

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, FEBRUARY 24, 2014 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, February 24, 2014, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Madden, Mueller and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Community Development Director Link, Finance Director Smith, Parks and Recreation Director Carlson, Fire Chief Thill, and Deputy Clerk Kennedy

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Councilmember Mueller removed Item 4D from the Consent Agenda.

Councilmember Bartholomew removed Item 4G from the Consent Agenda.

- A. i) Minutes – February 3, 2014 City Council Work Session
- ii) Minutes – February 10, 2014 Regular City Council Meeting
- B. **Resolution No. 14-11** Approving Disbursements for Period Ending February 19, 2014
- C. Approve Sentence to Serve Contract
- E. Approve 2014-15 VMCC Ice Rates
- F. Appointment of Board Members to the Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO)
- H. Personnel Actions

Motion by Madden, second by Piekarski Krech, to approve the Consent Agenda

Ayes: 5

Nays: 0 Motion carried.

D. Approve Low E Ceiling Consultant

Councilmember Mueller questioned if the new ceiling was needed to reduce the work load of the chillers because of the heat units.

Mr. Carlson explained a low E ceiling would be installed in the east rink above the ice surface. He stated the ceiling would help reduce the load on the ice sheet itself and in turn would reduce the load on the compressors. He added it was an energy-savings measure with an estimated pay back of less than six (6) years.

Councilmember Mueller questioned why a cover such as a tarp could not be used to achieve the same effect. He also questioned if other facilities had a similar product installed and if it achieved the desired cost and energy savings.

Mr. Carlson stated the consultant would ensure that the correct type of ceiling was specified for the facility and that the ceiling was installed correctly to achieve the estimated energy savings. He explained the goal was to reduce the heat load on the ice surface so the compressors do not have to run as frequently. He stated a number of other arenas in the metro area had installed a low E ceiling and it was a more complex and technical system than what a tarp could provide.

Councilmember Mueller questioned if the six (6) payback estimate was based on 12 months of operations.

Mr. Carlson stated the east rink had an ice sheet installed year round and the payback was calculated based on the 12-month operation.

Motion by Mueller, second by Madden, to approve Low E Ceiling Consultant

Ayes: 5

Nays: 0 Motion carried.

G. Approve Agreement to Provide Volunteer Coordination Services

Councilmember Bartholomew stated he wanted additional information on the item because it had not been previously discussed.

Mr. Lynch explained the City was a member of an organization called High Performance Partnerships (HiPP) consisting of the 14 cities in Dakota County. The organization met on a monthly basis to discuss cooperative and consolidated efforts to deliver city services in an economical and reasonable fashion. He noted the Dakota Communications Center was an example of a HiPP initiative. Coordination of volunteerism activity in cities was one of the top priorities discussed by the organization. Four (4) agencies including West St. Paul, Inver Grove Heights, Rosemount, and Apple Valley were interested in participating in the agreement for volunteer coordination services. Rather than each city hiring its own volunteer coordinator the costs would be split between the agencies. The individual hired for the position would be responsible for coordinating volunteer activities that would specifically address the needs of each member city.

Councilmember Bartholomew questioned how the success of the program would be measured.

Mr. Lynch explained one of the requirements of the position would be to report the number of volunteers, the amount of contact they have had with interested parties and organizations, the number of projects they have been involved with, and the number of hours that have been volunteered to show the benefit provided to the City. He noted the agreement could be reviewed annually and the City could terminate participation by providing notification to the other cities by September of every year.

Councilmember Bartholomew clarified the city's share of the cost was \$7,000.

Mr. Lynch responded in the affirmative.

Mayor Tourville stated a couple of other cities decided to hire a volunteer coordinator on their own. He noted the City was not obligated to continue participation in the program beyond the first year. He questioned how long it would take to make a determination on the value of the program. He stated the City may not have enough information to notify the other cities by September.

Mr. Lynch stated a lot would depend on how quickly the position could be filled. He explained if the program did not start until April or May the City may not have enough information to make a value judgment by September of 2014.

Councilmember Piekarski Krech questioned where the money would be taken from.

Mr. Lynch indicated the money would come from the Host Community Fund.

Motion by Mueller, second by Madden, to approve agreement to provide volunteer coordination Services

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Mayor Tourville reminded residents to help keep the fire hydrants in their neighborhoods clear.

6. PUBLIC HEARINGS:

A. CITY OF INVER GROVE HEIGHTS: Consider a Resolution Ordering the Project, Approving Plans and Specifications, Authorizing Advertisement for Bids, Approving an Agreement with Dakota County CDA, a Resolution Establishing Parking Restrictions and a Resolution Authorizing Negotiations for Easements for City Project No. 2014-09D, College Trail Reconstruction and Barbara Avenue Partial Reconstruction

Mr. Kaldunski stated this was the continuation of the public hearing that was opened on January 27th. Since that time staff gathered additional data and held another informational meeting with neighborhood residents. He explained the proposed project consisted of three (3) components: Barbara Avenue from the City Hall driveway to 80th Street, the College Heights area, and College Trail between Broderick Boulevard and Cahill Avenue. He noted a revised resolution was provided to also include a retaining wall at Blaine Avenue and 80th Street. The Barbara Avenue component consisted of both mill and overlay and reconstruction work. Additionally, a sidewalk would be added on the west side of the road. The existing curb and gutter would be saved.

Councilmember Mueller expressed concern with the proposed sidewalk across from the funeral home. He opined the property owner would be charged a hefty assessment and the sidewalk would not provide any direct benefit to the property.

Mayor Tourville questioned if the Robert's Funeral Home property would be assessed for the sidewalk.

Mr. Kaldunski explained the property would not be assessed specifically for the sidewalk, but would be assessed for the road reconstruction work. The assessment would be based on the City's standard policy. He stated the City did share preliminary estimates with the property owner and they were less than what was recommended in the benefit analysis. He noted the property owner did express concern with the preliminary estimates and the issue would be reviewed in more detail at the time of the assessment hearing.

Councilmember Mueller stated he did not agree with assessing the property owner based on square footage because a portion of the property was not useable.

Mr. Kaldunski explained the City assessed based on front footage in accordance with the City's assessment policy and the results of the benefit analysis.

Councilmember Mueller clarified the issue would be further discussed at the assessment hearing.

Mr. Kaldunski stated the portion of the project staff proposed to add to the plans and specifications was replacement of the retaining wall at Blaine Avenue and 80th Street. He explained the City currently had fences up to block off the sidewalk because the existing retaining wall was leaning over. Replacement of the retaining wall was proposed to be added as a separate, free-standing project that could be bid as an alternate within the larger project to achieve some economies of scale. This component would be funded solely through state aid dollars, no assessments would be levied for the retaining wall project.

Mr. Thureen clarified the retaining wall component would be paid for through the Pavement Management Fund. A portion of that cost could be recouped after the fact via state aid.

Mr. Kaldunski reviewed the project component proposed for the College Heights subdivision. He stated the area had rural roads. The plan was to perform a mill of the existing bituminous pavement and the gravel underneath to create a new aggregate base. The base would then be covered with a new four (4) inch layer of bituminous pavement. He noted the pavement would be 24 feet wide with gravel shoulders. He explained during the planning stages of the project the possibility of connecting the area to sanitary sewer and water was discussed. That component would have added substantial cost to the project and the feedback received from a majority of the residents in the area was that they were not interested in connecting to City utilities at this time so municipal sewer and water connections were not included in the project.

Councilmember Madden questioned if curbs would be installed in the area.

Mr. Kaldunski responded in the negative. He stated the area would continue to have rural roads.

Mayor Tourville stated a couple of residents in the neighborhood contacted him with a desire to see actual costs for connecting to City utilities in order to make a more informed decision. He explained some of the neighbors felt that a quick decision was made after seeing the initial estimates without considering how much it may cost them to replace their well and septic systems. He questioned if it was too late to look into obtaining more accurate cost estimates as an alternate bid.

Mr. Kaldunski stated a majority of the residents in the neighborhood were vehemently opposed to adding sewer and water connections to the project.

Councilmember Piekarski Krech questioned if the project plans and specifications included sewer and water connections in the College Heights area.

Mr. Kaldunski responded in the negative. He stated the work could not be added to the project as an alternate bid unless plans and specifications were completed.

Councilmember Piekarski Krech questioned if staff could finish the plans and specifications in a short period of time.

Mr. Kaldunski stated the city's consultant would be asked to prepare the plans and specifications because they already had the base plans and required information to complete the process relatively quickly. He reiterated a sewer and water plan could be prepared if the Council so directed.

Mayor Tourville reiterated the sewer and water portion could be included as a bid alternate for the project so the neighborhood is able to make a decision with more accurate cost estimates.

Councilmember Piekarski Krech agreed it would make sense to add it as an alternate to the project. She stated when you consider replacing a well and septic system for \$20,000 - \$30,000 an assessment for connection to City utilities may be a better deal for the residents. She noted if a sewer and water plan was added to the project as an alternate bid it would at least give the neighborhood an opportunity to decide if they wanted to move forward based on actual cost estimates.

Mr. Kuntz stated the notice of hearing for the project did not include the utility component. He explained in order for a project to be ordered with a utility component included the hearing would have to be re-noticed. He stated there may be an opportunity to develop the plans and specifications and go out for bids during the waiting period for the new notice of hearing.

Councilmember Piekarski Krech stated it would make sense to do it if the City could deal with the street issue and have the utility component added as an alternate with a separate hearing.

Mr. Kuntz questioned if the project feasibility report included a component that addressed utilities.

Mr. Kaldunski stated the feasibility study did not include information on sanitary sewer or water. He explained a utility component was discussed early on but was not included based on the neighborhoods' strong opposition.

Mr. Kuntz explained in order to add the utility component as an alternate to the project the City needed a new feasibility study, a new public hearing, and new plans and specifications.

Councilmember Madden questioned when the street project was supposed to be started.

Mr. Kaldunski stated the schedule was for construction to start in June.

Councilmember Mueller stated if staff could add the utility component as an alternate bid and keep the project on schedule it would be nice to give residents the choice.

Mr. Kuntz reminded the Council that the City's existing policy on the extension of utilities calls for 100% assessment of the project costs. He explained if there was deviation from the policy either because of benefit analysis or some other consideration, the Public Works Director would need to identify a funding source to cover the gap in costs.

Mr. Kaldunski reviewed the third project component, a segment of College Trail from Broderick to Cahill Avenue. The plans included complete reconstruction of the road to achieve the established standards for a collector street. Areas where curb and gutter currently exist were considered to be urban sections that would be constructed with a 26 foot wide pavement versus the existing 24 foot wide pavement. Curb and gutter would be located on one side of the roadway with a 4 foot gravel shoulder on the opposite side. In the areas considered to be rural sections there would be a 24 foot wide pavement with four (4) foot gravel shoulders on each side of the road. He explained there would be also some storm water and sanitary sewer work completed as part of the project. He stated a ten (10) foot wide bituminous trail currently

existed along College Trail that started at Broderick and ran in front of the Good Samaritan property. The project included a proposed extension of the ten (10) foot wide bituminous trail to Brewster Avenue. A crossing would be located on the east side of Brewster Avenue to connect to a six (6) foot wide concrete sidewalk along the south side of College Trail from Brewster to Cahill Avenue. He noted at the neighborhood meetings residents expressed concerns related to parking along College Trail. Staff contacted MnDOT and determined that parking would be allowed along the rural sections of the road, approximately 40 spaces.

Councilmember Mueller questioned why a 10 foot trail was proposed and how much use it would get. He also questioned if there would be a boulevard between the curb and the trail.

Mr. Kaldunski stated there was a six (6) foot boulevard by the bituminous trail.

Councilmember Mueller expressed concerns regarding maintenance of the trail and the sidewalk. He questioned why the City could not stripe a lane along College Trail for pedestrians similar to what is done in Minneapolis and St. Paul.

Mr. Kaldunski stated most trails in the City were either eight (8) or ten (10) feet wide. He explained the separate lanes on roadways in Minneapolis and St. Paul were to address bike traffic, not pedestrian traffic. He noted, in general, when a bike lane is incorporated into a roadway a separate sidewalk is also provided for pedestrians.

Councilmember Mueller opined having a separate trail created more work in terms of winter maintenance.

Mayor Tourville stated the trail and sidewalk were proposed for pedestrian safety. He opined putting a yellow line down the side of the road to create a separate lane would not be safe for pedestrians and bikers could not use the lane because gravel shoulders were proposed.

Mr. Thureen stated College Trail was an urban collector street. He explained staff planned the project with a 50-60 year horizon in mind and right now the existing roadway did not allow for safe pedestrian travel. He noted collector streets were higher volume roads that connect neighborhoods to neighborhoods, business areas, and other higher volume uses. When designing collector streets the goal is to create a system that provides safety for pedestrians. He stated the vast majority of the collector streets in the City's system have either a trail or sidewalk on at least one side.

Councilmember Mueller questioned if the City had to build the trail and sidewalk.

Mr. Thureen stated there was no mandate that required construction of the trail and sidewalk. He noted including such features was part of recognizing the need for safe and responsible design of a transportation system. He explained the street system was not just for cars and bikes and the City needed to consider pedestrians. In discussions with the neighborhood and the school district there were concerns raised regarding providing safe transport for pedestrians.

Councilmember Mueller opined he hoped the trail would get used.

Mr. Kaldunski discussed the need for easements. The feasibility study identified a larger number of easements required for the project. With the proposed design staff was able to reduce the number of easements to three (3) properties. Council was asked to authorize staff to negotiate for the easements identified.

Mayor Tourville stated there were several residents who expressed concerns about saving existing trees.

Mr. Kaldunski explained the plan was developed with those concerns taken into consideration. He reviewed the discussion and issues raised at the neighborhood meetings that were held. The total estimated project cost was \$3.2 million. The project was proposed to be funded using \$810,000 from Pavement Management, \$1.3 million in State aid, \$83,000 from utility funds, and approximately \$1.0 million dollars from special assessments. If the City's assessment policy had been followed the amount of special assessments would have increased to approximately \$1.5 million. Staff prepared the funding estimates with the knowledge that the Council would likely follow the recommended assessment caps contained in the benefit analysis. He noted no single-family properties would be assessed for the

proposed trail/sidewalk along College Trail. Funding for that project component would come from a combination of Pavement Management funds, state aid, a contribution from the City, and assessments to Inver Hills Community College, Dakota County CDA and AT&T. He reviewed the proposed project schedule. If the project was approved bids would be obtained and opened on March 27th, an assessment hearing would be held on May 12th, and construction would start in June.

Councilmember Bartholomew questioned why parking would not be allowed further to the east.

Mr. Kaldunski stated it was a safety issue. Parking was allowed up to the point where the guard rail ended and the slope of the shoulder changed significantly.

Councilmember Piekarski Krech questioned why the assessment hearing was proposed to be held prior to a contract being awarded for the project.

Mr. Kaldunski stated this was one of the first instances where such a schedule was proposed. Staff proposed the option to the City Council to get to a point where assessments would be levied in the same year the project was completed. He explained there had been issues in the past with pending assessments affecting the sale of property. He stated it would also allow the City to know if an assessment would be appealed prior to awarding a contract for the project.

Councilmember Piekarski Krech stated if the assessment hearing was held prior to awarding a contract assessments would be levied and the 30 day interest free payment period would begin before construction of the project started.

Mayor Tourville questioned if the date the assessment was levied could be set by the Council at the assessment hearing.

Mr. Kuntz explained statute provides that everyone assessed has at least 30 days during which payment of the assessment can be made without accruing interest. He stated in the resolution levying the assessment the Council could postpone the date by which the interest starts to accrue. Typically the resolution states that interest begins to accrue from the date of levy. That date could be changed by the Council to a later date which would provide all those assessed with the opportunity to pay off their assessment without interest up until the date that is set. He noted the intention would be to certify assessments to the County by November 1st so it would appear on the following year's tax statement.

Councilmember Piekarski Krech stated her main issue was assessing a property owner before a project has even started. She clarified people would have a longer period to pay the assessment without interest.

Mr. Kuntz responded in the affirmative. He explained the City would levy the assessment on May 12th to begin the 30 day appeal process. The date on which interest begins to accrue would be varied.

Councilmember Piekarski Krech opined the new method may be a benefit because it provides people with a longer period of time to pay the assessment without interest and it may reduce cost overruns.

Mr. Kuntz stated the assessment amount was driven more by the benefit analysis than the actual project costs.

Mr. Thureen explained the change was proposed in response to issues raised in past years by individuals trying to sell their properties. Once a project is ordered a pending assessment shows up against the property and lenders look at the estimated assessment as per City policy, not the recommended cap contained in the benefit analysis. Property owners had to escrow 1.5% of any pending assessment in order to sell their property which was creating an unfair burden on those individuals.

Jim Berquist, 8579 Bower Court, stated he was surprised to hear discussion regarding City utilities in the College Heights area because he was under the impression that no one in the neighborhood was in favor of including that work as part of the project.

Mayor Tourville explained some of the residents in the neighborhood simply wanted to get an estimate for how much it would cost to add it to the project.

Mr. Berquist questioned where the estimates came from for replacement of a well and septic system.

Councilmember Piekarski Krech stated new septic regulations were adopted that have caused the maintenance and replacement of systems to become quite expensive.

Mr. Berquist questioned if the utility work would still be ordered if a majority of the residents in the neighborhood were not in favor of adding it to the project.

Councilmember Madden stated if a majority of the residents were not interested it was not likely to move forward.

Paul Goodwill, 8271 College Trail, opined that the cost of the trail and sidewalk component was too much to spend on something that would not get used frequently. He stated he saw maybe 20 people walking on the road on any given weekend. He questioned why sewer and gutter work was being included in the project. He questioned the traffic counts that were contained in the feasibility study. He stated he was opposed to the construction of the trail/sidewalk component.

Mayor Tourville questioned why he was not in favor of the trail being built.

Mr. Goodwill opined it was a waste of money and the City would be better off putting the money towards something that would actually be used.

Mayor Tourville stated people may not walk along College Trail because they don't feel it is safe.

Mr. Goodwill opined it was safe to walk along College Trail because it was a low traffic area.

Mayor Tourville noted the trail had been identified as a need in the City's Comprehensive Plan and trail gap study for quite some time.

Rick Jacobs, 8261 College Trail, expressed appreciation for the neighborhood meetings that were held to discuss the project. He stated his biggest concern related to parking along College Trail. He was opposed to the trail because it affected the ability to park along that side of the road.

Mayor Tourville questioned if parking could be allowed on both sides of College Trail if the trail was removed.

Mr. Kaldunski stated parking could be allowed on the rural sections of the road. He explained where the trail was proposed, a curb would also be built. If the trail and curb were removed, it would be considered a rural section.

Mr. Jacobs stated there was a steep culvert on the north side of College Trail in front of his house. He noted a substantial amount of space was needed to afford the ability to have parking on the north side of the street and to continue to have the culvert. He questioned if there was enough space for parking on the north side, a culvert on the north side, and a sidewalk with a boulevard on the south side of College Trail. Lori Hansen, 8265 College Trail, stated she appreciated that staff took her water quality concerns into consideration. She noted bikers typically do not ride on trails or sidewalks because they are primarily for pedestrian traffic. She questioned if there was a way to put down a flat surface, without curb and gutter, for both pedestrians and bikers that would eliminate the need for the trail and sidewalk. She stated the majority of the kids who use College Trail to get to school ride their bikes.

Jim Hansen, 8265 College Trail, he opposed the construction of the trail because it was too expensive. He stated a majority of the traffic was down by the college and there was not a heavy volume of traffic along the entire stretch of the roadway. He referenced the City's trail gap study and the fact that the proposed trail was not identified as being cost effective. He opined even though residents would not be assessed for the trail the money was still coming from the taxpayers in some way. He suggested construction of a 12 foot driving lane on the north side of College Trail, a 14-16 foot driving lane on the south side that would include a bike lane, and an 8-10 foot parking lane also located on the south side. He opined if no one was parked along the south side there would be plenty of room for pedestrian and bike traffic. He noted this would also eliminate the winter maintenance concerns raised by Councilmember Mueller.

Mayor Tourville opined asphalt shoulders would not significantly increase pedestrian safety if parking was allowed in the same area.

Mr. Hansen opined there were better ways to spend \$822,000 than on the proposed trail and sidewalk.

Mr. Kaldunski stated the cross-sections indicate there is enough space to accommodate the proposed components of the project. He noted the grades would be matched very closely to the rural section that currently exists.

Mayor Tourville questioned if there was a cost estimate for constructing the road with asphalt shoulders.

Mr. Kaldunski responded in the negative. He noted the City did have an estimate of \$70,000 for parking bump-outs to accommodate 25 spaces on an eight (8) foot wide asphalt shoulder. He stated it would be difficult to continue an asphalt shoulder along the entire roadway because the shoulder became narrower as it approached the lake.

Mr. Goodwill stated in order to install the bump outs all of the trees in front of his house would have to be removed. He opposed construction of the bump outs.

Mr. Kaldunski explained with respect to the question of the need for curb and gutter it would help to collect and direct the water towards a water quality feature. The water currently goes into the ditch in front of 8261 College Trail and goes south into the lake. That water would be picked up by the new curb and gutter and sent towards a water quality feature located in the golf course area. He noted the curb and gutter also served as a physical barrier between traffic and pedestrians.

Councilmember Mueller questioned if there was a cost estimate for Mr. Hansen's proposal that would eliminate the trail.

Mr. Kaldunski stated they did not have a cost estimate for widening the road at this time. He explained currently the top of the road was relatively narrow at 24 feet wide with steep slopes on either side. He stated if the road was widened to pave the shoulders the cost would increase due to having to fill in the side slopes and adding more asphalt. He noted filling in the side slopes would also have wetland impacts that would have to be examined and the storm water generated from the additional impervious surface would need to be managed.

Eric, Kimley-Horn and Associates, stated the proposed plans call for a 4 foot shoulder with a 12 foot pavement section on the north side of College Trail. On the south side a 14 foot pavement section with a six (6) foot boulevard, a six (6) foot concrete sidewalk, and a two (2) foot shoulder. He explained Mr. Hansen suggested a proposed 16 foot pavement section on the south side that would include a 12 foot driving lane, a four (4) foot shoulder for bike traffic, and an additional eight (8) foot parking lane on the side. He stated the main issue with the option is that there would be an additional four (4) feet of pavement from what was proposed by staff. He noted there would also be no separation between pedestrian and vehicle traffic.

Mayor Tourville questioned when the proposed trail was added to the parks system plan.

Mr. Carlson stated trail section identified in the City's 2008 Comprehensive Plan. It was also a part of the City's 2011 Trail Gap study.

Councilmember Madden stated he was concerned with how the City was going to afford to maintain all of the trails in the park system in the future.

Mr. Thureen stated this project involved a collector street that was a part of the municipal state aid system. He explained the City's assessment policy specifically states that municipal state aid streets, when constructed, are supposed to have a sidewalk on at least one (1) side and the sidewalk is to be paid for using state aid funding. He noted 60-65% of the trail/sidewalk extension would be concrete and would not require much maintenance. The bituminous section would require crack seal and seal coat work. In terms of winter maintenance, it would cost approximately \$15 to plow the 1/8 of mile segment being discussed from Broderick to Cahill.

Councilmember Piekarski Krech noted the assessments would likely be the same whether the trail was

constructed or not. She stated a lot of the new regulations and standards were geared towards promoting walkable communities and active lifestyles. She opined the Metropolitan Council and State Legislature controlled a lot of the funding that was available to the City and she would rather see Inver Grove Heights get its fair share of the money than have it go to another community.

Councilmember Madden stated if Inver Grove Heights did not take the grant money another city would.

Mayor Tourville stated he supported the trail and sidewalk because it was a community amenity that would increase the safety for pedestrian traffic along the roadway. He opined more people may walk along College Trail if it was safer.

Bob Wild, 8279 College Trail, opined more people would not travel along the road if there was a sidewalk because they currently used other routes. He added that the cost of the trail/sidewalk was too expensive.

Mr. Berquist questioned if the College Heights area would also need curb and gutter if they decided to add sewer and water to the project.

Mayor Tourville stated curb and gutter would not necessarily be required.

Mr. Kaldunski stated in order to consider bidding sewer and water for the College Heights area the feasibility study would have to be amended.

Mr. Kuntz explained part of the feasibility study involves the financial feasibility of the project. He stated the State of Minnesota, on behalf of the community college, was scheduled to pay a goodly amount toward the project. The general consensus was that the City needed to be in position, at the time a contract was awarded for the project, to know with some level of certainty how much the State was paying for the project. He noted there currently was no agreement in place identifying that amount. He explained the preliminary estimate for the sewer and water component was approximately \$600,000 or roughly 20% of the total project cost. He stated that would be a large bid alternate and not all contract bids are balanced. Removing that component from the project would change the dynamics of the bid significantly. He explained it would be best to know what was going to be included in the project before it was bid. He presented a revised project schedule to the Council for consideration if it was their direction to include the utility component in the project.

Councilmember Piekarski Krech stated if the schedule had to be altered that much she would just assume forget the utility component because she did not want to miss the prime bidding season for construction.

Mayor Tourville suggested removing the College Heights area from the project and delaying it until 2015 to potentially include the utility component. He stated another option would be to leave the College Heights area in the project and ask the residents if they want the project delayed to look into adding the utility component.

Mr. Link stated if the sewer and water extension was to occur it could lead to rezoning and further subdivision of the lots.

Jim Berquist stated he was not opposed to the street project and did not want it delayed because it may cost more money in the future. He opined most of his neighbors felt the same way.

Councilmember Bartholomew stated it may make sense to pull College Heights out of the project until the sewer and water component can be added and the neighborhood has a chance to consider it with the cost information available.

Mayor Tourville stated it may be best to leave the project the way it is with the College Heights area included.

Motion by Mueller, second by Madden, to close the public hearing.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Bartholomew stated the curb and gutter was necessary for water quality and everyone was in agreement that the road needed to be reconstructed. He explained he was not an advocate of

trails but he understood the need for safety. He opined with safety in mind he could see the need for the trail in front of the college and Good Samaritan. He suggested removing the sidewalk along the south side of College Trail from the project because he did not think it would be used and did not see the need for it.

Councilmember Piekarski Krech stated the sidewalk along the south side was meant to connect the trail from the north side so pedestrians could get to Cahill.

Councilmember Bartholomew stated he would support the motion because it was important for the project to move forward. He reiterated his concern that the sidewalk along the south side of College Trail was not needed.

Councilmember Madden agreed with Councilmember Bartholomew’s sentiments.

Motion by Tourville, second by Piekarski Krech, to adopt Resolution No. 14-12 Ordering Improvements, Authorizing and Approving Plans and Specifications, Authorizing Advertisement for Bids and approving a Waiver of Assessment Agreement for the 2014 Pavement Management Program, City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction and Authorizing Advertisement for Bids for City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Bartholomew, to adopt Resolution No. 14-13 relating to Parking Restrictions on College Trail from Broderick Boulevard to Cahill Avenue in the City of Inver Grove Heights and Resolution No. 14-14 Authorizing Use of Direct Purchase Eminent Domain Processes to Acquire Easement from Private Property Owners as required for College Trail Improvements included in City Project 2014-09D

Ayes: 5

Nays: 0 Motion carried.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

- A. HEIGHTS DEVELOPMENT:** Consider Resolution relating to an Interim Use Permit Amendment to Allow for the One-Time Extension to Continue Limited Onsite Gravel Crushing for property located at 7280 Dickman Trail

Mr. Link reviewed the location of the property. He stated the request was to amend the interim use permit to extend the time frame. The interim use permit was for an on-site gravel crushing operation. The original permit was approved in 2006. The request was to operate under the same conditions as the previous permit. Crushing is allowed for a total of eight (8) consecutive days each calendar year from November 15th to April 15th. Hours are limited to 7 am to 5 pm. Staff was not aware of any issues, complaints, or problems since the original permit was issued. The applicant requested an extension of 25 years, Planning Commission recommended 20 years, and Planning staff recommended 10 years. Staff’s recommendation for the shorter period of time was due to concerns regarding the City’s long range plan to redevelop the Concord neighborhood. This particular location was one of four selected sites for redevelopment and it was felt that the crushing operation would not be a compatible use if redevelopment occurred around the site.

Councilmember Piekarski Krech questioned if the permit could be extended again after 10 years.

Mr. Link explained ordinance allowed only one extension for interim use permits. He stated that was the primary reason why the applicant requested a 25 year extension.

Ryan Stanton, Heights Development, explained when the original permit was approved an interim use permit was used in lieu of a conditional use permit. He stated his understanding was that the permit could be renewed multiple times provided there were no issues or problems with the operation. He noted that

was the sole reason why his request was for 25 years. He stated he would also be amenable to Planning Commission's recommended extension of 20 years. He explained his issue with the proposed 10 year extension was that at the end of that time period he would have to change the zoning to reapply for a permit at a substantial cost to him.

Mr. Lynch explained the City has begun to garner interest in redevelopment in the Concord area. He stated the City wanted to avoid the artificial creation of increased value because of the length of time the use would be allowed. He noted he wanted to ensure the City was not challenged by that issue if and when negotiations occur for purchase of the property over the next five (5) to ten (10) years.

Mr. Stanton stated the more likely scenario would be him negotiating with a larger developer for his property. He noted he would not turn down an offer to purchase his property if it was profitable for him.

Motion by Mueller, second by Bartholomew, to adopt Resolution No. 14-15 approving an Interim Use Permit Amendment to Allow for the One-Time Extension to Continue Limited Onsite Gravel Crushing for the Period of 20 Years for property located at 7280 Dickman Trail

Ayes: 5

Nays: 0 Motion carried.

PARKS AND RECREATION:

B. CITY OF INVER GROVE HEIGHTS: Consider Third Reading of an Ordinance Amendment to Title 11, Chapter 4 of the City Code (Subdivision Regulations) related to Updating Park Dedication Rates

Mr. Carlson stated no changes had been made since the first reading of the ordinance. He explained the information was provided to the Chamber of Commerce for review and the organization had no comments on the proposed changes to the ordinance.

Councilmember Bartholomew suggested a reduction in the cash dedication fee for industrial property to \$5,000 in order to match Rosemount. He opined it would make sense to match Rosemount's fee for industrial property in order to remain competitive in the market.

Councilmember Madden agreed with the proposed reduction in the cash dedication fee for industrial property.

Mayor Tourville questioned if the Council also wanted to raise the fees for residential property because they were less than other cities. He opined selectively increasing or decreasing certain fees and not others could throw off the formula that was created to calculate the fees.

Councilmember Bartholomew stated he did not want to increase any of the proposed fees. He opined the thought behind the proposed reduction for industrial property was the City's desire to spur development along Clark Road.

Councilmember Piekarski Krech opined the City needed to make industrial property more marketable to entice that type of development to occur. She stated residential development was going to occur regardless of the dedication fees.

Mr. Kuntz referenced number eight (8) in the resolution which discusses the methodology used to calculate the dedication fees for industrial property. He explained in order to get the desired fee of \$5,000 the Council needed to alter either the value per acre or the impact caused by industrial.

Councilmember Piekarski Krech suggested lowering the impact caused by industrial.

Mr. Kuntz stated to the extent that the City wants to explain the logic of how the fee was calculated, an alteration of both the contribution amount and the land dedication amount was required.

Motion by Mueller, second by Madden, to adopt Ordinance No. 1277 amending Inver Grove Heights City Code Sections 11-4-5 and 11-4-6 related to Park Dedication and Contribution Requirements and Resolution No. 14-16 Memorializing the Methodology Used to Establish Park Dedication and Contribution Fees and to reduce the dedication fee and the contribution amount for industrial to \$5,000

Ayes: 5

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS: Consider Approval of Awarding Contract and Funding for the Dakota County Trailhead Project located in Swing Bridge Park

Mr. Carlson explained the Council was asked to approve the trailhead improvements for Swing Bridge Park in cooperation with Dakota County. He reviewed the improvements that had been made to Swing Bridge Park since 2010. Other agencies participating in the trailhead project included Dakota County and the National Park Service. The goals of the project were to provide: off-street parking, year-round access to restroom facilities, historical interpretation information, and picnic facilities. He explained Dakota County would contribute \$1,071,715 towards the project. The City's contribution, \$439,400, came from funds received through the State of Minnesota Bonding Grant. He noted both contributions included contingency funding. He explained the park would be open from 5 am to 10 pm and the restrooms would be open seven (7) days a week. The restroom facilities would be operated and maintained by Dakota County Parks. The picnic shelter would be available to rent through the City. He stated a joint powers agreement was in place that outlined each agency's operations and maintenance responsibilities.

Councilmember Mueller questioned if the City was responsible for maintenance of the picnic shelter.

Mr. Carlson responded in the affirmative.

Councilmember Bartholomew clarified that City ordinance states park hours start at 6 am, not 5 am.

Mr. Lynch stated there was a conflict between the County's established park hours and the City's ordinance.

Councilmember Bartholomew stated his understanding was the City could amend the ordinance just for Swing Bridge Park to coincide with the County's hours of operation.

Mr. Carlson stated he would look into the issue further.

Motion by Madden, second by Mueller, to adopt Resolution No. 14-17 approving the MRRT/Swing Bridge Park Trailhead Improvements in Conjunction with Dakota County

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:

D. CITY OF INVER GROVE HEIGHTS: Consider Approval of City's Application to DEED for Host Community Grant Funding

Mr. Lynch explained when the MPCA took over enforcement of solid waste management an overall reduction in volume at landfills in Inver Grove Heights and Burnsville was anticipated. Council directed staff to pursue legislation that would provide funding to offset the cities' losses. The City will make application for DEED funds to purchase the former McPhillips property. The owner of the subject property approached the City to discuss the potential sale as part of the Concord redevelopment plan. The City would like to proceed with the purchase and turn the property over to the EDA for future resale in conjunction with redevelopment in the area.

Mr. Kuntz suggested a change to clarify three (3) sections of the application. The purpose of the change was to identify that the money being requested by the City would be transferred to the EDA. Upon receipt of the funds the EDA would become the acquiring authority and the named entity on the deed.

Councilmember Mueller questioned when the City would receive the money.

Mr. Lynch stated the funds had to be encumbered by the City by June 30th.

Councilmember Mueller questioned if the City would receive two separate payments or just one.

Mr. Lynch stated the City would receive \$437,500 for 2014 and would have to make a separate application to receive the same amount in 2015.

Motion by Madden, second by Piekarski Krech, to approve City's Application to DEED for Host Community Grant Funding with the clarifying language as suggested by the City Attorney.

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

9. ADJOURN: Motion by Mueller, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 10:17 pm