



**CITY OF INVER GROVE HEIGHTS
COUNCIL CHAMBERS**

**CITY COUNCIL SPECIAL MEETING AT 6:00 P.M.
JULY 1, 2019**

A G E N D A

A. CALL TO ORDER – MAYOR TOURVILLE

1. Consider Approval of the Second and Final Reading of a Proposed Amendment to Inver Grove Heights City Code Title 4, Chapter 12, Section 1 (4-12-1) to Permit Sampling of Cigars and Pipe Tobacco

B. ADJOURN

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

1.
TIMOTHY J. KUNTZ
DANIEL J. BEESON
JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
KORINE L. LAND
DONALD L. HOEFT
BRIDGET McCAULEY NASON
PETER MIKHAIL
TONA T. DOVE
AARON S. PRICE
DAVID L. SIENKO
CASSANDRA C. WOLFGAM
DEBRA M. NEWEL
CASSANDRA J. BAUSTISTA
MATTHEW K. BROKL

MEMO

TO: Inver Grove Heights Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney and Bridget Nason, Assistant City Attorney
DATE: June 26, 2019
RE: Proposed Ordinance Amendment Related to Sampling of Certain Premium Cigars and Pipe Tobacco; July 1, 2019 Council Special Meeting Work Session

Section 1. Third and Final Reading. The proposed ordinance amendment related to Sampling of Cigars and Pipe Tobacco is on the council agenda for the July 1, 2019 Council special meeting work session. The proposed ordinance is attached. The first reading of the ordinance occurred on June 10, 2019. The second reading of the ordinance was held on June 24, 2019. There are no changes from the second reading.

Section 2. Passage of Ordinance. Because the third reading is being held at a special meeting work session, rather than a regular meeting, the first motion should be to suspend the rules pursuant to City Code Section 1-2-3(D) to allow the third reading at a special meeting. That motion requires all five Councilmembers to vote in favor of the suspension of rules.

If the first motion passes, then the Council can proceed to the third reading of the ordinance and pass the ordinance by a majority vote. In the section dealing with effective date, we have provided that the ordinance is effective upon publication rather than waiting the five days after publication. This will expedite the effective date.

Attachment

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE TITLE 4,
CHAPTER 12, SECTIONS 1 AND 2 RELATED TO SAMPLING OF CIGARS AND PIPE
TOBACCO**

The City Council of Inver Grove Heights does hereby ordain:

Section 1. Amendment. Inver Grove Heights City Code Title 4 Chapter 12 Section 1 (4-12-1) is hereby amended to include the following definitions:

PREMIUM CIGAR. Any cigar that is hand-constructed, has a wrapper that is made entirely from whole tobacco leaf, has a filler and binder that is made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor, and has a wholesale price of no less than \$2.

TOBACCO PRODUCTS SHOP. A retail establishment with an entrance door opening directly to the outside that derives more than 90 percent of its gross revenue from the sale of loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. A tobacco products shop does not include a tobacco department or section of any individual business establishment with any type of liquor, food, or restaurant license.

Section 2. Amendment. Inver Grove Heights City Code Title 4 Chapter 12 Section 2 (4-12-2) is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

The owner or operator of a retail establishment shall not allow the sampling of tobacco, tobacco related devices or electronic delivery devices within the indoor area of a retail establishment except for the sampling of premium cigars and pipe tobacco and electronic delivery devices only as permitted herein. The sampling of tobacco, tobacco related devices or electronic delivery devices is prohibited within the indoor area of a retail establishment except for the sampling of premium cigars and pipe tobacco and electronic delivery devices only as permitted herein.

Sampling of premium cigars and pipe tobacco may occur in a tobacco products shop subject to the following conditions:

1. The tobacco products shop must sell premium cigars.

2. In addition to premium cigars, the tobacco products shop may sell cigar accessories, pipe tobacco, or pipe tobacco accessories, but may not sell any other tobacco-related accessories.
3. The tobacco products shop may not sell cigarettes or any other form of tobacco or tobacco products other than premium cigars and pipe tobacco.
4. The tobacco products shop may not allow the sampling of cigarettes or any other tobacco or tobacco products other than premium cigars and pipe tobacco.
5. The tobacco products shop may not sell premium cigars or pipe tobacco to individuals under twenty-one (21) years of age.
6. The tobacco products shop may not allow the sampling of premium cigars or pipe tobacco by individuals under twenty-one (21) years of age.
7. No alcoholic beverages may be sold or served on the premises of the tobacco products shop. No person shall consume alcoholic beverages on the premises of the tobacco products shop.
8. Only premium cigars and pipe tobacco purchased at the tobacco products shop may be sampled on site and sampling must occur contemporaneously with the purchase for sampling of the premium cigar or pipe tobacco.

Retail establishments located within the city which permit the sampling of electronic delivery devices as of the date of adoption of this chapter may continue to allow the sampling of electronic delivery devices. The following retail establishments located within the city permit sampling as of the date of adoption of this chapter:

Vappour Shoppe, 5854 Blaine Avenue;
Inver Grove Tobacco, 6570 Cahill Avenue;
Cahill Tobacco, 7806 Cahill Avenue;
E-Puff USA, 1148 Mendota Road.

If a retail establishment listed above moves locations within the city, the retail establishment may continue to allow the sampling of electronic delivery devices at its new location; the retail establishment may not add another location in the city where sampling of electronic delivery devices is permitted.

Provided, however, if any of the above identified retail establishments sell or transfer ownership thereof or have a change in ownership where a majority of the stock membership units or interests in the entity are different than exist as of the date of adoption of this chapter, then the right to permit sampling of electronic delivery devices shall cease with respect to that retail establishment.
(Ord. 1304, 11-9-2015)

Section 3. Effective Date. This Ordinance shall become effective and be in full force and effect after its adoption and publication as provided by law. Notwithstanding IGH City Code Section 1-2-3(E), this ordinance shall be effective upon the date of publication.

Passed in regular session of the City Council on the 1st day of July, 2019.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Joe Lynch, Interim Deputy Clerk



**CITY OF INVER GROVE HEIGHTS
COUNCIL CHAMBERS**

CITY COUNCIL WORKSESSION

JULY 1, 2019

(Immediately following the Special Council Meeting at 6:00 p.m.)

A G E N D A

A. CALL TO ORDER – MAYOR TOURVILLE

1. Railroad Quiet Zone
2. Housing Committee Expansion
3. Sustainability Initiatives
4. City Survey Review
5. 2020 Budget

B. ADJOURN

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Railroad Quiet Zone

Meeting Date: July 1, 2019
Item Type: Work Session
Contact: Heather Rand: 651-450-2546
Prepared by: Heather Rand, Director of Comm.
Dev.
Reviewed by: NA

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

The City Council is to 1) hear update from Heather Rand on status of achieving a Railroad Quiet Zone for the existing Union Pacific Railroad track located throughout the city, and 2) determine if amenable to directing community development staff to pursue the development of an agreement with Union Pacific Railroad to hire architect/engineering firm to develop preliminary plans and specs with cost estimate for the installation of a CWT System at the 66th Street rail crossing, as a CWT (Constant Warning Time) System is required to achieve Railroad Quiet Zone status in Inver Grove Heights. The development of preliminary plans and specs is estimated to cost up to \$25,000 and the preliminary projected CWT System installation project cost estimate is \$250,000 - \$325,000.

BACKGROUND

Since 2017, The City Council has been supportive of advancing designation of the Union Pacific Railroad track as a whistle-free Quiet Zone for the purpose of improving the quality of life for residents that live near rail tracks while also advancing installation of new railroad technology to add safety to rail crossing in the city. In June of 2019, city staff learned that to achieve Railroad Quiet Zone, the installation of a CWT System at the 66th Street Crossing at a projected cost of \$250,000 to \$325,000 would be required. The city staff have been working to identify potential funding sources as Union Pacific Railroad to date has made it clear they will not fund. MNDOT staff has encouraged the city to apply for partial funding in their 2021 grant cycle. The city's railroad consulting firm SRF Consulting Group recommend the city prepare for such by working with Union Pacific Railroad to engage a rail architect/engineering firm to develop plans and specs and cost estimate for the 66th Street CWT System project. The estimated cost to the city for such is up to \$25,000. Community Development staff wish to receive input from the city council as to if they should pursue the development of an agreement with Union Pacific Railroad to advance this project at this point in time.

INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

HOUSING COMMITTEE EXPANSION

Meeting Date: July 1, 2019
Item Type: Work Session
Contact: Allan Hunting 651.450.2554
Prepared by: Allan Hunting, City Planner
Reviewed by:

PURPOSE/ACTION REQUESTED

Council is to provide direction if the Housing Committee should be expanded to 9 members.

BACKGROUND

At the last commission appointment meeting, Council noted there were several more people willing to serve on commissions than available seats. The Planning Commission, Park and Rec Commission and Environmental Commission all consist of nine members. The Housing Committee contains seven members. Should the Housing Committee be expanded to nine members?

ANALYSIS

The Housing Committee was created in 2010 consisting of five members. The primary tasks of the group are:

1. Address, research and make recommendation relative to the Housing Action Plan Report and Recommendation adopted by the City Council, dated July 2010.
2. Address, research and make recommendation relative to housing issues that may be of interest to the City Council and Committee.
3. Work towards implementation of the Comprehensive Plan Housing chapter which establishes housing as an integral part of the City.
4. To review and comment on proposed changes on any housing related ordinances and/or resolutions as put forth by the City Council.
5. To recommend education programs to increase our community's awareness and knowledge of housing issues.

The committee was expanded to seven members in May 2018 because of the number of residents who wished to serve on the committee.

What they review at meetings:

The committee meets in the Mayors conference room and will typically have general discussions regarding programs, topics the group has seen or heard. They do not have regular action items to make recommendations to Council. They do have some guest speakers come in to talk about various topics. There has not been any general public attend any of the meetings that I can recall.

Meeting location: Should the committee meet in the Council Chambers like all other commissions? Due to the original small size of the group and getting their feet wet on what to do, meeting in a conference

July 1, 2019
Council Memo – Housing Committee Expansion
Page 2

room was the logical choice and not in the larger chambers. A conference room has still worked well when the group increased to seven members. Expanding to nine may warrant a change of venue.

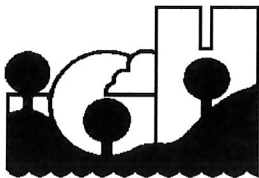
Housing Committee recommendation: The Committee discussed the item at their work session on Tuesday night and would be supportive of increasing the committee to nine members. They also voiced their opinion that they would like to meet in the Council Chambers and either have the meetings televised or recorded so they could be shown on the cable channel. They would like more visibility and more chances for the public to see what they are working on.

Staff would have to check with the cable company to see about the logistics for either taped or live broadcast meetings. Moving locations would be something that would either take place late this fall or starting next year.

ACTIONS

A resolution expanding the committee must approved by the City Council.

Staff requests further direction from Council.



CITY OF INVER GROVE HEIGHTS
MEMORANDUM

TO: City Council

FROM: Ally Hillstrom, Environmental Specialist

SUBJECT: City of Inver Grove Heights – Sustainability Initiatives

DATE: July 1, 2019

BACKGROUND

In August 2018, the Community Development Department hired a full time Environmental Specialist, Ally Hillstrom, to oversee the city's recycling projects, landfill items, environmental programs and sustainability initiatives. The Environmental Specialist is also the staff liaison to the Environmental Commission. The environmental programs and sustainability initiatives that the Environmental Specialist coordinates are summarized below.

PROGRAMS AND INITIATIVES

Dakota County Community Funding Program, Solid Waste Abatement

Funding from Dakota County is provided to cities on an annual basis to assist recycling and waste abatement efforts. In 2013, the MPCA conducted a statewide waste characterization study that found 75% of Minnesota's waste stream is recyclable. In response to this study, the Minnesota State Legislature increased recycling requirements, with a goal to recycle 75% of our state's waste stream by the year 2030. Dakota County has once again set aside funding to assist local communities in their efforts to meet this goal via direct community participation including the education of residents. The 2019 work plan includes new requirements for the city which are based on Dakota County's Solid Waste Master Plans priorities for our community to embrace:

- Implementing organics recycling collection at City Hall
- Implementing recycling best management practices in all public facilities
- Providing additional recycling collection event opportunities to the community

Minnesota Greenstep Cities Program

The GreenStep Cities program is a voluntary assistance, recognition and challenge program designed to help cities achieve their sustainability and quality-of-life goals. This free and continuous improvement program is managed by the Minnesota Pollution Control Agency and other public, non-profit and private organizations. The program is based upon 29 Best Practices (which includes 175 possible opportunities to meet those Best Practices) centered on five categories: Buildings and Lighting, Land Use,

Transportation, Environmental Management, and Resilient Economic and Community Development.

The program helps cities meet sustainability goals by developing best practices that promote social, environmental and financial stewardship. In 2016, the City of Inver Grove Heights was the 100th city to join the GreenStep Cities program, which has since expanded to 127 cities. This program encourages participating cities to share their success stories with one another by showcasing them at monthly workshops, peer network meetings and publicly online.

Once a city completes the best practices identified by the program, they are publicly rewarded and recognized for their progress. On June 27, 2019, the City of Inver Grove Heights was recognized at the League of Minnesota Cities Annual Conference for reaching Step 3 of the five-step program, by completing 17 of the 29 Best Practices.

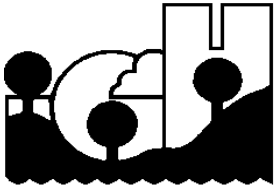
Prior to joining the program, many practices had been integrated into the city's regular day-to-day operations to provide high-quality services to the community. Other best practices were adopted by the city after joining the program and learning of new best practice opportunities the city could also benefit from.

To continue progressing through the program, city staff are working to implement the following best practices:

- **Best Practice #13, Efficient City Fleets:** Research opportunities to right-size the city fleet, down-size fleet vehicles and phase in alternative fuel types to increase the efficiency of our fleet and reduce operational costs
- **Best Practices #15, Sustainable Purchasing:** Research our purchasing behaviors to find opportunities to conserve natural resources and reduce operational costs
- **Best Practices #24, Program Progress & Community Engagement:**
 - Develop an inter-departmental team of city staff to lead and coordinate implementation of sustainability initiatives. The Community Development Department will coordinate the more formalized activation of this city "Green Team" in hopes of achieving new sustainability goal advancement collectively.
 - Increase community access to recycling, environmental and natural resource information to educate residents and businesses on these topics and initiatives.
- **Best Practices #25, Green Business Development:**
 - Educate and engage businesses on green and resilient business opportunities.

- Research brownfield remediation and redevelopment opportunities to lower an area's environmental and health risks while increasing its economic development potential.

More information about the program can be found at <https://greenstep.pca.state.mn.us>.



CITY OF INVER GROVE HEIGHTS

MEMORANDUM

TO: Mayor & City Council

FROM: Michelle Calvert, Management Analyst

APPROVED BY: Joe Lynch, City Administrator

SUBJECT: Community Survey Results

DATE: July 1, 2019

Enclosures: Survey Results, Report

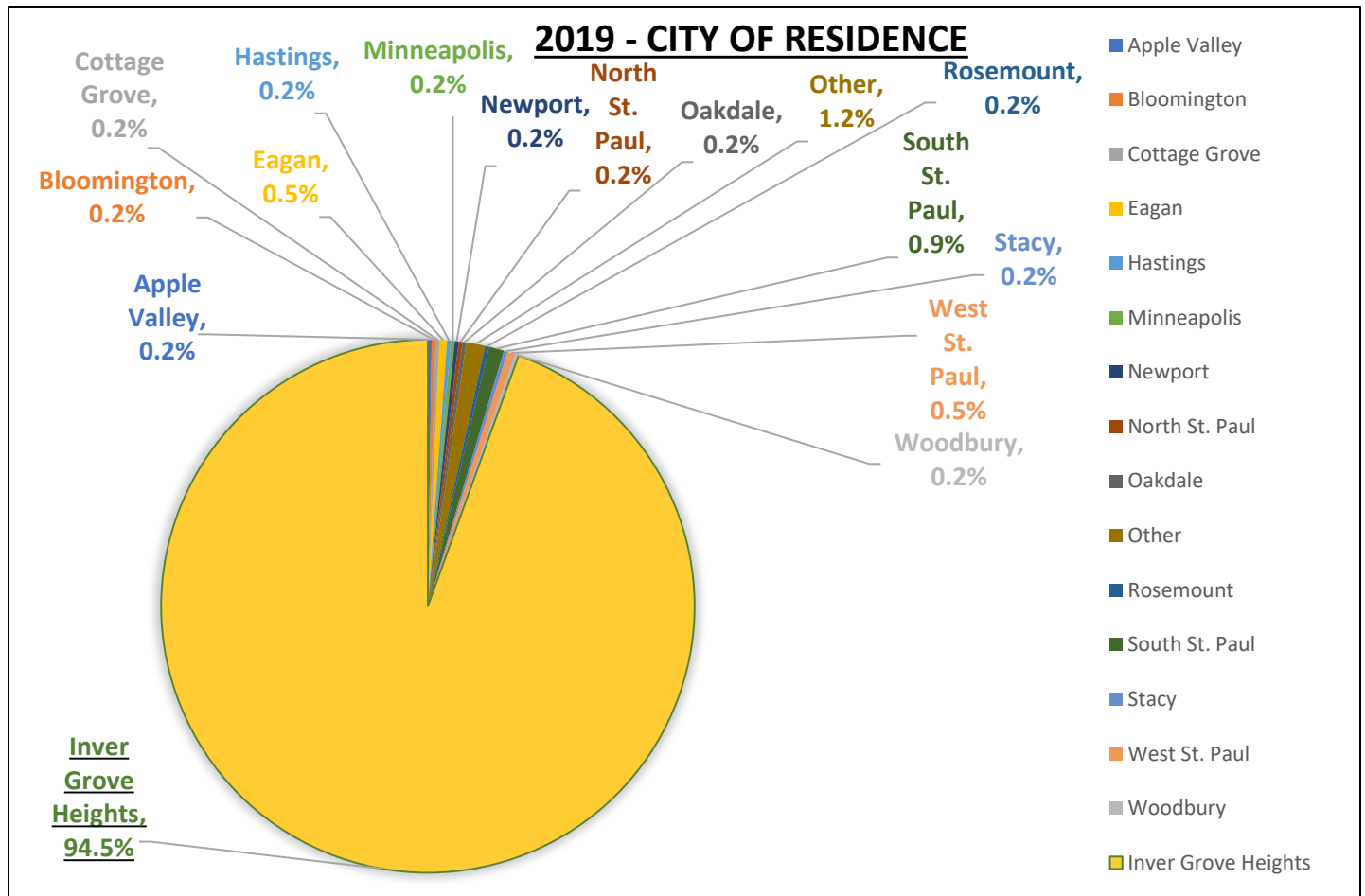
SUMMARY:

The City recently completed its annual Community Survey for residents and visitors to assess the services we provide. The 2019 Community Survey is one component of a larger program to demonstrate accountability to residents, staff and City Council, through participation in the performance measurement program established by the State of Minnesota and Council on Local Results and Innovation.

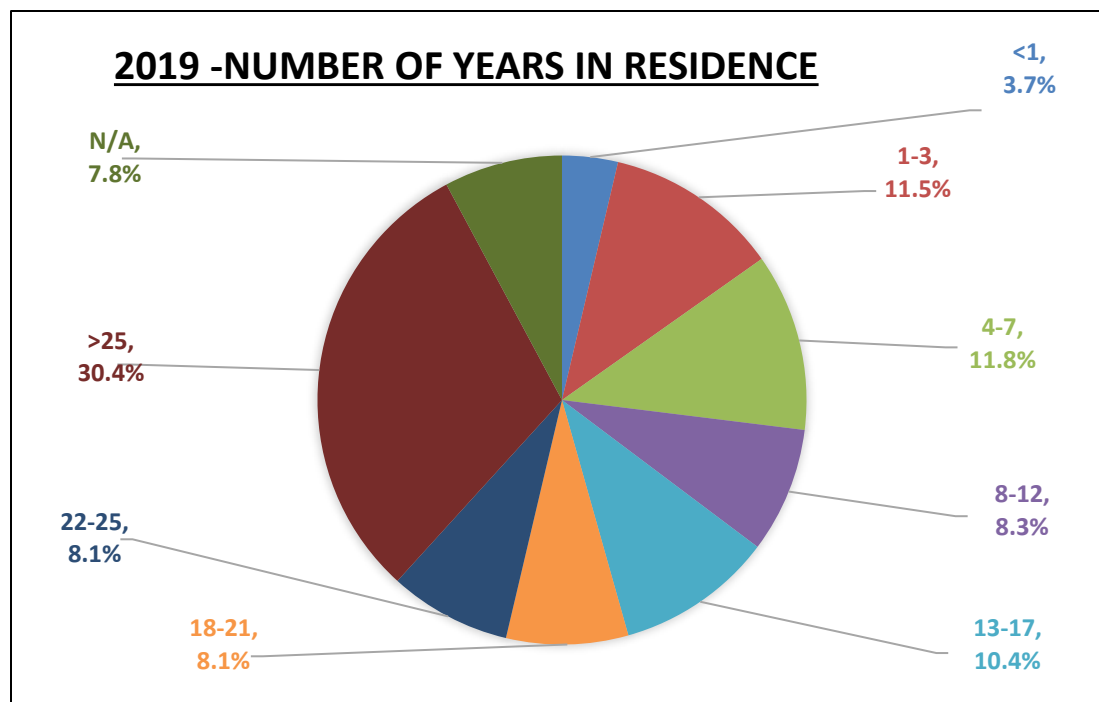
The program requires that the City conduct an annual survey to obtain feedback about City services, in addition to reporting other specific measurements. Generally, the City of Inver Grove Heights will conduct its survey in April, referring to services provided during the twelve months leading up to the beginning of the survey. However, the measurements reported to the state will be for the previous calendar year.

Demographics of residents and all respondent service ratings with brief descriptions are shown on the following pages. The comments resulting from the survey are available on the City's website.

ALL RESPONDENTS CITY OF RESIDENCE



RESIDENT DEMOGRAPHICS



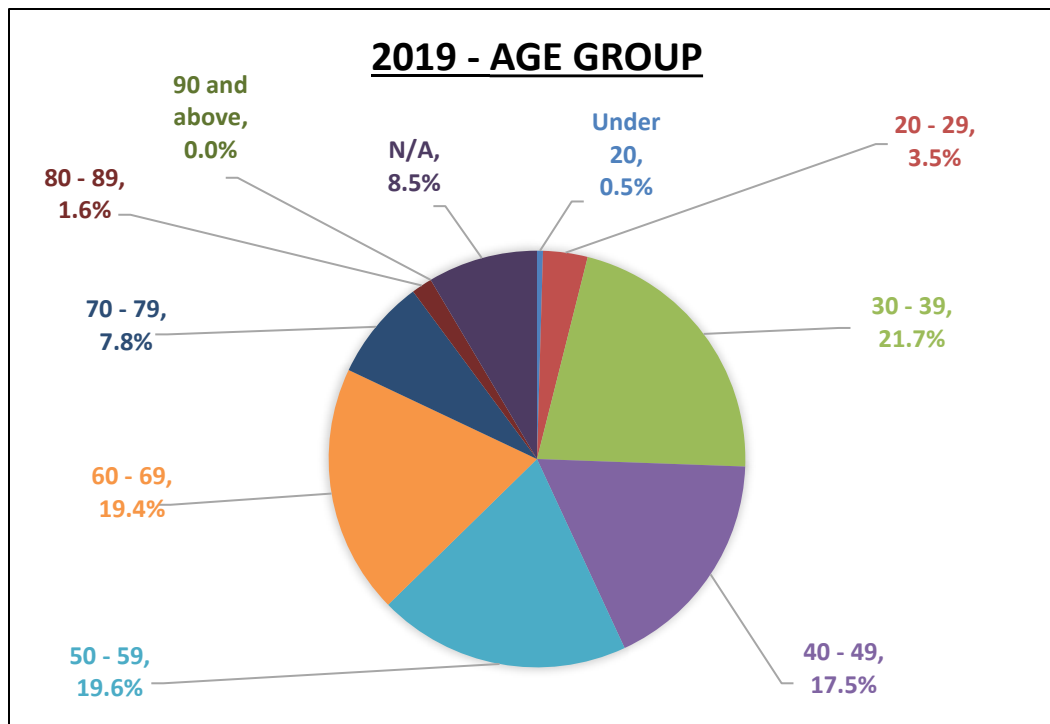
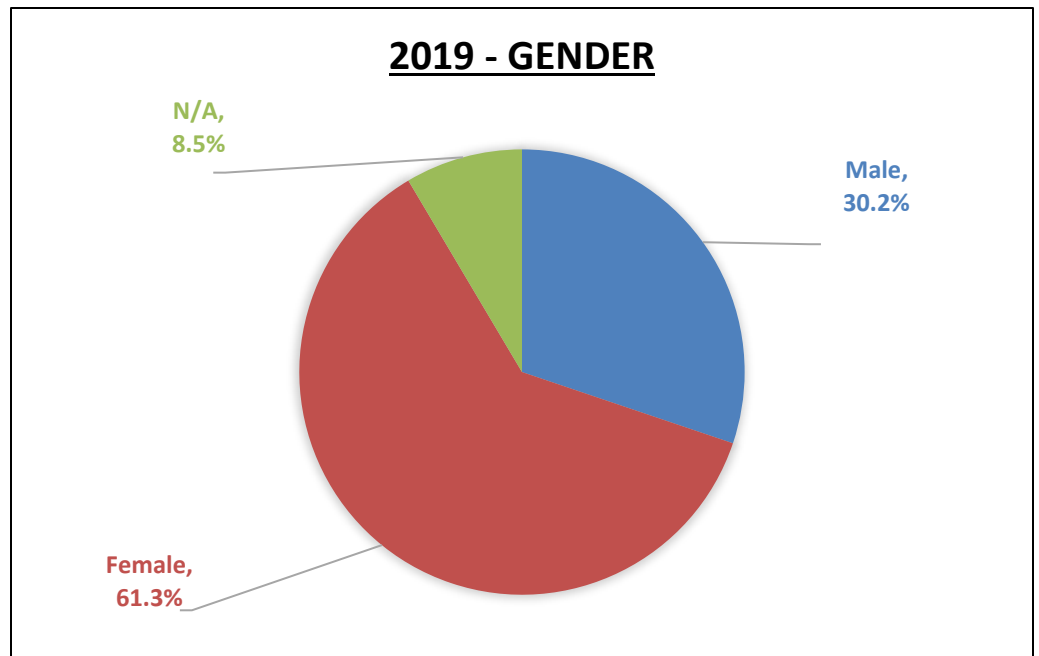
Residents were asked how long they have lived in Inver Grove Heights.

N/A responses are persons who declined to respond to this question. (7.8%)

RESIDENT DEMOGRAPHICS, continued...

Residents were asked to indicate their gender.

N/A responses are persons who declined to respond to this question. (8.5%)



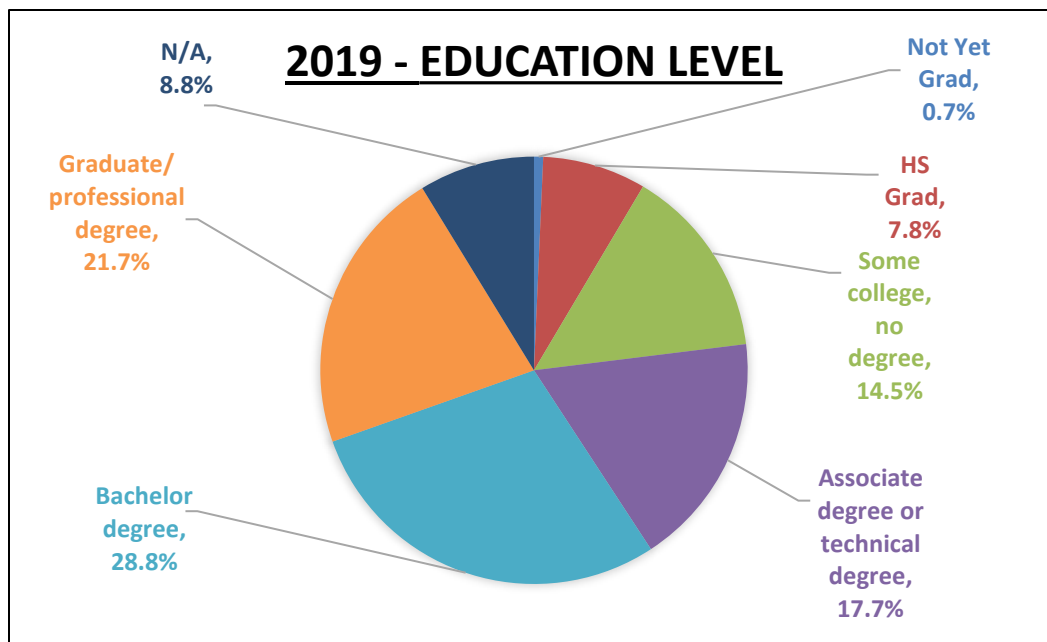
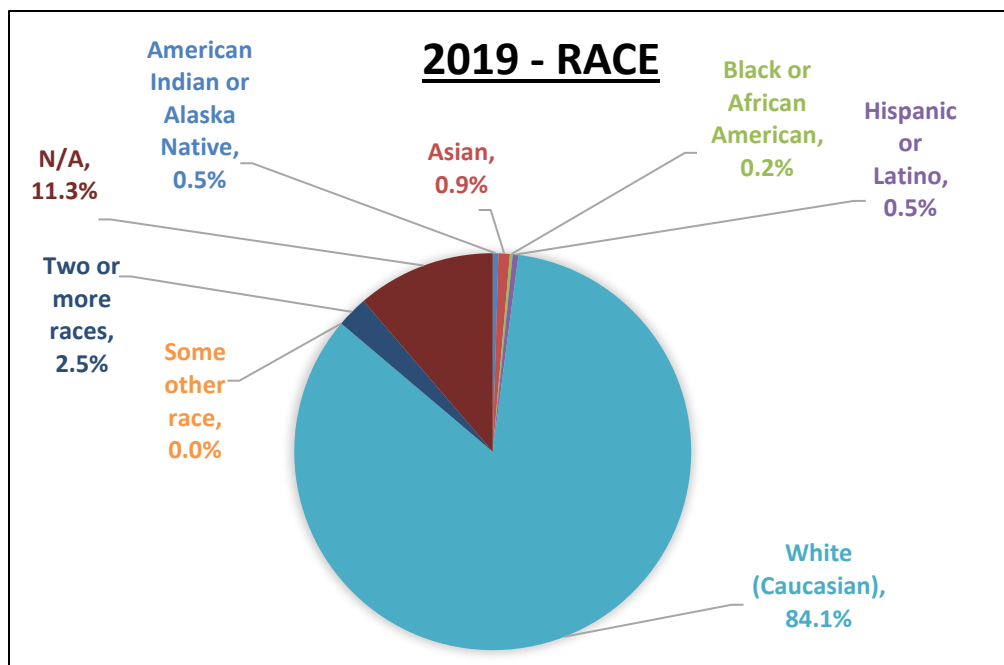
Residents were asked to indicate their age group.

N/A responses are persons who declined to respond to this question. (8.5%)

RESIDENT DEMOGRAPHICS, continued...

Residents were asked to indicate their race.

N/A responses are persons who declined to respond to this question. (11.3%)



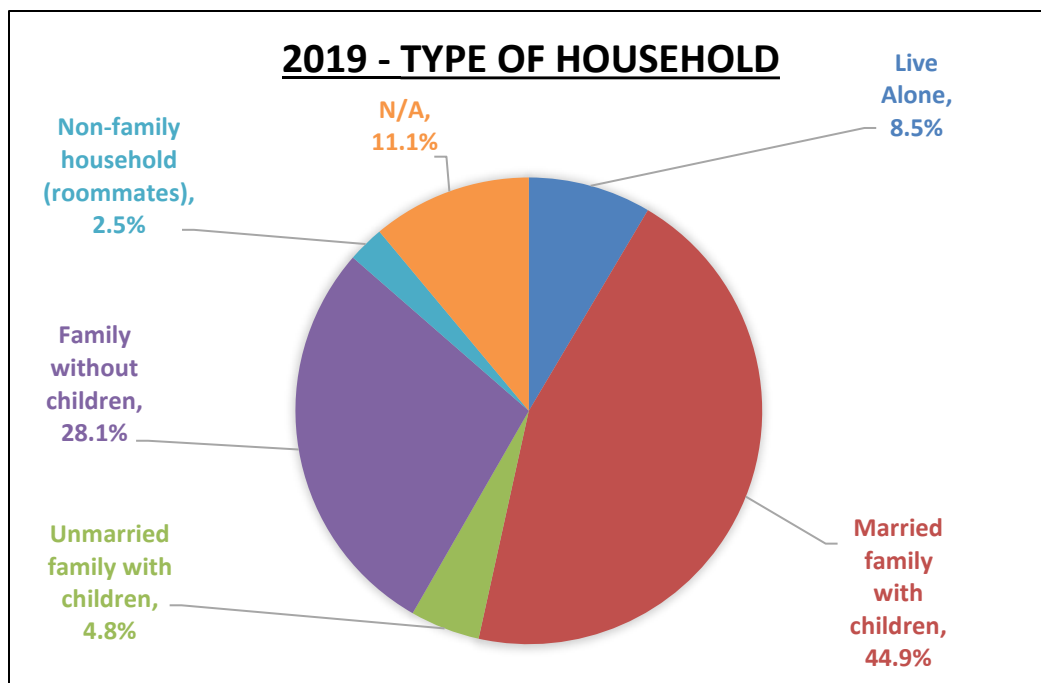
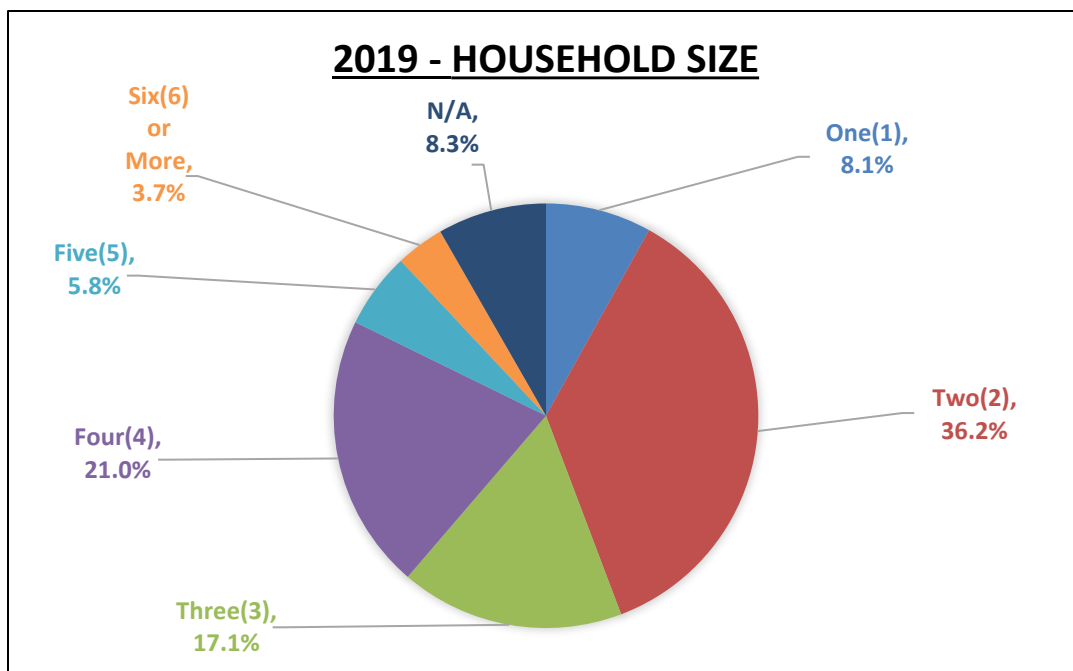
Residents were asked to indicate their level of education.

N/A responses are persons who declined to respond to this question. (8.8%)

RESIDENT DEMOGRAPHICS, continued...

Residents were asked to indicate the size of their household. (number of people)

N/A responses are persons who declined to respond to this question. (8.3%)



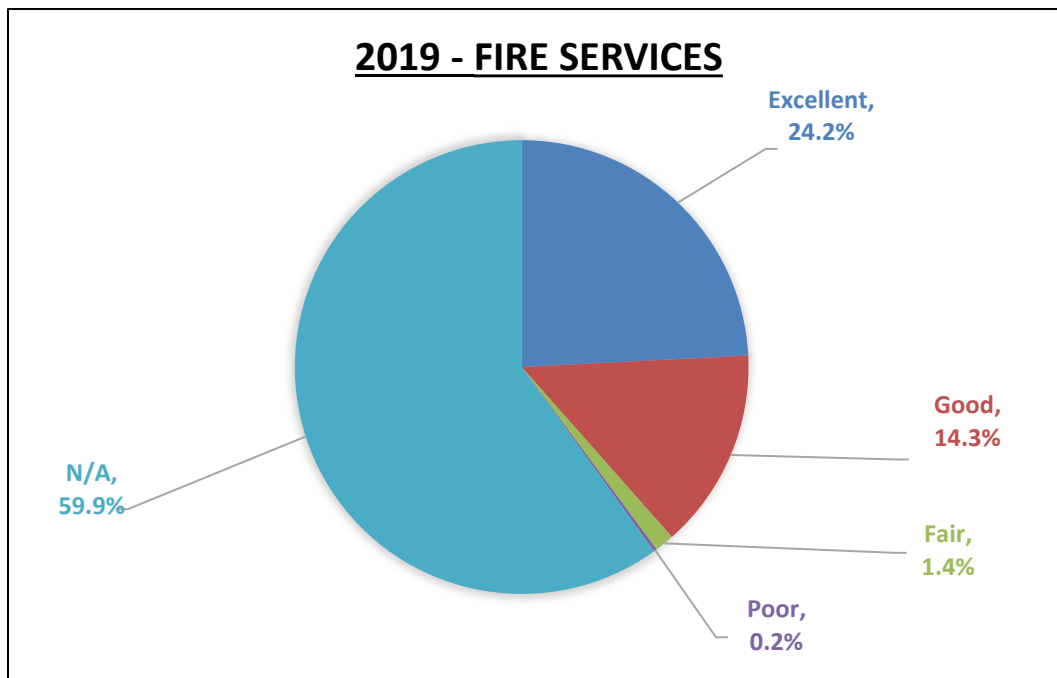
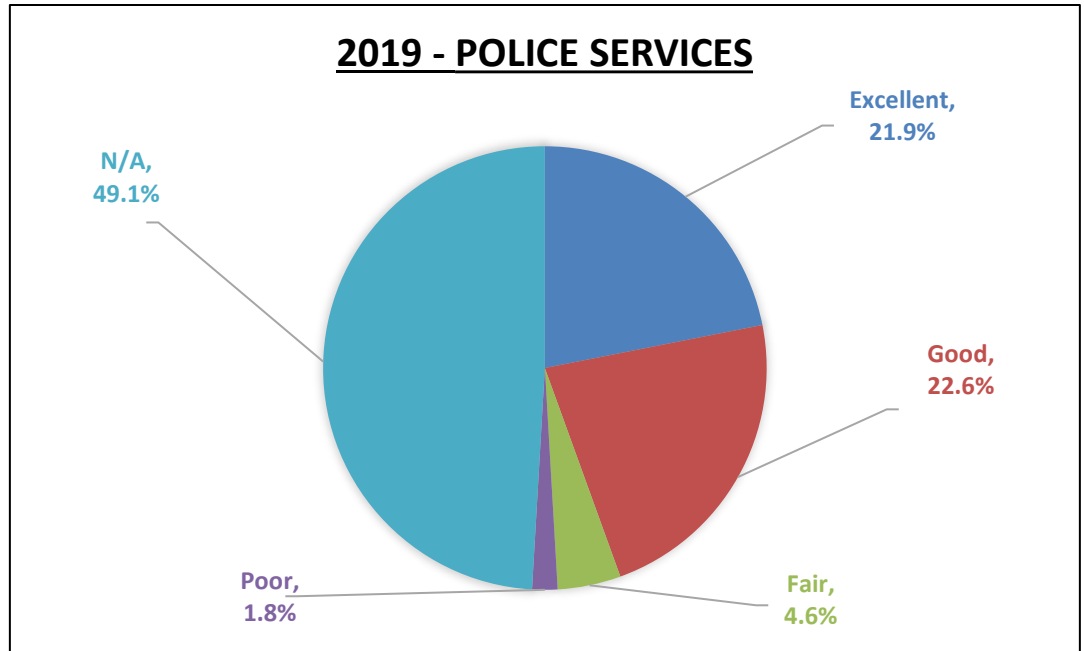
Residents were asked to indicate the type of household in which they reside. (relationships of household members)

N/A responses are persons who declined to respond to this question. (11.1%)

PUBLIC SAFETY RATINGS

Respondents were asked to provide a rating of the services provided by the Police Department.

N/A responses are persons who declined to respond to this question, or, persons who had no recent interactions with the Police Department. (49.1%)



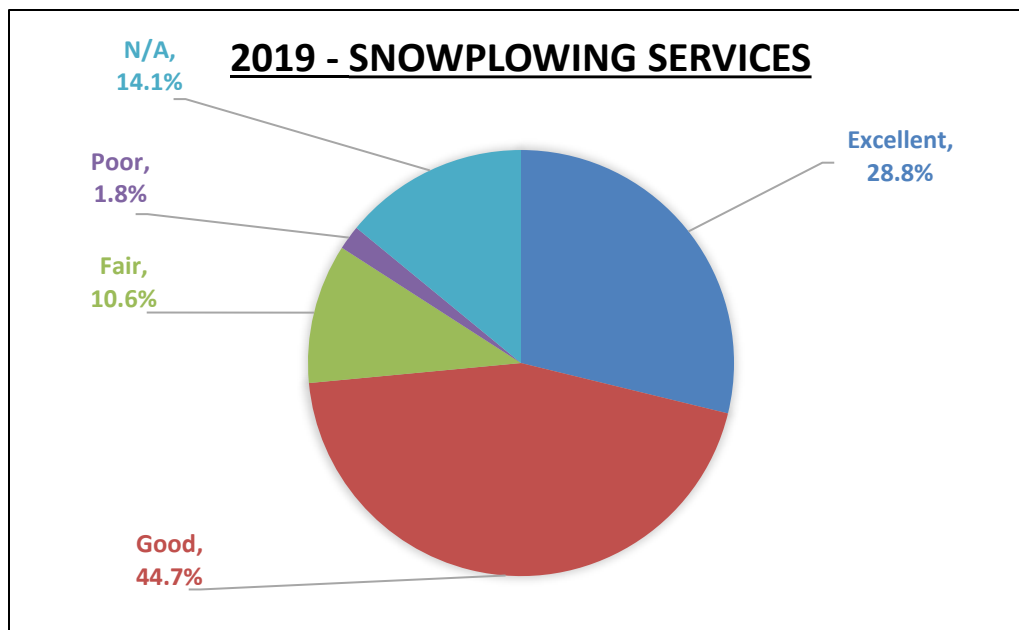
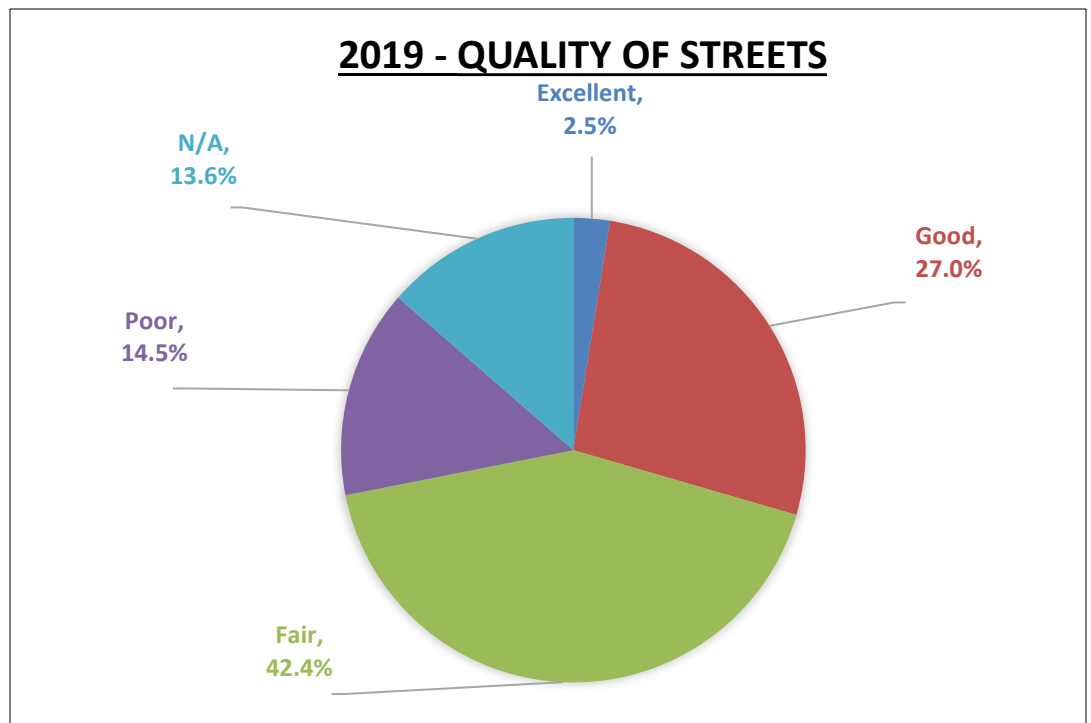
Respondents were asked to provide a rating of the services provided by the Fire Department.

N/A responses are persons who declined to respond to this question, or, persons who had no recent interactions with the Fire Department. (59.9%)

PUBLIC WORKS (INFRASTRUCTURE) RATINGS

Respondents were asked to provide a rating of the quality of City Streets.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (13.6%)



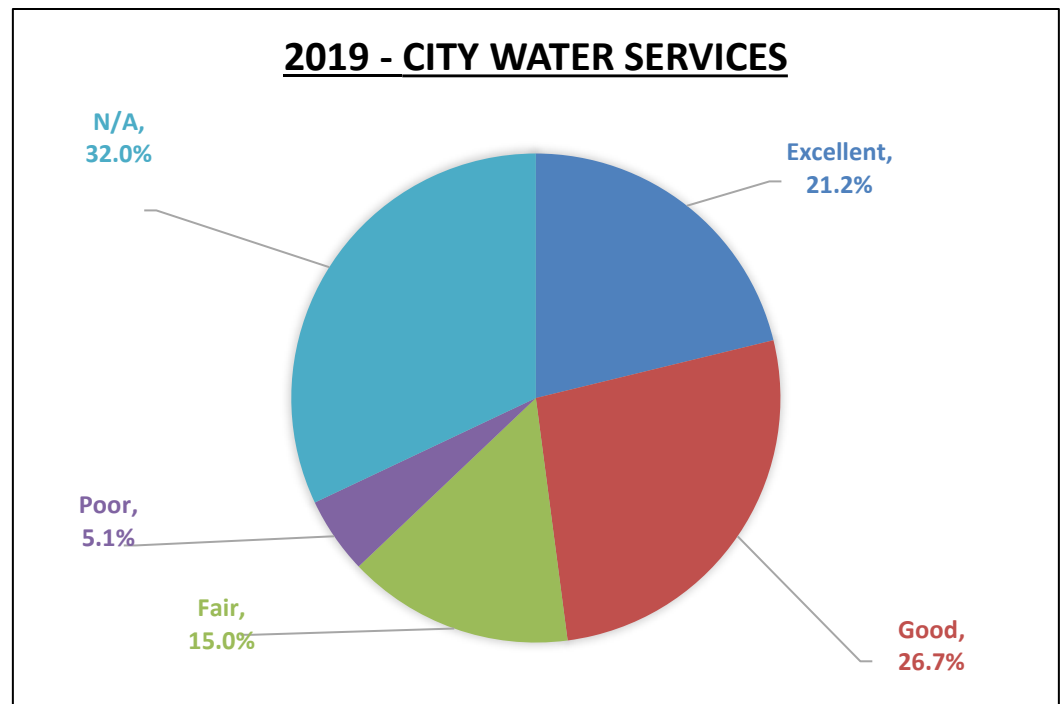
Respondents were asked to provide a rating of the Snowplowing Services provided by the City.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (14.1%)

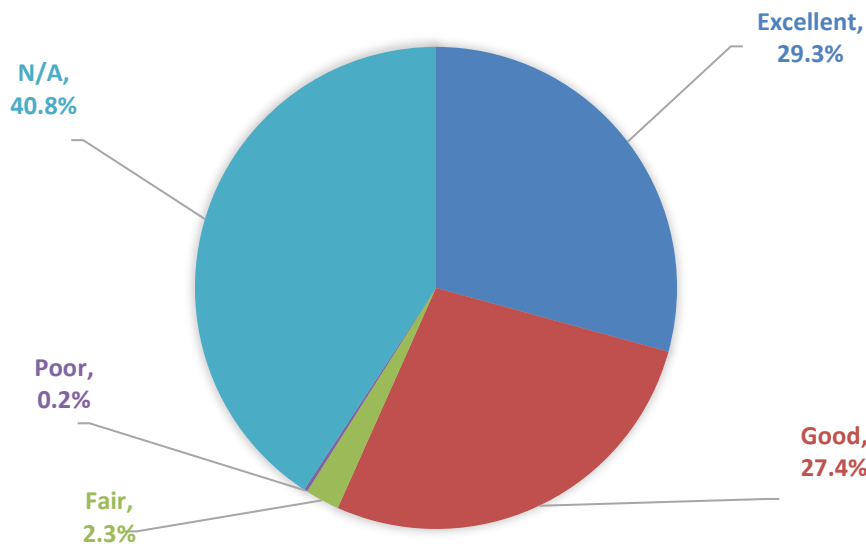
PUBLIC WORKS (INFRASTRUCTURE) RATINGS, continued

Respondents were asked to provide a rating of the City-provided Water Services.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (32.0%)



2019 - CITY SEWER SERVICES

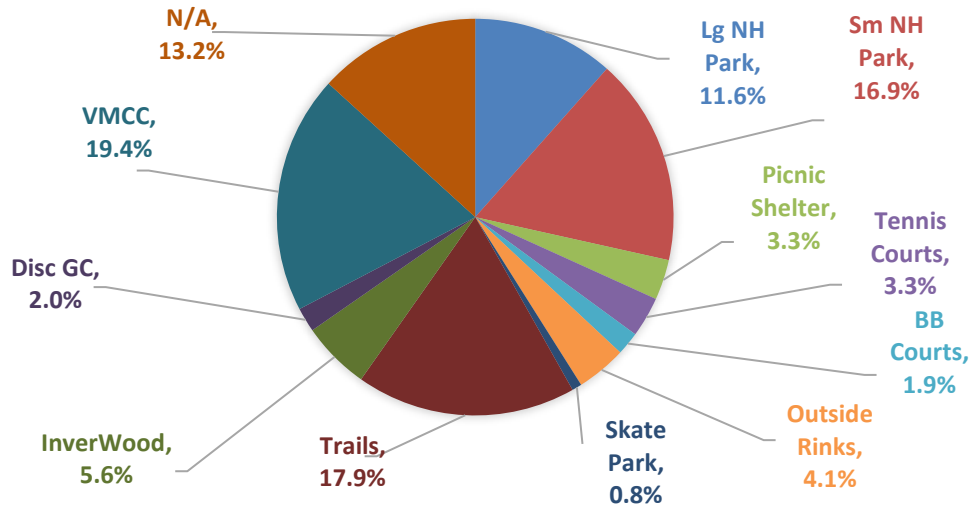


Respondents were asked to provide a rating of the City-provided Sewer Services.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (40.8%)

PARKS & RECREATION RATINGS

2019 - PARKS, TRAILS, FACILITIES USAGE



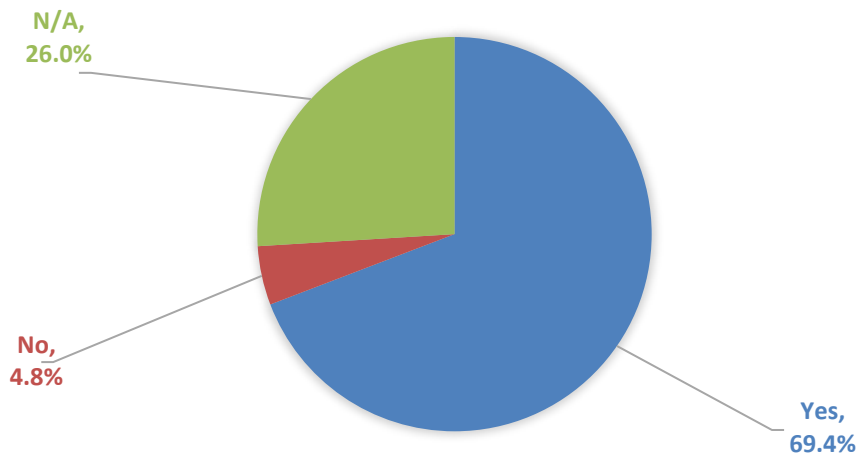
Respondents were asked which parks, trails and facilities they use.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (13.2%)

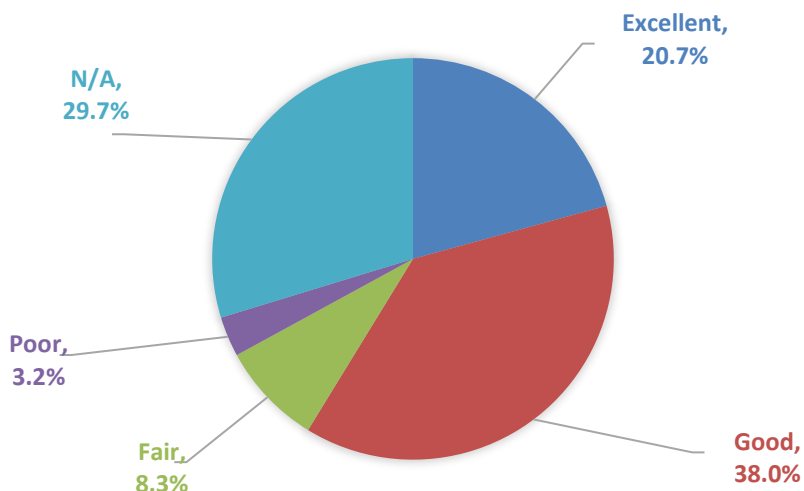
Respondents were asked if they believe that parks and recreation services, programs and facilities add value to the community.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (26.0%)

2019 - DO PARKS & RECREATION ADD VALUE?



PARKS & RECREATION RATING



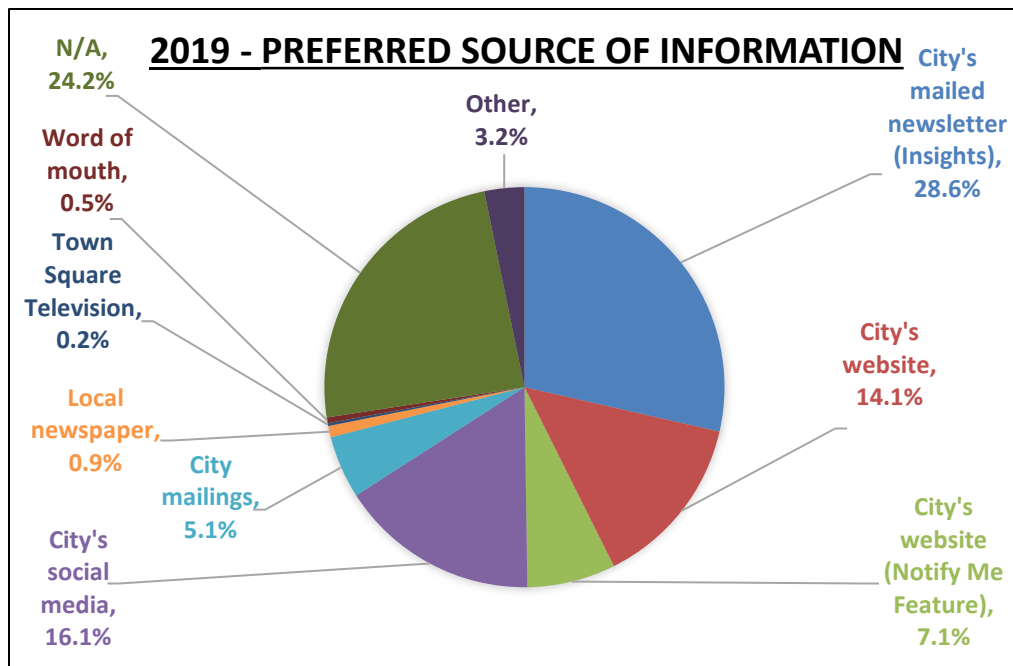
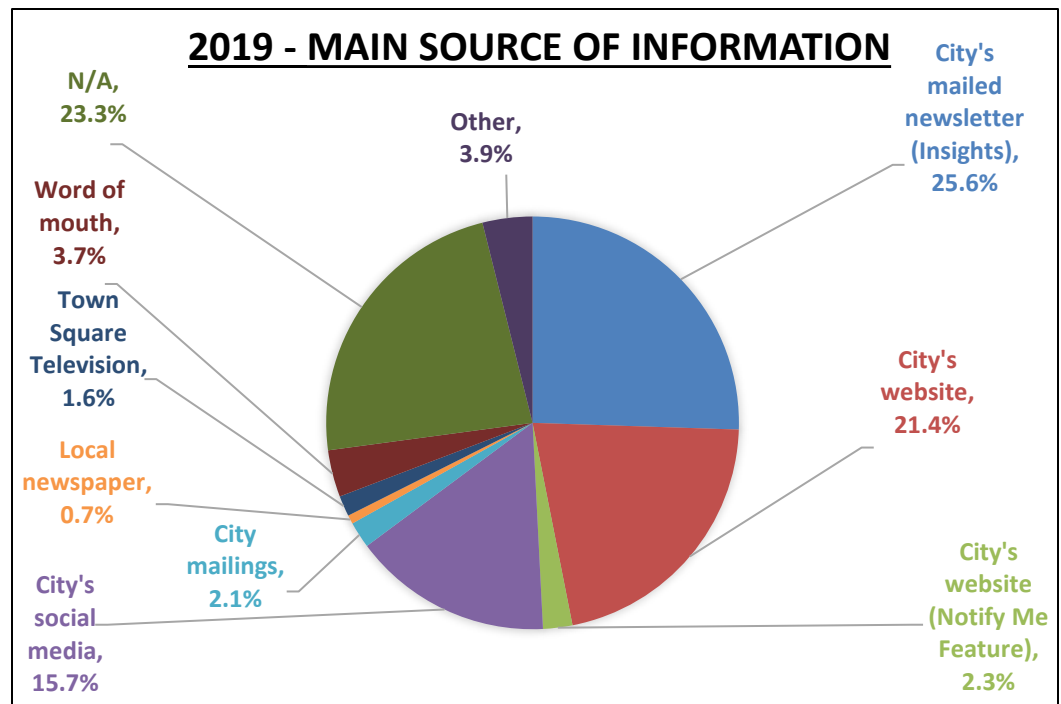
Respondents were asked how they rate Parks and Recreation services, programs and facilities.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (29.7%)

COMMUNICATIONS (ACCESS TO CITY INFORMATION)

Respondents were asked what their main source of information has been, regarding activities in the City.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (23.3%)



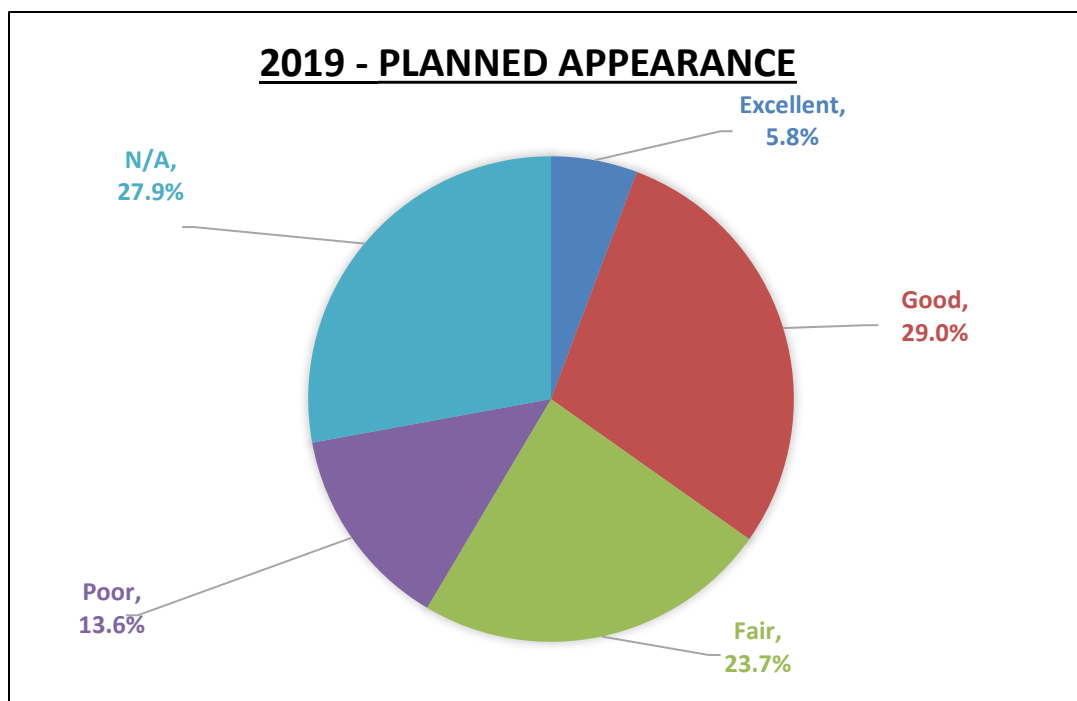
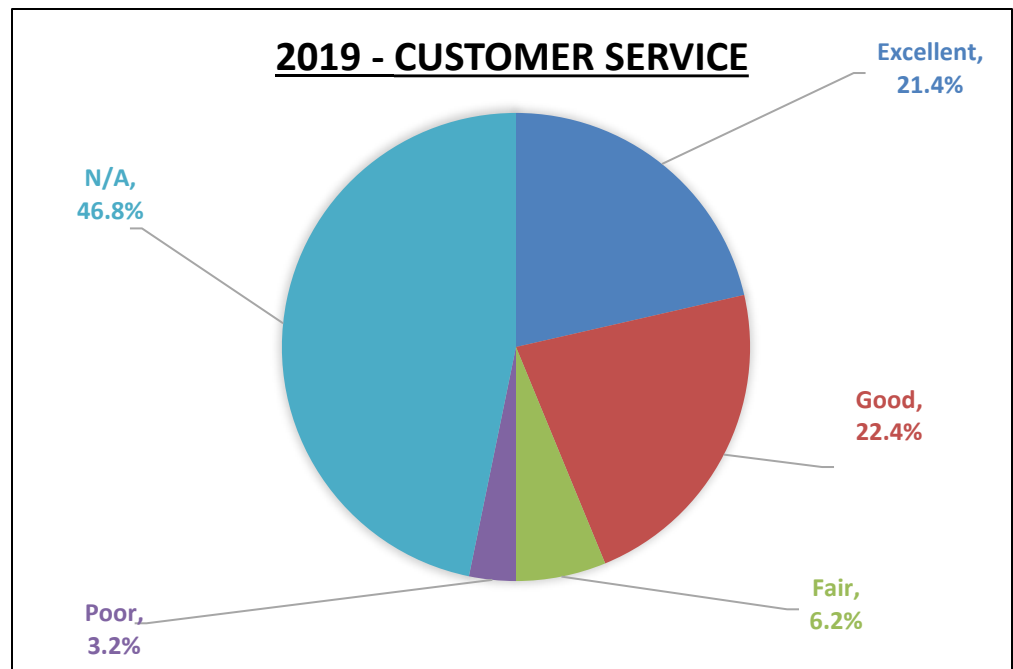
Respondents were asked what their preferred source of information is/will be, regarding activities in the City.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (24.2%)

CUSTOMER SERVICE AND PLANNED APPEARANCE RATINGS

Respondents were asked to rate the level of Customer Service they received in interactions with City Staff.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (46.8%)



Respondents were asked to rate the Planned Appearance and land use in the City.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (27.9%)

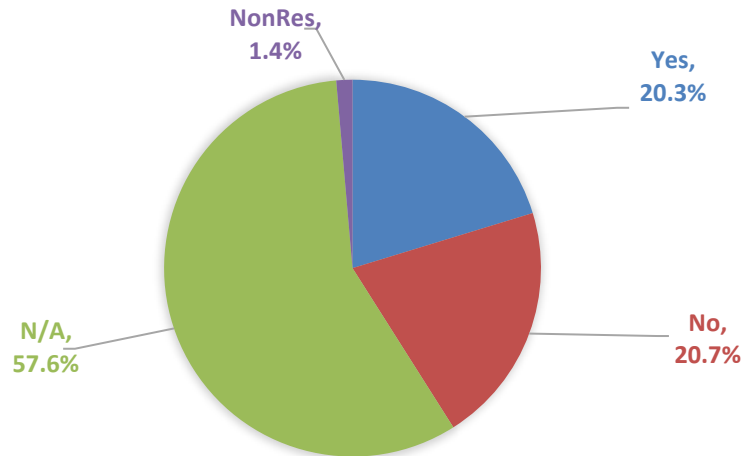
RESPONSIVENESS, PRIORITIES, OVERALL CITY SERVICES RATINGS

Respondents were asked if City Council has appropriately approved funding to address the top five topics from the last survey.

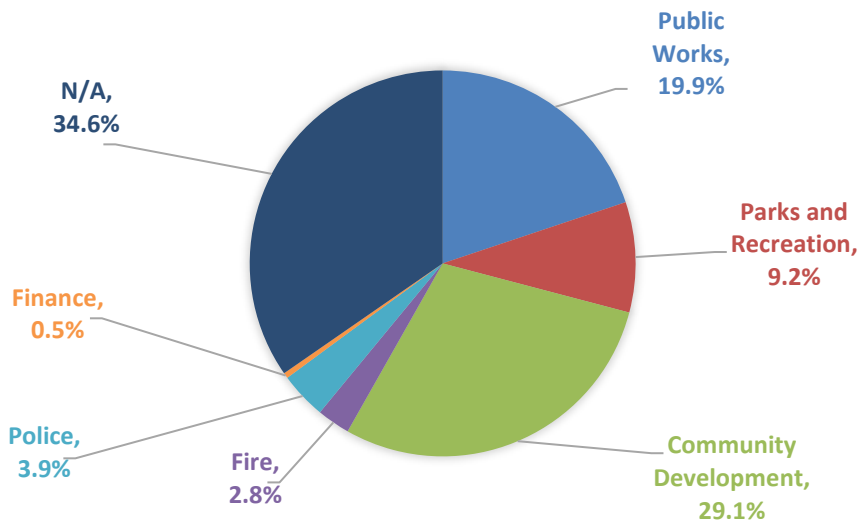
N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (57.6%)

NonRes responses are self-identified nonresidents who declined to respond to the question. (1.4%)

2019 - SURVEY RESPONSIVENESS



2019 - PRIORITIES AND FUNDING



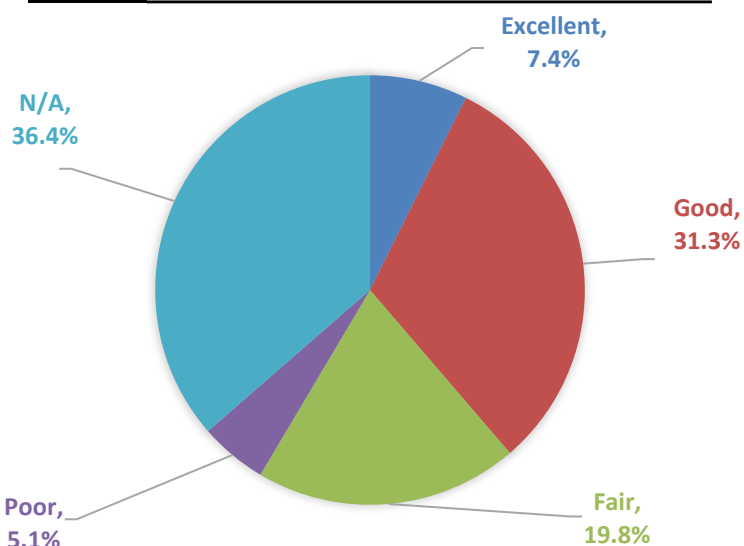
Respondents were asked which City department they thought should receive funding priority.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (34.6%)

Respondents were asked to provide an overall rating of the Services provided by the City.

N/A responses are persons who declined to respond to this question, or, persons who had no opinion about this question. (36.4%)

2019 - OVERALL CITY SERVICES RATING



July 1, 2019 Council Worksession
6:00 p.m.

Item 5 – 2020 Budget

This item will be available on 7/1/19 at 6:00 p.m. at the Council Worksession.