

CITY OF INVER GROVE HEIGHTS

A G E N D A

CITY COUNCIL WORK SESSION

JUNE 4, 2018 6:00 PM

**INVER GROVE HEIGHTS CITY HALL
COUNCIL CHAMBERS**

A. CALL TO ORDER – MAYOR TOURVILLE

- 1. REVIEW NO PARKING ON BABCOCK TRAIL**
- 2. OFF SALE LIQUOR LICENSE DISCUSSION**
- 3. VITALS PROGRAM UPDATE**
- 4. BITUMINOUS ROADWAYS NOISE STUDY UPDATE**

B. ADJOURN

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: June 4, 2018
 Item Type: Work Session Update
 Contact: Sean Folmar (651)-450-2465
 Prepared by: Sean Folmar (Deputy Chief)
 Reviewed by: Paul Schnell (Chief of Police)

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Provide a 1-year update to the no parking on Babcock Trail, from Upper 55th Street to 60th Street, due to safety concerns stemming from Salem Hills Elementary School.

SUMMARY

In the spring of 2017, the city and county received numerous complaints surrounding safety concerns for students of Salem Hills Elementary School (ISD 199). After receiving complaints, the city worked with both the county and school district on solving the problem.

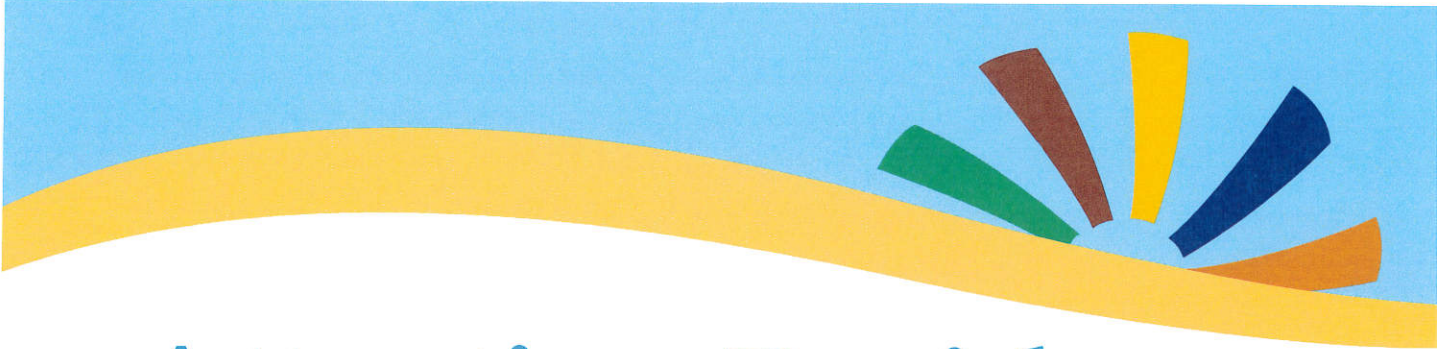
It was decided that a temporary (2 week) "No Parking" ban would be implemented. With approval of the county, the city installed temporary "No Parking" signs on the west side of Babcock Trail from 2 residences north of the school entrance, south to the school entrance. This was in place for those 2 weeks, which coincided with the end of the school year and was monitored by the Police Department during the morning and afternoon. The signage was successful in clearing sight lines and stopping the parking in the posted area.

Because Babcock Trail is a county road, a resolution was passed in August of 2017 by the City Council that prohibits parking on Babcock Trail from Upper 55th Street to 60th Street on both the east and west side of the road. The county then installed the signs.

In May of 2018 a letter was distributed to residents in the immediate area soliciting their feedback to the parking ban. Attached is the letter and responses I received by e-mail. I will have notes from others who elected to call me rather than e-mail. I also met with the ISD 199 Superintendent and the Principal of Salem Hills elementary who stated the following; The district hired a traffic consultant and followed recommendations, which included moving the buses to the back of the building which helped ease congestion in the front lot. The school staff felt the no parking was not ideal, but better than it was prior to it being posted. In April of 2018 District 199 purchased the adjoining property and is currently working through the city's process for re-zoning and will be before the city council on June 25th. The district is also working with a civil engineer to see how to best design in and outflow with the new property acquisition.

Based on feedback received and its success, it is recommended that the parking ban continue.

Attachments: Letter to residents
 Emails
 Map of area



Attention Residents

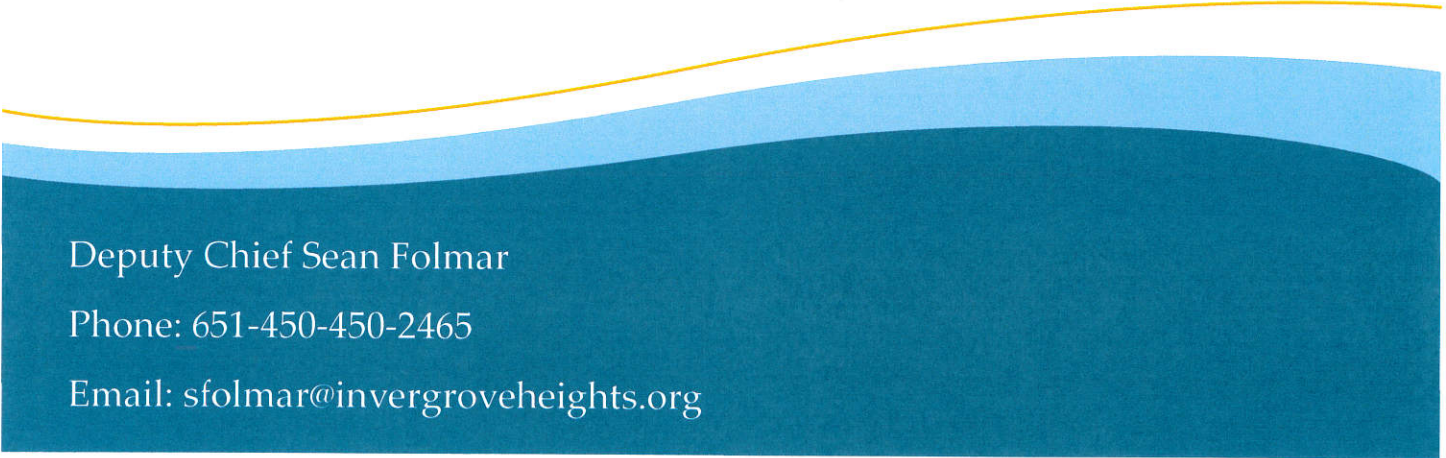
We Want Your Feedback

The Inver Grove Heights Police Department wants your feedback!

The Babcock ***“NO PARKING”** near Salem Hills Elementary School has been in effect for almost one year.

We would like to hear from you about your experience since the **“NO PARKING”** signs have been installed.

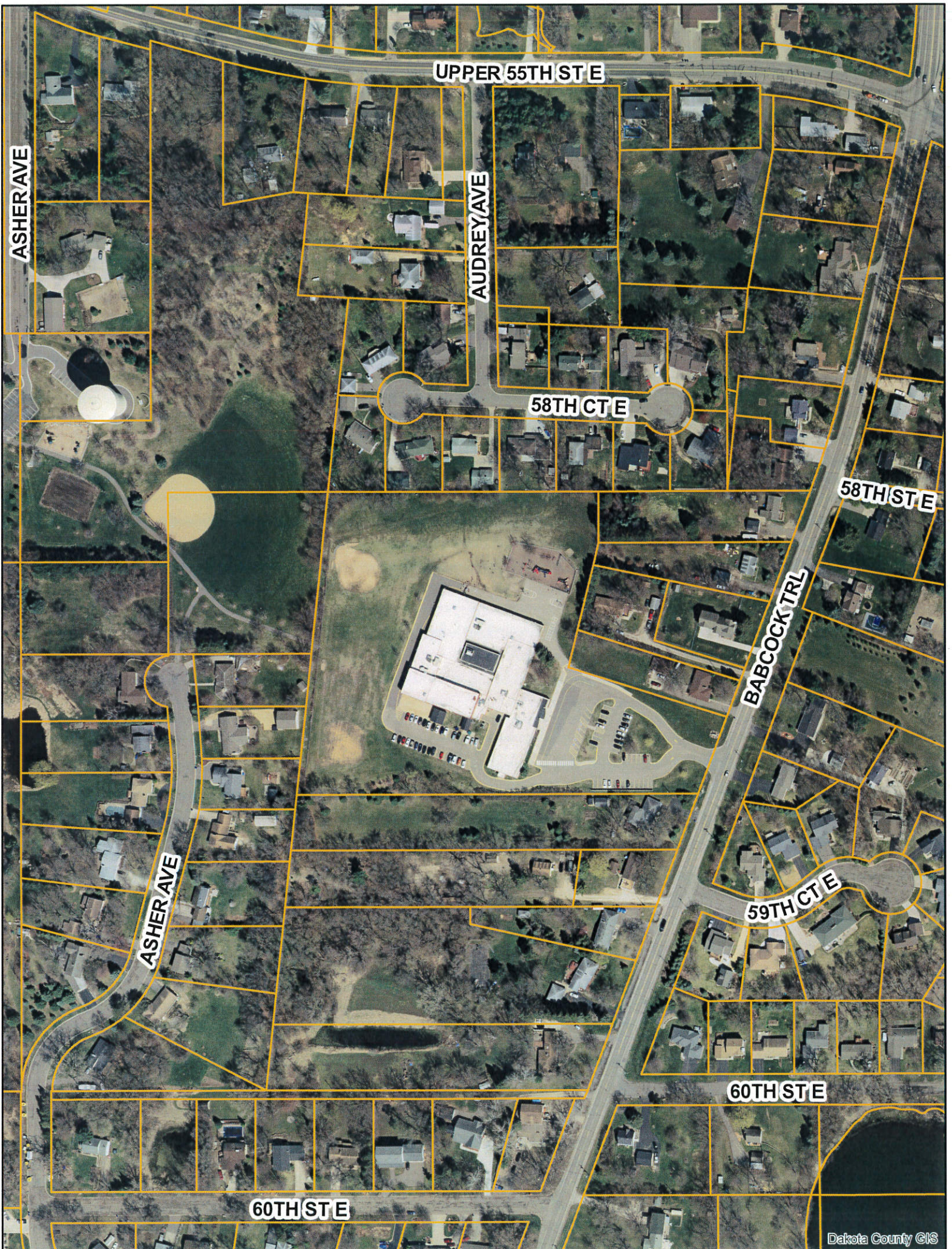
All comments/concerns are welcome, please contact Deputy Chief Sean Folmar.



Deputy Chief Sean Folmar

Phone: 651-450-450-2465

Email: sfolmar@invergroveheights.org



UPPER 55TH ST E

ASHER AVE

AUDREY AVE

58TH CTE

58TH ST E

BABCOCK TRL

59TH CTE

60TH ST E

ASHER AVE

60TH ST E

Sean Folmar

From: lizfusenig@aol.com
Sent: Monday, May 28, 2018 2:18 PM
To: Sean Folmar

Hello,

I reside at 5667 Babcock Trail in Inver Grove Heights. I am writing in response to the flyer I received regarding feedback about the "No Parking" near Salem Hills Elementary School.

I would suggest adding in a sidewalk from Babcock/Upper 55th to Salem Hills Elementary.

I do not believe that adding the "no parking" has addressed the issue. Vehicles drive very fast on Babcock and are still oblivious to pedestrians (both adults and children). We moved in to our house five years ago and have noticed that in addition to cars driving fast, the amount of cars driving on Babcock seems to have doubled. In addition, many cars turn around in driveways when children are walking to and from school and the kids only have a small area to wait in until cars get turned around.

I would be more than willing to sacrifice a portion of my front yard for the safety of children.

Please feel to connect with me should you have questions.

Many thanks,

Liz Clare

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

Sean Folmar

From: Kelly Kayser <kelly.kayser@ymail.com>
Sent: Saturday, May 26, 2018 10:34 AM
To: Sean Folmar
Subject: "No Parking" zone near Salem Hills Elementary School

Deputy Chief Folmar,

My husband, Bruce, and I are responding to your flier soliciting feedback regarding the "No Parking" signs installed on Babcock Trail last summer.

The traffic situation was a bit chaotic at the beginning of the school year as the bus and car drivers adjusted to the changes. As the school year has progressed, the traffic situation has improved. I have heard that the buses now pick up students behind the school, which also seems to have improved the traffic flow.

We have not observed any cars ***parked*** on Babcock (in violation of the signs) in recent months, although there is typically a long line of cars idling on the shoulder, waiting to turn into the parking lot prior to the students being let out of school. That line sometimes results in a slowdown of the traffic on Babcock. The deep storm water ditches prevent those cars from pulling any further onto the shoulder (i.e. inside the fog line). It may be prudent to consider a separate turn (?) lane for this purpose when Babcock is reconstructed next.

Several school buses still turn left out of the school parking lot, which I assume they are authorized to do in order to maintain their scheduled routes. Some parent vehicles also turns left in violation of the "No Left Turn" sign. Other than a school traffic officer, I don't know what would remedy that situation. Unfortunately, there are always people who think the rules don't apply to them, which is why we need and value our police department.

Probably the biggest issue/concern that we have personally observed is the number of cars that turn right out of the school and then make a quick U-turn at the top of our road in order to drive north on Babcock. In addition to slowing down traffic around the school, it is simply not safe. Occasionally, a vehicle drives further down our street to turn around, which still affects the traffic around the school, but doesn't create same safety issue at 59th and Babcock as the U-turns.

We also had a significant number of cars parked on our street on a recent school-day. I am guessing there was some sort of parent-attended spring event at Salem Hills. I do hope that having the "No Parking" signs on Babcock has created a safer crossing point for those families.

Thank you very much for following up on this topic. Feel free to contact me if you have any questions or would like more information.

Kelly Kayser
651.324.0068
1953 59th Court East

Sean Folmar

From: Mike Ketterling <mailboxaviator@yahoo.com>
Sent: Friday, May 25, 2018 8:12 PM
To: Sean Folmar
Subject: Feedback regarding no parking on Babcock Trail

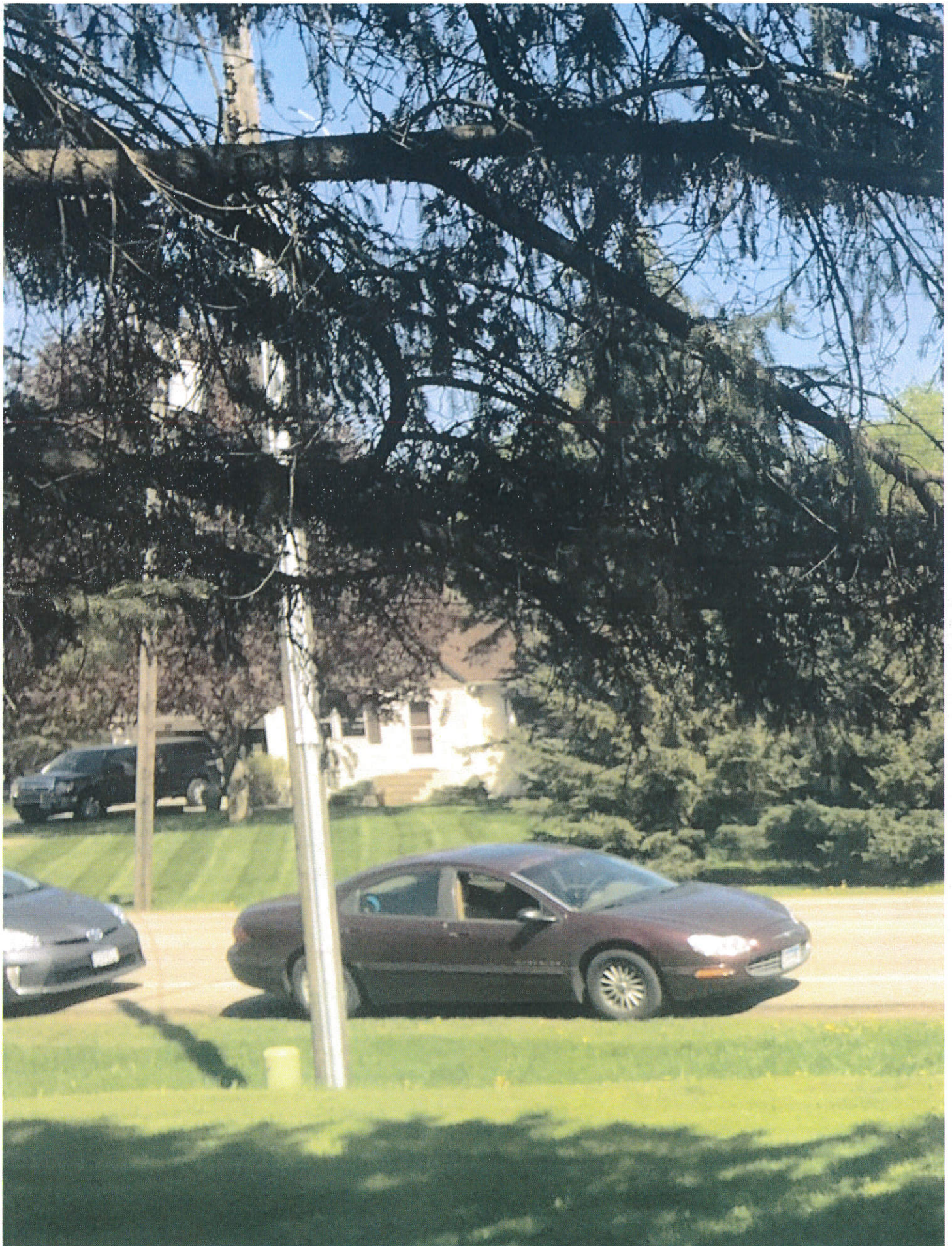
Deputy Chief Sean Folmar,

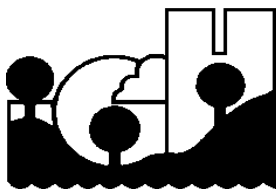
Thanks for taking the time to seek feedback regarding the traffic issues at Salem Hills school. The no parking does not solve the issue each day when parents pick up their children at 3:00. See the attached photos that were taken in the last two weeks. If you look on the shoulder in front of our property located to 5847, you will see the traffic pattern. It is not uncommon for cars to "park" across our driveway or our neighbors drive. Granted this traffic lasts only 10-15 minutes, but they could certainly be more considerate to the residents that live here.

Thanks,

Michael Ketterling
(651)253-4491







CITY OF INVER GROVE HEIGHTS

MEMORANDUM

TO: Mayor & City Council

FROM: Michelle Tesser, City Clerk

SUBJECT: Off-Sale Liquor License Discussion

DATE: June 4, 2018

1. Background:

In February, the Council approved a new off-sale liquor license for the liquor store business name Mallory and Mikala, LLC. This increased the number of off-sale liquor licenses in the City to nine (9). A few current off-sale liquor license holders complained to the council and city staff that there are too many liquor stores in the City affecting the market. The council instructed staff to bring this discussion to the council at a work session.

2. Facts:

MN State Statute

Minnesota state statute §340A.413 gives authority to cities to limit off-sale liquor licenses.

MN Statute §340A.413

Subd. 5. Off-sale licenses. No off-sale intoxicating liquor license may be issued in any city, except as provided in this section, in excess of the following limits:

(1) in cities of the first class, not more than one off-sale license for each 5,000 population; and

(2) in all other cities the limit shall be determined by the governing body of the city.

Surrounding Cities

Staff asked surrounding cities if they limit off-sale liquor licenses. (This does not include 3.2 off-sale liquor licenses.) Results are below:

Eagan

Does not limit, has 16 off-sale liquor licenses.

West St. Paul

Limits the maximum to 6. All licenses are in use.

South St. Paul

Limits the maximum to 3. They have 2 licenses in use.

Revenue

The revenue from off-sale liquor licenses are \$200.00 per license annually totaling \$2,600.

3. Police Services

The police department indicates that off-sale liquor serving establishments do not generally result in a higher volume of calls for service when compared with other retail businesses. The police department does request that at the time of 2019 license renewals, a staff time analysis is conducted to determine if the current off-sale liquor licensing fee covers the full cost associated with the renewal.

340A.413 RESTRICTIONS ON NUMBER OF INTOXICATING LIQUOR LICENSES THAT MAY BE ISSUED.

Subdivision 1. **On-sale licenses.** No on-sale intoxicating liquor license may be issued in any city except as provided in this section in excess of the following limits:

- (1) in cities of the first class, one license for every 1,500 population, up to 200 licenses;
- (2) in cities of the second class, not more than 18 licenses plus one for every 2,500 population over 45,000;
- (3) in cities of the third class, not more than 12 licenses;
- (4) in cities of the fourth class, including cities whose acts of incorporation were repealed by Laws 1973, chapter 123, article V, section 5, not more than seven licenses;
- (5) in statutory cities of 5,000 to 10,000 population, not more than six licenses;
- (6) in statutory cities of 2,500 to 5,000 population, not more than five licenses;
- (7) in statutory cities of 500 to 2,500 population, not more than four licenses; and
- (8) in statutory cities under 500 population, not more than three licenses.

Subd. 2. **Additional on-sale licenses permitted for cities in St. Louis County.** For cities in St. Louis County no on-sale liquor license may be issued in excess of the following limits, without the approval of the commissioner:

- (1) in cities of the third class, not more than 15 licenses;
- (2) in cities of the fourth class, not more than nine licenses; and
- (3) in statutory cities of 2,500 to 5,000 population, not more than six licenses.

Subd. 3. **Referendum for additional on-sale licenses.** (a) The governing body of a city may issue on-sale intoxicating liquor licenses over the number permitted under subdivision 1 when authorized by the voters of the city at a general or special election.

(b) The governing body may direct that either of the following questions be placed on the ballot:

(1) "Shall the city council be allowed to issue 'on-sale' licenses for the sale of intoxicating liquor at retail in excess of the number permitted by law?

Yes

No "

(2) "Shall the city council be allowed to issue (a number to be determined by the governing body) 'on-sale' licenses for the sale of intoxicating liquor at retail in excess of the number now permitted by law?

Yes

No "

(c) If a majority of voters voting on the question in clause (1) vote yes, the governing body may issue an unlimited number of on-sale licenses. If a majority of voters voting on the question in clause (2) vote yes, the governing body may issue additional on-sale licenses in the number stated in the question.

Subd. 4. **Exclusions from license limits.** On-sale intoxicating liquor licenses may be issued to the following entities by a city, in addition to the number authorized by this section:

- (1) clubs, or congressionally chartered veterans organizations;
- (2) restaurants;
- (3) establishments that are issued licenses to sell wine under section 340A.404, subdivision 5;
- (4) theaters that are issued licenses under section 340A.404;
- (5) hotels; and
- (6) bowling centers.

Subd. 5. **Off-sale licenses.** No off-sale intoxicating liquor license may be issued in any city, except as provided in this section, in excess of the following limits:

- (1) in cities of the first class, not more than one off-sale license for each 5,000 population; and
- (2) in all other cities the limit shall be determined by the governing body of the city.

Subd. 6. **Area that has been annexed or consolidated.** A license validly issued within the number prescribed in this section is not rendered invalid or illegal by reason of the consolidation or annexation of territory to a city and may continue to remain in effect and be renewed, except that the limitations as to ownership under section 340A.412, subdivision 2.

History: 1985 c 305 art 6 s 13; 1987 c 152 art 1 s 1; 1990 c 554 s 13; 1991 c 249 s 16; 1996 c 418 s 9; 2003 c 126 s 9

From: Arbor Pointe Liquors dba Yager Group
To: [Michelle Tesser](#)
Subject: Re: Off- Sale Liquor License Discussion Scheduled for June 4th
Date: Wednesday, May 30, 2018 11:20:15 PM
Attachments: [image.png](#)

Michelle-

I will not be able to attend the meeting Monday. I am happy to see the Council is open to starting a conversation about this issue. I can be reached at thomasdharris@hotmail.com or 651-457-6775 as needed.

I fully support limiting the number of liquor stores.

MN law states that for first class cities 1 liquor license can be issued for every 5,000 residents. Inver Grove currently has 1 for every 4,000. This is a full 1,000 residents per liquor store less. IGH has more liquor stores per resident than the largest MN cities. The last thing IGH needs is more liquor stores.

Many other cities limit the number of stores. In the Star Trib article "Twin Cities suburbs look to limit number of liquor stores"

<http://www.startribune.com/twin-cities-suburbs-look-to-limit-the-number-of-liquor-stores-as-requests-grow/313959641/>

Minnetonka 1 : 4500

St Louis Park put a moratorium on new licenses after discovering their ratio. They also have distance regulations.

Blaine 1:7000

Eagan has 1: 4400 with no restriction

Burnsville had a 1:5000 restriction. They recently removed it but kept in place other restrictions "... liquor licenses must still be at least three-fourths of a mile apart and inside a free-standing building if located outside the Burnsville

Center retail area."

Edina: 1: 15,800

Here is a chart from an earlier article, 2014, detailing suburbs and their liquor store to population ratio. As you can see, IGH at 1:4000 is quite low.

<https://www.bizjournals.com/twincities/news/2014/12/03/which-twin-cities-suburbs-have-most-liquor-stores.html>

CITY	Population	Total OFF Sale Intox (liquor stores)	OFF Sale Intox (liquor stores) per capita
Hopkins	17,591	8	1 per 2,200
Golden Valley	20,371	5	1 per 4,100
New Hope	20,339	5	1 per 4,100
Brooklyn Center	30,104	2 (municipal)	1 per 15,000
St. Louis Park	45,250	15	1 per 3,000
Edina	47,425	3 (municipal)	1 per 15,800
Minnetonka	49,374	10	1 per 4,900
Blaine	60,480	8	1 per 7,000
Burnsville	60,306	12	1 per 5,000
Eden Prairie	60,797	3 (municipal)	1 per 20,300
Woodbury	65,656	12	1 per 5,500
Maple Grove	66,842	12	1 per 5,600
Eagan	64,456	15	1 per 4,300
Plymouth	70,576	13	1 per 5,400
Brooklyn Park	72,724	14	1 per 4,800
Bloomington	82,893	23	1 per 3,600

The City of IGH can make a decision now that will ensure the liquor licenses don't get out of hand. It can limit the number. It can limit the distance between stores. It can limit the distance from Churches or schools. I believe IGH has a school distance limitation. Possibly a Church one. I support a distance between licenses (3/4 of a mile to 1 mile) as well as a population ratio. 1:4000 is plenty low. Too low if you ask me. I think it should be capped at the current level. I would even support a 1:4500 (the ratio we had previous to the last license issued) while grandfathering in current licenses and stores.

I look forward to more discussion.

Regards,
Tom Harris

On Tue, May 29, 2018 at 10:32 AM, <apliquors@gmail.com> wrote:
Will do. Thanks.

Sent from my iPhone

On May 29, 2018, at 10:30 AM, Michelle Tesser <mtesser@invergroveheights.org> wrote:

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: June 4, 2018
 Item Type: Work Session/Information Only
 Contact: Paul Schnell, Police Chief
 Prepared by: Paul Schnell, Police Chief
 Reviewed by: Paul Schnell, Police Chief

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

The police department will provide an overview of the Vitals program, it's benefits, and the number of Inver Grove Heights based families enrolled in the program.

SUMMARY

Vitals™ Aware Services is the first service brought to market by VariAware, Inc., founded by a group of entrepreneurs working with the Autism Society of Minnesota, as well as, the St. Paul, MN, police department.

A vulnerable individual using the Vitals™ service carries a small beacon that contains a personal profile created by his or her caregiver. When an authorized first responder receives an alert that a vulnerable individual is within 30-80 feet, the first responder can access that profile and use the information to make informed decisions on how to safely handle the situation. The personal profile is created by the caregiver and is under the caregiver's control. It can be changed as often as the caregiver wishes.

The Vitals™ app equips first responders with personalized information about an individual that helps insure a safer interaction. No other device has that capability. We do not track where the individual has been. Authorized first responders receive an alert and access to an individual's Vitals™ profile when they are within 30 – 80 feet of a Vitals™ beacon. Law enforcement cannot search or track an individual outside of the given range.

Caregivers create a profile using the free Vitals™ Caregiver App, available for both iOS and Android. To obtain it, visit the [Google Play Store](#) or [Apple's App Store](#) on your mobile device and download the application. Once installed, launch the app and follow the instructions provided to set up a Vitals™ profile. We do not have access to information in the profiles. Only the caregivers have access.

To grow the network, Vitals is offering a complimentary 12-month service subscription, which is currently available to all individual users in Minnesota.

INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

NEIGHBORHOOD NOISE ANALYSIS/BITUMINOUS ROADWAYS

Meeting Date: June 4, 2018
 Item Type: Work Session
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

PURPOSE/ACTION REQUESTED

Council to approve noise study analysis prepared by Barr Engineering to be done at the Bituminous Roadways asphalt plant and sand and gravel operation.

BACKGROUND

The City Council discussed conducting a noise analysis at the Bituminous Roadways location based on concerns raised by residents when the five-year renewal was granted last year. From the February 5 work session discussion, a proposal was to be prepared with noise samples taken at the pit and at two resident locations.

Barr Engineering has submitted a proposal with those specifications. Monitoring would be for a one week period during normal business hours in either June or July. Total cost of monitoring would be \$7,200.00. Staff would contact two residents from those that spoke at the meetings and then coordinate with Barr to determine noise monitor placement. A final report would be presented to Council.

ACTIONS

Staff requests approval of the noise proposal.

Attachments: Noise Study proposal from Barr Engineering



May 30, 2018

Allan Hunting
City of Inver Grove Heights
8150 Barbara Ave.
Inver Grove Heights, MN 55077

Re: Bituminous Roadways Noise Study Proposal

Dear Allan:

Barr is pleased to offer this proposed work plan for assessing the current noise impacts of the Bituminous Roadways facility located along Rich Valley Boulevard. This correspondence provides a proposal and services agreement specific to performing a noise monitoring study to include collecting noise level measurements in the vicinity of the facility, and an assessment of the impact of the noise from the facility at nearby residences.

This letter replaces that sent to you on May 22 and is consistent with our conversation yesterday regarding an additional monitoring location. This letter, together with our Standard Terms (attached) sets forth the Agreement between the City of Inver Grove Heights (Client) and Barr Engineering Co. (Barr) regarding performance of a noise monitoring study of the area west of the Bituminous Roadways facility.

Noise Monitoring

Barr will monitor sound levels at or near the perimeter of the Bituminous Roadways property. The proposed monitoring location is near the western property edge of Bituminous Roadways property, with two additional monitors to be located at or near the residences to the west of the facility. Monitoring is proposed for a 1 week period, to be selected in coordination with City staff to capture a representative period of activity in the area. A shorter monitoring interval (e.g. one day or less) could be used to capture facility noise if it is believed that noise levels are not particularly variable over the course of a week. However, the extended monitoring period should help assuage concerns about capturing representative data, but can be adjusted in consultation with the City if operational considerations require.

Noise levels will be measured on a dBA scale (decibels A-weighted). From the monitoring data we will calculate the following:

- L_{eq} – the average equivalent noise level measured over the course of the sampling period.
- L_{90} – the noise level exceeded for 90% of the sampling period. This generally represents the background level throughout the monitoring period.
- L_{50} – the noise level exceeded for 50% of the sampling period. This is the median sound level during the monitoring period. This is one of two metrics incorporated in state noise standards.
- L_{10} – the noise level exceeded for 10% of the monitoring period. Intermittent sounds are often captured by this metric. This is one of two metrics incorporated in state noise standards.

Impacts Assessment

The Minnesota Pollution Control Agency (MPCA) has established standards for environmental noise in Minnesota. Minnesota standards apply at the receptor, and are specific to the type of land use at the receptor location. Household units located nearby fall under the most stringent MPCA noise area classification – NAC-1. Daytime noise levels in an NAC-1 area may not exceed 60 dBA for more than 30 minutes in any given hour (L_{50}) nor exceed 65 dBA for more than six minutes in a given hour (L_{10}). Nighttime noise levels in an NAC-1 area may not exceed 50 dBA for more than 30 minutes in any given hour (L_{50}) nor exceed 55 dBA for more than six minutes in a given hour (L_{10}). (MN Rule 7030.0040)

We will present a quantitative analysis of the monitored noise environment at the monitoring locations with respect to the Minnesota noise standards. We will also provide a brief qualitative discussion of the observed sounds at the monitoring locations. We will attempt to identify the noise sources or source types that have potential to generate residential complaints.

Schedule and Cost

We anticipate being available to complete the work in June or July 2018, provided appropriate activities and weather conditions occur during the proposed monitoring period. Noise measurements should be collected under calm or light winds (less than 11mph). Noise measurements cannot be accurately collected while it is raining, or when thunder or lightning are present. The report preparation can be completed by July 21, 2018 assuming we receive authorization to proceed by June 30, 2018.

We estimate cost for this work as follows:

Noise Monitoring \$5500

Impacts Assessment \$1700

Total Estimated Cost \$7200

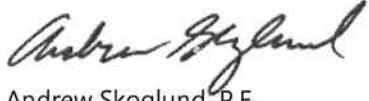
For the services provided, you will pay us according to the attached Standard Terms. We will bill you approximately monthly (4-week) intervals. The cost for field monitoring is highly dependent on weather conditions. It is possible that Barr staff may need to visit the site an additional time, or more, if weather conditions are not conducive to obtaining representative noise level data. Our estimate includes costs for one week of monitoring at three locations simultaneously. If an acceptable dataset can be obtained in a shorter course of monitoring, we will end the monitoring at that point. The estimated cost on a time and materials basis for performance of the above scope is \$7,200. This time and materials estimate assumes up to 40 hours for the tasks proposed herein. Reduction of the scope to a single residential location is anticipated to save approximately \$1200 in time and equipment rental costs.

Alternative Monitoring Period

The Minnesota rules specify the allowable noise levels observed over the course of one hour. An alternative minimalist approach to the monitoring would capture a single one-hour observation at each monitoring point to check compliance status. This approach would meet minimum state requirements for noise observations, but would not capture any potential variability in operations at Bituminous. Limiting the monitoring to this basic approach would reduce total estimated costs to approximately \$2650.

We appreciate the opportunity to assist the City in this matter. Please contact Andrew Skoglund at 952.832.2685 with any questions.

Sincerely,



Andrew Skoglund, P.E.
Project Manager



Thomas Radue, P.E.
Vice President