

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, April 27, 2020 - 7:00 P.M. - 8150 BARBARA AVENUE.**

****Meeting via Zoom Video Conferencing****

1. CALL TO ORDER:

The City Council of Inver Grove Heights met in regular session on Monday, April 27, 2020, via Zoom Video Conferencing. Mayor Tourville called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Present via Zoom Video Conferencing were: Mayor Tourville, Council Members Piekarski Krech, Bartholomew, Perry, and Dietrich; City Administrator Lynch, City Attorney McCauley Nason, Emergency Management Director/Police Chief Chiodo, Fire Chief Thill, Finance Director Hove, Parks and Recreation Director Carlson, Community Development Director Rand, Public Works Director Thureen, IT Manager Gade, Assistant City Engineer Dodge, City Planner Hunting, and City Clerk Kiernan.

3. PRESENTATIONS:

COVID 19 Update - Emergency Management Director Melissa Chiodo

Emergency Management Director/Police Chief Melissa Chiodo updated the Council on Covid 19 in the State, County, and things they are working on. She stated the following statistics within the State of Minnesota:

- There have been 3,816 cases.
- 1,842 of those patients have recovered.
- There have been 286 fatalities in the State, 223 have been in long term care facilities.
- Currently there are 122 patients throughout the entire State in Intensive Care.
- 61,000 people in the State of Minnesota have been tested.
- The State has been testing approximately 2,500 people per day. Hoping by May 4th they will be testing 5,000 people per day. In three weeks, their goal is to be able to test 20,000 people per day in Minnesota.

Statistics in Dakota County:

- 144 cases in Dakota County.
- 89 of those patients have recovered.
- 48 are still active cases.
- 7 fatalities.
- There have been four congregate care facilities in Dakota County that have had exposures. One is located in Inver Grove Heights.
- Public Safety has been wearing masks and gloves when within six feet of people to abide by the recommendations of the CDC and the Minnesota Department of Health.

Things they are working on in Inver Grove Heights daily:

- The Police Chief, City Administrator, all Department Heads, City Clerk, IT, Communications, Human Resources, and Legal meet daily to discuss what is going on in the State of Minnesota, Dakota County, and Inver Grove Heights. They discuss what they can do as departments to take care of employees, citizens, and provide the best customer service they still can. They have had to come up with new ways to do things such as through email or regular mail and what they can do moving forward.

Emergency Management Director/Police Chief Chiodo stated the Governor continues to open things up. They have to look at what that means for the City and employees and how to transition back to

work safely and keep the community safe. It is suggested if employees can continue to work remotely, they continue to do so. She stated they are waiting to see what the Governor says about the Stay at Home Order for the State that expires on May 4th. The Emergency Declaration for Inver Grove Heights goes through the end of May which gives them time to determine how to bring employees back to work safely and what the new way of doing business may look like.

She stated as the Emergency Manager she meets twice a week with all Dakota County Police Chiefs and the Sheriff. Meetings are virtual with discussion about what they are noticing within their Cities, trends, and sharing questions. She stated she also has weekly meetings with the Department of Public Safety, which is the direct link into the Governor's office. The Emergency Managers of Dakota County have a report they do daily to see what they have for medical supplies and what is going on with cases.

Councilmember Dietrich stated she has had residents contact her about the Dog Park with surrounding communities having their dog parks open. She asked about having it be opened earlier. Police Chief Chiodo responded out of consistency, all facilities have been closed. She commented that people have also reached out to her about opening the dog park. She stated the concern has not been about the health of the dogs, but the people that use it. Those that have reached out have said they need the park open for people to socialize with each other. She stated the need to social distance, stay close to home, and ensure not putting others at risk when enjoying the outdoors. Those she spoke with stated it wasn't about their pets it was about socializing. She stated they have already tried opening a few areas and it was not successful.

Mayor Tourville stated there is additional information on the website. He stated the Governor's order goes until May 4th and the Cities order goes until May 31st. If things open sooner, the City would follow suit.

4. CONSENT AGENDA:

- A. i.** Minutes from the April 13, 2020 City Council Meeting.
- B.** Disbursements for Period Ending April 22, 2020. **Resolution 2020-69.**
- C.** Consider Approval of Rental Licenses.
- D.** Confirm and Approve Personnel Actions.
- E.** Consider Acceptance of a Donation from Flint Hills Resources.
- F.** Consider Acceptance of a Donation from a City Resident to the Inver Grove Heights Fire and Police Departments.
- G.** Consider Pay Request #3 General Sheet Metal Company, LLC for VMCC/Grove HVAC Project.
- H.** Consider **Resolution 2020-70** Accepting Proposal for Additional Stormwater Modeling for I-State Truck Center and Surrounding Drainage Area from Barr Engineering.
- I.** Consider **Resolution 2020-71** Receiving Bids, Awarding Contract, and approving geotechnical services proposal for the 2020 Pavement Management Program, City Project No. 2019-09C - Cahill Avenue Mill and Overlay (Concord Boulevard to Inver Grove Trail).
- J.** Consider **Resolutions 2020-72 and 2020-73** Calling for Hearing on Proposed Assessments, Declaring Costs to be Assessed, and Ordering Preparation of Proposed Assessments for the 2020 Pavement Management Program, City Project No. 2019-09F - Carter Path and Carter Court Mill and Overlay.

Councilmember Bartholomew requested pulling Agenda Item 4H from the Agenda for further discussion.

Motion by Bartholomew second by Perry to approve the Consent Agenda with the exception of Agenda Item 4H.

Ayes: 5
Nays: 0 Motion carried.

Agenda Item 4H. Consider Resolution 2020-70 Accepting Proposal for Additional Stormwater Modeling for I-State Truck Center and Surrounding Drainage Area from Barr Engineering.

Councilmember Bartholomew asked for further information on the costs, if it was cost shared, and with who. Public Works Director Scott Thureen responded with cost earlier modeling was done and additional work was requested from the DNR. There has been a lot of collaboration between Dakota County, the property owner, and the City, with staff time and involvement. Councilmember Bartholomew questioned who requested the additional modeling, if all stakeholders were requesting it, and if it should be a shared cost. Public Works Director Thureen responded staff felt it was appropriate the City cover this portion. There is no agreement associated with this particular cost.

Councilmember Bartholomew asked who the initial round of modeling was done by. Public Works Director Thureen responded I-State and the County were involved. Mayor Tourville asked if it was not to exceed \$4,500. Public Works Director Thureen responded that was correct.

Motion by Bartholomew second by Dietrich to approve Agenda Item 4H. Consider Resolution 2020-70 Accepting Proposal for Additional Stormwater Modeling for I-State Truck Center and Surrounding Drainage Area from Barr Engineering.

Ayes: 5
Nays: 0 Motion carried.

5. PUBLIC COMMENT:

There were no public comments.

6. PUBLIC HEARING:

A. Public Hearing to Consider Approval of additional business owner at Elevated Massage Business, 2898 Upper 55th Street, Suite B.

City Clerk Rebecca Kiernan stated that Dorina Costa has requested being a joint owner with Jennifer Miller in the Elevated Massage business. They are both in good standing, licensed in 2020, and decided to relocate into the one business. She stated Dorina is on the phone for questions. Recommendation is for approval.

Dorina Costa stated she wanted to be a self-employed affiliate/sub-contractor of the business.

Motion by Piekarski Krech second by Perry to close the Public Hearing at 7:20PM

Ayes: 5
Nays: 0 Motion carried.

Motion by Piekarski Krech second by Perry to approve to Consider Approval of additional business owner at Elevated Massage Business, 2898 Upper 55th Street, Suite B.

Ayes: 5
Nays: 0 Motion carried.

B. Continuation of Assessment Hearing to Consider Resolution Adopting Final Assessment Roll for the 2019 Pavement Management Program, City Project No. 2019-09D - 64th Street Area Improvements.

Public Works Director Thureen suggested this item be continued to May 11, 2020. The reasoning is there is a lot of public input involved and could be difficult to queue up callers for multiple hearings, this delays it a bit longer. Notification was sent out to property owners.

Assistant City Engineer Steve Dodge stated Item 7B should be addressed after the hearing on May 11th. Mayor Tourville stated Agenda Item 7B is a standalone item relating to this discussion and would also be addressed on May 11th.

Motion by Bartholomew second by Piekarski Krech for Continuation of Assessment Hearing to Consider Resolution Adopting Final Assessment Roll for the 2019 Pavement Management Program, City Project No. 2019-09D - 64th Street Area Improvements to take place on May 11th.

City Attorney Bridget McCauley Nason wanted to clarify the Motion stating it is to continue the Public Hearing and continue consideration of the Resolution of adopting the final assessment role for Project 2016-09D-64th Street to the Council Meeting at 7:00 p.m. on Monday, May 11th in the City Council Chambers, by telephone, or other electronic means due to a health pandemic or other emergency. It is not prudent to meet in Council Chambers. Councilmember Bartholomew agreed that was his Motion.

Ayes: 5

Nays: 0 Motion carried.

C. Continuation of Assessment Hearing to Consider Resolution Adopting Final Assessment Roll for the 2019 Pavement Management Program, City Project No. 2016-09G - 60th Street, 62nd Street and Bacon Avenue Improvements. Resolution 2020-74.

Assistant City Engineer Dodge stated since submitted, further support and objection letters have been presented to staff after the 23rd of April. Those were emailed to Council prior to the start of this meeting. He stated there have been no further objections since, but that would be verified at the end of the hearing. He posted objections to the project received after April 23rd on the screen for the Council to view and accept into record from the following addresses:

1911 60th Street: Thomas and Susan Juntunen (new)

1963 60th Street: Richard and Angela Cassidy (previous)

Emails supporting the project received after April 23rd:

2060 62nd Street: Gary and Barb Kasper

2088 62nd Street: Dave Watson

2201 62nd Street: Gina and Robert Bukovich

Assessment amount concerns:

2133 62nd Street: Ronald and Mary Minucci

6070 Bacon Avenue: John and Mary Sturner

2060 62nd Street: Gary and Barb Kasper

2181 62nd Street: Julie Heaver

Motion by Piekarski Krech second by Perry to accept the correspondence as a part of the record.

City Attorney McCauley Nason verified that the Motion reflected the information provided in the Council Member's packets as well as the new correspondence just provided by Assistant City Engineer Dodge. Councilmember Piekarski Krech responded that was correct.

Ayes: 5

Nays: 0 Motion carried.

Assistant City Engineer Dodge began a presentation of the project stating this is for 60th Street, 62nd Street, and Bacon Avenue improvements (CP 2016-09G). This is a continued assessment hearing from March 23rd, 2020. Project overview is as follows:

- 60th and 62nd Streets, and Bacon Avenue are east of Babcock.
- Council received a valid Petition and orders a feasibility study on August 12, 2019.
- Scope of improvements include:
 - Full Urban Street Reconstruction with curb and gutter.
 - There will be driveway disturbances and apron replacements.
 - Sewer and water utility improvements.
 - Stormwater system and water quality improvements.

He displayed a diagram of the proposed improvements stating it would be a 28-foot road with parking on one side. It would be built with city standards and specifications, have a sand subbase, gravel, and pavement. There will be boulevard disturbance, restoration, and seeding. With a 28-foot street, per Fire Code, they need to have no parking on one side.

Assistant City Engineer Dodge listed the following general project improvements:

- Total approximately \$2.5 million dollars.
- \$1.7 million dollars of that is street improvements.
- \$350,000 is storm improvements.
- \$275,000 for sewer and water improvements.
- There is a temporary access route that is \$227,000.

He stated the project funding comes from the Pavement Management Fund in \$1,740,000. Assessments cover \$547,000, and the sewer and Water Fund \$274,000 for a total amount of \$2,561,000.

Assistant City Engineer Dodge discussed the City Assessment Policy stating lots that have direct driveway access to the improvements are assessed. Single family lots are assessed per parcel, non-single family lots are assessed on a front footage basis. He stated a special benefit analysis was done by Metzen Appraisals, who has joined the call for this meeting. He stated the Appraiser has a recommendation on a special assessment cap.

He discussed the per policy amount using bids from the project stating competitive bids were received from seven bidders. The per policy amount would be over \$18,000. A special benefit analysis was done by Metzen Appraisals and provided an assessment cap of \$12,320 and is the number proposed. It ends up being 23.9% of the project. He stated Staff recommends a ten-year term with 3.15% interest per policy. Deferments are available for handicap, income, and Veterans.

He stated special to the project is residential access during construction. This involves a 3,100-foot-long dead end that goes all the way to Babcock Avenue and dead ends at Highway 52. In order to speed up the project and make sure they can construct due to the narrowness of the road, they had to provide another access for residents to get in and out of the area. This provides temporary residential access during working hours, Monday through Saturday. No construction trucks or activity will take place except during the building and maintaining of it. Once the project is complete it will go back to a 14-foot trail. He stated the park trail will be closed for the duration of the project, but there is an alternate route set up. Information about that will be signed and posted and has been worked out with the Park and Recreation Department.

Removals and boulevard disturbance were discussed with the following information:

- Boulevard tree removal.
- Storm sewer removal and realignment.
- Sanitary sewer replacement.
- Front yard grading.
- Invisible fence and irrigation systems (property owner to relocate prior to construction).

Mayor Tourville asked what type of curbing would be put in place. Assistant City Engineer Dodge responded it would be surmountable curb that can be driven over.

Assistant City Engineer Dodge listed the following schedule/next steps:

- Informational Meeting for Assessment Hearing: March 4, 2020.
- City Council continues Assessment Hearing (COVID-19): March 23, 2020.
- City Council Hosts Assessment Hearing Remotely: April 27, 2020.
- Award Project and Approve Agreements (Consent Agenda): TBD
- Construction Start (if authorized by Council): TBD
- End of Construction: Fall 2020.

Councilmember Piekarski Krech asked if that was the actual interest rate. Assistant City Engineer Dodge responded it is the interest rate depending on when the City launches a project for assessment. It is reviewed by the Finance Department, is the standard rate used, and varies depending on when it's bonded. He stated due to timing, this has been lower than past assessment rates.

Assistant City Engineer Dodge stated with Covid-19, they have received letters of concern asking if the Council can consider terms lower than 3.15%.

City Administrator Joe Lynch stated practice and policy is to set an interest rate that is at 2% over the bond interest rate to cover administrative, legal, and finance costs. Because this hasn't been bonded yet, the rate is unknown. Councilmember Perry commented if approved, it won't go up, but could go down. City Administrator Lynch responded there are no guarantees, but with where the market is at, the interest rate for borrowing would be below the 3.15%. Mayor Tourville stated they cannot go above an interest rate of 3.15%. City Administrator Lynch agreed. Public Works Director Thureen stated if the Council sets the interest rate within the Resolution that would be the rate. It would not go down.

Councilmember Piekarski Krech asked if the project could be ordered without doing the assessment hearing at this time. Public Works Director Thureen responded if people took the next step and served the City with an appeal, they would have to file with District Court. He stated standard practice several years ago would have been to do the feasibility study, have the Public Hearing, order the project, bid it, build it, then have the assessment hearing. Due to construction and right of way costs, they found it was more prudent in advance of awarding a contract.

Councilmember Piekarski Krech stated her concern is about tying into the interest rate and being unable to lower it later. Mayor Tourville agreed that it should be one of the items looked into further. Public Works Director Thureen clarified that the 3.15% is based on the rate that finance checked when the hearing process started. It is 1.15% with the 2% added to it. The Council has the ability to look at the 2% figure which is there to cover potential City costs. He stated that finance was looking at 10-year terms when looking at that percentage. If the term is changed, the base figure would change.

Mayor Tourville stated he would like to hear from people and look at the interest rate then. He would like to look at the interest rate, the term, and if there was any room to lower the assessment.

Councilmember Piekarski Krech stated she was concerned about extending the term and what that does to the interest rate. She asked if the Finance Director could investigate that while they wait to hear citizen comments. Councilmember Bartholomew stated the only place they could make a change would be with the 2%. He asked for clarification on the 2% of what the bond rate would be. City Administrator Lynch responded about the bonding cost and the interest rate charged, those are the variables they can consider. The rate that is chosen is the rate they will pay regardless of the rate they get on the bond. He stated the caution would be they do not know what that would be until they sell it. He commented the way things are today and the rates that are seen on bonds, they believe there is enough variability to be safe at something lower than the 3.15%.

Public Works Director Thureen stated in his last communication with Finance, if the term changed from 10 years to 15, the expectation of the base rate would increase. It could be from 2 to 2.15%.

Mayor Tourville stated some in the neighborhood do not want the project, some are asking for breaks due to Covid-19, and others are supportive of a new road. He suggested looking at a 1% decrease to 2.15%. He asked if there was any interest in looking at something more than 10, but between 15 years. He stated he was looking for a \$750.00 to \$1,000 decrease on the assessment of \$12,320. He stated with a caveat that what is done with this project will reflect to 64th Street directly. He stated they would like to move forward and help the neighborhood a little bit. Costs could be covered by lowering it to 2.15%, and instead of 15 years, going for 12 or 13 years. He stated there has been some emails about parking, they have to allow at least one side of parking where they can.

Councilmember Bartholomew asked if the assessment amounts that Mayor Tourville spoke of would allow them to stay within the 20%. Councilmember Piekarski Krech asked for clarification on the assessment dollar value. Assistant City Engineer Dodge responded the proposed assessment special benefit cap provided by the Appraiser is \$12,320. Staff reviewed what would happen if the assessment was reduced to \$11,310, it would be at 22%. He provided clarification on the terms and interest stating part of the concern was the amount of interest residents pay over time. The proposal by Staff is 3.15% over 10 years. The 2.15% over 15 years, for residences would be a similar total interest paid out. Councilmember Piekarski Krech stated she would go with 2% interest and not reduce the assessment.

City Administrator Lynch stated if going 15 years, the borrowing costs would be higher to the City. We might not be at 2.15%, it could be 2.5%, in which case you are charging less interest than you are borrowing at, which is the concern. This is on the term. Mayor Tourville stated it might be better dropping 1% and going to 2.15% and leaving it at 10 years. Councilmember Piekarski Krech suggested going to 10 years but leaving it at 2%. She felt going to 15 years could cost the City money.

Mayor Tourville stated they could lower the interest rate to 2% at 10 years and leave the assessment alone. Councilmember Piekarski Krech agreed. Councilmember Bartholomew asked about dropping the assessment as Assistant City Engineer Dodge proposed from \$12,320 to \$11,310. He asked how that affects State Aid. Public Works Director Thureen responded there is no State Aid funding associated with this project, there are no State Aid streets.

Councilmember Bartholomew stated if dropping to \$11,310, they are still within the 20% and could give more relief to the property owners without detriment to the 20% policy. Public Works Director Thureen responded that was correct. He stated whatever relief provided would come from the Pavement Management. There is another hearing in two weeks. Councilmember Bartholomew stated they have a commitment to the residents by increasing pavement management, other revenue has been identified going into that with the Franchise Fee and an increase going into the General Fund. He stated he felt it was appropriate to use some of those funds. He stated he thought they could get by with decreasing the amount to \$11,310 and still stay viable as long as they keep other projects above

the 20% as policy states. He commented the other funds should be tapped into for the pavement management.

Mayor Tourville stated they would drop from 23.9% to 22%. Councilmember Bartholomew agreed. Councilmember Piekarski Krech stated she was concerned because the assessed amounts are dropped and then there isn't enough money to do other projects. That results in getting behind on projects and using the money for other things. She stated drop the rate to 2% and have it at 10 years.

Councilmember Dietrich asked Public Works Director Thureen about the Franchise Fees and money that has been allocated to the pavement management plan. She asked if the pavement management plan has been fully funded yet. Public Works Director Thureen responded the Council directed all of the revenue from the Franchise Fees be directed toward pavement management. The estimate for this year is about \$1,035,000. Councilmember Dietrich stated the pavement management plan is still in deficit and there are other roads that need to be done. Public Works Director Thureen responded that was true. There is a large backlog of streets in need of major restoration. Councilmember Dietrich stated as the Assistant City Engineer indicated, if residents need to defer, and there are some benefits for others such as Veteran's, they should utilize those programs and move forward with this project as proposed.

Councilmember Bartholomew asked what the amount was that they increased from the General Fund to the Pavement Management Fund for 2020. Public Works Director Thureen responded the amount was \$500,000. Cumulatively it would be \$2.75 million approximately. Councilmember Bartholomew stated he was willing to go along with the rate for single family but recognize the amount of money coming from the General Fund to help this. He stated in this instance, there are a smaller number of properties, they can lower it just a little bit, and use some of the extra funds that are assigned to it. He stated he wanted everyone to be aware that there are extra funds going into this each year and they are building this fund up, at some point the residents have to benefit in that increase. Councilmember Piekarski Krech stated the residents on Dawn would like to say they are receiving this benefit now too. Councilmember Perry stated based off the numbers presented at a Work Session earlier this year, this is not too far above the 20%. They are getting a decrease in what they could potentially pay. She agreed with going with Staff's suggestion.

Mayor Tourville asked for a compromise on interest and drop from 3.15% to 2.15% and stay with the ten years. He commented that this is the second time around for the project area. They could make it an even \$12,000 and cover costs. Councilmember Piekarski Krech stated she could agree with that. Mayor Tourville restated the terms stating it would be 2.15%, \$12,000, and stay with the ten-year term. Councilmember Bartholomew stated he would support anything they could agree on as far as lowering the assessment.

Councilmember Dietrich asked what the potential pitfalls would be. Public Works Director Thureen responded they have heard from the neighborhood who has expressed they would like some help, this would be a minor adjustment, he doesn't see that as being a big deal overall.

Councilmember Piekarski Krech asked if anyone has called in as of yet. Assistant City Engineer Dodge responded there were no comments.

Assistant City Engineer Dodge noted that Staff was out at the utility box and there has been no additional correspondence received during the hearing.

Motion by Piekarski Krech second by Perry to close the Public Hearing at 8:26PM.

Ayes: 5
Nays: 0 Motion carried.

Motion by Piekarski Krech second by Bartholomew to go with an interest rate of 2.15%, a cap assessment of \$12,000, and keep with the ten year term for the Continuation of Assessment Hearing to Consider Resolution 2020-74 Adopting Final Assessment Roll for the 2019 Pavement Management Program, City Project No. 2016-09G – 60th Street, 62nd Street and Bacon Avenue Improvements.

City Attorney McCauley Nason restated that the Motion is to have the assessment amount be \$12,000, which is the final assessment for each of the residential properties. Property #44 is owned by the City of Inver Grove Heights and is assessed differently, and to clarify that is not what is intended from the Motion. Councilmember Piekarski Krech agreed.

Councilmember Bartholomew wanted to make sure that the objection policy is adhered to and anyone that wants to give an objection needs to have it in by the end of the electronic meeting. Public Works Director Thureen responded that was correct, objections would have to be received before the hearing is closed.

Ayes: 5
Nays: 0 Motion carried.

7. REGULAR AGENDA:

Planning

A. United Properties: Consider the following Resolutions for the property located along Courthouse Boulevard, west of Barnes Avenue:

a. A Resolution relating to a Final Plat, Final P.U.D. Development Plans, Improvement Agreement, and related agreements for Building 1 in the Inverpoint Business Park First Addition. Resolution 2020-75.

b. A Resolution relating to a Conditional Use Permit to allow manufacturing and assembly on Lot 1, Block 1, Inverpoint Business Park First Addition. Resolution 2020-76.

City Planner Allan Hunting stated United Properties has made application for the first Phase, an 80,000 square foot building, on the far east parcel with Barnes Avenue on the east, Courthouse Boulevard Court on the south, and Highway 55 on the north side. He stated Council approved the preliminary PUD for a five-building development in 2007. This is phase 1. He displayed the site plan and stated they would be constructing the eastern entrance point, a loop at the second, a middle entrance point, parking lot, and a majority of the grading. He stated all the plans are consistent with the preliminary PUD. The conditional use permit for manufacturing is a part of what they do. They have office, warehouse, and some assembly and manufacturing. He stated that manufacturing is a conditional use in the industrial office park district. Engineering has reviewed the plans and are ready to construct pending approval. The Planning Commission recommended unanimous approval of the final PUD. Staff recommends the plans as presented.

Councilmember Piekarski Krech asked if they had heard anything from the neighborhood. City Planner Hunting responded he had received one email inquiring about the timing of the trail on Courthouse Boulevard. The original conditions of approval said the City may construct a trail on the south side of Courthouse Boulevard once 200,000 square feet of building was occupied. The first phase does not trigger that. He stated that United would pay for the trail. There is not a plan to put that in at this time.

Mayor Tourville stated there are other trigger points for traffic and other items that would take place at the intersection of Barnes and Courthouse Boulevard. City Planner Hunting agreed. There were

triggers at 200,000 square feet, occupied, with traffic studies to look at the intersection to see if further improvements need to be made. Mayor Tourville asked when this would begin. City Planner Hunting responded the Applicant is available this evening either by phone or Zoom and is planning to get a Permit around May 8th and is ready to go.

Connor McCarthy with United Properties agreed with City Planner Hunting that they are planning to break ground in the springtime with May 8th as the goal. He thanked the City Council, City Planner Hunting, and Community Development Director Rand for helping them over the past couple of years with open discussions with the neighborhood and the submittal process. Everything they have done together has resulted in the first Phase. He stated they believe once they construct the first phase, they will see additional interest in the site for future phases.

Motion by Dietrich second by Piekarski Krech to approve United Properties: Consider the following Resolutions for the property located along Courthouse Boulevard, west of Barnes Avenue:

a. A Resolution 2020-75 relating to a Final Plat, Final P.U.D. Development Plans, Improvement Agreement, and related agreements for Building 1 in the Inverpoint Business Park First Addition.

Ayes: 5
Nays: 0 Motion carried.

Motion by Dietrich second by Perry to approve United Properties: Consider the following Resolutions for the property located along Courthouse Boulevard, west of Barnes Avenue:

b. A Resolution 2020-76 relating to a Conditional Use Permit to allow manufacturing and assembly on Lot 1, Block 1, Inverpoint Business Park First Addition.

Ayes: 5
Nays: 0 Motion carried.

Engineering

B. Consider Resolution Approving Special Assessment Deferment and a Subdivision and Special Assessment Agreement for City Project No. 2019-09D - 64th Street Area Improvements.

Mayor Tourville stated this Agenda Item will be moved to May 11th and will follow Agenda Item 6B the continuation of the Assessment Hearing and the Special Assessments.

Motion by Perry second by Piekarski Krech to table this item to the May 11, 2020 City Council meeting.

Ayes: 5
Nays: 0 Motion carried.

8. EXECUTIVE SESSION:

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.

City Attorney McCauley Nason stated pursuant to Attorney-Client privilege to close the meeting for a discussion with Legal Counsel regarding a pending litigation matter of the City of Inver Grove Heights vs. GS Truck and Trailer Repair LLC and GS Transport Express LLC, Dakota County District Court File Number 19HA-CV-18-2111. She stated the meeting is being held Pursuant to Minn. Stat. § 13D.05, Subd. 3(b), pursuant to the Attorney-Client privilege. The closed meeting will be held telephonically on a separate conference call number. Once the Motion is voted on, they will commence immediately. She stated once the closed meetings portions are completed, there are no further items on the Agenda. She stated that is assuming they will have the Mayor and Council comments before heading into the closed session.

Motion by Piekarski Krech second by Perry to go into closed session on Agenda Item 8A. 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.

Ayes: 5

Nays: 0 Motion carried.

B. 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 threat of imminent litigation concerning the application of Adams French Property, LLC for a Conditional Use Permit for property located at 7855 Cahill Avenue.

City Attorney McCauley Nason stated this is a closed session pursuant to Minn. Stat. § 13D.05, Subd. 3(b) and pursuant to the attorney-client privilege to discuss the threat of imminent litigation concerning the application of Adams French Property, LLC for a Conditional Use Permit for property located at 7855 Cahill Avenue in Inver Grove Heights. She stated this closed session will also occur telephonically on a separate conference line. Once Council makes the Motion to move into closed session for both items with two separate Motions, the Council will need to disconnect from the public conference call number and call into the closed meeting conference call number.

Motion by Piekarski Krech second by Perry to go into closed session on Agenda Item 8B. 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 threat of imminent litigation concerning the application of Adams French Property, LLC for a Conditional Use Permit for property located at 7855 Cahill Avenue.

Ayes: 5

Nays: 0 Motion carried.

9. MAYOR AND COUNCIL COMMENTS:

Mayor Tourville stated the next update from the State will be on May 4th. Some people want the City to stay closed, some want it to be open, and some want the City to be more cautious than the State. He thanked and appreciated the Department Heads, Police Chief Chiodo's work as serving as the Emergency Operations Director, and Staff working from home, some of which were furloughed, some will be coming back as time goes on. He stated everything the City will do will be done in a safe manner. He stated the start would be with the Emergency EMS, Police, and Fire. The maintenance crews are out working with Staff going above and beyond. He stated to shop local and try to support local businesses.

10. ADJOURN:

The regular City Council meeting ended at 8:48 p.m.

Motion by Piekarski Krech second by Perry to adjourn the Executive Session at 10:27 p.m.

Minutes prepared by Recording Clerk Sheri Yourczek