

Inver Grove Heights City Council
In Person Meeting and via Zoom (Hybrid Meeting)

Monday, January 25, 2021 at 7:00 p.m.

A G E N D A

NOTICE TO RESIDENTS: If you are interested in participating on **Item 7. Public Comment**, please contact Rebecca Kiernan prior to this meeting via telephone (651) 450-2513 or email (rkiernan@ighmn.gov) 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@ighmn.gov). Comments received prior to 4:00 p.m. on Monday, January 25, 2021, will be provided to the Council at or before the January 25, 2021, 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 December 14, 2020 City Council Meeting.
- B.** Disbursements for Period Ending January 19, 2021.
- C.** Consider Approval of Rental Licenses.
- D.** Consider Approval of Personnel Actions.
- E.** Appoint City Employee Brian Swoboda to serve as Deputy Weed Inspector for 2021.
- F.** Consider Approval of Collective Bargaining Agreement with LELS Patrol Local 84 for 2021 and 2022.
- G.** Consider Approval of New Manager, Terrence Ruffen at Outback Steakhouse Inc.
- H.** Consider Approval of Agreements with Dakota County for Mendota Lebanon Regional Trail in Blackstone Vista and Blackstone Ponds.
- I.** Accept Final 2020 Donations and Grants for Various Parks and Recreation Programs.
- J.** Consider Proposal from HKGI to Assist with Comprehensive Park, Recreation, Trail and Facilities Plan.
- K.** Approve Resolutions for two Conditional Use Permits to allow 24-hour child-care centers at 2855 47th Street (20-54C) and 5300 South Robert Trail (20-55C) for Sandra Perez.
- L.** Approve Resolutions for two Variances relating to a maximum sign size in B-1 district and a maximum wall sign size in B-1 district for Garrett Stainbrook, CHS (21-01V).
- M.** Approve Purchase of Capital Equipment.
- N.** Resolution Accepting Field Services Proposal from EOR for Inver Point Business Park Second Addition.
- O.** Consider Resolution Accepting Proposals and Authorizing Consultant Professional Engineering Services for the Peltier Property located at 7250 Argenta Trail.

- P.** Consider Proposal from SRF for Assistance in Preparing a Local Road Improvement Program Application for City Project No. 2010-09F – Upper 55th Street and Utility Improvements.
- Q.** Consider Proposal from Bolton & Menk for Assistance in Preparing a Local Road Improvement Program (LRIP) Application for City Project No. 2016-17 – 117th Street Reconstruction.
- R.** Consider a Resolution Receiving Feasibility Report and Scheduling a Public Hearing for City Project No. 2021-09D Bryant Lane Area Improvements (aka Majestic Woodlands).
- S.** Consider Resolution Accepting Engineering Services Proposals from WSB for the Canvas at Inver Grove Heights Development.
- T.** Consider Resolution Calling for Hearing on Proposed Assessment and Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for Nuisance Abatement 2020.

5. Public Hearing

- A.** Consider Approval of New Additional Business Owner, Keith Gliva, Mississippi Pub.
- B.** Consider Approval of 8 New Officers for Loyal Order of Moose Lodge #1088.
- C.** Public Hearing to Consider a Resolution Ordering Project, Authorizing Preparation of Plans and Specifications, and Authorizing Land Acquisition Services for the 2021 Pavement Management Program, City Project No. 2020-09D – Delaney Circle and Delaney Court Improvements.

6. Regular

Community Development

- A. TIM SALSCHIEDER** – Consider the following resolutions for property located at 2306 99th Street:
 1. Resolution relating to a Variance to allow more than one detached accessory structure.
 2. Resolution relating to a Variance from side yard setbacks.
 3. Resolution relating to a Variance to allow an accessory structure larger than 1,600 square feet.

Finance

- B.** Approve Final Transfers and Fund Closings.

Engineering

- C.** Consider Resolution Receiving Technical Memorandum Related to Canvas at IGH for City Project No. 2015-20 – NWA Trunk Utility Improvements – Robert District.

Administration

- D.** Appoint Interim Parks and Recreation Director.
- E.** Consider Approval of Request for Proposals for Professional Recruitment Services.
- F.** Consider Approval of 2021 Legislative Platform and Bonding Requests.

7. 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.

8. Executive Session

- A.** Closed session pursuant to Minnesota Statutes § 13D.05, Subd. 3(c)(1) and (3) to develop or consider offers or counteroffers for the purchase by the City of a portion of real property located at 1407 80th Street East, Inver Grove Heights, and the sale by the City of a portion of the real property located at 1467 80th Street East, Inver Grove Heights.

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@ighmn.gov.

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, DECEMBER 14, 2020 - 7:00 P.M. - 8150 BARBARA AVENUE**

****In Person Meeting and via Zoom Video Conferencing (Hybrid Meeting)****

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, December 14, 2020, via In Person and Zoom Video Conferencing (Hybrid Meeting). 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, Perry, and Dietrich; City Administrator Lynch, City Clerk Kiernan, City Attorney McCauley Nason, and Parks and Recreation Director Carlson.

Kelly Kayser, Kelly Staples, Kris Staples, Matt Krumrie, Allen Egging, Troy McManus, Jonathan Jordan.

Present via Zoom Video Conferencing/Phone: Councilmember Bartholomew; Information Technology Manager Gade, Utility Superintendent Helling, Assistant City Engineer Dodge, Finance Director Hove, Police Lieutenant Daniels, Police Chief Chiodo, Environmental Specialist Sutherland, Community Development Director Rand, Associate Planner Botten, City Engineer Kaldunski, City Planner Hunting, and Fire Chief Thill.

Gregory Mitcheltree, Joe Gibbs, Caroline Gibbs, Pablo Castellanos, Mike Waldo; Ron Clark Construction, Melvin Moore, and Pastor Paul Marzahn; Crossroads Church.

To note: Audio was unavailable at the start of the meeting until 2:07 minutes. (7:02 p.m.).

3. PRESENTATIONS:

Proclamation Recognizing Dan Helling, Utility Superintendent.

Mayor Tourville recognized Utility Superintendent Dan Helling with a Proclamation recognizing and declaring December 31, 2020 as Daniel Helling Day in Inver Grove Heights. Mr. Helling has been a full-time employee for 35 years. Over that period, he worked his way up through the ranks. Under his leadership, the City's utility system was operated and maintained to the highest standards and the Utilities Division continued its long history of excellent customer service. He stated be it resolved, by the City Council of Inver Grove Heights, Minnesota, that Thursday, December 31, 2020 be recognized as Daniel Helling Day to thank him for his many years of dedicated service to the City.

Utilities Superintendent Dan Helling stated it has been an honor. He began working in 1980 and went to school at Inver Hills Community College. His career began when he was hired seasonally. He worked his way up, became a lead worker, and over the last several years has been Superintendent. He stated he tries to keep the standards up from previous Superintendents. He has had the Mayor's, City Administrator's, and Public Works Director's support. He was thankful, appreciative, and said it is quite an honor.

Mayor Tourville stated he has a plaque to give him. He commented that it was well deserved and appreciated all the dedication and hard work over the years.

Councilmember Piekarski Krech asked if she could make a Motion to add an item to the Agenda, seconded by Perry. Mayor Tourville responded yes.

Mayor Tourville stated this was Councilmember Kara Perry's last regularly scheduled meeting. The following was read: "In appreciation of her years of dedicated service to the City of Inver Grove Heights, presented with gratitude, this 14th day of December 2020, from the City of Inver Grove Heights". Mayor Tourville presented Councilmember Perry with a plaque.

Councilmember Perry thanked residents for her Council position stating it has been the best and worst job she has ever had. It was the best because she has met a lot of great people and has done a lot of great things. It was the worst because it is more stress than anyone would know until you sit at that table. She thanked everyone for supporting the City.

Councilmember Piekarski Krech read aloud a Resolution recognizing Mayor George Tourville and declaring December 15th, 2020, as George Tourville Day in the City of Inver Grove Heights. George Tourville has served for 39 years as a Councilmember and Mayor for the City. She stated by his public service commitment, he has demonstrated he has always had the best interest in doing the right things for the City and has always been enthusiastic, energetic, and engaged about issues affecting this City and other Cities. He has had the best interest of citizens at the forefront by his listening, engagement, and understanding of issues. She stated George has served on many Committees, Commissions, Task Forces, and represented the City on Legislative Groups. He has given back to the Community through his many philanthropic ventures. She stated therefore be it resolved by the City of Inver Grove Heights, Minnesota that Tuesday, December 15th, 2020 will be recognized as George Tourville Day to honor and thank him for all he has given to the City. Councilmember Piekarski Krech presented Mayor Tourville with a plaque.

City Administrator Joe Lynch presented Mayor Tourville with a City street sign, stating it was on behalf of citizens, City Council, Staff, and the City of Inver Grove Heights. The back of the sign states "Paving the way for the City since 1981". The front of the sign says "Tourville Way". City Administrator Lynch thanked Mayor Tourville for his many years of service with guidance and leadership and for all his energy and enthusiasm for the City. City Administrator Lynch presented Mayor Tourville with a plaque that states, "Thank you for your dedication, service, and commitment, for the past 39 years for the City of Inver Grove Heights, given this 14th day of December 2020, from the City of Inver Grove Heights".

Mayor Tourville stated Town Square Television did a short video clip in summary of his 39 years. He stated City Attorney Tim Kuntz and himself started about the same time when meetings were held at the City Hall located off of Concord. The biggest thing is the Council Members or Mayor does not do anything alone. It takes great Staff, and the working relationship and teamwork of the City Council. He said he is humbled. The City has come a long way. He stated there is a tremendous number of opportunities for the City going forward. They are far from perfect but every single day they try to do a great job. He commented that it was all about the citizens, the population has grown, buildings have been added, and the terrain has been a tremendous asset. He was thankful for the Street sign.

4. CONSENT AGENDA:

- A.**
 - i.** Minutes from the September 28, 2020 City Council Meeting.
 - ii.** Minutes from the November 2, 2020 City Council Work Session.
 - iii.** Minutes from the November 9, 2020 City Council Meeting.
 - iv.** Minutes from the November 13, 2020 Election Canvass Meeting.
 - v.** Minutes from the November 23, 2020 City Council Meeting.
 - vi.** Minutes from the December 3, 2020 Special City Council Meeting.
 - vii.** Minutes from the December 5, 2020 Special City Council Meeting.
- B.** Disbursements for Period Ending December 9, 2020. **Resolution 2020-282**
- C.** Consider Approval of Rental Licenses.
- D.** Consider Approval of Personnel Actions.

- E.** Consider **Resolution 2020-283** Authorizing payments to churches used as polling locations for the 2020 Presidential Nomination Primary, State Primary and State General Elections.
- F.** Consider Approval of Massage Therapist, Kristie Jacobson for Oye Spa Inc.
- G.** Consider Approval of 2021 City Council Meeting Schedules.
- H.** Consider Approval of 2021 Commission/Committee Meeting Schedules.
- I.** Consider Approval of 2021 Seasonal and Temporary Employees Pay Plan.
- J.** Consider Authorizing Budget Transfer of \$22,000 in funds from the Community Development 2020 Budget to the Inver Grove Heights Economic Development Authority to Fund a South of Hwy 55 Small Area Plan. **Resolution 2020-284**
- K.** Consider Approval of HKGI for NW Area Park Planning for the Peltier Property. **Resolution 2020-285**
- L.** Approve a **Resolution 2020-286** relating to a variance from the front setback to allow a porch to be located 26 feet from the front property line whereas 30 feet is required for the property located at 8046 River Road (David Hauch - Case No. 20-42V).
- M.** Approve a **Resolution 2020-287** relating to Conditional Use Permit Amendment to allow the expansion of bulk storage of asphalt cement in storage tanks and a **Resolution 2020-288** related to a Variance to allow the tanks 48 feet in height for property located at 112th Street and Rich Valley Boulevard. (Bituminous Roadways - Case No. 20-12CA).
- N.** Approve an **Ordinance 1399** to rezone a portion of the property to I-2, General Industry District, and Approve a **Resolution 2020-289** relating to a Variance from screening requirements for outdoor storage from setback requirements from a residential district for outdoor storage in an I-2 District. Property located at 10900 Clark Road. (Rodger Espeseth - Case No. 20-37Z).
- O.** Approve the **Resolution 2020-290** relating to an Approvement Agreement, Storm Water Maintenance Agreement, and other related agreements for the plat of Ruby Meadows. (Builder Lot Group - Case No. 20-28SZP).
- P.** Approve Collective Bargaining Agreement with LELS Sergeants Local 189, for 2021 and 2022.
- Q.** Consider Pay Voucher No. 5 for City Project No. 2016-09G - 60th Street, 62nd Street and Bacon Avenue Improvements.
- R.** Consider Approving an Amendment to the Custom Grading Agreement and Storm Water Facilities Maintenance Agreement (SWFMA) for 1975 96TH Street.
- S.** Appointment of Board Member to the Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO).
- T.** Consider **Resolution 2020-291** Accepting Proposal from Barr Engineering to Develop a City-wide Landlocked Basin Management Policy.
- U.** Consider **Resolution 2020-292** Approving a Release of Claims Agreement at 1680 Atwater Path for City Project No. 2018-09D - Atwater Path Pavement Replacement and Stormwater Improvements.
- V.** Consider **Resolution 2020-293** Receiving Feasibility Report and Scheduling a Public Hearing for City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements.
- W.** Consider a **Resolution 2020-294** Receiving Feasibility Report, Scheduling Public Hearing and Authorizing Final Design for City Project No. 2021-03 NWA Emergency Pumping Systems and Force Main Improvements for Regional Basins EP-027A and EP-034.
- X.** Consider **Resolution 2020-295** and **Resolution 2020-296** Accepting Anonymous Donation in the amount of \$2,000 (\$1,000 to Fire Department & \$1,000 to Police K-9 Fund).
- ~~**Y.** Consider Approval of Change Order for Heritage Village Park Phase III Improvements.~~

Mayor Tourville stated he has a request to pull Agenda Item 4V.

Agenda Item 4Y will not be discussed this evening.

City Administrator Lynch stated Agenda Item 4W has an update. Packets include material from the November 23rd meeting, not the decision on this information. An update will be given by Assistant City Engineer Dodge.

Councilmember Dietrich requested pulling Agenda Item 4Ai.

Councilmember Perry requested pulling Agenda Item 4Aiv.

Motion by Piekarski Krech second by Perry to approve the Consent Agenda with the exception of Agenda Items 4Ai, 4Aiv, 4V, and 4W.

Ayes: 5

Nays: 0 Motion carried.

Agenda Item 4Ai. Minutes from the September 28, 2020 City Council Meeting.

Councilmember Dietrich referenced Page 17 of the Agenda packet, second bullet point, sentence that includes "with her boss, a Councilmember" was an inaccuracy in transcription. She asked that be changed.

Motion by Piekarski Krech second by Perry to approve Agenda Item 4Ai. Minutes from the September 28, 2020 City Council Meeting in the Agenda Packets, on Page 17, as corrected.

Ayes: 5

Nays: 0 Motion carried.

Agenda Item 4Aiv. Minutes from the November 13, 2020 Election Canvass Meeting.

Councilmember Perry stated she was not in attendance at the meeting and would abstain from voting.

Motion by Bartholomew second by Piekarski Krech to approve Agenda Item 4Aiv. Minutes from the November 13, 2020 Election Canvass Meeting.

Ayes: 4

Nays: 0

Abstain: 1 (Perry) Motion carried.

Agenda Item 4V. Consider Resolution 2020-293 Receiving Feasibility Report and Scheduling a Public Hearing for City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements.

Kelly Kayser, 1953 59th Court East, referenced Page 636 stating there was a question asking, "How long should the new road last". The abbreviated response from Staff was pavement design was 20 years, with proper pavement management they would expect the roadway to last longer than that. She commented it was different from what they have evolved from over the last four years. When her project was done, full depth reclamation and pavement replacement were not options because of pavement design only being 20 years. She asked what the basis was for saying it could last longer than 20 years. Her understanding was design life was based on maintenance being done throughout that design life. She asked what the rationale was.

Assistant City Engineer Steve Dodge responded rural reconstruction projects are looked at differently than an urban reconstruction project. This refers to the type of methods and rehabilitation that can be done to the road and type of life the road would be applicable for with rehabilitation being done. For that reason, a longer lifespan is used for urban reconstruction. With this road, they use a 20-year design life. It is a rural reconstruction with large lots and ditch sections to take water and drainage away. It could last longer than that, so they put a minimum of 20 years with maintenance.

Ms. Kayser asked if 20 years was just for the rural section, not the Court. Assistant City Engineer Dodge responded the designation given for lifespan is for Delaney Circle and Delaney Court. Mayor Tourville commented some rural roads could go longer than 20 years due to little traffic.

Motion by Bartholomew second by Perry to approve Agenda Item 4V. Consider Resolution 2020-293 Receiving Feasibility Report and Scheduling a Public Hearing for City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements.

Ayes: 5

Nays: 0 Motion carried.

Agenda Item 4W. Consider a Resolution 2020-294 Receiving Feasibility Report, Scheduling Public Hearing and Authorizing Final Design for City Project No. 2021-03 NWA Emergency Pumping Systems and Force Main Improvements for Regional Basins EP-027A and EP-034.

Assistant City Engineer Dodge stated City Project 2021-03, initiated by the Canvas Development (Watermark Properties), had final plat and PUD received on November 16. City Council authorized the feasibility report on November 23rd. The area is in the northeast quadrant of Trunk Highway 3 and County Road 26 (70th Street East). A large Regional Basin called EP-027A is on the northwest corner, on the southeast corner is Regional Basin EP-034. The two basins are deep landlocked basins.

He stated in the northwest area there are emergency overflow conveyance mechanisms that were studied and would occur as development happens in the northwest area. The two deep basins, in order to keep the 100-year water line at the right level, may need future emergency pumping through force main. It would be connected to a manhole in the middle of the site and would flow by gravity to 70th Street. There is a pipe already installed with the roundabout in the 70th Street storm system that would go to a basin south of 70th. That completes the system for the area.

He stated the basins may need the water line to be monitored in the future. Basin EP-034 is the smaller of the two and most likely the one needing emergency and temporary pumping consideration sooner. Both basins would have a system installed so a remote trailered pump can be brought in and turned on until the high-water level is lowered. Then the pump would be removed. The feasibility report allows for pumping of the basins and the costs to set up the system within the development. The cost is \$610,300. Funding is through the Northwest Area Water Fund and Developer funds. The equipment and purchase of portable pumps can occur at a later date, estimated at approximately \$60,000.

Assistant City Engineer Dodge stated two systems are being proposed: Layout A and Layout B. Final design would be worked out with the Developer along with consideration of other utilities of whichever layout utilized. Layouts are similar in costs. He stated this has moved forward quickly to work with Canvas Development. They look forward to incorporating this in the final development plans by February.

Mayor Tourville stated they are looking to get the Public Hearing so the project can have it is hearing tentatively. He asked if there were neighborhoods interested in this. Assistant City Engineer Dodge responded they would like to get the hearing scheduled so they can get letters out to neighbors adjacent to the development, so input can be provided prior to the Public Hearing.

Motion by Piekarski Krech second by Perry to approve Consider a Resolution 2020-294 Receiving Feasibility Report, Scheduling Public Hearing and Authorizing Final Design for City Project No. 2021-03 NWA Emergency Pumping Systems and Force Main Improvements for Regional Basins EP-027A and EP-034, and to schedule a Public Hearing.

City Attorney Bridget McCauley Nason stated the Resolution does not have a date for the Public Hearing. She asked if it was an Amendment to the Resolution to call for a Public Hearing at a set date, or if it was commentary for a Public Hearing to be set at a later date.

Mayor Tourville asked Assistant City Engineer Dodge if he had a date certain. Assistant City Engineer Dodge responded they would like to set it for the January 11, 2021 City Council Meeting at 7:00.

City Attorney McCauley Nason asked if the Motion and second to approve the Resolution contained in the packet with the addition of a sentence calling for a Public Hearing to be scheduled for January 11, 2021 at 7:00 p.m. in Council Chambers. Councilmembers Piekarski Krech and Perry agreed.

Mayor Tourville asked if this met the timeframe for notification. Assistant City Engineer Dodge responded it does. City Attorney McCauley Nason stated the timeframe was sufficient. If not, it could be addressed.

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC HEARING:

A. Public Hearing and Consider Approval of Renewal Applications for Liquor Licenses for the 2021 calendar year.

City Clerk Rebecca Kiernan stated this is to consider approval of Renewal Applications for Liquor Licenses for the 2021 calendar year. Applications were received. Public Notice was published on November 29th in the Pioneer Press. She stated each Renewal Application was accompanied by the necessary license fees and Liability Insurance Certificates. All background investigations were completed by the Police Department. She stated there are five establishments that have changes in Officer's or Managers. Additional information is needed. Those Officer's or Managers are required to undergo background investigations. She stated those establishments have been notified and the changes will be processed normally. Information regarding completion of alcohol-server training was also provided with each application to verify that all employees engaged in the serving/selling of alcohol received training within the last 36 months. She stated there were five establishments identified as having outdated alcohol server training compliance. Those have been contacted. One establishment has not paid their property taxes for 2020 and has been contacted.

She stated there has been talk of the fees collected. Most businesses are hurting for money and it shows in the value of fees already collected. This year the fees collected are approximately \$15,000 less from 2019. In July 2020, 2 ½ months' worth of license fees were refunded. She stated she has been contacted by some businesses saying they would like to see some relief for the remainder of 2020. There are three options. A decision will be requested at the January 11, 2021 City Council Meeting.

1. Give a discount of 25% for the first three months of 2021.
2. Return half of the fee at this time.
3. Wait to see what the Governor does.

Council may conditionally approve the Renewal License Applications contingent upon the Applicant's providing missing information to Staff. If the Applicant fails to turn in their missing information, they will not be issued a license starting January 1st, until information is submitted and can go to Council on January 11th. She stated Staff suggests waiting to hear from the Governor to see how long the Executive Order is in place, then Staff will suggest how to proceed on January 11th.

Councilmember Piekarski Krech stated those that do not get their information in will be without a license from at least January 1st through January 11th. Mayor Tourville stated some restaurant and liquor establishments may be waiting to find out about funding opportunities and rules.

Motion by Piekarski Krech second by Perry to close the Public Hearing at 7:41PM

Ayes: 5

Nays: 0 Motion carried.

City Clerk Kiernan stated in order to get licenses, everything has to be in by 4:00 p.m. on Thursday, December 31st.

Motion by Bartholomew second by Piekarski Krech to approve the Public Hearing and approval of Renewal Applications for Liquor Licenses for the 2021 calendar year.

Ayes: 5

Nays: 0 Motion carried.

B. Public Hearing to Consider Approval of Therapeutic Massage Business License at Life Massage and Spa at 9086 Buchanan Trail.

City Clerk Kiernan stated the Applicant is available on Zoom if needed. This is a Public Hearing to consider the approval of a new massage business at Life Massage and Spa. This is an ownership change at 9086 Buchanan Trail. The individuals name is Juan Lu. She stated the Application has been submitted, the required number of Therapeutic Massage Training has been completed and is a member of good standing in St. Louis Park and Plymouth. Background investigation found no basis for denial of the business or individual license request. Staff recommends opening and closing the Public Hearing and making a Motion to approve the Business License and Individual Therapeutic Massage Therapist License for Juan Lu, as Shang Hao LLC., DBA Life Massage and Spa.

Motion by Perry second by Piekarski Krech to close the Public Hearing at 7:46PM

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech second by Perry to approve Public Hearing to Consider Approval of Therapeutic Massage Business License at Life Massage and Spa at 9086 Buchanan Trail.

Ayes: 5

Nays: 0 Motion carried.

C. Consider a Resolution Ordering Project, Receiving Amendment No. 1 to the Feasibility Report, Accepting Professional Engineering Services Proposal IPO 28B from Kimley-Horn, Authorizing Preparation of Plans and Specifications, and Authorizing Land Acquisition Services for City Project No. 2016-13 - Cahill Trunk Drainage Improvements. Resolution 2020-297

Assistant City Engineer Dodge discussed City Project No. 2016-13 Cahill Trunk Drainage Improvements stating there is a large drainage area that goes from 65th Street North to the Industrial Park on Carleda Way. The western line is closer to 62nd Street with the easterly drainage area in the Carleda Way Industrial Park area. The large drainage area has identified localized flooding due to the capacity issues of the trunk stormwater system on Cahill. It has sent water that collects on 64th Court (also part of the Carleda Way project).

He stated the Drainage Analysis was completed in early 2020. The project began in 2016 after Carleda Way was looked at as a reconstruction project in 2015. The trunk drainage issue was identified in the Carleda Way project in 2015. That item needed to be addressed and resolved as it may impact the road design of Carleda Way and 64th Court. Funding was an issue but identified in the 2020 CIP Plan. He stated the project is being moved forward first with the 2016-13 Cahill Trunk Drainage Improvements. In conjunction with that, move forward the Carleda Way Project 2016-09F Carleda Way Reconstruction. The Council received the feasibility on November 9th. The Public Hearing is scheduled for this meeting. The following information was discussed:

Stormwater Analysis (Existing Conditions):

- Flooding concerns on 64th Court East and the Carleda intersection in the cul de sac. It has flooded twice in the past, particularly the property on the northeast corner of Carleda Way and 64th Court.
- Cahill Avenue trunk sewer capacity issues. This travels past Carleda toward the Industrial Park area where Bohrer Pond is located. That system has capacity issues that may cause water to back up in a 100-year storm event.
- Existing ponding area in vacant parcels at the southeast corner of Cahill Avenue and Carleda Way. The pipe system has an easement that goes through the south portion of those lots. There is a structure at the low area that currently allows water to back up. Water continues east towards Bohrer Pond.

Stormwater Analysis (Proposed Conditions):

- Reviewed 3 identified alternatives to address flooding:
 - Option A: Carleda Way and Cahill Avenue trunk sewer connection and upsizing. *This option is not as feasible as the others due to the disruption to the neighborhoods, impacts to structures, and cost.*
 - Option B: Upsize storm sewer from 64th Court to Bohrer Pond system. *Because of existing houses, structures, and infrastructure, it is not very feasible. Requires a lot of disruption to local residents, side yards, and backyards and is challenging due to closeness of structures.*
 - Option C: Stormwater pond construction. *Best option.*
 - Creating a stormwater pond.
 - Dry basin handling local water. Mainly handles a 100-year storm. Would dissipate within a number of days and become a dry pond again.
 - System alleviates 64th Court. They would not see the flooding in a 100-year storm like they have been experiencing.
 - Maintains existing 100-year in existing low-lying area.
 - Grading shaped to minimize tree impacts and disturbance area.
 - Work with the property owners impacted.
 - Further review was done with Engineers since the Feasibility Report shown last month and reduced the elevation of the pond enough to take two properties out of the easement acquisition. One property was suggested by the City Attorney to be added to the easement acquisition process.

Project Cost and Easement Acquisition:

- Total project cost estimated at \$478,175.
- No assessments proposed for the project.
- Funding proposed from the Pavement Management Program or as directed by Council.
- Permanent easement acquisition necessary on four parcels.
- Permanent easement no longer necessary from 6410 Carleda Way.
- Easement acquisition process and engagement to begin following ordering of project by Council.

Project Schedule:

- Improvement Hearing, order plans and specifications: December 14, 2020
- Final Designs, Council approves Plans and Specifications and Bidding: Follow CP 2016-09F Carleda Way area Reconstruction Project Schedule
- Construction: June 2021-October 2021

Recommendations:

- Receive Amendment No. 1 to the Feasibility Report
- Hold Public Hearing
- Adopt Resolution
 - Ordering Project No. 2016-13
 - Receiving Engineer Services Proposal IPO 28B from Kimley Horn
 - Authorizing Preparation of Plans and Specifications
 - Authorizing Land Acquisition Services

Gregory Mitcheltree, partial landowner for the project, stated his Grandfather purchased acreage in 1954. They have been a part of the family for five generations. Other lots in the area are owned by family. He stated the land has provided sanctuary for deer, turkey, rabbit, squirrels, and many types of birds. As proposed, this would have a major impact on family and animals.

He commented the flooding is a problem. Modifying would impact property taxes and insurance of the property. Mayor Tourville responded he was unsure how this would affect taxes. Assistant City Engineer Dodge responded he looked into this and worked with Mr. Mitcheltree, his family members, and Kimley Horn. They have tried to reach out to family members/property owners early on in the process. They have done additional work ahead of what they would normally do in a feasibility report in order to accommodate some of the easement acquisition items up front. This way homeowners would have a better understanding of what the City is asking, and the City has an understanding of what the homeowners would reasonably accept. He responded about taxes and stated Dakota County has a process where the family can go to the County Assessor to show condition. It is up to the Assessor to make an agreement about what the tax change would be.

Mr. Mitcheltree stated on December 8th there was an Open House showing they would also take an easement on part of the acre on the northeastern part of the property. Another family member had not been notified of the change. The acre the house is on is zoned Commercial. He asked how that would be impacted pricewise. He asked why they were not notified about acquiring the 500 feet of easement on the northeastern property earlier. Assistant City Engineer Dodge responded for the two land parcels they have. A feasibility report was done and those are the most reasonable and feasible solution to managing a City-wide storm management for the area. The undeveloped area is undeveloped for a reason. He stated once past the feasibility report, they would be able to work more closely with residents, Appraisers, and the Land Acquisition team in order to work out a deal. This is a project that is for the benefit of the City. A legal process has to be done to work with residents for proper notification and payment, so it is fair and equitable.

Assistant City Engineer Dodge responded he was unsure how it affects insurance. He stated they worked with the City Attorney ahead of time with liability questions for easements, draining, and ponding easements on the property. Clear language would be added to Agreements to hold the property owners harmless. He responded about Amendment No. 1 that explains the easement acquisition land areas, stating the ponding area has not changed that much. The 100-year water line was shown to cross the property line onto the parcel south of the two vacant parcels. He stated in working out details with the City Attorney, the recommendation was even though there were potential rights over the easement, the fair and equitable way to move forward would be to purchase and offer

easement that is recorded and official. He stated it does go over the property line slightly but would like to acquire the area.

He responded about timing, stating they are ahead as they are talking with the landowners who have more information than normal. They have not begun the land acquisition process or officially ordered the project. He stated there is time to get a family member up to speed.

Mr. Mitcheltree wanted the City Council to be aware they are not happy about the Amendments and acquisition proposal. He commented it would have been nice to know ahead of time so they could read the feasibility report prior to the hearing.

Mayor Tourville asked Mr. Mitcheltree if he would like things stopped. Mr. Mitcheltree responded they prefer not to have the easement on their property. He asked to have lenience on the northeastern part of the property. He stated they understand there is flooding that occurs and want to be a good neighbor. They would like to work with the City about modifications. He commented they are not happy with the northeastern part; it was not in the proposal when this began and did not include a family member in the discussion.

Mayor Tourville asked Mr. Mitcheltree if the first time he had heard of this was six days ago. Mr. Mitcheltree responded just for the 500 feet of the northeastern part of the property. Assistant City Engineer Dodge clarified that Addendum No. 1 has four acquisition parcels; the two largest easement acquisitions would be the two low lying properties on the south side of Carleda Way.

Assistant City Engineer Dodge referenced a diagram stating the area of acquisition would follow the green line which is the 100-year elevation of the pond. There yellow dashed line is the proposed construction limits and the area they would disturb. The easement area is around the green line, the two low lying parcels on the south side of Carleda is the majority of the easement needed. He stated the red area has a gap and already has an existing easement on the south side with a structure. The pink is an existing structure they propose to retrofit. He stated the system is already in place to function this way but also propose to divert water from the Cahill trunk drainage area, so it does not reach 64th Court. The purple squares are for collecting water and overflows from the Cahill Avenue Trunk System and may have a tendency to come down Carleda Way and 64th Court to intercede stormwater to a pond rather than the Court.

He stated when getting to the trunk storm sewer that crosses the easement on the South side it goes over the property line. City Attorney Tim Kuntz worked with him on this project. There have been field meetings with the homeowners addressing easement acquisition. He commented the Mitcheltree's want to protect the screening of trees to the best extent practical. They worked with Engineer's to limit the amount of area constructing (in yellow) and limit tree disturbance to keep the trees outside of the area. The green line was on the property when diagrams were shown to Mr. Mitcheltree earlier on. He stated in the last ten days they had a meeting with the City Attorney and the team agreed the easement area should be acquired to close the loop to get all of the 100-year area within the ponding area with an easement if possible. Further details need to be worked out with the City Attorney.

Mr. Mitcheltree stated his Aunt is a major owner of an acre. They were given six days' notice. Assistant City Engineer Dodge responded all property owners south and north of the area were noticed of the project and the Public Hearing. He stated Mr. Mitcheltree is talking about the small easement saying they were not told about it when initially meeting with them. He stated that is not the full Hearing notification, this lets them know as a part of the acquisition process there is an easement needing to be acquired from them. That can be determined after the project is ordered and the Hearing is held. As they go through the land acquisition process, easements can come and go and can change shape. He

stated a lot of information has been conveyed that is usually done after the project is ordered, when going into easement acquisition. He stated it was true the parcel being spoken about was just discussed recently; the Public Hearing notice went to the proper member.

Mayor Tourville asked Mr. Mitcheltree if more time was needed or if they want to stop the Council from doing this for more time. The feasibility would answer most questions, except for insurance. It will not send the project forward. Mr. Mitcheltree stated he cannot speak for his Aunt and would have to speak to her to see if she was notified. He did not believe she was notified about the acre portion. She is not the owner of the other two parcels. Assistant City Engineer Dodge responded the property by Diane Knuckey was mailed a notification. Mr. Mitcheltree responded that was his Mother. He commented his Aunt owns a part of the acre. She was not notified of the change prior to this Hearing. He stated that is what they are upset about. There have been discussions about other parcels, the issue is about the acre. Mr. Mitcheltree stated there are many owners of the property. Councilmember Piekarski Krech stated it does not show that on the property. Mayor Tourville stated there may be a lot of owners, but they are not shown. Councilmember Piekarski Krech stated 6399 Cahill only shows Diane Knuckey as an owner. Mr. Mitcheltree responded his Aunt is part owner of the acre, she does not live there but is part owner.

City Administrator Lynch suggested Council consider tabling the item until the January 11th Council meeting to give Staff the opportunity to discuss this with all landowners. It would give the City the possibility to reconsider the 500 square feet and determine it may not be necessary and may eliminate the concern and impact to the property owners.

Mayor Tourville stated they would keep the Public Hearing open and look at tabling this to January 11th. Looking this area up on the Dakota County website, while there may be agreements with other family, it does not show up. Mr. Mitcheltree responded they are willing to work with the City. They are just not happy about the acre part. Mayor Tourville stated the concern is that everyone with ownership be notified.

Assistant City Engineer Dodge stated he could work with Mr. Mitcheltree to see if there is someone else, they want involved in the process between now and January 11th.

Motion by Perry second by Piekarski Krech to continue the Public Hearing to January 11, 2021.

Ayes: 5

Nays: 0 Motion carried.

Assistant City Engineer Dodge asked if they could receive Addendum #1 so it can be official. City Administrator Lynch responded he would ask City Engineering Staff to reconsider the need for the 500 feet. It may not be necessary. They would make it a part of the Hearing on January 11th. Mayor Tourville agreed.

6. PUBLIC COMMENT:

There were no public comments.

7. REGULAR AGENDA:

Finance:

A. Approve 2021 Budget and Tax Levies. Resolution 2020-298, Resolution 2020-299, and Resolution 2020-300

Finance Director Amy Hove discussed the 2021 Budget Truth in Taxation Meeting that begins on Page 681 of the Packet as follows:

2021 Budget Calendar - Recap:

- June through September - Various meetings and Work Sessions to discuss the General Fund Budget and preliminary tax levies.
- September 14, 2020 - Council adopts proposed budgets and tax levies.
- October and November - Work Sessions to review additional budgets.
- November 13, 2020 - Dakota County mails out proposed tax notices.
- December 7, 2020 - Final Work Session to review 2021 Budget and Fees.
- December 14, 2020 - Truth in Taxation meeting to present and discuss 2021 Budgets and Tax Levies.
 - Public invited to comment. Draft budgets available online.
 - Council to adopt final budgets and levies.

General Fund Budget and Levy edits since July:

- July 27, 2020 Council Meeting
 - First Draft of General Fund Budget and what the levy looked like.
 - \$250,000 increase to Pavement Management over 2020.
 - Tax Levy: \$26,360,867
 - General Fund Expenditure Budget: \$25,783,654
- August 24, 2020 Council Meeting
 - \$283,000 in General Fund reductions after meetings with the City Administrator and Department Heads.
 - \$500,000 increase to Pavement Management over 2020.
- September 14, 2020 Council Meeting
 - Preliminary Levy and General Fund Budget
- November 2, 2020 Work Session
 - \$187,700 in General Fund reductions (\$127,200 due to health insurance savings).
- December 14, 2020 Council Meeting
 - Additional \$45,200 in General Fund reductions.

From July, currently at a projected levy of \$26,123,358 and a General Fund Budget of \$25,296,800.

Factors that impact Property Taxes for Inver Grove Heights Residents:

- Market Values and Tax Capacity
- Property Classifications:
 - Residential: Homestead or Non-Homestead
 - Agricultural
 - Commercial/Industrial
- Tax Jurisdictions
 - State
 - County
 - City-Levy and Special Assessments
 - School
 - Other Special Taxing Districts

Inver Grove Heights - 2021 Market Values and Tax Capacity:

- Within Market Value:
 - Residential = 76%
 - Commercial/Industrial = 11%
 - Apartments = 9%
- Tax Capacity:
 - Residential = 67%
 - Commercial/Industrial = 18%
 - Apartments = 10%

She stated one question asks why they were not the same percentages. The value and classification determine property taxes and how they are determined. The market value for residential property is 76% they pay 67% of the taxes. The County gives information that helps determine where values and tax capacity is within the Community.

- The City is only one of the Taxing Districts that affects property taxes.
- The City's proposed tax levy increased 5.63% from 2020. An increase of \$1,392,474.
 - \$500,000 dedicated to Pavement Management.
- The City's proposed tax rate for Payable 2021 = 49.936%. A 2.16% decrease from the 2020 rate. This means the market value on the tax capacity within the Community is growing at a larger speed than what they are increasing the property tax levy by. 2021 is projected to be the lowest tax rate since 2016.

Citywide Tax Levy by Fund:

Early during the CIP process, they pulled pavement management funding out of the General Fund. Moving forward this helps transparency. Prior to the 2021 Budget it was included in the General Fund as a transfer out.

- General Fund Levy increase: 4.36%
- Pavement Management: \$500,000 increase from 2020 to 2021.
- Debt Service stays flat.
- Total Levy of \$26,123,358. At 5.63%.

2021 General Fund Revenue by Category (Source of Funds):

- Property Taxes: 83%
- Licenses and Permits: 7%
- Charges for Services: 5%
- Intergovernmental, Grants, Fines and Penalties, Miscellaneous, and small transfers in.

2021 General Fund Expenditure by Department (Function):

- Includes: Mayor-Council, Administration, Elections, Communications, Technology, Finance, Community Development, Planning, Inspections, Police, Fire, Public Works, Engineering, Streets, Street Lighting, Parks, and Transfers Out.
- Total Budget of Expenditures in the General Fund: \$25,296,800
- Break down into function of Government:
 - 51% Dedicated to Public Safety
 - 17% Public Works
 - 14% General Government
 - 11% Culture and Recreation
 - 7% Community Development

2021 General Fund Expenditure Budgets by Category:

- Personnel: 65% of next years Budget. There is a slight increase from the 2020 Amended Budget.
- Other categories such as: Professional Services, Purchased Services/Equipment, and Supplies stay fairly consistent. Other/Transfers had a significant decrease. This is an accounting shift due to the move of pavement management.

Storm Water Special Taxing District Levy:

- Established under M.S. 444
- Use to fund trunk storm sewer improvements installed in conjunction with the 70th Street East Reconstruction Project from Cahill Avenue to Concord Blvd. City Project 2001-02.
- Contains approximately 3,000 parcels.
- 10-year Term (2018-2027).
- \$79,384 annually.

2021 Budget Summary Revenues and Expenditures by Fund. This includes the General Fund, Special Revenue Fund, all Debt Service Fund, Capital Project Funds, Enterprise Funds, and Internal Service Funds.

- All-in operating revenues for those: \$34,760,566.
- Property Tax Levy:
 - General Fund: Approximately \$21 million dollars
 - Debt Service: Approximately \$2.9 million dollars
 - Pavement Management: \$2,250,000
- Total Property Tax Levy: \$26,123,358
- All in: \$60,023,568
- Net impact on the General Fund's Reserve is zero for next year.
- Special Revenue Funds. Under \$4,000 within the Convention and Visitor's Bureau
- Recreation Fund: \$3,400
- Capital Project Fund, Enterprise Funds, Internal Service Funds. Tet impact will change depending on if this is a year where there are larger projects, or a year they are saving fund balance for future needs.
- Full account details for all funds are posted on the City Website, www.ighmn.gov/26/finance

2021 Budget - Final Steps at Meeting:

- Council Member comments or questions
- Public input
- Council to approve Resolutions:
 - Expenditures Budget
 - Citywide Tax Levy for Payable 2021
 - Special Taxing District Levy for Payable 2021
- Staff action items after the meeting:
 - Dakota County Levy Certification
 - Department of Revenue TNT Compliance Certification
 - Department of Revenue Property Tax Levy Report
 - Publish Summary Budget in Pioneer Press

Councilmember Piekarski Krech stated they have done an excellent job. Councilmember Dietrich thanked the Finance Director and stated the different ways shown were appreciated. Councilmember Bartholomew stated he liked the way they are breaking out levies and pavement management. It leads to a better understanding and transparency. He stated Council has done a good job of promoting transparency. He thanked Staff and Council for their input.

Motion by Piekarski Krech second by Perry to approve the 2021 Budget and Tax Levies. Resolution 2020-298, Resolution 2020-299, and Resolution 2020-300

Ayes: 5

Nays: 0 Motion carried.

B. Consider Third Reading of Ordinance Amending Title 3, Development Fees. Ordinance 1392

Finance Director Hove discussed the Third and Final Reading of the Ordinance Amending Title 3, Development Fees as follows:

- The First Reading took place on October 12th.
- Second Reading and Public Hearing was held on November 9th. This was a collaborative effort between Finance, Public Works, and Community Development Departments. Based on an Ehlers report and their financial projections from May 2016. Changes proposed include:

- Changes to the water and sewer connection fees.
- In conjunction with the May 2016 report. Consistent with previous years. Increases are proposed between 3.5% and 5%.
- No changes to the land use or escrow fees.
- This is a final 2021 plan continuance of the May 2016 plan.
- Goal next year is to come up with a new plan. The next phase to take a look back at what has been happening in the northwest area, see where the current financial situation is, comparisons to neighboring Counties, evaluate pay options for debt, bring forward a future plan to begin using in 2022.
- This is the last year to follow the 2016 plan with the goal to have a new plan in place.

Motion by Dietrich second by Piekarski Krech to approve the Third Reading of Ordinance 1392 Amending Title 3, Development Fees.

Ayes: 5

Nays: 0 Motion carried.

Fire:

C. Consider Third Reading of Ordinance Amending Title 9, Chapter 2 Relating to the Fire Prevention Code. Resolution 2020-301; Ordinance 1397

Fire Chief Judy Thill stated this is the Third and Final Reading. There have not been any questions or comments since the first two Readings and nothing has changed. She asked for adoption of the following two items:

1. Ordinance Amending Title 9, Chapter 2 Relating to the Fire Prevention Code.
2. Resolution authorizing summary publication Ordinance Amending Title 9, Chapter 2 Relating to the Fire Prevention Code.

Mayor Tourville stated this does not come up every year but was ready to be updated.

Motion by Piekarski Krech second by Perry to approve the Third Reading of Ordinance 1397. Amending Title 9, Chapter 2 Relating to the Fire Prevention Code. Resolution 2020-301.

Ayes: 5

Nays: 0 Motion carried.

Building:

D. Consider Third Reading of Ordinance Amending Title 9, Chapter 1 Relating to the State Building Code. Resolution 2020-302; Ordinance 1398

City Attorney McCauley Nason stated this is the Third Reading for some housekeeping items. There have been no changes to the proposed Ordinance since the First Reading. There are two items for consideration:

1. Consider Third Reading of Ordinance Amending Title 9, Chapter 1 Relating to the State Building Code.
2. Resolution to authorize summary publication of the Ordinance.

Motion by Piekarski Krech second by Perry to approve the Third Reading of Ordinance 1398 Amending Title 9, Chapter 1 Relating to the State Building Code. Resolution 2020-302.

Ayes: 5

Nays: 0 Motion carried.

Police:

E. Consider Third Reading of Ordinance Amending Title 5, Chapter 4, Section of the current City Ordinance 5-4-6 Dangerous and Potentially Dangerous Dog.

- 1. Resolution Authorizing Summary Publication of Ordinance Amendment Title 5, Chapter 4, Related to the Regulation of Dangerous and Potentially Dangerous Dogs. Resolution 2020-303; Ordinance 1396**
- 2. Resolution Amending 2021 Fee Schedule Related to Potentially Dangerous Dogs Registration Fees and Appeal Fees. Resolution 2020-304**

Police Lieutenant John Daniels stated this would be the Third Reading. There was some language clean up.

Motion by Bartholomew second by Dietrich to approve the Third Reading of Ordinance Amending Title 5, Chapter 4, Section of the current City Ordinance 5-4-6 Dangerous and Potentially Dangerous Dog.

- 1. Resolution 2020-303 Authorizing Summary Publication of Ordinance 1396 Amendment Title 5, Chapter 4, Related to the Regulation of Dangerous and Potentially Dangerous Dogs.**
- 2. Resolution 2020-304 Amending 2021 Fee Schedule Related to Potentially Dangerous Dogs Registration Fees and Appeal Fees.**

City Attorney McCauley Nason stated there is one Ordinance and two Resolutions. It differs from others as there is a Resolution amending the fee schedule. It reflects the changes made in the Code and reflects changes made in the Code with the Ordinance, cost of appeal, and removal of the fee for registration for potentially dangerous dogs.

Ayes: 5

Nays: 0 Motion carried.

F. Accept 2021 DWI Officer Grant from the State of Minnesota. Resolution 2020-305

Police Chief Melissa Chiodo stated this Grant was open to all Law Enforcement Agencies in the State of Minnesota. Dakota County is one of the Counties with the highest number of DWI arrest and violations. She stated one of the Officers was awarded a DWI Grant for having the most DWI Arrests in 2020. She stated they felt it was appropriate to apply for this Grant. They worked with the Communications Department on how to do enforcement with DWI and will have a campaign in the Community to reduce the number of those drinking and driving. People from other Communities also drink and drive while passing through Inver Grove Heights.

She stated they applied for the Grant with the State of Minnesota where it would fund one of the current Officers positions for nine months, January through September 2021. They applied for the Grant before Thanksgiving and were notified the City was one of the Agencies in the State to receive the Grant. She requests the Council accept the Grant.

Mayor Tourville stated the Grant has no matching requirements and is approximately \$86,000. Police Chief Chiodo agreed stating it pays for salary and most of the fringe for the Officer for nine months.

Councilmember Dietrich asked if the position would be filled by an Officer already on Staff. Police Chief Chiodo responded that was correct, it would be Officer Jacob Johnson who won the Award for being one of the top DWI Arresting Officers in the State of Minnesota. Councilmember Dietrich asked what implications would be had in pulling an Officer for nine months solely for DWI Enforcement. Police Chief Chiodo responded there was an Officer that was on the Drug Task Force, that Officer was pulled back from that position and would be able to cover Officer Johnson's spot until Grant funding is over. There are other plans to use that Officer for something else moving forward.

Councilmember Dietrich stated during COVID she was concerned how staffing is handled if the team would have multiple Officers out due to the virus, and another Officer that can only do DWI Enforcement. Police Chief Chiodo responded only one Officer can do the DWI Enforcement because that is how the Grant was set up. For other Officers, they have been maintaining high levels of safety since the beginning. She stated there has been one case of COVID in the Department. It was not a Patrol Officer and was not work related. They will continue with protocols and high levels of safety, practicing, cleaning, and disinfecting of squads, and keeping the Precinct closed to people coming in. The Officers are always wearing masks on stops. She stated they would be one of the early groups to get the COVID Vaccine soon.

Councilmember Dietrich referenced the following DWI stops:

- The week of November 15th through the 21st. There were none reported.
- The week from November 29th to December 5th. One was reported.
- The week from December 6th through the 12th. One was reported.

She asked if the Officer would only be working in Inver Grove Heights or if there would be more random stops. Police Chief Chiodo responded they had been pulling back on traffic stops when there was a huge outbreak of COVID cases in Dakota County. With bars and restaurants not serving alcohol there would be a drop in cases or arrests. She stated there is a high need for enforcement in Inver Grove Heights and Dakota County. Their focus will also be traffic safety. She stated deaths are up during COVID because people are driving like there are no traffic rules. When Law Enforcement pulled back throughout the State, people began to drive faster and recklessly. She stated they would have a large education Campaign around this to try to educate and change behavior. Councilmember Dietrich asked if the Officer would be able to do the items just described. Police Chief Chiodo responded he would be a part of it, but the whole Department would be working with City Communications on the Campaign. They will be doing things throughout the entire nine months on education, through billboards, signs, videos, and reaching out to schools and colleges. She stated the Officer would also be a part of traffic safety in Dakota County as a whole, assisting when there are large events in the County. That would take him outside of the City but still in the County if the need arises.

Councilmember Dietrich asked what the expectation was for stops the Officer would do each shift. Police Chief Chiodo responded they cannot have expectations or set quotas, that is illegal. There are expectations of hours and days the Officer would work. Those would be during higher risk hours, such as rush hours and when bars would close, two weekends a month, and major holidays are required of the Grant.

Motion by Perry second by Piekarski Krech to accept 2021 DWI Officer Grant from the State of Minnesota. Resolution 2020-305

Ayes: 5

Nays: 0 Motion carried.

Parks:

G. Consider Proposal from WSB to Assist City with MN DNR Outdoor Recreation Grant for Heritage Village Park Phase IV Improvements.

Parks and Recreation Director Eric Carlson stated at the December 7th Work Session, Council requested this item be placed on the regular City Council Meeting Agenda for consideration. It was asked that it not include the possibility of the inclusive playground with regards to the Grant Application. Mayor Tourville stated ten emails/letters came in. All were in favor of the inclusive playground.

Motion by Piekarski Krech second by Perry to accept all emails into the record.**Ayes: 5****Nays: 0 Motion carried.**

Mayor Tourville stated there is a DNR Grant, there is a \$400,000 Grant they are currently working on with infrastructure. He commented they do not want to jeopardize DEED. He stated there is a \$250,000 Grant that would need a City match. Parks and Recreation Director Carlson responded the City received a \$415,000 Grant from DEED, the Council approved a Contract, and the Contractor will be moving forward soon. If this item is approved, the City would be applying for a Minnesota Department of Natural Resources Outdoor Recreation Grant and will be asking for \$250,000. If successful in receiving the Grant, that would have to be matched with a non-State source. It could be City money, donations, or money received from the County.

Mayor Tourville commented there has been talk of park needs in other areas of the City. With Heritage Village Park, fundraising was done, but stopped due to COVID. He said in his opinion, if not doing the DNR Grant, it would be difficult to get additional funding for that type of park. He supports the Grant and believes they could do both areas, the other being the Argenta area.

Motion by Bartholomew second by Perry to approve the Proposal from WSB to Assist City with MN DNR Outdoor Recreation Grant for Heritage Village Park Phase IV Improvements.**Ayes: 5****Nays: 0 Motion carried.**

Mayor Tourville stated Parks and Recreation Director Eric Carlson has accepted a position in Apple Valley as a Parks and Recreation Director and will be leaving the City in the middle of January. He thanked Eric for all of his efforts and work in the City. It is appreciated.

Community Development:**H. Consider Third Reading of an Ordinance Amending Title 8, Chapter 6, Related to Solid Waste Collection and Disposal. Resolution 2020-306; Ordinance 1394**

Environmental Specialist Ally Sutherland presented the Third Reading stating the Amendments are to address the required Municipal City Code updates. The main goals for the updates are to reduce waste going into regional landfills, improve quality of materials recycled, and to make progress toward the State's goal to recycle 75% of waste by 2030. The Second Reading was held and approved at the November 23rd City Council Meeting. No changes have been made since the Second Reading. She stated Dakota County Waste Regulation Staff have reviewed the proposed Ordinance Amendment and have approved the language as presented. Council is asked to consider the following two items:

1. Approval of the Third and Final Reading of the Ordinance
2. Approval of the summary publication of the Ordinance

Mayor Tourville stated Dakota County did a mailing that provides information on what can be recycled, what cannot, and where it could be sent.

Motion by Perry second by Piekarski Krech to approve the Third Reading of Ordinance 1394 Amending Title 8, Chapter 6, Related to Solid Waste Collection and Disposal. Resolution 2020-306.

Ayes: 5

Nays: 0 Motion carried.

I. Consider Resolution Approving the Application for Fiscal Year 2021 Dakota County Community Development Block Grant Funding. Resolution 2020-307

Community Development Director Heather Rand stated this is for authorization to submit Application to the County for Community Development Block Grant Funds. The County submits an Application to the Federal Government (Department of Housing and Urban Development HUD) for funds that assist Communities and low- and moderate-income individuals, for the purpose of building and strengthening neighborhoods and their health. She stated they are recommending any allocation the City could qualify for continues to be utilized for a program called Low Income Housing Rehab Loan Program. This program allows individuals whose income qualifies to apply. The County puts in funds in addition to funds the City may qualify for.

She stated the allocation this year increased slightly over last year. It could fund an additional five to eight loans/five to eight homes. This takes place when the new Federal Fiscal Year begins July 1st. They are making application now. The County suggested \$143,978 as the maximum amount qualified for. She stated if approved, results should be in by spring. City Staff would work with County Staff to get the word out about availability of funds and how they could be used. This could be used toward new roofs, furnaces, or replacing windows. She recommends approval that would allow the submittal of the Application to the County.

Motion by Bartholomew second by Piekarski Krech to approve Resolution 2020-307 approving the Application for Fiscal Year 2021 Dakota County Community Development Block Grant Funding.

Ayes: 5

Nays: 0 Motion carried.

The Council took a short break at 9:30 p.m. Meeting resumed at 9:36 p.m.

J. JOE GIBBS - Consider a Resolution relating to a Variance from the 75% clear visibility requirement and height for a fence from the outside corner of a corner lot for property located at 6512 Arctic Way. Resolution 2020-308 Denial

Associate Planner Heather Botten stated the request is for property located south of 65th Street and the corner of Arctic Way and Alverno Lane. Property is zoned PUD. Applicant requests an after the fact variance to allow a five-foot picket fence that provides 50% visibility within the outside corner of the property on a corner lot. The property is surrounded by right of way on three sides.

She stated Code requires the outside corner of any corner lot be free of any fence unless it provides 75% clear visible opening and should not be higher than 42 inches. The variances pertain to 30 feet in each direction from the northwest corner of the property (outside corner) at 65th Street and Alverno Lane. The remainder of the fence is in compliance of City Code. She stated the Applicant's fence

provides about 50% visibility and is five feet tall. The height of the fence appears to be for the sight lines and visibilities for traffic and emergency vehicles along street intersections and driveways. 65th Street is a Community Collector Street with a large boulevard. The fence is located about 28 feet back from 65th Street. Staff does not believe the location of the fence would affect traffic visibility from the intersection. The City planted evergreen trees along 65th Street that are taller than 5 feet and provide more dense screening than the picket fence.

Associate Planner Botten stated subsequent to the Planning Commission Public Hearing, the Applicant submitted revised plans and would be willing to remove a fence panel in each direction from the northwest corner, opening up the outside corner of the property. The Applicant has not received approval of the new Application from his HOA and would prefer Option 1 with the current location of the fence. She stated Planning and Engineering Staff recommend approval of the original request and support the revised fence location if Council chooses with conditions listed in the Resolution. Planning Commission recommends denial of the request due to lack of practical difficulty and in the event of setting a precedence.

Joe and Caroline Gibbs, 6512 Arctic Way. Mr. Gibbs appreciated the help of Heather Botten and Michael Wright with the process. He stated too much reliance was placed with the professional fence company throughout the process in letting them speak with Staff and moving forward. He stated during the process they felt they were always in communication with the City. They did not intend to deviate from official process and hope to come to a positive resolution. They hope to keep the fence and fear they are unable to get the height and visibility variance. The HOA will not approve any adjustments to the fence even though he is willing to make adjustments to adhere to neighbor concerns or City Code. They have the opportunity to deny even if City Council says otherwise. He stated they are currently being fined by the HOA due to this.

Councilmember Piekarski Krech asked if the HOA approved the fence. Mr. Gibbs responded they had to get approval from the HOA in July for how the fence stands as is. Height and style needed approval per guidelines. Councilmember Piekarski Krech asked if they used a professional fence company and if they installed fences in the Twin Cities. Mr. Gibbs responded it was Town and Country Fence.

Councilmember Piekarski Krech asked Staff if they have dealt with this company before. Associate Planner Botten responded yes. Councilmember Piekarski Krech stated the company should understand the need for a Fence Permit before installation. Associate Planner Botten agreed. Councilmember Piekarski Krech responded she had a major problem with that, this was a company that knows what they are doing and installed a fence without a Permit, it was not right. Mr. Gibbs responded the company communicated with Michael Wright. After the Encroachment Agreement was accepted by Council, he was given direction it was fine to install in the utility drainage easement. His Contractor told him it was fine to proceed after the Encroachment Agreement was accepted.

Mayor Tourville stated one picture the Council has shows a tape measure and two panels. He asked if that was the way to decrease the square corner for better vision. Mr. Gibbs agreed and stated if doing this, the HOA could deny the adjustment and require them to tear the entire fence out. Mayor Tourville asked if Mr. Gibbs went to the Homeowners Association in July and what the outcome was. Mr. Gibbs responded they were 100% approved to build what they built by the HOA. They have documentation to prove this.

Kelly Staples, 6503 Arctic Court, stated she submitted a letter on November 11th on behalf of herself, her husband, and 13 neighboring properties in the Settler's Ridge Development. The 14 households represented in the letter spoke of safety concerns with the fence as constructed. She stated there has been emphasis on visibility on Alverno looking east on 65th Street. That is a secondary concern to them.

Their biggest concern is when driving westbound on 65th Street and turning south onto Alverno. It has a 45 mile per hour speed limit with no traffic lights or a stop sign for traffic on 65th. In the future the intersection would have high volumes of traffic and connect to the new Argenta, then to 494. Due to that, traffic turning south onto Alverno from 65th has reduced visibility. She stated she is concerned because this is a neighborhood of young families, pedestrians, and kids riding bikes. If someone pops out from behind the fence when a car turns the corner or if a child is playing on the other side of the fence on Alverno, traffic on 65th would not be able to see that.

She stated there were concerns with some statements made by Mr. Gibbs and the timeline. She commented she watched the Planning Commission Meeting, and some had questions about the timeline that were not answered. It was true Mr. Gibbs applied for the fence Permit in August. He stated at the Planning Commission Meeting he applied for it personally. Approval for the Permit was never received. She stated Associate Planner Botten stated at the Planning Commission Meeting that she reached out to the Homeowner, let him know about visibility, and that was why they were not receiving a Permit. She discussed the following timeline of events:

- On September 28th she saw an email where Michael Wright sent a Draft Encroachment Agreement to the Gibbs requesting information about the encroachment and easement.
- On October 9th, footings for the fence were dug.
- October 14th the posts were installed. At that point she called City Staff asking if there was a Permit and was told one had not been granted. She stated someone reached out to Mr. Gibbs to let him know what he needed to do in terms of visibility and height requirements.
- On October 16th, Town and Country Fence began installing fence panels.
 - At 11:43 that morning the Homeowners Association Representative sent Mr. Gibbs a cease-and-desist email telling him to stop construction due to lack of producing a Permit.
 - At 12:20 p.m., while the fence was being constructed, Mr. Gibbs responded to the HOA with the following statement: "Would not be stopping anything, this fence will be done Monday".
 - At 12:57 p.m. Steve Johnson confirmed with the HOA Representative that he was directing the Building Inspectors to post a Stop Work Order on the property.
 - At 12:57 p.m. Mr. Gibbs sent another email to the HOA Representative that stated "Again, nothing is going to stop the work on Monday for your information, the project should be done, you are borderline harassing me about this, be patient".
 - The Inspector came out that day and issued a Stop Work Order.
 - At 2:47 p.m. Michael Wright sent an email to the Homeowner approving the Encroachment Agreement. That was the first approval of the Agreement. He did not have that approval until the fence was almost finished. She stated he wanted a fence he knew was not in accordance with the rules and built it, now he is asking forgiveness and claiming hardship.

She stated there is no practical difficulty. City Staff has tried their hardest to find a practical difficulty stating the trees on the property could be a practical difficulty. The same tree lines extend all the way down 65th Street and affect 15 plus different properties, three are corner lots. It is not unique to the Gibbs property.

Ms. Staples stated when the Planning Commission did not agree with the tree argument for practical difficulty, Staff changed their position to be the three roads surrounding the Gibbs property are the practical difficulty. She stated nothing about the roads prevent the Applicants from building the fence shorter or more see through. She commented when Googling Inver Grove Heights Fence Ordinance, the Town and Country Fence website comes up as the number one result, with a copy of the City Ordinance relating to corner lots. It states the fence has to be 42 inches and has to have a 30-foot

visibility triangle in both directions. It was impossible the Applicant did not know what the rules were when building the fence. He never received a Permit. The fence has been there since October.

She stated the City needs to consider the precedence set by granting the variances. It sends the message if wanting something that is against the rules they should go ahead and build it, come back later, and complain. She stated the second precedence is the rules for corner lot fencing, it is there for protection. Settler's Ridge is a new young development. There are 13 fences in their neighborhood, every single one has at least 75% visibility and is 48 inches or shorter. This fence stands out being taller and less transparent on a corner. If a variance is granted, there are other corner lots in other developments. The City would need to grant variances for those corner lots to have fencing blocking visibility.

Ms. Staples stated for that reason, on behalf of herself and her neighbors who have also signed the letter, the variance request be denied. If Council considers the first Resolution as proposed, certain alterations need to be made. She responded about Councilmember Piekarski Krech's questions to the Homeowner stating the HOA approved the fence as constructed, with the specific caveat the Homeowner work with the City and meet City Codes. The Homeowner is not in compliance.

Mayor Tourville stated he has driven the road many times, it is a City Street, and would be arterial. He asked if the speed limit was marked 45 mph. Ms. Staples responded yes, they prefer it be 30, but it is 45.

Councilmember Piekarski Krech asked why it was 45 miles per hour. City Engineer Kaldunski responded it was what they designed the road for and expect to do on most Collector studies for the northwest area. He stated 45 miles per hour was selected because this road would go from east to west across the entire City with a fair amount of traffic. Mayor Tourville stated he saw this as a residential area, which almost gives more credence to having a fence.

Mayor Tourville asked if the triangle helps at all with the Homeowners Association. City Engineer Kaldunski responded when they review local roads at lower speeds their guiding policy is from the intersection of two curb lines, going back 30 feet in both directions. He stated there was a bigger boulevard on 65th Street. After reviewing it is believed the road has an adequate viewing area. In a development with concern for site distances, they put in a special use/restricted use easement that sets aside a bigger area on the property. He stated that was not needed at the location in the review of the plat. The Obstruction Agreement put in place for the fence, is still needed. There is a 30-foot-wide drainage easement from 65th Street to the south toward homes dealing with slope and where water runs. The Encroachment Agreement was needed to go across the easement.

Kris Staples, 6503 Arctic Court, HOA President, stated the angle of the fence is one problem, the opacity is a larger problem. On approach with this speed, it is difficult to see. He stated it is likely the angle fence would not be approved as it does not fit with the character of the neighborhood. The approval specifies following City Code, there was no reason that was not followed.

Mayor Tourville asked with corner lots, the Homeowners Association is not looking at wood or opaque, everyone would have to go with chain link. Mr. Staples responded that was correct. The angled version would likely not be approved by the HOA. Mayor Tourville stated the Council could come up with refinements, but the HOA may not like them. It may need to go to the HOA first, the HOA has more power than the City in reference to how its developed. Mr. Staples responded in all matters prior to building on lots, the City permitting process was completed and approved prior to submission to the Review Committee at the HOA. This matter is opposite of what is encouraged for residents. He stated the Homeowner was made aware prior to digging, that the City has rules and the HOA was assured

rules were followed. They were not, and the fence stands. He stated the problem is enforcement. There is no practical difficulty.

Councilmember Dietrich stated she was unsure why this is coming before Council. It is a violation of rules. She commented this needs to be denied.

Councilmember Piekarski Krech stated the fence company should not be allowed to work in the City again. If they know City rules and regulations, purposely violated, and continued to work after getting a Stop Order, she finds it reprehensible.

Mr. Gibbs stated he has not finished paying the company for that reason. When the Stop Work Order was provided, he did not receive a phone call from City Staff telling him. He stated he was out of town at the time, but if he had known the Order was at his home, he would have done something about it. He holds the Company accountable and has not released final payment. Mayor Tourville stated people get Permits all of the time, the Permit holder is in touch with the City. The City contacts the person that pulled the Permit. He assumes that to be Town and Country Fence.

Councilmember Dietrich asked whose name is on the Permit or Application. Associate Planner Botten responded Mr. Gibbs pulled the Permit. Councilmember Dietrich stated they cannot hold the fence company fully responsible because the resident chose to pull the Permit. Associate Planner Botten responded when a Stop Work Order is done, the Inspections Department went on site and posted it to workers to stop working physically.

Councilmember Piekarski Krech stated regardless of who pulls the Permit, a company working even though a Homeowner pulled a Permit, would not start working until seeing the Permit, to know they are legally working. Councilmember Dietrich stated she would not weigh in on the ethics of another company, but the resident should have allowed the fence company to pull the Permit. Mr. Staples stated the Homeowner was aware of the Stop Work Order. Mr. Gibbs responded that was false, he was never made aware.

Mayor Tourville stated he would not give a variance. He suggests the City go back and look at what happened. One person involved in this project and working for the City, Michael Wright, has passed away.

City Engineer Kaldunski stated he worked closely with Mr. Wright as this was being reviewed due to the Encroachment Agreement. He would be able to sign this over to a different Engineering Technician as needed. Councilmember Piekarski Krech responded getting the Encroachment Agreement made it possible to get the Permit to do the fence. This fence was built without a Permit, not to specifications a Permit would be given for. A Stop Order was issued, work continued, and completed. That is a violation of Code.

City Attorney McCauley Nason stated the property owner submitted an Application for a variance. It is within the 60-day deadline, expires December 20th. Council should take action now, or at a future date if Council feels there is information necessary to receive before making a determination. The City would need to approve or deny the Variance Application. She stated the Legal standard with a Variance Application has to do with a three-pronged practical difficulty test:

1. Whether the property owner proposes to use the property in a reasonable method.
2. If the landowner's problem is due to circumstances unique to the property not caused by the landowner themselves.
3. The variance, if granted, will not alter the essential character of the locality.

She stated the Council will have to apply the practical difficulties test when making this decision. If more information is needed, the item can be continued to the first meeting in January and direct Staff to provide additional information as Council deems necessary.

Mayor Tourville stated Homeowner Association rules within reason are upheld. City Attorney McCauley Nason responded if the Association does not allow any fences to be installed, it does not give the City grounds to deny issuance of a Permit. It is a private covenant and a civil matter between property owners. The City handles its own process and can issue a Fence Permit. If the property owner chooses to construct in violation of the convenance, it has to deal with the Homeowners Association repercussions. She stated the City focus is on application of the City Code and City requirements as it relates to the Permit. The City can take action unless the Application is withdrawn by either approving or denying the variance request.

Ms. Staples stated the Applicant is requesting a variance to leave the fence as it sits. The only way the HOA gets involved is if the Council approves modification of the fence. The Homeowner would have to go back before the HOA and get approval. If Council determines to leave the fence as standing, the Homeowner does not go back before the HOA.

Ms. Staples stated the request from Mr. Gibbs came to the HOA for a different height of privacy fence. The HOA Architectural Review Committee comprised of three members from Lennar Construction Company, did not exist in the State of Minnesota and does not know this is a corner lot. That committee told him he cannot have a privacy fence, but to reduce height, make it 50% transparent, meet all City rules, and it is good to go. She commented Mr. Gibbs did that. She stated Council needs to determine if there is a practical difficulty and if granting a variance to keep the fence as constructed or modified.

Councilmember Piekarski Krech stated the Homeowners have applied for a variance and need a variance in order to get a Permit. She asked if they have a Permit. Associate Planner Botten responded the Permit was not issued. City Attorney McCauley Nason stated the fence was installed without a Permit. Mr. Gibbs stated they were sent a Permit Number from Mr. Wright. Associate Planner Botten responded a Permit Number is assigned with every Permit once Application is made, not when issued. The number tracks the review process.

Councilmember Perry asked when applying for a Permit if it was typical for the Homeowner to apply or the business applies. Associate Planner Botten responded it was not unusual for the Homeowner to apply.

Mayor Tourville stated he finds it difficult to find a practical difficulty on height or being opaque. Height is set by safety standard. The only thing he could come up with is that it would be higher than it should be. He asked Mr. Gibbs what the practical difficulty would be for height. Mr. Gibbs responded if the fence was not there, the trees at the corner were denser than the fence. They are taller than five feet but cannot be removed. Mayor Tourville stated the trees are as much a problem as the fence. If the trees are a safety hazard, they can request they be cut or trimmed. He stated the fence is not making the trees better or worse.

Mr. Gibbs stated if they got to a 42-inch height within the triangle, the HOA would not allow it. He could withdraw and reduce the height, and the planks to meet guidelines, but because that was not what was submitted, the HOA could say no. He was willing to make an adjustment, but in discussion with some HOA Members he was not given an answer. He was hopeful to have an answer for this meeting but did not.

Mayor Tourville stated this did not seem like it would be resolved this evening. Councilmember Dietrich stated the need to do the job of the Council and take the HOA out of it. Councilmember Perry stated she was unsure what else could be provided at this point.

City Administrator Lynch stated there are two Resolutions for consideration. One for approval one for denial.

Motion by Dietrich second by Bartholomew to deny Resolution 2020-308 relating to a Variance from the 75% clear visibility requirement and height for a fence from the outside corner of a corner lot for property located at 6512 Arctic Way.

City Attorney McCauley Nason clarified the Motion is to deny the variance based on the findings contained related to the lack of practical difficulty. Councilmember Dietrich agreed.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Piekarski Krech addressed Staff with concern about the fence company. The company should have paid attention to the fact there was not a Permit displayed and signed off on. She questioned the company's rationale and commented they should not be allowed to work in the City. Mayor Tourville asked the City Engineer if he could work with Staff about the Permit and Stop Order. They need to ensure this does not happen again. City Engineer Kaldunski responded yes.

K. PABLO CASTELLANOS - Consider a variance to allow a solid fence 48-inches in height located in the corner front of the property located at 7051 Arlo Way.

Associate Planner Botten stated the request is for property located south of 70th Street on the corner of Archer Trail and Arlo Way. Applicant is requesting a variance to allow a solid fence 48 inches high within the corner/front yard setback. The fence would be located 18 feet from the curb and over 80 feet from the intersection. The driveway of the property owner to the rear of the property would be located 27 feet from the fence location. She stated Ordinance requires all fences in a corner/front yard be no taller than 42 inches and have 75% open visibility.

She stated the intent of the Code appears to be for visibility for traffic and emergency vehicles along streets and driveways. The second reason is aesthetics for uniformity along the front views. A solid fence could have an adverse impact on the visual appeal of the front yard for the abutting property owner, and an impact from their driveway. A taller solid fence could have an impact on the character of the neighborhood. Staff recommends denial of the request. They do not believe the criteria for a variance has been met. The Planning Commission recommended denial based on the lack of practical difficulty. She stated earlier today they received an email from a property owner behind the property who was in support of the solid fence at 48 inches.

Pablo Castellanos, 7051 Arlo Way, stated the main reason they were getting the fence was for safety for their kids, pets, incoming traffic at night with headlights into the home, and the wildlife nearby. He stated he spoke to a neighbor this would affect and they were fine with it. The request for 48 inches was because they have had three fencing companies that do not have the 42-inch height and was unsure when that size would be in stock again.

Councilmember Piekarski Krech stated a solid fence would not keep fox away from animals, they can climb fencing. The solid fencing bothered her and does not believe it to be appropriate unless it is a

privacy issue and would prefer it be in the back yard not the front yard. Mayor Tourville stated he did not see the practical difficulty between 42 inches and 48 inches.

Motion by Dietrich second by Bartholomew to deny a variance to allow a solid fence 48-inches in height located in the corner front of the property located at 7051 Arlo Way.

Associate Planner Botten stated the Applicant was considering a picket fence that would meet the opacity requirements of 75%. She commented on corner lots, there has been a precedence with Council approving the 48-inch height. She asked Mr. Castellanos if this was still a consideration. Mr. Castellanos responded they are able to work with the City, they would be sacrificing a privacy fence but would be able to keep the 75% the visibility if able to keep the 48-inch height.

Mayor Tourville asked if Staff was more concerned about the opaqueness or the height. Associate Planner Botten responded Staff has not typically supported a fence like this in a backyard when it affects a resident's front yard. Others have been approved at the 48-inch chain link height. Mayor Tourville asked if the fence would be going around the entire property. Associate Planner Botten responded the Applicant is proposing a taller fence around another portion of the property. Mr. Castellanos responded it would look strange to be differing sizes and agreed to keep everything at 48 inches.

Councilmember Piekarski Krech stated if willing to go with opacity, and others have been approved, she does not have a problem with four feet, but does with the opacity. Councilmember Bartholomew stated he was willing to change as the second Motion, if the Motioner was willing to allow 48 inches and better opacity. Councilmember Dietrich stated she would be more comfortable tabling this item so they can see what it would look like. Councilmember Bartholomew asked Councilmember Dietrich if they should deny the variance this evening and come back with a 48-inch request and better opacity. Councilmember Dietrich agreed. Mayor Tourville stated they would have to reapply.

Mr. Castellanos asked what the Council wanted to see photos of. Councilmember Dietrich responded a photo of the material. They are unable to view photos in Council Chambers this evening. Associate Planner Botten stated tabling would require extending the 60-day review and brings it back to the first meeting in January. Denying the request sends it back to Planning Commission. Councilmember Dietrich did not want to incur further costs to the Applicant. Associate Planner Botten responded they could waive the fee.

City Attorney McCauley Nason stated they are still within the timeframe. The one who made the Motion could withdraw the Motion for a separate Motion made to continue the item to January. If Council has concerns about the existing height limitations in the Code, they could direct Staff to make changes to the Code regarding the height requirement.

Motion by Dietrich second Bartholomew to withdraw the first Motion.

Motion by Dietrich second by Bartholomew to continue consideration of a variance to allow a solid fence 48-inches in height located in the corner front of the property located at 7051 Arlo Way to the January 11, 2021 meeting and direct Staff to extend the 60-day deadline by letter.

Ayes: 5

Nays: 0 Motion carried.

L. RON CLARK - Consider the following requests for property located at 5590 Babcock Trail:

- 1. An Ordinance to change the zoning of Lot 2 to R-3C, Multiple Family Residential, Ordinance 1400**

- 2. A Resolution relating to a Preliminary Plat for a 2-lot subdivision. Resolution 2020-309**
- 3. A Resolution relating to a Conditional Use Permit for a multiple family development consisting of a 49-unit apartment building, Resolution 2020-310**
- 4. A Resolution relating to a Conditional Use Permit to allow a building to exceed 35 feet for the apartment building. Resolution 2020-311**
- 5. A Resolution relating to a Variance from minimum lot size in the P, Institutional District, Resolution 2020-312**
- 6. A Resolution relating to a Variance from parking lot setbacks, maximum building coverage and impervious surface coverage for Lot 2. Resolution 2020-313**

City Planner Allan Hunting stated the request is for site plan approval for a 49-unit apartment project located in the northeast quadrant of Upper 55th Street and Babcock Trail, part of the Salem Methodist Church property. The request is to divide and add an apartment building. Council approved the Comprehensive Plan to change the east half of the property from public to high density residential for this project. Requests include:

- Platting the property. Preliminary plat for two lots. Dividing east half/west half.
 - West half contains existing Church and parking lot.
 - East half will be the new apartment building and parking.
- Newly created lot Church is on would be less than three acres. Code requirement for a Church. Requesting variance for the requirement.
- Conditional Use Permit Application for a multiple family development. One building 49-unit apartment building providing workforce housing.
- Conditional Use Permit from height. The building at its highest point would be more exposed on the east side.
 - Total height would be 47 feet. Maximum height is 35 feet.
 - Balance of building was 36 feet from the ground floor to midpoint of the roof.
- Variance request for shared parking between the two lots. Using same access point. Parking and access require five feet, this goes over property lines.
- Building coverage and impervious surface coverage. Exceeding both on the apartment building lot.

Other Standards:

- All buildings meet setbacks.
- Park Dedication through cash contribution.
- Access: Proposing to move existing Church access onto Upper 55th Street. Move as far easterly as possible to extend the total distance between Babcock Trail and the access point.
- Applicant hiring a Traffic Engineer. Full Traffic Impact Study was done on the site with the conclusion being traffic generated from the new development would have minimal impact and no improvements required.
- Parking stall numbers and landscaping would all be satisfied.
- Ponding for the site would be offsite, on vacant portion of land for Fire Station #3. The City Engineer has been working with the Applicant and would like to improve stormwater ponding and flow in the area. Engineering is recommending the arrangement.

Regarding variances, the City Staff report provides some practical difficulty for that. The workforce housing project complies with the Comprehensive Plan. The development, when dealing with some infill, will need flexibility. He stated Staff and the Planning Commission recommend approval of all requests with conditions listed and attached Resolutions.

Councilmember Piekarski Krech stated if moving the Church entrance back, it moves closer to the entrance into the parking lot for the Fire Station, and the Fire Station. She asked if there was enough

distance between all those entrances and exits. City Planner Hunting responded there would still be enough separation. The way they use the access point was discussed with the Fire Marshal and Fire Chief and would not create conflict. It still provides sufficient separation between the two driveways. Mayor Tourville stated one side is not used as frequently.

Councilmember Piekarski Krech commented the shared area is going to have to be carefully written if at some point the Church is no longer a Church. City Planner Hunting responded the cross easements would be private easements between the two. The City would want to make sure they are included and have been reviewed as part of the Development Agreement. She asked if they could nullify those easements. Her concern is that it works on the plan but questioned what the recourse would be if someone pulls out of the agreement. Mayor Tourville stated one of the first questions to ask would be if there was any concern between the Developer and the Church with cross easements.

Mike Waldo, Ron Clark Construction, responded they understand there would be substantial cross access easements and could look at what would happen if the Church would change use. They would make sure the access continues to work. He stated they met with the Fire Department about the possibility of a shared access and was told they use the location for training purposes and work, not for ingress or egress. It was determined the Development should have its own. It should function well.

Mr. Waldo stated a traffic study was done and proved there would be minimal if any increase in traffic for the area. Workforce housing in the location with the Church and daycare is a huge plus for the neighborhood and Church. He stated they are working with the City to improve the stormwater quality in the area. It would be improved before reaching the regional pond. He stated one issue on the CUP, the front of the building, is only one foot above the normal criteria. The back of the building drops off toward the ponding area. Due to exposing the rear of the foundation, interpretation would be it was a higher roof.

Pastor Paul Marzahn, Crossroads Church in Inver Grove Heights, stated they also have a campus in Lakeville and have a similar driveway shared with a daycare and senior high-rise they are building beginning in April. He stated they are comfortable with the plan and do not anticipate selling the Church in the future, it has been there since 1851. If there was a change in the future it would be put into the sale of the building for the mutual use of the driveway. He stated when they moved to Inver Grove Heights in 2011, they did a Community survey. Two needs that showed up in the survey was childcare and affordable housing. They have been working on both to help the Community. He is excited and feels this would be a great addition to the City.

Mayor Tourville stated this has come before the Council a few times with concerns about traffic and the proximity of driveways to the Fire Hall. Having a traffic study done has gone above and beyond to make this work. Councilmember Bartholomew stated he is in support, the Applicant and Staff have done a great job of getting everything in order for traffic, density, and water retention. He commented he could support this. It will add more citizens to the Community and gives the added use of commerce and fills a niche.

Motion by Bartholomew second by Perry to approve the following requests for property located at 5590 Babcock Trail:

- 3. A Resolution 2020-310 relating to a Conditional Use Permit for a multiple family development consisting of a 49-unit apartment building,**
- 4. A Resolution 2020-311 relating to a Conditional Use Permit to allow a building to exceed 35 feet for the apartment building.**

Ayes: 5

Nays: 0 Motion carried.

Motion by Bartholomew second by Perry to approve the following requests for property located at 5590 Babcock Trail:

- 1. An Ordinance 1400 to change the zoning of Lot 2 to R-3C, Multiple Family Residential,**
- 2. A Resolution 2020-309 relating to a Preliminary Plat for a 2-lot subdivision.**
- 5. A Resolution 2020-312 relating to a Variance from minimum lot size in the P, Institutional District,**
- 6. A Resolution 2020-313 relating to a Variance from parking lot setbacks, maximum building coverage and impervious surface coverage for Lot 2.**

Ayes: 5

Nays: 0 Motion carried.

Pastor Marzahn stated they hope to begin construction in Fall 2021.

M. BUILDERS LOT GROUP/EAGLES LANDING- Consider the following for property located at 2655 70th Street:

- 1. A Resolution relating to a Preliminary Plat for an 11-lot single family development to be known as Eagles Landing,**
- 2. A Resolution relating to Variances from the minimum lot size and width standards.**

Associate Planner Botten stated the request is for property located west of North Valley Park and north of 70th Street. Applicant is requesting to develop a single-family project on the 4.95-acre parcel as follows:

- Total of 10 new single family home sites, plus one lot for the existing home, with a public street to serve the lots.
- Property is zoned R-1C, single family residential, guided LDR (Low Density Residential). LDR allows for density up to four units an acre.
- Proposed development is at 2.2 units per acre and consistent with the Comprehensive Plan.
- Lot sizes range from 10,412 square feet to 46,072 square feet.
- Lot widths range from 65 feet to 123 feet. Applicant is requesting variances from the lot size or width on some lots.
- Applicant is proposing a 50-foot-wide right of way, which is a public street through the development. The proposed access would not be constructed on park property, it would be accessing the 70th Street right of way. The park access would connect off the new road.
- Dakota County Plat Commission reviewed the plat and request the existing residential driveway on Lot #11 be moved to the new access road.
- County suggested the Applicant consider noise mitigation elements to address potential noise complaints from anticipated traffic along County Road 70.

She stated the Development abuts North Valley Park. The City is not interested in purchasing the property and is not recommending the Developer provide parkland dedication. Staff recommends the Developer pay cash in lieu of land to comply with Park Dedication requirements. The Parks and Recreation Director stated noise has been an issue in other Communities. Due to that, Staff and the Applicant should discuss possible mitigation efforts prior to submittal of final plat. The Tree Preservation Plan suggests Applicant is removing 80% of the significant trees on site. Property is allowed to remove 30% by Code before any reforestation is required within the development. She stated a preliminary review of the Tree Preservation Plan indicates they would have to plant 150 trees

to meet requirements. A revised landscaping plan would be submitted with the final plat submittals to incorporate both requirements.

She stated the Engineering Department has reviewed the plans and Barr Engineering has reviewed stormwater plans. The northeast corner of the development has an infiltration basin that would not produce a higher flow rate than currently exists in a 100-year storm event. She stated Engineers are in support of the request with the conditions included. The project complies with R-1C single family residential standards for setbacks and impervious surface for the proposed homes. She stated the Applicant requests variances from minimum lot size or width on some lots. The request relates to the design of the development that is consistent with the Comprehensive Plan. This property is not in the northwest area overlay, smaller lot sizes and widths are given flexibility and encouraged to be smaller where needed. She stated the property demonstrates a practical difficulty due to topographical challenges. This results in some lots not meeting width standards and others not meeting lot size. None need a variance for both. She stated the average lot size of the 11 lots is 16,747 square feet. Staff believes the property is utilized in a reasonable manner, provides a single-family development abutting other single-family homes and a City park.

Associate Planner Botten stated if taking the proposed development and overlay in comparison to the neighborhood, there are four new homes proposed along the westerly border of the development that would line up to five existing homes along Booth Avenue. Staff believes the development fits in nicely with the neighborhood and transitions nicely from larger lot residential along Booth to the smaller lots in the development to the City park. She stated Staff and the Planning Commission recommend approval of the request with the conditions listed that include a traffic and noise study be submitted for review with the final plat submittal. There is a condition stating final plat be brought before the Planning Commission for review and recommendation prior to City Council review. Typically, the plat request goes straight to Council not the Planning Commission. She stated at the Public Hearing four neighbors spoke against the development, a neighborhood letter was submitted, and Council received a couple of individual emails from residents against the request.

Councilmember Bartholomew wanted clarification on the existing Lot #11 access change to the new City street in the development. Associate Planner Botten responded that was the County recommendation. He asked if that was one of the Conditions. She responded she did not include it as one of the Conditions, it could be added or be included with the final plat submittal. The Dakota County Plat Commission also reviewed the final plat.

Councilmember Bartholomew stated he would like to have the number of lots reduced. He suggested possibly down to eight. Mayor Tourville stated the Council received a total of seven against the development.

Motion by Perry second by Piekarski Krech to receive seven letters into the record.

Ayes: 5

Nays: 0 Motion carried.

Melvin Moore, 14560 Wiles Parkway Northwest, Prior Lake, responded about the request to reduce the number of lots stating they initially had 15 lots proposed and reduced those to 10. Reducing it further would have significant impact to the value of the Homeowners land.

Mayor Tourville stated it could have been 25. Councilmember Piekarski Krech commented the area has larger lots and does not believe 10 lots fit the character of the neighborhood. She agreed with fewer lots and that it should closely align with the character of the neighborhood. She stated the

homes should be soundproofed due to road and pickleball noise. Councilmember Perry agreed with Councilmember Piekarski Krech regarding the number of homes, lot size, and the possibility of setting a precedence.

Mayor Tourville stated there were questions around park usage and complaints within the neighborhood due to the active use. Mr. Moore responded they ordered a traffic study, and the findings indicate increased traffic would be minimal. He stated a copy of the study would be given to the Associate Planner tomorrow. They also ordered a study for the noise from the pickleball court. Based on height and distance from the Courts, there would be minimal impact. The homes built would create an additional buffer to existing properties nearby. He stated if noise mitigation needs to be done, it could be windows, but would wait for the study results before determining.

Mayor Tourville stated he was concerned about the number of lots. Mr. Moore responded after conversations with their own Engineer, they believe they could get more lots on site and the additional lots would comply with City guidelines of width and size. They believe they could increase to 15 lots or more, but that could impact additional trees and create more issues they are trying to mitigate.

Matt Krumrie, 6914 Booth Avenue, requested clarification on the entrance to the development. He stated he requested traffic information on 70th Street from Dakota County and the response was that between now and 2040 over 1,000 cars per day would be going from 70th and Cahill to 70th and Blaine. Traffic would be greatly increased in the area. He was concerned with the park entrance, stating no matter where it is, it is tough pulling out going from 70th to Blaine. He was concerned about pickleball noise. He is a pickleball player and plays down there nearly every day. Parking is an issue. He stated the noise from pickleball is real. If googling "pickleball in the City" there are countless noise stories. One from a resident living next to a pickleball court in Apple Valley last summer stated her nerves are shattered, she stays in a room in her home that has insulation top to bottom with three to four fans going and the furnace fan running just to drown out the noise.

He stated it was suggested by Mr. Moore that mitigation be windows. Pickleball is played May through September. Homeowners often have windows open during those months. He stated five of the homes are backed up to the valley. Those would be hearing pickleball extensively as would those who may work nights and sleep days. He stated everyday at 9:00 a.m. there are large gatherings of pickleball players. Saturday mornings the park is packed. There is an overflow of players playing with others out enjoying the park. Concerns coming from pickleball noise should be addressed before this is approved.

Mayor Tourville asked if his concern was with the new owners of those homes and pickleball noise. Mr. Krumrie responded yes. He stated there are numerous articles about this. In Apple Valley one resident complained 90 times. He asked if there was enough Staff to handle pickleball complaints. He stated he was concerned that what happened at the Rich Valley Complex could happen here. As a softball player at Rich Valley, they always wanted to get the times extended to 6:15 p.m. and 7:15 p.m. and go until 10:15 for those who work and need a later start time. The people that lived near the complex wanted the lights off at 10:00 p.m. He commented over time those residents will complain about pickleball courts. He plays at 7:00 a.m., if he is told he cannot play at 7:00 a.m. because Homeowners would be upset, it would be frustrating for him.

He stated he agreed there were too many homes for this development and do not fit into the existing neighborhood. He referenced the Comprehensive Plan on Page 38, #4 that says, "Ensure that new development areas are compatible with size and scale to existing and adjacent neighborhoods". These are not. It also states, "They should also reflect the history and character of existing residential neighborhoods and future infill development within those neighborhoods". These do not. "The number one environmental goal is emphasizing proper management of open space areas in order to

preserve the trees, steep slopes, and water quality, features of these areas". He stated none of this fit with what the development is trying to do.

Mr. Krumrie stated he was concerned with the retention pond. It would come down at the curve of the valley where it goes down to the baseball fields. Sometimes the fields have water and wondered if those would be playable. He stated the neighborhood has spoken about this and understand the property owner wants to sell, they feel these do not fit in the neighborhood. There are too many homes for the small area, having eight variances is a lot. He stated existing Homeowners have trouble getting things in this town, as happened with earlier Agenda Items. He stated Builders and Developers come in getting variances. As a long-time resident in the City, it is frustrating to see the Developer get everything where existing residents have more of a struggle.

Allen Egging, 6824 Booth Avenue East, owns the two-acre lot to the north of this development. He was concerned about having 10 lots on the property. There are minimum requirements for size and setbacks for a reason. 8 out of the 10 properties request variances stating practical difficulty. He commented the practical difficulty was trying to sneak too many onto the property. The number of houses should be decreased. He stated the water falls in the retention pond in the northeast corner of the property, adjacent to his property. There is concern with water coming down, more houses and more hard surfaces, there would be less absorption. That would be another reason to limit the number of lots.

Mr. Egging stated he has noticed increased pickleball noise at his home. He was unsure how cutting down 80% of the trees would help. Noise would bounce off homes. His recommendation to Council would be to disapprove this and see what other alternatives there are for less dense housing without variances.

Troy McManus, 6836 Booth Avenue, stated he has one of the smaller lots in the area and brought his plan because the City would not approve his property 80x200 feet. The neighbor, when subdivided, had to surrender another five feet by 60 feet to make a lot. He stated the lots need to be bigger to fit into the neighborhood. There are too many variances, there are Codes. He believes the lots could be bigger. He was concerned about the number of trees removed, when he removed his he had to replant some. He stated there are emergency vehicles that would come in, this would be a dead end with parking on one side. He questioned why Builders gets luxuries when Homeowners trying to build do not. He asked that all have the same Codes and variances.

He stated when building his property, he had to put his home 60 feet off the lot pins. This Developer is asking for variances for setbacks, he does not believe should be granted. He stated the same should be done with everyone in the Community. He agreed with the need for a rain and run off study for stormwater. The property slopes, there is a ravine, drainage comes off their backyards. He stated he does not want to compromise the goals and Codes in the City. He is concerned about the permeable soil. He asked what size the houses were, there would be sheds and driveways. He asked where the water would go.

Pamela McManus, 6836 Booth Avenue, stated she submitted an email to Council. She was not sure how the traffic and noise study could be done this time of year when the park is not as busy.

Jonathan Jordan, 9651 Hamlet Avenue South, Cottage Grove, stated he is the Realtor representing Marc. The property was purchased by the Homeowner's father in 1956. It used to be a wheat field. He added the following points:

1. The Homeowner (Marc) is a principle of real estate, has a quiet enjoyment of his property. He should be able to do what he wants to do with the property.

2. The Code for the property is being met. The normal standard for real estate is the highest and best use of the property.
3. He is following Code as much as he can.

He stated the neighbor's principle on Booth Avenue is they have theirs, but he cannot have his. The Homeowner cannot do what he wants on his land because it is affecting current Homeowners land. There are 14 lots on Booth Avenue, it is a dead-end street. There is not a turn around on Booth. He stated the Homeowners on Booth should have the same traffic concerns for their street as they do for the development street.

Mr. Jordan addressed the water concerns stating the holding pond is being designed for a 100-year average. When Booth Avenue homes were built the water issue should have been addressed at that time. He stated for lot size, across 70th Street and behind the homes, all the lots are much smaller. He stated the Planning Commission has done a great job working with Mr. Melvin. 17 stipulations were put into the preliminary plat approval that are being addressed.

Mayor Tourville stated pickleball noise could be an issue going forward. This is located next to an active park. He referenced Rich Valley Park stating the basketball and playground were put away from homes due to noise. He stated he would be interested in looking at the property with no variances to size of lots. He was confused by the road and was not sure if it was a park road. Mr. Jordan responded the County has said the road should come out to 70th Street, the park goes off of the road. There are new drawings underway.

Councilmember Piekarski Krech stated the current driveway goes away, the road going into the development is at the driveway to the park. Mayor Tourville stated a lot of streets built now only have parking on one side.

Mr. Moore discussed water run off on site stating City Engineering and Staff, and his Engineer have identified how to mitigate water issues. That is part of a plan being submitted for Council to consider. He stated road width and parking on one side is permitted within the City design convenience. The turn around for buses or Fire Trucks is designed and in compliance.

He discussed lot size and what neighbors have in comparison to what is proposed. If the neighbors in the future wish to subdivide their home and have their lots to comply, they would face the same issues being spoken of. He stated if going back and drawing up the site plan to be completely compliant, with minimal lot size based off City guidelines, the neighbors would lose more of what they are seeking to protect. 24 homes could be placed there meeting setback requirements and in compliance without a variance. The number was reduced to mitigate issues.

Mr. Moore stated the traffic study was done from a third party and is factual information about how much the impact of the Community would have on the traffic onto 70th. He was unsure how much traffic would be there 20 years from now. That traffic could be mitigated by further public improvements. He stated the variances afford a better Community for all neighbors. Not just those moving into the property.

He responded about pickleball noise stating he would have a professional noise study done. Before the final plat is approved, they need to present a noise study or a way to mitigate the noise. They would mitigate noise based on the recommendation of the noise study. He stated they want to put together a project that fits.

Councilmember Bartholomew asked what kind of product the 25 would be to get the higher density without a variance. Mr. Moore responded five acres allows for 4.5 units per acre. If building a retaining

wall in order to achieve maximum density, or fill, they can do that without asking for convenience. As a Developer they have dropped their unit count down to a number that is minimal and still leaves the integrity of the overall area.

Councilmember Bartholomew asked what the number would be to be compliant. Mr. Moore responded at 4.5 units per acre with close to five acres they could get approximately 24 to 25 units. Councilmember Bartholomew asked if there were drawings depicting this. Mr. Moore responded there is a site plan, they could get to 15 that complies without seeking variances. He stated they could share the site plan with Staff. He stated Staff suggested going to neighbors and trying to work collectively with them to bring a product that would fit for everyone. The initial plan had 15 units without variances. He stated due to neighbors comments they reduced it to 10.

Councilmember Piekarski Krech asked if they could build 15 without variances, why they need variances to build 10. Mr. Moore responded they do not, they could go back and redesign without variances. That would require retaining walls and eliminate a significant amount of vegetation. He stated they were trying to work with neighbors, bring in a public benefit, and have something that did not reach this level of contention.

Associate Planner Botten responded the three lots to the north requesting lot width requirements, the property boundary on Lot #5 could shift to meet lot width requirements. That still gets two lots there and eliminates variances. The lots are pushed back and would lose the trees preserved on the most northern part of the lot; those trees are staying. She stated situations with topography like this are why variances are being requested. Looking at the average of lot sizes of the development, they are exceeding the minimum lot size of 12,500 square feet. Some lots are larger, some are smaller.

Mayor Tourville stated it was difficult when hearing 25 versus 15. Associate Planner Botten responded 25 would not work. The Comprehensive Plan allows for four units an acre, 20 lots. Mayor Tourville asked if it was the same product. Mr. Moore responded yes. Councilmember Piekarski Krech asked if the Comprehensive Plan for the entire Community was for four lots per acre. Her understanding was three lots per acre. Associate Planner Botten responded it was up to four lots per acre. Councilmember Piekarski Krech asked if most of Inver Grove was built with three lots per acre. Associate Planner Botten responded yes, that was more the average.

Councilmember Perry asked what size the lot would be for the existing home. Associate Planner Botten responded Lot #11 was at 29,000 square feet. Roughly $\frac{3}{4}$ of an acre.

Mr. McManus asked why the existing Homeowner could not surrender more land for the lot sizes. He asked when the City approved his lot, they made them take five more feet of the neighbor's yard to make it work due to concerns for the permeable soil. He questioned if that was not a concern here. Associate Planner Botten responded they were still concerned about impervious surface. Mr. McManus disagreed stating when he wanted to build something a couple of years ago, he was told no because he did not have enough land to support. He asked why this proposal is supported when the land is smaller.

He asked what size homes would be on the lots or what the homes would look like. He stated they asked Mr. Moore for this information and have not received it. Mr. Moore responded they are the Developer, not the home builder. They are approving a pad size approximately 60 feet in width by 55- or 60-foot depth. That would support a foundation size of 1,500 to more. If a two-story home, that could be as much as 4,500 square feet. If it is a rambler, it could be 3,400 square feet. It depends on the product the builder builds. None of the homes would be less than 2,000 or 2,200 square feet and the value of the homes would be greater than \$400,000 in excess of \$650,000.

Mr. McManus stated he was not sure they could get that size of home on the property with setbacks without a variance. Mr. Moore responded the City has guidelines with Met Council for lot sizes and pad sizes. If a pad size is 1,500 square foot foundation size, the structure could be 3,000 square feet. He was not sure what the Homebuilder would build, it could be larger.

Mr. McManus stated he still had a problem with this. There was 25 feet being taken off of a 60-foot lot. That only leaves 40 feet wide. He requested seeing a drawing or information on paper. Mr. Moore stated he does not have the right to tell the person who purchases this lot, to come to him. There is not an Association, they should not have to come to him to share style or size of home. All he can do is share size of the proposed building pad, which is 60x50, equaling 3,000 square feet. They cannot deviate from building pads; it is part of the plan and plat being approved.

Mayor Tourville stated home size does not matter with an active park next door. With a preliminary plat there is not a picture of what the home/product would look like. Lots, stormwater, and road is shown.

Councilmember Perry commented if the second set of pickleball courts were built the sound would double. She asked Parks and Recreation Director Carlson if there were six more potential courts. Parks and Recreation Director Carlson responded prior to the pickleball court project there were two sets of two tennis courts for a total of four. One set of the tennis courts was added onto slightly making six pickleball courts. A similar thing could be done where the other tennis courts were in the future if wanted. Councilmember Perry asked if additional parking would be added. Parks and Recreation Director Carlson responded most of the time there is adequate parking, there are some occasions where there is not. Parking could be added to the pickleball location in the area west of where the future courts would be. It would be expensive based on grading and the retaining wall that would be needed. Councilmember Perry stated she lives in the area and drives by the park frequently and agrees it is in use from 7:00 a.m. to 7:00 p.m. daily.

Mayor Tourville stated they are not the type to look at tearing down every tree to get to the maximum. A noise study done in an active park in November or December probably is not the best time.

Councilmember Piekarski Krech asked about variances in the Staff report stating the Applicant is requesting variances on minimum lot size for Lots 1, 2, 3, 4, 9, and 10. If they do not already meet minimum lot size, she asked how that fits. She questioned widths for Lots 6 and 7. She is concerned about distances in between. She commented this is not the northwest area and she will not approve a house five feet apart. She is having a hard time reading and justifying how it all fits together. If needing that many variances from minimum lot size, how can there be that many lots from the number that already do not meet minimum lot size. Associate Planner Botten responded there would be six lots requesting variances from lot size and two from lot width. None of them overlap requesting both. Councilmember Piekarski Krech stated if they already do not meet minimum lot size, how can the Developer say he can put 15 lots in there when at 11, there is a problem. Associate Planner Botten responded the Developer could resubmit a plan if that is the direction Council wants. There are currently larger lots on the property where lot lines can be adjusted, build retaining walls, cut down more trees. She stated the current home is still a part of the development. There would be ten new homes and one existing. Councilmember Piekarski Krech stated it needs to correspond better with the area it is going into, instead of the northwest area guidelines.

Mayor Tourville stated new Council comes on January. This may be better served by letting the neighborhood know they should ask questions. He commented if he were coming back in January, he would like to see what the plan would look like without any variances. The ten lots may be the best thing to go in the area. If it is eight houses and still backs up to the pickleball courses, developments in

front of other developments may block out noise. He questioned if variances were more important than losing trees. He stated the Engineers can take a look at the water and ponding. More information is needed.

Mr. McManus stated with square footage, most of the lots are 10,000, 11,000, and one is 9,432 square feet. He suggested if wanting to bring the development in, make the lots bigger and sell them for more money. He stated nobody is opposing or saying they cannot do it, he asked they make the lots bigger and to fit into the neighborhood.

Mayor Tourville asked how many neighborhood meetings there were between the groups. Associate Planner Botten responded the Applicant held a neighborhood meeting prior to submittal of the request. Then they had the Public Hearing of the Planning Commission.

Mr. Moore stated he wanted to make sure nobody was misled:

Lot 1, Block 1 is 11,900 square feet.

Lot 2, Block 1 is 10,400 square feet.

Lot 3, Block 1 is 10,400 square feet.

Lot 4, Block 1 is 11,518 square feet.

Lot 5, Block 1 is 46,000 square feet.

Lot 6, is 14,000 square feet.

He stated there are no 65-foot width lots in this development.

Councilmember Bartholomew stated Lots 7 and 6 state 65-foot widths. Mr. Moore responded he is reading from the information the Engineer sent to him, the total dimension of the lot. Councilmember Bartholomew stated there are some that are 65 width, but 216 feet. Mr. Moore responded yes.

City Administrator stated the Application in front of the Council contains a certain number of lots. The Council can vote the Application up or down. He asked that Council not make changes to it, it has not been reviewed by the Planning Commission. It can be tabled to a date certain.

Mayor Tourville stated further communication needs to take place between the existing neighborhood and the Applicant. He suggested tabling and that there be a meeting between the neighborhood and the Developer. He asked what it would look like with no variances.

Motion by Piekarski Krech second Perry to deny.

City Attorney McCauley Nason stated basis for denial was not included in the packets. If there is a Motion or second to deny, grounds for that denial need to be made by the maker and seconder for the record. There are two separate issues for consideration:

1. Approval of Preliminary Plat.

2. Resolution related to Variances.

She stated she looks for Council to articulate the basis for the Motion to deny. For example: It does not comply with the requirements of zoning or subdivision Ordinance as related to lot size and lot width. Any other grounds the Council may want for basis of denial can also be done.

Councilmember Piekarski Krech agreed with what has been said about the number of variances for sizes and the width. She stated this is not the northwest area. Infill should match the area it is filling in, not something totally different.

City Attorney McCauley Nason clarified the request stating the Preliminary Plan approval is based on failure to comply with the existing City Code requirements related to subdivision and lot size. Grounds

for denial of variance is that it fails to meet the standards found in City Code related to practical difficulties for approval of a variance. The three criteria for issuance of a variance are not met.

Councilmembers Piekarski Krech and Perry agreed with the clarification.

Motion by Piekarski Krech second by Perry stated the Preliminary Plan approval is based on failure to comply with the existing City Code requirements related to subdivision and lot size. Grounds for denial of variance is that it fails to meet the standards found in City Code related to practical difficulties for approval of a variance. The three criteria for issuance of a variance are not met.

Councilmember Dietrich stated she would vote nay but would like to see more of a collaborative effort coming forward. Instead of denying the Homeowner the right to develop his property, do it in a way that would work better for the Community.

Ayes: 2 (Piekarski Krech, Perry)

Nays: 3 (Bartholomew, Dietrich, Tourville)

Motion failed.

Councilmember Bartholomew requested what this would look like without the variance request, with the variances, or another idea. He asked there be discussion to see if they could get this down to six or eight homes. He stated if thought to be able to fit 15 homes, show information on what that would look like. Mayor Tourville agreed and stated there needs to be more discussion. He suggested looking at the variances, topography, and the number of trees. More than one meeting is needed.

City Attorney McCauley Nason stated with respect to the variance, the first 60 days runs on December 18th. There could be a Motion to continue the item to the first or second meeting in January. Direct Staff to send a 60-day extension letter and request additional information related to other options for development on the property.

Councilmember Bartholomew agreed for the need to have further discussion. They all need to see the benefits of the current plan and a different plan. He commented this was too premature, too quick, options should be discussed. He was fine with discussion in February.

Motion by Dietrich second by Bartholomew to table this item until the first meeting in February, on February 8, 2021 at 7:00 p.m. with Staff requesting the extension.

Ayes: 5

Nays: 0 Motion carried.

Administration:

N. City Administrator Performance Evaluation.

Mayor Tourville stated the annual review was held. There will be a summary sheet that will go with it. He stated he received some emails for goals set for 2021. Satisfactory was the outcome from five Councilmembers. The recommendation was to deal with salary having a 3% adjustment. He stated there was no adjustment in 2020 and for it to be retroactive to January 1, 2021. Councilmember Piekarski Krech stated it was the same as all other employees. Mayor Tourville stated they are doing what all non-organized employees had done.

Motion by Piekarski Krech second by Bartholomew to approve the City Administrator Performance Evaluation.

Ayes: 4

Nays: 1 (Dietrich) Motion carried.

Legal:

O. Consider Adoption of Written Reprimand.

Mayor Tourville stated due to the chain of command and direction, this goes from the City Administrator, but going from the City Administrator at the direction of the City Council. He stated the document with items and actions of violation have been received.

Motion by Piekarski Krech second by Bartholomew to approve the Adoption of Written Reprimand.

Ayes: 5

Nays: 0 Motion carried.

8. EXECUTIVE SESSION:

9. MAYOR AND COUNCIL COMMENTS:

City Administrator Lynch stated in the second quarter of the year, Public Works Director Scott Thureen approached the Council about making an Application to the Minnesota Highway Freight Program. It is Federal Funding. A very competitive Grant Program. The Application was to assist in the 117th Street Project that begins in 2022. The City has been notified they will be awarded an \$8 million dollar Grant for that project. This is very good news for the City. Mayor Tourville stated two years ago it did not receive any votes to even be in the mix. It is a big deal and needs to be done. City Administrator Lynch thanked Public Works Director Thureen and the Public Works Department for making that Application.

Mayor Tourville stated there may need to be another meeting in December and could take place the last week in December.

10. ADJOURN:

Motion by Piekarski Krech second by Perry to adjourn the meeting at 12:38 a.m.

Ayes: 5

Nays: 0 Motion carried.

Minutes prepared by Recording Clerk Sheri Yourczek

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: January 25, 2021
 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 January 6, 2021 to January 19, 2021.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending January 19, 2021. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$504,862.79
Debt Service & Capital Projects	997,167.10
Enterprise & Internal Service	257,653.90
Escrows	9,257.26
Grand Total for All Funds	<u><u>\$1,768,941.05</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 January 6, 2021 to January 19, 2021 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 2021-12

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING January 19, 2021**

WHEREAS, a list of disbursements for the period ending January 19, 2021 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	\$504,862.79
Debt Service & Capital Projects	997,167.10
Enterprise & Internal Service	257,653.90
Escrows	9,257.26
Grand Total for All Funds	<u><u>\$1,768,941.05</u></u>

Adopted by the City Council of Inver Grove Heights this 25th day of January, 2021.

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 1/6/2021 - 1/19/2021

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
AP MIDWEST LLC	01/11/2021	01/12/2021	Meter & Tax	101.207.2070300	92.52
AP MIDWEST LLC	01/11/2021B	01/19/2021	Tax on meter	101.207.2070300	5.00
ASPEN MILLS	265318	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	294.34
ASPEN MILLS	266708	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	462.68
ASPEN MILLS	266769	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	487.80
ASPEN MILLS	266911	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	118.50
ASPEN MILLS	266912	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	482.63
ASPEN MILLS	266913	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	118.50
ASPEN MILLS	266914	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	118.50
ASPEN MILLS	266915	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	549.73
ASPEN MILLS	266916	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	293.75
ASPEN MILLS	266917	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	177.96
ASPEN MILLS	266919	12/31/2020	Clothing / Uniforms	101.42.4000.421.60045	165.78
BARNA, GUZY, & STEFFEN LTD	226079	12/31/2020	December fees	101.41.1100.413.30420	1,248.00
BARNA, GUZY, & STEFFEN LTD	226080	12/31/2020	December 2020	101.41.1100.413.30420	1,578.05
BUDGET SANDBLASTING & PAINTING INC	121420	12/31/2020	Sandblast & prime hydrants	101.44.6000.451.60066	854.00
BUREAU OF CRIMINAL APPREHENSION	00000638784	01/19/2021	Access fees	101.42.4000.421.40044	390.00
COMCAST	01/05/2021	01/19/2021	HDTV Equipment	101.42.4200.423.30700	10.86
CULLIGAN	12/31/2020	12/31/2020	Bottled water equipment service	101.42.4200.423.30700	5.28
CULLIGAN	12/31/2020B	12/31/2020	Water services	101.42.4200.423.60065	71.10
CULLIGAN	12/31/2020C	12/31/2020	Water supplies	101.42.4200.423.60065	40.51
DAJ ENTERPRISES LLC (ECO WORKS)	2038	01/19/2021	Garden blend & delivery	101.44.6000.451.60016	1,015.00
DAKOTA COMMUNICATIONS CENTER	IG2021-01	01/12/2021	January	101.42.4000.421.70502	60,289.20
DAKOTA COMMUNICATIONS CENTER	IG2021-01	01/12/2021	January 2021	101.42.4200.423.70502	4,340.80
DAKOTA COMMUNICATIONS CENTER	IG2021-02	01/12/2021	February 2021	101.42.4000.421.70502	60,289.20
DAKOTA COMMUNICATIONS CENTER	IG2021-02	01/12/2021	February 2021	101.42.4200.423.70502	4,340.80
DAKOTA CTY FINANCIAL SVCS	00039907	01/19/2021	15 Days 2020 STS Work Crew	101.44.6000.451.70501	7,215.00
EFTPS	INV0108520	12/31/2020	FEDERAL WITHHOLDING	101.203.2030200	56,761.61
EFTPS	INV0108522	12/31/2020	MEDICARE WITHHOLDING	101.203.2030500	15,235.24
EFTPS	INV0108523	12/31/2020	SOCIAL SECURITY WITHHOLDING	101.203.2030400	39,394.67
EFTPS	INV0108524	12/31/2020	MEDICARE WITHHOLDING	101.203.2030500	10.66
EFTPS	INV0108525	12/31/2020	SOCIAL SECURITY WITHHOLDING	101.203.2030400	45.62
EXPERT TREE AND SERVICE AND SCIENCE	4978	12/31/2020	Remove trees	101.44.6000.451.70501	5,000.00
EYEMED	164584067	12/31/2020	Dec 2020 Premium	101.203.2032700	232.46
EYEMED	164623953	01/12/2021	January	101.203.2032700	223.17
FIRSTSCRIBE	253289	01/19/2021	ROWay Web Application	101.43.5100.442.40044	250.00
HEALTHEAST MEDICAL TRANSPORTATION	12/24/2020	12/31/2020	Alexis Bonfil Blood Alcohol Draw	101.42.4000.421.30700	88.40
ICMA RETIREMENT TRUST - 457	CM0003047	12/31/2020	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	(200.00)
ICMA RETIREMENT TRUST - 457	INV0108501	12/31/2020	457 - ROTH AGE 50+	101.203.2031400	175.00
ICMA RETIREMENT TRUST - 457	INV0108502	12/31/2020	457 - ROTH AGE 50+	101.203.2031400	225.00
ICMA RETIREMENT TRUST - 457	INV0108509	12/31/2020	ICMA-AGE <49	101.203.2031400	3,140.00
ICMA RETIREMENT TRUST - 457	INV0108510	12/31/2020	ICMA-AGE <49 %	101.203.2031400	8,351.61
ICMA RETIREMENT TRUST - 457	INV0108511	12/31/2020	ICMA-AGE 50+	101.203.2031400	4,600.29
ICMA RETIREMENT TRUST - 457	INV0108512	12/31/2020	ICMA-AGE 50+ %	101.203.2031400	950.51
ICMA RETIREMENT TRUST - 457	INV0108517	12/31/2020	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	2,580.76
ICMA RETIREMENT TRUST - 457	INV0108518	12/31/2020	ROTH IRA (AGE 50 & OVER)	101.203.2032400	675.00
ICMA RETIREMENT TRUST - 457	INV0108519	12/31/2020	ROTH-AGE <49 %	101.203.2032400	42.21
ING DIRECT	INV0108526	12/18/2020	MSRS-HCSP	101.203.2032200	858.71
INNOVATIVE OFFICE SOLUTIONS	SUM-058811	12/31/2020	December 2020	101.41.2000.415.60070	52.36
INNOVATIVE OFFICE SOLUTIONS	SUM-058811	12/31/2020	December 2020	101.45.3200.419.60010	43.59
INVER GROVE HEIGHTS ANIMAL HOSPITAL	12/28/2020	12/31/2020	Previous balance	101.42.4000.421.60013	478.06
LANGUAGE LINE SERVICES	10104338	10/31/2020	Credit	101.42.4000.421.50020	(24.45)
LANGUAGE LINE SERVICES	10113756	12/31/2020	over the phone interpretation	101.42.4000.421.50020	15.69
LANGUAGE LINE SERVICES	10160421	12/31/2020	Prior balance	101.42.4000.421.50020	15.69
LEAGUE OF MN CITIES	01/04/2021	01/19/2021	LMC Membership Dues	101.41.1000.413.50070	24,391.00
LOCAL GOVERNMENT INFORMATION SYSTEM (49705		01/19/2021	System Development - POLICE MCD	101.42.4000.421.70501	1,650.00
LOCAL GOVERNMENT INFORMATION SYSTEM (49804		01/19/2021	APPL SUP - POLICE	101.42.4000.421.70501	2,194.00
LOCAL GOVERNMENT INFORMATION SYSTEM (49812		01/19/2021	Fire	101.42.4200.423.30700	568.00
METRO CITIES	746	01/19/2021	2021 Membership Dues	101.41.1000.413.50070	10,009.00
MINNEAPOLIS OXYGEN CO.	00069986	12/31/2020	Medical oxygen	101.42.4200.423.30700	134.11
MINNEAPOLIS OXYGEN CO.	00069987	12/31/2020	Medical Oxygen	101.42.4200.423.30700	95.79
MN CHIEFS OF POLICE ASSOCIATION	11225	01/19/2021	2021 Membership Renewal - Associate	101.42.4000.421.50070	172.00
MN DEPT OF LABOR & INDUSTRY	ABR0250885X	12/31/2020	Pressure Vessel	101.42.4200.423.30700	10.00
MN DEPT OF REVENUE	INV0108521	12/31/2020	STATE WITHHOLDING	101.203.2030300	24,302.91
MN LIFE INSURANCE CO	December2020	12/31/2020	Policy #0027324	101.203.2030900	3,563.92
MN LIFE INSURANCE CO	January2021	01/19/2021	Policy#0027324	101.203.2030900	3,523.46
MN NCPERS LIFE INSURANCE	542000012021	01/12/2021	Jan 2021 Premium	101.203.2031600	240.00
MTI DISTRIBUTING CO	1282751-00	12/31/2020	Repair & Maintenance	101.44.6000.451.40047	2,259.14
NATURE CALLS, INC.	27004	12/31/2020	December 2020	101.44.6000.451.40065	480.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
NORTHLAND RECREATION LLC	2224	12/31/2020	Webcoat benches & Shipping	101.44.6000.451.60065	3,165.00
OKER INVESTMENTS	000322	01/19/2021	1/8 Load	101.45.3000.419.30700	124.00
OXYGEN SERVICE COMPANY, INC	03483142	12/31/2020	Supplies	101.42.4000.421.60065	54.00
PERA	CM0003038	12/23/2020	PERA COORDINATED PLAN	101.203.2030600	(175.40)
PERA	CM0003039	12/23/2020	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	(13.49)
PERA	INV0108513	12/31/2020	PERA COORDINATED PLAN	101.203.2030600	42,763.22
PERA	INV0108514	12/31/2020	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	3,289.46
PERA	INV0108515	12/31/2020	PERA POLICE & FIRE PLAN	101.203.2030600	21,458.69
PERA	INV0108516	12/31/2020	EMPLOYER SHARE (POLICE & FIRE PI	101.203.2030600	32,188.00
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.41.1100.413.50025	797.65
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.41.1100.413.50025	82.56
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.41.1100.413.50025	79.98
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.41.1100.413.50025	33.54
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.41.1100.413.50025	39.56
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.41.2000.415.50025	316.05
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	101.44.6000.451.50025	270.90
RENEE DUBS ELLENA	20-4990	01/12/2021	Winter 2021 newsletter	101.41.1300.413.30700	1,905.00
SKILLSOFT CORPORATION	0000228219	01/12/2021	Percipio expert	101.47.1400.413.40035	6,849.22
TASC GENESIS EMPLOYEE BENEFITS, INC	IN1946928	01/19/2021	Cobra Fees	101.42.4000.421.30550	40.00
TDS METROCOM	1BE6-46F7-3498	01/19/2021	651-457-7490	101.47.1400.413.50020	172.86
TOTAL CONSTRUCTION & EQUIP.	20789	12/31/2020	Fix Receptacles on Cahill Ave Lights Pol	101.44.6000.451.40047	1,055.52
TOTAL CONSTRUCTION & EQUIP.	20786	01/19/2021	Add controls for hockey rink lights	101.44.6000.451.40047	225.92
TRACKER PRODUCTS LLC	TPINV-002965	01/19/2021	Annual SAFE Professional	101.42.4000.421.60065	2,544.00
TRENCHERS PLUS, INC.	LT02104	12/31/2020	Chipper rental	101.43.5200.443.40050	1,850.00
UNIFIRST CORPORATION	0900599256	01/12/2021	Clothing / Uniforms	101.43.5200.443.60045	63.89
UNIFIRST CORPORATION	0900599256	01/12/2021	Clothing / Uniforms	101.44.6000.451.60045	29.31
WI SCTF (WI SUPPORT COLLECTIONS TRUST F	INV0108508	12/31/2020	PARTICIPANT ID#0004986316	101.203.2032100	433.06

Fund: 101 - GENERAL FUND

477,513.18

ANDERSON, GAIL	12/28/2020	12/31/2020	Covid closure	204.44.0000.3470000	27.00
CLARK, ERICA	12/29/2020	12/31/2020	Covid closure	204.44.0000.3470000	8.00
CLAUSSEN, ANDREA	12/28/2020	12/31/2020	Covid closure	204.44.0000.3470000	27.00
HUFF, JENNY	01/06/2021	12/31/2020	Cookies and Canvas refund	204.44.0000.3470000	36.00

Fund: 204 - RECREATION FUND

98.00

AFTON, DAHN	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
AHLGREN, ANGELA	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
ANDERSON, TENA	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
BELAIR, CHRIS	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	5.00
BLUE CROSS BLUE SHIELD	10/23/2020B	12/31/2020	Healthy Fair Living Cancellation Refund	205.44.0000.3492500	40.00
BOOK, JILL	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	10.00
BRENNAN, ERIN	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
BROOKS, CHAD	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
CAROL GARBER	12-11-20	12/31/2020	VMCC Brine system review	205.44.6200.453.40040	400.00
CHATTERTON, PAUL	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
CHEN-HAO, TSAI	12/31/2020	12/31/2020	Covid closure	205.44.0000.3493501	10.00
CHRISTMAN, NATSHA	12/28/2020	12/31/2020	Covid closure	205.44.0000.3493501	59.00
EVANS, KRIS	12/29/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
FILLMORE, JESSE	12/29/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
FISHER, JENNIFER	12/29/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
FITZGERALD, TEAL	12/29/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
GADBOIS, COREY	12/29/2020	12/31/2020	Covid closure	205.44.0000.3493501	10.00
GILCHRIST, AMBER	12/29/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
GOSMAN, JERAMINE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
HOHENSTEIN, ERICA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
HOLZMER, KATHERINE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
HUEBSCH SERVICES	20041642	12/31/2020	Mats	205.44.6200.453.40040	68.02
HUEBSCH SERVICES	20041642	12/31/2020	Mats	205.44.6200.453.40040	272.10
HUEBSCH SERVICES	20052405	12/31/2020	Mats	205.44.6200.453.40040	280.15
HUEBSCH SERVICES	20052405	12/31/2020	Mats	205.44.6200.453.40040	70.04
HUEBSCH SERVICES	20092965	12/31/2020	Late fee	205.44.6200.453.40040	5.10
JOHNSON, ERIN	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
JOHNSON, GABRIELLA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
JUBERIAN, ANGELA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	10.00
JULIEN, HANNAH	01/06/2020	12/31/2020	Covid closure	205.44.0000.3493501	43.33
KAISER, MEREDITH	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
KIECKER, CASSANDRA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
KOCIK, EMILY	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	4.00
LOEW, ALISON	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
MARFORI, JOEL	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	118.00
MARTINSON, EMILY	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	195.00
MEYER, CAREY	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
MILLINCZEK, CHARLENE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	6.00
MOTILALL, RYAN & SOEURM	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
MOY, LAURA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
NORTH STAR DIVING CLUB	01/06/2021	12/31/2020	Pool rent refund	205.44.0000.3492700	1,092.69
OHMANN, JOELLEN	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
PARISH, DANIELLE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
PARSONS, TOD	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
PETERSON, DAVID	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
PIEPER, SALLY	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	5.00
PIMENTEL, KARYN	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
PINOTTI, DANIELLE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
PLANTZ, NOEMI	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
RENBURG, AMY	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
ROHLFING, CARLY	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
RUDEK, KARA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
SALAVA, SARA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
SALNIKOV, ILYA	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
SATRE, ANDREW	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
SCHWARZ, MICHELLE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
SHANNON, HANNAH	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
SLINGER, APRIL	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
SPERL, NICOLE	12/30/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
STUCKEMEYER, KRISTIROSE	12/31/2020	12/31/2020	Covid closure	205.44.0000.3493501	5.00
TORNQUIST, VALERIE	12/31/2020	12/31/2020	Covid closure	205.44.0000.3493501	149.00
TWIN CITY HARDWARE	PSI2011970	12/31/2020	Supplies	205.44.6200.453.80200	19,000.00
VANDUSARTZ, DAVID	12/31/2020	12/31/2020	Covid Closure	205.44.0000.3493501	10.00
WALSH, LAURA	12/31/2020	12/31/2020	Covid closure	205.44.0000.3493501	130.00
WIEDERHOLD, JENNY	12/31/2020	12/31/2020	Covid closure	205.44.0000.3493501	65.00
Fund: 205 - COMMUNITY CENTER					25,377.43
HOISINGTON KOEGLER GROUP INC.	020-056-1	12/31/2020	IGH S of 55 SAP	290.45.3000.419.30700	1,874.18
Fund: 290 - EDA OPERATING					1,874.18
EHLERS AND ASSOCIATES, INC.	61690	12/31/2020	Paying agent fee	355.57.9000.570.90300	475.00
Fund: 355 - G.O. IMPR BONDS 2010B					475.00
EHLERS AND ASSOCIATES, INC.	61691	12/31/2020	Paying agent fee	361.57.9000.570.90300	475.00
EHLERS AND ASSOCIATES, INC.	60588	01/19/2021	Bond payment 2021	361.57.9000.570.90100	8,200.00
EHLERS AND ASSOCIATES, INC.	60588	01/19/2021	Bond payment 2021	361.57.9000.570.90200	390,000.00
Fund: 361 - WATER REV REF 2012A					398,675.00
JL THEIS, INC.	Pay voucher #1	01/19/2021	Project 2020-14	402.44.6000.451.80300	53,386.37
Fund: 402 - PARK ACQ. & DEV. FUND					53,386.37
JORGENSON CONSTRUCTION INC.	Pay application #14	12/31/2020	Project 2014-10 Final pay voucher #14	434.42.4200.423.80200	248,512.96
Fund: 434 - 2014 IMPROVEMENT FUND					248,512.96
PIONEER PRESS	1220492124	12/31/2020	S Legals S Full Run	436.73.5900.736.50025	44.72
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	436.73.5900.736.50025	57.62
Fund: 436 - 2016 IMPROVEMENT FUND					102.34
AMERICAN ENGINEERING TESTING, INC.	915821	12/31/2020	Test pit observation services	440.74.5900.740.30700	4,884.20
AMERICAN ENGINEERING TESTING, INC.	915821	12/31/2020	Test pit observation services	440.74.5900.740.30700	4,884.20
BOLTON & MENK, INC.	0262141	12/31/2020	IGH 64th Street Area Improvement	440.74.5900.740.30300	4,208.00
BOLTON & MENK, INC.	0262142	12/31/2020	IGH Dawn Way Improvement	440.74.5900.740.30300	6,010.25
BOLTON & MENK, INC.	0262142	12/31/2020	IGH Dawn Way Improvement	440.74.5900.740.30300	6,010.25
Fund: 440 - PAVEMENT MANAGEMENT PROJ					25,996.90
BOLTON & MENK, INC.	0262138	12/31/2020	IGH 2021 Trunk Utility	446.74.5900.746.30300	9,067.00
HENNING PROFESSIONAL SERVICES, INC.	105-1	12/31/2020	December 2020	446.74.5900.746.30300	777.50
MAX STEININGER, INC.	Pay Voucher #12	12/31/2020	Project 2017-03 Pay voucher #12	446.74.5900.746.80300	13,440.69
MAX STEININGER, INC.	Pay Voucher #12	12/31/2020	Project 2017-24 Pay voucher #12	446.74.5900.746.80300	219,710.06
Fund: 446 - NW AREA					242,995.25
HOISINGTON KOEGLER GROUP INC.	020-041-3	12/31/2020	IGH NW Area SAP	451.45.3000.419.30700	12,437.50
MESSERLI & KRAMER, P.A.	387330	01/19/2021	2021 Legislative Representation	451.75.5900.751.70600	6,400.00
Fund: 451 - HOST COMMUNITY FUND					18,837.50
KIMLEY-HORN & ASSOCIATES, INC.	18038632	12/31/2020	Labor & Expenses	470.77.5900.770.30300	7,610.78
Fund: 470 - 2020 IMPROVEMENT FUND					7,610.78
STREAMLINE DESIGN INC	40509	01/12/2021	Short sleeve tees & Chest prints	471.42.4200.423.60045	575.00
Fund: 471 - 2021 IMPROVEMENT FUND					575.00
AP MIDWEST LLC	01/11/2021	01/12/2021	Meter & Tax	501.50.0000.3814000	1,368.75
ASSURE CO RISK MANAGEMENT & REGULATORY	10391	01/19/2021	Annual EMA RMP Compliance Service Fee	501.50.7100.512.30700	4,200.00
BATTERIES PLUS	P33916033	12/31/2020	Batteries	501.50.7100.512.60016	107.02
CITY OF BLOOMINGTON	2000346	12/31/2020	Lab samples	501.50.7100.512.30700	420.00
CONTINENTAL SAFETY EQUIPMENT	452851	01/19/2021	Supplies	501.50.7100.512.60065	450.14
CORE & MAIN LP	N395082	12/31/2020	Omni register	501.50.7100.512.75500	1,248.97
GOODIN COMPANY	02429186-00	12/31/2020	PVC Pipe	501.50.7100.512.60016	19.98
GOPHER STATE ONE-CALL	0120485	01/19/2021	Tickets	501.50.7100.512.30700	224.10
GOPHER STATE ONE-CALL	1000485	01/19/2021	2021 Annual Facility Operator Fee	501.50.7100.512.30700	50.00
HAWKINS, INC.	4846744	01/12/2021	Chlorine	501.50.7100.512.60019	737.00
HYDRODESIGNS, INC	0060217-IN	12/31/2020	Municipal	501.50.7100.512.30700	1,247.25
LONE OAK COMPANIES	01/13/2021	01/19/2021	Postage	501.50.7100.512.50035	875.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MID CITY SERVICES, INC.	140505	12/31/2020	Dust Mat	501.50.7100.512.40040	55.20
MID STATE PLUMBING & HEATING, INC.	954	12/31/2020	Replace 2" water meter with 1" water meter	501.50.7100.512.40043	449.91
MN DEPT OF NATURAL RESOURCES	1980-0652	01/12/2021	Water supply & Surcharge	501.50.7100.512.30700	13,574.35
MN GLOVE & SAFETY, INC.	327362	01/19/2021	Gloves	501.50.7100.512.60045	226.98
MN GLOVE & SAFETY, INC.	327490	01/19/2021	Gloves	501.50.7100.512.60045	134.97
NORTH AMERICAN TRAILER SALES	030004165637	12/31/2020	LED Work Lamp	501.50.7100.512.60016	120.30
OTIS ELEVATOR COMPANY	100400195700	01/12/2021	2021 Maintenance services	501.50.7100.512.30700	1,337.76
SHERWIN-WILLIAMS	0897-6	01/12/2021	Paint	501.50.7100.512.40040	402.22
SHERWIN-WILLIAMS	5751-3	01/19/2021	Paint Supplies	501.50.7100.512.60016	1,340.51
TYLER TECHNOLOGIES, INC	025-319866	12/31/2020	Insite transaction fees	501.50.7100.512.70440	1,490.63
UPS	000027914A500	12/31/2020	Shipping	501.50.7100.512.60016	13.98
USABUEBOOK	460902	01/19/2021	Repair & Maintenance	501.50.7100.512.40042	1,228.18
VALLEY-RICH CO, INC	29091	12/31/2020	Parts & Labor	501.50.7100.512.40046	2,924.32
VIKING INDUSTRIAL CENTER	3208244	01/19/2021	Repair & Maintenance	501.50.7100.512.40043	219.60
WORLD FUEL SERVICES	207907036470-41801	12/31/2020	Paradene	501.50.7100.512.60016	333.68
Fund: 501 - WATER UTILITY FUND					34,800.80
LONE OAK COMPANIES	01/13/2021	01/19/2021	Postage	502.51.7200.514.50035	875.00
METROPOLITAN COUNCIL	0001118256	01/19/2021	Waste Water Services	502.51.7200.514.40015	162,719.73
OPTION ONE MECHANICAL LLC	1644	12/31/2020	Parts & Labor	502.51.7200.514.40042	1,248.00
TYLER TECHNOLOGIES, INC	025-319866	12/31/2020	Insite transaction fees 10/1 - 12/31/20	502.51.7200.514.70440	1,490.62
Fund: 502 - SEWER UTILITY FUND					166,333.35
ARTHUR J GALLAGHER RISK	3689979	01/12/2021	Liquor Liability	503.52.8500.526.50014	3,179.00
MN DEPT OF HEALTH	01/11/2021	01/12/2021	Golf course 2021 license	503.52.8500.526.50070	685.00
MOORE'S DOORS, LLC.	EQW100B	12/31/2020	Steel doors	503.52.8500.526.40020	1,118.00
MTI DISTRIBUTING CO	12/31/2020	12/31/2020	Unapplied credits	503.52.8600.527.40042	(713.54)
MTI DISTRIBUTING CO	1282600-00	12/31/2020	Equipment	503.52.8600.527.40042	597.81
SOUTH BAY DESIGN	010121	01/19/2021	Hosting charges and Site updates	503.52.8500.526.50025	330.00
Fund: 503 - INVER WOOD GOLF COURSE					5,196.27
EMERALD BUILDERS, INC.	5044	12/31/2020	PD locker room lockers	602.00.2100.415.40048	7,560.00
Fund: 602 - RISK MANAGEMENT					7,560.00
ADVANCED GRAPHIX, INC.	205815	12/31/2020	Wall lettering and decals, fees / charges	603.00.5300.444.80700	368.75
ALLSTATE PETERBILT OF SOUTH ST. PAUL	3004372111	01/12/2021	Hose-Push	603.00.5300.444.40041	15.68
ARROW MOWER, INC.	68623	12/31/2020	Handlebar	603.00.5300.444.40041	58.19
FORCE AMERICA, INC.	001-1502201	01/12/2021	H series gerotor motor	603.140.1450050	269.61
MANSFIELD OIL COMPANY	22132126	01/12/2021	Fuel	603.140.1450050	9,403.47
MANSFIELD OIL COMPANY	22134547	01/12/2021	Fuel	603.140.1450050	10,767.64
METRO JANITORIAL SUPPLY INC	11015479	12/31/2020	Hand towel & Foaming dispensers	603.00.5300.444.60011	167.75
METRO JANITORIAL SUPPLY INC	11015467	01/12/2021	Lever action drum pump	603.00.5300.444.60012	110.74
METRO JANITORIAL SUPPLY INC	11015478	01/12/2021	Cleaners	603.00.5300.444.40040	181.86
METRO JANITORIAL SUPPLY INC	11015503	01/12/2021	Gel lubricant	603.00.5300.444.60012	199.83
MID CITY SERVICES, INC.	140506	12/31/2020	Dust mats	603.00.5300.444.40065	71.00
NORTHERN SAFETY TECHNOLOGY INC	51652	01/19/2021	PD car parts & equipment	603.00.5300.444.80700	10,891.53
O' REILLY AUTO PARTS	1767-121310	01/12/2021	Megacrimp	603.140.1450050	379.62
O' REILLY AUTO PARTS	1767-122256	01/12/2021	Fuel/Wtr sep	603.00.5300.444.40041	9.68
O' REILLY AUTO PARTS	1767-122269	01/12/2021	Air filter	603.00.5300.444.40041	43.77
O' REILLY AUTO PARTS	1767-122275	01/12/2021	Fuel filter	603.00.5300.444.40041	7.36
O' REILLY AUTO PARTS	1767-122820	01/12/2021	3oz silicone	603.00.5300.444.60012	10.38
POMP'S TIRE SERVICE, INC.	980076075	01/12/2021	Supplies	603.00.5300.444.60014	556.00
PROTH LLC	12/17/2020	12/31/2020	8 X 12 Flatbed	603.00.5300.444.40042	800.00
TRI-STATE BOBCAT INC.	P48489	12/31/2020	Vechile parts	603.00.5300.444.40041	797.28
TRI-STATE BOBCAT INC.	P48586	12/31/2020	Harness, coil	603.00.5300.444.40041	335.75
UNIFIRST CORPORATION	0900599256	01/12/2021	Clothing / Uniforms	603.00.5300.444.40065	138.69
UNIFIRST CORPORATION	0900599256	01/12/2021	Clothing / Uniforms	603.00.5300.444.60045	39.08
WORLD FUEL SERVICES	209610591949-41801	12/31/2020	Fuel	603.00.5300.444.40041	276.20
WORLD FUEL SERVICES	210188974551-41801	12/31/2020	Fuel	603.140.1450050	115.50
ZIEGLER INC	SW050352119	12/31/2020	Parts & Labor	603.00.5300.444.40041	1,694.23
Fund: 603 - CENTRAL EQUIPMENT					37,709.59
GREATAMERICA FINANCIAL SERVICES CORP	28532096	12/31/2020	Printer & Copier charges	604.00.2200.416.40050	2,009.91
INNOVATIVE OFFICE SOLUTIONS	SUM-058811	12/31/2020	December 2020	604.00.2200.416.60010	1,694.80
Fund: 604 - CENTRAL STORES					3,704.71
HUEBSCH SERVICES	20024881	12/31/2020	Late fee	605.00.7500.460.40065	2.45
HUEBSCH SERVICES	20041641	12/31/2020	Mats	605.00.7500.460.40065	163.53
MAS COMMUNICATIONS	201200050101	01/12/2021	Monitor emergency elevator phone	605.00.7500.460.40040	48.20
SEACOLE	204491	12/31/2020	PA liquid deicer 275 galloon	605.00.7500.460.60016	2,035.00
US POSTMASTER	01/11/2021	01/19/2021	Postage	605.00.7500.460.50035	100.00
Fund: 605 - CITY FACILITIES					2,349.18

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
BOLTON & MENK, INC.	0262143	12/31/2020	IGH Trunk Sewer Review	702.229.2291103	477.00
CITY OF SAINT PAUL	IN44085	12/31/2020	Oct Radio maintenance & services	702.229.2291000	90.00
MILLER, EMILIO	01/13/2021	01/19/2021	Refund for potentially dangerous dog hea	702.229.2291000	250.00
OVERLAND CONTRACTING INC.	01/08/2021	01/12/2021	Escrow release	702.229.2285403	4,397.21
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	702.229.2291103	58.48
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	702.229.2295203	32.68
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	702.229.2295203	(32.68)
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	702.229.2295203	32.68
PIONEER PRESS	1220572521	12/31/2020	Advertising/Publishing	702.229.2295503	32.68
SHORT ELLIOTT HENDRICKSON, INC.	399300	01/19/2021	TMO 2020 Anchor @ 50th Street WT	702.229.2291203	2,524.51
WENCK ASSOCIATES, INC.	12009577	01/19/2021	Robert Trail StormWater Review	702.229.2291103	1,394.70
Fund: 702 - ESCROW FUND					9,257.26
Grand Total					1,768,941.05

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

REQUEST FOR APPROVAL OF RENTAL HOUSING LICENSE

Meeting Date: January 25, 2021
 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 three (3) 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:

8859 BRUNELL WAY: BEN KIEFFER
5641 BABCOCK TRAIL: ERIC GULLICKSON
2782 87TH STREET EAST: GENA SIMON

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 applications.

RECOMMENDATIONS

Community Development staff recommends approval of the licenses listed above.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: January 25, 2021
 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.

Full-time Employment:

Eric Kramer, Utility Superintendent

Part-time Employment:

Heather Stadt, Office Support Inspections

Voluntary Resignations, Retirements and or/Terminations:

Dan Miller, VMCC Operations Helper
 Eric Carlson, Parks & Rec Director (Resignation)
 Robin Reitberger, Office Support PD (Retirement)

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: January 25, 2020
 Item Type: Consent
 Contact: 651-450-2513
 Prepared by: Rebeca Kiernan, City Clerk
 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

Appoint City Employee Brian Swoboda to serve as Deputy Weed Inspector for 2021.

SUMMARY

Pursuant to State Statutes the Mayor retains the office title of Weed inspector and may appoint a Deputy Weed Inspector for enforcement purposes. The Council designates Brian Swoboda, Parks Superintendent as the Deputy Weed Inspector.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

APPROVE COLLECTIVE BARGAINING AGREEMENT WITH LELS PATROL LOCAL 84 FOR 2021 AND 2022

Meeting Date: January 25, 2021
 Item Type: Consent
 Contact: Joe Lynch
 Prepared by: Janet Shefchik
 Reviewed by: Joe Lynch

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 a Collective Bargaining Agreement with the LELS Patrol Union, Local 84, for the period of January 1, 2021 to December 31, 2022

SUMMARY The City currently has four collective bargaining groups and one more that will be coming on for 2021. The Patrol Officers' group is represented by Law Enforcement Labor Services (LELS) Inc., Local 84. As required by law, the City entered into good faith bargaining with the group, to negotiate a contract to replace the one ending 12/31/2020. As a result of a series of negotiations, the City has reached final agreement with the represented group for increases to the wage structure of 2.5% in 2021 and 2.75% in 2022. While there were items that were not agreed upon, other noted items of agreement included adjusting the percentage of longevity pay after 20 years of service, revising temporary duty assignment language, adding shift differential, providing an opportunity to cash out 40 hours of unused vacation accruals at year-end, increasing the annual sick leave conversion for the Health Care Savings Plan to 96 hours, and a \$50 increase in uniform allowance for 2022. As the City will continue to require a minimum level of health coverage, the single premium will be covered at 100% under one of two plans (HRA or HSA). The City has also agreed to split any increase in the premiums for the single + one or family levels in those 2 plans, however, it is also noted that in year-one of the proposed contract, the premiums will see a decrease, and in year-two, the rates will be similar to the 2020 rates.

The funds to cover the increase for the upcoming year are included in the General Fund budget, which included an anticipated 2.5% cost of living increase. The 2022 increases will need to be calculated into the 2022 budget. Both parties believe this contract to be mutually acceptable. Therefore, staff recommends Council approval of this agreement and the requisite confirmatory signatures.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve Operating Manager Terrence Ruffen for Outback Steakhouse of Florida, Inc. dba Outback Steakhouse at 5723 Blaine Ave.

Meeting Date: January 25, 2021
Item Type: Consent
Prepared by: Rebecca Kiernan
Reviewed by: Joe Lynch
Contact: 651-450-2513

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 Operating Manager Terrence Ruffen for Outback Steakhouse of Florida, dba Outback Steakhouse at 57235 Blaine Ave.

SUMMARY:

Outback Steakhouse has a change in the Operating Manager to Terrence Ruffen for their location at 5723 Blaine Ave. The applicant paid the appropriate fees and underwent background checks by the Police Department. The Police Department completed their investigation and found nothing to exclude Terrence Ruffen from being named the Operating Manager.

Staff recommends approval Terrence Ruffen as Operating Manager at Outback Steakhouse of Florida, Inc. dba Outback Steahouse.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Approval of Agreements with Dakota County for Mendota Lebanon Regional Trail in Blackstone Vista and Blackstone Ponds

Meeting Date: January 25, 2021
 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 various agreements with Dakota County related to the Mendota Lebanon Regional Trail and the Blackstone Vista and Ponds Subdivision(s).

SUMMARY

The Blackstone Vista and Blackstone Ponds subdivisions in the NW Area were developed between 2016-2019. As a part of the development process the City worked with the developer and Dakota County to locate easement(s) for portions of what is becoming the Mendota Lebanon Regional Trail. The regional trail is owned and operated by Dakota County.

In working with Dakota County, they agreed to pay for the construction of the trail and required infrastructure improvements needed to support the trail. Dakota County also agree to pay for the easement area the trail is in even though the easement was dedicated to the City by the developer. The city has already collected the money for the trail construction and has paid the developer as a reimbursement. Finalizing these agreements will allows Dakota County to pay the for the easement area which the city will reimbursed the our water and sewer funds for some of the water/sewer credits provided to the developer.

The City Attorney's office has worked with the Dakota County Attorney's office on the following agreements:

Blackstone Ponds Project

- JPA for Blackstone Ponds Project
- Amendment to JPA for Blackstone Ponds Project (city signature needed)
- Pedestrian Trail Easement in Ponds Project (city signature needed) (to be signed by the Homeowners Association as well)
- Retaining Wall Maintenance Agreement for Ponds Project

Blackstone Vista Project

- JPA for Vista Project
- JPA Reinstatement Agreement for Blackstone Vista Project (city signature needed)
- Pedestrian Trail Easement of Blackstone Vista Project Outlot A
- Pedestrian Trail Easement for Blackstone Vista Project Outlot D
- Retaining Wall Maintenance Agreement for Blackstone Vista Project

With these approvals the City, County and homeowner's association should have all the legal documents in place and the city will be compensated per our original agreement(s) and understanding.

**FIRST AMENDMENT TO JOINT POWERS AGREEMENT BETWEEN DAKOTA COUNTY
AND THE CITY OF INVER GROVE HEIGHTS FOR COST CONTRIBUTION
RELATED TO ACQUISITION AND CONSTRUCTION OF THE
MENDOTA – LEBANON HILLS REGIONAL PARK GREENWAY FOR THE
BLACKSTONE PONDS 1ST ADDITION SEGMENT**

WHEREAS, effective December 19, 2019, Dakota County (County) and City of Inver Grove Heights (City) entered into a Joint Power Agreement (Agreement) for cost contribution related to the acquisition and construction of the Mendota-Lebanon Hills Regional Park Greenway for the Blackstone Ponds 1st Addition Segment (Project); and

WHEREAS, the parties desire to amend certain terms of the Agreement as more fully set forth below; and

WHEREAS, the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. To amend Article 3, Term, to provide that the Agreement shall remain in effect until December 31, 2021 or until completion by the parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of the Agreement.

2. To amend Article 5, County's Payment Obligations as follows:

5.1 Right-of-Way cost contribution Amount. The Ponds Phase I Project trail right-of-way area in Blackstone Ponds 1st Addition is 1.28 acres valued at an amount not to exceed Seventy-Five Thousand dollars (\$75,000) per acre, conferring a benefit of Ninety-Six Thousand dollars (\$96,000). Upon execution of this Agreement, the County shall provide funding in an amount not to exceed \$96,000 for the permanent pedestrian trail easement for the Ponds Phase I Project. Upon receiving the \$96,000 from the County, the City shall deliver an executed pedestrian trail easement to the County. The pedestrian trail easement shall be in the form and substance attached to this Agreement as Exhibit A.

3. To Amend Article 6 as follows:

6.5 Delivery of Pedestrian Trail Easement and Trail Right of Entry. To the extent the trail, per the Ponds Phase I Project Plans, lies outside of road right of way, the City shall grant and deliver to the County an executed pedestrian trail easement similar in form and substance to the pedestrian trail easement attached hereto as Exhibit A. To the extent the trail, per the Ponds Phase I Project Plans, lies within City road right of way, the City shall grant and deliver to the County a right of way permit that allows for the upkeep, maintenance, repair and use of the trail. To the extent the trail lies outside of City road right of way, the County shall execute an easement agreement, with the City's assistance and consent, with the underlying fee owner(s) as necessary.

4. All other terms of the Agreement between the County and the City shall remain in full force and effect unless otherwise amended or terminated in accordance with law or the terms of the Agreement.
5. In any case where this Amendment conflicts with the Agreement, this Amendment shall govern.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date(s) indicated below.

Approved as to form:

/s/ Helen R. Brosnahan 1/6/21
Assistant County Attorney/Date
KS-16-174-2
Dakota County Contract No. C0032289.1
County Board Res. No. 20-626

DAKOTA COUNTY

DocuSigned by:

Steve Mielke

By: _____

Steven C. Mielke, Director

Physical Development Division

Date of Signature: 01/07/2021 | 11:31 AM CST

CITY OF INVER GROVE HEIGHTS

By: _____

Tom Bartholomew, Mayor

Date of signature: _____

Attest:

Rebecca Kiernan, City Clerk

Date of signature: _____

PEDESTRIAN TRAIL EASEMENT
FOR OUTLOTS A, B, C, D, G, I, J, BLACKSTONE PONDS 1ST ADDITION,
OUTLOT B, BLACKSTONE PONDS 2ND ADDITION,
AND OUTLOT A, BLACKSTONE PONDS 3RD ADDITION
DAKOTA COUNTY, MINNESOTA

THIS PEDESTRIAN TRAIL EASEMENT (Easement) is made, granted and conveyed this ____ day of _____, 20__, between **City of Inver Grove Heights**, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as "Grantor" and **Blackstone Ponds Homeowners Association, a Minnesota nonprofit corporation**, hereinafter referred to as "Grantor" and the County of Dakota, a political subdivision of the State of Minnesota, hereinafter referred to as "Grantee".

Grantors, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do hereby grant and convey unto the Grantee, its successors and assigns, forever, a **permanent easement for a pedestrian bituminous trail (including, without limitation, the construction, maintenance, repair and use of a trail)** over, under, across, through and upon the following described and depicted premises (the "Easement Area") situated within Dakota County, Minnesota, to-wit:

See the attached Exhibit A, incorporated herein by reference.

If there is a conflict between the written legal description in Exhibit A and the illustration on Exhibit A, the written legal description in Exhibit A shall govern.

The Easement Area shall be for use as a pedestrian and non-motorized recreational trail and shall include such activities as walking, running, biking, skiing, in-line skating, roller skating, skateboarding, the walking of household pets and other forms of similar non-motorized pedestrian use. In addition, public emergency motorized vehicles, electric personal assistive devices, vehicles that may be required by the Americans with Disabilities Act and motorized vehicles used by the City of Inver Grove Heights or Dakota County for maintenance, law enforcement or other public uses may be used in the Easement Area. The Easement Area shall not be used by other motorized vehicles, or by all-terrain vehicles, or by snowmobiles, and the Easement Area shall not be used for horseback riding. No structures, obstructions or fences shall be allowed in the Easement Area unless written approval is granted by the Grantee.

The easement rights herein granted to the Grantee include the rights of the Grantee, its contractors, employees, agents, and servants to enter upon the Easement Area at all reasonable times to construct, reconstruct, inspect, repair and maintain the trail and related improvements, over, under, across, through and upon the Easement Area together with the right to remove from the Easement Area trees, brush, herbage, undergrowth and other obstructions, as well as the right to deposit earthen material in and upon the Easement Area.

The Grantee shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorney's fees, and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, or contaminants which may have existed on, or which relate to, the Easement Area or property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the Grantee of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Grantors, their successors or assigns, shall be subject to any governmental immunity defenses of the Grantee and the maximum liability limits provided in Minnesota Statute, Chapter 466.

Grantors, for themselves and their successors and assigns, do warrant to and covenant with the Grantee, its successors and assigns, that as their respective interests appear of record, they are well seized in fee of the lands and premises aforesaid and have good right to grant and convey the easement herein to the Grantee.

The City of Inver Grove Heights represents that it is the fee owner of Outlots G, I and J, Blackstone Ponds 1st Addition, Dakota County, Minnesota.

Blackstone Ponds Homeowners Association represents that it is the fee owner of Outlots A, B, C, and D, Blackstone Ponds 1st Addition, and Outlot B, Blackstone Ponds 2nd Addition, and Outlot A, Blackstone Ponds 3rd Addition, Dakota County, Minnesota.

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IN TESTIMONY WHEREOF, the Grantors and Grantee have caused this Easement to be executed as of the day and year set forth above.

GRANTOR:
CITY OF INVER GROVE HEIGHTS

By: _____
Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

(CITY SEAL)

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this ____ day of _____, 20__, before me a Notary Public within and for said County, personally appeared Tom Bartholomew and Rebecca Kiernan, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

This instrument was drafted by:

Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

After recording, please return to:

Timothy J. Kuntz
LeVander, Gillen & Miller
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

**GRANTOR:
BLACKSTONE PONDS HOMEOWNERS ASSOCIATION**

By: _____

Its President

STATE OF MINNESOTA)
)
COUNTY OF _____) ss.

On this ____ day of _____, 20__, before me a Notary Public within and for said County, personally appeared _____, to me personally known, who being by me duly sworn, did say that he/she is the President of Blackstone Ponds Homeowners Association, a Minnesota non-profit corporation, and that the foregoing instrument was executed on behalf of Blackstone Ponds Homeowners Association by authority of the Board of Directors of said non-profit corporation.

Notary Public

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GRANTEE
COUNTY OF DAKOTA:

APPROVED AS TO FORM:

/s/ Helen R. Brosnahan 1/8/21
Assistant County Attorney Date
Attorney File No: _____

COUNTY OF DAKOTA

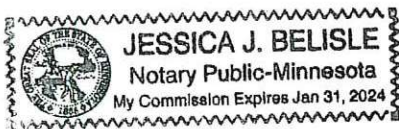
By M. C. Holberg
Chair of Board of Commissioners
By Jeni Reynolds
Secretary of Board of Commissioners

Date of Signature: 01-11-2021

County Board Res. No. 20-626

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 11 day of January, 2021, before me a Notary Public within and for said County, personally appeared Mary Liz Holberg and Jeni Reynolds to me personally known, who being each by me duly sworn, each did say that they are respectively the Chair and Secretary of the Board of Commissioners of Dakota County, the political subdivision of the State of Minnesota named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said political subdivision by authority of its Board of Commissioners and said Chair and Secretary acknowledged said instrument to be the free act and deed of said political subdivision.



Jessica J. Belisle
Notary Public

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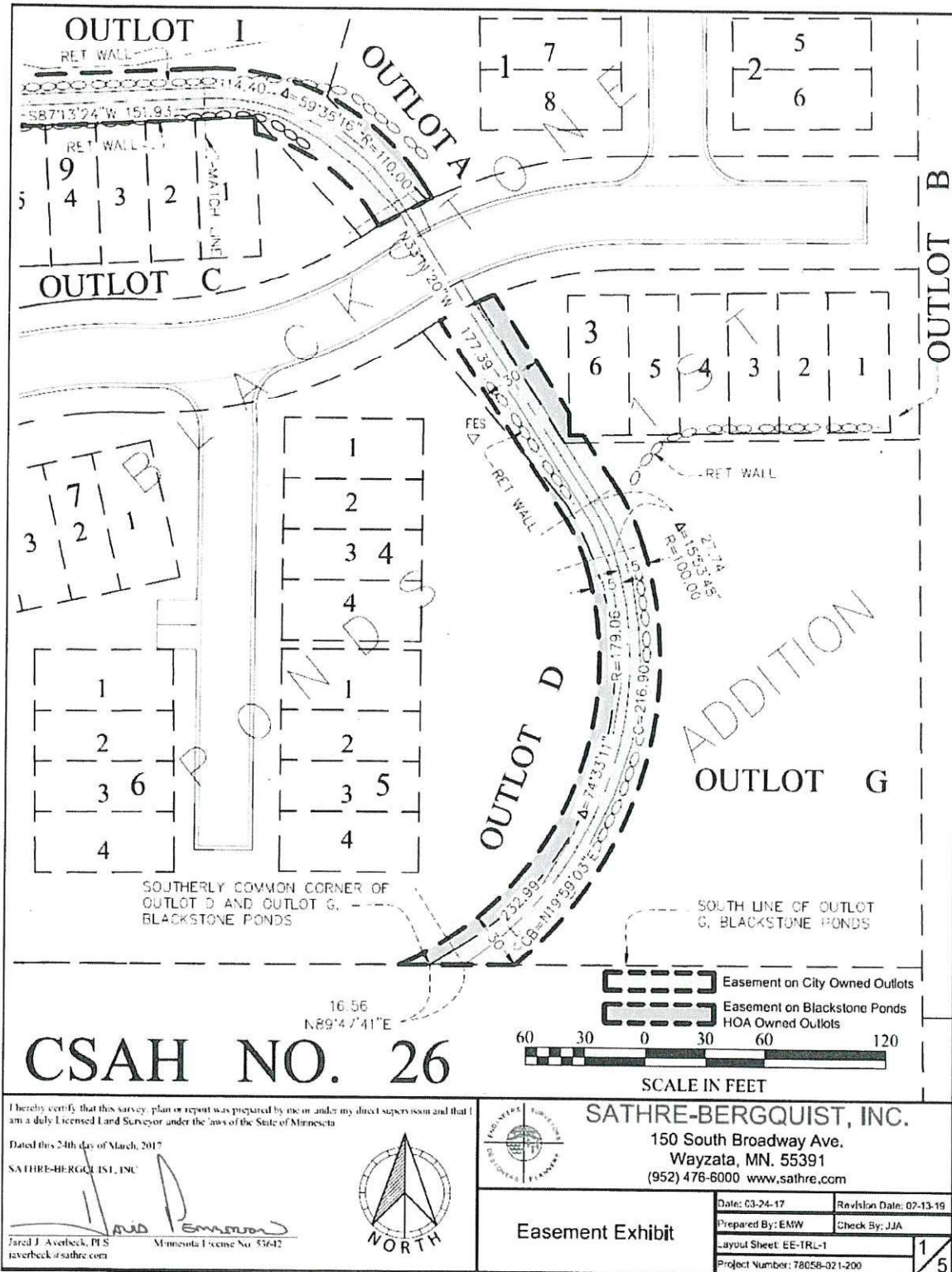
EXHIBIT A
LEGAL DESCRIPTION AND DEPICTION OF EASEMENT AREA

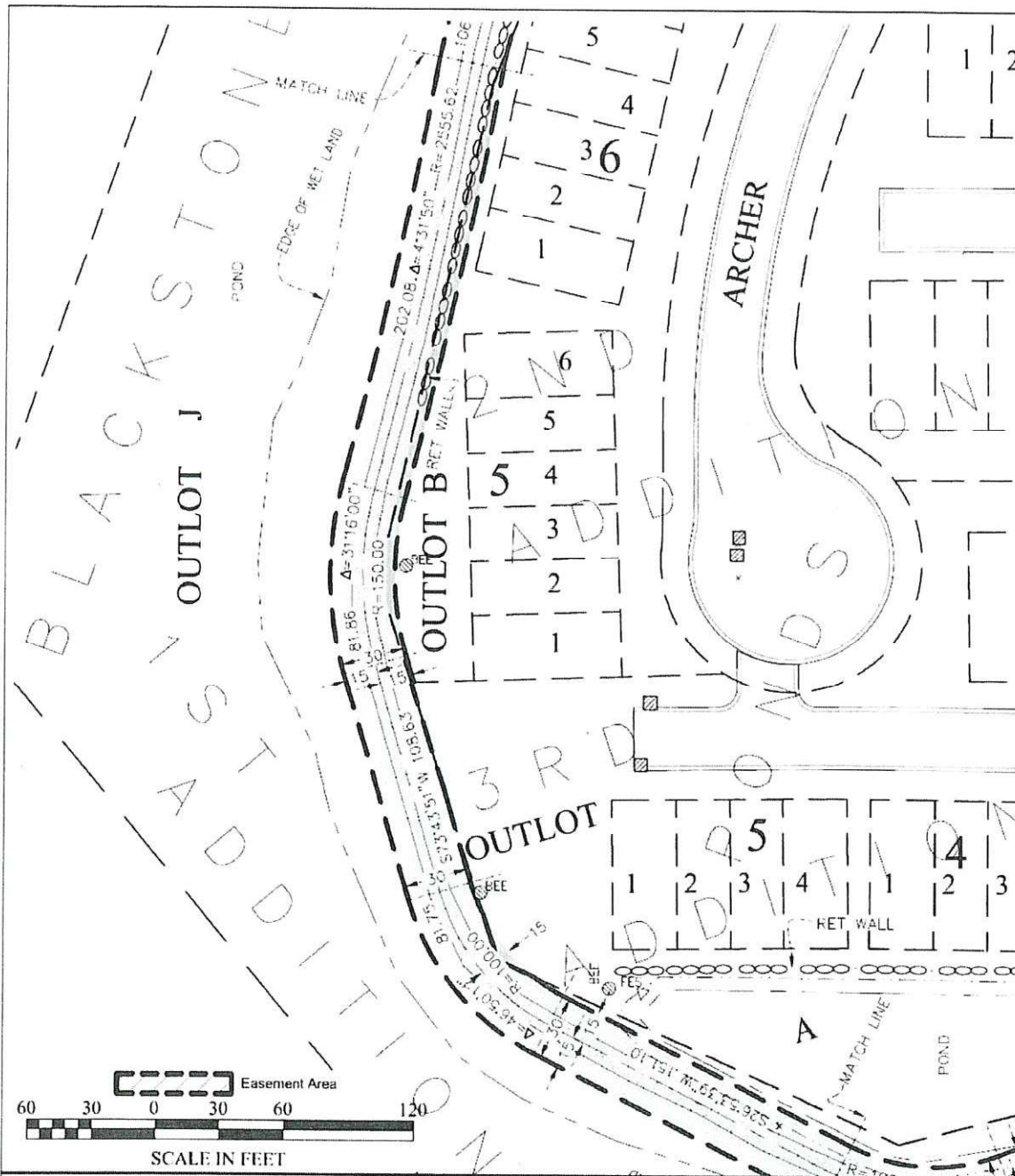
A 30.00 foot wide trail easement described below over, under, and across part of Outlots A, B, C, D, G, I, J, BLACKSTONE PONDS 1ST ADDITION, and Outlot B, BLACKSTONE PONDS 2ND ADDITION, and Outlot A, BLACKSTONE PONDS 3RD ADDITION, all according to the recorded plat thereof, Dakota County, Minnesota;

The centerline of said easement is described as commencing at the southerly common corner of said Outlot D and Outlot G, BLACKSTONE PONDS 1ST ADDITION; thence on an assumed bearing of North 89 degrees 47 minutes 41 seconds East along the south line of said Outlot G, a distance of 16.56 feet to the point of beginning of said centerline; thence northerly a distance of 232.99 feet along a non-tangential curve, concave to the northwest having a radius of 179.06 feet and a central angle 74 degrees 33 minutes 11 seconds and a chord that bears North 19 degrees 59 minutes 03 seconds East for a distance of 216.90 feet; thence northwesterly a distance of 27.74 feet along a compound curve, concave to the southwest having a radius of 100.00 feet and a central angle of 15 degrees 53 minutes 48 seconds; thence North 33 degrees 11 minutes 20 seconds West, tangent to last described curve, a distance of 177.39 feet; thence northwesterly and westerly a distance of 114.40 feet along a tangential curve, concave southwest having a radius of 110.00 feet and a central angle of 59 degrees 35 minutes 16 seconds; thence South 87 degrees 13 minutes 24 seconds West tangent to last described curve, a distance of 151.93 feet; thence westerly and northwesterly a distance of 149.11 feet along a tangential curve, concave to the northeast having a radius of 190.00 feet and a central angle of 44 degrees 57 minutes 57 seconds; thence northwesterly and westerly a distance of 106.39 feet along a reverse curve, concave to the southwest having a radius of 192.16 feet and a central angle 31 degrees 43 minutes 20 seconds; thence westerly a distance of 202.08 feet along a reverse curve, concave to the north having a radius of 2555.62 feet and a central angle of 04 degrees 31 minutes 50 seconds; thence westerly a distance of 81.86 feet along a reverse curve, concave to the south having a radius of 150.00 feet and a central angle of 31 degrees 16 minutes 00 seconds; thence South 73 degrees 43 minutes 51 seconds West, tangent to last described curve, a distance of 108.63 feet; thence westerly and southwesterly a distance of 81.75 feet along a tangential curve, southeast having a radius of 100.00 feet and a central angle of 46 degrees 50 minutes 12 seconds; thence South 26 degrees 53 minutes 39 seconds West, tangent to last described curve, a distance of 151.10 feet; thence southwesterly and southerly a distance of 83.16 feet along a tangential curve, concave to the east having a radius of 100.00 feet and a central angle of 47 degrees 38 minutes 54 seconds; thence South 20 degrees 45 minutes 15 seconds East tangent to last described curve, a distance of 92.16 feet; thence southerly a distance of 56.54 feet along a tangential curve, concave to the west having a radius of 200.00 feet and a central angle of 16 degrees 11 minutes 53 seconds; thence South 04 degrees 33 minutes 22 seconds East, tangent to last described curve, a distance of 51.22 feet; thence southerly and southeasterly a distance of 82.39 feet along a tangential curve, concave to the northeast having a radius of 117.61 feet and a central angle of 40 degrees 08 minutes 12 seconds to the south line of Outlot A, BLACKSTONE PONDS 3RD ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, and said centerline there terminating.

Total trail easement area is 55,825 square feet (1.28 acres)

Illustration





Thereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 24th day of March, 2017

SATHRE-BERGQUIST, INC.

Jared J. Averbek
Jared J. Averbek, PLS
javerbek@sathre.com

Emmanuel
Emmanuel, PLS
Minnesota License No. 53642

SATHRE-BERGQUIST, INC.
150 South Broadway Ave.
Wayzata, MN, 55391
(952) 476-6000 www.sathre.com

Easement Exhibit

Date: 03-24-17	Revision Date: 01-11-19
Prepared By: EMW	Check By: JJA
Layout Sheet: EE-TRL-3	
Project Number: 78058-021-200	

3/5

TRAIL EASEMENT DESCRIPTION

A 30.00 foot trail easement over, under, and across that part of Outlots A, B, C, D, G, I, J, BLACKSTONE PONDS 1ST ADDITION, and Outlot B, BLACKSTONE PONDS 2ND ADDITION, all according to the recorded plat thereof, Dakota County, Minnesota;

The centerline of said easement is described as commencing at the southerly common corner of said Outlot D and Outlot G, BLACKSTONE PONDS 1ST ADDITION; thence on an assumed bearing of North 89 degrees 47 minutes 41 seconds East along the south line of said Outlot G, a distance of 16.56 feet to the point of beginning of said centerline; thence northerly a distance of 232.99 feet along a non-tangential curve, concave to the northwest having a radius of 179.06 feet and a central angle 74 degrees 33 minutes 11 seconds and a chord that bears North 19 degrees 59 minutes 03 seconds East for a distance of 216.90 feet; thence northwesterly a distance of 27.74 feet along a compound curve, concave to the southwest having a radius of 100.00 feet and a central angle of 15 degrees 53 minutes 48 seconds; thence North 33 degrees 11 minutes 20 seconds West, tangent to last described curve, a distance of 177.39 feet; thence northwesterly and westerly a distance of 114.40 feet along a tangential curve, concave southwest having a radius of 110.00 feet and a central angle of 59 degrees 35 minutes 16 seconds; thence South 87 degrees 13 minutes 24 seconds West tangent to last described curve, a distance of 151.93 feet; thence westerly and northwesterly a distance of 149.11 feet along a tangential curve, concave to the northeast having a radius of 190.00 feet and a central angle of 44 degrees 57 minutes 57 seconds; thence northwesterly and westerly a distance of 106.39 feet along a reverse curve, concave to the southwest having a radius of 192.16 feet and a central angle 31 degrees 43 minutes 20 seconds; thence westerly a distance of 202.08 feet along a reverse curve, concave to the north having a radius of 2555.62 feet and a central angle of 04 degrees 31 minutes 50 seconds; thence westerly a distance of 81.86 feet along a reverse curve, concave to the south having a radius of 150.00 feet and a central angle of 31 degrees 16 minutes 00 seconds; thence South 73 degrees 43 minutes 51 seconds West, tangent to last described curve, a distance of 108.63 feet; thence westerly and southwesterly a distance of 81.75 feet along a tangential curve, southeast having a radius of 100.00 feet and a central angle of 46 degrees 50 minutes 12 seconds; thence South 26 degrees 53 minutes 39 seconds West, tangent to last described curve, a distance of 151.10 feet; thence southwesterly and southerly a distance of 83.16 feet along a tangential curve, concave to the east having a radius of 100.00 feet and a central angle of 47 degrees 38 minutes 54 seconds; thence South 20 degrees 45 minutes 15 seconds East tangent to last described curve, a distance of 92.16 feet; thence southerly a distance of 56.54 feet along a tangential curve, concave to the west having a radius of 200.00 feet and a central angle of 16 degrees 11 minutes 53 seconds; thence South 04 degrees 33 minutes 22 seconds East, tangent to last described curve, a distance of 51.22 feet; thence southerly and southeasterly a distance of 82.39 feet along a tangential curve, concave to the northeast having a radius of 117.61 feet and a central angle of 40 degrees 08 minutes 12 seconds to the south line of Outlot A, BLACKSTONE PONDS 3RD ADDITION, according to the recorded plat thereof, Dakota County, Minnesota, and said centerline there terminating.

Side lines of said easement are to be prolonged or shortened to terminate at said south lines of Outlot G and Outlot D, BLACKSTONE PONDS 1ST ADDITION and westerly line of said Outlot A, BLACKSTONE PONDS 3RD ADDITION.

Easement Area:	<u>BLACKSTONE PONDS 1ST ADDITION</u>	<u>BLACKSTONE PONDS 2ND ADDITION</u>
Outlot A:	377 S.F.	Outlot B: 1,856 S.F.
Outlot B:	772 S.F.	
Outlot C:	38 S.F.	
Outlot D:	1,977 S.F.	
Outlot G:	8,505 S.F.	
Outlot I:	11,602 S.F.	
Outlot J:	28,274 S.F.	

Total Overall Area: 53,401 S.F.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 24th day of March, 2017

SATHRE-BERGQUIST, INC.

Jared J. Averbeck, PLS
javerbeck@sathre.com

Minnesota License No. 53642



SATHRE-BERGQUIST, INC.

150 South Broadway Ave.
Wayzata, MN. 55391
(952) 476-6000 www.sathre.com

Easement Exhibit

Date: 03-24-17	Revision Date: 01-11-19
Prepared By: EMW	Check By: JJA
Layout Sheet: EE-TRL-5	5
Project Number: 78058-021-200	5

TRAIL EASEMENT DESCRIPTION

A 30.00 foot trail easement over, under, and across that part of Outlot A, BLACKSTONE PONDS 3RD ADDITION, according to the recorded plat thereof, Dakota County, Minnesota;

The centerline of said easement is described as commencing at the southerly common corner of said Outlot D and Outlot G, BLACKSTONE PONDS 1ST ADDITION; thence on an assumed bearing of North 89 degrees 47 minutes 41 seconds East along the south line of said Outlot G, a distance of 16.56 feet to the point of beginning of said centerline; thence northerly a distance of 232.99 feet along a non-tangential curve, concave to the northwest having a radius of 179.06 feet and a central angle 74 degrees 33 minutes 11 seconds and a chord that bears North 19 degrees 59 minutes 03 seconds East for a distance of 216.90 feet; thence northwesterly a distance of 27.74 feet along a compound curve, concave to the southwest having a radius of 100.00 feet and a central angle of 15 degrees 53 minutes 48 seconds; thence North 33 degrees 11 minutes 20 seconds West, tangent to last described curve, a distance of 177.39 feet; thence northwesterly and westerly a distance of 114.40 feet along a tangential curve, concave southwest having a radius of 110.00 feet and a central angle of 59 degrees 35 minutes 16 seconds; thence South 87 degrees 13 minutes 24 seconds West tangent to last described curve, a distance of 151.93 feet; thence westerly and northwesterly a distance of 149.11 feet along a tangential curve, concave to the northeast having a radius of 190.00 feet and a central angle of 44 degrees 57 minutes 57 seconds; thence northwesterly and westerly a distance of 106.39 feet along a reverse curve, concave to the southwest having a radius of 192.16 feet and a central angle 31 degrees 43 minutes 20 seconds; thence westerly a distance of 202.08 feet along a reverse curve, concave to the north having a radius of 2555.62 feet and a central angle of 04 degrees 31 minutes 50 seconds; thence westerly a distance of 81.86 feet along a reverse curve, concave to the south having a radius of 150.00 feet and a central angle of 31 degrees 16 minutes 00 seconds; thence South 73 degrees 43 minutes 51 seconds West, tangent to last described curve, a distance of 108.63 feet; thence westerly and southwesterly a distance of 81.75 feet along a tangential curve, southeast having a radius of 100.00 feet and a central angle of 46 degrees 50 minutes 12 seconds; thence South 26 degrees 53 minutes 39 seconds West, tangent to last described curve, a distance of 151.10 feet; thence southwesterly and southerly a distance of 83.16 feet along a tangential curve, concave to the east having a radius of 100.00 feet and a central angle of 47 degrees 38 minutes 54 seconds; thence South 20 degrees 45 minutes 15 seconds East tangent to last described curve, a distance of 92.16 feet; thence southerly a distance of 56.54 feet along a tangential curve, concave to the west having a radius of 200.00 feet and a central angle of 16 degrees 11 minutes 53 seconds; thence South 04 degrees 33 minutes 22 seconds East, tangent to last described curve, a distance of 51.22 feet; thence southerly and southeasterly a distance of 82.39 feet along a tangential curve, concave to the northeast having a radius of 117.61 feet and a central angle of 40 degrees 08 minutes 12 seconds to the south line of said Outlot A, BLACKSTONE PONDS 3RD ADDITION, and said centerline there terminating.

Side lines of said easement are to be prolonged or shortened to terminate at said south line of Outlot A, BLACKSTONE PONDS 3RD ADDITION.

Easement Area: 2.424 S.F.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 24th day of March, 2017.

SATHRE-BERGQUIST, INC.

Jared J. Averbeck, PLS
javerbeck@sathre.com

Minnesota License No. 53642



SATHRE-BERGQUIST, INC.

150 South Broadway Ave.
Wayzata, MN. 55391
(952) 476-6000 www.sathre.com

Easement Exhibit

Prepared For
CalAtlantic

Date: 03-24-17	Revision Date: 01-11-19
Prepared By: EMW	Check By: JJA
Layout Sheet: EE-TRL-5	
Project Number: 78058-021-200	

5/5

**AGREEMENT TO REINSTATE, AMEND, AND EXTEND THE
JOINT POWERS AGREEMENT BETWEEN
DAKOTA COUNTY AND THE CITY OF INVER GROVE HEIGHTS
FOR COST CONTRIBUTION RELATED TO ACQUISITION AND CONSTRUCTION OF THE
MENDOTA-LEBANON HILLS REGIONAL PARK GREENWAY
FOR THE BLACKSTONE VISTA SEGMENT**

WHEREAS, on October 6, 2016, the City of Inver Grove Heights ("City") and the County of Dakota ("County") executed a Joint Powers Agreement titled, "JOINT POWERS AGREEMENT BETWEEN DAKOTA COUNTY AND THE CITY OF INVER GROVE HEIGHTS FOR COST CONTRIBUTION RELATED TO ACQUISITION AND CONSTRUCTION OF THE MENDOTA-LEBANON HILLS REGIONAL PARK GREENWAY FOR THE BLACKSTONE VISTA SEGMENT ("Agreement"); and

WHEREAS, the Agreement expired on December 31, 2017, and the City and the County mutually desire to reinstate, extend, and amend the term and provisions of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

1. To fully reinstate the Agreement, except as amended herein, and amend Article 3 TERM to provide that the Agreement shall remain in effect until December 31, 2021 or until completion by the parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of the Agreement.
2. To amend Article 5.1 Right-of-Way Cost Contribution Amount to provide that the Project trail right-of-way area in Blackstone Vista is 2.04 acres. The County shall reimburse the City an amount not to exceed One Hundred and Fifty-Three Thousand Dollars (\$153,000) for the permanent pedestrian trail easements for the Project. The County shall provide funding for this obligation. To further amend Article 5.1 Right-of-Way Cost Contribution to reflect that the City has signed the pedestrian trail easements and delivered them to the County for approval and signature.
3. To amend Article 6.5. Delivery of Pedestrian Trail Easement and Right of Entry to reflect that the City has signed the pedestrian trail easements and delivered them to the County for approval and signature.
4. To amend Article 6.7. Retaining Wall Maintenance to reflect that the City has signed the Retaining Wall Maintenance Agreement and delivered it to the County for approval and signature.
5. To waive the requirement that the County Engineer sign the Pedestrian Trail Easements and the Retaining Wall Maintenance Agreement.
6. All other terms of the Agreement shall remain in full force and effect.
7. In any case where this Agreement to Reinstate, Amend, And Extend the Agreement conflicts with the original Agreement, this Agreement to Reinstate, Amend, And Extend the Agreement shall prevail.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the date(s) indicated below.

Approved as to form:

/s/ Helen R. Brosnahan 1/6/21
Assistant County Attorney/Date
KS-16-120-1
Dakota County Contract No. C0028231.1
County Board Res. No. 16-204
County Board Res. No. 20-625

DAKOTA COUNTY

DocuSigned by:

Steve Mielke

By:

Steven C. Mielke, Director

Physical Development Division

Date of Signature: 01/07/2021 10:52 AM CST

CITY OF INVER GROVE HEIGHTS

By:

Tom Bartholomew, Mayor

Date of signature:

Attest:

Rebecca Kiernan, City Clerk

Date of signature:

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Accept Final 2020 Donations & Grants for Various Parks and Recreation Programs

Meeting Date: January 25, 2021
 Item Type: Consent Agenda
 Contact: Julie Dorshak-651.450.2588
 Prepared by: Julie Dorshak
 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

Accept final 2020 donations/sponsorships/grants totaling \$16,357 for various parks and recreation programs/events from Jan 1, 2020- December 31, 2020.

SUMMARY

The Parks and Recreation Department receives various donations, sponsorships and grants from businesses and other organizations to support and enhance recreation programs and events. See attached detail for specific contributors.

Business/Organization	Amount/Value	Purpose
River Heights Arts Alliance	\$500	Terrific Tuesdays
USTA Preparedness Grant	\$494	Tennis Program
Dairy Queen	\$500	Ghostly Gathering
Humana	\$500	Healthy Living Fair
Various Businesses (23 local businesses provided cash sponsorships; 1 business provided an in-kind donation)	\$6,850	Holidays in the Heights *escrow account separate from Recreation budget/administered by Recreation
Joe Atkins	\$250	Heritage Village Dog Park Shelter
American Veterans Post 1 - Mendota Heights	\$1,000	Heritage Village Dog Park Shelter
Jane Stiles-Wahoske	\$300	Heritage Village Dog Inclusive Playground
Bell Bank Mortgage	\$2,500	Heritage Village Dog Inclusive Playground
Therapy OPS LLC	\$2,500	Heritage Village Dog Inclusive Playground
Simley NHS	\$63	Heritage Village Park Inclusive Playground
B52 Dine and Donate	\$1,150	Heritage Village Park Inclusive Playground
TOTAL	\$ 16,357	

Jan - Dec 2020 Donations

Company	Amount		
Holidays in the Heights			Notes on In-Kind or other
Republic Services	1,000.00		
Allrounder Remodeling	100.00		
B52 Burger & Brew	250.00		
Bituminous Roadways	500.00		
Convention and Visitors Bureau	500.00		
Culligan Milbert Company	100.00		
Dairy Queen	250.00		
Dakota Electric	200.00		
Edward Jones Investments	100.00		
Frattalones Dawnway	500.00		
Heppner's Auto Body	100.00		
Holiday Gas Arbor Pointe	100.00		
John Murphy	100.00		
JR's Advanced Recyclers	300.00		
Kwik Trip	250.00		
Nelson CPA's	100.00		
Pine Bend Paving	100.00		
Sanimax	750.00		
Summit Funeral & Cremation	250.00		
Total Construction	1,000.00		
Ultimate Carpet & Upholstery	100.00		
Vermillion State Bank	100.00		
	6,750.00		
Holidays in the Heights- In-kind			
Costco Eagan	100.00		Gift Card
	100.00		
Holidays in the Heights Total	6,850.00		
HVP Dog Park			
Joe Atkins	250.00		Dog Park Shelter
American Veterans Post 1 - Mendota Hts	1,000.00		
	1,250.00		
HVP Inclusive Playground			
Jane Stiles-Wahoske	300.00		
Bell Bank Mortgage	2,500.00		
Therapy OPS LLC	2,500.00		
Simley NHS	63.00		
B52 Dine & Donate	1,150.00		
	6,513.00		
Miscellaneous- In Kind			
Miscellaneous			
River Heights Arts Alliance	500.00		Terrific Tuesdays
USTA Preparedness Grant	494.31		Tennis Program
Humana	500.00		Healthy Living Fair
Dairy Queen	250.00		Ghostly Gathering
	1,744.31		
Safety Camp			
	0.00		
Total Donations - 2020	\$16,357.31		

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Proposal from HKGI to Assist with the Comprehensive Park, Recreation, Trail, and Facilities Plan

Meeting Date: January 25, 2021
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Brian Swoboda
 Julie Dorshak

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 a proposal from HKGI to assist the City with the Comprehensive Park, Recreation, Trail, and Facilities Plan. The project would be funded from the Park Maintenance Operating Budget.

SUMMARY

The Park and Recreation Department is working to update the 10-year-old park plan and will need some assistance from HKGI to assist city staff as we collect, analyze information and develop a 10-20-year vision for the park and recreation system.

Over the last several months staff, with some assistance from HKGI has been working on portions of updating the plan. In March of 2020, the Commission and Council approved a proposal submitted by HKGI to provide assistance. With the departure of the current Parks and Recreation Director, staff believes additional assistance from HKGI will be necessary to finish the plan.

At the request of staff, HKGI has developed a list of services they will assist the City with throughout the process. HKGI is proposing an hourly fee not to exceed and additional \$33,700. Since we are taking on significant portion of the work via the community engagement process, staff feels the work HKGI will assist with is necessary and appropriate. A typical consultant engagement in creating a park plan may cost a community more than \$100K.

The Park and Recreation Commission reviewed this item and their January meeting and is recommending approval.



Creating Places that Enrich People's Lives

December 21, 2020

Eric Carlson
City of Inver Grove Heights
Parks and Recreation Director
8055 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Amended Proposal for Parks and Recreation Comprehensive System Plan

Dear Eric,

On behalf of HKGi, I want to thank you for the opportunity to work with the City of Inver Grove Heights to create a Comprehensive Parks and Recreation System Plan. As you know, we are familiar with many of the issues and opportunities facing Inver Grove Heights from our work on the recent 2040 Comprehensive Plan, and work on South Valley Park, as well as previous work on the 2010 Trail Gap Study and the 2030 Comprehensive Park Plan and Development Guide. Additionally, we have over 35 years of experience preparing park master plans and systemwide plans for over 50 cities in the Midwest.

This letter serves as an amendment to the proposal submitted to the City of Inver Grove Heights on March 6th, 2020. The March 6th proposal outlined an anticipated scope and fees to provide assistance for a City-led process to complete the Parks and Recreation System Plan. This amendment request has been prepared to address the need for the consultant firm to take a larger leadership role to complete the planning effort. This proposed amendment requests an additional \$33,700 to complete the work, for a total project cost of \$53,700.

Project Team

Paul Paige will serve as the Principal-In-Charge for the project. He will oversee administrative and quality control/quality assurance with review of project deliverables and materials.

Jody Rader will serve as the Project Manager for the project. She will maintain day-to-day communications with Inver Grove Heights staff as well as manage tasks and deliverables completed by HKGi staff. Jody will assist with development, outreach, monitoring and summarization of community engagement and provide mapping and analysis services. Jody will also oversee the drafting of system plan document and presentation of materials to City staff, commissions, and the City Council.

Gabrielle Grinde will provide data collection and analysis services for park trends. Gabrielle has managed and completed many park system plans for similar communities throughout the Twin Cities and has extensive knowledge on current park trends and methodology for analysis.

Kevin Clarke will provide GIS and census data collection and analysis services. Kevin is currently working with Inver Grove Heights on small area planning in the North West Area, as well as has experience on previous park and planning projects in the City. Kevin will assist with related GIS mapping tasks as well.

123 North Third Street, Suite 100, Minneapolis, MN 55401-1659
Ph (612) 338-0800 Fx (612) 338-6838

Other HKGi staff will provide support in the form of creating graphics, preparing layout for the document, and synthesis of community engagement findings.

Inver Grove Heights Comprehensive Park System Plan

The following outlines anticipated tasks to be completed in the effort to build a comprehensive system plan that will guide investment and set expectations for the next 10 years.

The intention is to gather the appropriate information on the existing park system through mapping analysis, demographic analysis, and analysis of feedback gathered through online engagement to set a baseline foundation for the subsequent phases of system-wide planning efforts. City staff has indicated that the following items should be addressed through the planning effort and final deliverables:

- Review and revision of the Facilities Replacement Plan
- Update the previously completed trail gap analysis
- Create recommendations for future recreation programming
- Address future development of neighborhood parks in the Northwest Area

A robust community engagement effort over the summer and fall of 2020 involved numerous meetings at every park in Inver Grove Heights, as well as the launch of an online survey and interactive map survey. Currently, the department is completing meetings with stakeholder groups, as well as working with the school district to implement a survey geared towards students. The information gathered through community engagement will set the foundation for understanding needs, desires, and will guide plan recommendations. A second round of community engagement will take place after a draft plan is created, with the intention of gathering feedback on the elements of the draft plan. This engagement effort will likely take the form of an online survey and potentially an in-person open house (likely to be held outdoors, with all public health guidelines taken into account).

Park System Plan Assistance: Anticipated Tasks and Deliverables

The following is a list of tasks and deliverables that are proposed for this planning effort. Some of the tasks have already been completed as part of the earlier approved scope, and are noted accordingly. Coordination with City staff through phone calls, emails, site meetings and video-conference will continue to occur throughout the planning process.

1. Community Engagement: Gathering of Input (Summer 2020)

- Develop online survey tools (*completed*)
- Develop outreach materials (*completed*)
- Monitor and report survey results (*completed*)
- Develop summary of engagement (*completed*)
- Review stakeholder meeting input

2. Trends / Peer Comparison Analysis (Fall 2020)

- Collection of trends data (*partially completed*)
- Review and reformat of peer comparison data gathered by City staff (*completed*)
- Gathering of demographic data (*partially completed*)
- Develop summary of Trends/Peer Comparison (*partially completed*)

3. Inventory/Analysis of Existing System (Winter 2020 – Spring 2021)

- Update existing parks map and amenities (*completed*)

- Gap analysis mapping for Parks (*completed*)
- Inventory/Gap Analysis for Trails
- Review/Revise Trail Classification System
- Inventory/Gap Analysis of Recreation Programs
- Inventory/Gap Analysis of VMCC
- Inventory/Gap Analysis of Inver Wood Golf Course
- Summary of Inventory/Analysis (*partially completed*)

4. System Recommendations (Spring 2021)

- Develop a set of recommendations for the system
- Develop recommendations specific to the NW Area
- Develop a plan for phasing and implementation
- Develop preliminary cost estimates
- Review potential funding sources
- Summary of System Recommendations

5. Maintenance, Operations and Replacement Plan (Spring 2021)

- Review of existing Replacement Plan
- Review of existing maintenance and operations costs
- Develop a set of recommendations
- Summary of Maintenance, Operations and Replacement Plan

6. Draft System Plan (Spring/Summer 2021)

- Prepare draft plan document
- Review draft plan document with City staff
- Revise draft plan per City staff comments
- Present draft plan to PRAC (Parks and Recreation Advisory Commission)
- Revise draft plan per PRAC comments

7. Community Engagement: Draft Plan (Summer 2021)

- Develop online survey tool(s) to share draft plan and gather feedback
- Conduct Open House to share draft plan and gather feedback
- Develop outreach materials
- Summary of draft plan comments

8. Final Plan and Approvals (Summer/Fall 2021)

- Final revisions to draft plan
- Presentation of draft plan to boards/commissions (1-2 presentations)
- Presentation of final draft plan to City Council for approval
- Package of final documents and files for City staff

Project Schedule and Project Management

The project manager will maintain bi-weekly check-in calls or emails with City staff to determine upcoming tasks and deadlines. Tasks 1, 2, and 3 have commenced, beginning in Summer of 2020. Progress to complete Tasks 3, 4, 5, will continue through early 2021, with Tasks 6 (Draft System Plan) and Task 7 (Community Engagement: Draft Plan) primarily taking place throughout Summer of 2021. Completion of Task 8 (Final Plan and Approvals) is anticipated for late Summer/early Fall of 2021.

Professional Fees

This proposed amendment requests an additional \$33,700 to complete the total scope of work described above, for a total project cost not to exceed \$53,700.

City of Inver Grove Heights Responsibilities

- Respond to clarifying questions regarding data collection or analysis
- Provide mapping, community survey, or other existing data as it pertains to completing the project tasks.
- Provide feedback and comments on draft or summary materials
- Coordinate with city staff, city departments, the PRAC, and other boards and commissions as necessary
- Assist with outreach and coordination with Community Engagement efforts.

Please contact me you have any questions or need additional information.

Sincerely,



Paul Paige
President, HKGi

Authorization to Proceed:

Eric Carlson, Parks and Recreation Director

Date

**Request for Council Action**

	Fiscal/FTE Impact	Mark all that apply
Meeting Date: January 25, 2021		None X
Item Type: Consent Agenda	Amount included in current budget	
Contact: Heather Botten 651-450-2569	Budget amendment requested	
Prepared by: Heather Botten	FTE included in current complement	
Reviewed by:	Other	

PURPOSE/ACTION REQUESTED: SANDRA PEREZ Case Nos. 20-54C & 20-55C - Approve the following resolutions:

- a) a Resolution relating to a Conditional Use Permit to allow a 24- hour childcare center at the property located at 2855 47th Street (20-55C).
- b) a Resolution relating to a Conditional Use Permit to allow a 24-hour childcare center at the property located at 5300 South Robert Trail (20-54C).
 - Requires a 4/5th's vote.
 - 60-day deadline: February 6, 2021 (second 60-days)

SUMMARY:

Sandra Perez has submitted a request for a conditional use permit to operate a 24-hour childcare facility at two locations in Inver Grove Heights. Daycare facilities are a conditionally permitted use in the institutional and commercial zoning districts; a license from the state and occupancy permits from the City are also required to operate a childcare facility. The applicant currently operates Mi Familia Child Care Center at the 2855 47th Street location (Bethesda Lutheran Church) and is looking to expand the operating hours to allow for extended-overnight care Monday-Saturday. The applicant is also requesting to add a new 24 hours a day, 7 days a week, childcare facility at 5300 South Robert Trail (Salem Square).

Both locations meet the general CUP criteria and are consistent with the comprehensive plan and zoning code. Both sites require review from the City Fire Marshal and Building Official. The peak hours for traffic would be during the morning drop off and afternoon pick up. Parking does not appear to be in issue at either location as the parking lots are designed for a church congregation and multi-tenant strip mall.

Planning Staff: Based on the information provided staff recommends approval of the CUP requests with the conditions listed in the attached resolutions.

Planning Commission: At the January 19, 2021 public hearing, the Planning Commission recommended approval of the requests with the conditions listed in the attached resolutions (8-0). The applicant did not attend the hearing.

Attachments: CUP Resolution - 2855 47th Street
CUP Resolution - 5300 South Robert Trail
Planning staff report - 2855 47th Street
Planning staff report - 5300 South Robert Trail

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

RESOLUTION NO. 2021-13

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 24 HOUR
DAYCARE FACILITY TO BE OPERATED OUT OF THE CHURCH**

Sandra Perez
Case No. 20-55C

WHEREAS, the request is for the property located at 2855 47th Street and legally described as:

PT OF NE 1/4 OF SE 1/4 COM 263.16 FT N OF SE COR W
823.10 FT N 100 FT E 823.10 FT S 100 FT TO BEG EX BETHESDA ADDITION, LOT 6,
BLOCK 3, LOT 1, BLOCK 3 & ½ VACATED 11TH AVE., LOT 6, BLOCK 2 & ½ VACATED
11TH AVE., LOT 1, BLOCK 2 & ½ VACATED 10TH AVE., LOT 5, BLOCK 3, LOT 2,
BLOCK 3, LOT 5, BLOCK 2 & ½ VACATED 10TH AVE., LOT 4, BLOCK 3, LOT 3, BLOCK
3 & ½ VACATED 11TH AVE., LOT 4, BLOCK 2 & ½ VACATED 11TH AVE., LOT 3,
BLOCK 2, ALL IN LAMETTI ADDITION, , ALL IN SECTION 28, TOWNSHIP 28N,
RANGE 22W, DAKOTA COUNTY, MINNESOTA

WHEREAS, the aforescribed property is zoned P, Institutional;

WHEREAS, a daycare is listed as a conditional use within the P, Institutional zoning district;

WHEREAS, the request has been reviewed against Title 10, Chapter 3, Article A, Section 10-3A-5 regarding the criterion for a Conditional Use Permit such as consistency with the Comprehensive Plan, conformity with the Zoning Ordinance and compatibility with adjacent properties, among other criteria, the request meets all of the minimum standards;

WHEREAS, a public hearing concerning the conditional use permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statute, Section 462.357, Subdivision 3 on January 19, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Conditional Use Permit to allow a 24-hour daycare facility to be located in the church is hereby approved subject to the following conditions:

1. All parking/drive aisles, and landscaped areas shall be properly maintained.
2. The hours of operation are limited to Monday through Saturday.
3. The applicant must apply for and obtain a building permit for any signage or building improvements.
4. The 24-hour daycare operation may not commence until proper approval from the State is received and maintained.
5. The 24-hour daycare operation may not commence until an Occupancy permit is obtain from the City Building Inspections Department.
6. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this 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 this 25th day of January, 2020.

AYES:
NAYS:

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. 2021-14

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 24 HOUR
DAYCARE FACILITY TO BE OPERATED OUT OF A TENANT SPACE IN THE EXISTING
BUILDING**

Sandra Perez
Case No. 20-54C

WHEREAS, the request is for the property located at 5300 South Robert Trail and legally described as:

See Exhibit A

WHEREAS, the aforescribed property is zoned B-3, General Business;

WHEREAS, a daycare is listed as a conditional use within the B-3, General Business zoning district;

WHEREAS, the request has been reviewed against Title 10, Chapter 3, Article A, Section 10-3A-5 regarding the criterion for a Conditional Use Permit such as consistency with the Comprehensive Plan, conformity with the Zoning Ordinance and compatibility with adjacent properties, among other criteria, the request meets all of the minimum standards;

WHEREAS, a public hearing concerning the conditional use permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statute, Section 462.357, Subdivision 3 on January 19, 2021;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Conditional Use Permit to allow a 24-hour daycare facility to be located within Salem Square is hereby approved subject to the following conditions:

1. All parking/drive aisles, and landscaped areas shall be properly maintained.
2. The applicant must apply for and obtain a building permit for any signage or building improvements.

3. Daycare operation may not commence until proper approval from the State is received and maintained.
4. Daycare operation may not commence until an Occupancy permit is obtain from the City Inspections Department.
5. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this 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 this 25th day of January, 2020.

AYES:

NAYS:

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

EXHIBIT A
SHOPPING CENTER LEGAL DESCRIPTION

PARCEL A:

That part of the following described part of the East One Half of the Northwest Quarter of Section 32, Township 28, Range 22, Dakota County, Minnesota, lying easterly of the easterly line of Trunk Highway No. 52 and lying easterly and southerly of the easterly and southerly lines of Trunk Highway No. 494 shown as Parcel 29 on the plats designated as Minnesota Department of Transportation Right of Way Plats Number 19-62 and 19-63 on file and of record in the Office of the County Recorder and the Registrar of Titles in and for Dakota County, Minnesota, and as said Plat Number 19-62 has been corrected by Certificate of Correction filed for record with said Registrar of Titles on the 31st day of October, 1983, at 9:00 a.m., as Document Number 132438: Commencing at the northwest corner of said Northeast Quarter of the Northwest Quarter; thence South 0 degrees 03 minutes 15 seconds West, assumed bearing, along the west line of the East One Half of said Northwest Quarter a distance of 1621.62 feet more or less to a point on said west line distant 1017.00 feet north of the southwest corner of said Southeast Quarter of the Northwest Quarter and the point of beginning of the parcel to be described; thence South 89 degrees 56 minutes 44 seconds East, parallel with the east-west quarter line of said Section 32, a distance of 528.00 feet; thence North 0 degrees 03 minutes 15 seconds East along the east line of the west 528.00 feet of said Southeast Quarter of the Northwest Quarter a distance of 9.90 feet; thence South 89 degrees 56 minutes 44 seconds East, parallel with said east-west quarter line, a distance of 102.30 feet; thence North 6 degrees 20 minutes 36 seconds West a distance of 345.11 feet along a straight line which intersects the north line of said Northeast Quarter of the Northwest Quarter at a point 450 feet east of the place of commencement; thence North 89 degrees 45 minutes 16 seconds West along a line parallel with and 1264.61 feet south of the north line of said Northeast Quarter of the Northwest Quarter a distance of 591.85 feet to a point on the west line of said East One Half distant 1264.62 feet southerly of said point of commencement; thence South 0 degrees 03 minutes 15 seconds West along the west line of said East One Half a distance of 354.83 feet to the point of beginning.

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

HEARING DATE:	January 19, 2021	CASE NO.:	20-55C
APPLICANT:	Sandra Perez		
REQUEST:	A Conditional Use Permit to operate a 24-hour childcare facility		
LOCATION:	2855 47 th Street		
COMPREHENSIVE PLAN:	P, Public/Institutional		
ZONING:	P, Institutional		
REVIEWING DIVISIONS:	Planning	PREPARED BY:	Heather Botten Associate Planner

BACKGROUND

Sandra Perez has submitted a request for a conditional use permit to operate a 24-hour childcare facility in the classrooms at Bethesda Church. Daycare facilities are a conditionally permitted use in the Institutional zoning district; a license from the state and occupancy permits from the City are also required. The applicant currently operates Mi Familia Child Care Center in the Church and is looking to expand the operating hours to allow for extended-overnight care.

The daycare currently provides childcare for newborns – school age children. The extended hours (after 6:00pm) would be limited to preschool and school age children. The applicant is anticipating the center would close by 1:00 am but would like the flexibility of being open 24 hours in case there is demand for longer hours. The center would be open Monday – Saturday as the Church uses the space on Sunday's. There are no changes or additions proposed to the building or property.

SPECIFIC REQUEST

Approval of a Conditional Use Permit to allow a 24-hour daycare facility to be operated out of the existing building.

EVALUATION OF THE REQUEST

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

North	Single-family; zoned R-1C, Single-family, guided LDR, low density residential
West	Single-family; zoned R-1C, Single-family, guided LDR, low density residential
South	Single-family; zoned R-1C, Single-family, guided LDR, low density residential
East	Single-family; zoned R-1C, Single-family, guided LDR, low density residential

Conditional Use Permit (CUP)

This section reviews the plans against the CUP criteria in the Zoning Ordinance (Section 10-3A).

1. *The use is consistent with the goals, policies and plans of the City Comprehensive Plan, including future land uses, utilities, streets and parks.*

The proposed use is consistent with the Comprehensive Plan as it is guided for Public/Institutional uses.

2. *The use is consistent with the City Code, especially the Zoning Ordinance and the intent of the specific Zoning District in which the use is located.*

This standard would be met. The P, Institutional zoning district is intended to provide areas for public and institutional uses. Daycare facilities are a type of public use intended to be located in the P zoning districts and are allowed with a conditional use permit.

3. *The use would not be materially injurious to existing or planned properties or improvements in the vicinity.*

This standard would be met. The proposed use will not create any adverse physical impacts upon the neighborhood. There will not be any changes to the existing or surrounding properties.

4. *The use does not have an undue adverse impact on existing or planned City facilities and services, including streets, utilities, parks, police and fire, and the reasonable ability of the City to provide such services in an orderly, timely manner.*

The proposed request does not appear to have any negative effects on City facilities or services. The City Fire Marshal and Building Official would review and approve plans for code compliance prior to any improvements being done to the building.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*

- a) *Aesthetics/exterior appearance*

There are no exterior changes proposed to the site.

- b) *Noise*

The proposed daycare use would not generate noises that are inconsistent with P zoning.

- c) *Traffic*

The peak hours for the daycare will be during the morning drop-off and the afternoon pick-up of children. The proposed use will not likely create a traffic problem.

- d) *Drainage*

No additional impervious surface is proposed; this condition is met.

- e) *Fencing, landscaping and buffering*

Not applicable.

6. *The property is appropriate for the use considering: size and shape; topography, vegetation, and other natural and physical features; access, traffic volumes and flows; utilities; parking; setbacks; lot coverage and other zoning requirements; emergency access, fire lanes, hydrants, and other fire and building code requirements.*

Parking requirements for a daycare operation is based on the number of employees (one space per employee) and children (one loading/parking area for every 6 students). Considering the lot currently features enough parking spaces for the church congregation and the daycare is not open on Sunday's there is adequate parking for the parents and the employees to park.

7. *The use does not have an undue adverse impact on the public health, safety or welfare.*

Staff is not aware of any public health, safety or welfare issues associated with the proposal. This standard has been met.

8. *The use does not have an undue adverse impact on the environment, including, but not limited to, surface water, groundwater and air quality.*

N/A

Other Site Design Elements

1. *Signage*

Signage is not approved as part of the CUP request. Signage on the property shall follow section 10-15E of the city code. A building permit is required for any new signs or changes to the existing signs.

ALTERNATIVES

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

- A. **Approval** If the Planning Commission finds the application acceptable, the Commission should recommend approval of the Conditional Use Permit with the following conditions:

1. All parking/drive aisles, and landscaped areas shall be properly maintained.
2. The hours of operation are limited to Monday through Saturday.
3. The applicant must apply for and obtain a building permit for any signage or building improvements.
4. Daycare operation may not commence until proper approval from the State is received and maintained.
5. Daycare operation may not commence until an Occupancy permit is obtain from the City Building Inspections Department.
6. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this 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.

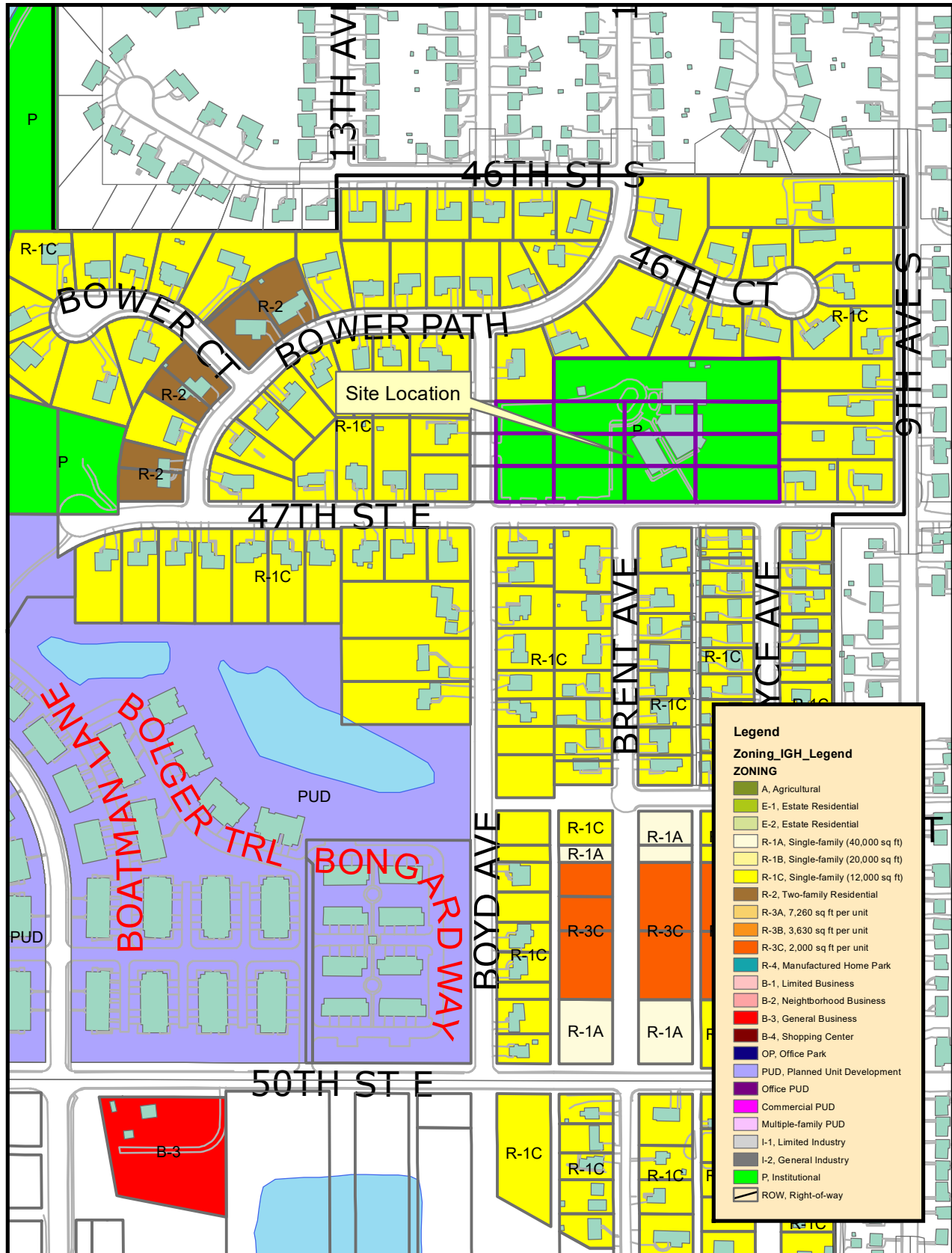
RECOMMENDATION

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the request as presented.

Attachments Exhibit A – Zoning and Location Map
Exhibit B – Narrative
Exhibit C – Aerial photo of property



2855 47th Street Case No. 20-55C



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Exhibit A
Zoning and Location Map

Map not to scale

City of Inver Grove Heights

My name is Sandra Perez, I own Mi Familia Child Care Center at, 2855 47th St E. Inver Grove Heights, MN 55076. My intention is to continue to offer quality care at this location and expand my services by opening a 24/7 childcare center.

During this pandemic we have seen the demand for 24-hour care for those in the healthcare field and all essential workers. We are 100% dedicated to the education and well-being of the children in our community and surrounding areas. We are also asking to increase the number of children we can provide care for.

The services we will provide are preschool, school age care before, night care and after school hours. We will also accommodate distance learning given the current pandemic situation.

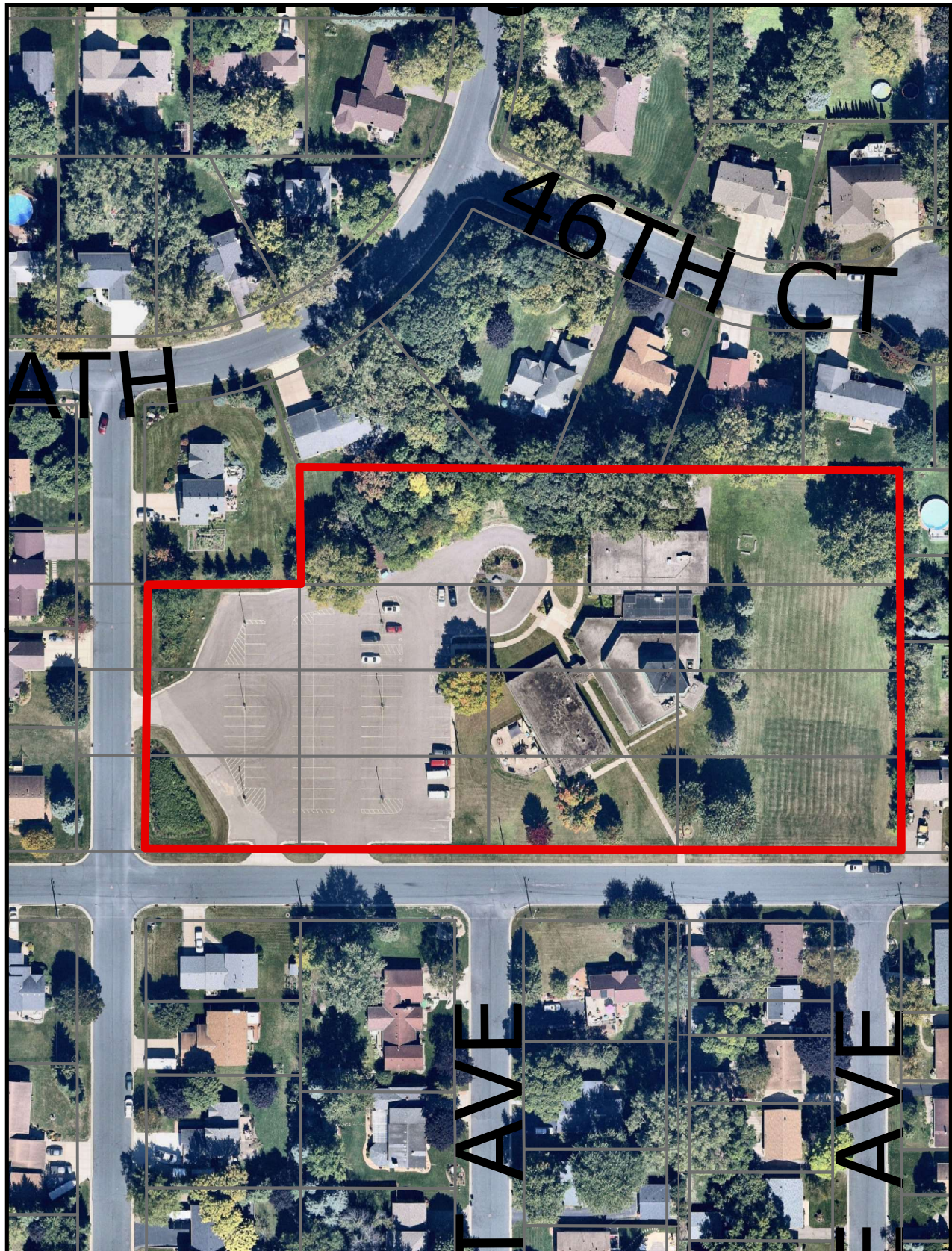
Best,


Sandra Perez

12/7/2020



2855 47th Street
Case No. 20-55C



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Exhibit C
Aerial of property

Map not to scale

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

HEARING DATE: January 19, 2021 **CASE NO.:** 20-54C

APPLICANT: Sandra Perez

REQUEST: A Conditional Use Permit to operate a 24-hour childcare facility

LOCATION: 5300 S. Robert Trail

COMPREHENSIVE PLAN: RC, Regional Commercial

ZONING: B-3, General Business

REVIEWING DIVISIONS: Planning **PREPARED BY:** Heather Botten
Associate Planner

BACKGROUND

Sandra Perez has submitted a request for a conditional use permit to operate a childcare facility in a vacant tenant space in the Salem Square shopping center. The childcare facility would operate 24 hours a day – 7 days a week. A daycare facility is a conditionally permitted use in the B-3, General Business district; a license from the state and occupancy permits from the City are also required. The applicant currently operates Mi Familia Child Care Center at 2855 47th Street and is looking to add another location in the City.

The childcare center would provide childcare for newborns – school age children. There are no changes or additions proposed to the exterior of the building or property. There is not a playground area proposed at this time.

SPECIFIC REQUEST

Approval of a Conditional Use Permit to allow a 24-hour daycare facility to be operated out of a portion of the commercial building.

EVALUATION OF THE REQUEST

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

North	Right-of-way
West	Right-of-way
South	Park Dental; zoned B-3, General Business; guided RC, Regional Commercial
East	Multi-family; zoned R-3C, multi-family; guided HRD, High Density Res

Conditional Use Permit (CUP)

This section reviews the plans against the CUP criteria in the Zoning Ordinance (Section 10-3A).

1. *The use is consistent with the goals, policies and plans of the City Comprehensive Plan, including future land uses, utilities, streets and parks.*

The proposed use is consistent with the Comprehensive Plan as it is guided for B-3, General Business.

2. *The use is consistent with the City Code, especially the Zoning Ordinance and the intent of the specific Zoning District in which the use is located.*

This standard would be met. The General Business district is intended for large scale retail sales and services serving the region. Daycare facilities are a type of use intended to be located in the B-3 zoning district and are allowed with a conditional use permit.

3. *The use would not be materially injurious to existing or planned properties or improvements in the vicinity.*

This standard would be met. The proposed use will not create any adverse physical impacts upon the neighborhood. There will not be any changes to the existing or surrounding properties.

4. *The use does not have an undue adverse impact on existing or planned City facilities and services, including streets, utilities, parks, police and fire, and the reasonable ability of the City to provide such services in an orderly, timely manner.*

The proposed request does not appear to have any negative effects on City facilities or services. The City Fire Marshal and Building Official would review and approve plans for code compliance prior to any occupancy permits for the use.

5. *The use is generally compatible with existing and future uses of surrounding properties, including:*

- a) *Aesthetics/exterior appearance*

There are no exterior changes proposed to the site.

- b) *Noise*

The proposed daycare use would not generate noises that are inconsistent with B-3 zoning.

- c) *Traffic*

The peak hours for the daycare would be during the morning drop-off and the afternoon pick-up of children. The proposed use will not likely create a traffic problem. There will not be a loading/drop-off area. The parents are required to park their cars in a parking space and come inside to pick up the kids. The child care center is located at the end of the building with ample parking to the south of the proposed location.

- d) *Drainage*

No additional impervious surface is proposed; this condition is met.

- e) *Fencing, landscaping and buffering*

Not applicable.

6. *The property is appropriate for the use considering: size and shape; topography, vegetation, and other natural and physical features; access, traffic volumes and flows; utilities; parking; setbacks; lot coverage and other zoning requirements; emergency access, fire lanes, hydrants, and other fire and building code requirements.*

Parking requirements for a daycare operation is based on the number of employees (one space per employee) and children (one loading/parking area for every 6 students). Considering the lot currently features enough parking spaces for the retail strip center and the daycare is an end unit staff does not anticipate any parking problems. No vehicles would be allowed to be parked in a fire lane. The Fire Marshall and Building Official would be reviewing the site to be in compliance with fire and building codes.

7. *The use does not have an undue adverse impact on the public health, safety or welfare.*

Staff is not aware of any public health, safety or welfare issues associated with the proposal. This standard has been met.

8. *The use does not have an undue adverse impact on the environment, including, but not limited to, surface water, groundwater and air quality.*

N/A

Other Site Design Elements

1. *Signage*

Signage is not approved as part of the CUP request. Signage on the property shall follow section 10-15E of the city code. A building permit is required for any new signs or changes to the existing signs.

ALTERNATIVES

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

- A. **Approval** If the Planning Commission finds the application to be acceptable, the following action should be taken:

1. All parking/ drive aisles, and landscaped areas shall be properly maintained.
2. The applicant must apply for and obtain a building permit for any signage or building improvements.
3. Daycare operation may not commence until proper approval from the State is received and maintained.
4. Daycare operation may not commence until an Occupancy permit is obtain from the City Inspections Department.
5. The City Code Enforcement Officer, or other designee, shall be granted right of access to the property at all reasonable times to ensure compliance with the conditions of this 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.

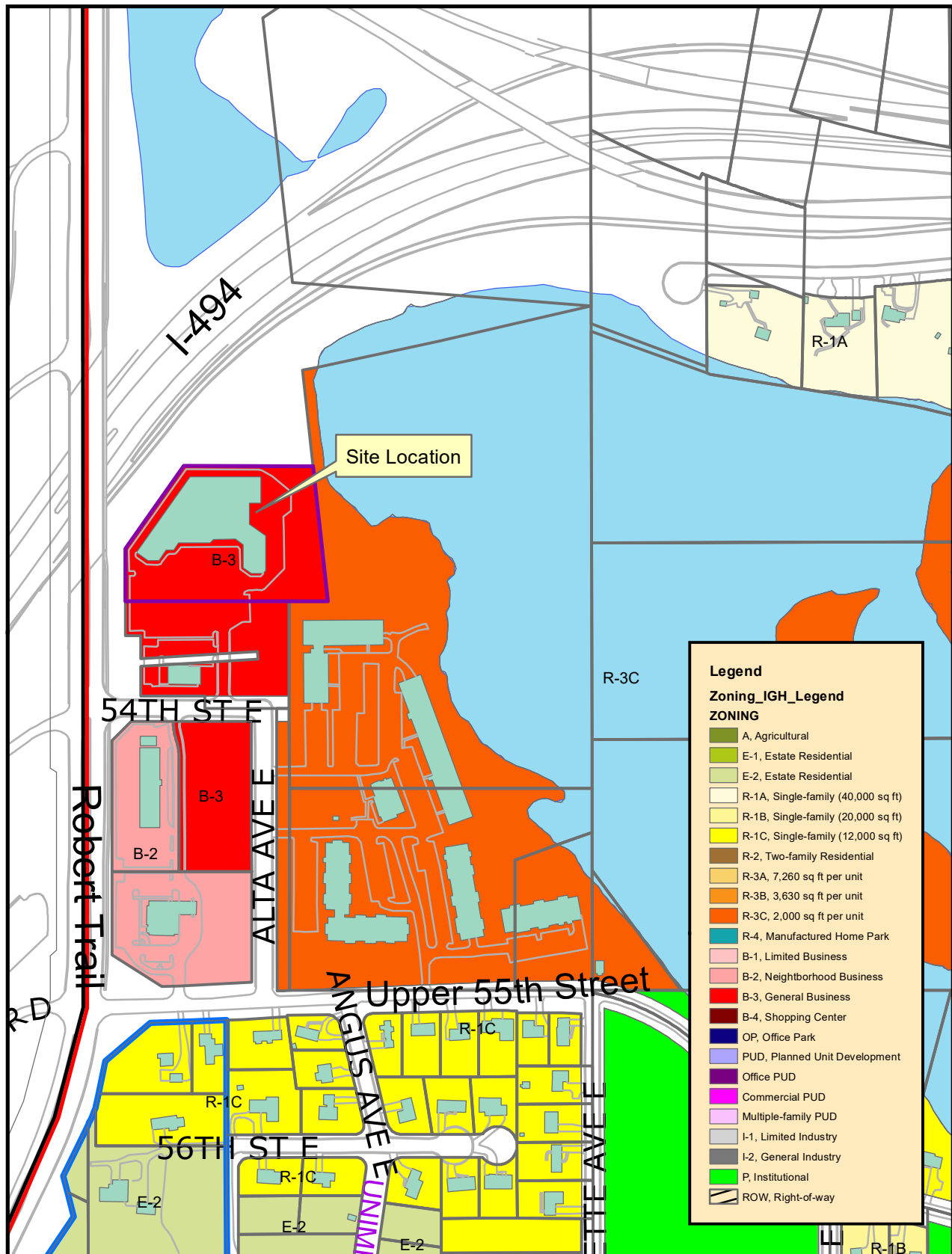
RECOMMENDATION

Based on the information in the preceding report and the conditions listed in Alternative A, staff is recommending approval of the request as presented.

Attachments Exhibit A – Zoning and Location Map
Exhibit B – Narrative
Exhibit C – Building Plan
Exhibit D – Aerial photo of the site



5300 South Robert Trail Case No. 20-54C



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Exhibit A
Zoning and Location Map
Map not to scale

City of Inver Grove Heights

December 7/2020

We are Jasmine Perez, Sandra Perez, Farah Akrawei, we own Mi Familia Education and Care Center. We would like to lease the property at 5300 So. Robert Trail #100, Inver Grove Heights, MN 55076.

Our intention is to offer quality care at this location and open a 24/7 childcare center.

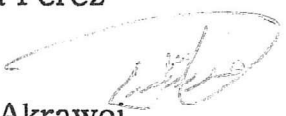
During this pandemic we have seen the demand for childcare services for those in the healthcare field and all essential workers. We are 100% dedicated to the education and well-being of the children in our community and surrounding areas.

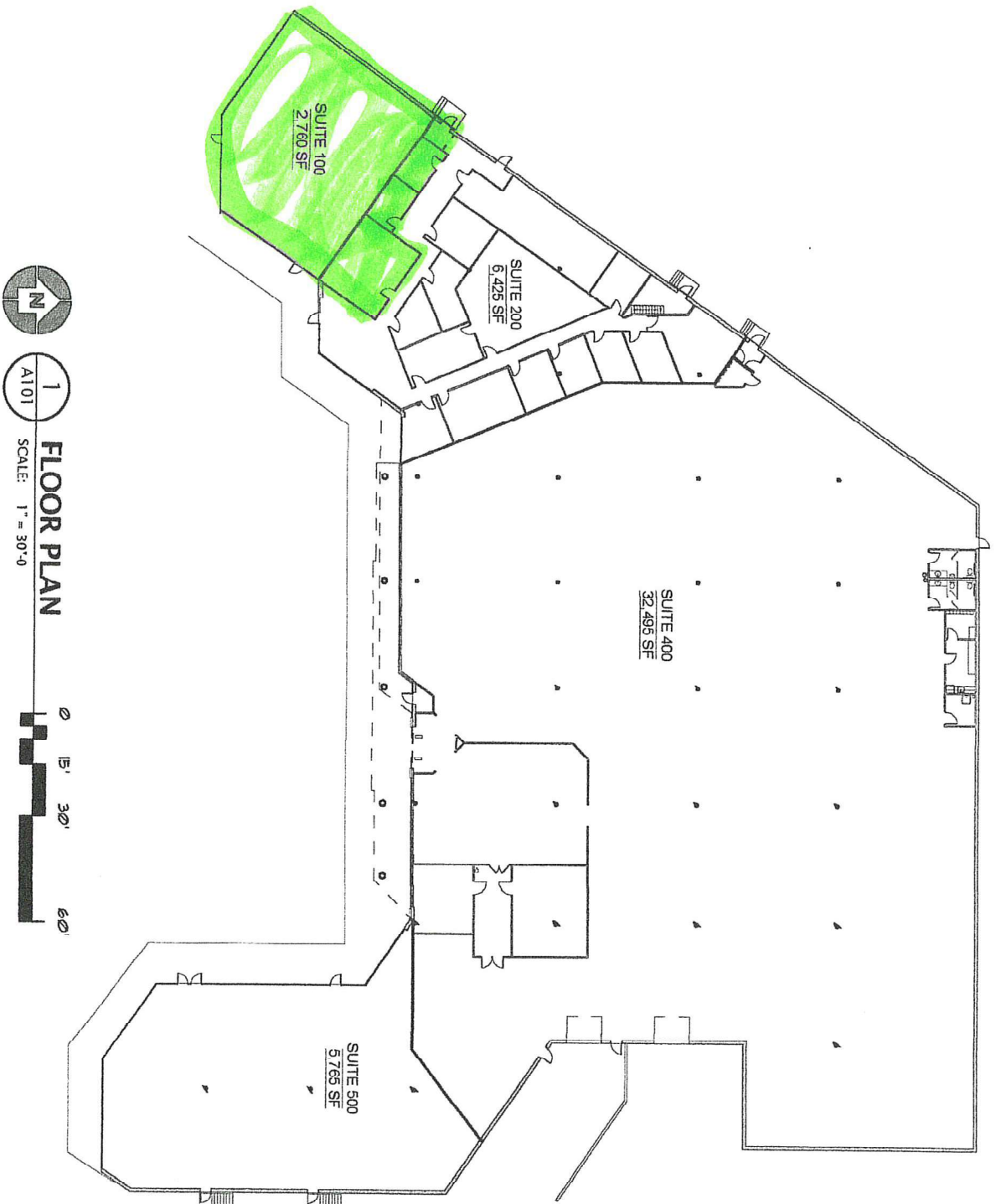
The services we will provide are preschool, school age care and night care.

Thank You,

 12/7/2020
Jasmine Perez

 12/7/2020
Sandra Perez

 12/07/2020
Farah Akrawei





5300 South Robert Trail Case No. 20-54C



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Exhibit D
Aerial of the property
Map not to scale

**Request for Council Action**

	Fiscal/FTE Impact	Mark all that apply
Meeting Date: January 25, 2021		None X
Item Type: Consent Agenda	Amount included in current budget	
Contact: Heather Botten 651-278-6991	Budget amendment requested	
Prepared by: Heather Botten	FTE included in current complement	
Reviewed by:	New FTE requested - N/A	
	Other	

PURPOSE/ACTION REQUESTED: GARETT STAINBROOK (CHS) - Case No. 21-01V - Approve a resolution for the following variances for property located at 5300 Babcock Trail:

- a) a Resolution relating to a Variance from maximum monument sign size in B-1 district.
- b) a Resolution relating to a Variance from maximum wall sign size in B-1 district.
 - Requires a 3/5th's vote.
 - 60-day deadline: February 19, 2021 (first 60-days)

SUMMARY:

This request is for property located in the southwest corner of Highway 52 and I-494 and is zoned B-1, Limited Business. The applicant is requesting two variances: one for a wall sign to be 54 square feet in size and the other for a 192 square foot monument sign. The B-1 district has a requirement that limits all signs to be a maximum size of 50 square feet. The total signage proposed on the site is well within the aggregate that is allowed on the property; both signs would meet other zoning requirements such as setbacks from property line and height requirements. The applicant has stated that the intent of the larger signs is to provide a public benefit to identify the location of the building while driving on the highway. This property is unique in that it is the only B-1 property in the city that is located along two major roadways and due to the topography and vegetation on the site in order to safely identify the property larger signs are needed. The commercial buildings across the highway on the east side of Highway 52 are allowed a freestanding sign up to 240 square feet and wall signs up to 100 square feet. Staff does not believe the proposed signs would affect the character of the locality as the sign size would be similar to others allowed along the highway.

Planning Staff: Based on the information provided staff recommends approval of the request with the condition listed in the attached resolution.

Planning Commission: At the January 19, 2021 public hearing, the Planning Commission recommended approval of the request with the condition listed in the attached resolution (8-0).

Attachments: Variance Resolution
PC recommendation
Planning staff report

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

RESOLUTION NO. 2021-15

**RESOLUTION APPROVING A VARIANCE TO ALLOW A 54 SQUARE FOOT WALL SIGN
AND A 192 SQUARE FOOT MONUMENT SIGN WHEREAS 50 SQUARE FOOT IS THE
MAXIMUM SIZE ALLOWED IN THE B-1 DISTRICT**

CASE NO. 21-01V
(Stainbrook - CHS)

Property located at 5300 Babcock Trail and legally described as:

**Lot 1, Block 2 Cenex Addition, Dakota County, Minnesota according to the recorded plat
thereof**

WHEREAS, the afore described property is zoned B-1, Limited Business District;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request at the January 19, 2021 meeting in accordance with City Code Section City Code 10-3-3 C;

WHEREAS, a practical difficulty or uniqueness was found to exist based on the following findings:

- a. The request is in harmony with the general purpose and intent of the City Ordinance and is consistent with the Comprehensive Plan.
- b. The size of the signs do not appear to have any adverse impacts on the neighboring properties.
- c. The additional size of the signs is needed due to topography and vegetation on the site.
- d. The property is unique in that it is the only B-1 zoned property that has two major highways that run along the property and the larger signs are needed to safely identify the business while driving along the highway.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow a 54 square foot wall sign and a 192 square foot monument sign is hereby approved subject to the following condition:

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.

BE IT FURTHER RESOLVED that the City 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 this 25th day of January, 2021.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: January 19, 2021

SUBJECT: GARETT STAINBROOK (CHS) - CASE NO. 21-01V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to allow a monument sign to exceed the 50 square foot maximum on a B-1 zoned property, and any other variances related thereto, for the property located at 5300 Babcock Trail. 4 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the 30-plus acre subject property is located in the southwest corner of Highway 52 and I-494 and is zoned B-1, Limited Business. The applicant is requesting two variances: one for a wall sign to be 54 square feet in size and the other to allow a 192 square foot monument sign whereas 50 square feet is the maximum allowed. The applicant has stated that the intent of the larger signs is to help the public identify the building's location while driving on the highway. This property is unique in that it is the only B-1 zoned property in the City that is located along two major highways and the B-1 district does not allow for larger signs on a property based on highway frontage or building size. The buildings on the east side of Highway 52 are allowed a freestanding sign up to 240 square feet and wall signs up to 100 square feet. Staff does not believe the proposed signs would affect the character of the locality and recommends approval of the request with the one condition listed in the staff report. Staff did not hear from any of the surrounding property owners.

Commissioner Simon asked if this could set a precedent.

Ms. Botten replied that staff does not believe it would set a precedent because it is the only B-1 property in the City that has highway frontage along two sides of it.

Commissioner Simon asked for clarification regarding the properties in the business section of Arbor Pointe along Highway 52/55 and Concord Boulevard.

Ms. Botten replied those properties had different standards as they were zoned PUD, not B-1.

Opening of Public Hearing

Ms. Botten noted that the applicant was not present.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi stated that she supported the practical difficulty of the property abutting major highways on two sides and the need for visibility.

Planning Commission Recommendation

Motion by Commissioner Niemioja, second by Commissioner Wippermann, to approve the request for a variance to allow a monument sign to exceed the 50 square foot maximum and to allow a wall sign to be 54 square feet in size in the B-1, Limited Business district, for the property located at 5300 Babcock Trail, with the practical difficulty as listed in the report as well as the need for the signs to be sizable because of the topography and existing vegetation.

Motion carried (8/0). This item goes to the City Council on January 25, 2021.

PLANNING REPORT

CITY OF INVER GROVE HEIGHTS

HEARING DATE: January 19, 2021

CASE NO.: 21-01V

APPLICANT: Garrett Stainbrook

PROPERTY OWNER: Farmers Union Central Exchange (CHS)

REQUEST: A variance to exceed the maximum size of a monument sign and a wall sign in the B-1, Limited Business district

LOCATION: 5300 Babcock Trail

COMP PLAN: O, Office

ZONING: B-1, Limited Business

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The request is for the 30+ acre property owned by CHS, located in the southwest quadrant of Hwy 52 and I-494. The applicant is requesting two variances, one for a wall sign to be 54 square feet in size and the other to allow a 192 square foot monument sign whereas 50 square feet is the maximum size allowed for signs in the B-1 zoning district. The proposed signs would be in compliance with all other zoning code requirements such as setbacks and height requirements. The sign variances are for the largest B-1 zoned property in the City and the only B-1 property located on the corner of two major highways.

SPECIFIC REQUEST

The following specific applications are being requested:

- 1) A variance to allow a 192 square foot monument sign where 50 square feet is the maximum size allowed in a B-1 district.
- 2) A variance to allow a 54 square foot wall sign where 50 square feet is the maximum size allowed for a wall sign in the B-1 district.

SURROUNDING USES

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

North – MnDOT right-of-way

East - MnDOT right-of-way

West – Multi-family; zoned R-3C, Multiple-family guided HDR, High-Density Residential
South – Health Partners; zoned B-1, Limited Business; guided O, office

EVALUATION OF REQUEST

VARIANCE REVIEW

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

The purpose of the sign code is to regulate the placement, erection, and maintenance of signs in the city so as to promote the health, safety and general welfare of its residents. The variance request does not appear to be in conflict with the general purpose of the zoning code or comprehensive plan.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The total signage on the site is well within the total aggregate allowed on the property. The proposed signs do not appear to conflict with any other performance standards of the zoning ordinance such as setbacks and height requirements.

There is substantial distance between the monument sign and Highway 52 and I-494 where readable visibility is needed for the safe identity of the business related to the traveling public.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The intent of the larger signs are to serve a public purpose by identifying the site and to inform customers of the location of the building while driving on the highway. CHS is the largest property in the B-1 district, and the only one located along two major roadways. The property is unique in that the B-1 district does not allow for larger signs on property based on highway frontage or building size. The commercial businesses located on the east side of Hwy 52 are allowed freestanding signs up to 240 square feet in size along the highway and wall signs up to 100 square feet in size.

4. *The variance will not alter the essential character of the locality.*

When looking at the size of the property, location and size of the building, and the proximity to Hwy 52 and I-494, the larger signs to help identify the complex do not appear

to affect the character of the locality. Additionally, the monument sign would be located over 500 feet away from the residential properties to the west of the site and due to the topography and vegetation will not be visible from the residential properties.

5. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do not appear to be a basis for this request.

ALTERNATIVES

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

A. Approval If the Planning Commission finds the variance request to be acceptable, the Commission should recommend approval of the request with at least the following condition(s):

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.

B. Denial If the Planning Commission does not favor the proposed request, it should be recommended for denial and state findings for a denial.

RECOMMENDATION

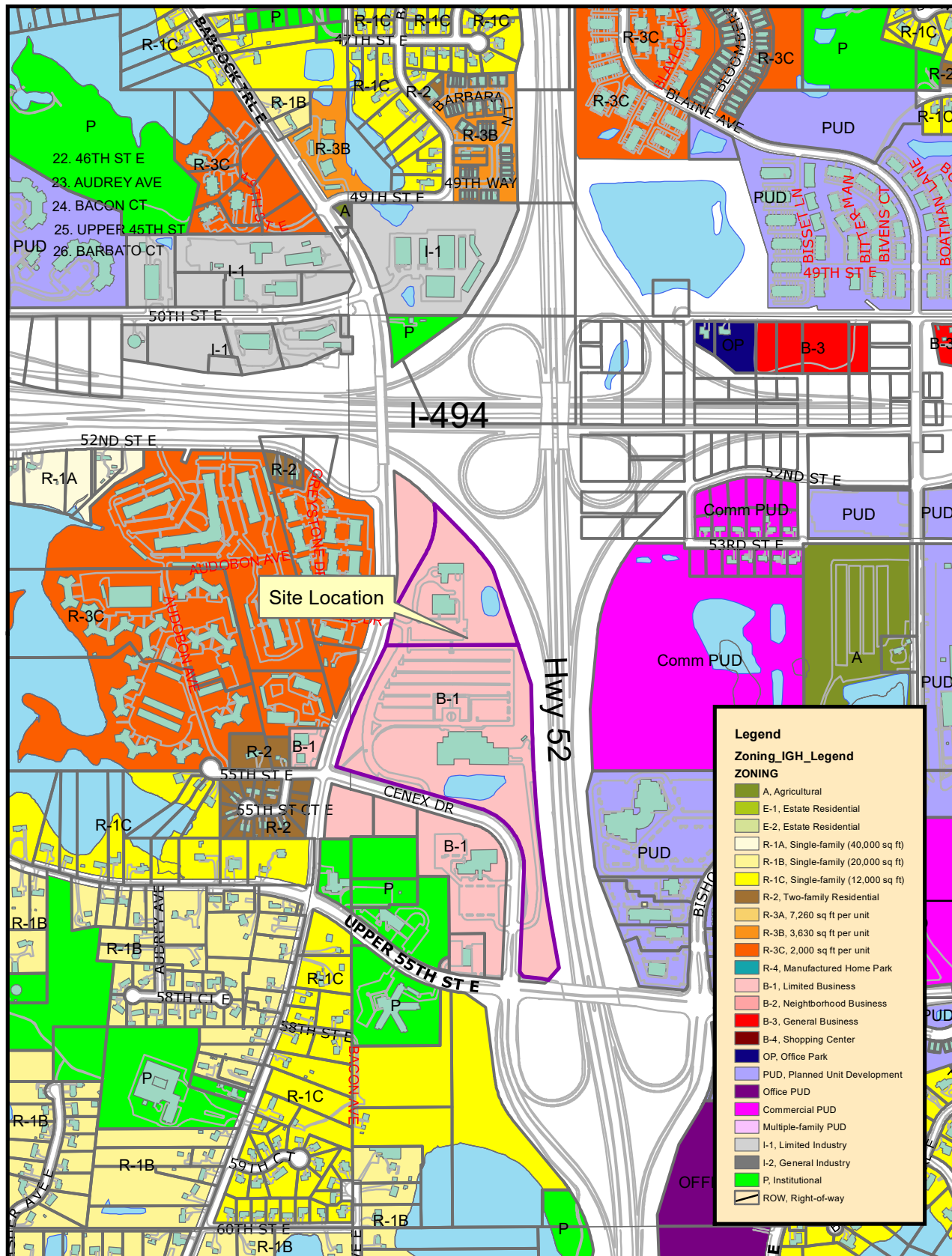
The request is not out of character for the neighborhood and is consistent with the comprehensive plan. The additional sign sizes do not appear to have an adverse impact on the neighboring properties and will not be visible from the residential property to the west. Staff believes a practical difficulty can be found in that the larger signs are to serve a public purpose by safely identifying the site along a highway. Additionally, the B-1 district does not allow for larger signs on a property based on highway frontage or building size.

Based on the information in the preceding report and the condition listed in Alternative A, staff is recommending approval of the requested variances.

Attachments: Location/Zoning Map
Applicant Narrative
Site plan



5300 Babcock Trail Case No. 21-01V



THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILED RECORD, 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



380 St. Peter Street, Ste. 600
Saint Paul, MN 55102

651.222.3701
bwbr.com

11 January 2021

Ms. Heather Botten – Associate Planner
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Narrative for Monument Sign Variance
BWBR Commission No. 2020180.00

Dear Heather:

CHS Inc. is proposing to add a monument sign to the property 5300 Babcock Trail, Inver Grove Heights, MN 55077. The sign is to be located at the intersection of Interstate 494 and U.S. Route 52 – on CHS Inc.'s own property. The intended sign is to be clad with dark bronze colored composite metal panels and installed on a cast stone/ concrete base. Lettering and logo will be internally lit LED elements provided by a signage company. The sign surface will be approximately 12'-0" x 16'-0" (192 SF).

The property is zoned as a B-1, Limited Business designation. Per zoning section 10-15E-8 Signs in B, I and P Districts:

"No individual sign surface shall exceed fifty (50) square feet in a B-1 district."

The proposed sign exceeds this limit by approximately 142 SF. We feel, a monument sign for CHS Inc. that adheres to 50 SF limit would not be adequate at this location.

Due to vegetation, trees and topography, the proposed location of the Monument Sign will not be visible to the adjacent neighbors, as noted on attachment 2_Owners Across Street (8_5x11).pdf.

The intent is for the Monument Sign to address traffic on I-494 and Route 52. Monument signs erected by comparable organizations, such as Land o' Lakes and General Mills, along these types of thoroughfares are comparable in size and location to roads.

In addition, CHS Inc. is proposing to add a building mounted sign to the east elevation of the parking deck. This sign would be created by a signage vendor and surface mounted to the deck facing U.S. Route 52. The sign would be internally lit and is currently planned to be +/- 6'-0" x 9'-0" (54 SF).

Sincerely,

BWBR

Matt Sletten, Assoc. AIA
Senior Job Captain

mns

For professional licensure, visit bwbr.com/licenses-registrations

I-494

U.S. 52

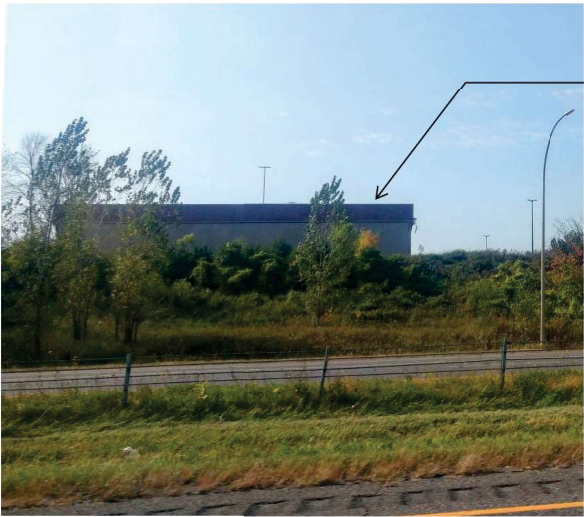
FREE STANDING
MONUMENT SIGN

SIGN MOUNTED TO
PARKING DECK



Aerial View - Monument Signs

Monument Sign Towards Highway 52

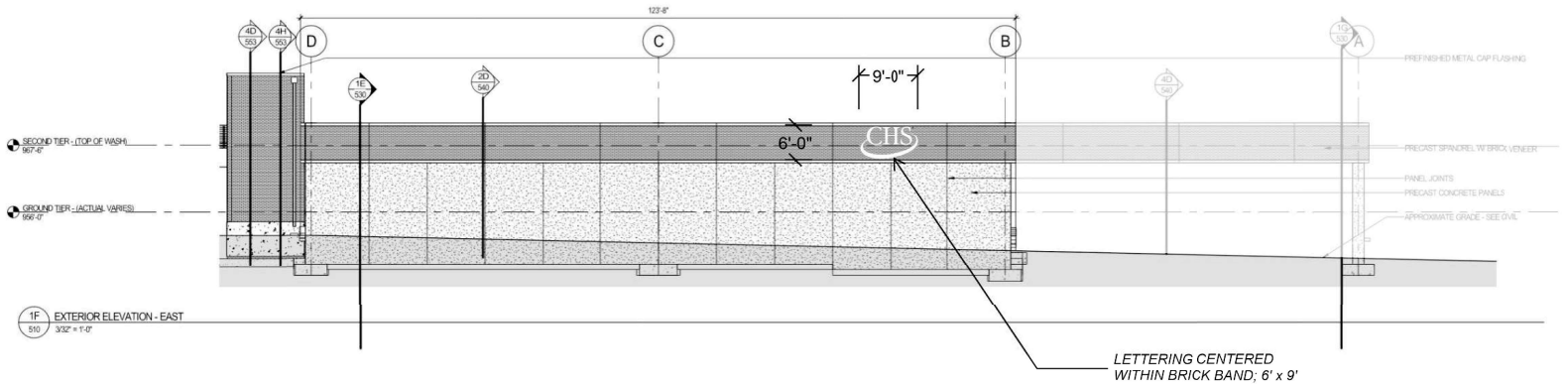


PROPOSED
MONUMENT SIGN
LOCATION

PHOTO FROM NORTH BOUND HWY. 52

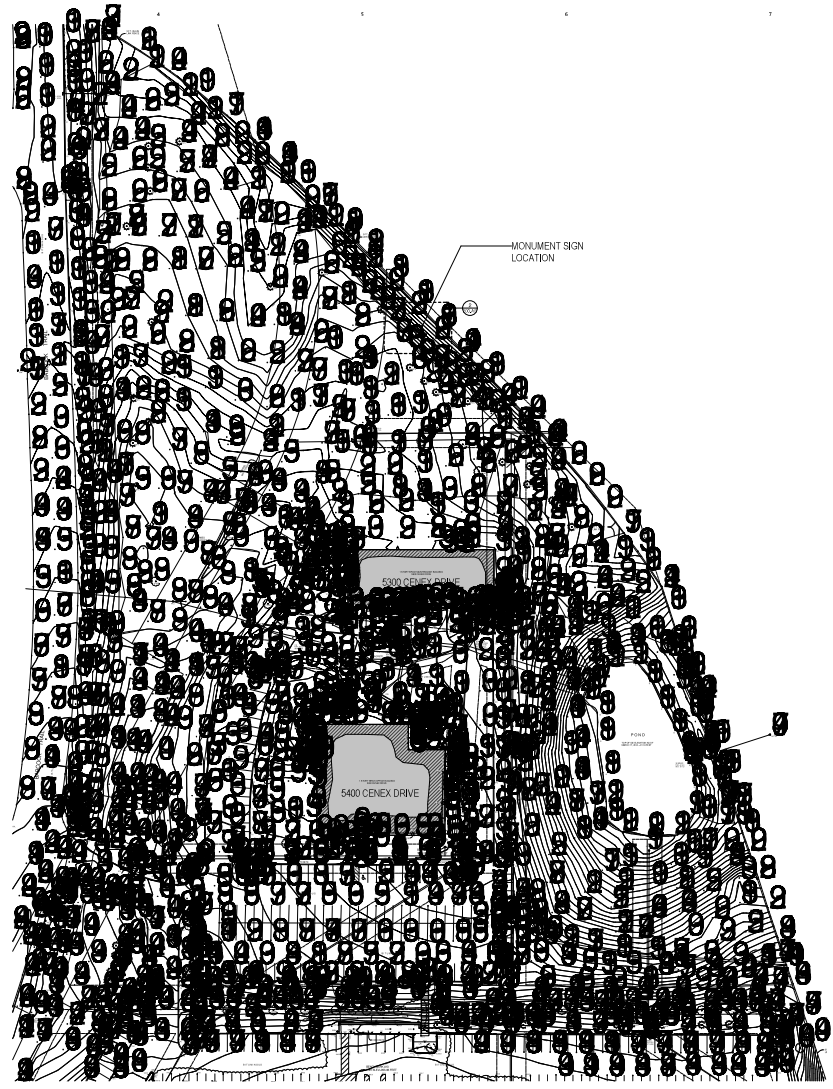


STILL FROM MOCK UP VIDEO



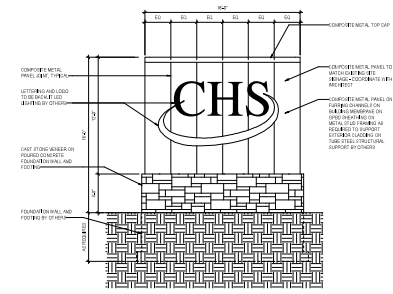


200.AS

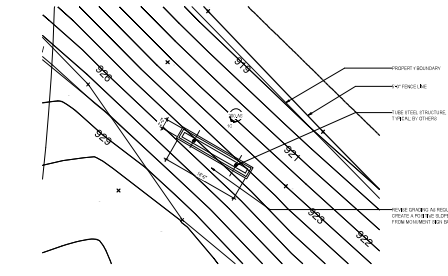


1 SITE PLAN - MONUMENT SIGN
200.40 1" = 40.0'

EXISTING STRUCTURES SHOWN SHADED



1C EXTERIOR ELEVATION - MONUMENT SIGN
 1A' = 1/4"



2 DETAIL PLAN - MONUMENT SIGN
302.45 1/8" = 1'-0"

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve Purchase of Capital Equipment

Meeting Date: January 25, 2021
Item Type: Consent
Contact: Scott D. Thureen, 651.450.2571
Prepared by: Scott D. Thureen, Public Works Director
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

Consider approval of purchase of capital equipment included in the approved 2021 budget.

SUMMARY

The attached memo from the Street Maintenance Superintendent presents cost information for the replacement of four pieces of equipment approved for replacement in 2021. The attached proposal is based on the Minnesota State Cooperative Purchasing pricing. The prices shown include the trade-in value, sales tax and applicable fees.

I recommend approval of the capital equipment purchase that would be funded from the Central Equipment Fund.

SDT/kf

Attachments: Memo

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Scott Thureen, Public Works Director

FROM: Barry Underdahl, Street Superintendent

DATE: January 7, 2021

SUBJECT: 2021 Capital Equipment Purchases

The replacement of the following equipment was reviewed and discussed with the Mayor and City Council during the Study Session on November 2, 2020. A PowerPoint presentation was presented along with charts including a vehicle condition index chart.

The allocation figures in the chart below are dollars in the Equipment Replacement Fund earmarked for the purchase of the listed equipment. The acquisition costs listed are based on current government contract prices and include trade-in values, taxes, fees, and registration costs where applicable.

I respectfully request final approval to purchase replacements for the following vehicles and equipment.

Street Maintenance

		Allocation	Acquisition
#302	2011 Mack Dump Truck	\$271,598.00	\$228,452.00
#342	2000 PB Patcher Hot Box Patching Unit	\$69,052.00	\$108,753.00
#336	2011 Mauldin 1550 Paver	\$80,629.00	\$75,924.00
Totals		\$421,279.00	\$413,129.00

Fire Department

S3	2011 Ford Expedition (Chief's Squad)	\$49,126.00	\$49,126.00
Totals		\$49,126.00	\$49,126.00

Grand Totals	\$470,405.00	\$462,255.00
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Acquisition costs are based on current contract pricing, trade values, taxes, and fees where applicable. Final costs could change depending on contract expiration dates, vehicle/equipment manufacturing cutoff dates, material cost increases, and any changes in taxes and/or fees at the time of delivery. Cost overruns for the purchase of #342 will be covered by the allocation surplus remaining after the purchase of #302.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Accepting Field Services Proposal from EOR for Inver Point Business Park Second Addition

Meeting Date: January 25, 2021

Item Type: Consent

Contact: Thomas J. Kaldunski, 651-315-6336

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 escrow

PURPOSE/ACTION REQUESTED

Resolution accepting field services proposal from EOR for Inver Point Business Park Second Addition.

SUMMARY

City staff requested a proposal from EOR for field services for construction of the Inver Point Business Park Second Addition development. EOR submitted a proposal for field services during mass grading of the site as well as during storm sewer and stormwater management construction.

Attached is the proposal from EOR for the field services. The proposed fee for these services is \$22,450 and the fee will be funded through a developer provided escrow.

It is recommended that the Council accept the proposal from EOR for field services in an amount of \$22,450. Their services are needed with some support from the City Engineering Division.

TJK/me

Attachment: Resolution
Proposal

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING A PROPOSAL FOR FIELD SERVICES FROM EOR FOR
INVERPOINT BUSINESS PARK SECOND ADDITION DEVELOPMENT**

RESOLUTION NO. 2021-16

WHEREAS, Inverpoint Business Park Second Addition is ready to commence in 2021;
and

WHEREAS, in order to complete field services in a timely manner for Inverpoint Business Park Second Addition, assistance of a consulting engineering firm is required; and

WHEREAS, City staff requested, and received, a proposal from EOR for field services to include construction observation of mass grading of the site as well as during storm sewer and stormwater management construction review; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, it was decided that EOR be selected from the City's engineering consultant pool as the consulting firm for field services for Inverpoint Business Park Second Addition.

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

1. The proposal from EOR is accepted and staff is authorized to enter into a contract in the amount of \$22,450 for field services as outlined in their January 4, 2021 proposal.
2. Funding is provided through the Inverpoint Business Park Second Addition Escrow Account provided by the developer in accordance with the development documents.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25^h day of January 2021.

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

Project Name	Inverpoint Business Center– 2 nd Addition	Date	01/04//2021
To / Contact info	Tom Kaldunski, P.E., Inver Grove Heights		
Cc / Contact info	Mike Edwards, Inver Grove Heights		
From / Contact info	Paula Kalinosky, Kyle Crawford, Brett Emmons; EOR		
Regarding	Scope of Services for Plan Review and Construction Services		

Scope of Services for Construction Observations, Inverpoint Business Center, 2nd Addition

The following is a fee estimate for plan review and field services for construction of the 2nd Addition (Building 3) of the Inverpoint Business Center. We have included time for field services prior to work beginning, weekly erosion control inspections during construction, stormwater management BMP retrofit oversight (as necessary), and final inspections after the BMP's have been completed and the site is vegetated, to occur in 2021 and 2022.

This fee estimate is based on our recent experience during the design review and construction phases of Blackstone Vista, Blackstone Ponds, Scenic Hills (Phase I) and Inverpoint Business Center 1st Addition. As with other projects, we intend to use EIT staff where applicable, and visit multiple sites each trip when possible to minimize costs. We anticipate involvement ensuring all stormwater management features within the 2nd Addition portion of the project, as well as those located immediately downstream, meet the objectives of erosion, flood prevention, and stormwater volume control standards.

This scope of services does not include Storm Sewer Construction Inspections. The City has typically requested to complete this task with City staff. During our initial site inspection, we will note any sediment buildup within structures and verify storm sewer installations.

Task 01: Plan Review (\$3,500)

Estimated costs for this task include review of submitted plans and stormwater model, field inspections and reports, correspondence and coordination with the project engineer, owner and City.

- a. Review final stormwater management plans from 2008 (Westwood) and check current submittal for conformance with stormwater design assumptions.
- b. Review construction observation and erosion control inspection reports from 2008.
- c. Develop recommendations for pre-construction BMP inspections and remediation; identify key stormwater management concerns.

Task 02: Site Inspections and Reporting (\$8,200)

Estimated costs for this task include project review, field inspection, reporting, correspondence and coordination, expenses, and project management.

- d. Initial Site Inspection – EOR will review the previous construction plans, inspection reports, notes and correspondence and current construction plans prior to the initial site inspection. During the initial site inspection, all site BMP's, wetlands, storm sewer, vegetation will be inspected for compliance and erosion/sedimentation. An inspection report will be compiled and sent to the City for discussion and review with the Developer.

- e. Pre-Construction Meeting – EOR will attend the project pre-construction meeting and will provide guidance for the contractor to ensure compliance with City erosion control standards.
- f. Final Site Inspections – Following full vegetation establishment of all upstream disturbed soils, EOR will verify infiltration rates of the site BMP's and inspect native vegetation establishment. EOR will perform water level monitoring following 2 large storm events. A total of 3 visits for each applicable storm event will be conducted (24-, 48-, 72-hour intervals following the storm). An infiltration and vegetation inspection report will be compiled and sent to the City for discussion and review with the Developer.

Task 03: Erosion Control Inspections (\$8,500)

Estimated costs for this task include weekly erosion control inspections during the construction season, monthly erosion control inspections through the winter (as necessary), reporting, correspondence and coordination with project partners, expenses, and project management.

- a. Weekly Erosion Control Inspections and Reporting – EOR will conduct a weekly erosion control inspection throughout the duration of construction. Each inspection will be compiled into a formal inspection report which will be distributed to the Contractor, Developer and City. (anticipated April – November 2021)
- b. Monthly Erosion Control Inspections and Reporting – EOR will conduct a monthly erosion control inspection following the conclusion of construction and site stabilization or when construction enters the winter months (whichever occurs first). A distribution of the inspection report will be sent to the Contractor, Developer and City (anticipated December 2021 – March 2022).

Task 04: Infiltration Basin Retrofit (\$2,250)

Estimated costs for this task include field oversight of construction sediment excavation from the existing infiltration basin, reinstallation of filter media for the infiltration basin (if necessary). This task is only necessary if the initial site inspection identifies sediment build-up with the basins.

- a. Sediment Excavation Oversight – EOR will provide guidance to the contractor for amount of sediment to remove. During excavation of the wetlands, EOR will verify when contractor has reached native soils and removed all foreign sediment. During excavation of the infiltration basins, the soils will be inspected to ensure full infiltration capacity is restored.
- b. Filter Media Backfill – EOR will oversee reinstallation and backfill of filter media within infiltration basins as necessary. EOR will provide guidance to contractor for proper installation and equipment operation procedures.

Summary

The total estimated potential cost of services for Inverpoint Business Center, 2nd Addition is **\$22,450**. The figures shown above are estimates only. Actual costs will be billed hourly based on engineering design progress and progress in the field during construction. The current billing rates for the time period when the work occurs will apply.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Accepting Proposals and Authorizing Consultant Professional Engineering Services for the Peltier Property located at 7250 Argenta Trail

Meeting Date: January 25, 2021	Fiscal/FTE Impact:
Item Type: Consent	☐ None
Contact: Thomas J. Kaldunski, 651-315-6336	☐ 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: Developer-provided engineering escrow account

PURPOSE/ACTION REQUESTED

Consider resolution accepting proposals and authorizing consultant professional engineering services for the Peltier Property.

SUMMARY

The Peltier Property is located east of Argenta Trail, between Amana Trail and 70th Street. There are four engineering consultants that will be providing engineering review and design services: EOR, Bolton & Menk, WSB and Stantec. These consultant companies are part of the engineering consultant pool, have provided these professional engineering services before, and know the NW Area and City standards. These services are needed due to the complexity of the public improvements and to provide plan review feedback and preliminary design services in a timely manner. The proposals will provide consultant engineering services for the Peltier Property development through preliminary and final plat and plan reviews. The funding source for these services will be from developer-provided engineering escrow.

EOR, has provided the attached proposal for stormwater management plan review in the amount of \$22,500. Bolton & Menk, Inc. has provided the attached proposal for trunk sanitary sewer plan review in the amount of \$7,500. WSB has provided the attached proposal for street alignment plan review in the amount of \$3,584. Stantec has provided the attached proposal for water modeling and plan review in the amount of \$2,500.

Staff recommends that the Council adopt the resolution accepting the engineering services proposals from EOR in the amount of \$22,500, Bolton & Menk, Inc. in the amount of \$7,500, WSB in the amount of \$3,584, and authorizing Stantec water main modeling for \$2500 for the Peltier Property.

TJK/me
Attachment: Resolution
Consultant Proposals

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING A PROPOSALS AND AUTHORIZING PROFESSIONAL
ENGINEERING SERVICES FROM EOR, BOLTON & MENK, WSB AND STANTEC FOR THE
PELTIER PROPERTY LOCATED AT 7250 ARGENTA TRAIL**

RESOLUTION NO. 2021-17

WHEREAS, the owner is proposing development of the Peltier Property located at 7250 Argenta Trail; and

WHEREAS, to complete the preliminary and final plat and plan review, assistance of consulting engineering firms is required; and

WHEREAS, City staff requested and received a proposal from EOR, Bolton & Menk, WSB and Stantec for professional engineering services for the Peltier Property; and

WHEREAS, based on the experience of the firms, the scope and associated fee for the proposed services, EOR, Bolton & Menk, WSB, and Stantec have been selected from the City's engineering consultant pool for professional engineering services for the Peltier Property development.

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

1. The proposal from EOR for stormwater plan review in the amount of \$22,500 is accepted, and staff is authorized to enter into contracts for professional engineering services for the Peltier Property development.
2. The proposal from Bolton & Menk, Inc. for sanitary sewer plan review is accepted, and staff is authorized to enter into a contract in the amount of \$7,500 for professional engineering services for the Peltier Property development.
3. The proposal from WSB for street alignment plan review is accepted, and staff is authorized to enter into a contract in the amount of \$3,584 for professional engineering services for the Peltier Property development.
4. The proposal from Stantec for water modeling and plan review is accepted, and staff is authorized to enter into a contract in the amount of \$2,500 for professional engineering services for the Peltier Property development.
5. The funding source for consultant design services will be from a developer-provided engineering escrow.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2021.

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

Project Name | Peltier Property PUD**Date** | 01/07/21**To / Contact info** | Tom Kaldunski IGH**Cc / Contact info** |**From / Contact info** | Paula Kalinosky EOR
Brett Emmons EOR**Regarding** | Peltier Property Stormwater Review, Level of Effort for Escrow – Preliminary Plan Review

Proposed Scope of Services

This is an estimate for stormwater review services for the preliminary PUD submittal for the residential development for Dakota County Parcels 20-00700 -04-010, -05-012, and the portion of parcel -06-012 located east of Argenta Trail. The proposed development encompasses approximately 47 acres and includes both single family (88 lots) and multifamily development with additional lot. Three regional basins – SP-7, SP-5 & SP-003d(F) are located within the site and portions of the site drain to regional basins SP-003c(F), SP-8, SP-14, SP-15, and SP-15b. Smaller areas within the site also drain to regional basins SP-4(F), and SP-25.

The site is bounded on the south, west, and north by recent or pending development activity which has resulted in impacts to several downstream regional basins including:

- Modification/mitigation in basins SP- 15b and SP-15a (Argenta Hills 8th and 9th)
- Regional Basin SP-14 (Argenta Trail South Realignment)
- Grading expansion SP-003c (Planned expansions of CSAH 26)

This estimate takes into account the complexities presented by recent and active development on adjacent properties and includes time to address data gaps and area planning decisions. Through work on previous reviews including Argenta Hills 1st – 8th, Argenta Trail South (County Rd 63) Realignment, the Blackstone Development, and the planned expansion of CSAH 26 - we are aware of some data gaps for this proposed site. We also understand that the City will also be reviewing street plans and traffic projections for the project to consider the impacts of current and future development activity. Per NWA planning guidance, we are also recommending a meeting(s) with the developer early in the design phase to review NWA stormwater management performance standards and concerns specific to the proposed development site.

Stormwater Engineering Review Services – Preliminary PUD Submittal

1. Review data and modeling from prior development submittals (Argenta Hills, Argenta Trail Realignment, CSAH 26 Expansion, Blackstone Developments), regional basins, HWLs, overflows, identify need for any additional data collection; (\$5,000).
2. Meetings with developer (2) to discuss NWA stormwater performance standards, regional basin management; and site-specific drainage concerns. (\$4,000)
3. Preliminary Review – Review stormwater management plan and regional basin management, work with developer to address key review items; meeting(s) with developer team and/or City, review comments and conditions (\$13,500).

Deliverables

4. Pre-design meeting with developer team.
5. Summary memorandum(s) with guidance, design, and stormwater related comments and conditions.

6. Development review meeting(s) with developer team and city.

Key Understandings

1. The fees for this scope are based on concept level data for the proposed development. Significant changes to the overall concept may result in additional fees.
2. This estimate includes engineer review services for the preliminary PUD submittal. A separate fee estimate for review of final plans will be prepared at a future date.
3. The fees included in the scope are an estimate. Actual time will be billed hourly based on responses and submittals by the developer.

Estimated Fee

It is estimated that the services included above would be \$ 22,500. Actual time to complete the tasks will be billed hourly and could exceed these totals.



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

January 13, 2021

Mr. Tom Kaldunski, P.E.
City Engineer
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Proposal for Professional Engineering Services
Peltier Property Planned Unit Development
City of Inver Grove Heights, Minnesota

Dear Mr. Kaldunski:

Thank you for the opportunity to submit this proposal to complete a trunk sanitary sewer review for the proposed planned unit development (PUD) on the Peltier Site located south of 70th Street and East of Argenta Trail. The City has received conceptual site plans, has been in coordination with the development team, and anticipates a preliminary plat submittal in the coming weeks. As such, staff has requested a proposal from Bolton & Menk to complete trunk sanitary sewer reviews as part of upcoming preliminary and final plat submittals. Specifically, the development team has noted that the sanitary sewer through the site may deviate from the City's comprehensive sanitary sewer plan. The Bolton & Menk analysis will include a review of the site plan as well as a review of sanitary sewer service needs of other parcels within the sewershed that may be affected by the alignment and depth of the proposed sewer system.

Preliminary Plat and Preliminary Plan Review

Eric Seaburg will lead this review with input from other technical experts on staff. He has worked with City staff on several trunk sanitary sewer studies through this area and is very accustomed to the City's CSSP and technical standards. We anticipate the following scope for his review:

- Review the proposed utility plan
- Review the following comprehensive plans and relevant infrastructure studies
 - Comprehensive Sanitary Sewer Plan (Updated 2017)
 - Northwest Area Trunk Utilities – Argenta District (2014)
- Develop list of technical concerns and/or requirements relative to the City's infrastructure standards, including but not limited to the following:
 - Review proposed pipe grades, sizes, and materials
 - Review internal lateral sewer access, drop manholes, and services
 - Review future connections in adjacent developable parcels
 - Review proposed easements and accessibility of system
 - Review long-term maintenance and operation of system
- Prepare a memorandum of findings

Name: Tom Kaldunski, P.E.

Date: January 13, 2021

Page: 2

Final Plat and Final Plan Review

Once a final plat and final plan have been submitted, we will review and provide comments to the City within the time allotted. This may include multiple iterations until a final plan is approved. We anticipate the following scope for this review:

- Review the proposed site plan
- Determine if comments made in the preliminary plat & plan review were addressed
- Develop list of technical concerns and/or requirements relative to the City's infrastructure standards
- Prepare a memorandum of findings

Construction Services

We understand that construction inspection or as-built services may be requested at a future date. Accordingly, construct services have not been included in this scope of work.

Proposed Fee

Bolton & Menk proposes to complete the scope of work as described above for a not-to-exceed hourly fee of \$7,500. Our ability to perform the reviews within the proposed not-to-exceed amount will depend on the developer's ability to efficiently respond to plan comments and directives. Our fee may require adjustment in the event there are substantial plan changes requiring additional plan review iterations. We look forward to working with you and the City on this project. If you have any questions regarding our proposal, please do not hesitate to call us.

Sincerely,

Bolton & Menk, Inc.



Eric Seaburg, P.E.
Project Manager



Brian Hilgardner, P.E.
Principal



January 15, 2021

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

Re: Peltier Site Review, Inver Grove Heights - Engineering Services

Dear Mr. Kaldunski:

Attached for your review and approval is our proposed scope of services, fee, and schedule for providing professional engineering services to complete a concept plan review for the Peltier Site based upon the drawing you provided. Our review will include design speed, street grades, and horizontal and vertical alignments to confirm they meet all City standards and are consistent with the recommended outcomes from the Northwest Area Collector Street Study.

We look forward to working with you on this project. If you agree with this proposal, please sign where indicated and return one copy to our office. WSB will start work upon receipt of a signed contract. Please do not hesitate to contact me at 612-214-7053 with any questions.

Sincerely,

WSB

Brad Reifsteck, PE
Sr. Project Manager

Attachment

ACCEPTED BY:

City of Inver Grove Heights, MN

Name _____

Title _____

Date _____

**SCOPE OF ENGINEERING SERVICES
FOR
PELTIER SITE REVIEW
CITY OF INVER GROVE HEIGHTS, MN**

SCOPE OF ENGINEERING SERVICES

Task 1 – Project Management (\$860)

Project management will be performed throughout the course of the project. The following subtasks are included as part of Project Management:

- 1.1 Attend project meetings with City staff. This will include attending and facilitating any meeting as necessary.
- 1.2 Work with project team to coordinate project deliverables, schedule, and budget.

Deliverables: One (1) meeting with City Staff to coordinate and discuss draft findings.

Task 2 – Plan Review (\$2,734)

This task consists of completing a thorough review of the concept plans provided by the Developer to the City. WSB will ensure the concepts meet all City standards and are consistent with the recommended outcomes from the Northwest Area Collector Street Study

The review will include the following design elements:

- 2.1 Roadway Design Speed
- 2.2 Roadway Horizontal & Vertical Alignments

Deliverables: Technical Memo Summary

TOTAL ESTIMATED ENGINEERING FEE

The scope of services outlined in this proposal will be billed hourly, based on our current hourly rates. We are proposing to complete the tasks outlined above for the Peltier Site Plan Review for a not-to-exceed fee of \$3,584.00.

TIME SCHEDULE

Based on current project schedule understanding, WSB proposes to complete the review by February 26th, 2021



Stantec Consulting Services Inc.
733 Marquette Avenue Suite 1000, Minneapolis MN 55402-2309

January 14, 2021
File: 19380343

Attention: Tom Kaldunski
City Hall
8150 Barbara Avenue
Inver Grove Heights, MN

Dear Tom,

Reference: Modeling Review Proposal for Peltier Development

This letter presents our proposal to provide professional services necessary to review the City's existing water model as necessary to incorporate watermain serving the following development:

- Peltier Development near 70th Street and Alverno Avenue

Background

We are eager to provide water model review and evaluation comments for the project listed above. Per our communications we understand that the following aspects of the development are to be considered with the review:

- 1) Trunk water main (16 Inch) will go north south from Alverno Ave to the location of Agate trail on Falcon Property at 70th ST. It will connect to existing mains on the South
- 2) An 8-inch watermain is likely on 72nd street from the existing main in Blackstone ponds due east to the east property line with Fleming . Note the alignment of 72nd will be adjusted slightly in the final plat /PUD.
- 3) A large trunk water main will connect to the 16-inch watermain that exists on Glen Lane at 71st street and go east to Alverno trunk main.
- 4) Review potential need for a large main connection to the existing main near the Flannery house.

Please be advised that we may need information from you and/or the associated developers to complete our modeling and evaluation of the requested scenarios. Note that this proposal does not include an overall review of the water distribution system. As appropriate, a comprehensive review should be performed to bring the model up to date including the piping systems associated with recent developments which were not included in the GIS data when the original model was built.

Compensation and Schedule

Our fee is estimated based on the review of final plat drawings. We are happy to provide preliminary concept review as an additional fee upon request. Stantec will complete the model update described herein on an hourly basis and estimate the level of effort required to be \$2,500 for the development referenced. Additional budget may be needed for certain circumstances where additional information must be gathered.

Reference: Modeling Review Proposal for Peltier Development

Upon receiving authorization to proceed we can complete the update within one week. The team providing services will include Mark Rolfs as project engineer and I will serve as your project manager.

With the appropriate signed authorization we will commence with providing you with the services you have requested in accordance with this proposal. We will work to provide information in timely fashion based on information you provide on a case by case basis.

As always, we are grateful for this opportunity to continue serving you and the City of Inver Grove Heights.

Regards,

Stantec Consulting Services Inc.



Ryan Capelle PE (MN, ND, WI)
Senior Associate
Phone: 612 712-2025
ryan.capelle@stantec.com

Attachment: none

c. Mike Edwards– City of Inver Grove Heights

Authorized by: _____

City of Inver Grove Heights

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Proposal from SRF for Assistance in Preparing a Local Road Improvement Program Application for City Project No. 2010-09F - Upper 55th Street and Utility Improvements

Meeting Date: January 25, 2021
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651-315-6336
 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: Pavement Management Fund |

PURPOSE/ACTION REQUESTED

Consider Proposal from SRF for Assistance in Preparing a Local Road Improvement Program (LRIP) Application for City Project No. 2010-09F - Upper 55th Street and Utility Improvements.

SUMMARY

The LRIP provides financial assistance to agencies for local road construction or construction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources.

Staff requested proposals from Bolton & Menk and SRF, who are both included in the City's consultant pool, to assist with an LRIP application for the Upper 55th Street project. For the sake of continuity with the project, SRF was chosen. Upon approval of this proposal, SRF will work closely with City staff to prepare the desired application that meet the requirements of the LRIP program. The not-to-exceed fee for the proposal is \$4,000 and will be funded through the Pavement Management Program.

Staff recommends approval of the attached resolution authorizing SRF to prepare an LRIP application for City Project No. 2010-09F - Upper 55th Street and Utility Improvements.

TJK/kf

Attachment: Resolution
 Proposals

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING PROPOSAL FROM SRF FOR ASSISTANCE IN PREPARING A
LOCAL ROAD IMPROVEMENT PROGRAM APPLICATION FOR CITY PROJECT NO.
2010-09F - UPPER 55TH STREET AND UTILITY IMPROVEMENTS**

RESOLUTION NO. 2021-18

WHEREAS, Local Road Improvement Funds (LRIP) are available to assist cities in funding construction projects with local, regional, or statewide significance; and

WHEREAS, City staff requested, and received, proposals from Bolton & Menk and SRF to assist staff with an LRIP application for the Upper 55th Street project; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, it was decided that SRF be selected from the City's engineering consultant pool as the consulting firm to assist with an LRIP application.

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

1. The proposal from SRF is accepted and staff is authorized to enter a contract in the amount of \$4,000 for assistance in the preparation of an LRIP application.
2. Funding is provided through the Pavement Management Program.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2021.

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



SRF 14362.PP

January 13, 2021

Tom Kaldunski
City Engineer
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Subject: Proposal for Professional Services for City Project 2010-09F Upper 55th Street
Local Road Improvement Program Application

Dear Tom:

Based on your request, SRF Consulting Group, Inc. (SRF) is pleased to submit this proposal to provide professional services for a 2021 Local Road Improvement Program (LRIP) grant application for City Project 2010-09F Upper 55th Street.

Scope of Services

The scope of our services, as we understand it, is to perform the following tasks:

- Prepare the LRIP application and narrative for City Project 2010-09F Upper 55th Street using information from the draft feasibility study.
- Create a project location map to be included with the LRIP application.
- Create and coordinate resolutions and letters of support from agencies such as MnDOT, Dakota County and the school district.

Assumptions

We have made the following assumptions as part of this scope of services:

- The concept layouts and costs estimate that were created as part of the draft feasibility study will be utilized for the LRIP application. No new concept layouts or cost estimates will be created.

Schedule

Based on the LRIP solicitation schedule, application submissions are due to MnDOT by March 3, 2021. The City will be responsible for submitting the application.

www.srfconsulting.com

3701 Wayzata Boulevard, Suite 100 | Minneapolis, MN 55416-3791 | 763.475.0010

Equal Employment Opportunity / Affirmative Action Employer

Basis of Payment/Budget

We propose to be reimbursed for our services on an hourly basis for the actual time expended. Other direct project expenses such as printing, supplies, reproduction, etc., will be billed at cost and mileage will be billed at the current allowable IRS rate for business miles. Invoices are submitted on a monthly basis for work performed during the previous month. Payment is due within 30 days.

Based on our understanding of the project and our scope of services, we estimate the cost of our services to be \$4,000, which includes both time and expenses.

Changes in the Scope of Services

It is understood that if the scope or extent of work changes, the cost will be adjusted accordingly. Before any out-of-scope work is initiated, however, we will submit a budget request for the new work and will not begin work until we receive authorization from you.

Standard Terms and Conditions

The attached Standard Terms and Conditions (Attachment A) and this proposal for professional services, constitute the entire agreement between the City and SRF Consulting Group, Inc. and supersede all prior written or oral understandings. This agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

Acceptance/Notice to Proceed

A signed copy of this proposal, mailed or emailed to our office, will serve as acceptance of this proposal and our notice to proceed. The email address is mstewart@srfconsulting.com.

We sincerely appreciate your consideration of this proposal and look forward to working with you on this project. Please feel free to contact us if you have any questions or need additional information.

Sincerely,

SRF CONSULTING GROUP, INC.



Molly Stewart, P.E. (MN), PTOE
Associate

MBS



Marie K. Cote, PE (MN, CA)
Chief People Officer (CPO)

Approved

(signature)

Name _____

Title _____

Date _____

This cost proposal is valid for a period of 90 days. SRF reserves the right to adjust its cost estimate after 90 days from the date of this proposal.

ATTACHMENT A
STANDARD TERMS AND CONDITIONS

The Standard Terms and Conditions together with the attached Proposal for Professional Services constitute the entire Agreement between the CLIENT and SRF Consulting Group, Inc. ("SRF") and supersede all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

1. STANDARD OF CARE

- a. The standard of care for all professional services performed or furnished by SRF under this Agreement will be the care and skill ordinarily used by members of SRF's profession practicing under similar circumstances at the same time and in the same locality. SRF makes no warranties, expressed or implied, under the Agreement or otherwise, in connection with SRF's service.
- b. The CLIENT shall be responsible for, and SRF may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data, and other information furnished by CLIENT to SRF pursuant to this Agreement. SRF may use such requirements, reports, data, and information in performing or furnishing services under this Agreement.

2. INDEPENDENT CONTRACTOR

All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the CLIENT and SRF and not for the benefit of any other party. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the CLIENT or SRF. SRF's services under this Agreement are being performed solely for the CLIENT's benefit, and no other entity shall have any claims against SRF because of this Agreement or the performance or nonperformance of services hereunder.

3. PAYMENT TO SRF

Invoices will be prepared in accordance with SRF's standard invoicing practices and will be submitted to the CLIENT by SRF monthly, unless otherwise agreed. Invoices are due and payable within thirty (30) days of receipt. If the CLIENT fails to make any payment due SRF for services and expenses within forty-five (45) days after receipt of SRF's invoice thereafter, the amounts due SRF will be increased at the rate of 1-1/2% per month (or the maximum rate of interest permitted by law, if less). In addition, SRF may, after giving seven days written notice to the CLIENT, suspend services under this Agreement until SRF has been paid in full of amounts due for services, expenses, and other related charges.

4. OPINION OF PROBABLE CONSTRUCTION COST

Any opinions of costs prepared by SRF represent its judgment as a design professional and are furnished for the general guidance of the CLIENT. Since SRF has no control over the cost of labor, materials, market condition, or competitive bidding, SRF does not guarantee the accuracy of such cost opinions as compared to contractor or supplier bids or actual cost to the CLIENT.

5. INSURANCE

SRF will maintain insurance coverage for Workers' Compensation, General Liability, Automobile Liability and Professional Liability and will provide certificates of insurance to the CLIENT upon request.

6. INDEMNIFICATION AND ALLOCATION OF RISK

- a. To the fullest extent permitted by law, SRF agrees to indemnify and hold harmless the CLIENT, their officers, directors and employees against all damages, liabilities or costs (including reasonable attorneys' fees and defense costs) to the extent caused by SRF's negligent acts under this Agreement and that of its subconsultants or anyone for whom SRF is legally liable.
- b. To the fullest extent permitted by law, the CLIENT agrees to indemnify and hold harmless SRF, their officers, directors and employees against all damages, liabilities or costs to the extent caused by the CLIENT's negligent acts under this Agreement and anyone for whom the CLIENT is legally liable.

7. TERMINATION OF AGREEMENT

Either party may at any time, upon seven days prior written notice to the other party, terminate this Agreement. Upon such termination, the CLIENT shall pay to SRF all amounts owing to SRF under this Agreement, for all work performed up to the effective date of termination.

8. OWNERSHIP AND REUSE OF DOCUMENTS

All documents prepared or furnished by SRF pursuant to this Agreement are instruments of service, and SRF shall retain an ownership and property interest therein. Reuse of any such documents by the CLIENT shall be at CLIENT's sole risk; and the CLIENT agrees to indemnify, and hold SRF harmless from all claims, damages, and expenses including attorney's fees arising out of such reuse of documents by the CLIENT or by others acting through the CLIENT.

9. USE OF ELECTRONIC MEDIA

- a. Copies of Documents that may be relied upon by the CLIENT are limited to the printed copies (also known as hard copies) that are signed or sealed by SRF. Files in electronic media format of text, data, graphics, or of other types that are furnished by SRF to the CLIENT are only for convenience of the CLIENT. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk.
- b. When transferring documents in electronic media format, SRF makes no representations as to long-term compatibility, usability, or readability of documents resulting from the use of software application packages, operating systems, or computer hardware differing from those used by SRF at the beginning of this Assignment.
- c. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.
- d. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of this data's creator, the party receiving electronic files agrees that it will perform acceptance tests or procedures within sixty (60) days, after which the receiving party shall be deemed to have accepted the data thus transferred. Any errors detected within the sixty (60) day acceptance period will be corrected by the party delivering the electronic files. SRF shall not be responsible to maintain documents stored in electronic media format after acceptance by the CLIENT.

10. FORCE MAJEURE

SRF shall not be liable for any loss or damage due to failure or delay in rendering any service called for under this Agreement resulting from any cause beyond SRF's reasonable control.

11. ASSIGNMENT

Neither party shall assign its rights, interests or obligations under this Agreement without the express written consent of the other party.

12. BINDING EFFECT

This Agreement shall bind, and the benefits thereof shall inure to the respective parties hereto, their legal representatives, executors, administrators, successors, and assigns.

13. SEVERABILITY AND WAIVER OF PROVISIONS

Any provisions or part of the Agreement held to be void or unenforceable under any laws or regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the CLIENT and SRF, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision. Non-enforcement of any provision by either party shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

14. SURVIVAL

All provisions of this Agreement regarding Ownership of Documents and Reuse of Documents, Electronic Media provisions, Indemnification and Allocation of Risk, and Dispute Resolution shall remain in effect.

15. DISPUTE RESOLUTION

If negotiation in good faith fails to resolve a dispute within the thirty (30) days of notice of the dispute, or time period specified by applicable law, then the parties agree that each dispute, claim or controversy arising from or related to this Agreement or the relationships which result from this Agreement shall be subject to mediation as a condition precedent to initiating legal or equitable actions by either party. Unless the parties agree otherwise, the mediation shall be in accordance with the Commercial Mediation Procedures of the American Arbitration Association then currently in effect. A request for mediation shall be filed in writing with the American Arbitration Association and the other party. No legal or equitable action may be instituted for a period of ninety (90) days from the filing of the request for mediation unless a longer period of time is provided by agreement of the parties. Cost of mediation shall be shared equally between the parties. Mediation shall be held in a location mutually agreed upon by the parties. The parties shall memorialize any agreement resulting from the mediation in a mediated settlement agreement, which agreement shall be enforceable as a settlement in any court having jurisdiction thereof.

16. CONTROLLING LAW

This Agreement is to be governed by the law of the principal place of business of SRF.

17. SITE SAFETY

SRF shall not at any time supervise, direct, control or have authority over or charge of, nor be responsible for, the construction means, methods, techniques, sequences or procedures, or for safety and security precautions and programs in connection with the work performed by any Contractor for the Project, nor for any failure of any Contractor to comply with laws and regulations applicable to such Contractor's work, since these are solely the Contractor's rights and responsibilities. SRF shall not be responsible for the acts or omissions of any Contractor or Owner, or any of their agents or employees, or of any other persons (except SRF's own employees and consultants), furnishing or performing any work for the Project, except as specifically outlined in SRF's scope of services.



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

January 14, 2021

Tom Kaldunski
City Engineer
8150 Barbara Avenue, Inver Grove Heights, MN 55077
Inver Grove Heights City Hall

RE: 2021 Transportation Funding Assistance Proposal

Dear Tom,

We are pleased to present the following proposal to support the City of Inver Grove Heights in the pursuit of Local Road Improvement Program (LRIP) FY 2021-24 funds. These efforts are expected to include assistance with an LRIP application for the Upper 55th Street project. Upon approval of this proposal, Bolton & Menk will work closely with City staff to prepare the desired application support materials that meet the submittal requirements of the LRIP program.

Local Road Improvement Program Application(s)

The Local Road Improvement Program (LRIP) provides financial assistance to agencies for local road construction or construction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources. Regionally significant projects support economic development, core business districts, freight movement including farm to market routes, benefit to a trunk highway or county road, or connection to a regional tourist destination. Since recently funded by the 2020 state bonding bill, an LRIP competitive solicitation is currently open with approximately \$75M available. See the attached informational flyer for more program details. The application that Bolton & Menk will assist with is as follow.

Upper 55th Street Reconstruction

This project consists of reconstruction of a 2-lane rural section to a 3 or 4-lane urban section with pedestrian and bicycle facility improvements from Highway 3 to Highway 52.

Our team will provide the following application support:

- Application narrative
- Project location map
- Recent cost estimate with itemized breakdown
- Project schedule
- Draft resolution and letters of support

Expectations of City Staff

- Project layout
- Coordination with Bolton & Menk to secure signed resolution and letters of support
- Critical review of draft materials

Not-to-Exceed Fee = \$3,500

2021 Transportation Funding Plan

This effort would consist of a comprehensive funding plan for all potential sources that align and are anticipated to be competitive for the Upper 55th Street Reconstruction Project.

Our team will provide the following application support:

- Project funding plans
- Timeline and cost estimate for each funding application

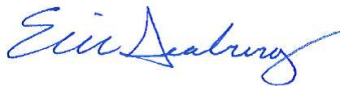
Not-to-Exceed Fee = \$650

Fee Estimate

Bolton & Menk, Inc. has identified a not-to-exceed fee of \$4,150 to accomplish the services outlined above. Bolton & Menk is excited to have the opportunity to provide these services. If you have any questions, please do not hesitate to call me.

Sincerely,

Bolton & Menk, Inc.



Eric Seaburg, PE
Project Manager



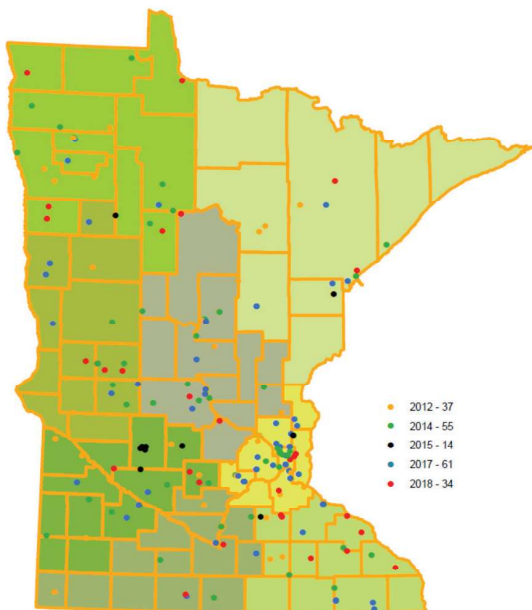
Brian Hilgardner, P.E.
Principal

LOCAL ROAD IMPROVEMENT PROGRAM (LRIP)

The Local Road Improvement Program provides financial assistance to agencies for local road construction or reconstruction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources. Regionally significant projects support economic development, core business districts (of all applicant types), freight movement including farm to market routes, benefit to the trunk highway or county road, or connection to a regional tourist destination.

LOCAL ROAD IMPROVEMENT PROGRAM HISTORY

May 2020



mn DEPARTMENT OF
TRANSPORTATION
STATE AID FOR LOCAL TRANSPORTATION

MN DOT
Minnesota Department of Transportation

DISTRIBUTION OF AWARDS

- 30% state aid cities
- 35% counties
- 30% small cities and townships
- 5% discretionary

In each MnDOT district, counties compete against counties, state-aid cities against state-aid cities, and small cities/townships against small cities/townships. Awards are geographically distributed with the goal of funding at least one county project, one state-aid project, and one small city/township project all within each MnDOT district.

PROGRAM HIGHLIGHTS

- Approximately \$75M in funding available
- Eligible Applicants: Counties, State Aid Cities, Small Cities and Townships (townships will need a county sponsor)
- Eligible project types include local road construction or reconstruction projects outside trunk highway rights-of-way
- Construction cost only, includes stormwater infrastructure and ponding
- Fiscal Years 2021-2024
- Historic/Anticipated Max Award: Counties/State Aid Cities \$1M and Small Cities/Townships \$750K
- No set match requirement
- Projects submitted in 2019 to the unfunded solicitation need to resubmit

APPLICATION PROCESS

Anticipated Solicitation:

Anticipated Project Application Deadline:

Anticipated Award Announcements:

A funding agreement must be finalized with State Aid before projects are bid or any project work begins.

December 2020/January 2021

March 2021

April/May 2021

WHY BOLTON & MENK

Firm Success (2017 and 2018 Solicitation)

58% SUCCESS RATE on applications. **SECURED \$14M FOR CLIENTS, LEVERAGING \$48M** in total project costs.

58%
SUCCESS

WHY IS THIS MONEY IMPORTANT?

The LRIP program is one of few sources that can be used on any local road. One of few sources for Greater Minnesota.

Contact your Bolton & Menk Client Service Manager for more info.

Program Website: <http://www.dot.state.mn.us/stateaid/lrip.html>

Bolton-Menk.com

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Proposal from Bolton & Menk for Assistance in Preparing a Local Road Improvement Program Application for City Project No. 2016-17 - 117th Street Reconstruction

Meeting Date: January 25, 2021
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651-315-6336
 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: Pavement Management Fund

PURPOSE/ACTION REQUESTED

Consider Proposal from Bolton & Menk for Assistance in Preparing a Local Road Improvement Program (LRIP) Application for City Project No. 2016-17 - 117th Street Reconstruction.

SUMMARY

The LRIP provides financial assistance to agencies for local road construction or construction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources.

Staff requested a proposal from Bolton & Menk, who is included in the City's consultant pool, to assist with an LRIP application for the 117th Street project. Upon approval of this proposal, Bolton & Menk will work closely with City staff to prepare the desired application that meet the requirements of the LRIP program. The not-to-exceed fee for the proposal is \$1,500 and will be funded through the Pavement Management Program.

Staff recommends approval of the attached resolution authorizing Bolton & Menk to prepare an LRIP application for City Project No. 2016-17 - 117th Street Reconstruction.

TJK/kf

Attachment: Resolution
 Proposal

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING PROPOSAL FROM BOLTON & MENK FOR ASSISTANCE IN
PREPARING A LOCAL ROAD IMPROVEMENT PROGRAM APPLICATION FOR CITY
PROJECT NO. 2016-17 - 117TH STREET RECONSTRUCTION**

RESOLUTION NO. 2021-19

WHEREAS, Local Road Improvement Funds (LRIP) are available to assist cities in funding construction projects with local, regional, or statewide significance; and

WHEREAS, City staff requested, and received, a proposal from Bolton & Menk to assist staff with an LRIP application for the 117th Street project; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, it was decided that Bolton & Menk be selected from the City's engineering consultant pool as the consulting firm to assist with an LRIP application.

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

1. The proposal from Bolton & Menk is accepted and staff is authorized to enter a contract in the amount of \$1,500 for assistance in the preparation of an LRIP application.
2. Funding is provided through the Pavement Management Program.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2021.

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Real People. Real Solutions.

12224 Nicollet Avenue
Burnsville, MN 55337-1649

Ph: (952) 890-0509
Fax: (952) 890-8065
Bolton-Menk.com

January 14, 2021

Tom Kaldunski
City Engineer
8150 Barbara Avenue, Inver Grove Heights, MN 55077
Inver Grove Heights City Hall

RE: 2021 Transportation Funding Assistance Proposal

Dear Tom,

We are pleased to present the following proposal to support the City of Inver Grove Heights in the pursuit of Local Road Improvement Program (LRIP) FY 2021-24 funds. These efforts are expected to include assistance with an LRIP application for the 117th Street project. Upon approval of this proposal, Bolton & Menk will work closely with City staff to prepare the desired application support materials that meet the submittal requirements of the LRIP program.

Local Road Improvement Program Application(s)

The Local Road Improvement Program (LRIP) provides financial assistance to agencies for local road construction or construction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources. Regionally significant projects support economic development, core business districts, freight movement including farm to market routes, benefit to a trunk highway or county road, or connection to a regional tourist destination. Since recently funded by the 2020 state bonding bill, an LRIP competitive solicitation is currently open with approximately \$75M available. See the attached informational flyer for more program details. The applications that Bolton & Menk will assist with are as follow.

117th Street Reconstruction

This project is a 2 to 4-lane expansion from CSAH 71 to TH 52 near Flint Hills Resources. This area is expected to see industrial expansion and increased development in the future. Roadway improvements will aid in the anticipated transfer of 117th Street to County jurisdiction with the likely extension of CSAH 32 from CSAH 71 to TH 52. This project was recently awarded \$8M in Minnesota Highway Freight Program funding for FY 2024. Potential LRIP funding can pair with the awarded funds and continue to help fill funding gaps for the City and Dakota County. The previous Highway Freight Program funding application can be utilized to streamline an LRIP application and reduce the overall time to complete it.

Our team will provide the following application support:

- Application narrative
- Project location map
- Recent cost estimate with itemized breakdown
- Project schedule
- Draft resolution and letters of support

2021 Transportation Funding Assistance Proposal
January 2021

Expectations of City Staff

- Provide previous Minnesota Highway Freight Program application materials
- Coordination with Bolton & Menk to secure signed resolution and letters of support
- Critical review of draft materials

Not-to-Exceed Fee = \$1,500

Fee Estimate

Bolton & Menk, Inc. has identified a not-to-exceed fee of \$1,500 to accomplish the services outlined above. Bolton & Menk is excited to have the opportunity to provide these services. If you have any questions, please do not hesitate to call me.

Sincerely,

Bolton & Menk, Inc.



Eric Seaburg, PE
Project Manager



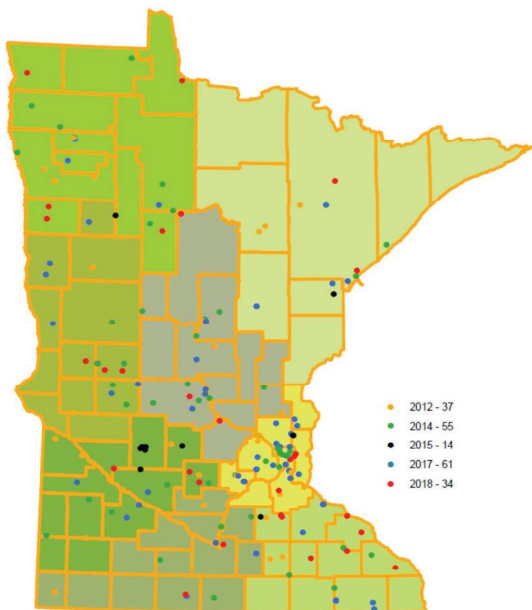
Brian Hilgardner, P.E.
Principal

LOCAL ROAD IMPROVEMENT PROGRAM (LRIP)

The Local Road Improvement Program provides financial assistance to agencies for local road construction or reconstruction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources. Regionally significant projects support economic development, core business districts (of all applicant types), freight movement including farm to market routes, benefit to the trunk highway or county road, or connection to a regional tourist destination.

LOCAL ROAD IMPROVEMENT PROGRAM HISTORY

May 2020



mn DEPARTMENT OF
TRANSPORTATION
STATE AID FOR LOCAL TRANSPORTATION

MN DOT
Minnesota Department of Transportation

DISTRIBUTION OF AWARDS

- 30% state aid cities
- 35% counties
- 30% small cities and townships
- 5% discretionary

In each MnDOT district, counties compete against counties, state-aid cities against state-aid cities, and small cities/townships against small cities/townships. Awards are geographically distributed with the goal of funding at least one county project, one state-aid project, and one small city/township project all within each MnDOT district.

PROGRAM HIGHLIGHTS

- Approximately \$75M in funding available
- Eligible Applicants: Counties, State Aid Cities, Small Cities and Townships (townships will need a county sponsor)
- Eligible project types include local road construction or reconstruction projects outside trunk highway rights-of-way
- Construction cost only, includes stormwater infrastructure and ponding
- Fiscal Years 2021-2024
- Historic/Anticipated Max Award: Counties/State Aid Cities \$1M and Small Cities/Townships \$750K
- No set match requirement
- Projects submitted in 2019 to the unfunded solicitation need to resubmit

APPLICATION PROCESS

Anticipated Solicitation:

Anticipated Project Application Deadline:

Anticipated Award Announcements:

A funding agreement must be finalized with State Aid before projects are bid or any project work begins.

December 2020/January 2021

March 2021

April/May 2021

WHY BOLTON & MENK

Firm Success (2017 and 2018 Solicitation)

58% SUCCESS RATE on applications. **SECURED \$14M FOR CLIENTS, LEVERAGING \$48M** in total project costs.

58%
SUCCESS

WHY IS THIS MONEY IMPORTANT?

The LRIP program is one of few sources that can be used on any local road. One of few sources for Greater Minnesota.

Contact your Bolton & Menk Client Service Manager for more info.

Program Website: <http://www.dot.state.mn.us/stateaid/lrip.html>

Bolton-Menk.com

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider a Resolution Receiving Feasibility Report and Scheduling a Public Hearing for City Project No. 2021-09D Bryant Lane Area Improvements (aka Majestic Woodlands)

Meeting Date:	January 25, 2021		Fiscal/FTE Impact:
Item Type:	Consent	☐	None
Contact:	Thomas J. Kaldunski, 651.315.6336	☒	Amount included in current budget
Prepared by:	Steve W. Dodge, Assist. City Engineer	☐	Budget amendment requested
Reviewed by:	Scott D. Thureen, Public Works Director	☐	FTE included in current complement
		☐	New FTE requested - N/A
		☒	Other: Pavement Management Fund, Franchise Fee Funds, Sewer Fund, Water Fund, Special Assessments

PURPOSE/ACTION REQUESTED

Consider a resolution receiving feasibility report and scheduling a public hearing for City Project No. 2021-09D Bryant Lane Area Improvements.

SUMMARY

On September 14, 2020, the City Council ordered a feasibility study and accepted an engineering services proposal from Short Elliot and Hendrickson, Inc. (SEH) for City Project No. 2021-09D Bryant Lane Area Improvements. Surveying, geotechnical testing and televising were completed and incorporated in the feasibility study. SEH has completed the feasibility study which recommends a full street reconstruction project (attached).

The total estimated project cost is \$2,426,754 with \$595,425 in estimated assessments for street and storm water improvements (26% of the street/storm costs), for City Project No. 2021-09D. A multi-faceted funding package has been prepared in the feasibility report which includes the pavement management fund, franchise fee fund, sewer and water funds, and special assessments.

A preliminary assessment roll has been prepared per City policy. The per-policy assessment amount for a single-family parcel is \$9,491 for street and storm water facility improvements. The independent appraiser's special benefit analysis recommended an assessment cap of \$14,000 per single-family parcel for street and storm water improvements. The proposed assessment of \$9,491 is the lower amount between the per policy and assessment cap.

Staff has been in contact with Xcel representatives to review the age of the streetlights, maintenance, and existing agreements. Replacement of the lighting system would typically be 100% assessable back to the affected parcels.

Resident input was initially gathered using a mailed questionnaire and that input was included in the feasibility report. Staff also held a virtual open house meeting on Microsoft Teams, with 10 affected property owners and presented preliminary feasibility findings and the proposed assessments. One resident called in ahead of the meeting due to a conflict. There was a technical difficulty for the virtual open house and an email was sent to those registered with a link to the Bryant Lane Area Improvements webpage at www.ighmn.gov/bryantlane. The recorded presentation and a copy of the power point was made available on the webpage. The feedback from the informational meeting was also incorporated into the feasibility report. Based on the feedback, Blackberry Trail improvements were removed from the assessment evaluations and will be paid for by the pavement management fund. This significantly reduced the \$12,146 assessment that was presented at the virtual open house meeting and the draft feasibility report.

I recommend passage of the resolution receiving the feasibility report and scheduling a public hearing on February 22, 2021 for City Project No. 2021-09D Bryant Lane Area Improvements.

SWD/kf

Attachments: Resolution

Project Area Map

Feasibility Report

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

**CONSIDER RESOLUTION RECEIVING FEASIBILITY REPORT AND SCHEDULING A PUBLIC
HEARING FOR CITY PROJECT NO. 2021-09D BRYANT LANE AREA IMPROVEMENTS**

RESOLUTION NO. 2021-20

WHEREAS, On September 14, 2020 Council ordered a feasibility study and accepted the professional services proposal from Short Elliot and Hendrickson, Inc. (SEH) for City Project No. 2021-09D Bryant Lane Area Improvements; and

WHEREAS, a feasibility report has been prepared by SEH for the Public Works Director with reference to City Project No. 2021-09D Bryant Lane Area Improvements.

<u>Project No.</u>	<u>Improvements</u>
---------------------------	----------------------------

2021-09D	Roadway improvements (bituminous removal, subgrade excavation/correction, grading, granular subgrade, geotextile fabric, drain tile, aggregate base, bituminous pavement), milling, concrete curb and gutter removal and replacement, lateral storm sewer, drainage improvements, water quality improvements, sanitary sewer system repairs and adjustments, water main system repairs and adjustments, appurtenances and restoration on the following streets: Blackberry Trail East from Upper 55 th Street to Bryant Lane, Bryant Lane from Blackberry Trail East to Brent Avenue, Burke Trail from Bradbury Court to Brent Avenue, Bradbury Court from Burke Trail to its terminus (cul-de-sac), Brent Avenue from Bryant Lane to 110 feet South.
----------	--

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

THAT: Said report is hereby received by the City Council of the City of Inver Grove Heights on January 25, 2021.

1. The City Council will consider the above-mentioned improvements in accordance with the report and assess, or tax, the abutting properties for all or a portion of the cost of the improvements, pursuant to Chapter 429 of the Minnesota Statutes at an estimated cost of \$2,426,754.
2. A public hearing will be held on such improvements at 7:00 p.m. on Monday, February 22, 2021 in the City Council Chambers at 8150 Barbara Avenue and the City Clerk shall give mailed and published notice of such hearing and improvements as required by law.
3. The City Engineer and City Attorney are authorized to begin preparation of necessary easement acquisitions.

Adopted by the City Council of Inver Grove Heights this 25th day of January 2021.

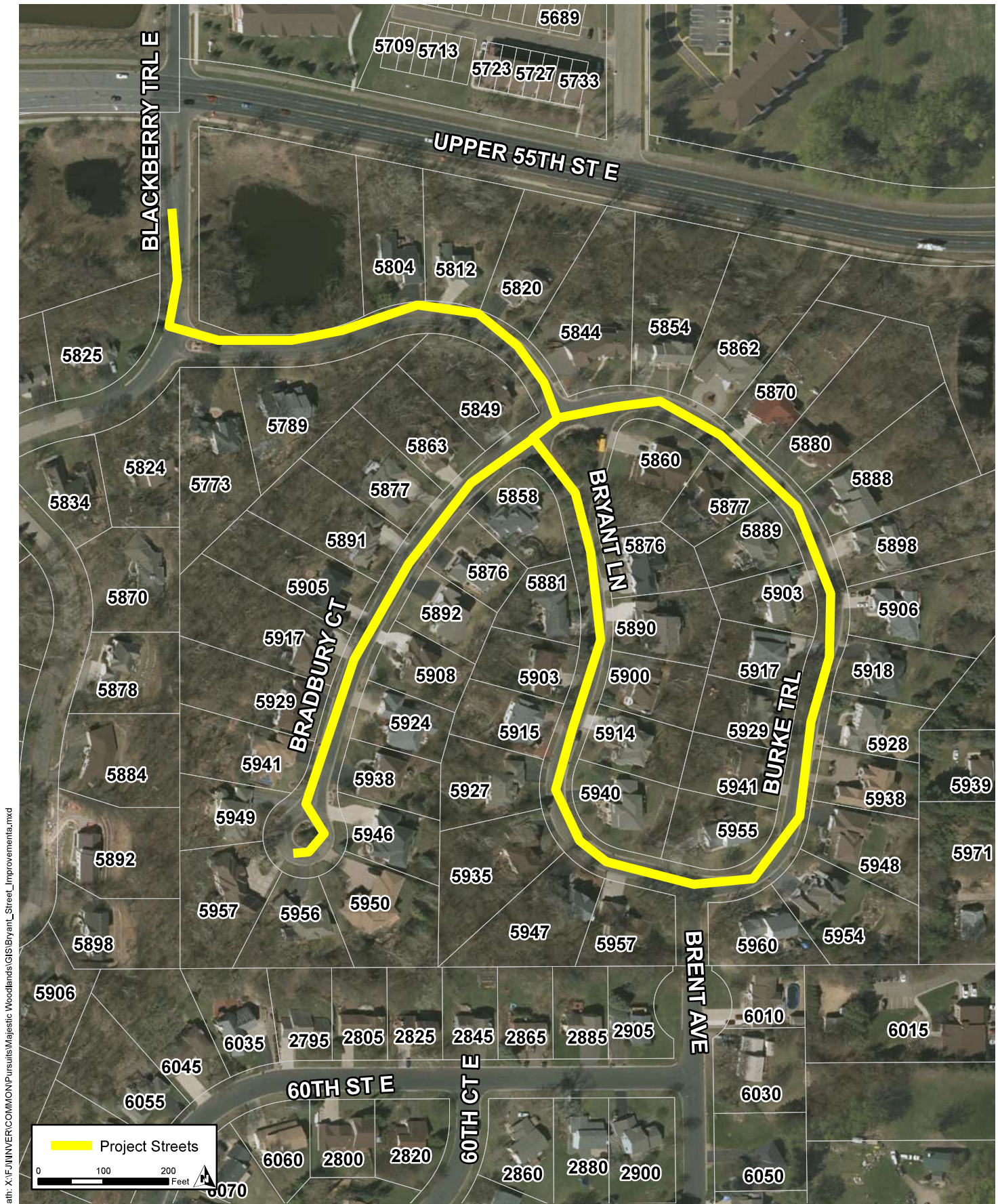
AYES:

NAYS:

ATTEST:

Thomas Bartholomew, Mayor

Rebecca Kiernan, City Clerk



Print Date: 9/8/2020

Bryant Lane Area Improvements

Inver Grove Heights, Minnesota

City Project Number: 2021-09D

FIGURE 1

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.

Feasibility Report

Bryant Lane Area Improvements

City of Inver Grove Heights, Minnesota

City Project No. 2021-09D
SEH No. INVER 157340 4.00

January 25, 2021



Building a Better World
for All of Us®

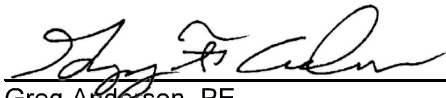
Engineers | Architects | Planners | Scientists

Bryant Lane Area Improvements
Feasibility Report
City of Inver Grove Heights, Minnesota

City Project No. 2021-09D
SEH No. INVER 157340

January 25, 2021

I hereby certify that this report was prepared by me or under my direct supervision,
and that I am a duly Licensed Professional Engineer under the laws of the State of
Minnesota.



Greg Anderson, PE
Project Manager

Date: January 25, 2021

Lic. No.: 26859

Reviewed By: Dustin Cesafsky

Date: January 25, 2021

Short Elliott Hendrickson Inc.
3535 Vadnais Center Drive
St. Paul, MN 55110-5196
651.490.2000



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Certification Page
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- Exhibit 1 – Area Map
- Exhibit 2 – Project Streets - Existing Conditions
- Exhibit 3 – Typical Sections
- Exhibit 4 – Utility Improvements
- Exhibit 5 – Drainage Areas

List of Appendices

- Cost Estimate
- Draft Preliminary Assessment Map and Roll
- Neighborhood Completed Questionnaire Results
- Virtual Open House #1 Q&A

Feasibility Report

Bryant Lane Area Improvements

Prepared for Inver Grove Heights, Minnesota

1.0 Introduction

At their September 14, 2020 regular meeting the Inver Grove Heights City Council adopted Resolution No. 2020-181 authorizing the preparation of a feasibility report for City Project No. 2021-09D: Bryant Lane Area Improvements.

This project will provide residential street and drainage improvements in the Bryant Lane neighborhood. The proposed reconstruction project will include improvements to the streets, storm sewer, and overall stormwater management in the project areas. The streets included in this report are listed below:

- Blackberry Trail E from Upper 55th St E to Bryant Lane
- Bryant Lane from Blackberry Trail E to Brent Avenue
- Burke Trail from Bradbury Court to Brent Avenue
- Bradbury Court from cul-de-sac to Burke Trail
- Brent Avenue from Bryant Lane to 110' south

The project area is shown on Exhibit 1, found in at the end of this report.

2.0 Existing Conditions

2.1 Streets

The streets in the Bryant Lane Project Area were constructed in 1997. The existing streets are bituminous surfaced with concrete curb & gutter. The street widths in the Bryant Lane Project Area on average are 27-foot face of curb to face of curb. These streets serve as local streets with relatively low traffic volumes. The existing pavement is showing significant signs of distress due to age, poor subgrade soils, excessive cracking, potholes and traffic. There are no existing sidewalks or trails along these streets.

Braun Intertec performed a series of 5 soil borings in the spring of 2018 in the Bryant Lane Project Area. The existing pavement and class 5 gravel thicknesses were noted as part of the soil boring process. The existing pavement thickness was found to range from 3-inches to 4.5-inches with most borings showing generally around 4-inches of bituminous pavement. The existing aggregate base thickness was found to be variable with most borings showing 6" of aggregate base layer. In general, the underlying soils beneath the streets were found to consist primarily of silty sands.

Due to staff concern as recent projects have shown inconsistencies with boring data, Braun Intertec performed 8 test pit potholes throughout the project area on November of 2020. The

bituminous section ranged from 4" to 4.75" and the class 5 gravel section ranged from 4" to 7" which was consistent with the boring results from 2018. In addition to the section verification, Braun also completed a sieve analysis on the class 5 gravel which discovered the existing aggregate does not conform to class 5 gravel specifications with high fines in the mixture. A sieve/hydrometer analysis was also completed on the subgrade material which consisted of clayey and silty sand, both results indicated the fines were significantly above average. The high fine content in the class 5 gravel and subgrade material is frost susceptible and will not provide the subgrade stability necessary for a bituminous roadway. Currently parking is allowed on both sides of the street and in cul-de-sacs.

2.1.1 Sanitary Sewer

The existing sanitary sewer mains run down the center of most of the Bryant Lane Project Area and consist of poly vinyl chloride (PVC) pipe. Exhibit 3 shows the existing sanitary sewer system in the project area.

Discussions with the Public Works Department and televising completed in November of 2020 indicated there are no known issues with the mains in this area. Based on the age and pipe material, as well as input from Public Works, the existing mains will remain in-place. The sanitary manholes in the Bryant Lane Project Area are in good condition but the deteriorating adjustment rings will need replacement.

2.1.2 Water Main

The existing water main in the project area is 8-inches in diameter and ductile iron pipe (DIP) material. Exhibit 4 shows the existing water main system in the project area. Discussions with the Public Works Department indicated there are no known issues with the mains in this area. Based on the age and pipe material, as well as input from Public Works, the existing mains will remain in-place. Fire hydrants and their operating valves of this era are typically replaced along with mainline valve bolts during street improvement projects to meet city standards.

During the video inspection of the sewer mains this fall in preparation of this report, a hydrant failed and will need to be replaced during this project, further evidence that water main hydrants of the era of this development should be considered for replacement during street improvement projects.

2.1.3 Storm Sewer and Drainage System

The Bryant Street reconstruction site consists of four main drainage areas and each drainage area has its own separate storm sewer system. Drainage area 2 discharges to a pond northeast of the project site that is adjacent to the west side of the Edward Jones parking lot. Drainage areas 1, 3, and 4 discharge to the pond immediately southeast of the Upper 55th Street and Blackberry Trail E. Exhibit 5 shows the storm sewer systems and drainage areas described in the following sections. The existing storm sewer systems in the project area were analyzed to determine if they have adequate capacity for a 10-yr storm event per the City of Inver Grove Heights design standards.

Drainage area 1 consists of about 2.1 acres of residential development and the storm sewer system captures runoff beginning at the intersection of Bryant Lane, Bradbury Court, and Burke Trail that flows northwest along Bryant Lane and discharges to the pond on the north side of Bryant Lane. The low point in this drainage area is just east of 5789 Bryant Lane and runoff is captured by a catch basin there. Using the rational method, the trunk line capacity was analyzed for this drainage area. All pipes in this area had adequate capacity to pass a 10-yr storm event. The neighborhood survey did not report any street flooding or surcharge issues in this area.

The storm sewer system serving drainage area 2 captures runoff from about 10.7 acres of residential area. The runoff in this drainage area begins at a high point at the south end of Bradbury Court and flows north and east towards the discharge point between 5898 and 5906 Burke Trail. This storm sewer discharges through a 27" pipe into a pond to the northeast directly adjacent to the Edward Jones parking lot. Based on the capacity analysis of this storm sewer system, all pipes in this drainage area have adequate capacity for a 10-yr storm event. The only complaint from the neighborhood survey in this drainage area claimed there was washout during large storm events in the yard just south of 5860 Bryant Lane.

The storm sewer system collecting runoff from drainage area 3 is a small section along Blackberry Trail and Bryant Lane of about 0.4 acres. The system captures runoff from the Blackberry Trail and Bryant Lane intersection and the area just north and discharges it through a 12" pipe into the pond just northeast of Blackberry Trail/Bryant Lane intersection. There were no complaints of street flooding in this area from the neighborhood survey.

The storm sewer system in drainage area 4 collects about 0.2 acres of roadway on Blackberry Trail. Again, there were no street flooding issues reported in this area from the neighborhood survey.

2.1.4 Street Lighting

The project has an independent street lighting system through Xcel Energy with the costs being a neighborhood responsibility through its agreement with Xcel. Staff is in contact with Xcel representatives and will work with them to present additional information to the residents. The existing street lighting system is believed to be the original system to the development and any improvements will be 100% assessed back to the neighborhood per the agreement.

3.0 Proposed Improvements

The proposed improvements are based on the results of the storm sewer televising reports, the geotechnical investigation & recommendations, a review of the as-built drawings for the project streets, input from City Staff and feedback received from residents on the resident questionnaire. During the final design phase and plan preparation, we will continue to work with City Staff on specific issues.

3.1 Streets

The original construction consisted of 4-inch bituminous on 6-inches Aggregate base on underlying soils. The improvements proposed for the project streets include a full pavement reconstruction. The method of improvement for a given block or section of street was determined based on the geotechnical recommendation, the existing pavement condition, existing curb type and amount of utility replacement needed. The recommendation for a full project reconstruction was recommended by Braun Intertec in their December 2020 Geotechnical Report due to poor subgrade soils, and we concur.

The full reconstruction method will consist of a complete removal of the existing pavement and curb & gutter and replacement with a new street section. Based on the geotechnical report recommendations and Inver Grove Heights standards for local streets, the proposed pavement section will consist of 4 inches of bituminous pavement (placed in two 2-inch lifts) over an 6-inch layer of aggregate base, on a 24-inch layer of select granular borrow. Roadway geotechnical fabric will be placed below the sand base and subsurface drain tile will be installed at the bottom of the street section behind the curb per City standards. The new concrete curb and gutter is recommended to be B618 in design. The local streets are

proposed to be built to a 28-foot width from face-of-curb to face-of-curb. The proposed typical street sections are shown on Exhibit 4. Table 1 summarizes the existing street widths, curb types and proposed improvement method.

B618 concrete curb & gutter is recommended as the new curb in the project area. B618 curb has a 6-inch high curb back that aids in controlling drainage in the street as well as helping the snow plow driver "find" the curb as the street is plowed during the winter. The current surmountable curb has a more gradual back that isn't as detectable to the snow plow which allows the plow to sometimes drift past the curb and damage the yards. With the neighborhood being fully developed and all driveways in-place, the B618 curb can be installed and the driveway connections made. The existing surmountable curb is typically installed on new developments to allow flexibility in placing the new houses on the lots and locating the garage/driveway. The existing surmountable curb has a noticeable bump (typically 3 – 4.5 inches) when cars enter the driveway from the street. This bump is noticeable enough that cars need to slow to a near stop to enter the driveway. The proposed B618 curb has a much more gradual 1-1/4 inch rise at the driveway opening, creating a more gentle driveway transition from the street. Parking will remain the same and is allowed on both sides of the street and in cul-de-sacs.

Table 1
Approximate Street Widths

Street Name	Existing Width (F-F)	Proposed Width (F-F)	Existing Curb & Gutter Type	Proposed Curb Type
Blackberry Trail*	31'	31'	B618	B618
Bryant Lane	27'	28'	Surmountable	B618
Burke Trail	27'	28'	Surmountable	B618
Bradbury Court	27'	28'	Surmountable	B618
Brent Avenue	27'	28'	Surmountable	B618

3.2 Sanitary Sewer

The Bryant Lane Project Area existing PVC sanitary main installed in 1997 is in good condition. The sanitary will remain in place, as well as the service lines.

The existing sanitary sewer manhole castings will be replaced as part of the improvements and adjusted to the new street elevations. Manholes with a significant number of rings or structures that have no room for two rings under the new casting will be reconstructed by adding or removing a precast upper barrel section. Infiltration/inflow (I/I) barriers will be installed on all manholes as well.

3.3 Water Main

The Bryant Lane Project Area existing ductile iron pipe (DIP) water main was installed in 1997. The main line pipe is anticipated to remain in place, as well as the service lines. Per conversation with the city the bolts on the water main valves will be replaced per city standard. Hydrants and their gate valves will also be replaced per city standard.

3.4 Storm Sewer and Drainage

The following recommendations to the storm sewer system in the project area are proposed to meet the City of Inver Grove Heights stormwater ordinance standards. The issues to resolve include inadequate pipe capacity and energy dissipation at stormwater outfalls.

No changes to the trunk line are recommended throughout the project area. Inver Grove Heights design standards state stormwater lead pipes should be a minimum diameter of 15", so undersized leads should be replaced with 15" pipes.

In drainage area 3, the 12" discharge pipe is sized adequately for the area it serves. Following city standards, undersized lead pipes should be sized to 15" pipes. This study did not include pond analysis to determine the appropriate minimum size for the overflow pipe.

In drainage area 4, it is recommended that the catch basins that are offset just outside of the curb on Blackberry Trail be moved back in line with the curb and gutter. This makes snow removal for plows easier and can reduce pooling or standing water near the inlets. Following city standards, undersized lead pipes should be sized to 15" pipes.

3.4.1 Water Quality Treatment

The City of Inver Grove Heights aims to improve water quantity during the street reconstruction process. This project is in a moderate area for Drinking Water Supply Management which means infiltration practices are restricted.

This project will require an NPDES Construction Stormwater Permit as well but does not need to meet permanent stormwater controls because there is not a net increase of one acre of impervious area.

Due to the existing development and lack of space for water quality treatment above ground, treatment structures are recommended to be installed on the downstream ends of storm sewer trunk lines to capture TSS and TP before they leave the site or are discharged into water bodies.

The proposed treatment structure in drainage area 1 will remove between 70-80% of the TSS and 35-40% of the TP from the runoff. The treatment structure for drainage area 2 will remove between 30-45% of TSS and 15-23% of TP from runoff in this portion of the project. In drainage areas 3 and 4, treatment structures are not recommended due to the lack of undeveloped area onsite.

3.4.2 Wetland Review

The project area was reviewed to verify wetland status in the Nation Wetland inventory database. The areas east and west of Blackberry trail contain freshwater ponds. Both ponds are in the Lower Mississippi River WMO and the Dakota County SWCD. The wetland on the east is a shallow open water community which means it has a water level of less than 6.6 ft, has submergent and floating vegetation and will seldomly draw down. The wetland on the west is a non-vegetated aquatic community meaning the water level is less than 6.6 ft deep and does not have emergent vegetation. The proposed improvement will reduce the amount of TSS (total suspended solids) introduced to the wetlands using sump structures that catch the water draining down upper 55th Street E to Blackberry Trail.

3.5 Street Lighting

Improvements to the existing street lighting system will be led by Xcel Energy outside of the Bryant Lane Area street project. Staff is working with Xcel to verify what the proposed improvements would be and their costs back to the residents based on the in place lighting agreement between Xcel and the neighborhood.

4.0 Other Utilities

The proposed improvements will be coordinated with the private utility companies per the City's utility coordination plan. The intent would be to coordinate any private utility improvements during the project so that future disruptions of the newly constructed streets could be avoided.

Private obstructions in ROW, such as fences, landscaping, irrigation and invisible fence will be the responsibility of the owner to remove and replace at no cost to the City.

5.0 Right-of-Way

The construction limits of this project are anticipated to fall within the existing street ROW and no new easements or ROW are anticipated. Temporary construction easements may be needed to address the off-street drainage improvements.

6.0 Neighborhood Meetings

The Engineering Division will schedule a neighborhood information meeting prior to the City Council receiving the Feasibility Report. Feedback from neighborhood informational meeting will be incorporated into the report prior to the City Council receiving the report. Prior to the Improvement Hearing another neighborhood meeting will be held at which we will review the street condition analysis, the recommended improvement, the estimated costs and proposed preliminary assessments for the benefitting properties. Representatives from SEH will also attend the meeting to assist City Staff in answering questions, record resident comments and provide information from the report.

Consistent with current social distancing guidelines, the neighborhood informational meetings will be held virtually with a live presentation and question & answer session. Additionally, the informational meeting material will be available on-line to residents to provide access to residents that cannot attend the live session.

7.0 Permits and Approvals

The proposed improvements will require securing the following permits:

- MPCA – General Stormwater Permit for Construction Activities under the National Pollutant Discharge Elimination System (NPDES) program will be required by the contractor during construction activities.
- Dakota County work in ROW permit.

8.0 Estimated Costs

The total estimated cost for the project outlined in this report is **\$2,426,754**. The costs for the project are broken out into the components and summarized in the table below:

Table 2
Bryant Lane Area Improvements (2021-09D)

Improvements	Local Street (Reconstruction)
Assessable Street Improvements**	\$1,452,195
BlackBerry Trail Street Improvements*	\$552,355
Majestic Woodlands Storm Sewer Improvements**	\$249,018
Blackberry Trail Storm Improvements*	\$50,969
Utility Improvements	\$122,214
Total	\$2,426,754

* 100% City funded

** Street and storm costs for Majestic Woodland area are combined for assessments

A detailed cost estimate has been prepared for the proposed improvements and is included in Appendix A of this report. These costs include the engineer's opinion of probable construction costs along with 10 percent for contingencies and 28 percent for indirect project costs including administrative, legal, fiscal, engineering, and capitalized interest.

9.0 Financing

The City intends to fund the proposed improvements through various methods including the City's Pavement Management Program (PMP) Fund, special assessments and the City Utility funds.

Street and storm sewer costs will be funded by special assessments and the PMP Fund.

Table 3
Bryant Lane Improvements (2021-09D)

	Proposed Assessments	*Pavement Management Funds	Utility Funds	Total
Total	\$595,425	\$1,709,115	\$122,214	\$2,426,754

* Final City portion funds may include a combination of PMP and bonding.

10.0 Implementation

10.1 Assessments

The proposed street and drainage improvements are eligible for assessments according to the City's PMP Funding Policy. The policy includes obtaining a special benefit analysis conducted by an independent appraisal firm which takes into consideration the type and class of property.

A preliminary assessment roll has been prepared and is attached. The roll will be made available at an informational meeting prior to the improvement hearing (see Appendix B for the preliminary assessment roll). The project area includes single-family lots and City-owned parcels.

10.1.1 Combined Street and Storm Assessments

The parcel classification is single-family and non-single-family parcels for determining assessments. Single-family parcels are included in the street assessment if their main driveway accesses a street being improved.

A special benefit analysis has been completed by an independent appraiser, Metzen Appraisals. The final report will be available for public viewing at the Engineering Division at City Hall prior to the public hearing and at the neighborhood meeting. The independent appraiser has reviewed the project and affected parcels to determine the following benefits to each parcel type because of the proposed improvements which was determined to be \$14,000.

The City of Inver Grove heights also has an assessment policy that is calculated based on Street and pertinent Storm Sewer improvements. City Council selects the lower of the two values. The final assessments will be based off the construction bids.

10.1.2 Resident Questionnaire Feedback

A questionnaire was sent to residents to gather feedback on important items to incorporate into the Feasibility Report and the responses are tabulated in Appendix C. We received nineteen (19) responses that identified the following items:

- Four properties with sump pumps, one runs after a rainfall, the rest were unsure, one property is interested in a sump basket dependent on costs
- One property has an erosion issue after a hard rain
- Eighteen properties have irrigation systems.
- One property has an invisible fence
- Seven properties identified interest in the roadside rain garden program.
- No properties identified water or sewer service problems.

10.2 Project Schedule

The following schedule is proposed for the project:

- Virtual Neighborhood Informational Meeting January 18, 2021
- City Council Receives Feasibility Report/Schedules Improvement Hearing/
Authorize Preliminary Design..... January 25, 2021
- Virtual Information Meeting February 11, 2021
- Public Improvement Hearing/Order Improvement /
Authorize Plans & Specs February 22, 2021
- Receive Plans & Specs/Authorize Ad for Bid March 8, 2021
- City Council Receives Bids/Schedules Assessment Hearing.....April 12, 2021
- Virtual Neighborhood Informational Meeting early April 2021
- Assessment Hearing May 10, 2021
- Award Project..... June 14, 2021

- Begin Construction May/June 2021
- Substantial Completion August/September 2021
- Final Completion September/October 2021

11.0 Conclusion and Recommendations

This report outlines the recommended improvements for the proposed City Project No. 2021-09D, the Bryant Lane Area Project. This report also identifies the estimated cost for the recommended improvements as well as the approvals and permits necessary to proceed with the construction of the improvements.

11.1 Conclusions

As a result of this study, we conclude that:

- The proposed improvements are necessary to maintain the City's infrastructure based on the condition of the existing streets and infrastructure in the project area.
- The project is feasible from an engineering standpoint and cost effective, as portions of the existing infrastructure that are in good condition (PVC sanitary sewers and DIP water mains, storm sewer mains, etc.) and will be preserved where possible.

11.2 Recommendations

Based on the above conclusions, we recommend that:

- This report be reviewed by the City Council, City Staff and the consulting appraiser.
- The City Council accepts this report and schedule the Improvement Hearing to receive public comment and consider ordering the project.
- The project be completed under one contract in order to complete the work in an orderly and cost-effective manner.
- The improvements proceed as outlined in this report.

List of Exhibits

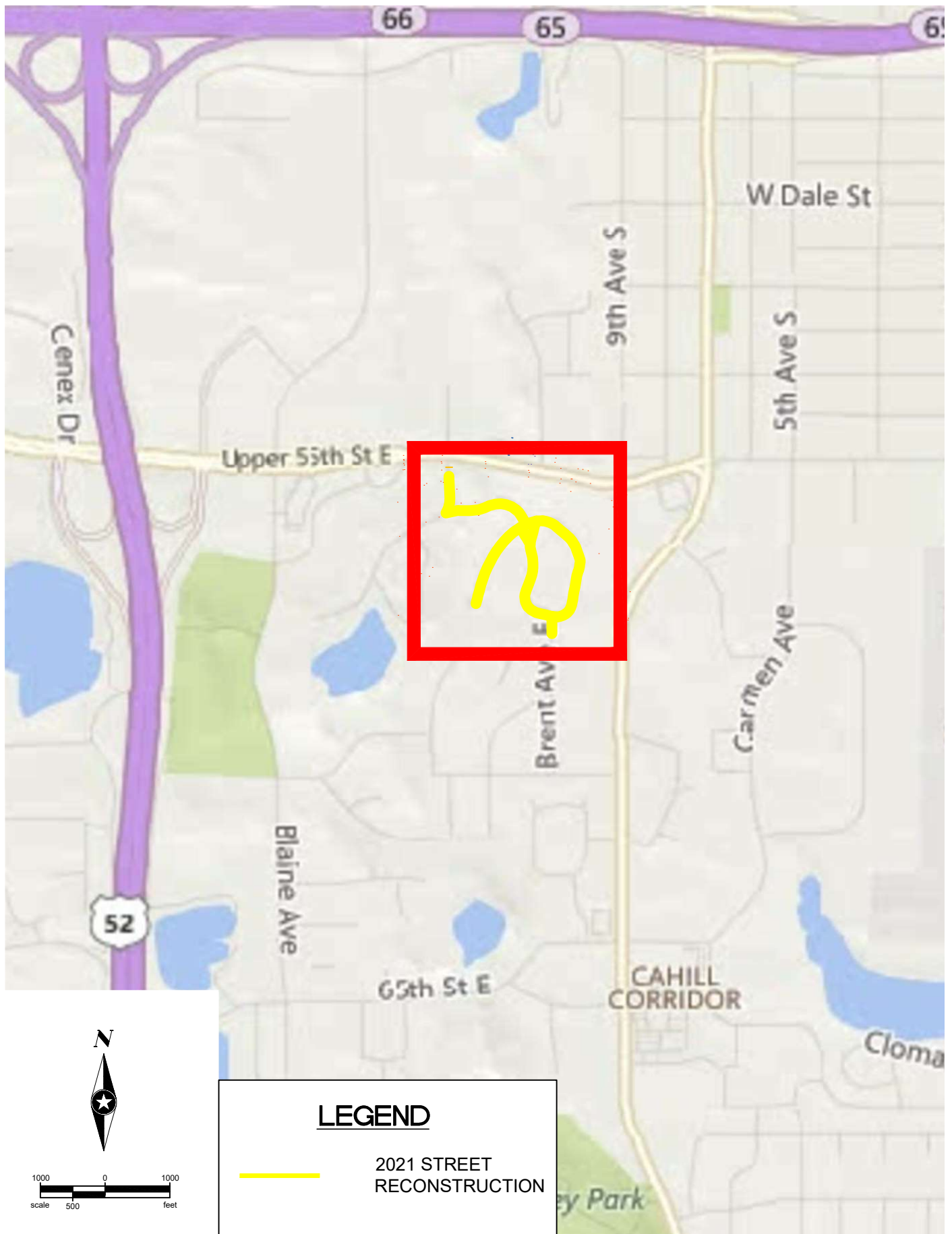
Exhibit 1 – Area Map

Exhibit 2 – Project Streets - Existing Conditions

Exhibit 3 – Typical Sections

Exhibit 4 – Drainage Area

Exhibit 5 – Utility Improvements



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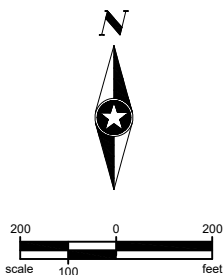
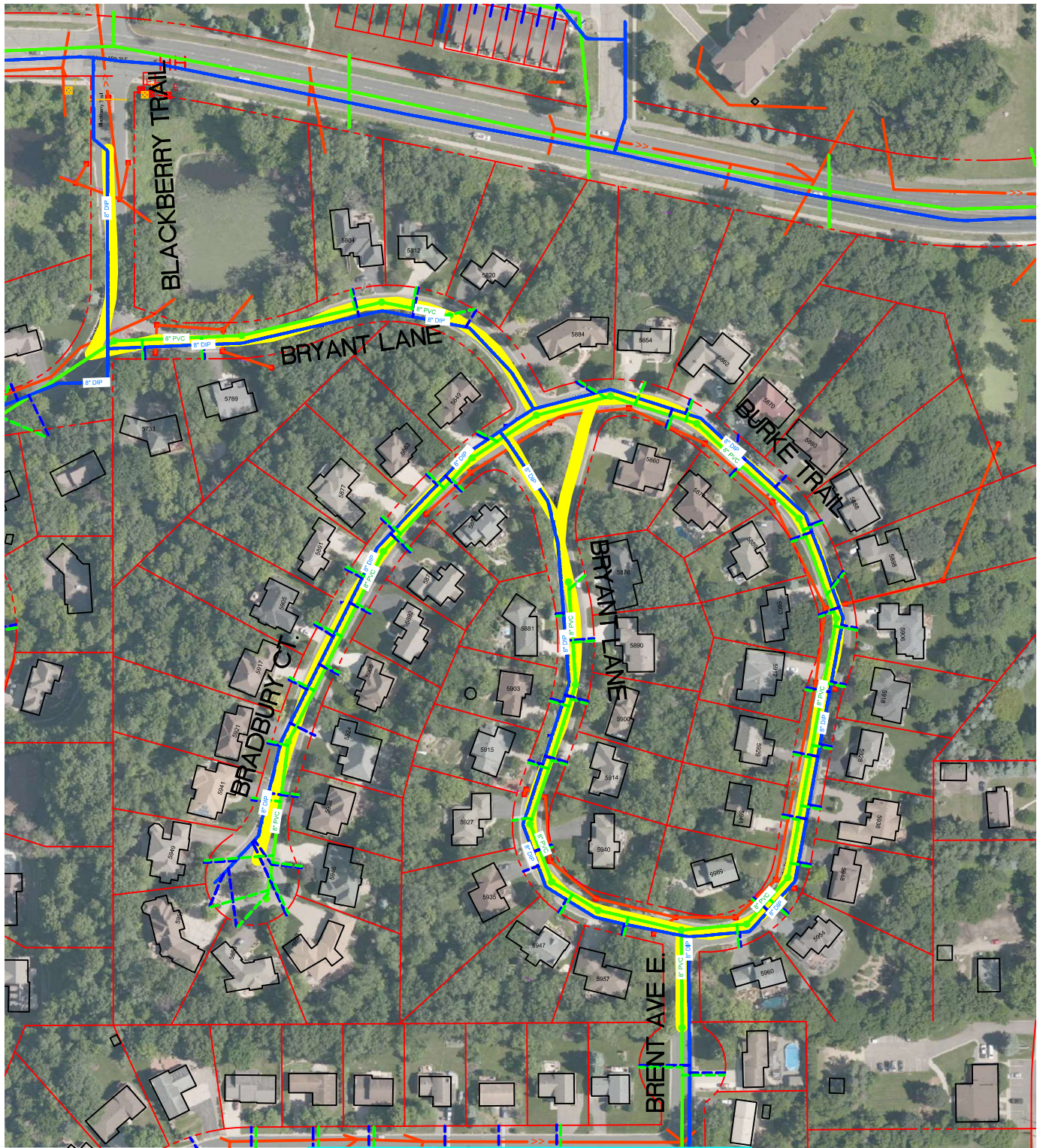
PHONE: 651.490.2000
3535 VADNAIS CENTER DR.
ST. PAUL, MN 55110-5196
www.sehinc.com

FILE NO.
157340

DATE:
12/08/2020

PROJECT LOCATION
BRYANT LANE AREA IMPROVEMENTS
INVER GROVE HEIGHTS, MINNESOTA

EXHIBIT
NO. 1



LEGEND

- 2021 STREET RECONSTRUCTION
- SANITARY SEWER
- STORM SEWER
- WATER LINE

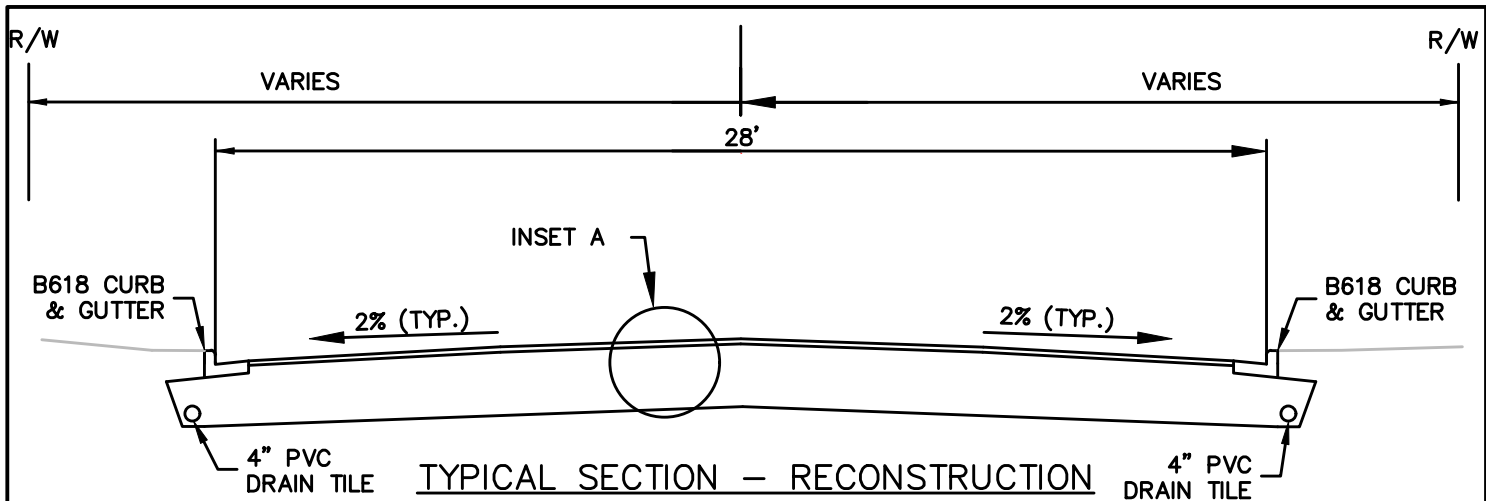


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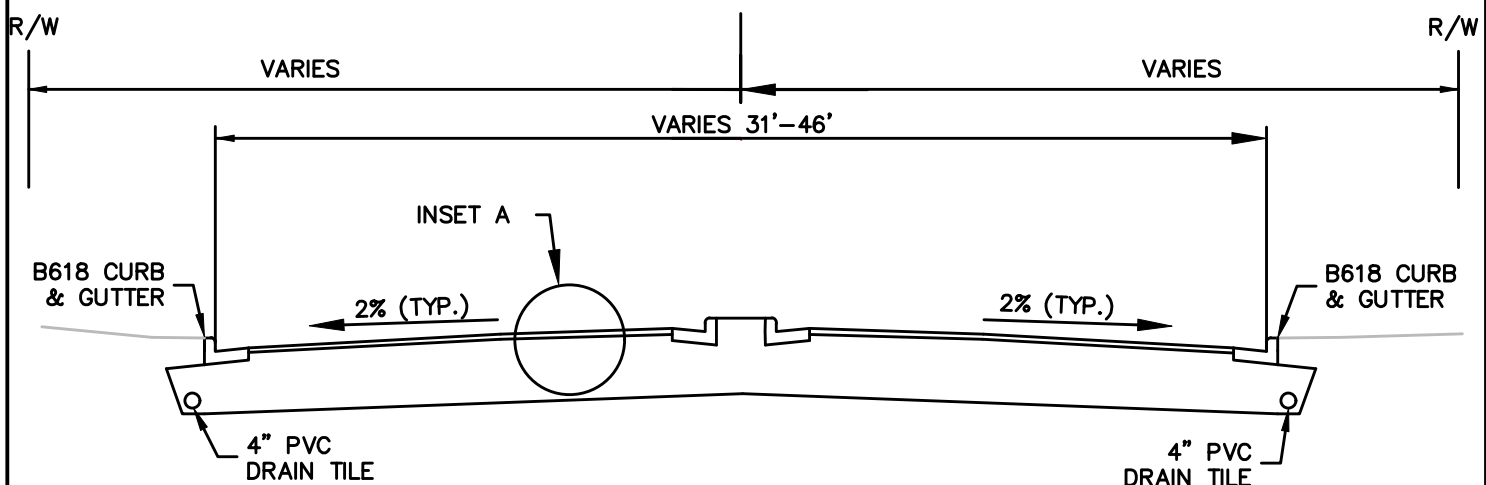
FILE NO.
157340
DATE:
12/08/20

PROJECT STREETS-EX. UTILITIES
BRYANT LANE AREA IMPROVEMENTS
INVER GROVE HEIGHTS, MINNESOTA

EXHIBIT
NO. 2

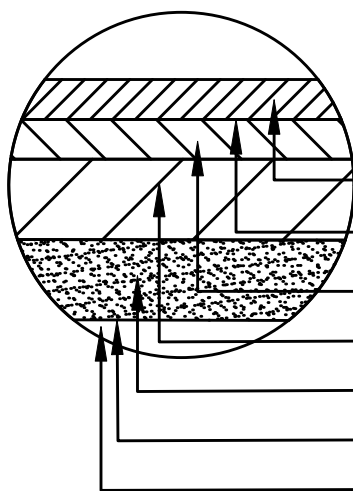


BRYANT LANE
BURKE TRAIL
BRENT AVE
BRADBURY CT.



TYPICAL SECTION – RECONSTRUCTION

BLACKBERRY TRAIL



- 2" PLANT MIXED BITUMINOUS WEARING COURSE SPEC. 2360 (SPWEA330C)
- TACK COAT (MNDOT SPEC. 2357)
- 2" PLANT MIXED BITUMINOUS NON-WEARING COURSE SPEC. 2360 (SPNWB330C)
- 6" CLASS 5 AGGREGATE BASE
- 24" SELECT GRANULAR BORROW
- GEOTEXTILE FABRIC TYPE V, WOVEN
- 6" SUBGRADE PREPARATION

INSET A



PHONE: 651.490.2000
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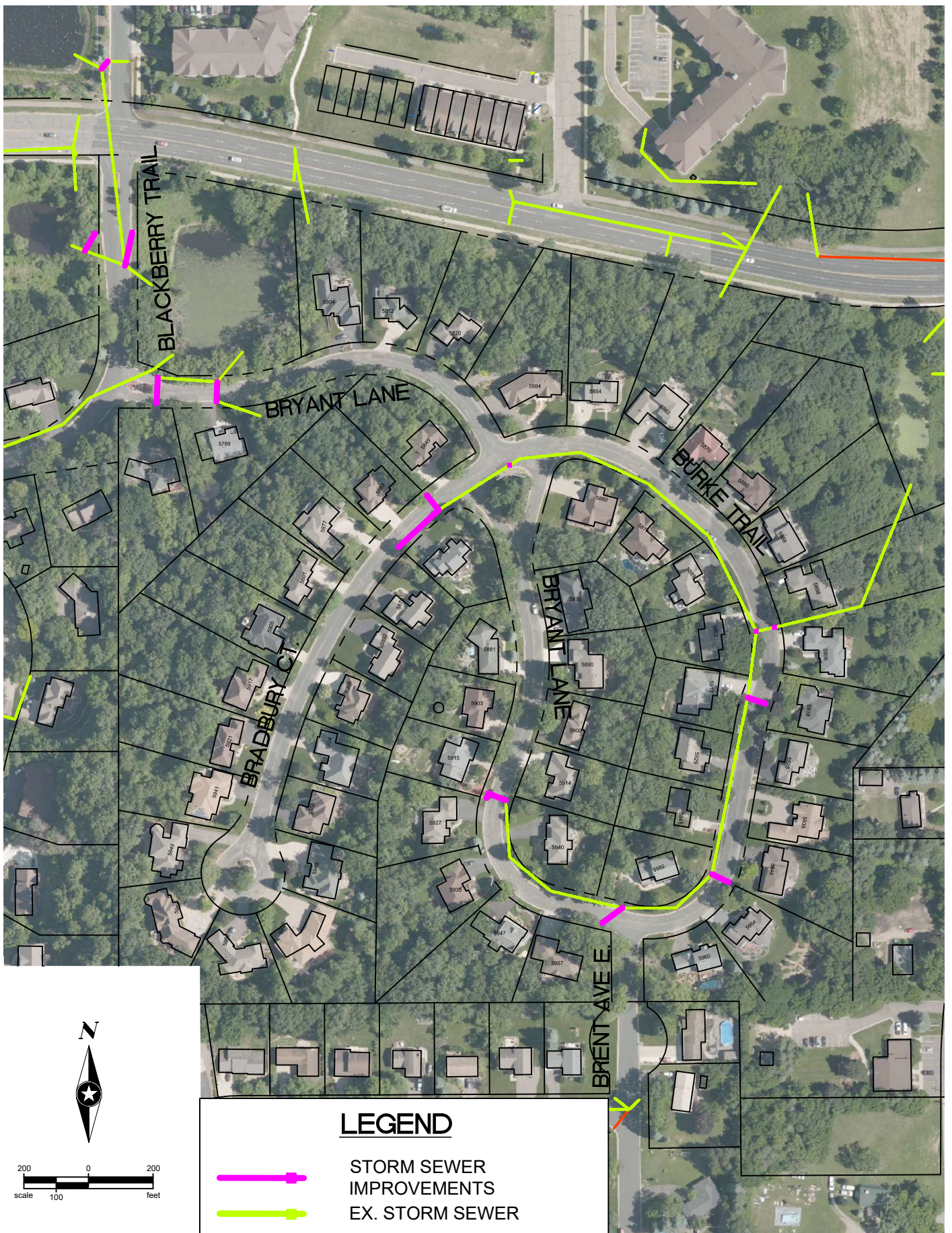
FILE NO.
157340

DATE:
12/08/20

TYPICAL SECTION
BRYANT LANE AREA IMPROVEMENTS
INVER GROVE HEIGHTS, MINNESOTA

EXHIBIT
NO. 3

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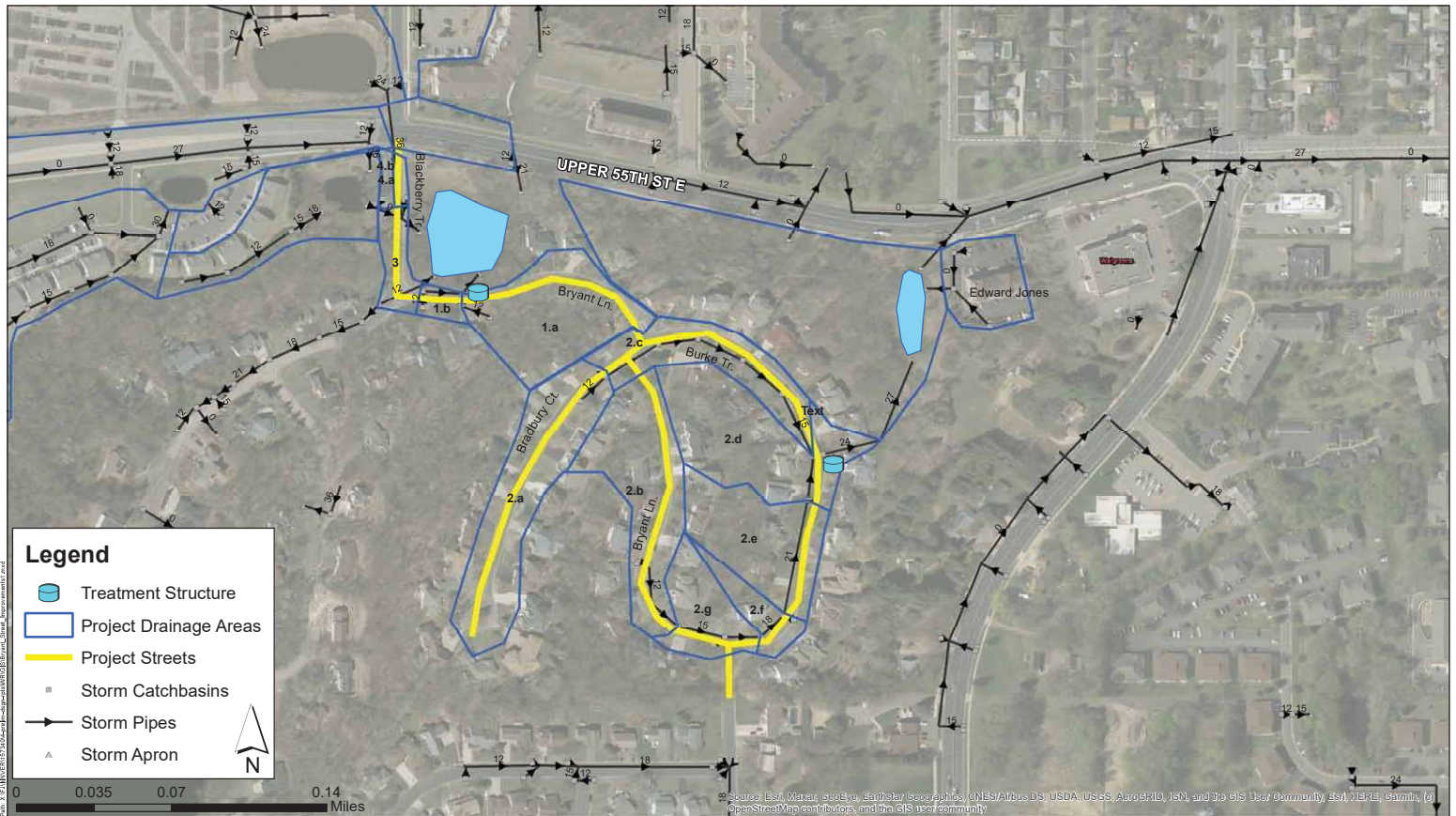
PHONE: 651.490.2000
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ST. PAUL, MN 55110-5196
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FILE NO.
157340

DATE:
1/05/20

UTILITY IMPROVEMENTS
BRYANT LANE AREA IMPROVEMENTS
INVER GROVE HEIGHTS, MINNESOTA

EXHIBIT
NO. 4



Legend

- Treatment Structure
- Project Drainage Areas
- Project Streets
- Storm Catchbasins
- Storm Pipes
- Storm Apron



0 0.035 0.07 0.14
Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



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Toll Free: (800) 325-0055
www.sehinc.com

Project: INVER 157340
Print Date: 1/14/2021

User Name: drossafsky
Projection: MN Dakota Lambert Conformal Con
Source: City of Inver Grove Heights

Drainage Areas Storm Sewer Analysis Inver Grove Heights, MN

EXHIBIT
5

This map is neither a legally recorded plat nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, landing, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's reliance on use of data provided.

Appendix A

Cost Estimate

Bryant Lane Improvements
Inver Grove Heights, MN
January 2021

January 2021						Assessable Streets		Blackberry Trail	
LINE NO.	ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT PRICE	ESTIMATED TOTAL QUANTITY	TOTAL COST	ESTIMATED TOTAL QUANTITY	TOTAL COST	
BID SCHEDULE 1 (STREETS)									
1	2021,501	MOBILIZATION	LS	\$68,000.00	0.73	\$49,640.00	0.27	\$18,360.00	
2	2101,524	CLEARING	TREE	\$350.00	3	\$1,050.00	1	\$350.00	
3	2101,504	GRUBBING	TREE	\$350.00	3	\$1,050.00	1	\$350.00	
4	2104,502	SALVAGE SIGN TYPE C	EA	\$50.00	40	\$2,000.00	10	\$500.00	
5	2104,503	REMOVE CURB AND GUTTER	LF	\$4.00	6480	\$25,920.00	2420	\$9,680.00	
6	2104,504	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	\$6.00	180	\$1,080.00	67	\$402.00	
7	2104,504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SY	\$5.00	1081	\$5,405.00	403	\$2,015.00	
8	2104,603	EDGE MILL BITUMINOUS PAVEMENT	SY	\$5.00	9	\$45.00	26	\$130.00	
9	2105,522	SELECT GRANULAR BORROW (CV)	CY	\$15.00	8705	\$130,575.00	3251	\$48,765.00	
10	2105,541	STABILIZING AGGREGATE	CY	\$40.00	100	\$4,000.00		\$0.00	
11	2105,604	GEOTEXTILE FABRIC, TYPE V	SY	\$2.00	9072	\$18,144.00	3388	\$6,776.00	
12	2106,501	EXCAVATION-COMMON (CV) (P)	CY	\$12.00	9876	\$118,510.00	4013	\$48,158.00	
13	2106,501	EXCAVATION-SUBGRADE (CV) (P)	CY	\$15.00	0	\$0.00	100	\$1,500.00	
14	2111,519	TEST ROLLING	RDST	\$150.00	33	\$4,950.00	12	\$1,800.00	
15	2112,519	SUBGRADE PREPARATION	RDST	\$200.00	33	\$6,600.00	12	\$2,400.00	
16	2123,510	COMMON LABORER	HR	\$90.00	10	\$900.00	3	\$270.00	
17	2123,510	3.0 CU YD FRONT END LOADER	HR	\$180.00	10	\$1,800.00	3	\$540.00	
18	2123,610	3 C.Y. BACKHOE	HR	\$180.00	10	\$1,800.00	3	\$540.00	
19	2123,610	STREET SWEEPER (WITH PICKUP BROOM)	HR	\$150.00	17	\$2,550.00	6	\$900.00	
20	2130,523	WATER	MGAL	\$40.00	17	\$680.00	6	\$240.00	
21	2211,507	AGGREGATE BASE CL V (CV)	CY	\$20.00	2811	\$56,220.00	1050	\$21,000.00	
22	2215,504	FULL DEPTH RECLAMATION	SY	\$2.00	9072	\$18,144.00	3388	\$6,776.00	
23	2331,603	JOINT ADHESIVE (CURB FLAG LINE)	LF	\$4.00	6480	\$25,920.00	2420	\$9,680.00	
24	2357,506	BITUMINOUS MATERIAL FOR TACK COAT	GAL	\$3.00	453	\$1,359.00	169	\$507.00	
25	2360,509	TYPE SP 9.5 WEARING COURSE MIX (3.C)	TON	\$88.00	924	\$81,312.00	345	\$30,360.00	
26	2360,509	TYPE SP 9.5 WEARING COURSE MIX (3.C) (DRIVEWAYS)	TON	\$160.00	183	\$29,280.00	68	\$10,880.00	
27	2360,509	TYPE SP 12.5 NON WEAR COURSE MIX (3.C)	TON	\$84.00	1232	\$103,488.00	460	\$38,640.00	
28	2501,602	EXCAV. SPECIAL (POTHOLE EXISTING UTILITY)	EACH	\$600.00	8	\$4,800.00	2	\$1,200.00	
29	2502,541	4" PERF HDPE PIPE DRAIN WITH CIRCULAR KNIT FILTER SOCK	LF	\$6.00	6480	\$38,880.00	2420	\$14,520.00	
30	2506,618	F&I MANHOLE BAFFLE	SF	\$350.00	16	\$5,600.00		\$0.00	
31	2531,503	CONCRETE CURB AND GUTTER (B618)	LF	\$20.00	6480	\$129,600.00	2420	\$48,400.00	
32	2531,504	6" CONCRETE DRIVEWAY PAVEMENT	SY	\$90.00	180	\$16,200.00	67	\$6,030.00	
33	2540,601	IRRIGATION ALLOWANCE	LS	\$10,000.00	0.73	\$7,300.00	0.27	\$2,700.00	
34	2540,601	LANDSCAPE ALLOWANCE	LS	\$7,500.00	0.73	\$5,475.00	0.27	\$2,025.00	
35	2540,602	MAIL BOX SUPPORT	EA	\$200.00	5	\$1,000.00	2	\$400.00	
36	2563,601	TRAFFIC CONTROL	LS	\$10,000.00	1	\$7,300.00	0.27	\$2,700.00	
37	2564,518	SIGN PANELS TYPE C	SF	\$80.00	48	\$3,840.00	12	\$960.00	
38	2573,502	STORM DRAIN INLET PROTECTION (WIMCO)	EA	\$200.00	28	\$5,600.00		\$0.00	
39	2573,503	SEDIMENT CONTROL LOG TYPE STRAW	LF	\$5.00	100	\$500.00		\$0.00	
40	2573,535	STABILIZED CONSTRUCTION ENTRANCE	LS	\$2,000.00	1	\$1,460.00	0.27	\$540.00	
41	2573,601	EROSION CONTROL SUPERVISOR	LS	\$7,500.00	1	\$5,475.00	0.27	\$2,025.00	
42	2573,601	STORMWATER MANAGEMENT ALLOWANCE	LS	\$10,000.00	1	\$7,300.00	0.27	\$2,700.00	
43	2574,507	BOULEVARD TOPSOIL BORROW (CV)	CY	\$30.00	930	\$27,895.00	672	\$20,165.00	
44	2575,501	SEEDING (MIX 25-151)	SY	\$4.00	10801	\$43,204.00	4033	\$16,132.00	
45	2574,507	FLEX TERRA HYDROMULCH (HYDRAULIC SOIL STAB, TYPE SPECIAL)	LB	\$3.00	5579	\$16,737.00	2083	\$6,249.00	
46	2574,507	RAPID STABILIZATION METHOD 2 MODIFIED	SY	\$10.00	1080	\$10,801.00	403	\$4,033.00	
SUBTOTAL						\$1,031,389.00		\$392,298.00	
CONTINGENCIES 10%						\$103,138.90		\$39,229.80	
CONSTRUCTION TOTAL						\$1,134,527.90		\$431,527.80	
LEGAL,ADMIN,ENGINEERING 28%						\$317,667.81		\$120,827.78	
STREET TOTAL						\$1,452,195.71		\$552,355.58	
BID SCHEDULE 2 (STORM)									
1	2104,502	REMOVE CASTING (STORM)	EA	\$250.00	3	\$750.00		\$0.00	
2	2104,502	REMOVE MANHOLE OR CATCH BASIN (STORM)	EA	\$400.00	13	\$5,200.00	4	\$1,600.00	
3	2104,503	REMOVE SEWER PIPE (STORM)	LF	\$15.00	394	\$5,910.00	100	\$1,500.00	
4	2502,521	4" PVC SUMP BASKET PIPE	LF	\$8.00	500	\$4,000.00	0	\$0.00	
5	2503,503	15" RC PIPE SEWER CL V	LF	\$60.00	390	\$23,400.00	100	\$6,000.00	
6	2503,503	24" RC PIPE SEWER CL V	LF	\$70.00	60	\$4,200.00		\$0.00	
7	2503,602	CONNECT TO EXISTING STORM SEWER (PIPE OR STRUCTURE)	EA	\$800.00	6	\$4,800.00	4	\$3,200.00	
8	2504,602	4"x4" TEE (DRAIN TILE TO PVC)	EA	\$150.00	10	\$1,500.00		\$0.00	
9	2506,502	CONSTRUCT DRAINAGE STRUCTURE TYPE K	EA	\$2,500.00	8	\$20,000.00	2	\$5,000.00	
10	2506,502	CONSTRUCT DRAINAGE STRUCTURE 48-4020	EA	\$3,200.00	9	\$28,800.00	1	\$3,200.00	
11	2506,502	CONSTRUCT DRAINAGE STRUCTURE 60-4020	EA	\$5,500.00	3	\$16,500.00		\$0.00	
12	2506,502	CONSTRUCT DRAINAGE STRUCTURE 72-4020	EA	\$6,500.00	0	\$0.00	1	\$6,500.00	
13	2506,502	CASTING ASSEMBLY- STORM	EA	\$800.00	26	\$20,800.00	4	\$3,200.00	
14	2506,602	CONSTRUCT DRAINAGE STRUCTURE (SUMP DRAINAGE BASKET)	EA	\$800.00	10	\$8,000.00	0	\$0.00	
15	2574,525	CURBSIDE RAIN GARDEN	SF	\$30.00	1100	\$33,000.00	200	\$6,000.00	
SUBTOTAL						\$176,860.00		\$36,200.00	
CONTINGENCIES 10%						\$17,686.00		\$3,620.00	
CONSTRUCTION TOTAL						\$194,546.00		\$39,820.00	
LEGAL,ADMIN,ENGINEERING 28%						\$54,472.88		\$11,149.60	
STORM TOTAL						\$249,018.88		\$50,969.60	
BID SCHEDULE 3 (SANITARY)									
1	2104,502	REMOVE CASTING (SANITARY)	EA	\$250.00	22	\$5,500.00	4	\$1,000.00	
2	2506,502	CASTING ASSEMBLY - SANITARY	EA	\$750.00	21	\$15,750.00		\$0.00	
3	2506,502	RECONSTRUCT SANITARY MANHOLE	LF	\$550.00	14	\$7,700.00	7	\$3,850.00	
SUBTOTAL						\$28,950.00		\$4,850.00	
CONTINGENCIES 10%						\$2,895.00		\$485.00	
CONSTRUCTION TOTAL						\$31,845.00		\$5,335.00	
LEGAL,ADMIN,ENGINEERING 28%						\$8,916.60		\$1,493.80	
SANITARY TOTAL						\$40,761.60		\$6,828.80	
BID SCHEDULE 4 (WATER)									
1	2504,602	REMOVE AND REPLACE GATE VALVE BOX	EA	\$500.00	14	\$7,000.00	1	\$500.00	
2	2504,602	REPLACE GATE VALVE BOLTS	EA	\$1,500.00	6	\$9,000.00		\$0.00	
3	2504,602	REMOVE AND REPLACE HYDRANT ASSEMBLY	EA	\$4,500.00	8	\$36,000.00	1	\$500.00	
SUBTOTAL						\$52,000.00		\$1,000.00	
CONTINGENCIES 10%						\$5,200.00		\$100.00	
CONSTRUCTION TOTAL						\$57,200.00		\$1,100.00	
LEGAL,ADMIN,ENGINEERING 28%						\$16,016.00		\$308.00	
WATER TOTAL						\$73,216.00		\$1,408.00	

Appendix B

Draft Preliminary Assessment Map and Roll

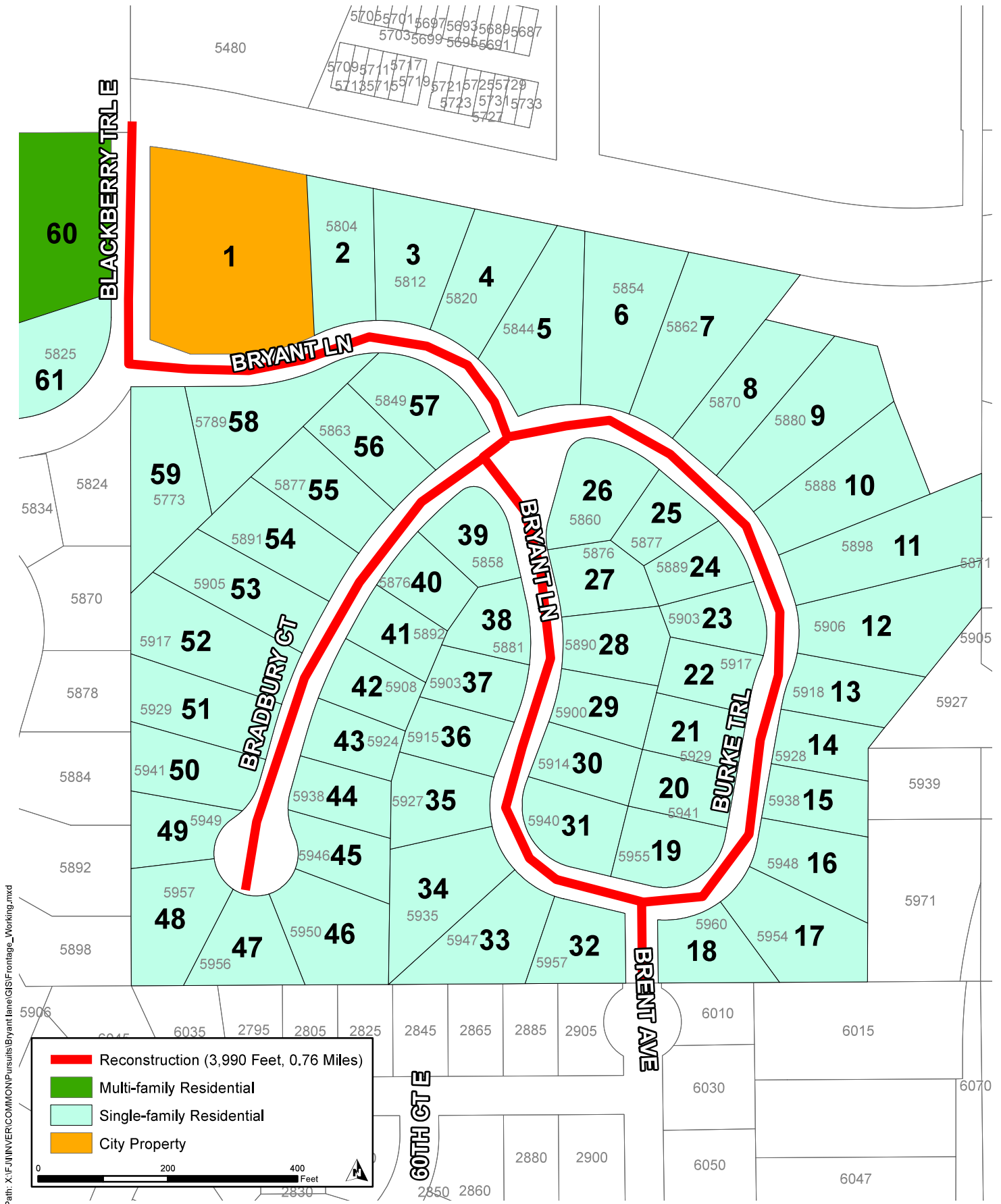


FIGURE 1



PRELIMINARY ASSESSMENT for Project No. 2021-09D Bryant Lane Area Reconstruction

MAP NO.	PID NO.	PROPERTY TYPE	OWNER NAME	OWNER ADDRESS	FRONT SF	FOOT NON-SF	Note	PER POLICY ASSESSMENT	PRELIMINARY ASSESSMENT
1	037-204737500010	CITY	CITY OF INVER GROVE HEIGHTS	8150 BARBARA AVE		262	1	\$ 44,937.72	\$ 44,937.72
2	037-204737501010	SFR	SCHLUNDT STEVEN L & KELLEY M	5804 BRYANT LN	99			\$ 9,491.16	\$ 9,491.16
3	037-204737501020	SFR	KISHISH DAVID R & MELISSA L	5812 BRYANT LN	85			\$ 9,491.16	\$ 9,491.16
4	037-204737501030	SFR	MORSE BRADFORD J	5820 BRYANT LN	87			\$ 9,491.16	\$ 9,491.16
5	037-204737501040	SFR	WILLETTE JOSEPH F & SUSAN	5844 BURKE TRL	207			\$ 9,491.16	\$ 9,491.16
6	037-204737501050	SFR	LEJA KEVIN J & ANGELA M	5854 BURKE TRL	77			\$ 9,491.16	\$ 9,491.16
7	037-204737501060	SFR	HUDSON ERIC & MICHELLE	5862 BURKE TRL	77			\$ 9,491.16	\$ 9,491.16
8	037-204737501070	SFR	KOROLCHUK JOHN & CONSTANTA	5870 BURKE TRL	89			\$ 9,491.16	\$ 9,491.16
9	037-204737501080	SFR	BALL DON M	5880 BURKE TRL	80			\$ 9,491.16	\$ 9,491.16
10	037-204737501090	SFR	MALONEY JOHN N & MAUREEN A	5888 BURKE TRL	78			\$ 9,491.16	\$ 9,491.16
11	037-204737501100	SFR	KUSTRITZ JASON & MARGARET ROO	5898 BURKE TRL	82			\$ 9,491.16	\$ 9,491.16
12	037-204737501110	SFR	BOHLIG GERARD J JR & JEAN G	5906 BURKE TRL	74			\$ 9,491.16	\$ 9,491.16
13	037-204737501120	SFR	OSTER GREGORY L & DENISE F	5918 BURKE TRL	90			\$ 9,491.16	\$ 9,491.16
14	037-204737501130	SFR	MACHACEK TIMOTHY A & KATHRYN	5928 BURKE TRL	85			\$ 9,491.16	\$ 9,491.16
15	037-204737501140	SFR	HALEY BRADFORD R & TAMI L	5938 BURKE TRL	85			\$ 9,491.16	\$ 9,491.16
16	037-204737501150	SFR	MATTHEWS ERIC B & KAREN L	5948 BURKE TRL	77			\$ 9,491.16	\$ 9,491.16
17	037-204737501160	SFR	WILLIAMSON JEFFREY A & KELLY J	5954 BURKE TRL	71			\$ 9,491.16	\$ 9,491.16
18	037-204737501170	SFR	CARNEY MICHAEL J & SHARON L	5960 BURKE TRL	103			\$ 9,491.16	\$ 9,491.16
19	037-204737502080	SFR	ROGGENBUCK KEVIN J & BOBBI JO	5955 BURKE TRL	231			\$ 9,491.16	\$ 9,491.16
20	037-204737502070	SFR	SWEENEY DANIEL L	5941 BURKE TRL	89			\$ 9,491.16	\$ 9,491.16
21	037-204737502060	SFR	MULROONEY JAMES M & NATALIE J	5929 BURKE TRL	90			\$ 9,491.16	\$ 9,491.16
22	037-204737502050	SFR	CADWALLADER KYLE H	5917 BURKE TRL	93			\$ 9,491.16	\$ 9,491.16
23	037-204737502040	SFR	MCDONOUGH THOMAS J & HELEN	5903 BURKE TRL	118			\$ 9,491.16	\$ 9,491.16
24	037-204737502030	SFR	JOHNSON JOEL C & BETH S	5889 BURKE TRL	109			\$ 9,491.16	\$ 9,491.16
25	037-204737502020	SFR	LENDER BRUCE M & STEFANIE A	5877 BURKE TRL	121			\$ 9,491.16	\$ 9,491.16
26	037-204737502010	SFR	SCHAAF DOUGLAS A	5860 BRYANT LN	318			\$ 9,491.16	\$ 9,491.16
27	037-204737502130	SFR	PRIFREL THOMAS J	5876 BRYANT LN	106			\$ 9,491.16	\$ 9,491.16
28	037-204737502120	SFR	BENISH CLAYTON R & KATHRYN	5890 BRYANT LN	80			\$ 9,491.16	\$ 9,491.16
29	037-204737502110	SFR	GOULD JEFFERY C & WENDY L	5900 BRYANT LN	84			\$ 9,491.16	\$ 9,491.16
30	037-204737502100	SFR	GLIVA KEITH M & SUSAN M	5914 BRYANT LN	90			\$ 9,491.16	\$ 9,491.16
31	037-204737502090	SFR	FENSKE RONNIE G	8843 AVIARY PATH	240			\$ 9,491.16	\$ 9,491.16
32	037-204737503010	SFR	SHERIDAN TY LEE & WENDY S	5957 BRYANT LN S	112			\$ 9,491.16	\$ 9,491.16
33	037-204737503020	SFR	BARR REGINA A S	5947 BRYANT LN	75			\$ 9,491.16	\$ 9,491.16
34	037-204737503030	SFR	CUSICK WILLIAM J & REBECCA	5935 BRYANT LN	76			\$ 9,491.16	\$ 9,491.16
35	037-204737503040	SFR	OSWALD WILLIAM R	5927 BRYANT LN	76			\$ 9,491.16	\$ 9,491.16
36	037-204737503050	SFR	KERAN TIMOTHY & REBECCA	5915 BRYANT LN	90			\$ 9,491.16	\$ 9,491.16
37	037-204737503060	SFR	ECK BRAD & SHERI	5903 BRYANT LN	92			\$ 9,491.16	\$ 9,491.16
38	037-204737503070	SFR	HOLM MATTHEW JOHN & AMAND	5881 BRYANT LN	137			\$ 9,491.16	\$ 9,491.16
39	037-204737503080	SFR	MERTENS JOHN W & THERESA L	5858 BRADBURY CT	280			\$ 9,491.16	\$ 9,491.16
40	037-204737601170	SFR	BURKE SUSAN LG	5876 BRADBURY CT	104			\$ 9,491.16	\$ 9,491.16
41	037-204737601160	SFR	TOP MARVIN L & DOLORES F	5892 BRADBURY CT	96			\$ 9,491.16	\$ 9,491.16
42	037-204737601150	SFR	FUKUROZAKI SILVIA SAYURI	5908 BRADBURY CT	101			\$ 9,491.16	\$ 9,491.16
43	037-204737601140	SFR	MANIVASAGER PRABA & JESSICA	5924 BRADBURY CT	93			\$ 9,491.16	\$ 9,491.16
44	037-204737601130	SFR	TERRY BRETT O	5938 BRADBURY CT	85			\$ 9,491.16	\$ 9,491.16
45	037-204737601120	SFR	HAPKA VICTOR J & JEANNIE C	5946 BRADBURY COURT	94			\$ 9,491.16	\$ 9,491.16
46	037-204737601110	SFR	GAJEWSKI RICHARD G	8926 VERDUCCI CT	58			\$ 9,491.16	\$ 9,491.16
47	037-204737601100	SFR	LENARZ LAURE A	5956 BRADBURY COURT	58			\$ 9,491.16	\$ 9,491.16
48	037-204737601090	SFR	SIEMERS CAROL RUTH	5957 BRADBURY CT	57			\$ 9,491.16	\$ 9,491.16
49	037-204737601080	SFR	BENISH ANDREW	5949 BRADBURY CT	91			\$ 9,491.16	\$ 9,491.16
50	037-204737601070	SFR	ESCHENBACHER JOSEPH A & SUSAN C T	5941 BRADBURY CT	88			\$ 9,491.16	\$ 9,491.16
51	037-204737601060	SFR	SIEMERS COLE	5929 BRADBURY CT	89			\$ 9,491.16	\$ 9,491.16

MAP NO.	PID NO.	PROPERTY TYPE	OWNER NAME	OWNER ADDRESS	FRONT SF	FOOT NON-SF	Note	PER POLICY ASSESSMENT	PRELIMINARY ASSESSMENT
52	037-204737601050	SFR	RUSSELL MICHAEL & CARRIE	5917 BRADBURY CT	85			\$ 9,491.16	\$ 9,491.16
53	037-204737601040	SFR	FISCHER TIMOTHY F	5905 BRADBURY CT	90			\$ 9,491.16	\$ 9,491.16
54	037-204737601030	SFR	HOFFMAN VICTORIA	5891 BRADBURY CT	87			\$ 9,491.16	\$ 9,491.16
55	037-204737601020	SFR	ROBINSON WARREN J & JOAN A	5877 BRADBURY CT	86			\$ 9,491.16	\$ 9,491.16
56	037-204737601010	SFR	PAULSEN ANDREW J & CAITLIN P	5863 BRADBURY CT	89			\$ 9,491.16	\$ 9,491.16
57	037-204737504030	SFR	PARTCH MICHAEL J & SUZANNE	5849 BRADBURY CT	324			\$ 9,491.16	\$ 9,491.16
58	037-204737504020	SFR	STENSGARD MARK DAVID TSTE	5789 BRYANT LN	308			\$ 9,491.16	\$ 9,491.16
59	037-204737504010	SFR	TONG CHARLIE BA0	5773 BRYANT LN	83			\$ 9,491.16	\$ 9,491.16
60	0	CITY	BLACKBERRY TOWN OFFICE PARK ASSOCIATION INC	5838 BLACKSHIRE PATH		0		\$ -	\$ -
61	037-202740001010	SFR	ANDERSON LAWRENCE & CHERYL	5825 BLACKBERRY TRL	0			\$ -	\$ -

Note 1: Parcel being assessed for Bryant Lane frontage only

Appendix C

Neighborhood Completed Questionnaire Results

Name:	Phone:	Email:	Address:	Location	Sump pump	Pump runs	Drains to	Private utilities	Would you consider connecting your sump pump system (at your own cost) to a city drain if provided?	Drainage issues	Drainage issues Comments	Rain gardens	Sewer service problems	Water service problems	Comments
Tim Machacek			5528 Burke Trail	Burke Trail				Irrigation system, Invisible fence		No		Yes	No	No	
Annette Maggi & Dan Sweeney	651-485-7787	annette.maggi@yahoo.com	5941 Burke Trail	Burke Trail	Yes	Unsure of how often it operates	Storm Sewer	Irrigation system, Invisible fence	Depends on cost	No		Yes	No	No	
Kevin Leja	612-384-4081	klevinleja@gmail.com	5854 Burke Trail	Burke Trail	Yes	After Rainfall	Backyard	Irrigation system	No	No		No	No	No	
											During hard rains I get the runoff from 5860 & 5876 Bryant Lane & 5877 Burke Tr. It waxes out the hill on the south side of my house.				
Joel Johnson	651-403-5240	joel517@gmail.com	5889 Burke Trail	Burke Trail	No			Irrigation system				Yes	No	No	
John Maloney	651-755-9159		5888 Burke Trail	Burke Trail				Invisible fence		Yes					Invisible fence at curb line.
Kyle/Margaret Cadwallader	651-605-1045	Caddymarg@cox@gmail.com	5917 Burke Trail	Burke Trail	Yes		Front Yard	Irrigation system, Invisible fence	No	No			No	No	The sprinklers in the front lawn are right at the edge of the street and the invisible fence is about 10-15 feet from the street.
Doug Schaaf	651-685-0983	kyle.cadwallader@gmail.com	5860 Bryant Ln	Bryant Ln	No			Irrigation system	No	No		No	No	No	
Lynette Stangard	612-414-8684	gschaaf66@gmail.com	5789 Bryant Ln	Bryant Ln				Irrigation system							
Regina & Kevin Barr	651-453-9595	kufu@redluck.com	5947 Bryant Ln	Bryant Ln	Yes	Not at all	Backyard	Irrigation system	No	No			No	No	
Ty Sheridan			5957 Bryant Ln	Bryant Ln				Irrigation system							Sprinkler system in boulevard.
Ron Fenske	651-983-5211	ron.fenske@usbank.com	5940 Bryant Ln	Bryant Ln				Irrigation system, Invisible fence							
Victoria Hoffman	651-592-7944	holthman_yfb@comcast.net	5891 Bradbury Ct.	Bradbury Ct.	No			Irrigation system	No	No		Yes	No	No	
Praha and Jessica Manivasager	763-670-0680	jmanivasager@gmail.com	5924 Bradbury Ct.	Bradbury Ct.	No			Irrigation system	No	No		No	No	No	
Pat and Joan Robinson	(Pat) 612-408-4203, (Joan) 612-408-4231	pat.robinson2@gmail.com	5877 Bradbury Ct.	Bradbury Ct.	No			Irrigation system	No	No		Yes	No	No	Not sure if we will do a rain garden but are interested in it.
John Mertens	651-303-6751	joel.robinson2@yahoo.com	5858 Bradbury Ct.	Bradbury Ct.	No			Irrigation system	No	No		Yes	No	No	
Jon Wallerick	612-618-4351	wallerick@yahoo.com	5941 Bradbury Ct.	Bradbury Ct.	No			Irrigation system	No	No		Yes	No	No	Sprinkler system with 3 heads in boulevard.
Rick Gajewski	612-960-2441		5950 Bradbury Ct.	Bradbury Ct.				Irrigation system							Sprinkler system in boulevard.
Ben Baker			5891 Bradbury Ct.	Bradbury Ct.				Irrigation system							
	612-309-7548		5849 Bradbury Ct.	Bradbury Ct.				Irrigation system at curb line, 2 valve boxes in ROW							Sprinkler system at curb line, 2 valve boxes in ROW.

Appendix D

Virtual Open House #1 Q&A

Questions

1) Ben Baker 5891 Bradbury Court

Q. Is Blackberry trail included in project and if so who pays that assessment?

A. Yes, Blackberry Trail from Upper 55th to Bryant Lane is in this part of this project. The City is covering those assessment costs for the three lots that front along Blackberry Trail

Q. Is the pond in the NE corner of Blackberry and Bryant Lane a retention pond and always have water or not? Sometimes the pond has water, sometimes it does, can be an eye sore.

A. This project didn't include pond review/improvements outside of possibly replacing a storm sewer outlet pipe from the street to an existing pipe apron.

2) Annette Maggi – 5941 Burk Trail

Q. Address policy on petition vs. council action to move project forward.

A. Council will make decision to move this project forward at the Improvement Hearing. This project has been previously discussed by the City and was on the Capital Improvement Plan and scheduled for construction in 2021.

3) Bill Oswald – 5927 Bryant Lave

Q. Can you describe what to expect for access during construction?

A. The City's contract with the project contractor will require access to residents at all times unless work is happening right in front of your driveway. Also, when the new concrete curb is placed, you will not be able to park in your driveway for approximately 3 days to allow the curb to cure, but you will be able to park on the street in front of your home. An additional 5 days would be needed if you have a concrete driveway that is repaired behind the new curb. Residents will be able to park in street during time out of driveway.

No major pipe work, so shouldn't have access issues outside of what is noted above.

4) Sue Gliva – 5914 Bryant Lane

Q. Since residents could not see the presentation tonight due to technical issues, does the City plan to hold another/repeat this virtual meeting soon?

A. This presentation is being recorded. Within two days the recorded presentation and PowerPoint presentation being used will be posted on the project web page. Steve will make sure everyone gets on email link to presentation on web page. Since another virtual open house is already scheduled for February 11th on this project, we don't feel the need to repeat this meeting.

5) Eric Matthews - 5948 Burke Trail

Q. It sounds like the plan is to replace the road including curb, sanitary and storm. I would like to see a copy of the report with the data that is pushing us that direction. I am all for it if necessary but being that the neighborhood is only 25yrs old it seems early for all that. If you have pictures of the deterioration of the sewers, please include those.

Also, it was mentioned that the curb was going to be replaced with a standard B618 or

similar. I really like the mountable curb that we have and would be very disappointed to have that change. We have never had any issue with it and will push back pretty hard on that. Any info on that would be appreciated.

- A. The power point and recorded presentation will be made available on the website in the next day. Please feel free to review and watch. We will get our report to Council and then will make everything available on the webpage by next week sometime.

We are following geotechnical guidance on the subgrade soils for recommendation on a full reconstruction of the street. We are not proposing to replace sanitary sewer and water main, they are both in good shape.

The only water main items proposed were hydrant replacements and to replace gate valve bolts that aren't stainless steel. The only sanitary sewer items proposed are ring adjustments and castings.

The B618 is proposed by staff as best management practice. We can put surmountable curb back in if that is what the neighborhood prefers. You may want to drive projects where we have converted and see how smooth the driveway entrance is compared to mountable. My 14 year history in addressing this is that a few individuals have strong opinions on this initially. Historically, nobody has ever called my back and wished they had surmountable curb back in. We can provide additional curb cuts where needed for property access.

Items will be posted on the Bryant Lane webpage as things move forward and are approved.

6) Regina Barr – 5947 Bryant Lane

- Q. When was the last time Majestic Woodlands/ Bryant Lane Development assessed? How much? What work was completed?

- A. We will research this and share information we find. The feasibility report will be adjusted to reflect that the City is funding the Blackberry Trail portion of street improvements through pavement management funds (PMP). We will be keep Blackberry Trail Improvements separate from Majestic Woodlands' street costs and assessments.

- Q. Was Bryant Lane originally scheduled for work in 2021? I got the sense at a prior council meeting that it was moved up possibly via petition. Can you tell me how this was initiated?

- A. Based on neighborhood feedback, the Public Works Director suggested Majestic Woodlands be added to the 5-year capital improvement plan in late 2019. Council approved the 2020 Capital Improvement Plan with Majestic Woodlands scheduled for 2021 improvements. Council initiated the project by authorizing preparation of the feasibility study in September 2020.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Accepting Engineering Services Proposals from WSB for the Canvas at Inver Grove Heights Development

Meeting Date: January 25, 2021		Fiscal/FTE Impact:
Item Type: Consent	☐	None
Contact: Thomas J. Kaldunski, 651.450.2572	☐	Amount included in current budget
Prepared by: Steve W. Dodge, Assistant City Engineer	☐	Budget amendment requested
Reviewed by: Scott D. Thureen, Public Works Director	☐	FTE included in current complement
	☐	New FTE requested - N/A
	☒	Other: NW Area Funds and Developer-provided engineering escrow account

PURPOSE/ACTION REQUESTED

Consider resolution accepting engineering services proposals from WSB for the Canvas at Inver Grove Heights development.

SUMMARY

Canvas at Inver Grove Heights is a proposed planned unit development, located at the northeast quadrant of Robert Trail and 70th Street, which is in final plat review and scheduled for Council approval at a future date. WSB has been approached by staff to review the collector road Allen Way and to perform geotechnical and structural engineering review for the City. WSB is part of the engineering consultant pool, have provided these professional engineering services before, and know the NW Area and City standards on collector streets, retaining walls and steep slopes. These services are needed due to the complexity of the public improvements. The proposals will provide consultant engineering services for the Canvas at IGH development through final plat and plan reviews. The funding source for these services will be from the NW Area funds and developer-provided engineering escrow.

WSB has provided two attached proposals: (1) an email for collector road review of Allen Way in the amount of \$2,500 and (2) a written proposal for structural and geotechnical review for roadway retaining walls or engineered steep slopes along the Allen Way "land bridge" crossing the low area in the amount of \$5,237. The structural and geotechnical review will require registered engineers to aid the City Engineer in approving the preliminary and final design, review plans, approve shop drawings, verify special inspection reports, and construction manage any field changes. The Engineering Division does not have a structural engineer on staff and will need a consultant to provide these reviewing and approval services.

Staff recommends that the Council adopt the resolution accepting the engineering services proposals from WSB in the amount of \$2,500 and \$5,237 for a total amount of \$7,737 for Canvas at Inver Grove Heights development.

SWD/kf

Attachment: Resolution
WSB Proposals

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY**

**RESOLUTION ACCEPTING ENGINEERING SERVICES PROPOSALS FROM WSB FOR
CANVAS AT INVER GROVE HEIGHTS DEVELOPMENT**

RESOLUTION NO. 2021-21

WHEREAS, the Canvas at Inver Grove Heights is a proposed planned unit development located at the northeast quadrant of Robert Trail and 70th Street in Inver Grove Heights; and

WHEREAS, to complete final plat and plan review, assistance of a consulting engineering firms is required; and

WHEREAS, City staff requested and received a proposals from WSB for professional engineering services for Canvas at Inver Grove Heights; and

WHEREAS, based on the experience, the scope and associated fee for the proposed services WSB has been selected from the City's engineering consultant pool for professional engineering services for the Canvas at Inver Grove Heights development.

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

1. The proposals from WSB: (1) collector road review of Allen Way in the amount of \$2,500 and (2) structural and geotechnical review for roadway retaining walls or engineered steep slopes along the Allen Way "land bridge" crossing the low area in the amount of \$5,237 are accepted, and staff is authorized to enter into contracts for professional engineering services for a total amount of \$7,737 for Canvas at IGH development.
2. The funding source for consultant design services will be from a combination of NW Area funds and developer-provided engineering escrow.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2020

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

From: [Brad Reifsteck](#)
To: [Steve W. Dodge, P.E.](#)
Subject: WSB Canvas Collector Road Engineer Review
Date: Wednesday, December 2, 2020 3:32:48 PM
Attachments: [imageb4e1e4.PNG](#)

Steve,

WSB will perform the engineering review and memo to determine the proper roadway width and intersection layout along Allen Way within the Canvas at Inver Grove Heights development for a not to exceed amount of \$2500.00.

Please let me know if this amount is acceptable. Once authorized, we will begin work immediately.

Thanks,
Brad

Brad Reifsteck , PE.
Sr. Project Manager
763.512.5243 (o) | 612.214.7053 (m)
WSB | wsbeng.com



This email, and any files transmitted with it, is confidential and is intended solely for the use of the addressee. If you are not the addressee, please delete this email from your system. Any use of this email by unintended recipients is strictly prohibited. WSB does not accept liability for any errors or omissions which arise as a result of electronic transmission. If verification is required, please request a hard copy.

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.

January 15, 2021

Mr. Steve Dodge
City of Inver Grove Heights
Assistant City Engineer
8168 Barbara Avenue
Inver Grove Heights, MN 55077
sdodge@ighmn.gov
651-450-2570

Re: Canvas at Inver Grove Heights - Engineering Services

Dear Mr. Dodge:

On behalf of WSB & Associates, Inc. (WSB), I am pleased to submit this proposal to provide professional services as they relate to design improvements to Allen Way including the construction of a Land Bridge and associated retaining walls near CSAH 26 in Inver Grove Heights, MN.

1.0 Statement of Interest

WSB & Associates (WSB) is eager to provide design review and support to the City. Our team has a wealth of knowledge in these types of projects and eagerly looks forward to helping you. Our attention to detail and focus on customer service will help investigate the wall condition in a cost-effective and timely manner.

The WSB Team has a full range of services. Some of the services that are envisioned to be used on this project include:

- Project management
- Design Reviews including Structural plans and Specifications
- Construction Support including Shop Drawing Reviews
- Construction Oversight including Change Orders and As-Built reviews

WSB is an employee-owned Minnesota-based consulting engineering firm with offices throughout Minnesota. Since our founding in 1995, our staff has grown to nearly 500 professionals providing quality engineering and planning services to governmental agencies, with 20 different service areas.

2.0 Project Understanding and Scope

The City of Inver Grove Heights is seeking a team with experience in inspection, investigating, studying and designing retaining walls and bridges. WSB will blend our disciplines to complete the additional phases as needed. The following are the goals and objectives of the project:

Phase I – Design and Construction Oversight

Task 1 – Project Coordination and Meetings

- Schedule and Lead design review meetings
- Coordinate Comment resolution with the Contractor and the City Engineer

Task 2 – Review of Plans and Specifications

- 30% Plan/Concept Review
 - Wall Types, Sizes, Aesthetics
 - Provide Comments on the Plans and Specifications
 - Resolve comments
- 60% Plan/Concept Review
 - Wall Layout and Elevation
 - Provide Comments on the Plans and Specifications

- Resolve comments
- 90% Plan/Concept Review
 - Wall Plans and Calculations with Details
 - Provide Comments on the Plans, Calcs and Specifications
 - Resolve comments

Task 3 – Construction Support

- Review and provide Comments on Shop Drawings Submitted by the Contractor
- Resolve comments

Task 4 – Construction Oversight

- Review Change Orders, RFIs and As-builts as needed

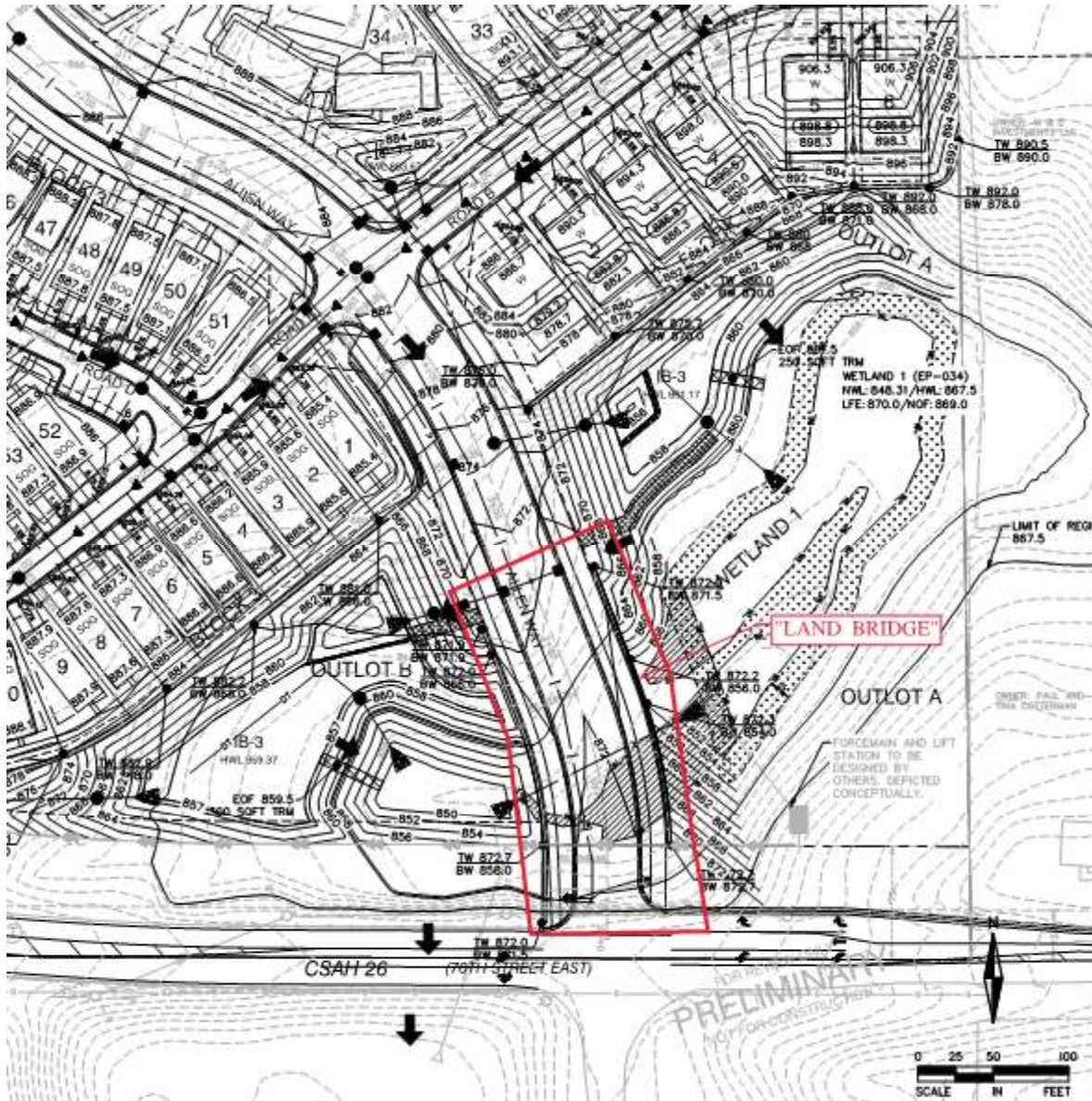


Figure 1: Location of Proposed Land Bridge and Retaining Walls

3.0 Schedule

A Notice to Proceed (NTP) is expected on 1/25/2021. The WSB Team will commence work on this project once we are authorized to proceed. The schedule below reflects our typical timeline for projects of this scope. If a more condensed or accelerated schedule is required, the WSB Team can accommodate.

Notice to Proceed -1/25/2021

30% Plan Review and Comment Resolution - 2/26/2021 (estimated)

60% Plan Review and Comment Resolution - 3/26/2021 (estimated)

90% Plan Review and Comment Resolution - 4/23/2021 (estimated)

Construction support, Change Orders Through Construction - 7/30/2021 (estimated)

If a more accelerated schedule is desired, we can accommodate.

4.0 Budget

WSB will complete the above noted scope of services for a cost not to exceed **\$5,237**. A breakdown of the budget is given in Table 1 below.



WSB ESTIMATE OF COST - LAND BRIDGE AT CANVAS Inver Grove Heights, Minnesota

DATES BEGIN 1-25-21 END 5-28-21		Project Manager Carl Osberg	Project Engineer Jeremy Burke			Total Hours	Cost
Task	Description						
1	PROJECT MANAGEMENT						
	PROJECT COORDINATION & MEETINGS	5	3			8	\$1,320.00
2	DESIGN REVIEWS						
	30% PLAN/CONCEPT REVIEW - EAST RW	1	2			3	\$432.00
	30% PLAN/CONCEPT REVIEW - WEST RW	1	2			3	\$432.00
	60% PLAN/CONCEPT REVIEW - EAST RW	1	2			3	\$432.00
	60% PLAN/CONCEPT REVIEW - WEST RW	1	2			3	\$432.00
	90% PLAN/CONCEPT REVIEW - EAST RW	1	2			3	\$432.00
	90% PLAN/CONCEPT REVIEW - WEST RW	1	2			3	\$432.00
3	CONSTRUCTION SUPPORT						
	SHOP DRAWING REVIEWS - EAST RW	1	2			3	\$432.00
	SHOP DRAWING REVIEWS - WEST RW	1	2			3	\$432.00
4	CONSTRUCTION OVERSIGHT AND AS-BUILTS						
	CHANGE ORDERS	1	2			3	\$432.00
Total Hours		14	21			35	\$5,208.00
Labor Rate Hourly Costs		192.00	120.00				
Total Labor Rate		\$2,688.00	\$2,520.00				\$5,208.00
Expenses		\$28.75					\$28.75
						TOTAL	\$5,236.75

Table 1: Project Budget

Agreement of Services:

This letter represents WSB's understanding of the requested services. If you are in agreement, please sign on the space provided and return one original signed copy to us for our records.

If you have any questions concerning this letter or fee as discussed herein, please feel free to contact me at 612-219-3524. We greatly appreciate the opportunity to assist you in the completion of this project. Thank you.

Sincerely,



Carl Osberg, PE
Senior Structural Engineer
WSB & Associates, Inc.

I hereby authorize WSB & Associates, Inc. to proceed with the above-referenced Scope of Work in accordance with the company's current fee schedule.

City of Inver Grove Heights Authorized Representative

Date

Attachments: Contract Exhibits

**EXHIBIT A
GENERAL CONTRACT PROVISIONS**

ARTICLE 1 – PERFORMANCE OF THE WORK

Consultant shall perform the services under this Agreement in accordance with the care and skill ordinarily exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services.

ARTICLE 2 – ADDITIONAL SERVICES

If the Client requests that the Consultant perform any services which are beyond the scope as set forth in the Agreement, or if changed or unforeseen conditions require the Consultant to perform services outside of the original scope, then, Consultant shall promptly notify the Client of cause and nature of the additional services required. Upon notification, Consultant shall be entitled to an equitable adjustment in both compensation and time to perform.

ARTICLE 3 – SCHEDULE

Unless specific periods of time or dates for providing services are specified in a separate Exhibit, Consultant's obligation to render services hereunder will be for a period which may reasonably be required for the completion of said services. The Client agrees that Consultant is not responsible for damages arising directly or indirectly from any delays for causes beyond Consultant's control. For purposes of this Agreement, such causes include, but are not limited to, strikes or other labor disputes; severe weather disruptions, or other natural disasters or acts of God; fires, riots, war or other emergencies; any action or failure to act in a timely manner by any government agency; actions or failure to act by the Client or the Client's contractor or consultants; or discovery of any hazardous substance or differing site conditions. If the delays outside of Consultant's control increase the cost or the time required by Consultant to perform its services in accordance with professional skill and care, then Consultant shall be entitled to a reasonable adjustment in schedule and compensation.

ARTICLE 4 – CONSTRUCTION OBSERVATION

If requested by Client, Consultant shall visit the project during construction to become familiar with the progress and quality of the contractors' work and to determine if the work is proceeding, in general, in accordance with plans, specifications or other contract documents prepared by Consultant for the Client. The Client has not retained the Consultant to make detailed inspections or to provide exhaustive or continuous project review and observation services.

Consultant neither guarantees the performance of any Contractor retained by Client nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with the construction documents. Client acknowledges Consultant will not direct, supervise or control the work of contractors or their subcontractors, nor shall Consultant have authority over or responsibility for the contractors' means, methods, or procedures of construction. Consultant's services do not include review or evaluation of the Client's, contractor's or subcontractor's safety measures, or job site safety. Job Site Safety shall be the sole responsibility of the contractor who is performing the work.

For Client-observed projects, the Consultant shall be entitled to rely upon and accept representations of the Client's observer. If the Client desires more extensive project observation or full-time project representation, the Client shall request such services be provided by the Consultant as an Additional Service. Consultant and Client shall then enter into a Supplemental Agreement detailing the terms and conditions of the requested project observation.

ARTICLE 5 – OPINIONS OF PROBABLE COST

Opinions, if any, of probable cost, construction cost, financial evaluations, feasibility studies, economic analyses of alternate solutions and utilitarian considerations of operations and maintenance costs, collectively referred to as "Cost Estimates," provided for are made or to be made on the basis of the Consultant's experience and qualifications and represent the Consultant's best judgment as an experienced and qualified professional design firm. The parties acknowledge, however, that the

Consultant does not have control over the cost of labor, material, equipment or services furnished by others or over market conditions or contractor's methods of determining their prices, and any evaluation of any facility to be constructed or acquired, or work to be performed must, of necessity, be viewed as simply preliminary. Accordingly, the Consultant and Client agree that the proposals, bids or actual costs may vary from opinions, evaluations or studies submitted by the Consultant and that Consultant assumes no responsibility for the accuracy of opinions of Cost Estimates and Client expressly waives any claims related to the accuracy of opinions of Cost Estimates. If Client wishes greater assurance as to Cost Estimates, Client shall employ an independent cost estimator as part of its Project responsibilities.

ARTICLE 6 – REUSE AND DISPOSITION OF INSTRUMENTS OF SERVICE

All documents, including reports, drawings, calculations, specifications, CADD materials, computers software or hardware or other work product prepared by Consultant pursuant to this Agreement are Consultant's Instruments of Service and Consultant retains all ownership interests in Instruments of Service, including copyrights. The Instruments of Service are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other project. Copies of documents that may be relied upon by Client are limited to the printed copies (also known as hard copies) that are signed or sealed by Consultant. Files in electronic format furnished to Client are only for convenience of Client. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. Consultant makes no representations as to long term compatibility, usability or readability of electronic files.

If requested, at the time of completion or termination of the work, the Consultant may make available to the Client the Instruments of Service upon (i) payment of amounts due and owing for work performed and expenses incurred to the date and time of termination, and (ii) fulfillment of the Client's obligations under this Agreement. Any use or re-use of such Instruments of Service by the Client or others without written consent, verification or adaptation by the Consultant except for the specific purpose intended will be at the Client's risk and full legal responsibility and Client expressly releases all claims against Consultant arising from re-use of the Instruments of Service without Consultant's written consent, verification or adaptation.

The Client will, to the fullest extent permitted by law, indemnify and hold the Consultant harmless from any claim, liability or cost (including reasonable attorneys' fees, and defense costs) arising or allegedly arising out of any unauthorized reuse or modification of these Instruments of Service by the Client or any person or entity that acquires or obtains the reports, plans and specifications from or through the Client without the written authorization of the Consultant. Under no circumstances shall transfer of Instruments of Service be deemed a sale by Consultant, and Consultant makes no warranties, either expressed or implied, of merchantability and fitness for any particular purpose. Consultant shall be entitled to compensation for any consent, verification or adaption of the Instruments of Service for extensions of the Project or any other project.

ARTICLE 7 – PAYMENTS

Payment to Consultant shall be on a lump sum or hourly basis as set out in the Agreement. Consultant is entitled to payment of amounts due plus reimbursable expenses. Client will pay the balance stated on the invoice unless Client notifies Consultant in writing of any disputed items within fifteen (15) days from the date of invoice. In the event of any dispute, Client will pay all undisputed amounts in the ordinary course, and the Parties will endeavor to resolve all disputed items. All accounts unpaid after thirty (30) days from the date of original invoice shall be subject to a service charge of 1-1/2% per month, or the maximum amount authorized by law, whichever is less. Consultant reserves the right to retain instruments of service until all invoices are paid in full. Consultant will not be liable for any claims of loss, delay, or damage by Client for reason of withholding services or instruments of service until all invoices are paid in full. Consultant shall be entitled to recover all reasonable costs and disbursements, including reasonable attorney fees, incurred in connection with collecting amounts owed by Client. In addition, Consultant may, after giving seven (7) days' written notice to Client, suspend services under this Agreement until it receives full payment for all amounts then due for services, expenses and charges. Payment methods, expenses and rates may be more fully described in Exhibit C and Exhibit E.

ARTICLE 8 – SUBMITTALS AND PAY APPLICATIONS

If the Scope of Work includes the Consultant reviewing and certifying the amounts due the Contractor, the Consultant's certification for payment shall constitute a representation to the Client, that to the best of the Consultant's knowledge, information and belief, the Work has progressed to the point indicated and that the quality of the Work is in general accordance with the Documents issued by the Consultant. The issuance of a Certificate for Payment shall not be a representation that the Consultant has (1) made exhaustive or continuous on-site inspections to check the quality or quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures, (3) reviewed copies of requisitions received from Subcontractors and material suppliers and other data requested by the Client to substantiate the Contractor's right to payment, or (4) ascertained how or for what purpose the Contractor has used money previously paid on account of the Contract Sum. Contractor shall remain exclusively responsible for its Work.

If the Scope of Work includes Consultant's review and approval of submittals from the Contractor, such review shall be for the limited purpose of checking for conformance with the information given and the design concept. The review of submittals is not intended to determine the accuracy of all components, the accuracy of the quantities or dimensions, or the safety procedures, means or methods to be used in construction, and those responsibilities remain exclusively with the Client's contractor.

ARTICLE 9 – HAZARDOUS MATERIALS

Notwithstanding the Scope of Services to be provided pursuant to this Agreement, it is understood and agreed that Consultant is not a user, handler, generator, operator, treater, arranger, storer, transporter, or disposer of hazardous or toxic substances, pollutants or contaminants as any of the foregoing items are defined by Federal, State and/or local law, rules or regulations, now existing or hereafter amended, and which may be found or identified on any Project which is undertaken by Consultant.

The Client agrees to indemnify Consultant and its officers, subconsultant(s), employees and agents from and against any and all claims, losses, damages, liability and costs, including but not limited to costs of defense, arising out of or in any way connected with, the presence, discharge, release, or escape of hazardous or toxic substances, pollutants or contaminants of any kind, except that this clause shall not apply to such liability as may arise out of Consultant's sole negligence in the performance of services under this Agreement arising from or relating to hazardous or toxic substances, pollutants, or contaminants specifically identified by the Client and included within Consultant's services to be provided under this Agreement.

ARTICLE 10 – INSURANCE

Consultant has procured general and professional liability insurance. On request, Consultant will furnish client with a certificate of insurance detailing the precise nature and type of insurance, along with applicable policy limits. Additional Insurance requirements are listed in Exhibit D.

ARTICLE 11 – TERMINATION OR SUSPENSION

If Consultant's services are delayed or suspended in whole or in part by Client, or if Consultant's services are delayed by actions or inactions of others for more than sixty (60) days through no fault of Consultant, Consultant shall be entitled to either terminate its agreement upon seven (7) days written notice or, at its option, accept an equitable adjustment of rates and amounts of compensation provided for elsewhere in this Agreement to reflect reasonable costs incurred by Consultant in connection with, among other things, such delay or suspension and reactivation and the fact that the time for performance under this Agreement has been revised.

This Agreement may be terminated by either party upon seven (7) days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination. In the event of termination Consultant shall be compensated for services performed prior to termination date, including charges for expenses and equipment costs then due and all termination expenses.

This Agreement may be terminated by either party upon thirty (30) days' written notice without cause. Consultant shall upon termination only be entitled to payment for the work performed up to the Date of termination. In the event of termination, copies of plans, reports, specifications, electronic drawing/data

files (CADD), field data, notes, and other documents whether written, printed or recorded on any medium whatsoever, finished or unfinished, prepared by the Consultant pursuant to this Agreement and pertaining to the work or to the Project, (hereinafter "Instruments of Service"), shall be made available to the Client upon payment of all amounts due as of the date of termination. All provisions of this Agreement allocating responsibility or liability between the Client and Consultant shall survive the completion of the services hereunder and/or the termination of this Agreement.

ARTICLE 12 – INDEMNIFICATION

The Consultant agrees to indemnify and hold the Client harmless from any damage, liability or cost to the extent caused by the Consultant's negligence or willful misconduct.

The Client agrees to indemnify and hold the Consultant harmless from any damage, liability or cost to the extent caused by the Client's negligence or willful misconduct.

ARTICLE 13 – WAIVER OF CONSEQUENTIAL DAMAGES

The Consultant and Client waive claims against each other for consequential damages arising out of or relating to this contract. This mutual waiver includes damages incurred by the Client for rental expenses, for loss of use, loss of income, lost profit, project delays, financing, business and reputation and for loss of management or employee productivity or of the services of such persons; and (2) Damages incurred by the Consultant for principal office expenses including the compensation for personnel stationed there, for losses of financing, business and reputation and for loss of profit except anticipated profit arising directly from the Work. The Consultant and Client further agree to obtain a similar waiver from each of their contractors, subcontractors or suppliers.

ARTICLE 14 – WAIVER OF CLAIMS FOR PERSONAL LIABILITY

It is intended by the parties to this Agreement that Consultant's services shall not subject Consultant's employees, officers or directors to any personal legal exposure for the risks associated with this Agreement. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant, and not against any of Consultant's individual employees, officers or directors.

ARTICLE 15 – ASSIGNMENT

Neither Party to this Agreement shall assign its interest in this agreement, any proceeds due under the Agreement nor any claims that may arise from services or payments due under the Agreement without the written consent of the other Party. Any assignment in violation of this provision shall be null and void. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Consultant or Client. This Agreement is for the exclusive benefit of Consultant and Client and there are no other intended beneficiaries of this Agreement.

ARTICLE 16 – CONFLICT RESOLUTION

In an effort to resolve any conflicts that arise during the design or construction of the project or following the completion of the project, the Client and Consultant agree that all disputes between them arising out of or relating to this Agreement shall be submitted to nonbinding mediation as a precondition to any formal legal proceedings.

ARTICLE 17 – CONFIDENTIALITY

The Consultant agrees to keep confidential and not to disclose to any person or entity, other than the Consultant's employees, subconsultants and the general contractor and subcontractors, if appropriate, any data and information furnished to the Consultant and marked CONFIDENTIAL by the Client. These provisions shall not apply to information in whatever form that comes into the public domain, nor shall it restrict the Consultant from giving notices required by law or complying with an order to provide information or data when such order is issued by a court, administrative agency or other authority with proper jurisdiction, or if it is reasonably necessary for the Consultant to complete services under the Agreement or defend itself from any suit or claim.

ARTICLE 18 – AVAILABLE INSURANCE PROCEEDS AND LIMITATION OF LIABILITY

Consultant maintains professional liability insurance with a liability limit of not less than \$2,000,000 per claim. The Consultant's total liability to Client shall not exceed the total available insurance policy limits per claim available to Consultant under its professional liability insurance policy. Client hereby agrees that to the fullest extent permitted by law, the Consultant's total liability to Client for any and all injuries, claims, losses, expenses or damages whatsoever arising out of or in any way related to or arising from this Agreement from any cause or causes including, but not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract or breach of warranty (Client's Claims) shall not exceed the total policy limits available to Consultant under its professional liability insurance policy for settlement or satisfaction of Client's Claims under the terms and conditions of the Consultant's professional liability insurance policy applicable hereto.

Notwithstanding the language above, Client agrees that with regard to any claim arising from or relating to Consultant's provision of geotechnical engineering services, construction materials testing, special inspections, and/or environmental engineering services, including but not limited to environmental site assessments, that Consultant's liability for any claims asserted by or through Client shall be limited to \$50,000.

Client and Consultant each further agree that neither will be responsible for any incidental, indirect, or consequential damages (including loss of use or loss of profits) sustained by the other, its successors or assigns. This mutual waiver shall apply even if the damages were foreseeable and regardless of the theory of recovery plead or asserted.

ARTICLE 19 – CONTROLLING LAW

This Agreement is to be governed by the laws of the State of Minnesota. Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, including but not limited to claims for negligence or breach of warranty, that is not settled by nonbinding mediation shall be settled by the law of the state of Minnesota.

ARTICLE 20 – LOCATION OF UNDERGROUND IMPROVEMENTS

Where requested by Client, Consultant will perform customary research to assist Client in locating and identifying subterranean structures or utilities. However, Consultant may reasonably rely on information from the Client and information provided by local utilities related to structures or utilities and will not be liable for damages incurred where Consultant has complied with the standard of care and acted in reliance on that information. The Client agrees to waive all claims and causes of action against the Consultant for claims by Client or its contractors relating to the identification, removal, relocation, or restoration of utilities, or damages to underground improvements resulting from subsurface penetration locations established by the Consultant.

**EXHIBIT B
CLIENT RESPONSIBILITIES**

The Client's responsibilities related to the services to be provided by Consultant are generally as set out below. These responsibilities can be modified through Supplemental Agreements.

In order to permit the Consultant to perform the services required under this Agreement, the Client shall, in proper time and sequence and where appropriate to the Project, at no expense to the Consultant:

ARTICLE F.1

Provide available information as to its requirements for the Project, including copies of any design and construction standards and comprehensive plans which the Client desires Consultant to follow or incorporate into its work.

ARTICLE F.2

Guarantee access to and make all provisions for the Consultant to enter upon public and private lands to enable the Consultant to perform its work under this Agreement.

ARTICLE F.3

Provide such legal, accounting and insurance counseling services as may be required for this Project.

ARTICLE F.4

Notify the Consultant whenever the Client observes or otherwise becomes aware of any defect in the Project construction or design.

ARTICLE F.5

Designate a Client Representative with authority to transmit and receive instructions and information, interpret and define the Client's policies with respect to services rendered by the Consultant, and authority to make decisions as required for Consultant to complete services required under this Agreement.

ARTICLE F.6

Act promptly to approve all pay requests, Supplemental Agreements, or request for information by Consultant as set out below.

ARTICLE F.7

Furnish data (and professional interpretations thereof) prepared by or services performed by others, including where applicable, but not limited to, previous reports, core borings, sub-surface explorations, hydrographic and hydrogeologic surveys, laboratory tests and inspection of samples, materials and equipment; appropriate professional interpretations of the foregoing data; environmental assessment and impact statements; property, boundary, easement, right-of-way, topographic and utility surveys; property description; zoning, deed and other land use restrictions; and other special data.

ARTICLE F.8

Require all Utilities with facilities in the Client's Right of Way to Locate and mark said utilities upon request, Relocate and/or protect said utilities as determined necessary to accommodate work of the Project, submit a schedule of the necessary relocation/protection activities to the Client for review and comply with agreed upon schedule.

ARTICLE F.9

Review all reports, sketches, drawings, specifications and other documents prepared and presented by the Consultant, obtain advice of legal, accounting and insurance counselors or others as Client deems necessary for such examinations and render in writing decisions pertaining thereto.

ARTICLE F.10

Where appropriate, endeavor to identify, remove and/or encapsulate asbestos products or materials or pollutants located in the project area prior to accomplishment by the Consultant of any work on the Project.

ARTICLE F.11

Provide record drawings and specifications for all existing physical plants of facilities which are pertinent to the Project.

ARTICLE F.12

Provide the foregoing in a manner sufficiently timely so as not to delay the performance by the Consultant of the services in accordance with the Contract Documents.

ARTICLE F.13

Consultant shall be entitled to rely on the accuracy and completeness of information or services furnished by the Client or others employed by the Client. Consultant shall endeavor to verify the information provided and shall promptly notify the Client if the Consultant discovers that any information or services furnished by the Client is in error or is inadequate for its purpose.

ARTICLE F.14

Client shall bear all costs incidental to compliance with the requirements of this article.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Calling for Hearing on Proposed Assessments and Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for Nuisance Abatement 2020

Meeting Date: January 25, 2021
 Item Type: Consent Agenda
 Contact: Nicole Cook, 450-2491
 Prepared by: Nicole Cook, 450-2491
 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 |

PURPOSE/ACTION REQUESTED

The City Council is to consider:

- 1) A Resolution Declaring Costs to be Assessed and Ordering the Preparation of the Proposed Assessments for 2020 Nuisance Abatement
- 2) A Resolution Calling for a Hearing on Proposed Special Assessments

BACKGROUND

When the City received a complaint of tall grass/weeds or the storage of junk or garbage, an inspection is done, and the property owner is contacted and given seven (7) days in which to cut their grass or remove the junk or garbage. If the work is not done by the property owner, the City will abate the nuisance and assess the property owner.

Costs to be assessed pertain to the City cutting grass and removing garbage and refuse in order to abate a nuisance. City Code 5-9-4 (D) stipulates grass cannot exceed 8 inches in height and City Code 5-9-6 allows for the abatement of public nuisances on property. Public nuisances include long grass and weeds as well as the storage of junk and refuse. The property owners have been given the opportunity to submit payment for the work but have not done so.

There is a total of \$1516.41 in assessments for 2020.

Staff recommends adopting the attached:

- 1) Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments
- 2) A Resolution Calling for a Hearing on Proposed Special Assessments

Enc: Resolutions (2)

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

**RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING
PREPARATION
OF PROPOSED ASSESSMENTS**

**CITY PROJECT NUISANCE ABATEMENT 2020
RESOLUTION NO. 2021-22**

WHEREAS, the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

2020 Nuisance Abatement

WHEREAS, the total final project cost is \$1,516.41

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

1. The amount to be specially assessed for City Project Nuisance Abatement 2020 is hereby declared to be \$1,516.41
2. The City Clerk, with the assistance of the City Administrator, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall be filed in the City Clerk's office for public inspection.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January of 2021.

AYES:

NAYS:

Tom Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION CALLING FOR HEARING ON SPECIAL ASSESSMENTS

CITY PROJECT NUISANCE ABATEMENT 2020

RESOLUTION NO. 2021-23

WHEREAS, by a resolution of the City Council on January 25, 2021, the City Clerk was directed to prepare proposed assessments of the costs of abatement as follows:

2020 Abatements

WHEREAS, the City Clerk has notified the City Council that such assessments have been completed and filed in the City Clerk's office for public inspection.

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

1. A hearing shall be held on March 8th, 2021 in the City Council Chambers, 8150 Barbara Avenue at 7:00 p.m. to consider upon the proposed assessments; and, at such time and place, all persons owning property affected by such improvements shall be given an opportunity to be heard with reference to such assessments.
2. The City Clerk is hereby directed to cause a notice of hearing on the proposed assessments to be published once in the official newspaper and be mailed to the owner of each parcel described in the assessment roll.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2021.

AYES:

NAYS:

ATTEST:

Tom Bartholomew, Mayor

Rebecca Kiernan, City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Conduct Public Hearing to Consider New Additional Owner Keith Gliva for Mississippi Pub at 4455 66th Street E, Inver Grove Heights

Meeting Date: January 25, 2021
Item Type: Public Hearing
Prepared by: Rebecca Kiernan
Contact: 651-450-2513

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 new additional owner, Keith Gliva. for Mississippi Pub at 4455 66th Street E for On-Sale and Sunday Liquor Licenses.

SUMMARY:

Mississippi Pub has requested an additional owner Keith Gliva which will amend their On-Sale and Sunday Liquor Licenses for the location at 4455 66th Street E, Inver Grove Heights.. The applicant paid the appropriate fees required by City Code and provided all the necessary documentation required for the additional owner.

The Police Department conducted a background investigation and found no basis for denial for the officer change.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Conduct Public Hearing to Consider 8 New Officers for Loyal Order of Moose Lodge #1088 at 5927 Concord Boulevard, Inver Grove Heights

Meeting Date: January 25, 2021
 Item Type: Public Hearing
 Prepared by: Rebecca Kiernan
 Contact: 651-450-2513

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 Change of 8 New Officers, for the Loyal Order of Moose Lodge #1088 at 5927 Concord Boulevard for On-Sale and Sunday Liquor Licenses.

SUMMARY:

The Loyal Order of Moose Lodge #1088 has requested council consider the change of 8 officers:

Governor	Hubert Bauer
Junior Past Governor	Joshua Biermeier
Junior Governor	Shane Smith
Prelate	Kent Pederson
Treasurer	Thomas Begich
First Year Trustee	Michael Biermeier
Second Year Trustee	Juan Aguirre
Third Year Trustee	William Foster

This will amend their On-Sale and Sunday Liquor Licenses for the location at 5927 Concord Boulevard, Inver Grove Heights.. The applicants paid the appropriate fees required by City Code and provided all the necessary documentation required for the Change of Officers to be approved.

The Police Department conducted background investigations and found no basis for denial for the officer change.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Public Hearing to Consider a Resolution Ordering Project, Authorizing Preparation of Plans and Specifications, and Authorizing Land Acquisition Services for the 2021 Pavement Management Program, City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements

Meeting Date: January 25, 2021
 Item Type: Public Hearing
 Contact: Thomas J. Kaldunski, 651-315-6336
 Prepared by: Jacob Moser, Civil 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: Pavement Management Fund, Special Assessments |

PURPOSE/ACTION REQUESTED

Public Hearing to consider a resolution ordering project, authorizing preparation of plans and specifications, and authorizing land acquisition services for the 2021 Pavement Management Program, City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements.

SUMMARY

On September 28, 2020, the City Council ordered a feasibility study and accepted an engineering services proposal from Kimley-Horn & Associates, Inc. to prepare a feasibility report, preliminary drainage study, final design, and construction services for City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements. On December 14, 2020, City Council received the feasibility report and scheduled a Public Hearing for the improvements.

The feasibility report recommends a full depth pavement reclamation for Delaney Circle and full pavement and base replacement for Delaney Court. Driveway apron reconstruction and culvert replacements, based on condition, are recommended also. The total estimated project cost is \$944,135 with \$345,600 in estimated assessments for street and storm water improvements (37% of the total project costs utilizing capped assessment values), for City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements. A multi-faceted funding package has been prepared in the feasibility report which includes the pavement management fund (including franchise fee fund) and special assessments.

A preliminary assessment roll has been prepared per City policy. The per-policy assessment amount for a single-family parcel is \$14,141 for 55% of street and storm water improvements. The independent appraiser's special benefit analysis recommended an assessment cap of \$9,600 per single-family parcel for street and storm water improvements. The proposed assessment is the lower amount between the per policy and assessment cap.

Kimley-Horn conducted a preliminary drainage analysis of the project area. The drainage analysis focused on reviewing conveyance of stormwater along Delaney Court and Delaney Circle and reviewing regional flows of stormwater through the neighborhood towards the Mississippi river. The drainage analysis identified the existing ditches have sufficient capacity to convey stormwater through the neighborhood. Several roadway culverts were determined to be undersized or structurally deteriorated and are proposed for replacement.

City Project No. 2020-09D Page 2 of 2
January 25, 2021 Council Meeting

Most of the proposed improvements are anticipated to be constructed within existing City right-of-way or existing drainage and utility easements. A side yard swale grading improvement, recommended for public stormwater conveyance, at 8325 Delaney Circle will require additional drainage and utility easement, and temporary easement for construction.

Resident input was initially gathered using a mailed questionnaire. Staff also held a virtual open house meeting on November 19, 2020, with affected property owners to present preliminary feasibility findings and the preliminary proposed assessments. Thirteen (13) residents attended the meeting with general support for the project. The feedback from the questionnaire and virtual open house were incorporated into the feasibility report.

Staff held a virtual informational meeting with affected property owners on January 12, 2021 to present the feasibility report recommendations, the proposed preliminary assessments, and receive feedback prior to the improvement hearing. Eight (8) residents attended the meeting with general support for the project. Staff addressed questions on funding, assessments, driveway impacts and storm water improvements.

The virtual meetings were recorded and published on the city website following the live events. Below are summarized project items addressed based on resident questions (*staff responses italicized*):

- Why was Delaney Court resurfaced a few years ago and now being reconstructed?
A broad area patch was completed in 2017 as temporary maintenance, intended as a short-term repair, prior to the petition for neighborhood reconstruction being received.
- Will the culvert or ditch grading areas be additional assessments?
The culvert replacements, ditch and swale grading improvements are included in the total project costs and assessments. There is no additional assessment for culvert replacements, but all culvert replacement work is included in the City policy assessment amount calculation.
- Are changes being proposed that will alter the flow of stormwater?
Proposed culvert replacements, ditch and swale grading are required to maintain the conveyance of stormwater in the same patterns as the development and streets were constructed originally. Due to sediment or vegetation some existing culverts may not function as originally constructed.
- Can my existing cracked driveway be replaced with the project? Does the City contractor have a total driveway replacement option if the entire driveway needs replacement?
If the cracks reside within the concrete apron in the right-of-way, the driveway apron may be replaced as part of the project. Final determination of driveway replacement extents will be determined during final design. The City has a driveway replacement program residents can participate in if they wish but are required to hire a contractor individually, not with the City contract. Further information on the driveway program will be discussed at the assessment hearing informational meeting closer to construction.

I recommend conducting the Public Hearing, approving the resolution ordering the project, authorizing preparation of plans and specifications, and authorizing land acquisition services for the 2021 Pavement Management Program, City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements.

JDM

Attachments: Resolution
Map
Preliminary Assessment Roll
Preliminary Improvement Plan

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

**RESOLUTION ORDERING IMPROVEMENTS, AUTHORIZING PREPARATION OF PLANS AND
SPECIFICATIONS, AND AUTHORIZING LAND ACQUISITION SERVICES FOR THE 2021 PAVEMENT
MANAGEMENT PROGRAM, CITY PROJECT NO. 2020-09D - DELANEY CIRCLE AND DELANEY
COURT IMPROVEMENTS**

RESOLUTION NO. _____

WHEREAS, a resolution passed by the City Council on December 14, 2020, called for a public hearing on the proposed improvement project, 2021 Pavement Management Program, City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements; and

WHEREAS, published notice was given pursuant to Minnesota Statute 429.031, and the hearing was held thereon on January 25, 2021, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

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

1. Such improvement is hereby ordered as proposed in this Council resolution adopted January 25, 2021.
2. Project contract documents (plans and specifications) are authorized to be prepared by Staff and Kimley-Horn & Associates, Inc.
3. Staff, City Attorney, and consulting engineer are authorized to select an appraiser and administer the land acquisition process to obtain necessary easements and agreements for the project.
4. The contract for these improvements shall be let no later than three years after the adoption of this resolution.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2021.

AYES:

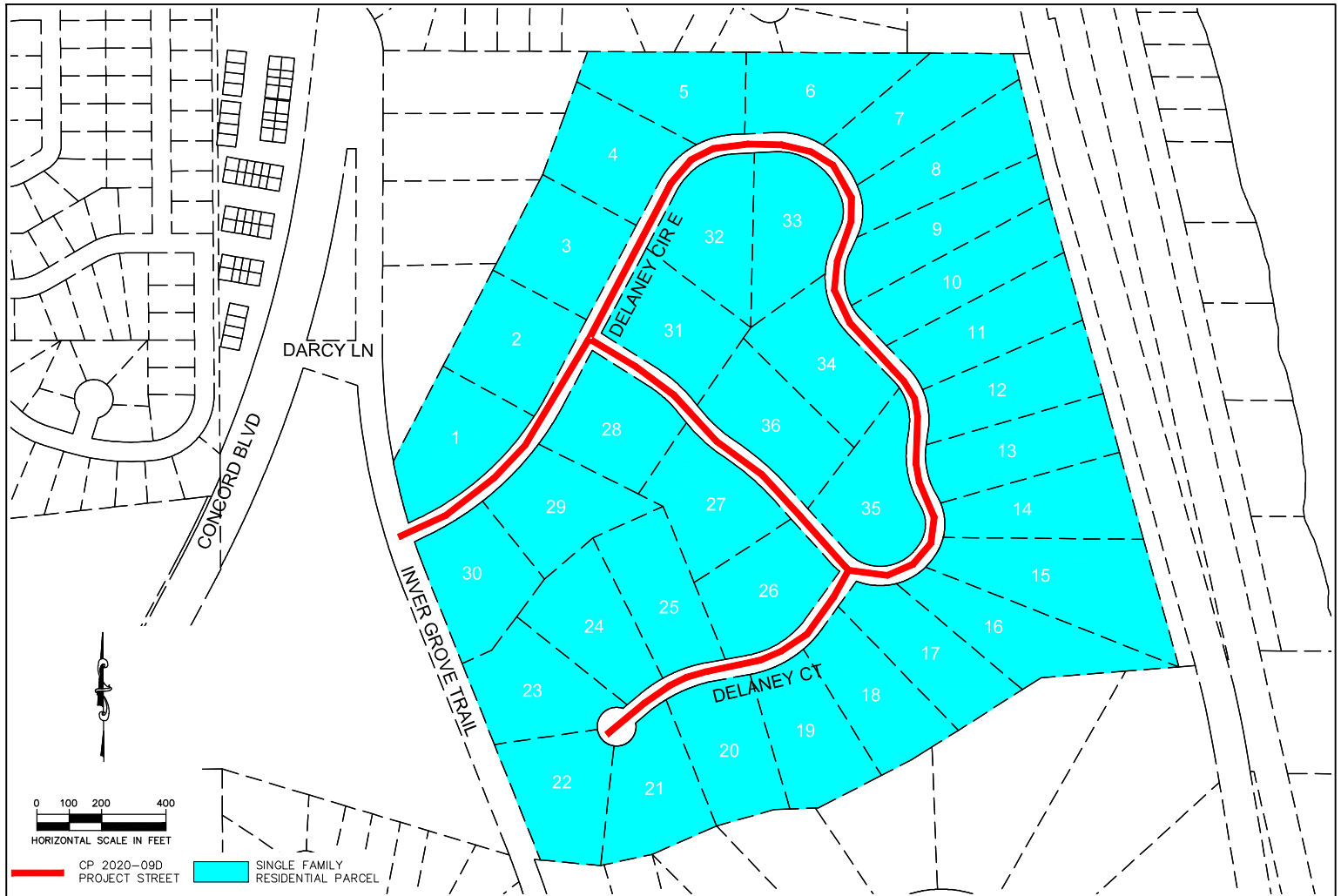
NAYS:

ATTEST

Tom Bartholomew, Mayor

Rebecca Kiernan, City Clerk

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Kimley»Horn

767 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-645-4197
WWW.KIMLEY-HORN.COM

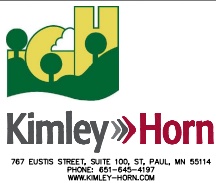
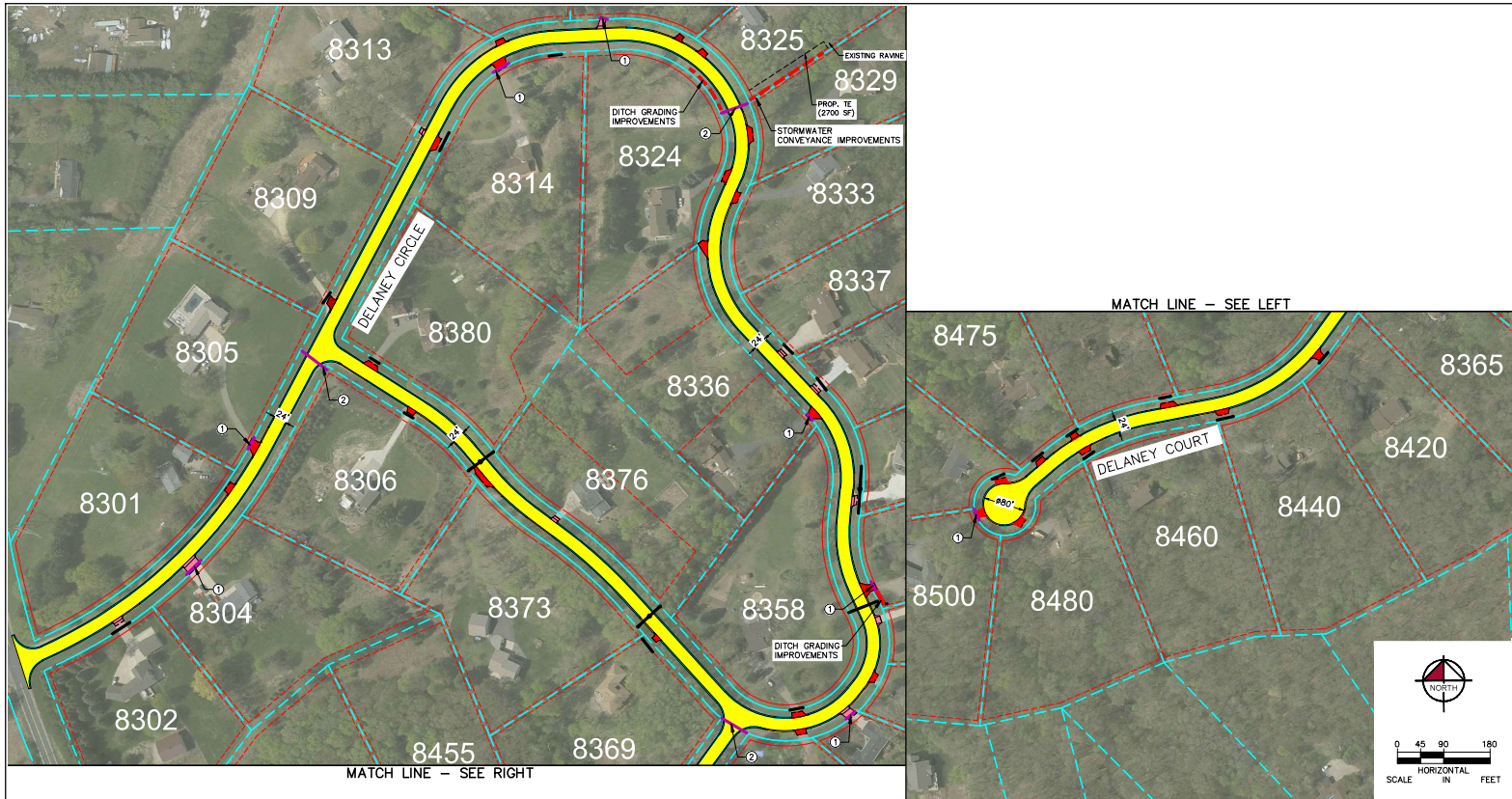


PRELIMINARY ASSESSMENT MAP

DELANEY CIRCLE AND DELANEY COURT IMPROVEMENTS
CITY PROJECT 2020-09D

City Project No. 2020-09D - Delaney Circle and Delaney Court Improvements							
Preliminary Assessment Roll							
Map No.	Property Type	PID	Owner Name	Site Address	Per Policy (55% Street & Storm) Assessment Amount	Benefit Analysis CAP	Proposed Assessment
1	Residential	20-75900-01-050	John and Angela Rouse	8301 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
2	Residential	20-75900-01-060	Wayne and Paula Gorr	8305 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
3	Residential	20-75900-01-070	Susan Becker	8309 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
4	Residential	20-75900-01-080	Brian and Julie Bischoff	8313 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
5	Residential	20-75900-01-090	Patrick and Mar-Bon Wallner	8317 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
6	Residential	20-75900-01-100	Richard Everson	8321 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
7	Residential	20-75900-01-110	Gary Johnson	8325 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
8	Residential	20-75900-01-120	Bradley and Teresa Swingdorf	8329 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
9	Residential	20-75900-01-130	Paul and Lora Serafini	8333 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
10	Residential	20-75900-01-140	Rita Tste and Timothy Tste Meyer	8337 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
11	Residential	20-75900-01-150	Jeffrey and Patricia Dahn	8341 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
12	Residential	20-75900-01-160	Robert Tste Murphy	8345 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
13	Residential	20-75900-01-170	Brandon Barth	8349 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
14	Residential	20-75900-01-180	Connie Ishizaki	8353 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
15	Residential	20-75900-01-190	Jack Sabba	8357 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
16	Residential	20-75900-01-200	Daryl and Elaine Hauck	8361 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
17	Residential	20-75900-01-210	Theresa Baker and Robert Heller	8365 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
18	Residential	20-75900-01-220	Connie and Gregory McCann	8420 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
19	Residential	20-75900-01-230	Michael Tste and Amy Tste Milosch	8440 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
20	Residential	20-75900-01-240	Michael and Rose Regan	8460 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
21	Residential	20-75900-01-250	Angela and Jeffrey Parsons	8480 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
22	Residential	20-75900-01-260	Karen Staples	8500 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
23	Residential	20-75900-01-270	Paul and Courtney Reckinger	8495 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
24	Residential	20-75900-01-280	Edward and Sharon Lynch	8475 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
25	Residential	20-75900-01-290	William and Laura Sexton	8455 Delaney Ct	\$14,424.28	\$9,600.00	\$9,600.00
26	Residential	20-75900-01-300	Michael and Kathryn Challeen	8369 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
27	Residential	20-75900-01-310	John and Bonnie Skoog	8373 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
28	Residential	20-75900-01-320	Michael and Renee Pawlenty	8306 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
29	Residential	20-75900-01-330	Michael MacDonald	8304 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
30	Residential	20-75900-01-340	Rodney and Judy Lucero	8302 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
31	Residential	20-75900-02-010	Dianalyn and David Museus	8380 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
32	Residential	20-75900-02-020	Marlon Danner	8314 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
33	Residential	20-75900-02-030	Robert and Karen Hanson	8324 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
34	Residential	20-75900-02-040	Clayton and Carolyn Larson	8336 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
35	Residential	20-75900-02-050	Wendell and Ann Tste Buysman	8358 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
36	Residential	20-75900-02-060	John and Janet Metcalfe	8376 Delaney Cir	\$14,424.28	\$9,600.00	\$9,600.00
Total					\$519,274.25		\$345,600.00

K:\NCE_Civil\City\Delaney Circle\Delaney Circle.dwg Plot: Sheet\Delaney Circle\Delaney Circle.dwg Project: Improvement\Delaney Circle 08/2020 - 8/20/20



LEGEND			
	PROPOSED ROADWAY		PROPOSED STORM SEWER
	PROPOSED BITUMINOUS DRIVEWAY		EXISTING STORM SEWER
	PROPOSED CONCRETE DRIVEWAY		EXISTING RIGHT-OF-WAY
	PROPOSED GRAVEL DRIVEWAY		EXISTING DRAINAGE AND UTILITY EASEMENT
	PROPOSED GRAVEL SHOULDER		PROPOSED TEMPORARY EASEMENT
	DITCH GRADING IMPROVEMENTS		DRIVEWAY CULVERT REPLACEMENT
			ROADWAY CULVERT REPLACEMENT

PROJECT IMPROVEMENTS
DELANEY CIRCLE AND DELANEY COURT
IMPROVEMENTS

CITY PROJECT 2020-09D

EXHIBIT 3

**Request for Council Action**

	Fiscal/FTE Impact	Mark all that apply
Meeting Date: January 25, 2021		None X
Item Type: Regular Agenda	Amount included in current budget	
Contact: Heather Botten 651-450-2569	Budget amendment requested	
Prepared by: Heather Botten	FTE included in current complement	
Reviewed by:	Other	

PURPOSE/ACTION REQUESTED: TIM SALSCHIEDER - Case No. 20-51V Consider the following requests for property located at 2306 99th Street:

- a) a Resolution relating to a Variance to allow more than one detached accessory structure.
- b) a Resolution relating to a Variance from side yard setbacks.
- c) a Resolution relating to a Variance to allow an accessory structure larger than 1,600 sq feet.
 - Requires a 3/5th's vote.
 - 60-day deadline: February 6, 2021 (first 60-days)

SUMMARY:

The applicant's property is zoned E-1, Estate Residential and is 4.52 acres in size. There is one single-family home with an attached garage on the property and a pool located behind the house. The property has a large drainage and utility easement that covers the western half of the property. The applicant is requesting a variance to allow two detached accessory buildings on the property whereas one is allowed on property less than 5 acres in size. The first proposed structure would be 625 square feet in size and would comply with setback and size requirements. The second proposed structure would be 1,750 square feet in size whereas 1,600 square feet is the maximum size allowed on lots larger than 2.5 acres, but less than 5 acres in size. That structure would also be placed within the 50-foot required setback for structures larger than 1,000 gross square feet. The applicant is proposing to locate the building 10 feet from the east property line and 25 feet from the north property line.

The lots to the north, east and south of the applicant's property are between 2.5 and 3 acres and would have to comply with the same accessory structure requirements as the applicant. Therefore, the variance may have an impact on the character of the neighborhood. Staff believes that the request for the additional building and for the larger structure could be considered a convenience to the applicant and not a practical difficulty.

Planning Staff: Staff believes that the proposed size and number of accessory buildings is contrary to the intent of the zoning ordinance. Staff does not believe there is sufficient rationale to support all criteria of a variance review and therefore recommends denial of the three variance requests as

proposed. Staff believes the applicant did not identify practical difficulties to comply with the ordinance as the property is allowed one detached structure up to 1,600 gross square feet and the size and number of accessory structure standards are not precluding the homeowner from reasonable use of the property and could set a precedent for other lots in the area. Staff is recommending **denial of the variances as proposed.**

Staff would be in support of only a setback variance for a structure 1,600 gross square feet or smaller, pushed to the maximum setbacks possible on the lot with the practical difficulty being the large drainage and utility easement that covers more than half of the buildable area on the property and due to the topography and locations of the drainfield, house and pool.

Planning Commission: At the January 5, 2021 public hearing, the Planning Commission recommended the following:

- 1) Denial of the Variance to allow more than one detached accessory structure due to the lack of a practical difficulty.
- 2) Denial of the Variance to allow an accessory structure larger than 1,600 sq feet due to the lack of practical difficulty.
- 3) Approval of a Variance for a structure up to 1,600 gross square feet to be located 10 feet from the east property line and about 25 feet from the north property line whereas 50 feet is required, with the practical difficulty being the topography and adding a condition that the structure must be less than 1,600 square feet.

Attachments: Denial Resolution – size of structure
Denial Resolution – number of structures
Approval Resolution – setbacks
PC recommendation
Planning staff report

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

RESOLUTION NO. ____

**RESOLUTION DENYING A VARIANCE TO ALLOW AN ACCESSORY BUILDING
LARGER THAN 1,600 GROSS SQUARE FEET**

**CASE NO. 20-51V
Salscheider**

Property located at 2306 99th Street and legally described as follows:

Lot 4, Block 1, Maso Valley View Addition, according to the recorded plat, Dakota County,
Minnesota

WHEREAS, an application has been received for a Variance to allow an accessory building 1,750 square feet in size whereas 1,600 gross square feet is the maximum size allowed;

WHEREAS, the afore described property is zoned E-1, Estate residential;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on January 5, 2021 in accordance with City Code Section City Code 10-3-3:C;

WHEREAS, a practical difficulty or uniqueness was not found to exist based on the following findings:

1. The conditions of the property were not so limiting or unique that the property could not be used in a reasonable manner without the variance. The property would still function as a residential lot that would allow a detached structure up to 1,600 gross square feet.
2. Approval of the variance to allow an accessory structure larger than 1,600 gross square feet could set a precedent for other large accessory building requests.
3. The facts presented do not satisfy the criteria needed to show a practical difficulty on the lot to support granting a size variance; the size of the accessory building may be considered a convenience to the applicant, not a practical difficulty as the property is allowed a 1,600 gross square foot building that could be constructed complying with zoning criteria.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow an accessory building larger than 1,600 gross square feet is hereby denied.

Adopted by the City Council of Inver Grove Heights this 25th day of January, 2021.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. ____

**RESOLUTION DENYING A VARIANCE TO ALLOW TWO DETACHED ACCESSORY
BUILDINGS WHEREAS ONE IS ALLOWED ON THE PROPERTY**

**CASE NO. 20-51V
Salscheider**

Property located at 2306 99th Street and legally described as follows:

Lot 4, Block 1, Maso Valley View Addition, according to the recorded plat, Dakota County,
Minnesota

WHEREAS, an application has been received for a Variance to allow two detached accessory buildings whereas one is the maximum allowed on lots less than 5 acres in size;

WHEREAS, the afore described property is zoned E-1, Estate residential;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on January 5, 2021 in accordance with City Code Section City Code 10-3-3:C;

WHEREAS, a practical difficulty or uniqueness was not found to exist based on the following findings:

1. The conditions of the property were not so limiting or unique that the property could not be used in a reasonable manner without the variance. The property would still function as a residential lot that would allow one detached structure up to 1,600 gross square feet along with an attached garage.
2. Approval of the variance to allow more than one detached accessory buildings on lots less than 5 acres could set a precedent for other residential properties less than 5 acres in size.
3. The facts presented do not satisfy the criteria needed to show a practical difficulty on the lot to support granting the proposed variance. The number of accessory buildings may be considered a convenience to the applicant, not a practical difficulty as the property is allowed one detached structure up to 1,600 gross square feet, complying with zoning criteria.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow more than one detached accessory building is hereby denied.

Adopted by the City Council of Inver Grove Heights this 25th day of January, 2021.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. ____

**RESOLUTION APPROVING A VARIANCE TO ALLOW A DETACHED ACCESSORY
BUILDING LARGER THAN 1,000 GROSS SQUARE FEET TO BE LOCATED WITH THE
REQUIRED 50-FOOT SETBACK**

**CASE NO. 20-51V
Salscheider**

Property located at 2306 99th Street and legally described as follows:

Lot 4, Block 1, Maso Valley View Addition, according to the recorded plat, Dakota County,
Minnesota

WHEREAS, a variance application has been received for a structure larger than 1,000 square feet to be located within the required 50 foot setback;

WHEREAS, the structure would be located at least 10 feet from the east property line and at least 25 feet from the north lot line;

WHEREAS, the afore described property is zoned E-1, Estate Residential;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code 10-3-4 D;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on January 5, 2021 in accordance with City Code Section City Code 10-3-3 C;

WHEREAS, a practical difficulty or uniqueness was found to exist based on the following findings:

- a. The property is limited on the placement of an accessory structure larger than 1,000 gross square feet due to the large drainage and utility easement that covers more than half of the buildable area on the property and due to the topography and locations of the drainfield, existing house and pool.

- b. The location the accessory building does not appear to have any adverse impacts on the neighboring properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow an accessory building larger than 1,000 gross square feet located at least 10 feet from the east property and 25 feet from the north lot line is hereby approved subject to the following conditions:

1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
2. The accessory structures shall not be used for commercial uses, storage related to a commercial use, or home occupations.
3. A grading/erosion control plan shall be required at the time of the building permit application.
4. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer.
5. A stormwater analysis and stormwater management plan would need to be done by a registered engineer.
6. The developer shall meet the conditions outlined in the City Engineers review memo and any subsequent correspondence.
7. The accessory structure shall not be larger than 1,600 gross square feet in size.

BE IT FURTHER RESOLVED that the City 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 this 25th day of January, 2021.

Tom Bartholomew, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: January 5, 2021

SUBJECT: **TIM SALSCHIEDER – CASE NO. 20-51V**

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance from the maximum size, setbacks, and to allow more than one detached accessory structure on the property located at 2306 – 99th Street. 10 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the property is zoned E-1, Estate Residential and is 4.52 acres in size. There is one single-family home with an attached garage on the property and a pool located behind the house. The property has a large drainage and utility easement that covers the entire western half of the property. The applicant's drainfield is located behind his garage. The applicant is requesting a variance to allow two detached accessory buildings on the property whereas one is allowed on property less than 5 acres in size. The first proposed structure would be 625 square feet in size and would comply with setback and size requirements. The second proposed structure would be 1,750 square feet in size whereas 1,600 square feet is the maximum allowed. That structure would also be placed within the 50-foot required setback. The applicant is proposing to locate the building 10 feet from the east property line and 25 feet from the north property line. The applicant has stated that the additional size and structure is needed for his own personal space and storage of his own personal items. Staff believes that the proposed size and number of accessory buildings is contrary to the intent of the zoning ordinance. The lots to the north, east and south of the applicant's property are between 2.5 and 3 acres and would have to comply with the same requirements as the applicant. Therefore, the variance may have an impact on the character of the neighborhood. Staff believes that the request for the additional building and for the larger structure would be considered a convenience to the applicant and not a practical difficulty. Staff does not believe there is rational to support all criteria of a variance and therefore recommends denial of the request as proposed. Staff does believe there may be rational to support a setback variance for a structure that would be 1,600 gross square feet or smaller with the practical difficulty being the large drainage and utility easement and the topography and location of the drainfield, house and pool. Staff heard from three of the neighbors who had general concerns about the request; two of the neighbors mentioned that they had concerns about a possible home business on the site. Staff is not aware of any home business.

Chair Maggi asked if the amount of impervious surface would need to be addressed.

Ms. Botten advised that the impervious surface ordinance was amended in 2020 and a public process to exceed impervious surface was no longer needed. It would be handled by staff with a stormwater facilities maintenance agreement.

Commissioner Robertson stated that while it may not be an impervious surface issue, she was concerned about how packed the property would be with buildings if this request were approved. She noted that there was some rationale for the neighbor's comments about operating a home business as she saw a significant number of landscaping-type equipment on

the property.

Opening of Public Hearing

Tim Salscheider, 2306 – 99th Street East, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Salscheider replied in the affirmative. Mr. Salscheider advised that he was not aware of the 1,600 square foot maximum and would not have an issue with reducing it to that size. As far as packing the property, he noted that the property is 4.5 acres in size and would still have plenty of green space. Because of the topography there is only one viable location for the proposed building. He advised that the neighbor to the east can likely only see his roof and would not build anything near the proposed building as that is where the neighbors septic system is located. The neighbor to the north would have the same view of his houses as it currently stands, and the neighbor to the northeast could likely only see his house in the winter when the leaves were off the trees. He advised that the proposed structure would be built to match his house.

Chair Maggi asked the applicant how he would access the larger accessory building.

Mr. Salscheider replied that he would use his existing driveway and go down the right side of his house to the accessory building.

Chair Maggi asked if he would be adding driveway.

Mr. Salscheider replied he was unsure but would likely put in some kind of hard surface since he was told that gravel is considered impervious surface. He advised that he has a snow removal business and parks his two pickup trucks and two small dump trucks in the driveway. He advised he is not running his business out of his house nor does he plan to; he just wants his equipment where he can oversee it. His plan would be to park these inside the proposed accessory structure.

Chair Maggi closed the public hearing.

Planning Commission Discussion

Chair Maggi stated the challenge will be identifying a practical difficulty.

Commissioner Niemioja supported the applicant's statement that he would be willing to reduce his building to 1,600 square feet and she believed that the topography, large easement, septic field, and existing building was a viable practical difficulty for the setback variance.

Chair Maggi asked if the applicant would still need a variance to allow a second structure even if he reduced the size to 1,600 square feet.

Ms. Botten replied in the affirmative, stating that the applicant is requesting to build a pool house and a larger accessory structure.

Commissioner Simon clarified that the first variance is for more than one accessory structure, the second variances is for setbacks, and the third is to allow a structure larger than 1,600 square feet.

Commissioner Robertson stated her concern was the request for a second structure and the precedent it would set if approved. She did not see a practical difficulty and felt it was more of a personal convenience. She could not approve a reduced setback for that building either because from her perspective the building should not be there.

Mr. Salscheider asked if he could make some comments.

Chair Maggi advised that the public hearing had been closed but after additional discussion she would re-open the public hearing.

Commissioner Weber asked if there were actual drawings for this structure, stating that the applicant referred to the smaller structure as a pool house/gazebo. He asked if the city would consider an open-sided gazebo/pavilion a structure.

Ms. Botten advised that a structure over 120 gross square feet would be considered towards the number allowed on a property.

Commissioner Weber asked if it would still be considered a structure if it was open-sided.

Ms. Botten replied she would not count it towards the number of accessory buildings if it was open on all sides. Her understanding was that the applicant was looking for a structure to house pool equipment along with other uses near his pool. She recommended the variances be acted on separately and that there be some discussion about how they would treat the other variances if the pool house were removed.

Chair Maggi asked how close the larger proposed structure was to the closest neighboring homes.

Ms. Botten stated the proposed structure would be approximately 170 feet from the house to the east and 130 feet from the house to the north.

Chair Maggi asked if either of those neighbors provided comment.

Ms. Botten replied that she spoke with three neighboring property owners but was not sure of their addresses.

Commissioner Weber stated he would like to get clarification from the applicant as to whether the pool house would be an enclosed structure.

Commissioner Wippermann asked what the small structure was on the west side of the house.

Mr. Salscheider replied that it was a portable chicken coop.

Chair Maggi re-opened the public hearing and asked the applicant to discuss the design of the proposed pool house.

Mr. Salscheider advised that he had no drawings but was not opposed to building the pool house with open walls. His vision would be having a wall on the northwest side to hide the pool equipment and have the other three sides be clear garage doors that he could open up and close as needed.

Chair Maggi asked when the pool was installed.

Mr. Salscheider replied summer 2020.

Chair Maggi asked the applicant if he gave any consideration at that time to locating the pool equipment where the larger accessory structure was being proposed so he would need only one structure rather than two.

Mr. Salscheider replied that the pool installer recommended the current pool equipment location because of topography and the fact that water struggles to go uphill. Also, when he built his pool, he never imagined that he would have to go through these variances to do what he had envisioned for his land. Regarding the multiple structures, he looked at the Dakota County website and found 12 properties around his house under 5 acres that have 2-3 detached structures. He is assuming they were all given variances for the multiple structures, so allowing this would not be out of the ordinary for his neighborhood. He noted that even though the proposed structure would be 10 feet from the property line, it would be 170 feet from his neighbor's house. He stated if he reduced the building size to 1,600 square feet that would negate the need for one variance. The second variance for setbacks would be based on the topography of his property. Since he cannot build the structure on the 2-1/2-acre drainage and utility easement this is the only viable location. He does not see any issues with the third variance for having more than one structure since many properties around him have apparently received variances and have multiple structures.

Chair Maggi closed the public hearing. She asked if anyone could find a practical difficulty for allowing two accessory structures.

Commissioner Niemioja commented that she supports the setback variance based on the practical difficulty being the land but could not find a practical difficulty for allowing more than one structure. Regarding the homeowner finding non-conforming lots elsewhere, she stated it is unlikely those people were given a variance for the additional structures. If they were, it was because there was a valid practical difficulty and if they were not, they are in non-compliance. She was concerned about the impact having two structures would be on the surrounding lots that were of similar size.

Commissioner Weber did not think they had to worry about allowing two structures if the homeowner was willing to build a pool house that does not have four walls. It would only become an issue if the applicant wanted to wall it in. In his opinion a pavilion would be similar to putting up a tent. He believed they were looking at only one variance at this point, the setback variance, because the applicant was willing to drop the size to 1,600 square feet and he did not think the pavilion would be considered an accessory structure.

Chair Maggi stated the challenge is that the application that was presented to staff includes two accessory structures.

Commissioner Weber asked if they could approve the setback variance with a condition that it be 1,600 square feet or less in size.

Commissioner Simon replied that voting on the variances separately should take care of that issue.

Ms. Botten replied that the planning commission could add a condition to the second variance. She agreed that they should act on each variance separately because she believes the applicant would still prefer to have the enclosed pool house. She advised that if the doors go up and down on a gazebo with glass walls, it would still be considered a structure.

Commissioner Robertson stated she could not support this package until she understood what the pool house would be and suggested perhaps they deny this as presented and have the applicant come back with a revised request for one accessory building.

Chair Maggi stated her understanding of Commissioner Weber's comments was that they could vote on the setback variance if they were comfortable with the stated practical difficulty, add a condition that the building must be 1,600 square feet or less, and then the applicant could choose not to build a pool house, which would allow the applicant to move forward.

Commissioner Robertson asked for clarification that they would potentially be denying two of the three variances.

Chair Maggi replied in the affirmative, should the vote go that way.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Weber, to approve the request for a structure larger than 1,000 gross square feet to be located 10 feet from the east property line and about 25 feet from the north property line whereas 50 feet is required, for the property located at 2306 – 99th Street, with the practical difficulty being the topography and adding a condition that the structure must be less than 1,600 square feet.

Motion carried (8/0).

Motion by Commissioner Simon, second by Commissioner Weber, to deny the request for a variance to allow two accessory structures whereas one is the maximum allowed on a lot less than five acres in size, for the property located at 2306 – 99th Street due to lack of a practical difficulty.

Motion carried (8/0).

Motion by Commissioner Simon, second by Commissioner Weber, to deny the request for a variance to allow an accessory structure 1,750 square feet in size whereas 1,600 gross square feet is the maximum allowed, for the property located at 2306 – 99th Street, due to lack of a practical difficulty.

Motion carried (8/0). This item goes to the City Council on January 25, 2021.

Chair Maggi summarized to the applicant that the planning commission in essence approved his ability to build one accessory structure up to 1,600 square feet in size 10 feet from the east property line.

Chair Maggi asked if commissioners could get a copy of the amended ordinance regarding impervious surface coverage.

Ms. Botten agreed to provide the requested documentation.

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

HEARING DATE: January 5, 2021

CASE NO: 20-51V

APPLICANT/PROPERTY OWNER: Tim Salscheider

REQUEST: Variances to allow more than one detached accessory structure, to allow an accessory structure 1,750 square feet in size, and to be located 10 feet from the side property lines.

LOCATION: 2306 99th Street

COMPREHENSIVE PLAN: RDR, Rural Density Residential

ZONING: E-1, Estate Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

The applicant is requesting variances to allow two detached accessory buildings on the property whereas one detached structure is allowed on property that is less than five (5) acres in size. One structure (pool house) would be 625 gross square feet in size, complying with setback and size requirements. The other structure is proposed at 1,750 square feet whereas 1,600 square feet is the maximum size allowed and the structure would be located within the 50-foot setback requirements along the north and east property lines. The applicant's property is 4.52 acres in size. The lot consists of a single-family home with an attached garage. A pool was constructed on the property in 2020. The lot has a large drainage and utility easement on the western portion of the property.

The maximum size for an accessory structure on a lot larger than 2.5 acres, but less than 5 acres is 1,600 gross square feet. Any accessory structure greater than 1,000 square feet must be setback at least 50 feet from all property lines. Only one detached accessory structure is allowed on parcels less than 5.0 acres. Residential property that is greater than 5 acres in size would be allowed two detached accessory buildings up to 2,400 gross square feet.

The accessory buildings would be over the maximum impervious surface allowance for the property. If the variances are approved the applicant would then work with the Engineering Department on obtaining the stormwater facilities maintenance agreement. The applicant has stated that the additional size and structure is needed for his own personal space and to store his own personal items. The closest neighboring homes are about 120 feet away from the accessory buildings.

SPECIFIC REQUESTS

The applicant is requesting the following:

- 1) A **variance** to allow an accessory structure 1,750 square feet in size whereas 1,600 gross square feet is the maximum; and
- 2) A **variance** to allow a structure larger than 1,000 gross square feet to be located 10 feet from the east property line and about 25 feet from the north property line whereas 50 feet is required.
- 3) A **variance** to allow two accessory structures whereas one is the maximum allowed on a lot less than five acres in size.

EVALUATION OF THE REQUEST

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

West - Single family residential; zoned A, Agricultural; guided RDR, Rural Density Residential

North - Single family residential; zoned E-1, Estate Residential; guided RDR, Rural Density Res

East - Single family residential; zoned E-1, Estate Residential; guided RDR, Rural Density Res

South - Single family residential; zoned E-1, Estate Residential; guided RDR, Rural Density Res

Engineering. Engineering has reviewed the plans. The construction of an accessory building(s) requires stormwater treatment on the property. Engineering has made some recommendations on conditions that should be added to the approval. These conditions are included in the list of conditions at the end of this report.

VARIANCE REVIEW

City Code Title 10, Chapter 3. Variances, states that the City Council may grant variances when they are in harmony with the general purposes and intent of the zoning ordinance and consistent with the comprehensive plan and establishes that there are practical difficulties in complying with the official control. In order to grant the requested variances, City Code identifies criteria which are to be considered practical difficulties. The applicant's request is reviewed below against those criteria.

1. *The variance request is in harmony with the general purpose and intent of the city code and consistent with the comprehensive plan.*

City Council reviewed the accessory structure size requirements in 2006. Prior to 2006, all lots less than 5 acres were allowed a 1,000 square foot accessory building. The ordinance was amended to allow lots 2.5 acres or more, but less than 5 acres in size, located in an A or E-1 zoning district, one detached accessory structure up to a gross floor area of 1,600 square feet.

With this in mind, granting the variances may establish a precedence that is contrary to the intent of the City Code.

2. *The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

Staff believes the proposed size of the accessory building to be contrary to the intent of the zoning ordinance. There is an attached garage to the house, so the existing house is like others in the area and the property can be used in reasonable manner without the approval of a variance.

3. *The plight of the landowner is due to circumstances unique to the property not created by the landowner.*

The property is 4.52 acres in size. The applicant has an attached garage and is allowed a 1,600 gross square foot detached building. The request for an additional building and for a larger structure may be considered a convenience to the applicant, not a practical difficulty.

Due to the very large drainage and utility easement on the property that covers more than half of the buildable area, the topography of the site and the location of the drainfield and pool the lot does not allow for a structure greater than 1,000 square feet to meet the 50 foot setback requirements.

4. *The variance will not alter the essential character of the locality.*

Lots to the north, east and south of the applicants property are all greater than 2.5 acres and less than 3 acres and would have to comply with the same requirements as the applicants. The size and number of the structures could have an impact on the character of the locality.

5. *Economic considerations alone do not constitute an undue hardship.*
Economic considerations do not appear to be a basis or a sole basis for the request.

ALTERNATIVES

A. **Approval:** If the Planning Commission finds the requests to be acceptable, the Commission should recommend approval of the requests with at least the following conditions:

- Approval of A **variance** to allow an accessory structure 1,750 square feet in size whereas 1,600 gross square feet is the maximum; and

- A **variance** to allow a structure larger than 1,000 gross square feet to be located 10 feet from the east property line and about 25 feet from the north property line whereas 50 feet is required.
 - A **variance** to allow two accessory structures whereas one is the maximum allowed on a lot less than five acres in size.
1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The accessory structures shall not be used for commercial uses, storage related to a commercial use, or home occupations.
 3. A grading/erosion control plan shall be required at the time of the building permit application.
 4. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer.
 5. A stormwater analysis and stormwater management plan would need to be done by a registered engineer.
 6. The developer shall meet the conditions outlined in the City Engineers review memo and any subsequent correspondence.

Practical difficulty: To be stated

B. Denial. If the Planning Commission does not favor the proposed request(s), it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance request does not preclude the applicant from reasonable use of the property.
2. Approval of the variance could set a precedent for other accessory building size, number and location variances.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a variance. The lot size is 4.52 acres in size, there is an attached garage and are allowed a 1,600 gross square foot accessory building.

RECOMMENDATION

Based on the information in the preceding report staff does not believe there is sufficient rationale to support all criteria of a variance review and therefore recommends denial of the request as proposed. Staff believes the applicant did not identify practical difficulties to comply with the ordinance as a 1,600 square foot accessory building could be constructed on the property and the size standards are not precluding the homeowner from reasonable use of the property. For the reasons listed in Alternative B staff is recommending **denial of the variance requests.**

Staff would be in support of a setback variance for a structure 1,600 gross square feet or smaller, pushed to the maximum setbacks possible on the lot with the practical difficulty being the large drainage and utility easement that covers more than half of the buildable area on the property and due to the topography and locations of the drainfield, house and pool.

Attachments: Exhibit A -Location Map
Exhibit B -Narrative
Exhibit C - Site Plan
Exhibit D - Aerial with estimated location of structures



2306 99th Street Case No. 20-51V



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Exhibit A
Zoning and Location Map

Map not to scale

VARIANCE REQUEST

I Tim Salscheider am requesting a variance for multiple reasons.

- 1.) My property at 2306 99th St east is 4.52 acres in size with a total of 196,831sqft. I am looking to exceed the impervious surface allowance of 19,686sqft. Currently I have 19,578sqft of impervious surface. Below is a breakdown of the impervious surface.

196,831 total sqft of lot

6,489 sqft house

94 sqft sidewalk

10,755 sqft driveway

2,240 sqft patio around pool

Total sqft 19,578sqft

Under my allowance by 108 sqft

Proposed sqft to exceed allowance is 2,267 sqft

Detached garage 50'x35'= 1750 sqft

Second detached garage/pool house 25'x25'= 625 sqft

Both new buildings total sqft is 2375 sqft

The unique issue I run into with my property is the driveway is 10,755 sqft which is what puts me over allowed impervious surface compared to all my neighbors who have more normal sized driveways. All my impervious surface drains or sheds right to my land.

- 2.) I also need a variance to build more than one detached structure based on only having 4.52 acres of land. Both structures will be built to reflect the house. Siding, Roof and quality will be the same. One of the structures will be used as a detached garage the other will be used as pool house/outdoor area which because of the topography of my lot is the only space for this. Both structures are behind my house tucked in the woods not in sight of anybody but 2 neighbors.
- 3.) I will need to be at 10' for a setback to the property directly to the East of my property. I was told I would have to be 50' for a setback cause of the size of

the building being over 1000 sqft. The neighbor to the east would never build anything or do anything with his section of property where the detached garage would be located because that is where there drain field is for their septic system. Again because of the unique topography of my land the location I am trying to put detached garage is the only location it can go.

This is a unique lot with unique requests which I am hopeful will get approved.

Thanks

Tim Salscheider

PROPOSED DRAINAGE AND STORM WATER PONDING EASEMENT:

2306 99th Street Drainage Easement

Real property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

Lot 4, Block 1, Mayo Valley View Addition, Dakota County, Minnesota

A permanent cash register for drainage purposes and all such purposes auxiliary, incident or related thereto described as follows:

All of that part of Lot 4, Block 1, MASON VALLEY VIEW ADDITION according to the recorded plat thereof, Dakota County, Minnesota lying westerly of the following described line:

Commencing at the northwest corner of said Lot 4, thence North 89 degrees 32 minutes 03 seconds East, assumed bearing, -277.00 feet to the point of beginning, thence South 16 degrees 58 minutes 04 seconds West, 94.33 feet; thence South 89 degrees 22 minutes 03 seconds West, 41.93 feet; thence South 16 degrees 58 minutes 04 seconds West, 167.97 feet extending to the south property line there terminating.

(EXIST. E) DENOTES EXISTING ELEVATION
 (PROPOSED E) DENOTES PROPOSED ELEVATION
 (DRAINAGE) INDICATES DIRECTION OF SURFACE DRAINAGE

(FIN. GARAGE FLOOR) = FINISHED GARAGE FLOOR ELEVATION
 (TOP OF FOUNDATION) = TOP OF FOUNDATION ELEVATION
 (BASEMENT FLOOR) = BASEMENT FLOOR ELEVATION (HOUSE)
 (BASEMENT FLOOR) = BASEMENT FLOOR ELEVATION (SPORT COURT)

NOTE: BASEMENT HAS 9FT. POURED WALLS.
SPORT COURT HAS 11FT. POURED WALLS.

NOTE: ANY SLOPE EXCEEDING 4:1 SLOPE SHALL BE BLANKETED OR OTHER APPROVED EROSION CONTROL METHOD.

AREAS:

AREAS:

LOT AREA	196.031 SQ. FT.
HOUSE AREA	6,460 SQ. FT.
PORCH AREA	274 SQ. FT.
DECK AREA	183 SQ. FT.
SIDEWALK AREA	94 SQ. FT.
DRIVEWAY AREA	1,075 SQ. FT.

REVISED 07-05-11 CHARGE DRAINAGE TO RT. POURED WALLS AND
CHANGED POOR COLOR TO RT. POURED WALLS,
AND IMPROVED ELEVATIONS AND
REVISED 07-24-11 RE-POUR CONCRETE DRAINAGE AND STOP WATER FLOWING TO EARTH
RE THE DESCRIPTION PROVIDED BY THE CITY OF OAKLAND HOME INSPECTION
REVISED 07-25-11 RE-POUR CONCRETE DRAINAGE AND STOP WATER FLOWING TO EARTH
ALTERNATE SPECIFIC SIZE OF POURED CONCRETE DRAINAGE,
ADD ADDITIONAL BOLT FENCE AND 1/2" SIFC, ADDITIONAL
WALLS IN BAY AREA, ADDITIONAL CONCRETE DRAINAGE PROTECTION,
ADDITIONAL EXISTING GROUND CONCRETE ALONG WEST SIDE OF
BAY AREA IMPROVED ELEVATIONS AND
ADD SECTION TO REFLECT EXISTING WALLS, ADD WEST BEARING
CONCRETE DRAINAGE IMPROVED ELEVATIONS AND
REVISED 08-15-11 RE-POUR CONCRETE DRAINAGE AND STOP WATER FLOWING TO EARTH
RE-POUR CONCRETE DRAINAGE PATTERN, ADDITIONAL
WALLS IN BAY AREA, ADDITIONAL CONCRETE DRAINAGE PROTECTION,
ADDITIONAL EXISTING GROUND CONCRETE ALONG WEST SIDE OF
BAY AREA IMPROVED ELEVATIONS AND
ADD SECTION TO REFLECT EXISTING WALLS, ADD WEST BEARING
CONCRETE DRAINAGE IMPROVED ELEVATIONS AND
REVISED 08-11-11 ADD POURED RET WALL STAYING INFORMATION FROM PUBLIC RESTAURANT
REVISED 08-11-11 ADD POURED RET WALL STAYING INFORMATION FROM PUBLIC RESTAURANT
REVISED 08-11-11 ADD POURED RET WALL STAYING INFORMATION FROM PUBLIC RESTAURANT

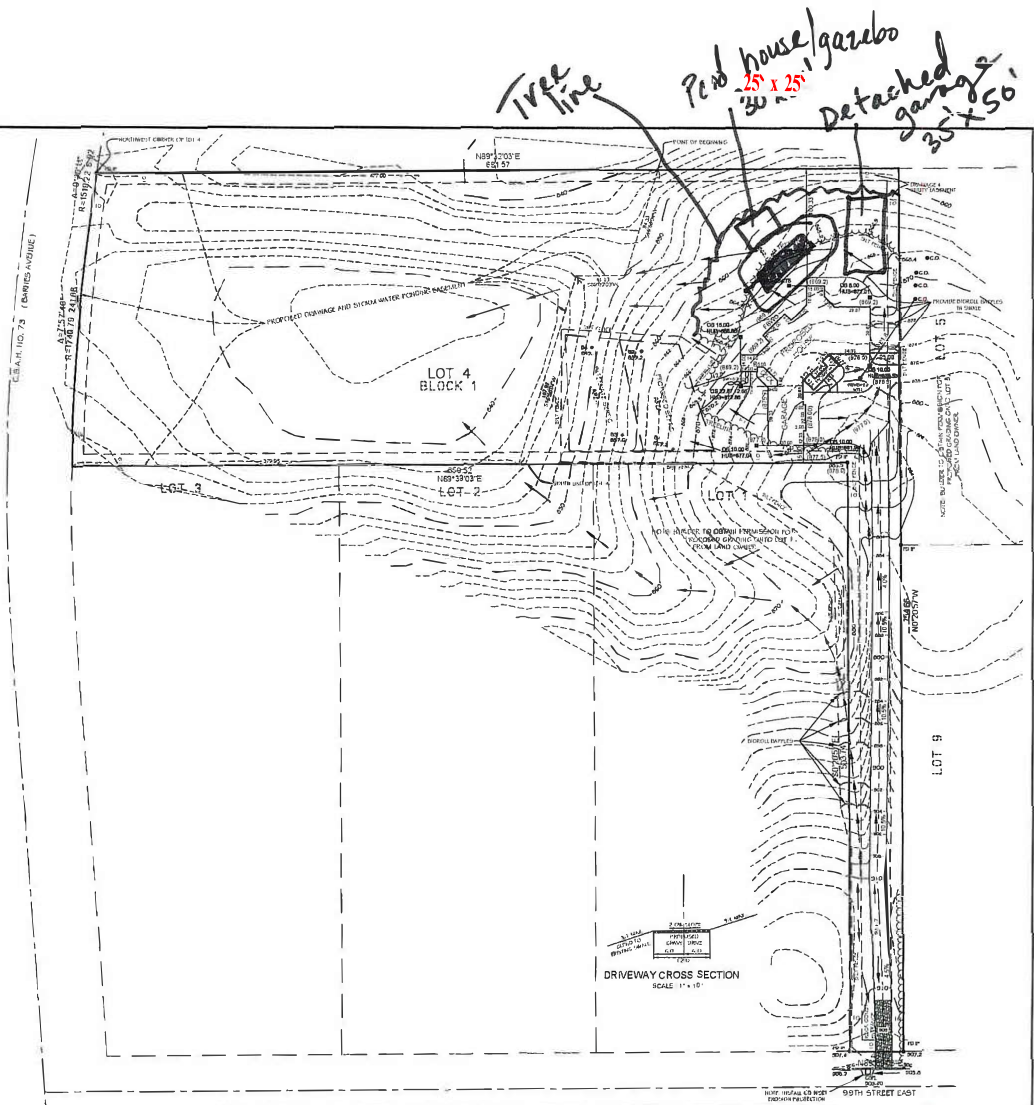
I hereby certify that this is a true and correct representation of a tract as shown and described herein. As prepared by me this 28TH day of MARCH, 2015.

Russell P. Dahl Minn. Reg. No. 19086

PREPARED FOR:
4 LIFE BUILDERS

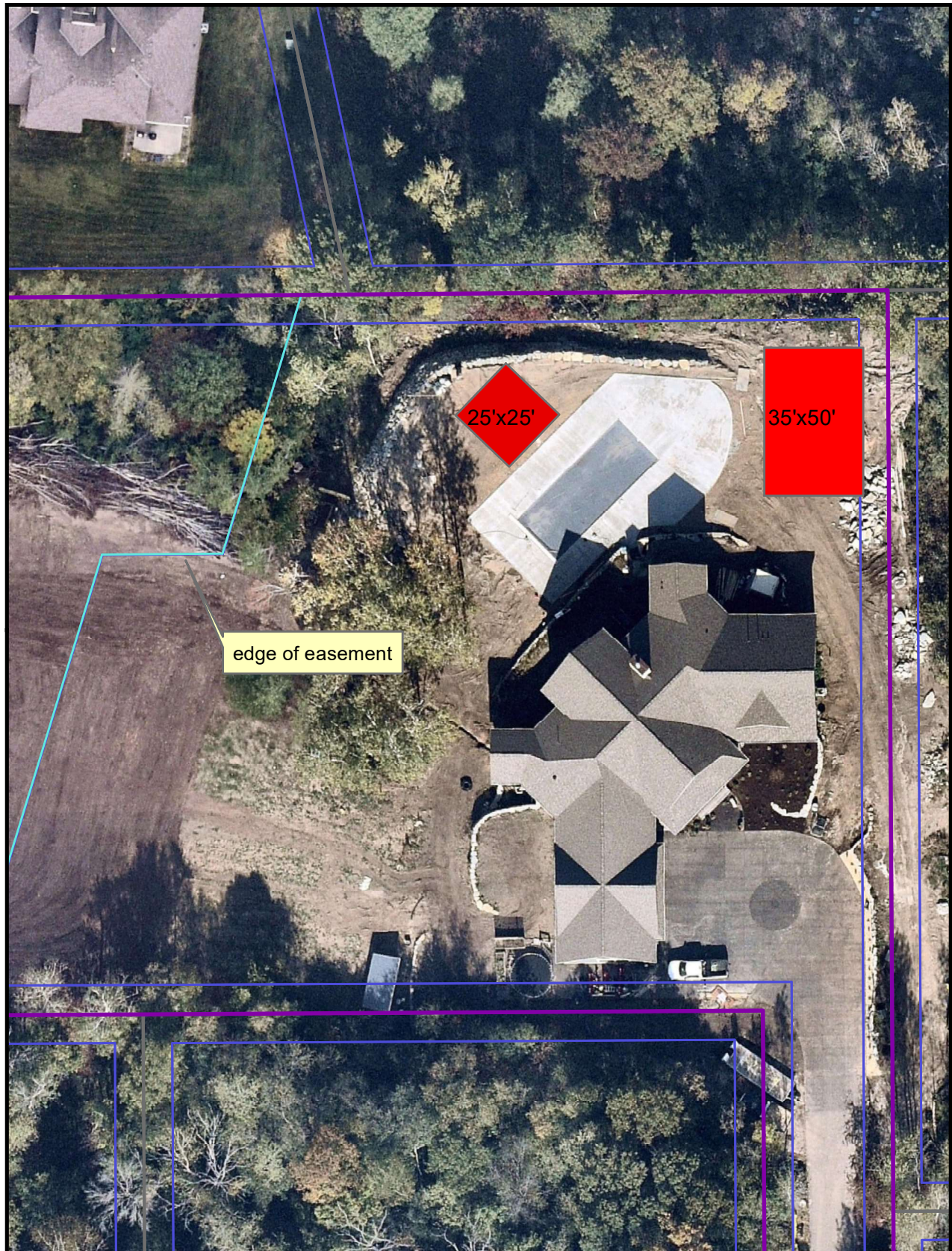
PROPERTY NO. 15685.00

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2306 99th Street Case No. 20-51V



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Exhibit D
estimated area of accessory structures

Map not to scale

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve Final Transfers and Fund Closings

Meeting Date: January 25, 2021
 Item Type: Regular Agenda
 Contact: Amy Hove, 651-450-2521
 Prepared by: Amy Hove, Finance Director
 Reviewed by: Joe Lynch, City Administrator

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

To approve final transfers and fund closings for the following funds: Franchise Fee Fund, Capital Facilities Fund, Capital Acquisition Fund, and Water System Improvement Fund

SUMMARY

The city is currently maintaining sixty-seven funds on its books: one General Fund, seven Special Revenue funds, thirty-two Capital Project funds, twelve Enterprise funds, eight Debt Service Funds, six Internal Service funds and one Agency (escrow) fund.

The Governmental Accounting Standards Board recommends that governments keep and maintain only the minimum number of funds necessary for good accounting and reporting. By not closing out old funds and continuing to create new funds when there lacks a true need, recordkeeping becomes more inefficient and ineffective. At present, there are several city funds that are obsolete and no longer hold a purpose. There are also some outdated processes that need to be addressed to help keep the number of funds we create to a minimum.

Staff have started reviewing each of the city's funds to identify funds that no longer hold a true "accounting" purpose to them and will bring forward recommendations for closing those funds. Staff will also bring forward recommendations on where to transfer any residual balances. In most cases, recommendations on residual balances are purely recommendations and it is ultimately the Council's decision on where those funds should go.

The closing of these funds and moving the city towards a goal of maintaining only the minimum number of funds necessary will not only improve the transparency in our financial reporting but will create much needed efficiencies within our operations.

FUND CLOSINGS – NARRATIVES & RECOMMENDATIONS

Franchise Fee Fund (Fund 210)

This fund was originally created in 2018 when the City passed the Franchise tax. Currently the sole function of the fund is to record franchise fee revenues. As Council approved this tax and has indicated its use is to help pay for pavement management projects, it is more appropriate to record these revenues in the Pavement Management Fund. Recording the franchise fee revenue directly to the Pavement Management Fund will provide additional transparency into how those funds are intended to be used; keeping them in a fund separate from their intended purpose is confusing and adds an unnecessary layer of reporting and recordkeeping.

If at any time in the future Council decides to designate franchise fee revenue for a different purpose, receipts can be reassigned to another fund for use.

At year-end 2019, the Franchise Fee Fund had a fund balance of \$2,111,936. Annual collections are around \$1 million so the fund is anticipated to reach \$3.2 million by year-end 2020. The 2021 budget included a \$3.2 million transfer from the Franchise Fee Fund to the Pavement Management Fund.

Recommendation: Transfer any remaining balance in the Franchise Fee Fund to the Pavement Management Fund (Fund 440) and close the Franchise Fee Fund. Future franchise revenue will be directly recorded to Pavement Management until otherwise designated elsewhere by Council direction.

Capital Facilities Fund (Fund 400)

Between 2001 & 2002, the fund received two transfers totaling \$2,050,000 from the General Fund, possibly to start setting money aside for a future facility project. However, \$215,800 was transferred back to General Fund in 2003 (Res 03-129 7.28.2003) and then there was no activity until 2007 when \$35,000 was transferred to the General Fund. Some minor expenses were coded to the fund in 2008, 2009 and 2012; a few larger expenses occurred in 2010 and 2011 related to a VMCC lighting project. Between 2012 and 2017 there were approximately \$1.8m in various transfers out, these primarily for Parks Equipment/Maintenance and VMCC-Capital Outlay and there has been no activity since the last transfer out in 2017.

The fund has a balance of approximately \$72,000 and staff have no reason to believe there was any intended future use for these funds. As indicated by the title of the fund and some of the previous year activities (i.e., facility projects), staff recommendation is to transfer any remaining fund balance to the City Facilities internal service fund.

Recommendation: Transfer any remaining balance in the Capital Facilities Fund to the City Facilities Fund (Fund 605) and close the Capital Facilities Fund.

Equipment Acquisition Fund (Fund 401)

The origin of this fund appears to coincide with the City's 2002-2007 issuance of capital equipment notes/bonds and most of the expense from that period appears to be related to public safety (police/fire). There were also annual (and large) transfers to other funds (mainly Central Equipment) between 2003-2008, the assumption being these transfers were made to reimburse the other funds for any equipment purchases that were to be covered by the city's equipment notes/bond issuances.

Police 2008 to present

From 2008-2020, the Police Department set aside/transferred \$7,500 annually to this fund. The only exception being 2018 when the transfer was for \$47,500. Altogether, PD transfers from 2008-2020 have amounted to \$137,500. The intent of these annual, budgeted transfers was to set money aside for radio replacements.

In 2014, there was a \$70,576 payment to LOGIS and in 2019 a \$47,427.50 payment to Motorola for radios. PD staff have indicated the LOGIS payment should have come from their General Fund contract budget in 2014 and not their radio savings but this reclassification was not requested at the time and therefore the LOGIS payment still shows as an expense of the fund. There was also a LOGIS reimbursement of \$25,371 that was receipted to the fund in 2013.

If we remove the LOGIS activity and look purely at the transfers and expenses related to radio activity, the PD has \$90,072.50 in the fund.

Fire 2017 to present

Beginning in 2017, the Fire Department started transferring \$7,800 annually to this fund as a five-year plan to set money aside for Class A uniforms. Altogether, Fire transfers from 2008-2020 have amounted to \$31,200 and by the end of the five-year term will equal \$39,000. There have been no payments made against this saved bank.

The city's General Fund can appropriately record and track any monies that need to be set aside for a specific purpose. The General Fund is also the main fund used to track public safety activities. Therefore, staff recommend transferring these funds to the General Fund where they can be set aside and reported for these purposes (Police-Radios for \$90,072.50 and Fire-Class A Uniforms for \$31,200).

At year-end 2020, the fund is projected to have a fund balance of approximately \$630,000. After transferring \$121,272.50 to the General Fund for the radios and fire uniforms that will leave a balance of just over \$500,000.

There have been discussions among management that these funds may provide the city with a funding source for some needed emergency siren improvements. There are two sections of the city (SE corner along Highway 52 and NW area along Argenta Trail) that are not presently covered with an existing siren. The police department has obtained site recommendations and cost estimates for how much it would cost to install two new sirens plus make the needed software enhancements to our existing sirens to get them on the newest platform. Those costs are estimated at around \$120,000. If the city utilized some of the remaining residual in the fund for the purpose of emergency siren improvements, there would remain a balance of \$380,000 in the fund. Staff recommendation is to transfer any of those remaining balances to the city's Central Equipment Fund, the internal service fund that is used to finance large capital equipment and vehicle purchases.

Recommendation: Transfer \$90,072.50, \$31,200 and \$120,000 to the General Fund to be committed for Police-Radios, Fire-Class A Uniforms, and Emergency Siren Improvements, respectively. Transfer any remaining balance to the Central Equipment Fund (Fund 603) and close the Equipment Acquisition Fund.

Note: If funds are dedicated for emergency siren improvements, the Police Department will bring additional project details as well as any contract requests back to Council for approval prior to starting any of the work.

Water System Improvement Fund (Fund 442)

In 2016, Ehlers presented the Council with recommendations on how to pay for ongoing/committed city projects in the Northwest Area as well as help fund annual debt service requirements for NWA sewer bonds. Based on these recommendations, Council approved three one-time transfers completed in 2016 from the Water, Sewer, and General Fund to pay for existing projects within the NWA which along with bond proceeds would cover the cost of those ongoing/committed projects. Council also approved a total of five annual transfers from the Water System Improvement Fund (Fund 442) to the NWA Sewer Fund (Fund 512) beginning in 2016 and concluding in 2020. The final transfer in 2020 is for up to \$910,137 but not to exceed the amount available in Fund 442.

From what staff have been able to determine, the Water System Improvement Fund was created several years ago for the purpose of tracking and reporting on water capital projects that were financed with bonds. When the 2016 recommendations from Ehlers were adopted by Council there were no future revenue or expenditure plans for the fund. The only activity in the past 5 years has been the annual transfers out to the NWA Sewer Fund (Fund 512) plus some interest earnings. After the final 2020 transfer of \$910,137 is made, staff anticipate there will be around \$90,000 remaining in the fund. Given the NWA-Sewer fund does not currently have adequate resources coming in to keep pace with upcoming debt payments and that past approvals have considered using funds in the Water System Improvement Fund towards the paydown of that debt, staff recommend transferring any balance in the fund to the NWA-Sewer Fund (Fund 512).

Recommendation: Transfer any remaining balance in the Water System Improvement Fund to the NWA-Sewer Fund (Fund 512) and close the Water System Improvement Fund.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Receiving Technical Memorandum Related to Canvas at IGH for City Project No. 2015-20 - NWA Trunk Utility Improvements - Robert District

Meeting Date: January 25, 2021

Item Type: Regular

Contact: Thomas J. Kaldunski, 651.315.6336

Prepared by: Steve W. Dodge, Asst. 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: Development Funds, NWA Sewer Fund

PURPOSE/ACTION REQUESTED

Consider resolution receiving technical memorandum related to Canvas at IGH for City Project No. 2015-20 - NWA Trunk Utility Improvements - Robert District

SUMMARY

On November 13, 2017, the City Council adopted comprehensive sanitary sewer plan (CSSP) Alternate 2B - conveying the north portion of the NWA Robert District to the B-Line trunk service district via a future lift station and forcemain providing substantial NWA infrastructure costs savings as part of City Project No. 2015-20 - NWA Trunk Utility Improvements - Robert District. Bolton & Menk has reviewed the trunk sewer district based on Canvas at IGH development final plat submittal and provided a technical memorandum which is implementing the CSSP plan.

In the attached Technical Memorandum, Bolton & Menk has provided updated sewer depth and sewer shed service areas upstream of the Canvas at IGH development. By implementing the CSSP plan, we have been able to provide guidance to Canvas and future developments on shallower sewer depths at a substantial cost savings.

I recommend that the City Council approve the resolution accepting the Technical Memorandum related to Canvas at IGH for City Project No. 2015-20 - NWA Trunk Utility Improvements - Robert District.

TJK/kf

Attachment: Technical Memorandum

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

**APPROVE TECHNICAL MEMORANDUM FOR CITY PROJECT NO. 2015-20 NWA TRUNK
UTILITY IMPROVEMENTS - ROBERT DISTRICT**

RESOLUTION NO. _____

WHEREAS, On November 13, 2017, the City Council adopted comprehensive sanitary sewer plan (CSSP) Alternate 2B - conveying the north portion of the NWA Robert District to the B-Line trunk service district for City Project No. 2015-20 - NWA Trunk Utility Improvements - Robert District;

WHEREAS, Bolton & Menk has reviewed the trunk sewer district based on Canvas at IGH development final plat submittal have provided a technical memorandum implementing the CSSP plan which provides shallower sewer depths in this sewer district of the NWA;

WHEREAS, Bolten & Menk has provided the technical memo dated January 20, 2021 implementing Alternative 2B of the CSSP plan for NWA Robert District .

NOW, THEREFORE BE IT RESOLVED by the City Council of Inver Grove Heights that:

1. The City Council of Inver Grove Heights receives and accepts the Bolton & Menk technical memo dated January 20, 2021 implementing Alternative 2B of the CSSP plan for NWA Robert District.
2. Funding shall come from NWA Sewer Fund and Development Funds.

Adopted by the City Council of Inver Grove Heights this 25th day of January 2021.

Thomas Bartholomew, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Real People. Real Solutions.

2035 County Road D East
Maplewood, MN 55109-5314

Ph: (651) 704-9970
Fax: (651) 704-9971
Bolton-Menk.com

TECHNICAL MEMORANDUM

Date: January 20, 2021
To: Tom Kaldunski, City Engineer
Steve Dodge, Assistant City Engineer
From: Eric Seaburg, Bolton & Menk
Subject: Canvas at Inver Grove Heights
North Robert District Trunk Sanitary Sewer (CP 2015-20)
Project No.: 0T1.122781

Background – Comprehensive Sanitary Sewer Plan (CSSP)

In 2017, the City of Inver Grove Heights updated its CSSP to divert the northern-most extent of the Robert District sewershed to the existing B-Line sewershed. The diversion allowed for a shallower trunk system in the southern extent of the Robert District while also allowing for development to occur in the northern-most extent independently of downstream development. Alternative 1 (Original CSSP) and Alternative 2 (Revised CSSP) from the study are enclosed with the memorandum for reference; Alternative 2 was selected by the City Council as the preferred alternative and continues to be implemented as development occurs.

The North Robert District Feasibility Report, City Project No. 2015-20, was accepted and approved by the City Council on November 13, 2017. The North Robert District Feasibility Report is the guiding document for the revised CSSP. No longer needing to serve the northern extent of the Robert District, the report included an analysis of likely trunk sanitary sewer elevations necessary to serve the sewershed. As a result, the trunk sanitary sewer through the southern extent of the Robert District was shallowed several feet.

The planning-level principles used to establish sanitary sewer elevations in the North Robert District Feasibility Report are generally conservative. The predominant methodology for setting the sewer elevations was providing adequate frost-protection in the lowest topographic areas of the sewershed.

Canvas at Inver Grove Heights – Upstream Sewer Review

The Canvas at Inver Grove Heights development proposal includes extension of trunk sanitary sewer through the site as outlined in the current CSSP with elevations reflecting those from the North Robert District Feasibility Report. As stated above, the methodology in this report aimed for adequate frost protection at the lowest topographic areas of the sewershed. A more refined review of the sewershed, specifically for sewers upstream of the Canvas at Inver Grove Heights development, has been performed and the results are shown in the enclosed figure titled *Canvas at IGH – Sewer Depth Analysis*. Additionally, the enclosed figure titled *Sewersheds – Sewer Depth Analysis* was assembled to illustrate likely service area of future trunk and lateral pipes.

This review utilized the City's Robert Watershed Corridor Feasibility Report, City Project No 2015-19, to assess drainage basin boundaries, 100-year flood elevations, and corresponding minimum low floor elevation requirements. This information, coupled with minimum frost protection requirements, are the basis for the revised trunk sanitary sewer elevations in the enclosed figures.

The 'central' leg of the trunk system that runs across the development's north property line has been raised to the extent possible while still allowing for service to the region's various low floor elevations. The sewer elevation is constricted between MH-1.8 and MH-1.9 where the minimum allowable cover is provided for frost protection.

The 'east' leg of the trunk system that runs across the development's east property line has been raised to the extent possible while still allowing for service to the region's various low floor elevations. Notably, the trunk sanitary system has been revised slightly to no longer provide gravity service to the intersection of Arlene Way and future 65th Street. Gravity service to this intersection previously set the downstream elevations to the east property boundary of the Canvas at IGH development. By slightly modifying the gravity service area, the downstream trunk sanitary sewer can be shallowed as shown in the enclosed figure.

The sewer elevation is now constricted between MH-2.9 and MH-2.10 where the minimum allowable cover is provided for frost protection. This point now controls the downstream sewer elevation at the east property boundary of the Canvas at IGH development.

The elevations outlined in the enclosed figure still allow for possible gravity service to the intersection of Arlene Way and future 65th Street should the City desire this in the future. The low floor elevation at this intersection is considerably higher than the sewer previously planned in the City's CSSP.

Analysis and Recommendations

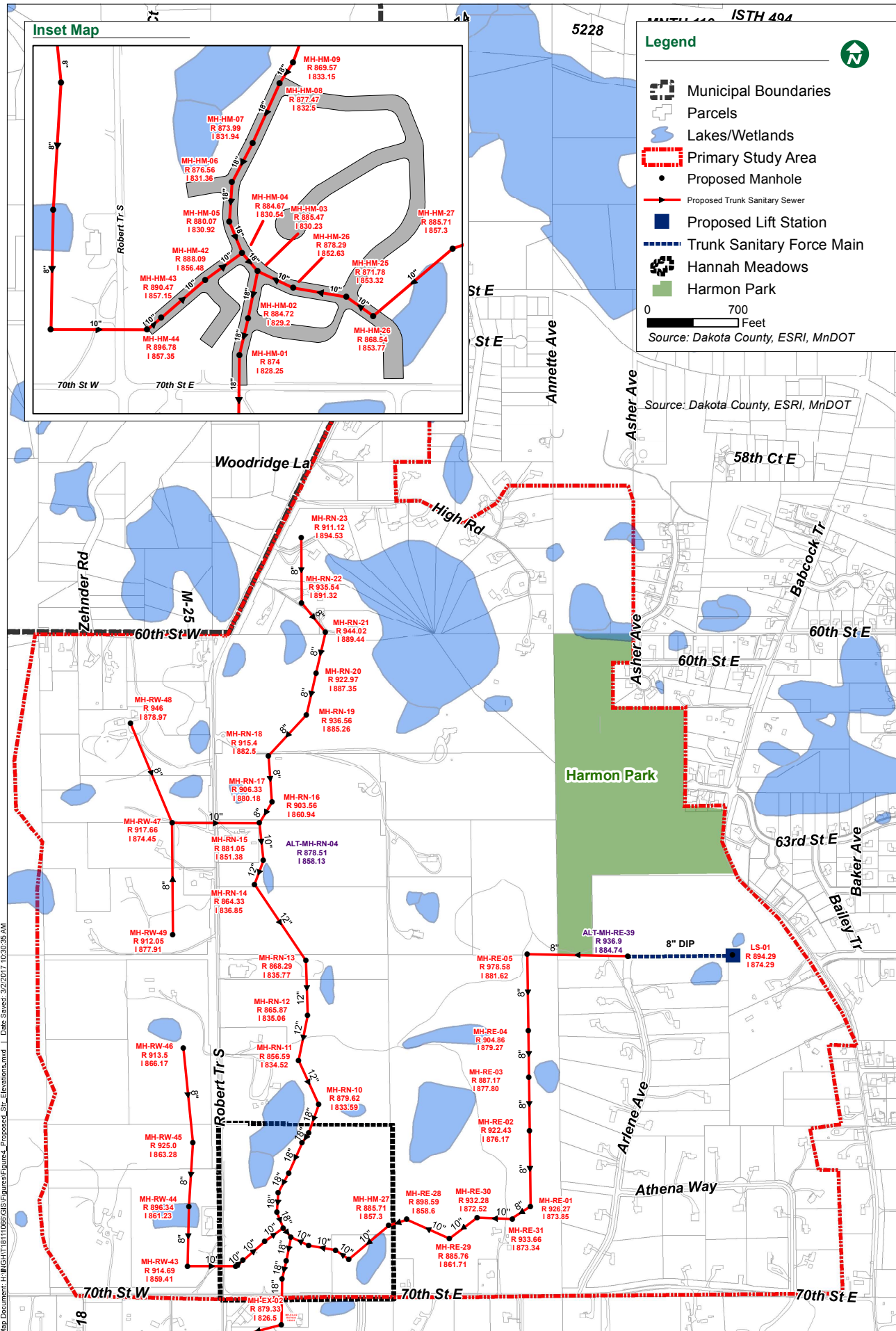
Based on the refined review of sewer depths upstream of the proposed Canvas at Inver Grove Heights development, the trunk sanitary sewer should terminate at as follows:

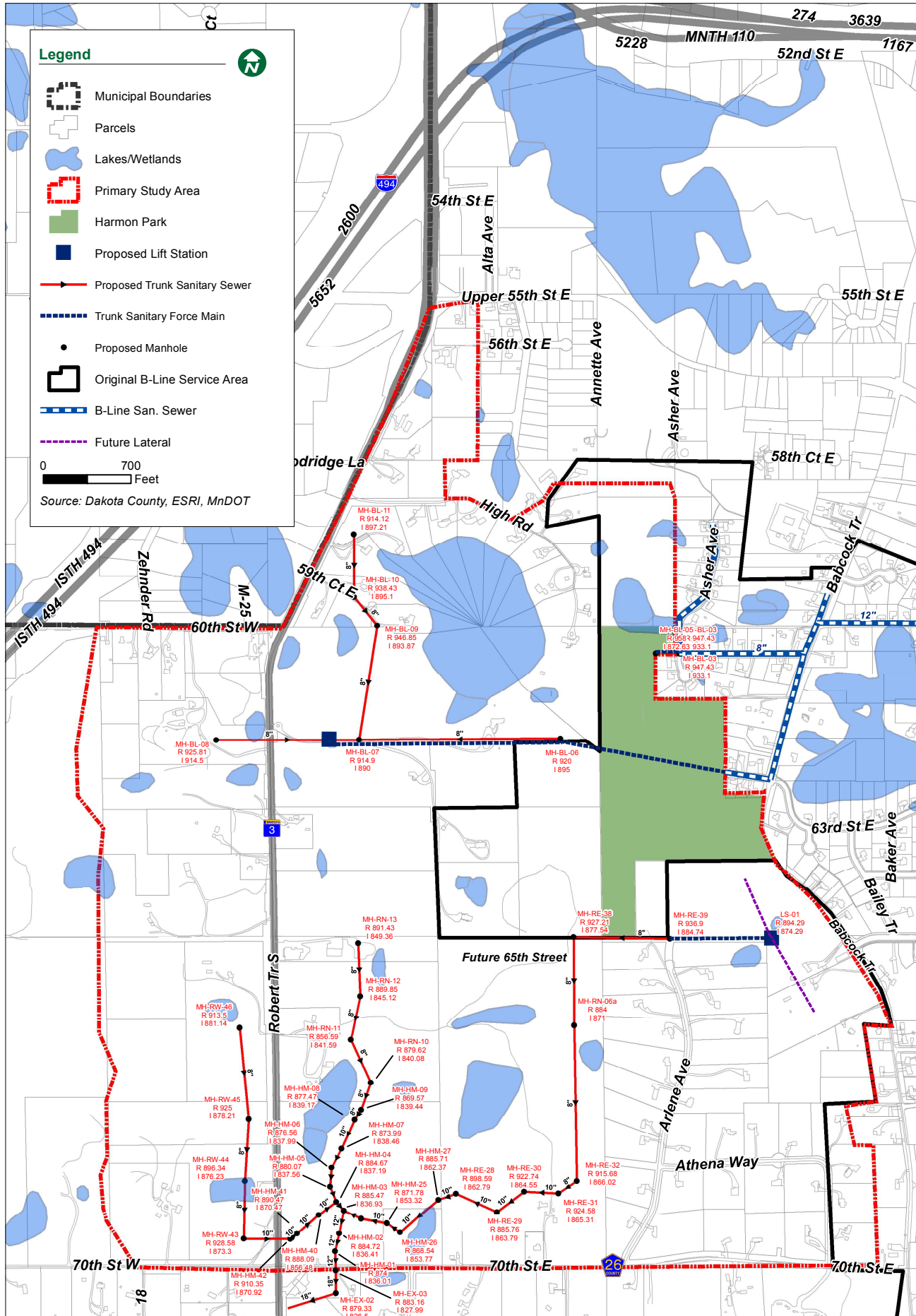
- North property boundary = 853.50' (2017 CSSP = 839.00')
- East property boundary = 872.50' (2017 CSSP Update = 862.00')

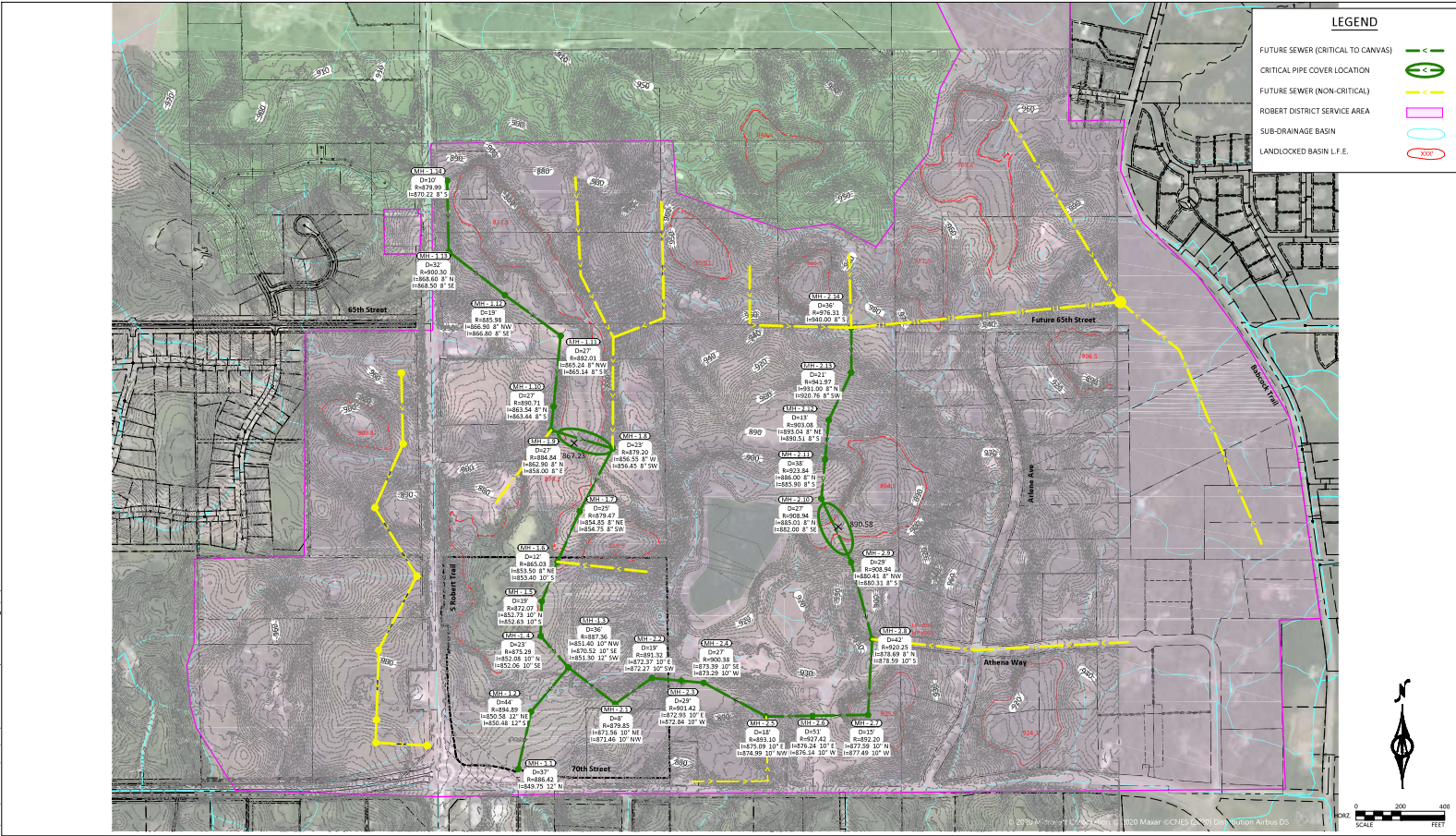
The sanitary sewer should be designed at minimum grades from these points to the trunk sanitary sewer connection point where a 12-inch diameter outside drop was previously roughed-in. The outside drop should be raised to the elevation necessary to serve the new elevations noted above. The outside drop should be installed in accordance with the City's standard detail for outside drops.

Enclosures

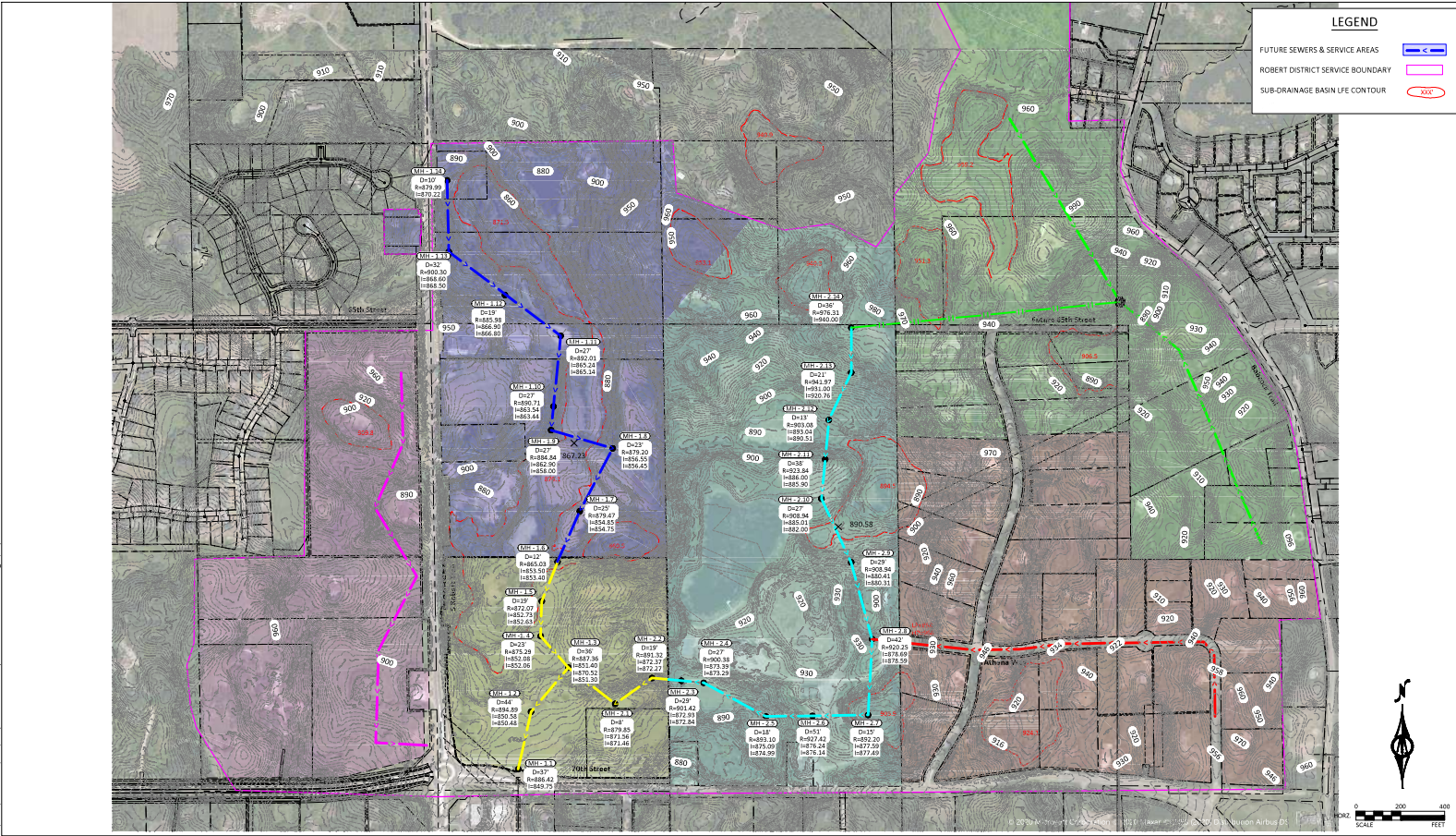
- North Robert District Feasibility Report Figures (Alternative 1 and Alternative 2)
- Canvas at Inver Grove Heights - Sewer Depth Analysis, January 2021
- Sewersheds – Sewer Depth Analysis, January 2021







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**Request for Council Action**

Meeting Date: January 25, 2021
Item Type: Regular- Administration
Contact: Joe Lynch, City Administrator
Prepared by:
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:

Council directed staff to provide information on the candidate that we would like to be considered for the Interim Parks & Recreation Director. Council requested the information be provided with as much advance notice as possible before the regular City Council meeting on Monday, January 25th. That information was handed out on January 19. At your January 19 Special meeting Council discussed the concept of hiring Mr. Oyanagi as the Interim P&R Director and directed that I place this on the agenda for possible further discussion and decision.

OVERVIEW:

The former Parks & Recreation Director and I met with Jon Oyanagi to discuss the possibility of Interim P&R Director services. Mr. Oyanagi has plenty of experience (please see enclosed Resume) and interest in the job.

To begin to conduct the background investigation of Jon we had to make him a contingent job offer and ask him to sign the necessary paperwork allowing us to do this. The particulars of the offer are as follows:

- Work up to 20 hours per week
- Salary would be \$65/hour (current budget accounted for Director salary at \$74/hr)
- Access to the VMCC, city email, phone number and VPN access so he could work remotely as well
- Work schedule would fluctuate from 2-3 days/week
- He would be working remotely, as most staff are still doing
- 4-month Interim period, until the end of May unless extended by mutual agreement by both parties
- Duties would include:
 - Attend Department Head Meetings weekly
 - Work on Riley property with Rec. Supt and Parks Supt. to develop into a neighborhood park
 - Work with staff on completion of Comprehensive park Plan
 - Work with staff on South Valley park Master Plan
 - Work with Dakota County of Mendota Lebanon Regional Trail
 - Work with Dakota County on veteran's Memorial Regional Trail

Recommendation

I strongly recommend that the City Council pass the enclosed Resolution appointing the individual represented to be the Interim Parks and Recreation Director for a period of up to four months contingent upon passing the criminal background investigation. This agreement for these services could be extend by mutual agreement of both parties.

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

A RESOLUTION APPOINTING INTERIM PARKS AND RECREATION DIRECTOR

WHEREAS, the City's Parks and Recreation Director position is currently vacant;
and

WHEREAS, the City will be searching for a new Parks and Recreation Director,
which may take several months;

WHEREAS, the City Council seeks to hire an Interim Parks and Recreation Director
to fill this vacant position on a part-time, temporary basis, until such time as a full-time
Parks and Recreation Director can be hired; and

WHEREAS, the City Council has reviewed the qualifications of Jon Oyanagi and
finds that his prior experience makes him well-qualified to serve in the position of Interim
Parks and Recreation Director.

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

1. Jon Oyanagi is hereby hired to serve as the Interim Parks and Recreation Director
for the City of Inver Grove Heights under the following terms and conditions:
 - Work 2-3 days per week, up to 20 hours per week, at an hourly rate
within the salary range established for the Parks and Recreation
Director classification at Grade 27.
 - Work may be done in-person or remotely, as determined by the City
Administrator.
 - Duties shall include those included in the existing job description for
the Parks and Recreation Direction, and also specifically include
priority projects as identified by the City Administrator and/or City
Council.
 - Provided with access to the VMCC, city email, phone number and
VPN access.
 - Start date of January 27, 2021; employment expected to run for up
to four months or until such time as a full-time Parks and Recreation
Director is hired by the City, although City may terminate employee's
employment at any time.

This resolution is passed and adopted by the City Council of the City of Inver Grove Heights, Dakota County, Minnesota this 25th day of January, 2021.

CITY OF INVER GROVE HEIGHTS

By: _____

Tom Bartholomew

Its: Mayor

Attested:

By: _____

Rebecca Kiernan

Its: City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Approval of Request for Proposals for Professional Recruitment Services

Meeting Date: January 25, 2021
 Item Type: Administration
 Contact: Joe Lynch, City Administrator
 Prepared by: Joe Lynch, City Administrator
 Reviewed by: Joe Lynch, City Administrator

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 City of Inver Grove Heights currently has or will in the near future have vacancies in its City Administrator, Parks and Recreation Director, and Public Works Director positions. The City has never had vacancies in three department-head positions in the past, and has not gone through a recruitment process for a city administrator in more than 15 years. In order to assist the City with the recruitment process for these three positions, it is recommended that the Council solicit proposals from experienced public-sector recruitment firms to conduct a comprehensive recruitment process for candidates to fill all three of the vacancies.

SUMMARY

The Council is asked to approve the attached Request for Proposals from experienced public sector recruitment firms to assist the City with its recruitment and hiring process for the city administrator, public works director, and parks and recreation director positions and to direct staff to post the same on the League of Minnesota Cities' Marketplace and to advertise the RFP by other appropriate means.

City of Inver Grove Heights
CITY ADMINISTRATOR, PUBLIC WORKS
DIRECTOR, AND PARKS AND RECREATION
DIRECTOR RECRUITMENT

Request for Proposals

January 26, 2021

PROJECT OVERVIEW

The City of Inver Grove Heights is seeking proposals from qualified, experienced public-sector recruitment firms for the recruitment and selection of a new City Administrator, Public Works Director, and Parks and Recreation Director. The Mayor and City Council will lead the recruitment and hiring process, along with the support of City Staff.

RFP ISSUED: January 26, 2021

PROPOSALS DUE: 4:30 p.m. February 12, 2021

POTENTIAL SELECTION AND APPROVAL OF FIRM: February 22, 2021

All questions must be submitted via email to City Administrator Joe Lynch (jlynch@ighmn.gov).

ABOUT THE CITY

The City of Inver Grove Heights, located in Dakota County, Minnesota, operates under a statutor Plan A form of government. The current population is 36,381. The city is governed by the Mayor and four City Council members, all of whom are elected at-large and serve in staggered two (Mayor) and four-year (Council) terms. The City Council is responsible for appointing the City Administrator, who serves as the chief administrative officer and is the liaison between the City Council and staff. The City has 155 full-time employees who staff seven departments: Administration, Finance, Community Development, Fire, Police, Public Works, and Parks and Recreation. Each department head reports directly to the city administrator. The 2021 General Fund budget was 24.5 million, and the city's bond rating is AA+.

SCOPE OF SERVICES: CITY ADMINISTRATOR RECRUITMENT

I. Job Profile and Promotional Brochure

- a. Assist the City Council, department heads, and other key stakeholders in the development of a job profile and promotional brochure for the City and the position.

II. Recruitment Process

- a. Meet with the Mayor, City Council, department heads, and other key stakeholders to determine the characteristics and traits desired for a new city administrator.
- b. Develop supplemental questions, and other information related to candidate selection.
- c. Identify and recruit strong candidates.
- d. Develop a process for determining how candidates can move through each round of recruitment, and communicate with candidates throughout the entire process.
- e. Identify and administer a public engagement process for finalists.
- f. Provide administrative support for scheduling meetings and interviews, preparing interview questions and materials, etc.
- g. Notify press of finalists pursuant to state statute.

III. Employment Offer

- a. Develop and negotiate a competitive employment offer, including salary and benefits (with assistance from city staff).
- b. Arrange for a leadership-management style assessment.
- c. Conduct a thorough background investigation.
- d. Serve as a liaison for negotiations between the final candidate and City Council.
- e. Draft materials such as the employment agreement, with the assistance of the City Attorney, for City Council formal approval.

SCOPE OF SERVICES: PUBLIC WORKS DIRECTOR AND PARKS AND RECREATION DIRECTOR RECRUITMENT

I. Recruitment Process

- a. Meet with the Mayor, City Council, department heads, and other key stakeholders to determine the characteristics and traits desired for the Public Works Director and Parks and Recreation Director.
- b. Develop supplemental questions, and other information related to candidate selection.
- c. Identify and recruit strong candidates.
- d. Develop a process for determining how candidates can move through each round of recruitment, and communicate with candidates throughout the entire process.
- e. Identify and administer a public engagement process for finalists.
- f. Provide administrative support for scheduling meetings and interviews, preparing interview questions and materials, etc.
- g. Notify press of finalists pursuant to state statute.

II. Employment Offer

- a. Communicate a competitive employment offer, including salary and benefits (with assistance from city staff).
- b. Arrange for a leadership-management style assessment.
- c. Conduct a thorough background investigation.

DELIVERABLES

All proposals should include the following information:

- Letter of submission with name, address, telephone number, and email address of the person authorized to legally represent the firm.
- Background on firm and outline of experience in public sector executive recruitment, including the names and contacts of other metro area cities for which the firm has previously worked for reference purposes.
- A narrative that presents the services the firm would provide detailing the approach and deliverables.
- Identification of a project lead and key personnel assigned to the project with resumes outlining related experience.
- Total project cost with a breakdown detailing project tasks, associate hours and individual costs, recognizing the city may wish to add or delete services. Cost estimates should include costs for completion of recruitment services specific to each of the three positions and should identify costs for recruitments conducted on a state-wide, regional, and national basis as well as any discount provided for completion of all three recruitment processes.

- The total project cost for services shall be a “not to exceed” cost for services.
- A comprehensive project timetable for recruitment for each position.

BUDGET

Proposed budget should provide the highest level of service at a reasonable cost. The budget should clearly identify city staff support assumptions.

PROPOSAL SUBMISSION

Submit one (1) electronic copy of this proposal to:

Joe Lynch
City Administrator
jlynch@ighmn.gov

Proposals are due by 4:30 p.m. on February 12, 2021.

Proposals received after the time and date for receipt may not be considered.

The City reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the proposer of the conditions contained in this request for proposals unless clearly and specifically noted in the proposal submitted. The City will not be responsible for expenses incurred in preparing and submitting the proposal.

It is the intent of the City to award a contract to the proposer that serves the best interests of the City. Proposals will be evaluated using criteria including the following:

- Responsiveness to the provisions and requirements of this RFP.
- Thoroughness of the proposal and clarity of services to be provided.
- Ability, capacity and skill of the proposer to perform the services requested in this RFP.
- Capacity of the proposer to provide the service within the time-frame specified, without delay or interference.
- Character, integrity, reputation, judgment, experience, and efficiency of the Proposer; including but not limited to past performance record
- Quality of performance of previous contracts or service, especially with municipalities in the State of Minnesota.
- Articulation of an effective strategy for recruitment of a diverse and qualified candidate pool.
- Qualifications and experience of the individuals assigned to this contract.
- Detailed cost analysis.
- Client satisfaction and successful applicant retention guarantee.

The City is not obligated to award the contract to lowest responsible proposer. The City shall have the right to request additional information or clarifications from proposers, to allow corrections of errors or omissions, to waive any defects or technicalities in any proposal or proposals received; to accept the proposal or proposals which, in its judgment, is in its own best interest; to reject any and all proposals; and to re-advertise for new proposals where the acceptance, rejection, waiving, or re-advertising is determined by the City to be in its own best interest. No proposal may be withdrawn after the Proposal Due Date for a period of 120 days.

NEGOTIATIONS AND EXECUTION OF CONTRACT

The City reserves the right to negotiate all terms and conditions of a contract for services. In the event the City and the proposer are unable to agree upon all contract provisions, the City reserves the right to cease negotiations, reject the firm's proposal, and proceed to negotiate with the next selected proposer.

DATA PRACTICES

It shall be understood that all proposals, responses, inquiries, or correspondence relating to or in reference to this request for proposals, and all reports, charts and proposal or referencing information submitted, shall become the property of the City, and will not be returned. The City is subject to the Minnesota Government Data Practices Act, Minnesota Statute Chapter 13, and all information submitted is public unless classified by statute, or temporary classification or federal law as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential.

**Request for Council Action**

Meeting Date: January 25, 2021
Item Type: Regular Agenda
Contact: Joe Lynch, City Administrator
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:

Council is asked to approve the enclosed 2021 Legislative Platform and Bonding requests and to make this available to our State Senator, Representative and other parties who need to be aware of the city's position on issues and priorities for a Bonding request in 2021.

SUMMARY:

Council met on January 19, 2021 and reviewed the 2021 Legislative Platform and Bonding Requests program. Council discussed the Legislative platform and was satisfied with it without any changes. The Bonding Requests were discussed and the Council agreed to enumerate the 117th Street project as priority number 1 for the city and the Public Works Facility remodel/addition as priority number 2 with the change that a sub part a be created to identify that the city would request assistance with the cost of the acquisition of the property to enable the Public Works building to be properly situated on the two properties allowing for enough room for meeting the needs of a community expected to grow to nearly 40,000 in population. A sub part b was identified requesting assistance with the control of storm water runoff from the site, improvements of the water quality of the MnDOT pond and completion of a change to the state pedestrian trail allowing access to and around the water body that collects runoff from State Trunk Highway 55, Barnes Avenue and the City Hall building site.

During a meeting with County Commissioner Atkins, the Mayor and Superintendent Bernhardson when discussing the history of the VMCC and establishment of the relationship between the City and the School District on the various uses within the building, the Commissioner mentioned that the City might give thought to making a pitch for a Bonding request for the replacement of the VMCC aquatics portion of the roof. He thought in a small bonding request year a project like that might be successful particularly given the fact that there is a solar array on it presently. The estimated costs if approximately \$1 million and Council should determine if you would like to add that to the Bonding request items.

**City of Inver Grove Heights
2021 Legislative Positions and Initiatives**

A. Support the Municipal Legislative Commission's (MLC) legislative program Specific areas of support are: 1) Grant State authority to approve sales tax exemptions on construction materials and capital equipment; 2) Increased flexibility on the life of Tax Increment Financing (TIF) districts; and 3) maintain the Homestead Market Value Exclusion program

B. Fiscal Disparities – The City of Inver Grove Heights advocates for legislation that would reflect a meaningful analysis of the present day applicability of the state's 1971 commercial industrial "tax-base sharing" law and opposes the use of fiscal disparities to fund social or physical metropolitan programs because of its complexities results in a metropolitan-wide property tax increase hidden from the public.

C. Levy Limits – The City of Inver Grove Heights supports the principle of representative democracy that allows city councils to formulate local budgets. The city opposes state restrictions on local budgets and opposes legislation that imposes levy limits or the imposition of artificial mechanisms proposals such as the "taxpayer's bill of rights," valuation freezes, payroll freezes, reverse referenda, fund balance restrictions, super majority requirements for levy or other limitations to the local government budget and taxing process.

D. Support Local Control – The City of Inver Grove Heights supports a) the necessary changes to the Data Practices Act to protect municipalities from abusive or harassing requests, while helping to compensate for overly broad and burdensome requests; and
b) supports reducing the number of state and regional agencies that regulate municipal activities related to water quality and water supply.

E. State Property Taxes – The City of Inver Grove Heights opposes the extension of state-levied property taxes to additional classes of property and/or the increase in taxation levels on the present state property tax.

F. Public Employees Retirement Association (PERA) – The City of Inver Grove Heights supports sharing the cost for retirement programs between employees and cities and supports cities and fire relief associations working together to determine the best application of State Fire Aid. This also includes advocating for state funding of costs related to state-mandated changes to the provision of the retirement program, which have the effect of enhancing benefits beyond existing levels.

G. Local Government Aid (LGA) – The City of Inver Grove Heights advocates for policies that more fairly address the disparities in property tax burdens as a percentage of income as documented by the Voss Data Base. The City supports continued funding of Voss Data Base and compilation of data by the Department of Revenue.

H. City's Role In Environmental Protection and Sustainable Development

The City of Inver Grove Heights is committed to environmental protection and sustainability. The city supports public protection efforts to reduce greenhouse gas emissions and to further protect surface and ground water, as well as infrastructure design and techniques that are environmentally and economically beneficial and compliant.

Economic Recovery

The past year has brought unprecedented challenges to cities, businesses, and individuals. The City of Inver Grove Heights has always supported economic development programs helping businesses and workers in our cities. This year economic recovery is a key priority for Inver Grove Heights.

A.) Support for Small Business

Small businesses are the engines of local economies; however, many have been hard hit by repercussions from the pandemic. Inver Grove Heights supports programs designed to keep local businesses, such as hospitality venues, fitness centers, and salons, afloat and thriving as they face the consequences of a global pandemic. Other states have created grant programs for targeted industries. For example, Nebraska is directing over \$75 million toward hospitality grants, allowing hotels, event centers, restaurants, and other hospitality venues to obtain relief of up to \$500,000. Wisconsin has allocated \$45 million to hospitality firms for grants of up to \$500,000, as well. The City of Inver Grove Heights supports programs that help our small businesses rebound from the pandemic.

B.) Support Increased Investments in Minnesota Investment Fund (MIF)

The Minnesota Investment Fund provides financing to help add new workers and retain high- quality jobs in Minnesota. Funds are awarded to local units of government that provide loans to assist expanding businesses. The focus is on industrial, manufacturing, and technology-related industries to increase the local and state tax base and improve economic vitality statewide. All projects must meet minimum criteria for private investment, number of jobs created or retained, and wages paid. At least 50 percent of total project costs must be privately financed through owner equity and other lending sources (most applications selected for funding have at least 70 percent private financing).

Of the approximately 100 projects funded with MIF since 2015, around one-quarter were in MLC Cities, including: Apple Valley, Chanhassen, Eagan, Eden Prairie, Lakeville, Maple Grove, Minnetonka, Plymouth, Savage, Shakopee and Woodbury. Many cities had one than one investment from MIF since 2015.

C.) Support Increased Investments in Job Creation Fund

The Job Creation Fund provides financial incentives to new and expanding businesses that meet certain job creation and capital investment targets. Companies must work with the local government (city, county or township) where a project is located to apply to DEED to receive designation as a Job Creation Fund business. Companies deemed eligible to participate may receive up to \$1 million for creating or retaining high-paying jobs and for constructing or renovating facilities or making other property improvements. In some cases, companies may receive awards of up to \$2 million.

Of the approximately 100 projects funded with JCF since 2015, around one-quarter were in MLC Cities, including: Apple Valley, Bloomington, Chanhassen, Eagan, Eden Prairie, Lakeville, Maple Grove, Minnetonka, Plymouth, Savage, Rosemount, Shakopee, Shoreview, and Woodbury. Many cities had more than one investment from MIF since 2015.

Transportation and Infrastructure

According to census data, MLC cities combined are among the biggest job producing areas in the state with over half a million employees (619,470) compared to Minneapolis/St. Paul with a combined total of 518,637. Along with those jobs comes added congestion and demand on transit and roads in MLC Cities. The City of Inver Grove Heights and MLC supports increased investment in transportation to maintain and grow a robust transportation network.

A.) Support Comprehensive Transportation Bill

The City of Inver Grove Heights and MLC supports regionally balanced transportation funding that addresses the long term needs of our state and is inclusive of all modes of transportation. Inver Grove Heights and MLC supports long-term increased transportation investments that will reduce congestion, provide funding for local roads and bridges, invest in non-motorized modalities, and build a transit system that matches demands in a post-pandemic world.

B.) Invest in Transportation Economic Development (TED)

The City of Inver Grove Heights and MLC supports increased investments in the Transportation Economic Development (TED) program. MLC was a key stakeholder in passage of the Transportation Economic Development Program (TED) in 2010. The program is a partnership between DEED and Mn DOT to leverage public and private funding for transportation programs with significant economic impact. The Bonding Bill passed in October 2020 included \$2.9 million for TED. The City of Inver Grove Heights and MLC supports additional funding in a comprehensive transportation bill.

Examples of TED projects in MLC Communities:

- 1-494/ East Bush Lake Road (Bloomington/ Edina)
- 1-394/ Ridgedale Drive Interchange (Minnetonka)
- Lexington Avenue adjacent to 1-694(Shoreview)
- Shady Oak Road widen and reconstruct (Eden Prairie)
- 1- 94 and 34th Avenue Interchange (Bloomington)

C.) Invest in Corridors of Commerce

Corridors of Commerce was established by the Legislature in 2013 with an initial authorization of \$300 million. Corridors of Commerce funds projects that provide capacity in areas with bottlenecks; improve the movement of freight; and reduce barriers to commerce. There is currently \$0 in Corridors of Commerce funding available.

Examples of Corridors of Commerce projects in MLC Communities:

- I-494/ I-35W Inter change and 1-494 MnPass Lanes (Bloomington)
- Highway 169 - Nine Mile Creek Bridge (Edina)
- I-35W - Minnesota River Crossing (Burnsville)
- 1-694 - Additional lane between Rice Street and Lexington Avenue (Shoreview)
- Hwy 13 and Dakota Avenue Freight Access and Mobility (Savage)

D.) Infrastructure Fees

New development and the resulting growth have placed an increased demand on cities for public infrastructure. This demand and limited financial resources have forced cities to reconsider how they pay for the significant costs associated with new development. Traditional financing methods tend to subsidize new development at the expense of existing taxpayers and this approach does not allow for the best land use planning. As a result, cities are exploring methods to ensure that new development pays for new development.

In *Harstad v City of Woodbury*, the Minnesota Supreme Court ruled that the current state statute does not provide authority for cities to impose infrastructure fees for all necessary road improvements external to a new development. However, current law does allow cities to

impose fees on new development of other infrastructure such as water, sanitary and storm sewer, and for park purposes. Thus, it seems reasonable to extend the fee for infrastructure concept to additional public infrastructure such as major roadway improvements that are necessitated by new development. The MLC supports legislation that gives cities the ability to impose infrastructure fees so the costs of new development aren't shifted onto existing taxpayers.

Local Control

Local government entities are closest to their constituents, most knowledgeable about their communities, and most invested in the welfare and success of their residents. These locally elected officials are in the best position to make important decisions about regulations, finance, and operations.

A.) Preserve Local Authority

1. Support local government authority for land use decisions, zoning and regulatory controls.

Cities are in the best position to understand the needs of the community and must have sufficient decision-making authority to manage development in the community. The City of Inver Grove Heights opposes any statutory changes that would erode this critical long-standing decision-making authority.

2. Support city authority to protect existing taxpayers and recover costs associated with development activity

Cities have the responsibility to minimize the impact of new developments on existing residents. Local leaders must ensure balance and equity on infrastructure investments, however, those initiated by new developments must not be passed on to existing taxpayers.

-

B.) Oppose Fiscal Limitations such as levy limits or reverse referenda on the decisions of local government officials

Local taxpayers hold their local elected officials accountable for local government spending and taxing decisions. When the State imposes levy limits, reverse referendum or other fiscal restraints on local elected officials, it negatively impacts the ability of cities to meet the needs of their residents and removes the autonomy of local officials.

The City of Inver Grove Heights opposes state limitations on local decision-making that inhibit the ability of cities to plan their budgets with confidence.

C.) Preserve the integrity of the Fiscal Disparities Program

The Fiscal Disparities program was enacted in 1971 to reduce disparities in tax base wealth between taxing units within the metropolitan area. Removing revenue from the pool to pay for legislative priorities runs counter to the purpose of the program. Further, the Program should not be expanded to include residential housing and should be used solely for commercial/industrial tax base redistribution. The intended uses of the program should remain intact.

D.) Support Repeal of the Local Government Salary Cap

Minnesota law limits the salaries of city employees to 110 percent of the Governor's salary, with an annual inflationary adjustment based on the Consumer Price Index. No other state in the nation puts a limit on local government salaries. Locally elected city councilmembers and mayors are in the best position to determine the needs of their communities, including the compensation of city employees.

The artificial cap on salaries places Minnesota cities at a disadvantage when recruiting and retaining talented individuals. Minnesota law already requires that each political subdivision post the salaries of its three highest-paid employees on its website, so the salaries of key employees are readily known to the local taxpayers and voters who provide the ultimate check on the actions of city councils.

Between 1998 and 2003, the Legislature exempted entities including school districts, hospitals, clinics and health maintenance organizations owned by a government organization from the salary limitation. During the 2018 session, the Legislature expanded that exemption by allowing the Metropolitan Airports Commission to be exempt from the salary limitation.

The Legislature should end the salary cap altogether and be consistent with all political subdivisions.

2021 State of Minnesota Bonding Bill Effort

1.) 117th Street Reconstruction and Modernization Project

The existing street was constructed in the 1960s. It is badly deteriorated and in need of reconstruction. The street is narrow, with minimal shoulders and drainage issues. There are many access points to abutting industrial properties, but no turn lanes on 117th Street. This creates safety problems.

The 117th Street corridor is an integral component of the broader Dakota County CSAH 32 corridor that connects Interstate 35W in Burnsville on the west to Trunk Highway 52 in Inver Grove heights on the east. The street is an "A" Minor Expander roadway and is on a Tier 2 Regional Truck Corridor.

The project will consist of a two-lane, median divided roadway for a one-mile segment of 117th Street between County State Aid Highway (CASH) 71 (Rich Valley Boulevard) and the Flint Hills Resources Refinery access, just west of the Trunk Highway 52/117th Street interchange, and pavement preservation improvements between the refinery access and the interchange.

The roadway project will be constructed to a 10-ton design, improve safety and access to the abutting industrial businesses, upgrade two at-grade railroad crossings to current railroad standards and integrate those crossing signals into the existing MnDOT TH52/117th Street ramp signal to reduce delay and back-ups as feasible.

The project is in the Capital Improvement Plan for construction in 2023 and 2024. The estimated construction cost is \$10,000,000. Our request is for \$2,000,000 .

2.) Public Works Maintenance Facility Expansion and Remodeling Project

The city's existing Public Works Maintenance Facility was constructed in 1985. At that time, the maintenance staff numbered 14 and a total of 24 pieces of equipment were stored in the building. The number of fulltime maintenance staff has grown to 31 and the number of pieces of equipment needing to be stored has more than quadrupled. During the warm weather months, staff numbers increase to approximately 45 with the addition of seasonal staff. In addition to expanding to meet these needs, the building requires numerous improvements to address ADA deficiencies and modifications to address operational inefficiencies.

A 2015 space needs study determined that an expansion totaling over 57,000 square feet, coupled with major renovation of the existing building, was needed to meet the city's current and future needs. The estimated cost of the improvements, assuming construction in 2023, is \$14,000,000. Our request is for \$1,000,000.

A.) Land Acquisition \$500,000

B.) Storm Water & Water Quality Improvements \$500,000