

**INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION
MONDAY, JANUARY 3, 2022. 6:00 PM - 8150 BARBARA AVENUE**

A. CALL TO ORDER: The City Council of Inver Grove Heights met in person for a Work Session on Monday, January 3, 2022. Mayor Bartholomew called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

Roll Call: Present: Mayor Bartholomew; Council Members; Piekarski Krech, Gliva, and Murphy; City Administrator Kris Wilson, City Clerk Rebecca Kiernan, City Attorney Bridget McCauley Nason, Community Development Director Heather Rand, Assistant City Engineer Steve Dodge,
Absent: Councilmember Dietrich

1. Union Cemetery

City Administrator Kris Wilson discussed city owned Union Cemetery. A photo of the Cemetery during the summer months was displayed.

Background of Union Cemetery:

- Originally founded in 1867.
- City owned and operated since 1965 when the City of Inver Grove Heights incorporated.
- Located in the northeast corner of the city, adjacent to the South St. Paul Airport and the Dawn Way Landfill.
- 1.3 acres total.
- When originally laid out, it was plotted into 512 burial plots organized into 4 blocks.

Primary question the city is contemplating and looking for Council direction on:

- Should additional plots be sold in the Cemetery.
- Estimated 25 plots remain unsold.
- Difficult to be certain due to poor record keeping and minimal enforcement.
 - There are places they believe that people have been laid to rest behind the stones, other places it appears they may have been laid to rest in front of the stones, or to the side.
 - What they look at on the map and what is seen when there suggests that reality and records are not as perfectly aligned as one might like.
- The city has 12 individuals on a waiting list.
 - Stopped taking names on the waiting list sometime in 2020.
- No plots have been sold in many years; Council has never taken formal action to close the Cemetery.
- An option to gain clarity on the status of the plots Staff believes to be available would be to pursue a ground survey.
 - Staff is currently looking to obtain a price quote on what that could cost.

She stated there is a sense of being in limbo right now. The City Council and its Predecessors have never taken formal action to close the Cemetery yet have not sold a plot in the Cemetery for many years. There are 12 individuals in limbo on the waiting list wondering if they are ever going to be sold a plot or not. This is an item Staff is hoping to bring some resolution to and understand what the Council's preference is for the Cemetery moving forward.

She stated if the Council decides to authorize the sale of additional plots, the Council would be asked to establish a price. The last published price for Union Cemetery was \$60.00 for a plot in 2009.

Prices at other Cemeteries in Dakota County are significantly higher ranging from \$1,000 to \$2,000. Staff is not suggesting that plots at Union Cemetery should be priced that high, many of the referenced Cemeteries are still open for future sales, growth, and have more amenities in terms of access, benches, and monuments that are a part of the Cemetery. Prices referenced suggest that \$60.00 per lot might be excessively low.

Cemetery Repair Needs:

- They do budget within Park Maintenance for basic lawn mowing, weed spraying, and removal of dead trees around the edges of the Cemetery property.
- There is not capital funding identified for the Cemetery.

A photo was shown of the current gate at the Cemetery.

- It is the only signage that exists at the Cemetery.
- The letters are peeling off and in disrepair.
- The photo shown is not the original gate, there is an original gate on a different side of the property buried in the weeds. It does not indicate that it was also a sign but appears to be a metal gate. It is also weathered and damaged. It is hard to tell if that gate contained signage or not.
- There is a fence all the way around the parcel consisting of cement posts and old pipe.
 - The concrete is deteriorating and crumbling in some areas.
 - In some areas the concrete posts appear to be in better condition.
 - The northwest quadrant of the Cemetery has posts in poor condition and would be very difficult to get any sizeable equipment to without being disrespectful to the graves.
 - There are narrow drive lanes that would allow a hearse to get into the cemetery.
 - Getting to the far corner would be a challenge.
 - One of the fence pipes is bent.
- There are two benches that were installed at some point. A picture of one of those benches was shown.
 - Shows age and signs of disrepair.
 - There is a third bench in the Cemetery that appears to have been placed by the family of someone who was laid to rest there.

She stated with the overview, Staff is looking to understand what the Council would like to do with regards to the Cemetery. For example: if there is more information Staff can research and bring to the Council, price quotes for different things. This is not something that Staff discusses much but is a city responsibility to maintain. Staff would like direction from the Council as far as what they foresee as the future management of the Cemetery.

Mayor Bartholomew said he is not in favor of closing. He asked what closing the Cemetery meant, who takes it over, what is the responsibility, and what is the wait list. The how, what, and why questions if going the closing route. City Administrator Wilson replied closing it means the Council has officially ruled that no further plots would be sold. There are plots in the Cemetery that have been sold but not yet utilized. For example, the husband is buried there, and the wife remains living and plans to be buried there; owns a large enough plot for two or even more family members. There would continue to be burials there for those with documented proof that they own a plot. She said when Staff says "close"

in this sense, they mean they would officially say they would no longer sell plots in the Cemetery. The 12 people on the waiting list have not paid any money or assigned/allowed to select a specific parcel. Those would be notified by letter that the Council has decided to close the Cemetery to future sales and letting them know to make other arrangements.

Mayor Bartholomew said closing means the city would be done selling lots, but the Cemetery would still be the city's responsibility. City Administrator Wilson responded the city would still be the owners of the Cemetery, she said she was unsure if that would ever change.

Mayor Bartholomew asked how soon they would know the cost of a ground survey. City Administrator Wilson responded Staff hopes to have those figures in about a week or two. The city does surveys of land fairly regularly, it is unclear to anybody on Staff if that is a comparable price. They are not surveying the boundaries they are trying to determine what is under the ground.

Mayor Bartholomew said he believes a ground survey would be the step to go. Then they could determine where they would go with the remaining sites.

Councilmember Murphy said he believes not selling more plots until they know more is the right course of action. With only 25 left, he would be concerned when there is mention of families wanting to stay together. He thought it was important to hold off on selling any more as they need to preserve the history. There are Civil War Veterans buried there and he said it is important to preserve it. If the city ends up repairing it or fundraising to repair it, they do not know how much land that would take up if fixing fences and gates, and the rules surrounding that. Freezing it right where it is at, at the moment is the wise thing to do.

Mayor Bartholomew agreed with Councilmember Murphy's statements. He said it is a conduit to the past and the city should embrace it. It is a wonderful piece of history.

Councilmember Piekarski Krech stated her concern was that they need to start budgeting for this. Several years ago, it was not being cared for at all. Some community members went in and started taking care of the Cemetery. She was unsure when Parks and Recreation started doing it. It had been in major disrepair because nobody was caring for it. She said whatever the city does, it needs to start being a budget item, so they know that there is maintenance that needs to be done there. She agreed that a survey was needed. She thought there may be fewer than 25 plots from what she has heard from some people. There may be some unmarked graves in there too. She said she did not believe the hearses drove down there, the funerals she has been to there, the hearse has always parked up at the top and carried coffins down.

Councilmember Murphy asked if the land survey would tell them if it were stable. The last time he was there the east side was starting to slide. City Administrator Wilson agreed and stated there is significant topography off of the east side. She said Staff could see what they could determine and if they have any way of knowing how much they have lost, how much erosion has occurred. The east side definitely sits lower than the west, it is a pretty steep slope.

City Administrator Wilson addressed Councilmember Piekarski Krech’s comment stating that State Law allows cities that own Cemeteries to establish what is called a Perpetual Care or Perpetual Maintenance Fund. Funding is not provided for it, but the city could set up a fund. State Law says \$25,000 per acre. At 1.3 acres they would be at about \$31,000 to \$32,000. The Council could choose to set that money aside. She said as Staff continues with the ongoing financial review and have other funds that may need to be closed out, a transfer and establishment of that type of fund might be warranted.

Councilmember Piekarski Krech said she felt they needed to do it. For a number of years, nobody took care of it other than people who had relatives buried there. It was really a mess. A couple of residents volunteered their time and took care of it. She said they need to make sure that it does not go into disrepair again.

City Administrator Wilson said Staff will get a firm quote to do a ground survey and will return on a Consent Agenda Item for the Council to award a contract to do the work. Staff will return with the results of the survey.

Mayor Bartholomew agreed. He asked to check and see if Engineering has the topography of the area so they can get a visual idea of what the grades are, maybe Staff has an opinion of the degradation of the east slope.

2. Barbara Neighborhood Noise Barrier

Assistant City Engineer Steve Dodge discussed an application the city made for a Trunk Highway 52 Noise Wall along Barbara Avenue.

MnDOT Noise Wall Study History:

- Treated lumber walls.
- MnDOT did a 2016 study.
 - There were several locations in Inver Grove Heights that were on their 2016 study where noise walls were looked at.
 - Under discussion this evening is the one located on the west side of Trunk Highway 52 on the north border with South St. Paul.
- In 2018 MnDOT switched the noise wall process from a MnDOT only process to a solicitation process. The city can solicit and request a noise wall.
- In August, the Interim Public Works Director presented at a Council Work Session, new opportunities that MnDOT has with the new solicitation process.
 - Guided Staff to apply for Barbara and the Bancroft area (located on the west side of Trunk Highway 52).
 - The results that came back was that the Barbara area scored better.
- In 2020 Staff re-applied because of the way MnDOT’s funding works. With Transportation Funding is they only have enough funding that the current timeframe for going through this process is pretty much one project per year for the whole metro area.
 - When reapplying, they wanted to make sure to apply for the highest ranks in the city to give an opportunity to receive this funding.

Trunk Highway 52 Barbara Neighborhood Noise Wall Selection:

- Mostly funded and run by MnDOT.
- In 2021 there were 10 cities that applied.
 - The Barbara Avenue neighborhood was selected.
 - Was the only one selected to get a noise wall for the 2021 review.
 - Ranked 1st out of 10 applications.
 - \$1.67 million dollar project.
 - 52 benefitting parcels in this location. Includes townhomes in the area.
 - Located between Highway 52 and Babcock, south of Mendota on the South St. Paul border.
 - Original estimates had the city portion around \$300,000.
 - The city ranked so well because it is ranked on a cost/benefit.
 - City had reasonable cost for the wall to go in due to the location.
 - Not a lot of obstructions.
 - Have 52 residents potentially benefitting.
- In 2021 Staff met with MnDOT to better understand what it meant now that the city applied and was selected.
- After meeting with MnDOT, proceeded to do a Scoping Analysis to get a better idea of the project and cost.

He stated he is before the Council today because not only was the city selected, MnDOT will now provide an update that the cost would come down because they scoped it out closer.

Update:

- MnDOT 2021 Scoping Update:
 - \$1.3 million dollar estimated total project cost.
 - Still the same 52 benefitting parcels.
 - Instead of a \$300,000 portion, the city cost share would be approximately \$125,000.
- City Cost Participation is based on:
 - 10% of the construction costs. (Over \$1 million dollars)
 - 8% of the Engineering costs. (The other \$300,000)
 - Total of the above mentioned two: \$125,000.
 - Other costs could be incurred:
 - Looked at the area for utilities. Not aware of any utility conflicts that would cost the city money.
 - Drainage is another factor they may have to look at.
- MnDOT would manage and run the project.
 - Use MnDOT STIP (State Transportation Improvement Fund) to fund it.
- Cooperative Agreement:
 - Cost Share
 - Maintenance
 - Structural and maintaining of the wall is MnDOT's responsibility.
 - For city purposes, the city side of the wall, for graffiti and small damages, is the city's responsibilities.
 - MnDOT takes care of graffiti on their side.

- If a truck leaves the highway and damages the wall, MnDOT would handle that type of maintenance.
- MnDOT would bring a city funding request in 2025-2026.

Mayor Bartholomew asked about mowing and keeping the turf at a certain height, or if it is left alone. Assistant City Engineer Dodge responded MnDOT would continue to maintain their right of way like they normally do. The wall can be 20 feet high at times depending on design. Because it is built right up to the right of way line, residents handle their side of the wall, MnDOT handles their side.

Assistant City Engineer Dodge displayed a diagram of what a noise wall would look like when reaching the 20-foot height. Heights are lower when getting towards ramps. It would be a treated lumber look. Other Considerations:

- City's portion of how to fund: \$125,000
 - MSAS Eligible (Municipal State Aid Fund). These funds are spoken to for the next several years based on the city's large-scale projects.
 - Will discuss further with Finance but believes in 2025/2026 should be able to allocate at that stage \$125,000 for MSAS if that is what the Council wishes to do.
 - Assessment Option.
 - He spoke with MnDOT regarding this and are only aware of one city in many years that has gone the assessment route.
 - Based on how the city selected this process at this point. A citizen called city Staff, Staff informed City Council, Council proceeded to have Staff apply.
 - A letter was sent to the neighborhood informing them that Staff had applied.
 - A call and a comment were received from one person against having a wall.
- Neighborhood notification is something that would need to be done next.
 - A letter would be sent out to the neighborhood letting them know we have been selected.
 - Hold an Information Meeting to receive feedback.

He stated he would work with Administration and the City Attorney's office to formalize the process. The cooperative agreement and final approvals will not be coming until 2025/2026. Would want to formalize the process this year to have the funding allocated.

- There is the possibility of Aesthetic Enhancement:
 - A wood emblem that could be added to the project.
 - May not come with a lot of city expense if project bids come in well and could be mostly funded by MnDOT STIP Funds.
 - The city may only have to pay 10% of the additional cost for a city emblem.
 - As noted, the Barbara wall is at the north border. Coming south on Trunk Highway 52, it is the entry into Inver Grove Heights.
 - The option is available, is something Staff would like Council feedback on, to know if they should at least bid for it.

- He stated he could talk with MnDOT in the future and may be able to bid it as an alternative and make that final decision later.
- Need to know in the design phase whether to design for it and have it as an option.

Councilmember Murphy asked if he was talking about having the Inver Grove Heights logo on the wall. Assistant City Engineer Dodge responded that is what some cities do. The City of Maplewood has a Maple Leaf on their wall. It depends on the city, depends on if the emblem fits. Inver Grove Heights has an emblem, it is the most prominent feature that we look to. Staff is looking for Council's thoughts.

Assistant City Engineer Dodge discussed the general schedule as follows:

- 2021-2022 Scoping/Funding
 - MnDOT finished Scoping in 2021.
 - Finalize the city process and city funding.
- 2022-2025 MnDOT designs the project.
- 2024-2025 MnDOT Webpage Design/Outreach.
 - The city would do most of the communication with residents up to 2025, not MnDOT.
 - MnDOT will begin notifying residents in 2025/2026 when it is close to easements, may need to build a wall, or may be tree disturbance. Residents would be notified when getting to the end process.
 - 2025-2026 Bid and Construction
 - Around when they go out to bid is when they would ask the city to dedicate the funds; the 8% and 10%, the \$125,000 at that time.
 - Will include a Cooperative Agreement.

Council Feedback Staff is looking for:

- If they want to use the city portion of MSAS as a Council Resolution or other.
 - If getting guidance to do this, he would work with Finance and Administration to formalize the process this year.

Mayor Bartholomew referenced the \$125,000 and asked if it included the 8% for engineering. Assistant City Engineer Dodge responded it does, it is 8% of \$300,000.

Mayor Bartholomew said the 10% is for construction. He wanted to make sure the \$125,000 included engineering, the 10% and 8% is built in for a total of 18%. Assistant City Engineer Dodge responded it is.

Mayor Bartholomew asked when this would need to be done, when approval from Council is wanted, what the timeline is. Assistant City Engineer Dodge responded they are looking for guidance now. Mayor Bartholomew asked if he wanted it done in August or October. Assistant City Engineer Dodge replied between now and June they would want to finalize the process. Staff would bring it back to Council within the next six months.

Mayor Bartholomew addressed the alternatives and said he felt anything that was reasonable should be an alternative and sorted out at the time of bid. He wanted to make sure they understand the funding events of that, and that the city portion should still come out of MSAS. He said he thinks this is wise and moving up that quickly is good. He said there are always going to be arguments about whether these sound wall barriers work or not.

Assistant City Engineer Dodge said he also has included in his presentation the existing noise barriers they have along Trunk Highway 52. One was just built on 494. There are several noise wall barriers already in place.

Councilmember Piekarski Krech stated they have four years. They do not have to pull \$125,000 out of this budget. They could increment a little bit each year, so they have the money when it comes. That would be her suggestion.

Assistant City Engineer Dodge asked if she was supportive of State Aid Funds. Councilmember Piekarski Krech responded yes. She mentioned when initially speaking of this, there were two or three of them. They never said residents would pay, that would have changed a lot of minds. Assistant City Engineer Dodge agreed. Mayor Bartholomew said assessments for this would be a tough road. Especially if there was only one that was successful. He said they have a hard time filling potholes with assessments.

Councilmember Murphy agreed with fellow Councilmembers on all points. He thought the aesthetic enhancement was a good idea but would have to be looked into down the road. He questioned when referencing 52 homes on the map, if it was 52 along the wall or 52 that goes in. Assistant City Engineer Dodge responded MnDOT does Noise Studies and goes back as far as the noise affects residents to a 5% or 10% additional noise level. They include all of those properties in what is called a Noise Study. That is the 52 they are mentioning, it goes 2-3 blocks away from the wall.

Councilmember Murphy asked what the green space was in the middle of the neighborhood. Mayor Bartholomew responded it was a park.

Councilmember Piekarski Krech asked about the aesthetic enhancement. She said Rochester has designs on theirs. She was aware of the Maplewood ones. She asked if the logo would only go so far, have a little spot with a logo, and how big it would be. She said there are a lot of things to look into when they get to that point.

Assistant City Engineer Dodge referenced the photo he had of the wall and said as the wall gets shorter, it ends up being more of a wood only wall, it could fit more towards that area. As you go toward a ramp, people come under the bridge, you are losing visibility. They would want to get past the bridge for the view.

Assistant City Engineer Dodge asked if MSAS was something the Council wanted to look into for funding and if the aesthetic enhancement is something they want to continue to pursue as they go through the process.

Mayor Bartholomew said he agrees.

Councilmember Piekarski Krech suggested getting Artists going on that.

Mayor Bartholomew stated someone would have to tell them if this is viable, to even put one there. Coming up a ramp the last thing you would want is people looking at signs. They have to be careful of location. Assistant City Engineer Dodge responded he would work with MnDOT, who would likely help out on site distance.

Mayor Bartholomew suggested leaving it in until they are told it cannot be. If told it makes sense, then it becomes an alternative.

Assistant City Engineer Dodge stated it sounds like that could also be a final decision later; once looking at options and deciding what emblem could go on there. They may be able to bid it as an alternative and come back to Council and make that decision. Mayor Bartholomew agreed.

Assistant City Engineer Dodge stated they would be working with the neighborhood and reaching out to them with notification. He said he is assuming the Council would like Staff to proceed with getting a letter out to the residents and letting them know their neighborhood has been selected for a sound wall and that there would be a future meeting set up with Staff. Before a letter is sent out, they would work with Administration and the City Attorney's office on what the process is going to be. He would like to let people know in the letter, what they can expect for a future process besides the fact they got selected, so there is something substantial in the letter to let them know that there is more coming.

Mayor Bartholomew asked if the last sound wall placed was the one on 494. Assistant City Engineer Dodge responded the one on 494 was Federal funded, MnDOT ran the entire project. The one under discussion is a little different.

Assistant City Engineer Dodge stated when there is a future information meeting, MnDOT will be in attendance. They are also willing to come and do a presentation, at an appropriate time, at a regular Council meeting so information can be shared with the entire city on more of an official basis.

Assistant City Engineer Dodge asked if the Council wanted MnDOT to come before them with an official presentation. Mayor Bartholomew responded yes; it makes sense if it can be fit in. Assistant City Engineer Dodge said that would be put in the schedule.

Mayor Bartholomew said he believed the Department, maybe Scott Thureen, said the city may move up. He said he did not envision being number one at all, it is good news.

3. 2022 Legislative Priorities

City Administrator Wilson stated this is the time of year when the Council would be thinking about the Minnesota Legislature convening. This year they convene on the last day of the month, Monday, January 31st to begin their session. It is an even year session, they do not need to formally adopt a State Budget, they have already done that. Historically, they have focused on a State Bonding Bill. This is where the State borrows money to invest in Capital Improvements around the State such as State Buildings, State Prisons, State Parks, State Universities, roads, local, and regional projects. There has been previous discussion about the City of Inver Grove Heights bonding requests. She said she also wanted to discuss more policy positions that are not funding driven. The City's Legislative Positions were included in the Council packets which were adopted at this time last year. This will guide Staff and the Lobbyist in the 2021 Legislative Session.

She mentioned that the city belongs to three city organizations that do a fair amount of lobbying and legislative work at the Capital:

- League of Minnesota Cities (LMC). They do a lot of other things for the city in addition to lobbying at the Capital.
- Metro Cities. Focuses on the unique factors of the metropolitan cities including work at the Metropolitan Council.
- Municipal Legislative Commission (MLC). This is an organization of the larger suburban communities in the metropolitan area.

League of Minnesota Cities 2022 Priorities: The League of Minnesota Cities Board has adopted the following five priorities for the 2022 Legislative Session. They have positions that they would represent cities on, on a number of other things. Their Policy document is about 168 pages. Their top 5 priorities and where they anticipate spending a majority of their time in the upcoming session is on:

1. Bonding
2. Housing
3. Local Control/Preemption
4. Local Government Aid/Aid to Cities
5. Public Safety Duty Disability/Worker's Compensation

She said cities are seeing a large increase in the number of Public Safety employees, Police and Firefighters, who are filing In The Line of Duty Claims, often for PTSD, and for a few other common items as well. It has become a challenge for some cities.

Funding Interests:

- Bonding:
 - Council has made it clear that the 117th Street Reconstruction is the city's highest priority.
 - The request is for \$2 million dollars in State Bonding for that project.
 - When put together with the Federal Grant received, money from Dakota County, would allow the city to move forward with construction of this project.
 - Critical this year because there is a deadline on spending about \$8 million dollars in Federal Funds. Want to make sure they do that.
 - Heritage Village Park.
 - There is still discussion and issues around Heritage Village Park. Something she is hoping to have additional discussion on tonight. She knows Councilmember Dietrich feels strongly about that and was unable to attend tonight's meeting.

- Non-Bonding:
 - During the 2021 Legislative Session a Bill was introduced to provide funding to study a potential Amateur Sports Facility here in the northern Dakota County area.
 - The City of Eagan and the Amateur Sports Facility have been in conversations with the City of Inver Grove Heights.
 - Currently, it is money to fund a study. The study would look at how much land would need to be used, what kind of access it would need, what kind of utility support it would need, and what the market is for it.
 - The question would be asked if they want an Amateur Sports Facility that has a lot of soccer fields in it, or if there is a need for baseball fields, competitive swimming, or other forms of amateur athletics.
 - It is not money to build or design such a facility.
 - Possibly seeking out funding opportunities for Railroad quiet zones.
 - It is unlikely to be a specific Inver Grove Heights Bill but looking for an opportunity where a MnDOT Program or Federal Funding might help with some of our railroad quiet zone issues.

She referenced the document from 2021, stating the city has a few Guiding Principles. The upper-level statements have bullet points under them. She is looking for Council feedback but suggests that the following three Guiding Principles from last year remain the core of our Legislative Platform for 2022 when looking beyond the issue of Bonding.

1. Support local Government authority over land use decisions, zoning, and regulatory controls.
2. Support city authority to protect existing taxpayers and recover costs associated with development activity.

The above two items taken together, have application and use in most every Legislative Session she has been a part of, or kept an eye on. Both in 2021 and 2022, they have particular relevance as there has been a relatively substantial push by advocates of affordable housing to suggest that if cities did not charge so many fees, did not have so many requirements for developments, then the affordable housing issue would get notably better. She said as an individual City Administrator and as a part of the organizations we belong to, we generally take strong issue with that. If the development that is happening in the northwest area is not paying sewer connection fees or park dedication fees, the only other source of that money is the general tax base. That means all current residents of Inver Grove Heights start to financially subsidize the development that is occurring in particular portions of a community. She said the city is not alone in that. With the level of development here, may be one of the metro cities with the most negatively impacted by some of these proposals. She stated for example: There is a Bill out there to prohibit PUD's (Planned Unit Developments). That is exclusively how the city does development in the northwest area.

3. Oppose fiscal limitations such as levy limits or reverse referenda on the decisions of local Government Officials.

This is a perennial position of most cities here in Minnesota.

She said she suggests the Council consider as a 4th Guiding Principle for the upcoming Legislative Session, something along the lines of:

4. Support a fair and equitable distribution of Federal Funding to cities, counties, and projects around the State and full State funding of any match necessary to receive the maximum Federal Funds.

She stated they are in a unique time right now where the Federal Government is sending large volumes of money to states, mostly for infrastructure. She said it would be in the City of Inver Grove Heights' best interest for Minnesota to maximize that funding, in there to be reasonably distributed to cities, counties, and projects. She explained that she says cities, counties, and projects because in some cases it might be in our interest for MnDOT to get money to design 494 and Argenta. It is not actually money to the city, but is a project that benefits property owners, residents, and drivers in and around Inver Grove Heights. She asked if the Council had any reaction, concerns, or suggested changes to the Guiding Principles or questions about anything the Council saw in their packets.

Mayor Bartholomew asked if they were speaking in particular about the Draft for the Legislative Platform. He asked if that was the document pointed out. City Administrator Wilson responded she gave the Council two documents in the packet. One was the Adopted Legislative Platform from last year. She said the first items, A-H, were Inver Grove Heights specific positions possibly carried over from prior years; where it says Economic Recovery, Transportation, and Infrastructure, the format changes. Those were MLC's Priorities last year that was cut and pasted into ours.

Mayor Bartholomew said she was referencing A, B, C, and D as last year's Legislative Priorities. He said he was trying to get a baseline of where they were at. He asked if that was the previous document. City Administrator Wilson replied it is.

Mayor Bartholomew said they would stick with the Guiding Principles which are already in this document; support local Government, support authority to protect taxpayers, and fiscal limitations. He said the City Administrator's proposed addition to this document would be to support fair and equitable distribution. City Administrator Wilson agreed.

Councilmember Murphy asked if the proposed addition would be "I." City Administrator Wilson replied that was correct.

Mayor Bartholomew said there was another letter, the MLC 2022 Legislative Draft. He asked if that has been touched on yet. City Administrator Wilson responded she did not have anything further to present on that.

Mayor Bartholomew said his concern was with what was in yellow. He asked if it was new. He referenced housing, homeownership, support affordable home ownership. He asked if that was new. City Administrator Wilson replied it is new to this Draft. On the last page of the MLC document a list of their Legislative Program Subcommittee Members, they presented this document at the December Board Meeting of MLC of which she attended along with Councilmember Dietrich. She said the discussion there was trying to identify why cities disagree with some of the Bills put forward suggesting reducing city regulation would suddenly make housing more affordable. The group is looking for what do we support. In addition to being opposed to this proposed solution, what is it that members of MLC

do support to address the very real challenge of affordable housing. She said this was edited from the last Draft.

Mayor Bartholomew said the intent on this Draft is to add that paragraph restructure, housing finance agency, first time home buyers, for a larger investment/down payment, to reduce PMI. He said he finds that a little misleading. He was not comfortable with the language. He said if a lender wishes to go out on a limb at a lower down payment, that is their business. He looks at this as nonsense. That was his opinion on that addition. City Administrator Wilson responded it has not been adopted yet. If the Council consensus is that they would rather see that language removed, she cannot promise to make that happen, but can share that feedback with the MSC Group.

Mayor Bartholomew stated to use private mortgage insurance as a reason is a leap of faith to support affordable home ownership. He said he does not get the logic. That was just his concern. He said he wanted to make sure they are on the same path. He thought everything looked good. Further discussion and clarity are needed on Heritage Village Park. He supports leaving 117th there.

City Administrator Wilson said if it is fine with Council, she would go back to the Bonding questions in a minute. She was curious if anyone else has any thoughts on the guiding principles.

Councilmember Murphy said he is looking to better understand. He has read through it and makes better sense to him. He questioned if it made sense to say that the only ones that Council cares about are A-H, with possible addition of I. From Economic Recovery, he asked if that was specific to 2020, if they are eliminating that and cleaning the document up. He asked if that was their goal. City Administrator Wilson responded yes.

Councilmember Murphy referenced the MLC information and stated he found that paragraph very confusing as well. They either support what is there, or they do not support it, he questioned if it was driving their thought process. City Administrator Wilson replied it is not necessarily driving the thought process. When MLC Lobbyists go to the Legislature the first thing they would do is say their membership includes certain cities. They will put this city in by association, by membership, and suggest to the Legislators in the room that the city is generally supportive of these policies.

Councilmember Murphy thanked the City Administrator for clearing that up. He said he has a better understanding now. He said he certainly likes A-H, and the possible addition, he does not see any issues with that personally.

Councilmember Gliva referenced the proposed addition and the wording "support a fair and equitable distribution," she asked if there was a distribution process that is not working right now, not in our favor. City Administrator Wilson responded no; this is new money coming from the Federal Infrastructure Bill that was passed this fall. It is in anticipation that the Legislature will spend a fair amount of time debating how Minnesota's infrastructure money should get either spent directly by the state and what portion should go out to cities and counties. Councilmember Gliva said it makes sense now.

City Administrator Wilson said it is difficult, you never know what Bills are going to get introduced at this point. Sometimes things happen very slowly at the Legislature and other times remarkably fast. Staff will use the Friday update emails to the City Council during the Legislative Session to pass along anything of particular note as well at the end of each Council meeting, she would indicate to the Mayor if they have a Legislative Update that needs a few minutes as they work through the session. She said typically things happen faster later in the spring, so they may not see much in February for example. Councilmember Murphy asked if Staff reviewed A-H, and if that was something that normally happens. City Administrator Wilson responded that Heather and herself have had conversations about the Legislative positions, she has not had broader Staff conversations.

Councilmember Gliva referenced the highlighted point and asked if it was something that MLC is waiting for cities to yay or nay and give feedback on. She said they have quarterly meetings that come up and asked if they discuss this and finalize. City Administrator Wilson replied it is not as formal as waiting for a yay or nay. For example, the City Managers and Administrator's of MLC Cities have a Zoom meeting that happens tomorrow. This was sent out in late December. She said she could share back that the Council found that to be both a bit confusing and convoluted, and maybe not the way to go in encouraging affordable housing. She said the MLC is holding a Legislative Breakfast that they would have an opportunity to attend. She did not have the date handy but would get that information to the Council. She believes it takes place in late January, maybe at the Eagan City Hall.

Councilmember Piekarski Krech said it has always been there before. It is not the City Hall, but the Community Center.

City Administrator Wilson said the remaining issue could be discussed next week when Councilmember Dietrich returns. She mentioned that the 117th Street Reconstruction was submitted as their #1 and only project submitted to the Governor's Office for consideration in the Governor's Bonding Bill. In the past the city has pursued Bonding funds for Heritage Village Park. All of the Bills introduced last year remain in play because this is a part of that same Legislative Session. She said the House Bonding Committee reached out to Staff and said they would like to make a stop at Heritage Village Park on their tour. She commented they take the status that you never turn the Legislature away when they want to come to your community. They were hosted at a stop in Heritage Village Park in early November to look at that project.

She said the city has a couple of options when it comes to any Legislative issue. It is sort of on a continuum, 117th Street would be an example of one end of the continuum. We are advocating for that, looking for every opportunity they can to talk about the project, ask for funding, investing our time and energy and making it a priority. A step back from that is things of which we are supportive. If someone calls and asks us or seeks out someone from Staff to come and talk at a committee hearing, they do that. But they are not proactively asking for that. She said middle ground is to say they have no position on a particular issue. The other end of the continuum is to say they oppose this project and do not want the money. Saying they are actively opposing or even sitting neutral on the project has the potential of damaging our relationship with our Legislators, who have been supportive of the project in the past.

During a Bonding Session, Legislators generally look to be able to bring projects home to their District. Bonding Sessions fall in the same year Elections do for Legislators.

She said understanding that the Council has concerns about the ongoing maintenance of Heritage Village Park and where the additional funds were coming from, she thinks they should consider the downsides of coming right out and saying no, they do not support or want that. She said today was the Parks and Recreation Director's first day. He has not had a chance to get up to speed on this. She said we own this 65-acre park, it is ours and it is not going anywhere. It has some contamination deep underground that they have remediated or buried to the satisfaction of the Minnesota Pollution Control Agency, but not to the amount that it could ever be sold or developed. She said they do need to ask themselves as a community, what they want that parcel that is a park to look like. Is the Council happy with it as it sits today. Would the Council like to see some development of it, but not what is proposed, such as wanting designers to go back to the drawing board and propose a different mix of park usage on that land. She said it is ours, and probably ours forever as a park. She welcomes any input the Council may have now, but it can also be when they have Councilmember Dietrich back in the room and have the new Parks and Recreation Director here to discuss it a little bit more. She said it would benefit her and our Lobbyist to have a better understanding of exactly what Council would like to see them do relating to Heritage Village Park.

Mayor Bartholomew said he believed all five Councilmembers would have to be together to have this discussion, so they do not get into the same trap they had last year. He said if they recall, he received a phone call from a Representative saying they would pitch this. He said he appreciated them doing that, but it is not their priority, the priority is 117th. He said they were in a position of them putting it in and what we thought. He said that it was not their priority was all he could tell them. He was unsure how to send a clear signal to everybody, other than getting together and saying is there going to be a secondary priority, is it going to be thoughtful. He asked how they do this without somebody being used as a punching bag, which he felt he was at that time. That was his concern. He believes they need all five Councilmembers together. He was unsure how soon this needed to get back.

City Administrator Wilson replied they have two Council meetings between now and the opening of the Session. She said in all honesty, Staff welcomed them to the park and did talk about the investments already made in the park. Some of that has been done. She said they talked about 117th Street that same day and she made it a point that it was the city's number 1 priority. She said they could put it on the Agenda for the 10th and have further discussion. She was unsure if the Parks and Recreation Director would be significantly further along on understanding that. She said it would help her if the Council would think and share either through a phone call to her, or a future discussion, more deeply what their concerns are about spending more money at Heritage Village Park and what they want to see there.

Mayor Bartholomew said his concern was that they would get put in a precarious position. He wants to have clear signal from this Council as to where they are going to go. He said the City Administrator was wise to get them all together and have this clarified.

Councilmember Piekarski Krech asked if they could do it on the 24th to give the new Parks Director more time. She said she does not want the Council to make a decision he may not be in agreement with. She suggested they give him a couple of weeks to acclimate and be able to study this. That gives them a week before the Session starts. City Administrator Wilson replied they could do that.

Mayor Bartholomew said he believed the City Administrator made a very good point, that maybe they re-direct. Is it an issue of what is their intent for Heritage Village Park, what do they want to see there and maybe explore that. He said her opening to that makes a lot of sense.

Councilmember Murphy asked what their concern is and if the concern is ending up with Heritage Village and not 117th. Mayor Bartholomew replied his concern is that they get funding for a park that someone has concerns about. It was not a priority, why has it become a priority. He said they need to be clear, is it going to become a priority, is it going to be a secondary priority, what is the ultimate end for the park.

Councilmember Murphy questioned if he meant does the Park exist, does it not exist. Mayor Bartholomew replied what kind of park is it going to be.

Councilmember Murphy said he always felt they were fairly far down the road. Mayor Bartholomew said he thought they were too, but then it rises up. Anytime they discuss money for Heritage Village Park it becomes a touchy issue.

Councilmember Murphy said the proper terminology escapes him. He asked about all inclusive. Councilmember Piekarski Krech replied that was added later. The original design for the park had a small playground, an amphitheater, a community gathering space. The dog park was put in there and the inclusive playground was brought up. Things have changed. She said she thought realistically, according to Director Carlson a few years ago, it is not viable. There was supposed to be the old Village Hall and the old Schoolhouse moved in there. It seems like that was not a viable issue. That changes what and how was going to be there. It was to be a community gathering space, historical things, walking trails. That has changed.

Councilmember Murphy said more direction on that is needed.

Councilmember Gliva said it seems like this park is bigger than maybe just Inver Grove Heights, maybe it is Dakota County regional, maybe a collaboration. She said it seems where it sits that would be an avenue to take. City Administrator Wilson replied she has heard that suggested. Is it a regional draw or regional amenity, therefore should there be some regional funding. She said between now and the 24th Staff can research this further. She was not optimistic that Heritage Village Park would meet the standards that is looked for in a County Park. Their parks tend to be even larger, very natural resource focused. This is a pretty bare piece of land. They come at this from a natural resource preservation, open space preservation perception. That was her initial impression. Having until January 24th gives Staff more time to dig deeper into that question. They are also working on accounting work on previous investments. By the 24th they can clearly show the sources of money that have already gone into Heritage Village Park and what the mix of city funds is versus Grant funding or otherwise.

City Administrator Wilson reminded the Council that there is a Grant sitting out there from the DNR that was awarded to them for Phase 4 of Heritage Village Park. The Council has not yet acted upon this. Staff has not received the formal Grant Agreement from the DNR, until they do, that really pushes the issue. This will be a good opportunity to discuss that as well. At some point the Council will need to make a decision as to whether or not to accept the Grant.

Mayor Bartholomew clarified what the City Administrator has said stating that Council will receive a recap of all funds that have come in to this point, such as County funds, State funds, Grant funds. He said the Council has received that information several times, but it does not hurt to receive a recap. City Administrator Wilson responded that is correct.

4. Personnel Policy Revision Project

City Administrator Wilson discussed a project that Staff is working on and about to invest significant time and effort on. She wanted to make sure that Council and Staff are on the same page of this project as far as why it is being proposed to do it and what the expected outcome is, so they do not spend the time going in a direction that is not in alignment with the Council. She said the current Personnel Policies within the City of Inver Grove Heights is embedded in the City Code. They are Title 1 Chapter 6 Article A of the City Code. They were initially adopted or the last major update, it was hard for her to tell, but appears to have been 25 years ago in March 1997. That was located on most sections. Some sections have been amended since then but appears to be the initial date. Having Personnel Policies within the City Code is very unusual in City Government. It makes it cumbersome to update, especially in Inver Grove Heights where it is required to have Three Readings of any Amendment to the City Code. It also leads to poor organization as they are pretty choppy as they are put together and worded very formally. They are worded like you would word City Code language rather than in an approachable/digestible form that a typical employee or supervisor might use when trying to answer a question or resolve an issue.

She said her understanding was that work was already done on this before her arrival a few months ago. The change is to remove them from the City Code, reorganize and update them, and then have them be adopted by Resolution of the City Council. In the future they would be amended by Resolution of the City Council. The policies themselves would contain a section on Amendments, stating the process for amending the document and would spell out that it would be by Resolution of the City Council. She said they may also consider using Administrative Policies for certain topics. She said for example, something that might be an Administrative Policy, meaning it is set by the City Administrator rather than coming to the City Council, would be the details of the Respectful Workplace Policy. Council might have a Policy Statement that all employees are expected to maintain a respectful workplace and that discrimination and harassment will not be tolerated. An actual Respectful Workplace Policy, if following the League of Minnesota Cities module, is 6 or 7 pages and talks about if you believe you have been subject to a disrespectful workplace, your first step is to report it here, and if it is not resolved, you report it here. It is very detailed and process oriented.

Another example might be some leaves that the city is required to provide by Statute. State Law requires the city to require leave on Election Day for employees to go Vote. It requires the city to

provide time off for employees to attend parent/teacher conferences if they occur during the day, or for Jury Duty. These are things that the city is required by Law to do. There are details spelled out who needs to be told and what form needs to be filled out. It is not a big policy decision on the city's part whether they are offered or not because they are Statutorily required leaves.

City Administrator Wilson suggested if proceeding with this project and bringing a Personnel Policy that sits outside of the City Code, the Table of Contents might look something like this:

- Have a category on the Purpose, Scope, and General Principles
 - Includes how Policies can be amended
- Addresses Recruitment, Hiring, and Promotion
- Compensation and Classification
- Employee Benefits
- Work Hours and Leaves
- A general section on Employee Conduct that would have an:
 - Ethics Policy
 - General Policy Statement about Respectful Workplace
- Discipline Policy
 - Lays out our progressive discipline practice
- Grievance Policy
 - What to do if believing the policies have not been fairly applied to you
- Separation
 - Describes how people could come to depart from the city
 - Resignation
 - Retirement
 - Termination for Cause
 - Layoff
- Appendix with Definitions

These would be the typical common chapters in a City Personnel Section.

Tentative Timeline:

- Bring approximately ½ of the Chapters to the City Council's February Work Session with the Chapters being provided in advance for review. Council can walk through them and talk about any questions or concerns the Council might have.
- The second portion of Chapters would come before the City Council at their March Work Session. Gives time for the Department Head team to go through revisions and changes. Legal has already gone through them.
- Staff would come back and follow up on anything that had been discussed or asked for changes in the first or second review. This would take place at the April Work Session.
- Move forward at one of the regular City Council meetings in April to consider Repeal of the City Code Section and Adoption of the new Personnel Policies.

She added that the goal here is not for employees to feel a difference of any notable personnel policies. They are not proposing to change the amount of vacation provided, what the Holiday's are, or the fact that employees have a Just Cause employment status. They are trying to get it better organized, worded a bit better in plain English, and add some sections where there is silence, they

think would be good to reinforce. She said an example of that might be, the city does not have an Ethics Policy currently. What is written should not be a surprise to any employees, they should not feel like somebody suddenly changed the expectations of them but would be spelled out and there for current or new employees to read or understand. It would look different because of the organization and wording; employees should not feel they have different terms and conditions of employment. She said if there are a few cases they are recommending a Policy change, they would draw that out in the wording, slides, to point out that they are recommending an actual policy change in a given area. She expected those to be few and far between.

Councilmember Gliva referenced the slide shown stating it looked like an Employee Handbook to her. City Administrator Wilson replied it was the same thing. Some places call them an Employee Handbook, Personnel Policies, Employment Rules, they are generally different names for the same thing.

Councilmember Gliva said these were in the City Code before. She asked if this would be something a new hire would sign or acknowledge. City Administrator Wilson replied they are given a copy of the City Code Section along with the Fair Union Employee, Union Contract, and other documents.

Councilmember Gliva stated this seems to be a lot easier to acknowledge. City Administrator Wilson replied it was a modernization, looks more digestible, more approachable to the average employee as opposed to a section out of the City Code. Councilmember Gliva thought it was a fabulous idea.

Mayor Bartholomew said he thought it was a great endeavor. He said they were going to hit a lot of roadblocks along the way. He could come up with a dozen right now, but this needs to be done.

Councilmember Murphy said they were going to plug some holes and clean up some language. He said if it is pulled out of City Code, he questioned that it does not remove Council review. City Administrator Wilson responded the Policies will spell out how they can be amended. Staff will be bringing forward a proposal that can be amended by Resolution of the City Council.

City Administrator Wilson said the Mayor referred to stumbling blocks. She said this is a project on which she has actually worked. She has an HR background. In the City of Shakopee, which is a City Administrator Statutory A type of City, this is exactly how their Personnel Policies are done. The City of Bloomington is a Charter City, their Personnel Policies are adopted by Resolution of the City Council. The Manager/Administrator cannot suddenly go changing the rules of the game, that power/discretion is reserved for the City Council. The difference is that it would not have Three Readings.

Mayor Bartholomew felt it was a wise move. It removes the chaos of the Code. It gets the one governing document that is approved and amended by the Council. He felt getting there is going to be a painful task.

City Administrator Wilson said Staff would proceed and talk with the City Council in February regarding the first part.

City Administrator Wilson stated she realized as she walked in here tonight, that an email she had wrote to the Councilmembers this morning is still sitting in her Outbox. She said she would still send it, so they all have it in writing. There were three updates she needed to give the Council:

1. It is that time of year when the Council makes appointments for members of the Council to serve on various advisory boards, governing bodies, Joint Powers, and groups they belong to. She said she was going to be emailing that list of who is appointed to what currently, to the Councilmembers. She is looking if there is any desire to see any changes for 2022. She requested the Council watch their email. They know what Boards and groups they serve on. It would generally be her recommendation that the Council stick with it for a second year and consider rotation more like every other year. There is benefit to building up knowledge and comfort with the subject matter and the consistent representation from the City.

2. Her email will also ask for Council's availability for a Council Retreat. She said she had originally hoped to do that in late January but are juggling a number of schedules and times when people may be out of the area. The two proposed dates would be Thursday, February 24th or Saturday, February 26th. On the 24th she would ask that they convene about 3:00. Have dinner and plan to adjourn about 9:00. On the 26th, the plan would be to convene at 9:00, have lunch together and adjourn around 3:00. She asked that the Council share their feedback on that.

3. She said they are still closely monitoring Federal Regulations requiring employers of 100 people or more to either Mandate Vaccination, or weekly testing and the wearing of the mask in the workplace. There have been a lot of Court rulings putting it on hold, lifting the hold. It seems like it is picking up steam. There is a Webinar from OSHA that the City Attorney and the HR Manager will be attending tomorrow. If the Courts clear the way for this, they will have to move quickly to follow the OSHA Mandate. She said she does not anticipate it would be something that would require Council action, as they regularly follow OSHA Mandates as they are more a matter of law than Council Policy. She will keep the Council updated if they are needing to move forward with complying with the Mandate.

B. Adjourn:

Motion by Piekarski Krech to adjourn the meeting at 7:27 p.m.

Ayes: 4

Nays: 0 Motion carried.

Minutes prepared by Recording Clerk Sheri Yourczek.