# WORTHINGTON CITY COUNCIL REGULAR MEETING, FEBRUARY 12, 2018

The meeting was called to order at 7:00 p.m. in City Hall Council Chambers by Mayor Mike Kuhle with the following Council Members present: Larry Janssen, Alan Oberloh, Chad Cummings, Amy Ernst, Mike Harmon. Honorary Council Member: Jason Turner (7:22 p.m.).

Staff present: Steve Robinson, City Administrator; Todd Wietzema, Public Works Director; Jason Brisson, Director of Community Development, Planning, Zoning and Building Services; Dwayne Haffield, Director of Engineering; Janice Oberloh, City Clerk.

Others present: Justine Wettschreck, KWOA; Karl Evers-Hillstrom, <u>The Globe</u>; John Landgaard; Orville Janssen; Chris Kielblock.

The Pledge of Allegiance was recited.

#### ADDRESS TO COUNCIL REGARDING WATLAND AREA STREET IMPROVEMENTS

Orville Janssen requested to speak to Council regarding street improvements and heavy traffic in the Watland area where he lives, specifically North Douglas Avenue where they also have an implement dealer. Semis unload there - it is a safety issue, and he was requesting that the City look at extending Cecilee Street to Grand Avenue to help eliminate a lot of the traffic on Eleanor Street. Mayor Kuhle responded that Cecilee Street was definitely on the City's radar, sooner than later. Council Member Oberloh noted that the Traffic and Safety Committee will be addressing the semi issue and City staff is supposed to address the issue of a reported mechanic shop that is being run out of a home out there. Following a brief discussion, Mr. Janssen thanked Council for allowing him to speak about his concern.

### AGENDA CLOSED APPROVED WITH ADDITIONS

Staff was requesting two additions to the agenda:

- E.3. Nominating Committee Recommendations for Committee Appointments / Reappointments
- E.4. Minnesota Department of Public Safety Grant Agreement for CD 12 Flood Mitigation Project

The motion was made by Council Member Ernst, seconded by Council Member Harmon and unanimously carried to close / approve the agenda with the requested additions.

#### **CONSENT AGENDA APPROVED**

The motion was made by Council Member Janssen, seconded by Council Member Ernst and unanimously carried to approve the consent agenda as follows:

- City Council Minutes of Regular Meeting January 22, 2018 (continued to January 23, 2018); City Council Minutes of Continued Meeting January 23, 2018; City Council Minutes of Special Meeting, January 31, 2018
- Minutes of Boards and Commissions Water and Light Commission Minutes of January 16, 2018; Worthington Area Convention and Visitors Bureau Minutes of December 13, 2017; Traffic and Safety Committee Minutes of January 30, 2018; Water and Light Commission Minutes of February 5, 2018; Center for Active Living Committee Minutes of January 8, 2018
- Application for Exemption from Lawful Gambling Permit Pheasants Forever Nobles County Chapter #14
- Request to Amend 3.2% Off-Sale Beer License to Reflect Name Change Wal-Mart Stores, Inc.
- Event Center Restocking of Supplies
- Lease Agreement Between City of Worthington and State of Minnesota Department of Administration, Department of Agriculture
- Bills payable and totaling \$1,745,465.32 be ordered paid

### PROFESSIONAL SERVICES AGREEMENT APPROVED - BRUNTON ARCHITECTURE

At their January 22, 2018 regular meeting, Council authorized the Community Growth Committee to work with Brunton Architecture for the 10<sup>th</sup> Street Plaza and Beach Nook projects, with the primary focus on the 10<sup>th</sup> Street Plaza. The Committee met with Corey Brunton regarding architecture and engineering services for the projects, and requested that Brunton submit a proposal for professional services. Steve Robinson, City Administrator, said the proposal includes compensation for services of eight percent (8%) of the Owner's budget for the cost of the work, and is to be performed in five phases. Each phase would require approval by the City. The proposed work phases and compensation for each are:

1.	Schematic Design	25% of the total fee
2.	Design Development	20% of the total fee
3.	Construction Documents	45% of the total fee
4.	Bidding and Negotiating	5% of the total fee
5.	Construction Admin.	5% of the total fee

Civil/Site Engineering are not included in Brunton's services.

Mr. Robinson said the proposed agreement had been reviewed by the City Attorney, and his proposed edits had been accepted.

The motion was made by Council Member Cummings, seconded by Council Member Harmon and unanimously carried to approve the Professional Services Agreement with Brunton Architecture and

to authorize the Mayor and Clerk to execute the document.

# RESOLUTION NO. 2018-02-02 ADOPTED ACCEPTING ART MOBILE DONATION

Steve Robinson, City Administrator, stated that community members Gail Holinka and Bobbie Alsgaard-Lien had applied for an ArtPlace grant through the Southwest Minnesota Housing Partnership to purchase and equip a small bus to be used to bring art projects to public events and neighborhoods throughout Worthington. The grant agreement would be for two years and stipulates that the City will be the owner of the vehicle and provide insurance coverage, which is estimated to be about \$130 per year. As the vehicle would be purchased with the grant and donated to the City, acceptance by resolution is required.

Council Member Cummings asked if we would be under any penalty if the bus ceased to function - is there an obligation to maintain it. Mr. Robinson said when the grant ends or doesn't cover costs the City is not stepping forward for additional costs.

The motion was made by Council Member Oberloh, seconded by Council Member Ernst and unanimously carried to adopt the following resolution accepting the ArtMobile donation:

RESOLUTION NO. 2018-02-02

RESOLUTION ACCEPTING A DONATION OF PERSONAL PROPERTY

(Refer to Resolution File for complete copy of Resolution)

# NOMINATING COMMITTEE RECOMMENDATIONS FOR COMMITTEE APPOINTMENTS/REAPPOINTMENTS APPROVED

The Nominating Committee met this afternoon, Monday, February 12, 2018, and were making the following recommendations for Committee appointments / reappointments:

Charter Commission: Appoint Elwin Aggen to replace Angie Luna,

who does not live in the city.

Appoint Alecia Jensen to replace Mike Woll

who declined to continue his term.

Econ Dev Rev. Loan Fund Comm: Re-appoint Jason Schutz for a two-year term,

term to expire 12/31/2019

Park & Rec Advisory Board: Appoint Craig Stock for a three-year term to

replace Ken Janssen who was not eligible for another term, term to expire 03/31/2021

Appoint Dan Kruger for a three-year term to replace Nick Raymo who was not eligible for another term, term to expire 03/31/2021.

Planning Commission: Re-appoint Amy Woitalewicz for a second

full term, term to expire 03/31/2021

Appoint Rhina Resendez for a three-year term of Jessica Velasco who resigned her term,

term to expire 03/31/2021

Public Arts Commission: Re-appoint Cheryl Avenal-Navara for her first

full three-year term, term to expire 11/30/2020

Water and Light Commission: Re-appoint Aaron Hagen for a second full

three-year term, term to expire 03/31/2021

The motion was made by Council Member Janssen, seconded by Council Member Harmon and unanimously carried to approve the Nominating Committee recommendations for committee appointments / reappointments.

# RESOLUTION NO. 2018-02-03 ADOPTED AUTHORIZING EXECUTION OF MINNESOTA DEPARTMENT OF PUBLIC SAFETY GRANT AGREEMENT A-HMGP-DR4182-WORTHCI-011

At their September 25, 2017 meeting, Council authorized application for a Phase 2 Federal Emergency Management Agency (FEMA) grant for funding up to 75% of the costs for the County Ditch 12 Flood Mitigation project consisting of providing flood storage at I-90 and culvert replacements at Oxford Street and Oslo Street. FEMA gave notification of the award of Phase 2 grant for construction of the County Ditch 12 Flood Mitigation project late last year. Dwayne Haffield, Director of Engineering, noted we just received the state grant agreement for the project today, which must be executed and returned before federal grant dollars can be spent. We currently have an approximate \$4.3 million project, which is the best estimate if the bids and land acquisition costs come in as estimated. The agreement contained a dollar amount of about \$1.2 million for land acquisition based on the original grant application, however, the number being used in the financial planning is \$800,000. Mr. Haffield said it is recommended that we continue with the grant application using the original dollar amount if we can shift line items later on through a budget revision.

Also, the award received in January was about \$390,000 short of what was expected, which was essentially administrative. We did receive a letter from the Department of Public Safety that indicates they are working on processing that additional amount and don't want that money to go anywhere else.

We are still looking at using \$750,000 from reserves and bonding for the remaining amount, however, Mr. Haffield said that after looking at the end of 2017 there is an additional \$100,000 that could be put in the project. It is hoped that the purchase agreement for the largest acquisition will be brought to the next Council meeting.

The motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to adopt the following resolution authorizing the grant agreement:

**RESOLUTION NO. 2018-02-03** 

RESOLUTION NO. 2018-02-03 ADOPTED AUTHORIZING EXECUTION OF MINNESOTA DEPARTMENT OF PUBLIC SAFETY GRANT AGREEMENT A-HMGP-DR4182-WORTHCI-011

(Refer to Resolution File for complete copy of Resolution)

### PRELIMINARY PLAT OF PRAIRIE FIRST ADDITION APPROVED WITH CONDITIONS

Worthington ISD was seeking preliminary plat approval of Prairie First Addition, which is proposed to be a two-lot residential subdivision on approximately 4.41 acres, located west of Pleasant Avenue between Hillcrest Avenue and Eckerson Drive. The property is legally described as follows:

Part of the Southeast Quarter of Section 27, Township 102 North, Range 40 West in the City of Worthington, Worthington Township, Nobles County, Minnesota described as follows:

Commencing at an existing iron monument of the most Northerly Corner of Lot 5, Block 20 of the recorded plat of Blocks 18, 19 and 20, Ludlow Acres, City of Worthington; Thence North 00 degrees 33 minutes 43 seconds west, along the West right of way line of Pleasant Avenue, a distance of 324.60 feet, to the point of beginning; Thence continuing North 00 degrees 33 minutes 43 seconds West, along said West right of way line, a distance of 548.34 feet, to an existing iron monument; thence South 59 degrees 46 minutes 48 seconds West a distance of 192.09 feet, to an existing iron monument; Thence North 30 degrees 10 minutes 41 seconds West a distance of 35.06 feet, to an existing iron monument; Thence South 59 degrees 46 minutes 08 seconds West a distance of 279.53 feet, to an existing iron monument; Thence South 00 degrees 33 minutes 43 seconds East a distance of 345.40 feet;

Thence North 89 degrees 26 minutes 17 seconds East a distance of 427.15 feet, to the point of beginning.

The Planning Commission considered the request at their February 6, 2018 meeting, and after holding a public hearing, voted unanimously to approve the preliminary plat subject to the following conditions:

- 1. The preliminary plat approval is subject to the identification of Pleasant Avenue.
- 2. The preliminary plat approval is subject to the identification of adjacent sewer and water lines.
- 3. The preliminary plat approval is subject to the identification of the property owner(s).

The motion was made by Council Member Oberloh, seconded by Council Member Janssen and unanimously carried to approve the preliminary plat - Prairie First Addition, subject to the conditions as presented.

# PRELIMINARY PLAT APPROVED WITH CONDITIONS - WORTHINGTON COMMUNITY SECOND ADDITION

Yellow Company, LLC was seeking preliminary plat approval of Worthington Community Second Addition, proposed to be a two-lot commercial subdivision on 14.55 acres, located north of Oxford Street between Grand Avenue and Milton Avenue. The property is legally described as follows:

Outlot B, Outlot D, and Outlot E, Worthington Community Addition in the city of Worthington according to the plat thereof on file and of record in the office of the County Recorder, Nobles County, Minnesota.

#### Together with:

That part of the SE 1/4 SW 1/4 of Section 13, Township 102 North, Range 40 West, Nobles County, Minnesota described as follows: commencing at the Southeast corner of said SE 1/4 SW 1/4 of Section 13; thence on an assumed bearing of West along the South line of said SE 1/4 SW 1/4, a distance of 1,274.63 feet to a point 50.00 feet East of the Southwest corner of said SE 1/4 SW 1/4; thence North 0' 57' 28" West, parallel with the West line of said SE 1/4 sw 1/4, a distance of 67.01 feet to the Northerly right-of-way line of Minnesota T.H. 59-16 also being the point of beginning of the tract to be described; thence continuing North 0' 57' 28" West, parallel with said South line of the SE 1/4 SW 1/4, a distance of 200.00 feet; thence on a bearing of east, parallel with said South line of the SE 1/4 SW 1/4, distance of 145.00 feet; thence South 0' 57' 28" East, parallel with said West line of the SE 1/4 SW 1/4, a distance of 200.00 feet to said Northerly right-of-way line of Minnesota T.H. 59-16; thence on a bearing of West along said Northerly right-of-way line of Minnesota T.H. 59-16, a

distance of 145.00 feet to the point of beginning.

The Planning Commission considered the request at their February 6, 2018 meeting, and after holding a public hearing, voted unanimously to approve the preliminary plat subject to the following conditions:

- 1. The site must comply with NPDES storm water permitting requirements.
- 2. The approval of this preliminary plat be contingent upon City staff verifying that the sewer indicated in the easement illustrated in the plat is in adequate condition.
- 3. The approval of this preliminary plat be contingent upon no negative comments from MnDOT.

The motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to approve the preliminary plat - Worthington Community Second Addition, subject to the conditions as presented.

# FINAL PLAT WORTHINGTON COMMUNITY SECOND ADDITION APPROVED WITH CONDITIONS

Yellow Company, LLC was seeking final plat approval of Worthington Community Second Addition, a proposed subdivision on approximately 14.55 acres located north of Oxford Street between Grand Avenue and Milton Avenue, and which will establish two commercial lots. The property is legally described as:

Outlot B, Outlot D, and Outlot E, Worthington Community Addition in the city of Worthington according to the plat thereof on file and of record in the office of the County Recorder, Nobles County, Minnesota.

### Together with:

That part of the SE 1/4 SW 1/4 of Section 13, Township 102 North, Range 40 West, Nobles County, Minnesota described as follows: commencing at the Southeast corner of said SE 1/4 SW 1/4 of Section 13; thence on an assumed bearing of West along the South line of said SE 1/4 SW 1/4, a distance of 1,274.63 feet to a point 50.00 feet East of the Southwest corner of said SE 1/4 SW 1/4; thence North 0' 57' 28" West, parallel with the West line of said SE 1/4 sw 1/4, a distance of 67.01 feet to the Northerly right-of-way line of Minnesota T.H. 59-16 also being the point of beginning of the tract to be described; thence continuing North 0' 57' 28" West, parallel with said South line of the SE 1/4 SW 1/4, a distance of 200.00 feet; thence on a bearing of east, parallel with said South line of the SE 1/4 SW 1/4, distance of 145.00 feet; thence South 0' 57' 28" East, parallel with said West line of the SE 1/4 SW 1/4, a distance of 200.00 feet to said Northerly right-of-way line of Minnesota T.H. 59-16; thence

on a bearing of West along said Northerly right-of-way line of Minnesota T.H. 59-16, a distance of 145.00 feet to the point of beginning.

The applicant was proposing to replat Outlot D, E and Parcel A included in the Worthington Community Addition final plat as Lot 1, Block 1 of Worthington Community Second Addition and replat Outlot B as Lot 1, Block 2 of Worthington Community Second Addition. The remaining lots in Worthington Community Addition will remain unchanged. Preliminary plats bordering trunk highways, county and state roads, or highways must be submitted to MnDOT for written comments and recommendations at least 30 days prior to the City taking final action on the preliminary plat application.

Staff was recommending Council approval of the final plat of Worthington Community Second Addition subject to the following conditions:

- 1. The approval of this final plat be contingent upon the approval of the preliminary plat of Worthington Community Second Addition
- 2. The site must comply with NPDES storm water permitting requirements. To obtain compliance with these requirements it is being proposed that the portion of the overall development not draining into a regional basin be limited in impervious coverage so as to reduce the amount of impervious coverage to less than that which existed prior to redevelopment. To ensure compliance with this best management practice it is being proposed that a declaration or other equivalent document be recorded concurrent with the final plat. The specific condition is therefore that acceptable documentation of allowable impervious area be developed and recorded sequential with the recording of the plat.
- 3. The approval of this final plat be contingent upon City staff verifying that the sewer indicated in the easement illustrated in the plat is in adequate condition.
- 4. The approval of this final plat be contingent upon no negative comments from MnDOT on the preliminary plat of Worthington Community Second Addition.

The motion was made by Council Member Oberloh, seconded by Council Member Harmon and unanimously carried to approve the final plat of Worthington Community Second Addition, subject to the conditions as presented.

### CONDITIONAL USE PERMIT APPROVED - T & S RENTALS, LLC

T & S Rentals was seeking a conditional use permit that would increase their currently permitted number of storage units up to five, adjust their layout, and increase sidewalls to up to 16 feet, with a cumulative total of up to 2,315 square feet when fully developed. The legal description of the property is:

A tract of land in the SE 1/4 NW 1/4 of Section 23, Township 102, Range 40, in the City of Worthington, described as follows:

Commencing at the point of intersection of the north line of Tenth Avenue and the Railroad Company's main track; thence southeasterly along the centerline of said Railroad Company's main track a distance of 349feet; thence southwesterly perpendicular to the centerline of said Railroad Company's main track a distance of 90 feet to the point of beginning; thence continuing southwesterly perpendicular to the centerline of said Railroad's Company's main track a distance of 205 feet, more or less, to the west line of Lot 4 in Block 53 of the Second Addition to the City of Worthington; thence north along said west line of Lot 4 a distance of 340 feet, more or less, to the south line of Tenth Avenue; thence east along said south line of Tenth Avenue a distance of 65 feet, more or less, to a point on a line parallel with and 90 feet from the centerline of said Railroad Company's main track; thence southeasterly along said parallel line a distance of 305 feet, more or less, to the point of beginning.

### Together with:

A parcel of land in Nobles County, Minnesota, described as follows:

In Block 53, Second Addition to the City of Worthington, Nobles County, Minnesota, in the West Half of Section 23, Township 102 North, Range 40 West; commencing at the Northwest corner of Albinson and Boberg's Subdivision thence Westerly along the South line of Tenth Avenue for a distance of approximately 200.41 feet; thence Southeasterly along the Easterly line of a parcel Grantor's predecessor conveyed to Alvin Krusemark by Quit Claim Deed dated December 26, 1969, recorded as Document No. 179229, for a distance of approximately 306.24 feet; thence Southwesterly along the Southerly line of a parcel conveyed to Alvin Krusemark for a distance of approximately 178.62 feet; thence Southerly along the West line of Lot 11, Block 53 for a distance of 210 feet; thence Easterly along the North line, extended, of that parcel Grantor's predecessor conveyed to L.P. Deuel and Louise K. Deuel, by Quit Claim Deed dated January 18, 1956 for a distance of approximately 375 feet; thence North 17 degrees 46 minutes West, more or less, along the West line of that parcel Grantor's predecessor conveyed to Lampert Lumber Yard by Quit Claim Deed dated May 27, 1970, for a distance of 410.95 feet; thence North 72 degrees 14 minutes East, more or less, along the Northerly line of that parcel conveyed to Lampert Lumber Yard, for a distance of 79.97 feet; thence North 17 degrees 46 minutes West, more or less, for a distance of approximately 145.72 feet to the point of the beginning.

## Together with:

North 200 feet of Lot 10, Block 53, Second Addition to Worthington, Nobles County, Minnesota.

#### Except:

That part of Lots 1, 2 and 3 of Block 53 of Second Addition to the City of Worthington, Nobles County, Minnesota, described as follows:

Beginning at the Northwest corner of Albinson and Boberg's Subdivision, according to the recorded plat thereof; thence on an assumed bearing of South 17 degrees 46 minutes 00seconds East, along the westerly line of said Albinson and Bobergs Subdivision, a distance of 145.72 feet to an iron monument; thence South 72 degrees 14 minutes 10 seconds West, a distance of 79.97 feet to an iron monument; thence South 17 degrees 46 minutes 00 seconds East, a distance of 28.00 feet to an iron monument; thence South 72 degrees 14 minutes 00 seconds West, a distance of 70.00 feet to an iron monument; thence North 13 degrees 49 minutes 00 seconds West, a distance of 221.73 feet to an iron monument located on the north line of Block 53 of said Second Addition; thence South 88 degrees 20 minutes 44 seconds East, along said north line, a distance of 142.82 feet to the point of beginning.

Jason Brisson, Director of Community Development, Planning, Zoning and Building Services, said Council had previously approved the permit, but due to staff changeover, there was a lot missing in the legal description, which has now been corrected.

The Planning Commission considered the request at their February 6, 2018 meeting, and after holding a public hearing, voted unanimously to approve the conditional use permit, subject to the following conditions.

- 1. The Applicant properly screens any trash areas in compliance with the Zoning Ordinance;
- 2. The applicant properly provides off-street parking facilities that are in compliance with the Zoning Ordinance;
- 3. The applicant provides vertical landscaping in the form of trees along the west and south property edges where no private fencing currently exists;
- 4 The applicant agrees to store all customer property in storage units; and
- 5. The proposed improvements are completed in accordance with the site plans including tree placement and sidewall illustrations.

The motion was made by Council Member Cummings, seconded by Council Member Ernst and unanimously carried to approve the conditional use permit for T & S Rentals, subject to the stated conditions.

#### HOUSING STUDY UPDATE BY MAXFIELD RESEARCH & CONSULTING APPROVED

Jason Brisson, Director of Community Development, Planning, Zoning and Building Services, said the City had contracted with Viewpoint Consulting Group, Inc. In 2013 to provide a comprehensive housing needs analysis. The study was intended to project housing demand through 2020, however, staff has received several requests for an updated housing study from entities and agencies proposing housing projects in Worthington. While staff has compiled a list of housing built since the 2013 study, they are unable to determine market demand in a comprehensive manner based solely on that information.

Staff received proposals from two of the three firms they solicited - Viewpoint and Maxfield Research and Consulting. Both proposals were very comprehensive and within 0.3% of each other in cost. The Viewpoint proposal included five bound copies of the completed study, while those copies would be \$75 each with the Maxfield proposal. In addition, Viewpoint's time line to complete the study was 90 days for a draft copy, while the Maxfield proposal indicated it would be approximately 120-140 days. Mr. Brisson said based on the slight differences in proposals, staff was recommending moving forward with the Maxfield proposal as they may provide some additional information not covered in the 2013 study with Viewpoint. The cost of the Maxfield proposal is an amount not to exceed \$17,650. Funds would come from the Community Development budget.

The motion was made by Council Member Oberloh, seconded by Council Member Harmon and unanimously carried to approve the Housing Study Update as proposed by Maxfield Research and Consulting at the not to exceed cost of \$17,650.

#### **COUNCIL COMMITTEE REPORTS**

<u>Mayor Kuhle</u> - Reported on listening sessions set up by Steve Robinson; reminded Council of the referendum vote tomorrow.

<u>Council Member Janssen</u> - Reported on a NEON meeting held February 8, 2018 - daycare was the biggest issue.

<u>Council Member Oberloh</u> - Reported on a listening session he attended today with Council Member Ernst- daycare was a big issue there also.

Council Member Cummings - Also reported on a listening session - found it very helpful.

<u>Council Member Ernst</u> - Reported on the Design Guideline meeting held on Wednesday with the Planning Commission and members of the community. Cable 3 met last week, they are still looking for an additional employee. Reported on the sales tax listening session she attended today.

Council Member Harmon - Reported on an Employee Advisory meeting held January 29<sup>th</sup>, they have another meeting scheduled for tomorrow at 9:00. Reported on the February 5, 2018 Water and Light Commission meeting. The Lewis and Clark project has a snag in the pipeline between Adrian and Magnolia - correction will push the hook up for Worthington to next fall. He attended the listening session at Bedford Industries - their employees want a theater.

### **CITY ADMINISTRATOR'S REPORT**

Steve Robinson, City Administrator, said he attended an Ehlers seminar two seeks ago with Jason Brisson - he had put the pertinent information he received into the report emailed to Council. Reminded Council of the work session/special meeting scheduled for next week - the main discussion will be on reimposing of the local option sales tax. We will probably reach the allowed amount of our current tax plus just under \$300,000, which was our borrowing cost, in April. Then we need to go through the termination process, which involves providing the Commissioner of Revenue a 90 day notice, but the termination must occur at the end of a quarter. In discussions with them, our position is that we won't provide notification until we have actually received the amount that we're allowed to collect, not what we project. Our notification would go out in April or May, the 90 day clock would start, and we would be looking at collecting through September 30<sup>th</sup>. Based on projections, the total amount collected would be just over \$8 million. With the \$5.5 million dedicated to the Event Center and Memorial Auditorium, \$1.2 million for Buss soccer field, \$100,000 for seat replacement at the Auditorium, and the \$300,000 of borrowing costs, we should have \$500,000 to \$600,000 in excess funds, which would be at the discretion of the Council to use. This will be discussed at the work session next week.

# <u>CLOSED SESSION UNDER MINN. STATUTE. 13D.05, SUBD. 3(C)(3) - REAL ESTATE</u> ACQUISITION - PARCELS NO. 31-3889-000, 31-3885-500, 31-3887-500

Mayor Kuhle announced that Council would be going into closed session to consider the purchase of real property; and develop terms and conditions of a potential offer, for parcels identified as No.'s 31-3889-000, 31-3885-500 and 31-3887-500.

The motion was made by Council Member Oberloh, seconded by Council Member Cummings and unanimously carried to close the meeting at 8:07 p.m. Those not authorized to attend the session left the room.

The meeting was re-opened at 8:45 p.m.

#### **ADJOURNMENT**

The motion was made by Council Member Janssen, seconded by Council Member Oberloh and unanimously carried to adjourn the meeting at 8:46 p.m.

Janice Oberloh, MCMC City Clerk