

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, APRIL 28, 2025 - 6:00 P.M. - 8150 BARBARA AVENUE**

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, April 28, 2025, 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: Gliva, Murphy, T’Kach, and Scales.

Staff In Attendance: City Administrator Wilson, City Attorney Nason, Community Development Director Ziemer, Parks and Recreation Director Lares, Police Chief Chiodo, and City Clerk Kiernan.

3. APPROVAL OF AGENDA:

Motion to add 7E - 80th Street Joint Powers Agreement with Dakota County and accept proposed Agenda by Murphy; second by T’Kach.

Ayes: 5

Nays: 0 Motion carried.

4. PRESENTATIONS:

5. CONSENT AGENDA:

- A.** Approval of Disbursements, **Resolution 2025-089**
- B.** Personnel Actions
- C.** Renewal of Advertising Bench Permits
- D.** Resolution Amending Technology Fund Budget to Extend Fiber Conduit to Groveland Park, **Resolution 2025-090**
- E.** Renewal of Printer/Copier Contract with Marco Technologies LLC
- F.** Approval to Purchase Replacement Laptops for Police Squad Cars
- G.** Resolution Approving the Purchase of New and Trade-In of Old Fitness Equipment for the Veterans Memorial Community Center, **Resolution 2025-091**
- H.** Resolution Awarding Contract for Construction Support for 2025 Pavement Management Initiative (City Projects No. 2025-09D & 2025-09E), **Resolution 2025-092**
- I.** Resolution Awarding Contract for Construction Testing and Construction Survey Services for the 2025 Pavement Management Initiative (2025-09G), **Resolution 2025-093**
- J.** Resolution Amending the 2025 List of Authorized Official Depositories, **Resolution 2025-094**
- K.** Resolutions Accepting Bid, Awarding Contract and Approving Budgets for City Project No. 2210 - Heritage Village Park Phase 5, **Resolution 2025-095 & 2025-096**
- L.** Resolution Authorizing Memorandum of Understanding for SkillBridge Program, **Resolution 2025-097**
- M.** Approval of Rubbish Hauler License Renewals

Motion to approve Consent Agenda Items A through M by Gliva; second by Scales.

Ayes: 5

Nays: 0 Motion carried.

6. PUBLIC HEARINGS:

A. Application for Tobacco Retail Sales License – A&M Liquor (CHETAAYU, LLC)

A new tobacco sales license application submitted by A & M Liquor, located at 5709 Carmen Avenue East, was reviewed by staff and deemed complete with no grounds for denial. Staff recommended conducting the public hearing and approving the tobacco license for A & M Liquor.

Motion to close Public Hearing by T’Kach, second by Gliva.

Ayes: 5

Nays: 0 Motion carried.

Motion to approve Tobacco License for A&M Liquor by Scales, second by Murphy.

Ayes: 5

Nays: 0 Motion carried.

B. Renewal of Body Art License,

The body art license for MN Beauty Studios LLC, the only licensed body art establishment in Inver Grove Heights, is set to expire on May 1, 2025. The applicant submitted a complete renewal application on time; however, the results of the required background investigation were still pending. A public hearing notice was published in advance. Staff recommended that the Council open the public hearing and take any public testimony, then continue the hearing to the May 12 Council meeting. Additionally, staff advised adopting the resolution to extend MN Beauty Studios’ current license by 30 days, allowing time for the background check to be completed and a final determination to be made.

Motion to close Public Hearing by T’Kach, second by Murphy.

Ayes: 5

Nays: 0 Motion carried.

Motion to Continue the Public Hearing until May 12, 2025 and approve Resolution 2025-098 extending Body Art License for MN Beauty Studios for 30 Days (May 30, 2025) by Gliva, second by Scales.

Ayes: 5

Nays: 0 Motion carried.

C. License Renewals for Massage Therapy Businesses and Individual Massage Therapists

City Code requires that both massage therapy businesses and individual massage therapists be licensed. Eight business licenses and fourteen therapist licenses were presented for renewal. Two businesses, each with a single therapist, did not submit their renewal materials by the deadline and will be brought forward at a future Council meeting. These businesses and therapists have been

notified that their licenses will lapse and that they are not permitted to provide massage services until the Council approves their renewals.

The eight massage therapy businesses recommended for renewal were: Enhance MD Body, Hair & Skin Clinic; Heaven Sent; Inver Grove Chiropractic; Massage by Mary; Mystic Moon Wellness; Oasis Massage Center; Onalos Massage; and Salon Fusion.

The fourteen individual massage therapists recommended included Helen Castillo-Delgado, Frances Diaz Meyer, Jeanne Fox, John Halloran, Jean Helfman, Beth Henning, Delaina Hinrichs, Pauline Johanik, Jessica Knox, Georgia Krause, Mary Lambert, Kevin Miner, Enrique Solano, and Jennifer Swenson.

Staff recommended that the Council hold the public hearing and approve the renewal of all eight business licenses and eleven individual therapist licenses as presented.

Motion to close Public Hearing by Murphy, second by T’Kach.

Ayes: 5

Nays: 0 Motion carried.

Motion to approve Massage Therapy Business and Individual Massage Therapist License Renewals by T’Kach, second by Scales.

Ayes: 5

Nays: 0 Motion carried.

D. Therapeutic Massage Business License – Renewal Application from OyeSpa.

Chief Chiodo explained that the application process begins with submission to the City Clerk’s Office, where the application is first processed. It is then forwarded to the Police Department, where it is documented and initiated by the Police Records unit. An Accurant check and a criminal history check are conducted as part of the review. The application is then assigned to a Sworn Investigator who conducts checks with previous employers and references. If necessary, a follow-up investigation is completed. Once the investigation process is finished, a recommendation is forwarded to the Clerk’s office for further action.

Chief Chiodo referenced City Code, Title 4, Chapter 3, General Provisions, which states that it is unlawful for anyone to engage in any trade, profession, business or privilege in the City for which a license is required by any provision of this code without first obtaining a license from the City in the manner provided in this chapter (1974 Code 1005.01).

Chapter 4 of the Inver Grove Heights City Code outlines the General Penalty for violations. Section 1-4-1 states that any person who violates a provision of this code is guilty of a misdemeanor and, upon conviction, may be punished by a fine of not more than one thousand dollars (\$1,000.00), imprisonment for up to ninety (90) days, or both. Each act of violation and every day a violation occurs or continues is considered a separate violation (1974 Code 115.01; and 2008 Code). The penalty provided in this chapter applies to every section of the code as if it were part of each section (2008 Code). Additionally, Section 1-4-4 grants authority to licensed peace officers to issue citations for violations of state law and for violations of the City code.

According to Inver Grove Heights City Code, Title 4, Chapter 8, Section 4-8-1, the purpose of the massage therapy regulations is to prohibit the operation of massage businesses and the provision of massage services to the public unless the business and individuals are properly licensed as therapeutic massage businesses and massage therapists. These licensing requirements are intended to protect legitimate businesses, deter criminal activity, and safeguard the health and welfare of the community. The code also clarifies that the purpose is not to restrict or limit freedom of protected speech or expression.

A therapeutic massage business license is required for any person or entity to own, operate, engage in, or carry on within the City any type of massage services to the public for compensation without first having obtained a therapeutic massage business license from the City. Additionally, it is unlawful for any individual to practice or provide massage services to the public for compensation within the City without first having obtained a personal massage therapist license from the City.

Both the business and individual therapist applications indicate that the licensing process may require up to 90 days for completion.

The Tennesen Warning included in the massage therapist application states that the applicant will strictly comply with all the laws of the State of Minnesota governing the rules and regulations of operating a massage business and all ordinances of the City of Inver Grove Heights.

According to the application timeline, the application was received by the City Clerk's office on February 21, 2025. The applicant submitted missing materials by February 28, 2025, which triggered the start of the 90-day review period, ending May 29, 2025. The Police Department received the necessary records on March 5, 2025, and began criminal and Accurint checks on March 6, 2025. Employment and personal reference checks started on March 28, 2025. Verified criminal violations were found on April 3, 2025, under Police Department Case #25-000946. Based on these findings, Chief Chiodo submitted a recommendation for denial to the City Council on April 28.

The OyeSpa website continues to prominently display the option to schedule massage appointments with Mr. Murphy at OyeSpa.

Council Member Murphy asked for the date on which the website screenshot in the presentation was taken.

Chief Chiodo responded that the screenshot was taken on March 23, 2025.

Chief Chiodo recommended denial of the business license renewal for OyeSpa, as the business was found to have an unlicensed individual performing massage therapy services.

Mayor Dietrich thanked Chief Chiodo for thoroughly explaining the steps taken by the Police Department during the license application review process.

Mr. Hitesh Soneji, 7741 Amana Trail, acknowledged the concerns regarding Mr. Murphy's application and business license renewal, admitting it was a mistake to assume Mr. Murphy could begin practicing upon submitting his application and fees. He apologized for the error and emphasized Mr. Murphy's qualifications and commitment to serving the community. He also noted that delays in communication and processing contributed to the issue and assured the Council that internal measures have been implemented to prevent similar issues in the future.

He reaffirmed the business's commitment to complying with City ordinances and upholding the highest standards of integrity in its operations. He clarified that while Reiki was listed among the business's services, it is a non-regulated, non-touch practice, and all massage services were removed from the website once the licensing concerns were brought to their attention. Finally, he shared that the business has been operating for approximately five years, was entirely self-funded during challenging economic conditions, and remains dedicated to serving the community.

Council Member Murphy requested clarification on whether the business had been operating massage services for the past five years.

Mr. Soneji responded that the business has had numerous therapists go through the same process. He noted that many, or at least some, have withdrawn their applications because they were unable to wait the full 90-day period.

Council Member Murphy asked whether the other therapists employed by the business had displayed their licenses at the establishment.

Mr. Soneji replied that all licenses, including cosmetology, massage, and business licenses, were displayed at the establishment. He added that they also display board inspection reports, and any other reports received.

Council Member Murphy asked whether Mr. Murphy had a license available to display at the establishment.

Mr. Soneji responded that Mr. Murphy did not have a license to display, but he had applied, and the required fees had been paid. He acknowledged that an incorrect assumption had been made.

Mr. Iranna Sannuli, 7741 Amana Trail, explained that internal operational changes have been implemented to prevent unauthorized scheduling of massages, including system checks to block unqualified individuals. He acknowledged that the lapse in the application process occurred because not everyone was fully aware of the detailed requirements. Emphasizing that this was the first such incident in their five-year history, he respectfully asked the Council to reconsider their decision. He noted that massage services are a significant part of their revenue and that, despite challenges and limited occupancy, they remain committed to serving the community, supporting employee wellness, and continuing their work in the health and wellness field.

Motion to close Public Hearing by Gliva, second by T’Kach.

Ayes: 5

Nays: 0 Motion carried.

Council Member T’Kach asked, if the license is denied, when the applicant would be eligible to reapply.

Attorney Nason explained that the City Code does not specify a timeframe, so there is no set period for when a new business massage license application may be submitted.

Council Member Murphy noted that many massage businesses and therapists in the City follow the rules and work closely with the City Clerk and Police Department. He expressed concern that a business operating for five years, familiar with license requirements, would claim this was a one-time

mistake. He emphasized the need to follow the rules and added, in response to Councilor T’Kach’s question, that the business appears able to reapply at any time.

Motion to approve Resolution 2025-099 Denying Renewal of a Massage Business License Issued to OyeSpa by Murphy, second by T’Kach.

Ayes: 4

Nays: 1 (Gliva) Motion carried.

Council Member Gliva clarified that her opposition to the motion was not based on disagreement with the decision to deny the license renewal, but on the lack of clarity about when the applicant could reapply. While acknowledging a serious mistake occurred, she expressed concern about halting the process entirely without providing a clear path forward.

E. Consideration of Massage Therapist License – Sean Murphy.

Chief Chiodo explained that the information presented applies to both the individual therapist and business license applications. She noted that the individual had been performing massages without a valid license, including one instance where an officer received a massage during the investigation.

Chief Chiodo recommended denial of Sean Murphy’s individual massage therapist license based on the findings that he had been providing massage services without holding a valid license.

Mr. Sean Murphy, a resident at 421 VanBuren Avenue, Hopkins, stated that he recently moved to Minnesota from Florida, where he had been a licensed massage therapist since 2016 with no disciplinary history. He worked primarily in a physical therapy clinic and maintained his license throughout his time in practice.

He explained that he was unaware of Inver Grove Heights’ specific licensing requirements and mistakenly believed that submitting his application and paying the fees permitted him to begin working. He emphasized the violation was unintentional, apologized for the oversight, and noted that he only became aware of the issue after receiving the citation. He also mentioned that his application includes a letter of recommendation from his former long-term employer.

Mr. Soneji clarified that one of their massage therapists, Frances, whose individual license was approved, is currently employed at their business. He inquired how the denial of the business license would impact Frances’s ability to continue working.

Mr. Soneji stated that the denial of the business license seemed harsh for a first-time violation and suggested that a citation or penalty would have been more appropriate. He noted that licenses are typically issued within a month and believed delays on the City’s part contributed to the situation, along with their own mistaken assumption.

He acknowledged the error but emphasized that it was not solely due to their oversight. He concluded by stating they plan to reapply and asked the Council to consider these factors during the review of any future application.

Mayor Dietrich asked whether the 90-day waiting period would apply when he reapplies or for the other licensed therapist at the business.

Attorney Nason stated that she could not provide a definitive timeline but noted that the Police Chief had identified the key factors involved. Since staff recently reviewed the application, the process may be quicker. She deferred to staff for more specific guidance on future application timelines.

Administrator Wilson clarified that the license issued earlier for Frances is valid for employment at any currently licensed business in Inver Grove Heights. However, it is not valid for work at OyeSpa, as that business is not licensed based on the Council's most recent vote.

Mayor Dietrich asked if she was correct in stating that the business needs to reapply, and once that is approved, the individual therapist will not need to take any further action.

Administrator Wilson confirmed that is correct.

Mr. Soneji stated that the decision has a major impact on their business and highlighted the challenges small businesses face in such situations. He emphasized their dedication to their work and asked for clarification, noting his understanding that most of the review is complete and they are now waiting for a future City Council meeting for potential approval.

Mayor Dietrich stated that she could not provide a timeline, as the Police Department manages that portion of the process. Once the application is ready, it will be placed on the City Council agenda, but no specific date is available at this time.

Mr. Soneji stated that he was simply trying to understand if any additional steps are required, given their current level of investment.

Mayor Dietrich acknowledged the impact on the business and, noting their good standing, expressed confidence it will be resolved proficiently.

Mr. Soneji referred to the letter and presentation, noting it indicated that providing services without accepting payment might be allowed. He asked for clarification, stating they would be willing to forgo compensation temporarily to avoid losing clients.

Mayor Dietrich asked for clarification, confirming that Mr. Soneji wished to continue providing the service without accepting compensation.

Mr. Soneji confirmed that they would not charge the public for services and inquired whether this approach would be considered acceptable.

Mayor Dietrich stated that she would need to defer to the City Administrator on the matter and asked who could follow up with Mr. Soneji in a timely manner.

Administrator Wilson stated that the City Clerk would follow up with a response by the next day.

Motion to close Public Hearing by T’Kach, second by Gliva.

Ayes: 5

Nays: 0 Motion carried.

Motion to receive one public comment into record by Scales, second by Gliva.

Motion to approve Resolution 2025-100 Denying a Massage Therapist License to Sean Murphy by Gliva, second by T’Kach.

Ayes: 5

Nays: 0 Motion carried.

Mayor Dietrich stated that guidelines will likely need to be developed for handling similar situations in the future. She recommended the issue be reviewed by staff and brought back with a formal recommendation.

Council Member Gliva noted that the City has a structured process for handling alcohol violations and suggested exploring a similar framework for this type of situation. She encouraged the Council to consider the idea moving forward.

7. REGULAR BUSINESS:

A. Rental Housing Licenses

Director Ziemer presented the following rental housing licenses including 14 renewals and 3 new applications.

8812 Brunswick Path	1470 Upper 55 th Street East
8213 College Trail	3640 70 th Street East
6978 Delaney Avenue	4877 Bitterman Path
7324 Cahill Avenue	5437 Brewer Lane
7943 Charles Way	8302 Alverno Avenue
1730 Atwater Path	8800 Brunell Way
3085 Upper 76 th Street East	8852 Brunswick Path
3875 75 th Street East	9691 Cedarwood Court
4738 Barbara Avenue	

All applications have been reviewed by staff and found to meet the necessary requirements. Staff recommends approval of all licenses.

Council Member Murphy noted that of the 17 rental licenses up for approval, seven are for a company based in Tempe or Texas. He expressed concern that the company does not appear to offer affordable rent and is acquiring starter homes that local families depend on to build multi-generational wealth. He said he looks forward to future discussions on the issue.

Motion to Approve 17 Rental Licenses by Murphy, second by Scales.

Ayes: 5

Nays: 0 Motion carried.

Mayor Dietrich asked Administrator Wilson if the rental housing license topic is scheduled for discussion at an upcoming work session.

Administrator Wilson responded that the rental housing license topic is not yet scheduled for a work session. She said staff will discuss it and include an estimated timeline for bringing it forward in the next update.

B. Conveyance of Easements to Dakota County for Veterans Memorial Greenway (Continued from April 14 Meeting).

Administrator Wilson stated that, at Dakota County's request, staff recommends continuing the item to the May 12 meeting. Residents previously engaged with the City were notified and informed of the new date.

Motion to Continue to May 12 Council meeting for Resolution 2025-101 approving Conveyance of Easements to Dakota County for Veterans Memorial Greenway by Gliva, second by T'Kach.

Ayes: 5

Nays: 0 Motion carried.

C. Ordinance Amending the 2025 City Fee Schedule

Clerk Kiernan presented an overview of proposed amendments to the 2025 City Fee Schedule, which was originally adopted by ordinance on November 25, 2024. She noted that, in accordance with City Code, ordinances typically require three readings unless the Council decides to waive this rule.

She explained that the proposed amendments address three specific areas. First, the Business Licensing section would be updated to reflect the inclusion of cannabis-related licensing, with adjustments related to code location and expiration dates. Second, a new student summer membership program would be added under Parks and Recreation. This program includes no enrollment fee and offers two pricing options: a three-month membership for \$120 or a four-month membership for \$150. Third, the Police Department's fingerprinting service fees would be revised to set the cost at \$35 for residents and \$45 for non-residents.

Staff recommends the Council consider waiving the three-reading rule to allow the Parks and Recreation Department's student membership program to begin in a timely manner. If the Council agrees to waive the rule and adopt the ordinance, approval of a resolution authorizing Summary Publication would also be required.

Motion to waive the 3-Reading Rule by Scales, second by Gliva.

Ayes: 5

Nays: 0 Motion carried.

Motion to approve Ordinance 1497, Amending 2025 Fee Schedule, and Motion to approve Resolution 2025-102 Summary Publication of Ordinance 1497, Amending 2025 Fee Schedule by Murphy, second by Gliva.

Ayes: 5

Nays: 0 Motion carried.

D. 1st Reading of Ordinance Amending City Code Related to Temporary Expansion of Premise for On-Sale Liquor License Holders.

Administrator Wilson presented the first reading of an ordinance to repeal and replace Title 4, Chapter 1, Section 15(C) of the Inver Grove Heights City Code, which addresses temporary expansion of premises for on-sale liquor license holders.

She explained that each on-sale liquor license applies to a specifically defined area of the establishment where alcohol can be sold and consumed. This area must be compact and contiguous. Any expansion impacts various factors such as liability insurance, parking requirements, and utility charges. Businesses sometimes seek temporary expansions, often into parking lots, to

accommodate special events. The goal of the proposed ordinance is to streamline the process and make it more efficient for local businesses.

Businesses with an on-sale liquor license may apply for up to three temporary expansion permits per year, with each expansion limited to a maximum duration of two days. Each request must be presented to and approved by the City Council during one of the two regular monthly meetings. In most cases, businesses must also obtain a Large Assembly Permit in conjunction with the expansion request.

The proposed ordinance introduces a more efficient procedure beginning with City Council approval in concept, which would function as the issuance of a "punch card." This approval could occur during the annual liquor license renewal process or upon first request in a calendar year. Specific event details would then be reviewed and approved by staff, requiring submission 21 days before the first event of the year and 10 days in advance of subsequent events. The proposal increases the allowed number of expansions per year from three to ten and eliminates the need for a separate Large Assembly Permit. It also allows applicants to request two alternative rain dates as part of the initial approval.

For each event, license holders must provide the date, time, and estimated attendance. They must also submit proof of insurance and a site plan indicating the temporary expansion area, traffic flow and parking arrangements, and emergency access routes. Additional required details include lighting and noise control plans, a severe weather response plan, and measures to ensure that alcohol is not served to minors. Applicants can reuse previously submitted materials for similar events to streamline the application process.

Administrator Wilson noted several considerations related to the proposed process. Reducing the level of detail required at the time of Council review could limit opportunities for public or neighborhood input. While the base liquor license already undergoes a public hearing during application or renewal, the Council may need to decide whether a separate public hearing should be required for temporary expansion requests. Additionally, Administrator Wilson raised the question of whether allowing up to ten days of expansion per calendar year is consistent with the definition of "temporary" use.

The ordinance was presented for its first reading during this meeting, with Council members invited to ask questions and provide feedback. The second reading is scheduled for May 12, and advance notice will be sent to all current on-sale liquor license holders. The third and final reading is expected to take place on May 27.

The requested action was for the Council to move approval of the first reading of the ordinance as presented.

Mayor Dietrich asked how the businesses would be notified.

Administrator Wilson replied that a letter would be sent through U.S. mail.

Mayor Dietrich commented that she was unsure of the exact wording but believed the code uses a phrase like "contained and contiguous."

Administrator Wilson clarified that the correct term is "compact and contiguous."

Mayor Dietrich noted that the phrase has been unclear and open to interpretation and suggested refining it or using clearer language from another City's code to avoid future confusion.

Administrator Wilson added that “compact and contiguous” is defined in state statute and will need further clarification, especially regarding whether fencing or other boundary markers are required. She confirmed that staff will work on clarifying the language.

Mayor Dietrich agreed, stating that a clear definition would benefit residents, businesses, and Council members alike.

Mayor Dietrich asked whether the 10 days’ notice refers to business days or calendar days.

Administrator Wilson confirmed that the 10 days’ notice is calendar days and referenced Item 4A in the resolution included in the meeting packet.

Mayor Dietrich asked whether there is currently a permit fee for a large assembly.

Administrator Wilson confirmed that the current permit fee is \$30.

Council Member Scales expressed support for efforts to simplify processes and increase flexibility for businesses. While he did not have strong views on the 10-day notice period, he felt it was reasonable, especially for seasonal or outdoor operations. He emphasized that making it easier to do business in Inver Grove Heights is a positive step.

Council Member Murphy expressed support for the proposal, agreeing with both Council Member Scales and Mayor Dietrich. He asked for clarification regarding fencing, referencing Item 4A, Subsection 2, which mentions a site plan including temporary fencing or other demarcation. He inquired whether fencing is required.

Administrator Wilson responded that while fencing has traditionally been the standard for permanent outdoor patios, the current approach allows for alternative methods of demarcation. She explained that options such as stanchions with ropes, large planters with connecting ropes or tape, or monitored access points could be used to define the area. The key requirement is that there must be a clear and enforceable plan to ensure alcohol consumption remains within the designated space, beyond simply relying on a bartender’s observation.

Council Member Murphy suggested that, with Council approval, it might be helpful to include examples of acceptable forms of demarcation, such as stanchions or tape, to provide clarity.

Administrator Wilson responded that staff would work on incorporating those examples.

Council Member Murphy referenced Item 4A, Subsection 4, and asked about the requirement for a severe weather plan. He noted that while it appears to be a common requirement, it was new to him and asked whether businesses currently have such plans in place.

Administrator Wilson explained that the severe weather plan requirement is currently part of the large assembly permit process. When reviewing the ordinance to cover both situations, she consulted with the Police Chief, who confirmed that including a severe weather plan would be important. Administrator Wilson acknowledged she did not know the specific details of what a severe weather plan entails but offered to provide an example of one previously submitted and approved for reference at the next meeting.

Council Member Murphy asked if the severe weather plan should include a diagram and gave an example of limited indoor space during a storm, requesting clarification on what the plan should address.

Council Member Scales said he has completed similar plans elsewhere, which typically require identifying a nearby building where attendees can go during severe weather, especially if large outdoor crowds are involved.

Council Member Murphy noted that an inadequate severe weather plan could be a valid reason for denial and would undermine the intent of simplifying the process. He pointed out that exceeding a building's capacity during an emergency would make the plan ineffective.

Council Member Scales referenced how other City events manage severe weather and noted that organizers often monitor forecasts and cancel events in advance when needed. He suggested the City could adopt a similar strategy by closing events when severe weather warnings are issued.

Council Member Murphy agreed that the suggestion was reasonable and indicated that it would be helpful for the Council to obtain more information on the issue.

Council Member Murphy said the list of ten events initially seemed high, but he had no concerns with it. He suggested clarifying whether references to the Police Chief should include "or designee," noting the Chief may not always be available. He also raised concern about item 4B, stating the requirement for written approval from the Chief seemed strict without language specifying a timely submission from the business owner.

Administrator Wilson clarified that the intent was to avoid situations like a recent licensing case where someone believed they were approved simply by submitting a form and paying a fee. She explained that the goal is to make it clear that applicants must wait for a formal response before moving forward.

Mayor Dietrich asked if the language could be clarified further by including a specific timeframe or referencing the receipt of confirmation, leaving the exact wording to staff discretion.

Council Member T'Kach stated that the proposal is a positive step for the City and its businesses. She questioned whether the ten-day notice period is appropriate and asked if an appeal process is in place. Specifically, she inquired whether a business could appeal to the City Council if the Police Chief denies an application, pointing out that Section 1, Subsection 5 addresses revocation but not appeals. She recommended adding language to allow appeals, especially in cases where scheduling conflicts arise due to multiple events.

Administrator Wilson stated that staff will work on drafting a proposed framework for an appeal process.

Council Member Gliva asked whether applications for this new option would be handled separately from standard liquor license renewals. She inquired if there would be distinct applications, one for the regular liquor license and another with the punch card option, and whether there would be a difference in pricing for each.

Administrator Wilson explained that the punch card would function like the Sunday on sale license, as an add on to the base liquor license. Businesses would pay an additional fee, likely less than the Sunday license, since it offers fewer days. It would be included as a license descriptor during renewal or initial application. If a business did not apply initially but later wanted to, they could still come before the Council for approval. The goal is to help businesses plan during the typical license renewal period.

Council Member Gliva stated that she believes it would be appropriate to hold a public hearing on the matter, consistent with standard procedure. She added that if this becomes part of the annual licensing process, it should follow the same public hearing requirements.

Council Member T'Kach asked whether a public hearing would be held on each individual application or just on the ordinance itself.

Administrator Wilson clarified that the responsibility would fall to the City Council and that the Council would conduct the public hearing as part of the standard process.

Administrator Wilson stated that staff will work on making the necessary clarifications and identifying revised language. When the ordinance returns for a second reading, the Council can review those updates to ensure they align with the intended purpose. If the Council is comfortable with the current draft and wishes to keep the process moving forward, staff would appreciate a motion to approve the first reading of the ordinance so the schedule can continue as planned.

Motion to approve 1st Reading of Ordinance Amending City Code related to Temporary Expansion of Premise for On-Sale Liquor License Holders by Murphy, second by Gliva.

Ayes: 5

Nays: 0 Motion carried.

E. Resolution Approving an Amendment to the Joint Powers Agreement with Dakota County for Country Project 28-69 (City Project No. 2024-16) – 80th Street Trail Gap.

Council Member Scales stated that he would like to reconsider the motion to deny the resolution amending the Joint Powers Agreement with Dakota County for Project 28-69, the 80th Street Trail Gap. After further consideration and research, he believes the issue resulted from an individual error at the County and feels it is appropriate to proceed with the project in partnership with the County as is customary.

Mayor Dietrich stated that the City's cost would be \$77,304.

Motion to Reconsider the agenda item made on April 14th meeting by Scales, second by Murphy.

Ayes: 5

Nays: 0 Motion carried.

Council Member Murphy agreed with Council Member Scales and noted that Public Works indicated they could find funding for the City's share of the Joint Powers Agreement. After further reflection, he stated that supporting the agreement is ultimately the right decision.

Council Member Gliva asked whether the Council could consider making a good faith effort by contributing half, given that this was an unplanned item.

Mayor Dietrich stated that \$38,652 would be her suggestion as well. She noted that in situations like this, a compromise is typically the most reasonable solution and recommended the Council consider a similar approach.

Council Member T'Kach stated that when considering the City's relationship with the County and the many requests made throughout the year, as well as the partnerships the City aims to maintain, she believed it would be appropriate to reverse the decision and contribute the City's fair share of the project. She supported contributing the full 15 percent, or \$77,304, noting that the funds are available in the Public Works budget. She added that doing so in good faith would help strengthen the City's relationship with the County and encouraged fellow Council members to support the full contribution.

Council Member Scales expressed support for contributing the full 15 percent. He noted the City likely would have supported the project regardless and that the issue was with the process, not the outcome. He acknowledged the County had addressed its internal missteps and hoped that, in the future, similar understanding would be extended to the City if it were to make a mistake.

Mayor Dietrich asked Attorney Nason to confirm that if the Council preferred an alternative version, the proper action would be to vote "nay."

Attorney Nason confirmed that was correct.

Council Member Murphy stated that he would support the \$77,304. He acknowledged that while it is a substantial sum, especially when it involves taxpayer dollars, it carries significant value for that area of the City and its park system.

Sandy Honerbrink, a resident at 2318 75th Street East, suggested that building only one sidewalk on the south side would save money. She questioned the safety argument about crossing near Cub Foods, noting pedestrians would still need to cross the multi-lane road at Concord. She also pointed out the added cost of cutting into the hill and said focusing on one sidewalk could save \$77,000.

D. Resolution Approving an Amendment to the Joint Powers Agreement with Dakota County for County Project 28-69 (City Project 2024-16) - 80th Street Trail Gap.

Motion to Deny approval of a Resolution to Amendment to the Joint Powers Agreement with Dakota County for County Project 28-69 (City Project 2024-16) - 80th Street Trail Gap by Murphy, second by Gliva.

Ayes: 2

Nays: 3 (Murphy, Scales, T'Kach)

Motion failed.

Motion to Approval of a Resolution to Amendment to the Joint Powers Agreement with Dakota County for County Project 28-69 (City Project 2024-16) - 80th Street Trail Gap by T'Kach, second by Scales.

Ayes: 5

Nays: 0 Motion carried.

8. PUBLIC COMMENT:

Jody Jackson, owner of Universal Massage & Body Works, explained that although she resides in West St. Paul, she has operated her business in Inver Grove Heights since September 2023. She acknowledged missing the license renewal deadline, submitting her paperwork on April 18, which will likely result in a temporary business closure from May 1 to May 12. While not seeking an exception, she noted that the renewal process is burdensome, particularly for businesses with a strong licensing history, and encouraged streamlining the process for returning applicants.

Mayor Dietrich asked Clerk Kiernan if Ms. Jackson was already in the licensing process. Clerk Kiernan confirmed that she is.

Sandy Honerbrink, a resident at 2318 75th Street East, thanked the Council and expressed appreciation for those who attended the recent event opposing state zoning legislation. She voiced concern that such legislation would strip the City of its unique character. She urged the Council to

audit expenses, question developments, and support election reforms proposed by President Donald Trump, including hand counting, voter ID, and watermark ballots. She asked the Council to engage more directly with residents and advocate for election security and local control.

Donald Honerbrink a resident at 2318 75th Street East, asked the Council to consider removing fluoride from the City's water supply, referencing health concerns and recent proposals by Robert F. Kennedy Jr. and lawmakers in Utah and Minnesota. He encouraged the City to lead the way in ending fluoride use. He also asked whether development proposals include long-term maintenance plans and expressed concerns about the cost and staffing of a proposed public shooting range, suggesting shared use with nearby cities.

Mayor Dietrich stated that she would follow up with the Public Works Director regarding the fluoride in the water and report back on the matter. Administrator Wilson stated that the Public Works Director would provide additional information but clarified that Minnesota Statute 144.145 mandates fluoride be added to all municipal water supplies unless natural levels already meet the required concentration. She confirmed that Inver Grove Heights is fully compliant with current state law. She added that the items referenced are only proposed legislation and have not been enacted, so the City must continue following existing state regulations, including maintaining fluoride levels as directed by the Minnesota Department of Health.

9. MAYOR AND COUNCIL COMMENTS

Mayor Dietrich announced that the City is in the final days of accepting applications for its three advisory commissions, with a deadline of May 1. She noted they are especially seeking applicants for the Environmental Advisory Commission and the Parks and Recreation Advisory Commission. More information and the application form are available on the City's website under the "Latest City News" section.

She also shared that Inver Grove Heights and South St. Paul are hosting their second annual prayer breakfast this Thursday, May 1, at 7:00 a.m. at Luther Memorial Church, 315 15th Avenue North, South St. Paul. Attendees can register in advance through the River Heights Vineyard Church website under events or simply attend without registering.

10.ADJOURN:

Motion to Adjourn at 7:37 p.m. by Gliva, second by Scales.

Ayes: 5

Nays: 0 Motion carried.

Minutes prepared by Recording Secretary Tammy Greenlee