



Inver Grove Heights City Council
Monday, June 26, 2023 at 6:00 PM
8150 Barbara Ave, Inver Grove Heights, MN 55077

AGENDA

NOTICE TO RESIDENTS: 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, June 26, 2023, will be provided to the Council at or before the June 26, 2023 meeting.

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 of the June 5, 2023 City Council Work Session

B. Minutes of the June 12, 2023 City Council Meeting

C. Approval of Disbursements

D. Personnel Actions

E. Resolutions Accepting Contract Work, Approving Final Change Order and Payment, and Closing City Project No. 2021-11 - Trunk Storm Extension for Landlocked Basin JP-1 (M/I Homes)

F. Resolution Adding VMC, LLC to the City's Professional Engineering Services Consulting Pool

G. Resolution Amending 2023 City Fee Schedule

H. Exempt Gambling Permit for IGH Best Foundation

I. Compliance Agreement with the MN Department of Health for City Project No. 2023-03 - Water Treatment Plant Rehabilitation Improvements

J. Contract with Excel AV Group for Council Chambers Audio Video Replacement

K. Resolution Accepting Donation for Use of Boat Slip

L. Resolution Accepting Updated Joint Powers Agreement with Dakota County Electronic Crimes Task Force

5. Public Hearing

6. Regular Business

- A. Rental Housing Licenses
 - B. Third Reading of Ordinance Amending City Code Related to Alcoholic Beverages in City Parks and Resolution Approving Summary Publication
 - C. Consider Variances for Minimum Lot Width and Accessory Structure, 6938 Booth Avenue
 - D. Consider Request for a Variance from Accessory Structure Size Limitations, 5850 Asher Avenue
 - E. Consider a Comprehensive Plan Amendment for the Southeast Corner of Buckley Way and Buckley Circle
 - F. Consider Resolution Authorizing Ordering of a New Fire Engine
 - G. Appointments to the Planning Commission and Environmental Advisory Commission
 - H. Continued Discussion of On-Sale Liquor Licenses for Exclusive Liquor Stores
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. **Mayor and Council Comments**
9. **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 WORK SESSION MEETING
MONDAY, JUNE 5, 2023 - 6:00 P.M. - 8150 BARBARA AVENUE**

1. CALL TO ORDER:

The City Council of Inver Grove Heights met for a Work Session on Monday, June 5, 2023, in person. Mayor Dietrich called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present In-Person: Mayor Dietrich, Council Members: Murphy, T’Kach, Gliva, Scales; City Administrator Kris Wilson, City Attorney Bridget McCauley Nason, City Clerk Rebecca Kiernan, Community Development Director Heather Rand, Code Compliance Coordinator Tyson Rainey, Police Chief Melissa Chiodo, Finance Director Amy Hove

3. DISCUSSION ITEMS:

A. Exclusive On-Sale Liquor Licenses

City Administrator Kris Wilson discussed City Code 4-1-4, B-1; On-Sale Intoxicating Liquor License. This allows for on-sale intoxicating liquor licenses that may be issued to the following:

- Hotels that have an on site “restaurant” as defined in this chapter
- Clubs or congressionally chartered Veterans Organizations
- Theaters
- Restaurants
- Exclusive liquor stores
- Inver Wood Golf Course

Exclusive liquor stores will be the main topic. Most think of an off-sale liquor license as a place where beverages containing alcohol are purchased to take home/away to consume elsewhere. In this case it is a category of business eligible for an on-sale liquor license (consuming the beverage at their place of business).

- City Code references it as an exclusive liquor store that can get an on-sale license.

State Statute 340A.412, Subd. 14, defines an exclusive liquor store with a specific list of 14 categories of merchandise that a business can sell and be considered an exclusive liquor store. This includes alcoholic beverages, tobacco products, ice, soft drinks, various things such as cork extraction devices, and other things related to alcoholic beverages.

State Statute also provides that an exclusive liquor store that has an on-sale license may sell food for on-premise consumption when authorized by the municipality issuing the license.

Most license holders that sell food qualify as a restaurant. In order to do so they are licensed by the State Department of Health as a restaurant.

- If preparing food in a licensed way, this type of liquor license is not needed; qualifies as a restaurant.
- State statute specifically states an exclusive liquor store may offer live or recorded entertainment.

Exclusive liquor stores are listed in city code as a type of business that can get an on-sale license.

Currently there are no licensees under that category and no recollection of this category being used in recent memory. If continuing with that approach, an exclusive liquor store that gets an on-sale license would have to:

- Meet all licensing requirements. This includes a background check, proof of insurance, and compliance checks.
- An exclusive liquor store is not eligible for a Sunday on-sale license.

Question for Council:

The local business that brought this topic to staff's attention is PerpleBunny Axe House. Staff was challenged to find an avenue for which the business could have a liquor license.

- This business is not currently serving food and are not licensed as a restaurant.
 - Does not qualify under that section.
- Some may consider this type of establishment like a bowling alley or golf course; those uses are specifically called out in state statute as being eligible.
 - It does not provide for a general category of recreation or entertainment.

Staff consulted with the State Alcohol and Gambling Enforcement Division. It was advised that this is a policy question for the Council whether considering a business such as PerpleBunny Axe House to be selling anything other than items on the approved list.

- Is there taking money and repayment to having the opportunity to participate in axe throwing constitute something else that they are selling
- Or because it is not a tangible good does it not constitute something they are selling

Staff wanted to make sure that Council considers issuing this type of liquor license to recreational/entertainment businesses such as PerpleBunny Axe House, there may be other similar type businesses in town that might also be interested. Staff has not gone out and solicited other businesses. For example: There is a recently opened Haunted House attraction in town. There may be other businesses that may want to serve alcoholic beverages to their customers while they are doing what the business does on-site. This would be the avenue for a business that does not wish to serve food but wants to be able to sell alcoholic beverages.

- These are rare in the State of Minnesota
- Approximately 1% of liquor licenses in the state go to businesses defined as exclusive liquor stores

She shared that the City Clerk, City Attorney, and Mr. Dustin Kerr from PerpleBunny Axe House (present), have been involved in conversations regarding this and are available for questions.

Councilmember T'Kach said it was mentioned that other businesses could do this. She questioned if it could be someone running a garden center.

City Administrator Wilson replied some are easy to see when they are selling something not on the list. Exclusive liquor stores can only sell something on the list. Selling plants does not qualify as an exclusive liquor store. A business that comes to mind is the Haunted House. She said she was not saying they want a liquor license, but it might be the type of business that could ask. She said staff has mentioned there has been one inquiry in the past from a Spa that would like to be able to serve beverages to their customers. If the spa sells lotions, makeup, and cosmetics for people to take away with them, they would not be an exclusive liquor store. They would be selling something other than liquor and would not be open to this avenue. She stated that tobacco is listed. There are a couple of tobacco sampling shops in the city. While they have not requested a liquor license, this is another type of business this may open the door to. This asks the question if it meets their business goals. Businesses having an event may have it catered, sometimes the caterer will have a license to serve alcoholic beverages.

Mayor Dietrich asked if this would include the vape shops in town.

City Administrator Wilson replied that tobacco is one of the items that an exclusive liquor store may sell. It would take further analysis of the specific business and what it is they sell, to question if they sell anything not on this list.

Mayor Dietrich asked if it would be under Council purview to create a list that is within the statute if the city did not want a certain type of business to be eligible for this.

City Attorney Bridget McCauley Nason responded it is known/clear at this time if the city could customize the list or not. State statute says these are products that may be sold. There is

language within the list that references food stating "food if authorized by the municipality." There is one reference on the list that puts additional approval onto the city that does not exist with respect to the rest of the product. She mentioned this was something that staff could look into if it was the Council's direction. These licenses were not very common. There are things included such as a Speedway and a few other businesses that were not similar to what the city is addressing.

Councilmember Murphy asked what the state said was up to local municipalities.

City Administrator Wilson replied it was businesses providing a service. If wanting to consider, this means they are selling something not on the list. The question with the business is if PerpleBunny is selling axe throwing or if considering selling something would be something tangible.

Councilmember Murphy questioned if selling axe throwing, they would be disqualified.

City Administrator Wilson replied if the Council decides the business was selling axe throwing, they would not be eligible. If thinking they are providing entertainment, similar to charging a cover at a bar to watch a band play, it is clear they are offering live or recorded entertainment.

Councilmember T'Kach asked about places that offer painting classes and sell wine or beer. She questioned if they were selling the painting class.

City Administrator Wilson replied that would be the question before the Council; that is another example of a similar business. If coming away from a painting or pottery class, you are walking out the door with something tangible. If going to a haunted house or axe throwing business, you had an experience while there, but did not purchase something tangible to take home. This is outside of a t-shirt depicting the company name on it.

Councilmember Scales stated if walking away with something, they were sold something. If not walking away with anything, it is an experience. He said the selling of something is specific, it is tangible property, this is not selling a product.

Councilmember T'Kach said her understanding is that the Council has the authority to do inspections, make sure they are serving alcohol to the right age, and if there were a lot of police calls. She questioned if any of that changes.

City Administrator Wilson replied they would be subject to the same compliance level as a holder of a similar type of license.

Councilmember Gliva said initially it sounded like it could work into the city ordinance and follow state statute. Her concern is the unintended consequences. It would be like creating a bar in Inver Grove Heights. She is in favor of making this specific. She wanted to make sure they were not going to the extreme because it sounds like entertainment, nothing tangible is sold. She said she felt there should be protection on the other end.

Councilmember T'Kach asked what kind of protection Councilmember Gliva was referring to.

Councilmember Gliva replied having the ability to incorporate anything into the ordinance that says axe throwing, haunted house, or escape room. Listing specifics until state statute catches up.

Councilmember Murphy asked if it would be as simple as giving money and taking something away. It defines what selling is in the city. He questioned if this was something that could happen. He said there would not be people popping up bars all over the place.

City Administrator Wilson replied with a bar, you are not taking anything out other than a t-shirt or mug that was purchased.

Councilmember Gliva commented this was not protecting on the extreme end.

Councilmember Scales said he thought Councilmember Gliva was referring to having protection that it will not turn into a bar scene. This would be associated with an event, a process, as opposed to being open as a bar. He said watching would not be associated with the event anymore, people would just come and sit there, drink, and not axe throw.

Councilmember Gliva agreed.

Mayor Dietrich said they would have to walk away with the experience.

Councilmember Murphy asked if bowling alleys were specifically called out.

City Administrator Wilson replied bowling alleys are called out. The bowling alley in the city also qualifies as a restaurant.

Councilmember T'Kach asked if there were land use issues or complications when it comes to zoning. She questioned if someone could come into the city and get a permit/licensing to open a bar.

City Administrator Wilson said the exclusive liquor store is currently listed as an on-sale type. No one has done this recently. If Council decides they do not want that in there, the City Attorneys research has suggested it could be stricken.

Councilmember T'Kach questioned if they could end up with a small business within a B-3, in a neighborhood.

City Administrator Wilson replied that would need further review with land use experts. Staff looked specifically at PerpleBunny because they happen to be in a PUD in the area. They are permitted in the Planned Unit Development as recreational use. The recreational use was amended to allow their business to go in. This is because there are new forms of entertainment and socialization; code does not always reference them. She said the question is if the Council believes that any business licensed in this manner, for land use purposes a bar or restaurant, or if comfortable having something from a land use perspective that is a recreational use yet have a liquor license under this category. Staff is comfortable with the zoning because residences and businesses are separated in most of the community.

Councilmember T'Kach mentioned short term rentals could be another potential place where it could be questioned if entertainment. She asked if someone could apply.

Councilmember Scales stated if someone came in front to the Council and sold the 16 items listed, the liquor license would likely be given because it is currently on the list. The only difference is having entertainment associated with it. The difference to him was the activity.

City Administrator Wilson agreed.

City Administrator Wilson stated the main question for Council in this case is if PerpleBunny Axe House was selling something off of the list. If the Council considers the exchange of money for the opportunity to participate in axe throwing, do they consider them selling something? She questioned if the city definition of selling something is something tangible (object, thing). PerpleBunny Axe House is not selling anything other than what is on the list.

Mayor Dietrich stated she was interested in looking at vape shops.

Councilmember Murphy stated the Council wants this business to be able to do this but does not want things to blow up. He questioned if this would be turned over to staff to determine.

Councilmember Scales stated the list of items are pretty specific. He thought it would be difficult for a current operating business to be able to do this due to the breadth of what they would be selling. It

would be difficult to cut it back to what is on the list to make it work. He said he does not see too many businesses willing to make their product line specific to make this work.

City Administrator Wilson referenced the list stating tobacco is the one that would give her the most pause. She does not have a personal understanding of the scope of what they sell. She questioned if they would be willing to jettison minor product offerings in return for being able to have an on-sale liquor license. She mentioned not every business would rush to this; there is a license fee and insurance. She suggested having the City Attorney dive deeper into how this could be customized. If unable to scratch tobacco from the list, she questioned if there could be a requirement for entertainment. For example, they could issue these types of liquor licenses but only if they are associated with golf, bowling, axe throwing; a type of experience/service. She suggested it be only if zoned for a commercial use. This would address short-term rentals. Further information on short-term rentals could be looked at by staff.

Mayor Dietrich said that was also her concern with vape shops. She does not know what they sell. She has been in a cigar shop and knows it's just tobacco but was unsure about vape shops. She said she would like to know more before a policy is made.

Councilmember T'Kach mentioned there are a lot of small businesses in people's homes, such as hairdressers and tax accountants that are likely zoned residential. She questioned if staff could look into this and if there could be summer parties with someone selling alcohol in their backyard as a bar.

City Administrator Wilson replied they would have to go through a background check and insurance. These would generally be businesses. The item that gives her the most pause is the fact that you can sell tobacco under an exclusive liquor shop. If the Council has concerns about this, having parameters or customizing should be explored.

Dustin Kerr, 4485 Cinnamon Ridge Trail, Eagan, MN introduced himself.

Mayor Dietrich asked Mr. Kerr if he would consider having chips or prepackaged food items.

Mr. Kerr replied they are looking into that with an attorney about what it would take to become a restaurant. He said there was not a lot of space to do that. This request allows them to pursue a different avenue for selling. He said they have sold chips in the past and may be willing to do it again. There is also the possibility of putting in a toaster oven and doing Heggie's Pizzas to provide food. He shared that they do want to go down that route.

City Attorney Bridget McCauley Nason summarized what the Council was looking for:

- Trying to lock down what the types of exclusive liquor stores could look like
- What limitations or types of restrictions the city might be able to place on them
- Review zoning in conjunction with all licensing components to ensure consistency between anticipated zoning for these types of businesses and what is in the zoning ordinance
- Home businesses and VRBO's

Mayor Dietrich stated that would be fine.

City Administrator Wilson said staff will begin research on those subjects and get back to the Council as quickly as they can.

B. Update on City Code Compliance Activity

Community Development Director Heather Rand stated that Tyson Rainey, Code Compliance Coordinator, has been in this position for four months. He will be giving a presentation that would focus on the trends seen as he is out in the field responding to residents' concerns with code compliance.

Code Compliance Coordinator Tyson Rainey stated he has been with the city since 2013 and has been the Code Compliance Coordinator for four months. He presented the following on Code Enforcement:

Why Code Enforcement is Important:

- Protect public health, safety, and welfare, while ensuring every citizen the right to a clean enjoyable neighborhood.
- Maintain property values.
- Quality of life in the community.
- Broken Window's Theory. This means blighted properties attract more blighted properties, crime, harbor for vagrants.
- Encourages potential businesses and residents to come or stay in Inver Grove Heights.

Code Compliance Unit:

- 1 person (Code Compliance Coordinator) within the Community Development Division
- Complaint based investigations
 - Does not have the time or resources to proactively go out looking for code compliance issues. There is enough to do with the complaints that come in
- Partner and collaborate with building inspections, planning, public works, police and fire, city attorney's office, state, and federal agencies

What Code Enforcement Does:

- February 1 to present:
 - 98 cases with 70 of those closed out (corrected)
- Calls include:
 - Exterior building materials left outside, incorrect material
 - Fence/wall
 - Garbage pickup
 - Home business
 - Infestation
 - Junk vehicles
 - Property maintenance issues
 - Parking (mostly private property parking complaints)
 - Prohibited structures
 - Roll off boxes and dumpsters
 - Setbacks
 - Signage
 - Snow removal
 - Tree removal
 - Vegetation/weeds
 - Zoning/land use
 - Run off/stormwater
 - Rubbish/waste removal
 - Rental properties
 - Public nuisance

What Codes are Used:

- Depends on what property they are looking at: Residential, commercial, agricultural, rentals
- MN State Building Code is used for residential, commercial, and agricultural
- International Property Maintenance Code (IPMC) is just for rentals
- Differences:
 - IPMC is universal around the country/world for everything the city code touches on such as: weed/grass control, property maintenance, parking lot maintenance.
 - Current Code does not address E1, E2, and Agricultural for weed and grass control. The IPMC would.

- Rodent harborage, infestation, driveway maintenance, exterior maintenance, for all structures, buildings, and sheds. The IPMC covers. Currently used for rentals only.
- For a property that is not a rental, it is very limited on being able to do anything with those types of issues.
- MN State Building Code: Minimum acceptable building code. Lower standards than the IPMC. Workmanship is not addressed.
- City Code deals with property maintenance, nuisances. More limited and subjected to opinions than the IPMC.

Examples were shown of the type of work he does:

Junk and Refuse:

- Items the city defines as junk or refuse on the property. A complaint is received, he works with them to try to get it resolved.

Junk Vehicles:

- If inoperable, does not run, has flat tires, expired license plates, unlicensed; these are considered a junk vehicle.

Hoarding:

- Work with Social Services with hoarding cases. Limited to what can be done.
- Follow the lead of Human Services.

Mayor Dietrich asked if he was under the authority to remove pets from that situation.

Code Compliance Coordinator Rainey replied the police department would be able to if there was not someone there to care for it. Those animals would be impounded at the Animal Hospital until someone can care for them. People are taken at their word that someone would show up and care for the animal. It could become a problem if someone does not show up.

Code Compliance Coordinator Rainey discussed:

Infestations:

- IPMC for rentals cover infestations such as squirrels.

Home Occupations:

- Inver Grove Heights has limitations about what is allowed in residential areas.

Diseased and Hazardous Trees:

- Growing issue with the Emerald Ash Borer along with other diseases.
- Future discussions among staff will take place regarding resources for diseased and hazardous trees on private property.
 - Could become quite expensive for tree removal depending on quantity, size, and location.
 - For now, if diseased and hazardous, staff recommends the property owners remove it. This can be quite expensive. There are some property owners that cannot afford the tree removal required. There are no known grants/funding to assist.

Building and Property Maintenance:

- Items such as concrete and siding are covered under the IPMC.
- Fences. Missing pieces or falling over. Code will allow for this to be corrected.
- Deteriorating sheds.

Grass and Snow:

- For grass, less than 8" if a residential lot on less than an acre.
 - There are questions coming in regarding pollinator yards. Staff is having discussions about how the city would handle this.
- Homeowners are required to remove snow on adjacent sidewalks around their property.

Code Enforcement Process:

- Verify a code violation (initial inspection)

- Notice of violation is sent to the property owner
- Reinspect at the deadline provided
- Up to two more notices of violations
- Abatements
- Criminal citation (last resort)

Factors that are Considered:

- Life/Health/Safety Hazards are priority cases
- Repeat violators. Numerous notices are not sent to correct things due to history of non-compliance
- Size of the issue and the reasonable amount of time it would take to abate
- Cooperation and communication by the property owner with an action plan for compliance

Councilmember Murphy referenced snow removal and asked if there was a time that residents were not responsible for the sidewalks surrounding their property.

Code Compliance Coordinator Rainey replied there are certain routes like main streets such as Cahill, where the city has that as a part of their snow route. There are other areas. He said he does not believe the city has ever done an abatement when it comes to snow removal.

Abatement has not really been an option, he sends notices. If nothing is corrected a criminal citation is issued and would have to go through the court process.

C. Dakota County Drug Task Force

City Administrator Wilson stated staff requested this item be postponed to a later Council meeting.

D. Use of Opioid Settlement Funds

Police Chief Melissa Chiodo showed the Council her jersey for the next event taking place called Cops and Bobbers. This event takes place on June 13th for 6-11-year-olds. Staff is hoping to make this a yearly event or to have a fishing team with kids.

Police Chief Chiodo discussed the lawsuit against manufacturers of Opioids. A settlement came out of this resulting in public safety agencies receiving money in Minnesota. She has met with Fire Chief Thill, City Administrator Wilson, and Finance Director Hove to discuss ideas.

National Epidemic - Crisis Background:

- Since 1999 there has been an increase in opioid deaths
- Peaked in 2014
- Continues to rise through 2020
 - Over 60,000 in 2020 from synthetic opioids alone

Crisis Evolution:

- Began with opioid manufacturers via legal prescriptions people were getting
 - Marketing and inadequate monitoring of the side effects and how addictive they were was non-existent.
 - Americans having legitimate surgeries with a doctor were given an opioid as a pain killer without the knowledge they were addictive. This turned out to be wrong.
- Began going after opioid manufacturers and then Fentanyl hit the market along with other synthetic drugs
 - A lot of the Fentanyl is coming from China. This is not manufactured in a lab similar to how Penicillin and other drugs are manufactured.
- Settlement resulted in up to \$300 million dollars in Phase 1
 - Four drug manufacturers to date (possibly a fifth being added)
 - More settlements would be ongoing with distributors/retailers
 - Minnesota estimates receiving approximately \$235 million dollars with more anticipated to come

Inver Grove Heights Crisis Background:

- Check welfare calls from 2013-2022 have increased
- Goes up in 2014
- Overdose calls in the city were flat at first and started picking up in deaths around 2021

State of Minnesota Crisis Background:

- Since 2000 there have been 5,568 residents that have died from opioid overdose deaths
- Those numbers climbed in 2000, 2015 saw a spike
- In 2020 deaths spiked with 678 residents that have died

Fatal Overdoses by City in Dakota County:

- Inver Grove Heights averages 6.48 fatal overdoses per 100,000
- To note: These do not include people that overdose and die and are given Narcan by police officers, firefighters, and paramedics and are brought back.
- The cities of Hastings and West St. Paul have higher numbers compared to Inver Grove Heights

Fatal vs. Non-Fatal Overdoses in Dakota County:

- Yearly deaths have gone up from 38 in 2011 to 65 in 2021.
- People that have gone to the ER for a fatal overdose and are brought back have higher numbers with 90 people in 2016 and 263 in 2021.
 - People can now get Narcan from a pharmacy. Do not need a prescription.
 - There are people in public safety that have 14-16 used canisters of Narcan. This means someone overdosed, died, someone used a canister of Narcan on them and came back. None of these are ER visits. People do not always go to the ER; some are homeless.

Crisis Response Providers Receiving Funds: Four groups will receive funding:

1. County Health Care
2. County Government
3. Community Partners (places that provide treatment, provide harm reduction such as clean needles to users that provide other types of prescribed drugs to help people to get rid of their addiction).
4. First Responders: Police, Fire, EMS, and Sheriff

Settlement Framework: Allocation of Funds:

- Local Governments would get 75% of funds directly. This includes:
 - All counties, cities with over 30,000 residents, cities that have a Public Health Department, cities involved in the lawsuit
 - Cities under 30,000 do not receive direct funds, they need to go through their County to get money
 - State Government gets 25% to use for public health and other uses
- City of Inver Grove Heights (bottom of the list):
 - Due to receive \$486,963.00 to use according to the settlement
 - The city has received approximately \$115,000 to date
- Dakota County receives approximately \$10 million dollars to use towards fighting this epidemic. Money will come over 18 years. This gives opioid manufacturers 18 years to pay. A lot have front loaded (paid more at the beginning with payments becoming smaller as the years go on).

Allowable Opioid Remediation Uses. 3 categories in which settlement funds can be used:

1. Treatment:
 - a. Most would be used toward community groups, health care providers
 - b. Train First Responders on Medication for people in Opioid Use Disorder (MOUD)
 - c. Implement police addiction recovery initiatives
 - i. This is not something she recommends for a city of this size. Used more toward larger cities such as Dallas

- d. Provide training to law enforcement and correctional/judicial partners on the best practices for handling criminal justice involved persons when they come out of the system
2. Prevention:
 - a. Expansion of the Drug Take Back Program (currently have one box in City Hall)
 - i. One event per year, can be expanded
 - ii. Do not have a box outside but used to; it was exposed to the elements. Could build another to keep it from the elements
 - b. Funding on evidence-based prevention programs in the community
 - i. Specifically, D.A.R.E. This program was redone to raise awareness to kids about opioid uses and the shapes and forms it comes in, how to report, how to avoid, and how to educate yourself
3. Other Strategies: First Responders:
 - a. Public Safety expenditures relating to the opioid epidemic
 - i. Can be used for the use of Narcan related calls
 - ii. Test kits for drug use
 - iii. CPR related machines for police and/or fire departments
 - b. Education of staff. Updates on the latest, how to recognize it, and protect themselves
 - c. Wellness and support services for public safety
 - i. The emotional toll this takes on police, fire, and EMS when on these calls and seeing such a bad epidemic

Settlement Framework: Usage of Funds:

- Requires an adopted budget or separate resolution authorizing expenditures during a specific timeframe.
 - No sunset clause.
 - If wanting to use, whether fire, police, or joint project between both, information must be brought before the Council for authorization and must tie to the settlement with the reason.
- Local governments may make contracts or grants to a non-profit, charity, or other entity with Opioid Settlement Funds.
- Can recoup administrative costs up to 10% of the relevant allocation.
- Finance Director Amy Hove has been involved and has created a fund. A report has been submitted for 2022 which had no expenditures.

Settlement Framework: Limitations on the use of funds:

- Can only be used for future opioid remediation activities
- Can not be used to pay litigation costs for the settlement

Crisis Response proposed ideas: (group meeting outcome):

- Prevention/Education:
 - Dare Officer/SRO, partner with the school. Expected cost to the city \$70,000
 - Liaison work with Cahill Place and Gateway (two treatment facilities). Ideal Option is the latest to open dealing with those with opioid addiction
 - Education on a community wide level such as: Inver Hills Community College, Public Schools, Community Meetings, Public Service Announcements
 - Expansion of the Drug Take Back Program, collection, tracking, and disposal
 - Education of law enforcement and fire on precautions and practices
- Response:
 - Purchase naloxone, narcotics test strips, Nik Kits
- Wellness of First Responders:
 - Trauma Response Support

Other Ideas: Reached out to other Dakota County agencies to see what they may be doing with their funds:

- Apple Valley: Police department to focus on enforcement and officer education.
- Burnsville: No determination yet. Police and fire departments are working with their City Administrator on best uses and may focus on prevention.
- Eagan: Directed by their City Council to have the police department focus on prevention efforts.
- Lakeville: Purchase a vehicle for their DTF Officer, DTF fees for one year, and enforcement and prevention by the police department.
- Dakota County: Board will determine spending but will cover different areas of treatment, prevention, recovery, harm reduction, research, and training.

Councilmember Scales said he would be interested in what the Police Chief thought the priorities would be. Where the Police Chief believes the city could do the best work since she sees this every day.

Police Chief Chiodo replied there were a couple of areas. The first being educating the city's youth. This drug does not affect a certain race, class, gender, or socioeconomic status. This affects kids across the board. Calls have been received that a parent(s) has overdosed and are dead, the child is home and unsure of what is going on. Prevention is needed to let kids know how dangerous this is. She said, "One Pill Can Kill."

She said the second item would be training and resources for first responders in the city that need to respond to calls in the safest and best manner. Staying up on the various things they can do such as medical interventions police/fire can do on the scene, equipment used, keeping officers safe, and taking care of those in the community who are losing their battle with opioid addiction.

Councilmember Murphy referenced the collections boxes, one was indoor and one outdoor. He asked how they quantify what is in there and how much they get.

Police Chief Chiodo replied people can come in Monday through Friday during business hours and put items in the drop box. There were 14 bankers' boxes full from that collection. Items are brought to a place and in front of those dropping off, it is burned so they can see it disposed of. During the once-a-year drug take back done in conjunction with the DEA, there is a four-hour window. The city took in over 400 pounds of any type of narcotic that people brought in. She mentioned that many come in after hours because they may not want to walk in, in front of staff. There is not an after hours drop box at this time. It is emptied weekly, inventoried, tracked, sealed up, and placed in a room where two people always do this as a pair and bring for disposal.

Councilmember T'Kach asked if there was any after the fact peer support for officers if a couple of officers are at a scene with a crisis.

Police Chief Chiodo replied there is a peer support team in the department. Officers volunteer, a group is selected from the volunteers, they are trained. There is 24-hour-a-day peer support available for officers.

Councilmember T'Kach said it seems as if the opioid issue begins with pain. She questioned if there would be any use for the money to do more to alleviate. People could get access to the community center for swimming, or a special program set up for people needing rehab that doctors in their medical clinics are not helping with. She said the University of Minnesota has a pain clinic; she questioned if the city could get people into pain clinics. This would help break or prevent the cycle before it happens.

Police Chief Chiodo replied that would fall under other entities, not public safety, to provide. She said she could bring the idea back to their group but was unsure it was something they would do. Staff does not have a right to people's medical records, it would be taken on word of mouth and difficult to see if legitimate. She said it was something worth chatting off line but was unsure it would fall under one of the categories of public safety.

Councilmember T'Kach said she thought of it as a wellness thing, to break or prevent a cycle.

Police Chief Chiodo responded that wellness portion was for first responders. To make sure they were taking care of their own people.

Councilmember T'Kach asked if there was enough Narcan at schools, other public places, and for police staff to address the issue.

Police Chief Chiodo replied she was unsure how much they had in schools. She mentioned she was at one of the public meetings with schools and they would like to have more. Officers use it quite a bit, they either replace it or if medics have extra, they give it to the police department. It can always be ordered, there is no shortage. It costs a lot; police and fire go through a lot.

Councilmember T'Kach asked about public entities. She questioned if there was Narcan in City Hall, other than the police department. She asked about places where the community can be trained on using it. She said she thought Minnesota may do something to make Narcan more available.

Police Chief Chiodo replied Narcan is very available. It can be requested from a pharmacy without a prescription. Entities in the county, such as Hope, provide training services. With reference to the police department taking on the burden/responsibility of training people to use it and having it available, if not using it right, there are some instances where they may not want to do this. This would be something that would have to be discussed with the City Attorney regarding liability. It was a question of whether they should provide it if there are other places in the county that are already providing it for the public.

Councilmember T'Kach said she was thinking of a Dakota County partnership or if Dakota County would take on the training.

Police Chief Chiodo replied it could be a part of Dakota County's Public Health Plan.

Councilmember T'Kach said when seeing use in schools among youth, she was unsure how much of that was directly related to pain or a medical issue. She asked if more activities for young people were needed, or access be subsidized. She said many at Simley are at or below poverty level that may not have extra money to do activities. She asked if there would be value, connecting it to the parameters given.

Police Chief Chiodo replied schools would receive money. They could apply for grants through the County and other entities. When seeing youth using Fentanyl, it's usually not because of physical pain, its often-emotional pain, stress, they feel it may help them cope better. Previously it came from doctors relating to pain and surgeries, now it's another narcotic people can easily get with it when coming into the country. She said it was harder to buy alcohol if underage than it is to find someone willing to sell a pill or something else.

Councilmember T'Kach asked if there would be value in expanding the program that police officers already do with youth. Build more self-esteem among young people, help them feel they can contribute to the community and make a difference, help with how to deal with bullying.

Police Chief Chiodo replied it would go hand in hand with doing the DARE program again. The program educates and redirects. Being honest with kids about what this does to them, to parents, or friends. Their hope with the DARE program is to educate, they also need to give the kids something else. She mentioned that the current SRO does this now with high school and

middle school. There are student groups the SRO works on with kids issues and how to deal with them. She said they could expand on that.

Councilmember Gliva said this was brutally eye opening. She felt prevention is 100% the way to start. They need to start really young. She is very aware of the program. She believes a constant reminder and prevention should be in place in school that every child knows. Spending the money is where they would find the most bang for the buck in trying to deal with this crisis.

Mayor Dietrich asked if the Police Chief was looking for something specific in terms of direction. Police Chief Chiodo replied this gives a baseline of where things are at and what the settlement is for. Feedback is helpful. Staff is being very thoughtful on how this is spent. They want to make sure it is used adequately, are considering different areas, and get ideas from Council that staff may not have thought of.

Councilmember Murphy agrees with prevention. Enforcement is on his list of things to spend the money on.

E. Potential Uses of Federal ARPA Funding

City Administrator Wilson discussed priorities for the use of ARPA Funds. Staff is looking for initial feedback from the Council that would help them make a more specific plan.

Background:

ARPA Funds are one of two forms of COVID response monies distributed to cities nationally as a result of the COVID 19 Pandemic.

- This is distinct from CARES Act funding received earlier in the pandemic. These were used to respond to direct costs the city was facing as the pandemic wore on.
- ARPA Funds are more on the recovery side of things. It came later in the timeline.
 - Inver Grove Heights received \$3.9 million dollars. Half was received in May 2021 and half in May 2022.
 - Nothing has been spent yet. This was on hold/in reserve in hopes of receiving State Bonding Funds for the two priority requests.
 - The city was fortunate to receive state bonding funds for both priority projects.
 - There is currently a path forward for funding of 117th Street. This gives the opportunity to think broadly and widely about the best use of these funds in the city.
- Cities receiving less than \$10 million dollars could tell the Federal Government that this was revenue replacement for lost revenues during the pandemic.
 - This is the route Inver Grove Heights took.
- One time money that must be spent on a "governmental purpose."
- Staff's conversations have focused primarily on capital expenditures (one-time expenditures).
- These funds have a deadline for spending by December 31, 2024 and need to be fully spent by December 31, 2026.
 - The easiest way to think of obligating them is to enter some kind of contract.
- Can be divided up and spent on multiple things.

Considerations:

- Can the proposed project be carried out within the timeline for committing and spending the funds?
- Would the project or expenditure create ongoing operating costs that need to be funded with non-ARPA funds?
- Are there alternative sources of funding available for a particular item or are ARPA funds the best chance for funding a particular project?

How important is:

- Spending in a way that directly impacts residents versus a behind the scenes need of the city
- Breadth and scope of resident impact
 - If comfortable spending it in areas that have a particular need even if it directly reaches a smaller population
- Longevity of the project benefit
 - Could easily spend \$3.9 million on various stormwater projects; would still continue to need money for stormwater
- Needs versus wants

Possible Uses gathered from multiple members of the leadership team at the staff level:

- Water Infrastructure
 - Water treatment plant is currently under design.
 - A presentation will take place during a July City Council meeting about what that evaluation has found, scope of work, price estimate.
 - Benefits a large portion of the city but there are residents with water not coming from the municipal system.
 - The city is submitted in a low interest loan from the State's Public Facilities Authority. Payback would need to be factored in.
 - Automated Metering Infrastructure (AMI). Modernization of water meters. Widespread, more sophisticated, more accurate billing can diagnose a leak or problem.
- Park Investments
 - Receiving State Bonding Funds. \$2 million dollars was received for Heritage Village Park.
 - Obligated to match for the remainder of the project.
 - Estimate the remainder of the project to be \$640,000 (not bid out yet).
 - Anything over \$2 million given by the state is the city's responsibility.
 - Currently penciled into the Park Acquisition and Development Fund. If leaving the money there for other park uses, spending ARPA funds to match the State Bonding money could be an option.
 - Proactive land acquisition in the northwest area for park purposes.
 - Considered long lasting and tangible.
 - Relocate historic IGH structures the city owns on city properties
 - Old Town Hall building and the old school building
 - Moving the buildings to Heritage Village Park
- Capital Investments - Building and Equipment
 - VMCC, Fire Stations, Public Works Building
 - Money has been set aside for the remodeling/expansion of the public works facility
 - Could be difficult with the dates of spending the funds.
 - Rising costs for large equipment
 - When buying a piece of large equipment, cash is paid for snowplows, fire trucks. The city starts to save for its eventual replacement (Central Equipment Allocation).
 - Target estimates for saving for the equipment is turning out to be low. Costs for larger pieces of equipment are rising faster than anticipated.
 - There are some gaps when looking ahead for large equipment purchases.

City Administrator Wilson shared that there is another chunk of one-time money coming into the city that may factor into how this money may be spent. The State of Minnesota adopted a public safety aid payment to cities and counties. This is one time money. Estimates show Inver Grove Heights to receive \$1.56 million dollars to use toward some form of public safety. For example: If short on funds to buy the next fire truck needed, can use this source or ARPA. Funds will be received from the state later this year. Staff is interested in knowing if the Council can choose one or two directions, if there is anything

believed to be a non-starter, or something the Council may be interested in using ARPA funds on. Staff can then focus their efforts on bringing forward a more detailed presentation.

Mayor Dietrich commented that the public works facility was mentioned. She questioned if anyone has done research about the fire station on Upper 55th and bringing it up to code. She asked how long it would take to get that information and estimated costs.

City Administrator Wilson replied that could be done in the timeline provided. Each departments budget requests are due to the finance department tomorrow. One of the requests in Fire Chief Thill's budget is for money to study the location of that station. It would answer the question about if the building should be torn down in that location and rebuilt or if the growth in the northwest area would be better served by selling the land, station, and building somewhere further west of that station. She stated that Fire Chief Thill has spoken with other fire departments that have done similar studies to get a sense of how much that might cost. The Council will see that as one of the fire department's budget requests for next year. This can be fast tracked if that is an interest of Council. The first question would be if that was the right spot, in today's Inver Grove Heights, for a fire station.

Mayor Dietrich stated the pandemic brought about the need for a lot of mental health. A lot of people received that by visiting area parks. She said she would be in support of some of those monies going toward that as there is a direct correlation.

Councilmember Murphy said he went toward a balanced approach of the needs versus the wants. He agrees with the mayor that they should look at land acquisition in the northwest area for kids in the area. Moving the two buildings into Heritage Village before they fall down, since that was what it was designed for, are pretty important. He said he would prefer the buildings be moved before looking at Phase 5. With regards to the water treatment plant, they need to make sure they are in solid shape. He suggested if there was money left over, giving some to public works to go towards roads. They may be able to get a few more miles of roads done.

Councilmember Scales agreed with Councilmember Murphy on a balanced approach. He liked the idea of moving those buildings. The buildings were originally slated to move down to the park, he believes it is time to get them there. He said he wanted to make sure this money is given back to residents the best they can. He was not a fan of putting in buildings and capital improvements, those already have a plan. He said this was the opportunity for a northwest area park. They could do long term things that would benefit residents. He said there is not an opportunity to do that very often. He shared that he wanted to take the opportunity to give something back to the residents who live here. Doing it that way would add something to the community that is long lasting. He commented it is fun to talk about a new fire truck or capital expense such as the water treatment plant, but he did not believe those would give residents the long term benefit they could do with this money.

Councilmember T'Kach agreed with giving residents something for the long term that was not in the capital improvement budget. With the public works building, she was concerned that would put them on a trajectory since the money needs to be spent by a certain time. They may not even know what they are doing there. She agrees with park land acquisition as a legacy. She suggested, rather than two or three acres, having a larger piece of property set aside and holding onto it for a while. She asked if land could be gathered and held until ready to develop. She asked if the City Administrator has spoken with Dakota County as a partner to move the historic buildings. Those are a part of the history of Dakota County. She questioned if the county would have any interest versus the city taking on the entire burden.

City Administrator Wilson replied the County has been a major contributor to the funding of where things are at today with Heritage Village Park. She mentioned that Commissioner Atkins has a strong interest, he is passionate about the history of the city and the area. She has not had conversations with county staff about this, she has mostly spoken with Commissioner Atkins.

Councilmember T'Kach questioned if that may be another way to pay/leverage some of these funds. If the city could come up with 50% and the county come up with a percentage. She liked the idea of the funds going across all residents. She said water treatment and the facility are capital improvements; there is a plan, the same with water meters. Those do not serve the entire community because some people are on wells and septic.

She said something that may be for the whole community could be planning an engagement process. In previous years, the Council has discussed a vision process, to create a community vision and implementation plan, something that could possibly be used or incorporated into the 2050 Comprehensive Plan. Something that reaches out to the community and asks them. She said this is planning dollars they do not really get and do not set money aside for and hire very qualified consultants to determine which way to go on various issues. She said the five Councilmembers are not necessarily going to know, the circle of constituents with the business community and residents may.

Councilmember Gliva would like to see a redevelopment of Concord. She said there is some opportunity on the riverfront they do not take in the city. This could include help and partnership with Dakota County. She was unsure what that would entail. It would be a city-wide benefit. She said she would not be opposed to parks, particularly in the northwest area. There is not a solid space for that area. She said the financial person in her wants to do water treatment and spend money on water. Her top two would be redevelopment and something that is park related in the northwest area.

Mayor Dietrich mentioned there was a benefactor that had contacted her a couple of years ago about an interest in moving one of those buildings as a donation. She questioned if anyone has reached out to people about that before jumping in and taking on the expense. She said there are people that are interested. She said she could speak further about this offline with the Parks Director. She wanted it known that it's still a viable option.

City Administrator Wilson replied that she was not aware of anyone directly wanting to contribute. Feedback has been heard along with positive support. A thought she has discussed with the Park Director was the possibility of using ARPA Funds to get those buildings onto the site and getting them on a solid foundation. This does not mean they would immediately be usable and open to the public. That is another level, restoration. If the city wanted to invest ARPA funds to relocate them it would give the buildings visibility, creating more public interest, and maybe some type of community fundraising effort to raise funds that would allow people to be able to go inside.

Councilmember T'Kach said she would love to do a comprehensive redevelopment plan with a developer on Concord. She wondered if the EDA should be the ones paying for it; there are EDA funds. She was unsure of the costs to bring in consultants. She questioned leveraging funds against EDA, matching, bringing in partners like Dakota County. She agreed they were not optimizing life in that area. She said she thought the community would like input on that and suggested doing a community planning process.

City Administrator Wilson stated planning efforts around the redevelopment of north Concord and the riverfront area may be on the longer list of possible uses included in the Council packets.

When speaking of redevelopment, they end up with a goal of it ending up in private hands. She questioned the costs the city might permanently incur, infrastructure, and if there was any limitation on

using the funds to buy land they want to sell back into the private sector and add to the tax base. She said she has not looked into that angle on these funds but will to see what the opportunities are.

City Administrator Wilson addressed Councilmember T'Kach and replied that the EDA Acquisitions Fund has a very small amount of funds outside of the grant funds.

Councilmember Gliva questioned the public safety aid the city is receiving and if it was new.

City Administrator Wilson replied it is brand new. It just passed this legislative session; it has not been done before. Her understanding was that it was a priority of the Governor to provide aid to every community for use on what ever they see as their public safety priority or needs. There is a short list of what it cannot be used on such as tear gas and armored vehicles. The Council will have to decide on the joint efforts of the police and fire departments. The city is waiting on further guidance from the League of Minnesota Cities. There are staffing needs in both departments that could benefit. This money will not be there forever.

Councilmember T'Kach asked if the legislature, with regards to the LGA, would help the city.

City Administrator Wilson replied the City of Inver Grove Heights does not receive LGA. Public safety aid is one time money coming. There will be some affordable housing funds coming from the new quarter cent sales tax in the metro area which is ongoing funds. Staff is still waiting for information and guidance for eligible uses.

Mayor Dietrich stated she wanted some of the money to be spent on fundamental things such as CIP projects: roads, water treatment; those affect a majority of residents.

Councilmember T'Kach mentioned when thinking about water quality and local water bodies, there have not been conversations about remediation or improvements. There are many water bodies in the city, many are impaired. She questioned if there would be opportunity there.

City Administrator Wilson replied staff could look at that. She said the city relies heavily on the watershed districts for the quality of surface water in the city. Runoff is a worry along with the quality of water being added to the water body from streets and parking lots in the city. There are two watershed districts that are the experts. She said she could pose the question to the Environmental Specialist and the Environmental Advisory Commission.

Councilmember T'Kach questioned what they could do to minimize run off causing issues.

City Administrator Wilson replied that one of two State Legislators, Representative Hansen, was instrumental. There is a large pool of money for cities relating to water quality, stormwater, runoff, and environmental. This is another new program. There are a lot of new programs coming out of this year's legislative session. This one is not a formula allocation, it would be grant applied for. The same money may also offer opportunities for Emerald Ash Borer work. Staff is working on understanding the rules of the new state programs. She mentioned that ARPA money is established, it is in-house in a standalone fund. There are deadlines.

F. 2024 State Bonding Request

City Administrator Wilson presented the 2024 State Bonding Requests. The State of Minnesota does Bonding Bills or a Capital Investment Bill every other year in even numbered years. 2024 is a scheduled bonding year for the Legislature to debate capital bonding requests. One was just passed in 2023.

Timeline:

- Council would have to adopt a Resolution seeking State Bonding Funds at the June 12th, 2023 City Council Meeting.
- Due to the state by Friday, June 16th.
- This is to be considered for inclusion in the Governor's Bonding Bill.

- Local governments, state agencies, state college and university systems can all submit.
- A lot of what ends up in the final State Bonding Bill is a result of politics.

Eligible Local Projects:

- Capital Investments in fixed assets: public buildings, parks, bridges, streets, water and sewer lines, infrastructure.
 - Cannot ask for planning processes, programming, or a service to residents.
- Publicly owned in perpetuity for a public benefit.
- Monies awarded for cities are asked that a regional benefit to the project be identified.
 - The perfect case for this was with the 117th Street reconstruction. The trucks that travel that road benefit people all around the metro area and beyond. The argument that the tax payers of Inver Grove Heights should not have to bear the full cost of reconstruction of the street is a straightforward argument to make.
- City projects need to be 50% funded through non-state sources.
 - It could be a federal grant, county money, other partners.
 - Projects get through with exceptions to this rule.
- They will pay for predesign and design costs associated with a project, cannot ask for bonding funds for master planning and general studies.
 - Projects need to be to a certain point to successfully compete for bonding funds.

Governor's Office Prioritizing:

- Provide at least a 50% match
- Provide a resolution of support from the governing body

Staff has done some brainstorming on this and have struggled to come up with an Inver Grove Heights area they feel is strongly ready. One that came up was a potential future interchange at 494 and Argenta and seeking state funding to advance that forward. The city is nowhere near looking for construction dollars for this but is looking for funding.

She stated at a January City Council meeting there was a presentation by WSB stating what would need to be done to move this forward. They identified Step 1 as an interchange study with an estimated cost of \$250,000 to \$500,000. She felt that could be too much of a study and would not be ready enough to call it a design of an interchange. She said they could try if the Council thinks it, is a priority. She said she is seeking information from the Council about any specific projects they would like to champion for the city to put forward.

Councilmember Scales asked if this would be an opportunity to put forward the water treatment plant.

City Administrator Wilson responded no; they need to fix the water treatment plant faster than these funds will be available. The city hopes to be under construction this winter.

City Administrator Wilson stated that Representative Hansen introduced a bill to help fund the water treatment plant this year. It did get a hearing but did not get included. This was because of state bonding funds to fund the low interest loan the city has applied for. When the city says sewer or water treatment, they are told to call the Public Facilities Authority.

Councilmember Murphy asked why a fire hall would not qualify.

City Administrator Wilson replied it is of regional significance. Every city in the state needs fire stations. The question would be asked why residents of other communities should help fund.

Councilmember Murphy asked why it would not qualify even if we aid other cities.

City Administrator Wilson replied it is commonplace with other cities. If there is a fire station receiving some funds it is usually due to them putting in regional training facilities. Scott County has a regional training facility that serves police, fire, and public works for all cities in the county.

Councilmember T’Kach asked if there were any partnerships along the Mississippi River to do some cleanup or something along the river that would be of regional significance.

City Administrator Wilson replied she was sure there were projects but was unsure they qualified as a fixed asset.

City Administrator Wilson shared that an option would be to reach out to Dakota County and find out if they are submitting for any projects that are in Inver Grove Heights and jointly advocate for funding. She said she hoped when the times comes to seek funding for the 494 and Argenta interchange, they would be doing it in partnership with the County as it is a County Road. She was unsure river cleanup qualifies.

Mayor Dietrich questioned if someone from staff could have a conversation with County Commissioners to see if they are putting in anything for 494 and if it would qualify as far as planning. It may put the city in a position to put that on as a major priority.

City Administrator Wilson replied she would check.

Councilmember Gliva asked if submitting this as a proposal, if it meant the city is fronting the project.

City Administrator Wilson replied they would inquire. For example: Public Works Director Brian Connolly provided testimony for 117th Street. When providing testimony, those types of activities ask how much funding the city has available, what is committed. Projects may have a better chance of funding if able to respond with figures.

Councilmember T’Kach asked if there was a benefit to not going into a bonding bill every year and giving it a rest.

City Administrator Wilson replied yes that perspective could be argued as most do not receive money each and every year. The city did receive two projects this year. The city wants to be known for having projects that are well formulated and ready to go. Others at the county or state level take more of a “it never hurts to ask” strategy.

She shared that her professional style is that she does not want to bring the Council anything that is not well researched and thought out, with the answers to questions. That strategy would be taken to the legislature stating the city is ready, prepared, boxes are checked off. It’s personal/professional preference to decide where the city would want to fall.

Councilmember T’Kach stated her concern is that there are so many things going on this year with water treatment and projects. She worries about staff time being so thin that the city does not appear like they have everything in order; they may drop the ball on something important. For example, the water treatment plant. She would rather have everything planned out correctly when going to the state or anywhere publicly.

City Administrator Wilson said between now and next Monday, she would reach out and talk to the county and find out if they have a project in Inver Grove Heights or if they are advancing the one discussed and see if there is an opportunity there.

She mentioned there is a fair amount of funding available for cities and counties in 2023. At the state level there are new grant and funding programs. At the federal level there are a lot of infrastructure funding. She said sometimes it is looking at what the city priorities are, and then chasing the money that helps the city meet those priorities as opposed to trying to fit in and doing projects the city isn’t quite ready for. If deciding there is not a request to submit through the state process, does not mean between now and February they cannot work on things that are a priority to the city, they can.

4. ADJOURN:

Motion by T’Kach, second by Gliva, to adjourn the meeting at 8:15 p.m.

Ayes: 5

Nays: 0 Motion carried.

Minutes prepared by Recording Secretary Sheri Yourczek

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JUNE 12, 2023 - 6:00 P.M. - 8150 BARBARA AVENUE**

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, June 12, 2023, in person. Mayor Dietrich called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present In-Person: Mayor Dietrich; Council Members: Murphy, Gliva, T’Kach; City Administrator Wilson, City Attorney McCauley Nason, City Clerk Kiernan, Finance Director Hove, Community Development Director Rand, Associate Planner Botten, Public Works Director Connolly, Parks and Recreation Director Lares, Police Chief Chiodo, City Engineer Merchlewicz, Communications Manager Looze, Assistant Finance Director Hosszu

Also Present: Bonnie Schwieger, Senior Manager, Abdo Eick & Meyers

Absent: Councilmember Scales

3. PRESENTATIONS:

4. CONSENT AGENDA:

A. Minutes of the May 1, 2023 City Council Work Session

B. Minutes of the May 8, 2023 City Council Meeting

C. Minutes of the May 22, 2023 City Council Meeting

D. Approval of Disbursements **Resolution 2023-131**

E. Personnel Actions

F. Exempt Charitable Gambling Permit for the Church of St. Patrick

G. Approval of Massage Business and Therapist Licenses

H. Joint Powers Agreement (JPA) with Dakota County and Project Budget for Concord Boulevard Project **Resolutions 2023-132 & 2023-133**

I. Ordering Feasibility Study for the 2024 Pavement Management Initiative (PMI) Project Areas **Resolution 2023-134**

J. Resolution 2023-135 Approving Minimum Cash Reserve Policies for Water & Sewer Operating Funds, Transferring Excess Balances, and Consolidating Capital Funds

K. Resolution 2023-136 Approving a One-Year Conditional Use Permit Extension for 7855 Cahill Avenue (Assisted Living Facility)

L. Resolution 2023-137 Accepting Donations from the Inver Grove Heights Public Safety Foundation

M. Acceptance of Grant to the Police Department

N. Resolution 2023-138 Accepting Memorial Donation to the Police Department

O. Updated Service Contract for Weather Warning Sirens

P. Authorization to Enter into 2023-2025 Labor Agreement with LELS, Local 540

Q. Resolution 2023-139 Establishing Juneteenth as a City Holiday

Motion by Murphy, second by T’Kach, to approve the Consent Agenda as presented.

Ayes: 4

Nays: 0 Motion carried.

5. PUBLIC HEARING:

A. Temporary Two-Day Liquor License for Church of St Patrick

City Clerk Rebecca Kiernan presented the application for a temporary two-day Liquor License for the Church of St. Patrick located at 3535, 72nd Street East, Inver Grove Heights. The Church has applied for a temporary liquor license for September 16th and 17th, for their annual fall festival. Notice of the Public Hearing was published in the Pioneer Press on May 28th, 2023. Staff recommends approval of the temporary license.

Motion by Gliva, second by Murphy, to close the Public Hearing at 6:02PM

Ayes: 4

Nays: 0 Motion carried.

Motion by Gliva, second by T’Kach, to approve the temporary Two-Day Liquor License for the Church of St. Patrick located at 3535 - 72nd Street East.

Ayes: 4

Nays: 0 Motion carried.

6. REGULAR BUSINESS:

A. Comprehensive Annual Financial Report for the Year Ended December 31, 2022

Finance Director Amy Hove stated that the auditors will be presenting the Comprehensive Annual Financial Report for the year ending December 31, 2022. She said they typically have Brad Falteysek presenting but tonight the city’s direct contact, Bonnie Schwieger, Senior Manager at Abdo Eick & Meyers, will be presenting.

Bonnie Schwieger, Senior Manager, Abdo Eick & Meyers, presented on the following:

Audit Results:

There are a few different opinion letters that are issued within the financial statement. Opinion letters are required because:

- State Statute requires that an Independent Auditor come in and do an audit of the financial information.
- Required to have a Legal Compliance Audit by State Statute.
- Related to Federal Awards. This is the first year this specific audit is done due to the SAFER Grant received. This bumped the city up over the Federal Audit threshold of \$750,000.

Auditor’s Opinion:

- Unmodified Opinion
 - Consistent with what the city has received in the past. Provided reasonable assurance that the financials were free of material misstatements.
 - Allows the users of financials to put trust in them.

Legal Compliance Opinion Letter:

- No findings
- Able to issue a clean opinion

Single Audit:

- A couple of compliance and control findings were disclosed within the audit report.
- For the SAFER Grant, a few compliance areas were found that the city needs to look at when applying and receiving these awards in the future.
- Discovered some control elements that could be improved to make sure compliance and control reporting was a bit tighter.

To note: These were not areas that were troublesome, but things through the audit process they are required to disclose and would help those involved to improve in the future.

General Fund Results:

General Fund, Fund Balances:

Consists of balances over the past five years and compares it to the General Fund Balance Policy.

- City policy is to have 40-45% of the next year's budget included within the fund balance.
 - City was in line with the policy at 43.5% (slight decrease from prior years)

General Fund Budget to Actual:

- Fund balance increased slightly
 - Some of the increase was due to setting aside funds for the SAFER program, to pay for future payroll costs.

General Fund Revenues by Type:

- Largest source of revenue is from taxes
- License and Permits
- Transfers In from other areas
- Other category: Interest, earnings, and grants
 - Large jump in 2022 due to the SAFER Grant coming in to pay for firefighter costs

General Fund Expenditures by Type:

- General Government
- Public Safety experienced a large increase due to additional payroll costs
- Public Works
- Other: Includes the Recreation Department (brought into the General Fund in 2022)

Special Revenue Fund Balances: Funds committed to very specific purposes:

- Community Center
 - Large negative balance due to an interfund loan (forgiven in 2023; \$1.4 million dollars)
- Recreation Fund was moved into the General Fund
 - Went from \$400,000 to zero because it was combined in with General Fund operations
- Opioid Settlement Funds: First time funds received in 2022; restricted for public health resources

Debt Service Funds. Obligations for streets and other governmental type projects:

- Does not include anything that would be issued in the future (only information through 2022)

Capital Projects Fund Balances:

- Closed Bond Fund: Helps pay back future debt service
- Restricted and assigned
- Assigned balance would change with the Closed Bond Fund, going to pay back debt service.

Internal Service Funds. Funds set aside from different departments to pay for very specific activities:

- Central Equipment Fund (Main): Build up reserves to pay for specific equipment replacement for future years.
 - Can increase a lot or go down drastically when the planned replacements happen.
 - Unique type of accounting system. Very few use this type of system. Can be more complicated, a well-designed way to set aside funds for future replacements.

Councilmember Murphy asked what the other way of doing this was.

Ms. Schwieger replied the other way would be to include it within the year-to-year General Fund. This can be confusing when trying to look back at past budgets. Having it separated out the way the city has is much easier to plan for.

Ms. Schwieger discussed the Water Fund:

This was previously done with operating capital mixed in the same funds making it difficult to see what was set aside. The new way of doing things has operating reserve separated out from capital reserve.

- \$12 million dollars operating and capital. All is planned for within the rate study. This is accounted for in future capital projects.
- There is a minimum target balance; 6 months of operating cost.

- Operating receipts and disbursements have a category that shows how much cash is coming in from operating receipts to pay for those obligations and to save up for future capital needs.
- Operating receipts have been sufficient to cover operating costs and disbursements.
 - Suggests looking back the rate study to see what the projected capital needs are.

Sewer Fund:

- Total cash for operating and capital. Looking at the past four years.
- Sewer funds have not quite met the operating costs and debt payments.

Stormwater Management Fund:

- Will be addressed in a future rate study to determine how the stormwater capital is split apart from operating needs.

Golf Course Fund:

- Looks at receipts coming in and cash available
- There was a large spike in 2020 due to the three-year membership drive

Cash and Investments Balances by Fund Type:

- Not all cash available for everyday use
- General Fund is the main operating fund

Mayor Dietrich mentioned it was a very good presentation and congratulated the Finance Department.

Motion by Gliva, second by T’Kach, to approve the Comprehensive Annual Financial Report for the Year Ending December 31, 2022 as presented.

Ayes: 4

Nays: 0 Motion carried.

B. Rental Housing Licenses

Community Development Director Heather Rand presented 10 Rental License Applications for approval. The applications have been reviewed by community development staff and the police department. All are in order. Staff recommends approval of the following in order of rental address, property owner, and property manager:

8825 Branson; Laura Devney, Inver Grove Heights, MN, Jacob Devney, Inver Grove Heights, MN
5821 Babcock; Liborio Ramirez, Inver Grove Heights, MN, Liborio Ramirez, Inver Grove Heights, MN
4728 Blaylock; Christopher Tomasson, Centennial, CO, Tyler Brietzke, Maple Grove, MN
8857 Brunell Way; Estate Properties LLC., Inver Grove Heights, MN, Benjamin Kieffer, Inver Grove Heights, MN
7943 Charles Way; IH2 Property Illinois LP., Dallas, TX, Invitation Homes, Mendota Heights, MN
8861 Brunswick Path; Crystal Ann King, Roseville, MN Crystal Ann King, Roseville, MN
7335 Bond Way; Amy Jo Sik, Hastings, MN, Branden James Nation, Eden Prairie, MN
7281 Bond Way; Smeeta Antony Living Tr., Inver Grove Heights, MN, Branden James Nation, Eden Prairie, MN
4761 Blaine Ave; Andrew Allen Direman, Rockford, MI, Branden James Nation, Eden Prairie, MN
4708 Blaine Ave; Andrew Wayne Swanson, Rosemount, MN, Branden James Nation, Eden Prairie, MN

Motion by T’Kach, second by Gliva, to approve the Rental Housing Licenses as presented.

Ayes: 4

Nays: 0 Motion carried.

C. Request for Variance from Setbacks and Accessory Structure Size Limitations, 10471 Barnes Avenue. Resolution 2023-140

Associate Planner Heather Botten presented a request for property located on the northwest corner of 105th Street and Barnes Avenue, zoned Agricultural. The applicant is requesting two variances:

1. A variance to allow an accessory structure 4,000 square feet in size whereas 2,400 gross square feet is the maximum size allowed.
2. A variance from the northern property line to be setback 38 feet from the property line whereas 50 feet is the required setback for structures greater than 1,000 square feet.

The property is 5 acres. The lot currently has a single-family home with an attached garage and a 3,200 square foot detached accessory building that has been on the property for over 20 years. The roof of the structure collapsed in January due to the heavy snow load and will be demolished. The applicant would then be allowed to build a structure up to the same square footage of 3,200 square feet. The applicant is requesting a 4,000 square foot structure. The structure would be for the owner's own personal use. It would be in compliance with exterior building material requirements and would meet setbacks from the front and side property line to the west.

Staff recommends denial of both variance requests. Denying the request does not preclude the applicant from reasonable use of the property. Staff believes there is room on the property to move the structure further south to comply with setbacks. The original structure was located about 58 feet from the property line, in compliance with setbacks. There is room to add the additional 20 feet to the south side of the building or to move the entire structure south.

The applicant would be able to replace the existing structure with another structure up to 3,200 square feet, which is 800 square feet over the 2,400 currently allowed for lots over 5 acres. Staff believes approval of the request could set a precedent for other setback encroachments and other large accessory structure size requests. Staff does not believe the information presented satisfies the practical difficulty requirements. At the May 16th, 2023 Planning Commission Meeting, a Public Hearing was held; the Commission recommended denial of the request at a 7/0 vote based on the lack of a practical difficulty.

There are two resolutions in the Council packets. One is for denial and the other is for approval. If approved, a practical difficulty would have to be stated. There are four conditions listed that staff also recommends approval on.

Mayor Dietrich asked for confirmation on the 3,200 allowable, the setback, and if it would need to be replaced as is.

Associate Planner Botten replied a 3,200 square foot structure could be placed anywhere on the lot as long as it complies with the 50-foot setbacks. The original structure complied with setbacks. It is not grandfathered in for any type of setback location.

Randy Motilal, 10471 Barnes Avenue, stated he was in attendance on behalf of his parents who are both out of the country. He said the reason why they were requesting a variance for the larger structure is because it used to house farming equipment for other lots they own. They currently farm in Glencoe Minnesota, Hutchinson Wisconsin, Cologne Wisconsin, and Gaylord Minnesota. They have over 75-300 acres of farmland that they work on growing crops and farm animals. There is equipment at those locations, but they shuttle equipment back and forth from this location to various spots. Since they built the current structure in 2000, they have accumulated more farming equipment they need.

He displayed photos of the various equipment they store at times including a runner, front end loader, van, four wheelers, lawn mowers, tractors for plowing/farming, a semi-truck with two trailers, plow, bobcats, trailers, loaders, other farming equipment, and trailers.

He stated with the amount of equipment they have/use on a yearly basis, the space of the structure they currently have would not be enough to house them and keep them working properly, especially in the winter months without having to rent and pay storage somewhere else. They would prefer to be able to

keep it in one location for the ability to maintain them. He said if the 38-foot setback was a reason for denial, they would be willing to move the structure to work with the 50-foot setback. He said when they built the original building, a permit was not needed back in 2000. They did not know they needed one going forward. He said they understand regulations change, but they were not aware of it. They have already ordered and purchased the new structure; it is on site ready to be built. If they had known, they would have gone through this process before purchasing. He said they already have the building and really need it to house everything they have.

Mayor Dietrich asked how he became aware of the permit requirement.

Mr. Motilal replied he had accidentally crashed into his parents' garage with the plow truck. The structure of the house needed to be fixed. When the City Commissioner came to check on that, he noticed the shed was in shambles and made them aware they needed a permit to get it demolished and rebuilt. He said other than that they would not have known. This took place in April.

Councilmember Murphy asked if building permits were not needed in 2000.

Associate Planner Botten replied in 2000 there is record in the building permit file that they inquired about a building permit. It was deemed an agricultural building at that time. There is a letter from the city stating as long as it is used for agricultural purposes the permit would not be required and would be exempt. If it had been just a regular building for personal use a building permit would have been required.

Councilmember Murphy asked for examples of agricultural purposes.

Associate Planner Botten responded that the building code has changed. For an agricultural purpose only building a building permit is now required. Code states "accessory structures to principle agricultural uses; farm, ranch, stable, greenhouse, would be exempt from code requirements. In this case, (an aerial photo was shown), this property is not a principle agricultural use. The building, even though it is built for that requirement, is not being used as such. The new building is also not a principle agricultural use on this property.

Mr. Motilal stated when they initially built the structure, they were housing farm animals in it. Over time they got away from that and brought them to other farms. There was also a large garden. Over the years they branched out to other locations. They shuffled where things were and had this be the central location. They still do gardening and have some livestock on site that would be housed in the structure.

Mayor Dietrich asked for clarification from staff.

Associate Planner Botten replied there are currently no animals on site. The property is not being used as a principle agricultural use. Staff would not consider this to be an agricultural building.

Mayor Dietrich asked if gardens of any size counted.

Associate Planner Botten replied gardens do not count. If it was a greenhouse operation, they would count. A personal garden would not count.

Councilmember Murphy said he struggles to find a practical difficulty in this situation. He would be concerned this would be precedent setting. He is happy they would get to rebuild. He thought the agricultural use may be used, but he is not seeing it.

Councilmember Gliva said she agreed especially since they were rebuilding a 3,200 square foot building in comparison to what the ordinance currently says with 2,400. She said she cannot find a practical difficulty.

Councilmember T’Kach said she was glad the applicant could move the structure to meet the setback requirement. She said this was a tough choice; she does not see the practical difficulty here.

Mayor Dietrich said they have to follow what is stated in the Statute and agreed with fellow Councilmembers.

Motion by Murphy, second by Gliva, to deny the Variance to exceed 2,400 square feet and to allow a setback of 38 feet whereas 50 feet is required for property located at 10471 Barnes Avenue. Resolution 2023-140

Councilmember Murphy asked if these were two separate motions.

City Attorney Bridget McCauley Nason replied there is one resolution of denial. Her understanding was that it was a motion to approve the resolution denying the variance to exceed the 2,400 square feet and to allow a setback of 38 feet whereas 50 feet is required. The resolution denies both variance applications.

Councilmember Murphy agreed that was his intention with the motion.

Ayes: 4

Nays: 0 Motion carried.

D. First Reading of an Ordinance Establishing a City Licensing Requirement for Tobacco Sales

City Clerk Rebecca Kiernan presented on establishing a licensing requirement for tobacco retailers.

Background:

- Most Dakota County cities license tobacco retailers at the local level. Inver Grove Heights did not enact a tobacco licensing program in 2015. Dakota County kept the responsibility of licensing and enforcement of tobacco products at that point.
- Chapter 12 of the Inver Grove Heights City Code addresses cigar/vape shops located within our jurisdiction but does not contain a licensing program for tobacco retailers.

Changes from Dakota County to the City:

- Dakota County reached out to the City Clerk’s office in 2022 requesting that the City of Inver Grove Heights shift the responsibility for licensing and enforcement of tobacco products, starting with the renewal process in 2023 for licensure in 2024.
- There are currently 32 tobacco retailers located in the city.
- Early in 2023, the Council discontinued the licensing of service stations and automobile dealerships, making staff time available for this licensure process.
- The licensing process can be accomplished with existing staff resources in the City Clerk’s office and the Police Department.

Key Features in the Proposed Ordinance:

- Proposing a 1-year license period to go from January 1st to December 31st
 - Consistent with other neighboring jurisdictions tobacco licenses
 - Consistent with IGH liquor licensing
 - Different from Dakota County (currently 2 years)
- Background check and insurance is required
- Staff training and recordkeeping are required
- Similar to liquor licensing
- Violations:
 - First - \$300 fine (ordinance to amend - no suspension)
 - Second - \$600 fine plus a 1-day suspension
 - Third - \$1,000 fine plus a 7-day suspension

The proposed penalties match Dakota County and neighboring cities.

License Fees – Tobacco:

License fees for tobacco retailers in Dakota County ranged widely. Staff recommends a fee that is justifiable for time spent.

- Proposed at \$300 annually

Next Steps if the 1st Reading is approved:

- Public Hearing would be held with a 2nd Reading
- Monday, July 24th, 2023 at 6:00 p.m. in City Council Chambers
- All retailers in Inver Grove Heights currently licensed by Dakota County will receive a direct mail notice with the proposed ordinance

Questions for Council:

- Does the Council want to proceed with a 1-year license or stay with a 2-year
- Would the first violation of the city license be the first violation regardless of retailer's history with Dakota County
- Does the Council want to add any additional restrictions or requirements

Mayor Dietrich asked if there was insight from the police department regarding a reason for changing from 2 years to 1-year and what the benefit would be.

City Clerk Kiernan replied it would be easier to keep in line with the liquor licensing program with checks twice a year. Dakota County found it simpler to run as a 2-year period.

Mayor Dietrich asked if it would be less staff time with a 2-year.

City Clerk Kiernan responded it would be slightly less.

City Administrator Wilson replied it would be less staff time to renew licenses once every two years. Staff finds the annual process of sending retailers the notice that it is time to renew their license to be a good prompt. They make sure their insurance is up to date and the employees are trained. This ensures a more regular interaction between the city and business that helps improve compliance. She shared that staff is concerned how they would justify to their liquor license holders that they have to renew every year and tobacco holders only need to renew every other year; it seems unfair. Staff has recommended 1-year but can be changed in the draft before the 2nd Reading if that is the Council's preference.

Mayor Dietrich asked if the violations can be stacked.

City Clerk Kiernan replied they are currently stacked at Dakota County. She asked the Council if they wanted to start over with a fresh slate or continue with the violations already received.

Mayor Dietrich said she supports the 1-year license. She believes they should be paying attention to what the history is with Dakota County; it is being continued within the city. She had nothing to add with regards to restrictions or requirements.

Councilmember T'Kach said she was fine with the 1-year license for the reasons the City Administrator stated. She would like to continue with history. She questioned having recreational marijuana coming and if there would be some type of ordinance surrounding it. She asked if these would be related.

City Clerk Kiernan replied it may have to be a separate ordinance.

Councilmember T'Kach said if the ordinance was separate, she questioned if the penalties would be similar as well as the renewals.

City Attorney McCauley Nason replied she has not read the bill yet. She is heading to the League of Minnesota Cities Legislative Update. The final bill that was passed did significantly inhibit the city's ability when it comes to licensing and regulations. Once there are better bearings on what the city is allowed to do and what the timeframe looks like, information would be brought to the Council. This includes the regulation of businesses that sell marijuana under the State Statute that was adopted this legislative session. She said it would look nothing like

what the Council reviewed when there was a draft about one year ago. Things have changed as far as what the city is allowed to do.

Councilmember Gliva said she felt 1-year was fine for licensing to keep it consistent. She suggested keeping the continuation of information Dakota County has.

Councilmember Murphy said he was fine with 1-year and that history counts. He had no restrictions to add. He requested clarification on Section 4-12-07, Page 10, where it states, "sampling of premium cigars and pipe tobacco may occur in a tobacco product shop subject to the following conditions", Item #1 states "tobacco products shop must sell premium cigars". He said he felt a better definition was needed for what a premium cigar is. He said Item #2 discusses the ability to do sampling "if the only other thing sold in the shop were cigar accessories, pipe tobacco, and pipe tobacco accessories. They may not sell any other tobacco related accessories." He said the last part of the sentence could get them in trouble. Specifically, "any other tobacco related accessories." He commented that it seemed like you cannot sell an ashtray. He asked if that would need to be checked.

City Clerk Kiernan stated that is what is in the current code. Staff could revisit and add it to the 2nd Reading.

Councilmember Murphy referenced #7 stating that "no alcoholic beverages may be sold or served on the premises". If licensing a tobacco shop, he asked if that meant they cannot come back to the Council and apply for an exclusive liquor license.

City Clerk Kiernan replied they could not.

Councilmember Murphy said he would have an issue with #7 because it could restrict some businesses that may want to do what one of the other businesses is doing.

Councilmember T'Kach addressed #7 stating she thought they were looking at the exclusive liquor store places that would not be able to sell tobacco. She questioned if these would be mutually exclusive anyway.

City Administrator Wilson stated there are two issues being worked on that are occurring at the same time. The Council has not come to a decision, but based off an email, there is the ability to restrict what an exclusive liquor store can sell. Discussion regarding this will continue two weeks from tonight. She stated that the specific language on the bottom of page 10, top of page 11, the restriction on selling alcohol, is in current code. A city issued license is not currently required to sell, there is language around sampling and cigar shops in the current city code. The "no alcoholic beverages may be sold" was not inserted in response to the previous conversation. It has been city code for several years. She agreed that they need to say the same things, they need to not conflict in two sections of the city code. When the Council weighs in on this, staff would get it cleaned up.

Motion by T'Kach, second by Gliva, to approve the First Reading of an Ordinance Establishing a City Licensing Requirement for Tobacco Sales.

Ayes: 4

Nays: 0 Motion carried.

E. Second Reading of Ordinance Amending City Code Related to Alcoholic Beverages in City Parks

Parks and Recreation Director Adam Lares presented the second reading of an ordinance amending the city code relating to alcoholic beverages in the city parks. After receiving feedback and dialog from the community and Councilmembers, staff made a minor adjustment as follows:

Background:

- One of the reasons staff is looking at a change in the ordinance to allow alcoholic beverages in three city parks was a business decision.
- There are a lot of opportunities where residents and non-residents come to parks, shelters and an athletic complex and would like to offer participants/guests alcoholic beverages.
 - Current ordinance does not allow anything above 3.2% alcohol by volume
- Staff has taken this into consideration and worked with the City Attorney, the police department, and staff to make proposed changes to the ordinance. This includes three (3) locations:
 - South Valley Park Shelter
 - Rock Island Swing Bridge Park Shelter
 - Rich Valley Athletic Complex
- This is intended for large and small gathering spaces. These are the three that have been requested as having alcohol consumption or distribution (Rich Valley Athletic Complex).
- Not intended for all city parks.

Changes - South Valley Park:

Removed:

- 3.2 malt liquor language
- 150 feet from park shelter

Determined to do a Code of Conduct. The signage would allow and direct participants and guests as to what they can and cannot have within the shelters.

Added:

- Rock Island Swing Bridge Park
- 16 % by volume (was previously 10%) this includes wine, single serve mixed drinks
- Original container
- Single serve
- No more than 16 oz.
- Event sponsor is required to identify guest age and who is eligible to consume alcohol (part of the permit process)
- Consumption would need to be contained to the shelter area

Changes - Rich Valley Park/Complex

Removed:

- 3.2 malt liquor language
- Removal of Park. Concentrated to the athletic complex area. Contained to the parking lot and athletic complex.

Added:

- Must be in conjunction with an event for which the sponsor has obtained a permit from the city to use the athletic complex for a permitted event and only if the person possessing or consuming the alcoholic beverage is an invitee of the event sponsor.
- Must obtain a short-term liquor license if choosing to distribute or sell
- Must be in the original container
- 16% by volume
- Single serve
- No more than 16 oz.
- Event sponsor is required to identify guest age and who is eligible to consume alcohol
- Athletic Complex
- Alcoholic beverages will not be allowed at any youth-focused events or tournaments

Also Added:

- New section of ordinance
- Sell

- Must obtain one of the following:
 - On-sale liquor intoxicating liquor license
 - Temporary on sale 3.2 liquor license
 - One-day consumption
- Can be sold in non-glass or plastic cups, not required to be in original containers
- Alcoholic beverages will not be allowed at any youth-focused events or tournaments

Requested Action:

The Council is asked to consider approval of the second reading amending the city code related to alcoholic beverages in city parks.

Recommendation:

- The Parks and Recreation Advisory Commission reviewed the proposed ordinance at their May 10th meeting. Unanimously voted to recommend approval of the ordinance to Council.
- Staff recommends approval of the second reading of the proposed ordinance as presented.

Mayor Dietrich asked how this would come to the Council as policy makers regarding license holders that have events. She asked if they would be on the Consent Agenda, public hearing, in what form.

Parks and Recreation Director Lares replied South Valley and Rock Island Swing Bridge would be done through the permit application process. This will go before staff and the Parks and Recreation Commission for approval. The Council will receive a notice of what the event was for, for example a graduation party. For Rich Valley Athletic Complex there would be three options: a 1-day liquor license, on-sale liquor license, temporary on-sale 3.2, those would come before the Council. If at a certain threshold, the police department would review the application and determine if on duty officers would be needed on site.

Councilmember T'Kach said it seemed like a great opportunity to meet some of the city's environmental goals. She suggested as it goes through the approval process, to require compostable cups if going the route of single serve. She said they would have a composting drop off by the end of the year. If items were BPI Certified compostable, they could go into the Dakota County/Inver Grove Heights compost drop off. She would like to see that as setting the bar for the city.

Parks and Recreation Director Lares responded that was something they could encourage within the application process. Options and recommendations could be given as to where people could purchase those types of compostable beverage containers. It can also be added across the system for a lot of the permits outdoors at a later date.

Councilmember T'Kach asked if there was a reason it could not be required now.

Parks and Recreation Director Lares replied its currently not written in this ordinance.

Councilmember T'Kach asked if the ordinance could be amended, as it is the purpose of three readings.

Parks and Recreation Director Lares replied it could be evaluated. He said he was unsure if it would deter anyone from licensing at Rich Valley. It was something that could be strongly encouraged.

Councilmember T'Kach mentioned it was a minimal cost over the cost of a plastic cup. When looking at the garbage costs they would be paying in the parks, it could possibly offset the city costs to haul the garbage away versus having compostable cups. If having a picnic, the napkins and paper plates could go into compostable bags. She said this seemed like the perfect opportunity to set the stage especially as they think about other large parks that may have large events. She said it might be difficult to add or change it later, once established.

Councilmember Gliva liked the idea of conservation and being environmentally friendly but thought the goal was to get the parks in use. She said she would be in favor of it being a strong

recommendation. She commented what some consider costly for one person, may not be the same for another person. The goal is to use the parks.

Mayor Dietrich agreed. She said she does not want to tell people what they can and cannot do. Adding a strong recommendation would be fantastic.

Councilmember T'Kach asked if a discount could be added to the permit fee, something that would provide an incentive. She said people are told to do things every day. There are a lot of people using the parks. She commented that somewhere the city has to live their values if saying we are an environmental city and people move to the city for the green, trees, parks, and trails. It would keep in line with what the city wants to be, such as a Green Steps City. She questioned where they draw the line, it seemed inexpensive.

Parks and Recreation Director Lares replied there could be opportunity that an incentive program be offered along with a strong recommendation. This could be looked at and promoted along with the fee schedule for 2024. Staff would run the numbers to see what type of discount could be considered and propose it for the fee schedule adjustments.

Councilmember T'Kach asked how that would be enforced. She said it seemed impractical but appreciated the idea. She would take something over nothing. She did not feel it was that much of a burden if going the extra mile to allow alcohol in the parks at this time.

Parks and Recreation Director Lares replied applicants would have to provide a plan. It would be a course of action on how they plan to identify and distribute alcohol at Rich Valley Athletic Complex. Within the plan staff could have the applicant identify if they would utilize compostable cups and that would be when they get the reduction. He said with the size of the complex, there is usually staff on site, they could check. He said they could work with the Parks Department to help verify. He shared his experience with most event sponsors and said that they are more than happy to provide additional information if looking for an incentive/reduction. A lot of large-scale events typically like to say they are going green, this would help them as well. He said this could be added to the permit application.

Councilmember Murphy said he was unsure they were in a position to be reducing fees. He questioned who would enforce the cups. He asked who would say they have the wrong cup, now they would have to shut down. He questioned if it would be something police officers would do. He said he is for protecting the environment, but also for the government not being in his face with little things like what cup he is drinking out of. He felt there were better ways to help take care of the environment. He would like to get this moving so the parks can be utilized better and generate revenue. He asked if referring to the Rich Valley Athletic Complex meant the baseball fields.

Parks and Recreation Director Lares replied the athletic complex includes baseball/softball and soccer/football/lacrosse fields. The park on the south end adjacent to the tennis court would not be included in the ordinance change.

Councilmember Murphy said as he reads the ordinance it means with the proper permits; they can have alcoholic beverages on/at the playing fields.

Parks and Recreation Director Lares replied that was correct. He addressed the first comment stating with the permit application, there would be an option. Deciding to use a compostable cup would be one option, choosing not to would not receive an incentive.

Mayor Dietrich asked if Director Lares has done this with other cities.

Parks and Recreation Director Lares replied he has seen this done in other cities where they strongly encourage people to use compostable items that can go in organic disposals/recycling bins. They do not typically tie an incentive to it, but strongly recommend it. The incentive may

not be strong enough to push people in that way, it would depend on the event sponsor. Some sponsors missions are to go green.

Mayor Dietrich asked if there was Council consensus to not mandate, but strongly encourage.
The Council agreed.

Councilmember Gliva said she was reluctant about underage drinking. She wants to make sure this does not come back as a liability. She said she was assuming the City Attorney has already looked at that type of language.

City Attorney McCauley Nason replied a requirement would be to have a plan that is acceptable to the city which includes city staff and/or police department review about how underage drinking would be handled. She anticipates for larger events, there could be a wristband system or something like it. The city will require the permit holder to sign off on liability waiver language for understanding it is their responsibility/problem if their attendees are drinking underage.

Mayor Dietrich asked if the Council was interested in forgoing the second and third readings.

Motion by Murphy, second by Gliva, to forgo the Third (3rd) Reading.

Ayes: 3

Nays: 1 (T'Kach) Motion carried.

City Attorney McCauley Nason stated she pulled up the section on the waiver and it states that the rules may be suspended but only by unanimous vote by the City Council. The vote of 3/1 means there needs to be a third reading. She requested a motion to approve the second reading.

Motion by Murphy, second by Gliva, to approve the Second Reading of an Ordinance Amending City Code Related to Alcoholic Beverages in City Parks.

Ayes: 4

Nays: 0 Motion carried.

F. Resolution Approving Contract For NWA 65th Street Small Area Plan Land Use and Engineering Planning Services. Resolution 2023-141

Community Development Director Heather Rand requested Council consideration regarding entering into a professional contract for a Northwest Area 65th Street Small Area Planning project.

Background:

- A few months back there was discussion surrounding what is being done in the city with respect to corridors when it comes to roadways.
- There has been great continued development interest in the city's northwest area (NWA).
 - Plats were approved for Peltier Reserve, Highlands at Settlers Ridge, and Canvas at Inver Grove Heights. These are all located near the 65th Street/Robert Street area.
- There is also developer interest in parcels adjacent or near the proposed 65th Street.
 - For example: Lund, M & E Enterprises, Kriz, MBF, Loch Gregor, Ace in the Hole LLC., and parcels on Allen Way, southeast of the Holiday Station store.
- The city's Comprehensive Plan and various transportation/roadway studies have long called for construction of 65th Street between South Robert Street and Babcock Trail as a Collector Street.

- Some ask if there are more viable alternatives to 65th Street construction from South Robert Trail heading east to Blaine Avenue.

Purpose of the Study:

- Staff (City Administrator, Public Works Director, Community Development Director) proposed in April, to consider a small area plan study that would gather data and analyze the options to inform Council as to where they should go with the decision about continuing the planning for, and ultimately construct, 65th Street as a collector street.
- The small area study would bring together data on multiple scenarios and impacts on roadways, development, land use, natural resources, and utility infrastructure.
- Identify and outline costs and tradeoffs to the various options or roadway plans identified in a small area study.

City issued Request for Proposals:

- 4 firms were invited to submit proposals
 - Firms that specialize in engineering and land use planning
 - All have offices in St. Paul/Minneapolis or close by
- 2 responded by the deadline: WSB and TKDA
- The two proposals were evaluated by the Community Development Director, Planning staff, Public Works Director, and the City Administrator.
- TKDA was recommended.
 - Costs are not to exceed \$49,400. 7 other staff members will work intermittently on this study.
 - To be paid for by the Host Community Fund.

Why TKDA was recommended:

- Appreciated the multi-disciplinary team. They have land use planners, design engineers, a person who specializes in community engagement, engineers, and utility specialists.
- High level public engagement in the project approach is offered:
 - Public meeting at the beginning of the project
 - Public meetings later to review alternatives
 - Online website page/social media use
 - PC (Planning Commission) and CC (City Council) Meetings
 - Alternative development Charette (staff/developers, partners)
 - Land use developers
 - Landowners
 - County highway department
 - One or two City Councilmembers

With regards to TKDA, she has checked their references, and has also worked with them in the past.

- Solid track record for success of SAPs in other cities
- New Consultant team for Inver Grove Heights to engage with (neutral, objective, creative)

Staff Recommendation:

- To accept the June 2, 2023 dated proposal from TKDA
- Approve resolution awarding a contract to TKDA at a cost not to exceed \$49,400 to be paid for from the IGH Host Community Fund.

Councilmember Murphy asked if TKDA has done any work with the city prior to this.

Community Development Director Rand replied planning staff have told her they have not. WSB has been involved in the study work in-house for engineering work for the 65th Street area. TKDA wants to go back and read the studies that have been completed, and then take it to the next level.

Councilmember Murphy said if a study was done on this prior, he asked if it was getting old and if that was why it was no longer viable.

Community Development Director Rand replied she would not suggest it is old. This is another opportunity to identify new and different alternatives for that collector's street.

Public Works Director Brian Connolly responded he does not believe the other studies were old or outdated. His understanding, based on conversations with the Council when a 65th Street update was brought forward, was that there did not seem to be a collective consensus to decide one way or another to move 65th Street forward based on the engineering studies. This is intended to look more at the planning component versus a transportation study. He does not expect it would change the data related to past transportation studies. This study would show if a street would not be put in and the limitations that may be set in the area in regard to development and density. It also looks at if not building the street, how to address the utility items dependent on a street corridor.

Councilmember Murphy asked if the other side of 65th Street, from Argenta to South Robert, was the city's responsibility.

Public Works Director Connolly replied yes, funding was received. There was State Aid and assessments for the portion, extension, and work associated with 65th Street. A portion where it intersects with Argenta has been built within the last 1 ½ years through the County's project for the realignment of Argenta Trail.

Councilmember Murphy said it was a good idea to do. He requested definitions of the different kinds of streets. In the past he has been confused about what collector and residential streets are.

City Administrator Wilson replied information could be provided to all members of the Council.

Councilmember T'Kach said this was comprehensive in terms of the area it looks to study. The people beyond the study area on 65th Street east of Babcock would be affected. She said it would be nice to look at that line of residential properties past Lion's Park along Blaine to Cahill and Carmen. Those would be impacted by what happens on 65th. She was unsure of what additional cost TKDA would need, if anything, to make adjustments with more outreach and efforts to get them together and into the Charette. Lions Park is a challenge to get kids to safely. She has received comments/questions about when a different intersection would be put in on Blaine and 65th. She said she liked the idea, Council had spoken about looking at a no build situation, she wants to make sure to really engage residents. She said people from the community come into the Council Chambers often not knowing something, such as needing a permit or painting a fence. She was unsure the online communication tools may be as effective as they think they are. There needs to be more thought about how to engage the community on big issues like this.

Community Development Director Rand responded that the focus for this study was on 65th Street. The Comprehensive Plan suggests connecting from Blaine to South Robert. They are fixated on that area. It does not mean they do not want input from the whole city. She said the point was well taken that other people are impacted. It is wise to have a public meeting to get the word out so others, regardless of where they are, give input or give input online. She said the intent with the study is that it is not just geared to appease to the couple of property owners in the immediate area who have properties adjacent to 65th Street. She asked that the Council work with staff, and if approved, to get the word out along with the Communications Manager.

City Administrator Wilson agreed with what Community Development Director Rand said. There are several components of public outreach proposed, community engagement is part of the study. She wanted to make sure that Council's expectations and staffs are the same. She said this study was not intended to recommend to the Council to build or not build 65th Street. It will not tell what residents

want. It is to give data to help make a decision and have a conversation with residents. It will say if building 65th Street, what the cost to the city would be, the type of density, how to serve it, how to extend utilities. Another would be if not building a straight connector street but building local roads that have different access points, the density it could support, how to bring in utilities, how the roadway would get paid for (city and developers). The goal is to provide the city, not with value laden data, but just data and different scenarios. Then the Council and the public can bring their values and say they like a certain mix or scenario. There will be public input during the study, but most value would come from evaluating the scenarios with residents once they have them in hand.

Motion by Gliva, second by T’Kach, to approve Resolution 2023-141 Approving Contract For NWA 65th Street Small Area Plan Land Use and Engineering Planning Services with TKDA as presented.

Ayes: 4

Nays: 0 Motion carried.

7. PUBLIC COMMENT:

There were no public comments.

8. MAYOR AND COUNCIL COMMENTS:

Councilmember T’Kach shared that Dakota County had a really great turnout at their opening for the Bison Park. She encourages people to go down to Spring Lake Park, Bison Prairie, and enjoy the experience.

9. ADJOURN:

Motion by Murphy, second by Gliva, to adjourn the meeting at 7:33 p.m.

Ayes: 4

Nays: 0 Motion carried.

Minutes prepared by Recording Secretary Sheri Yourczek



Request for Council Action

SUBJECT: Approval of Disbursements

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Ryan Albright, Accounting Technician, 651.450.2515

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, approving disbursements for the period of June 7– 20, 2023.

BACKGROUND

The following chart represents a summary by fund type of the disbursements processed during the period of June 7– 20, 2023. Disbursement details are attached to this memo.

Fund Type	Amount
General Fund	\$142,128.42
Special Revenue	32,479.48
Debt Service	-
Capital Projects	32,162.63
Enterprise	102,082.03
Internal Service	103,340.77
Escrows	604.44
Total - All Funds	\$412,797.77

FISCAL IMPACT

The disbursements are within adopted budgets for the associated funds or have otherwise been approved by the Council.

RECOMMENDATION

Staff adoption of the attached Resolution, approving the disbursements as presented.

ATTACHMENTS

1. Resolution
2. Disbursements listing (6.7.2023 - 6.20.2023)

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

RESOLUTION NO. __

RESOLUTION APPROVING DISBURSEMENTS FOR THE PERIOD OF

June 7, 2023 – June 20, 2023.

WHEREAS a detailed listing of disbursements for the period of June 7, 2023 – June 20, 2023, was presented to the council for approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, MINNESOTA, that payment of the disbursements for the following fund types are approved:

Fund Type	Amount
General Fund	\$142,128.42
Special Revenue	32,479.48
Debt Service	-
Capital Projects	32,162.63
Enterprise	102,082.03
Internal Service	103,340.77
Escrows	604.44
Total - All Funds	\$412,797.77

Adopted this 26th day of June 2023 by the City Council of Inver Grove Heights, MN

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Payment Dates 6/7/2023 - 6/20/2023

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
Fund: 101 - GENERAL FUND					
WI SCTF (WI SUPPORT COLLEC...	INV0164346	06/02/2023	PARTICIPANT ID#0004986316	101.203.2032100	433.06
IUOE	INV0164350	06/02/2023	UNION DUES IUOE	101.203.2031000	1,802.50
LELS	INV0164352	06/02/2023	UNION DUES (LELS LIEUTENA...	101.203.2031000	270.00
LELS	INV0164362	06/02/2023	UNION DUES (LELS SGT)	101.203.2031000	472.50
MTI DISTRIBUTING CO	1386625-00	06/08/2023	irrigation system parts	101.44.6000.451.40047	2,479.96
CULLIGAN	157984591006X053123	06/08/2023	bottled water for station 1	101.42.4200.423.60065	103.73
CULLIGAN	157984591188X053123	06/08/2023	bottled water and solar salt at...	101.42.4200.423.60065	61.95
CULLIGAN	157985524824X053123	06/08/2023	Rich Valley water svc	101.44.6000.451.40050	11.30
CULLIGAN	157985524824X053123	06/08/2023	Rich Valley water svc	101.44.6000.451.60065	20.25
CULLIGAN	157986034674X053123	06/08/2023	bottled water for St 2 and equ...	101.42.4200.423.60065	202.14
GOPHER LAWN AND SNOW S...	3033	06/08/2023	cemetery lawn svc	101.44.6000.451.30700	270.00
GOPHER LAWN AND SNOW S...	3034	06/08/2023	ditch mowing svc	101.44.6000.451.30700	260.00
ST. PAUL PIONEER PRESS	523572521	06/08/2023	Notice of PH: Church of St Pat...	101.41.1140.413.50025	18.13
ST. PAUL PIONEER PRESS	523572521	06/08/2023	Ordinance #1446 - Cadets Issu...	101.41.1140.413.50025	32.34
ELLIE FAMILY SERVICES PLLP	5242023	06/08/2023	Operation Bidon	101.41.1120.413.30700	13,755.00
DAKOTA CTY FINANCIAL SVCS	5500723	06/08/2023	Dakota County MHZ subscribe...	101.42.4000.421.30700	1,843.07
DAKOTA CTY FINANCIAL SVCS	5500723	06/08/2023	Dakota County MHZ subscribe...	101.42.4200.423.30700	1,726.42
DAKOTA CTY FINANCIAL SVCS	5500723	06/08/2023	Dakota County MHZ subscribe...	101.43.5200.443.30700	46.66
INVER GROVE FORD	6391193	06/08/2023	Squad car (#2029) A/C repairs	101.45.3300.419.40041	404.47
3RD LAIR SKATEPARK	CR2723	06/08/2023	Deposit for summer camp in ...	101.44.6100.452.30700	300.00
ELLIE FAMILY SERVICES PLLP	IGHPD-05232023	06/08/2023	Department Covered Session	101.42.4000.421.30700	120.00
EARL F ANDERSEN INC	0132685-IN	06/15/2023	Sign repairs	101.43.5200.443.60016	367.82
SIRCHIE ACQUISITION COMP...	0593780-IN	06/15/2023	Drug testing kits	101.42.4000.421.60065	59.04
REPUBLIC SERVICES, INC.	0894-006231265	06/15/2023	Shred event	101.45.3000.420.40025	862.50
MN LOCKS	101125698	06/15/2023	new padlocks for parks lock b...	101.44.6000.451.40047	278.23
OCCUPATIONAL HEALTH CEN...	103776653	06/15/2023	Pre-employment physical	101.41.1120.413.30700	162.00
SHAKOPEE MDEWAKANTON S...	1125	06/15/2023	mulch	101.44.6000.451.60016	1,297.80
ADVANCED SPORTSWEAR, INC.	11677	06/15/2023	Embroidery	101.45.3300.419.60045	96.00
RELENTLESS LLC	13312	06/15/2023	Criminal interdiction training - ..	101.42.4000.421.50080	649.00
DANNER LANDSCAPING	18536	06/15/2023	Sod Repair	101.43.5200.443.60016	138.00
NORTHWEST LASERS, INC.	19987	06/15/2023	Clean and Calibrate Equipment	101.43.5100.442.60065	231.00
PRECISE MRM	200-1042791	06/15/2023	Truck data	101.43.5200.443.30700	110.00
ADVANCED GRAPHIX, INC.	211561	06/15/2023	Locker decals	101.42.4000.421.60040	38.50
EVIDENT CRIME SCENE PROD...	221718A	06/15/2023	Cap-Shure swabs	101.42.4000.421.60065	211.00
TAHO SPORTSWEAR	23T51979	06/15/2023	League championship t-shirts...	101.44.6100.455.60009	88.50
DAKOTA AWARDS & ENGRAV...	26265	06/15/2023	Commissioner Name Plaques ...	101.41.1100.413.30700	64.75
BOLTON & MENK, INC.	312785	06/15/2023	Engineering Staff Augmentati...	101.43.5100.442.30700	10,750.00
VERIFIED HOLDINGS, LLC	342812	06/15/2023	Pre-employment background ...	101.41.1120.413.30700	2,672.35
OTTE EXCAVATING	4119	06/15/2023	pump & back flush RV septic t...	101.44.6000.451.40047	2,636.68
SHORT ELLIOTT HENDRICKSON...	446796	06/15/2023	Traffic Counts - Set Counters	101.43.5100.442.30300	148.52
BW FRAMING	45076	06/15/2023	Shadow Box	101.42.4000.421.50030	180.00
KENISON, TERRI	45077	06/15/2023	cleaning of stations 1, 2 and 3	101.42.4200.423.30700	1,600.00
JEREMY CARLSON	45079	06/15/2023	Payment for Adult Softball Le...	101.44.6100.455.30700	816.00
DOUGLAS JOSEPH JAKACKI	45079	06/15/2023	Adult Summer Softball League...	101.44.6100.455.30700	816.00
GORILLA DUMPSTER	5/24/2023	06/15/2023	Rubbish hauler license refund	101.41.0000.3214000	200.00
BETHESDA LUTHERAN CHURCH	5/8/2023	06/15/2023	Refund for incorrect charge fo...	101.207.2070300	11.96
NASSEFF PLUMBING & HEATI...	51125	06/15/2023	new AC unit at RV Concessions	101.44.6000.451.40040	4,645.00
MILLENACKER, TODD	6/12/2023	06/15/2023	Terrific Tuesdays Music in the ...	101.44.6100.453.30700	125.00
LAWMAN BADGE COMPANY	6218	06/15/2023	J.Nelson- Uniform Allowance ...	101.42.4000.421.60045	137.50
IDENTISYS	621898	06/15/2023	Riboon- ID machine	101.42.4000.421.50030	212.22
STERICYCLE INC	8003932056	06/15/2023	Shred it regular services	101.42.4000.421.30700	179.05
HOLIDAY COMPANIES	80901062300	06/15/2023	Car Washes	101.42.4000.421.60016	265.00
REACH MEDIA NETWORK	87765	06/15/2023	REACH screen licenses	101.44.6100.459.50070	420.00

Expense Approval Report

Payment Dates: 6/7/2023 - 6/20/2023

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
RCM SPECIALTIES, INC.	8987	06/15/2023	Spray Patching	101.43.5200.443.40046	27,475.00
EXPERT TREE SERVICE AND SC...	9393	06/15/2023	tree removal for street project	101.43.5200.443.40046	1,800.00
MN DEPT OF LABOR & INDUS...	ABR0305339X	06/15/2023	pressure vessel	101.43.5200.443.60016	10.00
ESS BROTHERS & SONS INC	DD3102	06/15/2023	Adjustable rings for manholes	101.43.5200.443.40046	577.50
MUNICIPAL EMERGENCY SERV...	IN1863764	06/15/2023	new turn out gear for FF's fro...	101.42.4200.423.60045	47,978.00
GEOTAB USA, INC.	IN340340	06/15/2023	ProPlus	101.42.4000.421.50072	267.84
SAFE-FAST, INC.	INV276263	06/15/2023	Street shirts	101.43.5200.443.60045	433.33
ESCH CONSTRUCTION SUPPLY,...	INV44492	06/15/2023	walk behind saw for manholes	101.43.5200.443.60040	2,215.00
PIONEER ATHLETICS	INV885777	06/15/2023	white paint for fields	101.44.6000.451.60016	5,947.00
KIESLER POLICE SUPPLY, INC	SI103446	06/15/2023	Pepperballs	101.42.4000.421.60018	321.85
Fund 101 - GENERAL FUND Total:					142,128.42

Fund: 201 - C.V.B. FUND

RIVER HEIGHTS CHAMBER OF ...	11418	06/15/2023	Monthly service contract 3.20...	201.44.1600.465.30700	6,400.00
RIVER HEIGHTS CHAMBER OF ...	11419	06/15/2023	Indeed advertising & marketing	201.44.1600.465.30700	648.00
RIVER HEIGHTS CHAMBER OF ...	11420	06/15/2023	Golf tournament sponsor	201.44.1600.465.30700	500.00
ERIC SATRE	6/5/2023	06/15/2023	TOURISM MARKETING TEMP...	201.44.1600.465.50065	500.00
ENSEMBLE CREATIVE & MARK...	IGH041423	06/15/2023	MARKETING IGH CVB FEBRUA...	201.44.1600.465.50025	3,675.00
Fund 201 - C.V.B. FUND Total:					11,723.00

Fund: 205 - COMMUNITY CENTER-OPERATING FUND

CULLIGAN	157011438908X053123	06/08/2023	softener salt	205.44.6200.453.60016	58.54
CULLIGAN	157011438908X053123	06/08/2023	softener salt	205.44.6200.453.60016	234.16
TOTAL CONSTRUCTION & EQU...	36491	06/08/2023	install/relocate data jacks in G...	205.44.6200.453.40040	739.99
TOTAL CONSTRUCTION & EQU...	36492	06/08/2023	replace GFCI & cover at Grove...	205.44.6200.453.40040	380.81
TOTAL CONSTRUCTION & EQU...	36493	06/08/2023	move power & data for KR asst...	205.44.6200.453.40040	618.83
APEC	125184	06/15/2023	HVAC filters	205.44.6200.453.60016	246.62
HUEBSCH SERVICES	20233075	06/15/2023	lobby mats	205.44.6200.453.40065	102.95
HUEBSCH SERVICES	20233075	06/15/2023	lobby mats	205.44.6200.453.40065	68.62
STANDARD FINANCIAL, LLC.	351245	06/15/2023	corner guards/hand rails for p...	205.44.6200.453.40040	4,856.15
MEDPRO WASTE DISPOSAL, L...	800474	06/15/2023	medical waste removal	205.44.6200.453.40025	112.21
REACH MEDIA NETWORK	87765	06/15/2023	REACH screen licenses	205.44.6200.453.50070	630.00
Fund 205 - COMMUNITY CENTER-OPERATING FUND Total:					8,048.88

Fund: 206 - COMMUNITY CENTER-CAPITAL FUND

TOTAL CONSTRUCTION & EQU...	36489	06/08/2023	LED lighting project	206.44.6200.459.80200	3,444.95
Fund 206 - COMMUNITY CENTER-CAPITAL FUND Total:					3,444.95

Fund: 270 - HOST COMMUNITY FUND

JR'S APPLIANCE DISPOSAL	110260	06/15/2023	Misc dumped appliances	270.45.3000.419.40025	161.65
GREENE ESPEL PLLP	87991	06/15/2023	Legal Advice & Representaion...	270.75.5900.751.30420	811.00
Fund 270 - HOST COMMUNITY FUND Total:					972.65

Fund: 290 - EDA-OPERATING FUND

FIRST IMPRESSION GROUP	143887	06/15/2023	retail recruitment brochure - p...	290.45.3000.419.30700	490.00
KRUEGER REAL ESTATE ADVIS...	45077	06/15/2023	Monthly services 5.2023	290.45.3000.419.30700	7,800.00
Fund 290 - EDA-OPERATING FUND Total:					8,290.00

Fund: 402 - PARK ACQUISITION & DEVELOPMENT FUND

CENTRAL TURF & IRRIGATION ...	50255007-00	06/08/2023	pipe sleeves for irrigation in n...	402.44.6000.451.60065	557.22
CENTRAL TURF & IRRIGATION ...	50255007-00	06/08/2023	pipe sleeves for irrigation in n...	402.44.6000.451.60065	557.22
Fund 402 - PARK ACQUISITION & DEVELOPMENT FUND Total:					1,114.44

Fund: 436 - 117TH STREET RECONSTRUCTION

SRF CONSULTING GROUP, INC	13074.00-25	06/15/2023	117th St. Preliminary Design	436.73.5900.736.30300	2,287.04
SRF CONSULTING GROUP, INC	16424.00-1	06/15/2023	117th St. reconstruction final ...	436.73.5900.736.30300	18,533.65
Fund 436 - 117TH STREET RECONSTRUCTION Total:					20,820.69

Fund: 440 - PAVEMENT MGMT-LOCAL STREETS

BOLTON & MENK, INC.	312784	06/15/2023	Dawn Way Bidding and Const...	440.74.5900.740.30300	10,227.50
Fund 440 - PAVEMENT MGMT-LOCAL STREETS Total:					10,227.50

Fund: 510 - WATER-OPERATING FUND

MINNESOTA DEPARTMENT OF...	4/1/2023	06/08/2023	2nd Qtr 2023 Water Test Fee	510.207.2070100	19,578.00
MINNESOTA DEPARTMENT OF...	5/22/2023	06/08/2023	Ryan B water license	510.50.7100.512.50070	55.00
LONE OAK COMPANIES	92396	06/08/2023	5.2023 Reminder Notice Proce...	510.50.7100.512.30700	200.85

Expense Approval Report

Payment Dates: 6/7/2023 - 6/20/2023

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
LONE OAK COMPANIES	92398	06/08/2023	5.2023 Delinquent Notice Pro...	510.50.7100.512.30700	81.60
LONE OAK COMPANIES	92398	06/08/2023	5.2023 Postage Credit	510.50.7100.512.50035	-80.49
LONE OAK COMPANIES	92425	06/08/2023	5.2023 Statement Processing ...	510.50.7100.512.30700	555.31
MINNESOTA DEPARTMENT OF...	05/22/2023	06/15/2023	Water supply system operator...	510.50.7100.512.50070	55.00
LONE OAK COMPANIES	6/8/2023	06/15/2023	Reminder notice postage 6.20...	510.50.7100.512.50035	344.25
LONE OAK COMPANIES	6/8/2023	06/15/2023	Utility bill postage 6.2023	510.50.7100.512.50035	716.75
LONE OAK COMPANIES	6/8/2023	06/15/2023	Reminder notice paper 6.2023	510.50.7100.512.60010	37.50
HAWKINS, INC.	6487564	06/15/2023	chemicals	510.50.7100.512.60019	11,281.12

Fund 510 - WATER-OPERATING FUND Total: 32,824.89

Fund: 520 - SEWER-OPERATING FUND

LONE OAK COMPANIES	92396	06/08/2023	5.2023 Reminder Notice Proce...	520.51.7200.514.30700	200.85
LONE OAK COMPANIES	92398	06/08/2023	5.2023 Delinquent Notice Pro...	520.51.7200.514.30700	81.60
LONE OAK COMPANIES	92398	06/08/2023	5.2023 Postage Credit	520.51.7200.514.50035	-80.50
LONE OAK COMPANIES	92425	06/08/2023	5.2023 Statement Processing ...	520.51.7200.514.30700	555.31
OPTION ONE MECHANICAL LLC	3161	06/15/2023	lift station maintenance	520.51.7200.514.40042	840.00
LONE OAK COMPANIES	6/8/2023	06/15/2023	Utility bill postage 6.2023	520.51.7200.514.50035	716.75
LONE OAK COMPANIES	6/8/2023	06/15/2023	Reminder notice postage 6.20...	520.51.7200.514.50035	344.25
LONE OAK COMPANIES	6/8/2023	06/15/2023	Reminder notice paper 6.2023	520.51.7200.514.60010	37.50

Fund 520 - SEWER-OPERATING FUND Total: 2,695.76

Fund: 550 - INVER WOOD GOLF COURSE

HERITAGE LANDSCAPE SUPPLY...	0010763200-001	06/08/2023	pesticides	550.52.8600.527.60035	687.01
BREAKTHRU BEVERAGE MINN...	110477141	06/08/2023	beer for resale	550.52.8300.524.76150	1,115.35
BREAKTHRU BEVERAGE MINN...	110595197	06/08/2023	beer for resale	550.52.8300.524.76150	186.00
DENNY'S 5TH AVENUE BAKERY	11315	06/08/2023	breads for food resale	550.52.8300.524.76050	127.09
DENNY'S 5TH AVENUE BAKERY	11316	06/08/2023	breads for food resale	550.52.8300.524.76050	139.75
DENNY'S 5TH AVENUE BAKERY	11469	06/08/2023	breads for food resale	550.52.8300.524.76050	127.09
DENNY'S 5TH AVENUE BAKERY	11544	06/08/2023	breads for food resale	550.52.8300.524.76050	139.75
DENNY'S 5TH AVENUE BAKERY	11548	06/08/2023	breads for food resale	550.52.8300.524.76050	118.65
MTI DISTRIBUTING CO	1382436-02	06/08/2023	equipment repair	550.52.8600.527.40042	27.74
MTI DISTRIBUTING CO	1383686-01	06/08/2023	equipment repair	550.52.8600.527.40042	693.29
MTI DISTRIBUTING CO	1386619-00	06/08/2023	equipment repair toro workm...	550.52.8600.527.40042	598.03
HANCO CORPORATION	2048-00	06/08/2023	cart parts	550.52.8400.525.40042	195.78
SHAMROCK GROUP	2894408	06/08/2023	ice for bev. resale	550.52.8300.524.76100	195.75
SHAMROCK GROUP	2896868	06/08/2023	ice for bev. resale	550.52.8300.524.76100	220.65
ARTISAN BEER COMPANY	3606297	06/08/2023	beer for resale	550.52.8300.524.76150	480.05
COCA COLA BOTTLING COMP...	3607217575	06/08/2023	pop & water for resale	550.52.8300.524.76100	1,640.78
COCA COLA BOTTLING COMP...	3607217576	06/08/2023	CO2 cannister return	550.52.8300.524.76100	-150.00
COCA COLA BOTTLING COMP...	3607217644	06/08/2023	pop & water for resale	550.52.8300.524.76100	1,066.50
COCA COLA BOTTLING COMP...	3607217645	06/08/2023	returned CO2	550.52.8300.524.76100	-150.00
ARTISAN BEER COMPANY	3607553	06/08/2023	beer for resale	550.52.8300.524.76150	387.75
PERFORMANCE FOOD GROUP ...	68374208	06/08/2023	plates for food resale	550.52.8300.524.76050	102.22
PERFORMANCE FOOD GROUP ...	68406848	06/08/2023	supplies	550.52.8300.524.60065	39.05
PERFORMANCE FOOD GROUP ...	68406848	06/08/2023	food & supplies for resale	550.52.8300.524.76050	773.51
PERFORMANCE FOOD GROUP ...	68406848	06/08/2023	distilled water	550.52.8300.524.76100	13.31
PERFORMANCE FOOD GROUP ...	68479004	06/08/2023	supplies	550.52.8300.524.60065	65.54
PERFORMANCE FOOD GROUP ...	68479004	06/08/2023	food & supplies for resale	550.52.8300.524.76050	648.54
PERFORMANCE FOOD GROUP ...	68479004	06/08/2023	cups for bev. resale	550.52.8300.524.76100	142.97
COLLEGE CITY BEVERAGE	899190	06/08/2023	beer for resale	550.52.8300.524.76150	590.00
COLLEGE CITY BEVERAGE	913052	06/08/2023	beer for resale	550.52.8300.524.76150	430.90
COLLEGE CITY BEVERAGE	915022	06/08/2023	beer for resale	550.52.8300.524.76150	472.40
TITLEIST	915805668	06/08/2023	apparel for resale	550.52.8200.523.76200	71.75
TITLEIST	915824023	06/08/2023	golf balls for resale	550.52.8200.523.76450	1,856.68
INNOVATIVE OFFICE SOLUTIO...	IN4197379	06/08/2023	office supplies	550.52.8500.526.60010	173.37
HERITAGE LANDSCAPE SUPPLY...	0010762483-001	06/15/2023	pesticides	550.52.8600.527.60035	7,547.61
HERITAGE LANDSCAPE SUPPLY...	0010762702-001	06/15/2023	greens pesticide	550.52.8600.527.60035	13,029.38
HERITAGE LANDSCAPE SUPPLY...	0010762800-001	06/15/2023	pesticide	550.52.8600.527.60035	14,184.13
EASY PICKER GOLF PRODUCTS ...	0192532-IN	06/15/2023	replacement parts for picker	550.52.8100.522.40042	528.26
MINNESOTA MEDICAL TRAINI...	052364-23D	06/15/2023	first aide tranning	550.52.8600.527.60065	495.92
BREAKTHRU BEVERAGE MINN...	110598360	06/15/2023	beer for resale	550.52.8300.524.76150	490.80
BREAKTHRU BEVERAGE MINN...	110683828	06/15/2023	beer for resale	550.52.8300.524.76150	913.50

Expense Approval Report

Payment Dates: 6/7/2023 - 6/20/2023

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
DENNY'S 5TH AVENUE BAKERY	11841	06/15/2023	bread for food resale	550.52.8300.524.76050	127.09
COVERALL NORTH AMERICA I...	1590028076	06/15/2023	Monthly cleaning svcs 6.2023	550.52.8500.526.40040	1,446.19
PLUMBING RESTORATION AN...	2024443	06/15/2023	plumbing work in clubhouse	550.52.8500.526.40040	290.00
AARON LEE JOHNSON	20324	06/15/2023	framed 3D map of the golf cou...	550.52.8500.526.40040	697.97
HANCO CORPORATION	2047-00	06/15/2023	tires	550.52.8600.527.60014	257.57
MN GOLF ASSOCIATION, INC.	230656	06/15/2023	golf handicap membership fees	550.52.8000.521.70250	7,890.00
SHAMROCK GROUP	2898806	06/15/2023	ice for bev. resale	550.52.8300.524.76100	189.75
M. AMUNDSON LLP	363095	06/15/2023	snacks for resale	550.52.8300.524.76050	380.60
TOTAL CONSTRUCTION & EQU...	36554	06/15/2023	hang monitor in F&B for menu...	550.52.8300.524.40042	412.74
SUPERIOR TURF SERVICES INC	3898	06/15/2023	range tee fertilizer	550.52.8600.527.60030	583.29
HEGGIES PIZZA	395332	06/15/2023	food for resale	550.52.8300.524.76050	189.90
HEGGIES PIZZA	5/31/2023	06/15/2023	credit for duplicate pymt in Se...	550.52.8300.524.76050	-126.00
ARAMARK REFRESHMENT SER...	6019738	06/15/2023	coffee for resale	550.52.8300.524.76100	273.10
ADIDAS AMERICA INC.	6159643705	06/15/2023	apparel for resale	550.52.8200.523.76200	45.89
ARAMARK REFRESHMENT SER...	6356153	06/15/2023	coffee for resale	550.52.8300.524.76100	105.04
PHILLIPS WINE & SPIRITS	6601825	06/15/2023	alcohol for resale	550.52.8300.524.76150	792.05
PHILLIPS WINE & SPIRITS	6605312	06/15/2023	alcohol for resale	550.52.8300.524.76150	652.86
PERFORMANCE FOOD GROUP ...	68508173	06/15/2023	food & supply for resale	550.52.8300.524.76050	220.58
PLUNKETT'S PEST CONTROL	8064770	06/15/2023	Monthly pest control svcs 6.2...	550.52.8500.526.40040	160.69
UNIFIRST CORPORATION	900768714	06/15/2023	uniforms and towels	550.52.8600.527.60045	136.81
UNIFIRST CORPORATION	900770048	06/15/2023	towels and uniforms	550.52.8600.527.60045	136.81
TWIN CITY GARAGE DOOR	2242572	06/15/2023	shop repairs	550.52.8600.527.40040	1,281.60
Fund 550 - INVER WOOD GOLF COURSE Total:					66,561.38

Fund: 602 - RISK MANAGEMENT

HEPPNER'S AUTO BODY	400121	06/15/2023	LMC Claim: 271181- Squad 25...	602.00.2100.415.70200	2,725.83
Fund 602 - RISK MANAGEMENT Total:					2,725.83

Fund: 603 - CENTRAL EQUIPMENT

SHARROW LIFTING PRODUCTS	161060	06/08/2023	Annual inspection for crane &...	603.00.5300.444.40040	550.00
SHARROW LIFTING PRODUCTS	161248	06/08/2023	Trailer (#350) parts	603.00.5300.444.40042	445.85
SHARROW LIFTING PRODUCTS	161466	06/08/2023	Four self-locking hooks for trai...	603.00.5300.444.40042	466.74
HANCO CORPORATION	2002-00	06/08/2023	Utilities mower (#445) tires	603.00.5300.444.40042	123.28
MANSFIELD OIL COMPANY	24299537	06/08/2023	Fuel	603.140.1450060	8,396.91
MANSFIELD OIL COMPANY	24299538	06/08/2023	Fuel	603.140.1450060	13,576.71
HANCO CORPORATION	3999-00	06/08/2023	Mower (#533) tires	603.00.5300.444.60014	243.20
CINTAS CORPORATION	4156918382	06/08/2023	Public work's floor mats	603.00.5300.444.40065	99.25
INVER GROVE FORD	5329883	06/08/2023	Parts for parks truck (#503)	603.00.5300.444.40041	148.93
INVER GROVE FORD	5329884	06/08/2023	Mirror assembly for squad car ...	603.00.5300.444.40041	278.83
INVER GROVE FORD	5329920	06/08/2023	Parts for Fire dept squad car (...)	603.00.5300.444.40041	51.64
INVER GROVE FORD	5329941	06/08/2023	Squad car (#2021) mirror ass...	603.00.5300.444.40041	265.45
INVER GROVE FORD	5329976	06/08/2023	Squad car (#2124) parts	603.00.5300.444.40041	170.90
INVER GROVE FORD	5329993	06/08/2023	Shock absorber for Fire Dept s...	603.00.5300.444.40041	280.14
INVER GROVE FORD	5330033	06/08/2023	Stock brake	603.140.1450050	140.30
INVER GROVE FORD	5330060	06/08/2023	Pickup (#507) link assembly	603.00.5300.444.40041	268.08
INVER GROVE FORD	5330061	06/08/2023	Fire squad (#S1) water pump	603.00.5300.444.40041	109.83
INVER GROVE FORD	5330081	06/08/2023	Thermostat and seal for Fire s...	603.00.5300.444.40041	46.26
INVER GROVE FORD	5330157	06/08/2023	Parks pickup (#503) glass wind...	603.00.5300.444.40041	432.57
INVER GROVE FORD	5330247	06/08/2023	Parts for Fire dept pickup (#B...	603.00.5300.444.40041	51.39
INVER GROVE FORD	6389222	06/08/2023	Squad car (#2023) gas engine ...	603.00.5300.444.40041	620.10
MACQUEEN EMERGENCY GR...	P09146	06/08/2023	Hood parts for Fire truck (#E1...	603.00.5300.444.40041	63.18
MACQUEEN EMERGENCY GR...	W05191	06/08/2023	Fire Truck (#T26) dump chute ...	603.00.5300.444.40041	1,636.88
MACQUEEN EMERGENCY GR...	W05218	06/08/2023	Fire Truck (#E17) pump shift li...	603.00.5300.444.40041	2,932.23
METRO JANITORIAL SUPPLY I...	11015886	06/15/2023	Shop Supplies	603.00.5300.444.60012	501.99
FACTORY MOTOR PARTS COM...	1-8668820	06/15/2023	Stock Filters	603.140.1450050	109.74
FACTORY MOTOR PARTS COM...	1-232694	06/15/2023	Stock batteries	603.140.1450050	394.27
ENVIRONMENTAL EQUIPMENT...	23005	06/15/2023	Sweeper (w/lic #331) eye bolt	603.00.5300.444.40041	56.44
WORLD FUEL SERVICES	369326816187-41801	06/15/2023	Grease Shop Supplies	603.00.5300.444.60012	195.57
NORTHERN SAFETY TECHNOL...	55919	06/15/2023	Cadet Truck outfitting	603.00.5300.444.80701	6,097.79
FACTORY MOTOR PARTS COM...	69-489267	06/15/2023	Stock filters	603.140.1450050	23.76
COMO LUBE & SUPPLIES	695493	06/15/2023	Used oil recovery	603.00.5300.444.40025	35.00
SNAP-ON INDUSTRIAL	ARV/57463296	06/15/2023	Small tools	603.00.5300.444.60040	9.74

Expense Approval Report

Payment Dates: 6/7/2023 - 6/20/2023

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ZIEGLER INC	IN000991389	06/15/2023	Parts for rock rake (#564)	603.00.5300.444.40042	1,535.34
TRI-STATE BOBCAT INC.	P97672	06/15/2023	Skid steer (#520) cable	603.00.5300.444.40042	77.92
MACQUEEN EQUIPMENT INC	W12135	06/15/2023	Sweeper (#325 no lic) broom ...	603.00.5300.444.40042	308.55
Fund 603 - CENTRAL EQUIPMENT Total:					40,744.76

Fund: 605 - CITY FACILITIES

CULLIGAN	157985030228X053123	06/08/2023	softener salt	605.00.7500.460.60016	64.70
TOTAL CONSTRUCTION & EQU...	36488	06/08/2023	run power to new ADA door o...	605.00.7500.460.40040	2,038.80
TOTAL CONSTRUCTION & EQU...	36490	06/08/2023	replace lighting controls at CH...	605.00.7500.460.40040	1,235.66
TOTAL CONSTRUCTION & EQU...	36494	06/08/2023	run power & data for PD came...	605.00.7500.460.40040	2,982.22
CINTAS CORPORATION	5160806453	06/08/2023	CH first aid supplies	605.00.7500.460.60065	211.08
KENDELL DOORS & HARDWARE	IN076523	06/08/2023	ADA door opener at city hall	605.00.7500.460.40040	3,500.00
KENDELL DOORS & HARDWARE	IN077687	06/08/2023	ADA work on new CH entrance..	605.00.7500.460.40040	874.74
KENDELL DOORS & HARDWARE	IN077690	06/08/2023	ADA door replacement at CH f...	605.00.7500.460.40040	9,428.00
SHERWIN-WILLIAMS CO.	1055-2	06/15/2023	paint supplies for FS #2	605.00.7500.460.60016	152.73
OWENS COMPANIES	35009	06/15/2023	CH heat pump repairs	605.00.7500.460.40040	7,529.34
GIP III ZEPHYR ACQUISITION P...	INVRGRV-12305	06/15/2023	solar gardens 3.2023	605.00.7500.460.40020	28,450.61
Fund 605 - CITY FACILITIES Total:					56,467.88

Fund: 606 - TECHNOLOGY FUND

INNOVATIVE OFFICE SOLUTIO...	IN4182616	06/08/2023	Paper	606.00.1400.413.60065	219.75
INSIGHT PUBLIC SECTOR	1101059051	06/15/2023	Office365 license	606.00.1400.413.50072	2,577.50
VERIZON WIRELESS	9935639494	06/15/2023	Cell phones	606.00.1400.413.50020	600.17
SPOK, INC.	G0317493R	06/15/2023	Translation	606.00.1400.413.50072	4.88
Fund 606 - TECHNOLOGY FUND Total:					3,402.30

Fund: 702 - ESCROW FUND

ST. PAUL PIONEER PRESS	523572521	06/08/2023	Notice of PH: 23-211PA	702.229.2292903	27.44
ST. PAUL PIONEER PRESS	523572521	06/08/2023	Notice of PH: 23-22CUP	702.229.2294603	24.50
KENNEDY & GRAVEN	174842	06/15/2023	LEGAL CONSULTANT RE TIFF	702.229.2295903	552.50
Fund 702 - ESCROW FUND Total:					604.44

Grand Total: 412,797.77



Request for Council Action

SUBJECT: **Personnel Actions**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Cora Bauer, HR Coordinator, 651.450.2490

ACTION REQUESTED

The Council is asked to confirm and approve the personnel actions as attached.

BACKGROUND

The attached listing of hires, promotions, resignations and/or retirements is presented for Council approval. Data contained in the attachment is not public information until after Council takes action.

FISCAL IMPACT

All positions to be filled are funded within the adopted City budget.

RECOMMENDATION

Staff recommends approval of the attached personnel actions.

ATTACHMENTS

1. Personnel Actions 06.26.23



Request for Council Action

SUBJECT: **Resolutions Accepting Contract Work, Approving Final Change Order and Payment, and Closing City Project No. 2021-11 - Trunk Storm Extension for Landlocked Basin JP-1 (M/I Homes)**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Steve Dodge, Assistant City Engineer, 651.450.2541

ACTION REQUESTED

The Council is asked to adopt the attached Resolutions accepting the contract work, authorizing final change order and payment, and closing City Project No. 2021-11 – Trunk Storm Extension for Landlocked Basin JP-1.

BACKGROUND

The South Grove Townhome Development resulted in the design and construction of trunk storm sewer improvements which were brought before the Council and ordered on May 10, 2021. The proposed improvements included a 27-inch trunk storm pipe from Clayton Avenue to the Oaks Townhomes that would convey stormwater from the new development to existing storm sewer infrastructure. The trunk storm sewer pipe will enable future connection of an outlet from landlocked basin JP-1 under a future City project.

The Final Compensating Change Order (Change Order No. 2) reduces the value of the contract by \$23,672.30. This represents a reduction of 10% compared to the current approved contract value of \$230,850.

FISCAL IMPACT

The final payment value is \$0.00, due to previous payments totalling \$207,177.70 that were made to the developer upon completion of the project work in 2022. The total cost of the project work has been identified at \$208,313.07, which includes LEAF (legal, engineering, administration and finance) expenses of \$1,135.37. Overall, this represents a cost savings of \$22,536.93 from the authorized amount of \$230,850. Project 2021-11 has been previously approved for funding through the Pavement Management - Local Streets Fund (Fund 440).

RECOMMENDATION

Staff recommends adoption of the attached Resolutions, accepting the contract work, approving final compensating Change Order No. 2, authorizing final payment, and closing the project for City Project No. 2021-11 – Trunk Storm Sewer Extension for Landlocked Basin JP-1.

ATTACHMENTS

1. Resolution - Final Acceptance - 2021-11
2. Resolution - Amending Budget and Closing Project - 2021-11
3. Engineer's Report of Acceptance - 2021-11
4. Final Compensating Change Order - 2021-11
5. Final Payment - 2021-11

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

RESOLUTION NO. _____

**RESOLUTION ACCEPTING WORK OF M/I HOMES OF MINNEAPOLIS, LLC
CITY PROJECT NO. 2021-11 TRUNK STORM EXTENSION FOR LANDLOCKED BASIN JP-1**

WHEREAS, pursuant to a written agreement with the City of Inver Grove Heights dated May 10, 2021, M/I Homes of Minneapolis, LLC satisfactorily completed improvements and appurtenances for City Project Nos. 2021-11 Trunk Storm Extension for Landlocked Basin JP-1.

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

- 1) The work completed under this contract is hereby accepted and approved; and
- 2) The Mayor and the City Clerk are hereby directed to issue a proper order for final payment on such contract, taking the development owner's receipt in full. The 2-year warranty period shall be retroactive to begin on October 1, 2022, when the work was considered complete by staff.

Adopted by the City Council of the City of Inver Grove Heights this 26th day of June 2023.

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. _____

**RESOLUTION AMENDING FINAL PROJECT BUDGET AND CLOSING THE PROJECT ACCOUNT FOR
CITY PROJECT NO. 2021-11 – TRUNK STORM SEWER EXTENSION FOR LANDLOCKED BASIN JP-1**

WHEREAS, on May 10, 2021, City Council approved a trunk storm sewer improvement in the amount of \$162,200 in relation to the South Grove Townhomes development, City Project 2021-11 – Trunk Storm Sewer Extension for Landlocked Basin JP-1; to be paid through the pavement management fund; and

WHEREAS, on September 27, 2021 Council approved Change Order No. 1 in the amount of \$68,650 for a total City contribution amount of \$230,850; and

WHEREAS, City Council authorized final payment in the amount of \$207,177.70 to M/I Homes and accepted the project on June 26, 2023; and

WHEREAS, the total cost of the project work has been identified at \$208,313.07, including LEAF (legal, engineering, administration and finance) expenses, for a cost savings of \$22,536.93 less than authorized amount by Council to date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, MINNESOTA, that the following budget is hereby amended for City Project No. 2021-11:

PROJECT COSTS	2021-11
Storm Sewer Improvements	\$207,177.70
LEAF (legal, engineering, administration and finance)	\$1,135.37
TOTAL	\$208,313.37

FUNDING SOURCES	2021-11
Pavement Management – Local Streets Fund (Fund 440)	\$208,313.37
TOTAL	\$208,313.37

BE IT FURTHER RESOLVED THAT:

- 1) The Council hereby authorizes the use of Pavement Management – Local Street Fund (Fund 440) to complete the project in accordance with previous Council actions regarding project authorization dated May 10, 2021 and September 27, 2021; and
- 2) Upon transfer of the funds and balancing of the project budget, Project No. 2021-11 will be closed.

Adopted by the City Council of the City of Inver Grove Heights on June 26, 2023.

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

ENGINEER'S REPORT OF FINAL ACCEPTANCE

City Project No. 2021-11 Trunk Storm Sewer Extension for Landlocked Basin JP-1

June 26, 2023

**TO THE CITY COUNCIL
INVER GROVE HEIGHTS, MINNESOTA**

HONORABLE MAYOR AND CITY COUNCIL MEMBERS:

This is to advise you that I have received the work under contract with M/I Homes of Minneapolis, LLC, for City Project 2021-11 trunk Storm Sewer Extension for Landlocked Basin JP-1.

The developer has completed the project in accordance with the agreement.

It is recommended, herewith, that final payment be made for said improvements to the contractor in the amount as follows:

Original Contract Amount.....	\$162,200.00
Total Addition (Change Order No. 1).....	\$68,650.00
Total Deduction	(\$23,672.30)
Total Contract Amount	\$207,177.70
Total Value of Work to Date	\$207,177.70
Less Previous Payment	\$207,177.70
Total Approved for Payment this Voucher	\$0.00
Total Payments including this Voucher	\$207,177.70

Sincerely,



Steve W. Dodge, P.E.
Assistant City Engineer

**CHANGE ORDER NO. 2
FINAL COMPENSATING CHANGE ORDER**

City Project No. 2021-11 Trunk Storm Extension for Landlocked Basin JP-1

Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077 Contractor: M/I Homes	Date of Issuance: June 26, 2023 Engineer: Pioneer Engineering
<u>Purpose of Change Order</u> Final compensating amount to balance value of work completed and total payment made to the Contractor. Accounts for miscellaneous increases and decreases in contract quantities.	
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$ 162,200.00	Original Contract Time:
Previous Change Order: \$ 68,650.00	Net Change from Previous Change Orders:
Contract Price Prior to this Change Order \$ 230,850.00	Contract Time Prior to this Change Order
Net Decrease of this Change Order: \$ 23,672.30	Net Increase of Change Order:
Contract Price with all Approved Change Orders \$ 207,177.70	Contract Time with Approved Change Orders
Recommended By: <u>Steve W Dodge</u> Steve Dodge PE, Asst. City Engineer	Approved By: <u>[Signature]</u> Area President M/I Homes of Minneapolis/St. Paul, LLC

Approved By:

Paul C. Merchlewicz
Paul Merchlewicz PE, City Engineer

Approved By:

Brenda Dietrich, Mayor

Date of Council Action:

June 26, 2023

**CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER**

ESTIMATE NO: 2 (Two) FINAL

DATE: June 26, 2023

PERIOD ENDING: May 31, 2023

PROJECT NO: City Project No. 2021-11 Trunk Storm Extension for
Landlocked Basin JP-1

TO: M/I Homes
5354 Parkdale Drive 100
St. Louis Park, MN 55416

Original Contract Amount.....	\$162,200.00
Total Addition (C.O. 1).....	\$68,650.00
Total Deduction	(\$23,672.30)
Total Contract Amount	\$207,177.70
Total Value of Work to Date	\$207,177.70
Less Retained (0%)	\$0.00
Less Previous Payment.....	\$207,177.70
Total Approved for Payment this Voucher	\$0.00
Total Payments including this Voucher.....	\$207,177.70

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through May 31, 2023.

Signed by: 
Paul Merchlewicz PE, City Engineer

June 26, 2023
Date

Signed by: 
M/I Homes of Minneapolis/St. Paul, LLC
John Rask, Area President

6/15/2023
Date

Signed by: _____
Brenda Dietrich, Mayor

June 26, 2023
Date



Request for Council Action

SUBJECT: **Resolution Adding VMC, LLC to the City's Professional Engineering Services Consulting Pool**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Brian Connolly, Public Works Director, 651.450.2571

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, adding VMC, LLC to the City's Professional Engineering Services Consulting Pool and authorizing the appropriate officials to enter into a professional services agreement with VMC, LLC.

BACKGROUND

On April 24, 2023, the Council approved contracts with 18 separate engineering consulting firms for inclusion in the City's 5-year (2023-2027) Engineering Services Consulting pool. The firm of VMC, LLC approached City staff shortly after the solicitation for the consulting pool closed, inquiring how they may be able to assist the City in regards to private telecommunications and antenna site leasing services. Staff met with representatives of VMC, several of whom had extensive experience working with the City on telecommunications and antenna site leasing services over the past 10 years while with another firm within the City's pool. As only one firm was originally qualified and selected for the communications and electrical/mechanical technical specialty discipline, staff believe that adding VMC to the consulting pool for this specific service area would provide balance and offer a competitive alternative to sole-sourcing telecommunications and antenna site leasing reviews to a single consulting firm.

Staff requested and subsequently received a formal proposal from VMC that followed the provisions of the original Request for Proposal (RFP) for the 2023 Professional Engineering Services consulting pool that was approved by the City Council on January 9, 2023. Upon review of the submittal, staff prepared a Master Services Agreement with VMC, LLC.

The attached Exhibit A, amended from the City Council meeting on April 24, 2023, lists all selected firms for this Professional Engineering Services consulting pool.

FISCAL IMPACT

There is no immediate fiscal impact from amending the consulting pool to include an additional firm. When specific work is assigned to a firm within the pool, funding for that work will come from the associated project budgets or antenna site lease escrow accounts.

RECOMMENDATION

Staff recommends approval of the attached Resolution, adding VMC, LLC to the City's Professional Engineering Services Consulting Pool for 2023-2027 and authorizing the appropriate officials to enter into a professional services agreement with VMC, LLC.

ATTACHMENTS

1. Resolution Adding VMC, LLC to Professional Engineering Services Consulting Pool
2. Exhibit A - Selected Firms for Professional Services Consulting Pool (Amended 6/26/2023)

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

**RESOLUTION ADDING VMC, LLC TO THE CITY'S PROFESSIONAL SERVICES
CONSULTING POOL FOR CITY FISCAL YEARS 2023-2027**

RESOLUTION NO. _____

WHEREAS, the City of Inver Grove Heights requires assistance on a recurring basis from various types of consulting businesses that provide professional technical consulting services; and

WHEREAS, the City solicited a Request for Proposal (RFP) statement from technical consulting firms comprising four major service areas and nine technical specialty areas; and

WHEREAS, on April 24, 2023, the City Council approved entering into professional service agreements with 18 firms who responded to the RFP (Resolution 2023-090); and

WHEREAS, VMC, LLC provides telecommunications and antenna site leasing services, with several staff having historical and intimate familiarity with the City's past practices in this area; and

WHEREAS, staff believe that VMC, LLC can provide competitive balance to the communications & electrical/mechanical technical specialty discipline, for which only one firm was originally selected to participate in the professional services consulting pool.

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

1. VMC, LLC is hereby approved for inclusion in the technical services consultant pool for City Fiscal Year 2023-2027, and an amended listing of the consultant pool firms is included in Exhibit A.
2. The Mayor and City Clerk are authorized to enter into professional services agreements with VMC, LLC.

Adopted by the City Council of the City of Inver Grove Heights this 26th day of June 2023.

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

**EXHIBIT A
SELECTED FIRMS FOR PROFESSIONAL SERVICES CONSULTING POOL**

General Service Areas

Municipal Engineering

- Bolton & Menk
- Kimley Horn
- SEH
- WSB

Transportation Engineering

- Alliant
- Bolton & Menk
- Kimley Horn
- SRF

Parks and Recreation

- HKGi
- SRF
- Stantec
- WSB

Surface Water and Natural Resources

- Barr
- EOR
- Kimley Horn
- SRF
- WSB

Specialty Service Areas

Geotechnical Services

- AET
- Braun Intertec
- WSB

Municipal Utilities

- AE2S
- Bolton & Menk
- Stantec
- WSB

Land Surveying

- Alliant
- Bolton & Menk
- Sunde
- WSB

Structural

- Kimley Horn
- SEH
- TKDA

Specialty Service Areas (Cont.)

Architectural Services

- Alliance
- HKGi
- SEH
- TKDA

Communications &

Electrical/Mechanical

- SEH
- VMC, LLC*

Public Works/GIS

- Bolton & Menk
- SRF
- Stantec
- WSB

Relocation/Benefit Analysis

- Evergreen Land Services
- Patchin Messner

* Firm Added 6/26/2023



Request for Council Action

SUBJECT: **Resolution Amending 2023 City Fee Schedule**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Adam Lares, Parks & Recreation Director, 651.450.2587

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, amending the 2023 Fee Schedule.

BACKGROUND

The 2023 fee schedule was originally approved on December 12, 2022. Staff are requesting to adjust the indoor turf fee in the West Arena at VMCC to include a prime and non-prime rate. Prime rates would run from March-April and non-prime from May-October.

Typically, beginning in May, the weather is conducive for rental groups, such as soccer and lacrosse teams, to move practices outside. Therefore, the demand for indoor turf rental decreases significantly. By offering a non-prime rate in the months of May through September, staff believe a lower fee will potentially attract new user groups and/or rentals. The currently approved rates are \$90/hr. for residents and \$100/hr. for non-residents, which would become the new prime rates. The recommended non-prime rates are \$70/hr. for residents and \$80/hr. for non-residents.

Items that have had a change are highlighted in yellow in the attached 2023 Fee Schedule.

FISCAL IMPACT

This amendment is anticipated to have a minor impact on the amount of fee revenue collected by the City.

RECOMMENDATION

Staff recommends adoption of the attached Resolution, amending the 2023 Fee Schedule.

ATTACHMENTS

1. Resolution to Adopt Amended 2023 Fee Schedule
2. 2023-06-26 Proposed P&R Fee Schedule Amendments

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

RESOLUTION NO. _____

**RESOLUTION ESTABLISHING REVISED 2023 LICENSE, PERMIT AND
ADMINISTRATIVE FEE SCHEDULE**

WHEREAS, The Inver Grove Heights City Council recognizes the need to review the fees charged by the City for licenses, administrative services and permits on an annual basis, and

WHEREAS, staff has requested to adjust the indoor turf fee in the West Arena at the VMCC to include a prime and a non-prime rate. Prime rates would run from March-April and non-prime rates from May-October,

WHEREAS, any changes to these fees shall be set by resolution by the City Council of the City of Inver Grove Heights City Code;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Inver Grove Heights, Minnesota, approves the attached 2023 Revised Fee Schedule. Said schedule shall be effective June 24th, 2023.

Adopted by the City Council of Inver Grove Heights this 24th day of June 2023.

Ayes: _____

Nays: _____

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



City of Inver Grove Heights 2023 Fee Schedule



8150 Barbara Ave. ▪ Inver Grove Heights, MN 55077-3412
Telephone: 651-450-2500 ▪ Fax: 651-450-2502

Table of Contents

The following pages show the proposed 2023 fee schedule by department

<u>Category</u>	<u>License Type</u>	<u>Page</u>
Administration		1
	General Fees for Services	1
	Mapping and GIS Fees	1
Business Licenses		2 - 3
	Body Art and Tattoo Parlor License	2
	Contractor License	2
	Gambling Premises Permit	2
	Kennel License	2
	Motor Vehicle Sales License	2
	Peddler Permit	2
	Solicitor Registration	2
	Road Use Permit	2
	Solicitor Registration	2
	Therapeutic Massage Business License	2
	Therapeutic Massage Therapist License	2
	Trash Hauling License	2
	Vehicle Junkyard License	2
	Pawnbroker License	2
	Liquor License	3
	Rental License	3
	Large Assembly Permit	3
Police Department		4
	General Fees for Services	4
	Excessive Consumption of City Services	4
	Volunteer Surrender of Firearms by Civil Order	4
	Animal Control	4
	False Alarm Response Fees	4
Fire Department		5
	Fire Permits	5
	Ventillation System Cleaning Permit	5
Building, Construction, Engineering, & Plan Review		6 - 10
	Building Permit Valuation	6
	Inspection Fees	6
	Building Permits	6 - 7
	Demolition Permit	7
	Driveway Permit	7
	Fence Permit	7
	Right-of-Way Permit	7
	Fire Code Permit	7
	Manufactured Home Permit	7
	Plumbing Permit	8
	Pool Permit	8
	Sign and Billboard Permit	8

Building Permits (continued)	8
Utility Connection Permit	8
Hydrant Meter Fees	9
Water Meter Fees	9
Meter Testing	9
Land Alteration Permit Plan Review	10
Small Wireless Facility Row Permit	10
Small Wireless Facility Electrical Permit	10
Parks & Recreation - Park Usage	11 - 12
Park Rental	11
Outdoor Ice Rink	11
Skyview Soccer Fields	11
Rich Valley Athletic Complex	11
Disc Golf	11
Dog Park License	11
Pickleball Courts	12
Tennis Courts	12
Mountain Bike Course	12
Community Garden Plot	12
Parks & Recreation - Inver Wood Golf Course	12 - 13
Pull-Cart Rental	12
Golf Car Rental	12
Driving Range	12
Foot Golf	12
Player's Card	12
Reguar Membership	12
Platinum Membership	12
Restricted Membership	12
Daily Greens Fees	13
Parks & Recreation - Veteran's Memorial Community Center	14 - 16
Membership Enrollment	14
Daily Membership	14
Daily Admission Add-on	14
Annual Membership	14
Monthly Membership	14
Corporate Membership	14
Membership Adjustment	14
Open Skate	14
Room Rental	15
Room Rental Add-ons	15
Child Care	15
Party Room Rental	15
Pool Rental	15
Tournament/Game Vendor	15
VMCC Arena Ice Time	16

Administration			
Item Description	Code Section	License Period (if applicable)	2023 Fees
General fees for services			
			Black & White = \$0.25 per page Color = \$0.50 per page (2-sided copy = 2x fee) >100 pages = Staff Time + Copies
Copies (11 x 17 or less)			\$5 per page
Copies (Greater than 11 x 17)			
Returned check, ACH, credit, or debit card charge			\$30
Notary fee			\$5 per occurrence
Property assessment search			\$25
City code book			\$200
Mapping and GIS fees			
Letter (8.5" x 11")			\$5 + Shipping/Handling
Tabloid (11" x 17")			\$10 + Shipping/Handling
C-size (18" x 24")			\$15 + Shipping/Handling
D-size (24" x 36")			\$20 + Shipping/Handling
E-size (36" x 48")			\$25 + Shipping/Handling
Mailed in envelope (large maps folded):			
Letter or Tabloid			\$2 + Shipping/Handling
C (18" x 24") or D (24" x 36") size			\$3 + Shipping/Handling
E-size (36" x 48")			\$4 + Shipping/Handling
Mailed in Tube:			
Letter or Tabloid			\$3 + Shipping/Handling
C-size (18" x 24")			\$4 + Shipping/Handling
D-size (24" x 36")			\$5 + Shipping/Handling
E-size (36" x 48")			\$46 + Shipping/Handling
Other Methods:			
CD mailed			\$2 + Shipping/Handling
Custom map production using existing data			Subject to an hourly fee of \$50, half hour minimum, in addition to size-based map fee
Custom map production with data development			Subject to an hourly fee of \$100, half hour minimum, in addition to size-based map fee
Electronic data			Cost provided per request
Vector: shapefile or CAD			Varies
Raster: IMG, TF, SID			Varies
Graphic Files: JPG, PDF, TIF, AVI			Varies
GIS data or graphic files			Varies
Delivery on CD			\$10
Delivery by email			\$5

Business Licenses			
Item Description	Code Section	License Period (if applicable)	2023 Fees
Body art and tattoo parlor license			
Initial business license	4-9-1	May 1st	\$100
Initial business background investigation plus 1 artist	4-9-1		\$500
Additional artist background investigation	4-9-1		\$175
Renewal background investigation	4-9-1		\$75
Contractor license			
License	4-6-2	1 year	\$100
Gambling premises permit			
Permit	4-7-8		No charge
Initial business background investigation	4-7-8		\$250
Kennel license			
Commercial kennel	5-4-9	Every 2 years on Feb 28th	\$500
Non-commercial kennel	5-4-9	Every 2 years on Feb 28th	\$100
Urban chicken-keeping license			
License	5-4-2	Every 2 years on Feb 28th	\$25
Goat Grazing Permit			
Permit	5-4-15	30 days, twice each calendar year	\$50
Motor vehicle sales license			
Class A	4-5A-5	May 1st	\$300
Class B	4-5A-5	May 1st	\$100
Initial business background investigation			\$500
Renewal business background investigations			\$125
Peddler permit			
Permit	4-11-4	One Year From Date Issued	\$80
Background Investigation			\$100
Solicitor registration			
Registration	4-11-4 4-11-5	One Year From Date Issued	No charge
Therapeutic massage business license			
Business license (Includes 1 therapist)	4-8A-3	May 1st	\$200
Initial business background investigation (Includes 1 therapist)	4-8A-4		\$500
Renewal business background investigation			\$75
Therapeutic massage therapist license			
Initial license - each additional therapist			\$175
Renewal of license - each additional therapist	4-8-1H	May 1st	\$55
Therapist background investigation	4-8-1H		\$75
Trash hauling license			
Garbage collection	8-6-2	May 1st	\$200 or \$250 Dependent on offered services
Vehicle junkyard license			
License	4-5C-4	Annual	\$1,000
Pawnbroker license			
License	4-2-5	May 1st	\$8,000
Reseller transaction fee	4-2-10	N/A	\$2
Pawnbroker background investigation			
Initial background investigation for business plus 1 partner	4-1-9		\$500
Initial background investigation for each additional partner	4-1-9		\$175
Renewal background investigations			\$75 per business & each partner

Business Licenses (continued)		License Period	2023
Item Description	Code Section	(if applicable)	Fees
Liquor license			
3.2 Liquor			
On-sale	4-1-9	January 1st	\$350
Off-sale	4-1-9	January 1st	\$100
Temporary on sale	4-1-9	Not to exceed 7 days	\$30
On-Sale (includes brew pub) - based on gross annual sales:			
\$0-\$250,000	4-1-9	January 1st	\$3,500
\$250,001 - \$500,000	4-1-9	January 1st	\$4,500
\$500,001 - \$1,000,000	4-1-9	January 1st	\$7,000
\$1,000,001 and above	4-1-9	January 1st	\$10,000
Sunday on-sale (brew pub)	4-1-9	January 1st	\$200
Sunday on-sale	4-1-9	January 1st	\$200
On-sale wine	4-1-9	January 1st	\$650
Special club on-sale	4-1-9	January 1st	\$225
Temporary on-sale	4-1-9	Not to exceed 4 days	\$30
Culinary class limited on-sale	4-1-9	January 1st	\$100
Off-sale	4-1-9	January 1st	\$200
Temporary off-sale wine	4-1-9	Not to exceed 3 days	\$25
Off-sale small brewer	4-1-9	January 1st	\$200
On-sale brew pub taproom with no intoxicating on-sale license	4-1-9	January 1st	\$500
One-day consumption and display permit	4-1-9	1 day	\$30
Consumption and display permit	4-1-9	April 1st	\$250
Liquor license background investigation			
Initial background investigation for business	4-1-9		\$500
Initial background investigation for each additional partner	4-1-9		\$175
Renewal background investigation - includes compliance checks		January 1st	\$125 per business
Change of ownership, officers or operating/general manager		January 1st	\$250 per person
Rental license			
Single-family, condominium unit, townhome unit	4-13-3	2 year	\$50
Duplex, triplex, fourplex, apartment buildings	4-13-3	2 year	\$150 per building + \$15 per unit
Background investigation	4-13-3	2 year	\$25 per license
Large assembly permit			
Initial application	4-14-1		Rates increase based on city services for the event, up to \$5,000

- Large Assemblies require use of Police services. See Police section of fee schedules for hourly rates.

Police Department			
Item Description	Code Section	License Period	2023 Fees
General fees for services			
Records check for foster care or day care adoption, passport, etc.)			\$20 per adult
reports (printed)			\$32
			\$0.25 per page
No charge to victim of domestic assault. Requests of 100 or more pages will be based on the actual cost of retrieving the data.			
Police officer and squad car off-duty charge (within city limits)			\$72 per hour
Police officer and squad car off-duty (outside city limits, with signed contract)			\$77.25 per hour
Audio/video/photographs			
Body worn camera			\$25 per clip or video
Squad camera			\$25 per clip or video
Audio, video, or photographs			\$25 per CD or DVD
Excessive Consumption of City Services			
Excess code inspections (4 or more)	4-15-1		\$250
Excess police and/or nuisance calls	4-15-1		\$250
Volunteer Surrender of Firearm by Civil Order			
Intake fee	MN Stat. 518B.01		\$50
Storage of firearm	MN Stat. 518B.01		\$0.50 per day
Firearm release	MN Stat. 518B.01		\$50
Abandoned firearm	MN Stat. 518B.01		Revenue minus costs
Proceeds of sale, less actual disposal fees, returned to owner. If owner cannot be contacted remainder goes into the General Fund			
Animal Control			
Pound redemption fees			\$35
Pet owner may be charged additional fees by the animal hospital that is contracted by the City of Inver Grove Heights prior to release to pet owner.			
Dog found unvaccinated	5-4-3		Misdemeanor
Dangerous dog yard sign (required)	5-4-6		\$8
Dangerous dog tag (required)	5-4-6		\$2 per dog
Appeal fees for dangerous & potentially dangerous dog declarations	5-4-6		\$300 - If designation is upheld, the fee shall be the actual expenses of the hearing, not to exceed \$1,000
False Alarm Response Fees			
1st false alarm: Letter sent to home/business owner	5-3-4		Warning
2nd false alarm: Letter sent to home/business owner	5-3-4		Warning
3rd false alarm	5-3-4		\$100
4th false alarm	5-3-4		\$200
5th false alarm	5-3-4		\$300

Fire Permits

Item Description	Code Section	License Period (if applicable)	2023 Fees
Fire permits			
Recreational fire	9-2-3		\$15 per fire
Permanent recreational fire ring	9-2-3		\$25
Disposal permit for trees, brush, grass and other vegetative matter for the development and maintenance of land and rights-of-way	7-3-7-3 7-3-7-5B		\$0.50 per cubic yard \$100 minimum
Open burning permit as defined by Minnesota rules related to open burning	9-2-3		\$25
Fire code operational permits	9-2-1		\$25 per permit Up to four permits per occupant within a business premise
Ventilation system cleaning permit			
Permit	Section 9-2-3		\$75

- See fire code permits under Building section

Building, Construction, Engineering, & Plan Review

Item Description	Code Section	License Period (if applicable)	2023 Fees
Building permit valuation		Fee range	
< \$1,000.00	55.		\$55
\$1,001 - \$2,000	55.		plus \$2.25 / \$100 valuation* > \$1,000;
\$2,001 - \$25,000	77.5		Plus \$14.75 / \$1,000 valuation* > \$2,000;
\$25,001 - \$50,000	416.		plus \$10.75 / \$1,000 valuation* > \$25,000;
\$50,001 - \$100,000	685.		plus \$7.50 / \$1,000 valuation* > \$50,000;
\$100,001 - \$500,000	1,060		plus \$6.00 / \$1,000 valuation* > \$100,000;
\$500,001 - \$1,000,000	3,460.		plus \$5.00 / \$1,000 valuation* > \$500,000;
> \$1,000,001	5,960.		plus \$4.00 / \$1,000 valuation* > \$1,000,000 or fractional thereof.
Inspection fees			
Inspections when no permit is issued	3-4-2-1		\$105
Investigation, stop work, or working without permits			Fee equal to permit value
Inspections outside of normal business hours when approved by the director	3-4-2-1		\$150 per hour
Excess code inspections - 4 or more	4-15-1		\$250
Building permits			
Plan review	3-4-2-1		65% of the building permit fee when determined by valuation
Accessory structure, garage, pole building, or shed	3-4-2-1		Based on valuation + plan review + state surcharge
Residential alteration or remodel	3-4-2-1		Based on valuation + plan review + state surcharge
Commercial alteration or remodel	3-4-2-1		Based on valuation + plan review + state surcharge
Alteration or remodel (multi-family)	3-4-2-1		Based on valuation + plan review + state surcharge
Basement finish	3-4-2-1		Based on valuation + plan review + state surcharge
Certificate of occupancy agreement	3-4-2-1		\$100
Cell tower	3-4-2-1		Based on valuation + plan review + state surcharge
Commercial building	3-4-2-1		Based on valuation + plan review + state surcharge
Decks	3-4-2-1		Based on valuation + plan review + state surcharge
Multi-family - 3 or more units	3-4-2-1		Based on valuation + plan review + state surcharge
Moving of buildings	3-4-2-1		\$300
Porch-3 season, 4 season, or screened	3-4-2-1		Based on valuation + plan review + state surcharge
Retaining wall less than 4 feet	3-4-2-1		Based on valuation + plan review + state surcharge
Retaining wall 4 feet or greater	3-4-2-1		Based on valuation + plan review + state surcharge
Roofing commercial	3-4-2-1		Based on valuation + plan review + state surcharge
Roofing multi-family - 3 or more units	3-4-2-1		Based on valuation + plan review + state surcharge
Roofing single-family or duplex residential	3-4-2-1		\$115 Permit fee + state surcharge
SAC fee (sanitary sewer availability)	3-4-2-1		\$2,485
Single-family or duplex residential home	3-4-2-1		Based on valuation + plan review + state surcharge
Siding commercial	3-4-2-1		Based on valuation + plan review + state surcharge
Siding multi-family - 3 or more units	3-4-2-1		Based on valuation + plan review + state surcharge
Siding single-family or duplex residential	3-4-2-1		\$120

Building Permits (continued) Item Description	Code Section	License Period (if applicable)	2023 Fees
Solar array rooftop	3-4-2-1		Based on valuation + plan review + state surcharge
Solar array ground mount	3-4-2-1		Based on valuation + plan review + state surcharge
Window and/or door (egress or change in size)	3-4-2-1		Based on valuation + plan review + state surcharge
Window and/or door replacement (no change in size)	3-4-2-1		Based on valuation + plan review + state surcharge
Demolition permit			
Demolition of accessory structures or pool	3-4-2-1		\$120
Demolition of commercial	3-4-2-1		\$120
Demolition of single-family	3-4-2-1		\$120
Demolition of manufactured home	3-4-2-1		\$120
Demolition of septic	3-4-2-1		\$120
Driveway permit			
Driveway - replacement, construction, or expansion	10-15-20.1		\$25
Fence permit			
Fence	3-4-2-1		\$50
Commercial or multi-family plan review	3-4-2-1		65% of 2% valuation
Right of way management			
Right-of-way excavation permit- in roadway	7-2-1		\$200
<i>Surety required to ensure that the street is properly restored.</i>	7-2-3		\$5,000 Bond
Right-of-way utility permit - spot or linear installation	7-3-7		\$200 per 1,000 feet of utility installation; minimum \$200
<i>Surety required to ensure that the right-of-way is properly restored</i>	7-3-7-2	Annual	\$10,000 Bond per contractor Can be applied to multiple permits
Right-of-way obstruction permit - shoulder, lane, or sidewalk/trail closure	7-3-7		\$200
Overweight load permit	6-1-6		\$75 per load
<i>Surety may be required to ensure restoration of any road damage due to overweight loads</i>	6-1-6		Varies dependent on road rating, load weight, and quantity of loads. \$5,000 Bond when required
Fire code permit			
Automatic fire sprinkler system	3-4-2-1		Based on valuation + plan review + state surcharge
Fire alarm and detection systems and related equipment	3-4-2-1		Based on valuation + plan review + state surcharge
Automatic fire extinguishing systems	3-4-2-1		Based on valuation + plan review + state surcharge
Smoke control and exhaust systems	3-4-2-1		Based on valuation + plan review + state surcharge
Spraying or dipping tank, room or booth	3-4-2-1		Based on valuation + plan review + state surcharge
Other construction permits required by section 105.7 fire code	3-4-2-1		Based on valuation + plan review + state surcharge
Manufactured home permits			
New manufactured home installation	3-4-2-1		Based on valuation + plan review + state surcharge

Building Permits (continued)		License Period	
Item Description	Code Section	(if applicable)	2023 Fees
Mechanical permit			
Air conditioner and/or furnace	3-4-2-1		\$94
Chimney	3-4-2-1		\$94
Ductwork and ventilation	3-4-2-1		\$94
Fireplace and gas appliances	3-4-2-1		\$94
Gas piping and air test	3-4-2-1		\$94
In-floor heating	3-4-2-1		\$94
Single-family new construction residential	3-4-2-1		\$125
Commercial and multi-family	3-4-2-1		\$94 Base Fee + 2% of valuation + State Surcharge
Commercial and multi-family plan review	3-4-2-1		65% of 2% valuation
On-site septic systems permit (includes site review)			
Single-family - new or replacement of existing	3-4-2-1		\$469 If new add \$1.00 state surcharge
Commercial systems less than 4,999 gallons per day	3-4-2-1		\$729 If new add \$1.00 state surcharge
Commercial systems more than 5,000 gallons per day	3-4-2-1		\$1499 If new add \$1.00 state surcharge
Tank replacement	3-4-2-1		\$260
Septic operator's permit	3-4-2-1	3 years	\$35
Plumbing permit			
Single-family residential	3-4-2-1		\$94 Base fee + \$4 for each fixture
Commercial or multi-family	3-4-2-1		\$94 Base fee + 2% of contracted work value in dollars
Plumbing installation or replacement of single fixture	3-4-2-1		\$94
PVB - Residential Lawn Irrigation	3-4-2-1		\$94
RPZ - Commercial or multi-family lawn irrigation	3-4-2-1		\$94
Sewer & water connection residential	3-4-2-1		\$139
Sewer & water connection commercial or multi-family	3-4-2-1		\$94 Base Fee + 2% of contracted work value in dollars
Water heater replacement	3-4-2-1		\$74
Water softener replacement	3-4-2-1		\$74
Commercial and multi-family plan review	3-4-2-1		65% of 2% valuation
Pool permit			
Above-ground swimming pools (includes fence)	3-4-2-1		Based on valuation + plan review + state surcharge
In-ground swimming pools	3-4-2-1		Based on valuation + plan review + state surcharge
Sign and billboard permit			
Permanent business signs regardless of size	3-4-2-1		\$50
Billboards up to 100 square feet in area	3-4-2-1		\$200
Billboards over 100 sq ft	3-4-2-1		\$300
Temporary portable signs	3-4-2-1		\$15
Monument/pylon signs	3-4-2-1		Based on valuation + plan review + state surcharge
Utility connection fees			
Utilities - water core connection	3-4-2-2		See ordinance for fee structure
Utilities - sewer core connection	3-4-2-2		See ordinance for fee structure
Utilities - sewer connection	3-4-2-2		See ordinance for fee structure
Utilities - water connection unit	3-4-2-2		See ordinance for fee structure
Utilities - water treatment plant	3-4-2-2		See ordinance for fee structure
Utilities - Eagan utility	3-4-2-2		See ordinance for fee structure
Utilities - B-line connection charge	3-4-2-2		See ordinance for fee structure

Building Permits (continued) Item Description	Code Section	License Period (if applicable)	2023 Fees
Hydrant meters			
Hydrant, meter, or valve damage deposit	8-2-13	Annual	\$1,500
Daily hydrant or meter rental	8-2-13		\$2/Day + Cost of Water Used Minimum \$75
Water meter fees			
3/4" Mag/Iperl meter	3-4-2-2		\$207
3/4" Mag/Iperl meter tax	3-4-2-2		\$15
1" Mag/Iperl meter	3-4-2-2		\$320
1" Mag/Iperl meter tax	3-4-2-2		\$23
1 1/2" Compound/Omni meter	3-4-2-2		\$1,950
1 1/2" Compound/Omni meter tax	3-4-2-2		\$139
1 1/2" Turbine/Omni meter	3-4-2-2		\$1,325
1 1/2" Turbine/Omni meter tax	3-4-2-2		\$95
2" Turbine/Omni meter	3-4-2-2		\$1,588
2" Turbine/Omni meter tax	3-4-2-2		\$113
2" Compound/Omni meter	3-4-2-2		\$2,238
2" Compound/Omni meter tax	3-4-2-2		\$159
3" Turbine/Omni meter	3-4-2-2		\$1,963
3" Turbine/Omni meter tax	3-4-2-2		\$140
3" Compound/Omni meter	3-4-2-2		\$2,850
3" Compound/Omni meter tax	3-4-2-2		\$203
4" Turbine/Omni meter	3-4-2-2		\$3,840
4" Turbine/Omni meter tax	3-4-2-2		\$274
4" Compound/Omni meter	3-4-2-2		\$4,950
4" Compound/Omni meter tax	3-4-2-2		\$353
Single port radio head	3-4-2-2		\$225
Single port radio head tax	3-4-2-2		\$16
Dual port radio head	3-4-2-2		\$275
Dual port radio head tax	3-4-2-2		\$20
Meter testing			
5/8" meter	8-2-9.F		\$140
3/4 " meter	8-2-9.F		\$140
1" meter	8-2-9.F		\$140
1.5" meter	8-2-9.F		\$175
2" meter	8-2-9.F		\$175
Compound meter	8-2-9.F		\$400
Water shut-offs and turn-ons	8-2-11		\$25 per occurrence
Zoning and regulations			
Nuisance abatement for mowing			\$70 per hour
Comprehensive guide plan			\$100
Construction plan sheet (22"x34")			\$20
Zoning & related land use regulations			\$75
Subdivision code			\$25
Zoning letter			\$100
Sewage tank maintenance permit (commercial and residential operating permit)			\$35

Building Permits (continued) Item Description	Code Section	License Period (if applicable)	2023 Fees
Land alteration permit			
Shoreland impact zones: 10 to 499 cubic yards (steep slopes)	10-13B-10		With building permit: no fee If no other permit: \$250
Shoreland impact zones: 50 to 499 cubic yards	10-13B-10		With building permit: no fee If no other permit: \$250
0 to 499 cubic yards	9-4-1-7		No fee, no permit required
500 up to 999 cubic yards	9-4-1-2		
	9-4-1-7		
	10-13J-5		\$400
1,000 up to 10,000 cubic yards	9-4-1-2		
	9-4-1-7		
	10-13J-5		\$900
10,000 up to 99,999 cubic yards	9-4-1-2		
	9-4-1-7		
	10-13J-5		\$5,000
100,000 cubic yards or more	9-4-1-2		
	9-4-1-7		
	10-13J-5		\$10,000
<i>All land alteration permits over 500 cubic yards require a cash escrow or letter of credit surety, based on the area disturbed, to guarantee final restoration</i>	9-4-1-6.E		\$5,000 per acre Minimum \$10,000
Renewal (extension) permit	9-4-1-9	Annual	\$100
Small wireless facility row permit			
Up to five (5) small wireless facilities	7-3-7-3		\$500
Additional small wireless facility			\$100
	7-3-7-3		Maximum of ten additional per application.
Small wireless facility annual rental	7-3-7-5	Annual	\$175 per wireless support structure
<i>Permit surety escrow fee paid by tenant prior to approval of row permit</i>	7-3-7-4		\$2,500
Small wireless facility electrical fee			
A. Per radio node less than or equal to 100 maximum watts	7-3-7-5	Annual	\$876
B. Per radio node over 100 maximum watts	7-3-7-5	Annual	\$2,184
C. Per radio node if the actual costs exceed the amount in item A. or B. above	7-3-7-5	Annual	Actual Cost
D. As agreed to by tenant and the city	7-3-7-5	Annual	Actual Cost

Parks and Recreation			
Park Usage	Frequency	2023 Resident Fee	2023 Non Resident
Park rental			
Park shelters			
*excluding Swing Bridge Park	5 hour block	\$70	\$90 + \$50 damage deposit
Swing Bridge Park shelter	5 hour block	\$110	\$110 + \$50 damage deposit
Additional trash barrels/picnic tables	Per day	\$52	\$62
Add portable restroom to rental	Per day	\$85	\$95
Add portable restroom cleaning	Per unit	\$65	\$75
Add ADA portable restroom cleaning	Per unit	\$135	\$145
Neighborhood park or school athletic field	Per use	\$42	\$52
Outdoor ice rink			
Outdoor ice rink	Per hour	\$30	\$30
Outdoor ice rink w/ attendant	Per hour	\$40	\$40
Outdoor rink lights	Per hour	\$42	\$42
Skyview soccer fields			
Youth	Per game/practice	\$90	\$110
Adult	Per game/practice	\$105	\$125
Rich Valley Athletic Complex			
Baseball field			
Youth	Per game/practice	\$90/\$75	\$115/\$85
Adult	Per game/practice	\$105	\$125
Softball field			
All Ages	Per game/practice	\$70	\$90
Soccer field			
Youth	Per game/practice	\$90	\$110
Adult	Per game/practice	\$105	\$125
1/2 Field	Per game/practice	\$60	\$70
Inver Grove Heights Youth Athletic Association			
User fee	Per player	\$15	\$22
Tournaments			
IGH association	Per field/per day	\$110	\$110
Youth baseball	Per game	\$100	\$125
Adult baseball	Per game	\$110	\$130
Youth softball	Per game	\$75	\$95
Adult softball	Per game	\$95	\$115
Cancellation fee	Full reservation	15%	15% Two week notification required
Tournament/game vendor			
Single day	Per day	\$75	\$85
Weekend (two days)	Per weekend	\$115	\$125
Concessions stand			
Weekend	Per weekend	\$275	\$275
Day	Per day	\$110	\$135
Additional maintenance (staff, supplies equipment, etc.)			
Enhanced maintenance (1 staff member)	Per hour	\$40	\$50
Enhanced maintenance (team of 2)	Per hour	\$75	\$95
Enhanced maintenance (team of 3)	Per hour	\$100	\$120
Rich Valley lights	Per hour	\$50	\$70
Add chalk lines	Per park	\$25	\$35
Disc golf			
Annual pass	Annual	\$30	\$40
Daily pass	Per day	\$5	\$5
Weekday tournament	Per day	\$225	\$250
Weekend tournament	Per weekend	\$520	\$545
Dog park license			
1st Dog	Annual	\$20	\$30
Each additional dog	Annual	\$15	\$25
Lost pass replacement	Each time	\$5	\$5

Park Usage (continued)	Frequency	2023 Resident Fee	2023 Non Resident
Pickleball court rental			
Each court	Per hour	\$7	\$9
All courts	Per hour	\$100	\$120
Tennis court rental			
Each court	Per hour	\$7	\$9
Mountain bike course rental			
Tournament	Per day	\$510	\$535
Community garden rental			
Small plot	Per plot	\$32	\$32
Large plot	Per plot	\$34	\$34

Recreation Brochure Advertisement		2023
Digital Advertisements (color or grayscale, and grayscale print advertisement)		
1/4 page	Per advertisement	\$300
1/2 page	Per advertisement	\$600

Inver Wood	Frequency	2023	2023
Pull-cart rental			
Pull-cart rental	Per round	\$5	\$5
Golf car rental			
18 Holes	Per round	\$24	\$24
9 Holes	Per round	\$15.50	\$15.50
Executive	Per round	\$9	\$9
Twilight	Per round	\$18.50	\$18.50
Twilight - Executive	Per round	\$9	\$9
Driving range			
Large bucket	Per bucket	\$15	\$15
Medium bucket	Per bucket	\$12	\$12
Small bucket	Per bucket	\$9	\$9
Foot golf			
Adult	Per round	\$12	\$12
Youth	Per round	\$10	\$10
Ball rental	Per round	\$3	\$3
Player's card			
Player's card	Per season	\$100	\$120
Regular memberships			
Adult single - age 19 - 59	Annual	\$1,500	\$1,500
Adult couple - age 19 - 59 (Same household)	Annual	\$2,650	\$2,650
Senior single - age 60+	Annual	\$1,200	\$1,200
Junior - age 18 and under	Annual	\$600	\$600
• Regular Membership Includes Greens Fees only. Play any day, any time, includes holidays.			
Platinum memberships			
Adult single - age 19 - 59	Annual	\$2,875	\$2,875
Adult couple - age 19 - 59 (same household)	Annual	\$4,250	\$4,250
Additional dependent - age 18 and under	Annual	\$275	\$275
• Platinum membership includes greens fees, range balls, golf car, play any day, any time, includes holidays.			
Restricted memberships			
Adult single - age 19 - 59	Annual	\$1,025	\$1,025
Adult couple - age 19 - 59	Annual	\$1,725	\$1,725
Additional dependent - age 18 and under	Annual	\$225	\$225
• Restricted membership includes greens fees only. Good for play Monday - Thursday, holidays NOT included.			

Inver Wood Golf Course (continued)		2023 Resident Fee	2023 Non-Resident Fee
Frequency			
Daily Greens Fees			
Monday through Thursday: 7am - 5pm and Fridays 7am - Noon			
18 Holes green fees			
Adult - age 19 - 59	Per round	\$45	\$45
Senior - age 60+	Per round	\$32	\$32
Junior - age 18 and under	Per round	\$32	\$32
Player's card fee	Per round	\$38.50	\$38.50
9 Holes green fees			
Adult - age 19 - 59	Per round	\$25	\$25
Senior - age 60+	Per round	\$18.50	\$18.50
Junior - age 18 and under	Per round	\$18.50	\$18.50
Player's card fee	Per round	\$22	\$22
Executive Course			
Adult	Per round	\$19.00	\$19.00
Junior and senior	Per round	\$14	\$14
Player's card fee	Per round	\$15.50	\$15.50
Daily Green Fees			
Everyday: 5pm - Close/Twilight Play			
18 Holes green fees			
Adult - age 19 - 59	Per round	\$34.50	\$34.50
Senior - age 60+	Per round	\$23	\$23
Junior - age 18 and under	Per round	\$23	\$23
9 Holes green fees			
Adult - age 19 - 59	Per round	\$25	\$25
Senior - age 60+	Per round	\$18.50	\$18.50
Junior - age 18 and under	Per round	\$18.50	\$18.50
Player's card fees			
Player's card	Per round	\$27.50	\$27.50
Daily Green Fees			
Friday: Noon - 5pm, Saturday and Sunday: 6am - Noon & Holidays			
18 Holes green fees			
All ages	Per round	\$53.50	\$53.50
Player's card fee	Per round	\$45	\$45
9 Holes green fees			
All ages	Per round	\$35.50	\$35.50
Player's card fee	Per round	\$25	\$25
Executive green fees			
All ages	Per round	\$23	\$23
Player's card fee	Per round	\$19	\$19
Daily Greens Fees			
Saturday and Sunday: Noon - 5pm			
18 Holes			
Adult - age 19 - 59	Per round	\$45	\$45
Senior - age 60+	Per round	\$32	\$32
Junior - age 18 and Under	Per round	\$32	\$32
9 Holes			
Adult - age 19 - 59	Per round	\$25	\$25
Senior - age 60+	Per round	\$18.50	\$18.50
Junior - age 18 and under	Per round	\$18.50	\$18.50
Player's card			
18 Hole greens fee	Per round	\$38.50	\$38.50
9 Hole greens fee	Per round	\$22	\$22
Executive greens	Per round	\$15.50	\$15.50

Parks and Recreation			
Veteran's Memorial Community Center	Frequency	2023 Resident Fee	2023 Non-resident Fee
Membership enrollment			
Single	One-time	\$49	\$59
Dual	One-time	\$49	\$59
Household	One-time	\$49	\$59
Senior	One-time	\$49	\$59
Daily admission			
Youth - 11 & under	Daily	\$6	\$6
Senior - age 60+	Daily	\$6	\$6
Adult - age 12+	Daily	\$9	\$9
Daily admission add-ons			
Shower rental	Daily	\$6	\$6
Towel rental	Daily	\$3	\$3
Shower and towel rental with arena rental	Daily	\$2.50	\$2.50
Annual membership			
Single	Annual	\$643	\$643
Dual	Annual	\$847	\$847
Senior - age 60+	Annual	\$510	\$510
Household - up to 6 people	Annual	\$969	\$969
Caregiver added to household	Annual	\$300	\$300
Monthly membership			
Single	Monthly	\$63	\$63
Dual	Monthly	\$83	\$83
Senior - age 60+	Monthly	\$50	\$50
Household - up to 6 people	Monthly	\$95	\$95
Caregiver added to household	Monthly	\$25	\$25
Corporate membership			
Single	Monthly	\$54	\$54
Dual	Monthly	\$74	\$74
Senior - age 60+	Monthly	\$44	\$44
Household - up to 6 people	Monthly	\$84	\$84
Membership adjustment			
Upgrade or downgrade	Per grade	\$10	\$10
Additional child	Monthly	\$10	\$10
Additional child	Annual	\$120	\$120
Open gym			
Members	Daily	Free	Free
Non-members - individual - youth & senior	Daily	\$6	\$6
Non-members - individual - ages 12-59	Daily	\$9	\$9
Open pickleball			
Members	Daily	Free	Free
Non-members - individual - youth & senior	Daily	\$6	\$6
Non-Members - individual - ages 12-59	Daily	\$9	\$9
Studio rental			
Fitness studio	Per hour	\$55	\$60
Fitness TRX room	Per hour	\$40	\$50
Open skate			
Open skate - members	Daily	Free	Free
Open skate - ages 12+	Daily	\$5	\$5
Daily admission - developmental ice	Daily	\$10	\$10
10-time pass - developmental ice	10 Visits	\$90	\$90
Open hockey	Daily	\$6	\$6
Skate rental	Daily	\$2	\$2

Veteran's Memorial Community Center (continued)		2023 Resident Fee	2023 Non-resident Fee
Room rental			
Gymnasium - athletic	Per hour	\$70	\$80 + \$500 damage deposit
Gymnasium	Per hour	\$90	\$100 + \$500 damage deposit
Gymnasium kitchen	Per day	\$90	\$90
Gymnasium - wedding package	Per day	\$900 Up to 300 people	\$1300 + \$500 damage deposit Up to 300 people
Community room 1, 2, or 3	Per hour	\$48 without AV \$55 with AV	\$58 without AV \$65 with AV
Community room (combined 1 & 2)	Per hour	\$78 without AV \$85 with AV	\$88 without AV \$95 with AV
Community room kitchen	Per day	\$25	\$25
National guard room A, B, C	Per hour	\$37	\$47
Legion room	Per hour	\$25	\$35
Brightside room	Per hour	\$42	\$52
West rink - turf			
Prime rates (March - April)	Per hour	\$90	\$100
Non-prime rates (May - October)	Per hour	\$70	\$80
Room rental add-ons			
PA system	Per day	\$25	\$25
Screen and projector	Per day	\$15	\$15
TV/DVD	Per day	\$25	\$25
Room rental attendant	Per hour	\$50	\$50
Child care			
Members	Per hour	Free	Free
Non-members childcare drop-in rate	Per hour	\$5.25 per child	\$5.25 per child
Employee childcare rate	Per hour	\$3 per child	\$3 per child
Party room rental - includes entry to water park			
Daily - up to 20 people	Per use	\$275	\$275
Daily - 21 to 30 people	Per use	\$360	\$360
Pool rental			
Water park	Per hour	\$250	\$270 2 hours minimum
Water park - outside rental hours	Per hour	\$300	\$320 2 hours minimum
Lap pool	Per hour	\$90	\$90 4 hours minimum
Individual lane	Per hour	\$18	\$18
Diving well	Per hour	\$90	\$90
Swim event - lap and diving	Per hour	\$175	\$175
Lifeguard fee - required based on facility rental	Per hour Per lifeguard	\$15	\$15
Tournament/Game Vendor			
Daily	Per day	\$50	\$50
Weekend	Per weekend	\$75	\$75

- Alcohol is allowed on-site but requires a City Police Officer. See Police section of fee schedule for hourly rates.
- All month-to-month members can receive a 15% discount off 12 months paid in full (fee listed reflects discount)
- Seasonal staff working at the VMCC are afforded free use of the facility during their employment this does not include their spouse or family members.

Parks and Recreation			
VMCC Arena Ice Time			
October 1, 2022 - March 12, 2023			
Days and Time of Day	Designation	Mon - Fri	Sat - Sun
Monday - Friday	Prime 3:00 pm - 9:59 pm	\$220	
Monday - Friday	Non Prime Before 3:00 pm and after 10:00 pm	\$150	
Saturday and Sunday	Prime 7:00 am - 8:59 pm		\$220
Saturday and Sunday	Non Prime Before 7:00 am and after 9:00 pm		\$150
March 13, 2023 - September 30, 2023			
Days and Time of Day	Designation	Mon - Fri	Sat - Sun
Monday - Friday	Prime 5:00 pm - 8:59 pm	\$160	
Monday - Friday	Non Prime Before 5:00 pm and after 9:00 pm	\$145	
Saturday and Sunday	Prime 9:00 am - 7:59 pm		\$160
Saturday and Sunday	Non Prime Before 9:00 am and after 8:00 pm		\$145
October 1, 2023 - March 12, 2024			
Days and Time of Day	Designation	Mon - Fri	Sat - Sun
Monday - Friday	Prime	\$225	
Monday - Friday	Non Prime Before 3:00 pm and after 10:00 pm	\$155	
Saturday and Sunday	Prime 7:00 am - 8:59 pm		\$225
Saturday and Sunday	Non Prime Before 7:00 am and after 9:00 pm		\$155
March 13, 2024 - September 30, 2024			
Days and Time of Day	Designation	Mon - Fri	Sat - Sun
Monday - Friday	Prime 5:00 pm - 8:59 pm	\$165	
Monday - Friday	Non Prime Before 5:00 pm and after 9:00 pm	\$150	
Saturday and Sunday	Prime 9:00 am - 7:59 pm		\$165
Saturday and Sunday	Non Prime Before 9:00 am and after 8:00 pm		\$150

- Certain restrictions apply to availability, reservations, and terms of usage.
- Fees do not include tax



Request for Council Action

SUBJECT: **Exempt Gambling Permit for IGH Best Foundation**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Rebecca Kiernan, City Clerk, 651.450.2513

ACTION REQUESTED

The Council is asked to approve the application of IGH Best Foundation for an exempt gambling permit to have a raffle at Inverwood Golf Course on August 7, 2023.

BACKGROUND

The IGH Best Foundation is seeking approval of an exempt gambling permit to hold a raffle event at the Inverwood Golf Course on August 7, 2022, along with their annual golf tournament. Funds generated by these events pay for the operating costs of the foundation as well as provide funds for the annual Inver Grove Heights B.E.S.T. Foundation Scholarships. IGH Best Foundation's mission is to raise and award funds for post-secondary scholarships to Simley High School graduates.

FISCAL IMPACT

NA

RECOMMENDATION

Staff recommends approval of the exempt gambling permit.

ATTACHMENTS

1. LG220 App for Exempt Permit - BEST Foundation

LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

Application Fee (non-refundable)

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

ORGANIZATION INFORMATION

Organization Name: <u>Inver Grove Heights B.E.S.T. Foundation</u>	Previous Gambling Permit Number: <u>X- 03937-22-012</u>
Minnesota Tax ID Number, if any: _____	Federal Employer ID Number (FEIN), if any: <u>41-1672077</u>
Mailing Address: <u>PO Box 2276</u>	
City: <u>Inver Grove Heights</u>	State: <u>MN</u> Zip: <u>55076</u> County: <u>Dakota</u>
Name of Chief Executive Officer (CEO): <u>Polly Tabbert</u>	
CEO Daytime Phone: <u>612-669-2411</u> CEO Email: <u>polly.tabbert@ighbestfoundation.com</u> (permit will be emailed to this email address unless otherwise indicated below)	
Email permit to (if other than the CEO): <u>cindy.nordstrom@ighbestfoundation.com</u>	

NONPROFIT STATUS

Type of Nonprofit Organization (check one):

- ☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

Attach a copy of one of the following showing proof of nonprofit status:

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

- ☐ **A current calendar year Certificate of Good Standing**
Don't have a copy? Obtain this certificate from:
MN Secretary of State, Business Services Division
60 Empire Drive, Suite 100
St. Paul, MN 55103
Secretary of State website, phone numbers:
www.sos.state.mn.us
651-296-2803, or toll free 1-877-551-6767
- ☒ **IRS income tax exemption (501(c)) letter in your organization's name**
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.
- ☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
If your organization falls under a parent organization, attach copies of both of the following:
1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

GAMBLING PREMISES INFORMATION

Name of premises where the gambling event will be conducted (for raffles, list the site where the drawing will take place): Inverwood Golf Course

Physical Address (do not use P.O. box): 1850 70th St E

Check one:

- ☒ City: Inver Grove Heights Zip: MN County: 55076
- ☐ Township: _____ Zip: _____ County: _____

Date(s) of activity (for raffles, indicate the date of the drawing): August 7, 2023

Check each type of gambling activity that your organization will conduct:

- ☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

Gambling equipment for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to www.mn.gov/gcb and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**CITY APPROVAL
for a gambling premises
located within city limits**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: _____

Signature of City Personnel: _____

Title: _____ Date: _____

**The city or county must sign before
submitting application to the
Gambling Control Board.**

**COUNTY APPROVAL
for a gambling premises
located in a township**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: _____

Signature of County Personnel: _____

Title: _____ Date: _____

TOWNSHIP (if required by the county)

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date: _____

CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: Polly Tabbert Date: 6-21-2023
(Signature must be CEO's signature; designee may not sign)

Print Name: Polly Tabbert

REQUIREMENTS**Complete a separate application for:**

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

Financial report to be completed within 30 days after the gambling activity is done:

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

MAIL APPLICATION AND ATTACHMENTS**Mail application with:**

- _____ a copy of your proof of nonprofit status; and
- _____ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

To: Minnesota Gambling Control Board
1711 West County Road B, Suite 300 South
Roseville, MN 55113

Questions?

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

This form will be made available in alternative format (i.e. large print, braille) upon request.

An equal opportunity employer

How You May Spend Gambling Funds	How You May Not Spend Gambling Funds
Allowable expenses - Gambling funds may be spent for allowable expenses, such as: • gambling equipment (pull-tabs, bingo paper, bingo blower, paddlewheel tickets, tipboard games); • advertising; • printing raffle tickets; or • any services or goods that are directly related to the conduct of your gambling. Charitable contributions - Gambling funds may be spent for the following charitable contributions (lawful purpose): • to or by 501(c)(3) organization and 501(c)(4) festival organizations; • relieving the effects of poverty, homelessness, or disability; • problem gambling programs approved by the Minnesota Department of Human Services; • public or private nonprofit school; • scholarships (if a contribution is made to a scholarship fund, it must be made to a nonprofit organization whose primary mission is to award scholarships); • church; • recognition of military service (open to public) or active military personnel in need; • activities and facilities benefiting youth under age 21; • citizen monitoring of surface water quality, with data submitted to Minnesota PCA; • unit of government (NOTE: A direct contribution to a law enforcement or prosecutorial agency is not allowed); • wildlife management projects or activities that benefit the public-at-large, with DNR approval; • grooming and maintaining snowmobile or all-terrain trails that are grant-in-aid trails, or other trails open to public use, with DNR approval; • supplies and materials for DNR training and educational programs; • nutritional programs, food shelves, and congregate dining programs primarily for persons who are 62 or older or disabled; • community arts organizations or programs; • humanitarian service recognizing volunteerism or philanthropy; and • acquisition and repair of real property and capital assets (contact the Gambling Control Board for requirements).	1. Controlled contribution - An organization may not retain any control over any contribution made from gambling funds. The only exception is for expenditures by a 501(c)(3) organization or a 501(c)(4) festival organization to its general fund. 2. Financial gain - A contribution or expenditure may not be made if it results in any monetary, economic, financial, or material benefit to the organization making the contribution or expenditure. 3. Government - An expenditure may not be made for: • influencing the nomination or election of a candidate for public office; • promoting or defeating a ballot question; or • any activity intended to influence an election or a governmental decision-making process. 4. Law enforcement - A direct contribution may not be made to a law enforcement or prosecutorial agency. 5. Pension - A contribution may not be made to a government pension or retirement fund, such as a fire relief association. 6. Conflict of interest - A contribution or expenditure may not be made if it is not allowed under the conflict of interest provisions of the Minnesota Nonprofit Corporation Act, Minnesota Statutes, Section 317A.255. 7. Alcohol - An expenditure may not be made for the purchase of any intoxicating liquor, wine, or malt beverages. 8. Fundraising - An expenditure may not be made for fundraising costs, except as allowed for a 501(c)(3) organization or 501(c)(4) festival organization from its general fund. 9. Other organizations - With few exceptions, gambling funds may not be contributed to other organizations or clubs such as veterans, fraternal, Lions, etc. unless it is a 501(c)(3) organization. 10. Other contributions - A contribution may not be made to a 501(c)(3) organization or another entity with the intent or effect of not complying with lawful purpose restrictions or requirements.

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P. O. BOX 2508
CINNATI, OH 45201

Date: MAR 28 1997



DEPARTMENT OF THE TREASURY

Employer Identification Number:

INVERGROVE HEIGHTS SCHOOLS 167207

17063033819007

Contact Person:

D. A. DOWNING

Contact Telephone Number:

(513) 241-5199

Our Letter Dated:

June 05, 1992

Addendum Applies:

No

INVER GROVE HEIGHTS B E S T
FOUNDATION
2990 80TH ST E
INVER GROVE HEIGHTS, MN 55076-3232

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

District Director

Letter 1050 (DO/CG)



Request for Council Action

SUBJECT: **Compliance Agreement with the MN Department of Health for City Project No. 2023-03 - Water Treatment Plant Rehabilitation Improvements**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Brian Connolly, Public Works Director, 651.450.2571

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, approving a Compliance Agreement with the Minnesota Department of Health related to the ongoing radium concentration violation associated with the City's water treatment plant.

BACKGROUND

In late January of 2023, the City of Inver Grove Heights received a notice of violation from the Minnesota Department of Health indicating that radium concentrations in the City's treated water exceeded the Maximum Contamination Level set by the Environmental Protection Agency. While the levels were not considered an immediate danger to public health, it did trigger a public notification to our water customers and requires that the City undertake a plan of action to bring the Water Treatment Plant back into regulatory compliance.

The attached Compliance Agreement formally summarizes and commits the City to a set of corrective actions related to ongoing testing and improvements at the City's Water Treatment Plant. Public Works staff worked directly with the Minnesota Department of Health to compile the Compliance Agreement, with corrective actions and schedules that conform to current Capital Improvement Planning efforts, as well as City Project No. 2023-03 - Water Treatment Plant Rehabilitation Improvements. The City has already commenced efforts on all noted corrective action items, including ongoing testing and design for the water treatment plant filter replacement.

FISCAL IMPACT

There is no fiscal impact directly related to the approval of this Compliance Agreement. The estimated cost of the actual improvements needed at the Water Treatment Plant is being calculated as part of the project design efforts that are currently underway and will be presented to the Council later this summer.

RECOMMENDATION

Staff recommends adoption of the attached Resolution.

ATTACHMENTS

1. Resolution Approving MDH Compliance Agreement
2. Compliance Agreement - Cover Letter (From MDH)

3. Compliance Agreement (From MDH)

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

**RESOLUTION APPROVING A COMPLIANCE AGREEMENT WITH THE MINNESOTA
DEPARTMENT OF HEALTH RELATED TO CITY PROJECT NO. 2023-03 – WATER
TREATMENT PLANT REHABILITATION IMPROVEMENTS**

RESOLUTION NO. _____

WHEREAS, the City received a notice of violation from the Minnesota Department of Health on January 30, 2023, indicating that the radium concentrations in the City's treater water exceeded the Maximum Contaminant Level set by the Environmental Protection Agency; and

WHEREAS, it is required by the Safe Drinking Water Act and several state and federal statutes that the City enter a Compliance Agreement with the Minnesota Department of Health indicating the corrective actions to be taken in regards to the noted violation; and

WHEREAS, Public Works staff have worked with the Minnesota Department of Health in developing a response plan and schedule for corrective action as it relates to City Project No. 2023-03 – Water Treatment Plant Rehabilitation Improvements; and

WHEREAS, staff recommend the Compliance Agreement as drafted by the Minnesota Department of Health is acceptable and accurately reflects the proposed implementation of treatment plant modifications to address the radium concentration levels in the City's water system, and to bring the system back into compliance with Minnesota Department of Health and Environmental Protection Agency requirements.

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

1. The City Clerk is hereby authorized and directed to approve the Compliance Agreement provided by the Minnesota Department of Health.
2. Staff are directed to implement the corrective actions and report progress to the Minnesota Department of Health as detailed in the Compliance Agreement.

Adopted by the City Council of the City of Inver Grove Heights this 26th day of June 2023.

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Protecting, Maintaining and Improving the Health of All Minnesotans

May 25, 2023

Inver Grove Heights City Council
c/o Ms. Rebecca Kiernan, City Clerk
Inver Grove Heights City Hall
8150 Barbara Avenue
Inver Grove Heights MN 55077

Dear Council Members:

Subject: **Compliance Agreement – Request for Signature**, Inver Grove Heights, Dakota County,
PWSID 1190014

Based on our earlier discussions and/or correspondence, enclosed is a copy of a Compliance Agreement (CA) for your review.

If you are in agreement with the conditions of the CA, please sign the document and return it to this office within 30 days of the date of this letter (or scan and email to nancy.kadrlik@state.mn.us). The CA will then be signed and dated in our office, and an executed copy will be returned to you for your records.

The CA establishes a formal, enforceable agreement between the Inver Grove Heights Water System and the Minnesota Department of Health (MDH) regarding the correction of water quality violation(s). If you have any questions regarding this agreement, please contact Andrew Karp at 651-359-0827, or email andrew.karp@state.mn.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Peterson'.

Karla R. Peterson, P.E., Supervisor
Community Public Water Supply Unit
Environmental Health Division
625 North Robert Street
P.O. Box 64975
St. Paul, Minnesota 55164-0975

KRP:CLS
Enclosure

cc: Andrew Karp, MDH St. Paul
Jessie Kolar, MDH St. Paul
Corey Larson, MDH St. Paul
Anita Smith, MDH St. Paul
Eric Kramer, IGH- ekramer@ighmn.gov
Rebecca Kiernan, IGH RKiernan@ighmn.gov
Brian Connolly, IGH bconnolly@ighmn.gov

COMPLIANCE AGREEMENT

Inver Grove Heights, Minnesota
Contaminant: Combined Radium 226 & 228

This Agreement, by and between Inver Grove Heights, PWSID 1190014 (hereinafter "System"), and the Minnesota Department of Health (hereinafter "MDH") becomes effective on the date signed on behalf of MDH.

I. Authorities and Findings

A. Pursuant to the Safe Drinking Water Act, Minnesota Statutes sections 144.381 to 144.387 and Minnesota Rules chapter 4720, MDH enforces the National Primary Drinking Water Regulations. In Minnesota Rules, part 4720.0350, MDH has adopted the federal National Primary Drinking Water Regulations, 40 CFR, part 141, by reference. 40 CFR, section 141.62(b), establishes the maximum contaminant level (MCL) for combined radium 226 & 228 (combined radium).

B. The System is in violation of the National Primary Drinking Water Regulations because the System's water supply exceeds the MCL of 5.4 picocuries per liter (pCi/L) for combined radium. Through this Agreement, the parties seek to bring the System into compliance with the National Primary Drinking Water Regulations.

II. Corrective Actions

It is agreed between the System and MDH that until the corrective actions set forth below have been implemented and compliance with the MCL for combined radium has been accomplished, the System shall meet the following conditions:

1. The System shall continue notifying the consuming public quarterly (every 3 months) as instructed in the Notices of Violation sent by MDH. The System shall submit the public notification certification documentation quarterly to MDH, within 10 days of distributing the notice to customers. The system shall also report the violation in the Consumer Confidence Report annually.
2. The System shall monitor the entry point supplied by the Babcock Trail treatment plant quarterly for radionuclide concentrations. The entry point samples shall be collected from a location after treatment. MDH will supply the sample kits, the System is responsible for the collection of the sample(s) and the shipping cost to return the sample(s) to the MDH laboratory.
3. The System shall take corrective action according to the project schedule for the improvement of the treatment plant operations for the removal of combined radium to below the MCL as follows:

Actions Required:	Complete No Later Than:
A. Continue to collect quarterly radionuclide samples using sampling kits provided by MDH.	March 31, 2023 June 30, 2023 September 30, 2023 December 31, 2023 March 31, 2024
B. The system will complete final design plans for filter media replacement project for all eight (8) filter treatment cells.	September 1, 2023
C. System will submit final design plans and specifications to MDH for plan approval. Submittal Instructions at: Plan Review Fee Sheet (state.mn.us)	January 1, 2024
D. Filter media replacement project for all eight (8) filter treatment cells will be construction as approved and begin serving water to public.	April 1, 2024
E. Continue to collect quarterly radionuclide samples after construction completion using sampling kits provided by MDH. This will be used determine if project was successful and if the system has returned to compliance.	June 30, 2024 Sept 30, 2024

- The System shall provide documentation to MDH's Metro Operations Supervisor, Corey Larson at 651-342-9432, or email corey.larson@state.mn.us that the actions required in Conditions 1 through 3 are accomplished. This documentation must be provided to MDH within 10 days after completion of an item.

III. Further Agreements

- If the system fails to comply with any term or condition of this Agreement that results in noncompliance with applicable rules and statues, pertaining to public water supplies, MDH may take enforcement actions authorized in Minnesota Statutes sections 144.99 and 144.991, or any other applicable law, including, where appropriate, the assessment of monetary penalties.
- This compliance agreement terminates when MDH determines the National Primary Drinking Water Regulations as described or stipulated in this agreement have been met. MDH will send written notification to the system when this has been met.
- This Compliance Agreement may not be modified or amended except in writing and any modifications or amendments must be signed by all the parties.

MINNESOTA DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

INVER GROVE HEIGHTS, MINNESOTA

Sandeep R. Burman, Manager
Section of Drinking Water Protection

Rebecca Kiernan, City Clerk/~~Administrator~~
Inver Grove Heights

Date _____

This agreement becomes effective on the date signed by the representative of the MDH.



Request for Council Action

SUBJECT: **Contract with Excel AV Group for Council Chambers Audio Video Replacement**

MEETING DATE: June 26, 2023
ITEM TYPE: Consent Agenda
CONTACT: Marc Gade, Technology Manager, 651.450.2576

ACTION REQUESTED

The Council is asked to approve the attached contract to replace audio and video equipment in the Council Chambers.

BACKGROUND

The audio and video equipment used to service the Council Chambers has reached the end of its expected life. This equipment is over 14 years old and reconfiguration of the software is no longer possible.

The proposal is to replace the back-end components of the system and enhance it to accommodate additional hand-held microphones, replace assisted listening devices and install an ADA-compliant podium.

Staff received and evaluated price quotes / project proposals from three vendors. The recommended vendor, Excel AV Group, provided the lowest quote.

VENDOR	TOTAL PRICE QUOTED
Excel AV Group	\$61,230
AVI Systems	\$115,330
Advanced System Integration	\$91,3822

FISCAL IMPACT

The total cost of the project, as quoted, is \$61,230. Funding for this project was included in the adopted 2023 Technology Fund budget.

RECOMMENDATION

Staff recommends approval of the contract.

ATTACHMENTS

1. Council Chambers Upgrade-AWC Standard

Council Chambers Upgrade

City of Inver Grove Heights

Marc Gade
Barbara Avenue
Inver Grive Heights, MN 55077
763-450-2576



Presented By:



Aufderworld Corporation

2750 Niagara Lane North
Plymouth, MN 55447 USA
763-233-7700

www.aufderworld.com

www.excelavgroup.com

Modified: 4/19/2023

Revision: 0

Audio/Video Upgrade

	1	AJA U-TAP 3G-SDI USB 3.0 U-TAP 3G-SDI USB 3.0 SDI to USB converter	\$479.00
	2	Comprehensive HD18G-12PROBLK 808447078800 Pro AV/IT Certified 18Gb 4K High Speed HDMI Cable with ProGrip 12ft Black	\$74.00
	16	Comprehensive HD18G-20PROBLK 808447078824 Pro AV/IT Certified 18Gb 4K High Speed HDMI Cable with ProGrip 20ft Black	\$864.00
	11	Comprehensive HD18G-6PROBLK 808447078787 Pro AV/IT Certified 18Gb 4K High Speed HDMI Cable with ProGrip 6ft Black	\$209.00
	3	Decimator Designs MD-LX DD-LX HDMI-SDI Bidirectional Converter	\$393.00
	2	Digitalinx AR-DVM-HDF 60144616046 Adapter Cable DVI male to HDMI female 8 inches long	\$50.00
	1	Excel Hardware & Labor Labor and Materials	\$5,960.00
	4	KEY DIGITAL KD-DA1x4 815996020082 1x4 4K/18G HDMI Distribution Amplifier	\$576.00
	1	LAB GRUPPEN E 5:4_US1 LAB-E5:4 500 Watt Amplifier with 4 Flexible Output Channels for Installation Applications	\$1,620.00
	1	LIBERTY AV SOLUTIONS DL-ARDA Universal HDMI Adapter Ring 2.0 with 5 Cable Adapters	\$300.00
	1	LIBERTY AV SOLUTIONS INT-USB2-50CWP INT-USB2-50CWP USB2.0 High Speed extension with Isochronous data support up to 50m client side with 2 port USB-A hub wall plate style	\$104.00
	1	LIBERTY AV SOLUTIONS INT-USB2-50H INT-USB2-50H USB 2.0 High Speed extension with Isochronous data support up to 50m - Local only	\$72.00

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 2 of 12

	1	LISTEN TECHNOLOGIES LS-54-072 4098 Listen iDSP Prime Level II Stationary RF System (72 MHz)	\$1,780.00
	1	QSC CORE 110f-v2 Unified Core with 24 local audio I/O channels, 128x128 total network I/O channels with 8x8 Software-based Dante license included, USB AV bridging, dual LAN ports, POTS and VoIP telephony, no GPIO, 16 next-generation AEC processors, 1RU.	\$3,675.00 *
	2	QSC QIO-ML4i Q-SYS peripheral providing 4 mic/line inputs. Up to 4 devices daisy-chainable. 1U-1/4W, powered over Ethernet or +24 VDC. Surface mountable, rack kit sold separately.	\$1,100.00
	1	QSC QIO-PSU Power Supply Accessory to support up to 4 QIO units with external power.	\$147.00
	1	QSC QIO-RMK Rack mount tray and blanking panels to mount up to four QIO units in a 1U 19" standard rack format.	\$147.00
	1	QSC QIO-S4 Q-SYS peripheral providing control expansion with 4 serial communication I/O. Up to 4 devices daisy-chainable. 1U-1/4W, powered over Ethernet or +24 VDC. Surface mountable, rack kit sold separately.	\$340.00
	2	QSC TSC-101-G3 Q-SYS 10.1" PoE Touch Screen Controller for In-Wall Mounting. Color - Black only	\$4,750.00
	1	QSC TSC-50-G3 Q-SYS 5" PoE Touch Screen Controller for In-Wall Mounting. Color - Black only	\$1,100.00
	1	QSC TSC-50t-G3 Table top mounting accessory for TSC-50-G3.	\$219.00
	2	QSC TSC-710t-G3 Table top mounting accessory for TSC-70-G3 and TSC-101-G3.	\$680.00
	1	Radio Design Labs (RDL) DC-3B RDLDC3B Desktop or Wall Mounted Chassis for Deco	\$95.00
	2	SENNHEISER A1031-U A1031-U Receiving/transmitting antenna, passive omnidirectional	\$304.00

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 3 of 12

	3	SENNHEISER EW-D 835-S SET (Q1-6) 508750	\$2,097.00
		Digital wireless handheld set. Includes (1) EW-D EM digital 19 1/2" single channel receiver , (1) EW-D SKM? digital handheld transmitter with mute switch, (1) MMD 835? microphone module, (1) MZQ1? microphone clip, (1) NT 12-5 CW+ power supply with country adapters?, (1) rack mount kit and AA batt	
	2	SENNHEISER EW-D ASA (Q-R-S) 508879	\$1,300.00
		Active antenna splitter (dual 1;4) with DC power distribution for EW-D receivers. Includes (1) NT 12-35 CS power supply and (8) BNC cables (470-706 MHz MHz)	
	1	SENNHEISER EW-D CHARGING SET 508862	\$150.00
		EW-D Charging set. Includes (1) L 70 USB chargers and (2) BA 70 rechargeable batteries and (1) NT 5-20 UCW power supply	
	1	SENNHEISER EW-D COLOR CODING SET 508989	\$50.00
		Sets of magnetic color indicators for the EW-D SK, EW-D SM and EW-D EM for identification purposes. Includes (1) EW-D SK COLOR CODING set (16 pcs), (1) EW-D SKM COLOR CODING set (16 pcs), and (1) EW-D EM COLOR CODING set (16 pcs)	
	2	SENNHEISER EW-D ME2 SET (Q1-6) 508700	\$1,398.00
		Digital wireless lavalier set. Includes (1) EW-D EM Digital 19 1/2" single channel receiver, (1) EW-D SK digital bodypack transmitter, (1) new ME2 lavalier (omnidirectional, condenser), (1) NT 12-5 CW+ power supply with country adapters, (1) rack mount kit and AA batteries, frequency range: (470	
	16	SHURE A400SMXLR 042406054645	\$704.00
		A400SM Shock Mount & A400XLR Insert Packaged Combination	
	16	SHURE MX418S/C 042406052221	\$3,840.00
		Cardioid-18" Gooseneck Condenser Microphone, Attached Preamp with XLR, Shock Mount, Flange Mount, Snap-Fit Foam Windscreen, Mute Switch, LED Indicator	
	6	Visionary Solutions D4100 D4100	\$4,440.00
		A/V Decoder, 4K UHD over IP cinema quality ultra-low latency visually lossless switch matrix routable, with built-in video wall functionality; POE	
	4	Visionary Solutions E4100 E4100	\$2,960.00
		A/V Encoder, 4K UHD over IP cinema quality ultra-low latency visually lossless switch matrix routable, with built-in video wall functionality; POE	
	1	Visionary Solutions PacketAV E4200 Encoder E4200	\$995.00
		A/V Encoder, 4K UHD over IP cinema quality ultra-low latency visually lossless switch matrix routable, with built-in video wall functionality, Expansion Ethernet Port; POE+; Upgradeable to AES67/Dante	

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 4 of 12

Aufderworld Corporation



- | | | |
|---|---|---------|
| 1 | Visionary Solutions X4x00 Rackmount X4x00 Rackmount | \$56.00 |
| | Rackmount Kit for up to 3 PacketAV Encoders and/or Decoders | |



- | | | |
|---|---|---------|
| 1 | Visionary Solutions X4x00 Rackmount Blanker Plate X4x00-BLNK-1 | \$15.00 |
| | Rackmount blanking plate | |

Audio/Video Upgrade Total: \$43,043.00

Tabletop Speakers/Headphones



- | | | |
|---|-----------------------------------|------------|
| 1 | Excel Hardware & Labor | \$2,625.00 |
| | Labor and Materials | |



- | | | |
|---|---|------------|
| 4 | QSC QIO-L4o | \$1,680.00 |
| | Q-SYS peripheral providing 4 line outputs. Up to 4 devices daisy-chainable. 1U-1/4W, powered over Ethernet or +24 VDC. Surface mountable, rack kit sold separately. | |



- | | | |
|----|--|------------|
| 15 | Radio Design Labs (RDL) DB-PSP1 RDLDBPSP1 | \$3,135.00 |
| | Decora-Style Active Loudspeaker - Black | |



- | | | |
|----|--|------------|
| 14 | Radio Design Labs (RDL) DB-SH1M RDLDBSH1M | \$2,324.00 |
| | Stereo Headphone Amplifier stainless D | |



- | | | |
|---|--|---------|
| 1 | Radio Design Labs (RDL) DC-1B RDLDC1B | \$63.00 |
| | Desktop or Wall Mounted Chassis for Deco | |



- | | | |
|----|--|------------|
| 13 | Radio Design Labs (RDL) DC-2B RDLDC2B | \$1,027.00 |
| | Desktop or Wall Mounted Chassis for Deco | |



- | | | |
|---|--|----------|
| 5 | Radio Design Labs (RDL) PS-24AS RDLPS24AS | \$140.00 |
| | 24 Vdc 500mA N. American Pwr Supply - | |



- | | | |
|---|--|----------|
| 4 | Radio Design Labs (RDL) ST-PD5U RDLSTPD5U | \$388.00 |
| | Power Distributor Switching (PS24U2/A) | |

Tabletop Speakers/Headphones Total: \$11,382.00

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 5 of 12

New Side Speakers



1	Excel Hardware & Labor	\$1,320.00
	Labor and Materials	



2	QSC AD-S802T-WH	\$1,000.00
	2.75" Full-range (x8) element column surface speaker, 70/100V transformer with 8ê bypass, 160ø horizontal x 20ø vertical coverage, includes pan/tilt wall mount and input weather input cover. Color - White.	

New Side Speakers Total: \$2,320.00

Lectern



1	AVFI PDYZ38	\$3,750.00
	Height Adjustable Mobile Podium This unit is designed to be fully mobile or stationary. Ideal for environments where adjustable height or ADA is required. Fully assembled and ready to go. Multiple finishes available.	



1	Excel Hardware & Labor	\$735.00
	Labor and Materials	

Lectern Total: \$4,485.00

Project Subtotal: \$61,230.00

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 6 of 12

Aufderworld Corporation

Project Summary

Total Installation Price:	\$61,230.00
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Grand Total:	\$61,230.00
---------------------	--------------------

Client:	Marc Gade
----------------	------------------

Date

Contractor:	Aufderworld Corporation
--------------------	--------------------------------

Date

Payment Schedule	Amount	Due Date
Down Payment (50%)	\$30,615.00	
Final Payment (50%)	\$30,615.00	
Sales tax will be added to the final invoice if applicable	\$0.00	

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 7 of 12

Scope of Work

System Description:

Audio/Video Upgrade:

- Audio
 - Install (1) new audio and control processor
 - Install (16) new gooseneck microphones in locations specified by city representative
 - Microphones will go through OFE mic splitter to split audio between room audio and production audio
 - Install new microphone grommet mounts
 - Install (5) new wireless microphone systems
 - 3 Handheld only systems
 - 2 Lavalier only systems
 - Install wireless antenna distribution for them as well
 - Install (1) new audio amplifier to power OFE speakers
 - Install (1) new assisted listening system
 - Kit includes 4 receivers and 2 neck loops
 - Connect OFE Room PC in rack to processor for conferencing
 - Install USB extenders to client preferred desk location for keyboard/mouse/USB flash drive connectivity
 - Audio will be programmed so far remote participants always are heard in room and all room audio is heard by far end.
 - Install line level connection to OFE broadcast mixer that mirrors PC USB audio
- Video
 - Install (1) video switching solution. This will allow matrix video switching capabilities for any input to any output
 - Inputs to be:
 - (2) OFE Doc Cams - these will be able to be switched one at a time - cannot use both at same time
 - OFE Room PC - Relocated to main rack in control room
 - Lectern HDMI connection
 - "Clerk" or Dias HDMI connection at client decided location of Dias
 - OFE Production Video Switcher - SDI resolution of 720P at 59.94
 - Outputs to be:
 - 2 OFE Displays hung in current location on OFE mounts
 - Lectern Monitor
 - OFE Production Video Switcher - SDI resolution of 720P at 59.94
 - 14 OFE Dias monitors
 - These will be fed by 2 boxes and connected in an alternating pattern
 - Monitors 1/3/5/7/9/11/13 will mirror content
 - Monitors 2/4/6/8/10/12/14 will mirror content
 - OFE production video switcher will be connected via converter to OFE Room PC for conferencing camera feed
- Control
 - Control will be done from (3) new touch panel interfaces
 - (1) 10" touch panel located at rack room desk
 - (1) 10" touch panel located at client decided location of Dias
 - (1) 5" touch panel located at lectern
 - Lectern control will have video switching controls only
 - Control of system will be the of the following
 - Display on/off
 - Video Switching
 - Volume Controls/Mute
 - OFE Doc Cam controls
 - Closed session mode to mute hearing assist, control room speaker, and audience PA speakers
 - Video Preset for a remote participant meeting to make sure City PC is displayed at all times
- Client provided equipment/OFE gear used
 - OFE Rack w/power distribution
 - Room PC
 - Doc Cameras

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 8 of 12

- Display Mounts
- Dias Monitors
- Production Video
- OFE provided network switch with following requirements
 - 1 Gbps or faster
 - IGMP Snooping + Querier
 - Jumbo Frames
 - POE Requirements
 - (2) PoE+ Class 4 ports
 - (18) PoE Class 2 ports
 - (5) ports with no PoE necessary

Tabletop Speakers/Headphones:

- Install individual speakers + headphone connections at each Dias location in a desktop mounted box
 - Speakers and headphone connection will mirror audio outputs and be a mix minus of each Dias microphone
- Install individual speaker in a desktop mounted box at lectern location

New Side Speakers:

- Replace OFE side speakers with new column surface mount speakers
 - Speakers will be in same location (above displays)

Lectern:

- Install (1) ADA compliant height adjustable lectern in replace of OFE lectern
 - Lectern video components, audio components, and control components would all stay the same
 - Multiple Finishes available - more optional finishes available for an additional cost

General Addendum to Terms below:

- All new cabling runs will use Belden cabling, any alternate brands need to be approved by City representative.
- All new audio terminations will use Neutrik connectors, any alternate brands need to be approved by City representative.
- All new video cable terminations will use Winchester/Kings connectors, any alternate brands need to be approved by City representative.
- ExcelAV will verify proper grounding on all equipment.
- Video displays will be properly aligned and free from distortion.
- Cabling and loudspeakers will be tested for proper polarity.
- Audio will be free of distortion, hums, buzzes, or pops.
- Loudspeaker systems will be tested and equalized to provide uniform frequency response.
- Control system programs will be tested for proper system operation.
- System qualified for 2 year workmanship warranty

Terms and Conditions

The following terms and conditions shall apply to each order for products and services of Aufderworld Corporation (AWC) and Excel AV Group which is an AWC company and shall constitute the entire agreement between the parties. The terms and condition may not be varied, and no modification or addition shall be of any force or effect unless specifically accepted by AWC in writing. Acceptance of orders which contain additional or different conditions of purchase printed on the order or other form shall not binding unless specifically agreed to by AWC in writing by an authorized representative of Aufderworld Corporation. Conflicting terms and conditions between this document and a Client's purchase order, acceptance, or other form, THESE TERMS AND CONDITIONS SHALL SUPERSEDE AND GOVERN. This agreement shall be governed by laws of the state of Minnesota. Any disputes arising under this agreement shall be determined by arbitration conducted in accordance with the American Arbitration Association Expedited Rules for Commercial Arbitration in Minneapolis, Minnesota.

- Pricing.** Upon receipt of signed contract or purchase order AWC will supply products and/or services at price stated in bid/contract/quote. Pricing is good for (90) days from date of bid with exception of items which are no longer commercially available due to end of sale designation by manufacturers. If Client signs contract and/or provides purchase order after 90 days from date of bid AWC reserves the right to revise pricing resulting from increase in cost to AWC from its' suppliers. Client shall pay any extra costs incurred by AWC as a result of changes or modifications to specifications by Client.
- Down payment and Payment.** Unless other terms are agreed to in writing, Client shall pay 50% of the total contract price to initiate project activities. The final 50% will be invoiced upon completion of installation and commissioning of system and will be Net (30). Final invoice will include all change orders resulting from scope changes and product additions. After the Net (30) date AWC reserves the right to charge a late fee of \$50.00 and 18% of outstanding balance. **Payment for product only sales are due upon receipt.**
- Lease Rates.** Client shall be responsible for lease payments if system is leased. Payments will be based on lease rates at the time of purchase. Payment may vary depending on prevailing interest rates, terms, and deposits.
- Cancellation.** Client may not cancel or revise any order accepted by AWC without prior written consent of AWC. If an order is cancelled following signed approval, there shall be a re-stocking fee equal to 20% of the total order, plus any expenses already incurred by AWC.
- Change Orders.** Equipment, materials, or labor needed outside of the scope of this agreement or resulting from unforeseen circumstances out of the control of AWC will be submitted as a change order to the client's representative (primary project contact). Aufderworld Corporation assumes this contact is authorized to approve such work and will receive the appropriate approvals within the client's organization to authorize all additional spend. Approval will be needed prior to procurement by AWC.
- Scope of Work Changes.** Changes of scope requested by Client, including additional requirements or restrictions placed on AWC by Client will be added to the contract/project price. When AWC becomes aware of the nature and impact of the change request a change order will be submitted for review and approval by Client. Additional work or equipment purchases will not resume until Client approves change order in writing.
- Warranty.** Products sold by AWC carry their respective manufacturer's warranty. Installation performed by AWC or one of its subcontractors is warranted to be free from workmanship defects for a period of one year. Owner provided equipment warranties are the responsibility of owner and not covered by AWC.
- Access to Premises and worksite labor requirements.** Client will provide prompt and timely access to installation areas based on an agreed upon schedule. Any changes in schedule resulting in added labor or shipping expenses to AWC will be billed as a change order. Labor is bid at non-union rates and normal business hours. Any changes to schedule resulting in off hour, weekend, or holiday work or requirements for union labor will also be billed as change order.
- Electrical.** All electrical will be provided by owner/Client unless requested as part of bid under special arrangements. All electrical needs for AWC systems will be specified on electrical or architectural drawings by AWC Engineering and/or Project Management teams. Installation of Satellite, Audio, Video, and lighting systems is dependent on electrical to be completed. Any delays in electrical work will result in delays of AWC systems being installed. All circuits for AV and lighting to be derived from the same subpanel and reference the same ground and neutral bus. All electrical to be performed in accordance with NEC and local electrical codes (AHJ).
- Low Voltage Cabling.** Low voltage cabling that is not included in AWCs scope for projects must be completed using the specifications provided by AWC Engineering/Project Management. The specifications will be provided for cable type, location of drops and quantities. Preference is to provide the locations of drops on architectural drawings to ensure proper installation. All conduit, core drilling, firewall penetrations, and concrete sawing to be performed by electrical contractor or general contractor.
- Construction.** Construction activities provided by client or client hired general contractor. AWC will need the GC to provide backer board or other special mounting requirements for televisions, speakers, and other heavy equipment like projector and projector screens. AWC will provide specific requirements to the GC in format they request.

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 10 of 12

Aufderworld Corporation

12. **Network.** Components of our satellite distribution systems are designed to be integrated into an existing local area network. Aufderworld Corporation will work with the property's IT department to integrate these components. Customer agrees that cooperation will be given by their IT department in achieving integration with the newly installed system by AWC. Where necessary, AWC will install a closed audio, video, and lighting system network. This network will not reside on any client or existing network infrastructure unless otherwise specified by Client. AWC Engineers will work with client's IT department to integrate all systems needing connection to existing client network and all networks will be managed by client. Client will be responsible to provide all data network drops specified by AWC Engineering on construction drawings unless AWC is contracted to provide. Client is also responsible to provide all data networking information to ensure a successful integration to AWC installed systems where necessary including but not limited to IP address information, phone numbers, email accounts, and network credentials. It is assumed that any existing systems (Lighting, Shades, HVAC, Audiovisual, and Control) that are to be integrated with new system will be readily available with the current implemented version of source code. If original programming code cannot be provided AWC will provide a change order for additional engineering time.
13. **Owner Furnished Equipment (OFE).** Performance and maintenance of OFE is responsibility of Client and AWC assumes existing equipment is in good working condition currently. AWC is not responsible for broken or non-functional OFE and any repair or replacement of these items that may be necessary will result in additional cost to Client. AWC is not responsible for unused OFE or for disposal of OFE unless prior agreement has been made. AWC does not guarantee OFE will be compatible with all new systems being installed.
14. **Delivery/Installation.** Aufderworld Corporation shall not be responsible for any reasonable delays in delivery or installation due to strikes, accidents, natural disasters, pandemics, or delays beyond the control of Aufderworld Corporation. Any delivery schedule which AWC may provide to the Client represents a good faith estimate and shall not bind AWC to anything more than its reasonable efforts to meet such estimates. Any requests from Client for expedited freight will be billed as a change order.
15. **Training.** A single system training will be performed by AWC Engineering staff for up to (3) individuals designated by Client. Training for additional people will be the responsibility of client. Training to be done during normal business hours unless specified otherwise in contract. Optional off hours training will be billed at higher rate. Standard training is to cover standard operation and main function of installed system and is not intended to cover or explore every possible variable, nor is it training on AV or lighting theory and design. Advanced and customized training can be provided at an additional cost.
16. **Compliances/System.** All local, national, and state code compliance, permissions, fees, permits, approvals, etc. are responsibility of Client unless otherwise stated.
17. **Insurance/Risk of Loss.** Client shall assume risk of loss of equipment sold under this agreement upon date of equipment delivery by Aufderworld Corporation; and Client shall assume risk of loss to improvements made by Aufderworld Corporation in the form of equipment installation, after improvements are made and installed and the entire system is fully operational for thirty (30) consecutive days. Client shall maintain appropriate insurance coverage to cover risks assumed by Client under these terms and conditions.
18. **Insurance.** Aufderworld Corporation shall maintain workers compensation coverage and public liability insurance to cover its activities under this agreement.
19. **Applicable Taxes.** Clients outside the State of Minnesota are responsible for all applicable taxes.
20. **Tax Exempt Status.** Organizations with tax exempt status must supply Aufderworld Corporation with proof of exemption.
21. **Confidentiality.** All system design specifications and materials contained herein remains property of Aufderworld Corporation. Confidential proposal and enclosures are intended for recipient only.
22. **Proprietary.** This proposal contains trade secrets and confidential proprietary design information of Aufderworld Corporation. Review of this proposal constitutes agreement not to disclose its contents to any other party except with the approval of Aufderworld Corporation.
23. **Hold Harmless.** The client agrees that Aufderworld Corporation is to recommend design standards, systems, policies, procedures, vendors, devices, etc. that are reasonable in nature, and the recommendations or lack of recommendations will not be construed as errors or omissions of Aufderworld Corporation.
24. **Exclusion.** Aufderworld Corporation makes no warranty or claim of functionality for designs or equipment not provided by Aufderworld Corporation. If any modifications, corrections, or revisions to the system are required, Aufderworld Corporation will provide solutions on a time and materials basis with written approval by Client.
25. **Indemnity.** Each party agrees to indemnify and hold the other harmless from any claims, damages, or liability of any nature whatsoever, arising out of the wrongful act, errors or omissions of the indemnifying party, its agents, or employees, or arising out of the negligent, defective, or deficient condition of the property of the indemnifying party. In addition, Owner agrees to defend, indemnify, and hold harmless the Operator from and against any claim, lawsuit, or other form of compulsion initiated and prosecuted by a Franchised Cable Company, its successors or assigns arising out of the rights and duties granted to the Operator, and the cost for any repair, removal or re-installation required to resolve any claim, lawsuit or other form of compulsion initiated and prosecuted by a Franchised Cable Company, its successors, or assigns. This would also include any legal fees incurred by Aufderworld Corporation.

Satellite TV Specific Terms

26. **Residential Upgrades.** If the headend system installed at Client facility has the capability for residents to upgrade programming or

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 11 of 12

Aufderworld Corporation

equipment or both, Client staff will be expected to physically install new equipment with remote support from AWC. Aufderworld Corporation will apply a \$100 credit toward monthly programming invoices for each residential receiver installed by Client maintenance staff. An Aufderworld Corporation service tech will be available to support the installation via phone should help be needed.

27. **Extra Receivers.** If the system purchased is a DRE or DRE+ system, a receiver is required for each TV connected to the DirecTV system. Standard HD and HD DVR receivers are available. Client can purchase additional receivers for residents at any time at rates provided above. Aufderworld Corporation must sell receivers to the Client directly and not to individual residents. Client can at its discretion sell, lease, or rent extra receivers to the residents at whatever rate is established by the Client. Extra receivers are warranted for one year from date of purchase.
28. **Signal Integrity.** Client shall hold Aufderworld Corporation harmless and indemnify it from any unauthorized reception and use of protected signals by Client.
29. **Existing Distribution.** Aufderworld Corporation assumes existing distribution system is operational, functioning in good order and owned by the Client. Aufderworld Corporation is not responsible for repair or warranty of any existing equipment, nor does Aufderworld Corporation guarantee compliance with all FCC regulations for equipment not installed by Aufderworld Corporation. Distribution System improvements or replacements will be made and billed for on an as-needed basis. Signal improvements will be assessed as made and determination of the job scope is at the discretion of the Client. If any equipment in this quote is intended to integrate with an existing computer network, it is assumed that a representative from the Client's IT department will be available and able to assist in the integration. Aufderworld Corporation assumes that all wiring is in place and is of the type that will accommodate full functionality of proposed system. Aufderworld Corporation assumes all passive distribution components can pass frequencies from 5-2150 MHz's If distribution upgrade is necessary, Aufderworld Corporation can provide at standard commercial rates.
30. **Satellite, in-house signal quality.** Aufderworld Corporation guarantees optimal signal quality at the headend per equipment manufactures specifications and performance criteria. Signal quality at TV outlets will be equal to or better than existing signals. Client to assume all DirecTV programming costs associated with an upgrade in programming service. It is assumed that the length of the satellite signal run does not exceed 200 feet. If the run exceeds 200 feet, Aufderworld Corporation can provide, if necessary, line amplifiers and additional labor at prevailing commercial rates.
31. **Compliances/Procedure.** Compliance with the programming terms set forth by DirecTV is required. Aufderworld Corporation must be notified of any changes in number of units and/or programming changes.
32. **Term.** Term of this agreement is 12 months from installation date unless other terms are agreed upon in the DirecTV programing agreement signed by customer at the time of installation. In that case, the terms of the DirecTV agreement shall prevail. Once the DirecTV agreement has expired, Client must give Aufderworld Corporation a minimum of 60-days written advance notice of intent to terminate service with Aufderworld Corporation.
33. **Program Fees.** Client is responsible for payment of programming fees based on published rates at the time of installation. Fees may vary from previously quoted prices due to rate increases or promotional discounts. Receiver price is based upon one-year programming subscription. Early termination may result in \$135.00 per receiver charge plus any other applicable early termination fees. Client will be responsible for first and last month programming fees prior to activation of system.

* Price Includes Accessories

Presented By: Aufderworld Corporation

Project Name: Council Chambers Upgrade

Project No.: AWC-6674

4/19/2023

Page 12 of 12



Request for Council Action

SUBJECT: **Resolution Accepting Donation for Use of Boat Slip**

MEETING DATE: June 26, 2023
ITEM TYPE: Consent Agenda
CONTACT: Judy Thill, Fire Chief, 651.450.2495

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, accepting a donation from River Heights Marina for the use of a boat slip on the Mississippi River for the Fire-Rescue boat.

BACKGROUND

In 2021, the IGH Fire Department acquired a Fire-Rescue boat. There are two options the department can use for response: keep the boat on a trailer at one of the stations and drive it to the marina as needed, or leave the boat on the river where it is quickly accessible. By having the boat in the water and ready to deploy at all times, this saves a significant amount of response time by eliminating the need for the firefighters to trailer the boat to the marina and launch it each time. River Heights Marina, Inc has generously offered to donate a boat slip on the river for use by the Fire-Rescue boat, allowing for immediate response.

This donation from River Heights Marina is very much appreciated as it will allow for the quickest possible response to water emergencies on the river.

FISCAL IMPACT

This donation is valued at \$2,550, which is what it would cost the City to rent a boat slip at River Heights Marina for the year.

RECOMMENDATION

Staff recommends adoption of the attached Resolution, accepting this donation.

ATTACHMENTS

1. Resolution Accepting Donation of Boat Slip from River Heights Marina 2023

RESOLUTION NO. _____

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

A RESOLUTION AUTHORIZING AND ACCEPTING DONATION

WHEREAS, the City of Inver Grove Heights (City) is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts; and

WHEREAS, various residents and businesses donate money and goods to the City, for the benefit of the public, as allowed by law; and

WHEREAS, River Heights Marina has offered the use of one boat slip for the IGH Fire/Rescue boat at no cost to the Fire Department; and

WHEREAS, the City is appreciative of the donation, which is valued at \$2,550 for the year, and finds that it is appropriate to accept the donation.

NOW, THEREFORE, be it resolved that the Inver Grove Heights City Council does hereby accept the donation from River Heights Marina for the use of one boat slip for the IGH Fire/Rescue boat, and expresses its gratitude for the generous donation.

Approved by the City Council of the City of Inver Grove Heights, Minnesota this 26th day of June, 2023.

INVER GROVE HEIGHTS

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



Request for Council Action

SUBJECT: **Resolution Accepting Updated Joint Powers Agreement with Dakota County Electronic Crimes Task Force**

MEETING DATE: June 26, 2023

ITEM TYPE: Consent Agenda

CONTACT: Melissa Chiodo, Police Chief, 651.450.2526

ACTION REQUESTED

The Council is asked to adopt the attached Resolution, accepting the updated Electronic Crimes Task Force Joint Powers Agreement between Dakota County and the member law enforcement agencies, which includes the Inver Grove Heights Police Department.

BACKGROUND

There has been a growing number of criminal cases in the last decade in which technology plays a large role in committing and carrying out the crime. The investigation into these crimes requires specialized investigative equipment and ongoing training, which can be cost prohibitive and a strain on department staffing to do this work on their own. The Dakota County Sheriff's Office created an Electronic Crimes Task Force in 2018 to assist partner agencies with the investigation into the technology used in the commission of crimes. Inver Grove Heights has been a member of the task force by paying annual dues in return for investigative services provided to our investigations unit as needed. The attached Joint Powers Agreement had minor language changes made in 2023 and will be in full force and effect unless otherwise amended in accordance with the terms of the agreement.

FISCAL IMPACT

Each member agency's cost for 2024 is estimated to be \$22,000. The annual budget is finalized after the Task Force's Board reviews the grants received and what cost will be shared by member agencies.

RECOMMENDATION

Police Department staff recommend adoption of the attached Resolution, approving the updated Joint Powers Agreement for the Dakota County Electronic Crimes Task Force.

ATTACHMENTS

1. Resolution Approving Updated JPA
2. 2023 JPA for Electronic Crimes Task Force

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

RESOLUTION NO. _____

**RESOLUTION APPROVING UPDATE DAKOTA COUNTY ELECTRONIC CRIMES TASK FORCE
JOINT POWERS AGREEMENT**

WHEREAS, Crimes involving electronics is a nationwide problem and occurs in any city, county or state; and

WHEREAS, Dakota County law enforcement agencies recognize the collaboration needed to investigate crimes involving electronics; and

WHEREAS, the County of Dakota, the Dakota County Drug Task Force and the cities of Apple Valley, Burnsville, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul and West St. Paul agreed to and established an electronic crimes task force in 2018 through 2022, and updated the JPA from 2023 until an agency makes formal notice of withdrawal.

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

- 1.** The City Council hereby approves the attached updated Joint Powers Agreement and the mutual promises contained herein.

Passed this 26th day of June 2023

Brenda Dietrich, Mayor

Attest:

Rebecca Kiernan, City Clerk

DAKOTA COUNTY ELECTRONIC CRIMES TASK FORCE JOINT POWERS AGREEMENT

The parties to this Agreement are units of government responsible for the enforcement of criminal laws in their respective jurisdictions. This Agreement is made pursuant to the authority conferred upon the parties by Minnesota Statutes, Section 471.59.

NOW THEREFORE, the undersigned governmental units, in the joint and mutual exercise of their powers, agree as follows:

1. Name. The parties hereby establish the Dakota County Electronic Crimes Task Force ("Task Force").

2. General Purpose. The purpose of this Agreement is to establish an organization to coordinate efforts to investigate illegal activities related to the use of electronic devices, the Internet, and materials transmitted or used in electronic form and the prosecution of those conducting such illegal activities.

3. Parties. The parties to this Agreement are the following units of government:

City of Apple Valley	City of Mendota Heights
City of Burnsville	City of Rosemount
City of Farmington	City of South St. Paul
City of Hastings	City of West St. Paul
City of Inver Grove Heights	County of Dakota
City of Lakeville	Dakota County Drug Task Force

(Individually or collectively "member(s)" or "party(ies)")

4. Administrative Board.

4.1 Creation and Composition. A joint powers board, known as the Electronic Crimes Task Force Administrative Board ("Board"), is established for the purposes contained herein with the powers and duties set forth in this Agreement. The Board shall consist of one member from each of the law enforcement units of government that participates in the Task Force, appointed by their respective police chief or sheriff. Board members appointed by police chiefs and the sheriff must be full-time supervisory peace officers of their jurisdiction or office. The police chief or sheriff may appoint an alternative member to attend Board meetings if the appointed member is unavailable. Alternates must be full-time supervisory peace officers from their jurisdiction or office. Board members shall not be deemed employees of the Task Force and shall not be compensated by it. At the discretion of the Dakota County Attorney, the Dakota County Attorney's Office shall serve the Board in an advisory capacity and shall be designated legal counsel on behalf of the Board and Task Force. The fiscal agent shall maintain a roster of current Board members and appointed alternates.

4.2 Terms. Board members and alternates shall serve at the pleasure of their respective police chief or sheriff. In the event that any Board member shall be removed by the appointing agency, the vacancy shall be filled by the appropriate appointing agency.

4.3 Officers. At its first meeting each calendar year, the Board shall meet and elect from its members a chair, a vice-chair, a secretary/treasurer, and such other officers as it deems necessary to conduct its meetings and affairs. Officers shall serve for a term of one (1) year or until the officer ceases to be a board member, whichever is shorter.

4.4 Meetings. The Board shall meet in January of each year and shall have other regular and special meetings at such times and places as the Board shall determine. Special meetings may be held on three (3) days' notice by the chair or any two (2) board members; except that a special meeting to consider adoption of or amendments to the Board's operating rules pursuant to Section 6.1 shall require ten (10) days' notice. The presence of two-thirds (2/3) of the Board members at a meeting shall constitute a quorum.

4.5 Voting. Each Board member shall be entitled to one vote. If a Board member is unable to attend a meeting, the duly appointed alternative may attend and vote. Proxy voting is not permitted. The Board shall function by a majority vote of the board members, or alternates, present.

5. Duties of the Administrative Board.

5.1 The Board shall formulate a program to carry out its purpose.

5.2 The Board shall coordinate intelligence between the members and the Task Force and cooperate with other local, state, and federal law enforcement agencies to accomplish the purpose for which it is organized.

5.3 The Board shall keep proper and adequate books of accounts showing all its receipts and disbursements by date, source, and amount. It shall have prepared an independent audit of the books and accounts of the Task Force and shall provide an audit report to its members if any member requests a financial audit of the Task Force.

5.4 The Board shall keep proper minutes of all its proceedings.

5.5 The Sheriff's Office shall provide annually a year-end review/expenditure report of the Task Force's activities.

5.6 The Board shall establish performance and quality control measures and periodically monitor those measures, to include Task Force investigatory practices and policies.

6. Powers of the Administrative Board.

6.1 The Board may adopt and amend such bylaws that it may deem necessary or desirable for the conduct of the business of the Board. Such bylaws shall be consistent with the terms of this Agreement and any applicable laws or regulations.

6.2 The Board may enter into any contract necessary or proper for the exercise of its powers or the fulfillment of its duties and enforce such contracts to the extent available in equity or at law. The Board may authorize the chair of the Board to enter into and execute those contracts.

6.3 The Board may sue and be sued.

6.4 The Board may disburse funds in a manner which is consistent with this Agreement and with the method provided by law for the disbursement of funds by the parties to this Agreement.

6.5 The Board may apply for and accept gifts, grants or loans of money or other property or assistance from the United States Government, the State of Minnesota, or any person, association or agency for any of its purposes; enter into any agreement in connection therewith; and hold, use and dispose of such money, property or assistance in accordance with the terms of the gift, grant or loan relating thereto.

6.6 The Board may cooperate with other federal, state and local law enforcement agencies to accomplish the purpose for which it is organized.

6.7 The Board shall purchase and maintain public liability insurance coverage with limits consistent with Minnesota Tort Caps and such other bonds and insurance as is deemed necessary for the protections of the Board, its members, representatives, officers, agents and employees. The exercise of such authority by the Board shall not be construed as a waiver or modification of the limitations, defenses and immunities of liability contained in Minnesota Statutes, Chapter 466, Minnesota Statutes, Section 471.59, subd. 1a or other applicable law. Insurance coverage procured through the League of Minnesota Cities Insurance Trust will meet the requirements of this paragraph.

6.8 The Board may hold such other property as may be required to accomplish the purposes of this Agreement and upon termination of this Agreement make distribution of such property as provided for in this Agreement.

6.9 To the extent allowed by law, establish and collect fees, including user fees, for services performed by the Task Force, the Board or its members.

6.10 The Board may create a policies and procedures manual for use by the Task Force and review the same annually. If a policy or procedure adopted by the Board conflicts with a policy or procedure of a member, that member's policy or procedure shall apply to any agent assigned by that member to the Task Force.

6.11 The Board may retain legal counsel to advise the Board and provide civil legal services.

6.12 The Board may recommend changes in this Agreement to its members.

7. Budgeting and Funding.

7.1 By April 30 of each year the Board shall prepare and adopt a budget for the following year and may amend the same from time to time.

7.2 The members intend to fund the cost of operating the Task Force through member contributions of funds, officers and staff and by obtaining grant funds and restitution, if available.

By April 1 of each subsequent year, prior to the adoption of an annual budget for the following year, the Board will determine the amount of financial contribution and contribution of services by each member so that the adopted budget will be adequately funded and organizational objectives met. Any member may object to a proposed payment as excessive relative to the adopted budget. If a member's objection cannot be resolved, the Board may adopt a revised budget to accommodate the member's objection or an amendment to this Agreement approved by all members shall be executed by each member's governing body. The Board shall determine the amount of financial contribution and/or contribution of services by members and any new members.

7.3 If the Board incurs any liability for damages arising from the services performed under this Agreement, the amount of damages shall be assessed equally amongst the members. Nothing herein shall be construed as a waiver or modification of the limitations, defenses and immunities as fully described in Section 10.

7.4 The Board shall adopt a budget based upon grant funds received, member financial contributions and money made available from other sources. The Board may amend the budget as needed to reflect revenue and expenditure changes.

7.5 Dakota County shall serve as the fiscal agent of the Task Force and shall account for all funds received pursuant to this Agreement according to generally accepted accounting principles. The fiscal agent shall forward reports on Task Force receipts and disbursements to the members on a regular basis. Fiscal agent responsibilities shall include, but not be limited to: management of all funds, including member contributions and grant monies, payment for contracted services and relevant bookkeeping and recordkeeping. No payment on any invoice for services performed by any person providing services in connection with this Agreement shall be authorized unless approved by the Board chair, vice-chair or secretary/treasurer.

7.6 The members agree to contribute their financial contributions, grant funds and dedicated licensed peace officers required to operate the Task Force.

7.7 All funds shall be accounted for according to generally accepted accounting principles. The secretary/treasurer shall make a quarterly financial report of all expenditures and receipts, and current fund balances to the Board.

7.8 The Board may not incur debt.

7.9 The Board's obligation to reimburse members for any expense, furnish equipment, pay for staffing and the like is contingent upon the receipt of grant funds for that purpose. If insufficient grant funds are received, the Board may reduce the level of reimbursement, staffing and/or other expenditures.

8. Agents.

8.1 Each member shall inform the Board in December of each year of the identity of the licensed peace officers to serve as Agents for the Task Force ("Agents") for the following calendar year. The chief law enforcement officer for that member shall have the responsibility for determining the identity of their assigned officer(s). The number of licensed peace officer(s) per member allowed to serve as Agents for the Task Force must be approved in advance by the Board.

8.2 Agents will be responsible for the investigation of illegal activities related to or involving the use of electronic devices, the Internet, and materials transmitted or used in electronic form, including case development and handling and processing of evidence. To the extent permitted by law, Agents will work cooperatively with assisting agencies, including sharing information acquired by Agents pursuant to this Agreement.

8.3 Agents are not employees of the Task Force. Agents shall remain employees of the member that has assigned them to the Task Force and shall be compensated by that member. Each party to this Agreement shall be responsible for injuries to or death of its own personnel. Each party shall maintain workers' compensation coverage or self-insurance coverage covering its own personnel while they are providing assistance as a member of the Task Force. Each party to this Agreement waives its right to sue any other party for any workers' compensation benefits paid to its own employee or their dependents, even if the injury is caused wholly or partially by the negligence of any other party, or its officers, employees or agents.

8.4 The member appointing the Agent shall furnish the Agent with all standard department issued equipment necessary to perform all functions of the Agent. Agents' computers must meet Dakota County standards. Each member shall be responsible for damages to or loss of its own equipment. Each member waives the right to sue any other member for any damages to or loss of its equipment, even if the damages or loss were caused wholly or partially by the negligence of any other member or its officers, employees or agents.

8.5 The members shall maintain the officer positions hired to replace the officer assigned to the Task Force, or maintain the full-time equivalent or half-time equivalent staffing assigned to the Task Force as described in Sections 7.2 and 8.1.

9. Indemnification. The Task Force is a separate and distinct public entity to which the parties have transferred all responsibility and control for actions taken pursuant to this Agreement. The Task Force shall defend and indemnify the parties, and their officers, employees, and agents, from and against all claims, damages, losses, and expenses, including attorney fees, arising from Task Force activities or operations, and decisions of the Board.

Nothing in this Agreement shall constitute a waiver of the statutory limits on liability set forth in Minnesota Statutes, Chapter 466, or a waiver of any available immunities or defenses.

To the fullest extent permitted by law, action by the parties to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the parties that they shall be deemed a "single governmental unit" for the purposes of liability, as set forth in Minnesota Statutes, Section 471.59, subd. 1a(a), provided further that for purposes of that statute, each party to this Agreement expressly declines responsibility for the acts or omissions of another party.

Nothing herein shall be construed to provide insurance coverage or indemnification to an officer, employee, or agents of any party for any act or omission for which the officer, employee, or agent is guilty of malfeasance in office, willful neglect of duty, or bad faith.

Any excess or uninsured liability shall be borne equally by all the parties, but this does not include the liability of any individual officer, employee, or agent which arises from his or her own malfeasance, willful neglect of duty, or bad faith.

10. Insurance. The Board shall purchase general liability insurance for activities of the Task Force as described in Section 2. Such insurance shall name each member as an additional insured. By purchasing insurance, the members do not intend to waive, and this Agreement shall not be interpreted to constitute a waiver by any member of limitations on liability or immunities provided by any applicable Minnesota law, including Minnesota Statutes, Chs. 466 and 471. The cost of the general liability insurance shall be paid from funds of the Task Force.

11. Task Force Supervisory Oversight. The Dakota County Sheriff's Office will provide supervisory oversight of Task Force operations including case assignments, record keeping, intelligence management, management of all property seized, and the execution of stings, arrests, search warrants and similar operations performed by the Agents.

The members of this Agreement are not liable for the acts or omissions of the other members of this Agreement except to the extent to which they have agreed in writing to be responsible for acts or omissions of the other members.

12. Additional Parties. Any additional unit of government may become a party to this Agreement by adopting a resolution declaring its intention to do so and by entering into this Agreement, as it may be amended from time to time, provided that the parties have entered into an amendment pursuant to Section 13 approving such additional member. Such amendment shall be substantially in form of Exhibit A, attached hereto and incorporated by reference.

13. Amendments. Any amendment to this Agreement must be in writing and executed by all of the parties.

14. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument. All counterparts and amendments shall be filed with the fiscal agent.

15. Effective Date. This Agreement shall take full effect upon execution by the parties. Members may execute this Agreement in counterparts and need not sign the same original document. The signed Agreement shall be filed with the Board's designated fiscal agent, who shall notify all members in writing of its effective date. The fiscal agent shall also notify all parties of additional parties added pursuant to Section 12 and parties withdrawing pursuant to Section 16.3.

16. Termination and Withdrawal.

16.1 Termination Date. This Agreement shall terminate upon the occurrence of any one of the following events, whichever occurs first:

- When necessitated by operation of law or as a result of a decision by a court of competent jurisdiction; or
- When a majority of members agree by resolution to terminate the agreement upon a date certain; or
- On December 31, 2028, unless extended by agreement of all of the members.

16.2 Effect of Termination. Termination shall not discharge any liability incurred by the Board or by the members during the term of this Agreement. Each member shall be liable for its own acts and for the acts of the Board to extent provided by law. With the exclusion of technology equipment contributed and owned by any member, upon termination of this Agreement all property of the Task Force shall be sold or distributed to the members in proportion to their respective financial and staff contributions to the Task Force since its inception. Parties who effectively withdraw from this Agreement will not be entitled to any return of their financial contributions.

16.3 Withdrawal. Without the necessity of approval from the parties' governing bodies, any party may withdraw from this Agreement upon 60 days' written notice to the Board. The Board shall notify the members pursuant to Section 17 of the receipt of a withdrawal notice. Equipment acquired by an Agent or member as a result of training or other activities paid or sponsored by the Task Force shall remain the property of the Task Force upon withdrawal of that member from the Task Force.

16.4 Effect of Withdrawal. Withdrawal by any member shall not terminate this Agreement except as provided in Section 16.1. Withdrawal shall not act to discharge any liability incurred by or chargeable to the member prior to the effective date of withdrawal. Such liability shall continue until discharged by law or agreement. No member shall be entitled to a refund of administrative or operating funds paid or forgiveness of such funds owed to the Board.

17. Notice. Notice of withdrawal shall be provided by first class mail to the following and to any additional members added pursuant to Section 12:

Apple Valley Chief of Police
7100 147th Street West
Apple Valley, MN 55124

Mendota Heights Chief of Police
1101 Victoria Curve
Mendota Heights, MN 55118

Burnsville Chief of Police
100 Civic Center Parkway
Burnsville, MN 55337

Farmington Chief of Police
19500 Municipal Drive
Farmington, MN 55024

Hastings Chief of Police
150 3rd Street East
Hastings, MN 55033

Inver Grove Heights Chief of Police
8150 Barbara Avenue
Inver Grove Heights, MN 55044

Lakeville Chief of Police
9237 183rd Street
Lakeville, MN 55044

Rosemount Chief of Police
2875 145th Street West
Rosemount, MN 55068

South St. Paul Chief of Police
125 3rd Avenue North
South St. Paul, MN 55075

West St. Paul Chief of Police
1616 Humboldt Avenue
West St. Paul, MN 55118

Dakota County Sheriff
Law Enforcement Center
1580 Highway 55
Hastings, MN 55033

Dakota County Drug Task Force
P.O. Box 21304
Eagan, MN 55121-0304

IN WITNESS WHEREOF, the undersigned governmental units, by action of their governing bodies, have caused this Agreement to be executed in accordance with the authority of Minnesota Statutes, Section 471.59.

Approved by the City Council

CITY OF APPLE VALLEY

Date: _____

By: _____
Date of Signature: _____

Attest: _____
Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF BURNSVILLE

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF FARMINGTON

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council
Date: _____

CITY OF HASTINGS

By: _____
Date of Signature: _____

Attest: _____
Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF INVER GROVE HEIGHTS

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF LAKEVILLE

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF MENDOTA HEIGHTS

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF ROSEMOUNT

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF SOUTH ST. PAUL

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

Approved by the City Council

Date: _____

CITY OF WEST ST. PAUL

By: _____

Date of Signature: _____

Attest: _____

Date of Signature: _____

DAKOTA COUNTY DRUG TASK FORCE

Approved by the Board

Date _____

Dakota County Attorney's Office
Dakota County Judicial Center
1560 Highway 55
Hastings, MN 55033
651-438-4438

By: _____

Date of Signature: _____

Approved as to form:

By: /s/ Helen R. Brosnahan

Assistant County Attorney

Date of Signature: 4/24/18

KS-17-185-1

COUNTY OF DAKOTA

Approved by Dakota County Board
Resolution No.: **18-028**

Dakota County Attorney's Office
Dakota County Judicial Center
1560 Highway 55
Hastings, MN 55033
651-438-4438

By: _____
Date of Signature: _____

Approved as to form:

By: /s/Margaret M. Horsch
Assistant County Attorney
Date of Signature: 1/22/18

KS-2017-185

CONTRACT\2017\KS17-185 DakotaCtyElectronicCrimesTaskForce JPA.docx

EXHIBIT A

Amendment to Dakota County Electronic Crimes Task Force Joint Powers Agreement

Whereas, on or about January 1, 2018, the County of Dakota, the Dakota County Drug Task Force and the cities of Apple Valley, Burnsville, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul and West St. Paul ("Parties") entered into a joint powers agreement establishing the Dakota County Electronic Crimes Task Force ("Agreement"); and

Whereas, the Parties desire to amend the Agreement to add _____ as a party to the Agreement; and

Whereas, _____ as a governmental unit of the State of Minnesota, through its duly elected governing body, has adopted a resolution approving the Agreement and authorizing its _____ to execute the same; and

Whereas, the Agreement provides that any amendments to the Agreement must be in writing and executed by all of the Parties.

Now, therefore, in consideration of the mutual promises contained herein, the Parties agree to amend the Agreement as follows:

1. Section 3 Parties to include _____ as a party to the Agreement.
2. Section 7.2 Budgeting and Funding to provide that _____ shall contribute _____ for the initial calendar year of membership.
3. All other terms of the Agreement shall remain in force and effect unless otherwise amended in accordance with the terms of the Agreement.

In Witness Whereof, the Parties have executed this Amendment to the Agreement on the dates indicated below.



Request for Council Action

SUBJECT: Rental Housing Licenses

MEETING DATE: June 26, 2023

ITEM TYPE: Regular Business

CONTACT: Mary Lein, Assistant to the Chief Building Official, 651-450-2552

ACTION REQUESTED

The Council is asked to consider approval of rental housing 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.

The following rental license applications have been submitted:

RENTAL ADDRESS	PROPERTY OWNER	PROPERTY MANAGER
1470 Upper 55th St E	AA Alta Vista, Inc. Roseville, MN	Paul Nelson New Richmond, WI
8799 Branson Dr	Carl Brust Midlothian, TX	Andrew Kern Woodbury, MN

FISCAL IMPACT

None.

RECOMMENDATION

Community Development and Police Department staff recommend approval of the licenses listed above.

ATTACHMENTS

None

**SUBJECT: Third Reading of Ordinance Amending City Code
Related to Alcoholic Beverages in City Parks and
Resolution Approving Summary Publication**

MEETING DATE: June 26, 2023
ITEM TYPE: Regular Business
CONTACT: Adam Lares, Parks & Recreation Director, 651.450.2587

PURPOSE/ACTION REQUESTED

The Council is asked to consider a third reading and final adoption of the attached Ordinance, amending the City Code related to alcoholic beverages in city parks. If the ordinance is adopted, the Council is asked to also approve the attached summary publication resolution.

BACKGROUND

Currently, the City Code generally prohibits the consumption of alcoholic beverages in city parks, with the exception of 3.2 percent malt liquor, which may be consumed in Rich Valley Park (Rich Valley Athletic Complex) and within 150 feet of the group picnic shelter at South Valley Park, in connection with an event held in the park shelter.

The City has been approached by several permit applicants to host small and large events/gatherings at South Valley Park Shelter, Rock Island Swing Bridge Park Shelter, and Rich Valley Athletic Complex, who would like their participants and spectators to be able to consume alcoholic beverages containing more than 3.2 percent alcohol during events or tournaments. City staff have met and reviewed the existing City Code language and prepared an ordinance that would amend the Code to allow single-serving alcoholic beverages containing less than 16% alcohol by volume (ABV) at the following parks:

- South Valley Park and Swing Bridge Park, but only by attendees at a permitted event and only within the group picnic shelter area.
- Rich Valley Athletic Complex, but only by attendees of a permitted event.

Sales of alcoholic beverages would also be allowed at Rich Valley Athletic Complex, but only with a temporary liquor license. Sales and consumption of alcoholic beverages at Rich Valley Athletic Complex would not be allowed at youth-focused events and tournaments.

Alcohol would only be allowed at these three locations through permits. All other parks throughout the city would remain alcohol free per current ordinance.

The City's Parks and Recreation Advisory Commission reviewed the proposed ordinance at its May 10 meeting, and unanimously voted to recommend approval of the ordinance to the Council.

The attached ordinance is identical to the version which was presented for a second reading at the June 12, 2023 City Council meeting.

FISCAL IMPACT

n/a

RECOMMENDATION

Staff recommends approval of the third reading of the attached ordinance and, if approved, approval of the attached summary publication resolution.

ATTACHMENTS

1. Ordinance Amending City Code Related to Alcoholic Beverages in City Parks
2. Summary Publication Resolution

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 4,
CHAPTER 1, SECTION 16(B) RELATED TO THE POSSESSION AND
CONSUMPTION OF ALCOHOLIC BEVERAGES IN CITY PARKS**

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

Section One. Amendment. Section 4-1-16(B) of the Inver Grove Heights City Code is hereby amended as follows. The ~~struck-out text~~ shows the deleted wording and the underlined text shows the language added to the code:

4-1-16: RESTRICTIONS ON SALES, PURCHASES AND CONSUMPTION:

4. Persons of lawful age may possess and consume ~~3.2 percent malt liquor~~ alcoholic beverages containing not more than sixteen percent (16%) alcohol by volume (ABV) in original, single-serve, non-glass containers of no more than 16 ounces in size in South Valley Park and Rock Island Swing Bridge Park but only in or within one hundred fifty feet (150') of the group picnic shelter at the park located in the park, and only in conjunction with an event for which the sponsor has obtained a permit from the city to use the group picnic shelter, and only if the person possessing or consuming the 3.2 percent malt liquor alcoholic beverage is an invited guest of the event sponsor. Event sponsors will be required to verify the age of guests eligible to consume alcoholic beverages.

5. Persons of lawful age may possess and consume alcoholic beverages containing not more than sixteen percent (16%) alcohol by volume (ABV) in original, single-serve, non-glass containers of no more than 16 ounces in size 3.2 percent malt liquor in the Rich Valley Park Athletic Complex, but only in conjunction with an event for which the sponsor has obtained a permit from the City to use the athletic complex for a permitted event, and only if the person possessing or consuming the alcoholic beverage is an invitee of the event sponsor. Sponsors will be required to verify the age of guests eligible to consume alcoholic beverages. subject to such rules and regulations as the city council, by resolution, may from time to time impose. Alcoholic beverages shall not be allowed at any youth-focused events or tournaments.

6. Alcoholic beverages may be sold and consumed at the Rich Valley Athletic Complex pursuant to a temporary on-sale intoxicating liquor license, temporary on-sale 3.2 percent malt liquor license, or one-day consumption and display permit issued under this Chapter. Alcoholic beverages sold pursuant to a temporary license or one-day consumption and display permit may be sold in non-glass containers or plastic or other non-glass cups, and are not required to be sold in original containers. Alcoholic beverages may not be sold at any youth-focused events or tournaments

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

Passed in regular session of the City Council of the City of Inver Grove Heights on the ____ day of _____, 2023.

CITY OF INVER GROVE HEIGHTS

By: _____

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk

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

**A RESOLUTION APPROVING THE PUBLICATION OF A SUMMARY OF ORDINANCE
NO. 1455, AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE
4, CHAPTER 1, SECTION 16(B) RELATED TO THE POSSESSION AND
CONSUMPTION OF ALCOHOLIC BEVERAGES IN CITY PARKS**

WHEREAS, on June 26, 2023, the City Council of the City of Inver Grove Heights, Dakota County, Minnesota ("City") adopted Ordinance No. 1455, an Ordinance Amending Inver Grove Heights City Code Title 4, Chapter 1, Section 16(B) Related to the Possession and Consumption of Alcoholic Beverages in City Parks; and

WHEREAS, pursuant to Minn. Stat. Sec. 412.191, subd. 4, the Council may, by a 4/5 vote, direct that only the title and a summary be published; and

WHEREAS, the City Council for the City of Inver Grove Heights has reviewed the summary of Ordinance No. 1455 which is attached hereto as **Exhibit A**; and

WHEREAS, the City Council for the City of Inver Grove Heights has determined that publication of the title and a summary of Ordinance No. 1455 would clearly inform the public of the intent of the ordinance; and

WHEREAS, due to the length of Ordinance No. 1455 the City Council desires to publish a summary of the Ordinance.

NOW THEREFORE BE IT RESOLVED, by a vote of at least four-fifths of its members, that the City Council of the City of Inver Grove Heights hereby:

1. Approves the text of the summary of Ordinance No. 1455 attached as **Exhibit A** and authorizes the publication of the summary shown in **Exhibit A** in lieu of publication of the entirety of Ordinance No. 1455 in the City's official newspaper.
2. Directs the City Clerk to ensure that a full and complete printed copy of Ordinance No. 1455 is available for inspection during regular business hours at the office of the Inver Grove Heights City Clerk, by standard mail, or by electronic mail.
3. Directs the City Clerk to file the executed Ordinance No. 1455 upon the

books and records of the City along with proof of publication.

This resolution is passed and adopted by the City Council of the City of Inver Grove Heights, Dakota County, Minnesota this 26th day of June, 2023.

CITY OF INVER GROVE HEIGHTS

By: _____
Brenda Dietrich
Its: Mayor

Attested:

By: _____
Rebecca Kiernan
Its: City Clerk

(Published in the *Pioneer Press* on _____, 2023.)

EXHIBIT A

SUMMARY PUBLICATION ORDINANCE NO. 1455

A RESOLUTION APPROVING THE PUBLICATION OF A SUMMARY OF ORDINANCE NO. 1455, AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 4, CHAPTER 1, SECTION 16(B) RELATED TO THE POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CITY PARKS

On June 26, 2023, the City Council of the City of Inver Grove Heights, Dakota County, Minnesota ("City") adopted Ordinance No. 1445, ("Ordinance") an Ordinance Amending Inver Grove Heights City Code Title 4, Chapter 1, Section 16(B) Related to the Possession and Consumption of Alcoholic Beverages in City Parks.

The Ordinance amends the City Code to allow the consumption of alcoholic beverages of not more than sixteen (16%) alcohol by volume within South Valley Park and Rock Island Swing Bridge Park at the group picnic shelters located within the park, and within the Rich Valley Athletic Complex in connection with an event for which the event sponsor has obtained a permit from the City for the event, and allows the sale of alcoholic beverages at the Rich Valley Athletic Complex at non-youth focused events or tournaments.

It is hereby determined that publication of this title and summary will clearly inform the public of the intent and effect of Ordinance No. 1445 and it is directed that only the above title and summary of Ordinance No. 1445 conforming to Minn. Stat. Sec. 331A.01 be published, with the following:

NOTICE

A printed copy of the full text of Ordinance No. 1445 is available for public inspection by any person during regular office hours at the office of the Inver Grove Heights City Clerk, 8150 Barbara Avenue, Inver Grove Heights, MN 55077, by standard mail, or by electronic mail, and at any other public location which the Council designates.



Request for Council Action

SUBJECT: Consider Variances for Minimum Lot Width and Accessory Structure, 6938 Booth Avenue

MEETING DATE: June 26, 2023
ITEM TYPE: Regular Business
CONTACT: Allan Hunting, City Planner, 651.450.2554

ACTION REQUESTED

The Council is asked to consider two Resolutions relating to variances for lot width and to have an accessory structure on a lot before a principal structure is built.

- Requires 3/5th vote
- 60-day deadline: July 7, 2023 (first 60 days)

BACKGROUND

The applicant owns two parcels, one contains their house and the other is a vacant lot that has no frontage on a street and is only 9,537 square feet in size. They would like to adjust the lot lines and rearrange the property so there is a north and south lot, both with lot frontage on Booth Avenue. One of the rearranged lots would not meet minimum lot width of 85 feet along Booth. The applicant is therefore requesting a variance to allow Parcel B shown on the attached survey to have a lot width of just 67.6 feet.

There is an existing shed in the southeast corner of the site. With the proposed lot boundary adjustment, the shed would end up on Parcel B. City ordinance requires a principal structure must exist before an accessory structure is allowed. The applicant is therefore asking for a variance to allow the accessory structure to remain on the lot prior to a principal structure.

Granting the lot width variance allows reasonable use of a parcel that is currently restricted due to lot size and lack of road frontage. The variance would allow a new single family home on the lot, consistent with surrounding properties.

The shed already exists on a lot without a principal structure. It appears the shed did not need a permit based on the size of the structure. However, it would still have to comply with the standard of no accessory before a principal structure on the lot.

FISCAL IMPACT

n/a

RECOMMENDATION

The Planning Commission recommended approval of the lot width variance (5-0) and denial of the accessory structure variance (5-0).

Staff also would recommend approval of the lot width variance and denial of the accessory structure variance.

ATTACHMENTS

1. Resolution Granting Variance for Lot Width
2. Resolution Denying Variance for Accessory Structure without a Primary Structure
3. Narrative
4. Planning Report
5. Planning Commission Recommendation

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A VARIANCE FROM CHAPTER 10-9A-2. A TO ALLOW A
PARCEL WITH LESS THAN 85 FEET OF LOT WIDTH AT SETBACK LINE IN THE R-1C,
SINGLE FAMILY RESIDENTIAL DISTRICT**

**CASE NO. 23-20V
(Brett Phares)**

Property located at 6938 Booth Avenue and legally described as follows:

SEE EXHIBIT A

WHEREAS, an application has been received for a Variance from minimum lot width standards;

WHEREAS, the afore described property is zoned R-1C, Single Family 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 June 6, 2023 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 finding:

1. Granting of the lot width variance allows reasonable use of a parcel that is currently restricted due to lot size and no road frontage. The variance would allow a new single family home on the lot, consistent with surrounding properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow the lot width to be 67.6 feet in width is hereby approved subject to the following conditions:

1. An administrative subdivision approval shall be required to modify the lot boundary. The applicant is responsible for making application for such administrative subdivision prior to any survey being submitted to Dakota County.
2. The variance shall become void two (2) years after it was granted unless made use of within two (2) years or such longer period as the council, within two years may provide. This is described in Chapter 10-3-4. F of the City Code.

Adopted by the City Council of Inver Grove Heights this 26th day of June, 2023.

Brenda Dietrich, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

EXHIBIT A

Legal Description (Warrant Deed)

The North 156.6 feet of the South 374.4 feet of the East 139.1 feet of the West 634.1 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township Twenty-seven (27), Range Twenty-two (22).

And

The East 60.9 feet of the West 695 feet of the North 156.6 feet of the South 374.4 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4), in Section Four (4), Township Twenty-seven (27), Range Twenty-two (22).

Also a permanent easement for road purposes over and across the West 30 feet of the East 139.1 feet of the West 634.1 feet of the South 374.4 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township Twenty-seven (27), Range Twenty-two (22), according to the Government Survey thereof.

Denial variance- accessory structure

CITY OF INVER GROVE HEIGHTS DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. ____

RESOLUTION DENYING A VARIANCE FROM CHAPTER 10-5-1 TO ALLOW AN ACCESSORY STRUCTURE ON A LOT PRIOR TO THE TIME OF CONSTRUCTION OF THE PRINCIPAL BUILDING

**CASE NO. 23-20V
(Brett Phares)**

Property located at 6938 Booth Avenue and legally described as follows:

SEE EXHIBIT A

WHEREAS, the applicant is requesting a variance to allow an accessory structure on a lot prior to the construction of the principal structure;

WHEREAS, the afore described property is zoned R-1C, Single Family 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 June 6, 2023 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:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow a steel sided accessory structure is hereby denied.

Adopted by the City Council of Inver Grove Heights this 26th day of June, 2023.

Brenda Dietrich, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

EXHIBIT A

Legal Description (Warrant Deed)

The North 156.6 feet of the South 374.4 feet of the East 139.1 feet of the West 634.1 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township Twenty-seven (27), Range Twenty-two (22).

And

The East 60.9 feet of the West 695 feet of the North 156.6 feet of the South 374.4 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4), in Section Four (4), Township Twenty-seven (27), Range Twenty-two (22).

Also a permanent easement for road purposes over and across the West 30 feet of the East 139.1 feet of the West 634.1 feet of the South 374.4 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township Twenty-seven (27), Range Twenty-two (22), according to the Government Survey thereof.

May 5, 2023

City of Inver Grove Heights -Planning & Zoning
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Variance for 6938 Booth Ave
From: Brett & Joy Phares

We are writing to request a variance to our property. We are now retired and it is getting harder to take care of all of the lawn care, etc. to our large lot. Our children are now adults and not living with us anymore. We are also main caretakers for Joy's elderly mother that lives in Richfield and has Alzheimer's, this does require a lot of our time.

After it is split, we are hoping to sell our side lot for a single-family dwelling. At this time, we are asking for a Variance to allow for the new lot to be less than 85 feet wide.

Enclosed is our application fee of \$252.00, our application and other documents needed for this request.

Thank you for your time and consideration.

Brett and Joy Phares
6938 Booth Ave
Inver Grove Heights, MN 55076
651-315-1606 (Brett's cell)



Planning Commission Report

MEETING DATE:	June 6, 2023
CASE NO:	23-20V
APPLICANT:	Brett Phares
PROPERTY OWNER:	Brett & Joy Phares
REQUEST:	Variances from lot width and accessory structure on lot prior to principal structure.
LOCATION:	6938 Booth Avenue
COMPREHENSIVE PLAN:	LDR, Low Density Residential
ZONING:	R-1C, Single Family Residential
STAFF CONTACT:	Allan Hunting, 651.450.2554

ACTION REQUESTED

The specific requests for the project include the following:

1. A Variance to allow Parcel B to have a lot width at building setback line of 67.60 feet, whereas 85 feet is required.
2. A Variance to allow an accessory structure prior to the time of construction of a principal structure on Parcel B.

BACKGROUND

The applicant owns two parcels, one contains their house, the other is a vacant lot that has no frontage on a street and is only 9,537 square feet in size. They would like to adjust the lot line and rearrange the property so there is a north and south lot, both with a lot frontage on Booth Avenue. There is currently not enough lot frontage along Booth Avenue to rearrange the lots and have both lots meet the minimum lot width of 85 feet. The applicant is therefore requesting a Variance to allow Parcel B, shown on the attached survey, to have a lot width of 67.60 feet wide. The two lots have been in existence for some time. It is not known how or when the lots were created.

The proposed Parcel A would be 14,400 square feet in size, not counting the private roadway easement. The minimum lot size is 12,000 square feet. The new lot line would meet the required minimum setback of 10 feet from the existing home. The proposed Parcel B would be 12, 223 square feet in size, not counting the private roadway easement.

There is an existing shed in the southeast corner of the site. With the proposed lot boundary adjustment, the shed would end up on Parcel B. The City Ordinance requires that a principal structure must exist before an accessory structure is allowed. The applicant is also asking for a Variance to allow the accessory structure to remain on the lot prior to a principal structure.

EVALUATION OF REQUEST

VARIANCE

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 Variance, the City Code identifies criteria which are to be considered as 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 easterly lot that is undeveloped is unbuildable in its present state due to no road frontage and it is small in size. By allowing the lot line adjustment, the lot lines can be reconfigured so the lot has frontage on Booth Avenue and the area of the lot can meet R-1C standards. The proposed lot width would meet the 70% rule, which is the minimum standard for lots of record to be considered a buildable lot. The Variance would allow a buildable lot where one does not exist at this time.

The existing accessory structure is located in the southeast corner and is a smaller shed but in good condition, according to the applicant. It cannot be easily moved onto Parcel A.

2. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.

Granting of the lot width Variance allows reasonable use of a parcel that is currently restricted due to lot size and no road frontage. The Variance would allow a new single family home on the lot, consistent with surrounding properties.

Having an accessory structure first on a lot does exceed the intent of the City Ordinance.

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

The two lots have been in existence for some time, but how or when they were created is unknown. The current landowner did not create these lots in this configuration.

The shed already exists on a lot without a principal structure. It appears the shed did not need a permit based on the size of the structure. However, it would still have to comply with the standard of no accessory before a principal structure on the lot.

4. The Variance will not alter the essential character of the locality.

The reconfigured lot would allow for a single family home similar to the area. However, this would be the narrowest lot on Booth Avenue, so there would be some altering of the existing character. The essential character would appear to remain.

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

Economic considerations do not appear to be a factor in this request.

ALTERNATIVES

The Planning Commission has the following actions available on the following requests:

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

- A Variance from Chapter 10-7-2. A to allow a parcel with less than 85 feet of lot width at setback line subject to the following conditions:
 1. An Administrative Subdivision approval shall be required to modify the lot boundary. The applicant is responsible for making application for such Administrative Subdivision prior to any survey being submitted to Dakota County.
 2. The Variance shall become void two (2) years after it was granted unless made use of within two (2) years or such longer period as the council, within two years, may provide. This is described in Chapter 10-3-4.F of the City Code.

Practical Difficulty: Granting of the lot width Variance allows reasonable use of a parcel that is currently restricted due to lot size and no road frontage. The Variance would allow for a new single family home on the lot, consistent with surrounding properties.

- A Variance from Chapter 10-5-1 to allow an accessory structure on a lot prior to the time of construction of the principal building subject to the following conditions:

Practical Difficulty: To be determined.

B. Denial: Should the proposed request, or portions thereof, be found not acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

RECOMMENDATION

Staff believe there is a rationale for approving the lot width Variance as it allows for the creation of a buildable lot. Staff does not find a rationale to support the Variance to allow the accessory structure to remain on the new Parcel B. While the shed is located on the current back lot without a house, it should be moved to Parcel A, or moved altogether.

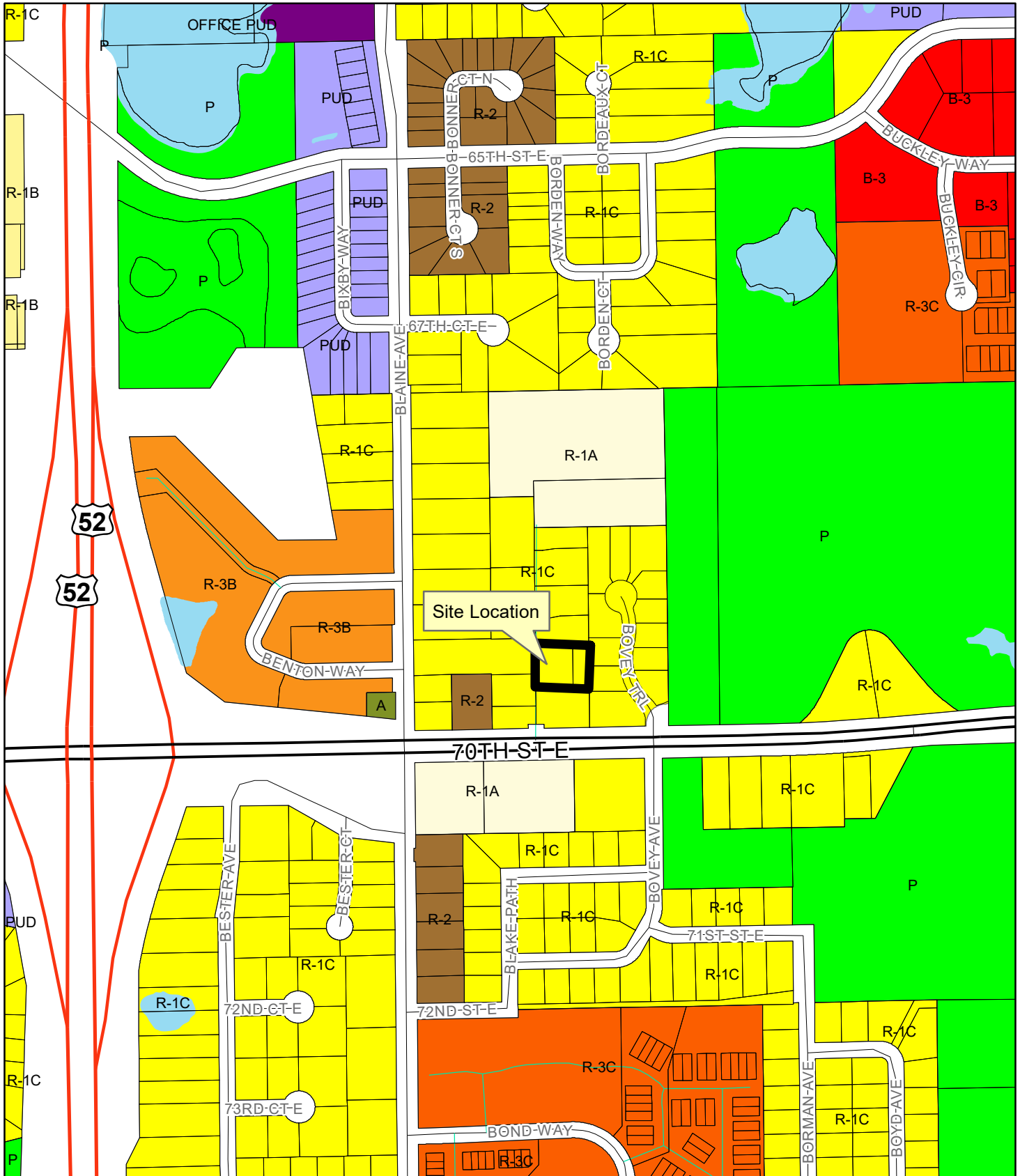
ATTACHMENTS

1. Location Map
2. Narrative
3. Survey



Location Map

Case No. 23-20V



May 5, 2023

City of Inver Grove Heights -Planning & Zoning
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Variance for 6938 Booth Ave
From: Brett & Joy Phares

We are writing to request a variance to our property. We are now retired and it is getting harder to take care of all of the lawn care, etc. to our large lot. Our children are now adults and not living with us anymore. We are also main caretakers for Joy's elderly mother that lives in Richfield and has Alzheimer's, this does require a lot of our time.

After it is split, we are hoping to sell our side lot for a single-family dwelling. At this time, we are asking for a Variance to allow for the new lot to be less than 85 feet wide.

Enclosed is our application fee of \$252.00, our application and other documents needed for this request.

Thank you for your time and consideration.

Brett and Joy Phares
6938 Booth Ave
Inver Grove Heights, MN 55076
651-315-1606 (Brett's cell)

Made For:
Mr. Brett Phares
6938 Booth Avenue East
Inver Grove Heights, MN 55077

Ryan M Peterson

April 18, 2023

Ryan M. Peterson
Registered Land Surveyor
Minnesota Registration No. 60424

LAKE AND LAND SURVEYING, INC.
1200 Centre Pointe Curve, Suite 375
Mendota Heights, Minnesota 55120
Phone: 651-776-6211

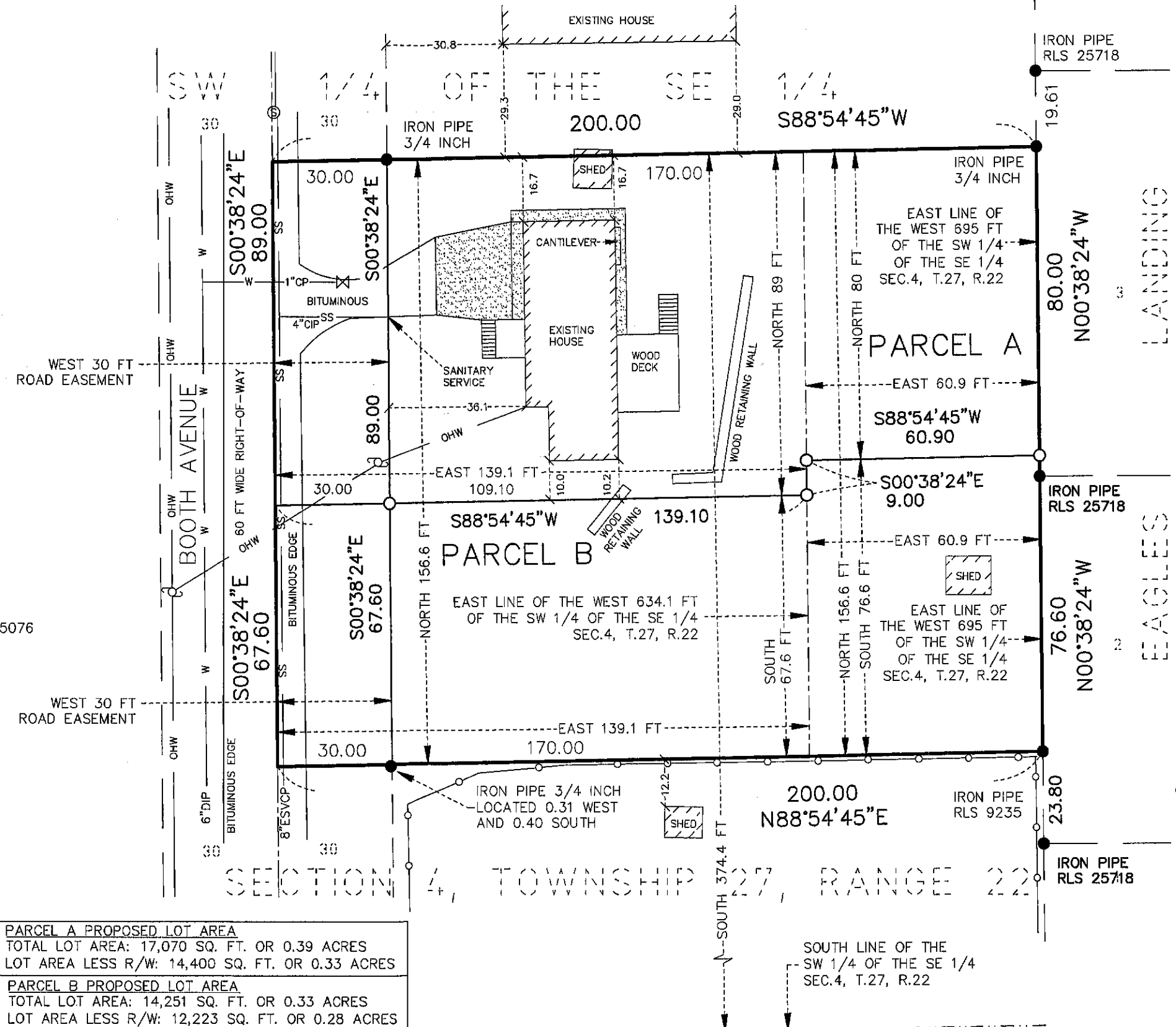
TOTAL EXISTING LOT AREA: 31,321 SQ. FT. OR 0.72 ACRES
SITE ADDRESS: 6938 BOOTH AVENUE, INVER GROVE HEIGHTS, MN 55076

- Denotes 12 Inch Common Spike set with washer stamped RLS 60424 or as noted to be set after lot split approval.
- Denotes Iron Monument found size, type, & RLS as noted.
- Ⓢ Denotes Sanitary Sewer Manhole
- OHW— Denotes Overhead Utility wires
- ⤿ Denotes Utility Pole
- Denotes Wood Fence
- Denotes Chain-link Fence
- ⓖ Denotes Gas Meter
- ⓔ Denotes Electric Meter

 Denotes Concrete Surface

BASIS OF BEARINGS: DAKOTA COUNTY
COORDINATES NAD83 (1986)

LAKE & LAND SURVEYING. JOB NO. 2023.053 RP



GRAPHIC SCALE
1 INCH = 30 FT.

CERTIFICATE OF SURVEY

LAKE AND LAND SURVEYING, INC.

1200 Centre Pointe Curve, Suite 375

Mendota Heights, Minnesota 55120

Phone: 651-776-6211

Made For:

Mr. Brett Phares

6938 Booth Avenue East

Inver Grove Heights, MN 55077

Legal Description (Warrant Deed)

The North 156.6 feet of the South 374.4 feet of the East 139.1 feet of the West 634.1 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township Twenty-seven (27), Range Twenty-two (22).

And

The East 60.9 feet of the West 695 feet of the North 156.6 feet of the South 374.4 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4), in Section Four (4), Township Twenty-seven (27), Range Twenty-two (22).

Also a permanent easement for road purposes over and across the West 30 feet of the East 139.1 feet of the West 634.1 feet of the South 374.4 feet of the Southwest Quarter of the Southeast Quarter (SW 1/4 of SE 1/4) of Section Four (4), Township Twenty-seven (27), Range Twenty-two (22), according to the Government Survey thereof.

Proposed Legal Description: (Parcel A)

The North 80 feet of the South 374.4 feet of the East 60.9 feet of the West 695 feet, and the North 89 feet of the South 374.4 feet of the East 139.1 feet of the West 634.1 feet of the Southwest Quarter of the Southeast Quarter of Section 4, Township 27, Range 22, Ramsey County, Minnesota. Subject to a permanent easement for road purposes over, under, and across the West 30 feet thereof.

Proposed Legal Description: (Parcel B)

The South 76.6 feet of the North 156.6 feet of the South 374.4 feet of the East 60.9 feet of the West 695 feet, and the South 67.6 feet of the North 156.6 feet of the South 374.4 feet of the East 139.1 feet of the West 634.1 feet of the Southwest Quarter of the Southeast Quarter of Section 4, Township 27, Range 22, Ramsey County, Minnesota. Subject to a permanent easement for road purposes over, under, and across the West 30 feet thereof.

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

Ryan M. Peterson

April 18, 2023

Ryan M. Peterson
Registered Land Surveyor
Minnesota Registration No. 60424

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: June 6, 2023

SUBJECT: Consider a Request by Brett Phares, 6938 Booth Ave, for a Variance to allow a Lot Line Adjustment that creates a lot to be less than eighty-five (85) feet wide and a Variance to allow an accessory structure on a lot before a primary structure. (Case No. 23-20V)

Reading of Public Notice

Commissioner Heidenreich read the Public Hearing Notice. The notice was mailed to 7 properties on May 18, 2023.

Presentation of Request

Senior Planner Hunting presented a summary of the staff report.

Planning Commission Discussion

Commissioner Wippermann inquired if the accessory structure as it stands today would be considered an illegal non-conforming structure. Hunting stated that because of the size of the shed a building permit was not required. It would not be a legal conforming structure because at no time was it ever allowed or legal. Wippermann stated that the proposed change in lot lines would not change the shed status. Hunting confirmed that is correct.

Opening of the Public Hearing

Brett Phares, 6938 Booth Ave, Applicant, confirmed that he has read and understands the staff report. Mr. Phares questioned if the shed could stay in its current place until the newly created lot was sold. He needs it to stay in place to store lawn equipment that is used to take care of the empty lot. Niemioja questioned if there was a concrete slab under the shed. Phares stated that there is not, the shed is on concrete blocks. Will look into moving the shed with a bobcat onto his lot.

Ilya Zubarev, 17218 Finch Path, Farmington, 55024, inquired if the concrete blocks are mortared in place if that would be considered a Practical Difficulty. Mr. Phares stated that the blocks are not mortared and only stacked.

Planning Commission Recommendation

Motion by Heidenreich, Second by Wippermann, to Approve the Variance Request to Allow a Parcel with less than 85 feet of Lot Width at Setback Line subject to the Conditions listed in the Staff Report and based on the Practical Difficulty listed in the Staff Report.

Ayes: 5

Nays: 0 Motion carried.

Commissioner Schaefer questioned what the rationale or intent is behind the rule that a primary structure must be on a lot before an accessory structure. Hunting stated that the assumption is

that with single family properties there would be a primary structure before you would have an accessory to the primary structure. Schaefer questioned if the two lots are owned by the same people would the accessory structure still be in violation. Hunting stated that it would be, because the lots are still considered two separate lots regardless of ownership.

Brett Phares, 6938 Booth Ave, Applicant, stated that he would like the accessory structure to be grandfathered in because when they purchased the properties, they were surveyed wrong. Was under the impression that they were purchasing one parcel of land, not two separate parcels.

Motion by Heidenreich, Second by Schaefer, to Deny the Variance Request to allow an Accessory Structure on a Lot Prior to the time of Construction of the Principal Structure.

Ayes: 5

Nays: 0 Motion carried. Item goes before City Council June 26, 2023.



Request for Council Action

SUBJECT: **Consider Request for a Variance from Accessory Structure Size Limitations, 5850 Asher Avenue**

MEETING DATE: June 26, 2023

ITEM TYPE: Regular Business

CONTACT: Heather Botten, Associate Planner, 651.450.2569

ACTION REQUESTED

The Council is asked to consider a Variance to allow a 1,365 square foot accessory building, whereas 1,000 square feet is the maximum size allowed, for the property located at 5850 Asher Avenue (Rechtzigel - Case No. 23-23V).

- Requires a 3/5th's vote

- 60-day deadline: July 8, 2023

BACKGROUND

The applicant is requesting an after-the-fact variance to allow a 1,365 square foot accessory structure on a property that is 0.52 acres in size. The maximum size of an accessory structure allowed on the lot is 1,000 square feet.

The house on the property was built in 1973. It originally had an attached, single-stall, tuck under garage. Prior to the current owner acquiring the property, the garage was converted into living space. A 970 square foot detached garage was then constructed on the property behind the home. When the applicant acquired the property, he demolished the detached structure as it was in disrepair and replaced it with a new 1,365 square foot structure. The detached garage is located behind the house and meets all required setbacks.

The property may be considered unique in that there is not an attached garage and due to the layout of the home and location of the home on the property, it is not conducive to add a new attached garage. However, the City Code does not allow flexibility for properties that do not have an attached garage to have more than one or a larger than allowed detached structure.

Regulations on gross square footage and the number of accessory structures were created to regulate the massing of structures on residential lots. The request for additional square footage appears to be a convenience to the landowner and not necessarily dictated by unique circumstances of the property.

FISCAL IMPACT

Not applicable.

RECOMMENDATION

Planning staff: Staff recommends denial of the Variance request as the additional square footage could be considered a convenience to the landowner and not necessarily dictated by unique circumstances of the property. Staff believes the facts presented do not satisfy the criteria needed to demonstrate a practical difficulty on the lot to support granting a Variance.

Planning Commission: At the June 6, 2023, public hearing, the Planning Commission recommended denial of the requests based on the lack of practical difficulty on the lot to support granting a Variance (5-0).

ATTACHMENTS

1. Resolution of Denial
2. Resolution of Approval
3. Planning Commission Recommendation
4. Planning Report

Denial variance

CITY OF INVER GROVE HEIGHTS DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION DENYING A VARIANCE TO EXCEED THE 1,000 GROSS SQUARE FEET MAXIMUM SIZE ALLOWED FOR AN ACCESSORY STRUCTURE IN THE R-1B, ZONING DISTRICT

CASE NO. 23-23V
Rechtizigel

The owner (the "Applicant") of the real property located at 5850 Asher Avenue and legally described as follows:

LOT 1, KNOLLWOOD HEIGHTS 2ND ADDITION, DAKOTA COUNTY, MN

(the "Property") has applied for a variance; and

WHEREAS, specifically, the Applicant is requesting a variance to construct an accessory structure 1,365 gross square feet in size (the "Variance Application") whereas 1,000 gross square feet is the maximum size for accessory structures allowed within the R-1B, Single-Family Residential zoning district; and

WHEREAS, the Property is zoned R-1B, Single-Family Residential; and

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; and

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the Variance Application on June 6, 2023 in accordance with City Code Section City Code 10-3-3:C and recommended DENIAL of the Variance Application based on failure of the Applicant to meet the legal requirements for granting a variance, namely the inability to demonstrate a practical difficulty; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals, considered the Variance Application at its June 26, 2023 Council Meeting after reviewing and considering the reports, documents, testimony, and other materials presented at the meeting; and

WHEREAS, the City Council, acting as the Board of Adjustments and Appeals, may deny a variance if it finds that the standards for granting a variance found in Minn. Stat. Sec. 462.357, subd. 6 and Inver Grove Heights City Code Section 10-3-4 are not met; and t

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Inver Grove Heights that the application for a variance for an accessory structure 1,365 gross square feet in size where the maximum size of an accessory structure is 1,000 gross square feet is hereby **DENIED** based on the following findings of fact:

1. The requested variance is not consistent with all the standards for granting a variance as described in Minn. Stat. Sec. 463.357, subd. 6 and Inver Grove Heights City Code Section 10-3-4, specifically:
 - a. The City Council finds that the Applicant has failed to establish that there are practical difficulties in complying with the zoning ordinance, in that:
 - i. The plight of the landowner is not due to circumstances unique to the property not created by the landowner.
 - ii. There are no conditions unique to this Property that would necessitate an accessory structure larger than that allowed by the City's zoning ordinance.
 - iii. The proposed variance is not in keeping with the spirit and intent of the City's zoning ordinance, as the requested variance is made purely for the convenience of the Applicant.

Adopted by the City Council of Inver Grove Heights this 26th day of June, 2023.

Brenda Dietrich, Mayor

Ayes:

Nays:

ATTEST:

Rebecca Kiernan, City Clerk

Approval variance

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A VARIANCE TO EXCEED THE 1,000 GROSS SQUARE FEET
MAXIMUM SIZE ALLOWED FOR AN ACCESSORY STRUCTURE IN THE R-1B, ZONING
DISTRICT**

**CASE NO. 23-23V
Rechtizigel**

Property located at 5850 Asher Avenue and legally described as follows:

LOT 1, KNOLLWOOD HEIGHTS 2ND ADDITION, DAKOTA COUNTY, MN

WHEREAS, the applicant is requesting a variance to construct an accessory building 1,365 square feet in size whereas 1,000 gross square feet is the maximum size allowed;

WHEREAS, the afore described property is zoned R-1B, Single-Family 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 June 6, 2023 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.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to allow a 1,365 square foot detached accessory structure 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 structure shall not be used for commercial uses, storage related to a commercial use, or home occupations.
3. A stormwater facility maintenance agreement shall be approved between the City and the applicant prior to receiving the final Certificate of Occupancy for the structure.

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 26th day of June, 2023.

Brenda Dietrich, 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: June 6, 2023

SUBJECT: Consider a Request by Ryan Rechtzigel, 5850 Asher Ave, for a variance to allow a detached accessory structure 1,365 square feet in size, whereas 1,000 gross square feet is the maximum size allowed. (Case No. 23-23V)

Reading of Public Notice

Commissioner Heidenreich read the Public Hearing Notice. The notice was mailed to 4 properties on May 18, 2023.

Presentation of Request

Associate Planner Botten presented a summary of the staff report.

Opening of the Public Hearing

Ryan Rechtzigel, 5850 Asher Ave, Applicant, stated that he has cars and tools that he uses for his occupation as a tile layer that he would like to have stored inside a garage. The neighbor has over 2,000 square feet of garage space allowed on his property. A contractor was hired to build the garage and he was under the impression that a permit was pulled and done correctly. Chair Niemioja questioned if he operates his business out of the garage. Mr. Rechtzigel stated that he is a one man show and that the garage just houses the tools.

Commissioner Heidenreich questioned if tile setters are required to be licensed contractors. Mr. Rechtzigel stated that he does not have a contractor's license, he is a subcontractor. His jobs are only finishers, tiling floors, and showers.

Jacob Buendorf, 6601 Buckley Circle, stated that he has no relation to the applicant, but has experienced the process of building a detached garage. Understands the frustration with lot sizes and zoning requirements. Doesn't believe that requiring the applicant to take down the garage is an acceptable punishment. The garage doesn't impact the city or residents in a negative way that would warrant a substantial cost to the applicant.

Planning Commission Discussion

Chair Niemioja stated that while working at Salem Elementary she has seen the structure. It looks aesthetically nice but is large. Unfortunate that there wasn't a building permit pulled originally.

Commissioner Heidenreich stated that the City Council has more flexibility over this sort of situation than the Planning Commission. A precedence does not want to be set.

Commissioner Wippermann stated that he is concerned that they would be setting a situation where it would be easier to ask for forgiveness than for permission. A reasonable practical difficulty would have to be found and am not sure what that would be.

Commissioner Teiken questioned if the neighbors garage space is 2,000 square feet as the

applicant implied. Mr. Rechtzigel stated that the accessory structure is about 1,200 square feet and there is about a 900 square foot attached garage. His one garage is still smaller than the neighbors two garage buildings square feet. Teiken stated that because the applicant doesn't have space for an actual garage, would that be able to be used as a practical difficulty. Mr. Rechtzigel stated that the original garage was a tuck under garage, that had flooded and when the past owners went to fix the issue, they didn't fix it correctly.

Commissioner Heidenreich questioned if the rules change if the applicant is running a business out of his home/garage. Botten stated that home occupations are not allowed to run out of residential accessory buildings. Mr. Rechtzigel stated he needs a secure place to store his own personal tools and vehicles.

Commissioner Schaefer questioned if a breezeway was built connecting the primary and accessory structures, would it still be considered an accessory structure. Botten stated that a breezeway doesn't work towards connecting the two structures. There would have to be shared walls, that had foundation and footings, for it to be considered an attached structure. If that was possible, it would be considered a house addition.

Planning Commission Recommendation

Motion by Heidenreich, Second by Wippermann, to Deny the Variance Request for an Accessory Structure 1,365 square feet whereas 1,000 feet based on the Conditions listed in the Staff Report.

Ayes: 5

Nays: 0

Motion carried.

Item goes before City Council June 26, 2023.



Planning Commission Report

MEETING DATE:	June 6, 2023
CASE NO:	23-23V
APPLICANT:	Ryan Rechtzigel
PROPERTY OWNER:	Same as Applicant
REQUEST:	Variance from the maximum size of an accessory structure
LOCATION:	5850 Asher Avenue
COMPREHENSIVE PLAN:	LDR, Low Density Residential
ZONING:	R-1B, Single Family Residential
STAFF CONTACT:	Heather Botten, 651.450.2569

ACTION REQUESTED

The request consists of the following:

A Variance from City Code Sections 10-9A and 10-15-18 to allow an accessory structure 1,365 square feet in size whereas 1,000 gross square feet is the maximum size allowed.

BACKGROUND

The applicant is requesting an after-the-fact Variance to allow a 1,365 square foot accessory structure. The property is 0.52 acres in size and zoned R-1B, Single Family Residential. The maximum size of an accessory structure allowed in the R-1 district is 1,000 gross square feet.

The house on the property was built in 1973. It originally had an attached single-stall garage. Previously to the current owner acquiring the property, the garage was converted into living space. A 970 square foot detached garage was then constructed on the property behind the home. When Mr. Rechtzigel acquired the property, he demolished the detached structure as it was in disrepair and replaced it with the new structure. The garage is setback behind the house and meets all required setbacks. The applicant calculated the impervious surface on the property, including the detached garage, the property exceeds the maximum allowed. Once the Variance process is complete, a Stormwater Facilities Maintenance Agreement will be required between the owner and the City to treat the additional hard surface.

EVALUATION OF REQUEST

The following Land Uses, Zoning Districts, and Comprehensive Plan designations surround the property:

North	Vacant / ISD 199 Property	Zoned: P, Institutional	Guided: Public Open Space
East	School / ISD 199 Property	Zoned: P, Institutional	Guided: P, Public Institutional
West	Single Family Residential	Zoned: R-1B, Single Family	Guided: LDR, Low Density Residential
South	Single Family Residential	Zoned: R-1B, Single Family	Guided: LDR, Low Density Residential

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 City Council has reviewed and modified the allowed size of accessory structures over the years, increasing the size on larger lots, but has held the size in the urban areas to control the massing of structures. Even though the applicant is only asking for a 365 square foot Variance, staff does not believe the Variance request is consistent with, or in harmony with the Zoning Ordinance and Comprehensive Plan.

2. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.

Single-family homes with an attached garage are allowed one detached accessory structure, up to 1,000 gross square feet. In this case, the property does not have an attached garage. City Code does not allow any flexibility for properties that do not have an attached garage to have more than one or larger detached structures.

The property can be used in a reasonable manner without the need for a Variance as a 1,000 square foot detached garage is allowed on the property.

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

The property may be considered unique in that there is not an attached garage and due to the layout of the home and location on the lot, it is not conducive to add an attached garage.

A larger structure appears to be a convenience to the landowner and not necessarily dictated by unique circumstances of the property.

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

The applicant's property is 0.52 acres in size. A maximum accessory structure size of 1,000 square feet was based partly on limiting the size or bulk of buildings on R-1B lots. Allowing large accessory buildings could have visual impacts on neighborhoods. The applicant's lot is abutting school district property to the north and east. The lot to the south received an accessory structure Variance in 2004. Due to the size of the lots, location of the structure, size of a neighboring structure, and the fact the applicant does not have an attached garage, the proposed structure does not necessarily appear to alter the character of the neighborhood.

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

Economic considerations do appear to be a basis for the request. The structure is already built. The applicant hired a contractor to build the garage, and neither party pulled a permit.

ALTERNATIVES

A. Approval. If the Planning Commission finds the application acceptable, the following request should be recommended for approval:

- Approval of a Variance to allow an accessory structure of 1,352 feet in size subject to the conditions listed below:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The accessory structure shall not be used for commercial uses, storage related to a commercial use, or home occupations.
 3. A Stormwater Facility Maintenance Agreement shall be approved between the City and the applicant prior to receiving the final Certificate of Occupancy for the structure.

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 Variances.
3. The facts presented did not satisfy the criteria needed to show a practical difficulty on the lot to support granting a Variance. A larger structure appears to be a convenience to the landowner and not dictated by unique circumstances of the property.

RECOMMENDATION

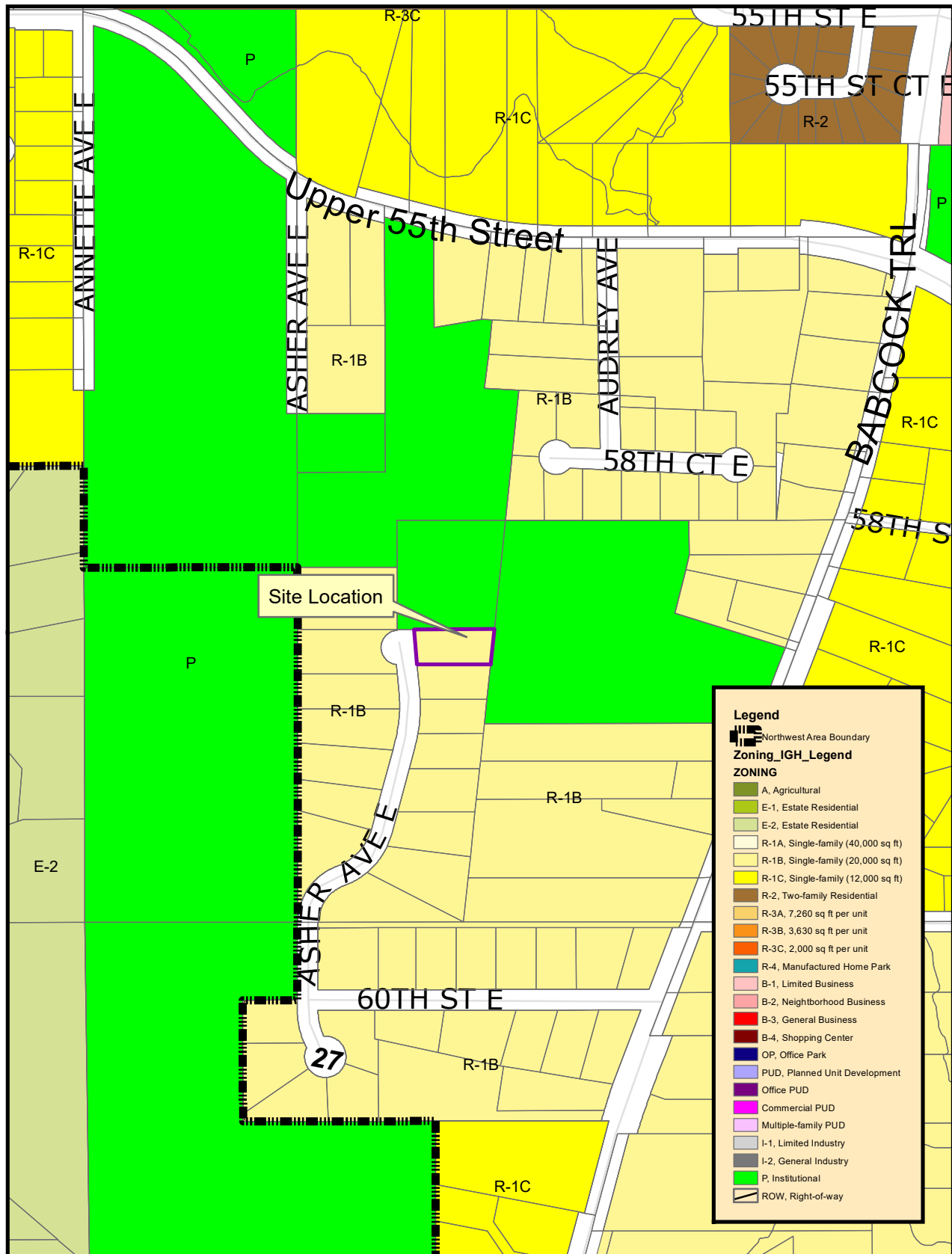
Over the years, City Council has not changed the maximum size allowed of accessory structures in urban areas. When they have increased the size in rural areas, staff considers this to be the direction for the City to limit size of accessory structures. Staff does not believe there is sufficient rationale to support all criteria of a Variance review and therefore recommends denial of the request as proposed.

ATTACHMENTS

1. Zoning and Location Map
2. Narrative
3. Site Plan



5850 Asher Avenue



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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

Surrounding Property Owner Information

Across Street:

5851 Asher Ave, Inver Grove Height 55077

Alex J Voves

Abutting Property To South:

5866 Asher Ave, Inver Grove Heights 55077

James & Melanie Stickler

Abutting Property To North:

Independent School District 199

Variance Narrative

Request by owner to the city of Inver Grove Heights for the variance to increase the allowable square footage of a detached garage.

Property Data

Address: 5850 Asher Ave

Section Township Range: 32-28N-22W

Zoning: R-1B

Lot Size: 22,837 Sq Ft

The Subject Property is located at the end of Asher Ave on the end of the cul-de-sac. Which has only one abutting neighbor. The current house on the property was built in 1973 with a foundation size of 1706 Square feet. The house was originally built with a tuck under garage which in turn led to flooding of the basement. At some point the garage stall openings were replaced with cinder blocks and the driveway was backfilled. Owners then built a detached garage that was roughly 960 square feet but neglected the main power line feeding the house. The power line now is dangerously close to the ground. When purchased by Ryan, The garage was beyond saving (Filled with mold and rotten to the point it was a hazard to anyone on the property).

The variance request is to increase the maximum detached structure square footage to 1365. The current property layout does not allow for an attached garage to be built. The current neighbor to the south was approved for a variance for a detached structure with a square footage of 1152 but also has a 780 square foot attached garage.

If the variance is approved the owner will be able to enjoy a garage large enough to store collector cars in and still be able to park inside during the winters.

The property owner to the south that shares a property line with the structure in question approves the variance.

Variance for Practical Difficulties and Circumstances Unique to the Property

That because of the special circumstances applicable to the property including its size, shape, topography, location and surroundings will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district.

The variance request to increase the allowable square footage of a detached structure is due to the unique shape of the lot and placement of the existing house. The placement of the house only allows for a single car lane to be placed to the north of the lot to not encroach on the school district property. Which in turn does not allow for an attached garage to be constructed. Thus the garage must be placed in the back yard of the house.

Due to the neighbor's lot layout, he was able to build an oversized accessory structure while maintaining an attached garage for daily vehicles to be parked. Granting him the ability to use the back garage as a fully open garage for cars and trucks and tools for his job to be stored.

The additional 336 square feet requested will be used to allow for the new owners to store their classic cars and daily driven vehicles in the garage simultaneously.

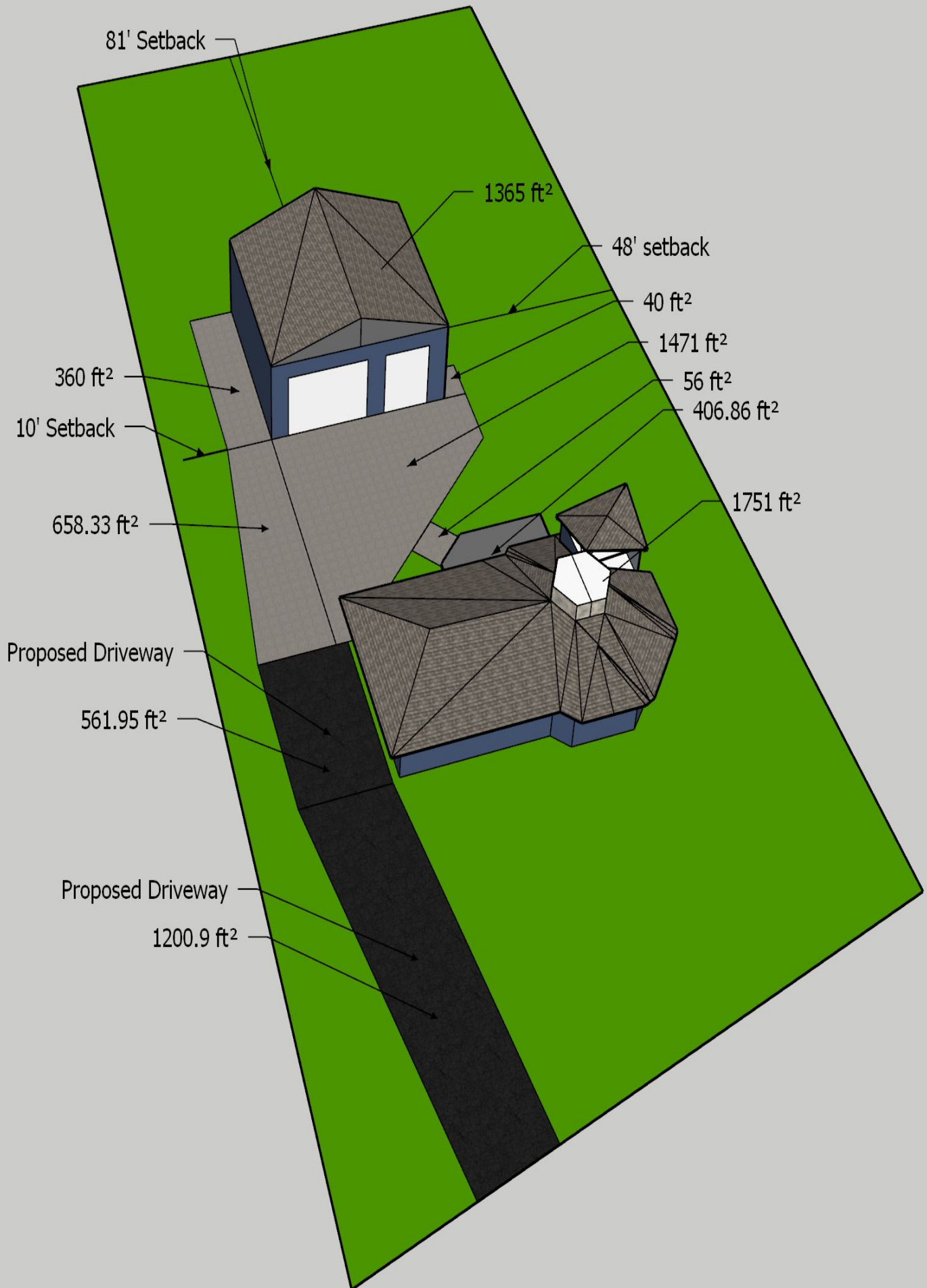
Practical and Beneficial Use

If the variance is approved the detached structure will be used as a place to park daily driven vehicles and collector cars for the owner as well as tools for his tile and stone business. Which will allow for items to be placed inside out of the weather which will in turn clean up the street view of the lot making it more appealing to neighbors and passerby's.

Circumstances leading up to the erection of the Building and Concrete

On a job site I had met a guy who told me he would be able to build the garage for me. I was under the impression that he was a licensed contractor and that all building permits were pulled prior to the erection of the building. The supposed contractor by the name of "Jeff Ruddy" came to my house and had me go and purchase the materials to frame the building. He installed all footings and concrete slab prior to framing. He stood up the building in 3-4 days and had it roofed. He then asked me for payment and I gave him cash for the labor that he had done up to that point. After that I was unable to get into contact with him. The building sat without siding or windows installed only with house wrap on it for about 3 weeks until I got fed up with it and had a few friends of mine come over to get it finished. We installed the windows and the siding, soffit and fascia. I then hired a company to come install the garage doors.

Being this is my first house, I am now aware I should have done more due diligence with vetting the contractor prior to the construction of the building. All I was looking to do was create a nice house for me to start a family in. Moving forward I will make sure that all permits are properly pulled and by licensed individuals.



Request for Council Action

SUBJECT: **Consider a Comprehensive Plan Amendment for the Southeast Corner of Buckley Way and Buckley Circle**

MEETING DATE: June 26, 2023

ITEM TYPE: Regular Business

CONTACT: Allan Hunting, City Planner, 651.450.2554

ACTION REQUESTED

The Council is asked to consider a request to amend the Comprehensive Plan land use designation for a parcel located at the southeast corner of Buckley Way and Buckley Circle from Mixed-Use to Medium Density Residential (MDR). (Ilya Zubarev Case No. 23-21PA).

- Requires 4/5th vote
- 60-day deadline: July 7, 2023 (first 60 days)

BACKGROUND

The applicant is seeking to change the land use designation of a vacant 0.92 acre parcel to residential for a future townhome project consisting of approximately 10 dwelling units.

A sketch plan has been provided showing two rows of townhomes with five units each along either side of a private driveway gaining access onto Buckley Circle.

If the comprehensive plan amendment is successful, an application for rezoning, platting and a conditional use permit will be required before development can occur. This later process provides for public review and comment on the actual site plan.

The general area around the intersections of 65th and Buckley Way at Cahill Avenue was guided Mixed-Use in the 2040 Comp Plan. It was envisioned that this area has some greater development potential than what exists. This parcel is located to the far west of this Mixed-Use designated area. A possible redevelopment of the area could contain a mix of commercial and higher density residential uses that could be walkable and contain their own amenities. It could also contain some elements of a “city center” type development. This would be a larger redevelopment prospect and could take several years before something happens.

Points to consider regarding the proposed change, include:

- The existing area already contains medium density housing to the southwest and south. A change to residential would fit the area and not be out of character.
- The site is visibly separated from the commercial development along Cahill Avenue. Commercial development may be challenged since a business would not be visible to passing traffic along Cahill.

- The property is currently zoned B-3, General Business. The Council has been reluctant to change land use designations or zoning which would reduce the number of vacant parcels of commercial zoned property for future development.
- If portions of the Cahill/65th Street area did begin to redevelop with more residential, keeping properties with commercial guiding would provide future commercial opportunities. It would appear a larger scale redevelopment, including Village Square, is still a number of years off, therefore retaining the current land use pattern keeps commercial opportunities open.

FISCAL IMPACT

n/a

RECOMMENDATION

At thier June 6 meeting, the Planning Commission voted 5-0 to recommend approval of the comp plan amendment.

Attached are two resolutions for Council's consideration, one to approve the request and one to deny.

ATTACHMENTS

1. Resolution to Approve Comp Plan Amendment
2. Resolution to Deny Comp Plan Amendment
3. Planning Commission Recommendation
4. Planning Report
5. Location Map
6. Map of Comp Plan Guiding
7. Applicant's Narrative

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT TO CHANGE
THE LAND USE DESIGNATION FROM MIXED USE TO MDR, MEDIUM DENSITY
RESIDENTIAL**

**CASE NO. 23-21PA
(Ilya Zubarev)**

WHEREAS, an application has been submitted to amend the future land use map in the City of Inver Grove Heights' Comprehensive plan to reguide the land use designation from Mixed Use to MDR, Medium Density Residential for the real property (Property) legally described as;

Outlot A, Valley View 4th Addition, according to the recorded plat thereof, Dakota County, Minnesota,

WHEREAS, an amendment to the City's Comprehensive Plan may be approved by the City Council on an affirmative vote of 4/5ths of the Council per Minn. Stat. Sec. 462.355, subd. 3;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the application on June 6, 2023 held a public hearing regarding the application following posted and published notice of the same, and recommended approval of the Application to the City Council;

WHEREAS, following a review of the application, the change to the City's Comprehensive Plan Land Use Plan was found by the City Council to be consistent with the existing and proposed uses in the area, beneficial to the City, and in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, that the Comprehensive Plan Map Amendment amending the City's

future land use plan to reguide the property from Mixed Use to MDR, Medium Density Residential is hereby approved subject to the following conditions:

1. The comprehensive plan land use change shall not become effective until reviewed by the Metropolitan Council and rezoning, final plat and final planned unit development plans have been approved by the City Council.
2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
3. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.

Adopted by the City Council of Inver Grove Heights on this 26th day of June, 2023.

Ayes:

Nays:

ATTEST:

Brenda Dietrich, Mayor

Rebecca Kiernan, City Clerk

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

RESOLUTION NO. _____

**RESOLUTION DENYING A COMPREHENSIVE PLAN MAP AMENDMENT TO CHANGE THE
LAND USE DESIGNATION FROM MIXED USE TO MDR, MEDIUM DENSITY RESIDENTIAL**

**CASE NO. 23-21PA
(Ilya Zubarev)**

WHEREAS, an application has been submitted to amend the future land use map in the City of Inver Grove Heights' Comprehensive plan to reguide the land use designation from Mixed Use to MDR, Medium Density Residential for the real property (Property) legally described as;

Outlot A, Valley View 4th Addition, according to the recorded plat thereof, Dakota County, Minnesota,

WHEREAS, an amendment to the City's Comprehensive Plan may be approved by the City Council on an affirmative vote of 4/5ths of the Council per Minn. Stat. Sec. 462.355, subd. 3;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the application on June 6, 2023 held a public hearing regarding the application following posted and published notice of the same, and recommended approval of the Application to the City Council;

WHEREAS, following a review of the Application, the change to the City's Comprehensive Plan Land Use Plan was found by the City Council to be contrary to the development direction for this part of the City and inconsistent with the existing and proposed land uses in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, that the application for a Comprehensive Plan Map Amendment

amending the City's future land use plan to reguide the Property from Mixed Use to MDR, Medium Density Residential is hereby denied based on the following findings of fact:

1. The City's existing comprehensive plan, which was adopted relatively recently, represents the best vision for the future land use for the Property and the City at this time.
2. The property is currently zoned B-3, General Business. Changing the land use designations or zoning would reduce the number of vacant parcels of commercial zoned property for future development.
3. The City's circumstances and vision have not changed measurably in any way to support the impact to the Comprehensive Plan that would be effectuated by the proposed amendment.
4. The proposed comprehensive plan amendment would not have a positive impact on the health, safety, and general welfare of the citizens of the community and the surrounding land.

Adopted by the City Council of Inver Grove Heights on this 26th day of June, 2023.

Ayes:

Nays:

ATTEST:

Brenda Dietrich, Mayor

Rebecca Kiernan, City Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: June 6, 2023

SUBJECT: Consider a Request by Ilya Zubarev, PID No. 20-81403-00-010, for a Comprehensive Plan Amendment to change the Land Use from Mixed Use to MDR, Medium Density Residential for a potential townhome development located on a lot at the southeast corner of Buckley Way and Buckley Circle. (Case No. 23-21PA)

Reading of Public Notice

Commissioner Heidenreich read the Public Hearing Notice. The notice was mailed to 70 properties on May 18, 2023.

Presentation of Request

Senior Planner Hunting presented a summary of the staff report.

Planning Commission Discussion

Commissioner Schaefer questioned if the environmental concerns is making it hard for a commercial loan and development. Wouldn't it be more concerning to have residential development on the site. Hunting stated that the landowner would have to do environmental reviews before they did go ahead and develop the land.

Opening of the Public Hearing

Ilya Zubarev, 17218 Finch Path, Farmington, Applicant, stated that he has read and understood the staff report. The unique property has been listed as possibly being contaminated. Businesses that would want to develop the site would want to use a small business administration loan, but that sort of loan cannot be used on this sort of land. The property has been for sale for over 20 years, with potential businesses interested but with the archive of potentially being contaminated can't be developed using business loans. By changing the land use to medium density residential, the plan would be to build townhomes using a conventional loan. The first phase would include three townhomes, with the first home being for his family, the next home for his mother and the third home for his brother. The interest in this specific property is because it is small enough that they can afford. Tests were done on this property and all of the results came back below the Minnesota pollution standards. That shows that it is safe to develop the property, but the site still remains on the archive.

Chair Niemioja questioned what the target price for each unit would be. Mr. Zubarev stated that the plan is to not sell any of the units. Family and friends should be able to fill them, in-between they would be rented to reasonably vetted people.

Commissioner Schaefer questioned staff if TIF loans would be available to help develop this property. Community Development Director Rand stated often city's do have TIF loans available to help of set costs with some properties. The City of Inver Grove Heights does not have any

TIF districts.

Jacob Buendorf, 6601 Buckley Circle, stated that he lives next door to the property that is being discussed. Not opposed to new development, worried about changing from commercial to residential. Is a fan of the 2040 Comprehensive Plan and the plan for this area. Would like to see the zoning stay Mixed Use and keep the assortment available in the area. Concerned that the backyards of the townhomes would be a concern for neighboring commercial properties.

Janice Darsow, 6610 Buckley Circle, stated that her backyard faces the property. Is not opposed to change but is wondering if the townhomes will be like the surrounding townhomes. Would the proposed 10 units be feasible on this property. Hunting stated that the applicant would have that figured out during the Site Plan review and may not be able to get to 10 units.

Mr. Zubarev showed the design of what the townhomes would look like. Is also open to different design options.

Beth Marschall, 6640 Buckley Circle, stated that she has lived there for 35 years, and the lot has always been empty. If the change goes through, then doesn't end up happening. Can the property be changed back to Mixed Use. Hunting stated that if the City Council approved the Site Plan the guiding and rezoning would change to residential. If the project doesn't happen, and a different applicant proposes a new project for a different land change.

Questioned if the townhomes would be built right away. Mr. Zubarev stated that three units would be built right away and then sporadically over 10 years span.

Ms. Marschall stated that when it comes to having the townhomes being rentals, a lot of the neighbors are seniors and with the turnover that rental units create.

Natasha Zubarev, 17218 Finch Path, Farmington, Co-Applicant, stated that they have rented the basement of their current house in the past, and have made sure that all of the renters have been safe. They plan on moving into the community and will be living on site and will have kids in the next few years. Also, hoping that a lot of their friends will live in some of the townhomes.

Beth Marschall, 6640 Buckley Circle, stated that the corner that the parcel is in, it not very safe, people really speed and it's a very busy area. Parking may also be an issue, and especially during Inver Grove Heights Days.

Jacob Buendorf, 6601 Buckley Circle, questioned what the minimum number of units would be considered medium density residential. Hunting stated that medium density residential range is 8-12 units per acre and this parcel is 0.92 acre. Mr. Buendorf questioned what would happen if the applicant was only able to afford to build the three first units. Hunting stated that not sure that has ever been the case with a project.

Chair Niemioja questioned if there was ever a thought to subdivide the units instead of rent them. Mr. Zubarev stated that they would be subdivided and if they do need to sell off a couple at a time, if they need.

Commissioner Teiken questioned how many units at a time would potentially be rented. Mr. Zubarev stated that the idea would be to have all 10 units have family and friends living in them and in between, renters that they get to know.

Marie Gadway, 6601 Buckley Circle, #104, stated that having the units being rented shouldn't be a problem because the owners will also be living on site.

Planning Commission Discussion

Commissioner Heidenreich stated that the land has been vacant for 35 years, obviously what they have been trying isn't working. Recommend the change and have more residents.

Commissioner Teiken stated that there is street facing commercial space available along Cahill Ave, the need for housing is there.

Chair Niemioja stated that their points are all well made. The property fits well with medium density residential bordering the site.

Commissioner Wippermann stated that it seems to be an appropriate change for the property.

Planning Commission Recommendation

Motion by Wippermann, Second by Heidenreich, to Approve a Comprehensive Plan Amendment Request Subject to the Conditions listed in the Staff Report.

Ayes: 5

Nays: 0 Motion carried. Item goes before City Council June 26, 2023.



Planning Commission Report

MEETING DATE:	June 6, 2023
CASE NO:	23-21CPA
APPLICANT:	Ilya Zubarev
PROPERTY OWNER:	Joseph Zywiec
REQUEST:	Comprehensive Plan Amendment to change Land Use from Mixed Use to MDR, Medium Density Residential.
LOCATION:	Buckley Way and Buckley Circle
COMPREHENSIVE PLAN:	Mixed Use
ZONING:	B-3, General Business
STAFF CONTACT:	Allan Hunting, 651.450.2554

ACTION REQUESTED

Comprehensive Plan Amendment to change Land Use from Mixed Use to MDR, Medium Density Residential.

BACKGROUND

The applicant is proposing to change the Land Use designation of a vacant 0.92 acre parcel to residential for a potential future townhome project consisting of approximately 10 dwelling units.

A sketch plan has been provided showing two rows of townhomes with five units each along either side of a private driveway gaining access to Buckley Circle.

If the Comprehensive Plan Amendment is successful, an application for Rezoning, Platting, and Conditional Use Permit will be required before development can occur. This latter process provides for public review and comment on the actual site plan.

Surrounding Uses

The subject property is surrounded by:

North: Office Buildings; Zoned B-3, General Business; Guided Mixed Use.

East: Commercial and Office Buildings; Zoned B-3; General Business; Guided Mixed Use.

West: Vacant (old rubbish dump) and Townhomes; Zoned B-3, R-3C, Multiple Family; Guided Mixed Use, MDR, Medium Density Residential.

South: Townhomes; Zoned R-3C; Guided MDR, Medium Density Residential.

EVALUATION OF REQUEST

Comprehensive Plan Amendment

The subject parcel is currently guided Mixed Use.

Mixed Use is defined in the 2040 Comprehensive Plan as:

"Mixed Use areas consist of lots or parcels that contain a mix of retail/service Commercial, Office, Institutional, Higher Density Residential, Public Uses and/or Park and Recreation Uses, Organized in a pedestrian-friendly environment. High Density Residential components within Mixed Use are intended to accommodate housing at densities exceeding 12 units per net acre. Residential uses in this category will be principally limited to higher density apartment or condominium buildings for either general occupancy or for specific segments of the population such as senior housing. It is expected that 1/3 of these areas will develop as non-residential and 2/3 will develop as residential uses."

The applicant is proposing the change the Land Use designation to MDR, Medium Density Residential (8-12 units/acre) to fit the sketch plan of 10 townhome units.

MDR, Medium Density Residential is defined in the 2040 Comprehensive Plan as:

"Medium Density Residential accommodates somewhat higher residential densities ranging from 8-12 dwelling units per net acre. Uses in this classification include higher density townhome developments and apartments, all with full public utility service."

The general area around the intersections of 65th Street and Buckley Way at Cahill Avenue was guided Mixed Use in the 2040 Comprehensive Plan. It was envisioned that this area has some greater development potential than what exists. A higher and better mix of uses would be a benefit to the City. For example, the Village Square shopping center has large portions of the site used for a parking lot area. Over the years, the intensity of the site has been reduced when portions of the old shopping center were removed and only three smaller buildings remain. The balance of the site includes large parking areas that are left unused. A possible redevelopment of the area could contain a mix of commercial and higher density residential uses that could be walkable and contain their own amenities. It could also contain some elements of a "city center" type development. This would be a larger redevelopment prospect and could take several years before something happens.

The main issue is what is the most appropriate future land use for the property. The following discussion addresses some of the issues that Staff has raised regarding the land use change.

Existing Uses

The site is currently surrounded by a mix of different residential, commercial and office type uses. There are townhomes to the south, small apartment buildings to the southwest, a vacant site with contamination problems to the west, commercial/medical to the east and office type uses to the north.

The following provides some rationale for approval and denial of the proposed land use change.

Rationale for the Land Use Change

- The existing area already contains medium density housing to the southwest and south. A change to residential would fit the area and not be out of character.
- The site is visibly separated from the commercial development along Cahill Avenue. A commercial development may be challenged since a business would not be visible to passing traffic along Cahill Avenue.
- The applicant has indicated that a common funding source for a business to fund their project is the Small Business Association (SBA) Loan Program. Because this site is near or has portions that may have been impacted by an old dump site, called the "Rubbish Ranch", the loan application process is more costly and therefore less desirable for a smaller business.

Rationale Against the Land Use Change

- The property is currently zoned B-3, General Business. The City Council has been reluctant to change land use designations or zoning, which would reduce the number of vacant commercially zoned parcels available for future development. In February 2023, City Council denied the request of Blackshire Flats, Case No. 23-01PA to change a land use designation from Regional Commercial to High Density Residential.
- If portions of the Cahill Ave / 65th Street area did begin to redevelop with more residential, keeping properties with commercial guiding would provide future commercial properties. It would appear larger scale redevelopment, including Village Square, is still a number of years off, therefore retaining the current land use pattern keeps commercial opportunities open.

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 make the following recommendations:

Approving the Comprehensive Plan Amendment from Mixed Use to MDR, Medium Density Residential subject to the following conditions:

1. The Metropolitan Council shall not require any significant modifications to the Comprehensive Plan Amendment.
2. The Metropolitan Council shall not make a finding that the Comprehensive Plan Amendment has a substantial impact or contains a substantial departure from any metropolitan systems plan.
3. The Comprehensive Plan land use change shall not become effective until a Rezoning and Development Plan has been approved by the City Council.

B. Denial. If the Planning Commission does not favor the Comprehensive Plan Amendment, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

The primary question to answer is whether changing to Medium Density Residential is a benefit to the City and, if so, should the land use plan be changed for the parcel?

The City Council has been reluctant to change land use guidance or zoning from commercial to residential, so the future potential for commercial is not lost.

The Planning Commission is asked to make a recommendation to the City Council on this land use change request.

ATTACHMENTS

1. Location Map
2. Existing/Proposed Comp Plan Map
3. Narrative & Concept Plan



Location Map

Case No. 23-21CPA



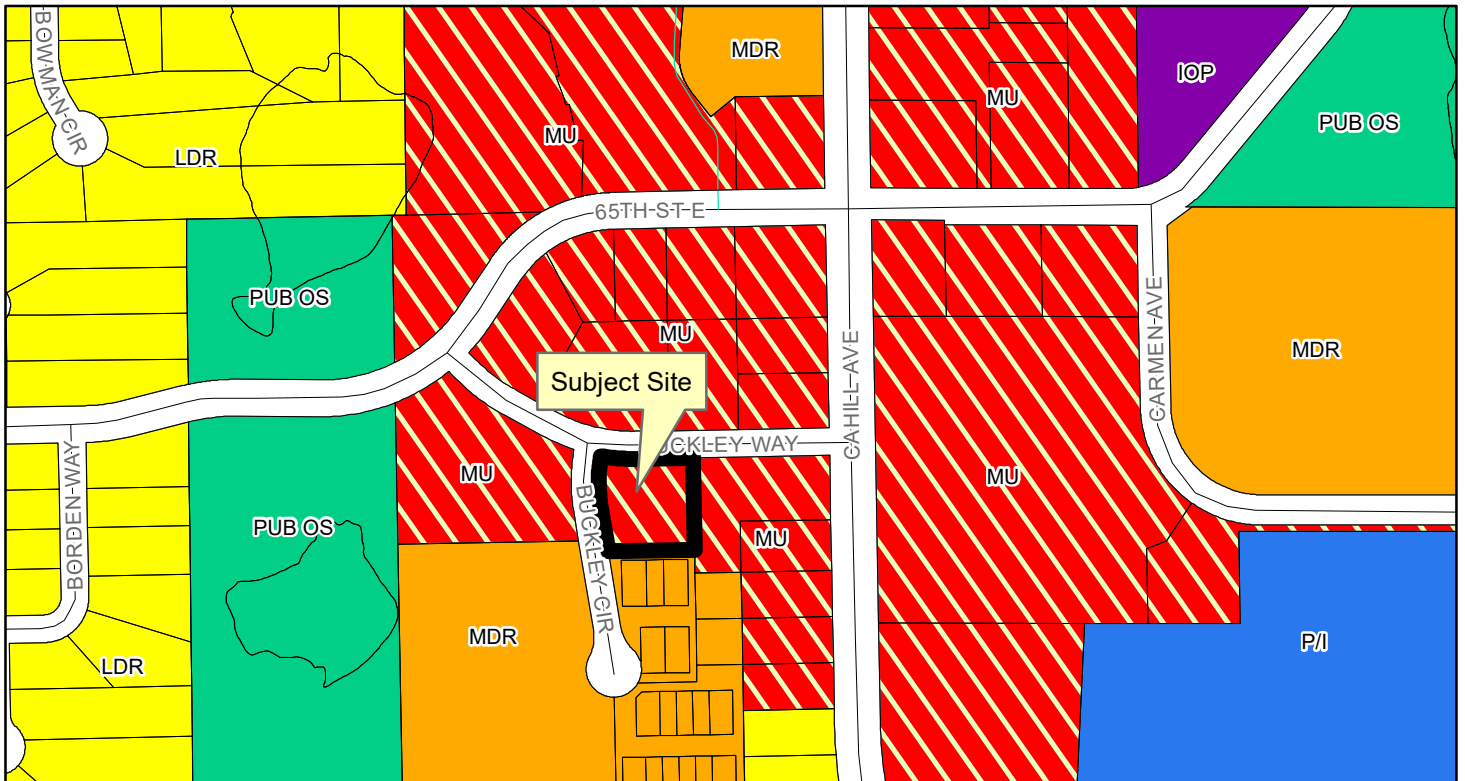


Zubarev Comp Plan Map

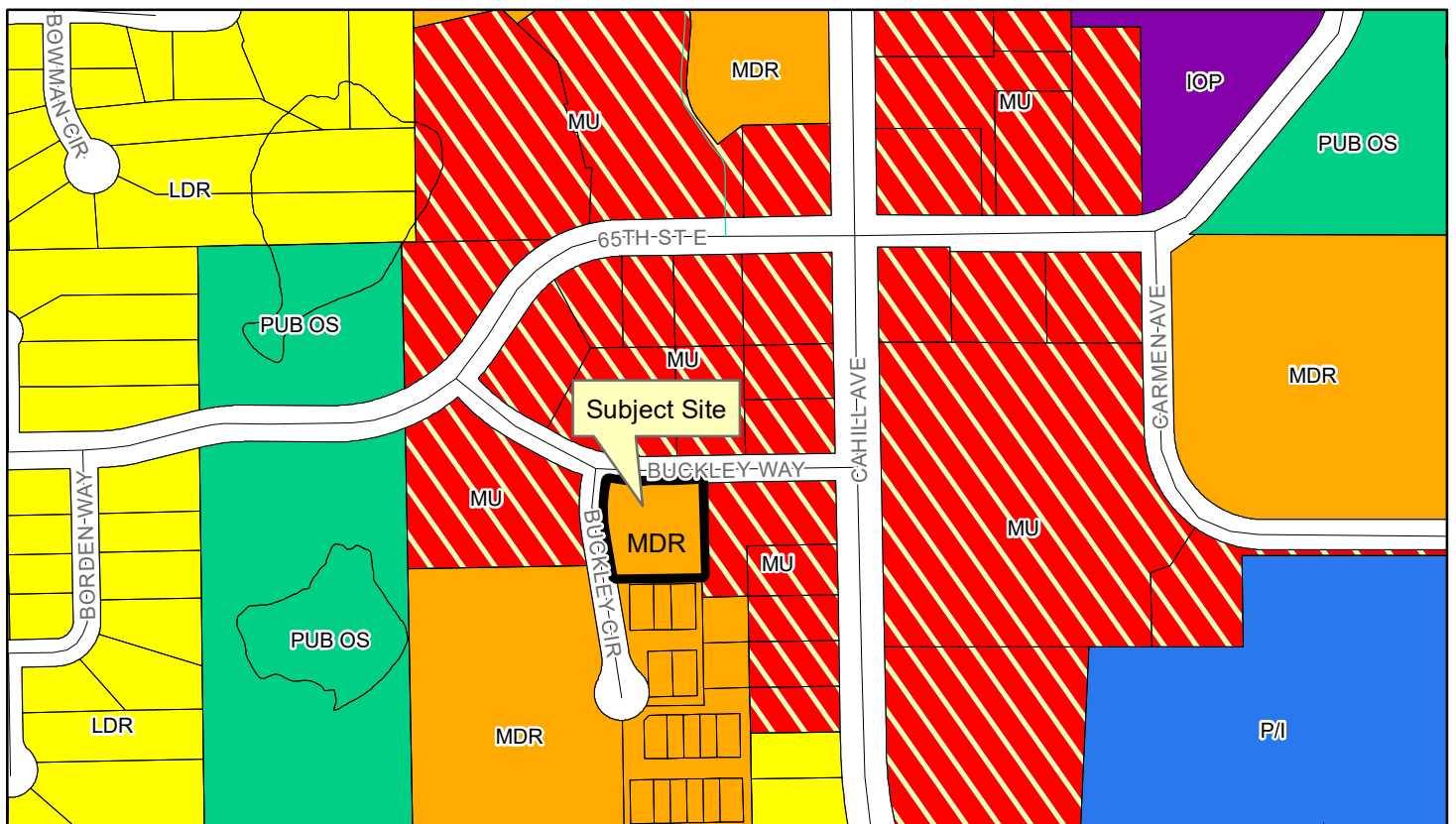
Case No. 23-21CPA



Existing Comp Plan



Proposed Comp Plan



Comp Plan Amendment Written Narrative

Summary Overview

This is a request to amend the comprehensive land use plan for a parcel of land in Inver Grove Heights from commercial business use to multi-family use. The petitioner's plans for this parcel after purchase are explored in the document as well as an argument for plan amendment using the following rationale.

- This land will not be purchased by a business loan due to specific SBA requirements
- It is causing unnecessary hardship to the property owner
- This zone change will not interfere with previous city plans, because it is not a "spot-rezone"

Property to be Considered

Legal Description: Valley View 4th Addition
Out Lot A

Dakota County Parcel ID # 20-81403-00-010

Rationale for Plan Amendment

Land Cannot be Developed with SBA Loan
Loans through the Small Business Administration (SBA loans) are the most common lending vehicle used by small businesses for several reasons including broad eligibility requirements, high loan offers, capped interest rates, and a government guarantee. Even businesses typically not approved for traditional loans could get an SBA loan. However, this particular property cannot accept funding through an SBA loan.



Figure 1: Aerial view of parcel with dimensions

The SBA has implemented an environmental due diligence requirement when passing an updated version of "Standard Operating Procedure 50.10.5(K)". This SOP changes eligibility requirements such that every SBA loan must undergo an environmental contamination investigation for any land previously used for purposes that are potentially damaging to the environment. Things like dry cleaners, gas stations, and waste disposal sites.

The seller's agent has informed us that the property under consideration for comp plan amendment was once known as the "Rubbish Ranch Dump". It is listed in the archives of the EPA (Environmental Protection Agency) as a potentially contaminated property due to this history as a waste disposal site. It is possible to go through an appeal process with the SBA. This would include testing and mitigation of contaminants, but it can be both costly and risky. Authorized SBA lenders typically do not want to deal with this process, so they simply deem the loan to be too risky and deny the borrower financing. Therefore, if this land is left with a commercial business land use plan, then it is unlikely that the land will ever be developed.

Causing Unnecessary Burden

Due to this eligibility requirement for SBA loans, the current comprehensive land use plan on this property is causing an unnecessary burden to the current property owner. The owner has been attempting to sell this property for 20 years according to Dakota County. Several buyers over several years have pulled their offer due to these environmental issues. This is exacerbated by the fact that commercial business real estate has been dropping considerably since the COVID pandemic. People are not going into the office, and getting their groceries delivered. Therefore, other business-use land for sale is easily found without environmental concerns. These facts have made selling this property a nightmare.

The applicant for this comprehensive land use plan amendment offers a solution. My wife and I would like to buy this land and chase a dream of building family townhomes on it. We are using a conventional loan, so we will be able to purchase it without SBA approval. We are also uniquely willing to explore any testing and contaminant mitigation that might be required to make sure this land is well cared for.

Not a "Spot-Rezone"

Spot-rezoning is the application of a land use plan to a specific parcel of land which clashes with the overall city plan for the surrounding area. This can pose a possible risk of excessive stress on the surrounding transportation network or other public facilities. For example, allowing someone to build a restaurant in a single-family neighborhood creates problems for utility use, traffic, parking, truck deliveries, and sewage capacity.

As shown in Figure 2 below, the property to be considered is already bordering an area with a multi-family land use plan. Therefore, this location already supports the necessary infrastructure to allow for multi-family housing. This would not be a *spot-rezone*, but an extension of an already existing multi-family area which fits with the city's master plan. The current commercial business use plan does not work well for this particular property. A multi-family land use plan is the most reasonable thing to change it to.

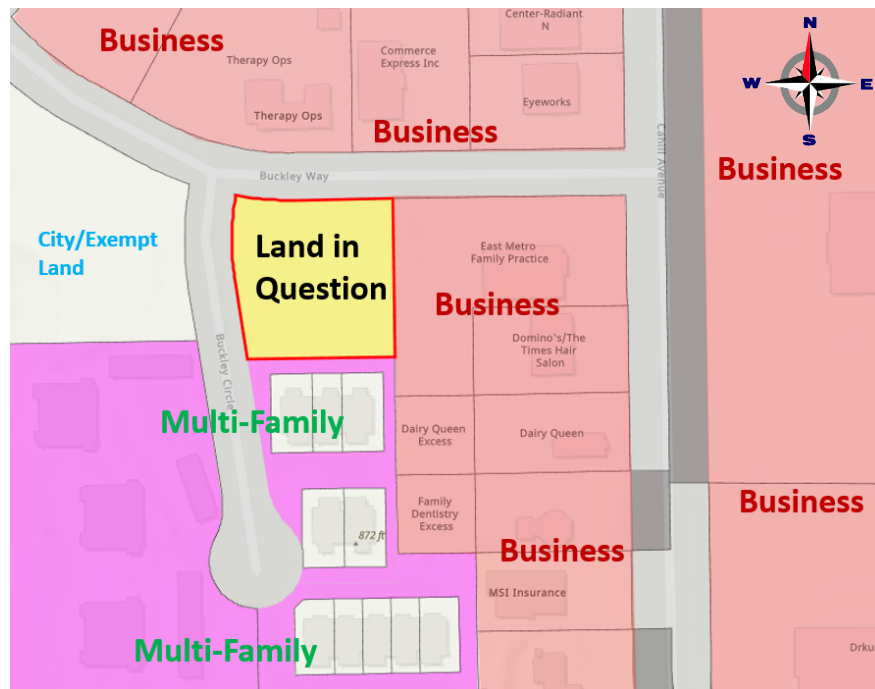


Figure 2: Map of city comprehensive land use surrounding the land in question.

Our Plans

We would like to build affordable townhomes with solar roofs and a passively energy-efficient design.

Plot Design

An overall plot design drawn to scale is shown in Figure 3 below. This is the proposed plan for this parcel of land. Note that all setback and coverage limits are designed within the limitations of section 10-9C of the Inver Grove Heights city ordinances for R3-B zoning districts, and section 10-15B for townhouses. The dimensions labeled in blue are the minimum requirements according to these ordinances.

A long-term plot design is drawn out, but we do not have the money to build it all at once. We are not land developers, but rather, a family that wants to live near our loved ones. Our budget allows us to start by building the first three units as outlined in red on the figure. The remaining units will be added in future years as our budget allows. Further details would be given in a future permit application.

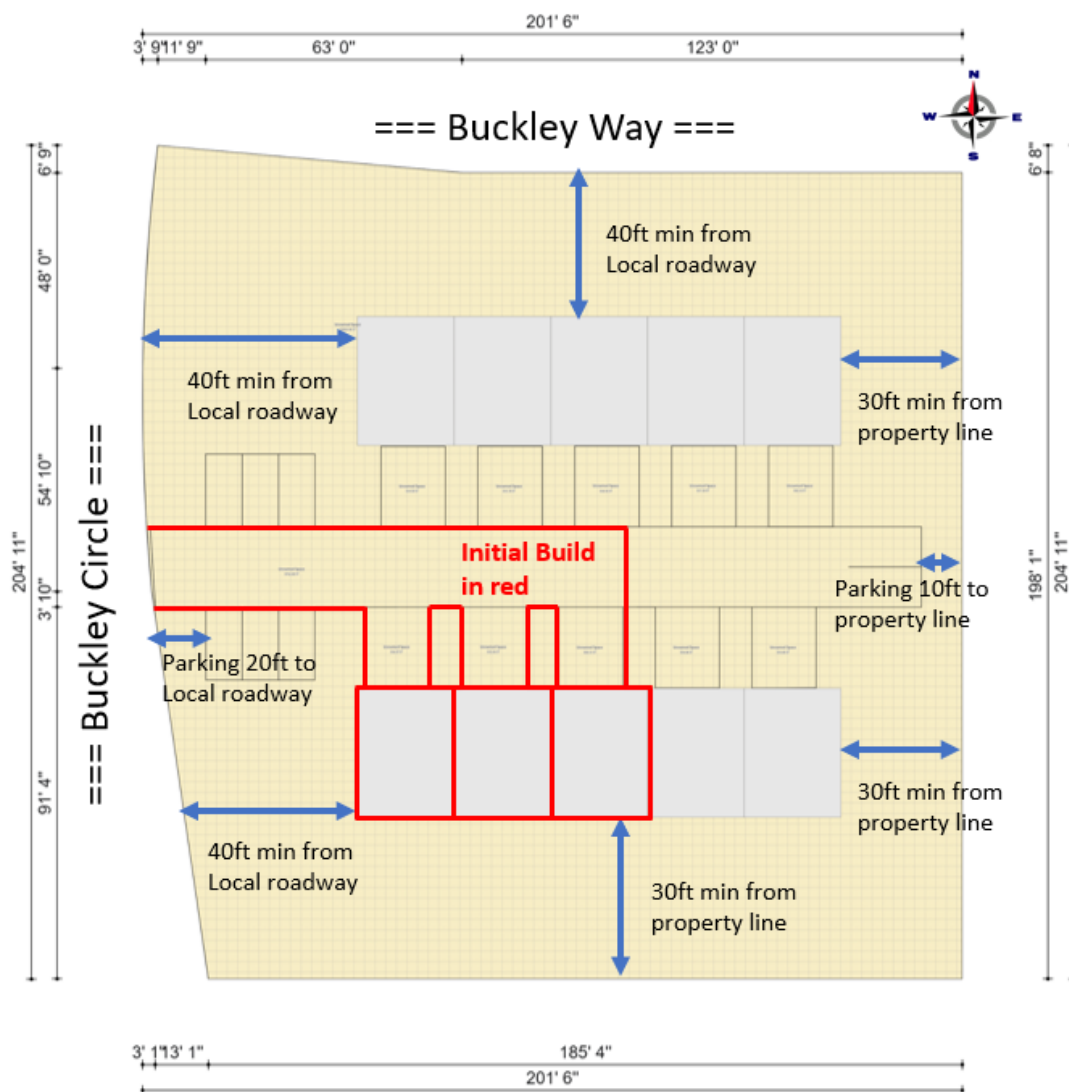


Figure 3: Overall plot design with dimensions and required property setbacks.

Unit Design

The design for a single unit is shown in Figure 4 below. Upon completion, each unit shall have 3 bedrooms and 2.5 bathrooms. We are planning to have a south-facing roof inclined for maximum sun exposure, because we want the whole roof covered in solar tiles. Hopefully this would be enough to power a completely electric house including the stove, dryer, water heater, and even an electric furnace. That would allow us to run on fully renewable energy produced on-site and forego any gas connection at all. Excess power can be fed back to the grid.

It is best to build higher for a solar roof to get above the tree line. Building high is cheaper than building a wide foundation, so this would allow the design to fit within the city's definition of affordable housing. Thankfully the slope of the land allows us to put a garage as the bottom level which will be below grade.



Figure 4: Layout of a single unit

Personal Story

This started with the crazy idea of wanting to live together with our loved ones nearby. We joked about building a multi-generational home for our family and having our friends next door as well. It was a ridiculous dream that everyone has, but no one pursues. Until it wasn't a dream anymore. We thought about the risks involved and ran the numbers. We could make it work.

The hardest part has been finding a small piece of land available for multi-family use. Most land with multi-family comprehensive plans is far too large for us to afford it. Even smaller pieces are very appealing to large developers that want to build apartment complexes, and we cannot compete with their offers. That is why we are requesting this amendment to the comprehensive land use plan. This parcel is a diamond-in-the-rough to us. The current business land use plan is clearly not working, because SBA loans won't touch this place. There have also been a couple big developers that have put offers on this land, but they have backed out as soon as they learned about the possible environmental contaminants. We are willing to put in the effort where no one else will to deal with testing and mitigating of any environmental issues. We are determined, hardworking people that are chasing a dream. No one will put as much effort into making this land beautiful as we will.



Request for Council Action

SUBJECT: **Consider Resolution Authorizing Ordering of a New Fire Engine**

MEETING DATE: June 26, 2023
ITEM TYPE: Regular Business
CONTACT: Judy Thill, Fire Chief, 651.450.2495

ACTION REQUESTED

The Council is asked to consider the attached Resolution, authorizing the ordering of a new fire engine from MacQueen Emergency, at a cost of \$1,174,882.29.

BACKGROUND

Like all city-owned vehicles, each item in the Fire Department's fleet is on a planned replacement schedule. Engines are planned for replacement every 20 years, but some are kept for more or less time, depending on how reliably they are operating and whether there are particular mechanical issues.

Engine 33 is currently the oldest engine in the fleet and on the schedule to be replaced in 2026, at 20 years of age. In the past, the lead time for ordering and receiving engines was about 10 - 14 months. However, today the proposed lead time for an engine is closer to 40-49 months. As a result, an engine ordered this summer would be expected in late 2026 at the earliest, but possibly sometime in 2027.

In addition to the longer lead-times, the industry is seeing cost increases for fire vehicles taking place 2-4 times a year. The proposed engine to be purchased is almost identical to the present Engine 17, which is housed at Station 1. That engine cost \$549,840 when purchased in 2015. Today, that same engine is \$1,174,882.29. In December 2022, that same engine was \$1,003,816 as there have been two price increases so far this year, with the potential for more.

Finally, last year's Citygate report on the Fire Department recommended that the Department have a reserve engine available for use in situations where another vehicle has to be taken out of service for repairs that can last days or weeks. The City currently has just three engines - one at each station. When one of those is down, a specialty vehicle like the tender/pumper or ladder trucks are used in its place. However, these vehicles are not set up for the constant daily use and as such, are scheduled for a longer replacement time than an engine.

As a result of all of these factors, staff is seeking Council approval to order the replacement for Engine 33 now and to cycle Engine 33 into a new "back-up engine" spot in the fleet. By ordering the truck now, the City can lock in the current price and reasonably expect to receive the new truck about the time the present one will be 20-21 years old.

FISCAL IMPACT

The City has already accumulated \$798,115 in the Central Equipment Fund for this new engine and plans to continue allocating \$44,340 per year for the next three years, bringing the total funds available to \$931,135 by 2026. With the total cost of the new engine being \$1,174,882.29, this leaves a gap of approximately \$243,750 as a result of the rapid price escalation for these engines.

Staff proposes to pay for this gap with \$243,750 from the \$1,560,000 in one-time public safety funds that the City will be receiving from the State of Minnesota in December of this year, as the result of the recently concluded legislative session.

RECOMMENDATION

Staff recommends adoption of the attached Resolution.

ATTACHMENTS

1. Resolution Authorizing Ordering of New Fire Engine
2. June 2023 MacQueen Price Quote and Specs for New Fire Engine

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

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE ORDERING OF A NEW FIRE ENGINE
FROM MACQUEEN EMERGENCY FOR THE PRICE OF \$1,174,882,29.**

WHEREAS, the Council recognizes a new fire engine is scheduled for purchase in 2026; and

WHEREAS, the current lead time to receive an engine, if ordered today, is 40-49 months, putting delivery in 2026 or 2027; and

WHEREAS, the cost of a new engine, if ordered now, would be \$1,174,882,29; and

WHEREAS, the cost of these engines has been continually increasing, with the cost of increasing 17% just since December 2022; and

WHEREAS, the City will not have to pay for the truck until it is delivered in 2026 or 2027; and

WHEREAS, per the 2022 Citygate Report on the IGH Fire Department, a reserve engine is needed in the fleet; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS, MINNESOTA, does hereby authorize the ordering of a new fire engine from MacQueen Emergency at the cost of \$1,174,882.29, to be paid for at the time of delivery using \$931,135 from the Central Equipment Fund and \$243,750 from the one-time, state public safety aid received by the City in December of 2023; and

BE IT FURTHER RESOLVED, that once the new engine is received, the City shall plan to retain the existing Engine 33 to serve as a back-up engine for the Fire Department.

Adopted this 26th day of June 2023 by the City Council of the City of Inver Grove Heights, Minnesota.

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk



**MACQUEEN
EMERGENCY**



PERFORM. LIKE NO OTHER.

MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

EM-102

June 7, 2023

Assistant Chief Eric Bergum
City of Inver Grove Heights
7015 Clayton Ave. East
Inver Grove Heights, MN 55076

Subject: **Proposal for one (1) Pierce Enforcer Pumper
Proposal / Bid #1006**

Dear Assistant Chief Bergum,

With regard to the above subject, please find attached our completed proposal.
Pricing, is as follows, including 100% prepay option.

Pricing Summary:

Sale Price – **\$1,174,882.29***
**Houston-Galveston Area Council (HGAC) Consortium Pricing.*

100% Performance Bond:

Included in the above price.

100% Prepayment Option:

Should the City of Inver Grove Heights elect to make a 100% prepayment fifteen (15) days after contract signing, a discount of **(\$60,747.00)** can be subtracted from the above "Sale Price" resulting in a revised contract price of **\$1,114,135.29**.

100% Prepayment Option 12 Months before completion date at factory:

Should the City of Inver Grove Heights elect to make a 100% prepayment twelve (12) months before completion of unit at factory, a discount of **(\$26,804.00)** can be subtracted from the above "Sale Price" resulting in a revised contract price of **\$1,148,078.29**.

Terms and Conditions:

Taxes –	Not Applicable
Freight –	F.O.B. – Appleton, WI / Shipping to Inver Grove Heights, MN
Terms –	Net due prior to vehicle(s) release at the Pierce Manufacturing Plant (Appleton, WI). Net due per prepay terms if option is selected.
Delivery –	40 to 49 months from receipt and acceptance of contract.



MACQUEEN
EMERGENCY



PERFORM. LIKE NO OTHER.

MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or international conflicts, or other causes beyond our control not preventing, could alter the delivery schedule.

The specifications herein contained, shall form a part of the final contract, and are subject to changes as desired by the purchaser, provided such changes are acknowledged and agreed to in writing by the purchaser.

This proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications.

The attached proposal is valid for thirty (30) days.

We trust the above and the enclosed to be full and complete at this time; however, should you have any questions or require additional information, please do not hesitate to contact me at 920-450-4094 or brad.white@macqueengroup.com.

We wish to thank the City of Inver Grove Heights for the opportunity to submit our proposal.

Respectfully,

Brad White

Brad White
Apparatus Sales
MacQueen Equipment LLC
DBA MacQueen Emergency Group

PURCHASE AGREEMENT

This Purchase Agreement (together with all attachments referenced herein, the "Agreement"), made and entered into by and between MacQueen Equipment, LLC, as Delaware corporation DBA MacQueen Emergency ("MacQueen"), and City of Inver Grove Heights, (customer) is effective as of the date specified in Section 3 hereof.

1. Definitions

- a. **"Product"** means the fire apparatus and any associated equipment furnished for the Customer by MacQueen, pursuant to the specifications.
- b. **"Specifications"** means the general specifications, technical specifications, orientation, and testing requirements for the Product contained in the MacQueen Proposal for the Product prepared in response to the Customer's request for proposal.
- c. **"MacQueen Proposal"** means the proposal provided by MacQueen attached as Exhibit C prepared in response to the Customer's request for proposal.
- d. **"Delivery"** means the date MacQueen is prepared to make physical possession of the Product available to the Customer.

2. Purpose

This Agreement sets forth the terms and conditions of MacQueen's sale of the Product to the Customer.

3. Term of Agreement

This Agreement will become effective on the date it is signed and approved by MacQueen's authorized representative pursuant to Section 22 hereof ("Effective Date") and, unless earlier terminated pursuant to the terms of this Agreement, it will terminate upon the Customer's Acceptance and payment in full of the Purchase Price.

4. Purchase and Payment

The Customer agrees to purchase the Product specified on Exhibit A for the total purchase price of \$1,174,882.29 ("Purchase Price"). Prices are in US Funds.

NOTE: Upon final inspection at the factory for pick-up or delivery, the customer will need to supply a "Certificate of Insurance" and "FULL PAYMENT" prior to release of the vehicle, unless prior arrangements for vehicle's release have been made.

5. Future Changes

Various state or federal regulatory agencies (e.g. NFPA, DOT, EPA) may require changes to the Specifications and/or the Product and in any such event any resulting cost increases incurred to comply therewith will be added to the Purchase Price to be paid by the Customer. In addition, any future drive train upgrades (engine, transmission, axles, etc.), or any other specification changes have not been calculated into our annual increases and will be provided at additional cost. To the extent practicable, Company will document and itemize any such price increase for the Customer's approval before proceeding.

6. Agreement Changes

The Customer may request that MacQueen incorporate a change to the Products or the Specifications for the Products by delivering a change order to MacQueen; provided, however, that any such change order must be in writing and include a description of the proposed change sufficient to permit MacQueen to evaluate the feasibility of such change ("Change Order"). Within seven (7) business days of receipt of a Change Order, MacQueen will inform the Customer in writing of the feasibility of the Change Order, the earliest possible implementation date for the Change Order, of any increase or decrease in the Purchase Price resulting from such Change Order, and of any effect on production scheduling or Delivery resulting from such Change Order. MacQueen shall not be liable to the Customer for any delay in performance or Delivery arising from any such Change Order. A Change Order is only effective when counter-signed by MacQueen's authorized representative. Only the listed customer person(s) specified on Exhibit A may be able to authorize and sign the Change Order.

7. Cancellation/Termination

In the event this Agreement is cancelled or terminated by a party before completion, MacQueen may charge a cancellation fee. The following charge schedule based on costs incurred may be applied: (a) 10% of the Purchase Price after order is accepted and entered by MacQueen; (b) 20% of the Purchase Price after completion of approval drawings, and; (c) 30% of the Purchase Price upon any material requisition. The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. MacQueen endeavors to mitigate any such costs through the sale of such Product to another purchaser; however, Customer shall remain liable for the difference between the Purchase Price and, if applicable, the sale price obtained by MacQueen upon sale of the Product to another purchaser, plus any costs incurred by MacQueen to conduct any such sale.

8. Delivery, Inspection, and Acceptance**a. Delivery**

Delivery of the Product is approximately 40-49 months of the Effective Date of this Agreement. Risk of loss shall pass to Customer upon Delivery. Delivery shall be made and title shall pass upon Customer's complete fulfillment of its obligations arising under Section 4 hereof. Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible.

b. Inspection and Acceptance

Upon Delivery, Customer shall have fifteen (15) days within which to inspect the Product for substantial conformance to the material Specifications, and in the event of substantial non-conformance to the material Specifications to furnish MacQueen with written notice sufficient to permit MacQueen to evaluate such non-conformance ("Notice of Defect"). Any Product not in substantial conformance to material Specifications shall be remedied by MacQueen within thirty (30) days from the Notice of Defect. In the event MacQueen does not receive a Notice of Defect within fifteen (15) days of Delivery, Product will be deemed to be in conformance with Specifications and Accepted by Customer.

9. Notice

Any required or permitted notices hereunder must be given in writing at the address of each party set forth below, or to such other address as either party may substitute by written notice to the other in the manner contemplated herein, by one of the following methods: hand delivery; registered, express, or certified mail, return receipt requested, postage prepaid; or nationally-recognized private express courier:

MacQueen Equipment, LLC
1125 7th Street East
St. Paul, MN 55106

City of Inver Grove Heights
Assistant Chief Eric Bergum
7015 Clayton Ave. East
Inver Grove Heights, MN 55076

10. Standard Warranty

The equipment sold herein will be manufactured by Pierce Manufacturing, Inc. and any warranties are attached hereto as Exhibit B and made a part hereof. Any additional warranties must be expressly approved in writing by Pierce's authorized representative and MacQueen.

a. Disclaimer

Other than as expressly set forth in this agreement, neither Pierce, its Parent Company, Affiliates, Subsidiaries, Licensors, suppliers, distributors, dealers, including without limitation, MacQueen, or other respective officers, directors, employees, shareholders, agents or representatives, make any express or implied warranties with respect to the products provided hereunder or otherwise regarding this agreement, whether oral or written, express, implied or statutory. Without limiting the foregoing, any implied warranty against infringement, and the implied warranty of condition of fitness for a particular purpose are expressly excluded and disclaimed. Statements made by sales representatives or in promotional materials do not constitute warranties.

b. Exclusions of Incidental and Consequential Damages

In no event shall MacQueen be liable for consequential, incidental or punitive damages incurred by Customer or any third party in connection with any matter arising out of or relating to this Agreement, or the breach thereof, regardless of whether such damages arise out of breach of warranty, tort, contract, strict liability, statutory liability, indemnity, whether resulting from non-delivery or from MacQueen's own negligence, or otherwise.

11. Insurance

MacQueen maintains the following limits of insurance with a carrier(s) rated A- or better by A.M. Best:

Commercial General Liability Insurance:

Products/Completed Operations Aggregate: \$ 2,000,000

Each Occurrence: \$ 2,000,000

Umbrella/Excess Liability Insurance:

Aggregate: \$ 5,000,000

Each Occurrence: \$ 5,000,000

The Customer may request MacQueen to provide the Customer with a copy of a current Certificate of Insurance with the coverages listed above.

12. Indemnity

The Customer shall indemnify, defend and hold harmless MacQueen, its officers, employees, dealers, agents or subcontractors, from any and all claims, costs, judgments, liability, loss, damage, attorneys' fees or expenses of any kind or nature whatsoever (including, but without limitation, personal injury and death) to all property and persons caused by, resulting from, arising out of or occurring in connection with the Customer's purchase, installation or use of goods sold or supplied by MacQueen which are not caused by the sole negligence of MacQueen or Pierce.

13. Force Majeure

MacQueen shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond MacQueen's control which make MacQueen's performance impracticable, including but not limited to civil wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, delays in transportation, inability to obtain necessary labor supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy or terrorism, failure of transportation, epidemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.

14. Default

The occurrence of one or more of the following shall constitute a default under this Agreement:

(a) the Customer fails to pay when due any amounts under this Agreement or to perform any of its obligations under this Agreement; (b) MacQueen fails to perform any of its obligations under this Agreement; (c) either party becomes insolvent or become subject to a bankruptcy or insolvency proceedings; (d) any representation made by either party to induce the other to enter into this Agreement is false in any material respect; (e) the Customer dissolves, merges, consolidates or transfers a substantial portion of its property to another entity; or (f) the Customer is in default or has breached any other contract or agreement with MacQueen.

15. Relationship of Parties

Neither party is a partner, employee, agent, or joint venture of or with the other.

16. Assignment

Neither party may assign its rights and obligations under this Agreement unless it has obtained the prior written approval of the other party.

17. Governing Law; Jurisdiction

Without regard to any conflict of law's provisions, this Agreement is to be governed by and under the laws of the state of Minnesota.

18. Facsimile & Electronic Verified Signatures

The delivery of signatures to this Agreement by facsimile transmission and/or electronic verified shall be binding as original signatures.

19. Entire Agreement

This Agreement shall be the exclusive agreement between the parties for the Product. Additional or different terms proposed by the Customer shall not be applicable, unless accepted in writing by MacQueen's authorized representative. No change in, modification of, or revision of this Agreement shall be valid unless in writing and signed by MacQueen's authorized representative.

20. Conflict

In the event of a conflict between the Customer Specifications and the MacQueen Proposal, the MacQueen Proposal shall control.

21. Additional Orders

Company, at its sole discretion, will allow the terms of this contract to be extended to both the Customer, as well as to other Municipal, State, or Federal agencies for similar unit(s). Company will allow tag on / additional orders for up to three (3) years from the date of contract execution. To facilitate pricing, Company will quote the original price plus manufacturer's price increases or Producer's Price Index (PPI) whichever is greater as it applies to either Fire Apparatus and/or commercial heavy truck industries. Additionally, any regulatory changes (NFPA, EPA, Engine Emissions, FMVSS, etc.) will also have to be added to the price as they become applicable. Change orders to the original specification will need to be authorized, signed, and accepted by Company. Any entity using this tag-on/additional orders program will be required to sign a new contract commencing the relationship. Additionally, if required by the Purchaser, any new tag-on / additional orders that require a "separate" Performance bond will be separately priced. This contract, including its appendices, embodies the entire agreement between the parties relating to the subject matter contained herein and merges all prior discussions and agreements. No agent or representative of Company has authority to make any representations, statements, warranties, or agreements not herein expressed and all modifications of amendments of this agreement, including any appendices, must be in writing and executed by an authorized representative of each of the parties hereto. No surety of any performance bond given by Company to the Customer in connection with this Agreement shall be liable for any obligation of Company arising under the Standard Applicable Warranty.

22. Signatures

This Agreement is not effective unless and until it is approved, signed and dated by MacQueen's authorized representative.

Accepted and Agreed to:

MACQUEEN EQUIPMENT, LLC

CITY OF INVER GROVE HEIGHTS

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A – PURCHASE PAYMENT TERMS & CONDITIONS

 MacQueen Equipment, LLC
 1125 7th Street East
 St. Paul, MN 55106

Customer Name City of Inver Grove Heights **Date** June 7, 2023

Quantity	Chassis Type	Body Type	Price per Unit
1	Enforcer	Pumper	\$1,174,882.29*

**Houston-Galveston Area Council (HGAC) Consortium Pricing.*

PERFORMANCE BOND: Included in the contract price.

100% PREPAYMENT OPTION: DUE FIFTEEN (15) DAYS FROM CONTRACT SIGNING TO BE APPLICABLE.
If 100% prepayment is made (15) fifteen days from contract signing, deduct \$60,747.00 from contract price.
Payment due fifteen (15) days after contract signing is \$1,114,135.29.
Initial here to accept: _____.
100% PREPAYMENT OPTION: DUE TWELVE (12) MONTHS PRIOR TO COMPLETION OF UNIT TO BE APPLICABLE.
If 100% prepayment is made twelve (12) months prior to completion on unit at factory, deduct \$26,804.00
from contract price. Payment due made twelve (12) months prior to completion on unit at factory is
\$1,148,078.29. Initial here to accept: _____.
Only the below listed person(s) are authorized to make changes to product specifications on behalf of the Customer.

Name	Title

This contract is available for inter-local and other municipal corporations to utilize with the option of adding or deleting any Company available options, including chassis models. Any addition or deletion may affect the unit price.

"PAYMENT TERMS" 100% of contract price or any balance is due prior to vehicle(s) release at the Pierce Manufacturing Plant (Appleton, WI).
"TAXES" Federal, State, and Local Taxes are not included in the contract price.
"LATE PAYMENT" A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first thirty (30) days. The late fee increases to .044% per day until the payment is received.

[NOTE: If deferred payment arrangements are required, the Customer must make such financial arrangements through a financial institution acceptable to MacQueen.] All taxes, excises and levies that MacQueen may be required to pay or collect by reason of any present or future law or by any governmental authority based upon the sale, purchase, delivery, storage, processing, use, consumption, or transportation of the Product sold by MacQueen to the Customer shall be for the account of the Customer and shall be added to the Purchase Price. All delivery prices or prices with freight allowance are based upon prevailing freight rates and, in the event of any increase or decrease in such rates, the prices on all unshipped Product will be increased or decreased accordingly. Delinquent payments shall be subject to a carrying charge of 1.5 percent (1.5%) per month or such lesser amount permitted by law. MacQueen will not be required to accept payment other than as set forth in this Agreement. However, to avoid a late charge assessment in the event of a dispute caused by a substantial nonconformance with material Specifications (other than freight), the Customer may withhold up to five percent (5%) of the Purchase Price until such time that MacQueen substantially remedies the nonconformance with material Specifications, but no longer than sixty (60) days after Delivery. If the disputed amount is the freight charge, the Customer may withhold only the amount of the freight charge until the dispute is settled, but no longer than sixty (60) days after Delivery. MacQueen shall have and retain a purchase money security interest in all goods and products now or hereafter sold to the Customer by MacQueen or any of its affiliated companies to secure payment of the Purchase Price for all such goods and products. In the event of nonpayment by the Customer of any debt, obligation or liability now or hereafter incurred or owing by the Customer to MacQueen, MacQueen shall have and may exercise all rights and remedies of a secured party under Article 9 of the Uniform Commercial Code (UCC) as adopted by the state of Minnesota.

THIS PURCHASE DETAIL FORM IS EXPRESSLY SUBJECT TO THE PURCHASE AGREEMENT TERMS AND CONDITIONS DATED AS OF June 7, 2023 BETWEEN MACQUEEN AND City of Inver Grove Heights (customer) WHICH TERMS AND CONDITIONS ARE HEREBY INCORPORATED IN, AND MADE PART OF, THIS PURCHASE DETAIL FORM AS THOUGH EACH PROVISION WERE SEPARATELY SET FORTH HEREIN, EXCEPT TO THE EXTENT OTHERWISE STATED OR SUPPLEMENTED BY MACQUEEN HEREIN.

Is Customer Name and Address listed on page 2 to be used on Certificate of Origin (CO)? ☐ Yes ☐ No
If not, please provide correct name and address to be listed on CO. _____
Is there a lienholder? ☐ Yes ☐ No
If yes, please provide lienholder information. _____

EXHIBIT B – PROPOSAL OPTION LIST WITH WARRANTIES

SEE ATTACHED PROPOSAL OPTION LIST Bid Number 1006 Dated 6/7/2023 FOR ALL APPLICABLE OPTIONS AND WARRANTIES APPROVED WITH CONTRACT.

EXHIBIT C - PROPOSAL

SEE PROPOSAL FOR Bid Number 1006 Dated 6/7/2023 .



Option List

6/7/2023

Customer: Inver Grove Heights, City of
Representative White, Bradley
Organization: MacQueen Emergency Group
Requirements Manager:
Description: Enforcer Pumper - E17
Body: Pumper, Medium, Aluminum, 2nd Gen
Chassis: Enforcer Chassis

Bid Number: 1006
Job Number:
Number of Units: 1
Bid Date: 09/26/2022
Stock Number:
Price Level: 45 (Current: 45)
Lane:

Line	Option	Type	Option Description	Qty
1	0766611		Pumper Boiler Plate	1
			Fire Department/Customer - Inver Grove Heights	
			Operating/In conjunction W-Service Center - Operating	
			Miles - 25 Miles	
			Number of Fire Dept/Municipalities - 5	
			Bidder/Sales Organization - MacQueen Emergency	
			Delivery - Delivery representative	
			Dealership/Sales Organization, Service - MacQueen Emergency	
2	0661794		Single Source Compliance	1
3	0584456		Manufacture Location, Appleton, Wisconsin	1
4	0584452		RFP Location: Appleton, Wisconsin	1
5	0588609		Vehicle Destination, US	1
6	0610784		Comply NFPA 1901 Changes Effective Jan 1, 2016, With Exceptions	1
7	0533347		Pumper/Pumper with Aerial Device Fire Apparatus	1
8	0588611		Vehicle Certification, Pumper	1
9	0661778		Agency, Apparatus Certification, Pumper/Tanker, U.L.	1
10	0891947		Certification, Vehicle Inspection Program, NFPA 1901	1
11	0000114		Inspection Trip(s)	3
			Qty, - 03	
			Fill in Blank - (4) four	
12	0620362		HGAC	1
13	0537375		Unit of Measure, US Gallons	1
14	0529326		10%, Pierce Built Chassis	1
15	0807711		100% Req'd	1
16	0000007		Approval Drawing	1
17	0002928		Electrical Diagrams	1
18	0649754		Enforcer Chassis	1
19	0000110		Wheelbase	1
			Wheelbase - 191.50"	
20	0000070		GVW Rating	1
			GVW rating - 43,500 lbs.	
21	0729280		Frame Rails, 13.38 x 3.50 x .375, Enforcer	1
22	0020018		Frame Liner Not Req'd	1
23	0630705		19,500 lb TAK-4 Axle	1
24	0030264		Suspension, Front TAK-4, 19,500 lb, Qtm/AXT/Imp/Vel/Enf/SFR	1
25	0087572		Shock Absorbers, KONI, TAK-4, Qtm/AXT/Imp/Vel/DCF/Enf	1
26	0000322		Oil Seals, Front Axle	1
27	0080405		Tires, Front, Michelin, XZY3 (wb), 385/65R22.50, LRJ, Fire Service Load Rtnng	1
28	0019611		Wheels, Front, Alcoa, 22.50" x 12.25", Aluminum, Hub Pilot	1
29	0641555		Axle, Rear, Dana S23-190, 24,000 lb, Saber/Enforcer	1
30	0544250		Top Speed of Vehicle, 65 MPH	1
31	0565379		Suspen, Rear, Single Slipper Spring, 24,000 lb, Saber/Enforcer	1
32	0000485		Oil Seals, Rear Axle	1
33	0070728		Tires, Rear, Michelin, XDN2, 12R22.50, 16 ply, Single	1
34	0019625		Wheels, Rear, Alcoa, 22.50" x 8.25", Aluminum, Hub Pilot, Single	1
35	0568081		Tire Balancing, Counteract Beads	1
36	0620570		Tire Pressure Monitoring, RealWheels, AirSecure, Valve Cap, Single Axle	1
			Qty, Tire Pressure Ind - 6	
37	0801909		Lug Nut, Covers, Chrome	1
38	0003245		Axle Hub Covers w/center hole, S/S, Front Axle	1
39	0001960		Axle Hub Covers, Rear, S/S, High Hat (Pair)	1

Line	Option	Type	Option Description	Qty
40	0002045		Mud Flap, Front and Rear, Pierce Logo	1
41	0544802		Chocks, Wheel, SAC-44-E, Folding	1
			Qty, Pair - 01	
42	0544806		Mounting Brackets, Chocks, SAC-44-E, Folding, Horizontal	1
			Qty, Pair - 01	
			Location, Wheel Chocks - Left Side Rear Compt	
43	0010670		ABS Wabco Brake System, Single rear axle	1
44	0030185		Brakes, Knorr/Bendix 17", Disc, Front, TAK-4	1
45	0581433		Brakes, Bendix, Cam, Rear, 16.50 x 7.00"	1
46	0735527		Air Compressor, Brake, Wabco 26.8 CI, Paccar	1
47	0644232		Brake Reservoirs, 4,272 Cubic Inch Minimum Capacity, Saber FR/Enforcer	1
48	0790412		Air Dryer, Wabco System Saver 1200 IWT, Heated, SFR/Enf	1
49	0000790		Brake Lines, Nylon	1
50	0000854		Air Inlet, w/Disconnect Coupling	1
			Location, Air Coupling(s) - a) DS Step Well, Forward	
			Qty, Air Coupling (s) - 1	
51	0808515		Engine, Paccar MX, 510HP, 1850 lb-ftW/OBD, EPA 2027, Enforcer	1
52	0000000	STF	Not Required	1
53	0001244		High Idle w/Electronic Engine, Custom	1
54	0735687		Engine Brake, Fully Integrated, Paccar MX13 Engine	1
			Switch, Engine Brake - MX13	
55	0644227		Clutch, Fan, Air Actuated, Saber FR/Enforcer	1
56	0644573		Air Intake, Water & Ember Screen, Saber FR/Enforcer	1
57	0794743		Exhaust System, 5", X12/X15, MX13, Engine, Horizontal, Right Side	1
58	0788765		Radiator, Saber FR/Enforcer	1
59	0001090		Cooling Hoses, Rubber	1
60	0001125		Fuel Tank, 65 Gallon, Left Side Fill	1
61	0001129		Lines, Fuel	1
62	0734655		DEF Tank, 7.3 Gallon, LS Fill, Under Cab, Paccar, Fill Dr, ENF	1
			Door, Material & Finish, DEF Tank - Painted	
			Latch, Door, Access - SouthCo C2 black raised	
63	0552793		Not Required, Fuel Priming Pump	1
64	0552712		Not Required, Shutoff Valve, Fuel Line	1
65	0699437		Cooler, Chassis Fuel, Not Req'd.	1
66	0690880		No Selection Required From This Category	1
67	0887546		Trans, Allison 6th Gen, 4000 EVS P, w/Prognostics, Imp/Vel/SFR/Enf	1
68	0625331		Transmission, Shifter, 6-Spd, Push Button, 4000 EVS	1
69	0684459		Transmission Oil Cooler, Modine, External	1
70	0001375		Driveline, Spicer 1810	1
71	0734211		Steering, Sheppard M110 w/Tilt, TAK-4, Paccar Pump, w/Cooler, Paccar	1
72	0605355		Steering Wheel, 4 Spoke with Controls, Enforcer, Mux	1
73	0690274		Logo and Emblem on Dash	1
			Text, Row (1) One - Inver Grove	
			Text, Row (2) Two - Heights	
			Text, Row (3) Three - Fire Dept.	
74	0012246		22" Stainless Steel Bumper	1
75	0640195		Tray, Hose, Center, 22" Bumper, Outside Air Horns	1
			Grating, Bumper extension - Grating, Rubber	
			Capacity, Bumper Tray - 19) 100' of 1.75"	
76	0633480		Cover, Aluminum Treadplate, Two (2) Flush Lift and Turn Latches, Hose Tray	1
			Stay arm, Tray Cover - c)Pneumatic Stay Arm, Dual	
77	0778092		Lift & Tow Package, Enforcer	1
78	0005739		Tow Eyes, Chrome, Chicago Style, Top of Deck	1
79	0625650		7000 Enforcer Cab	1
80	0747442		Engine Tunnel, X12, MX13, Enforcer	1
81	0633594		Rear Wall, Interior, Adjustable Seating	1
82	0632103		Rear Wall, Exterior, Cab, Saber FR/Enforcer	1
			Material, Exterior Rear Wall - Aluminum Treadplate	
83	0644201		Cab Lift, Elec/Hyd, Saber FR/Enforcer	1
84	0695930		Grille, Bright Finished, Front of Cab, Enforcer	1
85	0647989		Trim, S/S Band, Across Cab Face, Arrow XT/Saber/Enforcer	1
			Material Trim/Scuffplate - b) S/S, Brushed	

Line	Option	Type	Option Description	Qty
86	0087357		Molding, Chrome on Side of Cab	1
87	0521669		Mirrors, Retractable, West Coast Style, Htd/Rmt, w/Htd/Rmt Convex	1
88	0648173		Full Height Door	1
			Key Model, Cab Doors - 751	
			Cab, Exterior Door Handle, Finish - 4-Door, Chrome/Black	
89	0655543		Door Panel, Brushed Stainless Steel, Saber/Enforcer 4-Door Cab	1
90	0630636		Controls, Electric Roll-Up Windows, 4dr, 4 Driver Controls, Saber FR/Enforcer	1
91	0638310		Steps, 4-Door Cab, Saber FR/Enforcer	1
			Step Well Material - Aluminum Treadplate	
92	0770194		Handrail, Exterior, Knurled, Alum, 4-Door Cab	1
93	0892638		Lights, Cab & Crw Cab Acs Stps, P25, LED w/Bezel, 6lts	1
			Color, Trim - Chrome Housing	
94	0583698		Fenders, S/S on cab, Extra Wide, Saber/Enf	1
95	0630508		Window, Side of C/C, Fixed, Passenger Side Only, Saber FR/Enforcer	1
96	0722796		Dash, Poly, Saber FR/Enforcer	1
97	0657417		Computer Mount, Gamber Johnson NotePad V, Universal with Tilt/Swivel/Slide	1
			Location - in front of the officer between the Go Light control and the	
			knox box	
			Qty, - 01	
98	0797218		Cab Interior, Turnout Tuff, UL-LX, Basic Level, Enforcer	1
			Color, Cab Interior Vinyl/Fabric - c) Black	
			Cab Interior Rear Wall Material - Painted Aluminum	
			Color, UL-LX, Cab Interior Package - Basic Level - Black	
99	0753903		Cab Interior, Paint Color, Saber FR/Enforcer	1
			Color, Cab Interior Paint - d) red	
100	0052100		Floor, Rubber Padded, Cab & Crew Cab, Saber/Enforcer	1
101	0722696		HVAC, Enforcer, CARE	1
			HVAC System, Filter Access - Tool Free Panel	
			Auxiliary Cab Heater - Both	
			HVAC System, Control Loc. - Panel Position #12	
			Plenum Cover Material - Metal, Painted	
102	0639675		Sun Visor, Smoked Lexan, AXT, Imp/Vel, Saber FR/Enforcer	1
			Sun Visor Retention - No Retention	
103	0634328		Grab Handles, Driver and Officer Door Posts, Saber FR/Enforcer	1
104	0583938		Lights, Engine Comp, Custom, Auto Sw, WIn 3SC0CDCR, 3" LED, Trim	1
			Qty, - 01	
105	0631830		Fluid Check Access, Saber FR/Enforcer, Arrow XT	1
			Latch, Door, Storage - Southco C2 Black Raised	
106	0583042		Side Roll and Frontal Impact Protection	1
107	0622618		Seating Capacity, 5 Seats	1
108	0636955		Seat, Driver, Pierce PSV, Air Ride, High Back, Safety, Saber FR/Enforcer	1
109	0632926		Seat, Officer, Pierce PSV, Air Ride, SCBA, Safety, Saber FR/Enforcer	1
110	0002517		Not Required, Radio Compartment	1
111	0754654		Cabinet, Rear Facing, LS, 23 W x 34 H x 26.75 D, Roll, Ext Acc, SFR/Enf	1
			Light, Short Cabinet - Amdor H2O, Interior, Left Side and Amdor H2O,	
			Exterior, Left Side	
			Scuffplate, Material/Finish - S/S, Polished	
			Material Finish, Shelf - Painted - Cab Interior	
			Shelf/Tray, Cabinet - (1) Shelf, Adjustable, 1.25" Down Lip	
			Door, Cab Exterior Cabinet - Double Pan, Non-Locking	
			Door, Exterior Stop - Bumper	
			Door, Cab Interior Cabinet - Rollup, Amdor, Anodized, Non-Locking	
			Louvers, Cabinet - 0-No Louvers	
112	0102783		Not Required, Seat, Rr Facing C/C, Center	1
113	0635969		Seat, Rear Facing C/C, PS Outboard, Pierce PSV, SCBA, Safety, Saber	1
			FR/Enforcer	
114	0108189		Not Required, Seat, Forward Facing C/C, DS Outboard	1
115	0615248	SP	Seat, Forward Facing C/C, Center, (2) Pierce PSV, SCBA, Safety, Sp Mtg, SFR/Enf	1
			Location - separated to allow for option #0615298, 12.00" wide center	
			console, to be mounted between the (2) seats	
116	0781307		Cabinet, Forward Facing, RS, 22 W x 50 H x 16.25 D, Roll, SFR/Enf	1
			Material Finish, Shelf - Painted - Cab Interior	
			Shelf/Tray, Cabinet - (1) Shelf, Adjustable, 0.75" Up-Turned Lip	
			Door, Cab Interior Cabinet - Rollup, Amdor, Anodized, Non-Locking	

Line	Option	Type	Option Description	Qty
116			Light, Tall Cabinet - Amdor, Interior, Red, Left Side and Amdor, Interior, Red, Right Side	
117	0589269		Louvers, Cabinet - 0-No Louvers Shelf, Adjustable, EMS Compt, .75" Lip Location - in the DS EMS cabinet and two in the PS forward facing EMS cabinet	3
118	0615298	SP	Qty, Shelf - 03 Cabinet, Slide-Out Drawer, 12 W x 20 H x 20 D, Lip Location - Mount between the two forward facing center seats on the rear wall	1
119	0566653		Upholstery, Seats In Cab, Turnout Tuff	1
120	0543991		Color, Cab Interior Vinyl/Fabric - c) Black Bracket, Air Bottle, Hands-Free II, Cab Seats	4
121	0603866		Qty, - 04 Seat Belt, Dual Retractor, ReadyReach, Saber FR/Enforcer	1
122	0602464		Seat Belt Color - Red Helmet Storage, Provided by Fire Department, NFPA 2016	1
123	0647638		Lights, Dome, Weldon Dual LED 4 Lts Color, Dome Lt - Red & White Color, Dome Lt Bzl - Black Control, Dome Lt White - Door Switches and Lens Switch Control, Dome Lt Color - Lens Switch	1
124	0896451		Enhanced Software for Cab and Crew Cab Dome Lts	1
125	0727540		Spotlight, Golight/RadioRay, Model 20**4GT, LED, 1 Lt Location - centered over the lightbar, on Z bracket, similar to 28416. Locate control across from officer next to "A" post. See photo at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos	1
126	0650074		Color, GoLt - Black Bracket, Spotlight - Z Bracket - 1 Lt Controller, Spotlight, Golight, Wired Dash Mount, 1 Lt	1
127	0649964		Location, Spotlight Controller, Officer's Side	1
128	0544419		Handlts, (2) Streamlight Fire Vulcan, Halogen 44401, LED back light 12v, Orange Location, Lights - High, on the inboard side of the rear facing DS EMS, to the rear. See photo at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos	1
129	0622803		Cab Instruments, Black Gauges, Black Bezels, Enforcer MUX	1
130	0509511		Emergency Switching - Individual Switches Air Restriction Indicator, Imp/Vel, AXT, Dash CF, Enf MUX	1
131	0794894		Light, Do Not Move Apparatus, WIn 50R03Z*R LED Chrome Trim Alarm, Do Not Move Truck - Steady Alarm Color, Lens, LED's - Match	1
132	0509042		Messages, Open Dr/DNMT, Color Dsply,	1
133	0622798		Switching, Cab Instrument Lower Console & Overhead, Rocker MUX, Enforcer	1
134	0802945		Wiper Control, 2-Speed with Intermittent, Stalk Control, Enf MUX	1
135	0548004		Wiring, Spare, 15 A 12V DC 1st Qty, - 01 12vdc power from - Battery direct Wire termination - 15 amp power point plug Location, Spare Wiring - officers side dash board directly forward of the Go-light control near the A post	1
136	0548009		Wiring, Spare, 20 A 12V DC 1st Qty, - 01 12vdc power from - Battery direct Wire termination - Butt Splice Location, Spare Wiring - behind dash panel on the officers side labeled	1
137	0803875		Radio, AM/FM/WB, Jensen, Frt,Rear Aux In/Frt,Rear USB/Bluetooth Speakers, AM/FM Radio - Two (2) pairs of speakers, Cab/Crew Antenna, AM/FM Radio - c) Roof-mounted rubber antenna Location, AM/FM Radio - g) instrument panel	1
138	0012668		Swivel Mount for Customer Installed Radio Location - for the CTF two-way radio remote head, on the engine tunnel, within reach of the officer. See sketch at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos Qty, - 1	1

Line	Option	Type	Option Description	Qty
139	0615386		Vehicle Information Center, 7" Color Display, Touchscreen, MUX	1
			System Of Measurement - US Customary	
140	0734857		Collision Mitigation, HAAS Alert (R2V), HA5	1
			Subscription, HAAS R2V - R2V - 5 Year Data Plan Subscription	
141	0606247		Vehicle Data Recorder w/CZ Display Seat Belt Monitor	1
142	0788256	SP	Intercom, David Clark, 6-Pos, D1R, RPTT, O2R, RPTT ,3C, P1R	1
			Location, Intercom, C Cab - 3) 3 forward facing seats	
			Location 1 - in the same location as 29111	
			Location 2 - in the same location as 29111	
143	0637058		David Clark Universal Radio Interfaces Included with Single/Dual System	1
			Location, Radio Interface - driver position	
144	0597914		Headset, David Clark, H3442 Under Helmet, Flex Mic	5
			Qty, - 05	
			Location - Driver seat, passenger seat, two forward facing crew seats and one PS rear facing crew seat	
145	0681408		Hangers For Headsets, NFPA, Each	5
			Qty, - 05	
			Location, Headset Hangers - Driver Seat, Officer Seat, DS Inbrd, Fwrd Fcng Seat, PS Inbrd, Fwrd Fcng Seat and PS Inbrd, Rear Fcng Seat	
146	0597940		Install Customer Provided Two-Way Radio Speaker(s)	1
			Location - on top of the driver side EMS box toward the front	
			Qty, - 01	
147	0559508		Install Customer Provided Two-Way Radio Remote Head Cable	1
			Location - angled on the engine tunnel, within reach of the officer, on a swivel bracket. See sketch at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos	
			Qty, - 01	
148	0699100		Install Customer Provided Key Storage, Knox Box, in Cab	1
			Location - on the slant of the left hand side of the recessed officers dash panel. See photo at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos	
			Qty, - 01	
149	0559156		Install Customer Provided Two-Way Radio(s)	1
			Location - main radio box will be mounted behind the officers seat. See sketch at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos	
			Qty, - 01	
150	0505836		Antenna Mount, Custom Chassis, Maxrad BMATM, Location Feature	1
			Location - in the standard location on the passengers side	
			Qty, - 01	
			Location, Antenna Cable - behind officer's seat	
151	0653519		Camera, Pierce, LS Mux, RS, LS, R, Cameras	1
			Camera System Audio - Speaker Behind Driver Camera System	
152	0890416		Pierce Command Zone, Advanced Electronics & Control System, Enforcer, WiFi CZT	1
			Color, Antenna - Black Antenna	
			Module Housings - See Through Housings with LED Cuircuit Indicators	
153	0896456		Prognostics, Electrical System	1
154	0892649		ClearSky Telematics for Remote Fleet and On-scene Management	1
			Subscription, Telematics - 3 Year Subscription	
155	0624253		Multiplexed Electrical System	1
156	0079211		Batteries, (6) Exide Grp 31, 950 CCA each, Threaded Stud	1
157	0008621		Battery System, Single Start, All Custom Chassis	1
158	0002698		Battery Compartment, Saber/Enforcer	1
159	0813477		Location, Charger, Cab Behind Driver Seat	1
160	0813481		Location Selected From The Battery Charger/Conditioner, Cab Category	1
161	0812383		Charger, Sngl Sys, Kussmaul, Chief 091-266-12-40	1
162	0813573		Not Required, No Ind/Rem	1
163	0813487		Not Required, No Ind/Rem	1
164	0811940		Panel, Remote Control, Not Required	1
165	0814408		Compressor, Air, Ksml 091-9-12V-HP, 12 Volt DC 100 PSI	1
			Timer, Ksml Cmp - Timer 12VDC 091-150	
166	0812576		Location, Air Compressor, Behind Driver Seat	1
167	0812208		Location Picked From Location, Air Compressor, Cab	1

Line	Option	Type	Option Description	Qty
168	0016857		Shoreline, 20A 120V, Kussmaul Auto Eject, 091-55-20-120, Super Qty, - 01 Color, Kussmaul Cover - b) red Shoreline Connection - the battery charger/compressor and shoreline receptacles	1
169	0026800		Shoreline Location Location, Shoreline(s) - DS Crew Cab	1
170	0090295		Sub Feed Breaker Box, For Shoreline, Square D Location, CB Panel - High on the front bulkhead in the D3 adjacent or directly under the Square D breaker box Qty, - 1	1
171	0526727		Switch, Auto Transfer, Up to 30Amp, Multiple Qty, - 1 Connection, Transfer Swit - the interior cab, crew cab and body compartment receptacles	1
172	0647728		Alternator, 430 amp, Delco Remy 55SI	1
173	0092582		Load Manager/Sequencer, MUX Enable/Disable Hi-Idle - e)High Idle enable	1
174	0783157		Headlights, Rect LED, JW Spkr Evo 2, Heat, AXT/DCF/Enf/Imp/Sab/Vel Color, Headlight Bez - Chrome Bezel	1
175	0802935		Light, Directional, Wln M62T* LED, Cmn Bzl, Above Headlights, Sab/Enf Color, Lens, LED's - Clear Color, Q Bezel and Trim - Polished Chrome Flash Pattern, Directional Lts - Steady On (Arrow)	1
176	0620054		Light, Directional/Marker, Intermediate, Weldon 9186-8580-29 LED 2lts	1
177	0647802		Lights, Clearance/Marker/ID, Front, P25 LED 5 Lts, Saber FR/Enforcer	1
178	0647899		Lights, Directional/Marker, Cab Front Side, Weldon 9186-8580-29 LED, Sab/Enf	1
179	0044495		Lights, Clearance/Marker/ID, Rear, Truck-Lite 35200R LED 7Lts, Armored Mnt	1
180	0804514		Lights, Tail, Wln M62BTT* Red Stop/Tail & M62T* Amber Dir Arw For Hsg Color, Lens, LED's - Clear Flash Pattern, Directional Lts - Steady On (Arrow)	1
181	0806466		Lights, Backup, Wln M62BU, LED, For Tail Lt Housing	1
182	0664466		Bracket, License Plate & Light, Weldon 9186-23882-30 Incand, Temp Under Tailbrd Location - below the bumper on the left side	1
183	0556842		Bezels, Wln, (2) M6 Chrome Pierce, For mtg (4) Wln M6 lights	1
184	0589905		Alarm, Back-up Warning, PRECO 1040	1
185	0769569		Lights, Perimeter Cab, Amdor AY-LB-12HW012 LED 4Dr	1
186	0769572		Lights, Perimeter Pump House, Amdor AY-LB-12HW020 LED 2lts	1
187	0770056		Lights, Perimeter Body, Amdor AY-LB-12HW020 LED 2lts, Rear Step Control, Perimeter Lts - Parking Brake Applied	1
188	0896454		Enhanced Software for Perimeter Lts	1
189	0556360		Lights, Step, P25 LED 4lts, Pump Pnl Sw	1
190	0776357		Light, Visor, Wln, 12V P*H2* Pioneer, Cnt Feature, 1st Qty, - 01 Location, driver's/passenger's/center - Centered Color, Wln Lt Housing - Black Paint Control, Scene Lts - Cab Sw Panel DS and Cab Sw Panel PS Scene Light Optics - Flood/Spot	1
191	0766906		Lights, Wln, PCPSM1*, Pioneer, 12 VDC, 1st Location - one each side, high, on the rear body bulkheads below the hatch compartment Qty, - 02 Color, Wln Lt Housing - Black Cover Control, Scene Lts - Cab Sw Panel DS, Pump Panel Sw LS, Cab Sw Panel PS and Body Switch, DS Rear Bulkhead	2
192	0763610		Lights, Wln, PCPSM2*, Pioneer, 12 VDC, 1st Location - one (1) at the front and rear of the PS body mounted on the hatch compartment Qty, - 02 Color, Wln Lt Housing - Black Cover Control, Scene Lts - Cab Sw Panel DS, Pump Panel Sw LS and Cab Sw Panel PS	2

Line	Option	Type	Option Description	Qty
193	0763608		Lights, Wln, PCPSM2*, Pioneer, 12 VDC, 2nd Location - one (1) at the front and rear of the DS body mounted on the hatch compartment Qty, - 02 Color, Wln Lt Housing - Black Cover Control, Scene Lts - Cab Sw Panel DS, Pump Panel Sw LS and Cab Sw Panel PS	2
194	0532358		Not Required, Deck Lights, Other Hose Bed & Rear Lighting	1
195	0768508		Lights, Hose Bed, Sides, Dual LED Light Strips, Amdor AY-LB-12HW0** Control, Hose Bed Lts - Cup Switch At Rear, DS Pump Panel Sw, DS Cab Sw and PS Cab Sw	1
196	0645677		Lights, Not Required, Rear Work, Alt. 12 Volt Lights At Rear Body	1
197	0709438		Lights, Walk Surf, FRP Flood, LED	1
198	0060115		152" Medium Custom	1
199	0554271		Body Skirt Height, 20"	1
200	0556267		Tank, Water, 500 Gallon, Poly, Med (Milwaukee Style)	1
201	0003405		Overflow, 4.00" Water Tank, Poly	1
202	0028104		Foam Cell Required	1
203	0553725		Restraint, Water Tank, Heavy Duty, Special Type Tank, 4x4, or Export	1
204	0003429		Not Required, Direct Tank Fill	1
205	0003424		Not Required, Dump Valve	1
206	0048710		Not Required, Jet Assist	1
207	0030007		Not Required, Dump Valve Chute	1
208	0514778		Not Required, Switch, Tank Dump Master	1
209	0691185	SP	Hose Bed, Aluminum, Pumper (Milwaukee Style)	1
210	0723549		Painted Hose Bed Paint Color, Hose Bed Interior - Match Lower Body	1
211	0003481		Hose Bed Capacity, Special Capacity, Hosebed - 400' of 3.00" - 800' of 5.00"	1
212	0003488		Divider, Hose Bed, Unpainted Qty, Hosebed Dividers - 1	1
213	0040730		Reinforcement, Hose Bed Divider Tied To Crossbar Qty, - 1	1
214	0048556		Cross-Divider, Front of Hose Bed, w/Reinforced Aluminum Treadplate Floor	1
215	0607925	SP	Cover, Hose Bed, Roller Shutter, Fasteners, Pumper, Black Coating Color, Vinyl Cover - c) black Type of fastener - 2" cam buckle - bottom of hosebed Type of fastener, Rear - 1" cam buckle	1
216	0806512	SP	Flap, Rear of Roller Shutter Cover, Vinyl, Ship Loose Color, Vinyl Cover - c) black	1
217	0740286		Lettering, Hose Bed Rear Flap, Reflective Color, Lettering - a) white Qty, Lettering - 06 Lettering, Hosebed - "E 17" - on the main flap and on the flap being shipped loose Centering, Lettering, Rear Flap - Centered on Hose Bed Layout, Lettering - Straight Size, Lettering, Rear Flap, Reflective - 20.00"	6
218	0013512		Running Boards, 12.75" Deep	1
219	0688203		Tailboard, T-Shaped, 26" & 10" Deep	1
220	0690037		Wall, Rear, Smooth Aluminum/Body Material Material, Rear Wall Inboard Facing Surfaces - Aluminum Diamondplate	1
221	0889713		Tow Eyes, 2G Pumper	1
222	0895820		Construction, Compt, Alum, 2G Pumper	1
223	0023650		152" Rollup FH Front & Rear FDLER	1
224	0063658		152" Rollup FH Front & Rear FDLER	1
225	0594005		Doors, Rollup, Amdor, Side Compartments Qty, Door Accessory - 06 Color, Roll-up Door - AMDOR Painted to Match Lower Body Latch, Roll-up Door - Non-Locking Liftbar	6
226	0609638	SP	Rear Transverse Storage, Flat Access Panel	1
227	0609634	SP	Flat Access Panel	1
228	0554995		No Body Modification Required	1

Line	Option	Type	Option Description	Qty
229	0551807	SP	Scuffplate, Brushed S/S On Lip of Ladder Storage Compartment	1
230	0805403	SP	Scuffplate, S/S, Vertical, Door Opening, Compt	1
			Location - locate on the vertical surface, opposite the door hinge, for the DS rear hose tray compartment	
231	0625184		Material Trim/Scuffplate - b) S/S, Brushed Guard, Drip Pan, S/S, Rollup Door, Pumper	6
			Qty, Door Accessory - 06	
232	0636819		Location, Door Guard/Drip Pan - LS1, LS2, RS1, RS2 and RS3 Trim, Rollup Door, Painted Job Color, by Amdor	6
			Qty, - 06	
233	0659353		Lights, Compt, Amdor AY-9220 LED, Dual Lt Strip	6
			Qty, - 06	
234	0667431		Lights, Compt, Amdor, AY-9220-31, LED, 30.58", Additional	1
			Location, Lights - High, on the rearward access panel, in R1	
			Qty, - 01	
235	0739915		Hatch, (2) Liftup, Pumper	2
			Location, Hatch Compt - Both Sides	
			Qty, Hatch Compt - 2	
			Trim, Body/Hatch Compt Seam, Horizontal - Painted Formed - Match Upper	
			Hatch Compt, Width - 14"	
			Latch, Hatch Compt - Lever Latch	
			Matting, Floor, Hatch Compt - Rubber Matting	
236	0730092		Not Required	1
237	0733240		Lights, Hatch Compt, Amdor AY-9220-42, LED, Light Strips, 2-Sides 4 Dr	1
238	0687146		Shelf Tracks, Painted	6
			Qty, Shelf Track - 06	
			Location, Shelf Track - LS1, LS2, LS3, RS1, RS2 and RS3	
239	0687112		500 lb Painted Adjustable Shelf	7
			Qty, Shelf - 07	
			Location, Shelf - (1) each in upper of D2 P2 D3 P1 P3 and (2) in upper D1	
240	0709692		Tray, 215 lb, Tilt/Slide-Out, 30 Deg, Adj, Predefined Locations	1
			Qty, Tray (slide-out) - 01	
			Location, Shelves/Trays, Predefined - LS1-Upper Third	
			Material Finish, Tray - Painted - Spatter Gray	
241	0647091		Tray, Floor Mounted, Slide-Out, 500lb, 2.00" Sides	1
			Qty, - 01	
			Location, Tray Slide-Out, Floor Mounted - RS3	
			Material Finish, Tray - Painted - Spatter Gray	
242	0611048	SP	Tray, Floor Mounted, One Way Slide-Out, 1000lb, 2" Sides, SlideMaster, 1/2 Trans	2
			Qty, - 02	
			location - one each in D1 and P1. Trays to be built as wide as the transition are will tolerate from the side compartments to the rear compartments	
			Material - paint to match compt interior	
243	0725642		Cabinet, Drawer Assembly, CTECH, Three Drawers, Up To 36" Wide	1
			Qty, - 01	
			Location - LS3	
			Size, Drawer Height 1 (Top) - 5.00"	
			Size, Drawer Height 2 - 5.75"	
			Size, Drawer Height 3 - 7.75"	
244	0628160	SP	Hose Storage, Btwn Tank & Side Sheet, Enclosed, Poly Tray	2
			Location - on the driver's side of the hose bed	
			Qty, - 02	
			Size - 150' of 2.50" hose	
			Door, Material & Finish, Storage - Smooth Aluminum	
			Latch, Door, Storage - "D" Handle Latch	
245	0009729		Pac Trac, Installed on Compt Walls	3
			Location - one on the upper wall of P1, P3, D3	
			Qty, Comp. Accessory - 03	
246	0600606	SP	Trough, Long Tool, Storage Area, Each	1
			Location - Mounted 12" above the slides, of the upper hose tray, at the DS rear storage area	
			Qty, - 01	
			Fill in Blank - full-width x full length to the step down x app. 11" high sides	

Line	Option	Type	Option Description	Qty
247	0004016		Rub Rail, Aluminum Extruded, Side of Body	1
248	0784811		Fender Crowns, Rear, Stainless, w/Removable Liner	1
			Material Finish, Fender Liner - Brushed Stainless	
249	0519849		Not Required, Hose, Hard Suction	1
250	0626229		Handrails, Side Pump Panels, Per Print	1
251	0004126		Handrails, Beavertail, Standard	1
252	0004146		Handrail, Rear, Below Hose Bed, Full Width	1
253	0657651		Compt, Air Bottle, Double, Fender Panel	3
			Qty, Air Bottle Comp - 3	
			Door Finish, Fender Compt - Polished	
			Location, Fender Compt - Double - LS Fwd, Double - LS Rear and	
			Double - RS Fwd	
			Latch, Air Bottle Compt - Southco C2 Chrome Raised	
			Insert, Air Bottle Compt - Rubber Matting	
254	0638299		Compt, Extinguisher Fender Panel, 8.50" Square	1
			Qty, - 01	
			Door Finish, Fender Compt - Polished	
			Location, Fender Compt - Single - RS Rear	
			Latch, Air Bottle Compt - Southco C2 Chrome Raised	
			Insert, Air Bottle Compt - Dura-Surf Lining	
255	0726239		Hopper, Oil Dry, Inside Compartment, Slide-Out	1
			Location - mounted on the floor to the very rear in RS1 as tight as possible to the door header	
			Hopper Capacity - 120 lbs - 20.3 gallons	
			Hopper Fill Door Location - Top	
256	0004225		Ladder, 24' Duo-Safety 900A 2-Section	1
257	0004230		Ladder, 14' Duo-Safety 775A Roof	1
258	0787027		Ladders Btwn Tank & S.Sht, RS, Ext'd Rr, Encl'd Complete, RPH, Special Mounting	1
			Fill in Blank - same as 29111	
			Door, Material & Finish, Ladder Storage - smooth aluminum	
			Latch, Door Ladder Storage - D-Handle latch	
259	0733387		Ladder, 10' Duo-Safety Folding 585A	1
260	0789534		Pike Pole, 8' DUO Safety, Fiberglass	1
			Qty, Pike Poles - 1	
261	0548182		Pike Pole, 6' Nupla, Fiberglass, I Beam, SPD-6	1
			Qty, Pike Poles - 1	
262	0004361		Tubes, Alum, Pike Pole Storage	2
			Qty, Pike Pole Tubes - 02	
			Location, Pike Pole Tube - Ladder Storage	
263	0058193		Tubes, Alum, Pike Pole Storage, Spcl Notch, NY PP Head	3
			Location - in the ladder storage compartment	
			Qty, Pike Pole Tubes - 03	
264	0004375		Bell, 12" Chrome w/Eagle	1
			Location, Acc. Misc. - b) passenger's side	
265	0593083		Step, Folding, Front of Body, Left Side, w/LED, Trident	1
			Coating, Step - black	
266	0592994		Steps, Folding, Rear of Body, w/LED, Trident	1
			Coating, Step - black	
267	0724153		Step, Folding - Extra, Body Only, w/LED, Trident	4
			Qty, Folding Step - 04	
			Location, Additional Step - three on the front left side bulkhead and 1 on in the cargo bay	
			Coating, Step - luminescent	
268	0084840	SP	Step, Stirrup Style w/Tread Grip, Cable	1
			Location, Additional Step - under the rear tail board to the right of the tow bar	
			Qty, - 01	
269	0005498		Pump House, Side Control, 52"	1
270	0037731		Pump House Structure, Raised, Included with Ladder Storage	1
271	0045679		Raise Side Sheet Above Pump House	1
272	0004425		1500 GPM CSU Waterous	1
273	0004482		Seal, Mechanical, Waterous	1
274	0559769		Trans, Pump, Waterous C20 Series	1
275	0635600		Pumping Mode, Stationary Only	1

Line	Option	Type	Option Description	Qty
276	0795915		Pump Shift, Air Mnl Override, Split Shaft, Interlock, Wat, Location, Left	1
277	0003148		Transmission Lock-up, EVS	1
278	0004547		Auxiliary Cooling System	1
279	0014486		Not Required, Transfer Valve, Single Stage Pump	1
280	0737989		Valve, Relief Intake, Waterous	1
			Qty - 1	
			Pressure Setting - 125 psig	
281	0721609		Controller, Pressure, Pierce LCD, Custom Chassis	1
			Pressure Governor Throttle Control - Clockwise	
			Pressure Governor Default Mode - No Mode/Default Press Setting	
282	0072153		Primer, Trident, Air Prime, Air Operated	1
283	0663594	SP	Line, 0.50" Recirculating w/Check Valve, Automatic	1
284	0780364		Manuals, Pump, (2) Total, Electronic Copies	1
285	0603129		Plumbing, Stainless Steel and Hose, Single Stage Pump	1
286	0775901		Plumbing and Manifolds, Stainless Steel, w/Foam System	1
287	0004645		Inlets, 6.00" - 1250 GPM or Larger Pump	1
288	0767389		Valve, w/Relief, Right Inlet, 6", Akron 9333 Elec Controller, Jamesbury,Override	1
			Qty, Main Inlet Valves - 1	
289	0767397		Valve, w/Relief, Left Inlet, 6", Akron 9333 Elec Controller, Jamesbury, Override	1
290	0004646		Cap, Main Pump Inlet, Long Handle, NST, VLH	1
291	0743394		Valves, Full Flow Waterous, Akron/Elkhart Aux Inlet Valves	8
			Valve, Brand - Akron	
			Qty, Valves - 8	
			Inlet/Outlet Location - No. 1 Left Side Discharge, No. 2 Left Side Discharge, No. 1 Right Side Discharge, No. 2 Right Side Discharge, Left Front Discharge, No. 1 Rear Discharge, No. 1 Rear Pre-Connect Discharge and Tank Fill	
292	0004686		Valve, Inlet(s) Recess Behind Panel, Side Cntrl	1
			Qty, Inlets - 1	
293	0004700		Control, Inlet, at Valve	1
294	0004660		Inlet (1), Left Side, 2.50"	1
295	0029147		Not Required, Inlet, Right Side	1
296	0092569		No Rear Inlet (Large Dia) Requested	1
297	0064116		No Rear Inlet Actuation Required	1
298	0092696		Not Required, Cap, Rear Inlet	1
299	0009648		No Rear Intake Relief Valve Required on Rear Inlet	1
300	0092568		No Rear Auxiliary Inlet Requested	1
301	0723049		Valve, .75" Bleeder, Aux. Side Inlet, "T" Swing Handle	1
302	0029043		Tank to Pump, (1) 3.00" Valve, 3.00" Plumbing	1
303	0024900		Outlet, Tank Fill, 2.50"	1
304	0062133		Control, Outlets, Manual, Pierce HW if applicable	1
305	0004940		Outlet, Left Side, 2.50"	2
			Qty, Discharges - 02	
306	0005091		Elbow, Left Side Outlets, 45 Degree, 2.50" FNST x 2.50" MNST, VLH	1
307	0092570		Not Required, Outlets, Left Side Additional	1
308	0035094		Not Required, Elbow, Left Side Outlets, Additional	1
309	0004945		Outlet, Right Side, 2.50"	2
			Qty, Discharges - 02	
310	0025091		Elbow, Right Side Outlets, 45 Degree, 2.50" FNST x 2.50" MNST, VLH	1
311	0092571		Not Required, Outlets, Right Side Additional	1
312	0089584		Not Required, Elbow, Right Side Outlets, Additional	1
313	0005046		Outlet, 4" w/3.50" Waterous Valve, Right, Handwheel	1
314	0005097		Elbow, Large Dia Outlet, 30 Deg, 4.00" FNST x 5.00" Storz	1
			Qty, - 01	
315	0617309	SP	Outlet, Front, 1.50" w/2.50" Plumbing, Waterous Valve	1
			Fitting, Outlet - 1.50" NST with 90 degree swivel	
			Drain, Front Outlet - Automatic	
			Location, Front, Single - in center bumper tray	
316	0617240	SP	Outlet, Rear, 2.50" w/2.50" Valve and Plumbing	1
			Location - Centered under the trays, at the drivers side, locate app. 3" off the floor to allow a spanner wrench use	
317	0045099		Not Required, Elbow, Rear Outlets	1

Line	Option	Type	Option Description	Qty
318	0092574		Not Required, Outlet, Rear, Additional	1
319	0085695		Not Required, Elbow, Rear Outlets, Large, Additional	1
320	0092573		Not Required, Outlet, Hose Bed/Running Board Tray	1
321	0752097		Caps/Plugs for 1.00" to 3.00" Discharges/Inlets, Chain	1
322	0723042		Valve, 0.75" Bleeder, Discharges, "T" Swing Handle	1
323	0065959	SP	Outlet, 3" Deluge w/Bypass, Waterous Valve	1
324	0739657		Monitor, TFT Hurricane XFIH-E, Electric, Panel and Wireless Control	1
			Monitor Finish - Painted	
325	0054847		Nozzle, TFT Master Stream M-ER, 1250 GPM, Electric	1
326	0075261		Deluge Mount, TFT Hurricane For RC3 Extend-A-Gun Only	1
327	0723726		Speedlay Module Not Required	1
328	0722432		Hose Restraint Not Required, No Speedlay Module	1
329	0723395		Speedlays, Not Required	1
330	0723394		Speedlays, Not Required	1
331	0670211		Crosslays, (2) 1.50", 200' of 1.75", Overhead Piping, w/Poly Trays	1
332	0029196		No Crosslay	1
333	0500535		Not Required, Hose Restraint, Crosslay	1
334	0029260		No Speedlays	1
335	0750536		Hose Restr, Spdly, Not Required, No Spdly	1
336	0607545	SP	Floor, Crosslay, Stationary, Aluminum Treadplate	1
337	0075206		Cover, Crosslay, Bi-fold 3\16" Alum Treadplate	1
338	0692594	SP	Crosslays, 17.00" Lower Than Standard	1
339	0600634	SP	Doors, Crosslay, Full-Height, Top Hinged Alum Treadplate, D-Ring Latch	1
340	0592633		Foam Sys, Husky 3, Single Agent	1
			Discharge - front bumper, two crosslays deck gun, and one rear discharge	
			Amount of Disc. W/Foam - 5	
341	0012126		Not Required, CAF Compressor	1
342	0592527		Refill, Foam Tank, Integral, Husky 3	1
343	0031896		Demonstration, Foam System, Dealer Provided	1
344	0005447		Foam Cell, 30 Gallon, Not Reduce Water	1
			Type of Foam - Class "A"	
345	0697589		Drain, 1.00", Foam Tank #1, Husky 3 Foam System, Quarter Turn	1
346	0091079		Not Required, Foam Tank #2	1
347	0091112		Not Required, Foam Tank #2 Drain	1
348	0746445		Approval Dwg, Pump Operator's Panel, Includes Color And Label Tags	1
			Num Of Truck(s) or Sim Unit, OPER Pump Pnl, Dwg - 01	
349	0615641		Pump Panel Configuration, Similar to Control Zone	1
350	0629252		Material, Pump Panels, Side Control Black Vinyl	1
			Material Finish, Pump Panel, Side Control - Black Vinyl	
			Material, Pump Panel, Side Control - Aluminum	
351	0893246		Panel, Pump Access - Right Side, Front, Hinged Gauge Panel, Side Control	1
			Latch, Pump Panel Access, Side Mount - Raised Trigger, Black	
352	0005945		Light, Pump Compt	1
353	0586382		Gauges, Engine, Included With Pressure Controller	1
354	0005601		Throttle, Engine, Incl'd w/Press Controller	1
355	0739224		Indicator Light @ Pump Panel, Throttle Ready, Incl w/Pressure Gov/Throttle, Green	1
356	0549333		Indicators, Engine, Included with Pressure Controller	1
357	0745568		Indicator Light, Pump Panel, Ok To Pump, Green	1
358	0553643		Control, Air Horn at Pmp Pnl, Red Switch	1
359	0692286		Cold Climate Package, Pump House, Level 2	1
360	0005690		Gauges, 6.00" Master, Class 1, 30"-0-600psi	1
361	0511100		Gauge, 2.00" Pressure, Class 1, 30"-0-400psi	1
362	0750526		Gauge, Water Level, Pierce, In pressure Controller, Lt Driver	1
363	0750438		Water Level Gauge, Wln PSTANK2, LED 1-Light, 4-Level	2
			Qty, - 02	
			Activation, Water Level G - pb) parking brake is applied	
			Location, Water Level Gauge, Multi-Select - Each Side Custom Cab	
			Color, Trim - Black Trim	
364	0062992		Gauge, Foam Level, (1) Tank, Class 1, GAAAR 5lt	1
365	0682503		Light Shield/Step 8", LED, P25 LED Stp Lt	1
366	0606694		Air Horns, (2) Hadley, 6" Round, eTone, In Bumper	1

Line	Option	Type	Option Description	Qty
367	0606835		Location, Air Horns, Bumper, Each Side, Outside Frame, Outboard (Pos #1 & #7)	1
368	0757092		Control, Air Horn, Multi Select	1
369	0757084		Control, Air Horn, Horn Ring	1
370	0757078		Control, Air Horn, Push Button Sw, RS	1
371	0006133		Siren, Code 3 3692 100W or 200W	1
372	0510206		Location, Elec Siren, Recessed Overhead In Console	1
			Location, Elec Siren - Overhead, PS Inside Sw Pnl	
373	0748306		Control, Elec Siren, Multi Select	1
374	0748292		Control, Elec Siren, Push Button Sw, RS	1
375	0805709		Control, Elec Siren, Horn Ring, Interlock	1
			Control, Interlocks - E Master On	
376	0601375		Speaker, (1) Code 3, PB100C, Chrome	1
			Connection, Speaker - siren head	
377	0601552		Location, Speaker, Frt Bumper, Recessed, Right Side, Outside Frame, Inbrd (Pos 2)	1
378	0895310		Siren, Federal Q2B	1
			Finish, Q2B Siren - Chrome	
379	0006095		Siren, Mechanical, Mounted Above Deckplate	1
			Location, Siren, Mech - a) Left	
380	0748305		Control, Mech Siren, Multi Select	1
381	0748280		Control Mech Siren, Horn Ring	1
382	0748279		Control Mech Siren, Push Button Sw, RS	1
383	0740391		Sw, Siren Brake, Momentary Chrome Push Button, RS	1
384	0746353		Not Required, Warning Lights Intensity	1
385	0607611	SP	Lightbar, Wln, Freedom IV-V, 81", RDAlYRR___WROptBW___BBDAlYB	1
			Opticom Priority - b) High	
			Opticom Activation - Cab Switch & E-Master	
			Momentary Opticom Activation - No Activation	
			Filter, Whl Freedom Ltbrs - No Filters	
386	0723867		Lightbars, Wln, Freedom IV-Q, 2-21.5", RRWRR RRWRR	1
			Lightbar Location, Cab/Crew Cab - cc)over the crew cab doors	
387	0552524		Lights, Front Zone, Wln M6# LED, Split, Clear Lens, In Common Bzl	1
			Color, Lt DS Frnt Out Spl - a) Red and White	
			Color, Lt PS Frnt Out Spl - Blue and White	
388	0553202		Lights, Side Zone Lower, Wln M6# LED, Split Color 2pr	1
			Location, Lights Rear - each side over the rearbody wheel wells	
			Location, Lights Front Side - b)each side bumper	
			Color, Lt Side Frnt Split - Red and White	
			Color, Lt Side Rear Split - White and Red	
389	0742884		Lights, Side, Wln M6# Split Color LED 1st	2
			Location, Lights - one each side, high on the hatch compartment sides, forward of the front scene light	
			Qty, - 02	
			Control, Light - b) side warning	
			Color, Lt Side Split - Red and White	
			Color, Trim - Chrome Trim	
390	0564655		Lights, Rear Zn Lwr, Wln M6*C LED, Clear Lens, For Tail Lt Housing	1
			Color, Lt DS Rear - r) DS Rear Lt Red	
			Color, Lt PS Rear - b) PS Rear Lt Blue	
391	0769349	SP	Lights, Rear/Side Up Zone, Wln M6# Split Color, 4lts	1
			Color, Lt DS Rear Splt - e) Red and Red	
			Color, Lt PS Rear Splt - e) Red and Red	
			Color, Lt DS Side Splt - Blue Forward, Red to the Rear	
			Color, Lt PS Side Splt - Red Forward, Blue to the Rear	
392	0006551		Not Required, Lights, Rear Upper Zone Blocking	1
393	0026813		No Hose Bed Warn Light Brackets Req'd, Lights Mtd on Hatch Compts, Pumper	1
394	0791468		Light, Traffic Directing, Wln TAM85 46.87" Long LED	1
			Activation, Traffic Dir L - Not Connected	
395	0666198		Location, Traf Dir Lt, Over Bed Between Body Shts, Under Cross Tb, Trdpt Bx	1
396	0533175		Location, Traf Dir Lt Controller, Overhead, Center	1
397	0006646		Electrical System, 120/240VAC, General Design	1
398	0516618		Generator, Harrison 10kW MCR Hydraulic, Hot Shift PTO	1
			Generator Interlocks - No Interlocks	

Line	Option	Type	Option Description	Qty
399	0006645		Location, Hydraulic Generator Above Pump	1
			Location, Generator(s) - Over Pump, Left Side	
400	0016752		Starting Sw, Truck Engine Powered Gen, Cab Sw Pnl	1
401	0016757		Not Required, Remote Start, Generator	1
402	0016740		Not Required, Fuel System	1
403	0016767		Not Required, Oil Drain Extension, Generator	1
404	0066607		Circuit Breaker Panel, Square D	1
			Location, CB Panel - Locate as high as possible, on the front bulhead wall, in D3. Use part #64-0695-008	
405	0016771		Not Required, Routing Exhaust, Generator	1
406	0772909		Light Twr, W-B Chf NS2.3-600 WHL, 4-P*H2, 12VDC Lts Cld 7.5'	1
			Color, Tower, Wlb - Black Paint	
			Scene Light Optics - Flood	
407	0664468		Location, Light Tower, Front Hose Bed	1
408	0617750		Controller, Lt Twr, W-B, Wired Hndhld, E-STOP Chf, Chf Pr, Pow Pr	1
409	0664791		Location, Light Tower Controller, Driver's Side Front Body Compartment	1
410	0781579		Receptacle, 15/20A 120V 3-Pr 3-Wr, NEMA 5-20R SB Dup, 1st, Interior Cab	2
			Qty, - 02	
			Location 1 - the forward portion of the DS ems box above the shelf on the forward wall, one on behind the seat of the officer on the engine tunnel	
			AC Power Source - Shoreline	
			Cover, Receptacle - Interior SS Wall Plate(s)	
411	0780309		Receptacle, 15/20A 120V 3-Pr 3-Wr SB Dup, 4 place, Interior Cab	1
			Qty, - 01	
			Location 1 - On the inboard side of the rear facing DS EMS box forward of the hand lights down low. See sketch at S:\FAE-SHARE\DEPT\Job E-Folders\29000-29999\29111\Stage 7 - Graphics & Photos	
			AC Power Source - Shoreline	
			Cover, Receptacle - Interior SS Wall Plate(s)	
412	0779722		Receptacle, 15/20A 120V 3-Pr 3-Wr, NEMA 5-20R SB Dup, 1st, Interior Body	1
			Qty, - 01	
			Location 1 - one in D3 on the front bulkhead wall under the CB panel above the shelf	
			AC Power Source - Shoreline	
			Cover, Receptacle - Interior SS Wall Plate(s)	
413	0016791		Receptacle, 30A 120V 3-Pr 3-Wr TL, L5-30 Wtrprf	2
			Location, Receptacles - (1) each side on the driver's and passenger's rear bulkheads	
			Qty, - 02	
			AC Power Source - Generator	
414	0519934		Not Required, Brand, Hydraulic Tool System	1
415	0649753		Not Required, PTO Driven Hydraulic Tool System	1
416	0007150		Bag of Nuts and Bolts	1
			Qty, Bag Nuts and Bolts - 1	
417	0602516		NFPA Required Loose Equipment, Pumper, NFPA 2016, Provided by Fire Department	1
418	0602407		Soft Suction Hose, Provided by Fire Department, Pumper NFPA 2016 Classification	1
419	0027023		No Strainer Required	1
420	0602538		Extinguisher, Dry Chemical, Pumper NFPA 2016 Class, Provided by Fire Department	1
421	0602360		Extinguisher, 2.5 Gal. Pressurized Water, Pumper NFPA 2016, Provided by Fire Dept	1
422	0602679		Axe, Flathead, Pumper NFPA 2016 Classification, Provided by Fire Department	1
423	0602667		Axe, Pickhead, Pumper NFPA 2016 Classification, Provided by Fire Department	1
424	0741569		Paint Process / Environmental Requirements, Appleton	1
425	0709566		Paint, Two-Tone Color, Enforcer	1
			Paint Color, Upper Area, Predefined - #101 Black	
			Shield, Cab - Special Shield	
			Paint Color, Lower Area, Predefined - #90 Red	
			Paint Break, Cab - Standard Two-Tone Cab Break	
426	0709833		Paint, Two-Tone Color, Body	1
			Paint Break, Body - Body Seam/Catwalk	
			Paint, Lower Body - Match Cab Lower	
			Paint, Upper Body - Match Cab Upper	

Line	Option	Type	Option Description	Qty
427	0646897		Paint Chassis Frame Assy, E-Coat, Standard	1
			Paint Color, Frame Assembly, Predefined - Standard Black	
428	0693797		No Paint Required, Aluminum Front Wheels	1
429	0693792		No Paint Required, Aluminum Rear Wheels	1
430	0733739		Paint, Axle Hubs	1
			Paint, Axle Hub - Primary Job Color	
431	0522972	SP	Paint, Monitor, Sp. Color, Pierce Supplied	1
			Color, Paint - 101 black	
432	0722845		Paint, Pump House Exterior and Cargo Interior	1
			Paint, Pump House Exterior - Match Two Tone Body	
			Paint/Finish, Pump House Cargo Interior - Painted - Match Lower Body Color	
			Paint Break, Pump House - Match Body	
433	0007230		Compartment, Painted, Spatter Gray	1
434	0544129		Reflective Band, 1"-6"-1"	1
			Color, Reflect Band - A - e) black	
			Color, Reflect Band - B - p) black	
			Color, Reflect Band - C - za) black	
435	0077356		Reflective, Cab Face, Below the S/S Trim Band	1
436	0536954		Stripe, Chevron, Rear, Diamond Grade, Pumper	1
			Color, Rear Chevron DG - fluorescent yellow green	
437	0022087		"Z" Ribbon, w/Shade in Reflective Stripe, Pair	1
			Qty, - 1	
438	0509398		Stripe, Reflective, Chevron, Cab and Crew Cab Doors Interior	1
			Color, Reflect Band - B - p) black	
			Size, Chevron Stripping - 06	
			Color, Reflect Chev - A - c) ruby red	
439	0067298		Stripe, Gold Leaf, Across Cab Face	1
440	0027372		Lettering Specifications, (GOLD STAR Process)	1
441	0686432		Lettering, Gold Leaf, 3.00", Each	12
			Qty, Lettering - 12	
			Outline, Lettering - Outline and Shade	
442	0685985		Lettering, Reflective, 12.00", Each	6
			Qty, Lettering - 06	
			Outline, Lettering - Outline and Shade	
443	0686262		Lettering, Gold Leaf, 2.00", Each	8
			Qty, Lettering - 08	
			Outline, Lettering - Outline and Shade	
444	0686233		Lettering, Gold Leaf, 5.00", (21-40)	1
			Outline, Lettering - Outline and Shade	
445	0585074	SP	Emblem, Helmet, Color Imaged, Each	2
			Qty, - 02	
			Location, Emblem - one each side of the cab	
446	0001054		Emblems, Stop Signs, Reflective, pair	2
			Qty, - 02	
			Location, Emblem - inside of the cab doors with the word "WHOA" in place of "STOP"	
447	0695610		Emblem, Reflective, Per Dept. Submittal, Each	2
			Qty, - 02	
			Location, Emblem - cab doors	
			Size, Dept Seal, Reflect - 16" - 18"	
448	0769753		Emblem, American Flag Painted on Cab Grille, All Custom Chassis	1
449	0599008		Rust Proof/Undercoat, Custom Chassis	1
			Color, Undercoating - Black	
450	0003079		Rust proof/Undercoat, Cab & Body w/Roll-up Doors, Ziebart	1
451	0529225		Manuals, Two (2) CD, Fire Apparatus Parts, Custom Chassis	1
452	0531636		Manual, (2) CD, Chassis Service, Custom	1
453	0531638		Manual, Two (2) CD, Chassis Operation, Custom	1
454	0030008		Warranty, Basic, 1 Year, Apparatus, WA0008	1
455	0735523		Warranty, Engine, Paccar MX13, 5 Year	1
456	0684953		Warranty, Steering Gear, Sheppard M110, 3 Year WA0201	1
457	0596017		Warranty, Frame, 50 Year, Custom Chassis, WA0013	1
458	0595698		Warranty, Axle, 3 Year, TAK-4, WA0050	1

Line	Option	Type	Option Description	Qty
459	0610485		Warranty, Axle, Eaton/Dana, 5 Year/100,000 Mile, Parts and Labor	1
460	0652758		Warranty, ABS Brake System, 3 Year, Meritor Wabco, WA0232	1
461	0019914		Warranty, Structure, 10 Year, Custom Cab, WA0012	1
462	0744240		Warranty, Paint, 10 Year, Cab, Pro-Rate, WA0055	1
463	0524627		Warranty, Electronics, 5 Year, MUX, WA0014	1
464	0695416		Warranty, Pierce Camera System, WA0188	1
465	0708760		Warranty, Not Applicable, LED Strip Lights	1
466	0046369		Warranty, 5-year EVS Transmission, Standard Custom, WA0187	1
467	0685945		Warranty, Transmission Cooler, WA0216	1
468	0688798		Warranty, Water Tank, Lifetime, UPF, Poly Tank, WA0195	1
469	0596025		Warranty, Structure, 10 Year, Body, WA0009	1
470	0693126		Warranty, AMDOR, Roll-up Door, 10 Year/5 Year Painted, WA0185	1
471	0734463		Warranty, Pump, Waterous, 7 Year Parts, WA0382	1
472	0648675		Warranty, 10 Year S/S Pumbing, WA0035	1
473	0657990		Warranty, Foam System, Husky 3, WA0231	1
474	0725636		Warranty, Harrison Generator, 2 Year	1
475	0595820		Warranty, Paint, 10 Year, Body, Pro-Rate, WA0057	1
476	0595421		Warranty, Goldstar, 3 Year, Apparatus, WA0018	1
477	0683627		Certification, Vehicle Stability, CD0156	1
478	0808565		Certification, Engine Installation, Enf, Paccar MX, 2027	1
479	0686786		Certification, Power Steering, CD0098	1
480	0892691		Certification, Cab Integrity, Saber FR/Enforcer, CD0189	1
481	0631973		Certification, Cab Door Durability, Saber FR/Enforcer, CD0137	1
482	0631978		Certification, Windshield Wiper Durability, Saber FR/Enforcer, CD0132	1
483	0631974		Certification, Electric Window Durability, Saber FR/Enforcer, CD0133	1
484	0631977		Certification, Seat Belt Anchors and Mounting, Saber FR/Enforcer, CD0134	1
485	0735949		Certification, Cab HVAC System Performance, SFR/Enf, CD0165/CD0167/CD0174/CD0175	1
486	0545073		Amp Draw Report, NFPA Current Edition	1
487	0002758		Amp Draw, NFPA/ULC Radio Allowance	1
488	0799248		Appleton/Florida BTO	1
489	0000018		PUMPER, 2ND GEN	1
490	0000012		PIERCE CHASSIS	1
491	0735525		PACCAR MX13 ENGINE	1
492	0046396		EVS 4000 Series TRANSMISSION	1
493	0020011		WATEROUS PUMP	1
494	0020009		POLY TANK	1
495	0028048		FOAM SYSTEM	1
496	0020006		SIDE CONTROL	1
497	0020007		AKRON VALVES	1
498	0020015		ABS SYSTEM	1
499	0658751		PUMPER BASE	1



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MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

EM-102

June 7, 2023

Assistant Chief Eric Bergum
City of Inver Grove Heights
7015 Clayton Ave. East
Inver Grove Heights, MN 55076

Subject: **Proposal for one (1) Pierce Enforcer Pumper
Proposal / Bid #1006**

Dear Assistant Chief Bergum,

With regard to the above subject, please find attached our completed proposal.
Pricing, is as follows, including 100% prepay option.

Pricing Summary:

Sale Price – **\$1,174,882.29***
**Houston-Galveston Area Council (HGAC) Consortium Pricing.*

100% Performance Bond:

Included in the above price.

100% Prepayment Option:

Should the City of Inver Grove Heights elect to make a 100% prepayment fifteen (15) days after contract signing, a discount of **(\$60,747.00)** can be subtracted from the above "Sale Price" resulting in a revised contract price of **\$1,114,135.29**.

100% Prepayment Option 12 Months before completion date at factory:

Should the City of Inver Grove Heights elect to make a 100% prepayment twelve (12) months before completion of unit at factory, a discount of **(\$26,804.00)** can be subtracted from the above "Sale Price" resulting in a revised contract price of **\$1,148,078.29**.

Terms and Conditions:

Taxes –	Not Applicable
Freight –	F.O.B. – Appleton, WI / Shipping to Inver Grove Heights, MN
Terms –	Net due prior to vehicle(s) release at the Pierce Manufacturing Plant (Appleton, WI). Net due per prepay terms if option is selected.
Delivery –	40 to 49 months from receipt and acceptance of contract.



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MINNESOTA ILLINOIS INDIANA MISSOURI NEBRASKA NORTH DAKOTA SOUTH DAKOTA

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or international conflicts, or other causes beyond our control not preventing, could alter the delivery schedule.

The specifications herein contained, shall form a part of the final contract, and are subject to changes as desired by the purchaser, provided such changes are acknowledged and agreed to in writing by the purchaser.

This proposal for fire apparatus conforms with all Federal Department of Transportation (DOT) rules and regulations in effect at the time of bid, and with all National Fire Protection Association (NFPA) Guidelines for Automotive Fire Apparatus as published at the time of bid, except as modified by customer specifications.

The attached proposal is valid for thirty (30) days.

We trust the above and the enclosed to be full and complete at this time; however, should you have any questions or require additional information, please do not hesitate to contact me at 920-450-4094 or brad.white@macqueengroup.com.

We wish to thank the City of Inver Grove Heights for the opportunity to submit our proposal.

Respectfully,

Brad White

Brad White
Apparatus Sales
MacQueen Equipment LLC
DBA MacQueen Emergency Group



Request for Council Action

SUBJECT: **Appointments to the Planning Commission and Environmental Advisory Commission**

MEETING DATE: June 26, 2023

ITEM TYPE: Regular Business

CONTACT: Rebecca Kiernan, City Clerk, 651.450.2513

ACTION REQUESTED

The Council is asked to make appointments to fill a vacancy on both the Planning Commission and the Environmental Advisory Commission.

BACKGROUND

Shortly after the Council completed the annual process of appointing individuals to the City's three advisory commissions, staff received mid-term resignations from one member of the Planning Commission and one member of the Environmental Advisory Commission. There are 2 years left on the Planning Commission term and 1 year left on the Environmental Advisory Commission term.

Council directed staff to reopen the application period for these open seats, so applications were accepted from May 23 to June 16, 2023. Additionally, staff reached out to applicants from the spring process who were not appointed to an available seat at that time to let them know that they would be considered for these openings, unless they indicated they were no longer interested. No one indicated they were no longer interested.

Copies of the applications have been provided to the Council and interviews with the new applicants have been scheduled for the Council's special meeting, beginning at 5:00 p.m. As the final agenda item of the regular meeting, the Council will be asked to vote and make appointments to fill these two open seats.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends appointing a commissioner to the Planning Commission and one to the Environmental Advisory Commission.

ATTACHMENTS

1. Planning Commission Vacancy Ballot
2. Environmental Advisory Commission Vacancy Ballot

Ballot of Council Member: _____

Position To Be Filled: Planning Commissioner

of Vacancies: 1 vacancy – 2-year term

Ballot Numbers

	Voting Round			
	1	2	3	4
Paul Mandell (1 st Choice)				
Chip Tangen (1 st Choice)				
Andrew Madison (1 st Choice)				
Trisha Presley (1 st Choice)				
Connor Gosell (1 st Choice)				
Patti MiKulski (2 nd Choice)				
Alexx Borst (3 rd Choice)				

Ballot of Council Member: _____

Position To Be Filled: Environmental Commissioner

of Vacancies: 1 vacancy – 1-year term

Ballot Numbers

	Voting Round			
	1	2	3	4
Larry Moehring (incumbent)				
Dawn Gaetke (1st choice)				
Alexx Borst (1st choice)				
Joan Duncanson Elbert (1 st choice)				
Jacob Scheffer (1 st choice)				
Peggy Pasillas (1 st choice)				
Laura Grevas (1 st choice)				
Patti MiKulski (1 st choice)				
Connor Gosell (2 nd choice)				
Chip Tangen (3 rd choice)				



Request for Council Action

SUBJECT: Continued Discussion of On-Sale Liquor Licenses for Exclusive Liquor Stores

MEETING DATE: June 26, 2023

ITEM TYPE: Regular Business

CONTACT: Kris Wilson, City Administrator, 651.450.2511

ACTION REQUESTED

The Council is asked to discuss and provide direction to staff regarding the topic of On Sale Liquor Licenses for Exclusive Liquor Stores.

BACKGROUND

At its June 5, 2023 work session, the Council had some discussion regarding a rarely-used category of liquor license - known as an On-Sale Exclusive Liquor Store license. The topic is raised now in response to inquiries from local-business PerpleBunny Axe House, which would like to be able to sell alcoholic beverages, but does not qualify for a liquor license under any other categories. After exploring this category of liquor license, staff believes there could be additional businesses, now and in the future, that might have an interest in this type of license, as well as some potential for unintended consequences.

During the June 5 discussion, staff and the City Attorney were asked to do some additional research to determine if the City had the authority to "customize" an On-Sale Exclusive Liquor Store license to more tightly define what is allowed in Inver Grove Heights. That research has been completed and will be discussed in more depth during Monday's Council meeting.

The existing businesses in Inver Grove Heights that have an On-Sale Liquor License (meaning they serve alcoholic beverages for consumption on-site) fall into the category of either a hotel, restaurant, club, bowling center, or golf course. However, in state statute, the final type of business that cities are authorized to issue an on-sale liquor license to is "exclusive liquor stores." People typically think of a "liquor store" as a business that has an off-sale liquor license - meaning they sell alcoholic beverages for people to take home. But under the language of state statute, an exclusive liquor store may have an on-sale license.

State law provides that:

a) Except as otherwise provided in this subdivision, an exclusive liquor store may sell only the following items:

- (1) alcoholic beverages;
- (2) tobacco products;
- (3) ice;
- (4) beverages, either liquid or powder, specifically designated for mixing with intoxicating liquor;

- (5) soft drinks;
- (6) liqueur-filled candies;
- (7) food products that contain more than one-half of one percent alcohol by volume;
- (8) cork extraction devices;
- (9) books and videos on the use of alcoholic beverages;
- (10) magazines and other publications published primarily for information and education on alcoholic beverages;
- (11) multiple-use bags designed to carry purchased items;
- (12) devices designed to ensure safe storage and monitoring of alcohol in the home, to prevent access by underage drinkers;
- (13) home brewing equipment;
- (14) clothing marked with the specific name, brand, or identifying logo of the exclusive liquor store, and bearing no other name, brand, or identifying logo;
- (15) citrus fruit; and
- (16) glassware.

(b) An exclusive liquor store that has an on-sale, or combination on-sale and off-sale license may sell food for on-premise consumption when authorized by the municipality issuing the license.

(c) An exclusive liquor store may offer live or recorded entertainment.

Research completed by the City Attorney found that the Council may narrow this list, but may not add to it. Council also has the option to require a license holder to sell particular items on the above list in order to qualify for an On-Sale Exclusive Liquor Store license. For example, the Council may wish to restrict On-Sale Exclusive Liquor Store licenses to only those business that do not sell tobacco products. Or the Council may wish to stipulate that a licensee must sell food alongside of alcoholic beverages. But the Council cannot permit a licensee under this category to sell any item that is not on the above list.

Current City Code makes no modification or customization to the definition of Exclusive Liquor Store that is found in state statute. If there is a desire on the Council's part to change this, an ordinance to amend City Code would need to be drafted and enacted.

Lastly, the question specific to PerpleBunny Axe House remains and that is whether the Council would categorize people paying to participate in axe throwing as the provision of a service or as the sale of something not on the above list. Interpreting this particular business model as the provision of a recreation or entertainment service would make them eligible for an On-Sale Exclusive Liquor License, whereas interpreting it as a sale would make them ineligible.

Staff is seeking Council feedback and direction regarding the potential issuance of On-Sale Liquor Licenses to businesses that provide a recreation or entertainment service without serving food, and whether it is comfortable defining them as an Exclusive Liquor Store as defined by state statute or whether there is a desire to modify the definition of Exclusive Liquor Store here in Inver Grove Heights.

FISCAL IMPACT

None.

RECOMMENDATION

ATTACHMENTS

None