

Inver Grove Heights City Council
In Person Meeting and via Zoom
Monday, August 10, 2020 at 7:00 p.m.

A G E N D A

NOTICE TO RESIDENTS: If you are interested in participating on **Item 5. Public Comment**, please contact Rebecca Kiernan prior to this meeting via telephone (651) 450-2513 or email (rkiernan@invergroveheights.org) to inform her - your name, address and to what you wish to speak on. Individuals may submit written public comments in advance of the meeting by emailing comments to Rebecca Kiernan (rkiernan@invergroveheights.org). Comments received prior to 4:00 p.m. on Monday, August 10, 2020, will be provided to the Council at or before the August 10, 2020 meeting.
Phone Number to Reach Meeting: 651-450-2471

1. Call to Order

2. Roll Call

3. Presentations

4. Consent Agenda

All items on the consent agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from this agenda and considered in normal sequence.

- A.** Minutes from the July 13, 2020 City Council Meeting.
- B.** Disbursements for Period Ending August 5, 2020.
- C.** Consider Approval of Rental Licenses.
- D.** Consider a Resolution approving a Conditional Use Permit to operate a beauty salon at the property located at 8135 Claymore Avenue. (Miranda Carlson - Case No. 20-20C)
- E.** Consider Pay Request #4 (Final) - General Sheet Metal Company, LLC for VMCC/Grove HVAC Project.
- F.** Consider Approval of Proposal with WSB Inc. for Heritage Village Park Phase III Development.
- G.** Consider Approval of Golf Membership Program.
- H.** Consider Adopting a Resolution to Authorize and Ratify Submission of the 2020 Grant Application with MN Public Facilities Authority (PFA) for a Point Source Implementation Grant for City Projects.
- I.** Consider Resolution Accepting Proposal for Stormwater Plan Review Services from Wenck for Property Located at 7120 Allen Way (Builder Jones).
- J.** Consider Resolution Approving the Agreement for the School Resource Officer Program with ISD No. 199 for the 2020 to 2021 school year.
- K.** Consider Approval of Personnel Actions.
- L.** Consider Resolution Assigning the City Clerk as the Data Practices Officer.

5. Public Comment

Public comment provides an opportunity for the public to address the Council on items that are not on the agenda. Comments will be limited to three (3) minutes per person.

6. Public Hearing

7. Regular

Administration

- A.** Consider the Second Reading of an Ordinance Amendment regarding Psychological/Medical Examinations.

Community Development

- B.** Impervious Surface Maximum:
 - 1.** Consider the Third Reading of an Ordinance Amendment to eliminate the need of a conditional use permit to exceed the impervious surface maximum in the A, E-1, E-2, R-1A, R-1B and R-1C zoning districts.
 - 2.** A Resolution authorizing summary of publication for the ordinance.
- C.** Consider the Third Reading of an Ordinance Amendment to eliminate the need for a conditional use permit allowing sheet metal siding on accessory structures in the A, and E-1 zoning districts.
- D.** Consider the Second Reading of an Ordinance Amendment deleting Ministorage facilities (with caretaker quarters) and outdoor vehicle storage as a conditional use in the B-3, General Business District.
- E.** Consider a Resolution Authorizing a COVID-19 Small Business Assistance Grant Program and request Dakota CDA to administer.

Engineering/Public Works

- F.** Consider Resolution Accepting Stormwater Modeling Report for Regional Basin IGT-B-3 and Surrounding Drainage Area (89th Street E. and Concord Hills) from Barr Engineering

8. Executive Session

- A.** Closed Session Pursuant to Minn. Stat. SS 13D.05, Subd.3(c)(3) to develop or consider offers or counter offers for the potential purchase of real property for park purposes in the Northwest Area.

9. Mayor and Council Comments

10. Adjourn

This document is available upon a three (3) business day request in alternate formats such as braille, large print, audio recording, etc. Please contact Rebecca Kiernan, City Clerk, at 651.450.2513 or rkiernan@invergroveheights.org.

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JULY 13, 2020 - 7:00 P.M. - 8150 BARBARA AVENUE.**

In Person Meeting and via Zoom

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, July 13, 2020, both in person and via Zoom Video Conferencing. Mayor Tourville called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present in Person: Mayor Tourville, Council Members Piekarski Krech, Bartholomew, Perry, and Dietrich; City Administrator Lynch, City Attorney McCauley Nason, Park and Recreation Director Carlson, City Engineer Kaldunski, and City Clerk Kiernan.

Present Via Zoom Video Conferencing: Technology Manager Gade, Community Development Director Rand, Associate City Planner Botten, and Assistant City Engineer Dodge.

3. PRESENTATIONS:

There were no Presentations.

4. CONSENT AGENDA:

A. Minutes from the June 22, 2020 City Council Meeting.

B. Disbursements for Period Ending June 16, 2020. **Resolution 2020-130.**

C. Confirm and Approve Personnel Actions.

D. Consider Approval of a **Resolution 2020-131** Appointing Election Judges for the Minnesota State Primary.

E. Consider Approval of a Partial Refund for On-Sale and Sunday Liquor License Fees. **Resolution 2020-132.**

F. Consider Approval of Contract for Services with Messerli Kramer for lobbying and legislative support for 2021.

G. Consider Pay Request #2 for the Salem Hills Athletic Court Project.

H. Approve **Resolution 2020-133** to Not Waive Statutory Limit for Liability.

I. Approve Special Meeting for Monday, July 27th at 5:30pm to begin 2021 Budget Discussions.

J. Consider Approval of Agreement to Release and Transfer Ownership of K-9 Kato to Officer Ryan Rose. **Resolution 2020-134.**

K. Approve Agreement relating to Landowner Within City Easement for 3505 100th St. (Lot 16, Block 3, Leitch Estates).

L. Consider **Resolution 2020-135** Accepting Proposal for Stormwater Review Services from Wenck for the Robert Trail Property PUD Submittal (IMH Property).

M. Consider a **Resolution 2020-136** Requesting that Dakota County Submit a Request to the Minnesota Department of Transportation to Perform a Speed Study and Establish a Speed Zone on Babcock Trail (CSAH 73) in the City of Inver Grove Heights.

N. Consider **Resolution 2020-137** Accepting Proposal for Stormwater Review Services from Emmons & Olivier Resources Inc. for the Proposed Development at 1482 80th Street (Titan Land Development).

O. Consider a **Resolution 2020-138** Receiving Petition for Street Improvements on Delaney Circle/Delaney Court (City Project No. 2020-09E).

P. Consider Approving Land Alteration Permit for Pine Bend Estates by Alliant Ventures (aka Ades Property).

City Administrator Joe Lynch requested pulling Agenda Item 4P.

Councilmember Dietrich requested pulling Agenda Item 4B.

Motion by Bartholomew second by Perry to approve the Consent Agenda with the exception of Agenda Items 4B and 4P.

Ayes: 5

Nays: 0 Motion carried.

Agenda Item 4B. Disbursements for Period Ending June 16, 2020. Resolution 2020-130.

Councilmember Dietrich stated later in the Agenda there is a release and transfer of ownership of the K9. She commented the date may not be accurate depicting a payout on July 7th, for \$15,500. She asked what the payout was for and when it took place compared to knowing the dog would not be in service. City Administrator Lynch responded it is a service fee for K9 training. The current canine needs to be retired as it is no longer able to physically meet the demands of the position. He stated the plan is to go forward with the purchase of a new dog and train the dog with the same handler. This is the cost to hold the spot for training and purchase of the K9. He stated a generous donor donated the entire cost of a new animal and the training.

Councilmember Dietrich asked for additional information about Fund 205, a concession stand remodel in the amount of \$21,520 to Diversified Construction. Park and Recreation Director Eric Carlson responded the Council approved that work at a City Council meeting in March. Councilmember Dietrich asked if this took place pre-Covid. Park and Recreation Director Carlson responded it took place while it was happening.

Park and Recreation Director Carlson stated the former concession stand near the splash pool has not been used in years. It previously had kitchen type equipment in it which was removed to become a more usable space. The size of the room is approximately 12x12. City Administrator Lynch stated items were removed and walls were refinished. Park and Recreation Director Carlson stated it is more of a storage area currently, but could be used for small meetings.

Motion by Dietrich second by Perry to approve Agenda Item 4B. Disbursements for Period Ending June 16, 2020. Resolution 2020-130.

Ayes: 5

Nays: 0 Motion carried.

Agenda Item 4P. Consider Approving Land Alteration Permit for Pine Bend Estates by Alliant Ventures (aka Ades Property).

City Administrator Lynch stated at the request of the property owner, Alliant Ventures, the request is to table this item until the July 27th meeting. Contamination has been found on the property and have not agreed to the terms and conditions for the clean-up or removal of contaminants in the road right of way or easements that end up getting owned by the City.

Motion by Piekarski Krech second by Perry to table Agenda Item Agenda Item 4P. Consider Approving Land Alteration Permit for Pine Bend Estates by Alliant Ventures (aka Ades Property) until the July 27th City Council Meeting.

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

There were no public comments.

6. PUBLIC HEARING:

A. Public Hearing to Consider the application of a Temporary 2-day Liquor License for the Church of Saint Patrick for the premises located at 3535 72nd Street E for September 19-20, 2020.

City Clerk Rebecca Kiernan stated the Church of St. Patrick makes application twice a year. This time they are requesting two days for a temporary liquor license. Everything is in order and all fees have been paid.

Motion by Perry second by Piekarski Krech to close the Public Hearing at 7:09PM.

Ayes: 5

Nays: 0 Motion carried.

Motion by Perry second by Bartholomew to approve the application of a Temporary 2-day Liquor License for the Church of Saint Patrick for the premises located at 3535 72nd Street E for September 19-20, 2020.

Ayes: 5

Nays: 0 Motion carried.

B. Public Hearing to Consider approval of a Therapeutic Massage Business License for OyeSpa, 7741 Amana Trail.

City Clerk Kiernan stated this is for approval of a Therapeutic Massage Business License by Mr. Hitesh Soneji. Therapist information will come before the City Council at a later time. She stated the background check was conducted and the results were fine. Looking to open in August.

Mayor Tourville stated the location is across the street from Iwa Sushi and the Credit Union.

Motion by Perry second by Piekarski Krech to close the Public Hearing at 7:11PM.

Mayor Tourville stated he has been asked why this was taking so long to move forward. The answer to that is that the business went to the State to be able to have alcohol along with the business. The State does not allow that to happen. Due to that, the business owner had to return to the City for application.

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech second by Perry to approve a Therapeutic Massage Business License for OyeSpa, 7741 Amana Trail.

Ayes: 5

Nays: 0 Motion carried.

7. REGULAR AGENDA:**Administration:****A. Second Reading - City Discipline Policy Review and Update. Resolution 2020-140.**

City Administrator Lynch stated this was previously discussed at the June 22nd City Council meeting and requested being returned for a second and possible final reading. Staff recommends the City Council adopt the Personnel Code change to the discipline policy. He stated the League of Minnesota Cities has reviewed it. The City Attorney can answer questions about any changes. This has not been changed from the version viewed on June 22nd. The following three actions need to be taken:

1. If passing tonight, in less than three readings, the Council would need to pass a unanimous Motion waiving those regulations.

2. Need to approve the Ordinance change.
3. Approve the summary publication.

He stated there is a new legal newspaper, the St. Paul Pioneer Press, in which they are trying to publish in on a summary basis to save on the publication costs of full Ordinances.

Mayor Tourville asked if there was any time sensitivity. If not, he didn't see a need to push this through and suggested having three readings.

City Attorney Bridget McCauley Nason responded most changes were minor. She commented she had a conversation with one of the Attorney's at the League to address the issue of individuals who may have a physical or medical condition that may make them unable to do the job. They wanted to make sure the language in the discipline and medical sections reflect the current status of the law and is in compliance with ADA requirements.

Motion by Bartholomew second by Piekarski Krech to approve the Second Reading - City Discipline Policy Review and Update. Resolution 2020-140.

Ayes: 5

Nays: 0 Motion carried

Community Development:

B. Consider the First Reading of an Ordinance Amendment to eliminate the need for a conditional use permit to exceed impervious surface maximum in the A, E-1, E-2, R-1A, R-1B and R-1C zoning districts.

Associate City Planner Heather Botten stated Staff suggests a review of the Residential Impervious Surface Ordinance in regards to the public process. Impervious surface is limited on all residential single family lots within the City. The Engineering Department reviewed the Cities stormwater system in 2010 to determine an appropriate amount of impervious surface on each lot. The maximum amount is based on lot size unless it is approved by a PUD. She stated the Code has provisions to allow a lot owner to exceed the maximum amount of impervious surface by up to 10% of the lot size with a Conditional Use Permit.

She stated one of the requirements of the CUP is to obtain a Stormwater Facilities Maintenance Agreement (SWFMA) which is an agreement between the Applicant and the City that addresses responsibilities and maintenance of the system. Staff believes the objective of the Impervious Surface Ordinance can still be met by removing the CUP portion and just requiring the SWFMA. She stated if removing the CUP from the Code, the process for the homeowner would be the same as it is today, with the exception of an application fee and public hearing process, which takes eight weeks. An escrow is still required of the homeowner with City Council approval for that agreement. Staff recommends approval of the First Reading as presented with this Ordinance change.

Councilmember Piekarski Krech asked if anything over 10% would still require neighbor notification. Associate City Planner Botten responded if the Ordinance is changed it would not require neighbor notification. It would require approval from the Council and the City. Going over 10% would require a Variance.

Councilmember Bartholomew asked if the SWFMA would be done and reviewed in house by City Engineering staff, and if they could handle the increase. Associate City Planner Botten responded it is drafted by the City Attorney and brought in front of the City Council on the Consent Agenda. She responded it would be done by the Engineering Staff which has been able to handle it. Over the last 10 years there have been 16 Impervious surface SWFMA's and CUP's.

Motion by Bartholomew second by Piekarski Krech to approve the First Reading of an Ordinance Amendment to eliminate the need for a conditional use permit to exceed impervious surface maximum in the A, E-1, E-2, R-1A, R-1B and R-1C zoning districts.

Ayes: 5

Nays: 0 Motion carried.

C. Consider the First Reading of an Ordinance Amendment to eliminate the need for a conditional use permit allowing sheet metal siding on accessory structures in the A, and E-1 zoning districts.

Associate City Planner Botten stated staff suggests a review to the exterior building material requirements to allow sheet metal, corrugated metal, and shake metal siding as a permitted type of material on accessory buildings in the agricultural and E-1 zoning districts. Currently, these types of metal are prohibited within residential districts except by conditional use in the A and E-1 districts. She stated the CUP process requires neighbor notification and review by the Planning Commission and Council along with a 6-8-week application process and application fee.

She stated that allowing the metal siding goes back over 20 years. The zoning requirement is to have the metal siding have a thickness of at least 29 gauge and comes with a 20-year warranty at least. Those requirements would still be required for any sheet, corrugated, or shake metal buildings. She stated Staff reviewed the land use applications over the last 10 years and found that nine CUP requests were applied for and approved. Staff believes that modifying the Ordinance to allow sheet, corrugated, and shake metal siding as a permitted type of material in the A and E-1 zoning districts would not have an impact on those neighborhoods. Staff recommends approval of the First Reading as presented.

Councilmember Piekarski Krech asked if 29 gauge is an industry standard, if lesser quality material could be used, and how that would be monitored. Associate City Planner Botten responded they would still need a Building Permit and would review the criteria at that time.

Motion by Piekarski Krech second by Perry to approve the First Reading of an Ordinance Amendment to eliminate the need for a conditional use permit allowing sheet metal siding on accessory structures in the A, and E-1 zoning districts.

Ayes: 5

Nays: 0 Motion carried.

D. Consider the First Reading of an Ordinance Amendment deleting Ministorage facilities (with caretaker quarters) and outdoor vehicle storage as a conditional use in the B-3, General Business District.

Community Development Director Heather Rand stated mini storage requires a Conditional Use Permit (CUP) in the B-3 General Business District. In the Limited Industry District, a CUP is required. This use is also permitted in the General Industrial District. This item pertains to General Business Districts. She stated a concern discussed during Work Sessions has been that Inver Grove Heights has too many storage facilities and that outdoor storage/mini storage, was not an appropriate use within a B-3 District. Staff was directed to bring this matter back to the Planning Commission with a Public Hearing to receive input on the topic. This was done on June 16th.

She stated notice was given to all existing storage facilities that are operating within the B-3 Districts. There are three of them in addition to the storage in B-3 that has been proposed and recently issued a Conditional Use Permit. She stated prior to the Public Hearing input was received from one of the B-3 storage facilities stating they did not have any concerns with the proposed change. During the Planning Commissions Public Hearing there was one owner/operator of the storage facility on Concord that asked if he could continue to operate. She stated if approved, he would still be able to operate as a non-

conforming use. She stated the Planning Commission voted with an 8-0 vote in favor of a change. The change would be this type of use, mini storage/outdoor storage, would not be permitted in the future within a B-3 or General Commercial Business District. She stated Legal would draft the proposed Ordinance change. It requires three readings, 3/5 vote. Staff recommends the change.

Councilmember Piekarski Krech asked if they have heard from anyone with vacant B-3 parcels. Community Development Director Rand responded not from vacant, but there was discussion about whether the City should notify those that own B-3 property. She responded they have not sent out notices as it seemed complicated. Councilmember Piekarski Krech stated there could be a lot of people that would have no idea about this change. She asked if this was put on the website and in the paper. Community Development Director Rand responded yes. Councilmember Piekarski Krech stated she felt those needed to be aware of this change. Councilmember Bartholomew agreed and felt it was unfair that some may not be aware.

Mayor Tourville asked how many B-3 parcels there were. Community Development Director Rand responded Staff determined it was too cumbersome to determine what is vacant, what isn't, and who owns what, so no notices were sent out. Staff did not feel this was a significant enough change. She stated if Council wants that looked into, they could.

Councilmember Bartholomew asked City Attorney McCauley Nason how things stand if this is changed without notification. City Attorney McCauley Nason responded the City can exercise its legislative power to change the zoning of these parcels and change what are allowed uses or not allowed uses. She stated on Page 525 of the Council packets there is a map and looks like there are 21 parcels identified as vacant in the B-3 and 93 actively occupied. If there is concern about those with parcels who may not be aware of the proposed change, a letter could be sent and advise them whether Council approves the First Reading, and the date of the Second Reading to give staff additional time.

Councilmember Piekarski Krech stated she was concerned there wasn't a database of those properties. Associate City Planner Botten responded they would be able to find the property owners via the Dakota County website, or GIS. She stated doing this could set a precedence to notify vacant property owners for Ordinance changes.

Mayor Tourville stated they do not send out letters with the Comprehensive Plan but do have numerous meetings. Councilmember Piekarski Krech stated this is a major change that some may not be aware of. She commented that notification has gone out for other changes made. Councilmember Bartholomew suggested Staff come up with a way of notifying them. He stated he doesn't have a problem with the First Reading, but felt there should be a mechanism in place to notify the owners of a change.

Mayor Tourville suggested finding out more about how Staff is doing with the notifications at the next meeting. Councilmember Piekarski Krech asked if there were parcels guided B-3 that have not been rezoned yet. Community Development Director Rand responded they would look into that further.

Mayor Tourville stated by direction that the City Council suggests notifying all existing B-3 properties that this change could take place. The Second Reading could be scheduled for a later time.

Councilmember Perry asked how many B-3 are currently mini storages. Community Development Director Rand responded there are currently three mini storages that would be impacted and grandfathered in. There is also a storage facility that is currently being proposed for 79th and Cahill that has been issued a Conditional Use Permit. Councilmember Perry asked if those four were aware of the limitations if wanting to expand in the future with the Ordinance change. Community Development Director Rand responded the four did receive letters.

Motion by Perry second by Piekarski Krech approved the First Reading of an Ordinance Amendment deleting Ministorage facilities (with caretaker quarters) and outdoor vehicle storage as a conditional use in the B-3, General Business District.

Ayes: 5

Nays: 0 Motion carried.

Public Works/Engineering:

E. Consider Tabling Action on Receiving Feasibility Report for City Project No. 2016-19 – 65th Street Construction (between T.H. 3 and Babcock Trail).

City Engineer Tom Kaldunski stated this is about 65th Street between Babcock Trail and Highway 3. There was a Public Hearing and direction was to have meetings with the large individual land owners and those along Arlene Avenue. He stated due to the Covid pandemic, it was not a good time for those meetings to take place. They believe they can now arrange for those types of meetings and would be scheduling those in the next few weeks. Due to those meetings coming up they are asking for additional time as outlined in the memo. He stated the recommendation is to table this item until the November 9, 2020 meeting.

Motion by Piekarski Krech second by Perry to table Action on Receiving Feasibility Report for City Project No. 2016-19 – 65th Street Construction (between T.H. 3 and Babcock Trail) until November 9, 2020.

Ayes: 5

Nays: 0 Motion carried.

F. Consider Resolution Accepting Quote and Authorizing Temporary Pumping of Basin IGT-B3 by Hydro Engineering. Resolution 2020-141.

City Engineer Kaldunski stated a copy of the proposal and quote is included in Council packets. They are ready to advance the pumping. He stated the DNR would likely say they could pump down to the ordinary high-water level. They are ready to do that if the Council authorizes the expenditure of \$63,350 plus the 10% contingency. He stated they met with residents last week. Barr will finish the report and Council will receive that information at the next City Council meeting. He stated he just learned the Contractor is ready to install the work. The DNR has said they would issue the permit by this Wednesday, July 15th. The Contractor stated they would be ready for set up on Thursday, July 16th. Staff suggests moving forward.

Councilmember Piekarski Krech asked if this was a City pond. City Engineer Kaldunski responded it is a naturally occurring basin, regional pond, a DNR protected waterbody. The City has easement over more of the lower lying land. This is not a pond on a City outlot.

Councilmember Piekarski Krech asked whose responsibility it becomes if the water keeps coming up. City Engineer Kaldunski responded he did not know the answer to that at this time, but would know more once they receive the report from Barr. Councilmember Piekarski Krech asked if this had been done anywhere else. City Engineer Kaldunski responded he was not aware of it being done in the ten years he has been with the City. He stated there have been at least ten other ponding areas they have received calls about. Sandbags are offered to those having to deal with floods.

Carrie Shatek, 3905 89th Street East, called in and stated this agenda item concerns her property. She stated her property does not have a designated wetland or water easement on the plat map. She asked what the City would do to restore her land. She stated she would like some work done this year so the restoration process can begin. She asked the City to help restore the grass, correct the soil, and plant

new trees on her property. She stated when the City pumps all the water out, she would be left with muck and would need the restoration to begin as soon as possible.

Ms. Shatek stated she brought up the high-water levels with the City in 2017 and since then has watched her land be destroyed by the water. She has been waiting for over three years and has spent over \$20,000 since 2017. Her shed is currently under water. They will not accept a temporary solution of pumping that leaves them with a huge problem.

She stated many of the neighbors shared comments and documents about their losses and wanted to make sure that information was shared with the Council. City Engineer Kaldunski responded those comments will be made available in the Barr report at the next City Council meeting. Mayor Tourville stated that meeting would take place on Monday, July 27th.

Mayor Tourville stated a comment was received via email today and should be received by the Council.

Motion by Piekarski Krech second by Perry to receive the email from Ms. Shatek.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Piekarski Krech asked if people want the pumping done. City Engineer Kaldunski responded that many around the body of water signed a letter of support and support the temporary pumping. Councilmember Piekarski Krech asked if they have permission from the property owner. City Engineer Kaldunski responded they have verbal permission but are working on written permission before going onto the property.

Councilmember Dietrich stated people are just looking for a plan with options going forward. City Engineer Kaldunski agreed. He stated a permanent pumping station would require a feasibility study. Councilmember Bartholomew asked if the Barr report would tell where the water is coming from and who is responsible for the water. City Engineer Kaldunski responded yes, but was unsure what the source was other than the rain that fell. It could be groundwater, but they will not know until they begin pumping.

Mayor Tourville stated an item in the letter states some of the property owners are saying it isn't marked a DNR pond. He asked if that was something Barr could figure out. City Engineer Kaldunski responded they know for a fact that it is a DNR waterbody and that the DNR duty is to protect it. That is why they say the Permit will only allow to pump down to the ordinary high-water mark.

Motion by Piekarski Krech second by Perry to approve Resolution 2020-141 Accepting Quote and Authorizing Temporary Pumping of Basin IGT-B3 by Hydro Engineering.

Ayes: 5

Nays: 0 Motion carried.

G. Consider Resolution Establishing Parking Restrictions for City Project No. 2016-09G – 60th Street, 62nd Street and Bacon Avenue Improvements. Resolution 2020-142.

Assistant City Engineer Steve Dodge stated this is for a Resolution to establish parking restrictions on 60th Street, 62nd Street, and Bacon Avenue. This was tabled on June 8th with direction from Council to reach out to residents on the north side of 60th Street to consider an option with parking on one side of the street.

He stated on the week of June 15th, Staff, the Consultant, and Engineer met with the four residents on the north side of 60th Street with addresses 1911 through 1963. Because of the steep slopes and wetlands, this would require less than a 28-foot road through that section. He stated it was suggested to add four feet to the road to be able to provide parking on the south side. The area was staked so residents could

see the difference between what was originally proposed. All four residents stated they would prefer the straight curve line through the area and would not want it bumped out. Due to that, no parking on both sides would remain as planned. Parking restrictions would include the north side of 60th Street (including the pitch point) on the west side of Bacon Avenue (including the pitch point), and on the north side of 62nd Street. Staff recommends approval of the Resolution.

Mayor Tourville asked if tree cutting had begun. Assistant City Engineer Dodge responded they began this morning. Mayor Tourville stated he had received a few phone calls from the neighborhood saying they had no idea they would be losing trees. He directed them to phone the Assistant City Engineer if they had questions.

Assistant City Engineer Dodge pointed out the locations of the trees being taken down on a diagram. He stated when they get to the point of construction, they give all residents with trees being removed a notice. They have the opportunity to call staff and have a discussion about the trees coming down.

Motion by Perry second by Piekarski Krech to approve Resolution 2020-142 Establishing Parking Restrictions for City Project No. 2016-09G – 60th Street, 62nd Street and Bacon Avenue Improvements.

Ayes: 5

Nays: 0 Motion carried.

8. EXECUTIVE SESSION:

A. Closed Session Pursuant to Minn. Stat. SS 13D.05, Subd. 3(c)(1) to develop or consider offers or counteroffers for the potential purchase of real property for park purposes in the Northwest Area.

City Attorney McCauley Nason stated the Council is being asked to move into a closed session Pursuant to Minn. Stat. SS 13D.05, Subd. 3(c)(1) in order to develop or consider offers or counter offers for the potential purchase of real property for park purposes in the northwest area and to review confidential or protected non-public appraisal data under Minn. Stat. Section 13.44 Subd. 3. The particular real property that is the subject of the closed session is identified as:

Real property located at Argenta Court in Inver Grove Heights owned by James Peltier and described by PID # 20-00700-06-012 which is a subpar of a 37.76-acre parcel addressed at 7250 Argenta Trail.

She stated due to the current restrictions, the closed meeting will be held in Council Chambers. Upon vote the Council will commence immediately. Once the closed meeting is completed the City Council would then reconvene the open meeting portion of tonight's meeting. She stated being there are no further Agenda items, once back in Open Session the Council would adjourn the meeting. Once the closed session is commenced, the Council should know it needs to be audio recorded. That tape recording must be preserved for a minimum of eight years and is confidential until such times the City either moves forward with a purchase or abandon the purchase of the property. Once going on record in the closed session, all members of the Council will need to be identified as well as Staff members present and the names of individuals who are present during that closed session is public information following the closed session.

Motion by Piekarski Krech second by Perry to go to closed session as stated by the City Attorney at 8:07 p.m.

Ayes: 5

Nays: 0 Motion carried.

9. MAYOR AND COUNCIL COMMENTS:

10. ADJOURN:

Minutes prepared by Recording Clerk Sheri Yourczek

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: August 10, 2020
 Item Type: Consent
 Contact: Amy Hove 651-450-2521
 Prepared by: Bill Schroepfer, Accountant
 Reviewed by: N/A

Fiscal/FTE Impact:

☐	None
☒	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

Approve the attached resolution approving disbursements for the period of July 22, 2020 to August 5, 2020.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending August 5, 2020. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$352,449.27
Debt Service & Capital Projects	1,339,548.72
Enterprise & Internal Service	125,351.74
Escrows	15,656.81
Grand Total for All Funds	<u><u>\$1,833,006.54</u></u>

If you have any questions about any of the disbursements on the list, please call Amy Hove, Finance Director 651-450-2521.

Attached to this summary for your action is a resolution approving the disbursements for the period July 22, 2020 to August 5, 2020 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 2020-149

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING August 5, 2020**

WHEREAS, a list of disbursements for the period ending August 5, 2020 was presented to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: that payment of the list of disbursements of the following funds is approved:

General & Special Revenue	\$352,449.27
Debt Service & Capital Projects	1,339,548.72
Enterprise & Internal Service	125,351.74
Escrows	15,656.81
 Grand Total for All Funds	 <u><u>\$1,833,006.54</u></u>

Adopted by the City Council of Inver Grove Heights this 10th day of August, 2020.

George Tourville, Mayor

ATTEST:

Rebecca Kiernan, Deputy Clerk



City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 7/22/2020 - 8/5/2020

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
AEM FINANCIAL SOLUTIONS, LLC	432524	08/04/2020	201 Wage/Benefit Allocation	101.41.2000.415.30700	2,950.00
AFSCME COUNCIL 5	INV0102643	07/17/2020	UNION DUES (AFSCME FULL SHARE)	101.203.2031000	876.18
AFSCME COUNCIL 5	INV0102644	07/17/2020	UNION DUES (AFSCME FULL SHARE-PT)	101.203.2031000	38.66
AMERICAN PLANNING ASSOCIATION	125674-2075	07/28/2020	APA Membership	101.45.3200.419.40070	403.00
ASPEN MILLS	259008	07/28/2020	Sales order #104588	101.42.4000.421.60045	5,857.85
ASPEN MILLS	259095	07/28/2020	Rain Jacket	101.42.4000.421.60045	144.50
BARR ENGINEERING COMPANY	23190328.19-17	07/28/2020	Project # 57, 59 & 61	101.43.5100.442.30300	756.50
CDW GOVERNMENT INC	ZPS2677	08/04/2020	Ink Cartridge	101.47.1400.413.60065	283.62
CLAREY'S SAFETY EQUIPMENT	189691	07/28/2020	Water Pressure Ext.	101.42.4200.423.60065	152.50
DAKOTA COUNTY	00038615	07/28/2020	Radios & Batteries	101.42.4000.421.70501	1,679.76
DAKOTA COUNTY	00038615	07/28/2020	Radios & Batteries	101.42.4200.423.30700	1,726.42
DAKOTA COUNTY	00038615	07/28/2020	Radios & Batteries	101.42.4200.423.40042	594.00
DAKOTA COUNTY	00038615	07/28/2020	Radios & Batteries	101.43.5200.443.30700	46.66
DAKOTA CTY FINANCIAL SVCS	00038558	08/04/2020	2nd Qtr 2020Utilities	101.43.5400.445.40020	1,283.16
DTN, LLC	5787155	08/04/2020	Charges	101.43.5200.443.30700	980.00
DTN, LLC	5787155	08/04/2020	Charges	101.44.6000.451.30700	980.00
EARL F ANDERSEN INC	0123879-IN	08/04/2020	Order# 0138526	101.43.5200.443.60016	135.00
EFTPS	INV0102667	07/17/2020	FEDERAL WITHHOLDING	101.203.2030200	57,672.05
EFTPS	INV0102669	07/17/2020	MEDICARE WITHHOLDING	101.203.2030500	17,335.02
EFTPS	INV0102670	07/17/2020	SOCIAL SECURITY WITHHOLDING	101.203.2030400	51,754.58
EMERGENCY RESPONSE SOLUTIONS	15699	08/04/2020	Installed new E-module	101.42.4200.423.50035	12.35
EYEMED	164430938	08/04/2020	August 2020 Premium	101.203.2032700	232.46
FIRSTSCRIBE	251762	07/28/2020	ROWay web application	101.43.5100.442.40044	250.00
FRATTALONE COMPANIES INC	2007008	08/04/2020	Clean Concrete	101.43.5200.443.60016	96.00
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0102651	07/17/2020	HSA ELECTION-FAMILY	101.203.2032500	3,273.63
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0102652	07/17/2020	HSA ELECTION-SINGLE	101.203.2032500	4,877.45
GLS COMPANIES	188420	08/04/2020	Insight Newsletter	101.41.1300.413.50032	7,109.00
GOLDCOM, INC.	240880	08/04/2020	Patch cord	101.47.1400.413.60065	82.97
HEALTHEAST MEDICAL TRANSPORTATION	07/15/2020	07/30/2020	Devyon Oehring blood draw	101.42.4000.421.30700	88.40
HEALTHEAST MEDICAL TRANSPORTATION	07/16/2020	07/28/2020	Travis Putnam Blood Draw	101.42.4000.421.30700	88.40
ICMA RETIREMENT TRUST - 457	INV0102641	07/17/2020	457 - ROTH AGE 50+	101.203.2031400	140.00
ICMA RETIREMENT TRUST - 457	INV0102642	07/17/2020	457 - ROTH AGE 50+	101.203.2031400	175.00
ICMA RETIREMENT TRUST - 457	INV0102653	07/17/2020	ICMA-AGE <49	101.203.2031400	3,150.00
ICMA RETIREMENT TRUST - 457	INV0102654	07/17/2020	ICMA-AGE <49 %	101.203.2031400	8,369.79
ICMA RETIREMENT TRUST - 457	INV0102655	07/17/2020	ICMA-AGE 50+	101.203.2031400	7,151.15
ICMA RETIREMENT TRUST - 457	INV0102656	07/17/2020	ICMA-AGE 50+ %	101.203.2031400	792.93
ICMA RETIREMENT TRUST - 457	INV0102657	07/17/2020	ICMA (EMPLOYER SHARE ADMIN)	101.203.2031400	91.25
ICMA RETIREMENT TRUST - 457	INV0102664	07/17/2020	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	2,711.52
ICMA RETIREMENT TRUST - 457	INV0102665	07/17/2020	ROTH IRA (AGE 50 & OVER)	101.203.2032400	919.00
ICMA RETIREMENT TRUST - 457	INV0102666	07/17/2020	ROTH-AGE <49 %	101.203.2032400	45.97
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	101.41.1100.413.60065	50.64
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	101.41.1100.413.60070	39.83
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	101.41.1200.414.60010	130.14
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	101.41.1300.413.60040	44.49
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	101.41.2000.415.60070	29.55
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	101.43.5100.442.60040	803.62
LONE OAK GRAPHICS INC	36752	07/28/2020	Corrected titles on commissioner name plates	101.41.1100.413.60065	92.82
LONE OAK GRAPHICS INC	36199	08/04/2020	Chamber Plates	101.41.1100.413.60065	105.84
M & J SERVICES, LLC	2230	08/04/2020	2210 75th St E curb removal	101.43.5200.443.40046	2,465.00
M & J SERVICES, LLC	2233	08/04/2020	Braden Tr & Bond Way job	101.43.5200.443.40046	2,365.00
M & J SERVICES, LLC	2234	08/04/2020	75th & Borman Ct. job	101.43.5200.443.40046	1,190.00
MACH 1 TAPING & PAINTING LLC	3334	08/04/2020	Masks	101.42.4200.423.60065	110.00
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	101.203.2031700	3,019.05
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	101.43.5200.443.20630	39.74
Michael A. Madigan	1309	08/04/2020	Lawn Care	101.45.3000.419.30700	91.06
MN DEPT OF REVENUE	INV0102668	07/17/2020	STATE WITHHOLDING	101.203.2030300	25,769.10
MN LIFE INSURANCE CO	Aug2020	08/04/2020	Policy#0027324	101.203.2030900	3,908.50
MN LIFE INSURANCE CO	Aug2020	08/04/2020	Policy#0027324	101.43.5200.443.20620	8.75
MN NCPERS LIFE INSURANCE	07/27/2020	07/28/2020	July Payroll Deductions	101.203.2031600	256.00
MRPA	10004	07/28/2020	Job Posting	101.41.1100.413.30500	250.00
OPG-3, INC.	4220	08/04/2020	Services	101.47.1400.413.40035	3,700.00
PERA	INV0102658	07/17/2020	PERA COORDINATED PLAN	101.203.2030600	43,334.46
PERA	INV0102659	07/17/2020	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	3,333.41
PERA	INV0102660	07/17/2020	PERA DEFINED PLAN	101.203.2030600	53.46
PERA	INV0102661	07/17/2020	EMPLOYER SHARE (PERA DEFINED PLAN)	101.203.2030600	53.46
PERA	INV0102662	07/17/2020	PERA POLICE & FIRE PLAN	101.203.2030600	21,236.20
PERA	INV0102663	07/17/2020	EMPLOYER SHARE (POLICE & FIRE PLAN)	101.203.2030600	31,854.27
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	101.41.1100.413.50025	12.47
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	101.41.1200.414.50025	46.01
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	101.45.3200.419.50025	26.66
RCM SPECIALTIES, INC.	7619	08/04/2020	Service	101.43.5200.443.40046	1,697.50
SHRED-IT	8180103044	07/28/2020	Current Charges	101.42.4000.421.30700	125.38
ST PAUL, CITY OF	IN40273	07/28/2020	Training classes	101.42.4000.421.50080	570.00
STOP STICK	0018125-IN	07/28/2020	Stop Stick Rack Kit	101.42.4000.421.60018	1,441.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1804418	07/28/2020	6/1 - 6/30	101.42.4000.421.30550	40.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1804912	07/28/2020	6/1 - 6/30	101.42.4000.421.30550	44.70
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.41.1100.413.30550	18.90
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.41.1300.413.30550	15.40

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.41.2000.415.30550	84.11
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.42.4000.421.30550	285.23
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.42.4200.423.30550	39.90
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.43.5000.441.30550	12.07
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.43.5100.442.30550	57.29
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.43.5200.443.30550	43.40
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.44.6000.451.30550	54.96
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.45.3000.419.30550	17.43
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.45.3200.419.30550	19.91
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.45.3300.419.30550	32.90
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	101.47.1400.413.30550	37.10
UNIFIRST CORPORATION	0900567927	08/04/2020	Clothing/Uniforms	101.43.5200.443.60045	48.48
UNIFIRST CORPORATION	0900567927	08/04/2020	Clothing/Uniforms	101.44.6000.451.60045	25.97
UNIFIRST CORPORATION	0900569223	08/04/2020	Clothing/Uniforms	101.43.5200.443.60045	48.48
UNIFIRST CORPORATION	0900569223	08/04/2020	Clothing/Uniforms	101.44.6000.451.60045	25.97
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.41.1100.413.30550	5.08
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.41.1300.413.30550	3.89
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.41.2000.415.30550	8.76
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.42.4000.421.30550	55.12
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.42.4200.423.30550	3.90
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.43.5100.442.30550	15.54
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.43.5200.443.30550	2.54
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.44.6000.451.30550	5.90
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.45.3000.419.30550	4.08
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	101.45.3300.419.30550	11.51
VERIFIED CREDENTIALS, INC.	308905	08/04/2020	July background screening	101.41.1100.413.30500	1,086.00
VOLUNTEER FIREFIGHTERS BENEFIT	1	07/28/2020	Application cards	101.42.4200.423.50070	55.00
WI SCTF (WI SUPPORT COLLECTIONS TRUST FUND)	INV0102649	07/17/2020	PARTICIPANT ID#0004986316	101.203.2032100	433.06
WI SCTF (WI SUPPORT COLLECTIONS TRUST FUND)	INV0102650	07/17/2020	PARTICIPANT ID#0004986316	101.203.2032100	65.00
WI SCTF (WI SUPPORT COLLECTIONS TRUST FUND)	INV0102972	07/31/2020	PARTICIPANT ID#0004986316	101.203.2032100	433.06
Fund: 101 - GENERAL FUND					336,700.78
LIME VALLEY ADVERTISING, INC.	20003.02	07/28/2020	Programming Services	201.44.1600.465.50025	175.00
MEDIA ONE NORTH AMERICA, LLC	1623	08/04/2020	Youtube mangement and development	201.44.1600.465.50025	3,000.00
RIVER HEIGHTS CHAMBER OF COMMERCE	10627	07/28/2020	July Service Contract	201.44.1600.465.30700	6,115.49
RIVER HEIGHTS CHAMBER OF COMMERCE	10632	08/04/2020	Monthly office rent	201.44.1600.465.30700	6,115.49
Fund: 201 - C.V.B. FUND					15,405.98
JASON ROSEWOOD	08/03/2020	08/04/2020	Performance	204.44.6100.452.30700	200.00
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	204.44.6100.452.30550	24.70
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	204.44.6100.452.30550	0.90
Fund: 204 - RECREATION FUND					225.60
HORN, ANNA	07/08/2020B	07/28/2020	Tax	205.207.2070300	5.32
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	205.44.6200.453.20630	4.88
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	205.44.6200.453.20630	4.87
MN LIFE INSURANCE CO	Aug2020	08/04/2020	Policy#0027324	205.44.6200.453.20620	5.87
MN LIFE INSURANCE CO	Aug2020	08/04/2020	Policy#0027324	205.44.6200.453.20620	5.88
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	205.44.6200.453.30550	43.59
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	205.44.6200.453.30550	11.55
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	205.44.6200.453.30550	11.55
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	205.44.6200.453.30550	3.50
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	205.44.6200.453.30550	2.54
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	205.44.6200.453.30550	2.54
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	205.44.6200.453.30550	13.60
Fund: 205 - COMMUNITY CENTER					115.69
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	290.45.3000.419.30550	0.77
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	290.45.3000.419.30550	0.45
Fund: 290 - EDA OPERATING					1.22
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2012B Interest payment	355.57.9000.570.90200	30,253.13
Fund: 355 - G.O. IMPR BONDS 2010B					30,253.13
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2012A Interest payment	361.57.9000.570.90200	8,200.00
Fund: 361 - WATER REV REF 2012A					8,200.00
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2014B Interest payment	363.57.9000.570.90200	44,893.75
Fund: 363 - G.O. SEWER REFUND 2014B					44,893.75
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2015A Interest payment	365.57.9000.570.90200	86,175.00
Fund: 365 - G.O. IMPR BONDS 2015A					86,175.00
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2015B Interest payment	366.57.9000.570.90200	56,750.00
Fund: 366 - GO SEWER REVENUE BONDS, 2015B					56,750.00
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2016A Interest payment	367.57.9000.570.90200	113,218.75
Fund: 367 - G.O. CAPITAL IMPR REF BONDS, 2016A					113,218.75
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2017A Interest payment	368.57.9000.570.90200	76,012.50
Fund: 368 - G.O. SEWER REVENUE REFUND 2017A					76,012.50
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2017B Interest payment	369.57.9000.570.90200	44,068.76
Fund: 369 - G.O. IMPR BONDS 2017B					44,068.76
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2018A Interest payment	392.57.9000.570.90200	181,292.50
Fund: 392 - G.O. CAP IMPR BONDS 2018A					181,292.50

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
EHLERS AND ASSOCIATES, INC.	2010-2019	07/28/2020	2019A Interest payment	393.57.9000.570.90200	42,850.00
Fund: 393 - G.O. CAP IMPR BONDS 2019A					42,850.00
METROPOLITAN COUNCIL	08/04/2020	08/04/2020	June 2020	404.217.2170000	37,275.00
Fund: 404 - SEWER CONNECTION FUND					37,275.00
COST, PLANNING AND MANAGEMENT INTERNATIONAL IN 7926		07/28/2020	SServices May-June	434.42.4200.423.30700	660.00
MN DEPT OF NATURAL RESOURCES	2020	07/28/2020	Clark C20L Forklift	434.42.4200.423.80500	2,000.00
Fund: 434 - 2014 IMPROVEMENT FUND					2,660.00
KIMLEY-HORN & ASSOCIATES, INC.	16156019	07/28/2020	Services through Feb 29	436.73.5900.736.30300	2,909.69
Fund: 436 - 2016 IMPROVEMENT FUND					2,909.69
EJM PIPE SERVICES	Pay Voucher No 8	07/28/2020	City Project No 2018-08 Fire Station No 2	438.42.4200.423.80300	29,128.03
SRF CONSULTING GROUP, INC	10970.02-12	07/28/2020	Services ending April 30	438.42.4200.423.30300	275.42
Fund: 438 - 2018 IMPROVEMENT FUND					29,403.45
INSPEC INC	214892-7	07/28/2020	IGH cold storage BLDG design & Const	439.73.5900.739.30300	595.00
Fund: 439 - 2019 IMPROVEMENT FUND					595.00
BOLTON & MENK, INC.	0252483	07/28/2020	May services	440.74.5900.740.30300	5,109.00
BRAUN INTERTEC CORPORATION	B218098	08/04/2020	MnDOT Testing	440.74.5900.740.30700	1,749.00
KIMLEY-HORN & ASSOCIATES, INC.	16214978	07/28/2020	Services through Feb 29	440.74.5900.740.30300	19,808.26
KIMLEY-HORN & ASSOCIATES, INC.	16747854	07/28/2020	Services through May 31	440.74.5900.740.30300	2,223.35
KIMLEY-HORN & ASSOCIATES, INC.	16914647	07/28/2020	Services through June 30	440.74.5900.740.30300	22,963.47
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	440.74.5900.740.50025	520.30
VALLEY PAVING	Pay Voucher No 1	07/28/2020	City Project No 2019-09D 64th St area	440.74.5900.740.80300	169,637.51
VALLEY PAVING	Pay Voucher No 2	07/28/2020	City Project No 2019-09C	440.74.5900.740.80300	299,900.33
Fund: 440 - PAVEMENT MANAGEMENT PROJ					521,911.22
BARR ENGINEERING COMPANY	07/08/2020	07/28/2020	DNR permit fees	441.74.5900.741.30300	100.00
EAGAN, CITY OF	2020 2nd QTR	07/28/2020	2020 Fiscal year 2nd QTR	441.74.5900.741.40030	4,998.65
EMMONS & OLIVIER RESOURCES	00095-0066-3	07/28/2020	Online Basin Map Development	441.43.0000.3434500	1,039.25
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	441.74.5900.741.30550	11.55
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	441.74.5900.741.30550	3.81
Fund: 441 - STORM WATER MANAGEMENT					6,153.26
BOLTON & MENK, INC.	0252485	07/28/2020	Ace in the Hole Sewer Survey	446.74.5900.746.30300	2,262.00
DECASTER COMPANY - NICOLLET ADVISORS	2020-023	08/04/2020	Services	446.74.5900.746.30700	10,250.00
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	446.74.5900.746.50025	95.46
WESTWOOD PROFESSIONAL SERVICES, INC.	1200600696	07/28/2020	May services	446.74.5900.746.30300	175.00
WSB & ASSOCIATES, INC.	R-014154-000-13	07/28/2020	65th St Utility Improvements	446.74.5900.746.30300	9,919.50
WSB & ASSOCIATES, INC.	R-014154-000-14	07/28/2020	65th St Utility Improvements	446.74.5900.746.30300	6,115.00
WSB & ASSOCIATES, INC.	0-001702-270-15	07/28/2020	June Services	446.74.5900.746.30300	624.75
Fund: 446 - NW AREA					29,441.71
EMMONS & OLIVIER RESOURCES	00095-0060-15	07/28/2020	May Services	448.74.5900.748.30700	24,794.00
Fund: 448 - NWA - STORM WATER					24,794.00
LIBERTY TIRE RECYCLING, LLC	1860998	08/04/2020	Fees	454.43.5500.446.40025	691.00
Fund: 454 - LANDFILL ABATEMENT					691.00
CORE & MAIN LP	M290658B	07/28/2020	Freight	501.50.7100.512.40043	61.00
DTN, LLC	5787155	08/04/2020	Charges	501.50.7100.512.30700	980.00
EAGAN, CITY OF	2020 2nd QTR	07/28/2020	2020 Fiscal year 2nd QTR	501.50.7100.512.40005	40,857.70
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	501.50.7100.512.20630	10.70
MN LIFE INSURANCE CO	Aug2020	08/04/2020	Policy#0027324	501.50.7100.512.20620	(9.98)
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	501.50.7100.512.30550	38.40
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	501.50.7100.512.30550	11.95
Fund: 501 - WATER UTILITY FUND					41,949.77
EAGAN, CITY OF	2020 2nd QTR	07/28/2020	2020 Fiscal year 2nd QTR	502.51.7200.514.40015	50,168.62
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	502.51.7200.514.20630	4.58
MN LIFE INSURANCE CO	Aug2020	08/04/2020	Policy#0027324	502.51.7200.514.20620	(4.28)
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	502.51.7200.514.30550	23.56
TYLER TECHNOLOGIES, INC	025-301640B	07/28/2020	Transaction fees	502.51.7200.514.70440	1,275.00
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	502.51.7200.514.30550	6.21
Fund: 502 - SEWER UTILITY FUND					51,473.69
BREAKTHRU BEVERAGE MINNESOTA	1091152352	08/04/2020	Alcohol	503.52.8300.524.76150	323.50
COCA COLA BOTTLING COMPANY	3607208105	08/04/2020	Beverages	503.52.8300.524.76100	767.14
COLLEGE CITY BEVERAGE	623932	08/04/2020	Alcohol	503.52.8300.524.76150	537.40
DRAFT TECHNOLOGIES	06292002	08/04/2020	GC Beer line cleaning	503.52.8300.524.40042	55.00
HEGGIES PIZZA	1010567022	08/04/2020	Pizzas	503.52.8300.524.76050	131.95
PHILLIPS WINE & SPIRITS	6059747	08/04/2020	Vodka	503.52.8300.524.76150	89.50
PHILLIPS WINE & SPIRITS	6062430	08/04/2020	Alcohol	503.52.8300.524.76150	457.00
PHILLIPS WINE & SPIRITS	6063166	08/04/2020	Alcohol	503.52.8300.524.76150	45.30
PHILLIPS WINE & SPIRITS	6063292	08/04/2020	Bloody Mary Mix	503.52.8300.524.76150	88.20
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	503.52.8000.521.30550	3.50
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	503.52.8500.526.30550	3.50
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	503.52.8600.527.30550	21.70
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	503.52.8000.521.30550	2.54
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	503.52.8600.527.30550	5.08
US FOODSERVICE	5601396	08/04/2020	Order# 660481	503.52.8300.524.60065	91.47
US FOODSERVICE	5601396	08/04/2020	Order# 660481	503.52.8300.524.76050	685.54
US FOODSERVICE	5601396	08/04/2020	Order# 660481	503.52.8300.524.76100	77.78
WALKER ROOFING COMPANY, INC.	946458	07/28/2020	Install Roofing	503.52.8500.526.40040	6,730.00
Fund: 503 - INVER WOOD GOLF COURSE					10,116.10

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	602.00.2100.415.30550	1.67
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	602.00.2100.415.30550	0.13
Fund: 602 - RISK MANAGEMENT					1.80
ALLSTATE PETERBILT OF SOUTH ST. PAUL	3004335612	08/04/2020	Parts	603.00.5300.444.40041	11.04
ALLSTATE PETERBILT OF SOUTH ST. PAUL	3004335634	08/04/2020	Parts	603.00.5300.444.40041	6.44
ALTERNATORS STARTERS & PARTS INC	A07798	08/04/2020	STR-UT PMDD	603.00.5300.444.40041	33.67
ELECTRIC FIRE & SECURITY	23105	08/04/2020	Fire alarm and sprinkler system inspection	603.00.5300.444.40040	852.00
ELECTRIC FIRE & SECURITY	23106	08/04/2020	Replaced electrical room panel battery	603.00.5300.444.40040	49.50
FACTORY MOTOR PARTS COMPANY	1-Z22505	08/04/2020	Motor part	603.00.5300.444.40041	12.04
FERRELLGAS	1112341320	08/04/2020	Propane	603.00.5300.444.40041	61.48
GERLACH OUTDOOR POWER EQUIP	199979	08/04/2020	Spark plug	603.00.5300.444.40041	36.39
GRAINGER	9600060009	08/04/2020	Enclosed limit switch	603.00.5300.444.40041	39.66
INVER GROVE FORD	5288434	08/04/2020	Wheel ASY	603.00.5300.444.40041	67.71
INVER GROVE FORD	5288474	08/04/2020	Nut - Hex	603.00.5300.444.40041	13.80
INVER GROVE FORD	5288496	08/04/2020	Oil Filter	603.00.5300.444.40041	36.26
INVER GROVE FORD	5288500	08/04/2020	TPMS Sensor	603.00.5300.444.40041	105.78
INVER GROVE FORD	5288530	08/04/2020	Parts	603.00.5300.444.40041	88.44
INVER GROVE FORD	5288576	08/04/2020	Part	603.00.5300.444.40041	590.47
INVER GROVE FORD	5288659	08/04/2020	Seal	603.00.5300.444.40041	120.58
INVER GROVE FORD	5288714	08/04/2020	Seal	603.00.5300.444.40041	(120.58)
JIM DONSKEY CORPORATION	1889908	08/04/2020	Battery	603.00.5300.444.40041	358.74
JIM DONSKEY CORPORATION	CM0002892	08/04/2020	Credit	603.00.5300.444.40041	(40.00)
MASTER MECHANICAL INC	57226	08/04/2020	AC repair	603.00.5300.444.40040	735.40
MASTER MECHANICAL INC	57265	08/04/2020	Refrigerate/Compressor job	603.00.5300.444.40040	2,765.00
MID CITY SERVICES, INC.	131171	08/04/2020	Dust Mats	603.00.5300.444.40065	71.00
MN DEPT OF REVENUE	June Fuel Tax	07/23/2020	June Fuel Tax	603.00.5300.444.60021	157.61
MTI DISTRIBUTING CO	1264579-01	08/04/2020	Blade srvice pach	603.00.5300.444.40041	295.21
MTI DISTRIBUTING CO	1266948-00	08/04/2020	Part	603.00.5300.444.40041	101.98
MTI DISTRIBUTING CO	1266272-00	08/04/2020	Window Glass	603.00.5300.444.40041	476.30
MTI DISTRIBUTING CO	1268661-00	08/04/2020	Hinge	603.00.5300.444.40041	60.10
MTI DISTRIBUTING CO	1268704-00	08/04/2020	parts	603.00.5300.444.40041	31.35
NATURE CALLS, INC.	26764	08/04/2020	Portable restrooms	603.00.5300.444.40040	120.00
NATURE CALLS, INC.	26765	08/04/2020	Portable rest rooms	603.00.5300.444.40040	120.00
NORTHERN SAFETY TECHNOLOGY INC	50725	07/28/2020	Parts	603.00.5300.444.80700	400.94
O' REILLY AUTO PARTS	1767-485557	08/04/2020	HYD Filter	603.00.5300.444.40041	50.92
O' REILLY AUTO PARTS	1767-486718	08/04/2020	String Instrt	603.00.5300.444.60012	9.28
O' REILLY AUTO PARTS	1767-486826	08/04/2020	Air Filter	603.00.5300.444.40041	84.26
O' REILLY AUTO PARTS	1767-486978	08/04/2020	Fuse Holder	603.00.5300.444.40041	23.94
O' REILLY AUTO PARTS	1767-487054	08/04/2020	MSTR Disc SW	603.00.5300.444.40041	41.77
O' REILLY AUTO PARTS	1767-487242	08/04/2020	Copper Plug	603.00.5300.444.40041	5.98
O' REILLY AUTO PARTS	1767-487591	08/04/2020	Air Filter	603.00.5300.444.40041	43.77
O' REILLY AUTO PARTS	1767-488259	08/04/2020	Battery	603.00.5300.444.40041	34.74
O' REILLY AUTO PARTS	1767-488502	08/04/2020	WIN REG ASSY	603.00.5300.444.40041	84.99
O' REILLY AUTO PARTS	1767-488503	08/04/2020	Oil Filter	603.140.1450050	47.40
O' REILLY AUTO PARTS	1767-488526	08/04/2020	Wheel Weight	603.00.5300.444.60012	39.36
O' REILLY AUTO PARTS	1767-488699	08/04/2020	PWR INVERTER	603.00.5300.444.40041	59.99
O' REILLY AUTO PARTS	1767-489232	08/04/2020	Oil Filter	603.140.1450050	15.40
O' REILLY AUTO PARTS	1767-489233	08/04/2020	Wheel Weight	603.00.5300.444.60012	(39.36)
O' REILLY AUTO PARTS	1767-489885	08/04/2020	DISC PAD SET	603.00.5300.444.40041	112.87
O' REILLY AUTO PARTS	1767-489981	08/04/2020	Brake Rotor	603.00.5300.444.40041	169.60
O' REILLY AUTO PARTS	1767-490412	08/04/2020	Brake Rotor	603.00.5300.444.40041	(169.60)
POMP'S TIRE SERVICE, INC.	980070853	08/04/2020	Tire parts?	603.140.1450050	1,112.00
ROAD MACHINERY & SUPPLIES CO	S8548201	08/04/2020	Parts & Freight	603.00.5300.444.40041	50.40
ROAD MACHINERY & SUPPLIES CO	S8575001	08/04/2020	Filter	603.00.5300.444.40041	116.70
SEMA EQUIPMENT INC.	1420612	08/04/2020	Service call	603.00.5300.444.40041	5,960.07
SEMA EQUIPMENT INC.	1422204	08/04/2020	Parts	603.00.5300.444.40041	2,265.71
SNAP-ON INDUSTRIAL	200100474	08/04/2020	RTCH Kit	603.00.5300.444.60040	281.83
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	603.00.5300.444.30550	9.44
TITAN MACHINERY	14211017	08/04/2020	Parts	603.00.5300.444.40041	449.54
TOTAL TOOL SUPPLY, INC	01414867	08/04/2020	Tools	603.00.5300.444.60040	650.48
UNIFIRST CORPORATION	0900567927	08/04/2020	Clothing/Uniforms	603.00.5300.444.40065	129.68
UNIFIRST CORPORATION	0900567927	08/04/2020	Clothing/Uniforms	603.00.5300.444.60045	35.55
UNIFIRST CORPORATION	0900569223	08/04/2020	Clothing/Uniforms	603.00.5300.444.40065	129.68
UNIFIRST CORPORATION	0900569223	08/04/2020	Clothing/Uniforms	603.00.5300.444.60045	35.55
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	603.00.5300.444.30550	2.54
ZAHL-PETROLEUM MAINTENANCE CO.	0256598-IN	08/04/2020	Parts & Labor	603.00.5300.444.40040	293.95
ZIEGLER INC	SW140176153	08/04/2020	Labor	603.00.5300.444.40041	785.91
Fund: 603 - CENTRAL EQUIPMENT					20,582.65
INNOVATIVE OFFICE SOLUTIONS	SUM-055474	07/28/2020	June 2020	604.00.2200.416.60010	1,195.19
Fund: 604 - CENTRAL STORES					1,195.19
MADISON NATIONAL LIFE INSURANCE COMPANY	1402665	08/04/2020	August2020	605.00.7500.460.20630	14.63
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1802737	08/04/2020	Payroll	605.00.7500.460.30550	8.72
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	605.00.7500.460.30550	0.64
Fund: 605 - CITY FACILITIES					23.99
UNITED STATES TREASURY	2020 Form 720	07/28/2020	Payroll	606.00.1400.413.30550	8.55
Fund: 606 - TECHNOLOGY FUND					8.55
BARR ENGINEERING COMPANY	23190328.20-4	07/28/2020	STOR Phase 2 Stormwater Review	702.229.2283203	1,273.50
BARR ENGINEERING COMPANY	23190328.20-4	07/28/2020	STOR Phase 2 Stormwater Review	702.229.2288503	1,095.50
BARR ENGINEERING COMPANY	23190328.19-17	07/28/2020	Project # 57, 59 & 61	702.229.2282803	999.00
BARR ENGINEERING COMPANY	23190328.19-17	07/28/2020	Project # 57, 59 & 61	702.229.2283203	1,188.60
BOLTON & MENK, INC.	0252484	07/28/2020	May Services	702.229.2292502	30.00
EMMONS & OLIVIER RESOURCES	00095-0061-6B	07/28/2020	August 2019 Services	702.229.2292502	500.00
EMMONS & OLIVIER RESOURCES	00095-0061-6B	07/28/2020	August 2019 Services	702.229.2304602	148.50

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
EMMONS & OLIVIER RESOURCES	00095-0062-1B	07/28/2020	Development Review Assistance	702.229.2292502	1,226.25
EMMONS & OLIVIER RESOURCES	00095-0065-4	07/28/2020	Construction Observation	702.229.2282100	3,600.13
EMMONS & OLIVIER RESOURCES	00095-0065-4	07/28/2020	Construction Observation	702.229.2282602	460.60
EMMONS & OLIVIER RESOURCES	00095-0065-4	07/28/2020	Construction Observation	702.229.2292502	880.00
EMMONS & OLIVIER RESOURCES	00095-0064-4	07/28/2020	Development review assistance	702.229.2282100	364.00
OUTFRONT MEDIA	07/23/2020	07/28/2020	Escrow close	702.229.2289003	471.62
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	702.229.2282703	36.12
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	702.229.2284603	25.80
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	702.229.2288803	28.81
PIONEER PRESS	520572521	06/30/2020	Advertising/Publishing	702.229.2288803	28.38
ROSEAU COUNTY COURTHOUSE	68CR19856	07/28/2020	Tommy Ohman Bail	702.229.2291000	300.00
VEIT & COMPANY INC	07/21/2020	07/28/2020	Escrow Release	702.229.2286803	1,500.00
VEIT & COMPANY INC	07/21/2020	07/28/2020	Escrow Release	702.229.2286903	1,500.00
Fund: 702 - ESCROW FUND					15,656.81
Grand Total					1,833,006.54

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

REQUEST FOR APPROVAL OF RENTAL HOUSING LICENSE

Meeting Date: August 10, 2020
Item Type: Consent
Contact: Nicole Cook: 651-450-2491
Prepared by: Nicole Cook, Rental and Code
Compliance Coordinator
Reviewed by: Heather Rand, Community
Development Director

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other (Revenue)

PURPOSE/ACTION REQUESTED

The City Council is to consider approval of two (2) rental licenses.

BACKGROUND

The City Council adopted a rental licensing ordinance that requires all rental property owners to obtain a rental license every two years. The purpose of the ordinance is to assure proper maintenance of structures to preserve neighborhood stability, protect the quality of existing rental housing stock, and maintain property values. The ordinance provides for basic safety and living standards for rentals.

ANALYSIS

The following rental license applications have been submitted:

ADAM SCHENCK: 6326 BAILEY TRAIL
ERIC GULLICKSON: 5039 BRENT AVE

The above applications have been found to be complete. The applications include the necessary fee payment and the BCA background check. The Inver Grove Heights Police Chief/Designee has also reviewed the license application.

RECOMMENDATIONS

Community Development staff recommends approval of the licenses listed above.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

MIRANDA CARLSON - CASE NO. 20-20C

Meeting Date: August 10, 2020
 Item Type: Consent
 Contact: Heather Botten 651.450.2569
 Prepared by: Heather Botten, Associate Planner
 Reviewed by:

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	Other

PURPOSE/ACTION REQUESTED

Consider a Resolution approving a Conditional Use Permit to operate a beauty salon at the property located at 8135 Claymore Avenue.

- Requires 4/5th's vote.
- 60-day deadline: August 15, 2020 (first 60-days)

SUMMARY

The applicant is requesting to operate a one-chair beauty salon in a portion of the lower level of her house. A beauty/barber shop is a conditional use in the R-1C residential district. The salon must be operated within the home itself, hair care product sales are only to be sold incidentally to customers who are on the site for hair appointments, demand for parking shall not exceed three parking spaces for the occupant and customers, and the home occupation shall be conducted solely by the principal occupant of the house. Staff believes that the applicant has met the home occupation criteria and general CUP criteria, and that traffic will not be an issue due to the limited nature of the business. Service is by appointment only.

RECOMMENDATION

Planning Staff: Recommends approval of the request as presented with the conditions listed in the attached resolution.

Planning Commission: Recommended approval of the request (8-0).

Attachments: Resolution
 Planning Commission Recommendation
 Planning Report
 E-mails from neighbors

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 2020-150

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A BEAUTY/BARBER
SALON IN THE R-1C, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT**

**CASE NO. 20-20C
Carlson**

WHEREAS, an application for a Conditional Use Permit for a beauty/barber salon has been submitted for property located at 8135 Claymore Avenue and legally described as follows:

Lot 7, Block 1, Yoneko Estates, according to the recorded plat, Dakota County, Minnesota

WHEREAS, the aforescribed property is currently zoned R-1C, Single Family Residential;

WHEREAS, a beauty/barber salon is listed as a conditional use within the R-1C, Single Family Zoning District (Inver Grove Heights City Code Section 10-15-26.);

WHEREAS, in accordance with Minnesota Statutes, Section 462.357, Subdivision 3, a public hearing concerning the proposed Conditional Use Permit was held before the Inver Grove Heights Planning Commission on July 21, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Conditional Use Permit for a beauty/barber shop is hereby granted for the aforescribed property, subject to the following conditions:

1. The beauty/barber shop shall be developed in substantial conformance to the plans on file with the Planning Department except as may be modified by the conditions of this permit.

2. The beauty/barber shop shall operate with only one chair being used for a customer at a time. Other seating facilities may be provided for the washing and drying of hair, for the waiting of customers and for other related needs.
3. The home occupation shall be conducted solely by a principal occupant of the premises.
4. The beauty/barber shop shall conform to City Code Section 10-15-26 regarding the regulation of home occupations.
5. No over-the-counter retail sales shall be allowed. Hair care products are only to be sold incidentally to customers who are on the site for hair care appointments.
6. The applicant is required to apply for any necessary state and building permits for the construction and operation of the beauty/barber shop.
7. The City's Code Enforcement Officer shall be granted the right of access at all reasonable times to determine compliance with the terms of this conditional use permit.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights on this 10th day of August, 2020.

Ayes:

Nays:

ATTEST:

George Tourville, Mayor

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: June 21, 2020

SUBJECT: **MIRANDA CARLSON – CASE NO. 20-20C**

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit (CUP) to operate a beauty salon as a home occupation, for the property located at 8135 Claymore Avenue. 37 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting to operate a one-chair beauty salon in a portion of the lower level of her house. A beauty/barber shop is a conditional use in the R-1C residential district. The beauty shop must be operated within the home itself, evidence of the home occupation must not be visible from the street, hair care product sales are only to be sold incidentally to customers who are on the site for hair care appointments, demand for parking shall not exceed three parking spaces for the occupant and customers, and the home occupation shall be conducted solely by the principal occupant of the house. Staff believes that the applicant has met the home occupation criteria and general CUP criteria, and that traffic will not be an issue due to the limited nature of the business. Staff recommends approval of the request with the seven conditions listed in the report. Staff heard from five neighbors, including four emails that were provided to the Planning Commission prior to the meeting. Two neighbors supported the request, two neighbors were opposed to the request, and one had general questions.

Opening of Public Hearing

Miranda Carlson, 8135 Claymore Avenue, advised she was available to answer any questions.

Chair Maggi asked the applicant if she read and understood the staff report.

Ms. Carlson replied in the affirmative. She advised that she only works with one customer at a time and a portion of her business would still be off-site at a different salon location. Only her regular long-time clients would come to her home.

Commissioner Clancy asked how late the business would be open in the evening.

Ms. Carlson replied that the latest she would want a client in her chair would be 7:30 PM.

Commissioner Challeen asked how many clients the applicant might get on a high-volume day.

Ms. Carlson replied four people.

Commissioner Robertson asked the applicant if she anticipated ever having more than two clients at a time in her salon: one in her chair and one waiting.

Ms. Carlson replied she would not. Her routine is to work on one client until they are done, allow time for cleaning and sterilizing the space, and then take the next customer.

Commissioner Robertson asked if the next client would be sitting in a chair waiting.

Ms. Carlson replied that no one is allowed in the building until it is their appointment time. She would be allowing time between each appointment so there would not be a client waiting.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi noted that beauty salons are an allowed use in this zoning district with a conditional use permit.

Commissioner Wippermann asked what the logic was behind the former State requirement that in-home beauty salons have a separate entrance to the outside of the home.

Ms. Botten replied her understanding was that the State at one point required a handicapped accessibility entrance to the outside; that is no longer a State requirement for in-home beauty salons.

Commissioner Wippermann noted that home occupations are not to be visible from the street; however, there may be a business sign posted in the yard which seems contradictory.

Ms. Botten replied that the requirement was directed more towards visible storage of equipment or materials, etc. In this case all equipment would be in the lower level of the applicant's house so it should not be an issue.

Commissioner Wippermann asked if there was a maximum amount of signage allowed.

Ms. Botten replied in the affirmative, stating the applicant would be allowed one sign up to 12 square feet in size. She advised that she has never issued a sign that large, however, in a residential district.

Commissioner Robertson asked for more clarification about the State no longer requiring a separate entrance.

Ms. Botten advised that the reason that staff added that condition 18 years ago was to comply with State requirements. The current State requirements no longer require the outside entrance.

Commissioner Niemioja asked for clarification that the City recently approved another home salon without a separate entrance.

Ms. Botten replied in the affirmative, stating a similar request was approved in 2019.

Commissioner Niemioja noted that in Ms. Botten's response to one of the neighbor emails she included the link to a survey about a possible amendment to the home occupation section of the code. She hoped anyone watching tonight's meeting would go to the website and participate in the survey.

Commissioner Robertson stated she reviewed the emails received from neighbors and believes that the ordinance requirements and conditions in place would alleviate the concerns mentioned in the emails.

Planning Commission Recommendation

Motion by Commissioner Weber, second by Commissioner Simon, to approve the request for a conditional use permit (CUP) to operate a beauty salon as a home occupation, for the property located at 8135 Claymore Avenue, with the conditions listed in the report.

Motion carried (8/0). This item goes to City Council on August 10, 2020.

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

HEARING DATE: July 21, 2020

CASE NO.: 20-20C

APPLICANT & PROPERTY OWNER: Miranda Carlson

REQUEST: Conditional Use Permit for Beauty/Barber Shop

LOCATION: 8135 Claymore Avenue

COMPREHENSIVE PLAN: LDR, Low Density Residential

ZONING: R-1C, Single-family Residential

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant is proposing to operate a one chair beauty salon in a portion of the lower level of the home. A beauty/barber shop is a conditional use in the residential district. Customer parking will be provided on the driveway. Service is by appointment only.

The following specific application is being requested:

- A **Conditional Use Permit** to allow a beauty/barber shop as a home occupation in the R-1C district at 8135 Claymore Avenue

EVALUATION OF THE REQUEST

The following land uses, zoning districts and comprehensive plan designations surround the subject property:

North, South, East and West: Single-family Residential; zoned R-1C, single-family; guided LDR, Low Density Residential

Conditional Use Permit

Within the R-1C district, a beauty shop is a permitted conditional use as a home occupation provided:

- It is operated solely by a principle occupant of the premises
- The business conforms to the requirements of a Home Occupation, Section 10-15-26
- The conditional use criteria of Section 10-3A are satisfied.

Home Occupations are required to meet the following: be conducted within the home itself and not within a garage or accessory building; evidence of the occupation shall not be visible from the street; over-the-counter retail sales shall not be involved; and demand for parking shall not exceed three parking spaces for the occupant and customers.

The applicant has stated that the salon is designed for only one customer at a time, and she will be the only operator.

Any sales of hair care products to the salon customers are considered accessory and incidental to the beauty shop. Sales of these products are limited to the salon customers only and not to be sold as general retail to off the street customers.

The Home Occupation section of the code has a requirement that states: *When the home occupation is a beauty/barber shop, entrance to the home occupation shall be a separate, direct entrance and shall not be from within the dwelling.* Staff researched this condition and found it was added to the code about 18 years ago to comply with a requirement from the state. The applicant provided staff the current state requirements which do not require a separate, direct access for a salon in a private residence. Staff is recommending an ordinance amendment be processed to remove this requirement in City Code.

Section 10-3A of the Zoning Code lists criteria to be considered in all CUP requests. These criteria generally relate to Comprehensive Plan and Zoning consistency, land use impacts such as traffic, noise and aesthetics, infrastructure and City service adequacy and general public health and environmental impacts.

The proposed CUP meets the above referenced criteria. The surrounding properties are all zoned R-1C and the neighborhood is built out. Traffic will not be an issue due to the limited nature of the business.

ALTERNATIVES

The Planning Commission has the following alternatives available for the proposed request:

A. Approval Approval of the Conditional Use Permit to allow a beauty/barber shop as a home occupation in the R-1C, single-family residential district with the following conditions:

1. The beauty/barber shop shall be developed in substantial conformance to the plans on file with the Planning Department except as may be modified by the conditions of this permit.
2. The beauty/barber shop shall operate with only one chair being used for a customer at a time. Other seating facilities may be provided for the washing and drying of hair, for the waiting of customers and for other related needs.

3. The home occupation shall be conducted solely by a principal occupant of the premises.
4. The beauty/barber shop shall conform to City Code Section 10-15-26 regarding the regulation of home occupations.
5. No over-the-counter retail sales shall be allowed. Hair care products are only to be sold incidentally to customers who are on the site for hair care appointments.
6. The applicant is required to apply for any necessary state and building permits for the construction and operation of the beauty/barber shop.
7. The City's Code Enforcement Officer shall be granted the right of access at all reasonable times to determine compliance with the terms of this conditional use permit.

B. Denial: If the Planning Commission does not favor the proposed application, the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

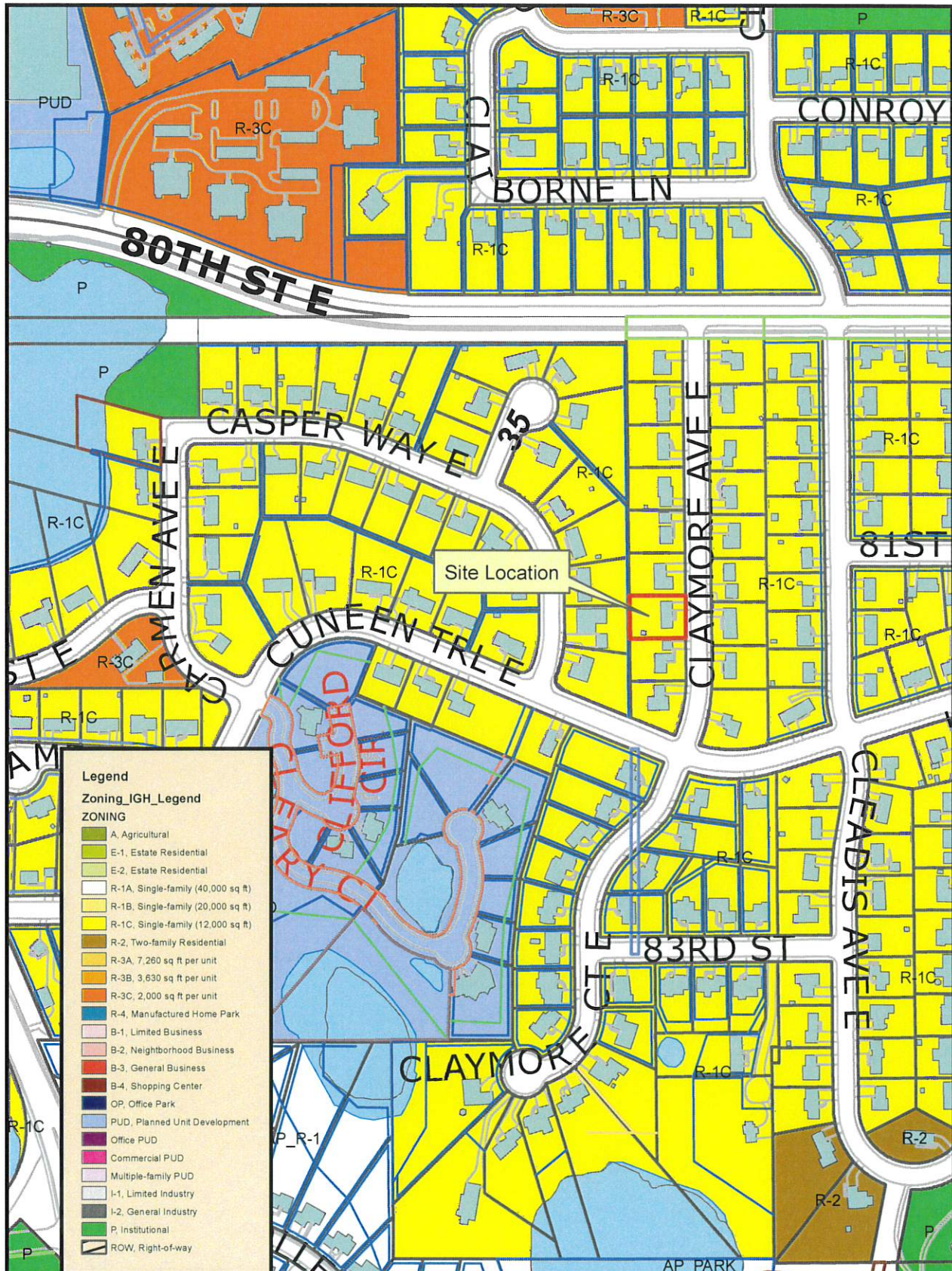
RECOMMENDATION

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the conditional use permit as requested.

Attachments: Site Location
Narrative
Floor Plan



8135 Claymore Avenue Case No. 20-20C



THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, INFORMATION AND DATA LOCATED IN VARIOUS CITY, COUNTY AND STATE OFFICES AND OTHER SOURCES AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE CITY OF INVER GROVE HEIGHTS IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

Map produced by the City of Inver Grove Heights GIS Dept.
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Exhibit A
Zoning and Location Map

Map not to scale

Narrative of Salon Operations

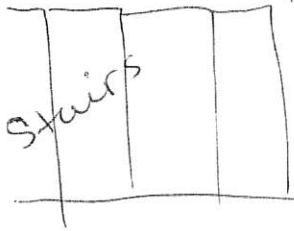
I will be operating an in home salon taking clients on a part time basis for services including: hair colors, haircuts, perms, and lash extensions. I will not be taking any walk in clients or selling retail product. All clients will be by appointment only.

I will apply all the same safety and sanitation practices that I currently abide by in my salon suite with in my home studio. Following all protocol for sterilization that is required by the Minnesota board of Cosmetology. Added precautions during the covid restriction will also be followed based on what standards are in place at the time my home studio will be allowed to open.

Living room
area

all
lower level of
the house

front entry



Salon

Restroom

laundry
room

From: [George Schaus](#)
To: [Kim Fox](#)
Subject: Case No. 20-20C Miranda Carlson Beauty Salon July 21 Meeting
Date: Sunday, July 19, 2020 6:52:48 PM

I would like to voice my concern and opposition on a request for a conditional use request to open a hair salon business at 8135 Claymore Avenue in Inver Grove Hts. The city of Inver Grove Heights has several business areas that are available to conduct a business and are designed to allow traffic to flow outside of a residential area so residents can have a quiet neighborhood to reside in. Operating a business in a residential area causes additional traffic, car noise, plowing issues in the winter, car door slams which trigger dogs to bark, cars parked in the street that bicyclists have to ride around, vehicles that obscure sight lines when children are at play and so on. I truly did not purchase my house to live in a business area with client visits next door. Please limit businesses to areas designed for businesses and not in residential neighborhoods. I would like to come home after a long day at work to a quiet neighborhood not an operating business. Please consider my concerns and the other residents in this area and deny this hair salon business a permit to operate in a residential area.

Sincerely

George Schaus

8115 Claymore Ave

Inver Grove Hts MN 55076

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [Della](#)
To: [Kim Fox](#)
Subject: Case No. 20-20c Miranda Carlson
Date: Friday, July 17, 2020 12:12:44 PM

Planning Commission,

I live at 8080 Claymore Ave and I have no issue with a neighbor operating a home beauty salon.

The list of “concerns” that was put on my door written anonymously was laughable. Dogs barking from client visits?? Really? Train your dog. Door noise?? What is door noise?

I don’t know Miranda but I wish her success in her small home beauty salon.

To the person who wrote the anonymous note, I suggest you find a hobby. Maybe a writing class.

Very Sincerely,

Rondella Alick

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From: [Heather Botten](#)
To: ["mtk_56@yahoo.com"](mailto:mtk_56@yahoo.com)
Cc: [Kim Fox](#)
Subject: FW: Miranda Carlson - Beauty Salon - Case 20-20C
Date: Monday, July 20, 2020 2:55:55 PM
Attachments: [Carlson - Complete PC Report.pdf](#)

Hi Mark,

Thank you for your email.

A conditional use permit stays with the property. If the request is approved, there would be conditions of approval and if there are violations with the conditions you can contact the City's Code Compliance Specialist for enforcement.

At this time, a sign is not being requested, but would be allowed per City Code, Section 10-15E-7. The request to operate a beauty salon is a conditionally allowed home occupation as long as there is compliance with the Home Occupation Section of the code (10-15-26) which states that no outside employees would be allowed.

The property would not be rezoned to commercial, it would remain a residentially zoned property with the primary use still being residential. Your property taxes should not be affected by the proposed home occupation. Based on the proposed use, staff is not expecting any issues with parking or traffic.

For your information, I attached the staff report to provide you additional information about the request.

Here is a link to the City Code if you would like to view the above mentioned sections:
https://codelibrary.amlegal.com/codes/invergrovehtsmn/latest/invergrovehts_mn/0-0-0-17398#JD_10-15E-7

Additionally, the City is looking for input regarding a possible amendment to the home occupation section of the code. Please check out the following link to take the survey.

Link to the survey: <https://arcg.is/1Sjvn0>

If you have any additional questions please let me know.

Regards,

Heather

From: mark kelly <mtk_56@yahoo.com>
Sent: Sunday, July 19, 2020 11:58 AM

To: Kim Fox <kfox@invergroveheights.org>

Subject: Miranda Carlson - Beauty Salon - Case 20-20C

Hi Kim,
This is Mark Kelly,
8095 Claymore Ave.

Il had a couple of comments and questions...

Conditional Use Permit -

Is this a 'permanent' conditional use?

Or can this type of conditional use permit can be limited to a few years and then reviewed for renewal?

I would favor an occasional renewal every few years - just to have some leverage if things get out of control...

Signage -

Will there be Signs out front?

If so - are there size and location limitations etc.?

Like only displayed during business hours etc?

Business Volume -

Not sure how to phrase this - but will Miranda be the only employee doing beauty stuff at her home?

Don't want to impede a small business venture - but don't want a 'commercial' looking business in the middle of the block...

Any way we can limit the hours of business use?

(Really no way to verify this - but wanted to mention it)

Can we limit the number of customers per day?

I suppose a wedding party may all want to all meet at the same place etc - so some accommodations might have to be made...

Traffic -

Claymore Ave. has pretty much turned into a thoroughfare for traffic...

(I think WAZE has something to do with this)

We've had several Mail boxes taken out and vehicles ending up in yards over the years...

Maybe we can put a 25 MPH speed limit on the street - or a 'Local Traffic Only' sign?

I've seen this sign in a few places - not sure how effective they are...

Parking -

Can customer parking be confined to her driveway only?

It would be one way to limit the number of customers...

And in the winter - if a snowplow had to go around a customer's car that is parked on the street - would cause some annoyance...

Taxes - and Property Values -

Just out of curiosity - and based on other properties with similar circumstances -

will her house be rezoned - and effect her property taxes?

Or effect neighbors property values etc?

That's all for now - hope you are doing well!

Mark Kelly
Cell 651-323-8115

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From: [Kevin Davis](#)
To: [Kim Fox](#)
Subject: Regarding Case No. 20-20C, Miranda Carlson
Date: Monday, July 20, 2020 9:58:26 AM

Ms. Fox,

It is my recommendation that the conditional use permit be denied for Ms. Carlson. This is a residential zone and should remain as such. Inver Grove offers multiple locations in business areas that are options for her.

Kevin Davis
8075 Claymore Avenue

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CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Request #4 (Final)- General Sheet Metal Company, LLC for the VMCC/Grove HVAC Project

Meeting Date: August 10, 2020
 Item Type: Consent Agenda
 Contact: Eric Carlson - 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Shannon Battles

☐	Fiscal/FTE Impact:
☐	None
☒	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested - N/A
☐	Other

PURPOSE/ACTION REQUESTED

The Council is asked to approve Pay Request #4 (Final) to General Sheet Metal Company, LLC in an amount of \$19,062.00.

SUMMARY

The City awarded a contract to General Sheet Metal Company, LLC on July 22, 2019 in the amount of \$378,000.00. The project is funded by the VMCC/Grove Capital Improvement Budget. On February 10th the Council approved Change Order #1 in the amount of \$3,245 to related to the relocation of a floor drain.

The contract with General Sheet Metal Company, LLC is as follows:

General Sheet Metal Company, LLC	\$378,000.00
Change Order #1	<u>\$ 3,245.00</u>
Total	\$381,245.00

The overall project costs are as follows:

MEI - Preparation of Plans & Specifications	\$ 19,750	Design and Engineering
Contract with General Sheet Metal Company, LLC	\$378,000	Construction Contract
Change Order #1	\$ 3,245	Drain Relocation
Total	\$400,995	

APPLICATION AND CERTIFICATE FOR PAYMENT AIA DOCUMENT G702

PAGE ONE OF 1 PAGES

TO OWNER: CITY OF INVER GROVE HTS PROJECT #:
8150 BARBARA AVE

INVER GROVE HTS MN 550773412

APPLICATION NO: 00004 Distribution to:
PERIOD TO: 04/22/2020 ☐ OWNER
PROJECT NOS: ☐ ARCHITECT
☐ CONTRACTOR

FROM CONTRACTOR: GENERAL SHEET METAL VIA ARCHITECT:

2330 Louisiana Ave. N.
Minneapolis, MN 55427

CONTRACT FOR: 196745 CITY OF IGH-LAP POOL

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 378,000.00
- 2 Net change by Change Orders \$ 3,245.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 381,245.00
- 4 TOTAL COMPLETED & STORED TO DATE \$ 381,245.00
(Column G on G703)
5. RETAINAGE:
 - a. 5 % of Completed Work \$ 0.00
(Columns D + E on G703)
 - b. % of Stored Material \$
(Column F on G703)

Total Retainage (Line 5a + 5b or
Total in Column I of G703) \$ 0.00
6. TOTAL EARNED LESS RETAINAGE \$ 381,245.00
(Line 4 less Line 5 Total)
- 7 LESS PREVIOUS CERTIFICATES FOR PAYMENT
(Line 6 from prior Certificate) \$ 362,183.00
8. CURRENT PAYMENT DUE \$ 19,062.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6) \$.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: [Signature] Date: 4-22-20

State of: MINNESOTA

County of: HENNEPIN

Subscribed and sworn to before me this 22 day of April 2020

Notary Public: [Signature]
My Commission expires: 1/31/2023



ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

By: Date:
This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA DOCUMENT G703

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APPLICATION NUMBER:

APPLICATION DATE:

PERIOD TO:

ARCHITECT'S PROJECT NO.:

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THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Approval of Proposal with WSB Inc. for Heritage Village Park Phase III Development

Meeting Date: August 10, 2020
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by:

☐	Fiscal/FTE Impact:
☐	None
☒	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

The Council is asked to approve a proposal submitted by WSB Inc. for Phase III work at Heritage Village Park in an amount not to exceed \$36,000. The work that WSB will complete is funded by a grant the City received from MN DEED in the amount of \$415,000. There is no match requirement.

The City Council tabled this item on July 27, 2020 asking for modifications to the proposal submitted by WSB Inc. WSB's revised proposal is attached. Realistically the issue of add/alternate is best addressed in the actual bidding documents and we will be sure that the playground container is an "add/alternate" based on Council direction.

SUMMARY

For nearly 20 years, the City of Inver Grove Heights has been working to enhance the Concord Boulevard neighborhood by creating a 65-acre community sized park that has become known as Heritage Village Park. As a part of the process the City has acquired over 40 properties along Doffing Ave. that will either be used as a part of the park or help reduce the City's response to river flooding. In 2004, the City created the first master plan for Heritage Village Park envisioning that the park would provide passive recreation for park users, give the city an opportunity to provide residents with historical interpretation through the display of artifacts/memorabilia and become a catalyst for the private sector to consider redevelopment along Concord Blvd which will ultimately increase the city's tax base.

In March this year, the City Council adopted a 5-year strategic plan. Components of the strategic plan that support continued development of Heritage Village Park include:

Guiding Principles & Goals

- ✓ Culture and Recreation
- ✓ Embrace and Revitalize the River Front

Objectives & Strategies

- Focus on importance and connection to the Riverfront
- Promote our heritage through our parks, programs, natural areas, and history

Action Plans

- Culture and Recreation
 - ✓ Promote our heritage through our parks, programs, natural areas, and history
- Embrace and Revitalize the River Front
 - ✓ Focus on importance and connection to the Riverfront
 - ❖ Complete construction of Heritage Village Park Plan

In August of 2019, the City Council approved hiring WSB/Alliance Architects to produce final design, construction documents and bidding for the playground area and restroom/shelter building(s). This work included the next phase of development planned for Heritage Village Park which included the addition of:

- Play structure
- Restroom and shelter
- Landscaping, site amenities, miscellaneous work around the playground/shelter
- Historical interpretation

At this point the City has not identified funding for all of the project components listed above estimated at \$2,300,000 - \$2,600,000. However, we recently received a grant from the MN DEED in the amount of \$415,000 to make a small portion of these capital improvements in Heritage Village Park. The MN DEED grant does not require a match and the following project components are included:

- Earthwork
- Pavements
- Retaining Wall
- Railing
- Footings
- Communications Fiber
- Erosion Control

The tentative schedule is:

Summer 2020

Finalize Grant Agreement
Hire WSB for preparation of plans/specifications

Fall 2020

Prepare plans and specifications
Bid Project
Begin Construction

Spring 2021

Complete Construction

Summer 2021

Complete Grant Requirements
Complete Grant Reimbursement Process prior to July 1, 2021

If the City Council does not plan to move forward with the remainder of the proposed improvements in Heritage Village Park in a 1-3-year time frame, the Council should consider not moving forward with the proposed site improvements at this time, since the proposed site improvements will not serve a purpose and will look "out of place" if we do not plan to complete the playground, shelter(s), and restroom facility in a reasonable amount of time.

WSB PROPOSAL



August 3, 2020

Mr. Eric Carlson
Parks and Recreation Director
City of Inver Grove Heights
8055 Barbara Avenue East
Inver Grove Heights, MN 55076

Re: Professional Services Proposal – Heritage Village Park Phase 3 Site Bidding & Construction Administration

Dear Mr. Carlson:

I am pleased to submit this letter proposal on behalf of WSB & Associates, Inc. (WSB) to the City of Inver Grove Heights (City) to complete professional consulting services for the bidding and construction administration for the Heritage Village Park Phase 3 Site Improvements.

PROJECT UNDERSTANDING

It is our understanding that this project is to include repackaging the final design bid package for Phase 3 of the Heritage Village Park site work for bidding and construction. This will consist of earthwork, retaining walls, ornamental fencing with historical panels, and portions of the standard and ornamental concrete flatwork (walks). Building structures and playground equipment are not included in this project and curbing for a potential future playground may be included as an alternate.

SCOPE OF SERVICES

- A. Site Construction Document Bid Package:** WSB will prepare an updated construction plan set repackaged for the approved site work, as approved by the City, with corresponding estimate of probable costs.
- B. Bidding:** WSB will provide oversight and administration of the project bidding process to include sending out Advertisement for Bid, uploading plans and specs to Quest CDN, responding to questions that arise during the bidding process, preparation of addenda, attending bid opening, tabulation of bids, review of contractor references, and letter of recommendations for selection of contractors. It is anticipated that an electronic bidding process will be utilized.
- C. Construction Administration:** If the City approves a bid for construction, WSB will undertake project administration and periodic observation of the construction progress for adherence to design intent as illustrated and described in construction documents to include:
 - a. Facilitation of pre-construction meeting to review the project elements, clearly define the City's expectations as to the quality of the constructions, administration process, and schedule.
 - b. Preparation of files for distribution to vendors to fabricate the custom historical fence panels.
 - c. Administration of contract including preparation of contract forms, change orders, substantial completion form, and payment applications along with review of shop drawings, submittals and test results.

- d. Site observation on a periodic basis for the established duration (anticipated 8 weeks) of the construction project as stated in the specifications to ensure the design intent is being met. It is estimated one site meeting per week will be held for a total of 8 site progress meetings to include progress notes, follow-up documents and RFI's.
 - e. One substantial completion meeting and one final punch list review meeting to be held following construction completion. One additional meeting will be held at the end of the landscape guarantee period to identify plants for replacement.
- D. Construction Survey Staking:** WSB will provide a 2-man survey crew for layout and grade stakes for construction and will prepare an as-built survey upon completion of construction.
- E. Construction Testing & Inspections:** WSB will provide a construction inspector to be on site as needed for limited observations, inspections and testing during the project to ensure construction materials and techniques meet all necessary standards. This is envisioned for wall installation, base inspections, and concrete testing and placement.
- F. Additional Services:** Services other than those listed in the Scope of Services above and requested and authorized in writing by the City. These services shall be billed on an hourly basis according to the current Hourly Rate Schedule at the time of request.

FEES FOR PROFESSIONAL SERVICES

It is proposed that Tasks be billed on an hourly-not-to-exceed basis according to the following breakdowns:

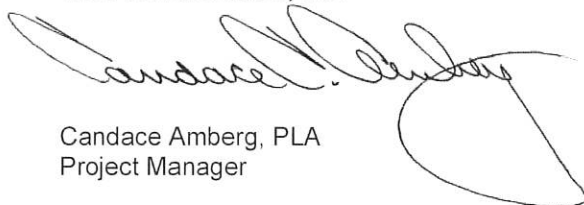
Task A (Construction Bid Package):	\$7,000
Task B (Bidding):.....	\$1,500
Task C (Construction Administration):	\$14,500
Task D (Construction Surveying):	\$5,500
Task E (Testing & Inspections):	\$7,500
Total:	\$36,000

Additional Services: TBD

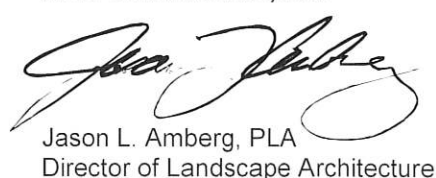
Thank you for this opportunity to propose on this project. If you should have any questions regarding this proposal, please contact me at 763-231-4848.

Sincerely,

WSB & Associates, Inc.


Candace Amberg, PLA
Project Manager

WSB & Associates, Inc.

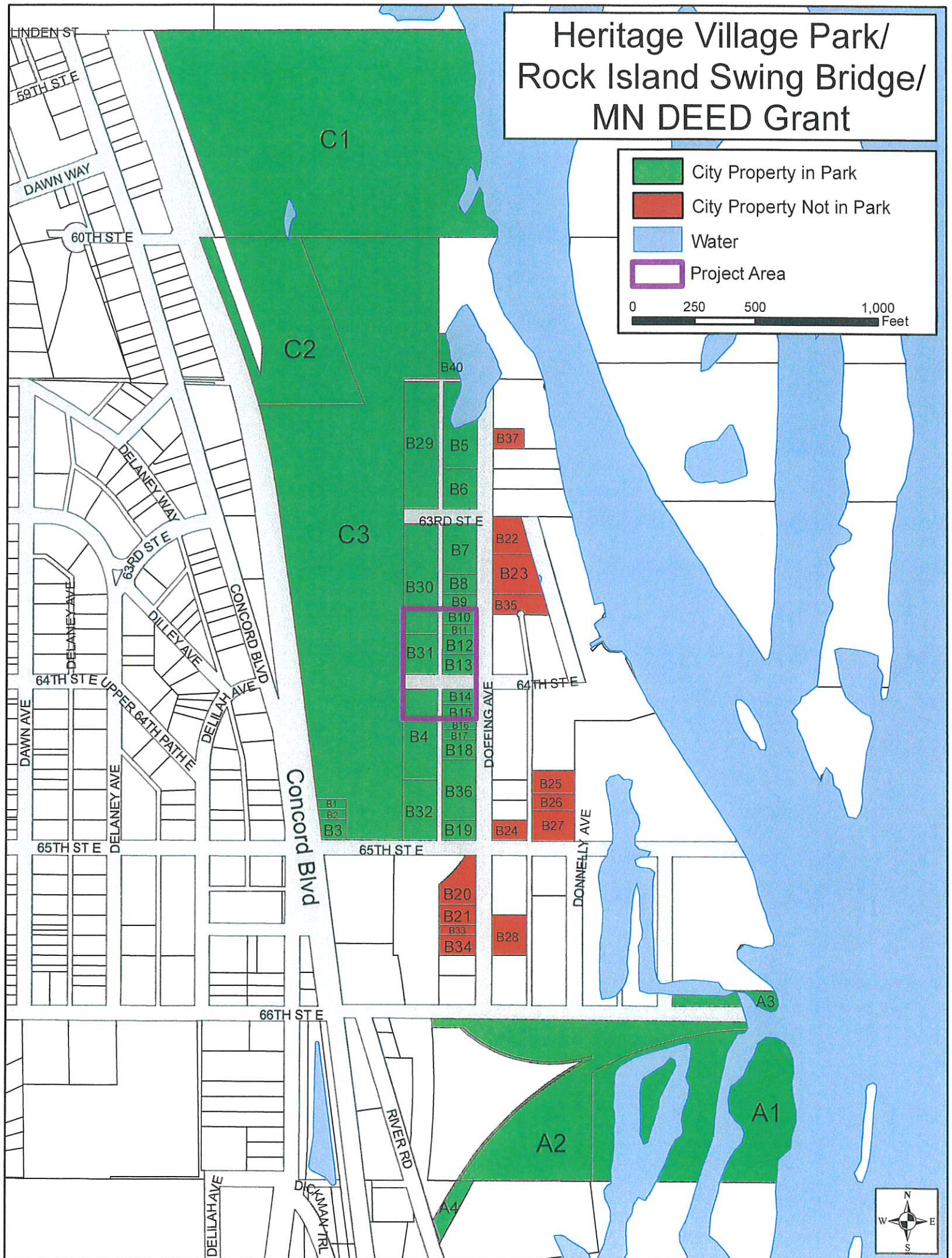

Jason L. Amberg, PLA
Director of Landscape Architecture

LOCATION MAP

Heritage Village Park/ Rock Island Swing Bridge/ MN DEED Grant

-  City Property in Park
-  City Property Not in Park
-  Water
-  Project Area

0 250 500 1,000 Feet

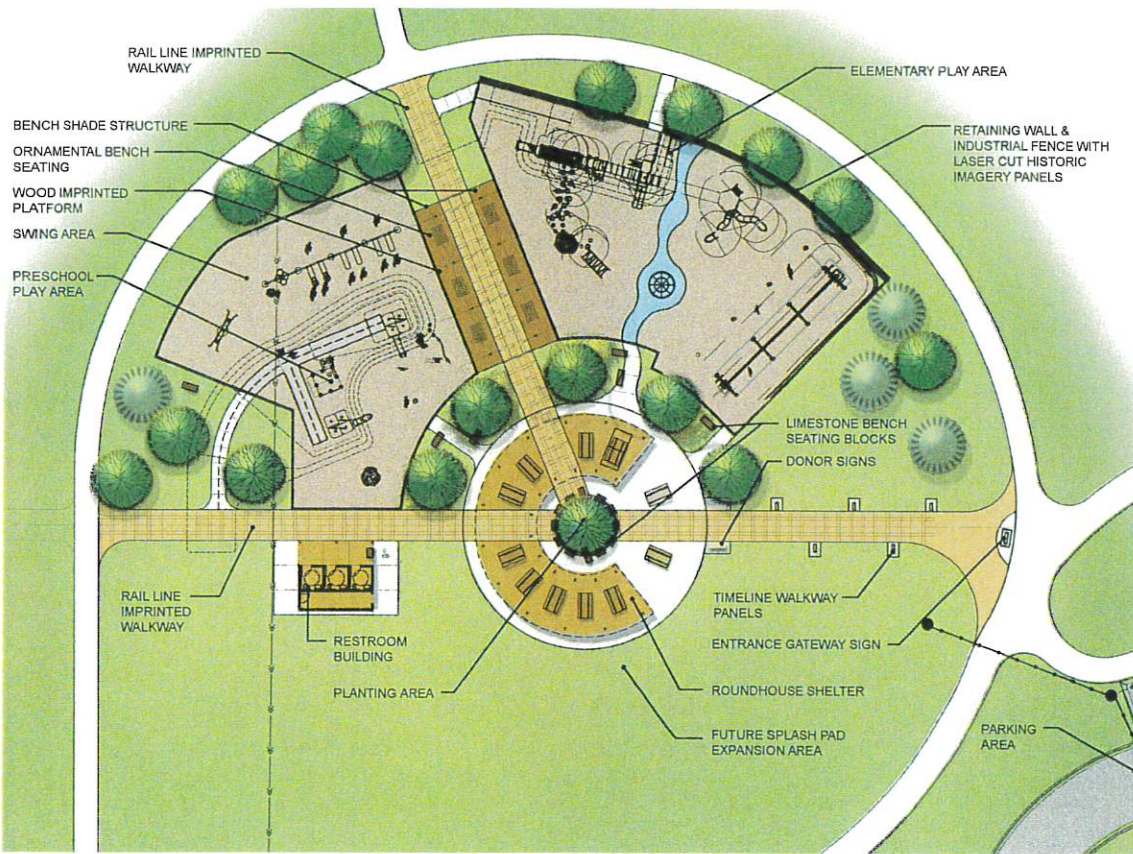


MASTER PLAN/SITE MAP(S)



Inver Grove Heights, Minnesota

Inver Grove Heights, Minnesota
December 5, 2018 WSB Project number: 013050-000



LASER CUT PANELS



INDUSTRIAL STYLE FENCE



ORNAMENTAL BENCH



STONE BENCH



HISTORIC SIGNAGE



ENTRANCE SIGNAGE



RAIL LINE WALKWAY

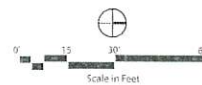


WOOD LOOK PLATFORM

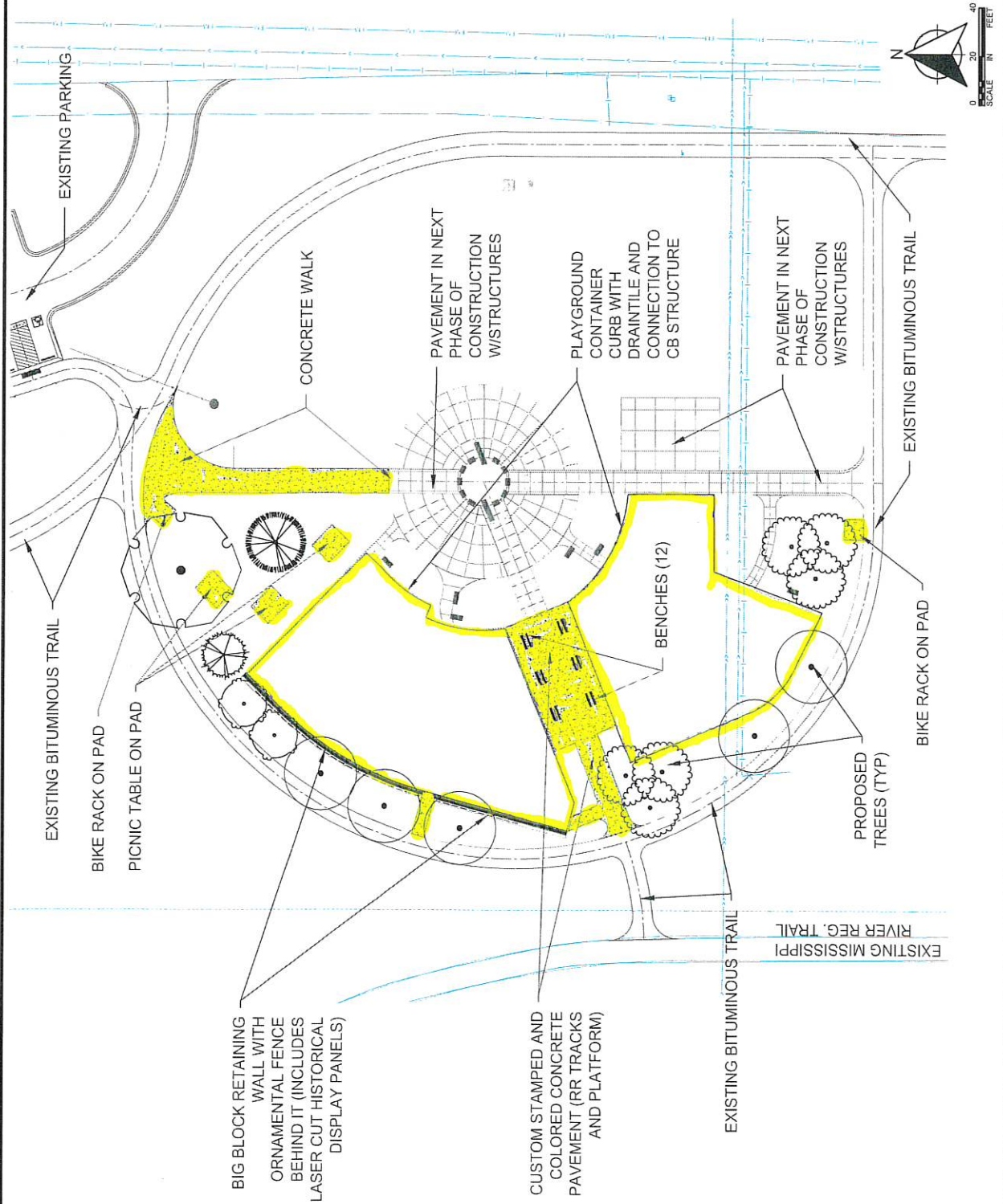
Inver Grove Heights Inclusive Play - Design Development Preferred Site Layout

Inver Grove Heights, Minnesota

December 23, 2019 WSB Project number: 014704-000



wsb



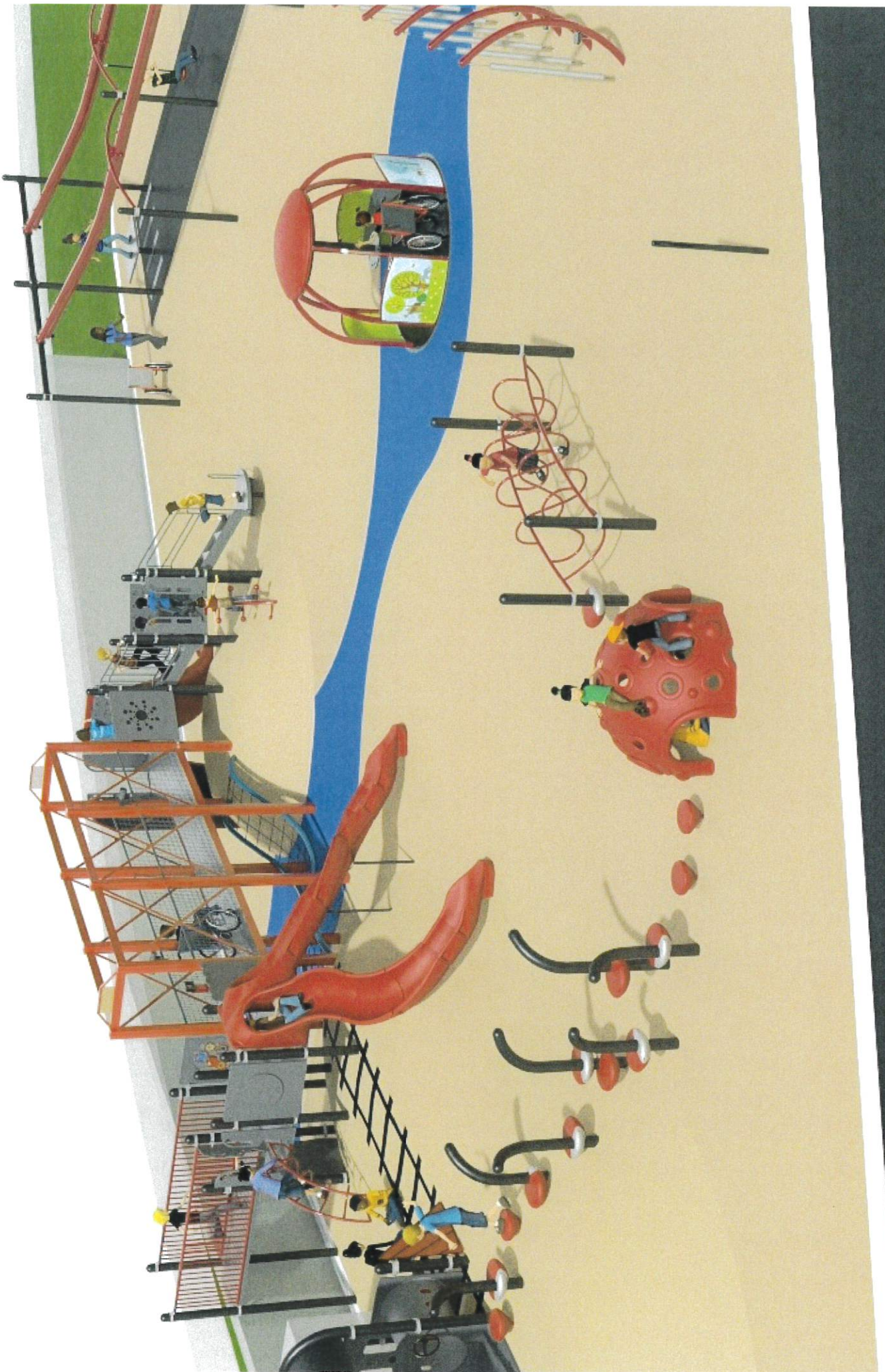
RENDERINGS OF FUTURE PHASES

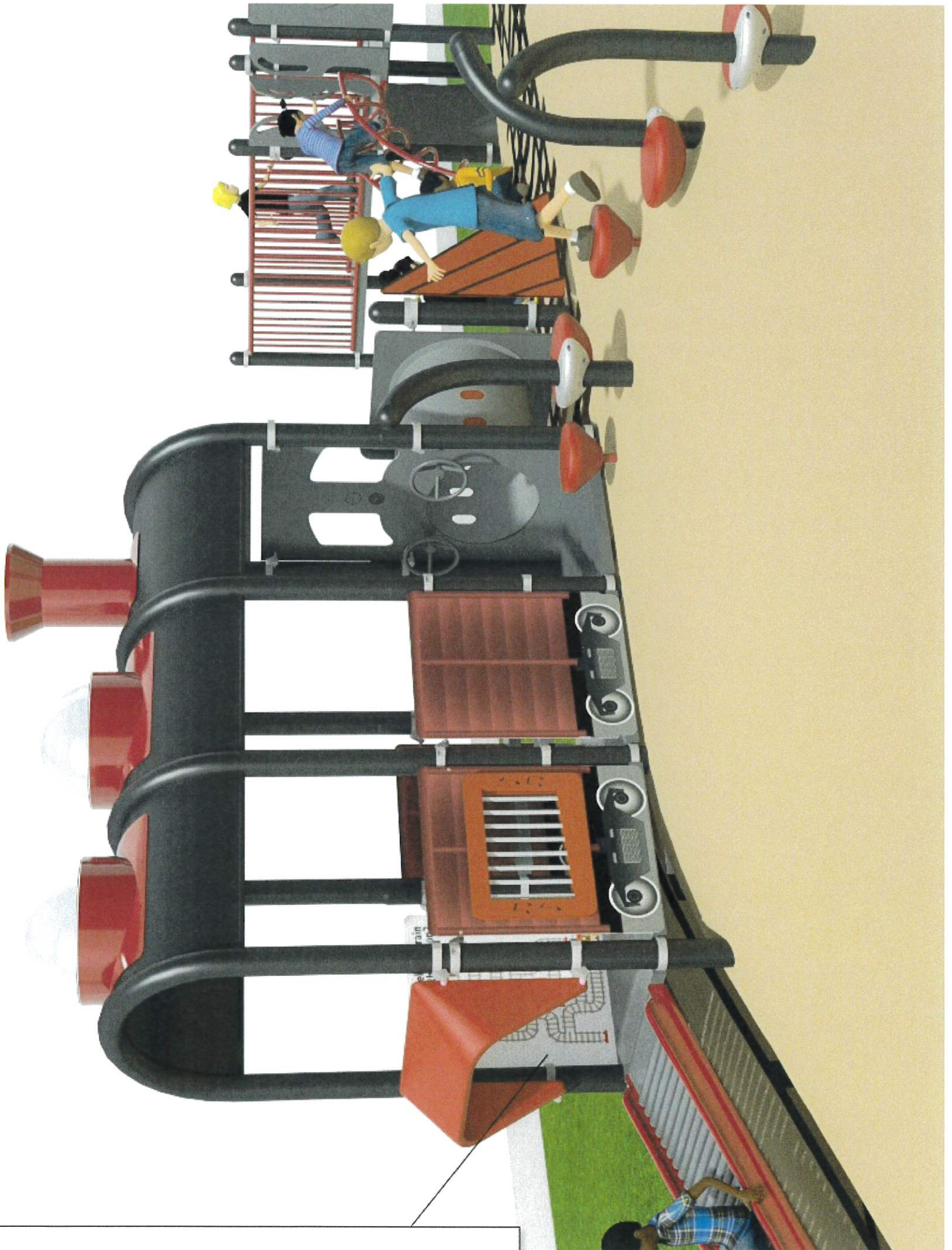
SCHEDULE TBD

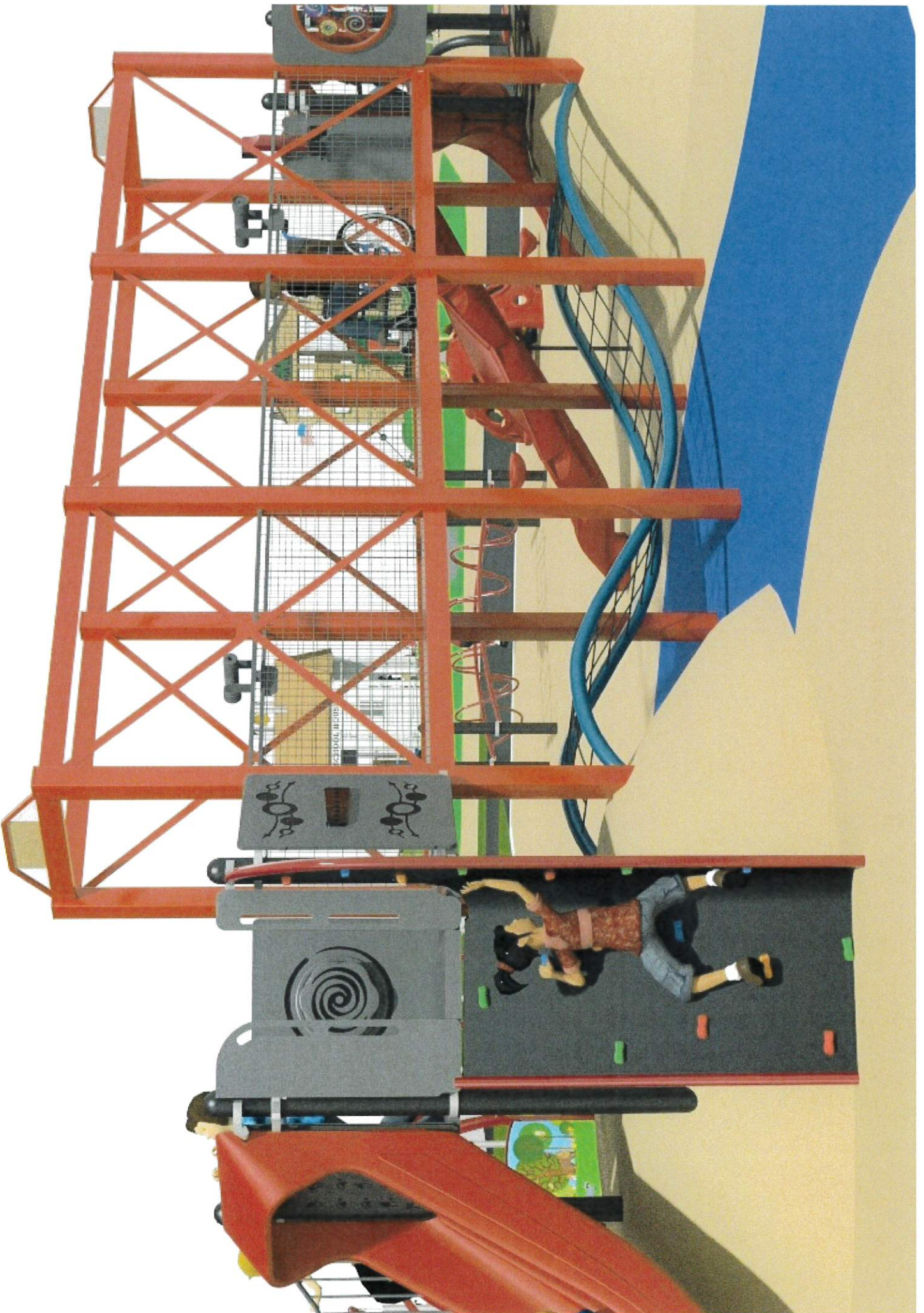




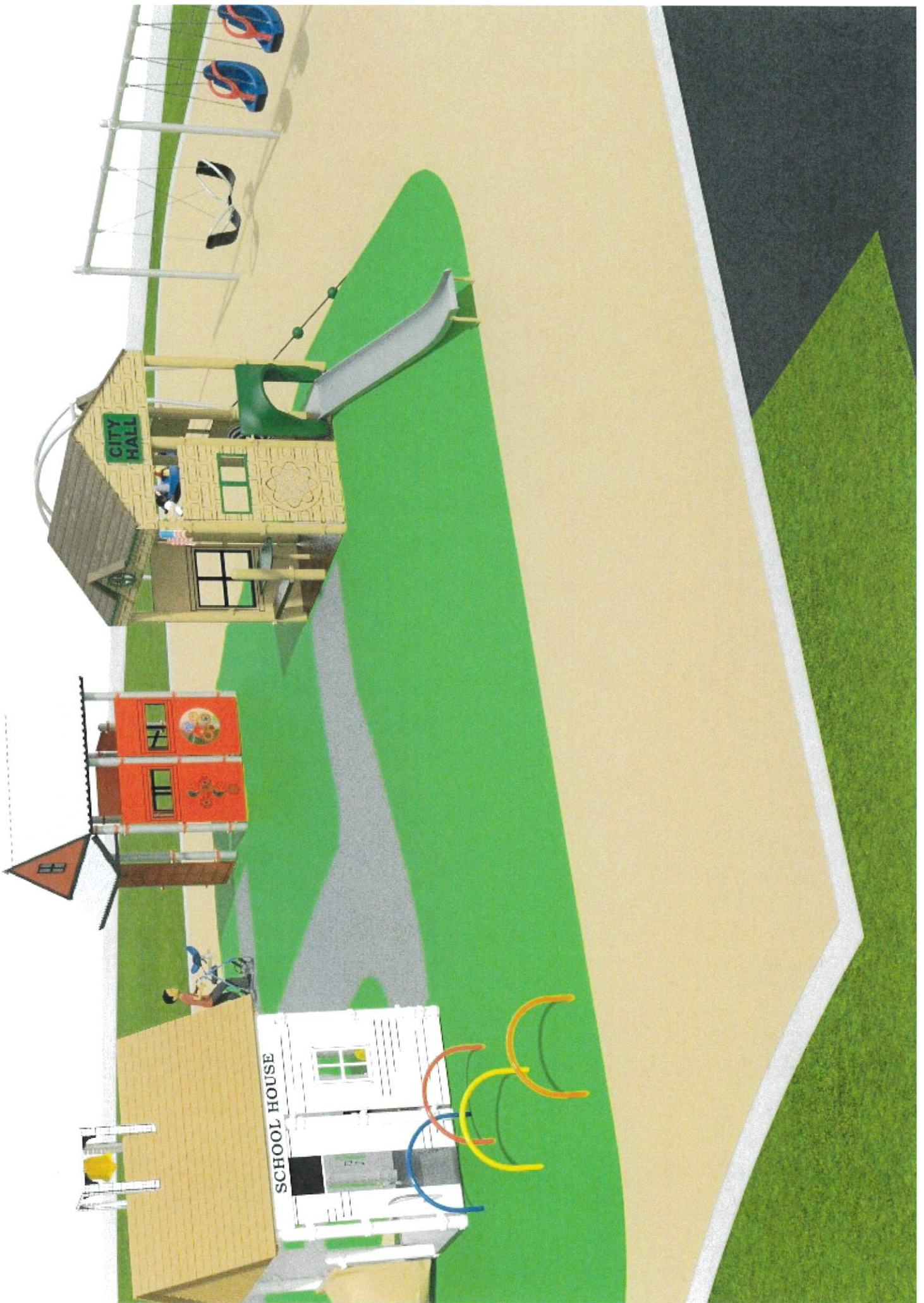












CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Approval of Golf Membership Program

Meeting Date: August 10, 2020
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651-450-2587
 Prepared by: Eric Carlson
 Reviewed by: Matt Moynihan
 Joel Metz

☐	Fiscal/FTE Impact:
☐	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☒	Other

PURPOSE/ACTION REQUESTED

Consider approval of the 2021-2023 golf membership program for Inver Wood Golf Course.

SUMMARY

As the Council may recall we promoted a 3-year membership drive at Inver Wood in 2018. The campaign has been a tremendous success for the golf course in creating good will from golfers, filling un-used tee times, and generating the revenue necessary to cover the operational and capital needs of the course.

Highlights of the 2021-2023 program include:

Price	\$348 (number needs to be evenly divisible by 3)
Length of membership	3 year (2021, 2022, 2023)
Advanced tee time access	3 days (change from Work Study Session)
Marketing Firm Compensation	10% of gross

As far as marketing is concerned, we plan the following:

- Email/social media campaign encouraging people to get a correct email address in our database
- Current members receive email the week of August 17 thanking them for their loyalty to Inver Wood and are provided an opportunity to join/sign up between August 31 and September 2
- City residents receive direct mail post card the week of August 17 announcing the membership drive and inviting them to join/sign up between September 3 – September 10
- Membership opens to the public on September 11, 2020
- Marketed on city/golf course web and social media site(s)

Encourage everyone to join/sign up on our secure on-line website that will capture all their pertinent contact information/data and process their payment. The contract has been reviewed by the City Attorney's office and we are recommending approval.

Inver Wood Golf Course Marketing Membership Program

Membership Drive Aimed to Use Tee Times That Will Typically Go Unused

- \$348 membership paid to Inver Wood good for 3 years (2021, 2022, 2023 golf seasons)
- Enables the membership holder to all the golf they want for 3 years with no additional green fees, does not include leagues, events, tournaments, etc.
- Cannot make a tee time before 12:00 noon on Saturday's, Sunday's
- Cannot be used on Holiday's
- Can make and play in tee times made up to 3 days in advance
- Does not include, driving range, golf cars, pro shop, or food & beverage purchases
- Has taken our tee sheet utilization from 30% to 60%+

MMC Marketing

- Receives 10% of gross revenues generated from this specific membership drive
- Administrative Fee charged to golfers covers 100% of payment to MMC and our direct mail post card so there is no cost to the City
- Only gets paid for the memberships that get sold; City collects membership fees
- Provides marketing advice/ideas/concepts year-round for no extra charge

Anticipated Membership Revenue

- 2,500 memberships @ \$348 = \$870,000
- Revenue deferred and split by 1/3 in 2021, 2022, 2023

Marketing Campaign

- Marketed to City Residents via direct mail post card to all addresses in the City
- Email sent to existing membership holders,
- Marketed on Twitter, Facebook, city/golf course web and social media site(s)
- Current members receive email the week of August 17 thanking them for their loyalty to Inver Wood and are provided an opportunity to join/sign up between August 31 and September 2
- City residents receive direct mail post card the week of August 17 announcing the membership drive and inviting them to join/sign up between September 3 – September 10
- Membership opens to the public on September 11, 2020
- Develop FAQ to reduce questions coming via phone/email

Registration Process is On-Line

- All registrations will be taken on-line to reduce foot traffic and phone traffic
- All registrations captured automatically in our system, so registration information is accurate
- Payment processed immediately on-line

Key Points

- Growing the game, increasing rounds by adding new customers and targeting un-used tee times
- No increased staff expenses to generate additional revenue
- Members will bring non-member friends who will pay the full rate(s)
- Membership program has been a tremendous program for Inver Wood and has done everything it said it would

MEMBERSHIP IMPROVEMENT AGREEMENT

THIS MEMBERSHIP IMPROVEMENT AGREEMENT (“Agreement”) is made this 11th day of August 2020 (the “Effective Date”), by and between Mulligan Marketing Concepts (“Consultant”), a Florida corporation, with offices at 4600 Touchton Road E Building 100, Suite 150, Jacksonville, Duval County, Florida, and the City of Inver Grove Heights, a Minnesota municipal corporation (“Client”) with a principal place of business located at 8150 Barbara Avenue, Inver Grove Heights, MN 55077.

BACKGROUND

WHEREAS, Consultant designs membership improvement campaigns specially tailored for golf clubs and courses; and

WHEREAS, Client operates a golf course with the name Inver Wood Golf Course located at 1850 70th Street, Inver Grove Heights, MN 55077 (the “Course”) and desires for Consultant to establish a campaign for the Course to increase its membership and golf course tee time utilization (the “Campaign” or “Anniversary Membership Campaign”).

WHEREAS, Consultant is willing to specifically design and tailor an Anniversary Membership Campaign for the Course, but only if Client agrees to the terms of this Agreement.

NOW THEREFORE, in consideration of the promises and for the other good and valuable consideration set forth herein, the parties agree as follows:

TERMS & CONDITIONS

1. **NATURE OF AGREEMENT.** Consultant shall be an independent contractor at all times and shall not be deemed to be an agent, servant, or employee of Client. Consultant shall have sole exclusive control of the implementation and execution of the Campaign pursuant to the Campaign parameters established herein.

2. **APPROVAL OF CAMPAIGN.** By executing this Agreement, Client hereby approves the Campaign which is defined as a membership campaign for the sale of Anniversary Memberships in a maximum number to be determined in the sole discretion of the Golf Course Manager, which Anniversary Memberships consist of three (3) year unlimited golf memberships (subject to certain restrictions as approved by Client) for \$348, to be launched on August 31st, 2020 (“Campaign Commencement Date”) and be conducted by Consultant under this Agreement, and agrees to cooperate fully with Consultant in implementing the Campaign, which cooperation may include, but not necessarily be limited to, employing a direct mail package designed by Consultant to attract potential members for the Course. The direct mail package shall include information concerning the membership terms and the Course’s facilities. Client covenants and agrees once the campaign has raised sufficient funds to move forward to direct mail, Consultant shall be permitted to complete all phases of the Campaign not to exceed the Campaign Completion Date, which shall be no later than 120 days from the Campaign Commencement Date, regardless of the results of the Campaign.

3. **CAMPAIGN COSTS.** The funds needed to execute all phases of the Campaign including the direct mail phase of the campaign, must be raised through the gross receipts received by or arising from the Campaign. If, for any reason, insufficient funds are raised to advance the amount(s) necessary to proceed with any phase of the Campaign including the direct mail phase of the Campaign, Client may cancel this Agreement without any further monetary obligation to Consultant beyond the Campaign Success Fees due, as defined below in 4a.

4. **COMPENSATION OF CONSULTANT.** For designing and implementing the Campaign for Client and the Course, Consultant shall be compensated as follows:

a. **Campaign Success Fee:** A Campaign success fee (the “Success Fee”) shall be paid to Consultant equal to ten percent (10%) of the gross receipts received by Client for the Anniversary Memberships sold by Client for \$348 during the Campaign. The Client shall pay the Success Fee to Consultant twice a month following the first day of the Campaign (the “Campaign Commencement Date”) through the final day of the Campaign (the “Campaign Completion Date”). The payments must be wired or otherwise directly deposited into Consultant’s designated bank account.

b. **Service Fee.** In addition to any rights and remedies available to Consultant under applicable law, Client agrees to pay to Consultant a five percent (5%) service fee on the gross amount of any returned checks that are sent to Consultant by Client.

c. **Collection Costs; Venue.** Client agrees to reimburse Consultant in full for any and all costs incurred by Consultant, including attorneys’ fees and court costs, to collect from Client any past due fees owed to Consultant by Client hereunder. The parties specifically consent to personal jurisdiction over any disputes arising hereunder, or otherwise arising between the parties, in Dakota County District Court, in Dakota County, Minnesota.

d. **Memberships Sold After Campaign Conclusion.** Anniversary Memberships that may be sold by Client after the conclusion of the Campaign and up to and including three (3) years after the Campaign Commencement Date are subject to the Campaign Success Fee for all Anniversary Memberships sold for \$348.

e. **Success Fee:** The “Campaign Success Fee” is only paid on the gross revenue raised from the Anniversary Memberships designed by MMC® for this promotional campaign and sold as part of the Campaign; not the Course’s entire gross receipts e.g., green fees, food and beverage sales, cart fees, range revenue. The Club shall retain 100% of the residual revenue from its profit centers and renewals. Client reserves the right to offer discounts, membership structures, and membership campaigns other than the Anniversary Campaign, and Consultant shall not be entitled to receive a Campaign Success Fee or any other compensation for the sale by Client or the Course of any such discounts or memberships.

f. **Sole Compensation.** The Campaign Success Fee shall be Consultant’s sole compensation for its design and implementation of the Campaign. Consultant shall not otherwise be reimbursed for any of its costs or expenses associated with the Campaign.

5. **COURSE OPERATIONS.** During the period of the Campaign, Client shall at all times operate and maintain the Course in a reasonable manner and with reasonable hours for a golf course of its class, subject to any restrictions as may be required pursuant to Emergency Executive Order or other regulations resulting from the existing COVID-19 Health pandemic. Client shall also cooperate with Consultant in the implementation of the Campaign. Client agrees to maintain its current Course membership fee schedule during the term of the Campaign. The parties agree that Client may continue to sell memberships to the Course at its regular membership rates and Consultant shall not be entitled to any portion of regular membership receipts collected by the Client for the Course that are wholly unrelated to the Campaign during the term of the Campaign. It being agreed and understood that, subject to Section 4(d), the Success Fee is only calculated based upon membership receipts received by Client for the Anniversary Memberships sold by Client for \$348 during the term of the Campaign. Consultant shall not be entitled to compensation based on the resale of any unclaimed or unused Anniversary Memberships.

6. **ACCESS TO SALES AND FINANCIAL RECORDS.** Client agrees to provide Consultant with a weekly accounting of all receipts generated from the Campaign. Additionally, Client agrees to provide to Consultant and Consultant's agents full and free access to all books, records, and financial sales data of Client which are classified as Public Data under Minnesota Statutes, Chapter 13, the Minnesota Government Data Practices Act, to verify all amounts owed to Consultant pursuant to the terms of this Agreement. Client agrees to timely provide Consultant with all reasonable documentation requested by Consultant or Consultant's agents to determine the amounts owed to Consultant hereunder.

7. **EXCLUSIVITY.** Consultant agrees that for a period of three (3) years from the Commencement Date, Consultant will not work with any golf courses or golf clubs located within the area where the direct mail portion of the Campaign was conducted, if the Campaign progresses to a direct mail campaign, or within a ten (10) mile radius of the Course, whichever distance is greater, to execute and implement a similar campaign.

8. **CONFIDENTIALITY AND TRADE SECRETS.**

a ***Confidential Information and Trade Secrets.*** Client acknowledges that all ideas, concepts, specifics and particulars relating to the Campaign represent proprietary trade secrets of Consultant are the sole property of Consultant and represent confidential information of Consultant (the "Confidential Information"). Client, on its own behalf and on behalf of all of its employees and agents (collectively for purposes of this paragraph the "Client"), covenants, agrees and warrants keeping the Confidential Information confidential and further agrees it shall not disclose the Confidential Information to any third party except as required to do under Minnesota Statutes, Chapter 13, the Minnesota Government Data Practices Act. Client further covenants, agrees and warrants it shall not use the Confidential Information for its own personal use or benefit or the use or benefit of any third party without first obtaining Consultant's prior written consent. By entering into this Agreement with Consultant, Client agrees it has no right, title or interest in the Confidential Information and the Campaign and understands and agrees that the Confidential Information and the Campaign are and shall continue to remain the sole property of Consultant. In the event the Client owns more than one (1) facility, Confidential Information may not be used for facilities not listed in this agreement, without first obtaining Consultants' prior written consent.

b. ***Mandatory Disclosures.*** If Client is requested or becomes legally compelled (by oral questions, interrogatories, requests for information or documents including a request for data under Minnesota Statutes, Chapter 13, the Minnesota Government Data Practices Act, subpoena, civil or criminal investigative demand, or similar process) or is required by a regulatory body to make any disclosure that is prohibited or otherwise constrained by this Agreement, Client will provide Consultant with prompt notice of such request so that Consultant may seek an appropriate protective order or other appropriate remedy.

c. ***Return of Confidential Information.*** Promptly upon Consultant's request, Client shall deliver to Consultant any Confidential Information, including original or copies of all documents used in the Campaign, that are in the possession or under the control of Client, except to the extent that such Confidential Information and documents are required to be retained under Client's Records Retention Schedule or are otherwise required by law to be retained. Promptly upon Consultant's request, Client shall destroy materials generated by Client that include or refer to any part of the Confidential Information, including the Campaign, without retaining a copy of any such material, except to the extent that such materials are required to be retained under Client's Records Retention Schedule or are otherwise required by law to be retained.

d. ***Indemnification.*** Consultant shall defend, indemnify and hold the Client from and against any and all expenses, costs, damages and liabilities, including attorney's fees and costs, incurred or sustained by the Client as a result of Consultant's alleged negligent acts or omissions in performance of this Agreement.

9. **SURVIVING OBLIGATIONS.** Upon the termination of this Agreement and/or cancellation of the Campaign, each of the respective parties shall be immediately released from all rights and obligations under this Agreement, except those obligations of the parties contained in paragraphs 4 and 8 of this Agreement, which obligations shall continue in full force and effect following the termination of this Agreement and/or the cancellation of the Campaign.

10. **SUCCESSORS.** This Agreement shall bind the successors, heirs, representatives, and assigns of all the parties to this Agreement.

11. **FULL COOPERATION.** Each of the parties hereto agree to cooperate with each other and to promptly execute any and all consents, authorizations or other documents reasonably necessary to carry out the terms of this Agreement and/or the Campaign.

12. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

13. **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement of the parties, all prior negotiations and agreements, whether written or oral, having been merged into this Agreement. All recitals set forth at the beginning of this Agreement are true and incorporated by reference.

14. **AMENDMENTS.** No amendments, modifications, alterations, or additions to this Agreement shall be binding unless made in writing and signed by all parties to this Agreement.

15. **GOVERNING LAW.** This Agreement shall be subject to and governed in all respects by the laws of the State of Minnesota.

16. **REVIEW BY COUNSEL.** Each party has had the opportunity to have this Agreement reviewed by independent counsel of their own choice before signing it. As such, the judicial rule of construction requiring or allowing a document to be construed to the detriment of or against the interests of the document's maker or drafter shall not apply to this Agreement.

17. **NON-WAIVER.** The failure of any party to this Agreement to insist upon the performance of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this Agreement, shall not be construed as thereafter waiving any such terms and conditions or rights related thereto, all of which shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

18. **NOTICE.** Any notice required or permitted pursuant to this Agreement shall be sent by certified mail, United States mail, postage prepaid, to each of the parties at the following addresses:

If to Client: Inver Wood Golf Course
Attn: Matt Moynihan
1850 70th Street
Inver Grove Heights, MN 55077
mmoynihn@invergroveheights.org

If to Consultant: MMC[®]
Attn: Chuck Thompson
4600 Touchton Road E Building 100, Suite 150
Jacksonville, Florida 32246
chuck@mmctoday.com

It is an ongoing obligation of all parties to this Agreement to keep each informed as to their current address.

IN WITNESS WHEREOF, this Agreement shall become effective as of the Effective Date.

“CONSULTANT”

“CLIENT”

MMC®

CITY OF INVER GROVE HEIGHTS

By: _____

Print Name: Chuck Thompson

Title: President/CEO

By: _____

Print Name: George Tourville

Its: Mayor

Attest: _____

Print Name: Rebecca Kiernan

Its: City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Adopting a Resolution to Authorize and Ratify Submission of the 2020 Grant Application with MN Public Facilities Authority (PFA) for a Point Source Implementation Grant for City Projects

Meeting Date: August 10, 2020
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651-450-2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

	Fiscal/FTE Impact:
☐	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☒	Other: Storm Water Utility Fund, PSIG Grants (MPCA/PFA)

PURPOSE/ACTION REQUESTED

Consider adopting a resolution to authorize and ratify submission of the 2020 Grant Application with MN Public Facilities Authority (PFA) for a Point Source Implementation Grant for City Projects

SUMMARY

The City has been working with the Minnesota Pollution Control Agency (MPCA) and Public Facilities Authority (PFA) to secure Point Source Implementation Grants (PSIG) funding for several stormwater projects. The City prepared a study outlining eleven (11) stormwater projects for treatment facilities that discharge to the Mississippi River. The basin at 78th Street and Concord Boulevard was the first project using PSIG funding (80%). Additional projects have PSIG eligibility for the construction costs.

The City has to submit an application in 2020 to continue the eligibility for the PSIG funding. The application deadline was July 31, 2020, so the City Engineer submitted the 2020 application based upon the City Council's original authorization to seek grant funds. This Council item will confirm the Council's support to continue seeking PSIG funding for the projects in the original study.

The projects currently being considered for PSIG funding of green infrastructure up to 80% eligibility includes: (1) treatment basin at Dickman Trail, (2) roadside raingardens on a street improvement project on Delaney Circle and Delaney Court, and (3) treatment facilities on the 64th Street outfall to the Mississippi River.

This action will allow the City to retain its eligibility for funding. It does not commit the City to advancing the projects. Our formal project approval process, with Council approval, will be used to advance any project.

I recommend that the City Council adopt the resolution authorizing and ratifying submission of the 2020 Grant Application and authorizing the City Engineer to submit the 2020 project grant application with the PFA for City projects eligible for PSIG funding. The City's funding will be provided through the storm water utility plus credit for various in-kind engineering services, land acquisition and consultant costs.

TJK/kf

Attachments: Resolution
 Maps
 2020 PSIG Grant Application

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION AUTHORIZING AND RATIFYING SUBMISSION OF THE 2020 GRANT
APPLICATION WITH MN PUBLIC FACILITIES AUTHORITY (PFA) FOR A POINT SOURCE
IMPLEMENTATION GRANT FOR CITY PROJECTS**

RESOLUTION NO. 2020-151

WHEREAS, the Point Source Implementation Program, established in Minnesota Statutes 446A.073, as amended provides funds for construction projects; and

WHEREAS, the City of Inver Grove Heights applied to the Minnesota Public Facilities Authority (PFA) for funds to be used for eligible costs for City projects; and

WHEREAS, the City needs to submit a 2020 PSIG application to extend the City's current eligibility for PSIG funding; and

WHEREAS, the City Engineer has prepared and submitted the application prior to the PSIG 2020 grant application deadline of July 31, 2020.

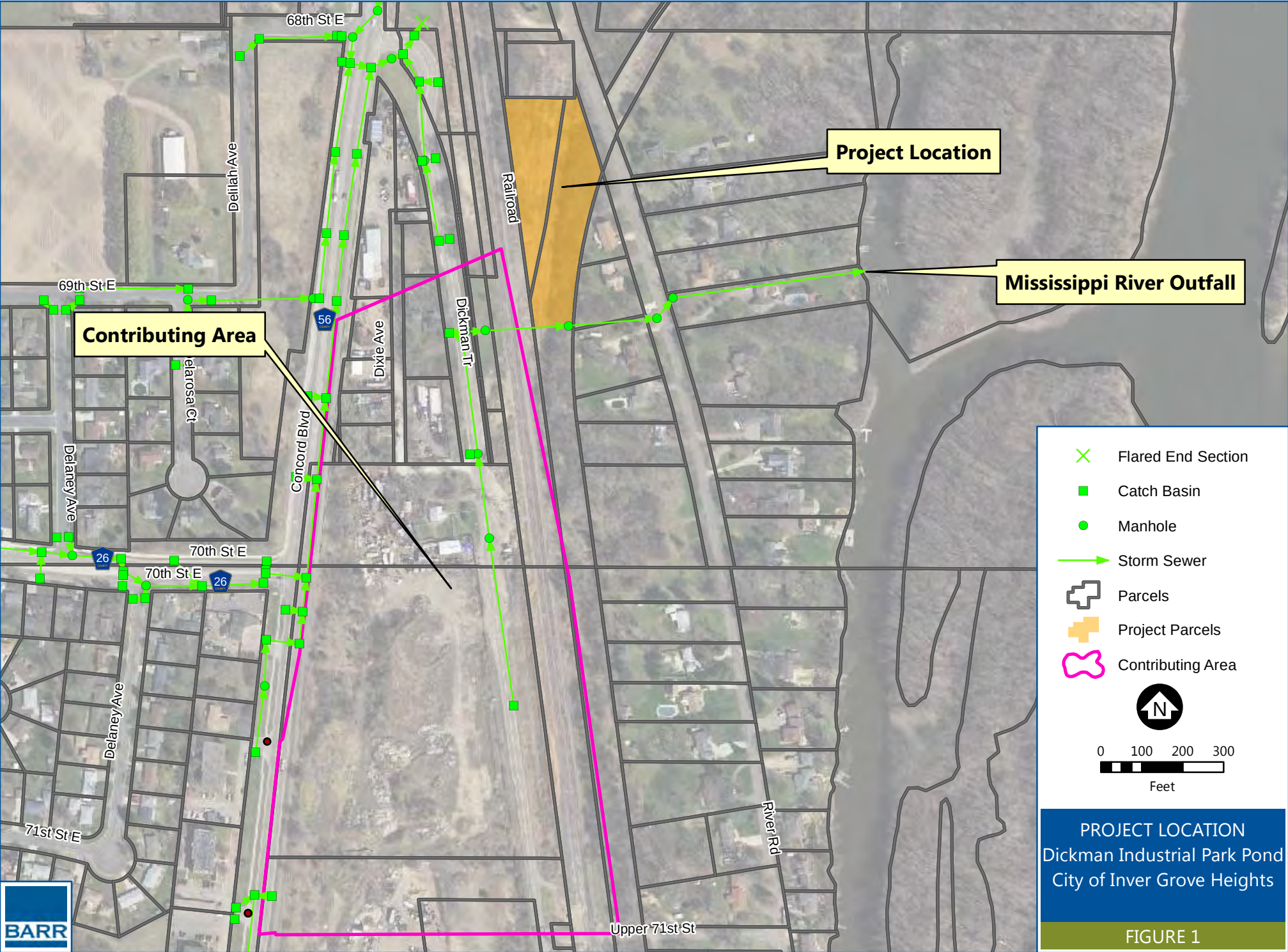
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA that the City's 2020 PSIG application to the PFA as submitted is hereby authorized and ratified and staff are authorized to submit any additional necessary supporting documents or information to the PFA in support of the City's previously submitted grant application.

Adopted by the City Council of the City of Inver Grove Heights this 10th day of August 2020

George Tourville, Mayor

ATTEST:

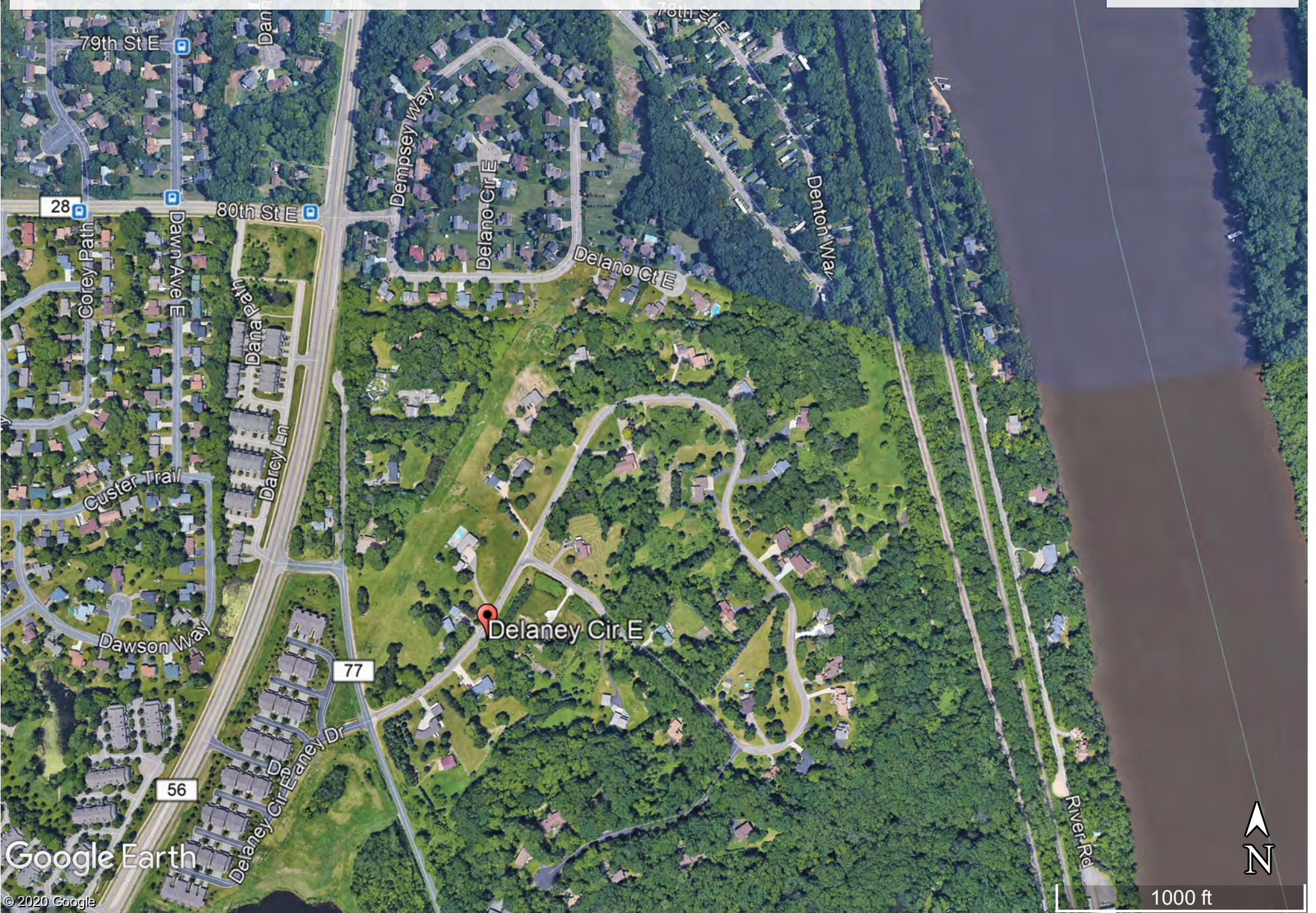
Rebecca Kiernan, City Clerk



Delaney Circle Curbside Rainwater Garden Project Location

Legend

 Delaney Cir E



Google Earth

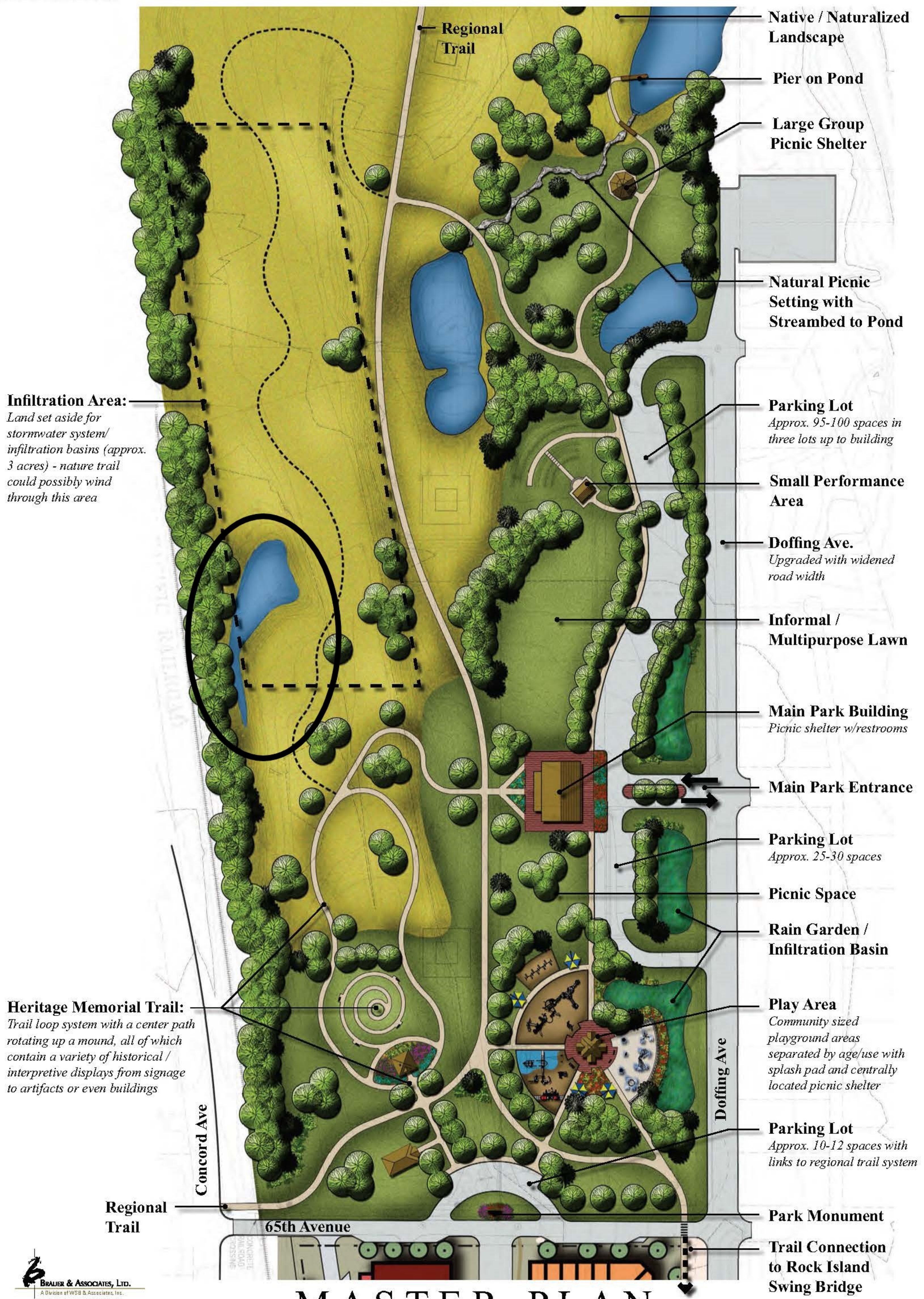
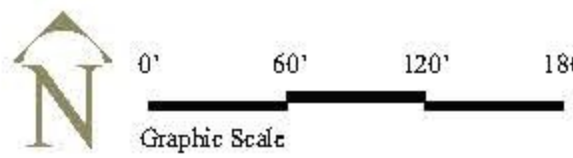
© 2020 Google



1000 ft



Heritage Village Park ON THE MISSISSIPPI RIVER



MASTER PLAN

Figure 4-4
Heritage Park Concept Plan



CLEAN WATER FUND
POINT SOURCE IMPLEMENTATION GRANT PROGRAM
FY 2021 APPLICATION

Minnesota Public Facilities Authority
First National Bank Building, Suite W820
332 Minnesota Street
Saint Paul, MN 55101-1378
www.mn.gov/pfa



Point Source Implementation Grant Application

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PROGRAM INFORMATION

The Point Source Implementation Grant (PSIG) Program is jointly administered by the Minnesota Public Facilities Authority (PFA) and the Minnesota Pollution Control Agency (MPCA).

Cities and other local governments that expect to have a PSIG eligible project ready for construction start in the spring/summer of 2021 should submit a PSIG grant application in July 2020. The application deadline is July 31, 2020.

Applicants that previously submitted a PSIG application but did not receive MPCA certification by June 30, 2020 must reapply.

Eligible Projects

The Point Source Implementation Grant Program (Minnesota Statutes, Section 446A.073 as amended) provides 80% grants up to a maximum of \$7 million to governmental units to assist with the cost of water infrastructure project components made necessary by:

1. Wasteload reductions prescribed under an approved total maximum daily load (TMDL) plan;
2. A phosphorus concentration or mass limit that requires discharging one milligram per liter or less at permitted design flow which is incorporated into a permit issued by the MPCA;
3. Any other water quality-based effluent limit established under Minnesota Statute Section 115.03, Subd 1, (e)(8), that is incorporated into a permit issued by MPCA that exceeds secondary treatment limits; or
4. A total nitrogen concentration or mass limit that requires discharging ten milligrams per liter or less at permitted design flow.

PSIG eligible project costs include only those costs related to water infrastructure project components made necessary by one of the four criteria listed above.

Grant Process

To receive a PSIG grant a project must meet the following requirements:

- The project must be ranked on the MPCA's project priority list
- The applicant must submit a complete PSIG grant application to the PFA
- The applicant must submit project plans and specifications to the MPCA

- The MPCA must approve the plans and specifications and certify the project to the PFA
- The applicant must bid the project and submit as-bid construction costs to the PFA
- The applicant must show that all other necessary project funding is secured

PSIG grant funds are awarded by PFA based on a project's ranking on the MPCA project priority list and its readiness to proceed based on MPCA certification. If grant funds are available when a project is certified by MPCA, the PFA will reserve funds for the project based on the estimated cost at the time of certification or the as-bid cost, whichever is less.

Eligible drinking water treatment projects must also be ranked on the Minnesota Department of Health's (MDH) Drinking Water Revolving Fund Project Priority List (PPL). Applicants must also submit plans and specifications to MDH for drinking water treatment plant projects.

Program Requirements

- Grantees must follow the state Uniform Municipal Contracting Law and other applicable requirements (bidding, special requirements for out-of-state contractors, workers compensation, responsible contractor, etc.) in the construction of the project.
- State prevailing wage rates apply to the project (available from the Minnesota Department of Labor and Industry (DOLI), Labor Standards Division 651/284-5091 (www.DOLI.state.mn.us). The DOLI contract conditions included in **Appendix A** of this Application along with the actual MN prevailing wages must be included in all bidding documents and construction contracts for projects that receive PSIG funding.
- The PSIG program is subject to the requirements of [Minnesota Statute 16A.695](#) and the Grantee will need to file a Real Property Declaration and/or request a waiver from the filing requirements. See **Appendix C** for additional information.
- If the PSIG-funded project is on property that is leased or on a non-perpetual easement, complete the Minnesota Management and Budget [Checklist for Ground Leases and Easements](#) and submit to PFA.
- Form 4b requests information on prior incurred costs, based on invoices, for which applicants expect to request reimbursement through the PSIG grant. The PFA may limit PSIG reimbursement for costs incurred before grant award due to restrictions of the funding source. An updated form will be requested prior to grant award. Contact your loan officer for more information.

- Grant recipients will be charged an application fee equal to one-half of one percent of the grant amount. Fees are due to the PFA at the time of execution of the grant agreement. The fee is not an eligible PSIG cost.
- PSIG recipients must display a sign with the Clean Water Legacy logo at the project site or other public location identifying that the project was built with assistance from the Clean Water, Land, & Legacy Amendment. If it is not possible to display the sign at the project site, the sign may be displayed in a public location at the Grantee's office along with a photograph of the project. An example sign layout is contained in this application package in **Appendix B**. The logo and specifications can be found at: <http://www.dnr.state.mn.us/legacylogo/index.html>
- PSIG grants are subject to State Job Reporting Requirements. See **Appendix D** for additional information.

Coordination with Loan Funds

PSIG Applicants that are also seeking a loan through the Clean Water or Drinking Water Revolving Fund must also follow the CWRF/DWRF application process. This includes being listed on PFA's Intended Use Plan (IUP) within fundable range. A separate CWRF/DWRF loan application must be submitted by the deadline stated in the IUP.

Application Submittal and Deadline

APPLICATIONS MUST BE POSTMARKED OR SENT VIA E-MAIL NO LATER THAN JULY 31, 2020

Applicants that previously submitted a PSIG application but did not receive MPCA certification by June 30, 2020 must reapply.

Save this file to your computer and complete the forms electronically. The forms can then be printed or e-mailed to the PFA.

Applications may be submitted electronically as an e-mail attachment to the appropriate PFA loan officer no later than July 31, 2020.

Contacts

Minnesota Public Facilities Authority Loan Officers: Find your loan officer on the PFA contact page: [PFA loan officer](#)

Minnesota Pollution Control Agency: Contact the review engineer for your project or Bill Dunn at the MPCA at 651-757-2324, or see the MPCA web site at www.pca.state.mn.us/PPL for additional information.

Minnesota Department of Health: contact Chad Kolstad at 651-201-3972 or chad.kolstad@state.mn.us.

Minnesota Public Facilities Authority
First National Bank Building, Suite W820
332 Minnesota Street
Saint Paul, MN 55101-1378
www.mn.gov/pfa
Phone 651-259-7469 or 1-800-657-3858 (Outside Metro Area)
TTY/TDD: 651-296-3900
FAX: 651-296-8833

APPLICATION FORMS

Form 1 – Checklist

ITEMS REQUIRED BY JULY 31, 2020 (submit to PFA):

- ☒ Form 1 – PSIG Checklist (this document)
- ☒ Form 2 – Project Contacts
- ☒ Form 3 – Project Information
- ☒ Form 4a – Project Costs and Schedule (Excel document)
- ☒ Form 4b – Prior Incurred Costs (Excel document)
- ☒ Form 5 – Compliance with Laws, Rules & Regulations
- ☒ Form 6 – Tax Compliance Certification Checklist
- ☒ Form 7 – Estimated Construction Cost Breakdown for PSIG Projects
- ☒ Form 8 – Grant Application Resolution - Example (Note: Form 8 includes an example, please submit copy of resolution adopted and signed by the governing body)

ADDITIONAL ITEMS REQUIRED PRIOR TO GRANT AWARD:

To the Minnesota Pollution Control Agency:

- ☐ Project plans and specifications and identification of PSIG eligible and non-eligible costs
- ☐ As-bid cost documentation.

Note: If the project is a drinking water treatment project, these items must also be submitted to the Department of Health.

To the Minnesota Public Facilities Authority:

- ☐ Final Form 4b Prior Incurred Costs
- ☐ As-bid costs and bid tabulations

☐ Documentation that complete project funding is in place (resolution from local government with commitment of local funds, award letter from other state/federal funding sources)

☐ Copy of adopted/enacted user charge system and ordinance

☐ Inter-municipal Agreement (enacted) if more than one municipality is involved in project

☐ Management Contract: If the recipient has engaged a private contract operator to manage its wastewater, drinking water or storm water system, submit a copy of the management contract

(Note: Form 6 (Tax Compliance Checklist) is submitted with the application and requests attorney or bond counsel review of use agreements for conformance with IRS tax-exempt rules and regulations)

☐ Completed Minnesota Management and Budget [Checklist for Ground Leases and Easements](#) for non-permanent easements or if the PSIG-funded project is located on leased land.

ITEMS TO PFA AFTER GRANT AWARD AND PRIOR TO GRANT DISBURSEMENT:

☐ Payment of application fee (one-half of one percent of grant amount). The application fee must be paid prior to execution of the Grant Agreement.

☐ Disbursement Request Forms and supporting documentation for eligible expenses

ITEMS REQUIRED AFTER AWARD:

☐ Real Property Declaration and/or Waiver from Real Property Declaration filing requirements (see Appendix C)

☐ Photograph of Clean Water Legacy Sign posting emailed to the PFA Loan Officer (see Appendix B)

☐ Job Reporting Form (submitted at project completion, see Appendix D)

Form 2 – Project Contacts

Applicant Information

Applicant Name City of Inver Grove Heights

County Dakota

DUNS Number 147585608

MN Vendor Number _____

Contact Person Thomas Kaldunski, P.E.

Telephone 651-450-2572

Contact Person Title City Engineer

E-mail tkaldunski@invergroveheights.org

Address 8150 Barbara Avenue

Fax No. _____

Inver Grove Heights, MN 55077

Authorized Official Thomas Kaldunski, P.E.

Telephone 651-450-2572

Title City Engineer

E-mail tkaldunski@invergroveheights.org

Will a Public Utilities Commission be responsible for operation & maintenance of the project? If so, provide information below.

PUC Contact Person _____

Telephone _____

PUC Title _____

E-mail _____

Address _____

Consultants and Advisors

Consulting Engineer Name Karen Chandler, P.E.

Telephone 952-832-2813

Engineering Firm Barr Engineering Co.

E-mail kchandler@invergroveheights.org

Person responsible for Minnesota prevailing wage compliance monitoring

Name Thomas Kaldunski, P.E.

Telephone 651-450-2572

Firm City of Inver Grove Heights

E-mail tkaldunski@invergroveheights.org

MPCA Review Engineer

Name Mike Findorff

Telephone 651-757-2357

Form 3 – Project Information

Description of project to be financed (attach additional sheets if necessary):

See attached project descriptions (Attachment 1)

Is the project listed on the 2020 PPL?

☒ Yes

☐ No

If not, has applicant submitted a 2021 PPL request to MPCA/MDH? ☐ Yes

☒ No

Identify the Project Type:

☐

Wastewater

☒

Stormwater

☐

Drinking Water

Check which applies to the project seeking funding:

☒

Wasteload reduction prescribed under a TMDL Plan:

Receiving Water Mississippi River

Title and year of Approved TMDL (if applicable) South Metro Mississippi River Total Suspended Solids TMDL (2016)

Pollutant of concern Total Suspended Solids (TSS)

☐ Phosphorus concentration/mass limit of 1 mg/L or less in MPCA permit

Other water quality-based effluent limit that exceeds secondary treatment limits in MPCA permit:

Permit Date

Pollutant

☐ Total nitrogen limit of 10 mg/L or less (land based treatment)

Other Proposed Sources of Project Financing (in addition to the Point Source Implementation Grant)

Source	Amount Requested	Contact Person/Phone	Status
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Additional information on other sources of project financing:

Project Schedule - provide estimated or actual dates for:

Submission of Plan and Specification to PCA 2/26/2021

Advertising for Bids 4/23/2021

Open bids 5/14/2021

Award bids 5/24/2021

Start Construction 7/15/2021

End Construction 11/1/2021

Specify the sources of revenue that will be used to operate and maintain the system. Include copy of current rate ordinance(s) and projected annual revenues and operation/maintenance expenses when project begins operation.

The City of Inver Grove Heights will pay for operation and maintenance with funding from the City Stormwater utility, the City General Fund, and/or the Special Stormwater Taxing District. The stormwater utility rates are provided as Attachment 2.

Identify whether the project site(s) are owned by the applicant, leased by the applicant, or other (specify):

For the proposed Dickman Industrial Park Pond, the City of Inver Grove Heights owns 1.3 acres of the project site. Xcel Energy owns 0.9 acres of the project site. Over the past two years the City of Inver Grove Heights has actively negotiated with Xcel Energy to obtain the necessary agreements to construct parts of the project on land currently

If the project involves a lease or a non-permanent easement, complete the Minnesota Management and Budget [Checklist for Ground Leases and Easements](#) and submit it to PFA.

Will any of the project occur in or along a State Trunk Highway? Please explain.

No

Is there a contract/agreement with another entity to operate or manage the sewer system (i.e. private operator agreement)? If yes, please submit a copy of the contract/agreement.

☐

Yes

☒

No

For Wastewater Projects, identify who will prepare and submit the Performance Certification (including as-built plans, Operation & Maintenance Manual, and related items) to MPCA:

Consulting Engineer Name _____ Telephone_____

Engineering Firm _____ E-mail _____

Address _____

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**Minnesota Public Facilities Authority
Point Source Implementation Grant Program
Form 4a - PSIG Project Costs**

Applicant: City of Inver Grove Heights

Date: 7/31/2020

Project: Dickman Extended Detention Basin

Project Costs Based on: Select from drop-down list

Instructions: Fill in yellow cells. See notes at bottom.

	COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E
	Start Date	End Date	Total Project Costs	ESTIMATED PSIG COSTS (made necessary by PSIG eligible requirement)	Estimated PSIG Eligible %
1. Construction Costs					
Wastewater Treatment					
Sanitary Sewer Collection					
Stormwater Treatment	07/15/21	11/01/21	\$ 421,000	\$ 419,000	
Other:					
<i>Subtotal - Construction</i>			\$ 421,000	\$ 419,000	99.5%
2. Contingencies (5% of construction)			\$ 21,050	\$ 20,950	
3. Engineering / Other					
Planning / Pre-design	03/01/18	12/31/18	\$ 44,669	\$ 44,457	
Engineering Design (prep of plans & specs)	07/01/18	01/31/21	\$ 25,000	\$ 24,881	
Inspection / Construction Mgmt	07/15/21	11/01/21	\$ 10,000	\$ 9,952	
Land Acquisition	07/31/20	03/31/21	\$ 86,600	\$ 86,189	
Legal / Other	07/31/20	11/30/21	\$ 15,000	\$ 14,929	
<i>Subtotal - Engineering / Other</i>			\$ 181,269	\$ 180,408	
4. Other Costs - NON PSIG ELIGIBLE					
Rate Study					
Ordinance Development					
Asset Management					
Other:					
<i>Subtotal - Other Costs - NON PSIG ELIGIBLE</i>			\$ -		
Total Project Costs			\$ 623,319	\$ 620,358	99.5%

Total PSIG Eligible Cost \$ 620,358

Estimated PSIG Grant:
(PSIG Eligible Cost x 80%, \$7 million max) \$ 496,286

Additional funding needed (total project cost minus PSIG grant): \$ 127,033

Other funding:	\$ -
Other funding:	\$ -
Other funding:	\$ -

Total: \$ -

Notes:

COLUMN A: For each activity, identify the **START DATE** on which eligible costs were, or are expected to be, incurred. On Form 4b (see tabs below), identify specific prior incurred costs for which the recipient will request reimbursement based on invoices. The PFA may limit PSIG reimbursement for costs incurred prior to the grant award due to restrictions of the funding source. Submit an updated form prior to grant award. Contact your loan officer for more information.

COLUMN B: For each activity, identify the expected **END DATE** for which the work will be completed.

COLUMN C: Identify the **TOTAL PROJECT COSTS** (wastewater, stormwater or drinking water)

COLUMN D: Identify the **ESTIMATED PSIG ELIGIBLE COSTS**, those made necessary by: 1) wasteload reductions prescribed by a TMDL; 2) a phosphorus concentration or mass limit to reduce the discharge of total phosphorus to one milligram per liter or less; 3) to address the water quality-based effluent limits under M.S. 115.03, Subd 1(e)(8); or 4) to meet a total nitrogen limit of 10 mg/L for land based treatment. **ATTACH A DETAILED BREAKDOWN** of the estimated PSIG eligible construction costs on a separate sheet (see Form 8). The Minnesota Pollution Control Agency will determine the grant eligible portion of the total construction costs.

COLUMN E: The worksheet will calculate the estimated PSIG eligible percentage based on the estimated PSIG eligible costs in Column D compared to total project costs in Column C. This same percentage will be applied to contingencies and engineering/other project costs.

**Minnesota Public Facilities Authority
Point Source Implementation Grant Program
Form 4b - Prior Incurred Costs**

Applicant: City of Inver Grove Heights

Project: Dickman Industrial Park Extended Detention Basin

Estimated Grant

Award Date: 6/30/2021

Instructions: Provide an itemized list of project costs incurred prior to the PSIG grant award for which the applicant is seeking reimbursement. PFA may limit PSIG reimbursement for prior incurred costs due to funding restrictions. Submit an updated form prior to grant award. This information may be submitted in another format such as an accounting activity report.

[illegible]

**Minnesota Public Facilities Authority
Point Source Implementation Grant Program
Form 4a - PSIG Project Costs**

Applicant: City of Inver Grove Heights

Date: 7/31/2020

Project: Heritage Village Park Extended Detention Basin

Project Costs Based on: Estimated costs

Instructions: Fill in yellow cells. See notes at bottom.

	COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E
	Start Date	End Date	Total Project Costs	ESTIMATED PSIG COSTS (made necessary by PSIG eligible requirement)	Estimated PSIG Eligible %
1. Construction Costs					
Wastewater Treatment					
Sanitary Sewer Collection					
Stormwater Treatment	07/15/21	11/01/21	\$ 390,000	\$ 320,000	
Other:					
<i>Subtotal - Construction</i>			\$ 390,000	\$ 320,000	82.1%
2. Contingencies (5% of construction)			\$ 19,500	\$ 16,000	
3. Engineering / Other					
Planning / Pre-design	08/31/20	12/31/20	\$ 20,000	\$ 16,410	
Engineering Design (prep of plans & specs)	01/04/21	05/14/21	\$ 40,000	\$ 32,821	
Inspection / Construction Mgmt	07/15/21	11/01/21	\$ 10,000	\$ 8,205	
Land Acquisition			\$ -	\$ -	
Legal / Other	01/04/21	03/31/21	\$ 20,000	\$ 16,410	
<i>Subtotal - Engineering / Other</i>			\$ 90,000	\$ 73,846	
4. Other Costs - NON PSIG ELIGIBLE					
Rate Study					
Ordinance Development					
Asset Management					
Other:					
<i>Subtotal - Other Costs - NON PSIG ELIGIBLE</i>			\$ -		
Total Project Costs			\$ 499,500	\$ 409,846	82.1%

Total PSIG Eligible Cost \$ 409,846

Estimated PSIG Grant:
(PSIG Eligible Cost x 80%, \$7 million max) \$ 327,877

Additional funding needed (total project cost minus PSIG grant): \$ 171,623

Other funding:	\$ -
Other funding:	\$ -
Other funding:	\$ -
Total:	\$ -

Notes:

COLUMN A: For each activity, identify the **START DATE** on which eligible costs were, or are expected to be, incurred. On Form 4b (see tabs below), identify specific prior incurred costs for which the recipient will request reimbursement based on invoices. The PFA may limit PSIG reimbursement for costs incurred prior to the grant award due to restrictions of the funding source. Submit an updated form prior to grant award. Contact your loan officer for more information.

COLUMN B: For each activity, identify the expected **END DATE** for which the work will be completed.

COLUMN C: Identify the **TOTAL PROJECT COSTS** (wastewater, stormwater or drinking water)

COLUMN D: Identify the **ESTIMATED PSIG ELIGIBLE COSTS**, those made necessary by: 1) wasteload reductions prescribed by a TMDL; 2) a phosphorus concentration or mass limit to reduce the discharge of total phosphorus to one milligram per liter or less; 3) to address the water quality-based effluent limits under M.S. 115.03, Subd 1(e)(8); or 4) to meet a total nitrogen limit of 10 mg/L for land based treatment. **ATTACH A DETAILED BREAKDOWN** of the estimated PSIG eligible construction costs on a separate sheet (see Form 8). The Minnesota Pollution Control Agency will determine the grant eligible portion of the total construction costs.

COLUMN E: The worksheet will calculate the estimated PSIG eligible percentage based on the estimated PSIG eligible costs in Column D compared to total project costs in Column C. This same percentage will be applied to contingencies and engineering/other project costs.

**Minnesota Public Facilities Authority
Point Source Implementation Grant Program
Form 4b - Prior Incurred Costs**

Applicant: City of Inver Grove Heights

Project: Heritage Village Park Extended Detention Basin

Estimated Grant

Award Date: 6/30/2021

Instructions: Provide an itemized list of project costs incurred prior to the PSIG grant award for which the applicant is seeking reimbursement. PFA may limit PSIG reimbursement for prior incurred costs due to funding restrictions. Submit an updated form prior to grant award. This information may be submitted in another format such as an accounting activity report.

[illegible]

**Minnesota Public Facilities Authority
Point Source Implementation Grant Program
Form 4a - PSIG Project Costs**

Applicant: City of Inver Grove Heights
Project: Delaney Neighborhood RWGs

Date: 7/31/2020
Project Costs Based on: Estimated costs

Instructions: Fill in yellow cells. See notes at bottom.

	COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E
	Start Date	End Date	Total Project Costs	ESTIMATED PSIG COSTS (made necessary by PSIG eligible requirement)	Estimated PSIG Eligible %
1. Construction Costs					
Wastewater Treatment					
Sanitary Sewer Collection					
Stormwater Treatment	07/15/21	11/01/21	\$ 43,000	\$ 43,000	
Other:					
<i>Subtotal - Construction</i>			\$ 43,000	\$ 43,000	100.0%
2. Contingencies (5% of construction)			\$ 2,150	\$ 2,150	
3. Engineering / Other					
Planning / Pre-design	08/31/20	12/31/20	\$ 5,000	\$ 5,000	
Engineering Design (prep of plans & specs)	01/04/21	05/14/21	\$ 5,000	\$ 5,000	
Inspection / Construction Mgmt	07/15/21	11/01/21	\$ 5,000	\$ 5,000	
Land Acquisition			\$ -	\$ -	
Legal / Other	01/04/21	03/31/21	\$ -	\$ -	
<i>Subtotal - Engineering / Other</i>			\$ 15,000	\$ 15,000	
4. Other Costs - NON PSIG ELIGIBLE					
Rate Study					
Ordinance Development					
Asset Management					
Other:					
<i>Subtotal - Other Costs - NON PSIG ELIGIBLE</i>			\$ -		
Total Project Costs			\$ 60,150	\$ 60,150	100.0%

Total PSIG Eligible Cost \$ 60,150

Estimated PSIG Grant:
(PSIG Eligible Cost x 80%, \$7 million max) \$ 48,120

Additional funding needed (total project cost minus PSIG grant): \$ 12,030

Other funding:	\$ -
Other funding:	\$ -
Other funding:	\$ -
Total:	\$ -

Notes:

COLUMN A: For each activity, identify the **START DATE** on which eligible costs were, or are expected to be, incurred. On Form 4b (see tabs below), identify specific prior incurred costs for which the recipient will request reimbursement based on invoices. The PFA may limit PSIG reimbursement for costs incurred prior to the grant award due to restrictions of the funding source. Submit an updated form prior to grant award. Contact your loan officer for more information.

COLUMN B: For each activity, identify the expected **END DATE** for which the work will be completed.

COLUMN C: Identify the **TOTAL PROJECT COSTS** (wastewater, stormwater or drinking water)

COLUMN D: Identify the **ESTIMATED PSIG ELIGIBLE COSTS**, those made necessary by: 1) wasteload reductions prescribed by a TMDL; 2) a phosphorus concentration or mass limit to reduce the discharge of total phosphorus to one milligram per liter or less; 3) to address the water quality-based effluent limits under M.S. 115.03, Subd 1(e)(8); or 4) to meet a total nitrogen limit of 10 mg/L for land based treatment. **ATTACH A DETAILED BREAKDOWN** of the estimated PSIG eligible construction costs on a separate sheet (see Form 8). The Minnesota Pollution Control Agency will determine the grant eligible portion of the total construction costs.

COLUMN E: The worksheet will calculate the estimated PSIG eligible percentage based on the estimated PSIG eligible costs in Column D compared to total project costs in Column C. This same percentage will be applied to contingencies and engineering/other project costs.

**Minnesota Public Facilities Authority
Point Source Implementation Grant Program
Form 4b - Prior Incurred Costs**

Applicant: City of Inver Grove Heights

Project: Delaney Neighborhood RWGs

Estimated Grant

Award Date: 6/30/2021

Instructions: Provide an itemized list of project costs incurred prior to the PSIG grant award for which the applicant is seeking reimbursement. PFA may limit PSIG reimbursement for prior incurred costs due to funding restrictions. Submit an updated form prior to grant award. This information may be submitted in another format such as an accounting activity report.

[illegible]

Form 4a – Project Costs and Schedule Example

Please use the excel document found on the PFA website.

Minnesota Public Facilities Authority Point Source Implementation Grant Program Form 4a - PSIG Project Costs					
Applicant:				Date:	
Project:				Project Costs Based on:	Select from drop-down list
<i>Instructions: Fill in yellow cells. See notes at bottom.</i>					
	COLUMN A	COLUMN B	COLUMN C	COLUMN D	COLUMN E
	Start Date	End Date	Total Project Costs	ESTIMATED PSIG COSTS (made necessary by PSIG eligible requirement)	Estimated PSIG Eligible %
1. Construction Costs					
Wastewater Treatment					
Sanitary Sewer Collection					
Stormwater Treatment					
Other:					
Subtotal - Construction			\$ -	\$ -	
2. Contingencies (5% of construction)			\$ -	\$ -	
3. Engineering / Other					
Planning / Pre-design				\$ -	
Engineering Design (prep of plans & specs)				\$ -	
Inspection / Construction Mgmt				\$ -	
Land Acquisition				\$ -	
Legal / Other				\$ -	
Subtotal - Engineering / Other			\$ -	\$ -	
4. Other Costs - NON PSIG ELIGIBLE					
Rate Study					
Ordinance Development					
Asset Management					
Other:					
Subtotal - Other Costs - NON PSIG ELIGIBLE			\$ -		
Total Project Costs			\$ -	\$ -	

Total PSIG Eligible Cost \$ -

Estimated PSIG Grant:
(PSIG Eligible Cost x 80%, \$7 million max) \$ -

Additional funding needed (total project cost minus PSIG grant): \$ -

Other funding:

Other funding:

Other funding:

Total: \$ -

Notes:

COLUMN A: For each activity, identify the **START DATE** on which eligible costs were, or are expected to be, incurred. On Form 4b (see tabs below), identify specific prior incurred costs for which the recipient will request reimbursement based on invoices. The PFA may limit PSIG reimbursement for costs incurred prior to the grant award due to restrictions of the funding source. Submit an updated form prior to grant award. Contact your loan officer for more information.

COLUMN B: For each activity, identify the expected **END DATE** for which the work will be completed.

COLUMN C: Identify the **TOTAL PROJECT COSTS** (wastewater, stormwater or drinking water)

COLUMN D: Identify the **ESTIMATED PSIG ELIGIBLE COSTS**, those made necessary by: 1) wasteload reductions prescribed by a TMDL; 2) a phosphorus concentration or mass limit to reduce the discharge of total phosphorus to one milligram per liter or less; 3) to address the water quality-based effluent limits under M.S. 115.03, Subd 1(e)(8); or 4) to meet a total nitrogen limit of 10 mg/L for land based treatment. **ATTACH A DETAILED BREAKDOWN** of the estimated PSIG eligible construction costs on a separate sheet (see Form 8). The Minnesota Pollution Control Agency will determine the grant eligible portion of the total construction costs.

COLUMN E: The worksheet will calculate the estimated PSIG eligible percentage based on the estimated PSIG eligible costs in Column D compared to total project costs in Column C. This same percentage will be applied to contingencies and engineering/other project costs.

Please use the excel document found on the PFA website.

2021 PSIG Application

Form 5 – Compliance with Laws, Rules and Regulations

Point Source Implementation grantees are required to comply and ensure their contractor(s) comply with certain state laws, rules and regulations including but not limited to those described below which will be invoked as a condition of the grant.

1. Minnesota Statutes, Section 16B.31, subdivision 2 requires that all project funding be in place prior to execution of grant agreement.
2. Minnesota Statutes, Section 471.345 Uniform Municipal Contracting Law.
3. Minnesota Statutes, Section 574.26 to 574.32, the Public Contractors' Performance and Payment Bond Act, as applicable.
4. Minnesota Statutes, Chapter 16C.285, as amended. Responsible Contractor Requirements. Solicitation documents must include the specified language for contracts
5. Minnesota Statutes, Chapter 16A.695, State Bond Financed Property.
6. Minnesota Statutes, Chapter 13, the Minnesota Government Data Practices Act.
7. Minnesota Statutes, Section 181.59, discrimination on account of race, creed, or color prohibited in contracts. Minnesota Statutes, Section 363A.08 prohibits unfair discrimination practices related to employment or unfair employment practices.
8. Minnesota Statutes Chapter 363 Minnesota Human Rights Act. Requires that all public services be operated in such a manner that does not discriminate against any person in the access to, admission to, full utilization of or benefit from such public service.
9. The recipient's Minnesota Pollution Control Agency permit construction schedule submissions. Submissions may include as-built plans and specifications, revised operation and maintenance manual or a certification of completion. Refer to the MPCA permit and construction schedule.
10. Minnesota Statutes Section 16A.633, subdivision 4, Report on Jobs Created or Retained.
11. Minnesota Statutes sections 176.181 - 176.182 - Requires recipients and subcontractors to have worker's compensation insurance coverage.
12. Minnesota Statutes 177.41 - 177.43 Prevailing Wage Rate Law. Requires that contractors pay laborers and mechanics prevailing wages established by the Minnesota Department of Labor and Industry for public works projects. The Grantee will ensure that the proper state prevailing wages and required contract conditions are included in bidding documents and in construction contracts.

13. Minnesota Statutes 290.9705. Requires that 8 percent of payments made to out-of-state contractors be withheld once cumulative payments made to the contractor for work done in Minnesota exceed \$50,000 in a calendar year, unless an exemption is granted by the Department of Revenue.
14. Laws of Minnesota 2010 Chapter 361, article 3, section 5(b). Clean Water Fund sign posting requirements.

The City of Inver Grove Heights certifies that it has or will comply with the above requirements
(Name of Grantee)

Thomas J. Helander
(Signature of Authorized Official)

7/31/2020
Date

(If digital signature is not available, print, sign and return signed form with application)

Form 6 – Tax-Compliance Certification Checklist

Applicant: City of Inver Grove Heights

Person Completing Form: Thomas J. Kaldunski

Date Form Completed: 7/31/2020

Applicant's Tax Compliance Officer: Shannon Battles

Description of Financed Assets: Stormwater Wet Detention Basin

Item	Question		Response Yes/No
1 Ownership	1	Does the Applicant own all of the project assets to be financed (land, facilities, buildings)?	No
2 Lease and Other Rights	2	Is any part of a Financed Asset leased pursuant to a lease or similar agreement for more than 50 days?	No
3 Management or Services Agreements	3	Has the Applicant entered into an agreement with another entity to manage the operation of the Financed Assets? (for example, does a private company operate the System on behalf of the Applicant)	No
4 Output Agreements & Other Use	4	Has the Applicant entered into any agreement with an individual or entity that grants special legal rights to the Financed Asset or permits any entity to purchase output of the system other than at retail (e.g., has the Applicant entered into a take agreement, a take or pay agreement, a requirements agreement, or similar agreement related to output from the Financed Assets)?	No
5 Legal Review	5	If the answer to 2, 3 or 4 is "Yes", has the City's attorney or bond counsel reviewed the agreements for conformance with IRS tax-exempt rules and regulations?	No

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Form 7 – Estimated Construction Cost Breakdown for PSIG Projects

Describe the project and identify the specific components and estimated cost of those components that are made necessary by the PSIG criteria. MPCA suggests attaching an engineer's estimate of probable project costs line item spreadsheet or other formatted sheets.

For each major line items the spreadsheet should indicate the percentage of costs considered to be PSIG eligible (0-100%).

Please use whatever format best documents the PSIG costs. Include a general description of how the water infrastructure project costs are made necessary by:

- an established TMDL wasteload allocation or permit limit
- a phosphorus concentration or mass limit
- other water quality-based effluent limit
- a total nitrogen concentration or mass limit that requires discharging 10 mg/L or less at permitted design flow

Refer questions to your MPCA Engineer.

PSIG COST JUSTIFICATION (Attachment to Form 7, 2019 PSIG Application)

Dickman Industrial Park Wet Extended Detention Basin

The Dickman Industrial Park Wet Extended Detention Basin (Project) will consist of a stormwater diversion structure, storm sewer, excavated wet pond stormwater treatment basin, clay liner, storm sewer outlet structure and vegetated site restoration.

All items included in the Preliminary Engineers Opinion of Cost are believed to be necessary for proper functioning of the Project to address the targeted pollutant, total suspended solids (TSS). The City has previously attempted to purchase land within the contributing area but has been unsuccessful in acquiring the land. The Project will therefore be constructed partially on a former railroad parcel now owned by the City of Inver Grove Heights (City), and partially on adjacent land currently owned by Xcel Energy. The City has approached Xcel Energy regarding leasing or purchasing the adjacent property, and Xcel Energy has indicated willingness to reach an agreement, but no agreement has been reached at this time.

The Project location requires construction of additional storm sewer to convey stormwater runoff from the existing drainage system to the Project for treatment. Site clearing and excavation are required to create a basin of sufficient depth for TSS sedimentation. Existing drinking water pipes will need to be moved to avoid conflicts with newly constructed storm sewer.

Detailed design work has been completed for this project. A Phase I environmental site assessment (ESA) has been conducted at the Project site to identify potential or existing environmental liabilities, and a limited Phase II investigation including soil borings to characterize material and assess disposal requirements has also been completed. Prior incurred costs for these items are included in Form 4b.

STORMWATER POND

PRELIMINARY ENGINEERS OPINION OF COST

7/31/2019

LOCATION: Dickman Trail South of Upper 69th St. E.

ITEM DESCRIPTION	UNIT	AMOUNT	UNIT COST	TOTAL COST
MOBLIZATION	EACH	1	25,000.00	25,000.00
CONSTRUCTION ENTRANCE	EACH	1	2,500.00	2,500.00
SILT FENCE	LN FT	500	3.00	1,500.00
SILTATION LOG	LN FT	150	4.00	600.00
INLET PROTECTION	EACH	1	350.00	350.00
EROSION CONTROL BLANKET	SQ YD	3500	2.00	7,000.00
CLEAR AND GRUBBING DENSE	AC	0.7	10,000.00	7,000.00
SALVAGE TOP SOIL	SQ YD	3500	4.00	14,000.00
POND EXCAVATION	CU YD	18,000	5.00	90,000.00
HAUL AND DISPOSE OF EXCAVATED MATERIAL (AT NEARBY CITY SITE)	CU YD	15,500	5.00	77,500.00
HAUL AND DISPOSE OF EXCAVATED MATERIAL (TO LANDFILL), ALLOWANCE	CU YD	500	32.00	16,000.00
BEDROCK REMOVAL (NOT INCLUDED)	N/A	0	0.00	0.00
IMPORT 24" CLAY LINER	CU YD	4,000	15.00	60,000.00
COMPACT BERM EMBANKMENT (ON-SITE GRANULAR MATERIAL)	CY YD	2,000	7.00	14,000.00
SECONDARY GEOSYNTHETIC CLAY LINER (GCL)	SQ YD	2,000	12.00	24,000.00
REMOVE 48" CASING PIPE AND 30" RCP	LN FT	20	100.00	2,000.00
DIP CL52 WATERMAIN RECONSTRUCTION	LN FT	20	75.00	1,500.00
DIP CL52 FITTINGS, CONNECTIONS, TESTING	LS	1	5,000.00	5,000.00
24" RCP INLET	LN FT	515	40.00	20,600.00
24" RCP FLARED END SECTION	EACH	1	2,000.00	2,000.00
24" RCP OUTLET	LN FT	230	40.00	9,200.00
CONNECT TO EXISTING STORM SEWER AND STEEL CASING PIPE, ALLOWANCE	LS	1	10,000.00	10,000.00
24" RCP FLARED END SECTION (SKIMMER)	EACH	1	2,000.00	2,000.00
RIPRAP CLASS 3	TON	50	70.00	3,500.00
90" DIA. PRECAST RC DIVERSION MANHOLE W/WEIR AND ORIFICE	LS	1	7,000.00	7,000.00
60" DIA. PRECAST RC MANHOLE	LS	1	4,000.00	4,000.00
60" DIA. PRECAST RC MANHOLE AND OVERFLOW GRATE	LS	1	5,000.00	5,000.00
SEED AREA	AC	1	4,500.00	4,500.00
SITE RESTORATION	AC	1	2,500.00	2,500.00
PROJECT SIGN	LS	1	500.00	500.00
TRAFFIC CONTROL	LS	1	1,500.00	1,500.00
SUB TOTAL = \$				421,000.00
CONTINGENCY 5%				\$ 22,000.00
SUB TOTAL CONSTRUCTION COST = \$				443,000.00
LEGAL, ENGINEERING, ADMINISTRATION, FINANCE (LEAF) (28%)				\$ 118,000.00
TOTAL = \$				561,000.00

DOES NOT INCLUDE EASEMENTS, WETLAND MITIGATION, OR CONSTRUCTION STAKING

SUBTOTALS AND TOTAL ROUNDED UP TO THE NEAREST \$1000

Heritage Village Park Wet Extended Detention Basin

The Heritage Park Wet Extended Detention Basin (Project) will consist of a stormwater diversion structure, storm sewer, excavated wet pond stormwater treatment basin, clay liner, storm sewer outlet structure and vegetated site restoration. An environmental assessment may also need to be completed for the Project.

All items included in the Preliminary Engineers Opinion of Cost are believed to be necessary for proper functioning of the Project to address the targeted pollutant, total suspended solids (TSS). The Project would be constructed within a site that is owned by the City of Inver Grove Heights. The southern end of the site has been developed by the city as an off-leash dog park. The northern end of the site includes areas that have been previously impacted by dumping associated with former rail yards and are currently managed as prairie by the Minnesota Department of Natural Resources. The location of the Project would likely need to be coordinated with the DNR and would need to take into consideration the Response Action Plan and Construction Contingency Plan previously completed for the site (Braun Intertec, 2005). Additional environmental studies may be needed. Design work has not begun for this project.

Item	Unit	Quantity	Unit Cost	Cost
Mobilization/Demobilization	LS	1	\$ 25,000.00	\$ 25,000.00
Traffic Control	LS	1	\$ 1,000.00	\$ 1,000.00
Erosion Control	LS	1	\$ 2,000.00	\$ 2,000.00
Inlet Protection	Each	2	\$ 200.00	\$ 400.00
Sod Removal	SY	3000	\$ 5.00	\$ 15,000.00
Clearing and Grubbing	SY	4800	\$ 5.00	\$ 24,000.00
Excavation	CY	5200	\$ 5.00	\$ 26,000.00
Excavation Off-site Disposal	CY	3900	\$ 5.00	\$ 19,500.00
Excavation Off-site Disposal to Landfill (allowance	CY	1300	\$ 32.00	\$ 41,600.00
Import 24-inch clay liner	CY	2000	\$ 15.00	\$ 30,000.00
Grading	SY	3000	\$ 2.00	\$ 6,000.00
Turf Re-Establishment (Restoration)	SF	10000	\$ 1.00	\$ 10,000.00
24" RCP Inlet (Directional Drill)	LF	400	\$ 250.00	\$ 100,000.00
24" RCP Storm Sewer (Excavation, Install, Backfill)	LF	750	\$ 75.00	\$ 56,250.00
24" FES	Each	1	\$ 715.00	\$ 715.00
Connect Storm Sewer to Existing Manhole	Each	1	\$ 2,000.00	\$ 2,000.00
18" RCP Storm Sewer (Excavation, Install, Backfill)	LF	50	\$ 43.00	\$ 2,150.00
60" Outlet Structure	Each	1	\$ 10,000.00	\$ 10,000.00
Riprap	CY	6	\$ 130.00	\$ 780.00
Temporary Fence Installation	LF	1200	\$ 8.00	\$ 9,600.00
Subtotal Construction Cost				\$ 390,000.00
Contingency (5%)			5%	\$ 20,000.00
Permitting, Engineering, and Design (20%)			20%	\$ 82,000.00
Construction Observation				\$ 10,000.00
Total Cost				\$ 500,000.00

Delaney Circle Curbside Rainwater Gardens

The Delaney Circle Curbside Rainwater Gardens (Project) will consist of curbside rainwater gardens constructed by the City of Inver Grove Heights in conjunction with street improvements on Delaney Circle and Delaney Court. The Project would include survey, grading, landscaping, and site restoration. Stormwater runoff from the Project area drains overland towards the east, then through culverts at River Road before discharging directly to the Mississippi River.

All items included in the Preliminary Engineers Opinion of Cost are believed to be necessary for proper functioning of the Project to address the targeted pollutant, total suspended solids (TSS). Rainwater gardens would be constructed within City Right of Way and maintained by the adjacent property owner through agreements with willing property owners.

Planning Level Opinion of Probable Cost
 Delaney Neighborhood Curbside Rainwater Gardens

7/31/2020

Description	Unit	Estimated Quantity (6 RWGs)	Unit Price	Estimated Cost
Remove Sod	S.Y.	180	5	\$ 900
Excavate, Haul, and Dispose Materials	C.Y.	17	50	\$ 850
Grading	L.S.	6	2600	\$ 15,600
Soil Loosening	S.Y.	180	4	\$ 720
Planting Soil (12" depth- 75% Sand, 25% Leaf compost- MnDOT Grade II)	C.Y.	84	65	\$ 5,460
Twice-Shredded Hardwood Mulch (3" depth)	C.Y.	24	60	\$ 1,440
Transition Curb & Gutter	L.F.	60	20	\$ 1,200
Splash Block Assembly	L.S.	6	1500	\$ 9,000
4" Black Powder Coated Steel Landscape Edging	L.F.	450	10	\$ 4,500
Sod (Furnish and Install)	S.Y.	30	10	\$ 300
#1 Cont. Perennial (Furnish & Install)	Each	150	20	\$ 3,000
Construction				\$ 42,970
Contingency (5%)			0.05	\$ 2,100
Subtotal				\$ 45,000
Permitting, Engineering, and Design (15%)			0.2	\$ 9,000
Construction Observation				\$ 5,000
TOTAL				\$ 59,000

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CERTIFICATION

STATE OF MINNESOTA
COUNTY OF DAKOTA
CITY OF INVER GROVE HEIGHTS

The undersigned, City Clerk of the City of Inver Grove Heights, Dakota County, Minnesota, hereby certifies that the attached is a true and correct copy of Resolution No. 18153 adopted by the City Council of the City of Inver Grove Heights at a lawful meeting duly called and held on July 23, 2018 which a quorum was present and acting throughout, and of the original on file in the office of the City Clerk, City of Inver Grove Heights, Dakota County, Minnesota.



Michelle Tesser, City Clerk

(S E A L)

Dated: 7/23/18

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION RECEIVING FEASIBILITY REPORT, SCHEDULING OF A PUBLIC HEARING, AND
AUTHORIZING SUBMITTAL OF A POINT SOURCE IMPLEMENTATION GRANT APPLICATION FOR
CITY PROJECT NO. 2017-17- DICKMAN INDUSTRIAL PARK WET EXTENDED DETENTION BASIN

RESOLUTION NO. 18-153

WHEREAS, City Council adopted Resolution No. 16-28 on February 8, 2016 approving a stormwater project plan with reference to City Project No. 2017-17 – Dickman Industrial Park Wet Extended Detention Basin; and

WHEREAS, Resolution No. 16-28 directed the City Engineer to submit the approved stormwater project plan to the Minnesota Pollution Control Agency (MPCA) to seek funding; and

WHEREAS, on March 12, 2018, City Council authorized the preparation of a feasibility report to be prepared by Barr Engineering; and

WHEREAS, the City Engineer will submit an application, before July 31, 2018, to the MPCA for funding for the Dickman Industrial Park Wet Extended Detention Basin; and

WHEREAS, the City of Inver Grove Heights will be placed on the MPCA's 2019 Point Source Implementation Grant Program (PSIG) funding list, for a PSIG Grant of up to 80% of the cost for City Project No. 2017-17.

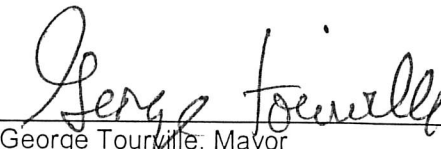
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The Feasibility Report prepared by Barr Engineering dated July 18, 2018 for City Project No. 2017-17 is hereby received and approved.
2. The public hearing for City Project 2017-17 is to be held on Monday, September 10, 2018 at 7:00 p.m. at City Hall in the Council Chambers.
3. The City Engineer is hereby directed to submit the feasibility study and grant application to the MPCA.

Adopted by the City Council of Inver Grove Heights, Minnesota this 23rd day of July 2018

AYES:

NAYS:


George Tourville, Mayor

ATTEST:


Michelle Tesser, City Clerk

Form 8 – Grant Application Resolution Example

RESOLUTION AUTHORIZING THE (applicant) TO SUBMIT A POINT SOURCE IMPLEMENTATION GRANT APPLICATION TO THE MINNESOTA PUBLIC FACILITIES AUTHORITY (PFA) AND TO AUTHORIZE CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE (applicant) FOR THE (name of project)

WHEREAS, the Point Source Implementation Program, established in Minnesota Statutes 446A.073, as amended provides funds for construction projects; and

WHEREAS the (applicant) is hereby applying to the Minnesota Public Facilities Authority for a funds to be used for eligible costs for the (describe project).

BE IT RESOLVED that the (name of applicant) has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED, that upon approval of its application by the PFA, (applicant) may enter into an agreement with the PFA for the above referenced project, and that (applicant) certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

NOW, THEREFORE BE IT FURTHER RESOLVED, that (title of first authorized official) and (title of second authorized official), or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the above project on behalf of the (applicant).

I CERTIFY THAT the above resolution was adopted by the (Governing Body) on (month, day, year).

SIGNED:

Date: _____

WITNESSED:

Date: _____

S E A L

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APPENDIX A State of Minnesota Prevailing Wages

This language must be included in all construction contracts:

Pursuant to Minnesota Statutes 177.41 to 177.44 and corresponding Rules 5200.1000 to 5200.1120, this contract is subject to the prevailing wages as established by the Minnesota Department of Labor and Industry. Specifically, all contractors and subcontractors must pay all laborers and mechanics the established prevailing wages for work performed under the contract. Failure to comply with the aforementioned may result in civil or criminal penalties.

Insert the applicable Minnesota wage determination into all proposals and all contracts.

Payrolls/Records

The contractor and subcontractor shall furnish to the OWNER copies of any or all payrolls not more than 14 days after the end of each pay period. The payrolls must contain all of the data required by Minnesota Statutes Section 177.30. Subcontractors must furnish payrolls to the contractor. The OWNER may examine all records relating to wages paid laborers or mechanics on work to which Minnesota Statutes Sections 177.41 to 177.44 apply.

Posting of Wage Rates/Required Posters

Each contractor and subcontractor performing work on a public project shall post on the project the applicable prevailing wage rates and hourly basic rates of pay for the county or area within which the project is being performed, including the effective date of any changes thereof, in at least one conspicuous place for the information of the employees working on the project. The information so posted shall include a breakdown of contributions for health and welfare benefits, vacation benefits, pension benefits, and any other economic benefits required to be paid.

For more information regarding prevailing wage and its application, contact:

Minnesota Department of Labor and Industry

Prevailing Wage unit

443 Lafayette Road N.

St. Paul, MN 55155

Phone: (651) 284-5091

E-mail: dli.prevwage@state.mn.us

Web: www.DOLI.state.mn.us

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APPENDIX B Sign for Clean Water Legacy Funded Projects

The template on the following page can be used for the project sign. If the Clean Water Legacy sign is posted at a location other than the project site, this template can be used to include a photograph of the project along with a brief description.

This project is financed by the



If posted at a location other than the project site, insert a brief description and project picture

APPENDIX C Real Property Declaration and Waiver Requirements

A recipient receiving PFA funds that include state general obligation bond proceeds are required to:

- Record a Real Property Declaration that identifies the properties on which the recipient uses PFA funds as state bond financed property, or
- Request a waiver from the recording requirement, and sign a Waiver Certification, and/or
- Both record a Real Property Declaration **and** request a waiver/sign a Waiver Certification

Recipients must provide a copy of the recorded Declaration and/or signed Waiver Certification and/or a copy of the recorded Declaration to PFA and MMB prior to disbursement of money for construction activities or as soon thereafter as possible.

Real Property Declaration - The recorded **Real Property Declaration** places limitations on the use and sale of real property improved with state bond proceeds under Minn. Stat. Sec. [16A.695](#) and the *Fourth Order Amending Order of the Commissioner of Finance* dated July 30, 2012 (the “Commissioner’s Order”). Some activities needing this: treatment plants, ponds, lift stations, water towers, demolition sites. Recipients should have an attorney draft the **Declaration** and confirm the accuracy of the recordable parcel(s).

Real Property Declaration Recording Waiver - Section 7.02 of the *Commissioner’s Order* allows the Commissioner of Minnesota Management and Budget (MMB) to waive the declaration recording requirement for projects or portions of projects located within roads, highways or utility or transit corridors, easements or rights of way where recording would be problematic. If your project, or a portion of it fits this description, the recipient should request a waiver from the recording requirement from MMB.

If MMB grants the waiver from the recording requirement, the recipient will need to sign a **Waiver Certification** for those parts of the project, in which the recipient acknowledges that those project areas are “state bond financed property”. A description (legal description not needed) and/or map of the project areas should be attached to the **Waiver Certification**.

The following documents are attached:

- **Example Real Property Declaration**
- **Example Form letter to MMB**, which can be modified to transmit the recorded **Declaration**, request a waiver, or both.
- **Example MMB Waiver Certification**

FOR USE BY FILING OFFICER ONLY

Minnesota Public Facilities Authority
REAL PROPERTY DECLARATION

The undersigned has the following interest in the real property located in the County of **«County_»**, State of Minnesota, that is legally described in **Exhibit A** attached and all facilities situated thereon (collectively, the “Restricted Property”):

(Check the appropriate box.)

☐ a fee simple title

☐ a lease

☐ an easement,

and as owner of such fee title, lease or easement, does hereby declare that such interest in the Restricted Property is made subject to the following restrictions and encumbrances:

A. The Restricted Property is bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget, which approval must be evidenced by a written statement signed by the said commissioner and attached to the deed, mortgage, encumbrance or instrument used to sell or otherwise dispose of the Restricted Property; and

B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in that certain Agreement between the Minnesota Public Facilities Authority and **«RecipientName»** for Project No. **«ProjectNo»**, and dated **«ApprovalDate»**;

The Restricted Property shall remain subject to this State of Minnesota General Obligation Bond Financed Declaration for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget, at which time it shall be released therefrom by way of a written release in recordable form signed by both the Chair of the Minnesota Public Facilities Authority and the Commissioner of Minnesota Management and Budget, and such written release is recorded in the real estate records relating to the Restricted Property. This Declaration may not be terminated, amended, or in any way modified without the specific written consent of the Commissioner of Minnesota Management and Budget.

_____, a
«RecipientName»

By: _____

Title: _____

Dated: _____

By _____

Title: _____

Dated: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

This forgoing instrument was acknowledged before me this ____ day of _____, 20__, by
_____ the _____[insert name and title of first signatory], and
_____, the _____[insert name and title of second signatory],
respectively, of the _____, a _____,[insert name and
description of the entity receiving the funds].

Notary Public

This Declaration was drafted by:
[insert name and address]

Exhibit A

LEGAL DESCRIPTION

INSTRUCTIONS FOR REQUESTING A WAIVER FROM REAL PROPERTY
FILING REQUIREMENTS & EXAMPLE CERTIFICATION

Per the Minnesota Management and Budget's (MMB) *Fourth [Order](#) Amending Order of the Commissioner of Finance* dated July 30, 2012 (the "Commissioner's Order"), waiver requests may be submitted to the real property declaration filing requirement for projects that "acquire or better real property within roads, highway or utility or transit corridors, easements or rights of way" where the recording of the "declaration otherwise required would be unduly onerous or impracticable". An example letter to MMB is attached.

Provide the following information for MMB's evaluation:

1. A formal request to the Commissioner of MMB and justification by the City for waiver of Real Property Declaration requirement in accordance with Section 7.02 (b) of the Order.
2. Identify the PFA program (Point Source Implementation Grant (PSIG)) that is expected to finance the project.
3. A project description as determined within the application
4. A map reflecting actual location of property to be improved

MMB's mailing address is:

Minnesota Management and Budget
c/o Capital Bonding Coordinator
400 Centennial Office Building
658 Cedar Street
Saint Paul, MN 55155

Please also copy your PFA loan officer on the waiver request.

Important: If MMB approves the waiver request, approval will be granted conditionally until MMB and PFA's receipt of a signed waiver certification. PFA will mail the certification form to the recipient after grant approval. An example certification form is on the following page. The executed waiver form and certification is to be provided to MMB and PFA prior to disbursement of money for construction activities. Some projects may include components that will require both a real property declaration and a waiver request.

Contact your [PFA loan officer](#) with any questions.

(Example of Letter Requesting a Waiver)

(Put on City Letterhead)

_____, 20

Minnesota Management and Budget
c/o Capital Bonding Coordinator
400 Centennial Office Building
658 Cedar Street
Saint Paul, MN 55155

RE: Real Property Declaration Waiver Request - _____ Project
MPFA-_____ *[insert MPFA project no.]*

Dear Commissioner:

The City of _____ has submitted an application to the Minnesota Public Facilities Authority ("PFA") requesting funding for a project within its jurisdiction. The project will be funded with a PFA *[include only the applicable funding sources:]* Clean Water Revolving Fund Loan/Drinking Water Revolving Fund Loan/Wastewater Infrastructure Grant/Point Source Implementation Grant. As described in the application to the PFA, the project is as follows:

[describe project]

The financing above will be funded in whole or in part with State bond proceeds, and the City must comply with the requirements applicable to Real Property Declarations set forth in Section 7.02 of Minnesota Management and Budget's (MMB's) *Fourth Order Amending Order of Commissioner of Finance* dated July 30, 2012 (the "Commissioner's Order").

[use one of the following two paragraphs:]

[if the entire project is eligible for a waiver] This letter constitutes the City's written request for a waiver of the Declaration requirement because the entire project lies within roads, highways or utility or transit corridors, easements or rights of way, and the recording of the Declaration against such property would be unduly onerous or impracticable. I understand that the City will have to sign a Waiver Certification that the property improved by the funding described above is State bond financed property and cannot be sold, encumbered or otherwise disposed of without the approval of the Commissioner of MMB.

[if only a portion of the project is eligible for a waiver] This letter constitutes the City's written request for a waiver of the Declaration requirement only for the portion of the project within roads, highways or utility or transit corridors, easements or rights of way, and the recording of

the Declaration against such property would be unduly onerous or impracticable. I understand that the City will have to sign a Waiver Certification that the property subject to the waiver is State bond financed property and cannot be sold, encumbered or otherwise disposed of without the approval of the Commissioner of MMB. I also understand that the City will be required to record a real property Declaration for the remaining parcel(s) of land in the project that is/are not eligible for the waiver, stating that such parcel(s) is/are State bond financed property and cannot be sold, encumbered or otherwise disposed of without the approval of the Commissioner of MMB.

I am including for your review a map which shows the location of the project. If you need any additional information, please contact me at (____)_____.

Sincerely,

cc: _____, PFA *[insert name of PFA loan officer]*

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Example Minnesota Management and Budget
Certification Waiver from Filing Requirements

State of Minnesota
General Obligation Bond Financed Property

The undersigned has a fee simple, leasehold and/or easement interest in the real property located in the County(ies) of _____, State of Minnesota that is generally described or illustrated graphically in **Exhibit A** attached and all facilities situated thereon (the "Restricted Property") and acknowledges that the Restricted Property is or may become State bond-financed property. To the extent that the Restricted Property is or becomes State bond-financed property, the undersigned acknowledges that:

- A. The Restricted Property is state bond financed property within the meaning of Minn. Stat. Sec. 16A.695, is subject to the encumbrance created and requirements imposed by such statute, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget;
- B. The Restricted Property is subject to the provisions of the _____ *[title of grant or loan agreement]* between _____ *[State agency providing the grant or loan]* and _____ *[name of undersigned grantee or borrower]*, dated _____, 20____; and
- C. The Restricted Property shall continue to be deemed state bond financed property for 125% of the useful life of the Restricted Property or until the Restricted Property is sold with the written approval of the Commissioner of Minnesota Management and Budget.

Date: _____, 20____

_____, a

[name and description of the grantee or borrower]

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

Exhibit A
GENERAL DESCRIPTION OF RESTRICTED PROPERTY

[Insert a narrative or graphic description of the Restricted Property. It need not be a legal description.]

APPENDIX D Job Reporting Form Template

Minnesota Statutes Section 16A.633, subdivision 4, requires reporting on jobs created or retained as part of the project. An example of the job reporting template is below. A form specific for your project will be provided to you after grant award. Contact your loan officer with any questions about the Job Reporting requirements.

MN Jobs Reporting spreadsheet for capital projects funded thru the MN Public Facilities Authority

part 1. PFA project info:

The project consists of decommissioning 61 septic systems in the Southview Heights II subdivision and connecting to the Mankato municipal sewer system.

Recipient	Proj id	Approv dt	Program Description (s)	Funding ID (s)	Award Amts
Mankato	CW0756	07/03/18	Point Source Implementation-Grant	MPFA-PSIG-G-009-FY19	\$ 1,118,925

part 2. jobs reporting fields for MMB's database (blue-shaded fields to be completed by recipients):

Project Name (must be unique within MMB's database)	Project Start Date	Project End Date	Main County for the Project	Job Type	Hourly Pay Range	No. hrs Paid for Jobs: Created	No. hrs Paid for Jobs: Retained
Mankato PFA CW0756	04/11/16	10/09/17	Blue Earth	Engineering /Other Professional	Less than \$10.00		
Instructions: Please return this completed worksheet (after project completion) by email to the PFA project loan officer * Only the blue-shaded columns need to be completed by recipients: -Project Start Date -Project End Date -Number of Hours Paid, by: Category (jobs created / jobs retained) Job type (Engineering/Other Professional; Construction; or Other) Hourly pay range MN Public Facilities Authority 1st National Bank Building 332 Minnesota St, Suite W820 Saint Paul, MN 55101-1378 mn.gov/pfa * PFA Representative: Anita Gallentine 651.259.7466 Anita.Gallentine@state.mn.us					\$10.00 - 15.00		
					\$15.01 - 20.00		157.00
					\$20.01 - 25.00		
					\$25.01 - 30.00		
					\$30.01 - 35.00		
					\$35.01 - 40.00		892.00
				more than \$40.00		3,121.00	
				Construction	Less than \$10.00		
					\$10.00 - 15.00		
					\$15.01 - 20.00		
					\$20.01 - 25.00		
					\$25.01 - 30.00		1,837.00
					\$30.01 - 35.00		5,324.00
					\$35.01 - 40.00		4,372.00
more than \$40.00		10,636.00					
Other	Less than \$10.00						
	\$10.00 - 15.00						
	\$15.01 - 20.00						
	\$20.01 - 25.00						
	\$25.01 - 30.00						
	\$30.01 - 35.00						
	\$35.01 - 40.00						
more than \$40.00							

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Attachment 1

PROJECT DESCRIPTIONS (Attachment to Form 3, 2020 PSIG Application)

Dickman Industrial Park Wet Extended Detention Basin

The Dickman Industrial Park Wet Extended Detention Basin (Project) will consist of a stormwater management basin constructed on approximately 1.5 acres located south of 68th Street East, between Dickman Trail and River Road within the City of Inver Grove Heights (city).

Approximately 24 acres located southwest of the proposed Project site currently drain to an existing 30-inch diameter storm sewer pipe that discharges to the Mississippi River between the 64th Street storm sewer outfall and the 70th Street storm sewer outfall. Approximately 35 percent of the 24-acre contributing area is impervious surface in the form of buildings, compacted gravel roads, and gravel parking areas. Stormwater runoff from the contributing area is currently not treated before discharging to the Mississippi River (see attached Figure 1).

The Project would consist of an excavated stormwater treatment pond. (see attached Drawing C-02). A new weir diversion structure would be constructed to divert stormwater flows from the existing 30-inch storm sewer into the proposed treatment pond. A permanent pool would be established in the pond bottom. A safety bench and maintenance access would be provided. The pond outflow would be directed into the existing 30-inch storm sewer that flows eastward under River Road to the Mississippi River minor outfall at 69th Street.

The Project would be located partially on land currently owned by the city and partially on land currently owned by Xcel Energy, which is used as a power line right of way. The city is working with Xcel Energy to develop easement agreements or purchase agreements that would allow for construction of the Project.

The Project would provide water quality treatment for the entire contributing area. Water quality simulations using P8 estimated that the proposed basin would treat 1.5 inches of runoff from the contributing impervious area, reducing TSS loading to the Mississippi River by approximately 7,200 pounds per year.

The Project is described in the Abbreviated Stormwater Project Plan submitted by the City of Inver Grove Heights to the MPCA in March 2016 to satisfy in part the PSIG application requirements. The project is referenced in table ES-1 as project number 9, and described in section 4.2.4.

Attachment 1

PROJECT DESCRIPTIONS (Attachment to Form 3, 2020 PSIG Application)

Heritage Village Park Wet Extended Detention Basin

The Heritage Park Wet Extended Detention Basin (Project) will consist of a stormwater diversion structure, storm sewer, excavated wet pond stormwater treatment basin, clay liner, storm sewer outlet structure and vegetated site restoration. An environmental assessment may also need to be completed for the Project.

The Project as originally envisioned is described in the Abbreviated Stormwater Project Plan submitted by the City of Inver Grove Heights to the MPCA in March 2016 to satisfy in part the PSIG application requirements. The project is referenced in table ES-1 as project number 7 and is described in section 4.2.2.

The Project would be constructed within a site that is owned by the City of Inver Grove Heights. The southern end of the site, where the Project was originally envisioned, has since been developed by the city as an off-leash dog park and is therefore unsuitable for further development as a stormwater basin. The Project is now envisioned as being constructed in the northern end of the site, which includes areas that have been previously impacted by dumping associated with former rail yards and are currently managed as prairie by the Minnesota Department of Natural Resources. The ultimate location of the Project would likely need to be coordinated with the DNR and would need to take into consideration the Response Action Plan and Construction Contingency Plan previously completed for the site (Braun Intertec, 2005).

The Project would treat stormwater currently draining to the Concord Avenue storm sewer system at the intersection of Dawn Way and Concord Avenue. As currently conceptualized, a diversion structure at Concord Avenue would direct low flows (the 'first flush' that is most critical for water quality treatment) into a proposed storm sewer under Concord Avenue that would discharge to the pond. Treated stormwater would be discharged from the pond through a new storm sewer or surface water feature flowing east to the Mississippi River. High flows would continue south within the existing storm sewer to be discharged to the Mississippi River through the 64th Street trunk storm sewer system.

Based on P8 modeling the proposed basin would trap on average approximately 10,500 pounds per year of total suspended solids and 17 pounds per year of total phosphorus.

Attachment 1

PROJECT DESCRIPTIONS (Attachment to Form 3, 2020 PSIG Application)

Delaney Circle Curbside Rainwater Gardens

The proposed project is located in a neighborhood of approximately 65 acres surrounding Delaney Circle and Delaney Court, between Inver Grove Trail and the Mississippi River. Currently stormwater from the area drains through culverts under Delaney Circle, overland to the Mississippi River. According to the City's current CIP plan, which is modified from time to time to meet changing priorities and budgets, the streets in this neighborhood are scheduled to be resurfaced during 2021.

As part of its regularly scheduled pavement maintenance program, the City of Inver Grove Heights solicits landowners who are willing to have a rainwater garden constructed on their property. Rainwater gardens are particularly suitable as "retrofit" BMPs which can be constructed in previously-developed commercial and residential areas. The rainwater garden consists of a shallow, vegetated depression excavated adjacent to the rebuilt street, with curb cutouts to funnel runoff from the street to the rainwater garden. Based on landowner response to similar projects within the city, it is estimated that approximately six rainwater gardens would be constructed in the project area.

Based on analysis performed by the Dakota County SWCD, an average rainwater garden in this area would reduce total suspended solids by 141 pounds per year, total phosphorus by 0.34 pounds per year, and runoff volume by 0.15 acre-feet per year. The combined annual pollutant reduction for six rainwater gardens is 846 pounds per year of total suspended solids and 2 pounds per year of total phosphorus.

Storm Water Utility Fees

On November 25, 2019 the City Council of Inver Grove Heights approved storm water utility rates for 2020. These rates reflect a 5% increase. The established rates are as follows:

Monthly storm water utility rates, commencing January 1, 2020 are established as follows:

Storm Water Utility Group		Per Lot (L) or Acre (A)	Rural (Base Fee)	Urban (Base + Surcharge)	NWA Developed (Base + Surcharge)
			Monthly	Monthly	Monthly
Single-Family Residential	R-1A	L	\$1.47	\$4.28	\$12.83
	R-1B	L	0.94	2.74	8.24
	R-1C	L	0.81	2.02	6.11
	Estate (5 ac cap)	A	1.06	3.06	9.14
Multiple Family Residential	R-2 (Duplex/Twinhomes)	A	2.32	6.71	20.15
	R-3 (6+ units/ac)	A	2.74	7.95	23.84
	R-4 (Manufactured Home)	A	3.16	9.17	27.50
Other	Agricultural/Open Space (10 ac cap)	A	0.64 ⁽¹⁾	1.84	0.64
	Business District	A	4.64	13.43	40.33
	General Business	A	6.12	17.71	53.15
	Shopping Center	A	5.28	15.27	45.83
	Industrial	A	4.43	12.82	38.50
Public/ Institutional	Schools/Churches/Other	A	2.74	7.95	23.84
	Golf Courses/Cemeteries/Parks	A	0.64 ⁽¹⁾	1.94	5.50
	City Facilities	A	4.64	13.43	40.33

⁽¹⁾The minimum annual fee per parcel is \$9.60.

These fees shall be included in the existing utility billing for parcels on City sewer or water, or they will be a new billing for parcels not on City sewer or water.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Accepting Proposal for Stormwater Plan Review Services from Wenck for Property Located at 7120 Allen Way (Builder Jones)

Meeting Date: August 10, 2020
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651.450.2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

Fiscal/FTE Impact:	
☐	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☒	Other: Developer-provided engineering escrow account

PURPOSE/ACTION REQUESTED

Consider resolution accepting proposal for stormwater plan review services from Wenck for property located at 7120 Allen Way (Builder Jones).

SUMMARY

The property located at 7210 Allen Way consists of a proposal to construct 22 townhome units on the site. The City has received an application for this project from Builder Jones. It is currently under review by the City. This property is in the Northwest Area of the City and must meet applicable standards. Two storm water basins exist on the site and storm water quality BMPs will be required.

Wenck, as part of the engineering consultant pool, was asked to submit a proposal for stormwater review services for property located at 7120 Allen Way. Wenck previously studied this area when developing the Robert Corridor Watershed computer model.

Attached is the proposal submitted by Wenck dated August 3, 2020. The total estimated cost for the stormwater plan review services is \$7,500. The funding source for these services will be from an engineering escrow provided by the developer

Staff recommends that the Council adopt the resolution accepting the proposal from Wenck in the amount of \$7,500 for stormwater plan review services for property located at 7120 Allen Way (Builder Jones).

TJK/kf
 Attachment: Resolution
 Proposal

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING A PROPOSAL FOR STORMWATER PLAN REVIEW SERVICES
FROM WENCK FOR PROPERTY LOCATED AT 7120 ALLEN WAY (BUILDER JONES)**

RESOLUTION NO. 2020-152

WHEREAS, the proposed plan for the property at 7120 Allen Way consists of 22 townhome units in the Northwest Area of the City. Two existing stormwater basins along with water quality BMPs are needed to meet applicable standards; and

WHEREAS, in order to complete the stormwater construction plan review services in a timely manner, assistance of a consulting engineering firm is required; and

WHEREAS, City staff requested, and received, a proposal from Wenck for stormwater plan review services; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, their familiarity with the site, it was decided that Wenck be selected from the City's engineering consultant pool as the consulting firm for stormwater services for property located at 7120 Allen Way.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The proposal from Wenck is accepted and staff is authorized to enter into a contract in the amount of \$7,500 for stormwater services as outlined in their August 3, 2020 proposal.
2. Funding is provided by a developer provided engineering escrow.

Adopted by the City Council of Inver Grove Heights, Minnesota this 10th day of August 2020

George Tourville, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



August 3, 2020

Mr. Tom Kaldunski
City Engineer
City of Inver Grove Heights
8150 Barbara Ave
Inver Grove Heights, MN 55077

SUBJECT: Proposal for Stormwater Management Review of Builder Jones Development

Dear Mr. Kaldunski:

We appreciate the opportunity to present this proposal to the City of Inver Grove Heights. Our proposal includes a scope of work and budget to review the Builder Jones stormwater management plan. Wenck previously studied this area when developing the Robert Corridor Watershed PCSWMM computer model, so we are pleased to continue assisting with growth of the City.

Fee Estimate, Schedule & Deliverables

- **Fee estimate** The cost for Wenck to complete the scope of work detailed below is \$7,500. Subtotals by task are provided below.
- **Schedule** We will issue comments to City staff within one week of receiving submittal documents.
- **Deliverables**
 - a. One memo for each submittal that summarizes our review findings and comments.
 - b. Updated PC-SWMM computer model based on the final proposed stormwater management plan.

Scope of Work

- **Task 1: Review Stormwater Management Plan \$4,500**
 - a. Review and comment on grading, drainage, erosion control, utility, landscaping, and detail plan sheets as they relate to stormwater management.
 - b. Conduct review according to recommendations and requirements reported in the City's *Northwest Area Stormwater Manual* and the *Minnesota Stormwater Manual*.
 - c. We anticipate conducting three separate reviews: 1) sketch plan, 2) preliminary plan & calculations, and 3) final plan & calculations.

- **Task 2: Update PCSWMM Model \$3,000**
 - a. Update Northwest Area PCSWMM model per the proposed stormwater management plan.
 - b. Execute, review and comment on negative impacts predicted by the model as a result of the proposed stormwater management plan.

Project Team

The following Wenck staff have been selected to execute the Scope of Work.

- Project Manager Todd Shoemaker
- Water resource engineers Eric Osterdyk
- Civil engineer Steve Hegland

Proposal Terms & Acceptance

- Wenck will complete this scope of work according to the attached terms and conditions and fee schedule.
- Wenck will perform the scope of work on a time and materials basis and will not exceed the authorized budget without prior authorization.
- To accept the proposal as stated above, please complete the following:

City of Inver Grove Heights

Type or Print Name

Signature

Title

On behalf of the 300+ employee-owners of Wenck, thank you for this opportunity to continuing to work with the City of Inver Grove Heights. Should you have any questions, or need clarification of anything presented in the attached proposal, please do not hesitate to contact me.

Sincerely,

Wenck Associates, Inc.



Todd Shoemaker, PE (MN, IA), CFM
Principal Water Resources Engineer

GENERAL TERMS AND CONDITIONS

Article 1 Our Agreement

1.1 Our agreement with you consists of these General Terms and Conditions and the accompanying written proposal or authorization (Agreement). This Agreement is our entire Agreement and supersedes all prior agreements. This Agreement may be modified only in a writing signed by both us and you, making specific reference to the provision modified. Directing us to start work prior to execution of this Agreement constitutes your acceptance of this Agreement.

1.2 The words “you,” “we,” “us,” and “our” include officers, employees, and subcontractors.

1.3 Any conflicting or additional terms in a purchase order, work order, or other form used to authorize our services are not part of our Agreement unless we specifically accept them in writing. If we cannot agree on mutually acceptable terms, we have the right to withdraw our proposal without liability to you or others, and you will compensate us for services already rendered.

Article 2 Our Responsibilities

2.1 We will provide the services specifically described in our Agreement. You agree that we are not responsible for services that are not fairly included in our specific undertaking. Unless otherwise agreed in writing, our findings, opinions, and recommendations will be provided to you in writing. You agree not to rely on oral findings, opinions, or recommendations without our written approval.

2.2 In performing our services, we will use that degree of care and skill ordinarily exercised by reputable members of our profession practicing under similar circumstances in the same locality at the same time. .

2.3 Our duties do not include supervising your contractors or commenting on, overseeing, or providing the means and methods of their work, unless we accept such duties in writing. We will not be responsible for the failure of your contractors to perform in accordance with their undertakings, and the providing of our services will not relieve others of their responsibilities to you or to others.

2.4 We will provide a health and safety program for our employees, but we will not be responsible for contractor, job, or site health or safety unless we accept that duty in writing. You will provide, at no cost to us, appropriate site safety measures as to work areas to be observed or inspected by us.

2.5 Our estimates of construction or remediation costs will be based on information available to us and on our experience and knowledge. Such estimates are an exercise of our professional judgment and are not guaranteed or warranted. Actual costs may vary. You should allow a contingency in addition to estimated costs.

2.6 Locations of field observations or sampling described in our report or shown on our sketches are based on information provided by others or estimates made by our personnel. You agree that such dimensions, depths, or elevations are approximations unless specifically stated otherwise in the report. You accept the inherent risk that samples or observations may not be representative of things not sampled or seen and that site conditions may change over time.

Article 3 Your Responsibilities

3.1 You agree to provide us with all site information and data to which you have access which may affect our services. We will not be responsible for locating buried objects at the site unless we accept that duty in writing. You agree to hold us harmless from claims, damages, losses, and related expenses involving buried objects that were not properly marked or identified or of which you had knowledge but did not timely call to our attention or correctly show on the plans you or others on your behalf furnished to us.

3.2 You will provide access to the site. In the course of our work some damage is normal even when due care is exercised. We will use reasonable care to minimize damage to the site but we will not be responsible for reasonable or normal damage. We have not included the cost of restoration of such damage in the estimated charges.

3.3 You agree to provide us with information in your possession or control relating to contamination at the work site.

3.4 Neither this Agreement nor the providing of services will operate to make us an owner, operator, generator, transporter, treater, storer, or a disposal facility within the meaning of the Resource Conservation Recovery Act, as amended, or within the meaning of any other law governing the handling, treatment, storage, or disposal of hazardous materials. You agree to hold us harmless and indemnify us from any such claim or loss.

3.5 Monitoring wells are your property, and you are responsible for their permitting, maintenance, and abandonment unless we accept that duty in writing.

3.6 You agree to make disclosures required by law. In the event you do not own the site, you acknowledge that it is your duty to inform the owner of the discovery or release of contaminants at the site. You agree to hold us harmless and indemnify us from claims related to disclosures made by us that are required by law and from claims related to the informing or failure to inform the site owner of the discovery of contaminants.

Article 4 Reports and Records

4.1 Our reports, notes, calculations, and other documents and our computer software and data are instruments of our service to you, and they remain our property but are subject to a license to you for your use in the related project for the purposes disclosed to us. You may not transfer our reports to others or use them for a purpose for which they were not prepared without our written approval. You agree to indemnify and hold us harmless from claims, damages, losses, and expenses, including attorney fees, arising out of such a transfer or use. At your request, we will provide endorsements of our reports or letters of reliance, but only if the recipients agree to be bound by the terms of our agreement with you and only if we are paid the administrative fee stated in our then current Schedule of Charges.

4.2 Because electronic documents may be modified intentionally or inadvertently, you agree that we will not be liable for damages resulting from change in an electronic document occurring after we transmit it to you.

4.3 If you do not pay for our services in full as agreed, we may retain work not yet delivered to you and you agree to return to us all of our work that is in your possession or under your control.

GENERAL TERMS AND CONDITIONS

4.4 Samples and field data remaining after tests are conducted and field and laboratory equipment that cannot be adequately cleansed of contaminants are and continue to be your property. They may be discarded or returned to you, at our discretion, unless within 15 days of the report date you give us written direction to store or transfer the materials at your expense.

4.5 Electronic data, reports, photographs, samples and other materials provided by you or others may be discarded or returned to you, at our discretion, unless within 15 days of the report date you give us written direction to store or transfer the materials at your expense.

Article 5 Compensation

5.1 You will pay for services as agreed upon or according to our then current Schedule of Charges if there is no other written agreement as to price. An estimated cost is not a firm figure. You agree to pay all sales taxes and other taxes based on your payment of our compensation. Our performance is subject to credit approval and payment of any specified retainer.

5.2 You will notify us of billing disputes within 15 days. You will pay undisputed portions of invoices on receipt. You agree to pay interest on unpaid balances beginning 30 days after invoice dates at the rate of 1.5% per month, or at the maximum rate allowed by law.

5.3 If you direct us to invoice another, we will do so, but you agree to be responsible for our compensation unless you provide us with that person's written acceptance of all terms of our Agreement and we agree to extend credit to that person and to release you.

5.4 Your obligation to pay for our services under this Agreement is not contingent on your ability to obtain financing, governmental or regulatory agency approval, permits, final adjudication of lawsuit in which we are not involved, your successful completion of a project, receipt of payment from another, or any other event. No retainage will be withheld.

5.5 You agree to compensate us in accordance with our fee schedule if we are asked or required to respond to legal process arising out of a proceeding related to the project and as to which we are not a party.

5.6 If we are delayed by factors beyond our control, or if project conditions or the scope or amount of work change, or if changed labor union conditions result in increased costs, decreased efficiency, or delays, or if the standards or methods change, we will give you timely notice and we will receive an equitable adjustment of our compensation.

5.7 In consideration of our providing insurance to cover claims made by you, you hereby waive any right of offset as to fees otherwise due us.

Article 6 Disputes, Damage, and Risk Allocation

6.1 Each of us will exercise good faith efforts to resolve disputes without litigation. Such efforts will include, but not be limited to, a meeting(s) attended by each party's representative(s) empowered to resolve the dispute. Before either of us commences an action against the other, disputes (except collections) will be submitted to mediation.

6.2 Neither of us will be liable for special, incidental, consequential, or punitive damages, including but not limited to

those arising from delay, loss of use, loss of profits or revenue, loss of financing commitments or fees, or the cost of capital.

6.3 For you to obtain the benefit of a fee which includes a reasonable allowance for risks, you agree that our aggregate liability for all claims will not exceed the proceeds from available insurance.

6.4 You agree to indemnify and defend us from all liability to others in excess of the risk allocation stated above and to insure this obligation.

6.5 The prevailing party in any action relating to this agreement shall be entitled to recover its costs and expenses, including reasonable attorney fees, staff time, and expert witness fees.

6.6 The law of the state in which our servicing office is located will govern all disputes. Each of us waives trial by jury.

Article 7 General Indemnification

7.1 We will indemnify and hold you harmless from and against demands, damages, and expenses of others to the comparative extent they are caused by our negligent acts or omissions or those negligent acts or omissions of persons for whom we are legally responsible. You will indemnify and hold harmless from and against demands, damages, and expenses of others to the comparative extent they are caused by your negligent acts or omissions or those negligent acts or omissions of persons for whom you are legally responsible.

7.2 To the extent it may be necessary to indemnify either of us under Section 7.1, you and we expressly waive, in favor of the other only, any immunity or exemption from liability that exists under any worker compensation law.

7.3 You agree to indemnify us against losses and costs arising out of claims of patent or copyright infringement as to any process or system that is specified or selected by you or by others on your behalf.

Article 8 Miscellaneous Provisions

8.1 We will provide a certificate of insurance to you upon request.

8.2 You and we, for ourselves and our insurers, waive all claims and rights of subrogation for losses arising out of causes of loss covered by our respective insurance policies.

8.3 Neither of us will assign or transfer any interest, any claim, any cause of action, or any right against the other. Neither of us will assign or otherwise transfer or encumber any proceeds or expected proceeds or compensation from the project or project claims to any third person, whether directly or as collateral or otherwise.

8.4 Our Agreement may be terminated early only in writing. We will receive an equitable adjustment of our compensation in the event of early termination.

8.5 If a provision of this Agreement is invalid or illegal, all other provisions shall remain in full force and effect.



Responsive partner.
Exceptional outcomes.

Wenck Associates, Inc.
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, MN 55359-0249

(800) 472-2232
(763) 479-4200
Fax (763) 479-4242
wenckmp@wenck.com
www.wenck.com

Wenck Associates, Inc.
Fee Schedule
January 2020

<u>Classification</u>	<u>Hourly Rate</u>
Interns	\$64.00
Administrative Support / Technician	\$87.00
Professional I-A	\$99.00
Professional I-B	\$110.00
Professional I-C	\$123.00
Professional II-A	\$135.00
Professional II-B	\$148.00
Professional II-C	\$160.00
Professional III-A	\$170.00
Professional III-B	\$180.00
Professional III-C	\$190.00
Professional IV-A	\$200.00
Professional IV-B	\$200.00
Professional IV-C	\$200.00
Professional V-A	\$200.00
Professional V-B	\$200.00

- *Classifications listed above refer to the firm's internal system for billing purposes. The term "Professional" refers to engineers, scientists and business professionals.*
- *Subcontracted services will be billed at cost plus 15 percent.*
- *Company vehicle mileage will be billed at the rate of \$0.75/mile.*
- *Personal vehicle mileage will be billed at the IRS approved rate.*
- *Invoices are due upon presentation. Invoice balances not paid within thirty (30) days of invoice date are subject to 1-1/2% (18% annual) interest or finance charge.*
- *Specialized software used on a given project will be billed at a rate of \$15.00/hour.*
- *Rates to be adjusted annually.*

CITY OF INVER GROVE HEIGHTS**REQUEST FOR COUNCIL ACTION**

Meeting Date: August 10, 2020
 Item Type: Consent Agenda
 Contact:
 Prepared by: Commander Joshua Otis
 Reviewed by: Chief of Police Melissa Chiodo

Fiscal/FTE Impact:

☐	None
☒	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED:

Council is asked to approve the Agreement for the School Resource Officer Program with Independent School District No. 199 for the 2020 to 2021 school year.

SUMMARY:

The City of Inver Grove Heights (“City”) and Independent School District No. 199 (“District”) wish to continue the School Resource Officer Program which fosters an efficient and cohesive program that will build a positive relationship between police officers, school staff, and the students, promote a safe and positive learning environment, and decrease the number of youths formally referred to the juvenile justice system.

The current terms of the agreement expired on June 30, 2020. The new agreement terms shall be from August 2020 to June 30, 2021.

Enclosed is a copy of the Agreement along with a Resolution for your consideration. You are being asked to pass the Resolution along with the Agreement with the signature by the Mayor.

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

This Agreement ("Agreement") is made and effective as of the 10th day of August 2020, by and between the City of Inver Grove Heights, a Minnesota municipal corporation (hereafter referred to as "City"), and Independent School District No. 199, a Minnesota public school corporation (hereafter referred to as "District"). Subject to the terms and conditions hereafter stated and based on the representations, covenants, and agreements herein contained, the parties do hereby agree as follows:

SECTION 1: PURPOSE

This Agreement establishes the role of the City in providing a police officer to serve as the School Resource Officer (hereinafter referred to as "SRO") who will assist the District with the implementation of its School Resource Officer Program, (hereafter referred to as the "SRO Program"), clarifies roles and expectations, and formalizes relationships between the City and District to foster an efficient and cohesive program that will build a positive relationship between police officers, school staff, and the students, promote a safe and positive learning environment, and decrease the number of youths formally referred to the juvenile justice system.

SECTION 2: MISSION

The mission of the SRO Program is to promote school safety by building a positive school climate in which everyone feels safe and students are supported to succeed. The SRO Program also seeks to reduce violent crime committed by and against youth in our community. The SRO Program accomplishes this mission by supporting safe, secure, and orderly learning environments for students, teachers, and staff.

The School Resource Officer (hereafter referred to as "SRO") will:

- Establish a trusting channel of communication with students, parents, and teachers and establish regular feedback opportunities.
- Serve as positive role models to students to instill good moral standards, good judgment and discretion, respect for other students, and a sincere concern for the school community. The role of the SRO is not to enforce school discipline or punish students.
- Provide information on community resources available to students and parents.

SECTION 3: GOALS OF THE SRO PROGRAM

The SRO Program goals and objectives are designed to develop and enhance rapport between youth, families, police officers, school administrators, and the community to promote overall student achievement and success.

The SRO Program goals include:

1. To ensure a safe learning environment for all children and adults who enter the building.
2. To foster a positive school climate based on respect for all children and adults in the school.
3. To prevent and reduce potential harm related to incidents of school violence.
4. To monitor and update SRO Program procedures to align with this Agreement.

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

SECTION 4: AGREEMENT

4.1 OFFICER EMPLOYED BY CITY

The City shall employ and temporarily assign, in accordance with applicable state statutes, a licensed peace officer to serve as the SRO for the District. The SRO shall serve at the various District schools identified in Section 4.9. The assignment of the SRO to a school shall be determined by the District.

The SRO shall be an employee of the City. The SRO shall not be considered an employee of the District for any purpose, including but not limited to salaries, wages, other compensation or benefits, worker's compensation, unemployment, PERA, Social Security, withholding, liability insurance, personnel records, termination of employment, individual contracts, or other contractual rights.

The type, scope, and manner of law enforcement services rendered to the District shall be at the sole direction of the City.

Nothing in this Agreement shall be deemed to require the City to provide the SRO or any police officer at any District school for pedestrian or traffic enforcement on a regular basis.

For the use of the SRO, the District will reimburse the City as stated in paragraph 4.12 of this Agreement.

4.2 HOLD HARMLESS

Each party shall be solely responsible and liable for the act(s) and omission(s) of its own officers, employees, officials, agents, and representatives. Subject to the maximum liability limits provided by Minnesota Statute, Chapter 466, and to the extent allowed by law, each party shall indemnify, defend and hold harmless the other from any and all claims, judgments demands, actions, suits, proceedings, losses, costs, expenses, obligations, liability, damages, fees, recoveries, and deficiencies, including interest, penalties, and attorneys' fees, of any kind and nature, arising from and/or pertaining to the act(s) and/or omission(s) of its own corporation, officers, employees, agents and representatives arising that either party incurs or suffers arising out of, resulting from, or relating to the performance of this Agreement. , This indemnity and waiver shall apply solely with respect to services provided pursuant to this Agreement. For liability purposes, no SRO who is assigned to provide services under this Agreement shall be considered to be an officer, employee, official, agent, or representative of the District.

Nothing contained herein shall be deemed a waiver by the City or District of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by a third party shall be subject to any governmental immunity defenses of the City and District and the maximum liability limits provided by Minnesota Statute, Chapter 466.

4.3 SELECTION AND ASSIGNMENT OF SRO

A selection committee, consisting of District designees and Police Department designees, will be established to interview and recommend the person to fill the position of SRO. The selection of such officer shall be the decision of the Chief of Police or their designee, in consultation with the selection committee.

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

The continued assignment of the selected officer shall be at the discretion of the Chief of Police or their designee, in consultation with the District Superintendent.

Should the SRO resign, be reassigned, or be discharged, the selection committee shall interview and recommend a replacement.

4.4 PERFORMANCE AND DISCIPLINE RESPONSIBILITIES

Standards of performance, personnel policies, the discipline of the SRO, and other internal matters shall be under the authority of the City. The District may provide the City with a perspective on the performance of the School Resource Officer. The District shall immediately notify the City in writing of any purported deficient performance or purported inappropriate conduct by the SRO.

4.5 SRO DUTIES AND RESPONSIBILITIES

The SRO shall meet with their commanding officer and the District Superintendent or designee at mutually convenient times throughout the school year to review SRO duties and responsibilities. Duties may include but are not limited to:

Specific daily assignments to accomplish duties and responsibilities will vary by school. The SRO and a school principal or designee will meet regularly to discuss plans and strategies to address specific issues or needs that may arise. As required by law, SROs should never be assigned to duties within schools in place of a certified teacher.

4.6 DAILY SCHEDULE

The SRO's yearly shift shall be determined by the City. The SRO will be provided during the regular school year (approximately nine months), from the first day of school in the District in September of 2020 until the last day of the school year in June of 2021. The City shall have exclusive use of the employee assigned as the SRO for the non-school year period (approximately three months), from when school ends until school begins, based on the school calendar in effect at the time of execution of this Agreement.

During the regular school year, the schedule shall consist of an average of 40 hours per week, Monday through Friday, corresponding approximately to the regular 8-hour school day.

The SRO's daily schedule shall be developed cooperatively between the City and District. The City and District agree the SRO's presence is essential for special events, and the District shall provide the City with a school special events calendar. The City and District shall cooperatively develop a special events schedule, including but not limited to athletic events, dances, or other school activities.

4.7 ABSENCES

During the school day, the SRO will be available for and may respond to emergency calls and other assistance required by the City and may attend police training and special duties as assigned by the City. The City is not responsible for providing a replacement during such absences, and the amount owed by the District under paragraph 4.12 is not reduced because of the absences. The City will use

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

reasonable efforts to schedule the officer's training and any assignments to special duties for days that are not regular school days.

From time to time, the SRO may be absent due to vacation, illness, personal leave days, holidays, and other authorized leaves under the employee's collective bargaining agreement. In the event of an absence, the SRO shall notify a District designee.

The City is not responsible for providing a replacement during such absences unless the SRO is on a leave of absence under the Minnesota Family Medical Leave Act or will otherwise be unable to serve as the SRO for a period in excess of two (2) weeks. The amount owed by the District under paragraph 4.12 is not reduced because of the absences.

To the extent the collective bargaining agreement applicable to the employee allows, the City will use reasonable efforts to schedule vacation and authorized leaves (excluding absences for illness, personal leave days, and holidays) for days that are not regular school days. If such absences described in this paragraph are for more than five (5) consecutive regular school days, the City, after consultation with the District, will in good faith endeavor to make-up the time lost above the five (5) consecutive absences or the City, after consultation with the District, will in good faith endeavor to provide an alternate SRO for the time above the five (5) consecutive absences.

4.8 OVERTIME

Hours worked more than the SRO's normally scheduled shift of eight (8) hours within a twenty-four (24) hour period shall be paid by the City according to the employee's collective bargaining agreement. Approval of such overtime will be done by a Police Department supervisor. Approval shall be on a case by case basis, and general or blanket approvals will not be accepted.

Additional special event work hours requested by the District of the SRO shall be compensatory time only.

4.9 SERVICE LOCATIONS

During the school year the SRO serves at the following District schools:

- Simley High School
- Inver Grove Heights Middle School
- Hilltop Elementary School
- Pine Bend Elementary School
- Salem Hills Elementary School

4.10 CITY RESPONSIBILITIES

Without cost to the District, the City shall provide any required clothing, uniform equipment, training, vehicle maintenance, vehicle fuel, weapons, necessary equipment, and supplies for the SRO to perform their official law enforcement duties.

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

4.11 DISTRICT RESPONSIBILITIES

Without cost to the City, the District shall provide the SRO the following materials, and facilities which are deemed necessary to the performance of the SRO's duties:

1. Access to a properly lighted private lockable office, which shall contain a telephone, a secure computer (with secure internet access), and printer, which may be used for general business purposes.
2. A location for files and records which can be properly locked and secured.
3. A desk with drawers, chair, worktable, filing cabinet, and office supplies.
4. The opportunity for SROs to address teachers, school administrators, and student families about the SRO program, goals, and objectives.
5. The opportunity to provide input regarding criminal justice problems relating to students.
6. The opportunity to address teachers and school administrators about criminal justice problems relating to students during in-service workdays.
7. The District Emergency Operations Manual, Crisis Plan, Student Handbook/Code of Conduct, and other related materials as deemed appropriate.
8. A school staff designee for referrals for counseling and other school-based and/or community-based support services for students and families.
9. Provide training to teachers, administrators, staff, and SROs about when to directly involve SROs with student misconduct and about available alternatives to arrest.

4.12 COST

For and in consideration of the City providing School Resource Officer services in accordance with the terms of this Agreement, District shall pay City the following amount:

1. The sum of \$101,107.00 in nine equal monthly installments with each installment due on the first of each month, beginning September 1, 2020, and ending May 1, 2021.
2. The sum of \$1,800.00 in nine equal monthly installments with each installment due on the first of each month, beginning September 1, 2020, and ending May 1, 2021.
 - a. This sum is to offset the cost to the City for vehicle replacement as a result of the use of police vehicles by the School Resource Officer while on District premises.

The parties agree that special events not covered by the SRO shall be referred to current off-duty rates as outlined in the City's fee schedule.

The City shall pay all employee-related expenses for the non-school year period (approximately three months), from when school ends until school begins.

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

4.13 PRIVACY OF PUPIL RECORDS

Pursuant to the District's Protection and Privacy of Pupil Records Policy (Policy) and consistent with the requirements of the Family Educational Rights and Privacy Act (Privacy Act) and the Minnesota Government Data Practices Act (Data Practices Act), the School Resource Officer for purposes of the Policy, the Privacy Act and the Data Practices Act shall be deemed to be a school official when performing the duties and responsibilities of the School Resource Officer. As such, the City certifies and agrees that all data created, collected, received, stored, used, maintained, or disseminated by the School Resource Officer must comply with the Privacy Act and the Data Practices Act.

SECTION 5: TERM OF AGREEMENT

5.1 TERM OF AGREEMENT

Unless terminated by either party in accordance with paragraph 5.2, the term of this Agreement shall be from August 2020 to June 30, 2021. This time period is coincident with the District's 2020-2021 school year based on the school calendar in effect at the time of execution of this Agreement.

5.2 TERMINATION

Either party may terminate this Agreement upon one hundred eighty (180) days' advanced written notice of such termination. If the District terminates this Agreement prior to January 15, 2021, the District shall pay an amount equal to one-half of the fees that would otherwise be payable to the City during the term of this Agreement.

5.3 SUSPENSION

The Agreement may be suspended by the District for a period not to exceed ninety (90) days upon thirty (30) days' written advance notice to the City of such suspension. If the District suspends this Agreement, the District shall pay a prorated amount equal to one-half of the fees that would otherwise be payable for the period of suspension.

5.4 FORCE MAJURE

The City reserves the right to suspend or terminate this Agreement and reassign the SRO in the event of natural or man-made disasters, civil unrest, terrorism, war, pandemic, or other similar unforeseen events for the duration of such an event. The District agrees that the City's failure to perform or delay in the performance of City's specified duties in this Agreement will not constitute a breach of contract if the failure to perform or delay in performance of the City's specified duties is due to or caused by an event of natural or man-made disaster, civil unrest, terrorism, war, pandemic, or any similar unforeseen event.

SECTION 6: MISCELLANEOUS

6.1 COMMUNICATION

Any notice, demand, or communication to the District shall be addressed to the Superintendent at:

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

Superintendent of Schools
Independent School District No. 199
2990 80th Street East
Inver Grove Heights, MN 55076-3232

Any notice, demand, or communication to the City shall be addressed to the Chief of Police at:

Chief of Police
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

6.2 SCOPE

It is agreed that the entire agreement of the parties is contained herein, and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof. This Agreement may not be altered, changed, or amended except by an instrument in writing, signed by all parties.

6.3 BINDING AGREEMENT

The parties mutually recognize and agree that all terms and conditions of this Agreement shall be binding upon the parties and the successors and assigns of the parties.

6.4 GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

6.5 COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute the same instrument.

THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT NO. 199
AGREEMENT FOR THE SCHOOL RESOURCE OFFICER PROGRAM
FOR THE 2020-2021 SCHOOL YEAR

IN WITNESS WHEREOF, District and City have executed this Agreement effective as of the day and year first stated above. This Agreement shall not become effective unless and until it is approved by the City Council and the School Board and is signed by the representatives listed below.

CITY OF INVER GROVE HEIGHTS

By:

George Tourville, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

INDEPENDENT SCHOOL DISTRICT #199

By:

Matt Schaefer, School Board Chair

ATTEST:

Rachel Hanson, School Board Clerk

RESOLUTION NO. _____

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION APPROVING AGREEMENT BETWEEN
THE CITY OF INVER GROVE HEIGHTS AND INDEPENDENT SCHOOL DISTRICT
NO. 199 FOR THE SCHOOL RESOURCE OFFICER PROGRAM FOR THE 2020-2021
SCHOOL YEAR**

WHEREAS, The City of Inver Grove Heights (“City”) and Independent School District No. 199 (“District”) wish to continue the School Resource Officer Program which fosters an efficient and cohesive program that will build a positive relationship between police officers, school staff, and the students, promote a safe and positive learning environment, and decrease the number of youths formally referred to the juvenile justice system.

WHEREAS, District schools are located in the city limits of the City of Inver Grove Heights.

WHEREAS, the City and District desire to have a School Resource Officer assigned to the District schools for the **2020-2021** school year, as a liaison between the District and the City.

WHEREAS, District will reimburse the City for the assignment of a School Resource Officer for the **2020-2021** school year.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Inver Grove Heights, Minnesota, as follows:

1. The City Council hereby approves the attached Agreement for School Resource Officer Program between Independent School District No. 199 and the City of Inver Grove Heights for the **2020-2021** school year.
2. The City Council hereby authorizes the Mayor to enter into the attached Agreement for School Resource Officer Program between Independent School District No. 199 and the City of Inver Grove Heights for the **2020-2021** school year.

Adopted by the City Council of the City of Inver Grove Heights this 10th day of August 2020.

George Tourville, Mayor

Attest:

Rebecca Kiernan, City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: August 10, 2020
 Item Type: Consent Agenda
 Contact &
 Reviewed by: Janet Shefchik, HR Manager
 Prepared by: Cora Bauer, HR Coordinator

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

Staff requests that Council confirm and approve the personnel actions listed below.

Temp/Seasonal Employment:

Casey Difronzo, Recreation Leader
 Jenna Hein, Lifeguard
 Kayla Sweeney, Recreation Instructor

Voluntary Resignations and or/Terminations:

Eileen Bohrer, Fitness Instructor

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA
RESOLUTION NO. _____**

**RESOLUTION APPOINTING A RESPONSIBLE AUTHORITY AND
DESIGNATING A DATA PRACTICES COMPLIANCE OFFICIAL**

**THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:**

WHEREAS, Minnesota Statutes Section 13.02, subd. 16, requires that the City of Inver Grove Heights appoint one person as the Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data on individuals within the City, and Minnesota Statutes, Section 13.05, subd. 13 further requires that the City designate a Data Practices Compliance Official; and,

WHEREAS, the Inver Grove Heights City Council shares concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by appointing a Responsible Authority and Data Practices Compliance Official as required under the applicable statutes.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Inver Grove Heights as follows:

1. Rebecca Kiernan is hereby appointed as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13, and with rules as lawfully promulgated by the commissioner of Administration and is likewise designated as the data practices compliance official for the City of Inver Grove Heights.

Passed by a vote of _____ in regular session of the City Council on the 10th day of August 2020.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its: Mayor

Attested:

By: _____
Rebecca Kiernan
Its: City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER SECOND READING OF ORDINANCE AMENDING CITY CODE TITLE 1, CHAPTER 6, ARTICLE A, SECTION 13(1), REGARDING PSYCHOLOGICAL/MEDICAL EXAMINATIONS

Meeting Date: August 10, 2020
Item Type: Regular Agenda
Contact:
Prepared by: Joe Lynch, City Administrator
Reviewed by:

Fiscal/FTE Impact:

- | | |
|-------------------------------------|------------------------------------|
| ☐ | None |
| ☐ | Amount included in current budget |
| ☐ | Budget amendment requested |
| ☐ | FTE included in current complement |
| ☐ | New FTE requested - N/A |
| ☒ | Other |

PURPOSE/ACTION REQUESTED

The Council is asked to review and approve certain modifications to the City's personnel policy related to psychological/medical examinations found in the attached ordinance. The proposed revisions address when an employee may be required to take a leave of absence/submit to an examination by a qualified medical provider due to a concern regarding their ability to perform the essential functions of their job and when an employee's employment with the City may be terminated based on the employee's inability to perform the essential function of their position. Because the Personnel Code was adopted by an ordinance and is codified in the City's Code, Council must adopt an ordinance in order to make any changes to the Personnel Code.

Staff recommends that the City Council approve the second reading of the proposed changes found in the attached ordinance.

Attachments: Ordinance

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 1384

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 1, CHAPTER 6, ARTICLE A, SECTION 13 (1) REGARDING
PSYCHOLOGICAL/MEDICAL EXAMINATIONS**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Title 1, Chapter 6, Article A, Section 13(1) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

1-6A-13-1: PSYCHOLOGICAL/MEDICAL EXAMINATION:

A. When there is a concern that an employee has a mental or physical condition that impairs the employee's ability to perform the essential functions of the job or poses a health or safety risk to the employee, the employee's coworkers, and/or the public, the City may require the employee to take a leave of absence from work and/or be examined at the City's expense by a qualified medical provider selected by the City, who shall report the findings of that examination to the City. The City may also require such a medical exam to determine potential reasonable accommodations and for any other reasons permitted by law. ~~Whenever it appears that an employee has a mental or physical condition which causes such employee to be considered a health or safety risk, or whenever the employee is reported by a supervisor or department head to have a health problem that would impair the employee's ability to perform the essential requirements of the position involved or causes the employee to use personal leave in a manner which appears to be excessive, the city administrator may require such employee to take an absence from work and/or be examined at the city's expense by a qualified city appointed physician, who shall report the findings to the assistant city administrator.~~

B. Based upon the medical provider's ~~physician's~~ findings, the City's Human Resource Manager ~~the department head~~ will review the medical information ~~diagnosis~~ and prepare a recommendation to the city administrator as to the employee's employment status. ~~to return to work.~~ The City may utilize the physician's reports in relation to an employee's workers' compensation claim and in order to establish return to work and/or an employee's future employability with the City.

C. An employee who is required to be absent from work may not return until authorized by the ~~approved physicians~~ selected medical provider, and if the employee is not able to perform the essential ~~requirements~~ functions of the current position with or without a reasonable accommodation, the City may consider other potential accommodations, including transferring the employee to a vacant position or providing a medical leave of

~~absence. may be transferred to a position for which the employee is qualified, provided such a position is vacant.~~ If ~~such an~~ employee is unable to qualify for a position in an existing classification, ~~or otherwise perform the essential functions of their position with or without a reasonable accommodation,~~ the employee may be dismissed ~~from employment with the City.~~ (Ord. 888, 3-11-1997)

Section Two. Effective Date. This ordinance amendment shall be in full force and effect after its passage and publication according to law.

Passed in regular session of the City Council on the _____ day of _____, 2020.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Rebecca Kiernan, City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS - IMPERVIOUS SURFACE - CASE NO. 20-04ZA

Meeting Date: August 10, 2020
 Item Type: Regular Agenda
 Contact: Heather Botten 651.450.2569
 Prepared by: Heather Botten, Associate Planner
 Reviewed by: LeVander, Gillen, & Miller

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	Other

PURPOSE/ACTION REQUESTED

Consider the Third Reading of an Ordinance Amendment to eliminate the need of a conditional use permit to exceed the impervious surface maximum in the A, E-1, E-2, R-1A, R-1B and R-1C zoning districts.

- Requires a 3/5th's vote.

If the Ordinance is approved, consider adoption of a Resolution authorizing summary of publication of the ordinance

- Requires a 4/5th's vote.
- 60-day deadline: N/A

SUMMARY

Impervious surface is limited on single-family residential lots, the allowed amount is based on lot size. Currently, the code has a provision that allows a lot owner to exceed the maximum impervious surface amount by up to 10% with a conditional use permit (CUP). One of the requirements of the CUP to exceed the impervious surface is to obtain a Storm Water Facilities Maintenance Agreement (SWFMA). This is an agreement between the applicant and the City that addresses responsibilities and maintenance of the stormwater system on the property. Staff believes that the objective of the impervious surface ordinance can still be met by removing the CUP requirement and just requiring the SWFMA. The SWFMA requires a separate escrow and City Council approval. Those are requirements that exist today and would still be required with an ordinance change.

City Council approved the first reading of the ordinance amendment on July 13, 2020 and the second reading on July 27, 2020 with no recommended changes. The attached ordinance, revised by the City's Attorney's office and in final form, maintains the substance of the proposed changes presented in the first and second reading versions of the ordinance, but shows the changes made to each specific section of the Code being amended by the Ordinance. The proposed ordinance text amendments themselves did not change from the changes presented to the Council in previous readings of the ordinance. Additionally, if the Council adopts the attached ordinance, it is asked to consider adoption of the attached resolution authorizing summary publication of the ordinance, to avoid the significant publication costs associated with publishing the entirety of the ordinance.

RECOMMENDATION

Planning and Engineering Staff: Recommend approval of the third and final reading of the ordinance amendment as presented.

Attachments: Ordinance
 Resolution

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, CHAPTER 7, SECTION 2(D), TITLE 10, CHAPTER 8A, SECTION
2(D), TITLE 10, CHAPTER 8B, SECTION 2(D), AND TITLE 10, CHAPTER 9A,
SECTION 2(D), ELIMINATING THE REQUIREMENT FOR A CONDITIONAL
USE PERMIT TO EXCEED THE MAXIMUM AMOUNT OF IMPERVIOUS
SURFACE ALLOWED ON A PROPERTY**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Title 10, Chapter 7, Section 2(D) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

D. Impervious Surface Standards:

MAXIMUM IMPERVIOUS SURFACE ALLOWED

Lot Size (In Sq. Ft. Unless Otherwise Indicated)	Maximum Allowed (Without CUP <u>SWFMA</u>) (Percentage Of Lot Area Unless Otherwise Indicated)	Additional Allowed With CUP <u>SWFMA</u>
0 – 9,000	40%	10% of lot area
>9,000 – 12,500	35% but not less than 3,600 sq. ft.	10% of lot area
>12,500 – 17,000	30% but not less than 4,375 sq. ft.	10% of lot area
>17,000 – 25,000	25% but not less than 5,100 sq. ft.	10% of lot area
>25,000 – 1 acre	20% but not less than 6,250 sq. ft.	10% of lot area
>1 acre – 2.5 acres	15% but not less than 8,700 sq. ft.	10% of lot area
>2.5 acres – 5 acres	10% but not less than 16,335 sq. ft.	10% of lot area
>5 acres	43,560 sq. ft.	22,000 sq. ft.

1. Additional impervious surface may be allowed by ~~conditional use permit~~ a stormwater facilities maintenance agreement (SWFMA) as listed above, provided the following criteria are met:

a. A stormwater management system shall be constructed within the property (not within any public easements or right of way) that meets the best management practices design criteria as set forth in the northwest area ordinances and stormwater manual.

b. The stormwater management system, ~~and~~ grading plan (including necessary details for construction, showing proper location, material, size, grades and vegetation),

and erosion control plan shall be approved by the engineering division prior to ground disturbance or installation of the facility.

c. The stormwater management system is considered a private system and the responsibility of maintenance is that of the owner.

d. The stormwater management design of the facility shall provide storage and treatment for the regulatory 100-year event volume as it relates to the additional impervious surface being considered, ~~with a conditional use application.~~

e. A stormwater facilities maintenance agreement that includes an operation and maintenance plan with annual reporting to the city shall be entered into between the applicant and city to address responsibilities and maintenance of the stormwater system.

f. An escrow or fee, to be determined by the city engineer, shall be submitted to the city with the stormwater management system submittal. The final amount and submittal process shall be determined by the city by the time the owners are ready to submit the stormwater management system and grading plan. Surety shall be provided to draft the SWFMA by the City Attorney and to ensure construction of the system according to the plans approved by the city engineer.

g. The soils shall be tested to determine the infiltration capacity at and below the stormwater facility to ensure the stormwater management facility performs and functions within the assumed design parameters. A three foot (3') separation shall be maintained from seasonal high water levels and the bottom of any facility.

Section Two. Amendment. Title 10, Chapter 8A, Section 2(D) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

D. Impervious Surface Standards:

MAXIMUM IMPERVIOUS SURFACE ALLOWED

Lot Size (In Sq. Ft. Unless Otherwise Indicated)	Maximum Allowed (Without CUP <u>SWFMA</u>) (Percentage Of Lot Area Unless Otherwise Indicated)	Additional Allowed With CUP <u>SWFMA</u>
0 – 9,000	40%	10% of lot area
>9,000 – 12,500	35% but not less than 3,600 sq. ft.	10% of lot area
>12,500 – 17,000	30% but not less than 4,375 sq. ft.	10% of lot area
>17,000 – 25,000	25% but not less than 5,100 sq. ft.	10% of lot area
>25,000 – 1 acre	20% but not less than 6,250 sq. ft.	10% of lot area
>1 acre – 2.5 acres	15% but not less than 8,700 sq. ft.	10% of lot area
>2.5 acres – 5 acres	10% but not less than 16,335 sq. ft.	10% of lot area
>5 acres	43,560 sq. ft.	22,000 sq. ft.

1. Additional impervious surface may be allowed by ~~conditional use permit~~ a stormwater facilities maintenance agreement (SWFMA) as listed above, provided the following criteria are met:

- a. A stormwater management system shall be constructed within the property (not within any public easements or right of way) that meets the best management practices design criteria as set forth in the northwest area ordinances and stormwater manual.
- b. The stormwater management system, ~~and~~ grading plan (including necessary details for construction, showing proper location, material, size, grades and vegetation), and erosion control plan shall be approved by the engineering division prior to ground disturbance or installation of the facility.
- c. The stormwater management system is considered a private system and the responsibility of maintenance is that of the owner.
- d. The stormwater management design of the facility shall provide storage and treatment for the regulatory 100-year event volume as it relates to the additional impervious surface being considered, ~~with a conditional use application.~~
- e. A stormwater facilities maintenance agreement that includes an operation and maintenance plan with annual reporting to the city shall be entered into between the applicant and city to address responsibilities and maintenance of the stormwater system.
- f. An escrow or fee, to be determined by the city engineer, shall be submitted to the city with the stormwater management system submittal. The final amount and submittal process shall be determined by the city by the time the owners are ready to submit the stormwater management system and grading plan. Surety shall be provided to draft the SWFMA by the City Attorney and to ensure construction of the system according to the plans approved by the city engineer.
- g. The soils shall be tested to determine the infiltration capacity at and below the stormwater facility to ensure the stormwater management facility performs and functions within the assumed design parameters. A three foot (3') separation shall be maintained from seasonal high water levels and the bottom of any facility.

Section Three. Amendment. Title 10, Chapter 8B, Section 2(D) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

D. Impervious Surface Standards:

MAXIMUM IMPERVIOUS SURFACE ALLOWED

Lot Size (In Sq. Ft. Unless Otherwise Indicated)	Maximum Allowed (Without CUP SWFMA) (Percentage Of Lot Area Unless Otherwise Indicated)	Additional Allowed With CUP <u>SWFMA</u>
0 – 9,000	40%	10% of lot area
>9,000 – 12,500	35% but not less than 3,600 sq. ft.	10% of lot area
>12,500 – 17,000	30% but not less than 4,375 sq. ft.	10% of lot area
>17,000 – 25,000	25% but not less than 5,100 sq. ft.	10% of lot area
>25,000 – 1 acre	20% but not less than 6,250 sq. ft.	10% of lot area
>1 acre – 2.5 acres	15% but not less than 8,700 sq. ft.	10% of lot area
>2.5 acres – 5 acres	10% but not less than 16,335 sq. ft.	10% of lot area
>5 acres	43,560 sq. ft.	22,000 sq. ft.

1. Additional impervious surface may be allowed by ~~conditional use permit~~ a stormwater facilities maintenance agreement (SWFMA) as listed above, provided the following criteria are met:

a. A stormwater management system shall be constructed within the property (not within any public easements or right of way) that meets the best management practices design criteria as set forth in the northwest area ordinances and stormwater manual.

b. The stormwater management system, ~~and~~ grading plan (including necessary details for construction, showing proper location, material, size, grades and vegetation), and erosion control plan shall be approved by the engineering division prior to ground disturbance or installation of the facility.

c. The stormwater management system is considered a private system and the responsibility of maintenance is that of the owner.

d. The stormwater management design of the facility shall provide storage and treatment for the regulatory 100-year event volume as it relates to the additional impervious surface being considered, ~~with a conditional use application.~~

e. A stormwater facilities maintenance agreement that includes an operation and maintenance plan with annual reporting to the city shall be entered into between the applicant and city to address responsibilities and maintenance of the stormwater system.

f. An escrow or fee, to be determined by the city engineer, shall be submitted to the city with the stormwater management system submittal. The final amount and submittal process shall be determined by the city by the time the owners are ready to submit the stormwater management system and grading plan. Surety shall be provided to draft the SWFMA by the City Attorney and to ensure construction of the system according to the plans approved by the city engineer.

g. The soils shall be tested to determine the infiltration capacity at and below the stormwater facility to ensure the stormwater management facility performs and functions within the assumed design parameters. A three foot (3') separation shall be maintained from seasonal high water levels and the bottom of any facility.

Section Four. Amendment. Title 10, Chapter 9A, Section 2(D) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

D. Impervious Surface Standards:

MAXIMUM IMPERVIOUS SURFACE ALLOWED

Lot Size (In Sq. Ft. Unless Otherwise Indicated)	Maximum Allowed (Without CUP <u>SWFMA</u>) (Percentage Of Lot Area Unless Otherwise Indicated)	Additional Allowed With CUP <u>SWFMA</u>
0 – 9,000	40%	10% of lot area
>9,000 – 12,500	35% but not less than 3,600 sq. ft.	10% of lot area
>12,500 – 17,000	30% but not less than 4,375 sq. ft.	10% of lot area
>17,000 – 25,000	25% but not less than 5,100 sq. ft.	10% of lot area

Lot Size (In Sq. Ft. Unless Otherwise Indicated)	Maximum Allowed (Without CUP SWFMA) (Percentage Of Lot Area Unless Otherwise Indicated)	Additional Allowed With CUP SWFMA
>25,000 – 1 acre	20% but not less than 6,250 sq. ft.	10% of lot area
>1 acre – 2.5 acres	15% but not less than 8,700 sq. ft.	10% of lot area
>2.5 acres – 5 acres	10% but not less than 16,335 sq. ft.	10% of lot area
>5 acres	43,560 sq. ft.	22,000 sq. ft.

1. Additional impervious surface may be allowed by ~~conditional use permit~~ a stormwater facilities maintenance agreement (SWFMA) as listed above, provided the following criteria are met:

a. A stormwater management system shall be constructed within the property (not within any public easements or right of way) that meets the best management practices design criteria as set forth in the northwest area ordinances and stormwater manual.

b. The stormwater management system, ~~and~~ grading plan (including necessary details for construction, showing proper location, material, size, grades and vegetation), ~~and erosion control plan~~ shall be approved by the engineering division prior to ground disturbance or installation of the facility.

c. The stormwater management system is considered a private system and the responsibility of maintenance is that of the owner.

d. The stormwater management design of the facility shall provide storage and treatment for the regulatory 100-year event volume as it relates to the additional impervious surface being considered, ~~with a conditional use application~~.

e. A stormwater facilities maintenance agreement that includes an operation and maintenance plan with annual reporting to the city shall be entered into between the applicant and city to address responsibilities and maintenance of the stormwater system.

f. An escrow or fee, to be determined by the city engineer, shall be submitted to the city with the stormwater management system submittal. The final amount and submittal process shall be determined by the city by the time the owners are ready to submit the stormwater management system and grading plan. Surety shall be provided to draft the SWFMA by the City Attorney and to ensure construction of the system according to the plans approved by the city engineer.

g. The soils shall be tested to determine the infiltration capacity at and below the stormwater facility to ensure the stormwater management facility performs and functions within the assumed design parameters. A three foot (3') separation shall be maintained from seasonal high water levels and the bottom of any facility.

Section Five. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

Passed in regular session of the City Council on the 10th day of August, 2020.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA
RESOLUTION NO. _____**

**A RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE
_____ AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, CHAPTER 7, SECTION 2(D), TITLE 10, CHAPTER 8A, SECTION
2(D), TITLE 10, CHAPTER 8B, SECTION 2(D), AND TITLE 10, CHAPTER 9A,
SECTION 2(D), ELIMINATING THE REQUIREMENT FOR A CONDITIONAL
USE PERMIT TO EXCEED THE MAXIMUM AMOUNT OF IMPERVIOUS
SURFACE ALLOWED ON A PROPERTY**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

WHEREAS, on August 10, 2020, at the regular Inver Grove Heights City Council meeting, by majority vote, the City Council adopted Ordinance No. _____, adopting a text amendment to Title 10, Chapter 7, Section 2(D), Title 10, Chapter 8A, Section 2(D), Title 10, Chapter 8B, Section 2(D), and Title 10, of the Inver Grove Heights City Code amending various provisions of the City Code removing the requirement to obtain a Conditional Use Permit (CUP) for the installation of impervious surface exceeding the maximum amount allowed in certain residential zoning districts; and

WHEREAS, State law requires that all ordinances adopted be published prior to becoming effective; and

WHEREAS, the City Council for the City of Inver Grove Heights has determined that publication of the title and a summary of Ordinance No. _____ would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, the City Council for the City of Inver Grove Heights has reviewed the summary of Ordinance ____ attached hereto as Exhibit A; and

WHEREAS, the City Council for the City of Inver Grove Heights has determined that the text of the summary clearly informs the public of the intent and effect of Ordinance No. _____.

NOW THEREFORE BE IT RESOLVED, by a vote of at least four-fifths of its members, the City Council for the Inver Grove Heights hereby:

1. Approves the text of the summary of Ordinance No. ____ attached as Exhibit A and authorizes the publication of the summary shown in Exhibit A in lieu of publication of the entirety of Ordinance No. ____ in the City's official newspaper.

2. Directs the City Clerk to ensure that a full and complete copy of Ordinance _____ is available for inspection during regular business hours at the office of the City Clerk, by standard mail, or by electronic mail.
3. Directs the City Clerk to file the executed Ordinance upon the books and records of the City along with proof of publication.

Passed by a vote of _____ in regular session of the City Council on the 10th day of August, 2020.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its: Mayor

Attested:

By: _____
Rebecca Kiernan
Its: City Clerk

(Published in the *St. Paul Pioneer Press* on _____, 2020.)

EXHIBIT A

CITY OF INVER GROVE HEIGHTS, DAKOTA COUNTY, MINNESOTA ORDINANCE NO. [REDACTED], AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 10, CHAPTER 7, SECTION 2(D), TITLE 10, CHAPTER 8A, SECTION 2(D), TITLE 10, CHAPTER 8B, SECTION 2(D), AND TITLE 10, CHAPTER 9A, SECTION 2(D), ELIMINATING THE REQUIREMENT FOR A CONDITIONAL USE PERMIT TO EXCEED THE MAXIMUM AMOUNT OF IMPERVIOUS SURFACE ALLOWED ON A PROPERTY. On August 10, 2020, the City of Inver Grove Heights adopted Ordinance No. [REDACTED] and pursuant to Resolution No. [REDACTED] authorized summary publication of the ordinance. Ordinance No. [REDACTED] revises various provisions of Title 10 of the City Code removing the requirement for a Conditional Use Permit (CUP) for an increase in impervious surface above the maximum allowed on properties located within the A Agricultural, E-1 Estate, E-2 Estate, and R-1A, R-1B, and R1-C residential zoning districts and permitting a limited increase in impervious surface coverage above the maximum impervious surface coverage limitations for lots in those zoning districts with a stormwater facilities maintenance agreement (SWFMA). The ordinance further requires an approved erosion control plan and an operation and maintenance plan with annual reporting to the City for the SWFMA, and clarifies surety requirements to include costs of preparation of the SWFMA by the City Attorney.

A printed copy of the full text of Ordinance [REDACTED] is available for inspection by any person during regular office hours at the office of the Inver Grove Heights City Clerk, 8150 Barbara Ave., Inver Grove Heights, MN 55077.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS - SHEET METAL SIDING - CASE NO. 20-05ZA

Meeting Date: August 10, 2020
 Item Type: Regular Agenda
 Contact: Heather Botten 651.450.2569
 Prepared by: Heather Botten, Associate Planner
 Reviewed by: LeVander Gillen & Miller

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	Other

PURPOSE/ACTION REQUESTED

Consider the Third Reading of an **Ordinance Amendment** to allow sheet metal, corrugated metal, or shaped metal as an allowed exterior building material for accessory buildings in the A and E-1 zoning districts

- Requires a 3/5th's vote.
- 60-day deadline: N/A

SUMMARY

The City Council approved the first reading of the ordinance amendment on July 13, 2020 and the second reading on July 27, 2020 with no recommended changes. The City Attorney reviewed the ordinance and made a few minor changes for clarification purposes, the final version is attached.

Currently, the code states that except for structures under 120 square feet, sheet metal, corrugated metal or shaped metal material used to cover exterior walls shall be prohibited on all residential detached accessory structures, unless a conditional use permit is approved for lots in the A or E-1 zoning district. The code has special requirements that are specific to a CUP request for metal siding. The metal siding shall have a thickness of at least 29 gauge and come with a 20-year manufactured warranty.

The proposed ordinance would allow sheet metal, corrugated metal, or shaped metal as a permitted material in the A and E-1 districts provided that the material would be at least 29-guage and have a minimum 20-year warranty. These requirements would be reviewed at the time of building permit.

RECOMMENDATION

Planning Division: Recommends approval of the third and final reading of the ordinance amendment as presented.

Attachments: Ordinance

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,
TITLE 10, CHAPTER 15, SECTION 17(C), ELIMINATING THE
REQUIREMENT FOR A CONDITIONAL USE PERMIT FOR SHEET METAL,
CORRUGATED METAL OR SHAPED METAL MATERIAL ON ACCESSORY
BUILDINGS AND PERMITTING THE USE OF CERTAIN METAL SIDING
MATERIALS ON ACCESSORY STRUCTURES LOCATED IN RESIDENTIAL
ZONING DISTRICTS**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Title 10, Chapter 15, Section 17(C)(2) and (4) of the Inver Grove Heights City Code is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

C. Residential Accessory Structures:

2. Allowed Materials: Exterior walls of all accessory structures in all residential zoning districts (R, A and E districts) must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass, composite plastic or other comparable material as approved by the city planner. ~~Provided, however, Sheet metal, corrugated metal or shaped metal material may also be used to cover exterior walls of accessory structures under one hundred twenty (120) square feet in all residential zoning districts (R, A and E districts).~~ provided:

- a. The structure is less than one hundred twenty (120) square feet and is located in a residential zoning district (R, A and E districts).
- b. In the A and E-1 zoning districts only, the exterior walls of the structures over one hundred twenty (120) square feet may be covered with sheet metal, corrugated metal or shaped metal provided the material has a thickness of at least 29-gauge, and comes with a manufacturer's warranty of at least twenty (20) years.

~~4. Conditional Use Permit: Except for structures under one hundred twenty (120) square feet, sheet metal, corrugated metal or shaped metal material used to cover exterior walls shall be prohibited on all residential detached accessory structures, unless a conditional use permit is approved for its use by the city council. A conditional use permit may only be issued by the city council for sheet metal, corrugated metal or shaped metal material siding for lots in the A or E-1 zoning districts, and only if the sheet metal, corrugated metal or shaped metal material siding has a thickness of at least 29 gauge, and comes with a manufacturer's warranty of at least twenty (20) years.~~

Section Two. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

Passed in regular session of the City Council on the 10th day of August, 2020.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS - Case No. 20-15ZA

Meeting Date: August 10, 2020
 Item Type: Regular Agenda
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	Other

PURPOSE/ACTION REQUESTED

Consider the Second Reading of an Ordinance Amendment deleting Ministorage facilities (with caretaker quarters) and outdoor vehicle storage as a conditional use in the B-3, General Business District

- Requires a 3/5th's vote.
- 60-day deadline: N/A

SUMMARY

The City Council discussed the first reading of the ordinance change on July 13. No changes were proposed for the ordinance, but Council directed staff to notify by mail all properties zoned B-3.

ANALYSIS

A total of 145 mailings were sent out on July 22. Staff received 3 inquiries by e-mail and 6 phone calls. Two of the e-mail responses are attached which both object to the change. The other was just general questions. The phone calls included:

- One of the car dealership making sure the change does not affect their outdoor storage
- Climb theatre – making sure it does not affect the storage of their vehicles
- Salem square –not in support of change. Owner also sent an e-mail
- Wasatch Storage– verifying no issues with existing approvals
- Rosanne Krech on Cahill– concerns unknown
- One owner of multiple properties who asked general questions

RECOMMENDATION

Planning Division. Staff presents the 2nd reading with no changes and continues to support the ordinance amendment eliminating ministorage from the B-3 district.

Attachments: Ordinance Amendment Second Reading
 Letter sent to B-3 property owners
 E-mail responses

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE
TITLE 10, CHAPTER 6, SECTION 2, REGARDING DELETING
MINISTORAGE FACILITIES (INCLUDING CARETAKER QUARTERS) AND
OUTDOOR VEHICLE STORAGE AS A CONDITIONAL USE IN THE B-3,
GENERAL BUSINESS DISTRICT**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS
FOLLOWS:

Section One. Amendment. Title 10, Chapter 6, Section 2, LAND USE
MATRICES of the Inver Grove Heights City Code is hereby amended to delete the
following from the B-3, General Business District:

10-6-2: LAND USES IN ALL NONRESIDENTIAL DISTRICTS:

Use	Zoning District											
	B-1	B-2	B-3	B-4	OP	I-1	IOP	I-2	P	MU-PUD	COMM-PUD	OFFICE-PUD
Ministorage facilities (including caretaker quarters) and outdoor vehicle storage			⊗			C		P				

Section Two. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed in regular session of the City Council on the _____ day of _____, 2020.

CITY OF INVER GROVE HEIGHTS

George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

July 22, 2020

Property owner of land zoned B-3, General Business District in Inver Grove Heights

Re: Zoning Ordinance Amendment regarding Mini-Storage facilities and outdoor vehicle storage in the B-3, General Business District

The Inver Grove Heights City Council has directed staff to hold a public hearing regarding eliminating mini-storage facilities with outdoor vehicle storage as an allowed use in the B-3 District. You are receiving this letter because the property you own is currently zoned B-3.

Currently, the zoning ordinance allows mini-storage facilities with outdoor vehicle storage as a conditional use in the B-3 District, I-1 and I-2 Districts. There are 12 operating storage facilities operating in the city. Recently, both the City Council and Planning Commission have raised concerns regarding whether mini-storage facilities with outdoor vehicle storage are an appropriate use in the B-3 zoning district.

The City Council will discuss this proposed code amendment on August 10, 2020 at their regular meeting starting at 7:00 p.m. If you have any written comments please send them to my attention by 4:30 on August 7, 2020. You may also attend the meeting if you would like to present comments to the City Council.

If you have any questions, you may contact me at 651-450-2554 or ahunting@invergroveheights.org.

Allan Hunting, AICP
City Planner

From: MHallblade@absolutetrailer.com
To: [Allan Hunting](#)
Cc: nick@riverheightslandscape.com; rentals@rvstoragecenter.com
Subject: I oppose Zoning ordinance change of Mini-Storage and Outdoor vehicle storage in B-3 General Business District
Date: Monday, July 27, 2020 10:13:58 AM

I am in receipt of the letter dated July 22, 2020 and I STRONGLY OPPOSE any change to the current ordinance in the B-3 General Business District. In my area of IGH by Hwy 52 and Concord, business properties struggle to sell and/or get lease agreements due to restrictions on properties and just the general climate of IGH business and now you are talking about restricting business properties even more!

There was nothing stated in the letter as to "WHY" the City Council and Planning Commission have raised concerns regarding whether they are an appropriate use in the B-3 zoning district.

With cities regulating residences from storing boats, RV's and many other vehicles in their driveways and/or on their property, the outside storage facilities are necessary options to residences of our nearby communities.

Again, these types of business provide IGH with valuable needed taxes and provide a service to our neighboring communities that is essential in my opinion. I do not want to see more vacant business properties in IGH like I see in several areas of IGH due to implementing more restrictive plans to further restrict business growth. Instead of restricting growth, I would much rather see them come up with ideas on how to GROW our business community.

Sincerely,

Mike Hallblade

Absolute Trailer Sales, Inc.
9485 Cahill Ave
Inver Grove Heights, MN 55076
[Office 651 454-8650](tel:6514548650)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

July 28, 2020

City of Inver Grove Heights
8150 Barbara Ave
Inver Grove Heights, MN. 55077

Alan Hunting, City Planner
Ahunting@invergroveheights.org
651-450-2554

Heather Botten hbotten@invergroveheights.org
[651-450-2569](tel:651-450-2569)

Dear Alan/Heather/Council-

Thank you for your letter regarding the B-3 zoning ordinance changes being considered by city council August 10, 2020 meeting, specifically eliminating mini-storage facilities with outdoor vehicle storage as an allowed use. Unfortunately I am unable to attend, otherwise I would be there in person.

D & T Property, Inc. is a family owned small business who has owned Salem Square 5300 S Robert Trail since 1997. Unfortunately our tenants have been hit extremely hard by COVID. Our three tenants are Park Dental, Berean Church and Open Window Theatre. The remaining 30% is vacant. While Park Dental was able to open back up recently, the other two have not. We also experienced significant vandalism this past year—vandals took copper from our rooftop HVAC units which caused \$60,000 in damage.

I am a commercial real estate agent with Cerron Properties who leases out this property along with other leases/sales in the south metro. When our previous anchor tenant Pawn America declared bankruptcy and left the center last year, I had several inquiries for redeveloping the site into mini-storage and I also had auto dealers looking to store vehicles for short term, just in hopes it could generate some revenue and make the center look open. We went another direction with the church and theatre, however due to the status of our existing tenants, I don't want another restriction in this zoning.

Retail is really struggling and mini storage is booming. Mini storage is commanding higher rents than retail right now so in essence it is worth more and would be a higher taxable value from a tax base standpoint. Inver Grove Heights is a growing suburb and the market should dictate whether or not more mini storage should be built. If you see the new buildings around the metro, they are quite attractive.

Please do not restrict B-3 zoning—it is already restrictive enough. Salem Square is located right off 494 and would make a perfect site to redevelop into mini storage potentially in the future. We are also across the freeway from several dealerships who may want to use our 241 stall empty parking lot. There is a lot of disruption happening in the marketplace right now, so we should be loosening requirements to foster more redevelopment, not hinder it.

The biggest issue right now is that COVID has had such a huge financial blow to our center, we just can't handle another one by losing flexibility for the future. We are struggling to pay our property taxes that are over \$83,000. While I believe this is a bad move in general, the timing of it is particularly challenging.

Sincerely



Roz Peterson
D & T Property, Inc.
President
Rozp@cerron.com 612-708-5281
12295 162nd St W Lakeville, MN 55044

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

RESOLUTION AUTHORIZING THE CREATION OF AN IGH SMALL BUSINESS AND NON-PROFIT COVID-19 RELIEF GRANT PROGRAM AND CONTRACT WITH DAKOTA COUNTY TO PROVIDE GRANT ADMINISTRATIVE SERVICES FOR GRANT PROGRAM

Meeting Date: August 10, 2020

Item Type: Regular

Prepared by: Heather Rand, CD Director

Amy Hove, Fin Director, Joe Lynch, Administrator

Contact: Heather at 651-450-2546

Fiscal/FTE Impact:

☐	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☒	Other – CARES ACT FUNDS

PURPOSE/ACTION REQUESTED:

Adopt a resolution that authorizes the creation of an Inver Grove Heights (IGH) Small Business and Non-Profit COVID-19 Relief Grant Program utilizing federal CARES Act as funding source, and further authorizes the city to enter into an agreement with Dakota County and its CDA to provide grant administration services for the Relief Grant Program at fee not to exceed 3.44% of the grant dollars allocated for the small business grant relief program.

SUMMARY:

The city recently received an allocation of \$2,665,614 in federal Coronavirus Aid, Relief and Economic Security (CARES) ACT funding to be utilized specifically for the purpose of reimbursing certain eligible expenses that the city and its agents have incurred as a result of the COVID-19 pandemic. Funds must be for eligible costs per federal government guidelines for the time period of March 1, 2020 through November 15, 2020. After much consideration by department heads, it is felt that the city will be able to cover all necessary COVID-19 related city expenses incurred utilizing the CARES Act allocation, some very careful management of existing city resources, some well thought out and implements changes to city services due to COVID-19 pandemic, and, also still provide a modest level of CARES Act funded support to our local economy that has also been significantly impacted during this time. Namely, it is recommended that the city council allocate up to 16% of the city's allocation of CARES ACT funds to IGH small business and non-profit organization relief as soon as possible.

City staff intend to bring a comprehensive CARES Act spending plan forward for city council consideration and discussion at the September 8th, 2020 Work Session, with tentative adoption scheduled for the September 14th regularly scheduled city council meeting. Given the immediate financial needs of Inver Grove Heights small businesses and our community's non-profit organization service providers to our community, we recommend city council fast track its authorization for the creation of grant programs in Inver Grove Heights for small business and non-profits, rather than waiting until September.

As such, staff recommends that the city council authorize city staff to take the steps necessary to create an IGH Small Business and Non-profit COVID-19 Relief Grant Program and further, authorize the city to enter into a contract with the Dakota County CDA for grant administration services for the IGH Small Business grants. Such grant management services include management of grant application submittals, data collection for eligibility review including verification and expenses related to the staffing and IT capacity necessary to perform such work with quick turn-around. The Dakota County CDA intends to provide such grant administration by

a third-party vendor. If council approves this approach on August 10, the Dakota County Board through its CDA, will be requested to amend a contract with the reputable third-party grant administrator they are working with to administer the Dakota County small business COVID-19 Relief grant program, at a cost to the city of 3.44% per grant dollar granted, and this admin fee is a CARES Act eligible reimbursement for the city.

For ease of administration, staff recommend that the IGH Small Business Relief Grant program mirror the program applicant requirements of the newly created Dakota County Small Business Relief Grant Program. Namely, the business must have 50 or fewer employees, be able to demonstrate financial hardship as a result of the COVID-19 pandemic, have a permanent physical location in the city/county, be majority-owned by a permanent Minnesota resident, and be in good standing with the MN Dept of Revenue, Dakota County and the city.

For the IGH Small Business Assistance COVID-19 Relief Program, staff recommend that the city council allocate up to \$270,000 of its CARES Act allocation plus the county required admin fee, and that grants awarded not exceed more than \$10,000 per business.

For the IGH Non-Profit Assistance COVID-19 Relief Program, staff recommend that the city council allocate up to \$140,000 of its CARES Act allocation, and that grants awarded not exceed more than \$20,000 per non-profit organization. To qualify, non-profits must be physically located within city limits and primarily service IGH residents.

IGH Small Business Assistance COVID-19 Program grant recipients will not be eligible for city Cares Act funds if they have already received CARES act funds from the county or the state of MN (DEED) per state and federal rules. In essence, this IGH grant program provides IGH small businesses an additional opportunity to receive some COVID-19 Relief funding if they did not receive any already from the state or county.

After grant application review including expense eligibility verification by the county's third-party program administrator, city staff will provide grant disbursement recommendations to the City Council for final approval. The IGH Small Business and Non-Profit COVID-19 Relief Grant Programs including third party admin fees as proposed, would allocate up to 16% of the city's total CARES act funding. Every effort will be made to disburse the grant funds as efficiently and effectively as possible for the COVID-19 Relief programs. Working in partnership with the County and its CDA and third-party grant administrator helps us achieve our goals in a timely manner.

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**RESOLUTON AUTHORIZING THE CREATION OF AN IGH SMALL BUSINESS AND
NON-PROFIT COVID-19 RELIEF GRANT PROGRAM AND CONTRACT WITH DAKOTA
COUNTY TO PROVIDE GRANT ADMINISTRATIVE SERVICES FOR PROGRAM**

WHEREAS, the city has received an allocation of federal Coronavirus Aid, Relief and Economic Security (CARES) Act funding of \$2,665,614 and must soon encumber said funds; and

WHEREAS, a city CARES Act funding plan to encumber such funds is scheduled for consideration by the city council in September 2020, however, a sense of urgency to act on the behalf of COVID-19 Pandemic affected IGH small businesses and non-profits has been determined by the City Council, causing the City Council to fast-track the creation of an Inver Grove Heights Small Business and Non-Profit COVID-19 Relief Grant Program, for the purpose of providing financial grants to assist small businesses and non-profits with demonstrated needs due to the pandemic; and

WHEREAS, Dakota County through its CDA has indicated a willingness to partner with the city by allowing the city to contact with the county for grant administrative services at a cost not to exceed 3.44% of the grant dollars disbursed to Inver Grove Heights located small businesses.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that an Inver Grove Heights Small Business and Non-profit COVID-19 Relief Grant Program be created that allocates up to \$270,000 of the City's CARES Act funds to IGH Small Businesses and \$140,000 of the City's CARES Act funds to IGH non-profits. Grants for IGH small businesses may not exceed \$10,000 and grants for IGH non-profits may not exceed \$20,000 and that the funds may only be utilized for eligible COVID-19 incurred expenses as delineated by federal guidelines.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the city be authorized to enter into contract with Dakota County and its CDA for grant administration services pertaining to the IGH Small Business COVID-19 Relief Grant Program at a fee not greater than 3.44% per grant dollar distributed in IGH small business grants and the city's designated signatories be granted authority to execute such contract on behalf of the city.

Resolution No. ____

Page 2

Adopted by the City Council of Inver Grove Heights on this 10th day of August, 2020.

Ayes:

Nays:

ATTEST:

George Tourville, Mayor

Rebecca Kiernan, City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Accepting Stormwater Modeling Report for Regional Basin IGT-B-3 and Surrounding Drainage Area (89th Street E. and Concord Hills) from Barr Engineering

Meeting Date:	August 10, 2020	Fiscal/FTE Impact:
Item Type:	Regular	☐ None
Contact:	Thomas J. Kaldunski, 651.450.2572	☐ Amount included in current budget
Prepared by:	Thomas J. Kaldunski, City Engineer	☐ Budget amendment requested
Reviewed by:	Scott D. Thureen, Public Works Director	☐ FTE included in current complement
		☐ New FTE requested – N/A
		☒ Other: Stormwater Utility Fund

PURPOSE/ACTION REQUESTED

Consider resolution accepting stormwater modeling report for Regional Basin IGT-B-3 and surrounding drainage area (89th Street E. and Concord Hills) from Barr Engineering.

SUMMARY

On May 20, 2020, the City was contacted by Carrie Shatek, 3905 89th Street E., about high water levels on this Regional Basin (a DNR protected water body). On June 22, 2020, Council approved a proposal from Barr Engineering to conduct a stormwater modeling report for IGT-B-3.

The need to model a watershed was identified and staff directed Barr to prepare a proposal to perform that work. The scope of work includes reviewing and updating subwatershed divides for the drainage area to define the contributing areas which appear to be affecting the basin. Understanding what is occurring will help define a watershed wide management plan and determine what factors are contributing to rising water levels in the landlocked regional basin.

The City Council also authorized pumping the basin down to the minimum elevation permitted by the DNR. The pumping is complete at this point. The temporary pumping system will be removed the week of August 10, 2020 with Council concurrence. Neighborhood meetings were held on July 9 and July 29, 2020 sharing findings from Barr's review.

The City Council may want to consider developing a formal policy with regard to pumping landlocked basins. The City does not typically pump down landlocked basins. A consultant would be used to assist the City in developing this type of policy.

Staff recommends that the Council adopt the resolution accepting the report dated August 4, 2020 from Barr Engineering Co.

TJK/kf

Attachments: Resolution

IGT-B-3 Stormwater Report from Barr Engineering dated August 4, 2020

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**CONSIDER RESOLUTION ACCEPTING REPORT FOR STORMWATER MODELING FOR
REGIONAL BASIN IGT-B-3 AND SURROUNDING DRAINAGE AREA (INCLUDING 89TH
STREET E. AND CONCORD HILLS) FROM BARR ENGINEERING**

RESOLUTION NO. _____

WHEREAS, the watershed for IGT-B-3 consists of single-family buildings with associated drives, and stormwater utilities in the area of 89th Street E. and Concord Hills; and

WHEREAS, various developments have constructed stormwater facilities for the natural regional basin and there are agreements for maintenance of the storm facilities; and

WHEREAS, in June 2017, the City was contacted following excessive amounts of rain and subsequent high-water levels and the City has had repeating contacts from residents in the watershed up to June 2020; and

WHEREAS, the City identified a need to model the entire watershed due to historic precipitation amounts received from 2014 to 2020; and

WHEREAS, City staff requested a proposal from Barr Engineering to perform the work. The scope of work included reviewing and updating subwatershed divides for the drainage area to the natural wetland located in the IGT-B-3 watershed to determine what has occurred in the past and is likely to occur in the future; and

WHEREAS, City Council authorized pumping IGT-B-3 basin down to the Ordinary High Water Level (OHWL) as defined and permitted by the DNR.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The report from Barr Engineering Co. is hereby received.

George Tourville, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

Technical Memorandum

To: Tom Kaldunski, P.E.
From: Greg Fransen and Karen Chandler
Subject: IGT-B-3 Basin Hydrologic Analysis
Date: August 4, 2020
Project: 23190328.20-IGTB
c: Scott Thureen

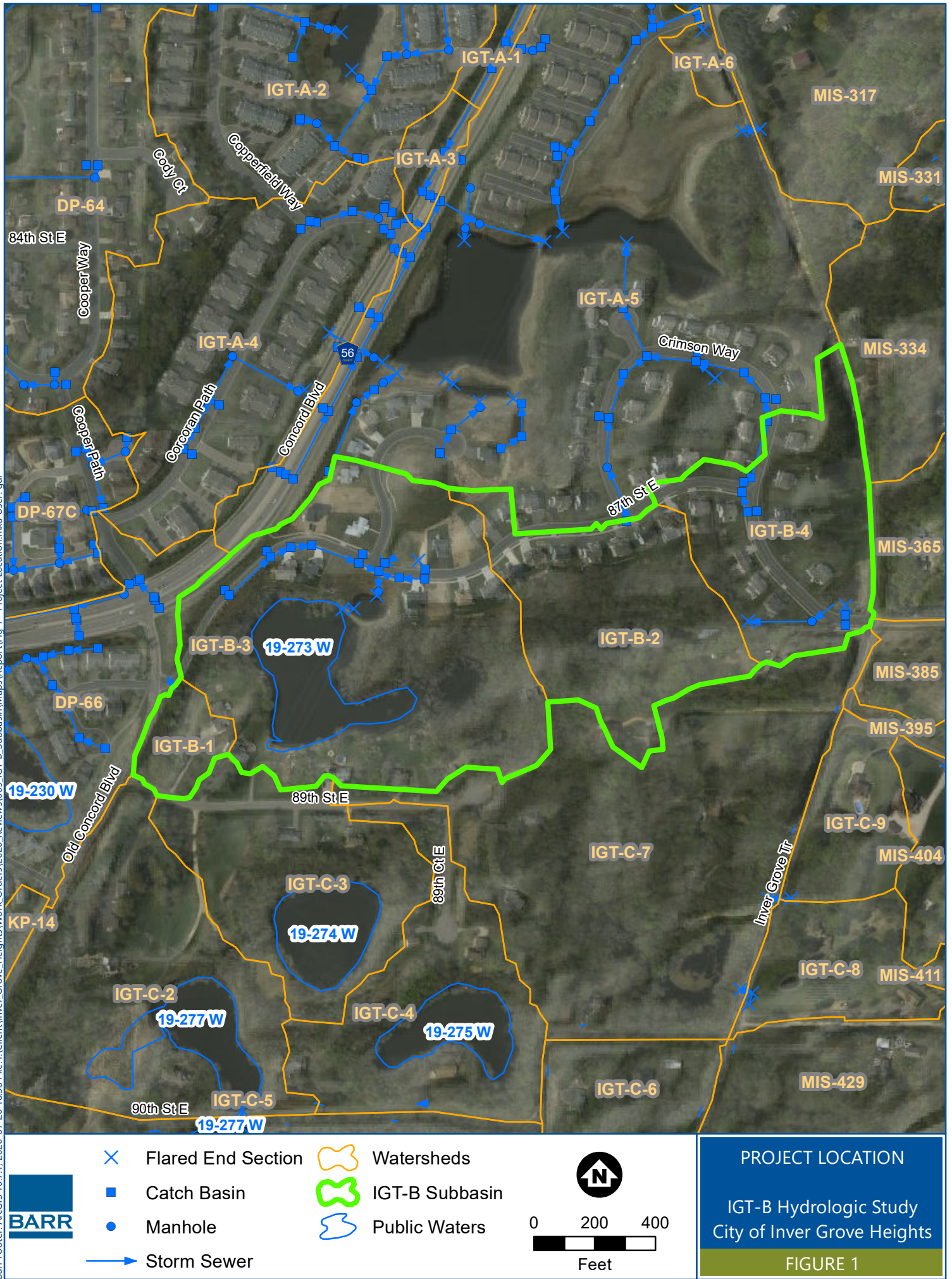
Introduction and Purpose

This memorandum documents recent and historical water elevations in the unnamed Minnesota Department of Natural Resources (MDNR) public waters wetland #19-273W, also known as the "IGT-B-3 basin", and summarizes the results of watershed runoff and water balance modeling tasks completed by Barr Engineering Co. (Barr) to assess the relative contributions of precipitation, land use change, and other factors to water elevations in the IGT-B-3 basin.

The IGT-B-3 basin is a landlocked basin located just east of Concord Boulevard between 87th Street and 89th Street, in subwatershed IGT-B-3 of the Inver Grove Trail drainage area in southeastern Inver Grove Heights, Minnesota (Figure 1). In April 2017, residents living on the south side of the IGT-B-3 basin contacted City of Inver Grove Heights (City) staff to report sustained above-normal water elevations in the basin that they suspected was causing the die-off of trees located on their property. Additional reports by residents of above-normal water elevations were submitted to city staff in 2019 and 2020. Residents' comments included their observations that the timing of rising water elevations in the IGT-B-3 basin coincided with street and home construction in housing developments located along and north of 87th Street, within the IGT-B-3 subwatershed. A compilation of resident comments and an informational memorandum to residents from the City Public Works Director are attached to this memorandum.

Following repeated large rain events in May and June 2020, City staff asked Barr to provide assistance with planning and permitting a temporary pumping project to lower the water elevation in the IGT-B-3 basin, and to perform a hydrologic study of the IGT-B-3 watershed. The primary focuses of the study were to:

- 1) document the historic IGT-B-3 water elevations
- 2) document the land use history of the IGT-B-3 contributing area
- 3) identify potential causes of the sustained high-water elevations in the IGT-B-3 basin, and
- 4) identify alternatives that could reduce the potential for high-water elevations that may impact residents' property.



PROJECT LOCATION

IGT-B Hydrologic Study
City of Inver Grove Heights

FIGURE 1

Water Management in Inver Grove Heights

Responsibility for water management within the city is shared at several levels by state and local organizations as outlined by statute and local ordinance. The City has outlined the various roles for state and local organizations in Section 3.3 of the Inver Grove Heights 4th Generation Water Resources Management Plan (4th Gen WRMP). Selected definitions regarding water management that are particularly relevant to this memorandum are included here for clarity. Additional information is included in the attached memorandum from the City Public Works Director.

Wetlands

(Clean Water Act, Section 404)

Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Public Waters

(4th Gen WRMP, Section 2.0.7)

The MDNR designates certain water resources as public waters to indicate those lakes, wetlands, and watercourses over which the MDNR has regulatory jurisdiction. By statute, the definition of public waters includes “public waters” and “public waters wetlands.”

Public waters are all water basins and watercourses that meet the criteria set forth in Minnesota Statutes, Section 103G.005, subd. 15 that are identified on Public Water Inventory maps and lists authorized by Minnesota Statutes, Section 103G.201. **Public waters wetlands** include all type 3, type 4, and type 5 wetlands (as defined in U.S. Fish and Wildlife Service Circular No. 39, 1971 edition) that are 10 acres or more in size in unincorporated areas or 2 ½ acres or more in size in incorporated areas (see Minnesota Statutes Section 103G.005, subd. 15a and 17b).

Ordinary High Water Level (OHWL)

(4th Gen WRMP, Section 3.3.1)

The MDNR’s public waters work permit program (Minnesota Statutes 103G) requires a MDNR public waters permit for work below the Ordinary High Water level (OHWL) that will alter or diminish the course, current, or cross-section of any public waters or public waters wetlands, including lakes, wetlands and streams.

(Minnesota Statutes 103G.005, Subd. 14)

Ordinary high water level. “Ordinary high water level” means the boundary of waterbasins, watercourses, public waters, and public waters wetlands, and:

- 1. the ordinary high water level is an elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly the point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial;*
- 2. for watercourses, the ordinary high water level is the elevation of the top of the bank of the channel; and*

3. *for reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.*

Landlocked Basin

(4th Gen WRMP, Section 2.1)

A basin from which no outflows occur in the 100-year 10-day snowmelt event.

Landlocked Basin Management

(4th Gen WRMP, Section 3.2.2 Stormwater Runoff Quality, Rates, and Volumes)

Goal 5:

In the Northwest Area—limit the rates and volumes, and increase the treatment of stormwater runoff, by managing stormwater runoff as close to its source as possible and mimicking the system's natural hydrology.

Policy 22.

The City establishes the following policies regarding landlocked basins:

- *The City will allow only the existing tributary area to discharge to a landlocked basin, unless provision has been made for an outlet from the basin or modeling has been completed that supports increasing the tributary area.*
- *The City will consider both the water quality and flooding impacts of proposed outlets from landlocked basins on downstream water resources.*
- *The City will take into consideration the effects of water level fluctuations on trees, vegetation, erosion, and property values. Steeply sloped shorelines that are subject to slope failure and shoreline damage should not be in contact with flood water for extended periods of time*
- *The City will allow landlocked wetlands to be used for storm water management purposes, provided that the artificial outlet control is placed no lower than one and one-half feet (1.5') below the ordinary high water mark*

Historical Land Use

Barr reviewed available historical aerial photos from as early as 1937 to document past land use and extents of inundation in the IGT-B-3 basin. Figure 2 shows a comparison of photos from several time periods, overlain with the current MDNR Public Water Inventory boundaries. The 1940 photo shows vegetation changes that demarcate the IGT-B-3 basin area. Based on this visual evidence, wetland conditions were already present within the IGT-B-3 basin during the predevelopment or early development period of Inver Grove Heights. At that time the immediate area south of the IGT-B-3 basin appeared to be undeveloped grassy cover, while the immediate area north of the IGT-B-3 basin appeared to be cultivated. The larger surrounding area was a mixture of farmsteads, cultivated fields, wetlands, grass, and woods. At the time of the 1940 aerial photo the IGT-B-3 basin contained little or no open water, while open water was visible in three basins located to the south.

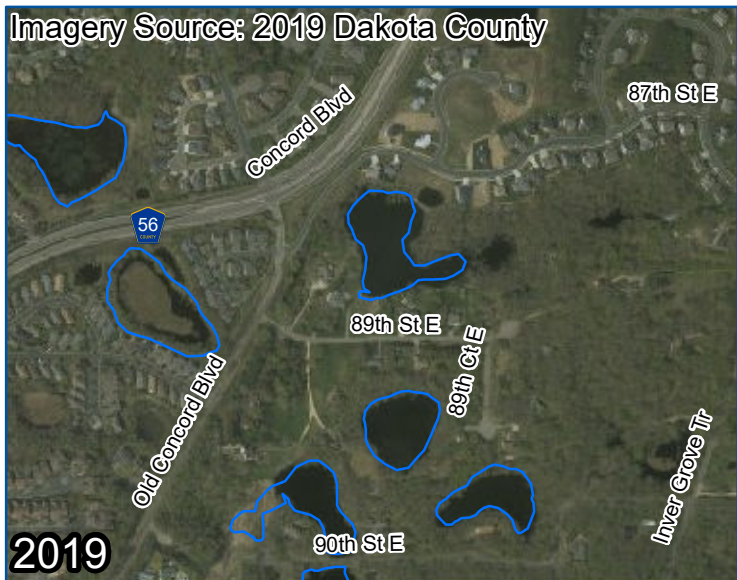
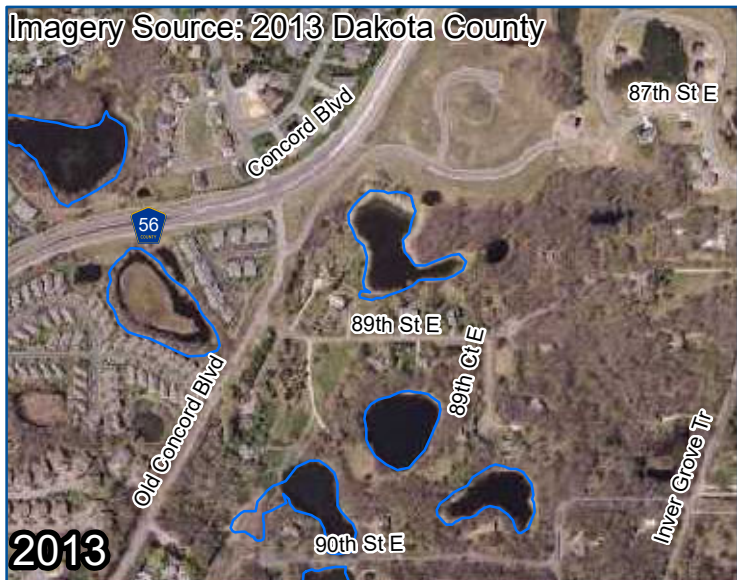
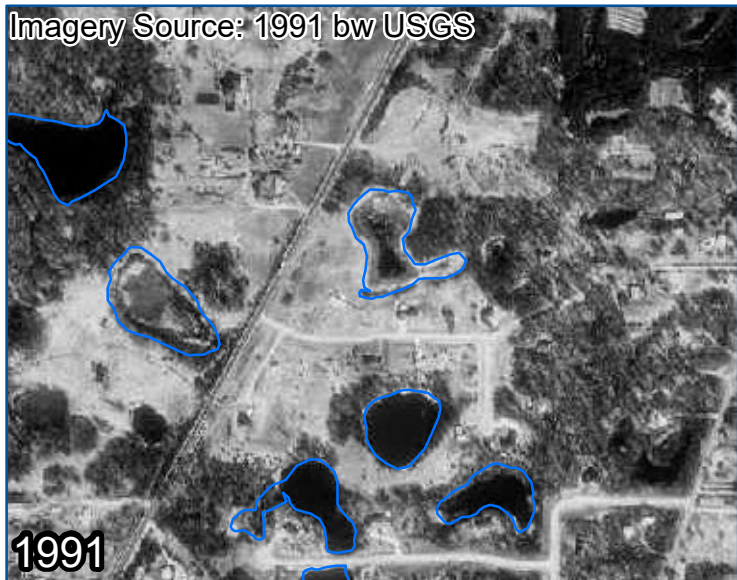
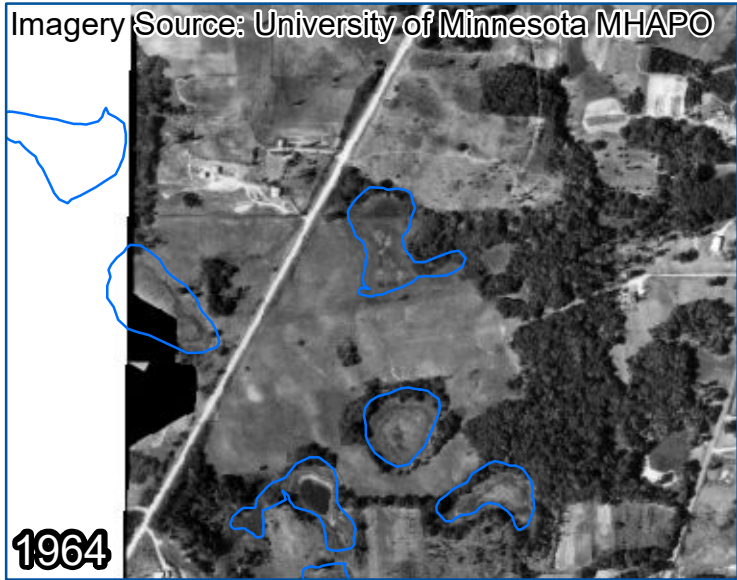
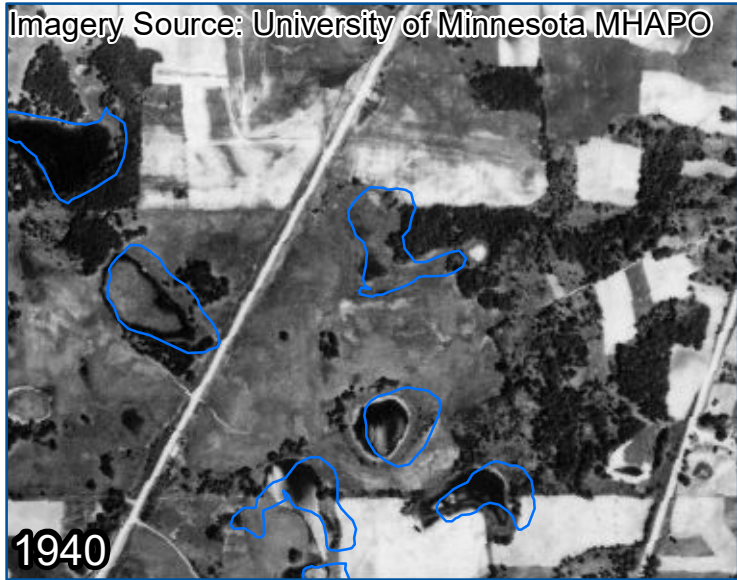
The 1964 aerial photo shows evidence of dirt roads north of the IGT-B-3 basin but no obvious grading or other land use change around the basin. At the time of the 1964 photo the IGT-B-3 basin and two of the three basins to the south had little or no open water.

By 1991, the area to the north of the IGT-B-3 basin was in use as a transfer station for dirt hauling by a trucking and road construction company, while 89th Street had been constructed south of the basin. Between 1985 and 1989, the land between 89th Street and the IGT-B-3 basin was subdivided, and single-family homes were constructed on 2.5 acre lots. The IGT-B-3 basin contained open water in 1991, as did the three basins to the south and the small basin directly to the east.

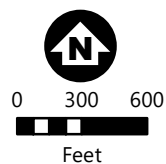
Between 2008 and 2010, 87th Street was constructed north of the IGT-B-3 basin, and two single family housing developments were platted. The "Concord Hills" development was platted directly north of the basin, and the "Summit Pines" development was platted northwest of the basin. A small sedimentation basin was constructed along the north shore of the IGT-B-3 basin as part of the Concord Hills development. This sedimentation basin received stormwater runoff from a storm sewer system constructed along 87th Street. The 2010 aerial photo shows the completed 87th Street. At that time the IGT-B-3 basin and one of the basins to the south held little or no open water.

The 2013 photo shows that homebuilding in the Concord Hills development had not yet started, while several homes had been constructed in the Summit Pines development. The IGT-B-3 basin was covered by open water over much of its area, as were the three basins to the south.

The 2019 photo shows that homes had been built on most of the lots in the Concord Hills development. By 2019 the IGT-B-3 basin had inundated the isthmus between its easternmost point and the small pond to the east. Review of aerial photos between 2013 and 2019 (not shown here) suggests this first occurred sometime between March 2016 and April 2017.



 Public Water



HISTORICAL AERIAL PHOTO
COMPARISON
IGT-B-3 Hydrologic Study
City of Inver Grove Heights

FIGURE 2

Past Hydrologic Analyses

The City established 100-year water elevations for landlocked basins in the Inver Grove Trail drainage area based on simulations of a 100-year snowmelt event, modeled using the assumption that all ground is frozen and acting as impervious surface throughout the event. When modeling landlocked basins, the starting water elevation is typically an estimate based on observed water elevations and is reported as the “normal” water elevation. Barr performed snowmelt modeling of the Inver Grove Trail drainage area for the City’s Second Generation WRMP (2008). The assumed normal water elevation for the IGT-B-3 basin for the snowmelt simulation was 891.1 feet and the 100-year water elevation was 894.2 feet, as documented in the 4th Gen WRMP, Table 2-21.

Historical Water Elevations

Currently, the earliest known surveyed water elevation for the IGT-B-3 basin is 894.8 feet, recorded in April 2019. To estimate historical water elevations, Barr measured the open water surface area visible on available aerial photographs. Barr then constructed an elevation-area curve based on topographical data and inferred bathymetry and used the curve to transfer area measurements to estimated water elevations. Barr added to these estimates the surveyed water elevations recorded by City staff in 2019 and 2020. Figure 3 shows the estimated and surveyed water elevations, along with the normal, 100-year high water, and OHWL elevations.

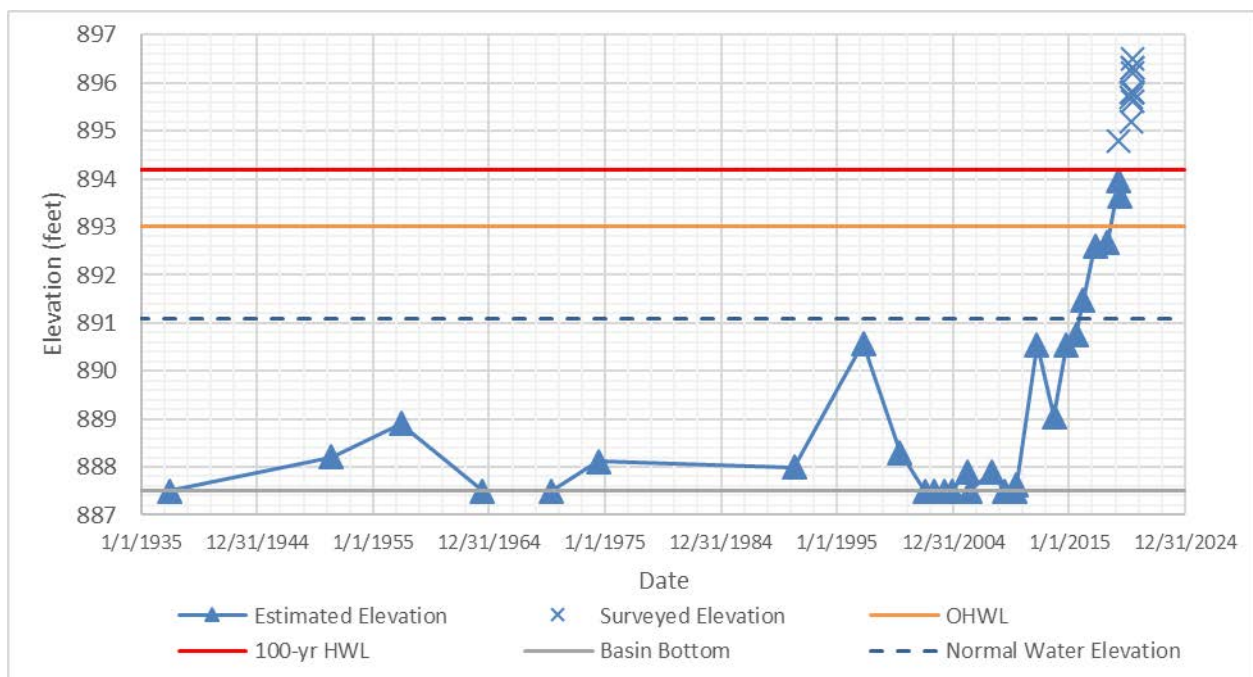


Figure 3 IGT-B-3 Basin Historical Estimated and Surveyed Water Elevations

Temporary Pumping Project

As shown in Figure 3, the IGT-B-3 basin water elevation reached historically high levels in June of 2020. Following an approximately 5-inch rainfall event on June 29, the water elevation reached a peak of 896.5 feet on June 30, and City staff initiated a temporary pumping project to lower the water elevation. Barr assisted City staff with permitting the project through an MDNR Water Appropriations permit. MDNR staff performed a desktop assessment and confirmed that the OHWL of the basin was 893.0, and therefore pumping would be authorized to lower the pond no further than 893.0. Barr estimated that approximately 19 acre-feet would need to be pumped out of the pond to lower it to the OHWL, assuming no further large storm events or major groundwater inflows occurred. Barr evaluated several pumping rates to estimate the projected drawdown time, with the assumption that the pump would run continuously (Figure 4). Based on the drawdown analysis, City staff recommended a 1,000 gallon per minute (gpm) pumping rate for the project.

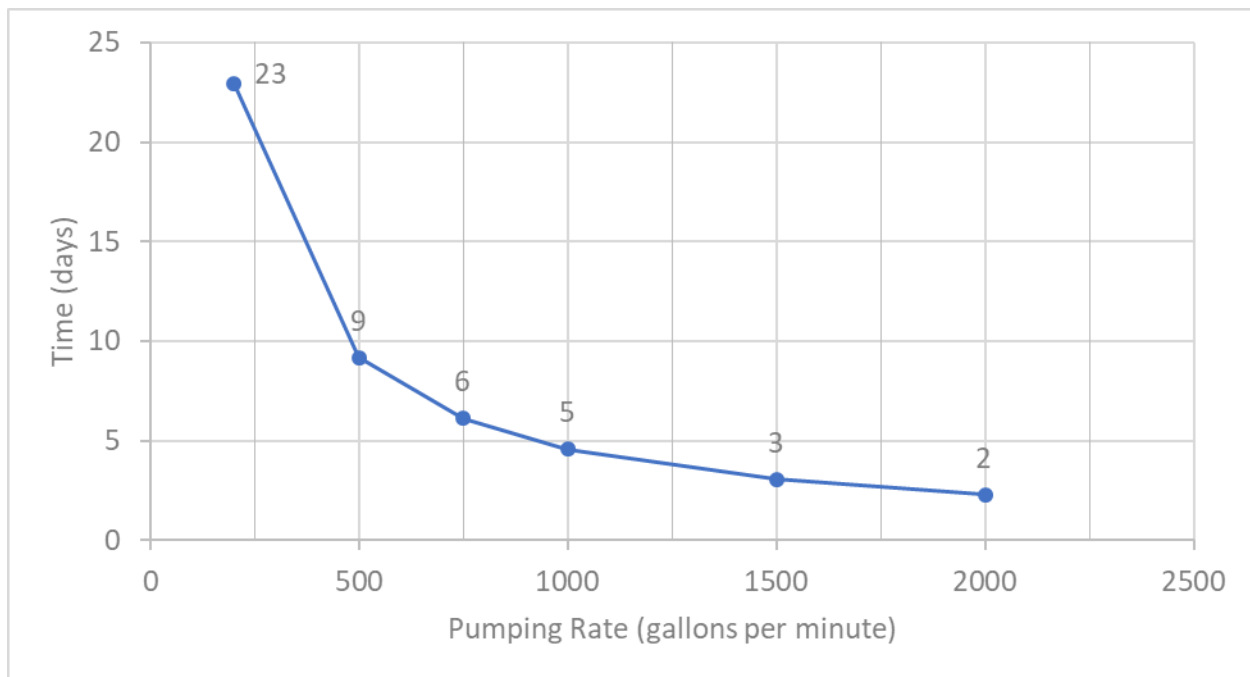


Figure 4 Drawdown Duration

On July 13, 2020, a contract for the pumping project was awarded to Hydro Engineering, who subcontracted with Granby Pumping and Application, LLC to carry out the project. With the permission of a private landowner, a 1,000 gpm portable pump was set up at the southwest corner of the IGT-B-3 basin, and approximately 1,000 feet of pipe was installed, reaching from the pump location, southwest across Old Concord Boulevard, to the nearby DP-66 basin along Concord Boulevard. The DP-66 basin lies in the Arbor Pointe drainage area of the city and is equipped with an outlet pipe under Concord Boulevard. Water discharged from the DP-66 basin is conveyed by gravity through a series of ponds until it reaches the DP-29B basin, which is equipped with a permanent pump station that enables excess stormwater to be discharged to the Mississippi River.

The MDNR issued the water appropriations permit on July 16, 2020, and the pump was installed at the site with noise shielding to reduce impacts on nearby residences. Pumping started at a 1,000 gpm rate on July 17, 2020, when the surveyed water elevation was 896.1. Figure 5 compares the projected basin drawdown assuming a constant 1,000 gpm pumping rate to the actual drawdown. The pump was shut off briefly following two rain events to ensure that the combination of pumping and runoff would not cause undue impacts to the DP-66 (receiving) basin. Total rainfall during the project was approximately 1.65 inches, measured at a rain gage at the pump site. The pump rate was slowed to approximately 750 cfs on July 21 to allow the DP-66 basin to drain following removal of debris and two weir boards from the adjustable DP-66 outlet. The pump was turned off on the afternoon of July 23 when the IGT-B-3 basin elevation reached 893.0 feet (measured by comparing the contractor's staff gage to surveyed elevations). On July 27, City staff verified that the surveyed water elevation remained at 893.0 feet.

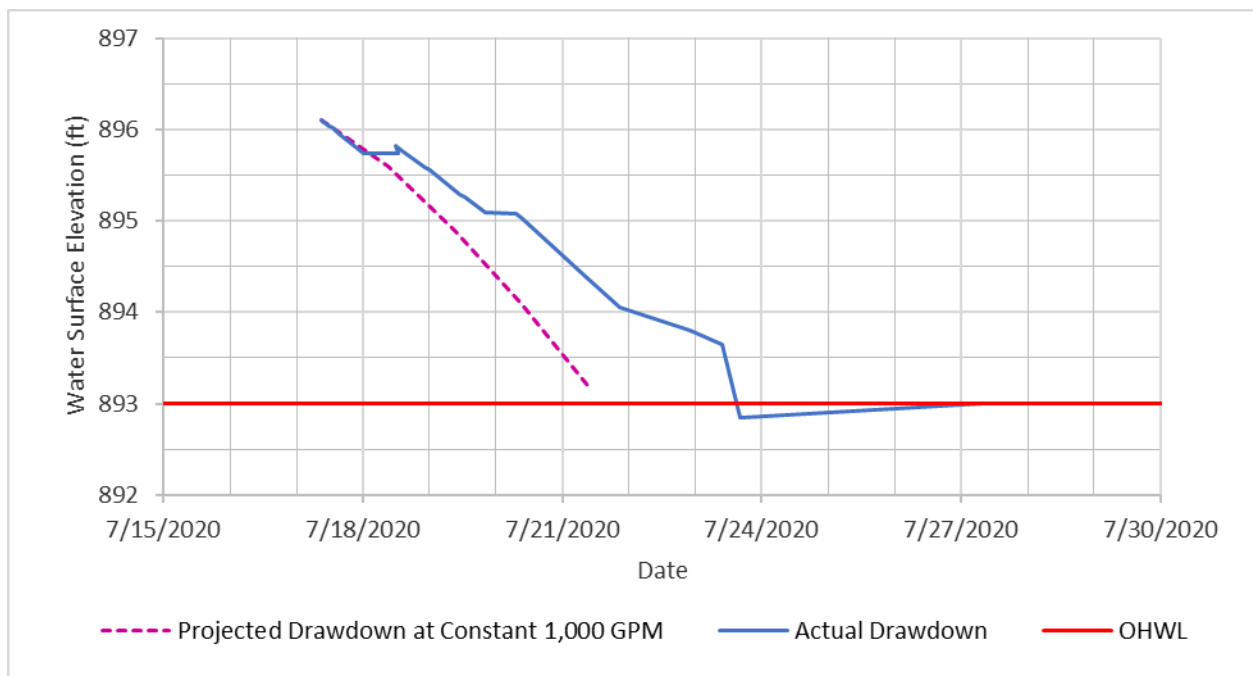


Figure 5 Pumping Project Summary

According to the contractor's records, the pump ran for a total of 178.5 hours over the six-day period from July 17 to July 23, transferring 6.3 million gallons (19.3 acre-feet) from the IGT-B-3 basin to the Arbor Pointe drainage system. Figure 6, Figure 7, and Figure 8 show the portable pump and the IGT-B-3 basin elevation before, during, and after pumping, respectively.



Figure 6 Portable Pump and Intake Pipe Setup, Before Starting Pumping



Figure 7 Portable Pump in Operation with Noise Shielding



Figure 8 IGT-B-3 Basin after Completion of Temporary Pumping Project

Potential Causes of Persistent High Water in the IGT-B-3 Basin

As shown in Figure 3, higher than normal water elevations in the IGT-B-3 were first captured in aerial photography in 2016. From 2016 to 2020, the water elevation has risen by approximately 5 feet. Potential causes for this rise include:

- Increased precipitation
- Increased contributing area due to stormwater drainage changes
- Increased impervious cover within the contributing area due to street and home construction
- Rising surficial groundwater table

Barr reviewed each of these potential causes of high water to evaluate their likelihood of contributing to the recent persistently high-water elevations in the IGT-B-3 basin.

Increased Precipitation

Barr reviewed the available historical precipitation data for stations near the IGT-B-3 basin. The Hastings Dam 2 station (GHCND Network ID USC00213567), located approximately 9 miles to the southeast, and the Minneapolis-St. Paul International Airport (MSP) station (GHCND Network ID USW00014922), located approximately 10 miles to the west, were the closest stations with good data coverage over a long time period. Both of the selected stations are used by the National Oceanic and Atmospheric Administration (NOAA) to calculate "U.S. Climate Normals" – three-decade averages of climatological variables, including temperature and precipitation. The 1981-2010 Climate Normals are the current version of this dataset.

Figure 9 shows the annual precipitation at the selected stations from 1980 to 2019. As shown in the chart, precipitation has been above normal during the six-year period from 2014 through 2019. This is the longest period of consecutive above-normal annual precipitation during the periods of record for either station. Since wetland boundaries are typically defined by the area that is subjected to wet conditions in most years, the occurrence of many consecutive "wet" or "dry" years can cause the wetland area to expand or shrink accordingly. Furthermore, if inflows to the basin exceed outflows for several consecutive years, the water volume held in the basin will steadily increase rather than fluctuate around a "normal" volume. Figure 10 compares the annual precipitation from 1936 to 2019 and the trailing 5-year average precipitation at the Hastings Dam 2 station to the IGT-B-3 water elevations. As shown in the figure, the trailing 5-year average has increased each year since 2014, a period that coincides with the steady rise in water levels in the IGT-B-3 basin. City staff have reported rising water elevations in other landlocked basins within the city over the same time period.

Based on Barr's review of the precipitation record, above-normal precipitation has likely contributed to the recent above-normal water elevations in IGT-B-3.

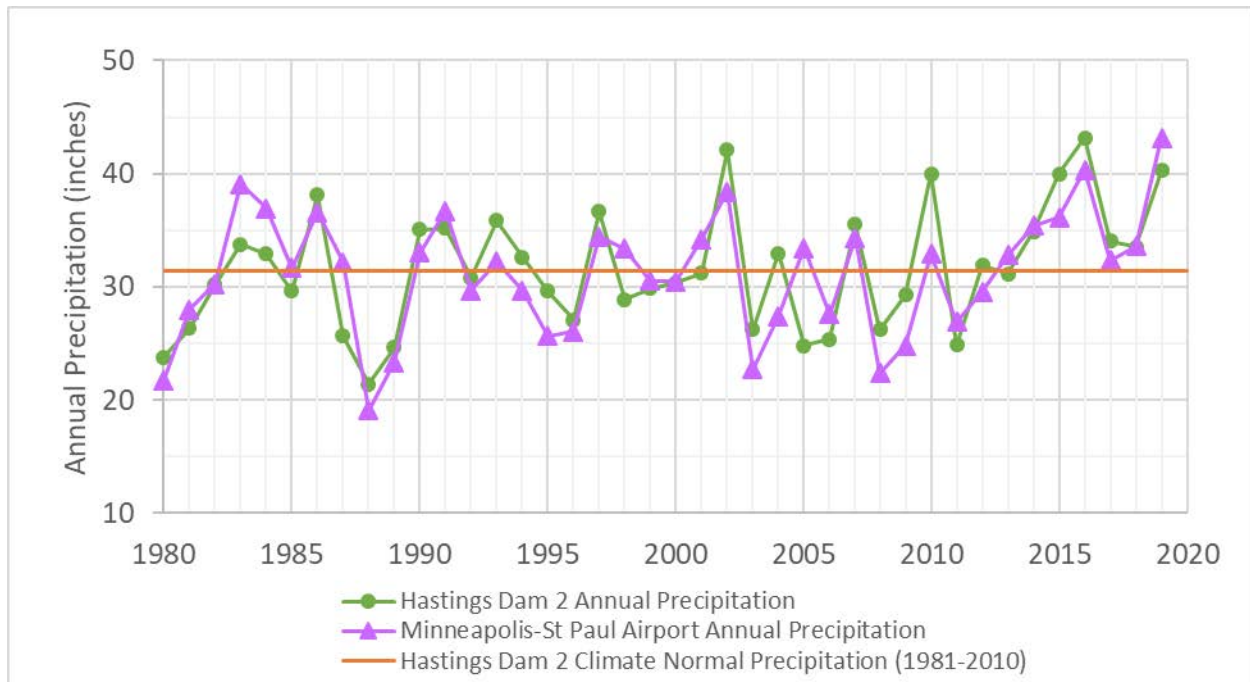


Figure 9 Annual Precipitation at Hastings Dam 2 and MSP Stations, 1980-2019

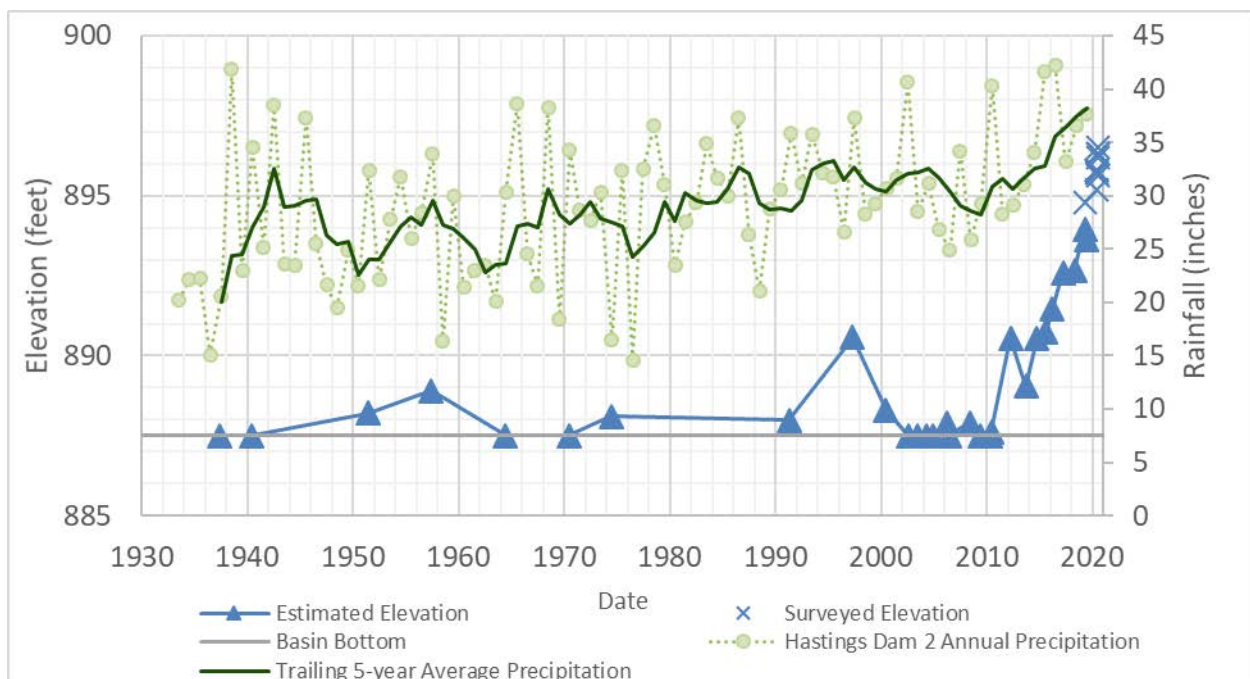
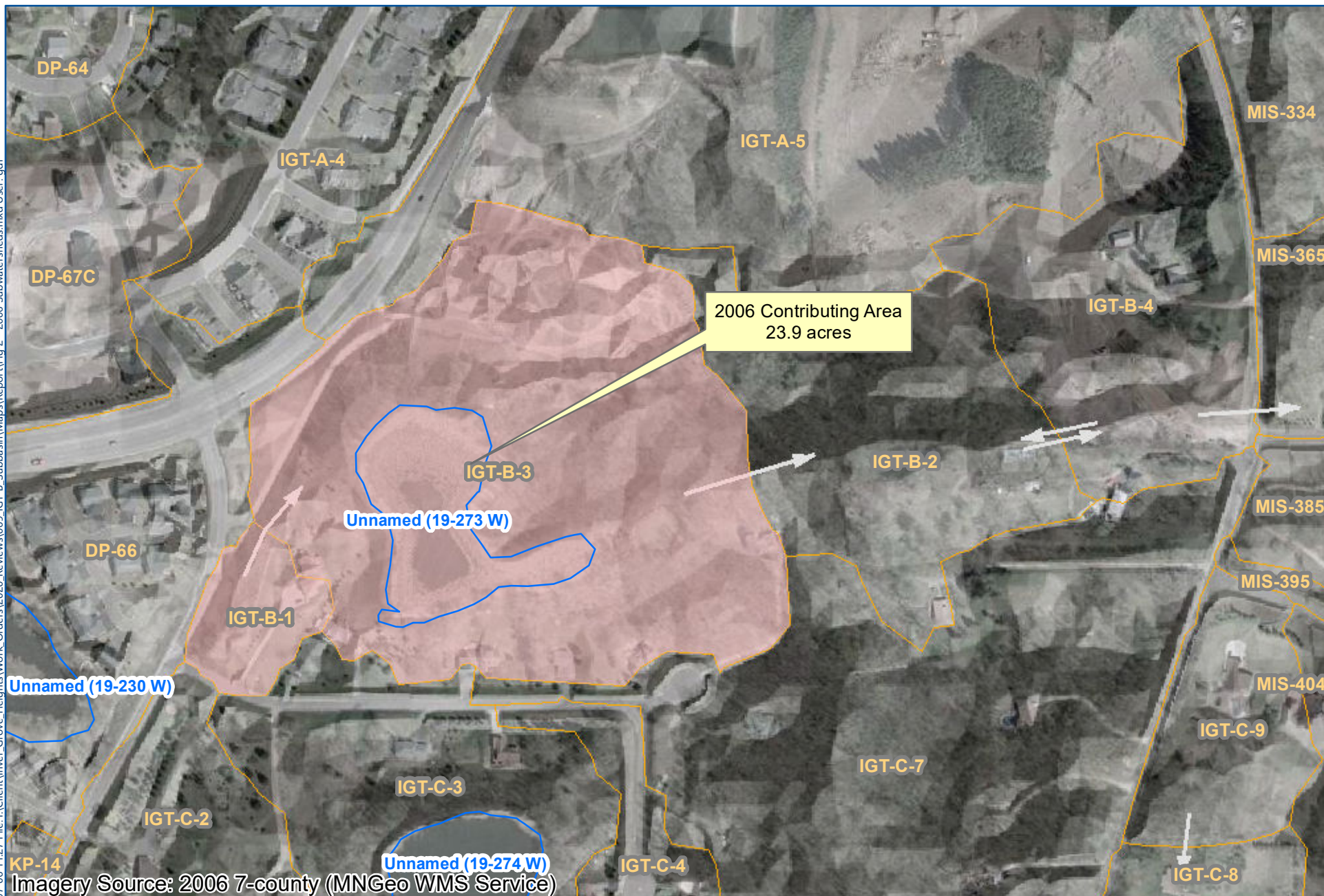


Figure 10 Annual Precipitation and Trailing 5-year Average Precipitation at Hastings Dam Station Compared to IGT-B-3 Water Elevation

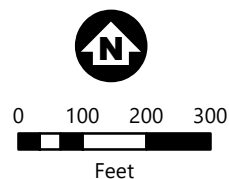
Increased Contributing Area

Barr delineated the subwatershed divides that defined the IGT-B-3 contributing area using topographical data that was collected prior to construction of 87th Street and the Concord Hills development. Barr reviewed and confirmed the pre-2008 subwatershed delineation. Barr then revised the subwatershed divides to create an "updated existing conditions" set of subwatersheds that accounted for grading changes and storm sewer construction that occurred after 2008. Barr's review showed that the IGT-B-3 contributing area decreased from 23.9 acres to 23.6 acres after construction of 87th Street and Concord Hills. Figure 11 and Figure 12 show the contributing areas for the years 2006 and 2019, respectively.

Barr's analysis confirmed that grading changes associated with construction of 87th Street and Concord Hills conformed with the City's policy to allow only the existing tributary area to discharge to a landlocked basin unless provision has been made for an outlet from the basin or modeling has been completed that supports increasing the tributary area (4th Gen WRMP).



- Flow Direction
- IGT-B3 Contributing Area
- Pre-2008 Subwatersheds
- Public Waters

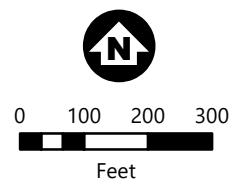


2006 CONDITIONS
WATERSHEDS
IGT-B Hydrologic Study
City of Inver Grove Heights

FIGURE 11



- | | |
|----------------------|--------------------------|
| ✕ Flared End Section | IGT-B3 Contributing Area |
| ■ Catch Basin | 2019 Subwatersheds |
| ● Manhole | Public Waters |
| → Storm Sewer | |



2019 CONDITIONS
WATERSHEDS
IGT-B Hydrologic Study
City of Inver Grove Heights

FIGURE 12

Increased Impervious Cover

Rain or snowmelt can either soak into the ground through the process of infiltration or become runoff that flows to dry depressions, ponds, lakes, or river systems. Rain that falls on buildings, paved roads, or other surfaces that are impervious to infiltration immediately becomes runoff. Therefore, increased impervious cover is typically associated with increased runoff volume.

Based on review of aerial photos, Barr estimated the 2006 impervious cover in the IGT-B-3 basin contributing area to be 0.65 acres (excluding the basin), compared to 3.76 acres in 2019. While the increased impervious area would have no impact on the 100-year high water elevation found by the snowmelt simulation due to the assumption that all ground is impervious during snowmelt, the increased impervious would tend to increase runoff volume during summer rainfall events.

Currently, City code requires grading projects that disturb more than 5,000 square feet to create stormwater treatment areas that will infiltrate 1 inch of runoff from new or redeveloped impervious surfaces. This requirement was not part of City code at the time of the Concord Hills and 87th Street construction. An infiltration area was constructed as part of the Concord Hills development, capable of infiltrating approximately 9,700 cubic feet of stormwater, which is equivalent to 1 inch of runoff from 2.7 acres of impervious cover. However, runoff from 87th Street west of the infiltration area, which makes up the majority of the impervious area, is routed through storm sewer directly to the sedimentation pond adjacent to the IGT-B-3, bypassing the infiltration area.

In 2011 the Minnesota Pollution Control Agency provided guidelines for stormwater management called the Minimal Impact Design Standards (MIDS). The goal of MIDS was to help new development mimic a site's natural hydrology as the landscape is developed. MIDS set performance goals for new development or redevelopment to capture and retain on-site 1.1 inches of runoff from new or fully reconstructed impervious surfaces. Applying the MIDS standards to the 87th Street and Concord Hills development, approximately 11,300 cubic feet of stormwater runoff would need to be infiltrated to mimic the site's natural hydrology. In addition, to meet current City stormwater requirements, all of the impervious surface on 87th Street would need to be treated through infiltration.

Based on Barr's review of land use changes, it is likely that changes in impervious area have partially contributed to the recent high-water elevations in the IGT-B-3 basin.

Rising Surficial Groundwater Table

Wetlands such as the IGT-B-3 basin often interact with groundwater. Potential interactions include groundwater discharge to wetlands and groundwater recharge from wetlands (i.e., wetland discharge to groundwater). Wetlands in Inver Grove Heights are typically recharge wetlands. The rate of groundwater recharge is dependent on the permeability of the soil underlying the wetland, the depth of the surface water, and the water table gradient. Surficial groundwater resulting from infiltrating precipitation or snowmelt can also contribute to depressional wetlands as groundwater moves down-gradient from nearby hillsides.

Groundwater influences on wetland hydrology are difficult to measure without extensive monitoring data. No known groundwater studies have been completed within the IGT-B-3 basin subwatershed; therefore, the groundwater interactions with the IGT-B-3 basin are currently not well known. Based on the tendency of open water to disappear for extended periods, the IGT-B-3 basin is likely a recharge wetland. It is also possible that water infiltrating within the IGT-B-3 watershed contributes groundwater flow to the wetland. The volume of groundwater moving laterally towards the wetland would tend to be higher when the ground has become saturated, and during extended wet periods the local surficial groundwater table could rise above the basin bottom. When this occurs the rate of water seeping out of the wetland could decline or even become negative (i.e. there would be a net movement of groundwater into the wetland). During recent discussions with shoreline residents, it was reported by a Concord Hills homeowner on the north side of the IGT-B-3 basin that their sump pump had been running regularly during 2020 – anecdotal evidence of a high surficial water table flowing towards the basin.

Figure 13 shows the water table elevation measured at MDH Well Number 243749 (USGS Pine Bend Cemetery Station), located approximately 3.6 miles south of the IGT-B-3 basin. As shown on the chart, the water table elevation has risen steadily since 2013, the same period during which the IGT-B-3 water elevation has risen, and annual rainfall has been above normal. Based on this nearby data, it is possible that rising surficial groundwater has contributed to recent high water in the IGT-B-3 basin. However, this relationship would be difficult to quantify and could potentially simply be considered a result of the recent period of above-normal precipitation.

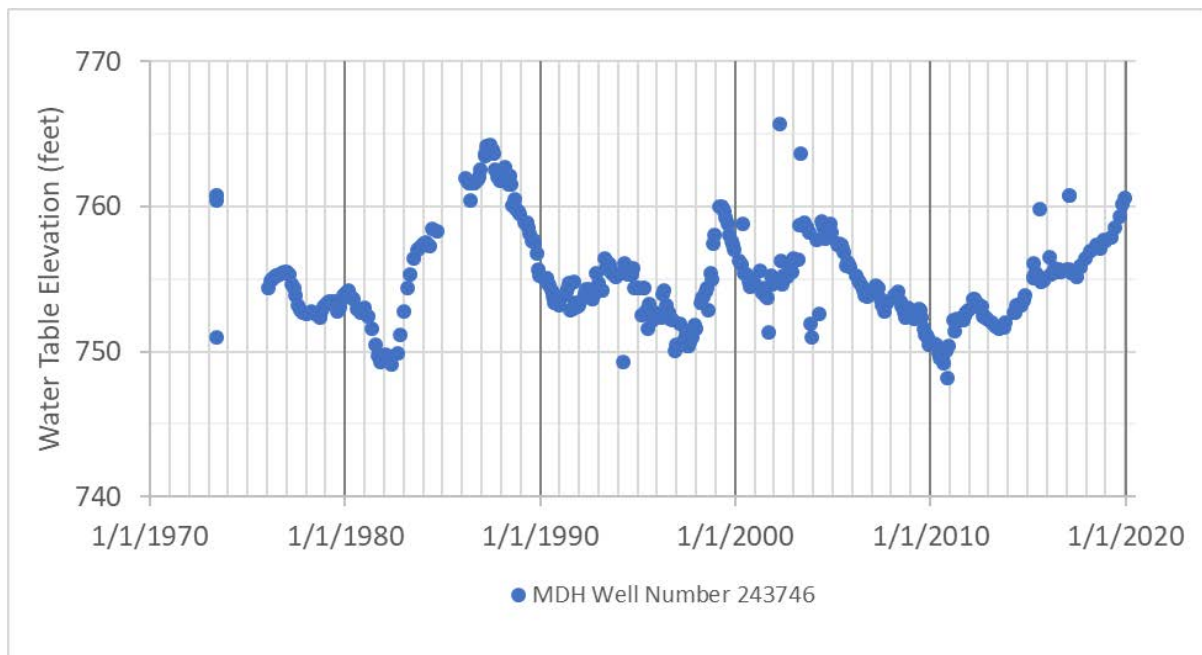


Figure 13 Measured Water Table Elevation at MDH Well Number 243746 (USGS Pine Bend Cemetery)

Hydrologic Modeling

Barr performed hydrologic modeling of the IGT-B-3 contributing area to obtain better estimates of the impacts of precipitation and land use change on the water elevation of the IGT-B-3 basin. Barr used P8 software to simulate runoff from the contributing area over a 40-year period (water year 1980 through water year 2019), based on precipitation records for the MSP station. Barr used the P8 runoff results as inputs to a daily timestep water balance model. Other inputs to the water balance included evaporation, groundwater seepage, and an elevation-area-volume curve for the IGT-B-3 basin. The bottom elevation of the IGT-B-3 basin is unknown, and an estimated bottom elevation of 887.5 feet was used for the curve, based on anecdotal information obtained from area residents.

While P8 is a simple model platform that uses a limited number of hydrologic parameters, it is useful for performing comparative long-term simulations of different land use conditions. Barr has used this P8 and water balance methodology previously in several instances for lake water quality modeling to support Total Maximum Daily Load (TMDL) studies that have been accepted by the MPCA. A detailed description of the P8 modeling and water balance modeling procedures can be found in the attached Barr technical memorandum, *IGT-B-3 Basin Long Term Hydrologic Modeling and Water Balance Methodology*.

Barr simulated three land use scenarios in P8. The first scenario used 2006 land use conditions for the entire simulation, the second scenario used 2019 land use conditions for the entire simulation, and the third scenario used 2006 land use conditions until April 2010 (the approximate time that 87th Street construction was completed) and 2019 land use conditions thereafter.

The 2006 land use conditions were used to calibrate the water balance model to estimated water elevations through 2006 using groundwater seepage rate as the calibration variable. Based on the calibration, a constant value of 0.006 inches per hour was applied over the simulated water surface area for each daily time step. This value is within the range of hydraulic conductivity values reported for glacial till common to this part of Inver Grove Heights. A detailed description of modeling parameters and methodology is provided in the attached technical memo.

Figure 14 below shows a comparison of the 2006 land use simulated IGT-B-3 water elevations to estimated water elevations based on aerial photography for the period from October 1, 1979 to September 30, 2006 (water years are defined as the period from October 1 through September 30). As shown in the figure, there is a reasonable fit to most observations. However, there is a poor fit to observations in July 2002 and May 2003, when the simulated water elevation is 3.5 feet higher than the observed (dry) water elevation. The poor fit for this time period may be caused by differences in rainfall depth between the MSP station used as an input to P8 and actual rainfall, by differences between simulated and actual snowmelt runoff, or by differences between the simulated and actual groundwater seepage.

The highest computed water elevation during the simulation was in August 1987, following the July 23, 1987 "superstorm" when approximately 9 inches fell on the surrounding area within a 24-hour period. Unfortunately, Barr did not find aerial photos from this time period for comparison.

Figure 15 shows a comparison of the 2006 conditions simulated water elevations with the 2019 conditions simulated water elevations. As the figure shows, the 2019 conditions consistently result in a higher water elevation, with September 30, 2019 simulated elevations of 890.6 for the 2006 conditions and 892.1 feet for the 2019 conditions. This difference is due to higher summer runoff simulated by the P8 model, the result of modeling a higher amount of impervious area created by the construction of 87th Street and the Concord Hills development and not fully compensated for by the construction of the infiltration basin north of 87th Street.

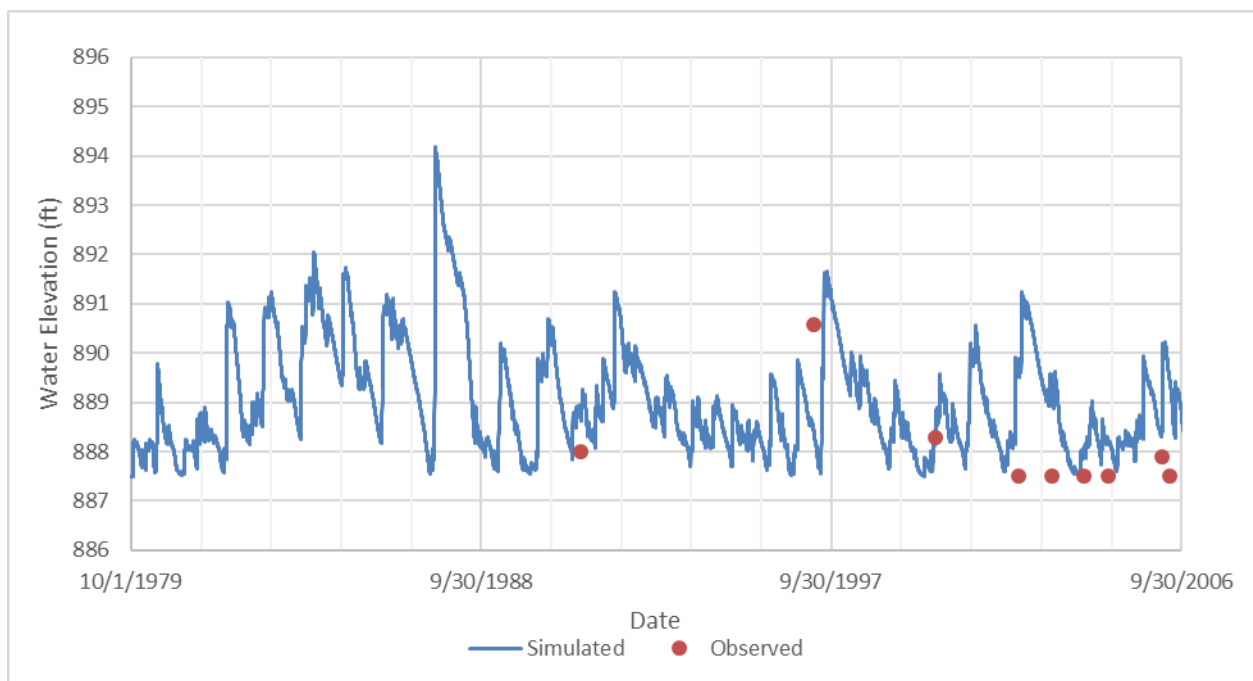


Figure 14 Water Balance Model Calibration to 2006 Land Use Conditions

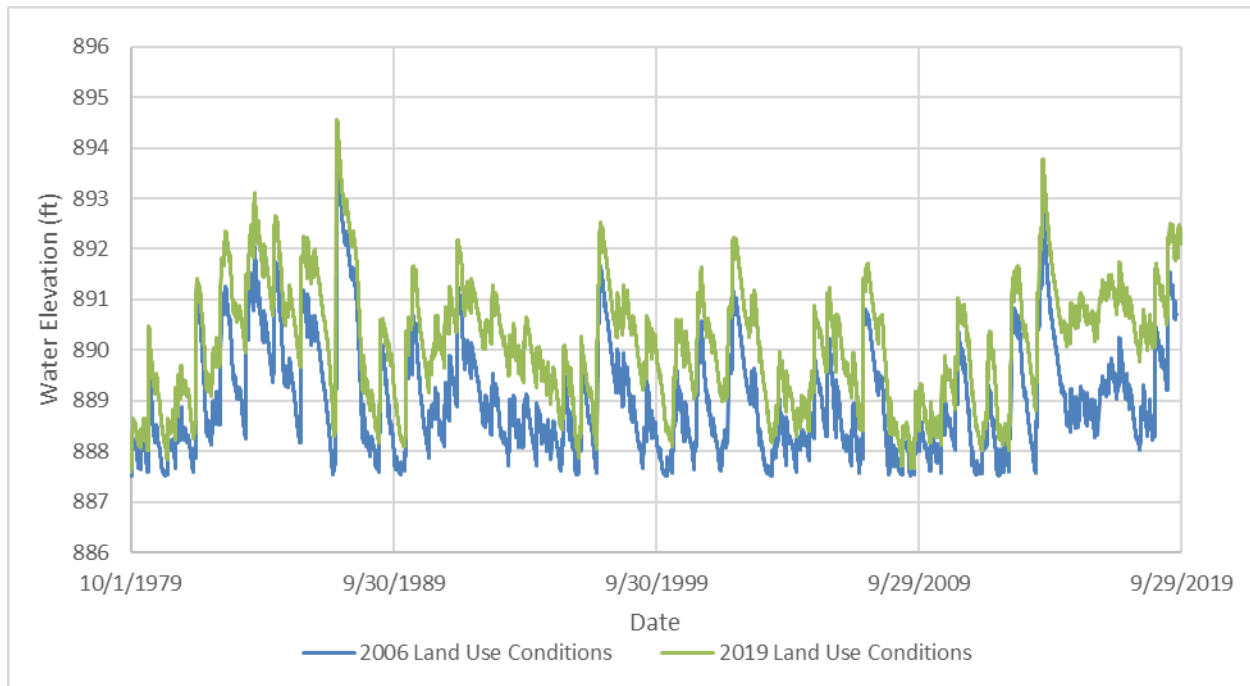


Figure 15 Comparison of IGT-B-3 Water Elevations Simulated with 2006 Land Use or 2019 Land Use Conditions

Figure 16 shows a comparison of the “actual conditions” simulation, which simulates 2006 land use conditions until April 1, 2010 and 2019 land use conditions from April 1, 2010 to September 30, 2019. The simulated water elevation on April 24, 2019 (the date of the surveyed water elevation) is 892.4 feet, compared to the surveyed water elevation of 894.8 feet, a difference of 2.4 feet. Possible explanations for this discrepancy include:

- Overestimation of the volume captured by the infiltration basin north of 87th Street
- Underestimation of runoff from the pervious area surrounding the IGT-B-3 basin
- Variability of rainfall between the MSP station used in the simulation and the actual rainfall
- Overestimation of seepage out of the IGT-E-3 basin

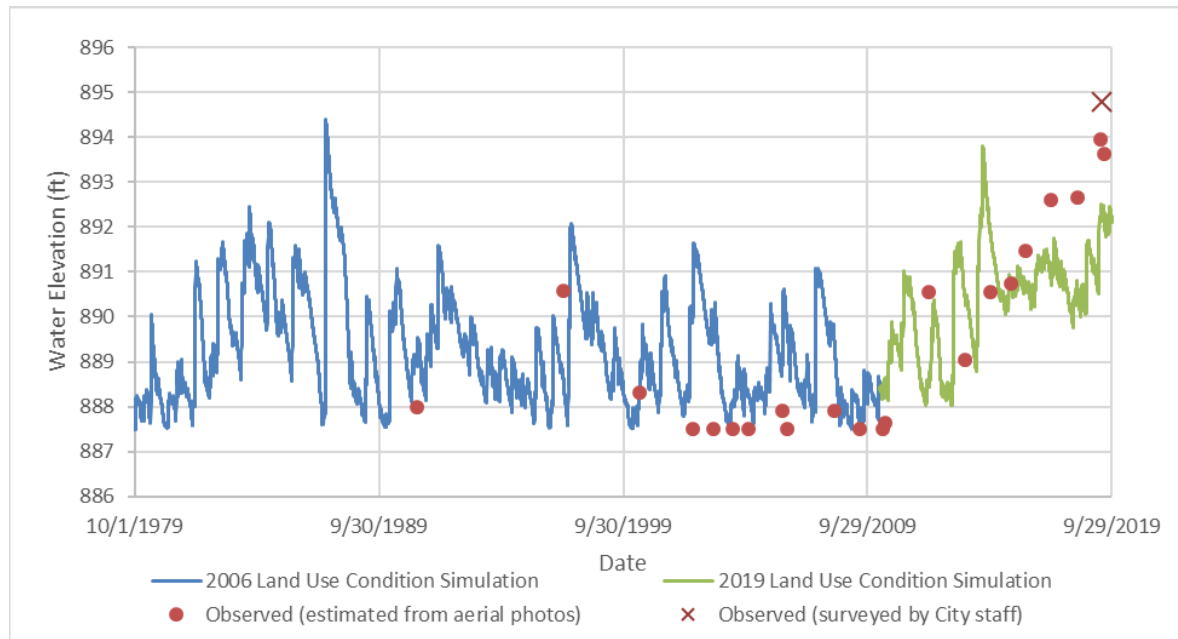


Figure 16 Comparison of Observed Water Elevations in the IGT-B-3 Basin with Simulated Water Elevations for Actual Land Use Conditions using Constant 0.006 inch per hour Seepage Rate

Of these potential explanations the first two are unlikely because the simulated elevations matched the observed elevations relatively well through March 2016, and there were no major changes to land use or the infiltration basin after that time. The third explanation, variability of rainfall, also is unlikely because there are only small variations in annual rainfall depth between the Hastings Dam 2 and MSP stations during the 2016-2019 time period, while large and consistent differences would be required to create the discrepancy shown. The last explanation, changes in seepage rate, is the most likely to cause the discrepancy. As discussed previously, the above-normal rainfall that caused high water elevations would also tend to cause high surficial groundwater elevations, resulting in a net reduction in the seepage rate.

Barr performed a sensitivity analysis to determine the effect of reducing the simulated seepage rate during the 2016-2019 time period. The sensitivity analysis showed that reducing the simulated seepage rate from 0.006 inches per hour to 0.002 inches per hour beginning on April 1, 2016 resulted in an improved prediction of the IGT-B-3 basin water elevation, closely matching the observed water elevations during that period (Figure 17).

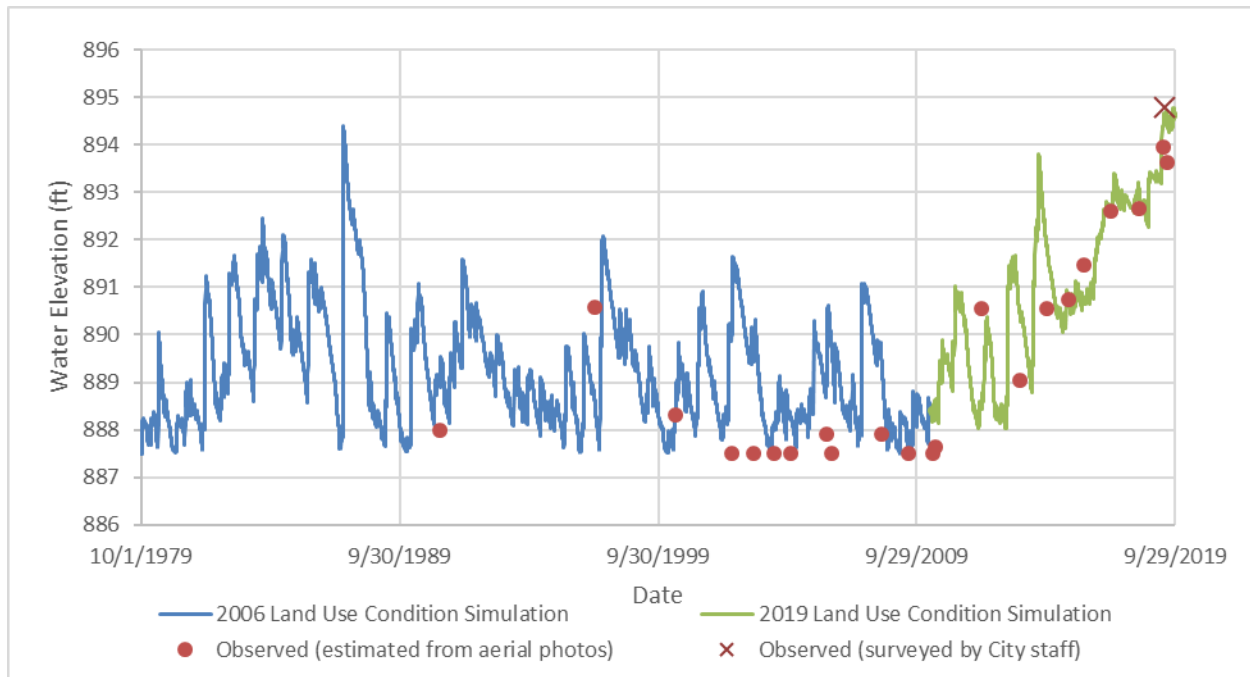


Figure 17 Comparison of Observed Water Elevations in the IGT-B-3 Basin with Simulated Water Elevations for Actual Land Use Conditions using 0.006 inch per hour Seepage Rate Before April 1, 2016 and 0.002 inch per hour Seepage Rate after April 1, 2016

Conclusions

Barr's analysis indicates that the most likely root cause of the recent persistently high IGT-B-3 basin water elevation is above-normal annual precipitation that has caused rises in both surface water and surficial groundwater. The impact of above-normal precipitation has also likely been enhanced by an increase in impervious area compared to predevelopment conditions. There are several options that the City could consider as responses to the impacts of above-normal rainfall on the basin that may impact residential properties. A detailed feasibility study may be needed to quantify and compare the costs and benefits of different options.

- 1) Take no action. The City could choose to allow the IGT-B-3 basin elevation to rise and fall in accordance with the rainfall. Future management actions would then be determined by City staff on a case-by-case basis. If annual rainfall returns to normal or below-normal depths, the IGT-B-3 basin could return to its historical range of water elevations. However, if annual rainfall continues in its current above-normal pattern, the water elevation could remain high or continue to rise.
- 2) Initiate regular surveillance of the IGT-B-3 basin and establish threshold elevations for management actions. The City could install a staff gage or other marker at the IGT-B-3 basin that is visible from a distance, enabling City staff or residents to easily monitor the basin water elevation. The City could set threshold elevations for actions such as more-frequent monitoring and temporary pumping.

- 3) Establish a drainage easement around the pond at a higher elevation than currently exists. This option could require negotiations with shoreline residents along 87th and 89th Streets. If existing septic systems at homes along 89th Street would be impacted at the new, higher water management elevations, this option could require modification of the existing septic systems or connection of these homes to City sanitary sewer.
- 4) Add storage volume to the infiltration basin located north of 87th Street. The current basin has high spots within the basin footprint. Grading the basin to a flat bottom would add infiltration volume without changes to the storm sewer network. Basin volume could be expanded further by modifying the storm sewer outlet to maintain a higher maximum water depth (currently the maximum drawdown depth is approximately 9 inches. The depth could be increased to as much as 18 inches if the underlying soil is supportive of a 48-hour drawdown time.
- 5) Re-route the storm sewer draining 87th Street to the large pond on the north side of the Concord Hills development. This option would install additional storm sewer within the existing power line easement north of the infiltration basin, discharging to the pond on the north side of the Concord Hills development. Due to high ground between 87th Street and the north basin, this storm sewer pipe would likely need to be installed by directional drilling.

The north basin has a pipe overflow outlet at Inver Grove Trail. Shifting additional flow to the north basin would likely require updating the watershed modeling analysis to ensure that low floor elevations for inhabited structures adjacent to the basin are not impacted. This alternative would not conform to the City policy regarding changes to drainage divides. Rerouting water away from the IGT-B-3 basin could potentially cause wetland loss if insufficient water reached the IGT-B-3 basin during normal or below normal precipitation years. to maintain wetland hydrology during extended dry periods. A Technical Evaluation Panel (TEP) review could be required before proceeding with this option.

- 6) Construct a pipe outlet to the east. This option would provide an outlet for the IGT-B-3 basin that would equalize water elevations between the IGT-B-3 basin and the IGT-B-2 basin, located directly to the east. Additional studies would need to be performed to determine the potential impacts of additional stormwater runoff flowing to the IGT-B-2 basin, which is also a landlocked basin.
- 7) Construct a permanent pump station at the IGT-B-3 basin. The City could construct a pump station with a force main that would begin operating at a predetermined water elevation to lower the IGT-B-3 basin. Permanent pump stations are a relatively expensive solution and are more-typically constructed in basins or lakes that are the terminal landlocked basin for a large watershed.

Attachment 1

Resident Comments

From: [Thomas J. Kaldunski, P.E.](#)
To: [Greg D. Fransen](#)
Subject: FW: Send phone number-Response
Date: Tuesday, June 23, 2020 7:43:02 AM

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Information on the model study near 89th ST.

Tom

From: Carrie Shatek <carrieshatek@gmail.com>
Sent: Monday, June 22, 2020 10:26 PM
To: Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>
Cc: Kara Perry <kperry@invergroveheights.org>; Brenda Dietrich <bdietrich@invergroveheights.org>
Subject: Re: Send phone number-Response

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please have Barr contact my husband, Andy Shatek at 612-388-1397.

Does Barr do all projects of this nature for the City of IGH? I want to ensure we have a fair and non-biased firm doing the work. Barr needs to review the plan provided by Pioneer Engineering for the Concord Hills development.

I have attached a photo of the firepit we lost due to high water, viewable on Dakota County Property Information search. You click on the airplane and it will send you to aerial photos of the progression of the water levels. You can see how wooded the backyard used to be.

Carrie

On Mon, Jun 22, 2020, 9:27 PM Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org> wrote:

Carrie
Please send your phone number so I can share it with BARR

Tom

Sent from my iPhone

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

tkaldunski@invergroveheights.org |

www.invergroveheights.org<<http://www.invergroveheights.org>>

[City of Inver Grove Heights]

[City of Inver Grove Heights - Facebook]

<<https://www.facebook.com/pages/City-of-Inver-Grove-Heights-Minnesota/209238872422313>>

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

tkaldunski@invergroveheights.org | www.invergroveheights.org





From: [Thomas J. Kaldunski, P.E.](#)
To: ["Carrie Shatek"](#); [George Tourville](#); [Brenda Dietrich](#); [Kara Perry](#); [Tom Bartholomew](#); [Rosemary Piekarski-Krech](#); [Scott Thureen](#)
Cc: [Andy Shatek](#); [Lori Illetschko](#)
Subject: RE: City of IGH - we need an emergency pump out of water-2020-06-29 Response
Date: Monday, June 29, 2020 2:29:48 PM

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Hi Carrie ,

Thanks for taking my call a little while ago. The city has collected data today as follows , The rainfall amounted to 4.7 inches from 6PM Sunday to 7 AM today , Some additional rain fell after 7 Am . The city measured the water level on a vertical datum at elevation 896.3 . This is a rise in water level of 0.7 ft . The shed is at elevation 896.9 , or about 0.6 feet above the current water level .I am sending an engineering technician to your parcel to verify elevations again . He will also be reviewing if the use of sand bags can be considered . The city would be able to supply the sand bags to you .

As for emergency pumping , the city has been in contact with the DNR . Our consultant started working on an application to do temporary pumping last week . That process takes 2 weeks to get DNR approval after submittal , and it needs to be supported by owners around the basin , We anticipate that a document of support will be circulated soon .

Thanks for granting permission for the technician to have a waiver of trespass to enter your land . I want you to know that the technician is on the way to the site as I type this message. I will let you know if the option to place sand bags is doable .

Tom Kaldunski

From: Carrie Shatek <carrieshatek@gmail.com>
Sent: Monday, June 29, 2020 1:34 PM
To: Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>; George Tourville <gtourville@invergroveheights.org>; Brenda Dietrich <bdietrich@invergroveheights.org>; Kara Perry <kperry@invergroveheights.org>; Tom Bartholomew <tbartholomew@invergroveheights.org>; Rosemary Piekarski-Krech <rpiekarskikrech@invergroveheights.org>; Scott Thureen <sthureen@invergroveheights.org>
Cc: Andy Shatek <andyshatek@gmail.com>; Lori Illetschko <lori.illetschko@gmail.com>
Subject: City of IGH - we need an emergency pump out of water-2020-06-29

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Hello,

It's been a tough night here on 89th St E., I know we got a lot of rain, but the water has risen **significantly** overnight- please see my attached document showing the photo of our shed I showed everyone last Monday night at Council compared to today.

Can the City of IGH PLEASE help us and come and pump out some of this water? **What can you do to help us now?** I can't wait any longer!!

Can someone please help us?

Carrie Shatek
651-208-4387

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

tkaldunski@invergroveheights.org | www.invergroveheights.org



From: [Thomas J. Kaldunski, P.E.](#)
To: [Greg D. Fransen](#)
Subject: FW: Comments for July 9 Information Meeting regarding rising pond water between 87th and 89th St
Date: Tuesday, July 7, 2020 1:29:43 PM
Importance: High

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fyi

From: Kathy Fischer <kfischer@invergroveheights.org>
Sent: Tuesday, July 7, 2020 1:23 PM
To: Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>
Subject: FW: Comments for July 9 Information Meeting regarding rising pond water between 87th and 89th St
Importance: High

Comment for Thursday Info Meeting.

From: Julie Hammons <hammonsjulie@gmail.com>
Sent: Tuesday, July 7, 2020 1:20 PM
To: Kathy Fischer <kfischer@invergroveheights.org>
Cc: carrieshatek@gmail.com; Dale Hammons <hammonsdale@gmail.com>
Subject: Comments for July 9 Information Meeting regarding rising pond water between 87th and 89th St

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Kaldunski,

Thank you for the opportunity to submit comments regarding the lgt-B-3 basin rising pond water that is now on our property. We are not able to attend the meeting on Thursday.

We purchased our 2.7 acre lot in 1988 and built our house in 1989. Back then we did not have standing pond water on our property. In 31 years the levels of pond water have never been this high. In addition to the lgt-B-3 basin, we would like to bring to your attention the once small pond, on our neighbor's (Larry and Lisa) lot to the west.

In the past this pond would dry up in late May or June, now this pond is no longer small, never dries up, just keeps getting bigger.

The large pond, lgt-B-3 basin, to the west at one time was two ponds with a land bridge separating them.

The increase in water levels started when the land north of 89th Street owned by Danner was approved for a high density housing development. This high density development was opposed by all of the existing owners of 2.5+ acres to the south of 87th Street, We even endured two summers of a pig farm Danner placed on the property in protest of the road blocks he encountered in getting

permits to develop the land to housing. Compromises were made to increase the lot sizes ever so slightly and the house development was granted. Now rain water runs off pavement, roofs and other hard surfaces, without a vegetative buffer, right into the pond, carrying vast amounts of fertilizer, causing algae blooms .

Our immediate concerns are:

the loss of so many trees,

the risk of dead trees falling and causing damage,

the cost of removing dead trees, and

the rising water level potentially compromising on our septic drain field,

We understand there is a plan to pump water out of the pond. This is a temporary solution. We request the city find a long term solution to restore the acreage to a stable lower water level. Again, thank you.

Dale and Julie Hammons
3975 89th Street East
Inver Grove Heights, MN 55076
(612) 718-5757

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

tkaldunski@invergroveheights.org | www.invergroveheights.org



From: [Thomas J. Kaldunski, P.E.](#)
To: [Greg D. Fransen](#)
Cc: [Kathy Fischer](#)
Subject: FW: Comments for Barr Engineering meeting on 7/9/2020
Date: Wednesday, July 8, 2020 3:19:29 PM
Attachments: [Barr.docx](#)

From: Carrie Shatek <carrieshatek@gmail.com>
Sent: Wednesday, July 8, 2020 3:03 PM
To: Kathy Fischer <kfischer@invergroveheights.org>; Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>
Cc: Dale Hammons <hammonsdale@gmail.com>; Julie Hammons <hammonsjulie@gmail.com>; Andy Shatek <andyshatek@gmail.com>
Subject: Comments for Barr Engineering meeting on 7/9/2020

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see our attached comments and photos for the upcoming meeting with Barr Engineering. I am hoping the comments and photos will be shared with the group on a screen so we can highlight our losses and the gravity of the damage the water has caused us.

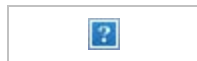
Thank you,
Carrie Shatek

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

tkaldunski@invergroveheights.org | www.invergroveheights.org



To the City of Inver Grove Heights and Barr Engineering:

We live at 3905 89th Street E. We met with Tom Kaldunski in 2017 about our serious concerns with high water levels. Since 2017, the City has taken NO ACTION until now, when I recently spoke to City Council about our concerns with the high water. The water behind our home was not monitored as part of the City of IGH's Stormwater Management plan and we were ignored for over three years while the water continued to rise. Because of the City of IGH did not respond to our concerns, **we have suffered enormous losses. We have NO EASEMENT for water on our property** and the City of IGH has unlawfully stored water on our property for over 3 years.

Our personal losses include:

- 40+ mature trees, plus land restoration after the equipment took out the trees
- Use of land
- Use of soil to replant new trees, soil is saturated and not suitable for replanting
- Shed – currently underwater
- Stamped Concrete Fire Pit – was new in 2013, went underwater and had to be hauled out which was expensive. We had to pay a landscaper to fix the grass after the fire pit was hauled out.
- **Loss of every single tree in my backyard**
- Personal stress and anguish over watching the water rise for over 3 years with no action from the City of IGH, having to come up with money to get rid of the dead trees so they were not a danger to our children

I am asking for the City of IGH to pay for our damages and make us whole again.

Other concerns:

1. Has anyone taken the time to review the impervious surfaces at the Concord Hills and Summit Pines development? These are large homes on small lots – not only do they have 3 car wide driveways, they have fire pits, and other cement patios in the backyards. **All of this water runs into our property.**
2. We want to see the climatology data supporting the City of IGH's claim of a 100 year flood plain for basins in the City of IGH compared to this basin. Tom Kaldunski has commented the water behind our home is a landlocked water basin and the level of the high water is unknown – **there is an engineered system dumping water into the basin** – now how can you not anticipate the water levels – what did you think would happen? Was the plan flawed?? Was there an error in the original plan from Pioneer Engineering?
3. We want a future plan for the rising water in the pond. Pumping the water out is going to leave me with a lot of muck, ruined soil and grass. What is the City of IGH going to do for me to restore my property?? How do you replace mature trees with compromised soil? What compensation is the City of IGH going to provide us as we have paid THOUSANDS of dollars to remove trees that were drowning due to high water that was not managed by the City of IGH.
4. In 2017, after no action from the City of IGH, we purchased and installed a water fountain to help with the water quality – has anyone checked if there is sewage in the water since all neighbors have private utilities which include septic? We pay over \$50 a month to run this fountain – it barely helps – the water is pure green, it looks and smells terrible.

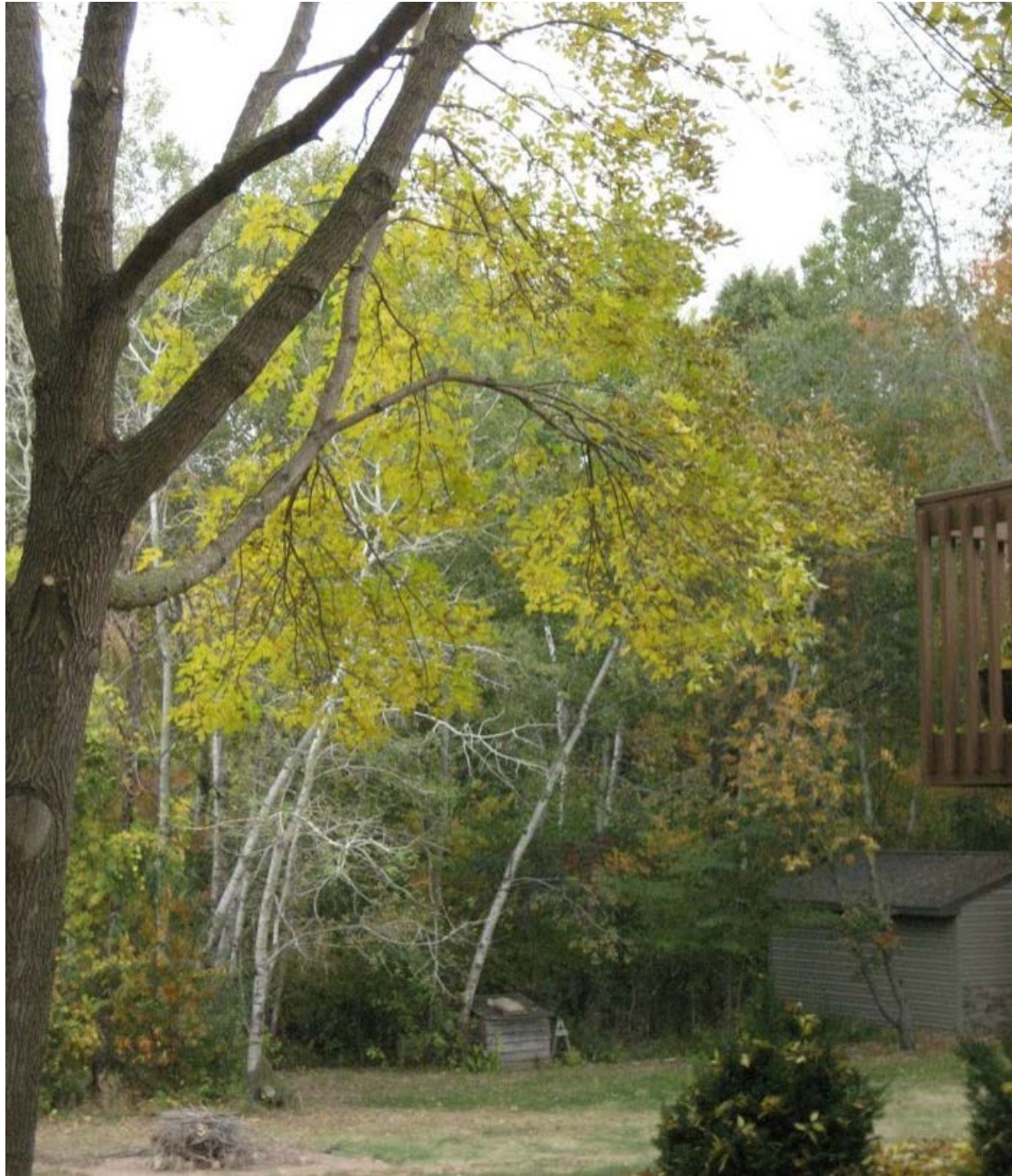
5. Pumping the water is a temporary solution. I want my land back. What's the long term plan? Was the stormwater plan for Concord Hills and Summit Pines development done in error with Pioneer Engineering? The water won't stop running onto our property without a long term solution and we won't accept the pumping method when we complain as a long term solution – as it took us 3 years to get help and look where we are today. I've attached pictures below of what I used to have and what I now have.

Carrie & Andy Shatek

Pictures:

What used to be a nice backyard full of trees taken in 2011:





What we have now in 2020 – embarrassing to have people over to see this and have them ask – yikes, what are you going to do about this?

I spoke at the Council meeting on 6/29/2020 and the question was asked if my shed was underwater – I said it almost was. No one from the city offered any sandbags or anything to help me. Then, we experienced a lot of rainfall within a week of the 6/29/2020 Council meeting, and the 2nd picture is what we have now. Tom Kaldunski then offered me sandbags – a little late for that, don't you think? The water has not receded since the last photo was taken. I'm suffering huge losses here.





Here is my backyard – lost EVERY SINGLE TREE and more to come as you can see there are more underwater:



James and Lori Illetschko
3875 89th St. E.
Inver Grove Heights, MN 55076
July 8, 2020

City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Dear City of Inver Grove Heights and Barr Engineering:

Lori and I moved into our house on August of 2010. At this time, the “pond” was a wet land that held a fraction of the water that it does today. Since the construction that has occurred on 87th Street, we have watched the water rise year over year. The rising water has taken land, trees and other personal property from us. In 2017 we discussed our concerns with our neighbors. Carrie and Andy Shatek were experiencing similar issues and we have partnered to remove dead trees on our properties.

Our personal losses include:

- The loss of over 20+ mature trees and the cost of removal by Kaposia Tree Service
- Loss of entire peninsula and at pond edge, approximately 20% of total property
- New tree loss as a result of last rainfall, requiring removal and the possibility of losing more (Black Hills Spruce, Apple Tree and other trees lining the edge of the pond that have been newly water logged)
- 1.5 yards of top soil and grass seed
- Personal time removing 4 mature trees and removal of wood
- 3 Wood Duck houses
- 2 newly planted Black Hills Spruce trees and time to remove
- Loss of bank next to utility shed requiring ½ yard of Class 5
- Landscaping at the pond edge including hostas, winter onions, raspberry bushes
- Rock garden and rock path to the pond

Continuing concerns

1. Long term solution to our rising water problem and continued land and tree loss.
2. Septic system becoming compromised and requiring full replacement.
3. Loss of privacy due to tree cover loss around our property.
4. Pond water quality
5. Water continuing to compromise the bank next to our utility shed and potential shed loss
6. Water soaked soil impacting tree stability along with the loss of the wind break with the potential to result in blow down and additional personal property damage

We are asking the City of Inver Grove Heights to quickly work with us to resolve this problem to prevent further property loss.

Sincerely,

James and Lori Illetschko

[Recipient Name]

July 8, 2020

Page 2

Enclosure (Pictures supporting our timeline and loss):

August 2010 (first picture taken on move)



July 2012



[Recipient Name]

July 8, 2020

Page 3

June 2014 (Duck houses under water)



August 2017 (massive tree loss, peninsula gone)



[Recipient Name]

July 8, 2020

Page 4

Current (more trees compromised by water, loss of property and still rising)



Bank eroding on backside of shed



From: [Thomas J. Kaldunski, P.E.](#)
To: [Scott Thureen](#)
Cc: ["Bridget McCauley Nason"](#); Tkuntz@levander.com; [Greg D. Fransen](#); [Karen Chandler](#)
Subject: FW: Additional comments for Barr Engineering meeting
Date: Thursday, July 9, 2020 1:47:32 PM
Attachments: [FEMA Flood Plain.pdf](#)
[MnTopo Flood Plain.pdf](#)
[MnTOPO .pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Info for the Barr study . it is to be reviewed for the Barr study . The city has the only presentation tonight.

Tom

From: Carrie Shatek <carrieshatek@gmail.com>
Sent: Thursday, July 9, 2020 11:43 AM
To: Kathy Fischer <kfischer@invergroveheights.org>; Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>; Andy Shatek <andyshatek@gmail.com>; Lori Illetschko <lori.illetschko@gmail.com>
Subject: Additional comments for Barr Engineering meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We'd like to add some additional comments and attachments.

When we look at the attached maps - it seems clear to us the City of IGH was negligent and overlooked what could happen to the landlocked basin when they approved the Concord Hills and Summit Pines storm watershed plan. The City of IGH did not consider the aftershock of all the impervious surface runoff that came directly into the basin and flooded our property. It's no coincidence that when the houses were built, the water continued to rise. Tom, you have claimed that the watershed is a natural inundation due to the topography of the land. What you are missing is there is an engineered system designed by Pioneer Engineering, and approved by you, and the City of IGH that imports water into the landlocked basin in conjunction with natural stormwater runoff. There is an obvious problem or oversight here. I continue to see reactive responses only - no proactive action has been taken knowing the water has been high now for over 3 years. A permanent solution needs to be implemented as soon as possible and we need compensation and restoration of our land. I hope we can come to a solution that does not lead us to litigation but we are fully prepared to go this route if we are not satisfied with a proposed solution, compensation and restoration of our land.

Our property is not in a flood plain. Take a look at the maps and let me know if you disagree.

Carrie and Andy Shatek
3905 89th Street E

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota | 55077

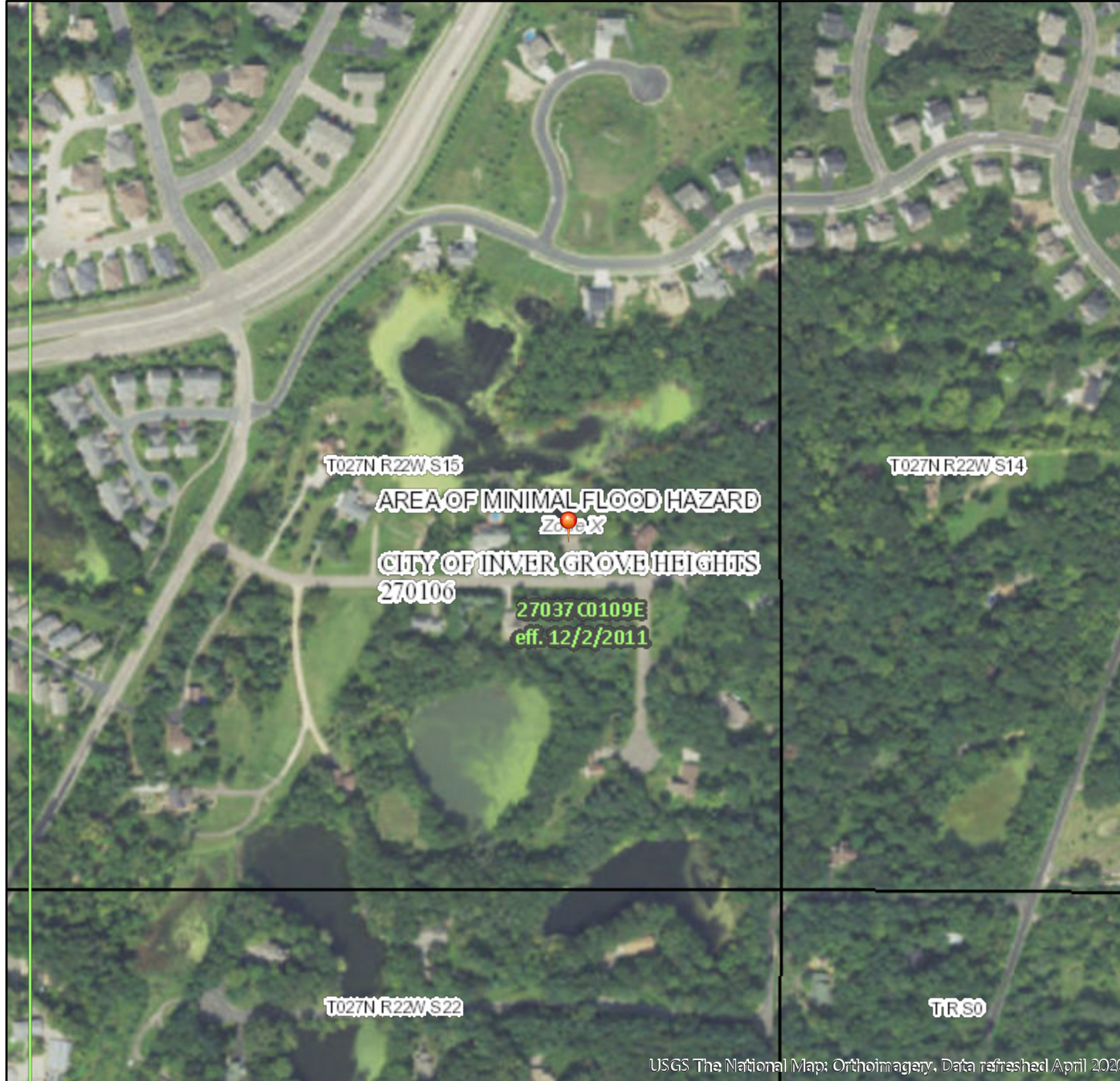
tkaldunski@invergroveheights.org | www.invergroveheights.org



National Flood Hazard Layer FIRMMette



93°1'53"W 44°49'30"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
OTHER FEATURES		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/8/2020 at 10:48 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

USGS The National Map: Orthoimagery. Data refreshed April 2020

93°1'16"W 44°49'4"N

0 250 500 1,000 1,500 2,000 Feet 1:6,000

MnTOPO



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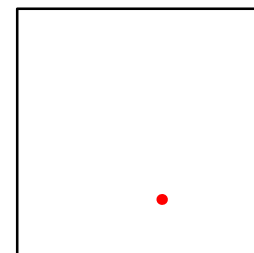
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Note: Elevation images and contours were generated from LiDAR derived elevation surfaces acquired 2007-2012.



Scale: 1:3,041



Created on 7/8/2020

MnTOPO Flood Plain



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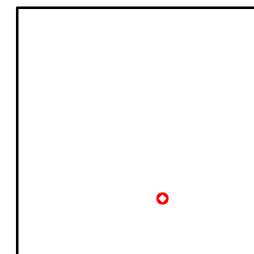
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Note: Elevation images and contours were generated from LiDAR derived elevation surfaces acquired 2007-2012.

0 0.1 0.2 0.4 0.6 Miles

Scale: 1:24,332



Created on 7/8/2020

7/13/2020

To the Council:

My name is Carrie Shatek and I live at 3905 89th Street E in IGH. I am speaking tonight because there is an agenda item that concerns my property:

Public Works/Engineering:

F. Consider Resolution Accepting Quote and Authorizing Temporary Pumping of Basin IGT-B-3 by Hydro Engineering

The City of IGH plans to pump water out of my backyard. **My property does not have a designated wetland or water easement on the plat map.** What is the City of IGH planning to do for me to restore my land? **Time is of the essence as we need some work done this year to help the restoration process get started.** I'm asking for the City of IGH to help restore the grass, correct the soil, and plant new trees on our property. When the City pumps all this water out, I'm going to be left with muck and I need the restoration to start as soon as possible. What is the City of IGH going to do for us? Reminder that I've brought the high water levels on our property up to the City in 2017 and since then, have only had to watch my land be destroyed by the water. Again, what is the City of IGH going to do for us? I've been waiting over three years for help from the City of IGH, and have spent over \$20,000 since 2017 to get rid of dead loss paid to Kaposia Tree, Walker Landscaping, for our firepit installation and removal and more. My shed is also currently underwater. Is the City of IGH going to reimburse me for not managing this complaint since 2017 when we were at the high water level and Tom Kaldunski didn't manage the problem? The cost of our loss is much more than \$20,000 – what's the price of 40+ mature trees and my diminished property value due to the tree loss? I want restoration to start AS SOON AS POSSIBLE on my property. Please don't continue to leave us suffering. **We won't just accept a temporary solution of pumping that leaves us still in the middle of a huge problem.**

Tom Kaldunski, were comments from our 7/9/2020 meeting with Barr Engineering shared with the Council? Many of us neighbors shared comments about our losses and these need to be made available to the Council. We've shared many documents where we have spent a lot of time researching the problem and I want to be sure these are made available to the Council and not just kept in a file folder.

From: [Thomas J. Kaldunski, P.E.](#)
To: [Greg D. Fransen](#)
Subject: FW: Wetland Management.....LGU Starts the process
Date: Tuesday, July 14, 2020 10:20:55 AM
Attachments: [image001.png](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Fyi , items to address.

Tom

From: Carrie Shatek <carrieshatek@gmail.com>
Sent: Tuesday, July 14, 2020 9:45 AM
To: Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>; Brenda Dietrich <bdietch@invergroveheights.org>; Rosemary Piekarski-Krech <rpiekarskikrech@invergroveheights.org>; Kara Perry <kperry@invergroveheights.org>; Tom Bartholomew <tbartholomew@invergroveheights.org>; George Tourville <gtourville@invergroveheights.org>; Andy Shatek <andyshatek@gmail.com>; Lori Illetschko <lori.illetschko@gmail.com>; Scott Thureen <sthureen@invergroveheights.org>
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Please let me know if you have questions about the information I'm seeking - prove to me that I have a wetland in my backyard with an easement to store water. Dakota County doesn't have it on record.

Carrie Shatek

----- Forwarded message -----

From: **Andy Shatek** <andyshatek@gmail.com>

Date: Mon, Jul 13, 2020 at 9:46 PM

Subject: Wetland Management.....LGU Starts the process

To: Carrie Shatek <carrieshatek@gmail.com>

Wetlands Regulation in Minnesota

The major wetland regulatory programs of statewide importance in Minnesota are:

- Department of Natural Resources Public Waters Work Permit Program (state program)
- Wetland Conservation Act (state & local program)
- Clean Water Act Section 404 permit program (federal program)
- Clean Water Act Section 405 water quality certification process (state & federal program)

Two or more of these programs may cover the same wetland and in some cases, various portions of the same wetland will be regulated by different programs. However, state and federal agencies along with local units of government coordinate to help the public determine applicable regulatory program jurisdiction on a case-by-case basis. The regulatory process is often initiated at the local level (city, county, watershed district, watershed management organization or soil and water conservation district) where program representatives can identify which regulations apply depending on the location and nature of the proposed activity that may affect wetlands or other water resources. BWSR is the state agency responsible for administration of the Wetland Conservation Act (WCA) which regulates the vast majority of wetlands at the state/local level.

WCA is implemented at the local level by the local government unit ("LGU"). BWSR promulgates administrative rules for the program, provides training to LGUs, participates on technical evaluation panels, hears appeals from local government determinations, and assures proper implementation by LGUs.

Although information provided on our Wetlands page focuses on the WCA, some information is applicable to other regulatory programs in the state as well. Information on programs other than WCA can be found via the Related Links below. The Minnesota DNR produced a [general summary of wetland regulation in Minnesota in 2016](#).

CONTACT

Les Lemm
Wetland Section Manager
651-296-4057
les.lemm@dnr.state.mn.us

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Tom Kaldunski | City Engineer

Tel: (651) 450-2572

City of Inver Grove Heights | 8150 Barbara Avenue | Inver Grove Heights | Minnesota |

55077

tkaldunski@invergroveheights.org | www.invergroveheights.org



From: [Thomas J. Kaldunski, P.E.](#)
To: [Greg D. Fransen](#); [Mike Edwards](#); [Michael Wright](#)
Subject: FW: Response to some of the questions raised about the wetland located north of 89th Street in the Broadmore Ponds plat
Date: Monday, July 27, 2020 3:43:37 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greg for your report .

Mike work with the contractors on the silt fence / bioroll item .

Tom

From: Carrie Shatek <carrieshatek@gmail.com>
Sent: Monday, July 20, 2020 3:43 PM
To: Scott Thureen <sthureen@invergroveheights.org>
Cc: Brenda Dietrich <bdietrich@invergroveheights.org>; Rosemary Piekarski-Krech <rpiekarskikrech@invergroveheights.org>; Kara Perry <kperry@invergroveheights.org>; Tom Bartholomew <tbartholomew@invergroveheights.org>; George Tourville <gtourville@invergroveheights.org>; Andy Shatek <andyshatek@gmail.com>; Lori Illetschko <lori.illetschko@gmail.com>; Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>; Joe Lynch <jlynch@invergroveheights.org>; Barry Underdahl <bunderdahl@invergroveheights.org>
Subject: Re: Response to some of the questions raised about the wetland located north of 89th Street in the Broadmore Ponds plat

For more color, I'm including my personal photos from 2 weeks ago of the sludge/holding pond and missing BMP's by a builder.

I called the City of IGH to report missing BMP's - the BMPs are situated away from the home, and you can see how flooded the sludge pond is. So not only is the builder not preventing the flow of sediment, the pond can't function properly anyway when the water is so high.

Carrie

On Mon, Jul 20, 2020 at 3:35 PM Carrie Shatek <carrieshatek@gmail.com> wrote:

Scott,

Thank you for your second reply to me since 2017 when we brought this to your and Tom's attention.

Kathy Fischer was responsible for gathering email addresses and sending out the presentation after our meeting on 7/9. Please ask Kathy to get the email addresses needed. She also did not send the presentation from the Barr meeting to everyone like she promised, I had to ask for it.

We look forward to the Barr report. We see negligence from the City of IGH in reviewing and approving the stormwater plan and easements near Concord Hills when it was approved and responding to our concerns. You state that the City of IGH didn't know what the high water level was for this basin, and **that's simply not true. I have emails with the high water value from Tom and the DNR from 2017 and 2019.** Additionally, there was a sludge pond constructed in the Concord Hills Development to catch sediment from the road that is upgradient before the water is introduced into the wetland. Over the past 9 years during the construction of the 61 houses in Concord Hills/Summit Pines, the BMPs at times have been deficient, and we have witnessed sediment going down the storm catch basins that did not have inlet protection during rain events. We actually brought this up at some point too, specifically regarding the Elevate Builder team. I believe the building department addressed this subject matter to the contractor and they rectified BMPs, plus the tracking of mud and dirt in the street, but nothing was done to the sediment build up in the sludge pond from what we can see (see attached photo of the pond we are referring to from 2014 - look at how dirty it is compared to the water nearby). Today, this pond is completely flooded over into the large pond, there's no more boundary/rocks left between the sludge/holding pond and the larger pond. Are there any formal records of maintenance of this sediment pond by the city or contractor before, during or after construction has taken place? Is there a final inspection record from watershed district or DNR signing off that this sediment basin was constructed properly with the correct materials and soil compaction for it to properly operate? I am not sure how this engineered basin could work properly if the specifications were not followed when it was constructed or maintained during the excavation of the homes? We expressed this concern in the Barr Engineering meeting and expect answers to this question in the Barr report.

There's still one question you have not answered - why did you not respond to any of our emails for over 3 years? Imagine if you were me - how frustrated would you be if you continued to be ignored while spending thousands of dollars watching your property, trees and more go underwater? Not responding = pure negligence.

Duty - the City of IGH had a duty to reply and respond to our concerns and did not

Breach - the City of IGH breached that duty by failing to act on our concerns

Causation - it was the City of IGH's inaction that caused us damage to our trees, shed, firepit, grass and use of property

Damages - we were suffered thousands of dollars worth of damages due to the City of IGH not acting on our complaints/concerns

I look forward to the report and to what the City of IGH plans to do to restore my property.

Carrie and Andy Shatek

On Fri, Jul 17, 2020 at 5:20 PM Scott Thureen <sthureen@invergroveheights.org> wrote:

Carrie,

-

The attached memo answers some of the questions that have been raised. The study being conducted by Barr Engineering will provide additional information.

-

I did not find email addresses for your other neighbors (except Lori). Do you have those email addresses? If so, you can either provide them to me or forward this email to them. Thanks.

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Scott

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Subject: Re: Wetland Management.....LGU Starts the process

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Scott,

Nice to hear from you. This is the first time you have ever replied to any of my emails. My original question was how long will the pumping take and will the neighbors be notified of how long the process will take? How many gallons will be pumped out? I am still seeking answers to these questions.

Carrie Shatek

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Carrie,

Tom is out today, so I am providing this update. The DNR issued the permit late yesterday afternoon and the right-of-entry to install the pump was signed yesterday as well. The contractor and city maintenance staff are installing the pumping system today. The contractor indicated that they will be ready to start pumping tomorrow (Friday).

Scott

From: Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>

Sent: Tuesday, July 14, 2020 4:00 PM

To: 'Carrie Shatek' <carrieshatek@gmail.com>

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Subject: Re: Wetland Management.....LGU Starts the process

So the pumping is not starting this Thursday like you stated in the Council meeting last night? Please advise.

Carrie Shatek

On Tue, Jul 14, 2020, 3:38 PM Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org> wrote:

Carrie, The city will provide clarifying information by the End of the week.

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MANAGING THE WATER LEVEL IS AND HAS BEEN YOUR RESPONSIBILITY. I want you to acknowledge the fact that since 2017, when we brought this to your attention (with the DNR involved too and I can send you the emails again from 2017 that you were copied on), that the water level has been the LGU's responsibility this entire time. You need to come up

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Carrie Shatek

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From: **Andy Shatek** <andyshatek@gmail.com>

Date: Mon, Jul 13, 2020 at 9:46 PM

Subject: Wetland Management.....LGU Starts the process

To: Carrie Shatek <carrieshatek@gmail.com>

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Tom Kaldunski | City Engineer

Tel: (651) 450-2572

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Attachment 2

Memo from City Public Works Director

Greg D. Fransen

From: Thomas J. Kaldunski, P.E. <tkaldunski@invergroveheights.org>
Sent: Monday, July 20, 2020 1:02 PM
To: Greg D. Fransen
Subject: Fwd: Response to some of the questions raised about the wetland located north of 89th Street in the Broadmore Ponds plat
Attachments: Wetland #19-273 memo.docx; ATT00001.htm

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Scott's memo attached should be placed in the BARR report appendix

Tom

Sent from my iPhone

Begin forwarded message:

From: Scott Thureen <sthureen@invergroveheights.org>
Date: July 17, 2020 at 5:20:20 PM CDT
To: Carrie Shatek <carrieshatek@gmail.com>
Cc: Brenda Dietrich <bdietch@invergroveheights.org>, Rosemary Piekarski-Krech <rpiekarskikrech@invergroveheights.org>, Kara Perry <kperry@invergroveheights.org>, Tom Bartholomew <tbartholomew@invergroveheights.org>, George Tourville <gtourville@invergroveheights.org>, Andy Shatek <andyshatek@gmail.com>, Lori Illetschko <lori.illetschko@gmail.com>, "Thomas J. Kaldunski, P.E." <tkaldunski@invergroveheights.org>, Joe Lynch <jlynch@invergroveheights.org>, Barry Underdahl <bunderdahl@invergroveheights.org>
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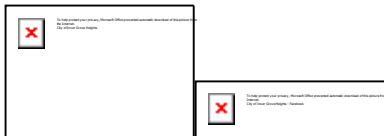
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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July 17, 2020 Update Concerning the Storm Water Wetland Located North of 89th Street in the Broadmore Ponds Plat

This update is provided to clear up some of the confusion surrounding the subject waterbody and provide additional information concerning the temporary pumping operation that was initiated on July 17, 2020.

Easements and Ownership

The 1982 plat for Broadmore Ponds identifies the boundary of a dedicated drainage easement in the vicinity of the subject waterbody. That easement ends at the Shateks' west property line and does not encompass any part of their lot. There is no historic information explaining how the easement area was determined. That said, there is historic evidence of water standing on parcels outside of the easement, as confirmed by the Department of Natural Resources (DNR) determination of the Ordinary High Water Level (OHWL) which is discussed later in this memo.

The 2009 plat for Concord Hills identifies a dedicated drainage and utility easement over all of Outlot D, which includes the portion of the subject waterbody lying within that plat. This easement was determined, in part, by a review of the city water resources standards in place at the time of the plat review.

In both cases, the entire area of each lot is owned by the individual(s) holding legal title to the lot. The easements convey rights to the city, including the right to use the easement area for storage and conveyance of storm water runoff.

The Waterbody is a Wetland

The Minnesota Department of Natural Resources (DNR) has regulatory authority over waterbodies (lakes and some wetlands) in the state of Minnesota. These waterbodies are included in the Public Waters Inventory Program. The program applies to three types of wetlands (Types 3, 4 and 5 as defined by U.S. Fish and Wildlife Service Circular #39). The Public Waters Inventory was prepared by the DNR in the late 1970s and early 1980s. The maps identify all public waters wetlands and show their general location. The subject waterbody is identified as #19-273W.

The DNR's authority is limited to the portion of the wetland located below what is known as the Ordinary High Water Level (OHWL) and addresses actions that would alter or diminish the cross section of the wetland bottom below the OHWL elevation. The purpose is to control the placement of fill below the OHWL elevation or the draining of water from the wetland below the OHWL elevation.

The OHWL is defined as an elevation delineating the highest water level that has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly the point where natural vegetation changes from predominately aquatic to predominately terrestrial. The OHWL is determined by a field investigation of tree evidence, water-formed evidence, and other vegetative evidence.

The OHWL had not been determined for wetland #19-273. DNR staff prepared an estimate by looking at available aerial photography. The estimated OHWL is elevation 893.0. It is important because the wetland water level cannot be lowered below this elevation by pumping.

Approvals Required to Pump Water from the Wetland

Another program under DNR jurisdiction is Water Appropriation (from both surface water and groundwater) in Minnesota. If someone wants to pump more than 10,000 gallons per day or 1 million gallons per year from a waterbody, watercourse or well, the DNR must approve it. This is the permit that the city applied for on July 1, 2020 and received on July 15, 2020. It allows us to pump up to 8 million gallons of water from the wetland as long as we do not drop the water surface below the OHWL elevation of 893.0.

City Management of Waterbodies

Under the Metropolitan Surface Water Management Act of 1982 (Minnesota Statutes 103B.235), cities in the Twin Cities Metropolitan Area were required to prepare a watershed management plan that focuses on preserving and using natural storage and retention systems. As part of the city's second-generation Water Resources Management Plan, areas where development was currently happening or imminent, were included in hydrologic modeling to estimate a high-water level for landlocked basins.

This modeling used 100-year, 10-day (a snow pack having a moisture content equal to 7.2 inches of water over the entire drainage area melts over a ten-day period with the ground assumed to be frozen), and 10-year, 10-day snowmelt conditions to estimate high water levels for waterbodies. This process uses an assumed starting water surface elevation for every waterbody.

For wetland #19-273, the assumed starting water surface elevation was 891.1 and the calculated 100-year, 10-day snowmelt water surface elevation was 894.2. This information would be used for approving lowest floor elevations for buildings intended for human habitation. In areas with houses on well and septic, drain fields would have to be located so that their operation would not be affected if the high-water surface elevation occurred.

The Plan for Pumping Water from Wetland #19-273

The DNR Water Appropriation Permit allows up to 8 million gallons of water to be pumped from the wetland at a rate not to exceed 1,000 gallons per minute. The permit expires on October 1, 2020.

The pumping contractor, Hydro Engineering, set up the pump on July 16, 2020 and performed a short test operation to confirm that the installation was operating correctly. They started pumping this morning, July 17, 2020, and plan to pump around the clock. They will have someone physically checking the operation during normal working hours Monday – Friday, and they have an automated metering system that they can check remotely at any time.

The length of time that pumping will occur cannot be accurately determined. Many variables could affect it. Even though a sound shield has been installed around the pump, if complaints are received about the noise at night, we may have to restrict pumping to daylight hours. If we get additional precipitation, the pumping will obviously take more time. As the water level recedes, we expect groundwater to seep into the wetland, extending the time needed to pump. If the approved pumping rate creates problems in the downstream conveyance system, the rate would have to be reduced, lengthening the time needed to pump.

The city contact for the operation is Tom Kaldunski (651-315-6336). If there are issues after hours or on weekends, contact the Dakota County Dispatch Center (651-322-2323) and ask that your request be forwarded to Barry Underdahl, the Street Maintenance Superintendent.

Attachment 3

Hydrologic Modeling Technical Memo

Technical Memorandum

To: Project File
From: Kimberly Baker and Greg Fransen
Subject: IGT-B-3 Basin Long Term Hydrologic Modeling and Water Balance Methodology
Date: July 17, 2020
Project: 23190328.20-IGTB
c: Karen Chandler, P.E.

Introduction and Purpose

This memorandum documents the long-term hydrologic modeling methodology used by Barr Engineering Co. (Barr) to support the IGT-B-3 Basin hydrologic analysis.

Hydrologic Modeling

Barr modeled the IGT-B-3 contributing area using P8 version 3.5 to simulate runoff volume to the IGT-B-3 basin for two land use conditions. One model was constructed to simulate 2006 land use conditions, prior to construction of 87th Street and the Concord Hills housing development. The second model was constructed to simulate fully built-out conditions for the Concord Hills development.

P8 is a modeling software developed by William W. Walker, Jr. for predicting stormwater runoff in urban watersheds. P8 inputs include watershed area, precipitation, and air temperature, and the P8 software includes routines to run continuous long duration simulations that simulate frozen ground and snowmelt conditions. P8 calculates watershed runoff volume using the curve number methodology. While P8 accounts for the impacts of changing weather on runoff, it does not account for evaporation from water bodies. Therefore, Barr used the P8 model outflow as one input to a spreadsheet water balance model to simulate the basin water level under both conditions. Parameters used in the P8 models are described in detail below.

Contributing Area

The total tributary area was delineated for each land use condition using topographical information, storm sewer data, and aerial photography from the appropriate time period. Approximately 23.9 acres were tributary to the basin north of 89th Street East in the pre-development 2006 model. The 2006 land use conditions contributing area was divided into three subwatersheds (Figure 1). The IGT-B-3 basin contributing area decreased slightly in the 2019 (post-development) conditions to approximately 23.6 acres. Review of record plans for the Concord Hills and Summit Pines developments showed that runoff from most of those developments is collected in the storm sewer network draining to the north, away from the IGT-B-3 basin. The 2019 land use conditions subwatersheds are shown in Figure 2.

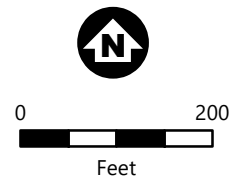


Imagery Source: 2019 Dakota 6 inch (MNGeo WMS Service)

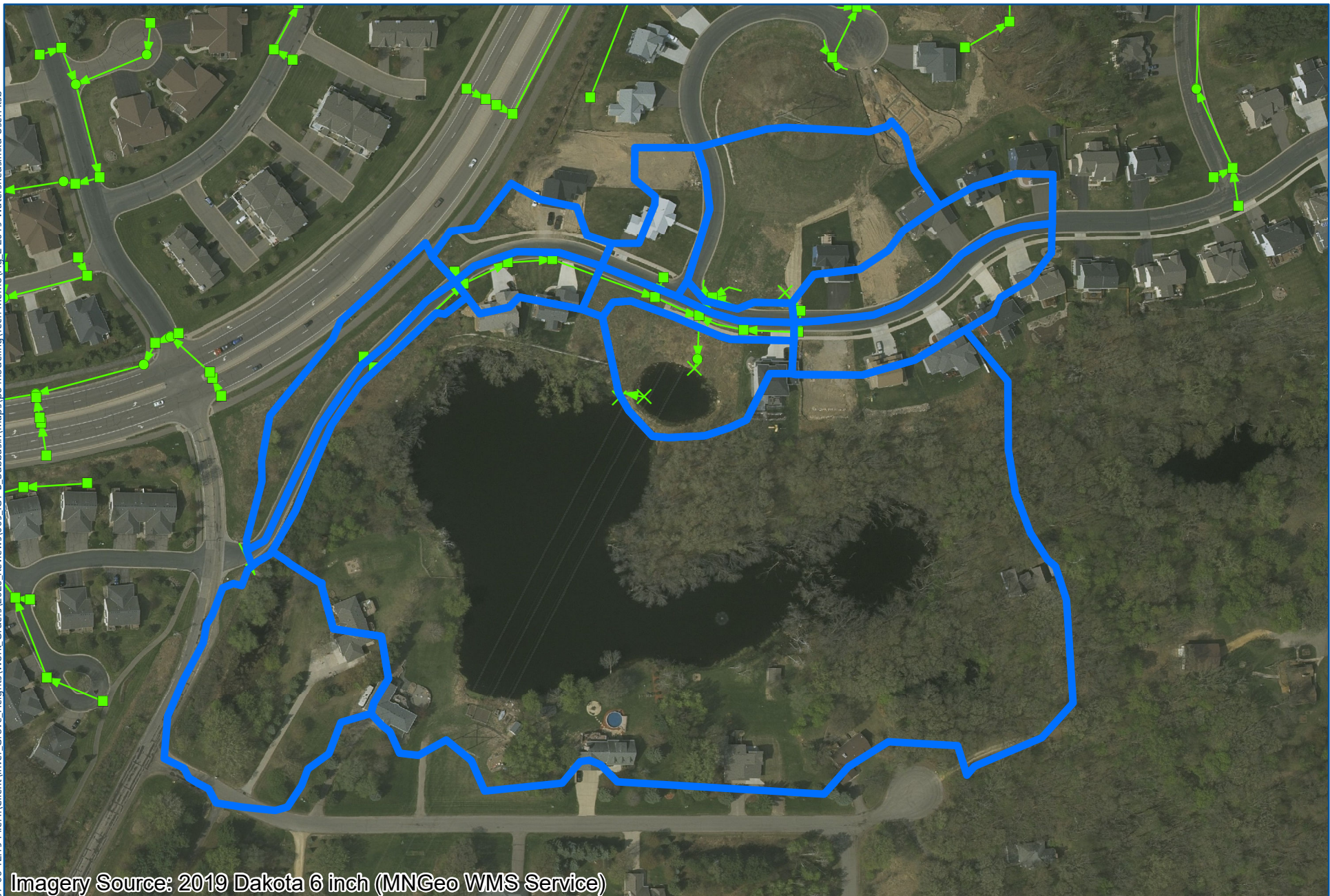


 IGT-B-3 Tributary Area

DRAFT



2006 Land Use
Watersheds
IGT-B Hydrologic Modeling
City of Inver Grove Heights
FIGURE 1



- IGT-B-3 Tributary Area
- Flared End Section
- Catch Basin
- Manhole
- Storm Sewer

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0 200
Feet

2019 Land Use
Watersheds
IGT-B Hydrologic Modeling
City of Inver Grove Heights

FIGURE 2

Hydrologic Parameters

The curve number method is used in P8 to simulate runoff. Composite subwatershed curve numbers were determined for each of the model conditions based on soil type and landcover. For 2006 conditions, the area was divided into two distinct land use areas. A higher curve number of 82 was used for the future development area north of the haul road, which appears to have little vegetation in aerial imagery prior to development. The remaining tributary area in the 2006 pre-development model was assigned a curve number of 74, representing a fully developed urban area with >75% grass cover and C type soil. For the 2019 (developed) conditions, the pervious area was modeled as fully developed urban area with > 75% grass cover and C type soil. Based on these properties, a curve number of 74 was used for the pervious area in the 2019 model.

For each model, the impervious surfaces were delineated based on aerial imagery. Impervious area was classified as directly connected or indirectly connected. Indirectly connected impervious surfaces are those surfaces that direct runoff across pervious surfaces before it can reach a water body or storm sewer inlet. In P8 version 3.5, indirectly connected surfaces are assigned a curve number of 98 and the pervious curve number for each watershed is internally recalculated as a composite of the pervious and impervious areas, while runoff volume from directly connected impervious surfaces is calculated separately. Outbuildings and the back roofs of houses were classified as indirectly connected, while streets, gravel roads, driveways, sidewalks, water, and the front roofs of houses were conservatively assumed to be directly connected. Impervious areas for each land use condition are shown in Figure 3 and Figure 4.

Surface water areas, including wetland areas, were subdivided into two watersheds, land area and water area. This allowed the P8 model to account for the lack of infiltration over the acreage covered with water by using a curve number of 98. The majority of soils within the contributing area were assumed to be Hydrologic Soil Group (HSG) C soils, according to the SSURGO information shown on Figure 5 and Figure 6. Hydrologic parameters are summarized on Table 1.

Table 1 P8 Hydrologic Parameter Summary

Conditions	Total Area (acres)	Indirectly Connected Impervious Area (acres)	Directly Connected Impervious Area (acres)	Wetland/Water Impervious Area (acres)
2006 Land Use	23.9	0.21	0.44	4
2019 Land Use	23.6	0.74	2.83	4.2

Simulation Parameters and Output

The P8 models were run for 40 water years of historic weather data, from October 1, 1979 through September 30, 2019. The time period was selected with the intention of capturing a wide range of weather conditions, including both below normal and above normal precipitation years. Data from the National Weather Service station at the Minneapolis-St Paul International Airport were used for the hourly

To: Project File
From: Kimberly Baker and Greg Fransen
Subject: IGT-B-3 Basin Long Term Hydrologic Modeling and Water Balance Methodology
Date: July 17, 2020
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precipitation and daily temperature inputs. Simulated watershed runoff was directed to a single "Pipe" device that represented the IGT-B-3 basin. Barr used the P8 "trace" function to track the simulated daily average discharge rate to the IGT-B-3 basin, and to export the resulting time series into Excel for use in the water balance model.



- IGT-B-3 Tributary Area
- Impervious Area
 - Indirectly Connected
 - Directly Connected

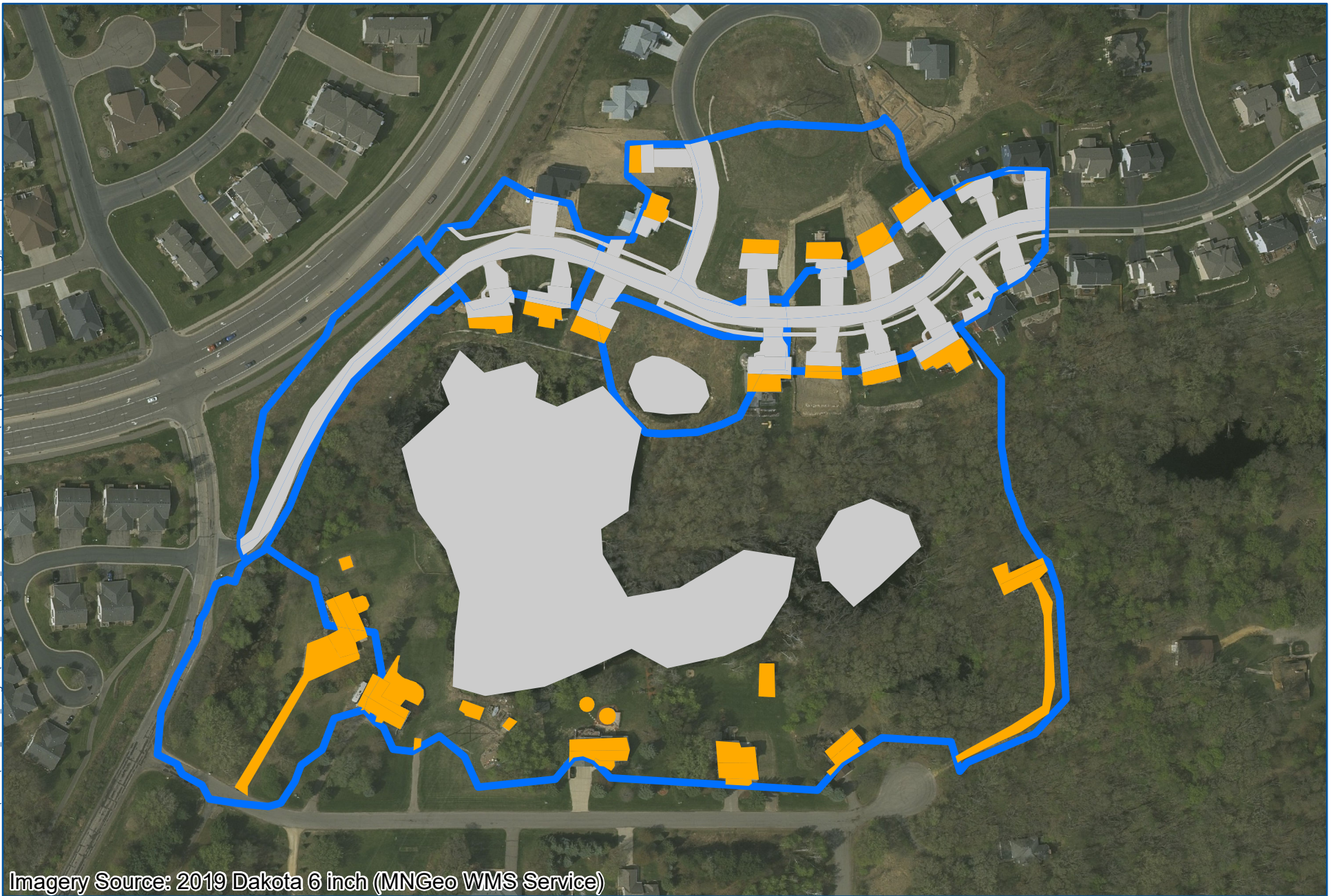
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0 200
Feet

2006 Land Use
Impervious Area
IGT-B Hydrologic Modeling
City of Inver Grove Heights

FIGURE 3

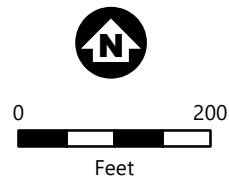


Imagery Source: 2019 Dakota 6 inch (MNGeo WMS Service)



-  IGT-B-3 Tributary Area
-  Impervious Area
-  Indirectly Connected
-  Directly Connected

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2019 Land Use
Impervious Area
IGT-B Hydrologic Modeling
City of Inver Grove Heights

FIGURE 4

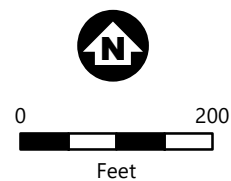


Imagery Source: 2019 Dakota 6 inch (MNGeo WMS Service)



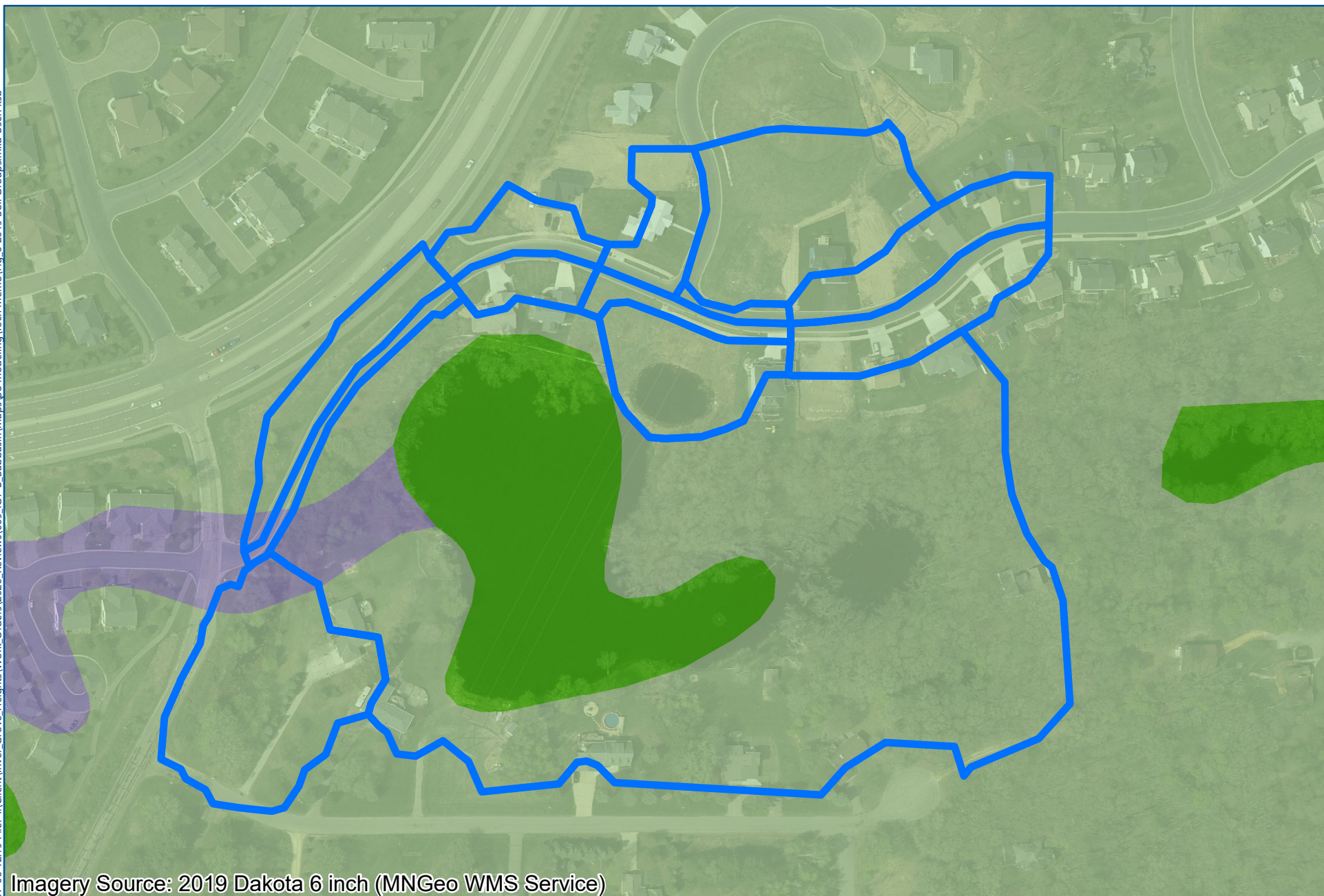
-  IGT-B-3 Tributary Area
- Hydrologic Soil Group**
- | | |
|---|---|
|  NA |  B |
|  A |  B/D |
|  A/D |  C |
| |  C/D |
| |  D |

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2006 Land Use
Hydrologic Soil Group
IGT-B Hydrologic Modeling
City of Inver Grove Heights

FIGURE 5

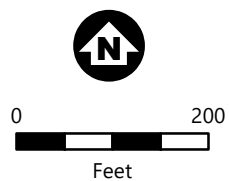


Imagery Source: 2019 Dakota 6 inch (MNGeo WMS Service)



-  IG-T-B-3 Tributary Area
- Hydrologic Soil Group**
- | | |
|---|---|
|  NA |  B |
|  A |  B/D |
|  A/D |  C |
| |  C/D |
| |  D |

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2019 Land Use
Hydrologic Soil Group
IGT-B Hydrologic Modeling
City of Inver Grove Heights

FIGURE 6

Water Balance Modeling

Barr used a daily timestep water balance spreadsheet to simulate inflows and outflows for the IGT-B-3 basin. Inflows included daily time series data exported from P8 models. The P8 time series accounted for runoff from the surrounding area as well as direct precipitation falling on the basin area. Outflows included evaporation and seepage to groundwater. The IGT-B-3 basin itself was modeled as a single water storage area using an elevation-area-volume curve.

Evaporation Input Data

Daily evaporation depth for dates between April 21 and October 10 was estimated from monthly pan evaporation data recorded at the University of Minnesota St. Paul Campus and accessed online at <https://www.dnr.state.mn.us/climate/wxsta/pan-evaporation.html>. Daily evaporation from October 11 to April 20 was assumed to be zero.

Storage Curve

Barr used a LiDAR generated digital elevation model (DEM) (Minnesota DNR, 2011) to calculate an elevation-area-storage curve above elevation 890.5 feet, which was the apparent water elevation at the time of the LiDAR data collection. Surface area and cumulative storage volume within the IGT-B-3 subwatershed were calculated at 0.1-foot elevation intervals from elevation 890.5 to elevation 897.0. Below elevation 890.5, basin bathymetry was estimated based on aerial photographs and anecdotal accounts of the maximum water depth in recent years provided by shoreline residents. Based on the anecdotal accounts, the basin bottom elevation was estimated to be 887.5 feet. Figure 7 shows the resulting cumulative elevation-storage curve.

Seepage

In a water balance model, the seepage term represents the net difference in the exchange between surface water and groundwater. Because it is difficult to quantify seepage without extensive groundwater monitoring, seepage is typically a calibration variable used to “fit” the simulation to observed water elevation data. Based on observed data from 1980 to 2006, Barr calibrated the model with a seepage rate representing a water loss rate from the pond to groundwater of 0.006 inches per hour, calculated over the inundated area of the pond.

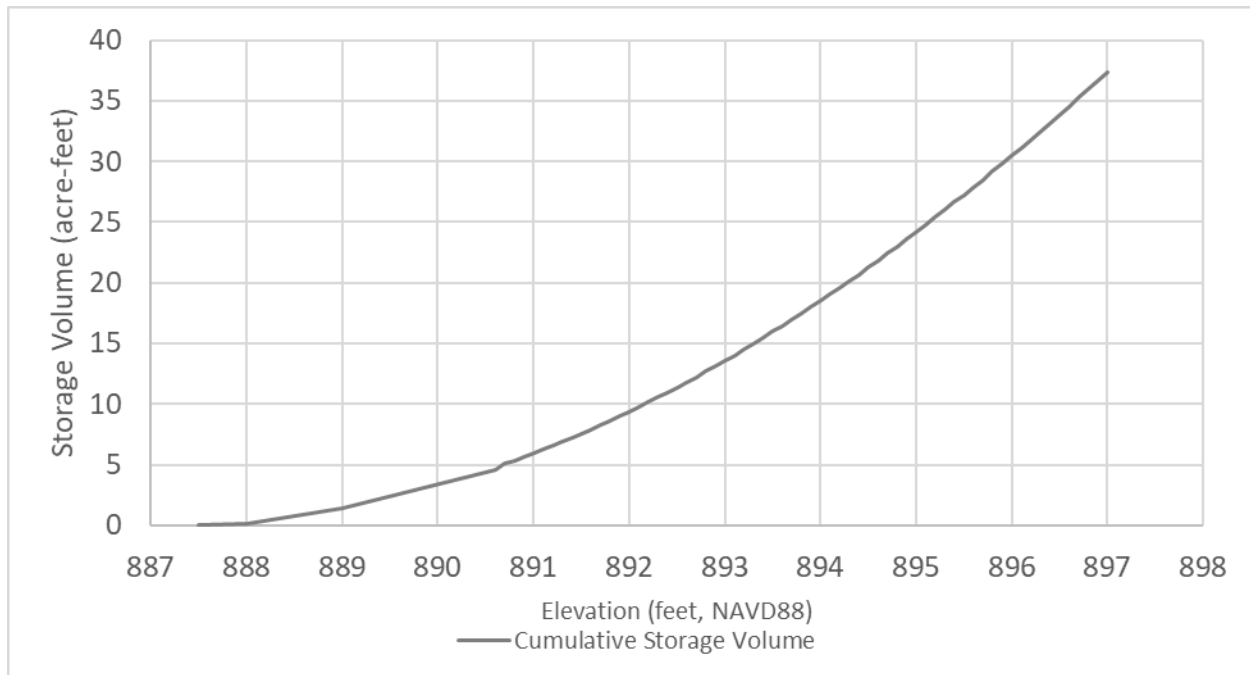


Figure 7 IGT-B-3 Basin Elevation Storage Curve Used for Water Balance Modeling

Modeling Procedure

The water balance model was initiated using an assumed water elevation of 887.5 on 10/2/1979. Although there are no known historic water elevation observations at that time, aerial photography from 1974 showed only a fraction of the basin with standing water, and the average annual precipitation during the intervening years between 1974 and 1980 was below normal.

Daily Inflows and outflows were added together to calculate a net storage change. If inflows exceeded outflows, the pond gained water volume, and the resulting water elevation and water surface area values were interpolated from the elevation-area-volume curve. At the next daily time step, seepage and evaporation volumes were calculated by applying their respective rates (in inches per hour or inches per day, respectively) to the surface area of the pond at the end of the previous time step. Runoff was then also added to the total and the ending elevation for that time step was calculated. If the pond water volume became negative for any time step, the water elevation was set to 887.5 feet and the storage volume was set to zero.

Several physical factors could interact to cause the seepage rate to vary over time, including changes in hydrostatic pressure caused by variable water elevation, changes in the surficial water table elevation, and changes in lateral movement of infiltrated water. However, insufficient observed data was available for calibrating a variable seepage rate; therefore, the seepage rate was assumed to remain constant at 0.006 inches per hour throughout the simulation. Figure 8 shows the results of the seepage rate calibration.

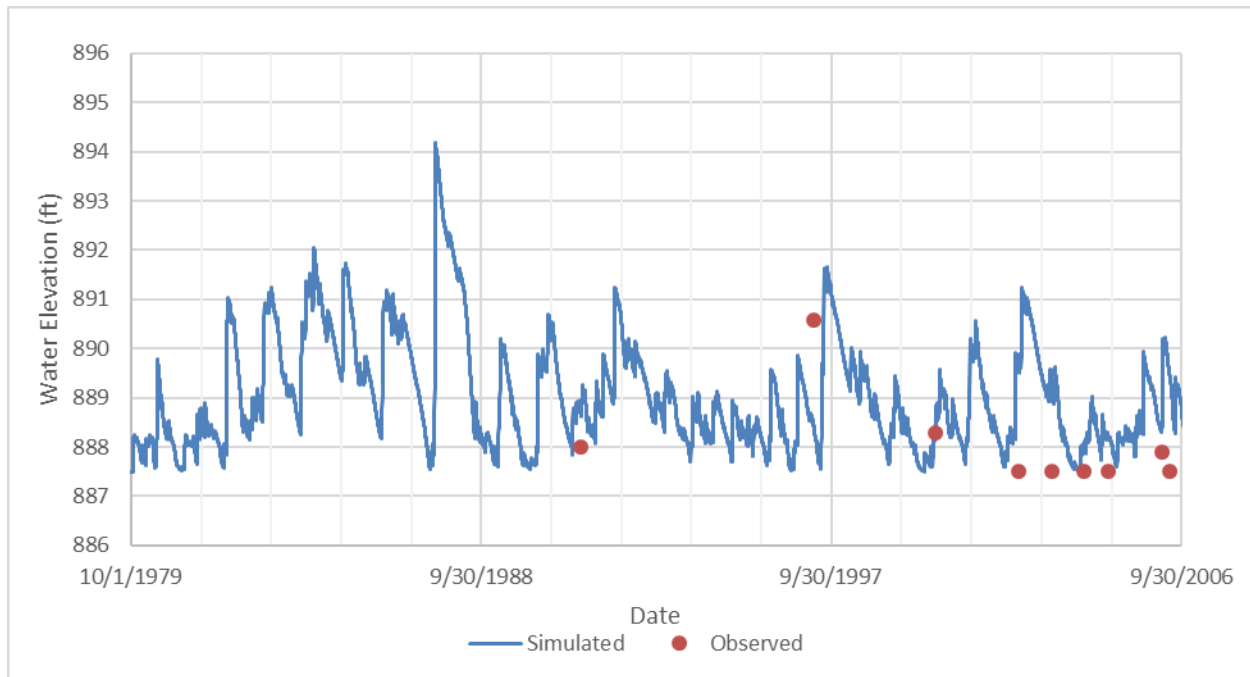


Figure 8 Water Balance Model Calibration to 2006 Land Use Conditions

Modeling Results

Three versions of the water balance simulation were run, differing only in the runoff inputs. The first version used runoff inputs from the 2006 land use P8 model, the second version used runoff inputs from the 2019 land use P8 model, and the third used runoff inputs from the 2006 land use P8 model until March 31, 2010, and runoff inputs from the 2019 land use P8 model thereafter.

Figure 9 shows the simulation results for the first two model runs. Figure 10 shows the results of the third simulation, compared to the observed data. The results showed that the simulated data did not have a good 'fit' to the observed data during the period from 2016 to 2019, when the basin water elevation was known to be consistently high and steadily rising. Because the contributing area modeled using P8 is relatively small and not complex, and because evaporation is expected to be regionally consistent with the University of Minnesota station, this leads to a conclusion that either the modeled precipitation has been underestimated or the modeled seepage rate has been overestimated. Comparison of annual precipitation with the NWS Hastings Dam 2 station suggested that while there may be some spatial variability of rainfall depth, the general trends in annual rainfall depth were similar. Therefore, it was concluded that variability in the seepage rate was the modeling input most likely to introduce error.

Barr performed a simple sensitivity test to estimate the potential for a varying seepage rate. By lowering the seepage rate to 67%, to 0.002 inches per hour, a good fit to the observed data was achieved (Figure 11).

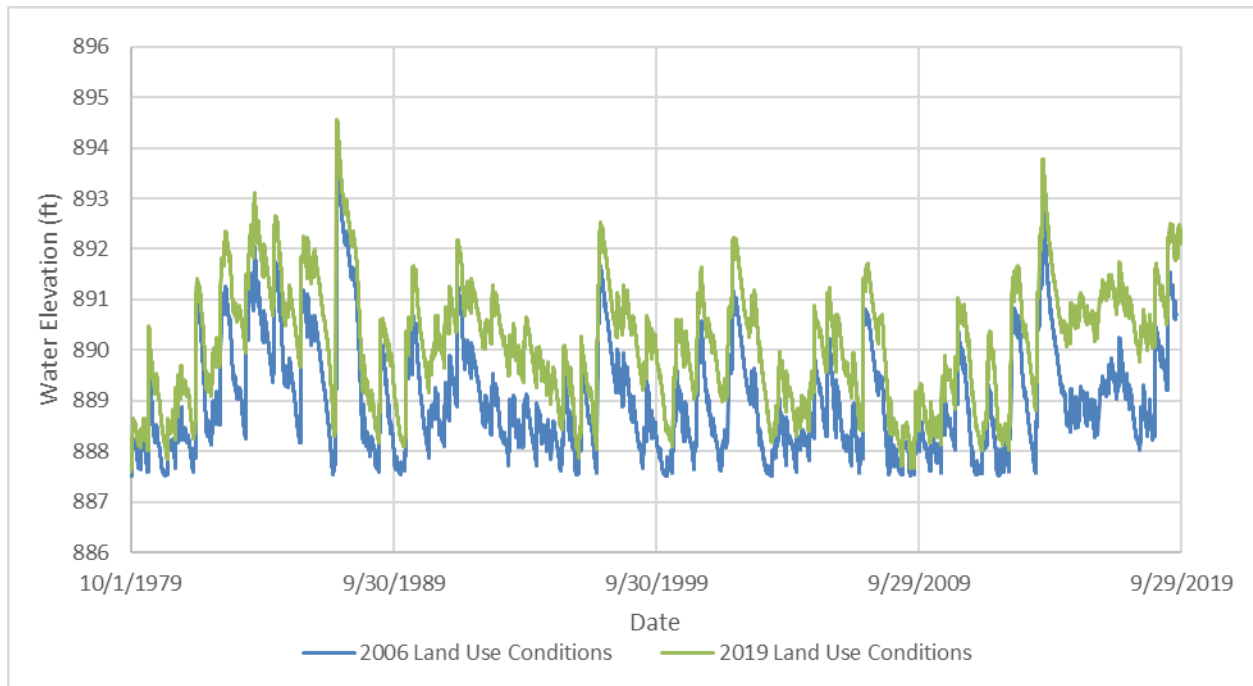


Figure 9 Comparison of IGT-B-3 Water Elevations Simulated with 2006 Land Use or 2019 Land Use Conditions

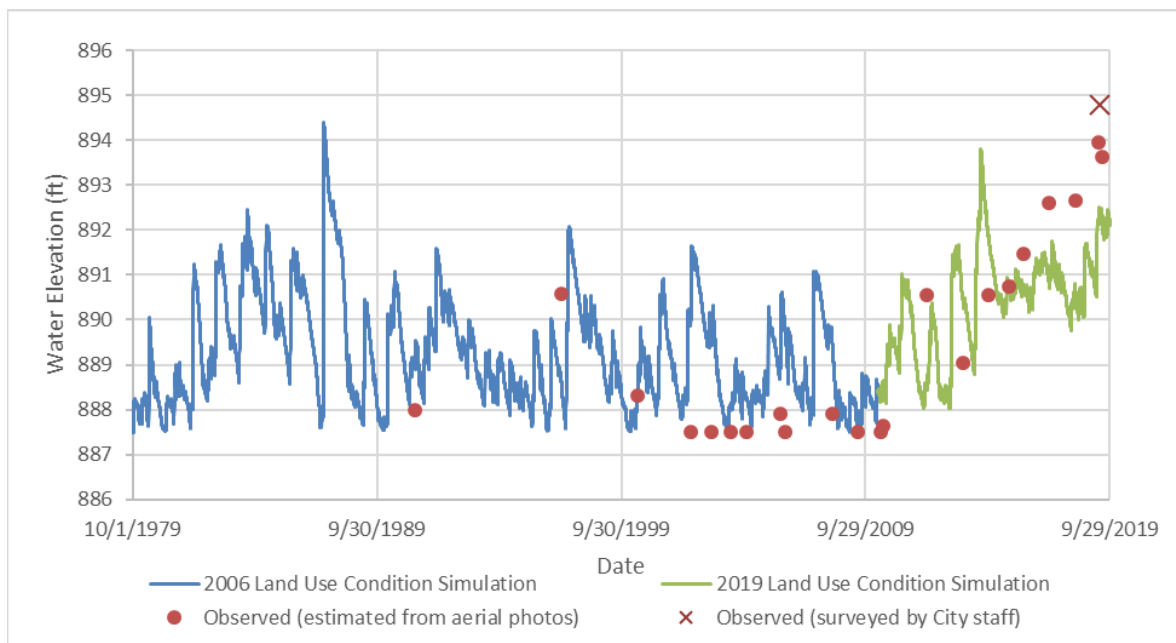


Figure 10 Comparison of Observed Water Elevations in the IGT-B-3 Basin with Simulated Water Elevations for Actual Land Use Conditions using Constant 0.006 inch per hour Seepage Rate

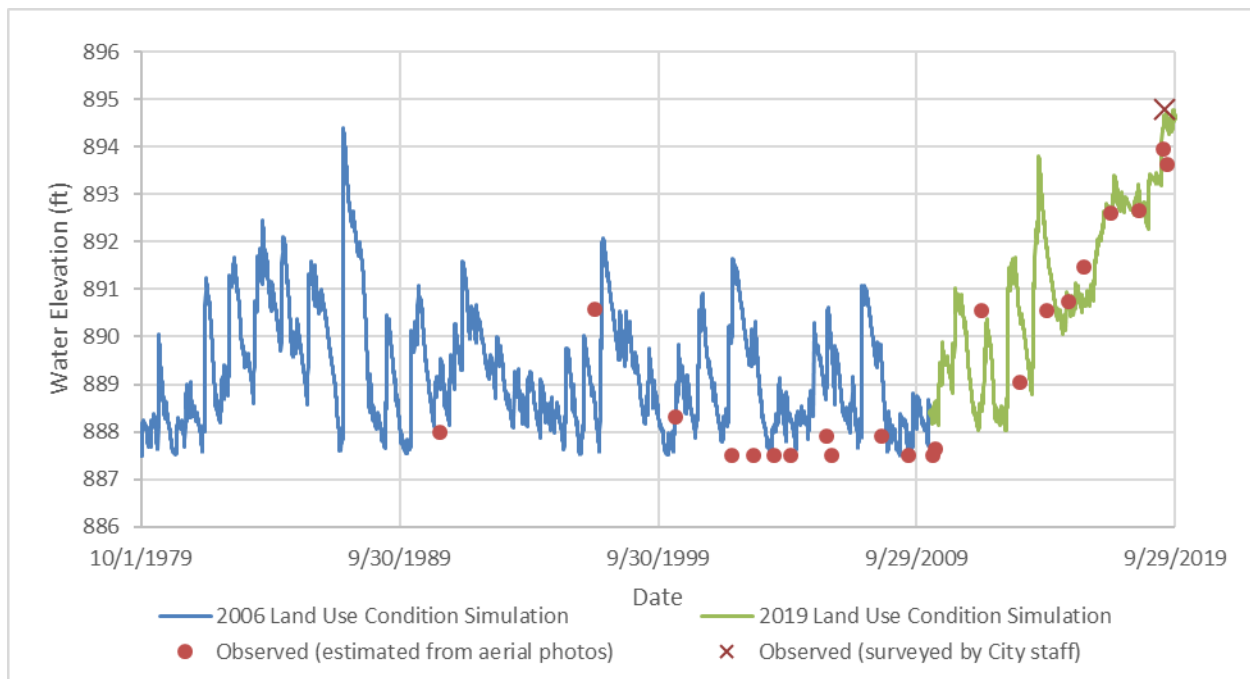


Figure 11 Comparison of Observed Water Elevations in the IGT-B-3 Basin with Simulated Water Elevations for Actual Land Use Conditions using 0.006 inch per hour Seepage Rate Before April 1, 2016 and 0.002 inch per hour Seepage Rate after April 1, 2016