

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 25, 2017- 8150 BARBARA AVENUE**

**1. CALL TO ORDER and 2. ROLL CALL**

The City Council of Inver Grove Heights met in regular session on Monday, September 25, 2017, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Hark, Perry and Piekarski Krech; City Administrator Lynch, City Attorney Kuntz, Community Development Director Link, City Clerk Tesser, Parks and Recreation Director Carlson, Finance Director Smith, Public Works Director Thureen, City Engineer Kaldunski, and Fire Chief Thill.

**3. PRESENTATIONS:**

**4. CONSENT AGENDA:**

- A. Minutes September 6, 2017 City Council Work Session Minutes
  - B. **Resolution 17-171** Approving Disbursements for Period Ending on September 20, 2017
  - C. Consider Approval of Debt Financing Consent of Northfield Community Solar Garden Subscription Agreements with SolarStone Community LLC to Northfield Holdco LLC
  - D. Release of Various Recorded Documents Related to Plat of Windwood 2nd Addition
  - E. Approval of Extension Liquor License Permit for Mississippi Pub
  - F. Consider Pay Voucher No. 3 for City Project No. 2016-09E – Bancroft Way Area Reconstruction
  - G. Consider Final Compensating Change Order No. 2, Final Pay Voucher No. 1 and Resolution 17-172 Accepting Work for City Project 2017-06 – Pedestrian Ramp Compliance
  - H. Consider a **Resolution 17-173** Receiving the Petition Requesting Street Reconstruction and Street Lighting for Atwater Path
  - I. Consider **Resolution 17-174** Accepting Proposal for Stormwater Plan Review Services from Emmons & Olivier Resources, Inc. for the Scenic Hills Development
  - J. Approve Custom Grading Agreement, Stormwater Facilities Maintenance Agreement (SWFMA) and Drainage and Utility Easement for 4908 Brent Avenue (Lots 29 and 30, Block 3, Nabersberg Addition)
  - K. Approve Custom Grading Agreement, Two Stormwater Facilities Maintenance Agreements and Drainage and Utility Easement for 4903 Brent Avenue (Lots 1 and 2, Block 1, Oakland Park)
  - L. Approve Drainage & Utility Easement for 8803 Inver Grove Trail (SW ¼ of the SW ¼ of Section 14, Township 27, Range 22, Dakota County, Minnesota)
  - M. Consider **Resolution 17-175** to Separate City Project No. 2015-03 – 65th Street Construction (between T.H. 3 and Argenta Trail) into Two Phases by Establishing City Project No. 2017-24 – T.H. 3 Intersection Improvements for the 65th Street Project and Authorizing a Feasibility Study on City Project No. 2017-03 – NWA Trunk Watermain Improvements **Resolution 17-176** – 65th Street Loop (Phase III of 2015-12)) Hwy 3 to Blackstone Ridge and Two **Resolutions 17-178** Approving Proposals Received from WSB & Associates, Inc. for City Project Nos. 2017-03 and 2017-24
  - N. Consider Property Exception Request for Bow Hunting and Target Practice
  - O. Personnel Actions
- Motion by Bartholomew, second by Hark, to approve all items on the consent agenda 4A-4O.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**5. PUBLIC COMMENT:**

**6. PUBLIC HEARINGS:**

- A. Continuance of the Public Hearing to Consider Resolution 17-179 for Municipal Consent for the Final Layout for T.H. 3 Reconstruction from T.H. 149 to Ann Marie Trail (SP 1921-94) – City Project No. 2018-01

Thureen presented on the item. The public hearing was opened on July 24, 2017. The hearing has remained open. Thureen stated that the council asked to keep the hearing open while MnDOT contacted property owners.

Molly Klein, MnDOT stated this project is a reconstruct for Ann Marie Trail, T.H. 149 and Hwy 3 and includes improvements to the by-lanes, widening of road and realignment and mill/overlay. They are confirming municipal consent she stated the options are to approve municipal consent, deny or continue for 90 days. She stated there are two other projects on Hwy 3 that require a closure of Hwy 3. She stated delaying the project would not mean delaying the other two projects.

Klein referred to the August 3, letter responding to the original project. She went over the concerns of property owners and reviewed complaints discussed however, she stated negotiations with the property owners will move further once consent occurs.

Councilmember Hark asked about the 149/Hwy 3 and questioned when survey hours and days are selected. Klein responded that the survey is a 12-hour count on a weekday. Councilmember Hark described the congestion on the road from employees of Thomas Reuters Corp. Klein stated it's a 6am-6pm survey.

Councilmember Piekarski Krech stated MnDOT is not working in the best interest of the residents. She asked for a firm commitment, so property owners won't lose privacy. She opined that negotiations won't benefit residents.

Tourville asked that MnDOT staff have good faith negotiating with residents. Tourville stated there is no charge to the city for the mill and overlay on Robert Street.

Councilmember Piekarski Krech questioned why a resident can't have a driveway entrance on Robert Street. Klein stated it will be an intersection. Klein stated it's a MNDOT policy that states that a driveway entrance should be at a lower volume street. Councilmember Piekarski Krech discussed future plowing hardships for future residents.

Dave Rudd, 9487 Rich Valley Blvd on the south corner. He stated he is concerned with the high beams and streetlights. He stated he currently has issues with headlights. He stated the plans on regulating speed hasn't been discussed. Klein stated that the street speed will not be lowered.

Julie Groetsh 9265 Avalon Path, she stated the intersection and sight lines are dangerous. She stated she is a resident and works for MnDOT. She stated she does right of way acquisitions for MnDOT and residents are compensated for trees, loss of land etc.

Councilmember Piekarski Krech stated residents are not compensated well enough for the tree, land and driveway loss. She discussed that the only monies received is to fix the damage, the project is not compensating for the hardships.

Joe Hardlan, 9430 Rich Valley Blvd, his concern is headlights and glare with all his trees being removed. He stated the compensation will be for brushes or trees. Resident stated that the landscape should be a part of the project. He doesn't want to negotiate for landscape to be a part of the project. He discussed his access issues with the road changes.

Molly Klein, MnDOT representative, stated landscaping would only be done if MnDOT owned the land. She stated the right of way (ROW) goes up to his driveway. She stated MnDOT is limited with the ROW available. She discussed that MnDOT will move trees and plant them onto the resident's property and they would be compensated for the trees. They discussed the expansion of his driveway for safety reasons.

Grant Pylkas, 1885 96<sup>th</sup> Street East, stated that he walks the streets and no one stops at the intersection. He asked why the roundabout was not discussed. Klein stated there are four options evaluated. She illustrated the options on the maps. She stated that the impacts of the roundabout were greater to property owners and more expensive. Grant asked about crash statistics. MnDOT staff stated the alternatives (four) were reviewed by MnDOT and Dakota County. Klein stated its perceived that this is a high accident area but the results don't show that to be true. She stated they understand the perception and that is why Dakota County approved the four alternatives. She stated \$3-5M (not included ROW) is the projected cost for a ROW project. The cost currently is \$350K for the improvements. MnDOT has limited funds and looked at helping improve streets/intersection that they can improve with the least amount of funds.

Dave Rudd, 9487 Rich Valley Blvd stated that the speeding issue is major, he stated a roundabout would slow down the traffic.

Tourville stated a roundabout would slow down traffic. He stated Robert Street sightlines will be improved at longer distance. He stated speed is an issue on the road.

Thureen stated if the project is going to advance they need a decision from the council this evening. He stated the decision of the council is dependent on the scope of the project.

**Motion by Bartholomew, second by Hark, to close the public hearing that was opened on July 24, 2017 at 7:51PM.**

**Ayes: 5**

**Nays: 0          Motion carried.**

Councilmember Hark stated it would be a larger impact and significantly more if a roundabout is built. He stated this would involve more of an impact.

Councilmember Piekarski Krech stated all you're doing is improving sight lines but it's two left turns. Councilmember Hark stated it's an improvement.

Klein stated that if the project isn't approved no removal of guard walls and safety improvements would be done. Councilmember Piekarski Krech asked if municipal consent can be given upon stipulations. Klein stated in the affirmative. Councilmember Bartholomew asked how can the city help negotiate between the residents and MnDOT. Klein stated the consent can't be stipulated on resident negotiations. Matt Aguirre, MnDOT project manager, he discussed the condemnation process with the council and that MnDOT follows MN state statute.

The council asked that negotiations with those residents be in good faith.

Mayor Tourville stated that this project does improve safety. Councilmember Hark stated this is not the best option but will improve the safety. He stated the roundabout isn't feasible. Councilmember Bartholomew asked for MnDOT representatives to work with the residents in negotiating.

**Motion by Hark, second by Bartholomew, to approve the Resolution 17-179 for Municipal Consent for the Final Layout for T.H. 3 Reconstruction from T.H. 149 to Ann Marie Trail (SP 1921-94) – City Project No. 2018-01. The council asked that MnDOT negotiate with residents in good faith.**

**Ayes: 4**

**Nays: 1 Piekarski Krech          Motion carried.**

**B. Consider Resolution 17-180 Ordering Project and Authorizing Land Acquisition Services for the 2018 Pavement Management Program, City Project No. 2017-09E – 93rd Street/Abigail Court Area Reconstruction**

City Engineer Kaldunski presented on the item. He stated this project was submitted by the neighborhood by petition. Most signatures were received in the neighborhood. He stated this would be a standard street project including curb and gutter. He illustrated the area on the map. Kaldunski stated several meetings happened with the residents. Residents will be assessed. The total project cost is \$1.1M. He went over storm water improvements that will be incorporated in to the project. The assessment funding will be \$262K at a 23.7% cap and the remaining \$845K will come from the Pavement Management Program (PMP) Fund. He went over the benefit analysis; the cap is \$19,500. He talked about one property having a drainage assessment because two properties will be combined. He stated that tonight they are asking the council whether they would like to order the project.

He went over the communication to the property owners. Kaldunski stated generally residents are supportive of this project. He went over the project schedule and stated that the project would begin in May 2018 and completion scheduled for September 2018.

Councilmember Bartholomew asked about the drainage assessment of \$8500. He went over lot 13 of the map, he stated the property owner's lot has drainage only and not driveway on the road but two driveways on Robert Trail and that is why they get assessed that amount.

Tourville stated the minimum assessment must be 20% of the project cost.

Nancy Fox, 9445 Abigail Court, she stated she is in lot 10 and the road is falling apart. She stated the road wasn't done right the first time. She stated residents approve the assessment. Tourville stated the new roads will have a life time of 20-25 years.

**Motion by Piekarski Krech, second by Perry, to close the hearing 8:20PM.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**Motion by Piekarski Krech, second by Perry, ordering Project and Authorizing Land Acquisition Services for the 2018 Pavement Management Program, City Project No. 2017-09E – 93rd Street/Abigail Court Area Reconstruction Resolution 17-180.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**C. Consider Resolution 17-181 Ordering Project and Authorizing Land Acquisition Services for the 2018 Pavement Management Program, City Project No. 2015-09D – Broderick Boulevard Reconstruction**

City Engineer Kaldunski presented on the item. He went over the details of the Broderick Blvd north segment. He stated the project cost is \$5.9M. The project will be a full depth mill and overlay and bituminous trail, storm water facilities, no parking, additions of curb and gutter and ADA pedestrian ramp improvement. He pointed out to areas of assessments. He stated lane modifications will occur after analysis including turning movements. He stated storm water will be improved. He illustrated on the map where the street improvement will occur.

The project funding total is \$5.9M. The funding will come from the following areas: Pavement Management Plan (PMP) \$2M, Municipal State Aid (MSA) \$1.3M, Utility/Sewer/Water \$132,000. He discussed the work with the state legislature to get a state bond funding of \$1M. He discussed that a

DEED grant of \$852K was awarded. He showed the past special assessment costs against the new proposed special assessment costs with the additional grant funding that staff worked diligently to attain.

Kaldunski went over the proposed assessment amount and the project time line.

Kaldunski stated that final assessment hearing is scheduled for Feb/March 2018 and construction begins April/May 2018.

**Motion by Piekarski Krech, second by Hark, to accept an email from a resident.**

**Ayes: 5**

**Nays: 0      Motion carried.**

Robert Henley, 8705 Baxter Way, he is a part of the Association Board member and has 54 members and they support the project and ask that it get approved to move it forward.

Mayor Tourville thanked DEED and the legislature for providing the city with the funds to help offset the cost.

Councilmember Piekarski Krech asked about the email from a resident with the concern of cost. The resident was present at the meeting. She stated staff has been helpful in discussing the amount with them. She commended staff for their communication efforts and helping with her questions.

**Motion by Piekarski Krech, second by Perry, to close the hearing at 8:30PM.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Bartholomew, second by Hark, to authorize Land Acquisition Services for the 2018 Pavement Management Program, City Project No. 2015-09D – Broderick Boulevard Reconstruction Resolution 17-181.**

**Ayes: 5**

**Nays: 0      Motion carried.**

## **7. REGULAR AGENDA:**

### **I. ADMINISTRATION:**

**A. CITY OF INVER GROVE HEIGHTS; Consider Third Reading of Ordinance 1342 to Repeal Title 10, Chapter 5, Section 11: Predatory Offender Residency**

Bridget McCauley-Nason, Assistant City Attorney presented on the item. She stated this is the third reading of the predatory offender ordinance. She summarized the timeline of the temporary ordinance. She stated between the first and second reading the ordinance language was changed. McCauley-Nason stated the ordinance is similar to other cities. She stated that these offenders have been assessed at a risk of level III and are precluded to establish a temporary residence on a parcel of property that is located within 1000 feet of church, learning center, health care facility, religious facility school, park or library etc. McCauley-Nason stated the exemption allows a level III the ability to stay with family members without

precluded restriction areas that include a church, school, parks etc. She further went over the council memo provided in the agenda packet. McCauley-Nason stated six major cities have adopted the ordinance and six have language with the family exemptions. She stated the council has been provided two draft ordinances, one ordinance with the family exemption and one ordinance without the family exemption.

Councilmember Piekarski Krech asked about why a family exemption was adopted by cities. McCauley-Nason stated she didn't know but stated there are legal concerns with accepting these types of ordinances without including the family exemption you are increasing the chances for courts to scrutinize restrictions on liberty and familial associations. She stated in 2016, a survey was completed and 20 of the 25 cities adopted the predatory ordinance with the family exemption. She stated since 2016, more cities have adopted similar ordinances.

Lynch stated there is not a Level III Predatory application seeking residency. Lynch stated there was one sexual offender that was seeking residency in Inver Grove Heights in 2016 but decided not to stay. The city then accepted the interim sexual predatory ordinance preventing them from moving back into the family member's home in Inver Grove Heights. Lynch stated that no applications has been received. Interim Chief Folmar stated in affirmative. Tourville opened the public hearing.

Carol Halloran 2367 78<sup>th</sup> Street E, she discussed her story. She asked that the council not include the family exemption in the ordinance.

Gina Groth, 4781 Blaine Ave, she stated emails and letters have been sent by her family to the council. She asked that the council to not support the family exemption in the ordinance.

Howard Franson, 7102 Ballard Trail, he stated he was a Lieutenant in the Police Department for 30 years. He stated this is an easy decision. He stated that recidivism is very high and a family member can't watch these people. He stated he is completely against the decision to include the family exception.

Shawn Buck, 6409 Dawn Ave East, he asked that the council not approve the family exception.

Tom Aegerter, 6443 Dawn Way, he went over statistics of predatory offenders, he asked that the council not approve the family exception.

Sandra Garcia, 4630 Bacon East, asked that the council not approve the family exception.

Richard Briguet Jr., 7245 Bancroft, he stated the council should not approve the family exception.

Christine Dye, 8213 Cloman, she stated that the council should not approve the family exception.

Julie Shrandt, 6439 Coryell Court, she stated that the council should not approve the family exception.

Jessica Mitchell, 7670 Norman, she stated that the council should not approve the family exception.

Tourville stated that the council was discussing the exception language but no decision had been made.

Councilmember Bartholomew stated we didn't vote on anything but passed the second reading of the ordinance.

The map was illustrated. Councilmember Piekarski Krech stated that the non-circled areas of the map are places that the level III can reside. She stated that the council can approve the ordinance with no exemptions but it can cause a legal issue. She stated she doesn't want a false sense of security that your children are safe. She stated it's the responsibility of the community to make sure people pay attention and report this.

Councilmember Hark stated that an ordinance takes three readings to pass. He discussed the importance of being involved in the process. The courts haven't interpreted these ordinances. He stated we don't know if this will go to a higher level of scrutiny, but he stated he is willing to take the chance.

Councilmember Perry asked if a level II sexual predator is upgraded to a level III will they be grandfathered into living in the city if the ordinance is approved. Interim Chief Folmar responded that the city would have to go through the predatory offender notification process and the applicant is subject to the regulations in place at the time of their hearing.

Tourville stated he supports not having the exception and that the Inver Grove Heights wouldn't be the only city sued in Minnesota.

City Attorney Kuntz stated a level II going to a level III would have had to go through the prison system and would have lost residency. He stated they would be subject to the ordinance. He stated that is the answer to the questions at this time.

**Motion by Hark second by Bartholomew to remove the family exception (f). The five-day period was waived, upon publication the ordinance will be immediately approved.**

**Ayes: 5**

**Nays: 0      Motion carried.**

## **II. COMMUNITY DEVELOPMENT:**

### **B. GERALD SALMEY; Consider a Resolution 17-182 Relating to a Variance to Allow Zero Setback for a Driveway Whereas Five Feet is Required. Property Located at 8460 Cooper Way**

Community Development Director Tom Link summarized the item. The variance is being requested because the driveways and parking area are required to maintain at least a five-foot setback from the property line. This would be a zero setback. He stated in 2016 the parking ordinance was amended requiring recreation vehicles to be parked on a paved parking pad. He stated there is not enough room for the applicant to install a parking pad to meet setbacks in order to comply. Link stated the planning staff and planning commission approved the variance.

Mayor Tourville asked why the resident didn't want asphalt to asphalt.

Gerald Salmey, 8460 Cooper Way was present. He answered that the neighbor would like that but didn't apply for a variance. Tourville asked if we could approve the neighbor's variance now to save money for the resident. Kuntz stated in the negative because there wasn't a public hearing for that property.

Salmey stated river rock will be in the middle of it.

**Motion by Piekarski Krech second by Hark to approve Resolution Relating to a Variance to Allow Zero Setback for a Driveway Whereas Five Feet is Required. Property Located at 8460 Cooper Way**

**C. CITY OF INVER GROVE HEIGHTS; Consider a Resolution 17-183 relating to a Vacation of a Drainage and Utility Easement for Property Located at 6070 Cahill Avenue**

Community Development Director Link introduced the item. He stated the city acquired a drainage and utility easement over the northeast corner of the River Heights Vineyard Church property to be used for ponding and flooding issues at Carleda Way and 64<sup>th</sup> Court. He stated the purpose of the easement is not feasible as first initially thought so it's an unnecessary easement. The planning commission and staff (planning and engineering) approved the vacation of the drainage and utility easement.

Rick Klun, 105 ½ First Street, Duluth MN, he stated he is working with the church on a purchase agreement so that they could build on the parcel. He stated the easement would have made it unbuildable. Lynch stated the private utility easement is still there.

Link stated what we are talking about is separate from adding an additional property. He stated this is for vacation of the easement. Councilmember Piekarski Krech stated taking off the easement doesn't approve the ability to build. Klun discussed his negotiations with the church.

**Motion by Hark second by Perry to approve the Vacation of a Drainage and Utility Easement for Property Located at 6070 Cahill Avenue.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**D. CITY OF INVER GROVE HEIGHTS; Consider the Second Reading of an Ordinance to Prohibit Transient Lodging (short-term rentals) of Residential Property**

Community Development Director Link introduced the item. He stated under the current zoning ordinance a B&B is allowed with a CUP. But the short rental is prohibited. Link stated planning staff and planning commission recommend denial. They stated this should be regulated and brought up by performance standards.

Councilmember Piekarski Krech she asked why historical structure is excluded. Link stated that language is from the Stillwater ordinance and IGH is unaware of any B&B.

Pam Glenn, 6411 Glenn Court, she stated she understands why an ordinance needs to be drafted based on excess party of a rental home however restricting this to 30 days doesn't restrict the problem. Glenn stated her neighbors don't mind AirBnB. She stated this is not a B&B. She stated he neighbors knew what she was doing but they would not have known if she had rented out to anyone. She said less exposure of this great community is going to occur which means less economic benefit. She stated she is against 30-day restrictions.

Steven Dick, 1630 52<sup>nd</sup> Street, he stated he is an AirBnB homeowner. He discussed the issues with his property he stated he made improvement including increasing the cost of security deposit and security cameras were added. He stated this ordinance is banning AirBnB with longer than 30 days exception. He stated he brings visitors to the city.

Bhupinder Juneja, 7610 Foreman Way, he stated he is a naturalized citizen and went over the importance of receiving the funds from AirBnB.

Tourville stated the intention is not closing down AirBnB but preventing short-term rental when the owner doesn't live there.

Tim Kuntz asked if the resident provides breakfast. Juneja said in the affirmative. He stated he offers meals to his visitors.

Councilmember Bartholomew stated this is a zoning issue and a 30 days short term doesn't belong in residential zones.

Councilmember Hark stated if the owner stays there while he is renting parties would not have occurred. Councilmember Bartholomew stated the four-family member exception could be used. Tourville stated that restrictions and/or fines could be added to the property owner. Resident Steven Dick stated he is open for additional restrictions.

Lynch asked Resident Dick if he has additional property. He stated he recently bought the house next door to keep a better eye on his property. Lynch discussed past code violation on the current rental house. Lynch discussed CVB and how they do not support AirBnB. Resident Dick stated you can regulate short-term rentals. Kuntz stated the highest misdemeanor is \$1,000.

Tourville stated staff is stating this is difficult for staff to monitor and enforce. Dick stated the visitors were doing unlawful actions and were punished with underage drinking and nuisance ordinance.

Councilmember Bartholomew asked to review the ordinances for occupancies for family members. He stated there is a certain amount of nonresident that can be living in home. Link stated the ordinance says a person residing in the house can have three unrelated people live there. Occupancy can be restricted but not guests. Link stated enforcing this type of ordinance will be difficult.

Councilmember Piekarski Krech stated that the rental ordinance has an exception of the owner living there and three additional unrelated people. Tourville stated if you are the owner and are living there they can control it.

Kuntz stated the exception is that the unrelated persons have to be unrelated to one another. Tourville stated if you're exchanging monies then it changes.

Councilmember Perry asked if the ordinance can be outlined similar to Stillwater's ordinance. Link stated enforcement is an issue and the hosting language definition is difficult.

**Motion by Bartholomew second by Piekarski Krech Approved Second Reading of an Ordinance to Prohibit Transient Lodging (short-term rentals) of Residential Property.**

**Ayes: 5**

**Nays: 0          Motion carried.**

### **III. PUBLIC WORKS:**

**E. Resolution 17-184 Approving Donation of Right-of-Way to MnDOT for State Project 1921-94, City Project No. 2018-01 – T.H. 3 from T.H. 149 to Ann Marie Trail**

Kaldunski briefly summarized the item. He stated that the bypass lane is a benefit to the city and MnDOT. Councilmember Hark stated the neighbors benefit from this arrangement.

Public Works Director Thureen stated if this was a road owned by the city there would be housekeeping costs. Thureen stated the cost is six figures at least for the city to conduct this work but MnDOT would be doing this work if donated.

**Motion by Hark second by Perry to approve Donation of Right-of-Way to MnDOT for State Project 1921-94, City Project No. 2018-01 – T.H. 3 from T.H. 149 to Ann Marie Trail**

**Ayes: 5**

**Nays: 0          Motion carried.**

**F. Deny Request for Cash Surety Release of Remaining 10% Before End of Warranty Period for 9408 Aladin Trail**

Kaldunski introduced the item. He stated warranty includes one seeding after the grading period. He stated this policy has been written for years. Tourville asked how much is the cost. Kaldunski stated the cost is \$1,000.

**Motion by Hark second by Bartholomew denied the request for cash surety.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**IV. FIRE DEPARTMENT:****G. Consider Awarding the Contract for Architectural and Engineering Services for Fire Station Site Design and Construction for Fire Station #2 to Five Bugles Design**

Judy Thill, Fire Chief presented on the item. She stated a group made up of staff and two councilmembers interviewed firms. The group recommended the lowest bid for site design and construction for the Fire station #2 to Five Bugles Design.

Tourville stated continued communication needs to happen in regard to topography and sewer/well. He asked for the council to be a part of the process.

Lynch described the process and timeline outlining the involvement with council and the public on the design and details.

**Motion by PK second Perry to Award the Contract for Architectural and Engineering Services for Fire Station Site Design and Construction for Fire Station #2 to Five Bugles Design.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**8. MAYOR & COUNCIL COMMENTS:**

The council accepted emails from Sexual Predatory Offender Ordinance item that made up of four emails and one letter.

**Motion by Piekarski Krech second Perry to accept the sexual predatory offender ordinance four emails and one letter.**

**Ayes: 5**

**Nays: 0      Motion carried.**

The council accepted emails from the Transient short-term ordinance that consisted of one email.

**Motion by Piekarski Krech second Perry to accept the short-term ordinance one email.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**9. EXECUTIVE SESSION:**

Kuntz outlined the MN statute pursuant to Minn. Stat. § 13D.05, Subd. 3(c)2 & 3

**A. Discuss NW Area Park Property Acquisition Strategy**

**B. Discuss Doffing Ave Property Acquisition Strategy**

**Motion by Piekarski Krech second Perry to approve the council to go in the closed executive session.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**10. ADJOURN:**

**Motion by Piekarski Krech second by Perry to adjourn. The meeting was adjourned by a unanimous vote at 12:15pm.**