

**WORTHINGTON CITY COUNCIL
SPECIAL MEETING**

**4:00 P.M. - Wednesday, December 20, 2023
City Hall Council Chambers**

A. CALL TO ORDER

B. CITY COUNCIL BUSINESS - ENGINEERING

1. Eighth Avenue Liquidated Damage Reduction Request

C. CITY COUNCIL BUSINESS - ADMINISTRATION

1. Council Discussion Regarding the City's Financial Participation in a Proposed Ice Arena Project
2. Council Approval of Position Guidelines and Classification
3. Council Approval of Revised Position Classifications

D. ADJOURNMENT

ENGINEERING MEMO

DATE: DECEMBER 20, 2023

TO: MAYOR AND CITY COUNCIL

SUBJECT: ITEMS REQUIRING COUNCIL ACTION OR REVIEW

1. EIGHTH AVENUE LIQUIDATED DAMAGE REDUCTION REQUEST

The full reconstruction of Eighth Avenue, covering the whole right-of-way width of 60'-70', was awarded to Larson Crane Service Inc. (LCS) on May 9, 2022. The contract was awarded for \$1,267,405.95, with a substantial completion date of September 30, 2022.

LCS initiated construction on June 13, 2022. The concrete pavement for the street was poured on November 7, 2022, and the street was opened to traffic on November 14, 2022. Operations were stopped on November 14, 2022, due to the cold weather conditions, leaving the driveway, sidewalks, and turf establishment incomplete. Gravel driveways were established temporarily to provide access to residents during the winter. LCS resumed operations in the following spring, on April 17, 2023. Sidewalks and driveways were poured on May 17, 2023, and opened to pedestrians on May 22, 2023. LCS completed seeding on June 9, 2023.

The contract included liquidated damages of \$1,200 per calendar day. The final pay application, which includes 40 days worth of liquidated damages totaling \$48,000, was forwarded to the contractor on August 29, 2023. The contractor has not returned the pay application, thus final disbursement has not been made. The 40-day liquidated damages do not account for the work completed in spring of 2023. The delay in completion resulted in an extra cost of approximately \$131,000 to the City. The liquidated damages are intended to cover the additional costs incurred by the department in overseeing the project (or in this case, a consultant overseeing the project), and, more importantly, to compensate for the substantial inconvenience experienced by the residents and general public.

LCS claims that the delay in operations was a result of the postponed delivery date for storm water structures. Construction daily records written by Bolton and Menk, Inc. do not mention any operation pauses due to the storm structure missing.

LCS is requesting council reduce or forgive the liquidated damages. Council action is requested.

ADMINISTRATION MEMO

DATE: DECEMBER 20, 2023
TO: HONORABLE MAYOR AND CITY COUNCIL
SUBJECT: ITEMS REQUIRING CITY COUNCIL ACTION OR REVIEW

CASE ITEMS

1. **COUNCIL DISCUSSION REGARDING THE CITY'S FINANCIAL PARTICIPATION IN A PROPOSED ICE ARENA PROJECT**

For a number of months, representatives of the City of Worthington and ISD 518 have discussed the condition and future of the Worthington Ice Arena. Lately, representatives of Nobles County have also been invited to attend these informational meetings.

The ice arena is nearing the end of its useful life and is need of extensive renovation to ensure it remains functional for years to come. The other option is to construct a new facility.

Council is requested to discuss the City's potential financial participation and ownership status of the current and/or new facility.

2. **COUNCIL APPROVAL OF POSITION GUIDELINES AND CLASSIFICATION**

The City was awarded the Minnesota Department of Labor and Industry's (DLI) Building Official Training grant for the period of January 1, 2024 through December 31, 2024. The award was for the maximum amount of up to \$65,000. Staff prepared the Building Inspector I Position Guidelines, included as *Exhibit 1*, with a salary grade of Non-Exempt 5. The beginning wage for this position is \$24.50/hour.

Council is requested to approve the position guidelines and salary grade for Building Inspector I. Upon approval, Staff will begin advertising for applicants.

3. **COUNCIL APPROVAL OF REVISED POSITION CLASSIFICATIONS**

Staff frequently reviews position guidelines and classifications to ensure their completeness and accuracy. Minor changes in the salary grade position classifications were completed for the following:

- Police Officer (590 points): Salary Grade N-11
- Detective, Drug and General Investigator and School Resource Officer (610 points): Salary Grade N-12
- Police Sergeant (630 points): Salary Grade N-13

The revisions are classified as clean up and corrections. None of the positions changed from their current salary grade nor do any personnel move from their current wages.

CITY OF WORTHINGTON

POSITION GUIDELINES

JOB TITLE: Building Inspector, I

CLASSIFICATION: N-5

DIVISION: Community/Development

DATE APPROVED: 12/20/2023

SUMMARY

The Building Inspector ensures compliance with the State Building and Fire Codes to protect and promote safety, building integrity and economic concerns. This involves working with a wide variety of individuals in applying regulations. Although technically oriented with very specific guidelines, this position requires discretion and common sense in interpreting the intent along with the letter of each regulation.

ACCOUNTABILITIES

Reports to: Community Development Director

Coordinates
With: Building Official, Rental Housing Inspector

Supervises: Has no regular supervisory responsibility

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Provides exceptional customer service to internal and external customers.
2. Reviews plans and building permit applications to ensure compliance with applicable State and local building, energy, plumbing and HVAC codes.
3. Conducts a wide variety of building and structural inspections, including but not limited to forms before concrete is poured; rough-in and final residential construction; residential heating and air conditioner installations; rough-in and final plumbing and sewer system installations. Responsible for all inspections of all structural alterations, modifications, remodeling, additions, decks, porches, and pools.
4. Calculates permit fees and other applicable charges and issues building permits as necessary.
5. Provides verbal or written responses to inquiries and requests for information in interpreting applicable building codes to architects, engineers, contractors, developers, and members of the public.

Position Guidelines
Building Inspector, I

6. Responsible for official records for permit applications received, plans, specifications, surveys, plan reviews, permits, and certificates issued, reports of inspections, and notices and orders issued by the Department.
7. Maintains policies and procedures for recordkeeping, inspection scheduling, fee collection and code enforcement.
8. Coordinates plan review with other departments of the City affected by construction for their approval before issuance of permits.
9. Meets with contractors, and the public to clarify City and State codes to ensure that design, materials, and practices conform to applicable codes.
10. Interprets and applies building codes where there may be a question regarding the appropriateness or interpretation of such code.
11. Provides inspection for compliance with the city zoning ordinance and approved site plans through onsite examinations. Assist with administration of the City's zoning ordinance.
12. Assists City Engineering staff with sanitary sewer service inspection and performs inspections in homes and businesses to ensure compliance with the sewer use ordinance as it relates to clear water connections.
13. Coordinating with the City Zoning Department regarding observed violations of the City Zoning Ordinance and provide inspection for compliance of approved site plans.
14. Assists the Rental Housing Inspector as needed to ensure compliance with the City's Rental Housing Code.
15. The foregoing statements describe the principal functions of this position as required within the City. They shall not be construed as an inclusive 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 vehicle, computers, office equipment including copy machine, calculator, and telephone.

Position Guidelines
Building Inspector, I

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 regularly required to use hands to finger, handle, feel or operate objects, or controls and reach with hands and arms. The employee frequently is required to sit for long periods of time; and at times is required to walk (often on an irregular surface), stand, climb, crouch, talk and hear.

The employee may be required to lift/or move up to 10 pounds and occasionally lift and/or move up to 50 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 regularly works an 8-hour day working both in an office setting and in outside weather conditions doing inspections.

The noise level of the work environment will vary from quiet to extreme.

Position Guidelines
Building Inspector, I

JOB REQUIREMENTS

1. Minimum Qualifications:
Education: High school diploma

Two years of experience in the construction industry, or equivalent combination of experience and education.

Bi-lingual - Spanish
2. Desirable Qualifications:
Education: Two years of vocational or technical school in a related field such as carpentry, electrical, plumbing or HVAC

Experience: Two years in Municipal Building Code enforcement.
3. Certification Required - State of Minnesota Building Official - Limited certification or ability to obtain one within one year of start date.

Must have and maintain a valid Driver's License.