

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, MARCH 9, 2020 - 7:00 P.M. - 8150 BARBARA AVENUE.**

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, March 9, 2020, in the City Council Chambers. The Pledge of Allegiance was recited. Mayor Tourville called the meeting to order at 7:00 p.m.

2. ROLL CALL:

Present were: Council Members Piekarski Krech, Bartholomew, Perry, and Dietrich; City Administrator Lynch, Assistant City Attorney McCauley Nason, City Engineer Kaldunski, Community Development Director Rand, Parks and Recreation Director Carlson, Assistant City Engineer Dodge, and City Clerk Kiernan.

Mayor Tourville stated the City has been contacted with questions about COVID-19 and if there have been any discussion surrounding this. The City is making plans around the State, County, and Federal guidelines. A plan is being put together and they are updating past plans for situations around the workforce and City employees. He stated people need to do the same things they would do for prevention of the flu: wash hands, if you are sick don't go to work, don't go out into the public, take care of yourself, and if you need to be checked go in. The City is working on things that need to be put in place for citizen's and businesses. More information will be coming out online and in an issue of Insights.

3. PRESENTATIONS:

There were no presentations.

4. CONSENT AGENDA:

- A. i.** Minutes from the February 24, 2020 Council Meeting.
- B.** Disbursements for Period Ending March 4, 2020. **Resolution 2020-44.**
- C.** Consider Approval of Rental Licenses.
- D.** Confirm and Approve Personnel Actions.
- E.** Approve **Resolution 2020-45** supporting Infrastructure Accountability.
- F.** Approve 2020 - 2024 Strategic Plan.
- G.** Consider a Resolution Receiving Feasibility Report for City Project No. 2016-19 - 65th Street Construction (between T.H. 3 and Babcock Trail). **Item Tabled until July 13, 2020.**
- H.** Consider **Resolution 2020-46** Approving Final Plans and Specifications and Authorizing Advertisement for Bids for the 2020 Pavement Management Program, City Project No. 201909F - Carter Path and Carter Court Mill and Overlay.
- I.** Receive February 11, 2020 Letter from Dakota County Regarding CSAH 26 (70th Street) Sound Walls on City Project Nos. 2015-08, 2016-04, 2016-05 and Approval of City Input/Voting Consideration. **Resolution 2020-47.**
- J.** Consider Approval of South Valley Park Master Plan.

Mayor Tourville stated Agenda Item 4G will be pulled from the Consent Agenda for a short presentation.

Councilmember Dietrich requested pulling Agenda Item 4J.

Motion by Bartholomew second by Perry to approve the Consent Agenda with the exception of Agenda Items 4G and 4J.**Ayes: 5****Nays: 0 Motion carried.****Agenda Item 4G. Consider a Resolution Receiving Feasibility Report for City Project No. 2016-19 - 65th Street Construction (between T.H. 3 and Babcock Trail). Item Tabled until July 13, 2020.**

City Engineer Tom Kaldunski stated this is the feasibility study for the project and is not being advanced to hearings or a process to build the road. The focus would be to have a guiding document to help guide in discussions with possible development.

Brad Reifsteck, Project Manager, WSB & Associates, gave a presentation for the 65th Street improvements between Babcock Trail and Trunk Highway 3. He stated a lot of what preceded this study came out of the Northwest Area Collector Street Study that was completed in 2012 by WSB, the City, County, and other agencies. The portion under discussion is the 65th Street area east of Trunk Highway 3 between Babcock Trail and Trunk Highway 3. He stated 65th Street was built west of Trunk Highway 3 to the west end of Blackstone Ridge. This study looks at future 65th Street east of Trunk Highway 3 to Babcock Trail. The study looked at ways to phase the project as developments come in with the following four alternatives:

- Option A (Red line, Main alternative): Follows common parcel lines just east of the development next to Arlene Avenue, then dips down between wetlands and connects to existing 65th Street.
- Option B (Yellow line): Starts on the same alignment as Option A on the west end at Trunk Highway 3, dips down, proceeds east, and joins closely with Option A, taking a northeast alignment up to an existing driveway.

He stated these are just ideas to make connections to Babcock Trail based off a transportation study and design criteria.

- Option C: Follows Option A and goes north, follows alignment north of the property parcels and dips down sharply to get back onto the intersection. The northern route was predicted in trying to determine what development may go into the area.
- Option D: Follows Option A and connects to Babcock Trail. This is the minimum distance the County will allow to add another intersection with the proximity to 65th Street.

Mr. Reifsteck stated the recommended option is depicted as the dashed pink line on the map which is a combination of Option B starting on the west end until it intersects with Option A and follows that option to 65th Street. The recommended Option is B plus A.

He discussed the cross section which is similar to one that was built west of Trunk Highway 3 and came out of the Northwest Collector Street Study. It consists of two 14 foot dedicated thru lanes with a 14-foot two way turn lane in the center. There is a trail on the north side of 65th Street and a 100 foot right of way for the corridor.

He stated the project cost is roughly over \$11,123,124 dollars. The City will dedicate the alignment as a potential State Aid route. State Aid Funds would be used along with Stormwater Improvement Funds, Special Assessments, and the remainder being filled with either Municipal Funds or Bonds.

Mr. Reifsteck listed the following project schedule:

- Began in 2016.
- Authorized at the September City Council meeting.

- A neighborhood meeting was held in February.
- The draft feasibility report is being presented this evening, March 9, 2020, with a possible Public Hearing scheduled at a later time. The project would be development driven.

Councilmember Piekarski Krech asked how things stood currently with the development. City Engineer Kaldunski responded there have been numerous proposals over the past three or four years, but none were submitted for building. Councilmember Piekarski Krech commented people are questioning the rationale of the 65th Street connection to Arlene. Mr. Reifsteck responded the Northwest Collector Street Study had several accesses identified on the corridor, one of which was Arlene. He commented he thought engineering would recommend connecting Arlene Avenue to 65th Street.

Mayor Tourville stated the questions being asked were when this would take place, about Arlene Avenue, and that assessments and costs were concerns. He commented there are some large parcels that he didn't think would be willing to sell their rights to a developer. He stated it is projected to be built in 2021, but without a developer or a development, this would not be built that soon. He stated the Public Hearing is tentatively scheduled for April. City Engineer Kaldunski stated that was a decision that needed to be made this evening.

Councilmember Bartholomew asked what the rationale was to be at this point without development. He asked if the feasibility study would have merit 24 months down the road when a developer comes forward. City Engineer Kaldunski responded they are at this point because people interested in development were talking with the City a few years ago. Those discussions began the process of studying the corridor. As it was reviewed, it found the topography has its challenges and determined that it was best to complete the report to have as a guiding document. This allows developers to have a good idea of what the City is contemplating down the road. The feasibility study does not cover what they would do about sanitary sewer and water main because it is not expected along this corridor. He stated discussions about sewer and water were had in 2017 when the corridor was run through Harmon Park from 63rd over to Highway 3. This was looked at as a possible corridor but heard from residents and the response was no, so it was put in this other location. He stated there are other decisions about utilities that would have to come forward at a future date. There has been some discussion about an individual wanting to have a development near 65th Street and Babcock, but there has not been a solid proposal at this time.

Councilmember Bartholomew commented that the study was ordered in 2016, it is now 2020, and asked about the four years that took place in between. He asked when the feasibility study began. City Engineer Kaldunski responded they begun working on it in winter 2016. City Administrator Lynch stated there were three things taking place at the same time as follows:

1. There were proposals for development at the intersection of 70th and Robert Street with the possibility of townhomes, single family, or apartments. With that were discussions and plans on roads and utility extensions.
2. There is a property owner to the north concerned about the alignment, costs, and assessments which resulted in continued discussions.
3. There is another property owner on the east end who is trying to plan what is best to do with that property. This also entails discussions and plans so they can get the most developable property possible.

He stated the combination of those, plus the planning, led to the lengthy time.

Councilmember Piekarski Krech asked if it was correct that they have utilities all along Babcock to 70th. She asked about sewer. City Engineer Kaldunski responded there is a water main along Babcock. There are portions along Babcock that have sewer into the Salem Hills neighborhood, up to 63rd there

is sanitary sewer. Councilmember Piekarski Krech commented from 65th Street to 80th Street, the west side of Babcock has no sewer. City Engineer Kaldunski responded that was correct.

Mayor Tourville stated a feasibility was done to show possible developers where an arterial road could potentially go. Most of the process occurred on the west side of Robert Street due to the availability of utilities.

Councilmember Bartholomew stated he was concerned with the slow rollout from 2016 to now. He asked when someone comes up to do development, do they have to reinvent the wheel. City Engineer Kaldunski responded it would just have updated costs.

Councilmember Piekarski Krech stated her concern was the utility issue and asked if utilities would be running from different areas. She asked what the plan was for the remainder and if it made sense to do it in some of those areas because Harmon Park is in the area. She asked about the possible commercial area that was being discussed. City Engineer Kaldunski responded they were discussing building a facility for people to come to, such as a Veteran's Rehabilitation facility to help them get back out into society. He responded from a utility perspective, stating that sanitary sewer is a plan that says the whole area would be serviced from the sanitary sewer down near the Holiday Gas Station by the new roundabout on 70th Street which is the furthest it goes. It can service what was known as Hannah Meadows and service the property across owned by possibly Falcon properties. Those parcels could do something quicker than anywhere else. They could have a water main loop to get water service to the interior lands. He stated they have plans that show how they would accomplish that.

Councilmember Piekarski Krech stated given the topography of the area, if it didn't make more sense to know if things could be done and where. City Engineer Kaldunski responded the Comprehensive Plans show this. Councilmember Piekarski Krech asked if those plans need to be coordinated together.

Mayor Tourville stated people would be very upset because this has been in the works since 2016 and they are just learning about this. If a developer comes in and sees the layout, they will have to decide whether they wanted to move forward or not. He stated they are trying to plan and get input so they can do the best project possible.

Andy Hansen, 6750 Arlene Avenue, stated the neighborhood is opposed to the extension idea of running Arlene Avenue between 65th Street and 70th Street and listed the following reasons why:

- It would be an extremely short street. Unsure of the purpose it would serve.
- Any east and west traffic, either on 70th Street or 65th Street, would not make a right or left turn onto Arlene Avenue to continue the east/west journey.
- That extension would have limitations with the Golf Course being south.
- Harmon Park on the north side would also be a limiting factor.
- Does not believe this to be a wise use of money.
- Would destroy the character of the neighborhood.
- They do not see the extension as progress. Would draw a lot of traffic to their neighborhood.
- It would destroy the usefulness of the privately owned lot at the end of the cul de sac.

He stated that numerous people on their avenue have not been notified of the activities associated with this. He commented that everyone on the street should be notified about activities associated with this. Mayor Tourville responded this was not a Public Hearing. One would be held in the future.

Bill Nichols, 6302 Robert Trail South, stated this project has been going on for a few years and was concerned because he was brought on quickly in the last month for what he considered the wrong reasons. He stated there are only five large property owners along the project and that it needs to

occur in an order. One of the property owners would not be able to speak on their own behalf because they are away long term. He stated the design being presented is disastrous, they are trying to bring the low point of his land up 40 feet and the high point down 30 feet.

He displayed a map of the area stating he attended the public meeting and didn't understand what was being proposed. There are 150-year-old Oak trees located along one stretch. He stated the Allen Way intersection was a concern. He displayed a map of the Natural Resource Inventory that was taken in 2004 of the 3,000 acres in the northwest quadrant and stated the dark blue section is #1 managed with Natural Oaks Savannah Groves. The road would go straight through the middle of those. He commented there could be a removal of 200 Oak trees at the top of his land.

Mr. Nichols stated the Park and Recreation Commission is using the exact trail, which is greenway, through the Oaks. He stated the deer, people walking and on bikes, cannot run into the 30-foot block walls being created. He stated he wanted to make sure the Council wasn't passing a document that is a living document that could be changed and move the roads down and around to an area that isn't a #1 managed resource. He stated the Council is welcome to come out and walk the trails anytime.

Councilmember Piekarski Krech asked if it was true that they were going through the Oak trees, if it is, she is not in agreement.

Charlie Fee stated his parents bought the Sandkamp place and seem to be getting mixed messages. Looking at the current Resolution, he wanted to make sure if, between South Robert and Babcock is developed, if it was just the developer that is assessed when applying for the PUD or if it would affect Mr. Nichols land and his parents land at a time when they are not ready to develop. Mayor Tourville responded it would not be assessed blocks away if there was no benefit. Councilmember Piekarski Krech stated if someone in the middle wanted to develop, the entrance would have to come from somewhere. She stated the question would be if someone in the middle would be able to decide that. It has not been done previously. City Engineer Kaldunski responded those were some of the reasons why they were not advancing to a Hearing or the 429 Process at this time.

Tom Fee, Archer Trail, stated he purchased the property from the Sandkamps one year ago and has had several discussions with the City regarding it. The area consists of 25 acres and 1,200 square feet of impermeable surface considered as the existing home. He stated they were going to do 18,000 square feet of road and impermeable surface on the north side. They have 6,000 square feet of additional impermeable surface on the 25 acres. He stated they started the application process in October of last year and have had a series of delays and requirements. He stated they did receive a Custom Grading Permit. They have said they desire one home on the property with well and septic. There is not a need to bring sewer and water up. They have no want or need to develop from that side or have sewer and water brought in on the southern edge of the property, which is open for discussion to see what is in the best interest of everyone. He stated all they want is to put up a home and it has been six months of delay and dealing with things that shouldn't be a factor. He commented that it feels like there is a rush to get this done when they don't have an opportunity to build a home.

City Engineer Kaldunski stated there has been numerous meetings with the Fee's and are working through the standard process used for Custom Grading Agreements. The process is the same as every other Custom Grading Agreement the Council has seen to date. Councilmember Piekarski Krech asked why it was so complicated. Mr. Fee stated they want to place the home in the hayfield. City Engineer Kaldunski responded he thought they were close to having the terms and agreements worked out for this meeting but didn't get there. Councilmember Piekarski Krech asked why it has been so complicated, why an Agreement is needed, and what's changing on the property. City

Engineer Kaldunski responded they are putting in a long driveway, grading around a new house in a field, and have the wetlands that are a part of stormwater management. The Custom Grading Agreement has those protected and is the last item being worked on.

Mayor Tourville stated this topic would be on an Agenda in the future and legally discussed. Mr. Tom Fee responded they got their point across at this time. He stated there are three different groups interested in the property and they all have not had the chance to get together to discuss possibilities.

Councilmember Bartholomew stated he cannot support this feasibility study because he believes it is deficient. He commented they have heard from a landowner who showed major roadblocks in the study that haven't been addressed. He stated he would not support the feasibility study the way it currently is and would not vote yes for it.

Mayor Tourville stated they are not ready to have a Public Hearing on April 27th for this project. There is a need to have further discussions with neighborhoods and individual large landowners. Councilmember Piekarski Krech stated she was concerned about the Oak trees and wanted to see where they were located.

Motion by Bartholomew to not accept the Resolution.

City Administrator Lynch stated Staff recommends not doing that, but to table it to a date certain. Mayor Tourville asked what date as he didn't have a date in mind. He stated there is a lot of discussion to be had and asked what date would be suggested. City Administrator Lynch responded the report is for feasibility, it doesn't determine the constructability or the assessments, it is only the thought that building a road from South Robert to Babcock is a good idea and to move forward. The parameters are set where the easement will be, the amount of right of way needed, and sets expectations for landowners and developers about what is needed. He stated his advice would be to set it at a date certain. Not accepting it would result in starting the process over. It allows the process to continue, keep it in order, respond to the Council's questions, and come back at a future date with a response. He stated that not accepting the feasibility is denying it.

Councilmember Bartholomew stated the reason for not accepting it was that he does not believe proper diligence was given to some critical areas. He commented that looking at photos of some of the Oak trees, it is a big deviation to go straight across Phase 1. Option 2, 3, and 4, are on Babcock and not on Robert. He stated the alignment seems like it would have to go through the Oak trees, which he doesn't believe has been considered in this feasibility study.

Councilmember Bartholomew stated if a date is needed, he could make a Motion that this be looked at 90 days from now, if it hasn't repaired itself, he felt this was at a no start. He stated he was for the development, but there has to be a way to make this work and have agreement with the property owners for the right alignment. He questioned if it should be 90 days or 120 days. City Engineer Kaldunski responded the longer length of time would be better.

Motion by Bartholomew second by Piekarski Krech by to table Agenda Item 4G. Consider a Resolution Receiving Feasibility Report for City Project No. 2016-19 - 65th Street Construction (between T.H. 3 and Babcock Trail), for 120 days from today's date. Item Tabled until July 13, 2020.

Councilmember Piekarski Krech stated she understood the need to have a road and the plan that 65th Street goes through. She questioned if it hasn't been considered the original things that were studied

when it was said to develop the northwest area. She questioned what the hours were spent looking into, what the studies and water plans were for. Mayor Tourville stated they need to have a connect between Robert Street and Babcock, there are intersections and dotted lines. He stated 120 days is the first week of July and suggested Monday, July 13th. Councilmembers Bartholomew and Piekarski Krech agreed to the date.

Councilmember Dietrich stated she has not been a part of the conversations that took place with staff. She requested receiving the information as things progress, to see that this moves toward a resolution.

Mayor Tourville stated the issues that need to be investigated further would be the Oaks Grove, the trails, and the intersection connection with Arlene. Individual neighborhood meetings need to be held with the new owners of the large piece of property and those existing. He asked City Engineer Kaldunski if he would be the point person for the project on 65th Street. City Engineer Kaldunski responded yes. He stated that many individuals have had the chance to comment and will have further discussions with them. Mayor Tourville stated when it comes to a Public Hearing, everyone affected would receive notice.

Ayes: 5

Nays: 0 Motion carried.

Agenda Item 4J. Consider Approval of South Valley Park Master Plan.

Councilmember Dietrich wanted clarification from the Parks and Recreation Director and asked how the City vets the Consultants that are hired. Parks and Recreation Director Eric Carlson responded the City has a pool of Consultants they can pick from to do different projects. HKGi was used for this project. Councilmember Dietrich asked when other Consultants are considered to be added to the pool. Parks and Recreation Director Carlson responded from a parks and recreation perspective, they have used WSB and HKGi for park projects.

Councilmember Dietrich referenced the proposed parking lot change at South Valley which is an increase in parking. She questioned how much money would be used from the city paving budget. Parks and Recreation Director Carlson responded the parking lot estimate was approximately \$75,000. Councilmember Dietrich asked how many miles of streets that would equate to and requested the information if he was unaware of the answer.

Councilmember Dietrich asked how many meetings were held. Parks and Recreation Director Carlson responded they had a series of public meetings over the last couple of years. The most recent meeting took place in January at the Community Center with approximately 15 people in attendance including members of the Parks Commission. She asked if there was a dollar amount the City was committed to if this proposal was approved. Parks and Recreation Director Carlson responded at this point there was no dollar amount, this only approves a Master Plan. The Master Plan can change based on the Parks Commissions and Councils desire.

Councilmember Dietrich asked about the dollar amount was known, and the process. Parks and Recreation Director Carlson responded the Commission is looking at a Grant Agreement at their Wednesday meeting and would bring it before the City Council at the last meeting in March. Depending on the results of the Grant, they would consider moving forward with a project after further discussion with the Commission and Council before approval.

Councilmember Dietrich commented that City dollars at South Valley Park would come from Fund 444. She asked if that was for park replacement only. Parks and Recreation Director Carlson responded he

did not know exact funding sources yet but expected some funding to come out of Fund 444, the Pavement Management Fund, and some coming from utility funds. He stated further details have not been discussed yet. Councilmember Dietrich asked if any of the funds would come from Fund 402, the Park Dedication Fund. Parks and Recreation Director Carlson responded he doesn't see any money coming from Fund 402, this is replacing existing infrastructure, not building first time new infrastructure.

Motion by Perry second by Piekarski Krech to approve Agenda Item 4J. Consider Approval of South Valley Park Master Plan.

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Matthew Petersen, 7205 Archer Trail, Blackstone Vista development, stated other neighbors are present with their children. He wanted to discuss the need for a park in the northwest area of the City. Homes in the developments in the area are increasing. He stated that Blackstone Vista has 116 homes with construction on some to be completed in the summer. He guessed there to be approximately 150 kids in those homes, not including the other developments in the area. He stated the nearest park is over two miles away and wanted to discuss the possibility of getting a park added to the area.

He stated the desire for a public park in the area is unanimous among their neighbors. He encouraged the Council to push forward plans to design, collect bids, and begin construction of a public play space. He stated it was their understanding that the developers of the newer construction have the option to pay or develop a park themselves. The developers of the three developments have chosen to pay rather than develop their own park creating a budget of \$1.38 million dollars dedicated for this specific cause. He stated the long-term plan proposes four new parks over the next several years. They have yet to see concrete actions. He stated the dollar amount isn't nearly enough to create multiple parks throughout the City.

Mr. Petersen stated the biggest concern is that the approval, design, and construction could take several years. The 2020 plan was created 12 years ago and are concerned that many of the children will be well past the age to use those parks. They want a place now for young kids and worry that land availability will become scarce. He stated their goal is to have a location selected within the next several months, hopefully by the end of the year. It can be designed and developed over the winter and completed in the summer of 2021 or 2022. He suggested looking into the publicly owned land located at the corner of Argenta Court and Archer Avenue. It's a triangle of land about an acre in size. City Administrator Lynch stated it is private property. Mr. Petersen stated that parcel was mentioned as an option by Parks and Recreation Director Eric Carlson. He stated that location would have been great, but any location accessible for the three communities would be great. He stated that land has trails that are accessible to all three neighborhoods. He stated that there are 122 homes in Settler's Ridge, 111 in Argenta Hills, and 116 in Blackstone Vista, there could be over 300 children within the next few years.

Lily, eight years old, stated she lives in Blackstone Vista and listed the following reasons why she would like a park:

- She could walk to it and use the car less, which is better for the environment.
- She can get fresh air, more time outside, and less screen time.
- She loves nature, it's good exercise to be outside.

- She can make friends and get to know her neighbors. Knowing neighbors makes for a safer neighborhood.

6. PUBLIC HEARING:

A. Public Hearing to Consider Resolution Adopting the Assessments for 2019 Nuisance Abatement Program. Resolution 2020-48.

Community Development Director Heather Rand stated this Public Hearing is to consider a Resolution to adopt the assessment for the 2019 Nuisance Abatement Program. In 2019, various properties were notified that their properties were out of compliance. Those include long grass, refuse, or brush sitting out. She stated the Code Compliance Officer has conversations with them, or sends letters asking that they come into compliance and correct the nuisance. If they do not, they are sent notice and the City corrects the problem and sends them a bill. She stated sometimes payment is not received by the City, resulting in additional notices being sent out requesting payment. She stated the request is for the City Council to give consideration after a Public Hearing to authorize a special assessment or levy, for the cost to be collected and placed on the property tax roll.

She stated this year there are six properties they are requesting the special assessment for. The addresses and amounts are included in the Council packets. If approved tonight they would still send out another request for payment. The total dollar value for all six properties is just over \$2,000. She stated Staff recommends approval.

Motion by Piekarski Krech second by Perry to close the Public Hearing at 8:13PM.

Ayes: 5
Nays: 0 Motion carried.

Motion by Piekarski Krech second by Perry to approve the Public Hearing to Consider Resolution Adopting the Assessments for 2019 Nuisance Abatement Program. Resolution 2020-48.

Ayes: 5
Nays: 0 Motion carried.

B. Public Hearing to Consider Resolution Ordering Project, Authorizing Preparation of Plans and Specifications, Approval Final Plans and Specifications, and Authorizing Advertisement for Bids for the 2020 Pavement Management Program, City Project No. 2019-09C - Cahill Avenue Mill and Overlay (Concord Boulevard to Inver Grove Trail). Resolution 2020-49.

Assistant City Engineer Steve Dodge stated this Public Hearing is for the project located in the area of Cahill Avenue from Concord Boulevard down to Inver Grove Trail. This includes Cafferty Court and a section of Old Concord Boulevard that was built at the same time Cahill was extended. He stated the project consists of mill and overlay, and spot curb replacement. Project costs are:

Street:	\$750,025
Storm:	\$112,586
Water & Sewer:	\$88,456
Total:	\$951,067

Total Project Funding would come from the Pavement Management Fund, Assessments, and the Water and Sewer Fund.

He stated the special assessments were evaluated by an Independent Appraiser. The assessment cap was set at \$1.00 per square foot for the commercial properties along the corridor. The policy proposed assessments are from .6 cents to .52 cents a square foot for a total of assessed properties of \$394,398. This would be a five-year term.

He stated the general project schedule is being adjusted for this project because there were some geotechnical guidance and some correction areas that may need to be done. For that reason, until they get into construction, they would find out the extent of the correction area, which wouldn't be over 10% of what they are evaluating.

Assistant City Engineer Dodge stated the project schedule was adjusted to make sure the project is first constructed, then hold the assessments after the project to see if there are cost savings and benefits of which the assessments could benefit from.

Councilmember Piekarski Krech commented the project could cost them less but would not cost more. Assistant City Engineer Dodge responded they have already evaluated the project and put in contingencies to account for any risk management. He stated the bid opening would take place in one month, they hope to receive bids in April, and begin construction in May. The Assessment Hearing would not take place until October. He listed the following recommendations:

- Hold Public Hearing
- Adopt Resolution to Order Project 2019-09C, Cahill Mill and Overlay
- Approve Plans and Specifications
- Authorize Bidding

Councilmember Bartholomew asked about the assessments and the lower amount of .56 cents. Assistant City Engineer Dodge responded there is a range of square foot calculation, commercial properties are assessed per front footage. The shape of the parcel may be wider, longer, or unusual, the Independent Appraiser gives an analysis based on square foot. He stated a similar calculation is done of the total assessment per parcel, and each individual parcel. The range is from .6 cents to .52 cents depending on their parcel and front footage.

City Administrator Lynch stated they could assess up to \$1.00 per square foot but are only assessing .52 cents per square foot. Assistant City Engineer Dodge agreed.

Motion by Piekarski Krech second by Perry to close the Public Hearing at 8:22PM.

Ayes: 5
Nays: 0 Motion carried.

Motion by Piekarski Krech second by Perry to approve the Public Hearing to Consider Resolution Ordering Project, Authorizing Preparation of Plans and Specifications, Approval Final Plans and Specifications, and Authorizing Advertisement for Bids for the 2020 Pavement Management Program, City Project No. 2019-09C - Cahill Avenue Mill and Overlay (Concord Boulevard to Inver Grove Trail). Resolution 2020-49.

Ayes: 5
Nays: 0 Motion carried.

Mayor Tourville requested the schedule be sent to the Council via an email.

7. REGULAR AGENDA:**COMMUNITY DEVELOPMENT:****A. Outfront Media, LLC - Case No. 20-01ZA; Consider the Third Reading of an Ordinance Amendment to expand the geographic area of the Dynamic Display Billboard Overlay District and an Ordinance Amendment to rezone the property to include the Dynamic Billboard Overlay District. Ordinance #1379.**

Community Development Director Rand stated this is the Third Reading of the proposed change. The first reading took place on February 10, the second on February 24. There is a companion Ordinance Amendment that is related. A map of the area was displayed, and she stated with the Ordinance Amendment there are two billboard areas, one by Highway 52, and the one being proposed. The request is taking the existing and adding the capacity to make it a dynamic display. The current billboard is already lit up. She stated there is a companion Ordinance Amendment to approve the rezoning of the area to include it into the overlay district.

She stated there has been a small modification since the last reading. She stated Councilmember Piekarski Krech pointed out language in Ordinance Section 5 that has been clarified by City Attorney Kuntz. She stated the request is to add another geographic area to change the existing billboard and make it dynamic. Staff recommends the change. She stated there are members from the billboard ownership present in the audience. There is one email communication from a resident who expressed concern about dynamic billboards in general.

Motion by Piekarski Krech second by Perry to accept the email from Mary T’Kach dated March 8, 2020.**Ayes: 5****Nays: 0 Motion carried.**

Mayor Tourville stated there have been updates to the language and asked if there were any problems. John Bodger from Outfront Media responded the changes were acceptable.

Motion by Bartholomew second by Perry to approve Outfront Media, LLC - Case No. 20-01ZA; Consider the Third Reading of an Ordinance Amendment to expand the geographic area of the Dynamic Display Billboard Overlay District and an Ordinance Amendment to rezone the property to include the Dynamic Billboard Overlay District. Ordinance #1379.**Ayes: 5****Nays: 0 Motion carried.****8. EXECUTIVE SESSION:**

City Administrator Lynch stated in making the transition, Assistant City Attorney Bridget McCauley Nason will now be representing the City as the City Attorney. He stated that City Attorney Kuntz is still dealing with all of the development agreements, easement, and right of way acquisitions. He stated that on a day to day basis Bridget would answer questions about any of the activities going on with the City.

A. Pursuant to Minn. Stat. § 13D.05, Subd. 3(b) and pursuant to the attorney-client privilege, a closed-door Executive Session for discussion with the attorneys representing the City relating to the pending litigation matter of City of Inver Grove Heights vs. GS Truck & Trailer Repair LLC and GS Transport Express LLC, Dakota County District Court File No. 19HA-CV-18-2111.

Assistant City Attorney Bridget McCauley Nason stated the Council is being asked to go into an Executive Closed-Door Session to discuss matters pursuant to Minn. Stat. § 13D.05, Subd. 3(b) and pursuant to the Attorney-client privilege for discussion with the Attorney's representing the City relating to the pending litigation matter of the City of Inver Grove Heights versus GS Truck & Trailer Repair LLC and GS Transport Express LLC, Dakota County District Court File No. 19HA-CV-18-2111.

9. MAYOR AND COUNCIL COMMENTS:

10. ADJOURN:

The meeting adjourned at 8:31 p.m.