpaper manufacturing; felt manufacturing; flour or grain mill; forge or foundry works; hair or hair products manufacturing; lime or lime products manufacturing; linoleum, oil cloth or oiled goods manufacturing; match manufacturing; meat packing, stockyards or slaughterhouses; paper and pulp manufacturing; perfume manufacturing; pickle, sauerkraut or sausage manufacturing; plaster manufacturing; poultry slaughter-house, including packing and storage for wholesale; printing ink manufacturing; radium products; sewage treatment plant; shoddy manufacturing; shoe blacking or polish manufacturing; steel fabrication; steam power plant, except where accessory to a permitted principal use; and stone and monument works
- CC. MANUFACTURING - PRIMARY PRODUCTION - Manufacturing uses involving primary production of asphalt, cement, charcoal and fuel briquettes; aniline dyes; ammonia, carbide, caustic soda, cellulose, chlorine, carbon black and bone black, creosote hydrogen, and oxygen, industrial alcohol, nitrates of an explosive nature, potash, plastic materials, and synthetic resins, pyroxylin, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulphuric acids; coal, coke, and tar products, including gas manufacturing; explosive, fertilizers, gelatine, animal glue and size; turpentine, rubber soaps, including fat rendering
- DD. MANUFACTURING - SPECIAL PROCESS - The processes of nitrating of cotton or other materials; magnesium foundry; reduction, refining, smelting, and alloying of metal or metal ores; slag piles, refining petroleum products, such as gasoline, kerosene, naphtha, lubricating oil, distillation of wood or bones; storage, curing or tanning of raw, green or salted hides or skins
- EE. TRANSIENT AMUSEMENT - Circus, carnivals and other transient amusement enterprises, auto race tracks and county fairs
- FF. RAILROAD RIGHT-OF-WAY - Railroad right-of-way but not including terminals, transfer and storage tracks, nor accessory structures except incidentally provided for communication or switching equipment
- GG. WAREHOUSE - Wholesale warehouse and motor freight terminals
- HH. PET STORES
- II. ADULT ORIENTED BUSINESS
- JJ. CONTRACTOR YARD
(69 Code, Ch. 7 App. Table 5) (Am. Ord. 773, passed 1-13-92; Am. Ord. 829, passed 2-24-97; Am. Ord. 870, passed 10-12-98)



DISTRICT LEGEND

- | | | |
|---|--|---|
| RESIDENTIAL | BUSINESS | SD SHORELAND OVERLAY DISTRICT |
| <ul style="list-style-type: none"> SD R-1 SINGLE-FAMILY RESIDENTIAL SD R-2 LOW DENSITY PRESERVATION SD R-3 MEDIUM DENSITY PRESERVATION SD R-4 HIGH DENSITY PRESERVATION SD R-5 MULTIFAMILY MEDIUM AND HIGH DENSITY | <ul style="list-style-type: none"> SB B-1 BUSINESS CENTER SB B-2 NEIGHBORHOOD GENERAL SB B-3 GENERAL SB B-4 SHOPPING CENTER | <ul style="list-style-type: none"> SD-1 SD 35% SD-2 SD 40% SD-3 SD 45% SD-4 SD 50% SD-5 SD 55% SD-6 SD 60% SD-7 SD 65% SD-8 SD 70% SD-9 SD 75% SD-10 SD 80% SD-11 SD 85% SD-12 SD 90% SD-13 SD 95% |
| <ul style="list-style-type: none"> SD M-1 MANUFACTURING SD M-2 LIGHT INDUSTRIAL SD M-3 GENERAL INDUSTRIAL | <ul style="list-style-type: none"> SD N-1 NATURAL FEATURES PRESERVATION SD N-2 CULTURAL AND HISTORICAL PRESERVATION SD N-3 OPEN SPACE PRESERVATION SD N-4 TRANSITION ZONE SD N-5 LAKESHORE SD N-6 PLANNED UNIT DEVELOPMENT | |

WORTHINGTON, MN

allocated for 2012

- The "Y" is requested to develop, promote and operate additional programs such as a 3 on 3 basketball league and/or a youth soccer program which has not been a part of previous agreements. The City agrees to share in the expense of actual documented cost for any new program on a 50/50 cost basis. The actual cost to be the difference between the actual documented expenditure less revenue collected

The agreement is projected to save the City \$13,847.00 for 2012.

The motion was made by Alderman Woll, seconded by Alderman Ten Haken and unanimously carried to approve the agreement with the YMCA to operate and manage the City's 2012 summer youth recreation programs.

AGRICULTURAL LEASE BETWEEN THE CITY OF WORTHINGTON AND DAREN BAUMAN APPROVED FOR 2012 CROP SEASON

Council considered a proposed agricultural lease between the City of Worthington and Daren Bauman for an approximate 21.90 acre parcel of property owned by the City, with the lease set to expire in February, 2013. The lease rate agreed to is \$3,942 or \$180.00 per acre, which staff believes is fair for a one year period. The property is not accessible due to a lease the City has for a 4.3 acre parcel located between the subject property and the secured fenced in area of the airport, which is also set to expire in February of 2013. Jim Laffrenzen, Public Works Superintendent, noted that setting the leases to expire at the same time will then permit staff an opportunity to look at both parcels going forward.

The motion was made by Alderman Ten Haken, seconded by Alderman Wood and unanimously carried to approve the agriculture lease agreement between the City of Worthington and Darin Bauman for the 2012 crop season.

REQUEST FOR TEXT AMENDMENT TO TITLE XV, SECTION 155 OF THE CITY CODE "B-3" - GENERAL BUSINESS ZONING DISTRICTS TABLED WITH WAIVER OF TIME REQUIREMENT ESTABLISHED BY HEARING

Council considered a text amendment to Section 155 of the Worthington City Code requested by B & J Oil Company, that would allow petroleum bulk stations as a permitted or conditional land use in the "B-3" - General Business zoning districts. Approval of the amendment would eliminate the applicant's legally non-conforming status and allow him to pursue expansion of his business at the current location. The Planning Commission held a hearing on the proposed text amendment on January 3, 2012 and discussed the issue further at their February 7, 2012 meeting. They determined the application conflicted with the City's Comprehensive Plan and that petroleum bulk stations did not fit the purpose and intent of the "B-3" zoning district, and voted unanimously to recommend

denial of the proposed amendment.

Mayor Oberloh said he was uncomfortable having this conversation while the City is in the process of eminent domain proceedings. Brad Chapulis, Director of Community/Economic Development, replied the text amendment request is a separate issue and it is important to preserve the due process for both matters. Furthermore, the City is obligated to comply with the 60 day rule outlined in State Statute, which obligates the City to take action on the text amendment.

Mr. Bill Collin, property owner, and his attorney Bill Wetering, were present at the meeting. Mr. Wetering stated that Mr. Collin was not looking to expand his business but was only trying to accommodate state mandates for separation of product. Council expressed concern that a text amendment would affect the entire city and not just the property in question. Mr. Collin replied that he requested the text amendment as that was a suggestion from City staff. Following further discussion, Bill Wetering suggested that there are other avenues to be explored and they could waive the requirements for a decision by Council to allow for exploration of those avenues.

The motion was made by Alderman Wood, seconded by Alderman Nelson and unanimously carried to table this item for two meetings with the waiver of the time line required by state statute.

PRELIMINARY PLAT PRAIRIE HOLDINGS SUBDIVISION APPROVED

Prairie Ventures, L.L.C., of Worthington, Minnesota was seeking preliminary plat approval of Prairie Holdings Subdivision, which is a replat of the most westerly portion of Block 1, Prairie Expo First Addition. The proposed subdivision is approximately 10.3 acres and would consist of two lots. The property is legally described as:

Lot 1, Block 1, Prairie Expo First Addition, in the City of Worthington, Nobles County, Minnesota, except the 1231.70 feet thereof, containing 10.33 acres and subject to a 10 foot open space easement across the north 10 feet, a 30 foot utility easement across the southerly 30 feet, as per document numbers 210567 and 210568, a 10 foot wide utility easement across the west 10 feet, a 30 foot wide easement north south sanitary sewer easement as per document number 157509 as shown, and other easements of record, if any.

The Planning Commission considered the preliminary plat at its February 7, 2012 meeting, and after holding a public hearing, voted unanimously to recommend approval of the subdivision to City Council with the following conditions:

1. The applicant submits a revised preliminary plat that complies with Title XV, Section 154.12 of the City Code (signature block missing) and shows a public easement as follows:

1. A 10 foot utility easement along the east property line of Lot 1.



MINNESOTA PETROLEUM MARKETERS ASSOCIATION

8244 RICE STREET
ST. PAUL, MN 55126-3017
651/484-7227
800/864-3813
FAX 651/484-9189

March 14, 2012

Bill Collin
B & J Oil
2095 Highway 59
Worthington, MN 56187

Bill,

Attached is the statute requiring Biodiesel in diesel fuel. As you can see right now all diesel fuel offered for sale in MN must contain 5% biodiesel. The legislature however granted some exceptions, one being for fuel delivered to railroad locomotives. This exemption was sought by the railroads because they say there are warranty issues in using biodiesel in locomotives. In fact, there is a bill working in the legislature right now to extend this exemption at least another three years. The railroads will not accept any diesel fuel with biodiesel in it.

What this means for you and a few other jobbers who deliver fuel to railroads is that you must store two different products. One diesel fuel with bio for your farm, construction and other commercial accounts and a second diesel without bio for delivery to the railroads. From our discussion it sounds to me as though you need additional tanks to store the second diesel or lose 10-15% of your business.

In addition, heating oil is exempt from the biodiesel requirement because that fuel is not used in an internal combustion engine. Some folks deliver heating oil with bio so they don't have to install additional tanks. They in effect store one fuel, you unfortunately cannot do that because of the railroad business.

If you need further information, just let me know.

Bob Krogman

www.mpmaonline.com

2011 Minnesota Statutes

239.77 BIODIESEL CONTENT MANDATE.

Subdivision 1. **Biodiesel blend and fuel.** (a) "Biodiesel blend" is a blend of diesel fuel and biodiesel fuel between six percent and 20 percent for on-road and off-road diesel-fueled vehicle use. Biodiesel blend must comply with ASTM specification D7467-08.

(b) "Biodiesel fuel" means a renewable, biodegradable, mono alkyl ester combustible liquid fuel that is derived from agricultural and other plant oils or animal fats and that meets American Society for Testing and Materials specification D6751-08 for Biodiesel Fuel (B100) Blend Stock for Distillate Fuels.

(c) Biodiesel produced from palm oil is not biodiesel fuel for the purposes of this section, unless the palm oil is contained within waste oil and grease collected within the United States or Canada.

* Subd. 2. **Minimum content.** (a) Except as otherwise provided in this section, all diesel fuel sold or offered for sale in Minnesota for use in internal combustion engines must contain at least the stated percentage of biodiesel fuel oil by volume on and after the following dates:

(1)	September 29, 2005	2 percent
(2)	May 1, 2009	5 percent
(3)	May 1, 2012	10 percent
(4)	May 1, 2015	20 percent

The minimum content levels in clauses (3) and (4) are effective during the months of April, May, June, July, August, September, and October only. The minimum content for the remainder of the year is five percent. However, if the commissioners of agriculture, commerce, and pollution control determine, after consultation with the biodiesel task force and other technical experts, that an American Society for Testing and Materials specification or equivalent federal standard exists for the specified biodiesel blend level in those clauses that adequately addresses technical issues associated with Minnesota's cold weather and publish a notice in the State Register to that effect, the commissioners may allow the specified biodiesel blend level in those clauses to be effective year-round.

(b) The minimum content levels in paragraph (a), clauses (3) and (4), become effective on the date specified only if the commissioners of agriculture, commerce, and pollution control publish notice in the State Register and provide written notice to the chairs of the house of representatives and senate committees with jurisdiction over agriculture, commerce, and transportation policy and finance, at least 270 days prior to the date of each scheduled increase, that all of the following conditions have been met and the state is prepared to move to the next scheduled minimum content level:

(1) an American Society for Testing and Materials specification or equivalent federal standard exists for the next minimum diesel-biodiesel blend;

(2) a sufficient supply of biodiesel is available and the amount of biodiesel produced in this state from feedstock with at least 75 percent that is produced in the United States and Canada is equal to at least 50 percent of anticipated demand at the next minimum content level;

(3) adequate blending infrastructure and regulatory protocol are in place in order to promote biodiesel quality and avoid any potential economic disruption; and

(4) at least five percent of the amount of biodiesel necessary for that minimum content level will be produced from a biological resource other than an agricultural resource traditionally grown or raised in the state, including, but not limited to, algae cultivated for biofuels production, waste oils, and tallow.

The condition in clause (2) may be waived if the commissioner finds that, due to weather-related conditions, the necessary feed stock is unavailable.

The condition in clause (4) may be waived if the commissioners find that the use of these nontraditional feedstocks would be uneconomic under market conditions existing at the time notice is given under this paragraph.

(c) The commissioners of agriculture, commerce, and pollution control must consult with the biodiesel task force when assessing and certifying conditions in paragraph (b), and in general must seek the guidance of the biodiesel task force regarding biodiesel labeling, enforcement, and other related issues.

(d) During a period of biodiesel fuel shortage or a problem with biodiesel quality that negatively affects the availability of biodiesel fuel, the commissioner of commerce may temporarily suspend the minimum content requirement in subdivision 2 until there is sufficient biodiesel fuel, as defined in subdivision 1, available to fulfill the minimum content requirement.

(e) By February 1, 2012, and periodically thereafter, the commissioner of commerce shall determine the wholesale diesel price at various pipeline and refinery terminals in the region, and the biodiesel price determined after credits and incentives are subtracted at biodiesel plants in the region. The commissioner shall report wholesale price differences to the governor who, after consultation with the commissioners of commerce and agriculture, may by executive order adjust the biodiesel mandate if a price disparity reported by the commissioner will cause economic hardship to retailers of diesel fuel in this state. Any adjustment must be for a specified period of time, after which the percentage of biodiesel fuel to be blended into diesel fuel returns to the amount required in subdivision 2. The biodiesel mandate must not be adjusted to less than five percent.

[See Note.]

~~*~~ Subd. 3. Exceptions. (a) The minimum content requirements of subdivision 2 do not apply to fuel used in the following equipment:

(1) motors located at an electric generating plant regulated by the Nuclear Regulatory Commission;

(2) railroad locomotives;

(3) off-road taconite and copper mining equipment and machinery;

(4) off-road logging equipment and machinery; and

(5) until May 1, 2010, vehicles and equipment used exclusively on an aircraft landing field.

(b) The exemption in paragraph (a), clause (1), expires 30 days after the Nuclear Regulatory Commission has approved the use of biodiesel fuel in motors at electric generating plants under its regulation.

(c) This subdivision expires on May 1, 2012.

Subd. 4. Disclosure. A refinery or terminal shall provide, at the time diesel fuel is sold or transferred from the refinery or terminal, a bill of lading or shipping manifest to the person who receives the fuel. For biodiesel-blended products, the bill of lading or shipping manifest must disclose biodiesel content, stating volume percentage, gallons of biodiesel per gallons of petroleum diesel base-stock, or an ASTM "Bxx" designation where "xx" denotes the volume percent biodiesel included in the blended product. This subdivision does not apply to sales or transfers of biodiesel blend stock between refineries, between terminals, or between a refinery and a terminal.

Subd. 5. Annual report. Beginning in 2009, the commissioner of agriculture must report by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over agriculture policy and finance regarding the implementation of the minimum content requirements in subdivision 2, including information about the price and supply of biodiesel fuel. The report shall include information about the impacts of the biodiesel mandate on the development of biodiesel production capacity in the state, and on the use of feedstock grown or raised in the state for biodiesel production. The report must include any written comments received from members of the biodiesel fuel task force by January 1 of that year designated by them for inclusion in the report.

History: 2002 c 244 s 1; 1Sp2005 c 1 art 4 s 67; 2007 c 62 s 3,4; 2008 c 281 s 3; 2008 c 297 art 1 s 51; 2009 c 17 s 9

NOTE: The order by the commissioner of commerce exempting number 1 diesel fuel from the biodiesel content requirements in subdivision 2, paragraph (a), is extended until March 31, 2012, for the months of October, November, December, January, February, and March. Laws 2010, chapter 228, section 4.

NONCONFORMING LOTS, USES AND STRUCTURES**§ 155.200 INTENT.**

Where the districts established contain structures and uses of land and structures which were lawful before this title was passed or amended, but which would be prohibited, it is the intent to permit these nonconformities to continue, subject to the provisions of this title, but not to encourage their survival. ('69 Code, § 7-27) (Am. Ord. 942, passed 10-14-02)

§ 155.201 NONCONFORMING USES OF LAND.

(A) No nonconforming use of land shall be enlarged, increased or extended to occupy a greater area of land than was occupied at the effective date of this title. No nonconforming use of land shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of this title. The following uses existing at the time of passage of this title are to be conforming: any use owned by a public agency, semi-public uses such as a church, public or church school, railroad tracks and public utility structure.

(B) *Forfeiture by non-use.* No nonconforming use of land structure shall continue if it is discontinued for 12 consecutive months; any use thereafter shall be a use permitted in the zoning district.

(C) *Change in use.* Any nonconforming use of land may be changed to another nonconforming use of the same nature, or to a more restricted use, or to a conforming use. A change to a more restricted use or to another nonconforming use may be made only if a special use permit is obtained. In addition to the other requirements of a SUP, such permit will be granted only if the relation of the land to surrounding property is such that it will not adversely affect neighboring property and/or its occupants to any greater degree than if the original nonconforming land use had continued. Once changed to a conforming use, no parcel of land shall be permitted to revert to a nonconforming use. ('69 Code, § 7-27.01) (Am. Ord. 942, passed 10-14-02) Penalty, see § 155.999

§ 155.202 NONCONFORMING USES OF STRUCTURES.

No nonconforming use of a structure may extend to any part of the structure which was not manifestly arranged or designed for such use at the time of adoption of this title; and no such use shall be extended to occupy any land outside the structure. Moreover, said structure shall not be enlarged, extended, constructed, reconstructed, moved or structurally altered except for a permitted use.

(A) *Forfeiture by non-use.* No nonconforming use of a structure shall continue if it is discontinued for 12 consecutive months; any use thereafter shall be a use permitted in the zoning district.

Bradley Chapulis

From: Mark W Shepherd [mshepherd@msvlawoffice.com]
Sent: Friday, April 06, 2012 9:22 AM
To: Craig D. Clark
Cc: Bradley Chapulis
Subject: RE: B&J Oil

Craig:

On Wednesday afternoon, you and Brad came to see me to ask me for my opinion concerning action taken by the Planning Commission at a meeting on Tuesday evening, April 3, 2012.

B&J Oil operates a bulk oil storage business located just inside the northern boundary of the City on the west side of Hwy 59. That area is currently zoned as B-3. Bulk oil storage is not a permitted use under the City of Worthington Zoning Ordinance. B&J Oil, however, had operated the bulk oil storage facility on the premises prior to the adoption of the Zoning Ordinance and/or prior to the annexation of the B&J property. Since the bulk oil storage operation was in existence prior to the property becoming subject to the current Zoning Ordinance, it is considered to be a "Nonconforming Use of Land".

The owner of B&J Oil desires to erect one or more additional storage tanks on the subject property. Section 155.201 prohibits any expansion of the nonconforming use so as to "enlarge, increase and/or expand to occupy a greater area of land than was occupied" on the date when the Zoning Ordinance became applicable to this property.

B&J Oil was presented with 4 choices. They were:

1. Stay where it is and not add tanks.
2. Relocate its operation to an area where bulk oil tanks are a permitted use.
3. Seek to have its property rezoned to M-2 where such tanks would be a permitted use. The Planning Commission and the Council would not, however, be able to "spot zone" the B&J Oil property since it is improper to rezone only one parcel for one owner to either a more or less stringent zoning classification.
4. Seek to amend the text of the Zoning Ordinance so as to allow bulk oil storage tanks in any B-3 zone.

B&J chose the fourth option and applied for a text amendment. The Planning Commission voted to recommend to the Council that the proposed text amendment be denied on the grounds that it would not be wise to allow bulk oil tanks in all B-3 zones within the City of Worthington. B&J Oil requested that the Council not accept the recommendation of the Planning Commission and instead approve the text amendment.

The Council considered B&J Oil's request at its meeting on February 13, 2012. At the request and/or with the concurrence of the applicant, the Council tabled the matter for 4 weeks. Sometime thereafter, the applicant granted a permanent waiver of the 60-day rule which otherwise would have required that the City issue a final decision prior to this date. The matter has not been brought back before the Council as of this date.

Subsequent to the tabling of the issue, B&J Oil requested that the Planning Commission issue an interpretation of Section 155.201 which would allow additional tanks without need for rezoning or a text amendment. The Planning Commission accepted the request and considered same at its April 3, 2012 meeting. The applicant argued that a federal law, rule or regulation required B&J Oil to erect one or more additional storage tanks and that because of this, the additional tank(s) should not be considered an "expansion" of the non-conforming use within the meaning of the ordinance. Although the word "expansion" is not actually used in Section 155.201, it is understood that "expansion" encompasses enlargement, increase, and/or extension which words are used in the Ordinance. The Planning Commission accepted B&J Oil's argument and by majority vote concluded that there was not an "expansion" in this case

and therefore, the tanks could be placed on the property without need for rezoning or a text amendment. You have asked me for my opinion as to:

1. Whether or not the Planning Commission had jurisdiction over the B&J Oil issue on April 3, 2012; and
2. Whether or not the Planning Commission has final authority to interpret the meaning of words in Section 155.201 of the City Code.

First, it is my opinion that the Planning Commission's jurisdiction of the B&J Oil text amendment application ended with its recommendation of February 7, 2012 to deny the text amendment. Thereafter, the applicant asked the City Council to approve the text amendment. The matter came before the Council and was tabled. As of today, and unless or until B&J Oil withdraws its request for the text amendment, it remains the responsibility of the City Council to make a determination to either approve or deny the amendment.

Second, it is my opinion that the Planning Commission does not have the final authority to interpret Section 155.201 or any other City ordinance. Minn. Stat. 462.354 states, in part, "the planning [commission] shall be advisory, except as other powers and duties are imposed on it by sections 462.351 to 462.364, by statute, by charter, or by ordinance consistent with the municipal charter...[the] commission shall be advisory directly to the governing body".

While the interpretation of words contained in relevant municipal ordinances is, to some extent, required of the Planning Commission in order to fulfill its responsibilities, the Commission's advisory role does not include accepting a request to give an interpretation of the language of an Ordinance unless the Council were to ask the Commission for advice as to the interpretation. In that case, it would be appropriate for the Commission to do so, however, it would be incumbent upon the Council to formally accept or reject such an interpretation. In this case, the Planning Commission's jurisdiction ended with its decision to deny the text amendment. The Commission and City staff should have refused the request to "interpret" the ordinance and referred the applicant to the City Council for a determination of the issue pending before the Council at which time the Council could address interpretation of the Ordinance.

The purpose of prohibiting the "enlargement, increase, or extension" of a non-conforming use is to discourage the continuation of the use by not allowing investment in the premises to become more valuable or to make it last longer. Another purpose is to prevent the owner of the property from greater economic harm when the use does end by not allowing a greater capital investment in the non-conforming use.

If the Council decides to approve the text amendment, no additional interpretation of the Ordinance will be necessary. If the Council upholds the Commission's recommendation to deny the text amendment, the Council may or may not decide to allow additional storage tanks depending upon the Council's interpretation of the language of the Ordinance. Unlike the Planning Commission, the Council does have the authority to interpret its own Ordinances to some extent. That authority, however, is not absolute and must not be used in such a way so as to favor one applicant at one point in time over another applicant at a later date in a similar situation. The interpretation must also take into consideration the overall purpose of the Ordinance and how such an interpretation will affect future issues which may arise. Finally, the interpretation must have some rational and articulable basis.

If the Council decides to interpret the Ordinance in such a way so as to allow the additional storage tanks, it is my recommendation that the Council not adopt the argument B&J Oil made at the recent Planning Commission. B&J Oil's argument was that the addition of tanks due to governmental requirement is not an enlargement, increase or extension. If the federal government really did require a minimum number of storage tanks which is greater than currently exists, while such a requirement might be considered an *involuntary* enlargement, increase or extension, it still would be an expansion. In this case, it is not clear that the government is actually requiring additional tanks but instead is requiring additional tanks if B&J Oil wants to continue to provide a variety of products to its customers. In my opinion, an interpretation that adding one or more tanks due to a federal governmental rule or law which may require separation of types of oil would not be an expansion of the non-conforming use would be in contravention of the plain language of the ordinance and not an interpretation with a rational basis. It would also open the door to future arguments as to why

some addition wasn't really an expansion because it was being "required". In many such cases, the goal of discouraging the continuation of non-conforming uses would be thwarted.

I have recently been advised that the storage tanks located upon the B&J Oil property are moveable and, as such, could be considered personal property rather than fixtures. If the Council desires to allow the addition of one or more tanks, less damage to the integrity of future interpretations of the Ordinance would be done if the Council should decide that the addition of one or more *moveable* storage tanks do not violate the Ordinance. It would not make the property more valuable and would not extend the life of the non-conforming use. A moveable tank also would not increase the owner's investment in the premises since there would no loss of capital investment if the use ended. Also, the allowance of one or more storage tanks would not necessarily encourage the continuation of the non-conforming use.

If the Council does decide to interpret Section 155.201 in such a way so as to allow the addition of one or more storage tanks to the B&J Oil property, a better and more rational basis for allowing one or more additional tanks would be that the Ordinance was not intended to prohibit a moveable or temporary structure even though it will occupy a greater area of land than was occupied at the time the ordinance became applicable to the premises. Such an interpretation could be applied in future cases and would not seem to be at odds with the overall policy of discouraging non-conforming uses. If that interpretation is made, the basis for the interpretation should be made clear so that it will be of use to City staff and the Planning Commission in the future.

Mark Shepherd
City Attorney

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE XV OF THE CITY CODE
OF WORTHINGTON, NOBLES COUNTY, MINNESOTA

The City Council of the City of Worthington Do Ordain:

Section I.

That Worthington City Code, Title XV, Section 155.190 shall be amended to read as follows:

155.190 INTERIM USE PERMIT.

(A) *Purpose.* The intent in allowing interim uses is to allow a use for a limited period of time that reasonably utilizes the property in a manner not permitted in the applicable zoning district or is not a part of the long-term plan as set forth in the Comprehensive Guide; and to allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future.

(B) *Application.* The application, public hearing, public notice and procedure requirements for an interim use permit shall be the same as those for conditional use permits as provided in §§ 155.186.

(C) *Standards.* The Planning Commission shall recommend an interim use permit and the Council shall issue such interim use permits only if it finds that such use at the proposed location:

- (1) Conforms to all other applicable zoning regulations and meets the standards of a conditional use permit set forth in other sections of this subchapter.
- (2) Will terminate upon a date or event that can be identified with certainty.
- (3) Will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
- (4) The owner agrees to any conditions that the City Council has deemed appropriate for permission of the use, including, but not limited to a condition that the owner will provide a financial surety, in an amount determined by the City Council, to cover the cost of removing the interim use and any interim structures upon expiration of the interim use permit.

(D) *Termination.* An interim use permit shall terminate upon the occurrence of any of the following events, whichever first occurs:

- (1) The date or event stated in the permit; or
- (2) A violation of conditions under which the permit was issued, or
- (3) A change in the city's zoning regulations which renders the use nonconforming,
- (4) The use has been discontinued for a minimum of six months.

Section II.

The City Clerk is hereby directed to file a certified copy of this ordinance in the office of the Recorder in and for the County of Nobles, State of Minnesota.

Section III.

Passed and adopted by the City Council of the City of Worthington, Minnesota, this ____ day of July, 2011.

(SEAL)

Alan Oberloh, Mayor

Attest:

Janice Oberloh, City Clerk



**TIF DISTRICT #7
Workforce Housing
Program & Policies
Adopted: November 10, 2008**

PURPOSE / INTENT

The purpose of the Workforce Housing Program (the Program) is to provide home ownership opportunities for individuals or families with incomes that do not exceed 80% of current area median income (AMI) within the City's Redevelopment Project Area No. 7 using funds from the City's existing TIF District #7.

FUNDING

The maximum amount of assistance for each loan/grant is \$25,000 per individual or family; and \$500,000 has been designated as pooled from the City's TIF District No. 7 to finance such loans/grants (the Program Funding).

INCOME TARGET

Up to 80% of the current AMI by family size as established annually by the US Housing & Urban Development (HUD) and Minnesota Housing Finance Agency's Minnesota City Participation Program as established for Greater Minnesota which is shown below for 2008, and adjusted by family size. Income eligibility will be determined on an adjusted gross income basis. The criteria and process for determining adjustments to gross incomes will be recommended by the program administrator and approved by the City.

Household #s	Income Limits
1-4	\$56,200
5	\$60,700
6	\$65,200
7	\$69,700
8	\$74,200
9	\$78,700
10	\$83,200

ELIGIBLE PROPERTIES

Undeveloped lots that are zoned residential that are located within the boundaries of the City's Redevelopment Project Area No. 7.

ELIGIBLE APPLICANTS

Homebuyers must meet the income criteria as noted above.

IMPLEMENTATION

To accomplish the purpose and intent of the Program, the Worthington City Council (the Council) has committed \$500,000 from TIF District No. 7 for the following activities:

1. To finance any outstanding assessments for public infrastructure levied against existing properties in which the new single family dwelling has been constructed or purchased by an eligible person.

2. To finance any outstanding assessments for public infrastructure levied against any lot within a new subdivision in which the new single family dwelling will be constructed or purchased by an eligible person.
3. To finance the costs of the public infrastructure for a lot within a residential subdivision where the new single family dwelling has been constructed or purchased by an eligible person. The said infrastructure must have been completed by the developer and constructed in accordance with City specifications.
4. To finance proposed new residential subdivisions whereby the developer may request the infrastructure be completed by the City as an assessment project. Under this scenario, the following shall occur:

- City enters into a development agreement with Developer:
 - Lot values are established upfront;
 - Developer agrees to reserve 60% of the lots to be purchased by eligible persons;
 - Developer assures a minimum of 50% of the vacant lots will be made available for other contractors; and
 - Developer agrees to make assessment payments until lots are sold.
- City will install the public infrastructure improvements and assesses the property as per City's assessment ordinance.
- City provides tax increment for eligible persons:
 - Increment used to 'write down' assessments of eligible persons; and
 - Increment may be used to reimburse developer for payments made on assessments.

Tax increment will be provided as reimbursement for assessments up to the maximum amount. In the event of default, the City shall receive ownership of the undeveloped lots and use the tax increment to make assessment payments until said lots are sold and development for eligible persons occurs. The Developer shall be paid the established lot price at the time of sale.

To ensure that the benefit of the tax increment assistance is passed along to eligible persons and families, the City shall require the following:

- The developer/contractor must submit proper documentation of actual total development costs, including pre-determined lot values and infrastructure improvement costs;
- The eligible homebuyer shall enter into a forgivable loan with the City whereby the homebuyer agrees to occupancy for a minimum of 5 years. To the extent the term is less, the homebuyer is eligible for a portion of the tax increment assistance; and
- The sale price of the home shall not exceed \$150,000.

APPLICATION

Applications will be considered on a "first come - first served" basis. A complete application shall consist of:

- Letter requesting financial assistance;
- Legal description of the subject property;
- Proof of purchase agreement; and
- Project budget.

In addition, if the request is pursuant to Number 4 within the Implementation section, the applicant must comply with the City's development and assessment process.

Upon submittal of a completed application, the Council shall schedule a date to consider the application. The date shall not exceed 30 days from the date of application submittal. The Council shall have the responsibility to determine which applications will be approved or denied.

GENERAL UNDERWRITING CRITERIA

Current on Debt Payments:

Applicant must be current on contract for deed payments, mortgage loan payments and property taxes. If any of these payments are delinquent, they must be made current before the application can be approved for funding.

Income Qualification:

Qualification of the income criteria will be determined on the annual gross income basis (80% of the current AMI as annually determined under MHFA guidelines). Gross annual income is derived from all sources of income before tax or withholding, of all members of the household in a housing unit for at least 9 months of the year or who are claimed as dependants for federal income tax purposes. The City's income eligibility will be determined on an adjusted gross income basis. The criteria and process for determining adjustments to gross incomes will be recommended by the City's program administrator and approved by the Council.

Qualifying income must be completed by the City's program administrator through one of the following sources:

- Written verification from employers;
- 2 copies of most recent check or check stub;
- Copies of 2 most recent years Federal Tax Returns, as filed;
- Bank deposits; and
- Copies of deposit slips.

Loan to Value Ratio:

All existing debt on property may not exceed 110% of the assessed market value.

Debt to Income Ratio:

Applicants must have the ability to repay the loan and must have a "debt-to-income ratio" at or less than 48%.

DISBURSEMENT OF FUNDS

Program funds shall be disbursed after all terms of the development agreement or loan/grant agreement have been properly satisfied and a certificate of occupancy has been issued by the City's building official.

PROGRAM TERMINATION

The Program shall expire when the Program Funding has been exhausted or upon the required date of decertification of TIF District #7 (12/31/2011), whichever occurs first.

QUESTIONS

Anyone with questions regarding the Program outlined may contact the City's Community/Economic Development Department by phone (507-372-8640) or in person by visiting City Hall.

DISCLAIMER

Nothing herein shall obligate the City of Worthington to approve any grant or loan. The Council must retain the right, in its sole discretion, to approve applications for the Program.

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
A & B BUSINESS EQUIPMENT INC	3/30/12	TONER	GENERAL FUND	SECURITY CENTER	125.84
	3/30/12	TONER	GENERAL FUND	SECURITY CENTER	125.85
	3/30/12	MONTHLY COPIER SERVICE	DATA PROCESSING	COPIER/FAX	121.43
				TOTAL:	373.12
BAHRS SMALL ENGINE	3/30/12	SHARPEN CHAINS	RECREATION	TREE REMOVAL	30.00
				TOTAL:	30.00
BORDER STATES ELECTRIC SUPPLY	3/30/12	SECONDARY LUGS & PED BARS	ELECTRIC	FA DISTR UNDRGRND COND	1,287.63
				TOTAL:	1,287.63
C&S CHEMICALS INC	3/30/12	4,175 GALLONS ALUM	MUNICIPAL WASTEWAT	O-PURIFY MISC	5,198.27
				TOTAL:	5,198.27
CENTRAL SALT LLC	3/30/12	BULK DEICING SALT	GENERAL FUND	ICE AND SNOW REMOVAL	1,490.07
	3/30/12	BULK DEICING SALT	GENERAL FUND	ICE AND SNOW REMOVAL	1,527.69
				TOTAL:	3,017.76
CHAMBER OF COMMERCE	3/30/12	LODGING TAX-FEBRUARY	TOURISM PROMOTION	LODGING TAX/TOURISM	6,985.52
				TOTAL:	6,985.52
CHAPULIS BRADLEY	3/30/12	REIMBURSE	GENERAL FUND	ECONOMIC DEVELOPMENT	130.98
	3/30/12	REIMBURSE	GENERAL FUND	ECONOMIC DEVELOPMENT	3.67
				TOTAL:	134.65
CLARK CRAIG	3/30/12	REIMBURSE	GENERAL FUND	ADMINISTRATION	202.86
				TOTAL:	202.86
DANS ELECTRIC INC	3/30/12	REPAIR COOLER LIGHTS, STOR	LIQUOR	O-GEN MISC	152.97
	3/30/12	REPAIR LIGHT FIXTURE	LIQUOR	O-GEN MISC	96.53
				TOTAL:	249.50
DAVIS TYPEWRITER CO INC	3/30/12	PAPER	WATER	ADMIN OFFICE SUPPLIES	9.19
	3/30/12	SUPPLIES	WATER	ADMIN OFFICE SUPPLIES	14.20
	3/30/12	SUPPLIES	WATER	ACCTS-RECORDS & COLLEC	14.21
	3/30/12	PAPER	MUNICIPAL WASTEWAT	ADMIN OFFICE SUPPLIES	9.18
	3/30/12	SUPPLIES	MUNICIPAL WASTEWAT	ADMIN OFFICE SUPPLIES	14.20
	3/30/12	SUPPLIES	MUNICIPAL WASTEWAT	ACCT-RECORDS & COLLECT	14.20
	3/30/12	PAPER	ELECTRIC	O-DISTR SUPER & ENG	36.40
	3/30/12	PAPER	ELECTRIC	ADMIN OFFICE SUPPLIES	18.37
	3/30/12	SUPPLIES	ELECTRIC	ADMIN OFFICE SUPPLIES	28.40
	3/30/12	SUPPLIES	ELECTRIC	ACCTS-RECORDS & COLLEC	28.40
				TOTAL:	186.75
DEWILD GRANT RECKERT AND ASSOC	3/30/12	PROFESSIONAL SERVICES	ELECTRIC	FA DISTR POLES TOWERS	8,073.60
	3/30/12	PROFESSIONAL SERVICES	ELECTRIC	FA DISTR POLES TOWERS	108.00
				TOTAL:	8,181.60
ECHO GROUP INC	3/30/12	WIRE * DRU PROJECT	ELECTRIC	FA DISTR METERS	124.77
	3/30/12	CARFLEX* DRU PROJECT	ELECTRIC	FA DISTR METERS	104.89
	3/30/12	WIRE*DRU PROJECT	ELECTRIC	FA DISTR METERS	57.21
	3/30/12	CARFLEX * DRU PROJECT	ELECTRIC	FA DISTR METERS	104.89
				TOTAL:	391.76
ELSING SHAWN	3/30/12	REIMBURSE-TRAILER LIGHTS	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	17.16
				TOTAL:	17.16

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ELISING, JIM	3/30/12	REIMBURSE APPA LEG. RALLY	ELECTRIC	ADMIN MISC	<u>2,319.65</u>
				TOTAL:	2,319.65
FASTENAL COMPANY	3/30/12	LAG BOLTS	RECREATION	PARK AREAS	<u>78.87</u>
				TOTAL:	78.87
FEDERAL EXPRESS, LEGAL DEPARTMENT	3/30/12	SUBPOENA FEE	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	<u>30.00</u>
				TOTAL:	30.00
FLYNN KEVIN	3/30/12	REIMBURSE	GENERAL FUND	POLICE ADMINISTRATION	<u>17.99</u>
				TOTAL:	17.99
FRONTIER COMMUNICATIONS	3/30/12	PHONE SERVICE	GENERAL FUND	MAYOR AND COUNCIL	58.19
	3/30/12	PHONE SERVICE	GENERAL FUND	ADMINISTRATION	334.30
	3/30/12	PHONE SERVICE	GENERAL FUND	CLERK'S OFFICE	176.55
	3/30/12	PHONE SERVICE	GENERAL FUND	ACCOUNTING	64.18
	3/30/12	PHONE SERVICE	GENERAL FUND	ENGINEERING ADMIN	213.05
	3/30/12	PHONE SERVICE	GENERAL FUND	ECONOMIC DEVELOPMENT	128.14
	3/30/12	PHONE SERVICE	GENERAL FUND	OTHER GEN GOVT MISC	23.59
	3/30/12	PHONE SERVICE	GENERAL FUND	FIRE ADMINISTRATION	127.26
	3/30/12	PHONE SERVICE	GENERAL FUND	PAVED STREETS	190.27
	3/30/12	PHONE SERVICE	GENERAL FUND	COMMUNITY CENTER	122.50
	3/30/12	PHONE SERVICE	RECREATION	GOLF COURSE-CLUBHOUSE	135.47
	3/30/12	PHONE SERVICE	RECREATION	GOLF COURSE-GREEN	84.09
	3/30/12	PHONE SERVICE	RECREATION	PARK AREAS	143.14
	3/30/12	PHONE SERVICE	WATER	O-PUMPING	68.56
	3/30/12	PHONE SERVICE	WATER	O-PURIFY MISC	60.22
	3/30/12	PHONE SERVICE	WATER	O-DISTR STORAGE	38.16
	3/30/12	PHONE SERVICE	WATER	O-DISTR MISC	52.19
	3/30/12	PHONE SERVICE	WATER	ADMIN OFFICE SUPPLIES	24.74
	3/30/12	PHONE SERVICE	WATER	ACCTS-RECORDS & COLLEC	87.19
	3/30/12	PHONE SERVICE	MUNICIPAL WASTEWAT	O-SOURCE MAINS & LIFTS	210.96
	3/30/12	PHONE SERVICE	MUNICIPAL WASTEWAT	O-PURIFY SUPERVISION	24.85
	3/30/12	PHONE SERVICE	MUNICIPAL WASTEWAT	O-PURIFY MISC	42.65
	3/30/12	PHONE SERVICE	MUNICIPAL WASTEWAT	ADMIN OFFICE SUPPLIES	24.74
	3/30/12	PHONE SERVICE	MUNICIPAL WASTEWAT	ACCT-RECORDS & COLLECT	82.46
	3/30/12	PHONE SERVICE	ELECTRIC	O-SOURCE MISC	61.20
	3/30/12	PHONE SERVICE	ELECTRIC	O-DISTR SUPER & ENG	49.64
	3/30/12	PHONE SERVICE	ELECTRIC	O-DISTR MISC	135.46
	3/30/12	PHONE SERVICE	ELECTRIC	M-DISTR STATION EQUIPM	19.08
	3/30/12	PHONE SERVICE	ELECTRIC	ADMIN OFFICE SUPPLIES	65.73
	3/30/12	PHONE SERVICE	ELECTRIC	ACCTS-RECORDS & COLLEC	221.61
	3/30/12	PHONE SERVICE	ELECTRIC	ACCTS-ASSISTANCE	38.51
	3/30/12	PHONE SERVICE	LIQUOR	O-GEN MISC	171.84
	3/30/12	PHONE SERVICE	AIRPORT	O-GEN MISC	81.87
	3/30/12	PHONE SERVICE	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	68.16
	3/30/12	PHONE SERVICE	DATA PROCESSING	DATA PROCESSING	120.79
	3/30/12	PHONE SERVICE	DATA PROCESSING	COPIER/FAX	<u>22.48</u>
				TOTAL:	3,573.82
GRIMMIUS NATHAN	3/30/12	REIMBURSE	GENERAL FUND	POLICE ADMINISTRATION	<u>135.00</u>
				TOTAL:	135.00
HAIN SCOTT	3/30/12	REIMBURSE	WATER	O-SOURCE WELLS & SPRNG	162.89
	3/30/12	REIMBURSE	ELECTRIC	ADMIN OFFICE SUPPLIES	<u>384.12</u>
				TOTAL:	547.01

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ITEN, VIDA	3/30/12	REIMBURSE	ELECTRIC	ACCTS-ASSISTANCE	122.10
				TOTAL:	122.10
JACKS UNIFORMS & EQUIPMENT	3/30/12	HOLSTER	GENERAL FUND	POLICE ADMINISTRATION	145.95
	3/30/12	UNIFORMS	GENERAL FUND	POLICE ADMINISTRATION	266.74
				TOTAL:	412.69
LEAGUE OF MN CITIES INSURANCE TRUST	3/30/12	WORK COMP	GENERAL FUND	MAYOR AND COUNCIL	46.50
	3/30/12	WORK COMP	GENERAL FUND	ADMINISTRATION	189.25
	3/30/12	WORK COMP	GENERAL FUND	ELECTIONS	24.75
	3/30/12	WORK COMP	GENERAL FUND	CLERK'S OFFICE	220.25
	3/30/12	WORK COMP	GENERAL FUND	ACCOUNTING	237.00
	3/30/12	WORK COMP	GENERAL FUND	ENGINEERING ADMIN	334.75
	3/30/12	WORK COMP	GENERAL FUND	ECONOMIC DEVELOPMENT	302.75
	3/30/12	WORK COMP	GENERAL FUND	GENERAL GOVT BUILDINGS	15.50
	3/30/12	WORK COMP	GENERAL FUND	POLICE ADMINISTRATION	12,921.25
	3/30/12	WORK COMP	GENERAL FUND	REGULATE LAWFUL GAMBLE	74.00
	3/30/12	WORK COMP	GENERAL FUND	SECURITY CENTER	415.02
	3/30/12	WORK COMP	GENERAL FUND	SECURITY CENTER	415.02
	3/30/12	WORK COMP	GENERAL FUND	FIRE ADMINISTRATION	3,713.25
	3/30/12	WORK COMP	GENERAL FUND	ANIMAL CONTROL ENFORCE	72.75
	3/30/12	WORK COMP	GENERAL FUND	PAVED STREETS	2,655.25
	3/30/12	WORK COMP	GENERAL FUND	ICE AND SNOW REMOVAL	840.00
	3/30/12	WORK COMP	GENERAL FUND	SIGNS AND SIGNALS	78.50
	3/30/12	WORK COMP	GENERAL FUND	TRASH PICKUP	162.00
	3/30/12	WORK COMP	GENERAL FUND	CODE ENFORCEMENT	62.25
	3/30/12	WORK COMP	GENERAL FUND	LAKE IMPROVEMENT	27.50
	3/30/12	WORK COMP	GENERAL FUND	MISC SPECIAL DAYS/EVEN	7.25
	3/30/12	WORK COMP	RECREATION	RECREATION PROGRAMS	94.00
	3/30/12	WORK COMP	RECREATION	GOLF COURSE-CLUBHOUSE	7.25
	3/30/12	WORK COMP	RECREATION	GOLF COURSE-GREEN	409.50
	3/30/12	WORK COMP	RECREATION	PARK AREAS	1,425.50
	3/30/12	WORK COMP	RECREATION	OLSON PARK CAMPGROUND	200.75
	3/30/12	WORK COMP	RECREATION	TREE REMOVAL	1,413.75
	3/30/12	WORK COMP	PIR/TRUNKS	SP ASSESS-ADMIN ESCROW	41.75
	3/30/12	WORK COMP	IMPROVEMENT CONST	OTHER MISC PROJECTS	1,722.75
	3/30/12	WORK COMP	WATER	INJURIES AND DAMAGES	2,719.50
	3/30/12	WORK COMP	MUNICIPAL WASTEWAT	INJURIES AND DAMAGES	2,994.00
	3/30/12	WORK COMP	ELECTRIC	INJURIES & DAMAGES	2,894.25
	3/30/12	WORK COMP	STORM WATER MANAGE	STORM DRAINAGE	421.25
	3/30/12	WORK COMP	STORM WATER MANAGE	STREET CLEANING	861.00
	3/30/12	WORK COMP	LIQUOR	O-GEN MISC	933.75
	3/30/12	WORK COMP	AIRPORT	O-GEN MISC	201.25
	3/30/12	WORK COMP	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	84.25
	3/30/12	WORK COMP	DATA PROCESSING	DATA PROCESSING	278.71
				TOTAL:	39,518.00
MATHESON TRI-GAS INC	3/30/12	CUTTING TIP	GENERAL FUND	PAVED STREETS	16.47
				TOTAL:	16.47
MED-TECH RESOURCES INC	3/30/12	DEFIBRILLATOR BATTERY	GENERAL FUND	POLICE ADMINISTRATION	363.61
	3/30/12	DEFIBRILLATOR	GENERAL FUND	POLICE ADMINISTRATION	1,033.39
				TOTAL:	1,397.00
MINNESOTA MUNICIPAL UTILITIES ASSOC	3/30/12	SUBSTATION SCHOOL-BYRNE	ELECTRIC	O-DISTR MISC	440.00
				TOTAL:	440.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
MINNESOTA VALLEY TESTING LABS INC	3/30/12	SALTY DISCHARGE MONITORING	MUNICIPAL WASTEWAT	O-PURIFY MISC	<u>129.60</u>
				TOTAL:	129.60
MISCELLANEOUS V GARCIA SONIA A	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	NON-DEPARTMENTAL	175.93
GARCIA SONIA A	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	ACCTS-RECORDS & COLLEC	0.08
MAUNG WIN	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	NON-DEPARTMENTAL	178.82
MAUNG WIN	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	ACCTS-RECORDS & COLLEC	0.05
PINEDA PABLO	3/30/12	REFUND OF DEPOSITS-ACCTS F	WATER	NON-DEPARTMENTAL	22.28
PINEDA PABLO	3/30/12	REFUND OF DEPOSITS-ACCTS F	WATER	ACCTS-RECORDS & COLLEC	0.01
PINEDA PABLO	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	NON-DEPARTMENTAL	95.00
PINEDA PABLO	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	ACCTS-RECORDS & COLLEC	0.02
THOMAS PETER J	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	NON-DEPARTMENTAL	63.90
THOMAS PETER J	3/30/12	REFUND OF DEPOSITS-ACCTS F	ELECTRIC	ACCTS-RECORDS & COLLEC	<u>0.02</u>
				TOTAL:	536.11
MN CHILD SUPPORT PAYMENT CTR	3/30/12	GARNISHMENT	GENERAL FUND	NON-DEPARTMENTAL	369.17
	3/30/12	GARNISHMENT	WATER	NON-DEPARTMENTAL	<u>294.46</u>
				TOTAL:	663.63
MPCA	3/30/12	ANNUAL DIESEL GENERATING F	ELECTRIC	O-SOURCE MISC	97.50
	3/30/12	ANNUAL INDUSTRIAL STORM PE	AIRPORT	O-GEN MISC	<u>400.00</u>
				TOTAL:	497.50
NORTHERN SAFETY TECHNOLOGY INC	3/30/12	PARTS	GENERAL FUND	ICE AND SNOW REMOVAL	<u>178.63</u>
				TOTAL:	178.63
OBERLOH JANICE	3/30/12	REIMBURSE	GENERAL FUND	CLERK'S OFFICE	<u>225.90</u>
				TOTAL:	225.90
POWERS HEATING & COOLING LLC	3/30/12	REPAIR BOTH MAU'S	MUNICIPAL WASTEWAT	M-PURIFY EQUIPMENT	<u>165.00</u>
				TOTAL:	165.00
RESCO INC	3/30/12	LOCKS	ELECTRIC	M-DISTR UNDERGRND LINE	<u>514.27</u>
				TOTAL:	514.27
ROGERS LAURENCE	3/30/12	REIMBURSE	GENERAL FUND	POLICE ADMINISTRATION	<u>31.09</u>
				TOTAL:	31.09
RUNNINGS SUPPLY INC-ACCT#9502440	3/30/12	BALL VALVE AND ADAPTOR	MUNICIPAL WASTEWAT	M-PURIFY EQUIPMENT	<u>16.54</u>
				TOTAL:	16.54
SCHEEPSTRA JIM	3/30/12	REIMBURSE	WATER	O-DISTR MISC	<u>238.42</u>
				TOTAL:	238.42
SOUTHWEST MINNESOTA HOUSING PARTNERSHI	3/30/12	CDAP090075OFY10 #15	SMALL CITIES GRANT	SW MN HOUSING	<u>12,654.00</u>
				TOTAL:	12,654.00
STEFFL THOMAS	3/30/12	REIMBURSE	MUNICIPAL WASTEWAT	O-SOURCE MAINS & LIFTS	<u>59.15</u>
				TOTAL:	59.15
TEN HAKEN LYLE	3/30/12	REIMBURSE	GENERAL FUND	MAYOR AND COUNCIL	<u>72.15</u>
				TOTAL:	72.15
VANTAGEPOINT TRANSFER AGENTS-457	3/30/12	DEFERRED COMP	GENERAL FUND	NON-DEPARTMENTAL	351.42
	3/30/12	DEFERRED COMP	GENERAL FUND	POLICE ADMINISTRATION	<u>76.92</u>
				TOTAL:	428.34

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
WATCHGUARD VIDEO	3/30/12	REPAIR LABOR-DVD ADAPTER	GENERAL FUND	POLICE ADMINISTRATION	73.55
				TOTAL:	73.55
WOLL MIKE	3/30/12	REIMBURSE	GENERAL FUND	MAYOR AND COUNCIL	403.56
				TOTAL:	403.56
WORTHINGTON AG PARTS	3/30/12	PARTS	STORM WATER MANAGE	STREET CLEANING	20.00
				TOTAL:	20.00
WORTHINGTON AREA UNITED WAY	3/30/12	PAYROLL WITHHOLDING	GENERAL FUND	NON-DEPARTMENTAL	42.50
	3/30/12	PAYROLL WITHHOLDING	RECREATION	NON-DEPARTMENTAL	5.00
				TOTAL:	47.50
ZEP SALES & SERVICE	3/30/12	CLEANING SUPPLIES	ELECTRIC	O-DISTR MISC	340.81
				TOTAL:	340.81

===== FUND TOTALS =====

101	GENERAL FUND	31,663.82
204	SMALL CITIES GRANT	12,654.00
207	PD TASK FORCE	47.16
229	RECREATION	4,027.32
321	PIR/TRUNKS	41.75
401	IMPROVEMENT CONST	1,722.75
601	WATER	3,806.22
602	MUNICIPAL WASTEWATER	8,985.80
604	ELECTRIC	18,190.31
606	STORM WATER MANAGEMENT	1,302.25
609	LIQUOR	1,355.09
612	AIRPORT	683.12
614	MEMORIAL AUDITORIUM	152.41
702	DATA PROCESSING	543.41
882	TOURISM PROMOTION	6,985.52

 GRAND TOTAL: 92,160.93

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ABSOLUTE PRODUCTIONS	4/06/12	SPEAKER SYSTEM	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	2,000.00
				TOTAL:	2,000.00
ADVANCED PUBLIC SAFETY INC	4/06/12	12 V POWER SUPPLY	GENERAL FUND	POLICE ADMINISTRATION	338.10
				TOTAL:	338.10
AMERICAN LEGAL PUBLISHING CORPORATION	4/06/12	ORDINANCES	GENERAL FUND	CLERK'S OFFICE	941.00
				TOTAL:	941.00
AMERICAN WATER ENTERPRISES ENVIRONMENTAL M	4/06/12	CONTRACT OPERATIONS WWTF-M	INDUSTRIAL WASTEWATER	O-PURIFY MISC	100,099.80
				TOTAL:	100,099.80
ARCTIC ICE INC	4/06/12	ICE	LIQUOR	NON-DEPARTMENTAL	173.40
				TOTAL:	173.40
ARNOLD MOTOR SUPPLY	4/06/12	WHEEL NUT-CUSHMAN	RECREATION	GOLF COURSE-GREEN	2.97
	4/06/12	FUSES	RECREATION	GOLF COURSE-GREEN	3.20
	4/06/12	V-BELT FOR GRINDER	RECREATION	GOLF COURSE-GREEN	11.75
	4/06/12	METER BENCH TESTER-PAINT	WATER	M-DISTR METERS	18.24
	4/06/12	30" SQUEEGEE	MUNICIPAL WASTEWATER	O-PURIFY MISC	33.65
	4/06/12	WIPER BLADES	MUNICIPAL WASTEWATER	M-SOURCE MAINS & LIFTS	21.35
	4/06/12	REPAIR KIT	ELECTRIC	O-DISTR UNDERGRND LINE	50.42
				TOTAL:	141.58
BELLBOY CORP	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	308.39
	4/06/12	FREIGHT	LIQUOR	O-GEN MISC	53.40
	4/06/12	SUPPLIES	LIQUOR	O-GEN MISC	207.00
				TOTAL:	568.79
BEVERAGE WHOLESALERS INC	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	6,748.49
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	742.00
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	6,102.66
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	3,118.20
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	4,188.70
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	67.00
	4/06/12	BEER CREDIT	LIQUOR	NON-DEPARTMENTAL	29.28
				TOTAL:	20,937.77
BIERSCHBACH EQUIPMENT & SUPPLY CO INC	4/06/12	HANDLES, SQUEEGEE	GENERAL FUND	PAVED STREETS	107.46
	4/06/12	HANDLES, SQUEEGEE	RECREATION	PARK AREAS	107.45
	4/06/12	CONSTRUCTION TUBE	RECREATION	PARK AREAS	176.34
				TOTAL:	391.25
BORDER STATES ELECTRIC SUPPLY	4/06/12	TWISTLOCK SHORTING CAPS	ELECTRIC	M-DISTR ST LITE & SIG	60.12
	4/06/12	SECONDARY CABINET	ELECTRIC	FA DISTR UNDRGRND COND	1,249.10
				TOTAL:	1,309.22
BRAAKSMA JEREMY	4/06/12	REIMBURSE	MUNICIPAL WASTEWATER	O-PURIFY MISC	291.00
				TOTAL:	291.00
BUETOW 2 ARCHITECTS INC	4/06/12	ARCHITECTURAL SERVICE	GENERAL FUND	FIRE ADMINISTRATION	800.87
				TOTAL:	800.87
C&S CHEMICALS INC	4/06/12	4,133 GALLONS ALUM	MUNICIPAL WASTEWATER	O-PURIFY MISC	5,145.98
				TOTAL:	5,145.98

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CENTER SPORTS INC	4/06/12	PLAQUE	GENERAL FUND	POLICE ADMINISTRATION	39.42
				TOTAL:	39.42
CHUCK WAGON VENDING INC	4/06/12	COFFEE	GENERAL FUND	SECURITY CENTER	34.00
	4/06/12	COFFEE	GENERAL FUND	SECURITY CENTER	34.00
				TOTAL:	68.00
CITY ENGINEERS ASSOC OF MN	4/06/12	2012 DUES	GENERAL FUND	ENGINEERING ADMIN	60.00
				TOTAL:	60.00
COCA-COLA ENTERPRISES-MIDWEST DIVISION	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	235.28
				TOTAL:	235.28
COLONIAL CABINETS	4/06/12	LIGHTING EFFICIENCY REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	260.00
				TOTAL:	260.00
CREDIT BUREAU OF NEW ULM	4/06/12	EMPLOYMENT CREDIT CHECK	GENERAL FUND	POLICE ADMINISTRATION	35.00
				TOTAL:	35.00
CRYSTAL GLASS COMPANY	4/06/12	SERVICE CALL-ENGINEERING D	GENERAL FUND	GENERAL GOVT BUILDINGS	155.00
				TOTAL:	155.00
DACOTAH PAPER CO	4/06/12	SUPPLIES	LIQUOR	O-GEN MISC	174.85
	4/06/12	BAGS	LIQUOR	O-GEN MISC	75.41
	4/06/12	RETURNED BAGS	LIQUOR	O-GEN MISC	185.64
				TOTAL:	64.62
DAILY GLOBE	4/06/12	SUBSCRIPTION	GENERAL FUND	SECURITY CENTER	82.07
	4/06/12	SUBSCRIPTION	GENERAL FUND	SECURITY CENTER	82.08
				TOTAL:	164.15
DAVIS TYPEWRITER CO INC	4/06/12	SUPPLIES	GENERAL FUND	GENERAL GOVT BUILDINGS	71.96
	4/06/12	CLEANING SUPPLIES	GENERAL FUND	GENERAL GOVT BUILDINGS	11.93
	4/06/12	COFFEE*	GENERAL FUND	GENERAL GOVT BUILDINGS	62.65
	4/06/12	MSDS MATERIALS	GENERAL FUND	PAVED STREETS	31.08
	4/06/12	MSDS MATERIALS	RECREATION	PARK AREAS	12.39
	4/06/12	STAPLER & TONER CARTRIDGES	WATER	ADMIN OFFICE SUPPLIES	18.71
	4/06/12	STAPLER & TONER CARTRIDGES	WATER	ACCTS-RECORDS & COLLEC	81.34
	4/06/12	STAPLER & TONER CARTRIDGES	MUNICIPAL WASTEWAT	ADMIN OFFICE SUPPLIES	18.70
	4/06/12	STAPLER & TONER CARTRIDGES	MUNICIPAL WASTEWAT	ACCT-RECORDS & COLLECT	81.34
	4/06/12	BUSINESS CARDS	ELECTRIC	O-DISTR SUPER & ENG	13.48
	4/06/12	MAPPING PAPER	ELECTRIC	O-DISTR MISC	560.10
	4/06/12	STAPLER & TONER CARTRIDGES	ELECTRIC	ADMIN OFFICE SUPPLIES	37.42
	4/06/12	STAPLER & TONER CARTRIDGES	ELECTRIC	ACCTS-RECORDS & COLLEC	162.69
	4/06/12	CARTRIDGES	LIQUOR	O-GEN MISC	426.42
				TOTAL:	1,590.21
DEMUTH PAT	4/06/12	REIMBURSE	ELECTRIC	O-DISTR SUPER & ENG	48.81
				TOTAL:	48.81
DEPARTMENT OF FINANCE	4/06/12	VEUVILAVONG FORFEITURE	GENERAL FUND	POLICE ADMINISTRATION	42.48
	4/06/12	PETROFF FORFEITURE	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	14.30
				TOTAL:	56.78
DIAMOND VOGEL PAINT	4/06/12	GRAFFITI REPAIRS	RECREATION	PARK AREAS	38.85
				TOTAL:	38.85

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
DIESEL MACHINERY INC	4/06/12	SNOW SKID PARTS	GENERAL FUND	ICE AND SNOW REMOVAL	1,994.12
				TOTAL:	1,994.12
DR PEPPER SNAPPLE GROUP	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	47.59
				TOTAL:	47.59
ECHO GROUP INC	4/06/12	BULBS	GENERAL FUND	PAVED STREETS	29.53
	4/06/12	LIGHT BULBS	WATER	M-PURIFY STRUCTURES	13.98
	4/06/12	PHOTOCELL	ELECTRIC	M-DISTR ST LITE & SIG	35.33
	4/06/12	OVER CHARGE ON LIGHTS	ELECTRIC	M-DISTR ST LITE & SIG	244.51
	4/06/12	GROUND WIRE	ELECTRIC	FA DISTR UNDRGRND COND	1,314.56
	4/06/12	STREET LIGHTS-KRAGNESS	ELECTRIC	FA DISTR ST LITE & SIG	4,025.77
	4/06/12	WIRE *DRU PROJECT	ELECTRIC	FA DISTR METERS	283.08
	4/06/12	CARFLEX *DRU PROJECT	ELECTRIC	FA DISTR METERS	52.44
	4/06/12	WIRE *DRU PROJECT	ELECTRIC	FA DISTR METERS	135.61
	4/06/12	BULBS	AIRPORT	O-GEN MISC	69.74
				TOTAL:	5,715.53
ECOLAB WATER CARE SERVICES	4/06/12	2,500# PHOSPHATE	WATER	O-PURIFY	4,961.00
				TOTAL:	4,961.00
EHLERS & ASSOCIATES INC	4/06/12	EVENT CENTER PROJECT	GENERAL FUND	ECONOMIC DEVELOPMENT	1,353.75
	4/06/12	CONTINUING DISCLOSURE REPO	PIR SERIES 2004A	GO PIR SERIES 2004A	370.83
	4/06/12	CONTINUING DISCLOSURE REPO	PIR SERIES 2007A	GO PIR SERIES 2007A	370.83
	4/06/12	CONTINUING DISCLOSURE REPO	PIR SERIES 2009C	GO PIR SERIES 2009C	370.83
	4/06/12	CONTINUING DISCLOSURE REPO	PIR SERIES 2010A	GO PIR SERIES 2010A	370.83
	4/06/12	EVENT CENTER PROJECT	EVENT CENTER/AUDIT	EVENT CENTER	13,585.00
	4/06/12	CONTINUING DISCLOSURE REPO	ELECTRIC	GO REV BONDS,SERIES 20	370.85
	4/06/12	CONTINUING DISCLOSURE REPO	INDUSTRIAL WASTEWA	ADMIN MISC	370.83
				TOTAL:	17,163.75
EVERGREEN LAND SERVICES	4/06/12	ACQUISTION AGENT	IMPROVEMENT CONST	TH 59 N IMPROVEMENTS	1,827.45
				TOTAL:	1,827.45
FALLS PRO SOUND	4/06/12	SOUND SYSTEM	MEMORIAL AUDITORIU	MEMORIAL AUDITORIUM	1,000.00
				TOTAL:	1,000.00
FERGUSON ENTERPRISES INC #226	4/06/12	WATER TANK-RESTROOM	RECREATION	PARK AREAS	114.04
				TOTAL:	114.04
FIELDSTONE VINEYARDS INC	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	117.65
				TOTAL:	117.65
FLEXIBLE PIPE TOOL CO	4/06/12	CREDIT FOR UNFIXED CABLE	MUNICIPAL WASTEWAT	M-SOURCE MAINS & LIFTS	175.00
	4/06/12	LABOR TO REPAIR CAMERA	MUNICIPAL WASTEWAT	M-SOURCE MAINS & LIFTS	129.94
	4/06/12	LABOR TO REPAIR CAMERA	MUNICIPAL WASTEWAT	M-SOURCE MAINS & LIFTS	106.76
	4/06/12	CREDIT FOR UNFIXED CABLE	STORM WATER MANAGE	STORM DRAINAGE	175.00
	4/06/12	LABOR TO REPAIR CAMERA	STORM WATER MANAGE	STORM DRAINAGE	129.93
				TOTAL:	16.63
FRIENDS OF THE AUDITORIUM	4/06/12	STUDENT SERIES-LARRY YAZZI	MEMORIAL AUDITORIU	MEMORIAL AUDITORIUM	500.00
				TOTAL:	500.00
G & R CONTROLS INC	4/06/12	GENERATOR BLDG CONTROLS	ELECTRIC	GENERATION	7,040.00
				TOTAL:	7,040.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
GCC -CONSOLIDATED READY MIX INC	4/06/12	TRASH CANS	RECREATION	PARK AREAS	374.06
				TOTAL:	374.06
GEOTEK INC	4/06/12	NEW FIRE STATION TEST/INSP	GENERAL FUND	FIRE ADMINISTRATION	2,421.00
				TOTAL:	2,421.00
GRAHAM TIRE OF WORTHINGTON INC	4/06/12	OIL CHANGE	RECREATION	PARK AREAS	22.86
	4/06/12	OIL CHANGE	RECREATION	PARK AREAS	10.00
	4/06/12	FRONT TIRES ON 408	STORM WATER MANAGE	STREET CLEANING	705.24
	4/06/12	FRONT TIRES ON 408	STORM WATER MANAGE	STREET CLEANING	40.00
				TOTAL:	778.10
H.M. CRAGG CO	4/06/12	BATTERY INSPECTIONS	ELECTRIC	O-DISTR STATION EXPENS	1,500.00
	4/06/12	BATTERY REPLACEMENT	ELECTRIC	FA DISTR STATION EQUIP	8,488.28
	4/06/12	BATTERIES CHSS	ELECTRIC	FA DISTR STATION EQUIP	11,365.36
				TOTAL:	21,353.64
HAGEN BEVERAGE DISTRIBUTING INC	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	1,621.20
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	4,864.00
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	5,906.75
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	4,744.75
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	136.00
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	278.10
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	5,428.29
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	42.00
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	389.25
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	10,240.30
	4/06/12	WATER	LIQUOR	O-GEN MISC	71.00
				TOTAL:	33,721.64
HAWKINS INC	4/06/12	HAWKINS INC	WATER	O-PURIFY	4,938.18
				TOTAL:	4,938.18
HOPE HAVEN INC	4/06/12	STAKES	RECREATION	PARK AREAS	15.02
				TOTAL:	15.02
HYDRAULIC WORLD INC	4/06/12	PAYLOADER CYLINDER REPAIR	GENERAL FUND	PAVED STREETS	315.60
	4/06/12	PAYLOADER CYLINDER REPAIR	GENERAL FUND	PAVED STREETS	75.00
				TOTAL:	390.60
ICPC MEMBERSHIP SECRETARY	4/06/12	ANNUAL MEMBERSHIP	GENERAL FUND	POLICE ADMINISTRATION	125.00
				TOTAL:	125.00
IDE@S	4/06/12	TECHNICAL SUPPORT-WIRELESS	RECREATION	GOLF COURSE-GREEN	45.00
				TOTAL:	45.00
IDEXX DISTRIBUTION CORP	4/06/12	LAB SUPPLIES	MUNICIPAL WASTEWAT	O-PURIFY LABORATORY	896.97
				TOTAL:	896.97
IVE'S RADIATOR INC	4/06/12	SERVICE RADIATOR	RECREATION	GOLF COURSE-GREEN	30.00
				TOTAL:	30.00
J & K WINDOWS	4/06/12	WINDOW CLEANING	LIQUOR	O-GEN MISC	30.00
				TOTAL:	30.00
JACKS UNIFORMS & EQUIPMENT	4/06/12	UNIFORMS	GENERAL FUND	POLICE ADMINISTRATION	252.64

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	4/06/12	UNIFORMS	GENERAL FUND	POLICE ADMINISTRATION	96.90
				TOTAL:	349.54
JBS USA	4/06/12	2011 FINAL RECONCILIATION	INDUSTRIAL WASTEWA	NON-DEPARTMENTAL	147,658.22
	4/06/12	1ST QTR 2012 SETTLEMENT	INDUSTRIAL WASTEWA	ADMIN MISC	11,331.33
				TOTAL:	158,989.55
JEFFERSON FIRE & SAFETY INC	4/06/12	HIP BOOTS	WATER	O-DISTR MISC	380.89
				TOTAL:	380.89
JOHNSON BROTHERS LIQUOR CO	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	2,587.28
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	2,514.85
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	1,576.94
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	2,410.05
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	23.00
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	29.25
	4/06/12	WINE CREDIT	LIQUOR	NON-DEPARTMENTAL	12.00
				TOTAL:	9,129.37
KARLS CARQUEST AUTO PARTS INC	4/06/12	BATTERY	RECREATION	PARK AREAS	121.97
				TOTAL:	121.97
KOLANDER BRIAN	4/06/12	REIMBURSE	GENERAL FUND	ACCOUNTING	108.78
				TOTAL:	108.78
KRUSE MOTORS OF WORTHINGTON INC	4/06/12	SERVICE AIR BAG	GENERAL FUND	POLICE ADMINISTRATION	85.91
	4/06/12	TOW	GENERAL FUND	POLICE ADMINISTRATION	64.13
	4/06/12	TOW	GENERAL FUND	CODE ENFORCEMENT	64.13
	4/06/12	PARTS	RECREATION	PARK AREAS	41.37
				TOTAL:	255.54
LAB SAFETY SUPPLY INC	4/06/12	CUSTOM SIGN	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	61.00
				TOTAL:	61.00
LAMPERTS #5154870	4/06/12	CENT BEACH ROOF	RECREATION	PARK AREAS	3,146.38
	4/06/12	RETURNED PRODUCTS CENT BEA	RECREATION	PARK AREAS	52.52
	4/06/12	CENT BEACH ROOF	RECREATION	PARK AREAS	30.46
				TOTAL:	3,124.32
LAMPERTS YARDS INC-2600013	4/06/12	SHELVING	ELECTRIC	M-DISTR STATION EQUIPM	51.17
	4/06/12	PLYWOOD	ELECTRIC	M-DISTR STATION EQUIPM	41.72
				TOTAL:	92.89
LAMPERTS YARDS INC-2602004	4/06/12	SLATWALL FOR CLUBHOUSE	RECREATION	GOLF COURSE-CLUBHOUSE	117.54
	4/06/12	FURRING STRIPS, SCREWS	RECREATION	GOLF COURSE-GREEN	166.12
	4/06/12	BENCH	RECREATION	PARK AREAS	10.07
	4/06/12	BOLTS	ELECTRIC	M-DISTR STATION EQUIPM	16.01
	4/06/12	STUDS	ELECTRIC	M-DISTR STATION EQUIPM	14.54
	4/06/12	SCREWS	ELECTRIC	M-DISTR STATION EQUIPM	9.07
	4/06/12	STUDS	ELECTRIC	M-DISTR STATION EQUIPM	4.14
	4/06/12	MANHOLE	STORM WATER MANAGE	STORM DRAINAGE	18.81
				TOTAL:	356.30
LARSON CRANE SERVICE INC	4/06/12	SNOW REMOVAL	ECONOMIC DEV AUTHO	TRAINING/TESTING CENTE	95.00
				TOTAL:	95.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
LEWIS & CLARK REGIONAL WATER SYSTEM IN	4/06/12	LOBBYING CHARGES- 3RD QTR	WATER	O-SOURCE WELLS & SPRNG	2,483.25
				TOTAL:	2,483.25
MARCO	4/06/12	COPIER SERVICE/SUPPLY	WATER	ACCTS-RECORDS & COLLEC	16.37
	4/06/12	COPIER SERVICE/SUPPLY	MUNICIPAL WASTEWAT	ACCT-RECORDS & COLLECT	16.37
	4/06/12	COPIER SERVICE/SUPPLY	ELECTRIC	ACCTS-RECORDS & COLLEC	32.74
				TOTAL:	65.48
MAURICES INCORPORATED	4/06/12	LIGHTING EFFICIENCY REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	720.00
				TOTAL:	720.00
MERITAIN HEALTH	4/06/12	RUN-OUT ADMINISTRATION 5/1	HEALTH INS PLAN (T	EMPLOYEE PENS & BENEFI	2,290.80
				TOTAL:	2,290.80
MINNESOTA DEPARTMENT OF HEALTH	4/06/12	WELL MAINTENANCE PERMIT	WATER	O-SOURCE WELLS & SPRNG	50.00
				TOTAL:	50.00
MINNESOTA MUNICIPAL UTILITIES ASSOC	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	ADMINISTRATION	157.99
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	ENGINEERING ADMIN	289.64
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	ECONOMIC DEVELOPMENT	131.66
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	POLICE ADMINISTRATION	1,632.53
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	FIRE ADMINISTRATION	1,895.84
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	PAVED STREETS	52.66
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	PAVED STREETS	315.97
	4/06/12	2012 DRUG & ALCOHOL CONSOR	GENERAL FUND	PAVED STREETS	217.00
	4/06/12	2ND QTR OSHA SAFETY PROGRA	GENERAL FUND	CODE ENFORCEMENT	52.66
	4/06/12	2ND QTR OSHA SAFETY PROGRA	RECREATION	GOLF COURSE-GREEN	52.66
	4/06/12	2012 DRUG & ALCOHOL CONSOR	RECREATION	GOLF COURSE-GREEN	31.00
	4/06/12	2ND QTR OSHA SAFETY PROGRA	RECREATION	PARK AREAS	210.65
	4/06/12	2012 DRUG & ALCOHOL CONSOR	RECREATION	PARK AREAS	93.00
	4/06/12	2012 DRUG & ALCOHOL CONSOR	WATER	O-DISTR MISC	155.00
	4/06/12	2012 DRUG & ALCOHOL CONSOR	MUNICIPAL WASTEWAT	O-PURIFY MISC	217.00
	4/06/12	2012 DRUG & ALCOHOL CONSOR	ELECTRIC	O-DISTR MISC	186.00
	4/06/12	2ND QTR OSHA SAFETY PROGRA	LIQUOR	O-GEN MISC	157.99
	4/06/12	2ND QTR OSHA SAFETY PROGRA	DATA PROCESSING	DATA PROCESSING	210.65
				TOTAL:	6,059.90
MINNESOTA WEST	4/06/12	CUSTOMER SERVICE WORKSHOP	LIQUOR	O-GEN MISC	120.00
				TOTAL:	120.00
MISCELLANEOUS V BUSCHENA LORI	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	10.00
COBB RICK	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	50.00
FRISCH DOUG	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	50.00
JENKINS KAREN	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	50.00
JOHNSON KYLE	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	50.00
MENKE ALPHONSE	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	50.00
MILBRATH GARY	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	25.00
MOGCK ARLO	4/06/12	CUSTOMER REBATE	ELECTRIC	CUSTOMER INSTALL EXPEN	25.00
				TOTAL:	310.00
MORRIS ELECTRONICS INC	4/06/12	SYMANTEC BACKUP	WATER	ACCTS-RECORDS & COLLEC	31.85
	4/06/12	SYMANTEC BACKUP	MUNICIPAL WASTEWAT	ACCT-RECORDS & COLLECT	31.85
	4/06/12	SYMANTEC BACKUP	ELECTRIC	ACCTS-RECORDS & COLLEC	63.71
				TOTAL:	127.41
MURRAY COUNTY SHERIFFS OFFICE	4/06/12	PANASONIC TOUGHBOOKS	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	971.89

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
				TOTAL:	971.89
NAVAL SURFACE WARFARE CENTER	4/06/12	NIGHT VISION EQUIPMENT	GENERAL FUND	SECURITY CENTER	300.00
	4/06/12	NIGHT VISION EQUIPMENT	GENERAL FUND	SECURITY CENTER	300.00
				TOTAL:	600.00
NOBLES COOPERATIVE ELECTRIC	4/06/12	RANGE ELECTRICITY	GENERAL FUND	SECURITY CENTER	6.83
	4/06/12	RANGE ELECTRICITY	GENERAL FUND	SECURITY CENTER	6.83
	4/06/12	ELECTRIC SERVICE	RECREATION	GOLF COURSE-CLUBHOUSE	165.63
	4/06/12	ELECTRIC SERVICE	RECREATION	GOLF COURSE-GREEN	13.36
	4/06/12	ELECTRIC SERVICE	RECREATION	GOLF COURSE-GREEN	146.91
	4/06/12	ELECTRIC SERVICE	RECREATION	GOLF COURSE-GREEN	80.16
	4/06/12	ELECTRIC SERVICE	WATER	O-PUMPING	12.51
	4/06/12	ELECTRIC SERVICE	WATER	O-PUMPING	12.51
	4/06/12	ELECTRIC SERVICE	AIRPORT	O-GEN MISC	37.68
				TOTAL:	482.42
NOBLES COUNTY ATTORNEY	4/06/12	VEULVILAVONG FORFEITURE	GENERAL FUND	POLICE ADMINISTRATION	84.96
				TOTAL:	84.96
NOBLES COUNTY AUDITOR/TREASURER	4/06/12	LONG DISTANCE ENDING 2/29/	GENERAL FUND	POLICE ADMINISTRATION	128.71
	4/06/12	MARCH LEGAL SERVICES	GENERAL FUND	PROSECUTION	11,690.25
	4/06/12	SOLID WASTE FEBRUARY	WASTE MANAGEMENT C	SOLID WASTE/RECYCLE	7,244.00
				TOTAL:	19,062.96
NOBLES COUNTY COURT ADMINISTRATOR	4/06/12	LING/B&J OIL CONDEMNATION	IMPROVEMENT CONST	TH 59 N IMPROVEMENTS	148,100.00
				TOTAL:	148,100.00
NOBLES COUNTY ENVIRONMENTAL SERVICES	4/06/12	RECYCLE FLUORESCENT BULBS	LIQUOR	O-GEN MISC	16.40
				TOTAL:	16.40
NOBLES COUNTY HIGHWAY DEPT	4/06/12	FEBRUARY FUEL	GENERAL FUND	ENGINEERING ADMIN	106.88
	4/06/12	FEBRUARY FUEL	GENERAL FUND	ECONOMIC DEVELOPMENT	95.11
	4/06/12	FEBRUARY FUEL	GENERAL FUND	POLICE ADMINISTRATION	5,337.68
	4/06/12	FEBRUARY FUEL	GENERAL FUND	REGULATE LAWFUL GAMBLE	4.58
	4/06/12	FEBRUARY FUEL	GENERAL FUND	ANIMAL CONTROL ENFORCE	200.69
	4/06/12	FEBRUARY FUEL	GENERAL FUND	PAVED STREETS	43.45
	4/06/12	FEBRUARY FUEL	GENERAL FUND	ICE AND SNOW REMOVAL	3,431.75
	4/06/12	FEBRUARY FUEL	GENERAL FUND	CODE ENFORCEMENT	123.36
	4/06/12	FEBRUARY FUEL	RECREATION	GOLF COURSE-GREEN	1,508.54
	4/06/12	FEBRUARY FUEL	RECREATION	PARK AREAS	314.42
	4/06/12	FEBRUARY FUEL	RECREATION	TREE REMOVAL	669.99
	4/06/12	FEBRUARY FUEL	WATER	O-PUMPING	353.12
	4/06/12	FEBRUARY FUEL	WATER	M-TRANS MAINS	434.75
	4/06/12	FEBRUARY FUEL	MUNICIPAL WASTEWAT	O-PURIFY SUPERVISION	58.69
	4/06/12	FEBRUARY FUEL	MUNICIPAL WASTEWAT	M-SOURCE MAINS & LIFTS	110.00
	4/06/12	FEBRUARY FUEL	MUNICIPAL WASTEWAT	M-SOURCE MAINS & LIFTS	226.99
	4/06/12	FEBRUARY FUEL	ELECTRIC	O-DISTR UNDERGRND LINE	860.36
	4/06/12	FEBRUARY FUEL	STORM WATER MANAGE	STORM DRAINAGE	495.95
	4/06/12	FEBRUARY FUEL	AIRPORT	O-GEN MISC	168.26
				TOTAL:	14,544.57
NOBLES COUNTY LANDFILL	4/06/12	CENT BEACH ROOF	RECREATION	PARK AREAS	192.72
				TOTAL:	192.72
NOBLES SOIL & WATER CONSERVATION DIST	4/06/12	TREES FOR SNOW FENCE	GENERAL FUND	ICE AND SNOW REMOVAL	470.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
				TOTAL:	470.00
NORTHEAST WISCONSIN TECHNICAL COLLEGE	4/06/12	SPRING TASER TRAINING	GENERAL FUND	POLICE ADMINISTRATION	570.00
				TOTAL:	570.00
OFFICE SYSTEMS CO	4/06/12	COPIER SERVICE	GENERAL FUND	SECURITY CENTER	57.74
	4/06/12	COPIER SERVICE	GENERAL FUND	SECURITY CENTER	57.75
				TOTAL:	115.49
PAUSTIS & SONS	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	4,353.04
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	726.00
				TOTAL:	5,079.04
PAVELKO MIKE	4/06/12	REIMBURSE	MUNICIPAL WASTEWAT	O-PURIFY LABORATORY	70.07
				TOTAL:	70.07
PEER ENGINEERING INC	4/06/12	PROFESSIONAL SERVICES	IMPROVEMENT CONST	ADI DEVELOPMENT	11,999.99
				TOTAL:	11,999.99
PEN LINK LTD	4/06/12	CELL PHONE FORENSICS PROGR	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	500.00
				TOTAL:	500.00
PEPSI COLA BOTTLING CO	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	184.00
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	158.70
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	52.00
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	107.85
				TOTAL:	502.55
PETERSEN CLEANING & SUPPLY	4/06/12	TOWELS	WATER	O-DISTR MISC	30.05
				TOTAL:	30.05
PHILLIPS WINE & SPIRITS INC	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	3,285.10
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	959.55
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	1,900.40
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	1,534.45
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	30.25
				TOTAL:	7,709.75
PIPESTONE COUNTY ATTORNEYS OFFICE	4/06/12	PETROFF FORFEITURE	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	28.60
				TOTAL:	28.60
PRAIRIE LAND TREES INC	4/06/12	OLSON FIREWOOD-WOOD SPLITT	RECREATION	OLSON PARK CAMPGROUND	350.00
				TOTAL:	350.00
QUALITY WINE & SPIRITS	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	14,879.28
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	6,024.96
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	320.00
	4/06/12	BEER	LIQUOR	NON-DEPARTMENTAL	336.00
				TOTAL:	21,560.24
RACOM CORP	4/06/12	SERVICE LOCATOR	ELECTRIC	M-DISTR UNDERGRND LINE	44.00
				TOTAL:	44.00
REVIER PRESSURE WASHERS INC	4/06/12	SOAP	RECREATION	PARK AREAS	30.00
				TOTAL:	30.00

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
RON'S REPAIR INC	4/06/12	COVER, HOOD KIT	GENERAL FUND	PAVED STREETS	150.32
	4/06/12	COVER, HOOD KIT	GENERAL FUND	ICE AND SNOW REMOVAL	150.33
				TOTAL:	300.65
ROOS ERIC	4/06/12	REIMBURSE	WATER	O-DISTR MISC	28.82
				TOTAL:	28.82
RUNNINGS SUPPLY INC-ACCT#9502440	4/06/12	SOLDER PASTE, BRUSH	MUNICIPAL WASTEWAT	O-PURIFY MISC	4.59
	4/06/12	PIPE, ADAPTORS	MUNICIPAL WASTEWAT	M-SOURCE MISC	14.15
	4/06/12	BALL VALVE, ADAPTORS	MUNICIPAL WASTEWAT	M-PURIFY EQUIPMENT	29.96
				TOTAL:	48.70
RUNNINGS SUPPLY INC-ACCT#9502485	4/06/12	EPSOM SALT-THOR'S FOOT	GENERAL FUND	POLICE ADMINISTRATION	4.05
	4/06/12	BOLTS FOR FLOATING DOCK	GENERAL FUND	LAKE IMPROVEMENT	3.55
	4/06/12	SWITCH TOGGLE, TRAILER WIR	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	20.82
	4/06/12	RATCHET STRAPS	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	75.83
	4/06/12	PROPANE	RECREATION	GOLF COURSE-CLUBHOUSE	31.00
	4/06/12	COVERALLS	RECREATION	GOLF COURSE-GREEN	34.99
	4/06/12	BULBS, PLIERS, FITTINGS	RECREATION	GOLF COURSE-GREEN	40.34
	4/06/12	BULBS, BLEACH	RECREATION	GOLF COURSE-GREEN	7.89
	4/06/12	HAMMER TACKER, SPADING FOR	RECREATION	PARK AREAS	131.14
	4/06/12	HAMMER, KNIFE, WONDER BAR	RECREATION	PARK AREAS	66.50
	4/06/12	CENT BEACH ROOF	RECREATION	PARK AREAS	5.55
	4/06/12	TENNIS NETS	RECREATION	PARK AREAS	25.12
	4/06/12	DRILL SCREWS	RECREATION	PARK AREAS	6.73
	4/06/12	ROLLER COVER, FRAME	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	18.69
	4/06/12	ROUTER BIT	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	20.30
				TOTAL:	492.50
S & K TRUCK LINE INC	4/06/12	FREIGHT	LIQUOR	O-SOURCE MISC	591.30
	4/06/12	FREIGHT	LIQUOR	O-SOURCE MISC	299.70
				TOTAL:	891.00
SANITATION PRODUCTS INC	4/06/12	PARTS FOR ELGIN SWEEPER	STORM WATER MANAGE	STREET CLEANING	368.24
				TOTAL:	368.24
SCHAAP SANITATION INC	4/06/12	MONTHLY SERVICE	GENERAL FUND	GENERAL GOVT BUILDINGS	96.71
	4/06/12	MONTHLY SERVICE	GENERAL FUND	FIRE ADMINISTRATION	37.76
	4/06/12	MONTHLY SERVICE	GENERAL FUND	PAVED STREETS	92.40
	4/06/12	MONTHLY SERVICE	GENERAL FUND	COMMUNITY CENTER	47.02
	4/06/12	MONTHLY SERVICE	RECREATION	GOLF COURSE-GREEN	237.39
	4/06/12	MONTHLY SERVICE	ECONOMIC DEV AUTHO	TRAINING/TESTING CENTE	51.27
	4/06/12	MONTHLY SERVICE	WATER	O-DISTR MISC	130.21
	4/06/12	MONTHLY SERVICE	ELECTRIC	O-DISTR MISC	144.07
	4/06/12	MONTHLY SERVICE	LIQUOR	O-GEN MISC	124.29
	4/06/12	MONTHLY SERVICE	AIRPORT	O-GEN MISC	73.75
	4/06/12	MONTHLY SERVICE	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	67.87
	4/06/12	FEBRUARY 2012 SOLID WASTE	GARBAGE COLLECTION	SOLID WASTE/RECYCLE	60,975.58
	4/06/12	FEBRUARY 2012 SOLID WASTE	GARBAGE COLLECTION	SOLID WASTE/RECYCLE	12,423.46
	4/06/12	FEBRUARY 2012 SOLID WASTE	GARBAGE COLLECTION	SOLID WASTE/RECYCLE	699.11
	4/06/12	FEBRUARY 2012 SOLID WASTE	GARBAGE COLLECTION	CODE ENFORCEMENT	3,984.20
			TOTAL:	77,786.87	
SCHWALBACH #4465	4/06/12	ICE SCRAPER, TOOL HOOK	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	16.86
	4/06/12	KRYLON SPRAY, TENSION CLIP	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	28.79
	4/06/12	HOOK ROPES, TENSION BAR	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	45.05

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	4/06/12	SWITCH	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	13.87
	4/06/12	SAND SPONGE	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	7.47
	4/06/12	CHAIN LINKS	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	14.06
				TOTAL:	126.10
SCHWALBACH ACE HARDWARE-5930	4/06/12	DUPLICATE KEYS, WIRING SUP	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	24.69
	4/06/12	TOILET SUPPLIES, FILTERS	RECREATION	GOLF COURSE-CLUBHOUSE	42.71
	4/06/12	SILICONE GREASE	RECREATION	GOLF COURSE-CLUBHOUSE	4.80
	4/06/12	PAINT, SUPPLIES	RECREATION	GOLF COURSE-GREEN	44.82
	4/06/12	DRILL BITS	RECREATION	PARK AREAS	26.16
	4/06/12	SHELTER SUPPLIES	RECREATION	PARK AREAS	15.44
	4/06/12	GRAFFITI REMOVAL	RECREATION	PARK AREAS	14.94
				TOTAL:	173.56
SCHWALBACH ACE #6067	4/06/12	D CELL BATTERIES	MUNICIPAL WASTEWAT	O-PURIFY MISC	32.04
				TOTAL:	32.04
SCHWICKERTS	4/06/12	ROOF REPAIR-DIAGONAL RD	GENERAL FUND	PAVED STREETS	1,192.06
	4/06/12	ROOF REPAIR-DIAGONAL RD	GENERAL FUND	PAVED STREETS	1,192.06
	4/06/12	ROOF REPAIR-DIAGONAL RD	WATER	M-DIST STRUCTURES	2,384.12
	4/06/12	ROOF REPAIR-DIAGONAL RD	ELECTRIC	M-DISTR STRUCTURES	2,384.13
				TOTAL:	7,152.37
SEW UNIQUE INC	4/06/12	T-SHIRT: 2012 MRWA CONTEST	WATER	ACCTS-SERV & INFORMATI	32.00
				TOTAL:	32.00
ARTHUR SHERER	4/06/12	SNOW REMOVAL	GENERAL FUND	COMMUNITY CENTER	30.00
	4/06/12	SNOW REMOVAL	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	160.00
				TOTAL:	190.00
SHINE BROS CORP OF MN	4/06/12	BALLFIELD DRAG PARTS	RECREATION	PARK AREAS	5.93
				TOTAL:	5.93
SOUTHERN WINE & SPIRITS OF MINNESOTA	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	492.07
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	320.00
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	1,242.56
	4/06/12	FREIGHT	LIQUOR	O-SOURCE MISC	17.58
	4/06/12	FREIGHT	LIQUOR	O-SOURCE MISC	20.35
				TOTAL:	2,092.56
STREICHER'S INC	4/06/12	AMMUNITION	GENERAL FUND	POLICE ADMINISTRATION	3,439.01
	4/06/12	TAC VEST CARRIERS/EQUIPMEN	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	56.11
	4/06/12	TAC VEST CARRIERS/EQUIPMEN	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	159.24
				TOTAL:	3,654.36
STUART C IRBY CO	4/06/12	BLANKET TESTING	ELECTRIC	O-DISTR MISC	309.81
				TOTAL:	309.81
T & R ELECTRIC SUPPLY CO INC	4/06/12	REPAIR TRANSFORMERS	ELECTRIC	M-DISTR LINE TRANSFRMR	6,356.93
				TOTAL:	6,356.93
TRACTOR SUPPLY CREDIT PLAN	4/06/12	HINGE HASP, CARRY ALL FRAM	RECREATION	GOLF COURSE-CLUBHOUSE	145.99
	4/06/12	RETURNED HINGE HASP, SAFET	RECREATION	GOLF COURSE-CLUBHOUSE	0.53
	4/06/12	COMPRESSOR AIR HOSES	RECREATION	PARK AREAS	134.14
				TOTAL:	279.60

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
TRAVEL EXPRESS	4/06/12	CAR WASHES	GENERAL FUND	POLICE ADMINISTRATION	144.00
				TOTAL:	144.00
TRI-STATE RENTAL CENTER	4/06/12	AIR COMPRESSOR RENTAL	RECREATION	PARK AREAS	74.81
	4/06/12	AUGER BIT	ELECTRIC	O-DISTR MISC	723.63
				TOTAL:	798.44
UNITED PARCEL SERVICE	4/06/12	INTERNET SHIPPING CHARGES	ELECTRIC	O-DISTR MISC	27.47
				TOTAL:	27.47
UTILITIES PLUS ENERGY SERVICES INC	4/06/12	15KV BREAKER & LTC MAINTEN	ELECTRIC	M-DISTR STATION EQUIPM	26,450.00
				TOTAL:	26,450.00
VERIZON WIRELESS	4/06/12	WIRELESS SERVICE	GENERAL FUND	MAYOR AND COUNCIL	45.58
	4/06/12	WIRELESS SERVICE	GENERAL FUND	ADMINISTRATION	55.13
	4/06/12	WIRELESS SERVICE	GENERAL FUND	ENGINEERING ADMIN	68.76
	4/06/12	WIRELESS SERVICE	GENERAL FUND	ECONOMIC DEVELOPMENT	34.49
	4/06/12	WIRELESS SERVICE	GENERAL FUND	POLICE ADMINISTRATION	721.12
	4/06/12	WIRELESS DATA CARDS	GENERAL FUND	POLICE ADMINISTRATION	364.30
	4/06/12	WIRELESS SERVICE	GENERAL FUND	SECURITY CENTER	60.51
	4/06/12	WIRELESS SERVICE	GENERAL FUND	SECURITY CENTER	60.51
	4/06/12	WIRELESS DATA CARDS	GENERAL FUND	SECURITY CENTER	286.22
	4/06/12	WIRELESS SERVICE	GENERAL FUND	PAVED STREETS	67.44
	4/06/12	WIRELESS SERVICE	GENERAL FUND	CODE ENFORCEMENT	48.81
	4/06/12	WIRELESS SERVICE	PD TASK FORCE	BUFFALO RIDGE DRUG TAS	435.56
	4/06/12	WIRELESS SERVICE	RECREATION	PARK AREAS	34.36
	4/06/12	WIRELESS SERVICE	RECREATION	OLSON PARK CAMPGROUND	34.36
	4/06/12	WIRELESS SERVICE	MEMORIAL AUDITORIUM	MEMORIAL AUDITORIUM	34.36
				TOTAL:	2,351.51
VETERINARY MEDICAL CTR PA	4/06/12	THOR PHYSICAL, VACCINES	GENERAL FUND	POLICE ADMINISTRATION	121.78
	4/06/12	THOR EXAM, METACAM	GENERAL FUND	POLICE ADMINISTRATION	153.14
				TOTAL:	274.92
WCL ASSOCIATES INC	4/06/12	EVENT CENTER	EVENT CENTER/AUDIT	EVENT CENTER	7,807.61
				TOTAL:	7,807.61
WIRTZ BEVERAGE MINNESOTA WINE & SPIRIT	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	3,034.37
	4/06/12	WINE	LIQUOR	NON-DEPARTMENTAL	1,249.41
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	1,345.00
	4/06/12	MIX	LIQUOR	NON-DEPARTMENTAL	131.11
	4/06/12	LIQUOR	LIQUOR	NON-DEPARTMENTAL	193.94
				TOTAL:	5,953.83
WORTHINGTON AUTO SUPPLY	4/06/12	PARTS	GENERAL FUND	POLICE ADMINISTRATION	88.17
	4/06/12	HALOGEN BULB	GENERAL FUND	POLICE ADMINISTRATION	10.25
	4/06/12	PARTS	GENERAL FUND	POLICE ADMINISTRATION	88.17
	4/06/12	LOW BEAM LAMP	GENERAL FUND	POLICE ADMINISTRATION	14.45
				TOTAL:	201.04
WORTHINGTON ELECTRIC INC	4/06/12	OLD YMCA WORK	GENERAL FUND	ECONOMIC DEVELOPMENT	3,500.00
				TOTAL:	3,500.00
WORTHINGTON EXCAVATING INC	4/06/12	SNOW REMOVAL	GENERAL FUND	FIRE ADMINISTRATION	62.50
	4/06/12	SNOW REMOVAL	GENERAL FUND	ICE AND SNOW REMOVAL	792.00
				TOTAL:	854.50

VENDOR SORT KEY	DATE	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
WORTHINGTON POWER & EQUIP INC	4/06/12	OIL FOR TRIMMER	MUNICIPAL WASTEWAT	M-PURIFY EQUIPMENT	7.38
				TOTAL:	7.38
WORTHINGTON REGIONAL ECON DEV CORP	4/06/12	BIO-SCIENCE CONFERENCE PRO AIRPORT		O-GEN MISC	500.00
				TOTAL:	500.00
ZEP SALES & SERVICE	4/06/12	CLEANING SUPPLIES	ELECTRIC	O-DISTR MISC	225.12
				TOTAL:	225.12

===== FUND TOTALS =====

101	GENERAL FUND	50,900.71
207	PD TASK FORCE	2,287.04
229	RECREATION	9,568.94
231	ECONOMIC DEV AUTHORITY	146.27
344	PIR SERIES 2004A	370.83
345	PIR SERIES 2007A	370.83
346	PIR SERIES 2009C	370.83
347	PIR SERIES 2010A	370.83
401	IMPROVEMENT CONST	161,927.44
432	EVENT CENTER/AUDITORIUM	21,392.61
601	WATER	16,566.90
602	MUNICIPAL WASTEWATER	7,369.78
604	ELECTRIC	75,783.53
605	INDUSTRIAL WASTEWATER	259,460.18
606	STORM WATER MANAGEMENT	1,583.17
609	LIQUOR	109,660.18
612	AIRPORT	849.43
614	MEMORIAL AUDITORIUM	3,988.32
702	DATA PROCESSING	210.65
705	HEALTH INS PLAN (TPA)	2,290.80
873	GARBAGE COLLECTION	76,684.13
878	WASTE MANAGEMENT COLL	7,244.00

 GRAND TOTAL: 809,397.40
