

INVER GROVE HEIGHTS CITY COUNCIL AGENDA
MONDAY, APRIL 14, 2014
8150 BARBARA AVENUE
7:00 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PRESENTATIONS**
4. **CONSENT AGENDA** – All items on the Consent Agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.
 - A. Minutes – March 24, 2014 Regular City Council Meeting _____
 - B. Resolution Approving Disbursements for Period Ending April 9, 2014 _____
 - C. Approve Termination of Assessment Agreement _____
 - D. Final Compensating Change Order No. 6, Final Pay Voucher No. 11, Engineer’s Final Report and Resolution Accepting Work for City Project No. 2012–09D, Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court _____
 - E. Resolution Approving the Cost Share Contract with Dakota County Soil and Water Conservation District for Community Conservation Partnership Funding Program for City Project No. 2014–09D – College Trail Reconstruction and Barbara Avenue Reconstruction _____
 - F. Resolutions Calling for Hearing on Proposed Assessments, Declaring Costs to be Assessed, and Ordering Preparation of Proposed Assessments for 2012 Pavement Management Program, City Project No. 2011–08, 66th Street Improvements (Concord Boulevard to Swing Bridge Pier) _____
 - G. Resolutions Calling for Hearing on Proposed Assessments, Declaring Costs to be Assessed, and Ordering Preparation of Proposed Assessments for 2014 Pavement Management Program, City Project No. 2014–09D, College Trail Reconstruction and Barbara Avenue Reconstruction _____
 - H. Approve 2014 Tree Replacement Plan _____
 - I. Approve Memorandum of Understanding with Friends of the Mississippi River for the Rock Island Swing Bridge _____
 - J. Approve Temporary On Sale Liquor License – Church of St. Patrick _____
 - K. Personnel Actions _____

- 5. **PUBLIC COMMENT:** Public comment provides an opportunity for the public to address the Council on items that are not on the Agenda. Comments will be limited to three (3) minutes per person.
- 6. **PUBLIC HEARINGS:**
- 7. **REGULAR AGENDA:**

COMMUNITY DEVELOPMENT:

- A. **MERIDIAN LAND COMPANY;** Consider Resolution relating to a Comprehensive Plan Amendment to Change the Land Use Designation of the Property from HDR, High Density Residential to a New Category LMDR–NWAPUD, Low–Medium Density Residential Northwest Area PUD for property located on the North Side of 80th between Hwy 3 and Babcock Trail _____
- B. **SAM & KATE SEVENICH:** Consider Application for Chicken License for property located at 7965 Bowman Ave. _____

PUBLIC WORKS:

- C. **CITY OF INVER GROVE HEIGHTS:** Resolution Approving the Cost Share Contract with Dakota County Soil and Water Conservation District for Community Conservation Partnership Funding Program, Approving Payment Agreement with Bridgewood Apartments, Ordering Project, Authorizing and Approving Plans and Specifications, and Authorizing Advertisement for Bids for City Project No.; 2014–08 – Bohrer Pond Northwest Pretreatment Basin – Phase II _____
- D. **CITY OF INVER GROVE HEIGHTS:** Discuss Draft Feasibility Report for City Project No. 2014–13, Northwest Area Utility Extension – Argenta Trail Alignment _____
- E. **CITY OF INVER GROVE HEIGHTS:** Consider Resolution Approving Easement Acquisition and Temporary Easement Agreements for Property at 8215 College Trail for City Project No. 2014–09D, College Trail Reconstruction _____
- F. **CITY OF INVER GROVE HEIGHTS:** Consider Resolution Approving Easement Acquisition for Property at 8919 Cahill Avenue for City Project No. 2014–09D, College Trail Reconstruction _____
- G. **CITY OF INVER GROVE HEIGHTS:** Resolution Approving Use of Eminent Domain Quick–Take to Acquire Easement at 20–01500–31–015 for City Project No. 2014–09D, College Trail Reconstruction _____
- H. **CITY OF INVER GROVE HEIGHTS:** Resolution Approving Easement Acquisition and Temporary Easement Agreements at 20–01500–31–015 for City Project No. 2014–09D, College Trail Reconstruction _____
- I. **CITY OF INVER GROVE HEIGHTS:** Resolution and Letter Supporting Legislation Authorizing the Establishment of Municipal Street Improvement Districts _____

ADMINISTRATION:

J. **JIM KRECH:** Consider request to Amend Bow Hunting Map for 2014 Season _____

8. MAYOR & COUNCIL COMMENTS

A. Golf Course Manager Position Discussion

9. ADJOURN

This document is available upon 3 business day request in alternate formats such as Braille, large print, audio recording, etc. Please contact Melissa Kennedy at 651.450.2513 or mkennedy@invergroveheights.org

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

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, March 24, 2014, in the City Council Chambers. Acting Mayor Piekarkski Krech called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Madden and Mueller; 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, and Deputy Clerk Kennedy

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Councilmember Bartholomew removed Item 4F from the Consent Agenda.

Councilmember Mueller removed Item 4G from the Consent Agenda.

- A. i) Minutes – March 3, 2014 City Council Work Session
ii) Minutes – March 10, 2014 Regular City Council Meeting
- B. **Resolution No. 14-27** Approving Disbursements for Period Ending March 19, 2014
- C. Final Compensating Change Order No. 1, Final Pay Voucher No. 2, Engineer's Final Report, and **Resolution No. 14-28** Accepting Work for City Project No. 2013-09B, Sealcoating
- D. Final Compensating Change Order No. 1, Final Pay Voucher No. 2, Engineer's Final Report, and **Resolution No. 14-29** Accepting Work for City Project No. 2013-09C, Mill and Overlay
- E. **Resolution No. 14-30** Receiving Bids and Awarding Contract for the 2014 Pavement Management Program, City Project No. 2014-09B, Sealcoating
- H. **Resolution No. 14-34** Accepting Addendum No. 1 to Proposal for Engineering Services from Bolton & Menk, Inc. for a Feasibility Study for City Project No. 2014-13, Northwest Area Utility Extension – Argenta Trail Alignment
- I. Well Monitoring Agreement with the MPCA for Rich Valley Park
- J. 2014 Bituminous Trails Seal Coating
- K. Personnel Actions

Motion by Madden, second by Bartholomew, to approve the Consent Agenda

Ayes: 4

Nays: 0 **Motion carried.**

- F. Resolution Receiving and Accepting Proposal from Barr Engineering Company for Mapping Hydrologic and Hydraulic Drainage Studies

Councilmember Bartholomew stated page two (2) of the proposal contemplated charging \$9,800 if they are able to use the City's shape files. He questioned if the City did not have the files available or if they were not confident in them.

Mr. Thureen stated it was simply a function of time. He explained staff could produce the shape files but it was a matter of determining what other work would have to be delayed in order to create the files.

Councilmember Bartholomew clarified the shape files were not currently available.

Mr. Thureen responded in the affirmative.

Motion by Bartholomew, second by Madden, to adopt Resolution No. 14-31 Receiving and Accepting Proposal from Barr Engineering Company for Mapping Hydrologic and Hydraulic Drainage Studies

Ayes: 4

Nays: 0 Motion carried.

- G. Resolutions Calling for Hearing on Proposed Assessments and Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for 2013 Pavement Management Program, City Project No. 2013-09C, Mill and Overlay**

Councilmember Mueller questioned why parcels 21 and 46 were not proposed to be assessed for the project.

Mr. Thureen explained the parcels in question did not have direct driveway access to the streets on which the mill and overlay work was completed and therefore were not proposed to be assessed in accordance with the City's assessment policy.

Motion by Bartholomew, second by Madden, to adopt Resolution No. 14-32 Calling for Hearing on Proposed Assessments and Resolution No. 14-33 Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for 2013 Pavement Management Program, City Project No. 2013-09C, Mill and Overlay

Ayes: 4

Nays: 0 Motion carried.

5. PUBLIC COMMENT: None.

6. PUBLIC HEARINGS: None.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

- A. Anderson-Johnson Associates, Inc. (Simley High School):** Consider Resolution relating to a Conditional Use Permit, Improvement Agreement and related Agreements to Exceed the Maximum Impervious Surface Allowed in the Shoreland Overlay District to Add Artificial Turf to the Athletic Field

Mr. Link reviewed the location of the property. He noted Simley Lake, located across the street, was subject to the mandatory state shoreland requirements. The school district requested an amendment to an existing conditional use permit in order to convert the existing athletic field to artificial turf. He stated the addition of artificial turf would increase the impervious surface on the property from 32% to 36%. Ordinance allows up to 25% impervious coverage and the school district previously received approval for a conditional use permit to allow 32% impervious coverage. The City Engineer approved the plans and the DNR offered no comment. Both Planning staff and the Planning Commission recommended approval of the conditional use permit amendment.

Councilmember Madden questioned when construction would begin.

Mr. Link stated the school district intended to start the project on April 1st in order to have the turf in place for the start of the high school football season in August.

Councilmember Piekarski Krech questioned if the school district's storm water fee would increase as a result of the increase in impervious surface.

Mr. Thureen stated the fee would not increase because of the storm water features the school district planned to construct to retain the water.

Councilmember Mueller questioned why staff focused on Simley Lake when the school district could use the pond located in the southwest corner.

Mr. Link explained the natural flow from the school district property was towards Simley Lake.

Mr. Kaldunski stated the lake being referenced was a critical part of the school district's stormwater management plan. He noted the track area at the high school had drained towards Simley Lake for quite some time and the athletic field project would follow the same drainage plan.

Motion by Madden, second by Mueller, to adopt Resolution No. 14-35 adopting a Resolution approving a Conditional Use Permit, Improvement Agreement, and related agreements to exceed the maximum impervious surface allowed in the Shoreland Overlay District to add artificial turf to the athletic field

Ayes: 4

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

Motion by Madden, second by Bartholomew, to add an Executive Session to the agenda for the April 7th Council Work Session to discuss a personnel issue. The executive session will take place following the conclusion of all other business on the agenda.

Ayes: 4

Nays: 0 Motion carried.

9. ADJOURN: Motion by Madden, second by Mueller, to adjourn. The meeting was adjourned by a unanimous vote at 7:12 pm

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: Kristi Smith 651-450-2521
 Prepared by: Bill Schroepfer, Accountant
 Reviewed by: N/A

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Approve the attached resolution approving disbursements for the period of March 20, 2014 to April 9, 2014.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending April 9, 2014. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$359,877.85
Debt Service & Capital Projects	100,212.09
Enterprise & Internal Service	241,700.65
Escrows	2,868.99
	<hr/>
Grand Total for All Funds	<u><u>\$704,659.58</u></u>

If you have any questions about any of the disbursements on the list, please call Kristi Smith, Finance Director at 651-450-2521.

Attached to this summary for your action is a resolution approving the disbursements for the period March 20, 2014 to April 9, 2014 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING April 9, 2014**

WHEREAS, a list of disbursements for the period ending April 9, 2014 was presented to the City Council for approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: that payment of the list of disbursements of the following funds is approved:

General & Special Revenue	\$359,877.85
Debt Service & Capital Projects	100,212.09
Enterprise & Internal Service	241,700.65
Escrows	2,868.99
Grand Total for All Funds	<u><u>\$704,659.58</u></u>

Adopted by the City Council of Inver Grove Heights this 14th day of April, 2014.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk



Expense Approval Report

By Fund

Payment Dates 3/20/2014 - 4/9/2014

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ABDO, EICK & MEYERS, LLP	324241	03/26/2014	43697	101.41.2000.415.30100	21,500.00
ACE PAINT & HARDWARE	519301/5	03/26/2014	501126	101.43.5200.443.60016	7.96
ACE PAINT & HARDWARE	519335/5	03/26/2014	501126	101.42.4200.423.60040	77.92
ACE PAINT & HARDWARE	519386/5	04/09/2014	501126	101.42.4000.421.60065	27.41
ACE PAINT & HARDWARE	519415/5	04/09/2014	501126	101.44.6000.451.40047	11.99
ACE PAINT & HARDWARE	519195/5	04/09/2014	501126	101.42.4200.423.60065	85.96
ALL GOALS, INC.	10723	04/09/2014	55077-3	101.44.6000.451.40047	760.00
ASSOCIATED MECHANICAL CONTRACTORS	41943	03/26/2014	S26577	101.42.4000.423.40040	380.54
AT & T MOBILITY	287237771092X031	03/26/2014	287237771092	101.41.1000.413.50020	4.65
BAILEY, KIM	3/15/14	04/09/2014	REIMBURSE-EMT REFRESH	101.42.4200.423.30700	263.00
BECKER ARENA PRODUCTS, INC.	00097894	04/09/2014	INV005	101.44.6000.451.60065	345.00
BELLEISLE, MONICA	3/31/14	04/09/2014	REIMBURSE-MILEAGE	101.42.4200.423.50065	57.46
BLACKTOP PROS, LLC	14-10	04/09/2014	3/19/14	101.43.5200.443.40046	4,750.00
CA DEPT OF CHILD SUPPORT SERVICES	INV0027428	03/21/2014	MIGUEL GUADALAJARA FEII	101.203.2032100	279.69
CA DEPT OF CHILD SUPPORT SERVICES	INV0027653	04/04/2014	MIGUEL GUADALAJARA FEII	101.203.2032100	279.69
CENTURY LINK	3/19/14 651 455 907	04/09/2014	651 455 9072 782	101.42.4200.423.50020	41.46
CENTURY LINK	3/22/14 651 457 418	04/09/2014	651 457 4184 746	101.44.6000.451.50020	58.94
CENTURY LINK	3/22/14 651 457 552	04/09/2014	651 457 5524 959	101.44.6000.451.50020	65.31
CENTURY LINK	3/7/14 651 451 0205	04/09/2014	651 451 0205 745	101.44.6000.451.50020	58.94
CITY OF MINNEAPOLIS RECEIVABLES	400413004613	03/26/2014	612005356	101.42.4200.423.30700	1,742.40
CITY OF SAINT PAUL	IN00000797	04/09/2014	RADIO MAINTENANCE AND	101.42.4000.421.50042	319.25
CMI, INC	795978	04/02/2014	550772	101.42.4000.421.60065	81.81
COLLINS ELECTRICAL CONST.	1430326.01	03/26/2014	3/17/14	101.43.5200.443.40046	123.50
COLLINS ELECTRICAL CONST.	1430397.01	03/26/2014	3/17/14	101.43.5200.443.40046	264.50
CRITICAL FOCUS	1046	04/09/2014	3/17/14	101.44.6000.451.30700	860.00
CRITICAL FOCUS	1047	04/09/2014	3/28/14	101.44.6000.451.30700	150.00
DAKOTA COMMUNICATIONS CENTER	IG2014-04	03/26/2014	APRIL 2014	101.42.4000.421.70502	42,672.60
DAKOTA COMMUNICATIONS CENTER	IG2014-04	03/26/2014	APRIL 2014	101.42.4200.423.70501	4,741.40
DAKOTA COUNTY TECHNICAL COLLEGE	MARCH 2014	04/09/2014	PURSUIT REFRESHER COU	101.42.4000.421.50080	450.00
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.43.5400.445.40020	1,169.20
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.43.5400.445.40020	42.01
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.44.6000.451.40020	125.27
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.44.6000.451.40020	54.88
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.44.6000.451.40020	339.04
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.44.6000.451.40020	11.36
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	101.44.6000.451.40020	(3.15)
EARL F ANDERSEN INC	0104349-IN	04/09/2014	0004094	101.42.4000.421.60016	330.00
EARL F ANDERSEN INC	0104365-IN	04/09/2014	0004094	101.43.5200.443.60016	3,770.60
EDELMANN & ASSOCIATES, INC.	138501	04/09/2014	5794	101.44.6000.451.60040	844.00
EFTPS	INV0027674	04/04/2014	FEDERAL WITHHOLDING	101.203.2030200	39,085.14
EFTPS	INV0027676	04/04/2014	MEDICARE WITHHOLDING	101.203.2030500	10,565.56
EFTPS	INV0027677	04/04/2014	SOCIAL SECURITY WITHHO	101.203.2030400	31,019.76
ESCH CONSTRUCTION SUPPLY INC.	514424	04/09/2014	INVE100	101.43.5200.443.60016	438.14
FERRELLGAS	P00002770	04/09/2014	0000001298	101.43.5200.443.40046	174.35
FIRE INSTRUCTION & RESCUE EDUCATION	596	04/02/2014	3/11/14	101.42.4200.423.50080	400.00
GENESIS EMPLOYEE BENEFITS ACH ONLY	3/31/14	03/31/2014	FLEX COMP SPEND	101.203.2031500	1,713.48
GENESIS EMPLOYEE BENEFITS ACH ONLY	3/31/14	03/31/2014	FLEX COMP SPEND	101.203.2031500	3,102.36
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0027656	04/04/2014	HSA ELECTION-FAMILY	101.203.2032500	2,985.07
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0027657	04/04/2014	HSA ELECTION-SINGLE	101.203.2032500	2,976.88
GOPHER BEARING	5769656	04/09/2014	0782358	101.42.4200.423.60065	43.72
GOPHER SPORT	8747852	04/09/2014	404658	101.44.6000.451.40047	94.24
GOPHER SPORT	8749407	04/09/2014	404658	101.44.6000.451.40047	93.54
GRAINGER	9401564126	04/09/2014	806460150	101.44.6000.451.60040	38.83
GRAINGER	9403705180	04/09/2014	806460150	101.43.5200.443.60016	917.42
GRAINGER	9403856462	04/09/2014	806460150	101.43.5200.443.60016	348.88
GRAINGER	9404075427	04/09/2014	806460150	101.43.5200.443.60016	341.60
HALLING ENGINEERING, INC.	8325	04/02/2014	8671 ALVARADO CT	101.45.3300.419.30700	937.50
HENNING FIRE PROTECTION EQUIPMENT	1110	04/09/2014	2/6/14	101.44.6000.451.40040	70.00
HIDEAWAY SHOOTING RANGE LLC	3/15/14	04/09/2014	3/15/14	101.42.4000.421.60018	544.68
HOME DEPOT CREDIT SERVICES	3/13/14 6035 3225 0	03/26/2014	6035 3225 0255 4813	101.42.4200.423.40040	126.50
HOME DEPOT CREDIT SERVICES	3/13/14 6035 3225 0	03/26/2014	6035 3225 0255 4813	101.42.4200.423.40042	43.44
HOME DEPOT CREDIT SERVICES	3/13/14 6035 3225 0	03/26/2014	6035 3225 0255 4813	101.42.4200.423.60011	14.24
HOME DEPOT CREDIT SERVICES	3/13/14 6035 3225 0	03/26/2014	6035 3225 0255 4813	101.42.4200.423.60018	25.98
HOME DEPOT CREDIT SERVICES	3/13/14 6035 3225 0	03/26/2014	6035 3225 0255 4813	101.42.4200.423.60065	70.77
ICMA RETIREMENT TRUST - 457	INV0027658	04/04/2014	ICMA-AGE <49 %	101.203.2031400	4,806.16
ICMA RETIREMENT TRUST - 457	INV0027659	04/04/2014	ICMA-AGE <49	101.203.2031400	4,125.00
ICMA RETIREMENT TRUST - 457	INV0027660	04/04/2014	ICMA-AGE 50+ %	101.203.2031400	1,303.78
ICMA RETIREMENT TRUST - 457	INV0027661	04/04/2014	ICMA-AGE 50+	101.203.2031400	6,012.87
ICMA RETIREMENT TRUST - 457	INV0027662	04/04/2014	ICMA (EMPLOYER SHARE A	101.203.2031400	73.67

ICMA RETIREMENT TRUST - 457	INV0027671	04/04/2014	ROTH IRA (AGE 49 & UNDEF	101.203.2032400	487.70
IGH FIRE RELIEF ASSN	19796A21905002B0	04/04/2014	3/13/14	101.42.4200.423.20500	4,000.00
IMAGE TREND INC	28930	03/26/2014	14050	101.42.4200.423.30700	3,200.00
IMPACT PRINTING	39749	04/09/2014	3/21/14	101.45.3300.419.50030	285.20
IMPACT PRINTING	39758	04/09/2014	3/24/14	101.42.4200.423.50030	169.00
INFINITY WIRELESS	34811	03/26/2014	3/13/14	101.42.4200.423.40042	200.00
INSIGHT EDGE	1352	03/26/2014	TEAM BUILDING SESSION	101.43.5100.442.50080	1,500.00
INVER GROVE FORD	3/25/14 94917	04/09/2014	94917	101.42.4000.421.70300	267.84
IPMA-HR	24198463	03/26/2014	00050646	101.41.1100.413.50070	149.00
KEEPRS, INC	234145	04/09/2014	INVERG0004	101.42.4000.421.60045	309.22
KEEPRS, INC	235826	04/02/2014	INVERG0002	101.42.4000.421.60045	115.81
KEEPRS, INC	235826-01	04/02/2014	INVERG0002	101.42.4000.421.60045	115.91
KEEPRS, INC	234145-01	04/09/2014	INVERG0004	101.42.4000.421.60045	159.95
KEEPRS, INC	234145-02	04/09/2014	INVERG0004	101.42.4000.421.60045	106.07
KEEPRS, INC	236671	04/09/2014	INVERG0004	101.42.4000.421.60045	77.99
KEEPRS, INC	235826-90	04/02/2014	INVERG0002	101.42.4000.421.60045	107.99
KEEPRS, INC	234145-03	04/09/2014	INVERG0004	101.42.4000.421.60045	35.19
KEEPRS, INC	238310	04/02/2014	INVERG0005	101.42.4000.421.60045	336.68
KEEPRS, INC	237561	04/09/2014	INVERG0002	101.42.4000.421.60045	139.99
KEEPRS, INC	242169	04/09/2014	INVERG0002	101.42.4000.421.60045	52.78
L.T.G. POWER EQUIPMENT	175785	04/09/2014	5656	101.44.6000.451.60040	34.95
LANDRUM DOBBINS, LLC	1885	03/26/2014	3/4/14	101.41.1100.413.30500	2,275.00
LINK, THOMAS	3/26/14	04/09/2014	REIMBURSE- JAN-MAR MILE	101.45.3000.419.50065	82.32
LOCAL GOVERNMENT INFORMATION SYSTEM	38163	04/09/2014	106325	101.42.4000.421.70501	1,609.00
LOCAL GOVERNMENT INFORMATION SYSTEM	38173	04/09/2014	111541	101.42.4200.423.30700	110.00
MADISON NATIONAL LIFE INSURANCE COMPANY	1124350	03/26/2014	1012439000000000 APRIL 201	101.203.2031700	2,524.82
MENARDS - WEST ST. PAUL	49232	03/26/2014	30170270	101.43.5200.443.60016	39.88
METROPOLITAN AREA MGMT ASSOC.	2014 MEMBERSHIP	03/26/2014	JOE LYNCH	101.41.1000.413.50070	45.00
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0027429	03/21/2014	RICK JACKSON FEIN/TAXPA	101.203.2032100	318.41
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0027430	03/21/2014	JUSTIN PARRANTO FEIN/TA	101.203.2032100	484.54
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0027654	04/04/2014	RICK JACKSON FEIN/TAXPA	101.203.2032100	318.41
MINNESOTA DEPARTMENT OF HUMAN SERVICES	INV0027655	04/04/2014	JUSTIN PARRANTO FEIN/TA	101.203.2032100	484.54
MN BCA/CRIMINAL JUSTICE TRAINING & ED	3163	04/09/2014	26317	101.42.4000.421.50080	75.00
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	101.207.2070300	0.61
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	101.207.2070300	(0.03)
MN DEPT OF REVENUE	INV0027675	04/04/2014	STATE WITHHOLDING	101.203.2030300	16,148.34
MN FIRE SERVICE	2509	04/09/2014	3/26/14	101.42.4200.423.30700	1,500.00
MN LIFE INSURANCE CO	APRIL 2014	03/26/2014	0027324	101.203.2030900	3,134.97
MN NCPERS LIFE INSURANCE	APRIL 2014	04/09/2014	APRIL 2014	101.203.2031600	368.00
MOORE MEDICAL LLC	823445681	02/06/2014	21185816	101.42.4200.423.60065	56.95
MOORE MEDICAL LLC	90528754	01/29/2014	21185816	101.42.4200.423.60065	(73.58)
MOORE MEDICAL LLC	82388599	03/26/2014	21185816	101.42.4200.423.40042	790.50
MTI DISTRIBUTING CO	1016377-99	04/09/2014	91180	101.44.6000.451.50080	780.00
NATURE CALLS, INC.	20625	04/09/2014	FEBRUARY 2014	101.44.6000.451.40065	162.00
O'DONNELL, SCOTT	3/12/14	03/26/2014	REIMBURSE-IPAD	101.41.1000.413.60065	107.11
PERA	INV0027665	04/04/2014	PERA COORDINATED PLAN	101.203.2030600	29,793.98
PERA	INV0027666	04/04/2014	EMPLOYER SHARE (EXTRA	101.203.2030600	2,383.48
PERA	INV0027667	04/04/2014	PERA DEFINED PLAN	101.203.2030600	57.69
PERA	INV0027668	04/04/2014	EMPLOYER SHARE (PERA C	101.203.2030600	57.69
PERA	INV0027669	04/04/2014	PERA POLICE & FIRE PLAN	101.203.2030600	12,097.38
PERA	INV0027670	04/04/2014	EMPLOYER SHARE (POLICE	101.203.2030600	18,146.01
PETTY CASH	4/12/14	04/09/2014	RABIES CLINIC 4/12/14	101.100.1010400	300.00
PINE BEND PAVING, INC.	14-122	04/09/2014	3/17/14	101.43.5200.443.60016	994.42
PIONEER ATHLETICS	INV507664	04/09/2014	CI5498	101.44.6000.451.60040	117.00
PIONEER RIM & WHEEL CO	1-234791	04/09/2014	12613	101.44.6000.451.40047	318.92
PRECISE MRM	IN200-1001713	04/09/2014	000208	101.43.5200.443.50070	90.67
PROFESSIONAL LAW ENFORCEMENT TRAINING, LLC.	Q1420	04/02/2014	REGISTRATION-A. WIEDERF	101.42.4000.421.50080	175.00
RAINEY TYSON	3/30/14	04/09/2014	REIMBURSE-LUNCH	101.42.4000.421.50075	7.12
SCHWAAB, INC	D68463	04/09/2014	9825C	101.45.3300.419.60040	72.04
SIGNWAREHOUSE.COM	26965	04/09/2014	72023	101.43.5200.443.60016	279.61
SMITH KRISTI	3/20/14	03/26/2014	REIMBURSE-LUNCHEON/ME	101.41.2000.415.50035	15.00
SMITH KRISTI	3/20/14	03/26/2014	REIMBURSE-LUNCHEON/ME	101.41.2000.415.50070	476.50
SPRINT	842483314-148	04/09/2014	842483314	101.41.1000.413.50020	69.98
SPRINT	842483314-148	04/09/2014	842483314	101.41.1100.413.50020	36.39
SPRINT	842483314-148	04/09/2014	842483314	101.41.2000.415.50020	35.83
SPRINT	842483314-148	04/09/2014	842483314	101.42.4000.421.50020	1,104.75
SPRINT	842483314-148	04/09/2014	842483314	101.42.4200.423.50020	639.92
SPRINT	842483314-148	04/09/2014	842483314	101.43.5000.441.50020	92.72
SPRINT	842483314-148	04/09/2014	842483314	101.43.5100.442.50020	271.24
SPRINT	842483314-148	04/09/2014	842483314	101.43.5200.443.50020	256.29
SPRINT	842483314-148	04/09/2014	842483314	101.44.6000.451.50020	343.65
SPRINT	842483314-148	04/09/2014	842483314	101.45.3000.419.50020	105.31
SPRINT	842483314-148	04/09/2014	842483314	101.45.3300.419.50020	206.70
STATE FIRE MARSHAL DIVISION	2014 STATE FIRE M	03/26/2014	JEFF SCHADEGG	101.42.4200.423.50080	100.00
STREAMLINE DESIGN INC	34058	03/26/2014	3/17/14	101.42.4200.423.30700	70.00
T MOBILE	3/28/14 494910368	04/09/2014	494910368	101.43.5100.442.50020	49.99
TRACTOR SUPPLY CREDIT PLAN	3/21/14 6035 3012 0	04/09/2014	6035 3012 0018 3679	101.43.5200.443.60016	325.67
TRACTOR SUPPLY CREDIT PLAN	3/21/14 6035 3012 0	04/09/2014	6035 3012 0018 3679	101.43.5200.443.60045	19.98
TRACTOR SUPPLY CREDIT PLAN	3/21/14 6035 3012 0	04/09/2014	6035 3012 0018 3679	101.44.6000.451.60040	38.96

UNIFIRST CORPORATION	090 0196846	03/26/2014	1051948	101.43.5200.443.60045	23.07
UNIFIRST CORPORATION	090 0196846	03/26/2014	1051948	101.44.6000.451.60045	24.68
UNIFIRST CORPORATION	090 0197677	04/09/2014	3/25/14	101.43.5200.443.60045	23.07
UNIFIRST CORPORATION	090 0197677	04/09/2014	3/25/14	101.44.6000.451.60045	24.68
UNIFIRST CORPORATION	090 0198528	04/09/2014	1051948	101.43.5200.443.60045	23.07
UNIFIRST CORPORATION	090 0198528	04/09/2014	1051948	101.44.6000.451.60045	24.68
UNIFORMS UNLIMITED	197808	03/26/2014	I14866	101.42.4000.421.60045	204.99
UNIFORMS UNLIMITED	197861	04/02/2014	L20500	101.42.4000.421.60045	125.99
VERIZON WIRELESS	9720662649	04/02/2014	642017074-00001	101.41.1100.413.50020	52.09
VERIZON WIRELESS	9720662649	04/02/2014	642017074-00001	101.42.4000.421.50020	35.01
WAL-MART BUSINESS	3/22/14 6032 2025 3	04/02/2014	6032 2025 3025 7113	101.42.4000.421.50035	98.00

Fund: 101 - GENERAL FUND

312,640.43

BENGTSON, NICOLE	JAN-MAR 2014	04/09/2014	REIMBURSE-LUNCH/TRAVE	201.44.1600.465.50065	343.36
BENGTSON, NICOLE	JAN-MAR 2014	04/09/2014	REIMBURSE-LUNCH/TRAVE	201.44.1600.465.50065	101.02
BENGTSON, NICOLE	JAN-MAR 2014	04/09/2014	REIMBURSE-LUNCH/TRAVE	201.44.1600.465.50075	51.95
BENGTSON, NICOLE	JAN-MAR 2014	04/09/2014	REIMBURSE-LUNCH/TRAVE	201.44.1600.465.50075	7.50
ENSEMBLE CREATIVE & MARKETING	IGH032014	03/26/2014	3/20/14	201.44.1600.465.50025	1,715.00
RIVER HEIGHTS CHAMBER OF COMMERCE	4461	04/09/2014	3/31/14	201.44.1600.465.30700	1,750.00
RIVER HEIGHTS CHAMBER OF COMMERCE	4461	04/09/2014	3/31/14	201.44.1600.465.40065	200.00

Fund: 201 - C.V.B. FUND

4,168.83

BROWN, KAREN	3/19/14	03/26/2014	REFUND SENIOR TRIPS	204.227.2271000	117.00
BUDGET SIGN AND GRAPHICS	57658	04/02/2014	3/17/14	204.44.6100.452.60009	69.00
DAIRY QUEEN	3/6/14	03/26/2014	3/6/14	204.44.6100.452.60009	134.98
IGH/SSP COMMUNITY EDUCATION	4/3/14	04/09/2014	SCOOP NEWSLETTER/UCAF	204.227.2271000	1,844.00
MAYER ARTS INC	3/14/14	03/26/2014	WISH UPON A BALLET	204.44.6100.452.30700	630.00
MCWITHEY, SANDY	3/18/14	03/26/2014	REFUND	204.227.2271000	117.00
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	204.207.2070300	102.80
SAM'S CLUB	3/23/14 7715 0900 6	04/09/2014	7715 0900 6570 2540	204.44.6100.452.50070	135.00
SAM'S CLUB	3/23/14 7715 0900 6	04/09/2014	7715 0900 6570 2540	204.44.6100.452.60009	93.87
SAM'S CLUB	3/23/14 7715 0900 6	04/09/2014	7715 0900 6570 2540	204.44.6100.452.60009	92.07
SAM'S CLUB	3/23/14 7715 0900 6	04/09/2014	7715 0900 6570 2540	204.44.6100.452.60009	35.36
SPRINT	842483314-148	04/09/2014	842483314	204.44.6100.452.50020	82.56
TAHO SPORTSWEAR	14TF0411	04/09/2014	3/31/14	204.44.6100.452.60045	124.10

Fund: 204 - RECREATION FUND

3,577.74

ACE PAINT & HARDWARE	518940/5	03/26/2014	501126	205.44.6200.453.60016	4.49
ACE PAINT & HARDWARE	518940/5	03/26/2014	501126	205.44.6200.453.60040	21.99
ACE PAINT & HARDWARE	519221/5	03/26/2014	501126	205.44.6200.453.60016	17.22
ACE PAINT & HARDWARE	519221/5	03/26/2014	501126	205.44.6200.453.60016	17.22
ACE PAINT & HARDWARE	519264/5	03/26/2014	501126	205.44.6200.453.60016	12.98
ACE PAINT & HARDWARE	519272/5	03/26/2014	501126	205.44.6200.453.60016	24.15
APEC	119291	04/09/2014	3/21/14	205.44.6200.453.60016	464.89
AQUA LOGIC, INC.	41913	03/26/2014	3/13/14	205.44.6200.453.40040	6,896.00
ARTHRITIS FOUNDATION - UPPER MIDWEST REGION	WVE-001	03/26/2014	3/6/14	205.44.6200.453.50080	300.00
ARTHRITIS FOUNDATION - UPPER MIDWEST REGION	WVE-001	03/26/2014	3/6/14	205.44.6200.453.60065	422.95
B & B SHEETMETAL AND ROOFING, INC.	51143	03/26/2014	3/14/14	205.44.6200.453.40040	1,281.30
B & B SHEETMETAL AND ROOFING, INC.	51143	03/26/2014	3/14/14	205.44.6200.453.40040	1,281.30
BECKER ARENA PRODUCTS, INC.	00097895	03/26/2014	INV000	205.44.6200.453.60016	747.10
COCA COLA BOTTLING COMPANY	0178558911	03/26/2014	2/26/14	205.44.6200.453.76100	140.20
COCA COLA BOTTLING COMPANY	0178559612	03/26/2014	3291522	205.44.6200.453.76100	241.68
COMCAST	3/12/14 8772 10 591	03/26/2014	8772 10 591 0127188	205.44.6200.453.50070	286.49
COMMON SENSE BUILDING SERVICES, INC.	33134	03/26/2014	3/17/14	205.44.6200.453.40040	6,767.85
EXPRESS AUTO PARTS	001-262366	03/26/2014	157231	205.44.6200.453.60016	102.88
EXPRESS AUTO PARTS	001-262366	03/26/2014	157231	205.44.6200.453.60040	10.00
EXPRESS AUTO PARTS	001-262366	03/26/2014	157231	205.44.6200.453.60040	9.99
EZ FITNESS SOLUTIONS, LLC	13-00003	04/02/2014	3/22	205.44.6200.453.40042	750.00
FASTENAL COMPANY	MNTC6132602	04/09/2014	MNTC62008	205.44.6200.453.60016	4.80
FASTENAL COMPANY	MNTC6132602	04/09/2014	MNTC62008	205.44.6200.453.60016	4.80
FASTENAL COMPANY	MNTC6132602	04/09/2014	MNTC62008	205.44.6200.453.60040	71.76
FASTENAL COMPANY	MNTC6132602	04/09/2014	MNTC62008	205.44.6200.453.60040	71.76
GRAINGER	9393379012	03/26/2014	806460150	205.44.6200.453.60016	57.60
GRAINGER	9396116965	04/02/2014	806460150	205.44.6200.453.60016	429.12
GRAINGER	9397432502	04/02/2014	806460150	205.44.6200.453.60016	57.42
HAMPTON, HEATHER	3/19/14	03/26/2014	REFUND-ACTIVE AGING FAI	205.44.0000.3492500	25.00
HAWKINS, INC.	3574225	04/02/2014	108815	205.44.6200.453.60024	1,279.00
HAWKINS, INC.	3574226	04/02/2014	108815	205.44.6200.453.60024	1,246.44
HENNING FIRE PROTECTION EQUIPMENT	1110	04/09/2014	2/6/14	205.44.6200.453.40040	146.00
HENNING FIRE PROTECTION EQUIPMENT	1110	04/09/2014	2/6/14	205.44.6200.453.40040	146.00
HILLYARD INC	601078674	04/02/2014	274069	205.44.6200.453.60011	593.37
HILLYARD INC	601078674	04/02/2014	274069	205.44.6200.453.60011	593.37
M & E ENGINEERING INC	6246	04/09/2014	#12713 IGH SPLASH POOL E	205.44.6200.453.30700	2,328.25
MENARDS - WEST ST. PAUL	50635	04/09/2014	30170270	205.44.6200.453.40040	46.96
MN DEPT OF HEALTH	2014 FBL 13264-10	03/26/2014	2014 RENEWAL	205.44.6200.453.50070	398.00
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.207.2070300	7,708.69
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.40042	0.14
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60011	2.11
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60011	35.19
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60012	2.99

MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60012	0.18
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60016	8.01
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60024	172.41
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60040	46.23
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60040	2.55
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60040	5.12
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60040	7.19
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60040	13.82
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60065	5.84
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60065	21.12
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	205.44.6200.453.60065	0.85
R & R SPECIALTIES OF WI, INC.	0054489-IN	03/26/2014	3/19/14	205.44.6200.453.40042	34.50
ROHLAND, BILL	3/21/14	04/02/2014	3/21/14	205.44.0000.3490100	120.00
RUMPCA SERVICES	32443	03/26/2014	VETMEMIGH	205.44.6200.453.40040	437.00
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.60011	27.16
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.60011	27.16
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.60016	17.08
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.60040	18.85
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.60065	17.96
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.60065	57.40
SAM'S CLUB	3/23/14 7715 0900	6 04/09/2014	7715 0900 6160 6950	205.44.6200.453.76050	8.87
SERVPRO OF EAGAN/APPLE VALLEY	3498209	04/09/2014	3/17/14	205.44.6200.453.40040	1,500.70
SPRINT	842483314-148	04/09/2014	842483314	205.44.6200.453.50020	87.36
SPRINT	842483314-148	04/09/2014	842483314	205.44.6200.453.50020	87.35
SPRINT	842483314-148	04/09/2014	842483314	205.44.6200.453.50020	20.49
SPRINT	842483314-148	04/09/2014	842483314	205.44.6200.453.50020	16.49
SPRINT	842483314-148	04/09/2014	842483314	205.44.6200.453.50020	40.98
STERICYCLE INC	4004730017	03/26/2014	2003272	205.44.6200.453.40025	650.13
TDS MEDIA DIRECT, INC.	61349	03/26/2014	3/3/14	205.44.6200.453.50025	210.00
UNITED REFRIGERATION, INC.	41860552-00	04/09/2014	1034925	205.44.6200.453.60016	13.47
UNITED REFRIGERATION, INC.	41860552-00	04/09/2014	1034925	205.44.6200.453.60040	9.57
UNITED REFRIGERATION, INC.	41860552-00	04/09/2014	1034925	205.44.6200.453.60040	9.56
W W GOETSCH ASSOC INC	92235	03/26/2014	3/10/14	205.44.6200.453.40040	746.00
Fund: 205 - COMMUNITY CENTER					39,490.85
160 INVESTMENTS LLC	ARGENTA HILLS 8T	03/26/2014	REFUND ARGENTA HILLS 8	404.217.2170000	34,090.00
Fund: 404 - SEWER CONNECTION FUND					34,090.00
KIMLEY-HORN & ASSOCIATES, INC.	5630530	04/09/2014	160509020.3	434.73.5900.734.30310	16,318.00
Fund: 434 - 2014 IMPROVEMENT FUND					16,318.00
COUNTING CARS	860	04/02/2014	629	440.74.5900.740.60040	1,244.50
FEDEX	2-601-70838	04/09/2014	1101-2523-2	440.74.5900.740.50025	92.63
FINANCE & COMMERCE, INC.	741499050	04/09/2014	10025798	440.74.5900.740.50025	213.61
GULF COAST SOLUTIONS, INC.	14008	04/02/2014	3/15/14	440.74.5900.740.60040	1,315.00
KIMLEY-HORN & ASSOCIATES, INC.	5630530	04/09/2014	160509020.3	440.74.5900.740.30300	16,318.00
METZEN APPRAISALS	3/18/14	04/09/2014	PROJECT NO. 2013-09C	440.74.5900.740.30700	1,200.00
Fund: 440 - PAVEMENT MANAGEMENT PROJ					20,383.74
LOWER MISSISSIPPI RIVER WMO	2014-01	04/02/2014	2014 DUES	441.74.5900.741.50070	28,420.35
Fund: 441 - STORM WATER MANAGEMENT					28,420.35
JOEL CARLSON	3/14/14	03/26/2014	APRIL 2014	451.75.5900.751.30700	1,000.00
Fund: 451 - HOST COMMUNITY FUND					1,000.00
ACE PAINT & HARDWARE	519304/5	03/26/2014	501126	501.50.7100.512.60016	16.96
ACE PAINT & HARDWARE	519333/5	04/09/2014	501126	501.50.7100.512.60016	14.99
BATTERIES PLUS	030-603430	04/09/2014	C-1034	501.50.7100.512.60016	68.14
BUDGET SANDBLASTING & PAINTING INC	31014	03/26/2014	3/10/14	501.50.7100.512.40040	660.00
GRAINER	9390572684	03/26/2014	806460150	501.50.7100.512.40040	23.62
HAWKINS, INC.	3575912	04/09/2014	108816	501.50.7100.512.60019	5,076.01
HENNING FIRE PROTECTION EQUIPMENT	1110	04/09/2014	2/6/14	501.50.7100.512.60016	124.00
HOME DEPOT CREDIT SERVICES	3/13/14 6035 3225	0 03/26/2014	6035 3225 0269 1268	501.50.7100.512.60016	231.68
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	501.207.2070200	1,283.72
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	501.207.2070300	55.19
SHORT ELLIOTT HENDRICKSON, INC.	279311	03/26/2014	4340	501.50.7100.512.30300	4,526.02
SPRINT	842483314-148	04/09/2014	842483314	501.50.7100.512.50020	322.01
UPS	000027914A114	03/26/2014	27914A	501.50.7100.512.60016	3.77
VOSS LIGHTING	15242371-00	03/26/2014	173652	501.50.7100.512.40040	332.03
VOSS LIGHTING	15242371-01	04/09/2014	173652	501.50.7100.512.40040	43.32
VOSS LIGHTING	15242371-02	04/09/2014	173652	501.50.7100.512.40040	129.80
Fund: 501 - WATER UTILITY FUND					12,911.26
METROPOLITAN COUNCIL	0001031419	03/26/2014	5084	502.51.7200.514.40015	135,167.27
VIKING INDUSTRIAL CENTER	3011870	04/09/2014	103204	502.51.7200.514.40042	380.00
Fund: 502 - SEWER UTILITY FUND					135,547.27
ACE PAINT & HARDWARE	519322/5	04/02/2014	501126	503.52.8600.527.60012	22.46
ARAMARK UNIFORM SERVICES	629-7934344	03/26/2014	792502342	503.52.8600.527.60045	32.24
ARAMARK UNIFORM SERVICES	629-7952824	04/02/2014	792502342	503.52.8600.527.60045	47.63

COPY RIGHT	61894	04/09/2014	3/31/14	503.52.8500.526.50030	3,262.42
COPY RIGHT	62036	04/09/2014	3/31/14	503.52.8500.526.50030	3,140.38
DAKOTA ELECTRIC ASSN	4/7/14	04/09/2014	FEBRUARY - MARCH 2014	503.52.8600.527.40020	392.58
DEX MEDIA EAST	3/20/14 110360619	04/09/2014	110360619	503.52.8500.526.50025	47.50
F.J. WESTCOTT COMPANY	356360	03/26/2014	42420	503.52.8200.523.76400	164.36
FAST SIGNS	190-65610	03/26/2014	2014 PRICE LIST UPDATES	503.52.8000.521.60065	91.72
GEMPLER'S INC.	1019977222	04/02/2014	000377	503.52.8600.527.60065	322.20
GMS INDUSTRIAL SUPPLIES, INC.	002464	04/02/2014	0001869	503.52.8600.527.40042	335.76
GMS INDUSTRIAL SUPPLIES, INC.	002464A	04/02/2014	0001869	503.52.8600.527.40042	19.28
GOPHER BEARING	5754322	04/09/2014	0782358	503.52.8600.527.40042	241.27
MN DEPT OF LABOR & INDUSTRY	ABR009118I	03/26/2014	00000012982	503.52.8600.527.50070	20.00
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	503.207.2070300	2.39
MN GOLF ASSOCIATION, INC.	5096601	03/26/2014	2014 CLUB DUES	503.52.8000.521.70250	270.00
NIKE USA, INC.	957688329	03/26/2014	79282	503.52.8200.523.76300	9.48
PETTY CASH - MATT MOYNIHAN	4/9/14	04/09/2014	SEASON OPENING CHANGE	503.100.1010600	100.00
PETTY CASH - MATT MOYNIHAN	4/9/14	04/09/2014	SEASON OPENING CHANGE	503.100.1010700	1,500.00
PETTY CASH - MATT MOYNIHAN	4/9/14	04/09/2014	SEASON OPENING CHANGE	503.100.1010800	300.00
PING	12176134	04/02/2014	4085	503.52.8200.523.76350	95.87
PUKKA	BU00494-IN	04/02/2014	BU00494	503.52.8200.523.76200	645.00
SOUTH BAY DESIGN	040114	04/09/2014	INVERWOOD	503.52.8500.526.50025	325.00
SPRINT	842483314-148	04/09/2014	842483314	503.52.8500.526.50020	115.43
TAYLOR MADE GOLF COMPANY INC	21625654	03/26/2014	602343	503.52.8200.523.76200	37.01
TAYLOR MADE GOLF COMPANY INC	21660971	03/26/2014	602343	503.52.8200.523.76200	42.26
TITLEIST	2438814	03/26/2014	008363/1243 062177/1243 00	503.52.8200.523.76200	1,776.82
TITLEIST	2488502	04/02/2014	008363/1243 062177/1243 00	503.52.8200.523.76250	180.97
TOLL GAS & WELDING SUPPLY	10017098	04/09/2014	C1376	503.52.8600.527.40042	72.30
TRACTOR SUPPLY CREDIT PLAN	3/21/14 6035 3012 0	04/09/2014	6035 3012 0018 3679	503.52.8600.527.40042	(11.97)
WESTERN PETROLEUM COMPANY	97131922-41801	04/02/2014	112743	503.52.8600.527.60022	703.66
WILSON SPORTING GOODS	4515359141	03/26/2014	187981	503.52.8000.521.40055	181.50
WILSON SPORTING GOODS	4515428491	04/09/2014	187981/945330	503.52.8100.522.60060	3,427.14
Fund: 503 - INVER WOOD GOLF COURSE					17,912.66

KENNEDY & GRAVEN	119124	04/09/2014	NV125-00045	602.00.2100.415.30420	226.00
LEAGUE OF MN CITIES INS TRUST	C0025528	04/09/2014	C0025528	602.00.2100.415.70200	4,139.75

Fund: 602 - RISK MANAGEMENT 4,365.75

BANNERMAN	14137	04/09/2014	005807	603.00.5300.444.40041	750.26
BOYER TRUCKS - MINNEAPOLIS	266307	03/26/2014	C20390	603.00.5300.444.40041	6,954.21
BUDGET SANDBLASTING & PAINTING INC	31214	04/09/2014	3/12/14	603.00.5300.444.40041	2,200.00
COMMON SENSE BUILDING SERVICES, INC.	33134	03/26/2014	3/15/14	603.00.5300.444.40040	273.76
CRITICAL FOCUS	1045	03/26/2014	3/17/14	603.00.5300.444.40040	615.00
CRITICAL FOCUS	3/20/14	04/09/2014	VIDEO EDITING/FINISHING	603.00.5300.444.40040	210.00
ELROY'S ELECTRIC SERVICE	3603	04/09/2014	3/21/14	603.00.5300.444.40040	153.44
EMERGENCY AUTOMOTIVE TECHNOLOGIES	JC031314-2	03/26/2014	3/13/14	603.00.5300.444.40041	141.00
EMERGENCY AUTOMOTIVE TECHNOLOGIES	LG040114-1	04/09/2014	4/1/14	603.00.5300.444.40041	77.40
FERRELLGAS	1081814070	04/09/2014	7754787	603.00.5300.444.40041	52.92
FORCE AMERICA, INC.	01423723	04/09/2014	366100	603.00.5300.444.40041	1,081.32
H&L MESABI	90517	03/26/2014	514	603.00.5300.444.40041	40.00
H&L MESABI	90517	03/26/2014	514	603.140.1450050	4,712.06
H&L MESABI	90530	03/26/2014	514	603.00.5300.444.40041	40.00
H&L MESABI	90530	03/26/2014	514	603.140.1450050	3,603.34
HENNING FIRE PROTECTION EQUIPMENT	1110	04/09/2014	2/6/14	603.00.5300.444.40040	232.50
HOSE / CONVEYORS INC	00043540	04/09/2014	CIT300	603.00.5300.444.40041	9.33
HOSE / CONVEYORS INC	00043542	04/09/2014	CIT300	603.00.5300.444.40041	235.77
HOSE / CONVEYORS INC	00043546	04/09/2014	CIT300	603.00.5300.444.40041	144.76
INVER GROVE FORD	5139282	03/26/2014	3/13/14	603.00.5300.444.40041	9.44
INVER GROVE FORD	5139406	03/26/2014	3/14/14	603.00.5300.444.40041	6.93
INVER GROVE FORD	5139679	03/26/2014	3/18/14	603.00.5300.444.40041	21.18
INVER GROVE FORD	5139680	03/26/2014	3/18/14	603.00.5300.444.40041	24.80
INVER GROVE FORD	5140568	04/09/2014	3/27/14	603.00.5300.444.40041	71.43
KIMBALL MIDWEST	3477486	04/09/2014	222006	603.00.5300.444.60012	82.56
LARSON COMPANIES	B-240840057	04/09/2014	14649	603.00.5300.444.40041	33.42
MACQUEEN EQUIPMENT INC	S-14153	04/09/2014	3/31/14	603.00.5300.444.40041	7,627.13
METRO JANITORIAL SUPPLY INC	11012817	04/09/2014	3/25/14	603.00.5300.444.60011	98.95
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.40040	0.61
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.40041	2.84
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.40042	0.79
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.40065	0.15
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.60011	0.06
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.60012	0.24
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.60014	0.28
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	603.00.5300.444.60040	0.11
MN DEPT OF REVENUE	2/28/14	03/24/2014	FEBRUARY 2014 PETRO	603.00.5300.444.60021	835.05
MN WANNER COMPANY	0103075-IN	04/09/2014	0000440	603.00.5300.444.40041	292.38
MTI DISTRIBUTING CO	948296-00	04/09/2014	91180	603.00.5300.444.40041	69.63
O'REILLY AUTO PARTS	1767-473206	03/26/2014	1578028	603.00.5300.444.40041	510.15
O'REILLY AUTO PARTS	1767-473207	03/26/2014	1578028	603.00.5300.444.40041	28.72
O'REILLY AUTO PARTS	1767-473221	03/26/2014	1578028	603.00.5300.444.40041	(11.99)
O'REILLY AUTO PARTS	1767-473246	03/26/2014	1578028	603.00.5300.444.40041	32.20
O'REILLY AUTO PARTS	1767-473267	03/26/2014	1578028	603.00.5300.444.60040	29.99

O'REILLY AUTO PARTS	1767-473269	03/26/2014	1578028	603.140.1450050	41.64
O'REILLY AUTO PARTS	1767-7473224	03/26/2014	1578028	603.00.5300.444.40041	19.80
O'REILLY AUTO PARTS	1767-473390	03/26/2014	1578028	603.00.5300.444.40041	38.88
O'REILLY AUTO PARTS	1767-473445	03/26/2014	1578028	603.00.5300.444.60040	(28.44)
O'REILLY AUTO PARTS	1767-473886	03/26/2014	1578028	603.00.5300.444.60012	18.95
O'REILLY AUTO PARTS	1767-474077	03/26/2014	1578028	603.00.5300.444.40041	38.88
O'REILLY AUTO PARTS	1767-474150	03/26/2014	1578028	603.00.5300.444.60040	6.99
O'REILLY AUTO PARTS	1767-47427	03/26/2014	1578028	603.00.5300.444.40041	5.99
O'REILLY AUTO PARTS	1767-474444	04/09/2014	1578028	603.00.5300.444.40041	92.39
O'REILLY AUTO PARTS	1767-474445	04/09/2014	1578028	603.00.5300.444.60012	9.18
O'REILLY AUTO PARTS	1767-474445	04/09/2014	1578028	603.140.1450050	19.49
O'REILLY AUTO PARTS	1767-474624	04/09/2014	1578028	603.00.5300.444.40041	91.48
O'REILLY AUTO PARTS	1767-474624	04/09/2014	1578028	603.140.1450050	242.72
O'REILLY AUTO PARTS	1767-474626	04/09/2014	1578028	603.140.1450050	17.17
O'REILLY AUTO PARTS	1767-47463	04/09/2014	1578028	603.00.5300.444.40041	11.49
O'REILLY AUTO PARTS	1767-47503	04/09/2014	1578028	603.00.5300.444.40041	6.99
O'REILLY AUTO PARTS	1767-475036	04/09/2014	1578028	603.00.5300.444.40041	85.83
O'REILLY AUTO PARTS	1767-475046	04/09/2014	1578028	603.00.5300.444.60040	8.99
O'REILLY AUTO PARTS	1767-475087	04/09/2014	1578028	603.00.5300.444.60012	39.96
O'REILLY AUTO PARTS	1767-475095	04/09/2014	1578028	603.00.5300.444.40041	62.36
O'REILLY AUTO PARTS	1767-475339	04/09/2014	1578028	603.00.5300.444.60012	(22.00)
O'REILLY AUTO PARTS	1767-473340	03/26/2014	1578028	603.00.5300.444.40041	(10.00)
O'REILLY AUTO PARTS	1767-475335	04/09/2014	1578028	603.00.5300.444.60012	99.96
O'REILLY AUTO PARTS	1767-475365	04/09/2014	1578028	603.00.5300.444.40041	27.17
O'REILLY AUTO PARTS	1767-475391	04/09/2014	1578029	603.00.5300.444.40041	6.79
O'REILLY AUTO PARTS	1767-475507	04/09/2014	1578028	603.00.5300.444.60040	419.99
O'REILLY AUTO PARTS	1767-475633	04/09/2014	1578028	603.140.1450050	7.90
O'REILLY AUTO PARTS	1767-475652	04/09/2014	1578028	603.00.5300.444.60012	26.98
O'REILLY AUTO PARTS	1767-476231	04/09/2014	1578028	603.140.1450050	11.98
O'REILLY AUTO PARTS	1767-476251	04/09/2014	1578028	603.00.5300.444.40041	83.60
O'REILLY AUTO PARTS	1767-476251	04/09/2014	1578028	603.140.1450050	27.53
O'REILLY AUTO PARTS	1767-473445 B	04/09/2014	1578028	603.00.5300.444.60040	8.44
PAUL'S AUTO & TIRE, INC.	63452	04/09/2014	3/21/14	603.00.5300.444.40041	125.49
PIONEER RIM & WHEEL CO	1-217490	10/09/2013	STREETS	603.00.5300.444.40041	71.63
PIONEER RIM & WHEEL CO	CM0000515	10/09/2013	101377	603.00.5300.444.40041	(71.63)
POMP'S TIRE SERVICE, INC.	980006373	04/09/2014	4502557	603.00.5300.444.40041	174.00
RED POWER DIESEL SERVICE, INC.	B10212	04/09/2014	3/18/14	603.00.5300.444.40041	413.40
RED POWER DIESEL SERVICE, INC.	B10216	04/09/2014	3/18/14	603.00.5300.444.40041	502.05
RED POWER DIESEL SERVICE, INC.	B10262	04/09/2014	3/31/14	603.00.5300.444.40041	322.00
ROSEMOUNT SAW & TOOL CORP	175160	04/09/2014	8206	603.00.5300.444.40041	49.50
SCHLOMKA SERVICES LLC	15478	03/26/2014	3/6/14	603.00.5300.444.40040	260.00
SECURITY ACCESS SYSTEMS INC	2903	03/26/2014	3/19/14	603.00.5300.444.40040	290.00
SOUTH EAST TOWING	188751	04/09/2014	2/19/14	603.00.5300.444.40041	500.00
SPRINT	842483314-148	04/09/2014	842483314	603.00.5300.444.50020	97.60
TITAN MACHINERY	3313177	04/09/2014	967473	603.00.5300.444.40041	26.92
TRACTOR SUPPLY CREDIT PLAN	3/21/14 6035 3012 0	04/09/2014	6035 3012 0018 3679	603.00.5300.444.40041	25.98
TRACTOR SUPPLY CREDIT PLAN	3/21/14 6035 3012 0	04/09/2014	6035 3012 0018 3679	603.00.5300.444.60012	22.43
UNIFIRST CORPORATION	090 0196846	03/26/2014	1051948	603.00.5300.444.40065	106.07
UNIFIRST CORPORATION	090 0196846	03/26/2014	1051948	603.00.5300.444.60045	27.33
UNIFIRST CORPORATION	090 0197677	04/09/2014	3/25/14	603.00.5300.444.40065	106.07
UNIFIRST CORPORATION	090 0197677	04/09/2014	3/25/14	603.00.5300.444.60045	27.33
UNIFIRST CORPORATION	090 0198528	04/09/2014	1051948	603.00.5300.444.40065	106.07
UNIFIRST CORPORATION	090 0198528	04/09/2014	1051948	603.00.5300.444.60045	27.33
UNITED FARMS COOP	73636	04/09/2014	958425	603.00.5300.444.40041	180.00
VARITECH INDUSTRIES, INC.	IN060-1002184	04/09/2014	001626	603.00.5300.444.40041	247.20
YOCUM OIL COMPANY, INC.	619075	04/09/2014	502860	603.140.1450060	12,879.09
ZIEGLER INC	PC001546683	03/26/2014	4069900	603.00.5300.444.40041	73.89
ZIEGLER INC	SW050215095	04/09/2014	4069900	603.00.5300.444.40041	2,915.00

Fund: 603 - CENTRAL EQUIPMENT

52,317.95

OFFICEMAX INC	116689	04/02/2014	687054	604.00.2200.416.60010	28.99
OFFICEMAX INC	514875	04/02/2014	687054	604.00.2200.416.60005	120.26
OFFICEMAX INC	514875	04/02/2014	687054	604.00.2200.416.60010	65.28
S & T OFFICE PRODUCTS	3/31/14	04/09/2014	MARCH 2014	604.00.2200.416.60005	132.76
S & T OFFICE PRODUCTS	3/31/14	04/09/2014	MARCH 2014	604.00.2200.416.60010	9.87
S & T OFFICE PRODUCTS	3/31/14	04/09/2014	MARCH 2014	604.00.2200.416.60010	2,569.21
SHAPCO PRINTING	306481	03/26/2014	0585	604.00.2200.416.60010	235.68
SHAPCO PRINTING	306310	04/09/2014	0585	604.00.2200.416.60010	733.81

Fund: 604 - CENTRAL STORES

3,895.86

ALBERS MECHANICAL CONTRACTORS	14424	04/09/2014	INV103	605.00.7500.460.40040	5,324.00
COMMON SENSE BUILDING SERVICES, INC.	33134	03/26/2014	3/15/14	605.00.7500.460.40040	3,478.41
HUEBSCH SERVICES	3234394	03/26/2014	100075	605.00.7500.460.40065	107.49
LONE OAK COMPANIES	62538	04/09/2014	3/20/14	605.00.7500.460.50035	449.04
LONE OAK COMPANIES	3/26/14	03/26/2014	UTILITY BILL MAILING	605.00.7500.460.50035	1,473.84
MAILFINANCE	N4523799	03/26/2014	3/7/14	605.00.7500.460.40044	835.58
MAIN STREET DESIGNS, INC.	21458	03/26/2014	3/7/14	605.00.7500.460.60065	844.00
MINNESOTA ELEVATOR, INC	305158	03/26/2014	5395	605.00.7500.460.40040	232.60
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	605.00.7500.460.40040	5.50
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	605.00.7500.460.40065	0.15

MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	605.00.7500.460.60065	0.46
P&D MECHANICAL CONTRACTING CO.	10125	03/26/2014	2/28/14	605.00.7500.460.40040	260.00
P&D MECHANICAL CONTRACTING CO.	10143	03/26/2014	2/28/14	605.00.7500.460.40040	260.00
PIONEER PRESS	3/7/14 1142690	04/09/2014	1142690	605.00.7500.460.30700	381.13
Fund: 605 - CITY FACILITIES					13,652.20
INTEGRA TELECOM	11839798	03/26/2014	645862	606.00.1400.413.50020	778.31
MN DEPT OF REVENUE	FEBRUARY 2014	03/20/2014	FEBRUARY 2014 SALES ANI	606.00.1400.413.60065	0.69
OFFICE OF MN. IT SERVICES	3/5/14 200B00171	03/26/2014	200B00171	606.00.1400.413.30750	311.81
SPRINT	842483314-148	04/09/2014	842483314	606.00.1400.413.50020	84.82
SPRINT	842483314-148	04/09/2014	842483314	606.46.0000.3660000	(77.93)
Fund: 606 - TECHNOLOGY FUND					1,097.70
HENNEPIN COUNTY DISTRICT COURT	13427259	03/26/2014	FLOYD LAFAYETTE GIPSON	702.229.2291000	50.00
KEEPRS, INC	238291	04/02/2014	INV GROHTPD	702.229.2291000	2,638.99
NICOLLET COUNTY SHERRIF'S OFFICE	52VB14176	04/02/2014	NICHOLAS DAZAN	702.229.2291000	180.00
Fund: 702 - ESCROW FUND					2,868.99
Grand Total					704,659.58

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Termination of Assessment Agreement

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: Kristi Smith 651-450-2524
 Prepared by: Kristi Smith, Finance Director
 Reviewed by: Joe Lynch, City Administrator

Kristi Smith

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Approve the attached Termination of Assessment Agreement.

SUMMARY

Earlier this year a third party on behalf of the new owner of the property located at 5861 Blaine Avenue (AmericInn) contacted the City to obtain information regarding the minimum assessment agreement related to this parcel.

The City and Voss-Todd Properties, L.L.C. entered into an Assessment Agreement dated April 9, 1997, and recorded on July 17, 1997 with the County Recorded as Document No. 1433281. The Assessment Agreement was to terminate upon final payment of the associated general obligation tax increment revenue bonds. The final payment on the 2003C Taxable TIF Refunding Bonds was made on February 1, 2014.

The current property owner has agreed to pay for the drafting of the document as well as the recording fee.

Staff recommends approval of the attached Termination of Assessment Agreement.

TERMINATION OF ASSESSMENT AGREEMENT

THIS TERMINATION OF ASSESSMENT AGREEMENT (this “**Termination**”) is made as of this ___ day of _____, 2014 by the CITY OF INVER GROVE HEIGHTS, MINNESOTA, a municipal corporation organized under the laws of Minnesota (the “**City**”).

RECITALS

A. For the benefit of the City, Voss-Todd Properties, L.L.C., a Minnesota limited liability company (the “Developer”) and the City entered into that certain Assessment Agreement dated as of April 9, 1997, and recorded July 17, 1997, with the County Recorder as Document No. 1433281 (the “**Assessment Agreement**”).

B. The Assessment Agreement terminated in accordance with its terms upon final payment in full of certain general obligation tax increment revenue bonds of the City on February 1, 2014.

C. This Termination evidences the termination of the Assessment Agreement.

NOW, THEREFORE,

1. Termination of the Assessment Agreement. The Assessment Agreement, in accordance with its terms, has terminated in its entirety and this Termination evidences the termination of the Assessment Agreement. Accordingly, the minimum market value stated in the Assessment Agreement has no further effect.

2. Law Governing. This Termination will be governed and construed in accordance with the laws of State of Minnesota.

3. Counterparts. This Termination may be executed in two or more counterparts, all of which shall be originals and all of which together shall constitute one and the same instrument.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Final Compensating Change Order No. 6, Final Pay Voucher No. 11, Engineer's Final Report, and Resolution Accepting Work for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court.

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651.450.2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

TJK
 SDT
 SB

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Pavement Management Fund, Special Assessments, MSA Funds, Water Fund, Sewer Fund

PURPOSE/ACTION REQUESTED

Consider Final Compensating Change Order No. 6, Final Pay Voucher No. 11, Engineer's Final Report, and Resolution Accepting Work for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court.

SUMMARY

The improvements were ordered as part of the 2012 Pavement Management Program. The contract was awarded in the amount of \$4,715,686.33 to Friedges Contracting Co., LLC on May 14, 2012 for City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court.

The contractor has completed the work through March 31, 2014 in accordance with the contract plans and specifications. The Final Compensating Change Order No. 6, in the amount of (\$437,157.07) is to balance the final contract amount with the final work completed to date.

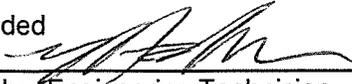
I recommend approval of the Final Compensating Change Order No. 6 in the amount of (\$437,157.07) (for a final contract amount of \$4,398,655.60), approval of Final Pay Voucher No. 11 in the amount of \$108,756.28, acceptance of the Engineer's Final Report, and approval of the Resolution Accepting Work for work on City Project No. 2012-09D – Urban Street Reconstruction, 65th Street Neighborhood and Cahill Court.

TJK/kf

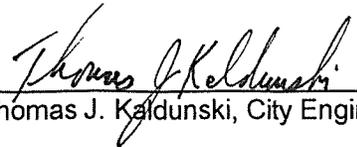
- Attachments: Final Compensating Change Order No. 6
 Final Pay Voucher No. 11
 Engineer's Final Report
 Resolution Accepting Work

FINAL COMPENSATING CHANGE ORDER NO. 6

**2012 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2012-09D – URBAN STREET RECONSTRUCTION
65TH STREET NEIGHBORHOOD AND CAHILL COURT**

Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077 Contractor: Friedges Contracting Co., LLC 21980 Kenrick Avenue Lakeville, MN 55044	Date of Issuance: March 31, 2014 Engineer: City Engineer
<p><u>PURPOSE OF CHANGE ORDER</u></p> <p>See attached.</p>	
CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$4,715,686.33	Original Contract Time:
Previous Change Orders \$120,126.34	Net Change from Previous Change Orders
Contract Price Prior to this Change Order \$4,835,812.67	Contract Time Prior to this Change Order
Net Increase (Decrease) of this Change Order (\$437,157.07)	Net Increase (Decrease) of this Change Order
Contract Price with all Approved Change Orders \$4,398,655.60	Contract Time with Approved Change
Recommended By:  Nick Hahn, Engineering Technician	Approved By: _____ Friedges Contracting Co., LLC

Approved By:



 Thomas J. Kaldunski, City Engineer

Approved By:

 George Tourville, Mayor

Date of Council Action:

 April 14, 2014

ATTACHMENT TO FINAL COMPENSATING CHANGE ORDER NO. 6

**CITY PROJECT NO. 2012-09D – URBAN STREET RECONSTRUCTION
65TH STREET NEIGHBORHOOD AND CAHILL COURT**

Final compensating amount to balance value of work completed and total payments made to Contractor. Accounts for miscellaneous increases and decreases in contract quantities listed in the Final Payment Voucher form. The amount is calculated as follows:

Total value of work completed to date	\$4,398,655.60
Contract amount to date	\$4,835,812.67
Compensating Change Order Amount	(\$437,157.07)

Total of Change Order Number 4 (\$437,157.07)

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER

ESTIMATE NO: 11 (Final)
DATE: April 14, 2014
PERIOD ENDING: March 31, 2014
CONTRACT: 2012 Pavement Management Program
PROJECT NO: 2012-09D – Urban Street Reconstruction, 65th St. Neighborhood and Cahill Ct.

TO: Friedges Contracting Co., LLC
21980 Kenrick Avenue
Lakeville, MN 55044

Original Contract Amount..... \$4,715,686.33
Total Addition (Change Order No. 3 and 4)..... \$120,126.34
Total Deduction (Change Order No. 6) (\$437,157.07)
Total Contract Amount..... \$4,398,655.60
Total Value of Work to Date..... \$4,398,655.60
Less Retained (0%) \$0.00
Less Previous Payment \$4,289,899.32
Total Approved for Payment this Voucher..... \$108,756.28
Total Payments including this Voucher \$4,398,655.60

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above state amount for work performed through March 31, 2014.

Signed by: Thomas J. Kaldunski April 14, 2014
Thomas J. Kaldunski, City Engineer
Signed by: [Signature] April 4, 2014
Friedges Contracting Co., LLC Date
Signed by: _____ April 14, 2014
George Tourville, Mayor

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ENGINEER'S REPORT OF FINAL ACCEPTANCE

CITY PROJECT NO. 2012-09D – URBAN STREET RECONSTRUCTION
65TH STREET NEIGHBORHOOD AND CAHILL COURT

April 14, 2014

TO THE CITY COUNCIL
INVER GROVE HEIGHTS, MINNESOTA

HONORABLE MAYOR AND CITY COUNCIL MEMBERS:

This is to advise you that I have received the work under contract to Friedges Contracting Co., LLC
The work consisted of a street reconstruction.

The contractor has completed the project in accordance with the contract.

It is recommended, herewith, that final payment be made for said improvements to the contractor in the amount as follows:

ORIGINAL CONTRACT PRICE	\$4,715,686.33
CHANGE ORDER (Deduction)	(\$317,030.73)
FINAL CONTRACT AMOUNT	\$4,398,655.60
FINAL VALUE OF WORK	\$4,398,655.60
PREVIOUS PAYMENTS	\$4,289,899.32
BALANCE DUE	\$108,756.28

Sincerely,



Thomas J. Kaldunski, P.E.
City Engineer

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION ACCEPTING WORK OF FRIEDGES CONTRACTING CO., LLC AND AUTHORIZING
FINAL PAYMENT IN THE AMOUNT OF \$108,756.28

CITY PROJECT NO. 2012-09D – URBAN STREET RECONSTRUCTION
65TH STREET NEIGHBORHOOD AND CAHILL COURT

RESOLUTION NO. _____

WHEREAS, pursuant to a written contract with the City of Inver Grove Heights dated May 14, 2012, Friedges Contracting Co., LLC, satisfactorily completed improvements and appurtenances for the 2012 Pavement Management Program, City Project No. 2012-09D – Urban Street Reconstruction – 65th Street Neighborhood and Cahill Court.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: That the work completed under this contract is hereby accepted and approved, and

BE IT FURTHER RESOLVED: That the Mayor and the City Clerk are hereby directed to issue a proper order for final payment on such contract, taking the contractor's receipt in full.

Adopted by the City Council of Inver Grove Heights this 14th day of April, 2014.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Approving the Cost Share Contract with Dakota County Soil and Water Conservation District for Community Conservation Partnership Funding Program for City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651-450-2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

SK

	Fiscal/FTE Impact:
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: SWCD Community Conservation Partnership Grant, PMP Funds

PURPOSE/ACTION REQUESTED

Resolution approving the Cost Share Contract with Dakota County Soil and Water Conservation District for Community Conservation Partnership Funding Program for City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction.

SUMMARY

The City Engineering Division has been working with the Dakota County Soil and Water Conservation District (SWCD) to secure a \$50,000 grant for City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction.

The City applied for the Cost Share Program with Dakota County following Council authorization. This funding is being provided from the Community Conservation Partnership (CCP) Program which is being administered by the Dakota County SWCD. These funds will be utilized to construct storm water management facilities on City Project No. 2014-09D – College Trail Reconstruction and pre-treatment basin at Blaine Avenue. The funding is based on a grant provided by the State Legislature for water quality improvements. The Dakota County SWCD Board took action to approve the Cost Share Contract with the City of Inver Grove Heights at its April 3 meeting. A copy of this agreement is attached.

A copy of the plan is attached. It consists of excavating a treatment basin near Blaine Avenue and College Trail on City easements, located northwest of the intersection. An infiltration basin will be installed with the College Trail project. The project will be considered for an award of contract in the summer of 2014. If project construction does not begin by September 2, 2014 the grant will be withdrawn. Funding will be provided by the City's Pavement Management Fund and this grant.

TJK/kf

Attachments: Resolution
 Cost Share Contract
 Basin plan

DAKOTA COUNTY
INVER GROVE HEIGHTS, MINNESOTA

RESOLUTION APPROVING A COST SHARE CONTRACT WITH THE DAKOTA COUNTY SOIL AND WATER
CONSERVATION DISTRICT FOR COMMUNITY CONSERVATION PARTNERSHIP (CCP) FUNDING
PROGRAM FOR CITY PROJECT NO. 2014-09D – COLLEGE TRAIL RECONSTRUCTION PRE-TREATMENT
BASIN AT BLAINE AVENUE

RESOLUTION NO. _____

WHEREAS, as part of the City's 2014 Pavement Management Program, City Project No. 2014-09D – College Trail Reconstruction, a pre-treatment basin at Blaine Avenue has been identified for construction starting in 2014; and

WHEREAS, the City applied for and received a Community Conservation Program Grant from the Dakota County Soil and Water Conservation District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The City is authorized to enter into a Cost Sharing Contract with the Dakota County Soil & Water Conservation District (SWCD) relating to the Community Conservation Program (CCP) for a storm water facility at Blaine Avenue for City Project No. 2014-09D – College Trail Reconstruction.
2. The project funding will consist of SWCD grant funds and City Pavement Management Funds.

Adopted this 14th day of April 2014 by the City Council of Inver Grove Heights.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk



Dakota County Soil and Water Conservation District COST SHARE CONTRACT

Cost Share Program Type

CCS

CIF

CCP

GENERAL INFORMATION

Watershed Name Mississippi	Contract Number 14-CCP-03	Individual / Group Individual	Board Meeting Date(s): 4/3/2014
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APPLICANT

Applicant City of Inver Grove Heights	Address/City/State 8150 Barbara Avenue Inver Grove Heights, MN 55077	Contact Information Tom Kaldunski, P.E., City Engineer tkaldunski@invergroveheights.org (651) 450-2572
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* If this is a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement.

CONSERVATION PRACTICE LOCATION

Address or Township Name PID No. 2000160003012 Inver Grove Heights, MN 55077	Township 27N	Range 22W	Section 16	1/4, 1/4 SE of NW
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CONTRACT INFORMATION

I (we), the undersigned Applicant, do hereby request cost-share assistance to help defray the cost of installing the Project as listed below subject to the following terms and conditions. It is agreed that:

1. The Applicant is solely responsible to obtain all permits and perform the work in compliance with local, state and federal regulations.
2. The Project must be completed in compliance with the approved plans, specifications and the District's technical standards. Any requests to change the approved plans, specifications or costs estimates must be submitted in writing to the District for review and approval.
3. The District reserves the right, at its sole discretion, to determine Project compliance to its technical standards and may withhold or deny payment for Projects that are non-compliant, improperly installed and/or improperly maintained or payment requests for expenses the District determines to be non-essential to the Project. The Applicant is responsible to confirm project compliance with the District for critical project components, including but not limited to, final design, layout staking, sub-grade excavations, soil preparation, piping and appurtenance installations, site grading, planting and final site stabilization. Unless otherwise agreed in writing, the Applicant is responsible to correct all non-compliance issues to the satisfaction of the District at its sole expense. At its option, the District may determine the non-compliance of a single project component to be non-compliance for the project as a whole.
4. The Applicant is solely responsible for the cost of constructing the Project per the approved plans and specifications. Upon Project completion and acceptance by the District Board of Supervisors, the reimbursement payment to the Applicant is limited to a maximum of sixty-five (65) percent of the actual project expenses, not to exceed the maximum cost share amount. All requests for cost share payment must be supported by itemized project receipts and invoices determined by the District to be practical and reasonable for the completion of the Project. Partial payments prior to Project completion shall not be made unless otherwise agreed in writing.

5. The Applicant is responsible to comply with the Project Operation & Maintenance Plan and shall provide at his sole expense, all labor and materials to properly maintain the Project during its minimum effective life (15 Years). If the Project is removed or modified without consent of the District, the Applicant shall be liable for monetary damages, not to exceed the amount of cost share received from the District for that Project. If land ownership is transferred to another party, it shall be the responsibility of the property owner/applicant who signed this contract to advise the new landowner that this contract shall remain in force.
6. This contract, when approved by the District Board of Supervisors, will remain in effect unless canceled by mutual agreement, except when installation of the Project covered by this contract has not been started by 9/2/2014 (date) in which case this contract will automatically terminate on that date.
7. The Project will be installed by 11/14/2014 (date), unless this contract is amended by mutual consent to reschedule the work and funding.
8. The Applicant is solely liable for his/her own acts and agrees to hold harmless and defend the District against claims, actions, demands or damages arising out of the performance of this Agreement.
9. The Applicant authorizes the Dakota County SWCD to take and disclose photographs of the conservation practice for use in publications or promotional materials or on their website for the purpose of highlighting the Dakota County SWCD's programs. I also authorize the Dakota County SWCD to disclose my name and applicable conservation practice information with any conservation practice photograph.

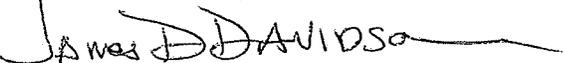
APPLICANT SIGNATURES

Date	Landowner/Applicant	Address	City/State/Zip Code

CONSERVATION PRACTICE

Eligible component(s) 570 Stormwater Runoff Control	Other recognized technical practice 362 Diversion	Engineered Practice <input checked="" type="checkbox"/> Ecological Practice <input type="checkbox"/>	Total Cost Estimate \$87,910.00
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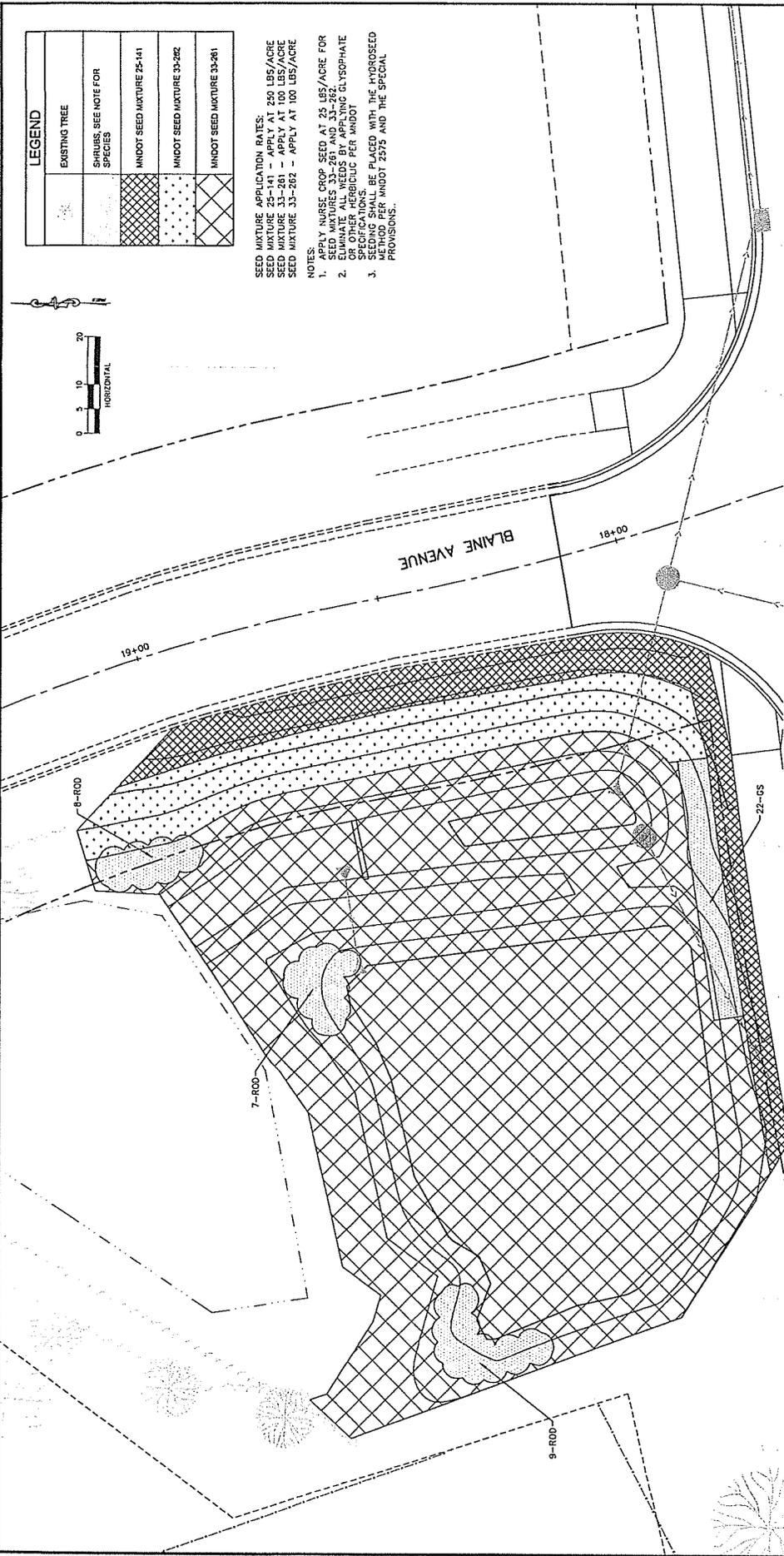
TECHNICAL ASSESSMENT AND COST ESTIMATE

Dakota County SWCD Technical Representative 	Date 3/17/14
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AMOUNT AUTHORIZED FOR PAYMENT (ENCUMBRANCE)

Cost share is approved at up to 65% of the total estimated project cost. The final cost share reimbursement amount shall be determined by applying the approved percentage to the total actual project costs as reviewed and approved and is limited to not exceed \$50,000.00

Dakota County SWCD Board Chair 	Board Meeting Date 2-3-2014
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LEGEND	
[Symbol]	EXISTING TREE
[Symbol]	SHRUBS; SEE NOTE FOR SPECIES
[Symbol]	MNDOT SEED MIXTURE 25-141
[Symbol]	MNDOT SEED MIXTURE 33-262
[Symbol]	MNDOT SEED MIXTURE 33-261

SEED MIXTURE APPLICATION RATES:
 SEED MIXTURE 25-141 - APPLY AT 250 LBS/ACRE
 SEED MIXTURE 33-261 - APPLY AT 100 LBS/ACRE
 SEED MIXTURE 33-262 - APPLY AT 100 LBS/ACRE

NOTES:
 1. APPLY NURSE CROP SEED AT 25 LBS/ACRE FOR SEED MIXTURES 33-261 AND 33-262.
 2. ELIMINATE ALL WEEDS BY APPLYING GLYPHOSATE AT 1.5 LBS/AI PER ACRE PER MNDOT SPECIFICATION.
 3. SEEDING SHALL BE PLACED WITH THE HYDROSEED METHOD PER MNDOT 2575 AND THE SPECIAL PROVISIONS.

PLANT SCHEDULE

QTY	SYM	COMMON NAME	BOTANICAL NAME	SIZE	ROOT CONT.	SPACING	REMARKS
22	GS	BLACK CHOKEBERRY	ARONIA MELANOCARPA ELATA	#5	CONT.	42" OC	ALTERNATE SPACING
24	ROD	RED-OBER DOGWOOD	CORNUS SERICEA	#5	CONT.	54" OC	ALTERNATE SPACING

NOTES: 1. MULCH PLANT AS ONE CONTIGUOUS MULCH BED 4". APPLY PREEN PRIOR TO PLACING MULCH.
 2. 2014 MNDOT SPECIFICATIONS 2571 AND 2575 SHALL APPLY TO ALL PLANTING AND SEEDING OPERATIONS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION AND CONTRACT DOCUMENTS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

1000 P. HALLINAN, P.A.
 DATE: 02/24/2014 M.S. NO. 24920

Kimley-Horn and Associates, Inc.
 575 UNIVERSITY AVENUE, SUITE 2300
 ST. PAUL, MINNESOTA 55101
 TEL. NO. (612) 643-1117

APP.	DRAWING NAME	160509020-LAPLAN.dwg
	DESIGNED BY:	RMK
	DRAWN BY:	RMK
	CHECKED BY:	E.F.
	DATE:	02/24/2014
	PROJECT NO.	160509020

No.	Date	Revisions

2014-USD	SHEET NO.	79
2014-06	CITY PROJECT	2014-06
178-114-001 (COLLEGE TRAIL)	CITY PROJECT	178-114-001 (COLLEGE TRAIL)
178-103-015 (BLAINE AVENUE)	S.A.P.	178-103-015 (BLAINE AVENUE)

CITY OF INVER GROVE HEIGHTS
 COLLEGE TRAIL STREET RECONSTRUCTION
 AND BARBARA AVENUE PARTIAL
 STREET RECONSTRUCTION

LANDSCAPE PLAN

Inner Grove Heights

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolutions Calling for Hearing on Proposed Assessments, Declaring Costs to be Assessed, and Ordering Preparation of Proposed Assessments for 2012 Pavement Management Program, City Project No. 2011-08 – 66th Street Improvements (Concord Boulevard to Swing Bridge Pier)

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651.450.2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

SA

Fiscal/FTE Impact:

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Water Connection Fund, Sewer Operating Fund, Park Grants, Trunk Turn-back Funds, Special Assessments

PURPOSE/ACTION REQUESTED

Consider resolutions calling for hearing on proposed assessments, declaring costs to be assessed, and ordering preparation of proposed assessments for 2012 Pavement Management Program, City Project No. 2011-08 – 66th Street Improvements (Concord Boulevard to Swing Bridge Pier).

SUMMARY

This project has been completed and an assessment hearing is proposed for May 12, 2014. The project included mill and overlay, concrete curb and gutter, storm sewer, water main extension, sanitary sewer extension, restoration, and appurtenances.

The final project cost is \$599,561.82 and the proposed final assessments are \$246,404.64, approximately 41 percent of the total project cost.

In the final review it was determined that four parcels identified for assessment in the feasibility study (Dakota County parcels 1, 10, and 11; as well as the railroad tracks, parcel 2) are not assessable per the 429 State Statute. The budget was balanced from the higher bid cost and additional rock excavation expenses with the City's \$291,000 in County Turn-back Funds and additional Sewer Operating and Water Connection Funds. Park Grants paid for park-related expenses.

I recommend adopting the attached resolutions calling for hearing on the proposed assessment, declaring costs to be assessed, and ordering preparation of proposed assessments for 2012 Pavement Management Program, City Project No. 2011-08 – 66th Street Improvement (Concord Boulevard to Swing Bridge Pier).

TJK/jds

Attachments: Resolutions
 Project Map

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF
PROPOSED ASSESSMENTS

2012 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2011-08 – 66TH STREET IMPROVEMENTS
(CONCORD BOULEVARD TO SWING BRIDGE PIER)

RESOLUTION NO. _____

WHEREAS, by a resolution of the City Council on Monday, April 14, 2014, the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

2011-08 2012 Pavement Management Program
City Project No. 2011-08 – 66th Street Improvements (Concord Boulevard to
Swing Bridge Pier)

WHEREAS, the project includes mill and overlay, concrete curb and gutter, storm sewer, water main extension, sanitary sewer extension, restoration, and appurtenances; and

WHEREAS, the total final project cost is \$599,561.82.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The amount to be specially assessed for City Project No. 2011-08 is hereby declared to be \$246,404.64.
2. The City Clerk, with the assistance of the Public Works Director, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall be filed in the City Clerk's office for public inspection.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of April 2014.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENTS

2012 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2011-08 – 66TH STREET IMPROVEMENTS
(CONCORD BOULEVARD TO SWING BRIDGE PIER)

RESOLUTION NO. _____

WHEREAS, by a resolution of the City Council on Monday, April 14, 2014 the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

2012 Pavement Management Program

City Project No. 2011-08 – 66th Street Improvements (Concord Boulevard to Swing Bridge Pier)

WHEREAS, the project includes mill and overlay, concrete curb and gutter, storm sewer, water main extension, sanitary sewer extension, restoration, and appurtenances; and

WHEREAS, the City Clerk has notified the City Council that such assessments have been completed and filed in the City Clerk's Office for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. A hearing shall be held on the 12th day of May 2014, in the City Council Chambers, 8150 Barbara Avenue at 7:00 p.m., to pass upon the proposed assessments; and, at such time and place, all persons owning property affected by such improvements shall be given an opportunity to be heard with reference to such assessments.
2. The City Clerk is hereby directed to cause a notice of hearing on the proposed assessments to be published once in the official newspaper and to be mailed to the owner of each parcel described in the assessment roll.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of April 2014.

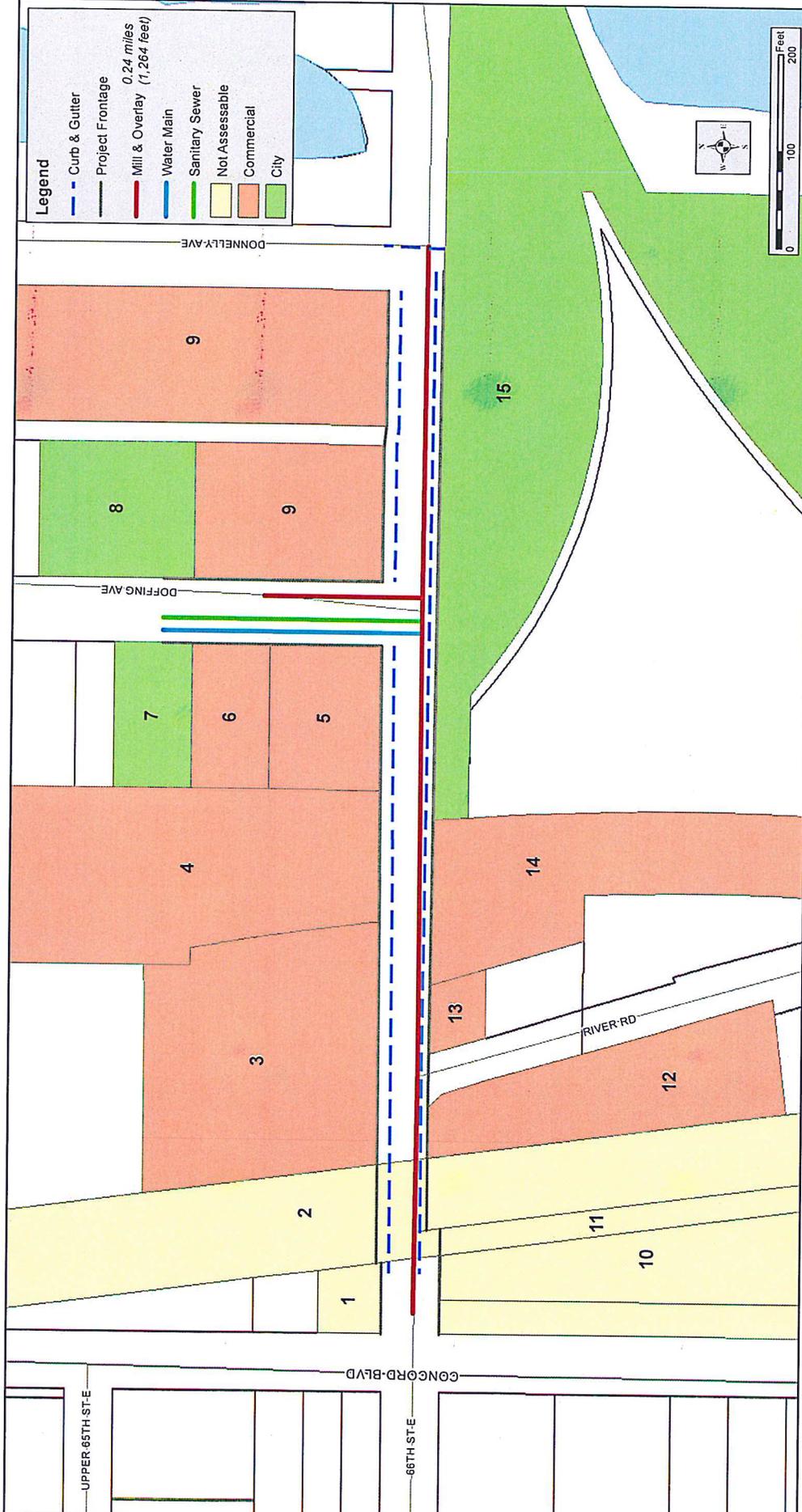
AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk



Legend

- Curb & Gutter
- Project Frontage
- Mill & Overlay (1,264 feet)
- Water Main
- Sanitary Sewer
- Not Assessable
- Commercial
- City

THIS DRAWING IS HEREBY LEGALLY RECORDED AND THE INFORMATION CONTAINED HEREIN IS TO BE USED AS ONE OF THE RECORDS OF THE CITY OF INVER GROVE HEIGHTS, MN. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSES AND IS NOT TO BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE CITY ENGINEER. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN. CONTINUED

Map provided by the City of Inver Grove Heights
Copyright City of Inver Grove Heights 2013

City Project 2011-08 66th Street Mill & Overlay Final Assessment Map



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolutions Calling for Hearing on Proposed Assessments, Declaring Costs to be Assessed, and Ordering Preparation of Proposed Assessments for 2014 Pavement Management Program, City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651.450.2572
 Prepared by: Steve W. Dodge, Assistant City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

TJK

SDD

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Pavement Management Funds, Special Assessments, State Aid Funds, Water Fund, Sewer Fund, DCSWCD Grant

PURPOSE/ACTION REQUESTED

Consider resolutions calling for hearing on proposed assessments, declaring costs to be assessed, and ordering preparation of proposed assessments for 2014 Pavement Management Program, City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction.

SUMMARY

Bids for this project were received on March 27, 2014 and the assessment hearing is proposed for May 12, 2014. The project is scheduled to be awarded after the final assessment hearing is held, but within 90-days of the bid opening. This flexibility was built into the project to allow time for easement acquisition process and to complete the assessment waiver negotiation with Inver Hills Community College.

The College Trail Reconstruction includes College Trail from Broderick Boulevard to Cahill Avenue and the College Heights neighborhood. The Barbara Avenue Partial Reconstruction includes Barbara Avenue from 80th Street to the City Hall driveway entrance. The project includes easement acquisitions, removals, roadway reconstruction, bituminous pavement reclamation, full depth mill and overlay, subgrade excavation and correction, granular subgrade, aggregate base, bituminous pavement, curb and gutter, daintile, driveway reconstruction, concrete sidewalk, bituminous trail, retaining wall, guard rail, storm water facility improvements, ponds, infiltration basin, treatment basins, water main system repair and replacement, sanitary sewer, restoration and appurtenances.

The budgeted final project cost for 2014-09D is \$3,521,441.94 and the proposed final assessments are \$1,065,958.64, approximately 30 percent of the total project cost. City Project No. 2014-06 - Blaine Avenue Retaining Wall Replacement Project, was bid in conjunction with City Project No. 2014-09D. The budgeted final project cost for City Project No. 2014-06 is \$332,235.34. There are no assessments on City Project No. 2014-06 – Blaine Avenue Retaining Wall Replacement Project.

I recommend adopting the attached resolutions calling for hearing on the proposed assessment, declaring costs to be assessed, and ordering preparation of proposed assessments for 2014 Pavement Management Program, City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction.

TJK/jds
 Attachments: Resolutions
 Project Map

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION DECLARING COSTS TO BE ASSESSED AND ORDERING PREPARATION OF
PROPOSED ASSESSMENTS

2014 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2014-09D – COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE
PARTIAL RECONSTRUCTION

RESOLUTION NO. _____

WHEREAS, by a resolution of the City Council on Monday, April 14, 2014, the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

2014-09D 2014 Pavement Management Program
City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction

WHEREAS, The project includes easement acquisitions, removals, roadway reconstruction, bituminous pavement reclamation, full depth mill and overlay, subgrade excavation and correction, granular subgrade, aggregate base, bituminous pavement, curb and gutter, daintile, driveway reconstruction, concrete sidewalk, bituminous trail, retaining wall, guard rail, storm water facility improvements, ponds, infiltration basin, treatment basins, water main system repair and replacement, sanitary sewer, restoration and appurtenances; and

WHEREAS, the total final project cost is \$3,521,441.94.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The amount to be specially assessed for City Project No. 2014-09D is hereby declared to be \$1,065,958.64.
2. The City Clerk, with the assistance of the Public Works Director, shall forthwith calculate the proper amount to be specially assessed for such improvement against every assessable lot, piece or parcel of land within the district affected, without regard to cash valuation, as provided by law, and shall be filed in the City Clerk's office for public inspection.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of April 2014.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENTS

2014 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2014-09D – COLLEGE TRAIL RECONSTRUCTION AND BARBARA AVENUE
PARTIAL RECONSTRUCTION

RESOLUTION NO. _____

WHEREAS, by a resolution of the City Council on Monday, April 14, 2014 the City Clerk was directed to prepare proposed assessments of the costs of the improvements as follows:

2014 Pavement Management Program

City Project No. 2014-09D – College Trail Reconstruction and Barbara Avenue Partial Reconstruction

WHEREAS, The project includes easement acquisitions, removals, roadway reconstruction, bituminous pavement reclamation, full depth mill and overlay, subgrade excavation and correction, granular subgrade, aggregate base, bituminous pavement, curb and gutter, draintile, driveway reconstruction, concrete sidewalk, bituminous trail, retaining wall, guard rail, storm water facility improvements, ponds, infiltration basin, treatment basins, water main system repair and replacement, sanitary sewer, restoration and appurtenances; and

WHEREAS, the City Clerk has notified the City Council that such assessments have been completed and filed in the City Clerk's Office for public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. A hearing shall be held on the 12th day of May 2014, in the City Council Chambers, 8150 Barbara Avenue at 7:00 p.m., to pass upon the proposed assessments; and, at such time and place, all persons owning property affected by such improvements shall be given an opportunity to be heard with reference to such assessments.
2. The City Clerk is hereby directed to cause a notice of hearing on the proposed assessments to be published once in the official newspaper and to be mailed to the owner of each parcel described in the assessment roll.

Adopted by the City Council of Inver Grove Heights, Minnesota this 14th day of April 2014.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve 2014 Tree Replacement Plan

Meeting Date: April 14, 2014
 Item Type: Consent Agenda
 Contact: Mark Borgwardt-651-450-2581
 Prepared by: Mark Borgwardt, Brian Swoboda
 Reviewed by: Eric Carlson

	Fiscal/FTE Impact:
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Consider approval of the proposed 2014 Tree Replacement Plan.

SUMMARY

Background:

The Commission and Council approved the Tree Preservation Mitigation Fund and Tree Replacement Plan Policy in early 2003. (See attached). The purpose of the policy is to provide criteria for the expenditure of funds in the City of Inver Grove Heights Tree protection and Preservation Fund. The policy provides for expenditures of up to 50% of the fund in any given year. The current balance in the Tree Preservation Mitigation Fund (Fund 443) is approximately \$18,000 (50% = \$9,000). While the policy allows for the expenditure of up to 50% of the fund balance, we don't expect much development activity in 2014 based on the economy. The PRAC reviewed this on April 9th and is recommending approval.

The following is the recommended 2014 expenditures:

Proposed 2014 Tree Preservation Fund

Project	Description	Quantity	Cost
Tree Removal	Dead, dying, diseased, storm, & hazard trees		\$4,000
		TOTAL	\$4,000

POLICY

TREE PRESERVATION MITIGATION FUND

TREE REPLACEMENT PLAN

PURPOSE AND INTENT OF POLICY

The purpose of this policy is to provide criteria for the expenditure of funds in the City of Inver Grove Heights Tree Protection and Preservation Fund. The intent is the enhancement of the city's forest resource.

POLICY

Funds may be used as follows:

1. Reforestation Program

The Reforestation Program includes the purchase and planting of trees on public land including, but not limited to city parks, city golf course, city nursery, storm sewer retention ponds, open space and limited road right-of-way such as Cahill Ave. between Upper 55th St. and 80th St. with community-wide significance. Costs may include tree purchase, planting, and a maintenance period (i.e. irrigation, tree staking, fertilization, pruning, etc.) until the tree(s) becomes established.

2. Special Needs

In the event of a natural disaster or other identifiable special need, funds may be contributed to other city sponsored reforestation programs.

CONTINUANCE OF POLICY

This policy shall apply only to funds received specifically from Tree Protection and Preservation Mitigation Fund (Code 515.90 Subd 28) from applications to the City. At no time may the fund deplete by more than 50%, or to less than \$10,000 in any given year, without the express consent of the City Council.

RESPONSIBILITY

The Director of Parks and Recreation and the City Administrator shall have primary responsibility for the implementation and coordination of this policy per Code 515.90 Subd 28. An annual tree replacement plan, prepared by Parks Division, will be submitted for Park and Recreation Advisory Commission review and City Council approval.

Approved by the Inver Grove Heights City Council 2/10/03

Consider Memorandum of Understanding with Friends of Mississippi River

Meeting Date: April 14 , 2014
 Item Type: Consent Agenda
 Contact: Mark Borgwardt-651-450-2581
 Prepared by: Mark Borgwardt
 Reviewed by: Eric Carlson

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other

PURPOSE/ACTION REQUESTED

Approve entering into Memorandum of Understanding (MOU), with Friends of the Mississippi River, (attached) for the purposes of continuing the restoration and enhancement activities at the Rock Island Swing Bridge, that were initiated in 2013. Recommend not to exceed funding of \$20,000 from Park Fund 402.

SUMMARY

In 2013 Parks staff was successful in securing funding for restoration of 17.28 acre area surrounding Rock Island Swing Bridge through a grant provided by the Minnesota Environment and Natural Resources Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR), through Friends of Mississippi River membership in the Metro Conservation Corridors partnership. The current MOU with FMR for 2014 budgets \$15,300 from city to complete restoration activities as outlined in Exhibit A-2014-15 highlighted in green. Recommend these not to exceed funding come from Fund 402.

The PRAC reviewed this on April 9th and is recommending approval.



Friends of the Mississippi River

360 N Robert Street, Suite 400 • Saint Paul, MN 55101 • 651/222-2193 • Fax 651/222-6005

Restoration Agreement between
Friends of the Mississippi River
and
The City of Inver Grove Heights, MN

This Agreement establishes a partnership between Friends of the Mississippi River (FMR) and The City of Inver Grove Heights, MN for the purposes of continuing the restoration and enhancement activities at the Rock Island Swing Bridge unit within the Heritage Park, that were initiated in 2013, and as described in the *Rock Island Swing Bridge, within Heritage Village Park - Natural Resource Management Plan*.

Together, the Parties enter into this Agreement to mutually improve the natural communities within the Rock Island Swing Bridge unit. Accordingly, FMR and City of Inver Grove Heights, MN operating under this Agreement agree as follows.

II. Deliverables

Using the *Rock Island Swing Bridge, within Heritage Village Park - Natural Resource Management Plan*, FMR agrees to conduct the list of activities within the Rock Island Swing Bridge unit as specified in Exhibit A-2014-15 (activity list and timeline spreadsheet) and Exhibit B (map showing activity areas) as allowed with the available funding. These activities include: continue using the contractor that was hired in 2013 to remove exotic invasive woody species from the embankment slopes and to conduct follow up control of exotic brush (that was cut in 2013) in the lowland hardwood forest, the embankment slopes, and the altered shrubland areas. Activities also include conducting a prescribed burn on areas to be restored to prairie and savanna (Mesic Savanna and portions of the Prairie on the embankments) and to the Terrace Forest. Other activities include seeding the areas designated as prairie on the embankment, both north and south facing slopes. FMR is also interested in organizing one or more community stewardship events at this site, similar to those that were conducted in 2013, if funding can be located. Using an adaptive management approach to enhancing the natural features of the site, FMR may find it necessary to use other techniques to achieve the goals presented in the NRMP. FMR will consult with city staff prior to utilizing other techniques not specifically identified in this MOU.

III. RESPONSIBILITIES

Each party will appoint a person to serve as the official contact and to coordinate the activities of each organization in carrying out this MOU. The appointees of each organization are:

<p>Friends of the Mississippi River Tom Lewanski, Conservation Director 360 North Robert Street, Suite 400. St. Paul, MN 55101 651-222-2193 Ext. 12 tlewanski@fmr.org</p>	<p>The City of Inver Grove Heights Mark Borgwardt, Park Superintendent 8150 Barbara Ave. Inver Grove Heights, MN 55077 651-450-2581 mborgwardt@invergroveheights.org</p>
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The partnering organizations agree to the following tasks for this Agreement:

FMR will:

- Contribute the remaining funds (approximately \$5,000) to complete activities in Exhibit A, from last year's MOU, toward the completion of the restoration activities in Exhibit A-2014-15 (yellow highlighted rows). FMR's funds for completing tasks that were designated in last year's MOU are provided by a grant from the Minnesota Environment and Natural Resources Trust Fund as recommended by the LCCMR. Funding for new activities, to be completed in 2014, see Exhibit A-2014-15 (green highlighted rows), will be covered solely by the City of Inver Grove Heights, MN. Funding for activities in subsequent years can be applied for in future grant cycles. FMR is committed to partnering with the City of Inver Grove Heights to restore and enhance the natural areas at this site.
- Notify the city's designated contact when the contractor(s) plan to be on-site to conduct activities associated with this project.
- Secure all permits, variances, and/or official permission required to conduct the activities
- Submit invoices in timely manner.
- FMR guarantees that the work that it will do as part of this Agreement and according to the approved work plan will be done in accordance with applicable standards in a workman like manner. However, FMR disclaims and excludes any warranties of any kind including but not limited to fitness, whether implied or expressed, for a particular purpose or merchantability. In no event shall FMR be liable to City of Inver Grove Heights for consequential or incidental damages or personal injuries.
- Provide a sign that LCCMR requires be displayed at the site.

The City of Inver Grove Heights will:

- Contribute \$15,300 toward the completion of the restoration activities presented in Exhibit A-2014-15.
- Assist FMR in obtaining any necessary permits.
- Be available to consult on the project.
- Pay invoices promptly.
- Grant permission to Friends of the Mississippi River and any contractors that it hires to conduct restoration/enhancement activities at this site and grant unobstructed access to the project site.
- Conduct outreach required to inform neighborhood/community of the activities associated with this enhancement project.
- The City of Inver Grove Heights acknowledges that the funds that FMR will use to conduct much of the restoration and enhancement activities were awarded through a grant from the Minnesota Environmental and Natural Resources Trust Fund. Use of these

funds has specific requirements. In accepting the use of these funds at this site the City of Inver Grove Heights agrees to the following:

- To maintain the project for a minimum of ten (10) years from the date of this signed agreement, or according to agreements with other jurisdictions, whichever is longer, to ensure that the conservation objectives of this agreement are met and maintained.
- Maintenance will consist of retaining any installed planting/restoration work and not disturbing, degrading or removing it by other activities, including mowing. Plants installed in the restoration site and all other management activities, including use of herbicides, mowing, etc must comply with the Natural Resource Management Plan.
- If the City of Inver Grove Heights must temporarily impact the restoration site to respond to emergent issues affecting normal business activities, it is the responsibility of the City of Inver Grove Heights to ensure that the site will be restored to the pre-impact conditions as soon as possible, using its own funding. Consultation with FMR prior to any such work is strongly suggested, to ensure minimizing impacts and achieving proper mitigation.
- If FMR or the City of Inver Grove Heights intends to conduct habitat restoration, enhancement or management activities that differ from the jointly approved NRMP, the other party to this agreement must be consulted prior to implementing these changes to determine if the proposed activities are acceptable or a revised NRMP is required.
- Display an Environment and Natural Resources Trust Fund sign at the site.

IV. TERM OF UNDERSTANDING

The term of this Agreement is for a period of two years from the date that it was finalized. Changes to this Agreement must be in writing and signed by the official contacts from both organizations.

Authorization

On behalf of the organization I represent, I agree to fulfill my responsibilities outlined in this MOU.

Whitney Clark

Date:

Executive Director
Friends of the Mississippi River

Mark Borgwardt

Date:

Park Superintendent
City of Inver Grove Heights

EXHIBIT A-2014-15
Restoration Activities

This represents a list of tasks that have already been completed and ones that still will be completed in the timeframe of this MOU. Any task not completed in the next two years will have to be addressed in future MOU's.

EXOTIC BRUSH REMOVAL				
#	Units	Acres	When	Tasks
2013				
1	TF, Sav	2	Winter	Cut exotic brush, and designated native brush, and treat stumps. Work directly with STS crews to haul and stack. See attached map for designated area.
2	FF, Pr, WdEdg., TF, Sav	9	Winter	Cut, treat, haul, and stack exotic brush, and designated native brush. Burn brush piles.
	WdEdg-north side of 66th Street	0.6	Winter	Cut, treat exotic brush. Chip and blow chips back onto area where brush was removed.
FLOODPLAIN FOREST RESTORATION				
Units	Acres	When	Tasks	
2013				
3	FF	1	Summer, Fall	Control purple loosestrife on shoreline. Create canopy gaps by cutting designated trees along shoreline and around blowdown in interior.
4	FF	4	Winter	Plant into canopy gaps with cottonwood; also with black willow by shoreline.
5	FF	1.5	Summer, Fall	Plant bare root whips throughout forest.
6	FF	4	Spring	Plant bare root whips throughout forest.
7	FF	4	Any	Annual Ecological evaluation.
PRAIRIE RESTORATION ON EMBANKMENT SLOPES				
Units	Acres	When	Tasks	
2013				
8	Pr, WdEdg	3	Spring, summer	Collect and test soil samples. REALLOCATED.
9	Pr	1	Spring, summer, fall	Monitor the north-facing slope of embankment for prairie seedlings.
10	Pr, WdEdg	3	Spring and Fall	For seedlings and saplings (whips), brush cut in late spring (after leaf-out) and foliar-treat with glyphosate herbicide in fall (ideally mid October).
11	Pr, WdEdg	3750 SQ FT	Summer, Fall	Spot-treat to control herbaceous weedy species, only where no native prairie seedlings occur, and at FMR Ecologists designation. REALLOCATED
12	Pr, WdEdg	3	Spring	Install water bars and/or wattles on slope to stabilize it.
13	Pr, WdEdg	3750 SQ FT	Spring	Hand seed prairie mix onto treated areas. Install erosion control blanket as necessary. Seed provided by FMR.
14	Pr, WdEdg	1	Spring	Install native shrubs on slopes.
15	Pr, WdEdg	3	Summer	Mow or brush cut weeds two or three times on seeded areas on slope. Install 370 native plugs as per "scope of work" section in RFP. REALLOCATED
2014				
16				Annual Ecological evaluation.
17	Prairie, Woodland Edge	5	Spring	Evaluate for fuel levels in units prior to burn.
18	Prairie, Woodland Edge	6.5	Spring	Conduct controlled burn on the south-facing and north-facing Prairie (embankment slopes) and Woodland Edge units.
19	Pr, WdEdg	3	Sp, Su	Over-spray seeded areas on slope to control broadleaf herbaceous weeds.
20	Pr, WdEdg	3	Sp, Su	Spot-treat exotic woody resprouts. Broadcast-treat exotic seedlings.
21	Prairie, Woodland Edge	1	Spring	Cut & stump treat boxelder and various other tree species (NOT oak, walnut, or hackberry) from WESTERN and CENTRAL edge of south-facing embankment prairie slope and onto the flat approx 30 yds. Cut material will be chipped and hauled off site (unless arrangements can be made otherwise). Large material will be left for the City to dispose of.
22	Woodland Edge	1	Summer	Cut/stump treat all boxelder and elm from EASTERN edge of south-facing embankment slope and approx 6 trees east of the overlook. Cut material will be chipped and distributed on site when dry conditions exist. Chips will be distributed so they are approx 1" thick, no greater than 2" thick.
23	Prairie, Woodland Edge	0.5	Summer	Cut prickly ash patches from south-facing embankment slope and approx 6 trees east of the overlook. Cut material will be slashed and left lay for future burning. Stumps will be treated.
24	Woodland Edge	0.5	Spring	Overseed forested slope after burn. Seed provided by FMR.
25	Prairie	2.5	Spring	Overseed north and south facing slopes after burn. Seed provided by FMR.
26	Woodland Edge	2.5	Spring	Seed for south-facing embankment.
RESTORATION of TERRACE FOREST and MESIC SAVANNA				
Units	Acres	When	Tasks	
2013				
27	TF, Sav	4	Sp, Su, Fa	Spot-treat to control herbaceous weedy species.
28	TF, Sav	5	Su, Fa	Treat exotic resprouts.
29	TF, Sav	5	Sp & Fa	Mow or brush cut exotic woody saplings (whips) and seedlings, after they leaf out. Foliar-treat (with glyphosate) resprouts later, in fall, while they are still actively growing (ideally, mid October). REALLOCATED
30	TF, Sav, Pr (s-facing) STILL NEED TO DO Pr (s-facing)	5	Su, Fa	Seed with wild rye (and other native grasses) and oats to establish a grass component that will serve as fuel for a ground fire. SEEDED WITH A NATIVE PRAIRIE/SAVANNA MIX
2014				
31	TF, Sav, Pr (s-facing)	6.5	Sp, Su, Fa	Spot treat to control herbaceous weeds.
32	TF, Sav	5	June, July, August	Mow 3 times.
2015				
33	TF, Sav	5	Spring	Mow once
34	TF, Sav	5	Spring, summer	Spot treat as necessary
35	TF, Sav	5	Spring (before 3rd week of June)	Seed or interseed in areas that did not take (contingency plan)
36	TF, Sav	5	Any	Annual Ecological evaluation.
2016				
37	TF, Sav	3	Sp, Su, Fa	Perform controlled burn on seeded area.
38	TF, Sav	3	Spring	Plant bur oak trees on pods (volunteer projects)

Task to be completed in the next 24 months.

Tasks already completed

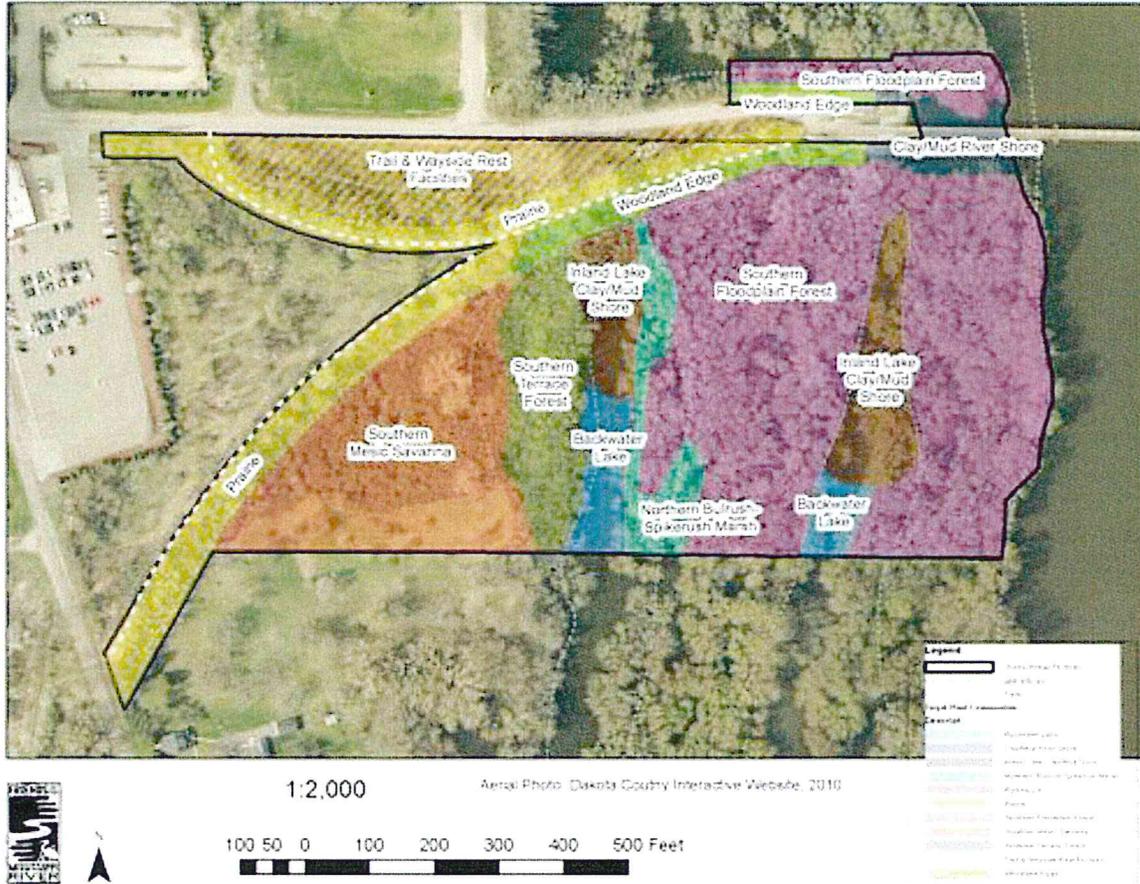
Tasks reallocated

Tasks to funded solely by City of IGH to be completed in next 12 months

Reallocated tasks (in brown) were not needed, and funding has been reallocated to other tasks.

EXHIBIT B

Map 1. Target Plant Communities of Project Area



Map 2. Landcover prior to restoration project.



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Application of the Church of St. Patrick for a Temporary On-Sale Liquor License for Premises located at 3535 72nd St. E.

Meeting Date: April 14, 2014
 Item Type: Consent
 Contact: 651-450-2513
 Prepared by: Melissa Kennedy
 Reviewed by: N/A

Fiscal/FTE Impact:

- | | |
|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | None |
| <input type="checkbox"/> | Amount included in current budget |
| <input type="checkbox"/> | Budget amendment requested |
| <input type="checkbox"/> | FTE included in current complement |
| <input type="checkbox"/> | New FTE requested – N/A |
| <input type="checkbox"/> | Other |

PURPOSE/ACTION REQUESTED:

Consider approval of the request from the Church of St. Patrick for a temporary on-sale liquor license on September 12, 13, & 14, 2014.

SUMMARY:

Pursuant to City Code Section 4-1-4 a temporary on-sale intoxicating liquor license may be issued to a club, charitable, religious, or other nonprofit organization in existence for at least three (3) years. The temporary license may only be issued in conjunction with a social event within the municipality sponsored by the licensee and may only be issued for a period not to exceed four (4) consecutive days.

The Church will host their annual Fall Festival September 12-14, 2014 and the sale of liquor will be in conjunction with this event. A certificate of liability insurance will be provided to the City prior to the event.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: April 14, 2014
Item Type: Consent
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: Amy Jannetto, H.R. Coordinator
Reviewed by: n/a

Fiscal/FTE Impact:	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Golf – Michael Barnett, John Fisher, Jeffrey Matuska, Michael Sterny, Darrin Hughes, Matthew Willig, John Ferguson, Lyle Knutson, Jennifer Kruckenberg, Charles Miller, Joseph Hofstad, Jack Shubatt, John Swanson, Loann Evenson, Stephanie Jensen, Dorothy Lencowski, Darlene Saltis, Joan Sirek, Shane McNally, - Fitness – Moua Yang, Sarah Brutger, Stacia Schmidt - Recreation – Jamie Golden.

Please confirm the seasonal/temporary termination of employment of: Aquatics – Robert Overturf.

Please confirm the reclassification of Lissa Blum to Public Works Support Specialist.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

MERIDIAN LAND COMPANY – Case No. 14-07PA

Meeting Date: April 14, 2014
 Item Type: Regular Agenda
 Contact: Allan Hunting 651.450.2554
 Prepared by: Allan Hunting, City Planner
 Reviewed by:

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED

Consider a Resolution relating to a Comprehensive Plan Amendment to change the land use designation of the property from HDR, High Density Residential to a new category LMDR-NWAPUD, Low-Medium Density Residential Northwest Area PUD for property located on the north side of 80th between Hwy 3 and Babcock Trail.

- Requires 4/5th's vote.
- 60-day deadline: April 19, 2014 (first 60-days)

SUMMARY

The applicant is requesting to change the land use category of an approximately 20 acre parcel from the current designation of HDR, High Density Residential (12+ units/acre) to LMDR (3-6 units/acre). The property is located in the Northwest Area.

ANALYSIS

The subject property was part of a comprehensive plan amendment in 2010 that change the land use from MDR (6-12 units/acre) to HDR in anticipation of a multi complex apartment project. The current proposal is for a 44 unit single family detached subdivision. The density of the project would be at 3.0 units/acre.

One of the biggest factors in reviewing this application is the comparison of the projected density and fees assumed from the financial studies to what would be collected with the proposed project. The original financial assumptions assumed 91 units would be developed to cover the costs of city utilities. The project as proposed would be 47 units short. This amounts to a shortfall of approximately \$370,000. The developer has indicated that they understand the issue and are willing to pay the difference in the units they are short. If acceptable by the Council, details of this arrangement would be worked out during the plat and PUD application process.

In order to provide more protection for the City for this project and any future projects that might come up short in unit count, staff worked with the City Attorney to suggest a new land use category that would be used in the Northwest Area that would be the same as the standard LMDR but would contain additional policies that any development must have agreements with the city in place which obligates the developer to pay any difference in utility fees collected between financial assumptions and those approved.

RECOMMENDATION

Planning Staff: Recommends approval of the comp plan land use change and text amendment that obligates the developer to pay any difference in connection fees between what was projected vs. what is proposed.

Planning Commission: Also recommends approval of the comp plan land use map and text amendments (6-0).

Attachments: Resolution Approving Comp Plan Amendment
Planning Commission Recommendation
Letter from Applicant acknowledging payment of fees
Planning Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FOR THE PROPERTY DESCRIBED BELOW AND A TEXT AMENDMENT CREATING A NEW LAND USE CATEGORY CALLED LMDR-NWAPUD, LOW-MEDIUM DENSITY RESIDENTIAL, NORTHWEST AREA PUD

CASE NO. 14-07ZA
(Meridian Land Co.)

WHEREAS, an application has been submitted for property legally described as;

SEE EXHIBIT A

WHEREAS, an amendment to change boundaries of any district may be granted by the City Council on an affirmative vote of 4/5ths of the Council as per City Code Title 10, Chapter 3, Section 10-3-5, A;

WHEREAS, new text language is created for the new land use category LMDR-NWAPUD as follows:

The land use designation of LMDR-NWAPUD (Low and Medium Density Residential/ Northwest Area PUD) means that the property so classified has the same density and development requirements of the LMDR designation, together with the additional following requirements:

1. The property must be zoned, platted and developed as a PUD within an approved PUD contract and approved PUD plans.
2. At the time the plat is recorded, the landowner/developer by written agreement with the city must pay the city the difference between (a) the Northwest Area utility connections fees (including those usually payable at time of plat as well as building

permit issuance) and the hook-up fees (including the water treatment plant fee, water connection and core connection fee and sewer connection and core connection fee) that would have been payable for the densities shown for the subject property in the city's financial and connection fee study (prepared by Ehlers & Associates dated _____ and amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook up fees that will be collected for the subject property per the actual density at which the subject property develops.

The land use designation of LMDR-NWAPUD will typically be applied to land in the Northwest Area which previously was guided for higher density residential development, but for which the city determines that a lower density is satisfactory if the connection fees and hook up fees actually paid, together with the additional payment by the landowner/developer due to the reduction in density, equals the total amount required by the city to pay for the utility infrastructure as stated in the financial and connection fee study prepared by Ehlers & Associates for the Northwest Area.

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on March 18, 2014, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

WHEREAS, the change to the Comprehensive Plan was found by the City Council to be consistent with the existing and proposed uses in the area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the Comprehensive Plan Map Amendment and Text Amendment is hereby approved subject to the following conditions:

1. The plan shall not become effective until all approvals have been granted by the Met Council and the City.
2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
3. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights on this ____ day of _____ 2014.

Ayes:

Nays:

Resolution No. _____

Page 3

ATTEST:

George Tourville, Mayor

Melissa Kennedy, Deputy Clerk

EXHIBIT A

That part of the East Half (E ½) of the Southwest Quarter (SW ¼) of Section Eight (8), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota described as follows: Commencing at the Northeast corner of said East One Half (E ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 26 minutes 24 seconds East, bearing assumed, along the East line of said East Half (E ½) of the Southwest Quarter (SW ¼), a distance of 1120.00 feet to the point of beginning of the land to be described; thence N 89 degrees 45 minutes 42 seconds West, parallel with the North line of said East Half (E ½) of the Southwest Quarter (SW ¼), a distance of 660.00 feet; thence South 19 degrees 01 minutes 51 seconds West a distance of 763.27 feet to a point which is 400.00 feet East of the West line of said East Half (E ½) of the Southwest Quarter (SW ¼) and 800.00 feet North of the South line of said East Half (E ½) of the Southwest Quarter (SW ¼), thence South 0 degrees 22 minutes 21 seconds East and parallel with the West line of said East Half (E ½) of the Southwest Quarter (SW ¼) a distance of 800.04 feet to the South line of said East Half (E ½) of the Southwest Quarter (SW ¼), thence South 89 degrees 49 minutes 23 seconds East along the South line of said East Half (E ½) of the Southwest Quarter (SW ¼), distance of 915.37 feet to the Southeast corner of said East Half (E ½) of the Southwest Quarter (SW ¼), thence North 0 degrees 26 minutes 24 seconds West along the East line of said East Half (E ½) of the Southwest Quarter (SW ¼), a distance of 1521.69 feet to the point of beginning.

Except that part of said East Half (E ½) of the Southwest Quarter (SW ¼) of Section Eight (8), Township Twenty-seven (27), Range Twenty-two (22) described as follows:

Beginning at the Southeast corner of said East Half (E ½) of the Southwest Quarter (SW ¼); thence North 89 degrees 49 minutes 23 seconds West, bearing assumed, along the South line of said East Half (E ½) of the Southwest Quarter (SW ¼), a distance of 583.74 feet; thence North 14 degrees 37 minutes 07 seconds East a distance of 393.61 feet, Thence South 80 degrees 30 minutes 07 seconds East a distance of 488.78 feet to the East line of said East Half (E ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 26 minutes 24 seconds East along East line to the point of beginning.

AND EXCEPT that part of said East Half (E ½) of the Southwest Quarter (SW ¼) of Section Eight (8), Township Twenty-seven (27), Range Twenty-two (22), described as follows:

Commencing at the Southeast corner of said East Half (E ½) of the Southwest Quarter (SW ¼); thence North 89 degrees 49 minutes 23 seconds West, bearing assumed, along the South line of said East Half (E ½) of the Southwest Quarter (SW ¼) a distance of 583.74 feet; thence North 14 degrees 37 minutes 07 seconds East a distance of 885.08 feet to the point of beginning of the land to be described; thence North 59 degrees 09 minutes 44 seconds West a distance of 522.59 feet, thence North 19 degrees 01 minutes 51 seconds East a distance of 421.31 feet to the point of termination of the following described line:

Commencing at the Northeast corner of said East Half (E ½) of the Southwest Quarter (SW ¼), thence South 0 degrees 26 minutes 24 seconds East, bearing assumed, along the East line of said East Half (E ½) of the Southwest Quarter (SW ¼), a distance of 1120.00 feet to the point of beginning of the line to be described, thence North 89 degrees 45 minutes 42 seconds West, parallel with the North line of said East Half (E ½) of the Southwest Quarter (SW ¼), a distance of 660.00 feet and there terminating.

Thence South 89 degrees 45 minutes 42 seconds East along the above described line, a distance of 352.08 feet; thence South 3 degrees 30 minutes 30 seconds West a distance of 665.95 feet to the point of beginning.

EXCEPT that part platted as MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 19-123.

AND SUBJECT TO AND TOGETHER WITH a 60 foot easement for road purposes over part of the East Half (E ½) of the Southwest Quarter (SW ¼) of Section Eight (8), Township Twenty-seven (27), Range Twenty-two (22), being 30 feet on each side of the following described line: Commencing at the Southeast corner of said East Half (E ½) of the Southwest Quarter (SW ¼); thence North 89 degrees 49 minutes 23 seconds West, bearing assumed, along the South line of said East Half (E ½) of the Southwest Quarter (SW ¼) a distance of 583.74 feet; thence North 14 degrees 37 minutes 07 seconds East a distance of 885.08 feet to the point of beginning of the line to be described, said point hereinafter to be known as Point "A", which is also the center of a 60 foot radius cul de sac which also becomes part of this easement; thence South 14 degrees 37 minutes 07 seconds West a distance of 94.00 feet; thence on a tangential curve concave to the Northwest, radius of 1324.02 feet, a central angle of 8 degrees 37 minutes 58 seconds, a distance of 199.49 feet to a point of reverse curve; thence on said curve concave to the Southeast, radius of 1324.04 feet, central angle of 8 degrees 37 minutes 58 seconds, a distance of 199.49 feet; thence South 14 degrees 37 minutes 07 seconds West, tangent to said curve, to the South line of said East Half (E ½) of the Southwest Quarter (SW ¼) and there terminating according to the Government survey thereof.

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: March 18, 2014

SUBJECT: MERIDIAN LAND COMPANY – CASE NO. 14-07PA

Commissioner Scales read the public hearing notice to consider a Comprehensive Plan Amendment to change the land use designation from HDR, High Density Residential to LMDR, Low-Medium Density Residential for the property identified as PID No. 20-00800-51-013.

Allan Hunting, City Planner, explained that the applicant has submitted an application for a comprehensive plan land use change for a future proposed single family development located in the Northwest Area on land located on the north side of 80th Street, east of Hwy 3. The application is proposing an overall project density less than the minimum density allowed under the current designation. The current designation would allow for 12+ units per acre. The applicant is requesting a change to LMDR which has a density range of 3-6 units per acre.

The task at hand with the comprehensive plan review is to determine if Low-Medium Density Residential is an appropriate land use.

Allan Hunting explained that in 2010, the landowners applied for and received a comprehensive plan amendment to High Density Residential. The project at that time was to be a multiple family project with approximately 480 units. The application also included the parcels immediately to the north and south, but those two parcels are not part of this request.

Due to the changes in market demand, the City may need to be flexible in density demands and housing mixes.

Allan Hunting indicated that whenever the City is considering development in the Northwest Area, it must consider the financial implications in order to fund the installation of City utilities. The applicant has stated they are willing to pay the difference in fees to cover costs for their share of the overall utility extensions. A preliminary number based on permit fee collections for 47 lots would be \$370,000.

Allan Hunting explained that the City needs greater controls in place in order to make sure that any fee shortages will be paid since the City would be approving a comp plan change that reduces the amount of units allowed. The City Attorney has helped staff with this issue and we offer three options by which this request, as well as any other similar future requests could be approved.

Allan Hunting indicated that staff recommends approval of the applicant's request with the inclusion of Option A which is to: *Create a new land use category in the Comprehensive Plan that establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category.*

The new designation would be called LMDR-NWAPUD.

Opening of Public Hearing

Mr. Rick Murray, 3600 American Boulevard W. (United Properties) was present on behalf of Meridian Land Company to answer any questions.

Mr. Murray said that he agreed with staff's recommendation and Option A.

Chair Hark closed the public hearing.

Planning Commission Discussion

Commissioner Klein said he supported the project and thought it honorable that the applicant was willing to pay the \$370,000 costs to cover fees.

Commissioner Scales asked staff if this situation were to go the other way (from low density to high density), would their costs be lower?

Tom Link, Community Development Director, answered that that type of situation does not happen often and he remembers it only to have happened on one occasion. Tom indicated that this language does give the City more flexibility because it will have more leeway with the financials.

Commissioner Scales commented that if the City were doing it this way to benefit the City, he opined that it should be able to work the other way where it doesn't always only benefit the City. Commissioner Scales said he realizes this issue is not being dealt with at this time, but that part of going forward the reverse situation needs to be considered.

Chair Hark commented that he favored the high density, but he supported the proposal since the developer is more aware of the market needs.

Commissioner Gooch commented that he was on the Planning Commission when the land use was first approved, but he thought this is the way it should have been all along and he supports the lower density since this type of density is the same as what is presently across the street from this development.

Planning Commission Recommendation

Motion by Commissioner Gooch, second by Commissioner Klein, to consider a Comprehensive Plan Amendment to change the land use designation from HDR, High Density Residential to LMDR, Low-Medium Density Residential for the property identified as PID No. 20-00800-51-013 with the incorporation of Option A with two conditions as listed: *Create a new land use category in the Comprehensive Plan that establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category. The new designation would be called LMDR-NWAPUD.*

1. *The Metropolitan Council shall not require any significant modifications to the*

Recommendation to City Council

March 18, 2014

Page 3

comprehensive plan amendment.

2. *The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.*

Motion carried (6/0). This item goes to the City Council on April 14, 2014.



**Meridian
Land Company**

A Subsidiary of United Properties

3600 American Blvd. W. Suite 750
Minneapolis, MN 55431

March 17, 2014

City of Inver Grove Heights
8150 Barbara Ave
Inver Grove Heights, MN 55077
Attn: Allan Hunting

Re: Fox Glen Plat Connection Fees

Dear Mr. Hunting:

This letter is to provide you with our acknowledgement and agreement for the plat connection fees in our newly proposed Fox Glen development. Due to our proposed development of 44 lots, it is our understanding the City of Inver Grove will have a shortage of the fees planned to be received from 91 lots. The attached spreadsheet (Exhibit A) outlines the building permit fees not collected due to our proposed density. Meridian is agreeing to pay the additional fees upon execution of the Development Agreement.

Very truly yours,

Meridian Land Holdings, LLC

By: Christian M. Wold
Its: Vice President

**PLANNING REPORT
CITY OF INVER GROVE HEIGHTS**

REPORT DATE: March 13, 2014 **CASE NO.:** 14-07PA

APPLICANT: Merridan Land Company

PROPERTY OWNER: SI, LLC

REQUEST: Comprehensive Plan Amendment to change land use from HDR, High Density Residential to LMDR, Low-Medium Density Residential

LOCATION: 80th Street between Hwy 3 and Babcock Trail

HEARING DATE: March 18, 2014

COMPREHENSIVE PLAN: High Density Residential

ZONING: A, Agricultural

REVIEWING DIVISIONS: Planning **PREPARED BY:** Allan Hunting
City Planner

BACKGROUND

The applicant has submitted an application for a comprehensive plan land use change for a future proposed single family development located in the Northwest Area on land located on the north side of 80th Street, east of Hwy 3. The applicant is proposing an overall project density less than the minimum density allowed under the current designation. The current designation would allow for 12+ units per acre. The applicant is proposing a project with an anticipated density of 3.0 units per acre. The applicant is requesting a change to LMDR which has a density range of 3-6 units per acre. The project site consists of a single parcel of 20.1 gross acres or approximately 18.43 net developable acres.

The property is currently zoned A, Agricultural and guided High Density Residential. The property is also located within the Northwest Area Overlay District.

The applicant has chosen to request the land use change portion of the application first before a detailed PUD application is submitted. A concept plan of the development is included with this report. Some elements of the concept plan may need some changes to meet the Northwest Area's requirements and that would be addressed with the PUD plan review. The task at hand with the comprehensive plan review is to determine if Low-Medium Density Residential is an appropriate land use.

SURROUNDING USES

The subject property is surrounded by:

North	Large lot residential; zoned A, Agricultural; guided High Density Residential and Low Density Residential.
East	Inver Wood Golf Course.
West	Large Lot Residential; Zoned A, Agricultural; guided Low-Medium Density Residential.
South	Residential, Vacant; Zoned A, Agriculture; guided High Density Residential and Industrial Office Park

EVALUATION OF REQUEST

Comprehensive Plan Amendment

When the City began its work on the 2020 Comprehensive Plan back in 1996, detailed land use and utility studies had not yet been done for the Northwest Area. The land use designation for this property and the surrounding properties to the north and west were guided for Low Density Residential.

When the Alternative Urban Areawide Review (AUAR) was conducted for the Northwest Area in 2005, the land use designation was identified as Low-Medium Density in order to address overall unit counts and density projections.

During the planning of the 2030 Comprehensive Plan, it was brought up by the landowners of some of the parcels in the Northwest Area (including the subject parcels) that some of the land had greater density potential than shown in the AUAR and in initial drafts of the comp plan. It was later determined that the subject parcels and surround parcels would have the ability to change some land use densities. The subject parcels were reclassified to Medium Density. The property to the north and west of the subject site was split with a mixed density of Low Density to the north and Low-Medium Density to the west.

In 2010, the landowners applied for and received a comprehensive plan amendment to High Density Residential. The project at that time was to be a multiple family project of approximately 480 units. The application also included the parcels immediately to the north and south. Those two parcels are not part of this request.

The Land Use Chapter of the comprehensive plan has a description of the Northwest Area which includes the following:

“This comprehensive plan update modifies some of the land uses previously guided for the Northwest Area. These modifications are based on what we have learned over the last eight years of planning work completed in the Northwest Area as well as reflections

of recent development proposals and comprehensive plan amendments. Two key guidelines were adhered to in modifying the land uses in the Northwest Area. 1) the development projections assumed within the Northwest AUAR remain higher than those projected for the 2030 Comprehensive Plan update, thus rendering the AUAR still effective and not impacting the design capacity of future infrastructure. 2) the assumptions used to determine how infrastructure improvements are financed remain on the low side, thus making sure that we project to exceed the amount of development needed to ensure the delivery of infrastructure to the Northwest Area is financially feasible.”

This indicates that when the change to Medium Density occurred, the overall land use assumptions for the AUAR were still higher and so there was no negative impact with this change. A redesignation back to Low-Medium Density Residential on the parcel would be the same as the findings of the AUAR.

Based on the current land use designation (HDR 12+ units/acre) and net developable acreage of 18.43, the number of units allowed would be 221 on up. Based on the proposed single family detached product type, an R-1C zoning would be the required zoning approved with a PUD. The R-1C zoning in the Northwest Area has a minimum density requirement of 2 units/acre. Therefore, the project would be required to contain at least 37 units. The applicant is proposing 44 units.

The following provides some rationale for approval and denial of the proposed land use change.

RATIONAL FOR THE LAND USE CHANGE

- Through numerous discussions with developers and identified by other land use and real estate professionals, it has been stated that there is a high demand for detached single family development in the suburban communities right now. The demand for higher density apartments or mid density townhome projects is very low outside of the central city areas. Due to the changes in market demand, the City may need to be flexible in density demands and housing mixes until the demand for higher densities increases, which is expected to occur in the next few years.
- The property is surrounded by the city golf course to the east and the Malensek property to the west and north. Mr. Malensek has been in discussions with the County for many years now regarding the possibility of putting his 49 acre parcel into permanent open space through a conservation easement. If the Malensek property is put into a conservation easement with no development, the subject parcels would be isolated and creates an island for planning purposes. The parcels would have to be looked at on their own as far as land use and development potential.

- The applicant has gone through the required sketch plan review process per the Northwest Area and has submitted preliminary information pertaining to the Natural Resource Inventory, net developable area, and development capacity plan. The proposed single family development would fall short 47 units of the anticipated 91 units based on financial and original density calculations. The applicant has indicated that they will pay the difference in connection fees for the units lost so the city costs are covered as part of the original projections.
- The property abuts 80th Street or County Road 28. The County has control of access. The County has approved a preliminary alignment of future 80th Street that will connect to the round-about at Hwy 3. Access points have been identified and the developer's proposed access point appears to be consistent with the county's preliminary alignments. 80th Street would also be widened in the future to accommodate the increased traffic once more development occurs.
- The property to the south is guided Industrial Office Park. A change to a lower density single family residential would not necessarily be inconsistent with the guiding of the land to the south. Any future industrial development would be southeast of this project. Hwy 55 MnDOT right-of-way is directly across the street.
- The land use designation to the west and north is a split of Low Density (1-3 units/acre) to the north and Low-Medium Density (3-6 units/acre) to the west. A change to Low-Medium Density would be consistent with surrounding projects. There would remain two small isolated parcels that are designated HDR from the last application. Based on current market demands, and if the surrounding parcels are developed single family, it would be anticipated that these parcels would be redesignated and developed as a lower density single family or townhouse project sometime in the future.
- The property abuts the Inverwood Golf Course to the east. This land is guided Public. Residential is typical along golf courses as it provides a good open space amenity.

RATIONALE AGAINST THE LAND USE CHANGE

- The current HDR designation can provide more flexibility in the product type proposed. There is no minimum density required in the Comprehensive Plan and in the HDR designation, there is no maximum density. Maximum density would be governed by the specific regulations of the proposed multiple family zoning district. A developer has more opportunity to provide a mix of housing types. The LMDR designation has a range of 3-6 units per acre with a maximum density of 6 units per acre. Typical products in this range are single family and townhome developments.

- The density from the current HDR designation would help support the commercial designation for the property on both sides of the Hwy 3/80th Street intersection.

NORTHWEST AREA IMPLICATIONS

During the initial steps for studying development in the Northwest Area, the City conducted land use and financial studies to determine the densities and costs per unit in order to fund the installation of city utilities. Since no assessments were levied, fees are collected when a parcel of land is developed. Minimum densities have been established for each parcel to achieve these goals. Based on those assumptions, the subject parcel calculation assumed 91 units would be developed to cover city utility costs. The concept plan submitted shows a total of 44 units. The project would be 47 units short and therefore would come up short in providing its fair share of the overall utility costs. This same scenario occurred with the Argenta Hills project and the developer did agree to and pay the difference in the units they were short. The applicant has stated they are willing to pay the difference in fees to cover costs for their share of the overall utility extensions. A preliminary number based on permit fee collections for 47 lots would be approximately \$370,000.

Since we are addressing a land use change before the site plan approval review, the City needs greater controls in place in order to make sure that any fee shortages will be paid since the City would be approving a comp plan change that reduces the amount of units allowed. The City Attorney has helped staff with this issue and we offer three options by which this request, as well as any other similar future request, could be approved:

1. Create a new land use category in the Comprehensive Plan that establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category. A new designation would be called LMDR-NWAPUD. This new category would pertain to only those areas where a land use change from a higher density to the LMDR density is requested in the Northwest Area prior to a PUD application. This category would state the same uses and goals but add that any development is subject to PUD approvals and agreements with the city must be in place which obligates the developer to pay any difference in utility fees collected between financial assumptions and those approved.

The proposed language is as follows:

The land use designation of LMDR-NWAPUD (Low and Medium Density Residential/ Northwest Area PUD) means that the property so classified has the same density and development requirements of the LMDR designation, together with the additional following requirements:

1. The property must be zoned, platted and developed as a PUD within an approved PUD contract and approved PUD plans.
2. At the time the plat is recorded, the landowner/developer by written agreement with the city must pay the city the difference between (a) the Northwest Area utility connections fees (including those usually payable at time of plat as well as building permit issuance) and the hook-up fees (including the water treatment plant fee, water connection and core connection fee and sewer connection and core connection fee) that would have been payable for the densities shown for the subject property in the city's financial and connection fee study (prepared by Ehlers & Associates dated _____ and amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook up fees that will be collected for the subject property per the actual density at which the subject property develops.

The land use designation of LMDR-NWAPUD will typically be applied to land in the Northwest Area which previously was guided for higher density residential development, but for which the city determines that a lower density is satisfactory if the connection fees and hook up fees actually paid, together with the additional payment by the landowner/developer due to the reduction in density, equals the total amount required by the city to pay for the utility infrastructure as stated in the financial and connection fee study prepared by Ehlers & Associates for the Northwest Area.

This insures the City that fee assumptions would be paid if the City approves the comp plan land use plan with a lower project unit count than what was projected before a PUD application is approved. We would expect this scenario to be repeated in the future. This establishes the category for future requests. These same extra conditions may have to be added to other land use categories.

2. Amend the comp plan land use plan and require upfront the developer enter into an agreement which obligates the developer to pay any shortages in fee assumptions. Under this scenario, this agreement would have to be drafted and approved by the Council simultaneously with the comp plan amendment.

In this case, this would be difficult to execute since final details are not known and projected revenues could be affected. Also, this would delay action by City Council as the details of the agreement would have to be worked out in a final form before taking to Council.

3. City Council action to authorize submittal of the application to the Metropolitan Council for their review/action and not take final action until final development plans, all agreements and rezoning has been approved by the City Council.

This scenario leaves the comp plan approval somewhat open ended and not finalized until PUD plan approval. Nothing is complete and clear until a PUD is approved and could still be affected by changes.

ALTERNATIVES

The Planning Commission has the following alternatives available for the proposed request:

A. Approval If the Planning Commission finds the application acceptable, the Commission has the following options on a recommendation approving the Comprehensive Plan Amendment from HDR, High Density Residential to LMDR, Low-Medium Density Residential:

a. Create a new land use category in the Comprehensive Plan that establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category. A new designation would be called LMDR-NWAPUD.

b. Amend the comp plan land use plan and require upfront the developer enter into an agreement which obligates the developer to pay any shortages in fee assumptions. Under this scenario, this agreement would have to be drafted and approved by the Council simultaneously with the comp plan amendment.

c. City Council action to authorize submittal of the application to the Metropolitan Council for their review/action and not take final action until final development plans, all agreements and rezoning has been approved by the City Council.

With any option, the following two conditions should be added to any recommendation:

1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.
2. The Metropolitan Council shall not make a finding that the comprehensive plan amendment has a substantial impact or contain a substantial departure from any metropolitan systems plan.

B. Denial If the Planning Commission does not favor the comprehensive plan amendment, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, findings or the basis for the denial should be given.

RECOMMENDATION

Staff supports option a which is to create a new district that establishes parameters whereby projects must pay the difference between projected connection fee revenues verses any project proposed with less units. The category would be called LMDR-NWAPUD.

The previous application and approval in 2010 anticipated a stronger market for higher density development. Based on current market trends and expected longer range trends, it does not appear as likely that higher density residential development would occur at this location.

Attachments: Existing/Proposed Comp Plan Map
Map of Land Use Designations for Northwest Area
Concept Plan
Applicant Narrative

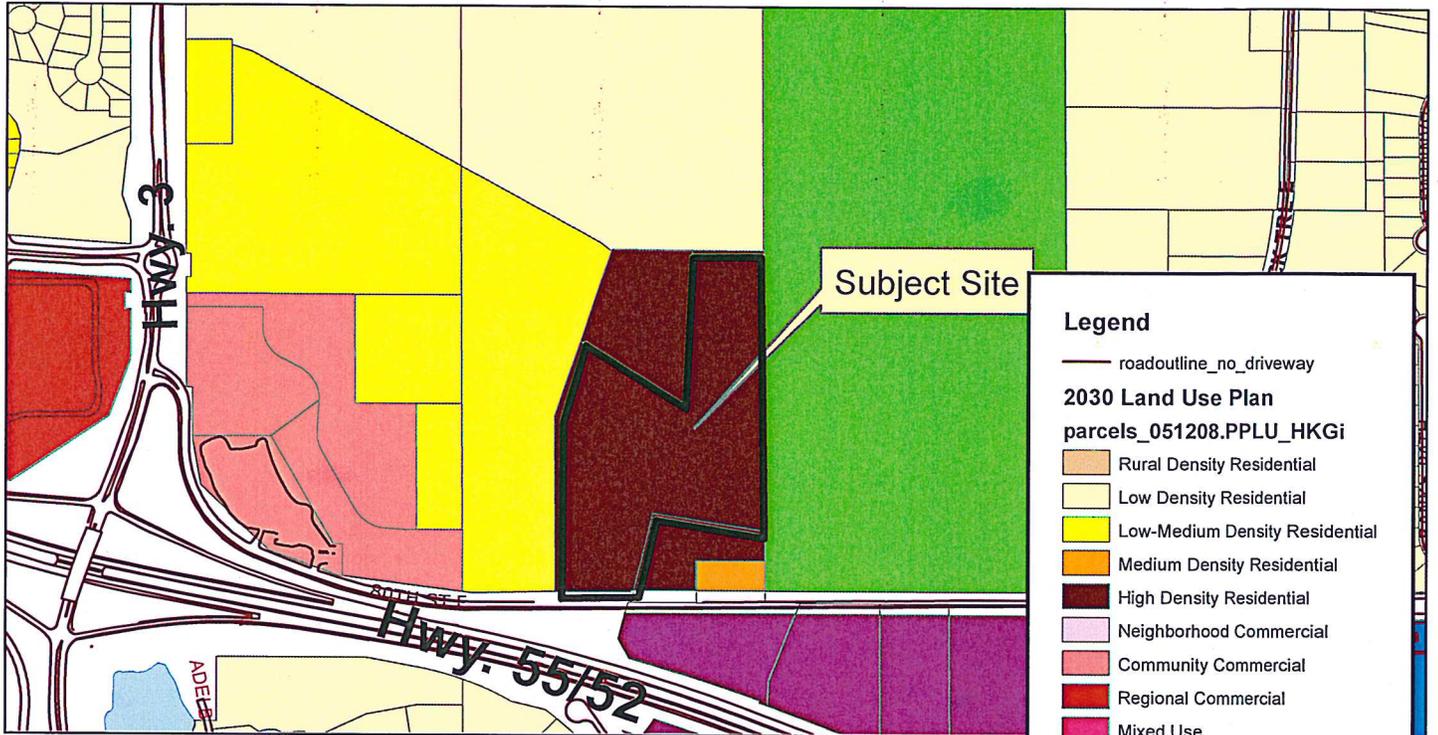


Fox Glen Comp Plan Amendment

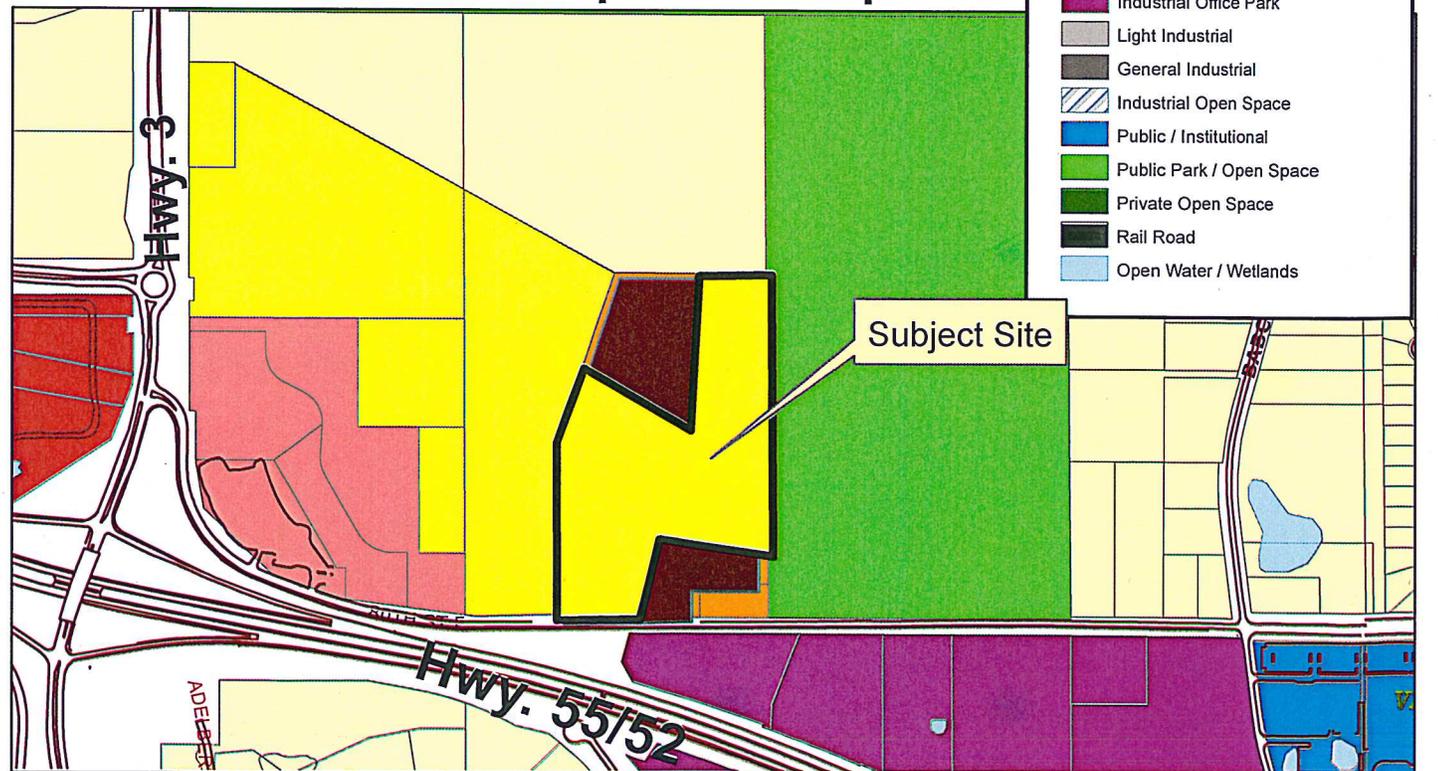
Case No. 14-07PA



Existing Comp Plan



Proposed Comp Plan

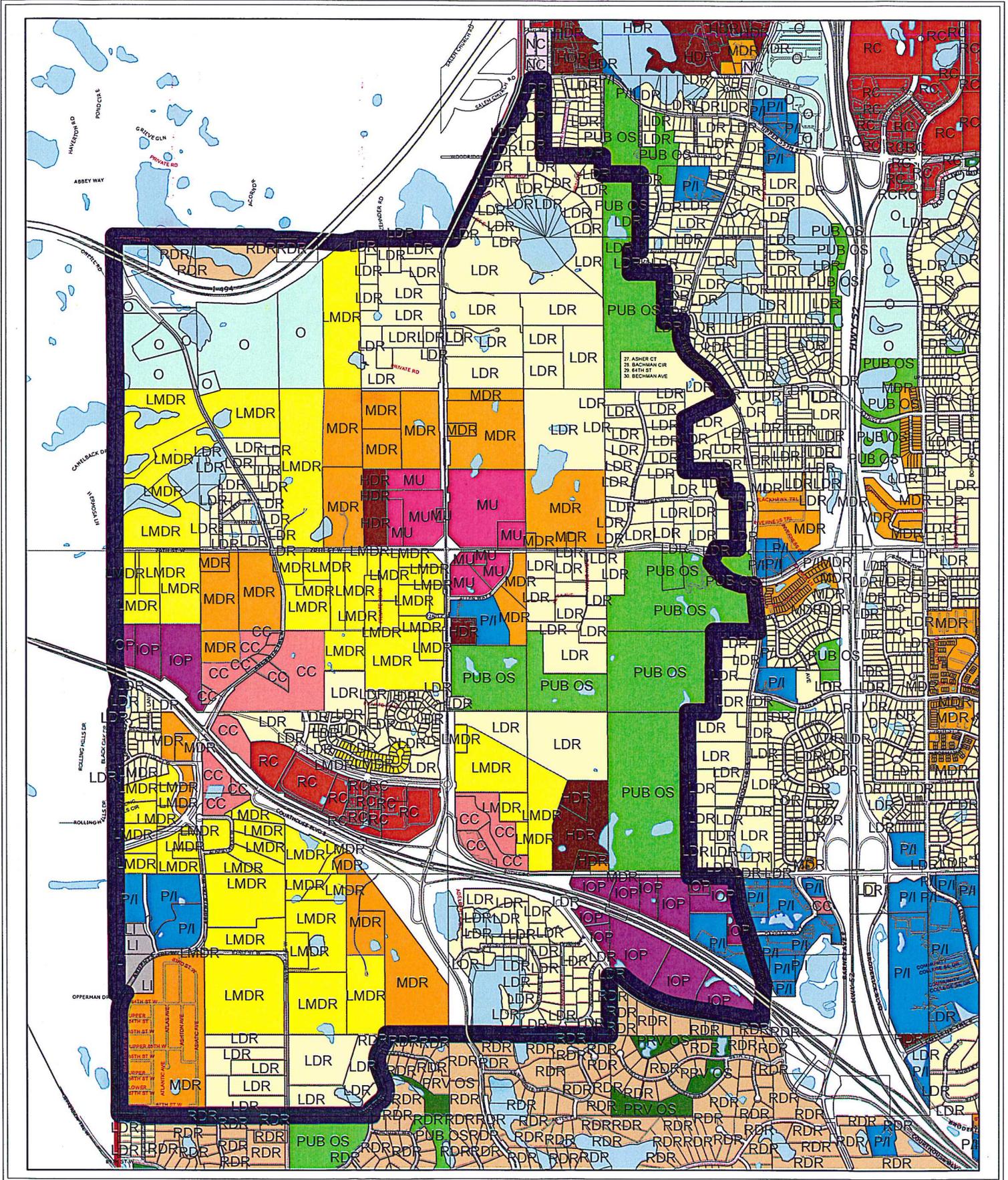


Legend

- roadoutline_no_driveway
- 2030 Land Use Plan**
- parcels_051208.PPLU_HKGi**
- Rural Density Residential
- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Regional Commercial
- Mixed Use
- Office
- Industrial Office Park
- Light Industrial
- General Industrial
- Industrial Open Space
- Public / Institutional
- Public Park / Open Space
- Private Open Space
- Rail Road
- Open Water / Wetlands



Northwest Area Land Use Plan



Client
 MERIDIAN
 LAND
 COMPANY

Project
 FOX GLEN

Location
 1401 80TH
 STREET EAST
 INVER GROVE
 HEIGHTS,
 MINNESOTA

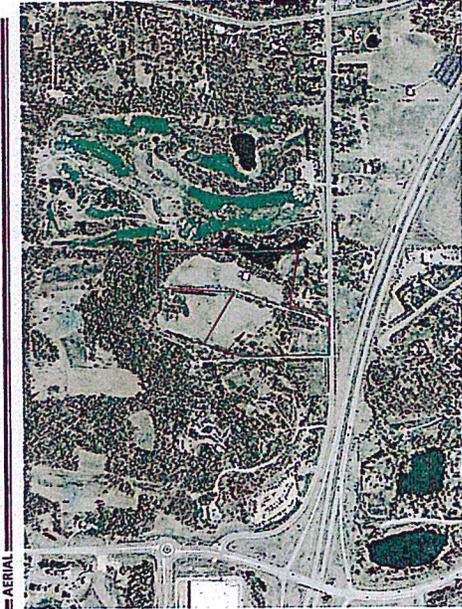
Certification

Summary
 Prepared by: [Name]
 Approved date: [Date]
 Project number: [Number]
 Revision History
 No. Date By: [Details]

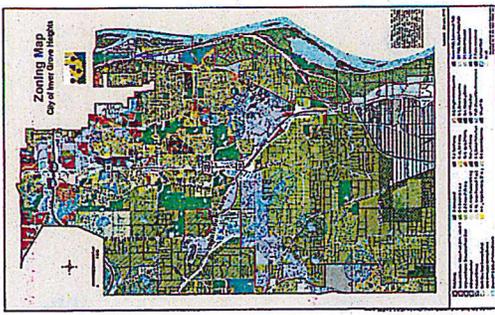
Sheet Title
 DEVELOPMENT
 CAPACITY
 PLAN

Sheet No. Revision
C1.02

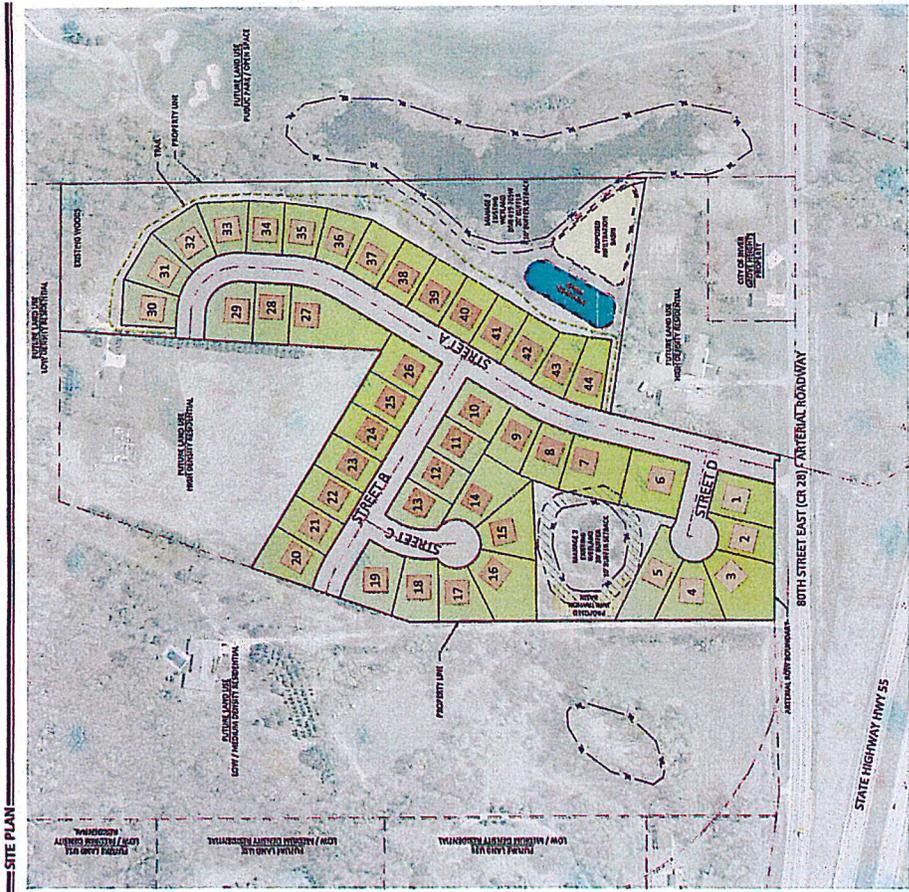
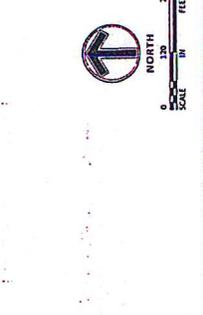
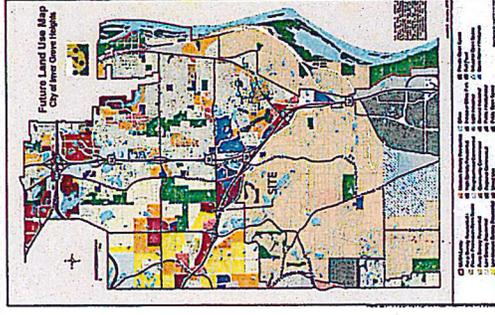
Project No. MER19880



ZONING MAP



LAND USE MAP



DENSITY CALCULATION

ZONING	AREA	MIN. LOT SIZE	ALLOWABLE UNITS	ACTUAL UNITS	ACTUAL DENSITY
R-10	34.00 AC	5,000 SF	58 UNITS	3.83 U/A	3.14 U/A
R-15				44	

DEVELOPMENT SUMMARY

STREETS: 25-35 FEET
 FRONT YARD: 30-35 FEET
 SIDE YARD: 30-35 FEET

MINIMUM LOT FRONTAGE: 70' MIN & 80' CORNERS

EXISTING ZONING: A-AGRICULTURAL
 FUTURE LAND USE: HIGH DENSITY RESIDENTIAL
 PROPOSED FLOORING: LOW-MEDIUM DENSITY RESIDENTIAL (1.5-4 U/A)

MET COUNCIL DENSITY CALCULATION

GROSS SITE AREA	28.10 AC
LESS OPEN SPACE	0.71 AC
LESS OPEN SPACE / TREE PRESERVATION	0.71 AC
NET DEVELOPABLE AREA	26.68 AC
ALLOWABLE UNITS	44
DENSITY	1.65 UNITS/AC

CITY OF INVER GROVE HEIGHTS DENSITY CALCULATION

GROSS SITE AREA	28.10 AC
LESS OPEN SPACE	0.71 AC
LESS OPEN SPACE / TREE PRESERVATION	0.71 AC
NET DEVELOPABLE AREA	26.68 AC
ALLOWABLE UNITS	44
DENSITY	1.65 UNITS/AC

Project Narrative
Fox Glen
1401 80th Street East
Inver Grove Heights, Minnesota

Existing Conditions/ Project Description

Meridian Land Company is proposing a new 44 small lot single family residential subdivision called Fox Glen. Fox Glen at 1401 80th street east is located in the Northwest Area Overlay District of Inver Grove Heights. The parcel has an irregular boundary configuration that consists of approximately 20.10 gross acres of land. Fox Glen has been designed as a small lot single family subdivision with an overall density of 3.14 units per acre. The property consists of several natural features including two wetlands, mature woods and rolling topography interspersed with farm fields adjacent to the golf course. There are no steep slopes or bluffs on the property.

Utilizing the existing site features and natural topography of the site the subdivision was designed to locate the majority of the single family lots in the farm fields. By locating the majority of the lots in the farm fields we are able to minimize grading and able to protect the natural features, wetlands and woods on the property.

Designing the subdivision with the intent of protecting natural features at the forefront, allowed the creation of 3.96 acres (21.2% of net site) of contiguous natural area/ open space and a total of 4.71 acres (25.2% of net site) of natural area/ open space.

The Fox Glen Storm water Management Plan shall be designed in accordance with the Northwest Area (NWA) Inver Grove Heights Storm water Management Plan. The treatment train approach to storm water management shall be used to treat the runoff from the site. The following techniques, as shown on the Sketch Plan, will be implemented to treat the quantity and quality of the runoff.

Infiltration basins will be constructed to control the runoff volume of the site. Storm water ponds will be constructed to provide storm water quality and rate control. The infiltration ponds and storm water quality ponds shall be designed in accordance with the City of Inver Grove Height engineering criteria.

Comprehensive Plan Amendment

As part of this application we are requesting a comprehensive plan amendment for the property. The 2030 Comprehensive Plan designated this property as medium density residential at 6 to 12 units per acre and was amended at a later date to high density residential. The parcel has been marketed for high density residential since the Fall of 2010 and received no development interest due to the location and overall size of the parcel. Traditionally high density residential housing is located in a more urban environment as users seek to be closer in proximity to retail and office as well as immediate access to public and multi-modal transportation. High density residential is best suited for smaller parcels with the aforementioned characteristics.

We are requesting that the comprehensive plan be amended to guide the property to low-medium density at 3 to 6 units per acre. It was identified in the 2030 comprehensive plan that 3% of the housing in the city was designated as low-medium density. The change in density would benefit the site, the City of Inver Grove Heights and the public by better protecting the sites natural features, reduce traffic, allow better quality open space from the natural area/ open space to the east of the property and provide a better transition to the adjacent future land uses of low density and low-medium density residential to the north and west.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Application for Chicken License – 7965 Bowman Ave.

Meeting Date: April 14, 2014
Item Type: Regular
Contact: 651-450-2513
Prepared by: Melissa Kennedy
Reviewed by: N/A

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other

PURPOSE/ACTION REQUESTED: Consider application for chicken license for property located at 7965 Bowman Ave.

SUMMARY: An application was submitted by Sam and Kate Sevenich for a chicken license to keep a total of three (3) chickens on their property. The applicant provided the required information and license fee. On March 18th, as per City Code requirements, notice was sent to neighbors directly abutting and contiguous to the subject property. One (1) written objection was received within the ten (10) day response period. The objection is attached for your review.

The Code Compliance Specialist visited the subject property on March 19th to discuss and verify the site plan provided by the applicants. A site inspection was conducted and it was determined that the applicants' site plan would meet the planning and zoning requirements set forth by City Code, provided everything was constructed to the same specifications that were submitted with the application. Photos of the subject property are attached for your review. The photos were taken from the approximate location of the coop to demonstrate the distance from neighboring homes and properties. The coop has not yet been constructed and no chickens are currently being kept on the property.

Council is asked to review the application and determine if the license should be approved.



03.19.2014



03.19.2014

Melissa Kennedy

From: [REDACTED]
Sent: Wednesday, March 26, 2014 9:21 AM
To: Melissa Kennedy
Subject: 7965 Bowman Ave and chicken license

Hi Melissa,

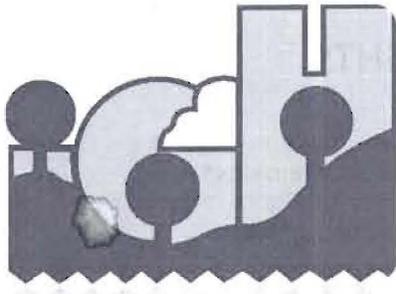
I assume this will be anonymous?

I received the letter in the mail regarding our neighbors behind us, Sam & Kate Sevenich applying for a license to get chickens. My husband and I object to this. We do not want to listen to or smell chickens. We will be selling our house at some point in the next couple of years and we don't want chickens to be a deterrent to a possible buyer. We live in town not in a rural community. Chickens belong in a country setting.

Thank you

[REDACTED]
[REDACTED]

Inver Grove Heights MN 55076



**City of Inver Grove Heights
CHICKEN LICENSE APPLICATION**

License Period: 3/1/13 – 2/28/15

Cost = \$25

Section 1: Site/Applicant/Property Owner Information

1. Site Address: 7965 BOWMAN AVE.

2. Applicant Name: SAM + KATE SEVENICH

Applicant Address: 7965 BOWMAN AVE. Inver Grove Heights, MN 55076
Zip Code

3. Daytime Phone: (651) 331-1147 Evening Phone: (651) 260-5247

4. Applicant E-mail: kasevenich@stkate.edu

5. Property Owner Name: N/A

Address: N/A N/A N/A N/A
Street City State Zip Code

Property Owner Signature: N/A
(if different from applicant)

The above referenced property's Homeowner's Association rules, if any, do not prohibit the keeping of chickens on the property (please initial):

 Yes No SAS/KAS Not Applicable

Section 2: Coop/Run Information

1. Please provide the total number of chickens to be kept: 2-4 (3)
2. Please provide the dimensions of the coop: see picture ① 7' x 5' x 3'
3. Please provide the dimensions of the run: see picture ① 7' x 5' x 3'
4. Describe the exterior materials to be used for the coop and run. Attach a drawing or picture of the coop.
see picture ①
wood (fir)
wire
asphalt roof with added solar vent
5. Will a fence be added in addition to the coop and run? Yes _____ No ✓
If yes, please provide a description of the fence including location, size, and materials.
PRE-EXISTING FENCED-IN BACKYARD (chain link)
~ 0.1 acre area
6. Please attach a site plan of the property for depicting the location of the chicken coop and run
see picture ②



Picture
proposed
coop ①

2 ²/₃ ft.

7 ¹/₄ ft.

4 ³/₄ ft.

Picture (2)
Property

Dakota County, MN



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be used for a title search, appraisal, survey, or for zoning verification. Dakota County assumes no legal responsibility for the information contained in this data.

green line: property
red line: fenced-in
blue line coop, >10 ft. from neighboring properties

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Approving the Cost Share Contract with Dakota County Soil and Water Conservation District for Community Conservation Partnership Funding Program, Approving Payment Agreement with Bridgewood Apartments, Ordering Project, Authorizing and Approving Plans and Specifications, and Authorizing Advertisement for Bids for City Project No. 2014-08 – Bohrer Pond Northwest Pretreatment Basin – Phase II

Meeting Date: April 14, 2014
 Item Type: Regular
 Contact: Thomas J. Kaldunski, 651-450-2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

SK

	Fiscal/FTE Impact:
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: SWCD Community Conservation Partnership Grant and City Storm Water Utility Funds, and landowner funds

PURPOSE/ACTION REQUESTED

Resolution Approving the Cost Share Contract with Dakota County Soil and Water Conservation District for Community Conservation Partnership Funding Program, Approving Payment Agreement with Bridgewood Apartments, Ordering Project, Authorizing and Approving Plans and Specifications, and Authorizing Advertisement for Bids for City Project No. 2014-08 – Bohrer Pond Northwest Pretreatment Basin – Phase II.

SUMMARY

The City Engineering Division has been working with the Dakota County Soil and Water Conservation District (SWCD) to secure a \$35,800 grant for City Project No. 2014-08 – Bohrer Pond Northwest Pretreatment Basin Phase II. Discussions with Bridgewood Apartments have secured an agreement for payment of \$16,390 toward the project.

The City applied for the Cost Share Program with Dakota County following Council authorization. This funding is being provided from the Community Conservation Partnership (CCP) Program which is being administered by the Dakota County SWCD. These funds will be utilized to construct storm water management facilities on City Project No. 2014-08 - Bohrer Pond Northwest Pretreatment Basin – Phase II. The funding is based on a grant provided by the State Legislature for water quality improvements. The Dakota County SWCD Board took action to approve the Cost Share Contract with the City of Inver Grove Heights at its April 3 meeting. A copy of this agreement is attached.

A copy of the preliminary plan is attached. It consists of excavating a treatment basin near Bridgewood Apartments at 3108 65th Street. An overflow weir will be installed at the basin outlet. The existing vegetation will assist in the treatment process. The project will be considered for an award of contract in the summer of 2014. If project construction does not begin by September 2, 2014, the grant will be withdrawn. The project must be completed by November 14, 2014, unless an extension is agreed to. Funding will be provided by the grant, the City Storm Water Utility and a contribution from Bridgewood Apartment owners.

The City has received a signed agreement relating to payment for improvements on Bridgewood property located at 3108 65th Street from the apartment owners. A copy of the signed agreement is attached. This agreement requires Bridgewood to pay an estimated \$16,390 toward the project for storm water improvements on Bridgewood’s site. It includes storm sewer, curb, pavement and grading. The final amount will be adjusted based on bids received. The cost can go down or up to a cap of \$20,000 based on bids. Bridgewood will pay their costs in full before an award of contract is made.

I recommend adoption of the resolution.

- Attachments: Resolution
 Cost Share Contract
 Preliminary basin plan
 Payment Agreement – Bridgewood Apartments

**DAKOTA COUNTY
INVER GROVE HEIGHTS, MINNESOTA**

**RESOLUTION APPROVING A COST SHARE CONTRACT WITH THE DAKOTA COUNTY SOIL AND WATER
CONSERVATION DISTRICT FOR COMMUNITY CONSERVATION PARTNERSHIP (CCP) FUNDING
PROGRAM, APPROVING PAYMENT AGREEMENT WITH BRIDGEWOOD APARTMENTS, ORDERING THE
PROJECT, AUTHORIZING AND APPROVING PLANS AND SPECIFICATIONS, AND AUTHORIZING
ADVERTISEMENT FOR BIDS FOR CITY PROJECT NO. 2014-08 – BOHRER POND NORTHWEST
PRETREATMENT BASIN – PHASE II**

RESOLUTION NO. _____

WHEREAS, as part of the City's 2014 Improvement Program, City Project No. 2014-08 – Bohrer Pond Northwest Pretreatment Basin – Phase II has been identified for construction starting in 2014; and

WHEREAS, in order to improve water quality, the City Council has authorized the development of storm water facilities to create a pretreatment basin to protect Bohrer Pond; and

WHEREAS, the City applied for and received a Community Conservation Program Grant from the Dakota County Soil and Water Conservation District; and

WHEREAS, the City has negotiated a payment agreement with Bridgewood Apartments estimated at \$16,390.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:

1. The City is authorized to enter into a Cost Sharing Contract with the Dakota County Soil & Water Conservation District (SWCD) relating to the Community Conservation Program (CCP) for storm water facilities for City Project No. 2014-08 – Bohrer Pond Northwest Pretreatment Basin – Phase II, to provide up to \$35,800 of CCP funding from the SWCD to the City.
2. The City is authorized to enter into a payment agreement with Bridgewood Apartments for City Project No. 2014-08 to provide an estimated payment of \$16,390 to the City. The final payment will be adjusted based upon the bids received.
3. The City Council hereby orders the project and authorizes the Engineering Division to prepare the plans and specifications for City Project No. 2014-08 – Bohrer Pond Northwest Pretreatment Basin Phase II.
4. The City Council hereby approves the plans and specifications and authorizes the Engineering Division to advertise for bids.
5. The project funding will consist of SWCD grant funds, City Storm Water Utility Funds and a contribution from the Bridgewood Apartment owners.

Adopted this 14th day of April 2014 by the City Council of Inver Grove Heights.

AYES:
NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk



Dakota County Soil and Water Conservation District COST SHARE CONTRACT

Cost Share Program Type CCS CIF CCP

GENERAL INFORMATION

Watershed Name Mississippi	Contract Number 14-CCP-02	Individual / Group Individual	Board Meeting Date(s): 4/3/2014
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APPLICANT

Applicant City of Inver Grove Heights	Address/City/State 8150 Barbara Avenue Inver Grove Heights, MN 55077	Contact Information Tom Kaldunski, P.E., City Engineer tkaldunski@invergroveheights.org (651) 450-2572
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* If this is a group contract, this must be filed and signed by the group spokesperson as designated in the group agreement.

CONSERVATION PRACTICE LOCATION

Address or Township Name PID No. 200030029020 Inver Grove Heights, MN 55077	Township 27N	Range 22W	Section 3	1/4, 1/4 SE of NE
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CONTRACT INFORMATION

I (we), the undersigned Applicant, do hereby request cost-share assistance to help defray the cost of installing the Project as listed below subject to the following terms and conditions. It is agreed that:

1. The Applicant is solely responsible to obtain all permits and perform the work in compliance with local, state and federal regulations.
2. The Project must be completed in compliance with the approved plans, specifications and the District's technical standards. Any requests to change the approved plans, specifications or costs estimates must be submitted in writing to the District for review and approval.
3. The District reserves the right, at its sole discretion, to determine Project compliance to its technical standards and may withhold or deny payment for Projects that are non-compliant, improperly installed and/or improperly maintained or payment requests for expenses the District determines to be non-essential to the Project. The Applicant is responsible to confirm project compliance with the District for critical project components, including but not limited to, final design, layout staking, sub-grade excavations, soil preparation, piping and appurtenance installations, site grading, planting and final site stabilization. Unless otherwise agreed in writing, the Applicant is responsible to correct all non-compliance issues to the satisfaction of the District at its sole expense. At its option, the District may determine the non-compliance of a single project component to be non-compliance for the project as a whole.
4. The Applicant is solely responsible for the cost of constructing the Project per the approved plans and specifications. Upon Project completion and acceptance by the District Board of Supervisors, the reimbursement payment to the Applicant is limited to a maximum of sixty-five (65) percent of the actual project expenses, not to exceed the maximum cost share amount. All requests for cost share payment must be supported by itemized project receipts and invoices determined by the District to be practical and reasonable for the completion of the Project. Partial payments prior to Project completion shall not be made unless otherwise agreed in writing.

5. The Applicant is responsible to comply with the Project Operation & Maintenance Plan and shall provide at his sole expense, all labor and materials to properly maintain the Project during its minimum effective life (15 Years). If the Project is removed or modified without consent of the District, the Applicant shall be liable for monetary damages, not to exceed the amount of cost share received from the District for that Project. If land ownership is transferred to another party, it shall be the responsibility of the property owner/applicant who signed this contract to advise the new landowner that this contract shall remain in force.
6. This contract, when approved by the District Board of Supervisors, will remain in effect unless canceled by mutual agreement, except when installation of the Project covered by this contract has not been started by 9/2/2014 (date) in which case this contract will automatically terminate on that date.
7. The Project will be installed by 11/14/2014 (date), unless this contract is amended by mutual consent to reschedule the work and funding.
8. The Applicant is solely liable for his/her own acts and agrees to hold harmless and defend the District against claims, actions, demands or damages arising out of the performance of this Agreement.
9. The Applicant authorizes the Dakota County SWCD to take and disclose photographs of the conservation practice for use in publications or promotional materials or on their website for the purpose of highlighting the Dakota County SWCD's programs. I also authorize the Dakota County SWCD to disclose my name and applicable conservation practice information with any conservation practice photograph.

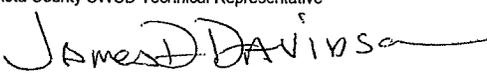
APPLICANT SIGNATURES

Date	Landowner/Applicant	Address	City/State/Zip Code

CONSERVATION PRACTICE

Eligible component(s) 570 Stormwater Runoff Control	Other recognized technical practice 362 Diversion 0	Engineered Practice <input checked="" type="checkbox"/> Ecological Practice <input type="checkbox"/>	Total Cost Estimate \$55,080.00
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TECHNICAL ASSESSMENT AND COST ESTIMATE

Dakota County SWCD Technical Representative 	Date 3/17/14
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AMOUNT AUTHORIZED FOR PAYMENT (ENCUMBRANCE)

Cost share is approved at up to 65% of the total estimated project cost. The final cost share reimbursement amount shall be determined by applying the approved percentage to the total actual project costs as reviewed and approved and is limited to not exceed \$35,802.00

Dakota County SWCD Board Chair 	Board Meeting Date 4-2-2014
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AGREEMENT RELATING TO PAYMENT FOR BRIDGEWOOD IMPROVEMENTS
ON PROPERTY LOCATED AT 3108 – 65TH STREET EAST
INVER GROVE HEIGHTS, DAKOTA COUNTY, MINNESOTA

THIS AGREEMENT RELATING TO PAYMENT FOR BRIDGEWOOD IMPROVEMENTS ON PROPERTY LOCATED AT 3108 – 65TH STREET EAST, INVER GROVE HEIGHTS DAKOTA COUNTY, MINNESOTA (Agreement) is made, entered into and effective this 14th day of April, 2014, by and between the City of Inver Grove Heights, a Minnesota municipal corporation (hereafter referred to as “City”) and Bonnie M. Gear, Kimberly Anne Rinehart (a/k/a Kimberly Anne Gear Rinehart, a/k/a Kimberly A. Gear, a/k/a Kimberly Ann Gear, a/k/a Kimberly Gear Berres), Alan William Gear (a/k/a Alan W. Gear) and Mark Eugene Gear (a/k/a Mark E. Gear), as tenants in common (hereafter referred to collectively as “Landowner”). Subject to the terms and conditions hereafter stated and based on the representations, warranties, covenants, agreements and recitals of the parties herein contained, the parties do hereby agree as follows:

WHEREAS, the City of Inver Grove Heights is considering whether to order and construct City Project No. 2014-08 – Bohrer Pond NW Pretreatment Basin Phase II (the “Project”). The Project involves the retrofitting of a 2,200 square foot bioretention cell in the southeast corner of a City owned parcel located near the intersection of Carmen Avenue and Claude Way. The retrofitting of the bioretention cell will divert stormwater flows away from an actively eroding gully and provide water quality treatment for the existing drainage that currently discharges into Bohrer pond without any treatment.

WHEREAS, the Project also involves storm water improvements and parking lot improvements to be installed and constructed on the Bridgewood Apartments property (legally described on the attached Exhibit A) which will assist to channel storm water into Bohrer pond so that the storm water may be treated (hereafter referred to as the “Bridgewood Improvements”).

WHEREAS, funding for the Project, except for the Bridgewood Improvements, will come from the City and from a cost sharing grant with the City and Dakota County Soil and Water Conservation District. The funding for the Bridgewood Improvements will come from the Landowner.

WHEREAS, Landowner owns fee title in real property in the City of Inver Grove Heights, Dakota County, Minnesota, legally described on the attached Exhibit A (hereafter referred to as the "Property").

WHEREAS, City and Landowner have discussed the Bridgewood Improvements to be constructed on the Property as part of the Project as well as the benefit to the Property resulting from the Bridgewood Improvements. City and Landowner have discussed the obligation of the Landowner to pay, at its sole cost and expense, for the Bridgewood Improvements to be constructed on the Property.

WHEREAS, The estimated cost of the Bridgewood Improvements is \$16,390. Landowner is willing to pay, at its sole cost and expense, the amount of \$16,390 for the Bridgewood Improvements.

WHEREAS, Landowner warrants and represents that, as of the date of this Agreement, the undersigned Landowner is the fee title owner of the Property and has sufficient right, title and interest in the Property to make this Agreement.

WHEREAS, the City has explained the nature and scope of the Project and the Bridgewood Improvements with the undersigned Landowner and made available information and analysis concerning the benefit of the Bridgewood Improvements to the Property.

WHEREAS, the undersigned Landowner, after reviewing all the information about the Project and Bridgewood Improvements, agrees to pay at its sole cost and expense, the amount of \$16,390 for the Bridgewood Improvements to be constructed on the Property, subject to the adjustment for the amount of payment as hereafter referenced.

WHEREAS, the City, prior to awarding the contract for the Project, will obtain at least two quotes for the construction work pursuant to the Uniform Municipal Contracting Law, Minn. Stat. § 471.345.

NOW, THEREFORE, the undersigned Landowner recognizes, acknowledges, and knowingly and voluntarily agrees that:

1. Landowner acknowledges that the Bridgewood Improvements benefit the Property.
2. Landowner agrees, at its sole cost and expense, to pay the amount of \$16,390 for the Bridgewood Improvements to be constructed on the Property. Landowner agrees that the amount of \$16,390 will be payable (in full) to the City before the City awards the construction contract for the Project and within seven (7) business days after the City orally or in writing notifies Kimberly Anne Rinehart (as the designee and agent of the Landowner) as to what the lowest quote was for construction of the Project. If the lowest quote for the Project reflects that the cost of the Bridgewood Improvements is less than \$16,390, then Landowner shall pay the lesser amount as reflected in the lowest quote for the Project. If the

lowest quote for the Project reflects that the cost of the Bridgewood Improvements is more than \$16,390, then Landowner shall pay the higher amount as reflected in the lowest quote for the Project; provided, however, if the construction costs for the Bridgewood Improvements exceed \$20,000, Landowner, acting through its designee and agent, Kimberly Anne Rinehart, may terminate this Agreement before the date that the payment is due to the City. If Landowner elects termination of this Agreement, the termination must occur by Landowner delivering a written notice of termination to the City Engineer prior to the date payment is due.

3. This Agreement shall be continuing and irrevocable and is made knowingly and voluntarily by the undersigned Landowner.
4. All terms and conditions of this Agreement shall run with the Property herein described, and shall be binding upon the Property and the successors and assigns of the undersigned Landowner. This Agreement shall also apply to any after-acquired title of Landowner in the Property.

NOW, THEREFORE, for and in consideration of the covenants and agreements made by Landowner herein, the City agrees to construct the Bridgewood Improvements on the Property according the plans and specifications for the Project approved by the City.

The City and Landowner further agree as follows:

1. That the recitals contained in this Agreement are true and correct and are an integral part of this Agreement.
2. The City is under no obligation to construct the Bridgewood Improvements or the Project unless Landowner makes the required payment stated above.
3. The City, prior to awarding the contract for the Project, will obtain at least two quotes for the construction work pursuant to the Uniform Municipal Contracting Law, Minn. Stat. § 471.345.
4. If the Project construction costs as reflected in the lowest quote are more than 125% of the City Engineer's estimate for construction costs, then the City is under no obligation to order the Project or award a contract for construction of the Project.

[the remainder of this page has been intentionally left blank]

IN WITNESS WHEREOF, the Landowner and the City have executed this Agreement effective on the 14th day of April, 2014.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

LANDOWNER

By: Bonnie M Gear
Bonnie M. Gear

By: Kimberly Anne Rinehart
Kimberly Anne Rinehart
(a/k/a Kimberly Anne Gear Rinehart, a/k/a Kimberly A. Gear, a/k/a Kimberly Ann Gear, a/k/a Kimberly Gear Berres)

By: Alan William Gear
Alan William Gear (a/k/a Alan W. Gear)

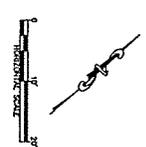
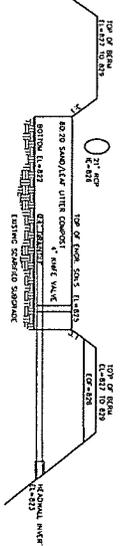
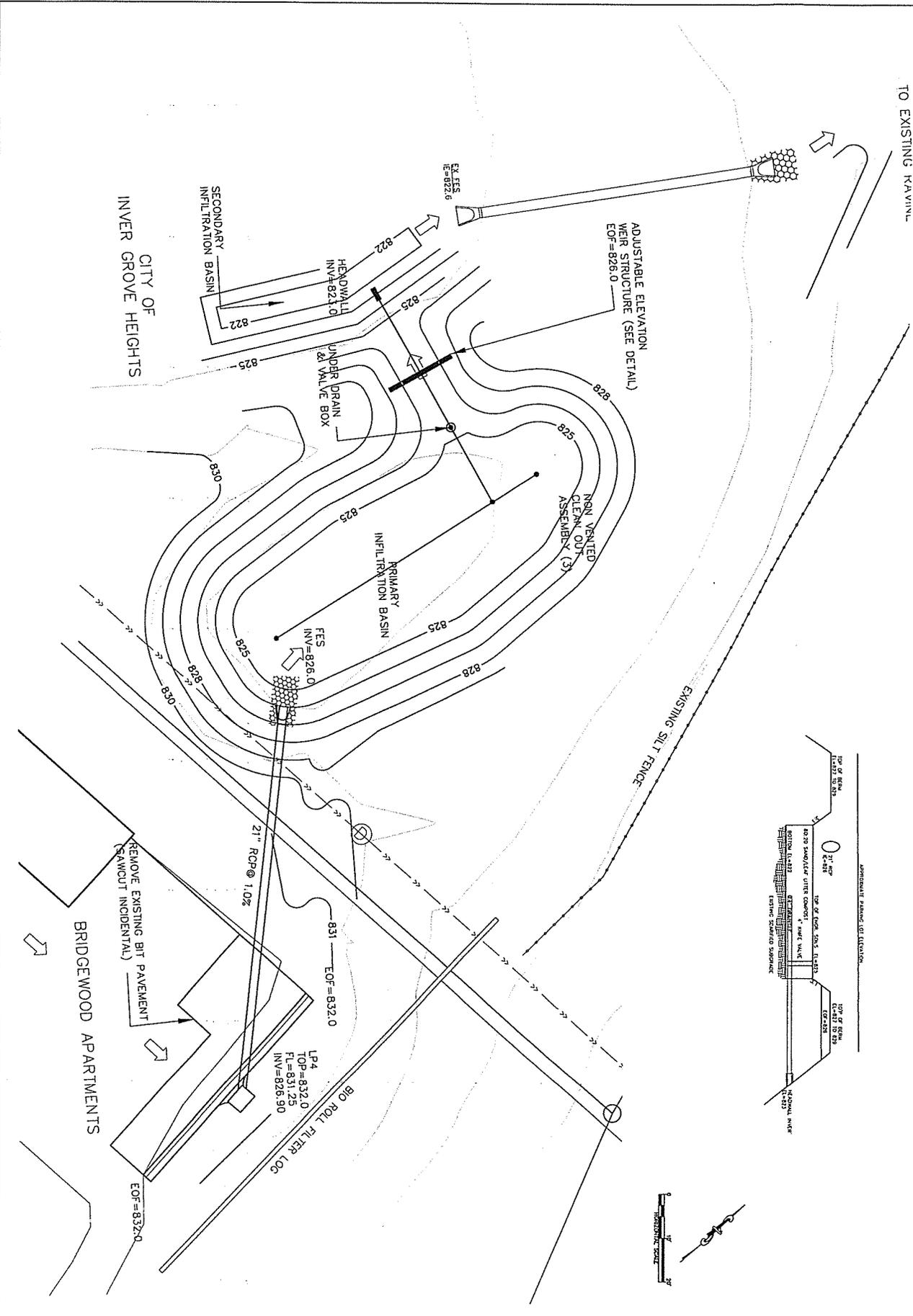
By: Mark E Gear
Mark Eugene Gear (a/k/a Mark E. Gear)

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

The following real property located in the City of Inver Grove Heights, County of Dakota, State of Minnesota:

That part of the Northwest 1/4 of the Southwest 1/4 and that part of the West 2 Acres of the North 1/2 of the Northeast 1/4 of the Southwest 1/4 of Section 3, Township 27, Range 22, lying Easterly and Northerly of a line parallel with and 33 feet Easterly and Northerly of the following described line, to wit: Beginning at the point of intersection of the North line of said Northwest 1/4 of the Southwest 1/4 and a line parallel with and 659.1 feet East of the West line of said Northwest 1/4 of the Southwest 1/4; thence South along said parallel line 431.88 feet; thence Southeasterly 357.14 feet along a tangential curve to the left, having a radius of 230 feet and delta angle of $88^{\circ}58'$, to an intersection with a line parallel with and 664.4 feet North of the South line of said Northwest 1/4 of the Southwest 1/4; thence East along last said parallel line 432.66 feet; thence Southeasterly 310.55 feet along a tangential curve to the right, having a radius of 200 feet and delta angle of $88^{\circ}58'$ and there terminating. EXCEPT that part lying Easterly of Westerly line of Bushnell's 1st Addition to Inver Grove Park, according to the plat thereof on file and of record in the office of the Register of Deeds of Dakota County, Minnesota, and EXCEPT that part of said Northwest 1/4 of the Southwest 1/4 described as follows: Beginning at point of intersection of North line of said Northwest 1/4 of the Southwest 1/4 and a line parallel with and 692.1 feet East of West line of said Northwest 1/4 of the Southwest 1/4; thence South along said parallel line 40 feet; thence Northeasterly to a point in the North line of said Northwest 1/4 of the Southwest 1/4, distant 54 feet East of the point of beginning; thence West 54 feet to the point of beginning.

TO EXISTING RAHWINE



2014-08 BOHRER POND
NW PRETREATMENT BASIN
PHASE II

City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077
(651) 450-2570 Fax (651) 450-2502

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE STATE OF MINNESOTA STATUTES SECTION 326.02 TO 326.16.

DATE: _____ MNH. REG. NO. _____

DESIGN FILE:	REV. NO.	DATE	DESCRIPTION
2014-08			
DRAWN BY: ME	DESIGN BY: ME		
CHECKED BY:	DWG. NAME:		
	2014-08		
DATE:			

SHEET NO.
X
X

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Discuss Draft Feasibility Study for City Project No. 2014-13 – Northwest Area Utility Extension – Argenta Trail Alignment

Meeting Date: April 14, 2014
 Item Type: Regular
 Contact: Thomas J. Kaldunski, 651-450-2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

SST

	Fiscal/FTE Impact:
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Northwest Area Connection Fees

PURPOSE/ACTION REQUESTED

On March 24, 2014 the City Council authorized preparation of the feasibility study for an alternative alignment for extension of trunk utilities to serve that portion of the City's Northwest Area bound on the west by the City of Egan, on the east by a ridgeline west of TH 3, on the south by T.H. 55, and on the north by I-494. This study was requested by landowners planning developments and funded by Northwest Area Connection Fees. The study is intended to serve as a guide for trunk utility improvement to serve land in the Argenta District of the Northwest Area. It shows that several alternative sewer alignments are technically feasible and that the trunk watermain extension being considered should include looping it back to the existing system.

The feasibility study does not provide proposed funding sources. Once the feasibility study is finalized and received, Ehlers and Associates, Inc. will take the project cost estimate, along with updated cost estimates for the balance of the future NWA trunk utility system, and update the financial model. The results of this update will provide information critical to the Council's decisions concerning whether the trunk system should be extended at this time and how it should be funded.

The feasibility study also does not provide a proposed project schedule. Staff will provide some scheduling scenarios at the April 14, 2014 meeting. A schedule will be prepared once staff receives direction from the Council following the discussion on April 14th.

The feasibility study provides guidance for additional tasks that would be needed prior to ordering a project. The estimated costs of these trunk utility improvements are outlined in the report.

This report reviews an overall comprehensive trunk sanitary sewer system that will serve the entire study area starting at the 12-inch diameter trunk sanitary sewer constructed on Alverno Avenue in 2013. A combination of gravity sanitary sewers and lift stations will extend a sanitary sewer system to the approximate location of a future intersection of Argenta Trail and 65th Street. This portion of the trunk sanitary sewer extension is referred to as the "Initial Project" in the feasibility study. Sewer depth ranges from 15 to 50 feet deep. Two parallel sanitary sewer alignments in the vicinity of 70th Street were studied.

The recommended sanitary sewer alignment would go through the existing residential neighborhood at 69th Street and Arkansas Avenue. This alignment is estimated to cost about one-half million dollars less than the alignment south of 70th Street. This neighborhood was an exception neighborhood in the Northwest Area utility system in 2007. As such, the properties would not be required to connect to sanitary sewer unless failure of the existing drain field necessitated it, or the owners desired to.

A comprehensive plan amendment will be required due to the new sewer alignment. The NWA Alternative Urban Areawide Review (AUAR) must also be updated.

The proposed trunk watermain loop will extend from an existing 12-inch diameter watermain on Alverno Avenue, through the Argenta Trail and 70th Street area, and continue east to a connection at 63rd Street near Babcock Trail. This watermain will be added to the City's computer model currently being updated. Most of the proposed trunk watermain alignment will go through areas currently being considered for development. A portion of the trunk watermain system will follow the planned 65th Street alignment through undeveloped land as it is routed to 63rd near Babcock Trail.

The study also reviewed the need for right-of-way or easements for the trunk utility improvements. It is anticipated that developers will provide the right-of-way or easements to the greatest extent possible. The overall trunk watermain and sanitary sewer improvements are anticipated to cost approximately \$12.0 to \$12.5 million, plus easement expenses. To address the current development interests, the City Council could consider the "Initial Project" with costs ranging from \$5.85 million to \$6.02 million, plus easement costs.

Staff requests direction from the Council with regard to finalizing the feasibility study. The results of the financial model update are tentatively scheduled to be ready for the Council's review on May 12, 2014. At that time, staff would request further Council direction concerning the project.

TJK/kf
Attachment: Draft Feasibility Study

AFT

DRAFT



**Preliminary Engineering Report for
NW Area Trunk Utilities
Argenta District**

City of Inver Grove Heights, MN

BMI Project No. T18.107661

City Project 2014-13

April 10, 2014



Submitted by:

Bolton & Menk, Inc.
12224 Nicollet Avenue
Burnsville, MN 55337
P: 952.890.0509
F: 952-890.8065



CERTIFICATION

Preliminary Engineering Report

for

NW Area Trunk Utilities - Argenta District

City of Inver Grove Heights
Inver Grove Heights
BMI Project No. T18.107661
City Project 2014-13

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

By: 
Brian Hilgardner, P.E.
License No. 42875

Date: April 10, 2014



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INTRODUCTION

This report examines proposed trunk sanitary sewer and watermain utility extensions necessary to serve a portion of the City's Northwest Area. This area has been referred to in previous studies and reports as the Argenta District. It is comprised of land bound on west by the City of Eagan, on the east by a ridge line west of T.H. 3, on the south by T.H. 55 and on the north by Interstate 494. Figure 1 illustrates the study area.

Major elements of the utility improvements being considered include:

1. Constructing a northerly extension of the existing sanitary sewer trunk line. This extension will begin at a 12" stub located on the north and westerly end of the Argenta Hills 8th Addition at Alverno Avenue. In order to provide service from the existing stub to the northern most reaches of the Argenta District, a combination of gravity sewers and a lift station/forcemain system will need to be constructed.
2. Constructing a looping watermain system. A combination of 12"-16" watermains would be extended to the north throughout the future development areas and several connections would be made to the east toward T.H.3; and even further east of T.H. 3 to an existing watermain located near 63rd Street.



Recently, several different property owners and developers have inquired about development in this area. This interest in development has resulted in the City Council requesting this study to be completed.

BACKGROUND

The figure located in Appendix C (from the original Feasibility Report for this area completed by Bonestroo, Inc.) illustrates the location of the originally proposed Argenta Sanitary Sewer Districts (denoted with letters beginning in AR) and the proposed trunk sewer. It also designates land use (at the time that document was created) according to the City's Northwest Expansion Area AUAR per the City's Comprehensive Plan. In accordance with the Comprehensive Plan, it was intended that the majority of the sanitary sewer flows generated within the subject area be accommodated by the future Argenta trunk system that would flow south and then east into the newly constructed lift station on Robert Trail. The sewer system being considered in this report deviates slightly from the original plan in several of the alignments, but in general the sewer still flows to the lift station constructed on T.H. 3 as a part of 2008 NW Area Trunk Improvements. In addition, the land uses have been updated (See Figure 2 of Appendix B) and the sanitary sewer modeling has been revised. This Feasibility Report takes a closer look at the Argenta District, and evaluates alignments in more detail to ensure they will be able to be constructed with the rolling topography of this area. It also evaluates the watermain system, specifically to allow a loop from the east. The existing Argenta District that has been developed and portions of the Robert District are being served by several thousand feet of dead end watermain. This may create a liability for the City if there was an emergency shutdown of this watermain.



For purposes of immediate developer interest in certain locations, we have not only analyzed the entire Argenta District, but we have also considered an “initial project” which we will reference several times in the report. The initial project can be seen in Figure 8 of Appendix B. The initial project would include looping the watermain from the connection at Argenta Hills 8th Addition north through the proposed development area and connecting at 63rd Street. The sewer would be constructed from Argenta Hills 8th Addition north through the development areas and then east and north to approximately a 65th street alignment.

Other reports which were completed relative to the Argenta District that were considered during the preparation of this report include the Northwest Area Water & Sanitary Extensions Feasibility Report dated May 18, 2005; the Sanitary Sewer, Water Supply, and Natural Resource & Environmental Protection Comprehensive Plans; and the City of Inver Grove Heights Northwest Expansion Area AUAR Update prepared in September of 2007.

PROPOSED SANITARY SEWER IMPROVEMENTS

The trunk sanitary sewer improvements being considered to serve the Argenta District will be required to conform to the City of Inver Grove Heights’ 2030 Comprehensive Plan and the 2005 AUAR, and subsequent updates. There are no additional sewer districts farther upstream that will be passing through the proposed improvements, therefore the Argenta sanitary sewer extensions will be designed to accommodate the identified service areas and associated flows per the NWA Water and Sanitary Extensions (2005 Report). Both the Argenta and the Robert Sewer Districts were evaluated in the 2005 Report and are in general conformance with the City’s 2030 Comprehensive Plan. A general review of the 2005 Report and its data was completed for the purpose of identifying any obvious discrepancies in flow calculations or pipe size recommendations. We also gave consideration to those land density changes in the area, which were recently updated. In addition, we completed a more detailed evaluation of the proposed trunk sewer alignments to see how they would conform to concept plans that have been submitted, as well as their ability to be constructed in the rolling terrain. In general we found we were able to utilize a gravity sewer system in many instances in lieu of several lift stations along the trunk corridor. There will still be lift stations required to serve specific sub-districts, but they will be smaller in size and result in a reduced cost to the overall system. The service areas or sub-districts are illustrated in Figure 3 of Appendix B.

As mentioned earlier in the report, several concept plans and roadway networks have been submitted to the City. We wanted to utilize as many of these routes as possible to minimize easement acquisition costs. There are also areas north of 70th Street that have previously been developed with wells and septic system, so we needed to evaluate options of going through this area or around it. It was determined that two different alignments would be evaluated. Option 1B includes an alignment that routes the trunk sewer system through an existing right-of-way (ROW) along 69th Street West before heading north along the future Argenta Trail alignment. Option 1B is illustrated in Figure 4 of Appendix B.

Option 2B is similar to Option 1B in many aspects, however it makes an east-west transition south of 70th Street along a future potential road alignment and then heads north along the future Argenta Trail alignment. Option 2B is illustrated in Figure 6 of Appendix B.

The primary difference between the two alternates is that Option 1B traverses through areas that have existing right-of-way and the topography lends itself to allow much of the sanitary sewer to be constructed at a shallower depth. These differences result in a reduced costs to construct Option 1B. Other factors would still have to be evaluated at the time of final design such as development phasing, natural resource impacts and actual required easements.

We also considered two different options to serve the northern reaches of the Argenta District. These options are illustrated in Figure 5 of Appendix B. Option A (green) utilizes a gravity sewer system that runs north through a series of wetlands. This alignment will fall well below the water table and will result in difficult construction because of the proximity of the wetlands. This alignment also presents challenges for easement acquisition because the alignment impacts some building structures and developed homestead properties. Option B (purple) consists of constructing a lift station and forcemain to pump the sewer into the trunk gravity system that follows the future Argenta Trail alignment. This option would serve the same undeveloped land in the north end of the Argenta District with much less land disturbance and less easement requirements. The construction cost for Option B is approximately \$600,000 cheaper than Option A.

If the sanitary sewer system was built for the Argenta District at this time, we would recommend constructing a combination of Option 1 to reach the future Argenta Trail alignment and Option B for the areas in the northern reaches of the district.

PROPOSED WATERMAIN IMPROVEMENTS

The trunk watermain improvements proposed to serve the Argenta District are part of a comprehensive grid and looping system designed to serve the Northwest Area of Inver Grove Heights, as illustrated in Figure 7 of Appendix B. This system was detailed in the 2005 Northwest Area Water & Sanitary Extensions Feasibility Report and is in general conformance with the City's 2030 Comprehensive Plan. Currently, a 16" watermain has been constructed along T.H. 3 up to 70th Street (location "C" on figure 7). A 12" watermain has been extended in the southern part of the district as a part of the Argenta Hills 8th Addition development (location "A" on figure 7). These two connection points would be nearest to development in the Argenta District.

City Staff expressed concerns about proceeding with development with water extending from either of these two feeds. The watermain extending west from the intersection of Babcock Trail and 80th Street is all part of a long dead end watermain with no looping connection. This may create a liability for the City if this watermain was required to be shut down for an emergency situation. Of particular concern is the Inverwood Senior Living Center because a water shutdown could cause severe risk to their health care services. The City has determined that a watermain loop should be constructed with any further development of the Argenta or Robert Districts. The City has determined the most ideal place to make this connection would be at the existing 16" watermain along Babcock Avenue in the 63rd Street area (location "B" in figure 7). This watermain would be extended to the west along property boundaries to a point where it would reach the future Argenta Trail alignment.

A 12" watermain would be constructed from the existing 12" watermain in the Argenta Hills 8th Addition (location "A" in figure 7) and head north through the proposed developments. If the recommended Option 1B sewer alignment is chosen, the 12" watermain would head east following the same alignment until it reached the future Argenta Trail alignment. At that point, it would connect to the 16" watermain being provided for looping. Ultimately, additional segments of the grid system would be constructed as development occurred.

The southwestern corner of the Argenta District is within a "Pressure Reduction Valve Area" as identified in the 2005 Report. The City is aware of this and has reviewed their Static Water Pressure Map. At this time, the entire watermain system for this area is being modeled in order to verify the trunk watermain size requirements and to confirm that a pressure reducing valve is required.

NATURAL RESOURCE AND TOPOGRAPHY IMPACTS

A review of the City's natural resource inventory reveals wetlands, managed uplands, prairie vegetation, regional infiltration areas and significant tree canopy areas in the vicinity of the proposed trunk sanitary sewer and watermain alignments. It is recommended that the final design process of this project include appropriate wetland delineations and tree and soil inventories in order to better assess and reduce potential impacts to these natural resources.



In addition, the existing topography in the vicinity of the development area does not lend itself to standard construction methods in all cases. The rolling hills and depressions embankments combined with mature tree canopy limit the amount of area available for construction. We believe that utilizing trenchless construction methods such as directional auger boring and directional drilling would decrease the amount of construction site disturbance and overall project costs. In addition, working with developers to locate these trunk utilities in proposed street corridors will help to eliminate excessive disturbance to natural areas.

EASEMENT NEEDS

The proposed trunk watermain and sanitary sewer improvements were reviewed in conjunction with the existing right-of-ways and topographic conditions. The majority of the alignments fall within undeveloped land. It is possible that right-of-way will be acquired in these areas as a part of the development platting process. However, we have calculated estimated easement costs as if all of the land will need to be purchased to construct the trunk utilities. As mentioned earlier in the report, there is immediate interest on several parcels controlled by developers. We have presented the trunk utilities that would be required initially to serve these properties. The following tables identify total easement costs assuming the entire trunk utility corridor would be purchased. If the right of way was dedicated as a part of a plat for the "initial project", it could reduce easement costs by \$500,000 - \$1,170,000. Evergreen Land Services completed market analysis of the surrounding area and similar land uses to determine a range of land acquisition costs. At the time of final design, further market evaluation and detailed analysis would be required to determine final land purchase offers.

Entire Project Easement Costs		
Option	Low Cost	High Cost
Sanitary Option A	\$255,000	\$620,000
Sanitary Option B	\$75,000.00	\$200,000.00
Sanitary Option 1	\$905,000	\$2,140,000
Sanitary Option 2	\$900,000	\$2,140,000
Watermain	\$845,000	\$1,850,000

Initial Project Easement Costs		
Option	Low Cost	High Cost
Sanitary Sewer	\$500,000	\$1,170,000
Watermain	\$170,000	\$395,000
Total	\$670,000	\$1,565,000

Notes:

1. In many areas the sanitary sewer and watermain run parallel. The sanitary sewer easement required is large enough to encompass the watermain construction so in these areas the easement costs fall within the sanitary sewer portion of the table. The easement costs associated with watermain are those where the watermain needs a separate easement to construct.

VERIFICATION OF FIELD CONDITIONS

As mentioned in Section 4 of this report, future wetland delineations and tree and soil inventories should be completed as required to facilitate the final design of the trunk utility extensions. Additionally, a geotechnical evaluation within the proposed utility corridor should be completed to verify specific soils and groundwater conditions related to the project. Finally, a detailed topographic survey of the proposed utility corridors should be completed to facilitate detailed construction plans.

PERMITS AND THE CITY'S COMPREHENSIVE PLAN

Regulatory agencies anticipated to require permits for the construction of the Argenta District trunk utility extensions include:

- Minnesota Pollution Control Agency for sanitary sewer construction and NPDES requirements
- Metropolitan Council Environmental Services for sanitary sewer construction
- Minnesota Department of Health for watermain construction
- Dakota County for work within the CSAH 26 (70th Street) crossings right-of-way and along the future Argenta Trail alignment
- Army Corps of Engineers for wetland mitigation
- Department of Natural Resources for wetland mitigation and potential dewatering
- Necessary City Permitting



The sanitary sewer subdistricts being considered for the Argenta District at this time deviate slightly from the proposed alignments and flow district routings detailed in the City of Inver Grove Heights Northwest Expansion Area AUAR Update prepared in September of 2007. These deviations from the AUAR may require review and approval from Metropolitan Council Environmental Services Division. Deviating from the AUAR also has the possibility of triggering a City Comprehensive Plan Amendment.

The City's Comprehensive Plan references infrastructure extensions to serve future developments and states that, "A number of factors impact the ability to extend services. These factors include land ownership patterns and the desire to develop; land characteristics and the ability of the land to carry projected development; market forces/conditions and the ability of the market to sustain the necessary and projected development type; and regional infrastructure improvements that require actions from multiple jurisdictions in order to proceed."

The City's Comprehensive Plan goes on to state that the City of Inver Grove Heights' approach to extending infrastructure is to maintain an open door policy and consider extension of infrastructure at the discretion of the City Council with consideration of the following factors: extension of services that might facilitate expansion of the City's job base; form of development consistent with future land use guidance; extension of services to areas already guided for urban development; financial impact to the City; local and regional transportation impacts; and market demand and economic conditions.

These guidelines presented in the Comprehensive Plan should be considered in determining the ultimate feasibility of the trunk line extensions.

ESTIMATED COSTS AND FINANCING

Estimated construction costs include a factor of 15 percent for contingencies and 23 percent overhead soft costs, including legal, engineering, administrative and fiscal costs. Final costs should be determined by using low-bid construction costs of the proposed work.

These cost estimates are based upon public construction cost information. Since the consultant has no control over the cost of labor, materials, competitive bidding process, weather conditions and other factors affecting the cost of construction, all cost estimates are opinions for general information of the client and no warranty or guarantee as to the accuracy of construction cost estimates is made. It is recommended that costs for project financing should be based upon actual, competitive bid prices with reasonable contingencies.

Estimated Construction Costs Options A & B		
	Option A	Option B
Engineers Estimated Construction Totals	\$ 787,100	\$ 329,100
15% Contingency	\$ 118,065	\$ 49,365
Sub Total	\$ 905,165	\$ 378,465
23% Overhead Costs	\$ 208,200	\$ 87,000
Engineers Estimated Project Cost	\$ 1,113,400	\$ 465,500

Notes:

1. This table compares the sanitary sewer Option A and Options B in the northern portion of the Argenta District.

Estimated Construction Costs Entire Project		
	Option 1B	Option 2B
BaseTrunk Sanitary Sewer	\$ 3,124,250	\$ 3,367,700
Option B - Lift Station	\$ 329,100	\$ 329,100
Trunk Watermain	\$ 4,661,700	\$ 4,661,700
Engineers Estimated Construction Totals	\$ 8,115,050	\$ 8,358,500
15% Contingency	\$ 1,217,300	\$ 1,253,800
Sub Total	\$ 9,332,350	\$ 9,612,300
23% Overhead Costs	\$ 2,146,400	\$ 2,210,800
Engineers Estimated Project Cost	\$ 11,478,800	\$ 11,823,100

Notes:

1. This table compares the costs of Option 1 and Option 2 in combination with Option B since Option B is the recommended sanitary sewer alignment for the northern portion of the Argenta District

Estimated Construction Costs Initial Project		
	Option 1B	Option 2B
BaseTrunk Sanitary Sewer	\$ 2,586,150	\$ 2,649,400
Initial Trunk Watermain	\$ 1,837,800	\$ 1,904,300
Engineers Estimated Construction Totals	\$ 4,423,950	\$ 4,553,700
15% Contingency	\$ 663,600	\$ 683,100
Sub Total	\$ 5,087,550	\$ 5,236,800
23% Overhead Costs	\$ 1,170,100	\$ 1,204,500
Engineers Estimated Project Cost	\$ 6,257,700	\$ 6,441,330

Notes:

1. This table compares the costs of Option 1 and Option 2 in combination with Option B since Option B is the recommended sanitary sewer alignment for the northern portion of the Argenta District.

The recommended alignment to serve the Argenta District is a combination of Option 1 and Option B. The total estimated construction cost to construct the “initial project” is \$6,257,700. Easement costs are between \$670,000 - \$1,565,000 for a total project cost of between \$6,927,700 and \$7,822,700. The easement costs could be reduced by land dedication during the platting process.

The recommended alignment to serve the Argenta District is a combination of Option 1 and Option B. The total estimated construction cost to construct the “entire project” is \$11,478,800. Easement costs are between \$980,000 - \$2,340,000 for a total project cost of between \$12,458,800 and \$13,818,800. The easement costs could be reduced by land dedication during the platting process.

It has not yet been determined if the Argenta District trunk utility extensions will be constructed by the City of Inver Grove Heights or in conjunction with a private developer. Given the mutual need and benefit of the improvements, however, it is anticipated that a combination of public and private funding would be available for the project. Traditional funding sources for trunk utility improvements in the City’s northwest area include Northwest Area Plat Connection and Building Permit fees, City Utility Funds, special assessments, and private development funds.

FOLLOW-UP ACTIVITIES

Prior to authorization of this design alternative and commencement of final trunk utility planning and design, the following items should be given further consideration:

- Metropolitan Council Environmental Services Review and Approval
- AUAR Amendments
- Comprehensive Plan Amendments
- Wetland Delineation
- Geotechnical Evaluation
- Final Design
- Bidding Phase
- Construction

PROJECT SCHEDULE

This feasibility report will be presented to the City Council for review on April 14, 2014.

The design of the "initial project" (Figure 8) would likely take 2-3 months, and bidding would take another month. It is possible that construction could begin in the fall of 2014, but it is highly unlikely all of the improvements could be completed in 2014. It would more likely take the majority of the 2015 construction season to complete all of the improvements for the initial projects. Because it is not currently known whether the City of Inver Grove Heights or a private developer will ultimately construct the improvements, the project schedule beyond the anticipated feasibility report acceptance date is not yet defined.

FEASIBILITY AND RECOMMENDATION

From an engineering standpoint, this project is technically feasible, cost effective and necessary and can best be accomplished by letting competitive bids for the work. It is recommended that the work be done under one contract in order to complete the work in an orderly and efficient manner. The City, its financial consultant, and other parties with a funding interest in the project will have to determine the economic feasibility of the proposed improvements.



APPENDIX A

COST ESTIMATES

CITY OF INVER GROVE HEIGHTS
NORTHWEST AREA - ARGENTA DISTRICT

UTLIMATE TRUNK SANITARY SEWER ENGINEER'S ESTIMATE

BMI PROJECT NO. T18.107661
DATE: 3/26/14

ITEM NO.	DESCRIPTION	UNIT	UNIT COST	OPTION 1		OPTION 2	
				QUANTITY	COST	QUANTITY	COST
1	MOBILIZATION	LS	\$30,000.00	1	\$30,000.00	1.00	\$30,000.00
2	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00	1.00	\$5,000.00
3	DEWATERING	LF	\$30.00	5000	\$150,000.00	5500.00	\$165,000.00
4	CLEAR AND GRUBB	ACRE	\$4,000.00	7	\$28,000.00	8.00	\$32,000.00
5	REMOVE BITUMINOUS	SY	\$3.50	2900	\$10,150.00	0.00	\$0.00
6	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	\$3.50	200	\$700.00	0	\$0.00
7	SELECT GRANULAR BORROW	CY	\$3.00	40000	\$120,000.00	47000	\$141,000.00
8	STRIP & SALVAGE TOPSOIL	CY	\$3.00	40000	\$120,000.00	47000	\$141,000.00
9	REPLACE TOPSOIL	TON	\$16.00	1900	\$30,400.00	0	\$0.00
10	AGGREGATE BASE CLASS 5	GAL	\$3.00	150	\$450.00	0	\$0.00
11	BITUMINOUS MATERIAL FOR TACK COAT	TON	\$67.00	350	\$23,450.00	0	\$0.00
12	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	\$65.00	350	\$22,750.00	0	\$0.00
13	TYPE SP 12.5 NON WEARING COURSE MIX (3,C)	CY	\$6.00	14500	\$87,000.00	12700	\$76,200.00
14	GRANULAR TRENCH BACKFILL (SANITARY)	CY	\$35.00	1800	\$63,000.00	1600	\$56,000.00
15	AGGREGATE PIPE BEDDING (SANITARY)	EACH	\$450.00	30	\$13,500.00	31	\$13,950.00
16	SANITARY MH CASTING R-1642	LF	\$250.00	990	\$247,500.00	1100	\$275,000.00
17	CONSTRUCT 48" MANHOLE	LF	\$25.00	0	\$0.00	0	\$0.00
18	10" PVC SDR-35 SANITARY SEWER PIPE (0'-14')	LF	\$40.00	0	\$0.00	0	\$0.00
19	10" PVC SDR-26 SANITARY SEWER PIPE (14'-20')	LF	\$45.00	0	\$0.00	0	\$0.00
20	10" PVC SDR-26 SANITARY SEWER PIPE (20'-24')	LF	\$70.00	400	\$28,000.00	400	\$28,000.00
21	10" DIP CL 52 SANITARY SEWER PIPE (24'-30')	LF	\$80.00	0	\$0.00	0	\$0.00
22	10" DIP CL 52 SANITARY SEWER PIPE (31'-35')	LF	\$110.00	400	\$44,000.00	800	\$88,000.00
23	10" DIP CL 52 SANITARY SEWER PIPE (36-40)	LF	\$135.00	1150	\$155,250.00	1150	\$155,250.00
24	10" DIP CL 52 SANITARY SEWER PIPE (41-45)	LF	\$190.00	0	\$0.00	0	\$0.00
25	10" DIP CL 52 SANITARY SEWER PIPE (45-50)	LF	\$130.00	0	\$0.00	0	\$0.00
26	10" DIP CL 52 SANITARY SEWER PIPE (51-55)	LF	\$280.00	0	\$0.00	0	\$0.00
27	10" DIP CL 52 SANITARY SEWER PIPE (56-60)	LF	\$30.00	0	\$0.00	0	\$0.00
28	12" PVC SDR-35 SANITARY SEWER PIPE (0'-14')	LF	\$45.00	0	\$0.00	0	\$0.00
29	12" PVC SDR-26 SANITARY SEWER PIPE (14'-20')	LF	\$55.00	0	\$0.00	0	\$0.00
30	12" PVC SDR-26 SANITARY SEWER PIPE (20-24)	LF	\$80.00	1150	\$92,000.00	400	\$32,000.00
31	12" DIP CL 52 SANITARY SEWER PIPE (24-30)	LF	\$90.00	600	\$54,000.00	1050	\$94,500.00
32	12" DIP CL 52 SANITARY SEWER PIPE (30-35)	LF	\$120.00	1650	\$198,000.00	1000	\$120,000.00
33	12" DIP CL 52 SANITARY SEWER PIPE (35-40)	LF	\$150.00	100	\$15,000.00	400	\$60,000.00
34	12" DIP CL 52 SANITARY SEWER PIPE (40-45)	LF	\$210.00	850	\$178,500.00	950	\$199,500.00
35	12" DIP CL 52 SANITARY SEWER PIPE (45-50)	LF	\$250.00	850	\$212,500.00	1900	\$475,000.00
36	12" DIP CL 52 SANITARY SEWER PIPE (51-55)	LF	\$290.00	450	\$130,500.00	450	\$130,500.00
37	12" DIP CL 52 SANITARY SEWER PIPE (56-60)	LF	\$30.00	2400	\$72,000.00	2400	\$72,000.00
38	8" PVC C905 DR-18 FORCEMAIN	EA	\$5,000.00	1	\$5,000.00	1	\$5,000.00
39	4" PVC C905 DR-18 FORCEMAIN	EA	\$200.00	700	\$140,000.00	800	\$160,000.00
40	CONNECT TO EXISTING SANITARY SEWER	SY	\$45.00	300	\$13,500.00	0	\$0.00
41	24" STEEL CASING	LF	\$1.80	24000	\$43,200.00	26000	\$46,800.00
42	6" CONCRETE DRIVEWAY PAVEMENT	EACH	\$1,000.00	8	\$8,000.00	9	\$9,000.00
43	SILT FENCE, TYPE MACHINE SLICED	ACRE	\$1,000.00	16	\$16,000.00	20	\$20,000.00
44	TEMPORARY ROCK CONSTRUCTION ENTRANCE	SY	\$3.00	7300	\$21,900.00	0	\$0.00
45	SEED, FERTILIZE, & MULCH	SY	\$3.00	1000	\$3,000.00	1000	\$3,000.00
46	SODDING & WATERING (TYPE LAWN)	LS	\$440,000.00	1	\$440,000.00	1	\$440,000.00
47	EROSION CONTROL BLANKET CATEGORY 3	EA	\$30,000.00	1	\$30,000.00	1	\$30,000.00
48	LIFT STATION #1 (6" DIA. PRECAST)	LS	\$220,000.00	1	\$220,000.00	1	\$220,000.00
49	LIFT STATION #1 AIR RELEASE VALVE						
50	LIFT STATION #3 (6" DIA. PRECAST)						
ENGINEERS ESTIMATED CONSTRUCTION TOTALS				\$3,124,250.00		\$3,367,700.00	
15% CONTINGENCY				\$468,600.00		\$505,200.00	
SUB TOTAL				\$3,592,850.00		\$3,872,900.00	
23% OVERHEAD COSTS				\$826,400.00		\$890,800.00	
ENGINEER'S ESTIMATED BASE SANITARY TRUNK PROJECT COST				\$4,419,300.00		\$4,763,700.00	

ITEM NO.	DESCRIPTION	UNIT	UNIT COST	QUANTITY	COST
1	MOBILIZATION	LS	\$10,000.00	1	\$10,000.00
2	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00
3	CLEAR AND GRUBB	ACRE	\$4,000.00	16	\$64,000.00
4	STRIP & SALVAGE TOPSOIL	CY	\$3.00	63000	\$189,000.00
5	REPLACE TOPSOIL	CY	\$3.00	63000	\$189,000.00
6	GRANULAR TRENCH BACKFILL (WATERMAIN)	CY	\$6.00	49000	\$294,000.00
7	AGGREGATE PIPE BEDDING (WATERMAIN)	CY	\$35.00	6100	\$213,500.00
8	12" DIP CL 52 WATERMAIN PIPE	LF	\$55.00	11500	\$632,500.00
9	16" DIP CL 52 WATERMAIN PIPE	LF	\$80.00	29500	\$2,360,000.00
10	12" GATE VALVE AND BOX	EA	\$3,000.00	15	\$45,000.00
11	16" GATE VALVE AND BOX	EA	\$7,000.00	20	\$140,000.00
12	HYDRANT W/ VALVE	EA	\$4,500.00	80	\$360,000.00
13	SILT FENCE, TYPE MACHINE SLICED	LF	\$1.80	61500	\$110,700.00
14	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,000.00	8	\$8,000.00
15	SEED, FERTILIZE, & MULCH	ACRE	\$1,000.00	26	\$26,000.00
16	EROSION CONTROL BLANKET CATEGORY 3	SY	\$3.00	5000	\$15,000.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS				\$4,661,700.00	
15% CONTINGENCY				\$699,300.00	
SUB TOTAL				\$5,361,000.00	
23% OVERHEAD COSTS				\$1,233,000.00	
ENGINEER'S ESTIMATED WATERMAIN TOTAL PROJECT COST				\$6,594,000.00	

	OPTION 1B	OPTION 2B
BASE TRUNK SANITARY SEWER	\$3,124,250.00	\$3,367,700.00
OPTION A	\$787,100.00	\$787,100.00
OPTION B	\$329,100.00	\$329,100.00
TRUNK WATERMAIN	\$4,661,700.00	\$4,661,700.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS (WITH OPTION B)	\$8,115,050.00	\$8,358,500.00
15% CONTINGENCY	\$1,217,300.00	\$1,253,800.00
SUB TOTAL	\$9,332,350.00	\$9,612,300.00
23% OVERHEAD COSTS	\$2,146,400.00	\$2,210,800.00
ENGINEER'S ESTIMATED TOTAL PROJECT COST (WITH OPTION B)	\$11,478,800.00	\$11,823,100.00

CITY OF INVER GROVE HEIGHTS
NORTHWEST AREA - ARGENTA DISTRICT

INITIAL PROJECT ENGINEER'S ESTIMATE

BMI PROJECT NO. T18.107661
DATE: 3/26/14

ITEM NO.	DESCRIPTION	UNIT	UNIT COST	OPTION 1		OPTION 2	
				QUANTITY	COST	QUANTITY	COST
1	MOBILIZATION	LS	\$30,000.00	1	\$30,000.00	1.00	\$30,000.00
2	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00	1.00	\$5,000.00
3	DEWATERING	LF	\$30.00	5700	\$171,000.00	5200.00	\$156,000.00
4	CLEAR AND GRUBB	ACRE	\$4,000.00	6	\$24,000.00	6.00	\$24,000.00
5	REMOVE BITUMINOUS	SY	\$3.50	2900	\$10,150.00	0.00	\$0.00
6	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LF	\$3.50	200	\$700.00	0	\$0.00
7	SELECT GRANULAR BORROW	CY	\$8.00	1000	\$8,000.00	0	\$0.00
8	STRIP & SALVAGE TOPSOIL	CY	\$3.00	30000	\$90,000.00	40500	\$121,500.00
9	REPLACE TOPSOIL	CY	\$3.00	30000	\$90,000.00	40500	\$121,500.00
10	AGGREGATE BASE CLASS 5	TON	\$16.00	1900	\$30,400.00	0	\$0.00
11	BITUMINOUS MATERIAL FOR TACK COAT	GAL	\$3.00	150	\$450.00	0	\$0.00
12	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	\$67.00	350	\$23,450.00	0	\$0.00
13	TYPE SP 12.5 NON WEARING COURSE MIX (3,C)	TON	-\$65.00	350	\$22,750.00	0	\$0.00
14	GRANULAR TRENCH BACKFILL (SANITARY)	CY	\$6.00	10500	\$63,000.00	10500	\$63,000.00
15	AGGREGATE PIPE BEDDING (SANITARY)	CY	\$35.00	1300	\$45,500.00	1300	\$45,500.00
16	SANITARY MH CASTING R-1642	EACH	\$450.00	27	\$12,150.00	27	\$12,150.00
17	CONSTRUCT 48" MANHOLE	LF	\$250.00	950	\$237,500.00	1000	\$250,000.00
18	10" PVC SDR-35 SANITARY SEWER PIPE (0'-14')	LF	\$25.00	0	\$0.00	0	\$0.00
19	10" PVC SDR-26 SANITARY SEWER PIPE (14'-20')	LF	\$40.00	0	\$0.00	0	\$0.00
20	10" PVC SDR-26 SANITARY SEWER PIPE (20'-24')	LF	\$45.00	0	\$0.00	0	\$0.00
21	10" DIP CL. S2 SANITARY SEWER PIPE (24'-30')	LF	\$70.00	0	\$0.00	0	\$0.00
22	10" DIP CL. S2 SANITARY SEWER PIPE (31'-35')	LF	\$80.00	0	\$0.00	0	\$0.00
23	10" DIP CL. S2 SANITARY SEWER PIPE (36-40)	LF	\$110.00	0	\$0.00	400	\$44,000.00
24	10" DIP CL. S2 SANITARY SEWER PIPE (41-45)	LF	\$135.00	950	\$128,250.00	400	\$54,000.00
25	10" DIP CL. S2 SANITARY SEWER PIPE (45-50)	LF	\$190.00	0	\$0.00	0	\$0.00
26	10" DIP CL. S2 SANITARY SEWER PIPE (51-55)	LF	\$130.00	0	\$0.00	0	\$0.00
27	10" DIP CL. S2 SANITARY SEWER PIPE (56-60)	LF	\$780.00	0	\$0.00	0	\$0.00
28	12" PVC SDR-35 SANITARY SEWER PIPE (0'-14')	LF	\$30.00	0	\$0.00	0	\$0.00
29	12" PVC SDR-26 SANITARY SEWER PIPE (14'-20')	LF	\$45.00	0	\$0.00	0	\$0.00
30	12" PVC SDR-26 SANITARY SEWER PIPE (20-24)	LF	\$55.00	0	\$0.00	0	\$0.00
31	12" DIP CL. S2 SANITARY SEWER PIPE (24-30)	LF	\$80.00	1150	\$92,000.00	400	\$32,000.00
32	12" DIP CL. S2 SANITARY SEWER PIPE (30-35)	LF	\$90.00	600	\$54,000.00	1050	\$94,500.00
33	12" DIP CL. S2 SANITARY SEWER PIPE (35-40)	LF	\$120.00	1650	\$198,000.00	950	\$114,000.00
34	12" DIP CL. S2 SANITARY SEWER PIPE (40-45)	LF	\$150.00	100	\$15,000.00	400	\$60,000.00
35	12" DIP CL. S2 SANITARY SEWER PIPE (45-50)	LF	\$210.00	850	\$178,500.00	1200	\$252,000.00
36	12" DIP CL. S2 SANITARY SEWER PIPE (51-55)	LF	\$250.00	600	\$150,000.00	1100	\$275,000.00
37	12" DIP CL. S2 SANITARY SEWER PIPE (56-60)	LF	\$290.00	450	\$130,500.00	450	\$130,500.00
38	8" PVC COSS DR-18 FOR CEMAIN	EA	\$30.00	2400	\$72,000.00	2400	\$72,000.00
39	CONNECT TO EXISTING SANITARY SEWER	EA	\$5,000.00	1	\$5,000.00	1	\$5,000.00
40	24" STEEL CASING	LF	\$100.00	700	\$70,000.00	800	\$80,000.00
41	6" CONCRETE DRIVEWAY PAVEMENT	SY	\$45.00	300	\$13,500.00	0	\$0.00
42	SILT FENCE, TYPE MACHINE SLICED	LF	\$1.80	19000	\$34,200.00	17500	\$31,500.00
43	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,000.00	6	\$6,000.00	7	\$7,000.00
44	SEED, FERTILIZE, & MULCH	ACRE	\$1,000.00	11	\$11,000.00	17	\$17,000.00
45	SODDING & WATERING (TYPE LAWN)	SY	\$3.00	7300	\$21,900.00	0	\$0.00
46	EROSION CONTROL BLANKET CATEGORY 3	SY	\$3.00	750	\$2,250.00	750	\$2,250.00
47	LIFT STATION #1 (8" DIA. PRECAST)	LS	\$440,000.00	1	\$440,000.00	1	\$440,000.00
48	LIFT STATION #1 AIR RELEASE VALVE	EA	\$30,000.00	1	\$30,000.00	1	\$30,000.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS				\$2,586,150.00		\$2,649,400.00	
10% CONTINGENCY				\$258,600.00		\$264,900.00	
SUB TOTAL				\$2,844,750.00		\$2,914,300.00	
23% OVERHEAD COSTS				\$654,300.00		\$670,300.00	
SANITARY TRUNK ENGINEER'S ESTIMATE (INITIAL PROJECT)				\$3,499,100.00		\$3,584,600.00	

ITEM NO.	DESCRIPTION	UNIT	UNIT COST	OPTION 1		OPTION 2	
				QUANTITY	COST	QUANTITY	COST
1	MOBILIZATION	LS	\$10,000.00	1	\$10,000.00	1	\$10,000.00
2	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00	1	\$5,000.00
3	CLEAR AND GRUBB	ACRE	\$4,000.00	6	\$24,000.00	6	\$24,000.00
4	STRIP & SALVAGE TOPSOIL	CY	\$3.00	18000	\$54,000.00	18000	\$54,000.00
5	REPLACE TOPSOIL	CY	\$3.00	18000	\$54,000.00	18000	\$54,000.00
6	GRANULAR TRENCH BACKFILL (WATERMAIN)	CY	\$6.00	21000	\$126,000.00	19500	\$117,000.00
7	AGGREGATE PIPE BEDDING (WATERMAIN)	CY	\$35.00	2700	\$94,500.00	2500	\$87,500.00
8	12" DIP CL. S2 WATERMAIN PIPE	LF	\$55.00	7000	\$385,000.00	4000	\$220,000.00
9	16" DIP CL. S2 WATERMAIN PIPE	LF	\$80.00	10000	\$800,000.00	13000	\$1,040,000.00
10	12" GATE VALVE AND BOX	EA	\$3,000.00	11	\$33,000.00	8	\$24,000.00
11	16" GATE VALVE AND BOX	EA	\$7,000.00	9	\$63,000.00	12	\$84,000.00
12	HYDRANT W/ VALVE	EA	\$4,500.00	32	\$144,000.00	31	\$139,500.00
13	SILT FENCE, TYPE MACHINE SLICED	LF	\$1.80	16000	\$28,800.00	16000	\$28,800.00
14	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,000.00	2	\$2,000.00	2	\$2,000.00
15	SEED, FERTILIZE, & MULCH	ACRE	\$1,000.00	7	\$7,000.00	7	\$7,000.00
16	EROSION CONTROL BLANKET CATEGORY 3	SY	\$3.00	2500	\$7,500.00	2500	\$7,500.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS				\$1,837,800.00		\$1,904,300.00	
10% CONTINGENCY				\$183,800.00		\$190,400.00	
SUB TOTAL				\$2,021,600.00		\$2,094,700.00	
23% OVERHEAD COSTS				\$465,000.00		\$481,800.00	
WATERMAIN TRUNK ENGINEER'S ESTIMATE (INITIAL PROJECT)				\$2,486,600.00		\$2,576,500.00	

	OPTION 1	OPTION 2
INITIAL TRUNK SANITARY SEWER	\$2,586,150.00	\$2,649,400.00
INITIAL TRUNK WATERMAIN	\$1,837,800.00	\$1,904,300.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS	\$4,423,950.00	\$4,553,700.00
15% CONTINGENCY	\$663,600.00	\$683,100.00
SUB TOTAL	\$5,087,550.00	\$5,236,800.00
23% OVERHEAD COSTS	\$1,170,100.00	\$1,204,500.00
ENGINEER'S ESTIMATED PROJECT COST (INITIAL PROJECT)	\$6,257,700.00	\$6,441,300.00

CITY OF INVER GROVE HEIGHTS
NORTHWEST AREA - ARGENTA DISTRICT

COST COMPARISON OPTION A (LIFT STATION #2) VS. OPTION B (GRAVITY SYSTEM)

BMI PROJECT NO. T18.107661
DATE: 3/26/14

ITEM NO.	DESCRIPTION	UNIT	UNIT COST	OPTION B (GRAVITY SYSTEM)	
				QUANTITY	COST
1	MOBILIZATION	LS	\$30,000.00	1	\$30,000.00
2	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00
3	DEWATERING	LF	\$30.00	2700	\$81,000.00
3	CLEAR & GRUBB	ACRE	\$4,000.00	3.00	\$12,000.00
4	STRIP & SALVAGE TOPSOIL	CY	\$3.00	17000	\$51,000.00
5	REPLACE TOPSOIL	CY	\$3.00	17000	\$51,000.00
6	GRANULAR TRENCH BACKFILL	CY	\$6.00	4900	\$29,400.00
7	AGGREGATE PIPE BEDDING	CY	\$35.00	625	\$21,875.00
8	SANITARY MH CASTING R-1642	EACH	\$450.00	15	\$6,750.00
9	CONSTRUCT 48" MANHOLE	LF	\$250.00	475	\$118,750.00
10	8" PVC SDR-35 SANITARY SEWER PIPE (0'-13')	LF	\$20.00	0	\$0.00
11	8" PVC SDR-26 SANITARY SEWER PIPE (14'-20')	LF	\$32.00	0	\$0.00
12	8" PVC SDR-26 SANITARY SEWER PIPE (21'-24')	LF	\$40.00	800	\$32,000.00
13	8" DIP CL. 52 SANITARY SEWER PIPE (25'-30')	LF	\$65.00	950	\$61,750.00
14	8" DIP CL. 52 SANITARY SEWER PIPE (31'-35')	LF	\$75.00	400	\$30,000.00
15	8" DIP CL. 52 SANITARY SEWER PIPE (36-40)	LF	\$100.00	1425	\$142,500.00
16	8" DIP CL. 52 SANITARY SEWER PIPE (41-45)	LF	\$120.00	650	\$78,000.00
17	8" DIP CL. 52 SANITARY SEWER PIPE (46-50)	LF	\$170.00	0	\$0.00
18	8" DIP CL. 52 SANITARY SEWER PIPE (50'-55')	LF	\$210.00	0	\$0.00
19	8" DIP CL. 52 SANITARY SEWER PIPE (56-60)	LF	\$250.00	0	\$0.00
20	SILT FENCE, TYPE MACHINE SLICED	LF	\$1.80	8100	\$14,580.00
21	SILT CURTAIN	LF	\$8.00	1400	\$11,200.00
22	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,000.00	2	\$2,000.00
23	SEED, FERTILIZE, & MULCH	ACRE	\$1,000.00	8	\$8,000.00
24	EROSION CONTROL BLANKET CATEGORY 3	SY	\$3.00	100	\$300.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS					\$787,100.00
15% CONTINGENCY					\$118,065.00
SUB TOTAL					\$905,165.00
23% OVERHEAD COSTS					\$208,200.00
ENGINEERS ESTIMATE FOR OPTION B					\$1,113,400.00

ITEM NO.	DESCRIPTION	UNIT	UNIT COST	OPTION A (LIFT STATION #2)	
				QUANTITY	COST
1	MOBILIZATION	LS	\$20,000.00	1	\$20,000.00
2	TRAFFIC CONTROL	LS	\$5,000.00	1	\$5,000.00
3	CLEAR & GRUBB	ACRE	\$7,000.00	0.50	\$3,500.00
4	STRIP & SALVAGE TOPSOIL	CY	\$3.00	1250	\$3,750.00
5	REPLACE TOPSOIL	CY	\$3.00	1250	\$3,750.00
6	GRANULAR TRENCH BACKFILL	CY	\$6.00	1126	\$6,755.56
7	AGGREGATE PIPE BEDDING	CY	\$35.00	150	\$5,250.00
8	4" PVC C905 DR-18 FORCEMAIN	LF	\$20.00	950	\$19,000.00
9	12" STEEL CASING	LF	\$100.00	80	\$8,000.00
10	SILT FENCE, TYPE MACHINE SLICED	LF	\$1.80	1900	\$3,420.00
11	SILT CURTAIN	LF	\$8.00	500	\$4,000.00
12	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	\$1,000.00	1	\$1,000.00
13	SEED, FERTILIZE, & MULCH	ACRE	\$1,000.00	1	\$500.00
14	EROSION CONTROL BLANKET CATEGORY 3	SY	\$3.00	50	\$150.00
15	LIFT STATION #2 (6' DIA. PRECAST)	LS	\$245,000.00	1	\$245,000.00
ENGINEERS ESTIMATED CONSTRUCTION TOTALS					\$329,100.00
15% CONTINGENCY					\$49,365.00
SUB TOTAL					\$378,465.00
23% OVERHEAD COSTS					\$87,000.00
ENGINEERS ESTIMATE FOR OPTION A					\$465,500.00



APPENDIX B

EXHIBITS

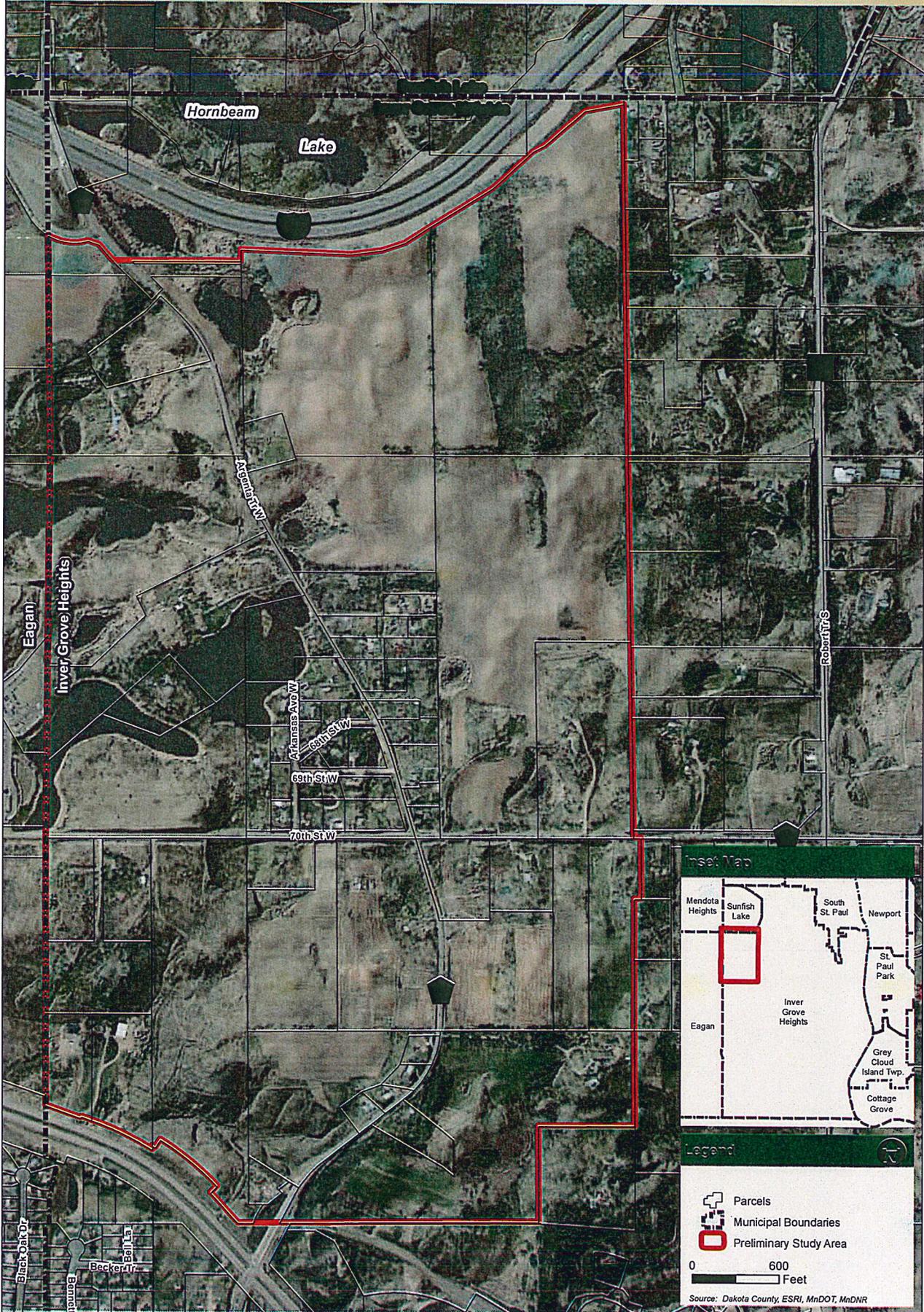


Proposed Trunk Utility Improvements

City of Inver Grove Heights

Utility Study Area - Figure 1

April, 2014



Map represents net developable area. Properties excluded include wetlands, existing and planned or anticipated ROW, small lots and exception neighborhoods, and construction limits/grading constraints along planned new roads.

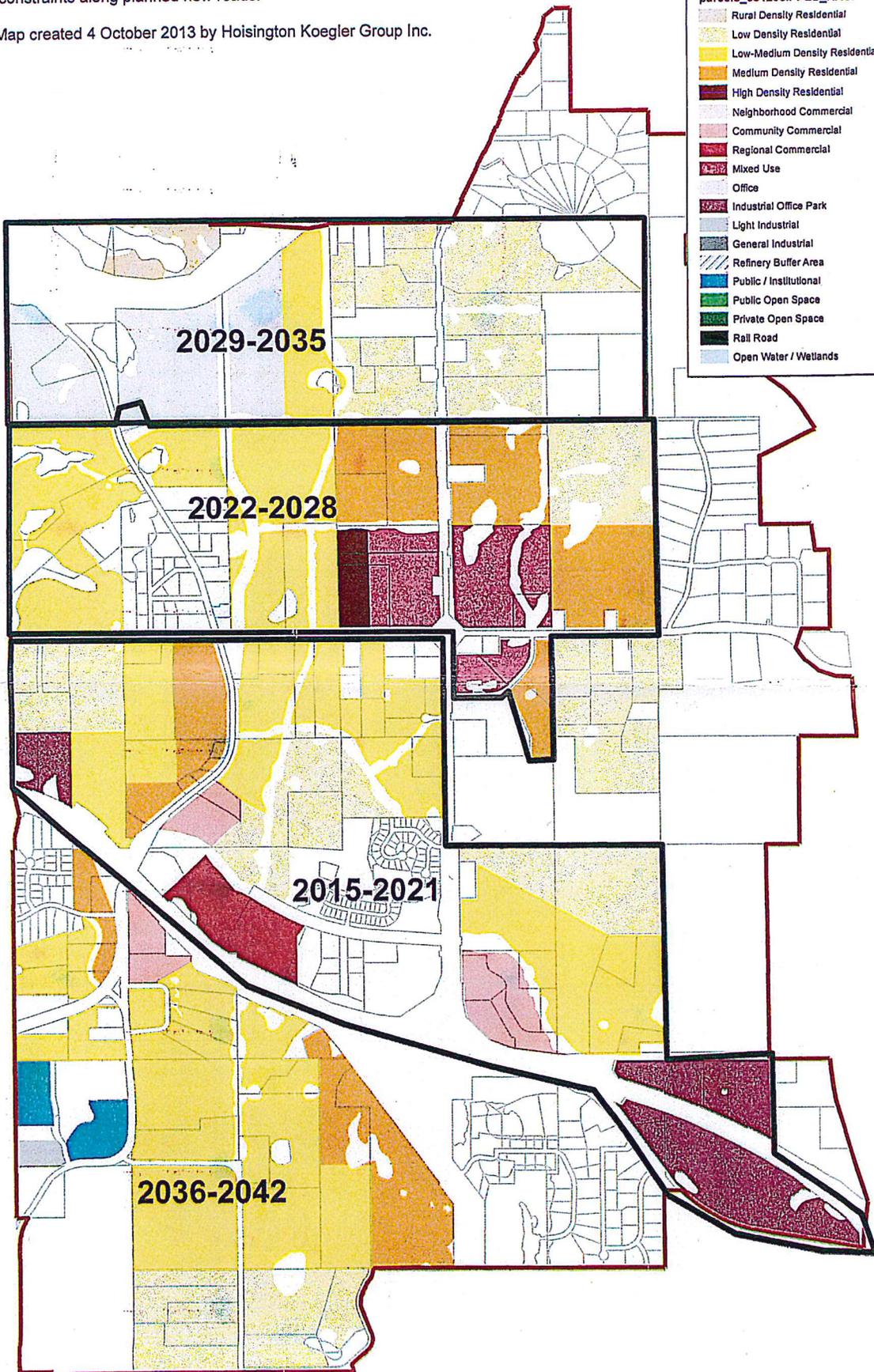
Map created 4 October 2013 by Hoisington Koegler Group Inc.

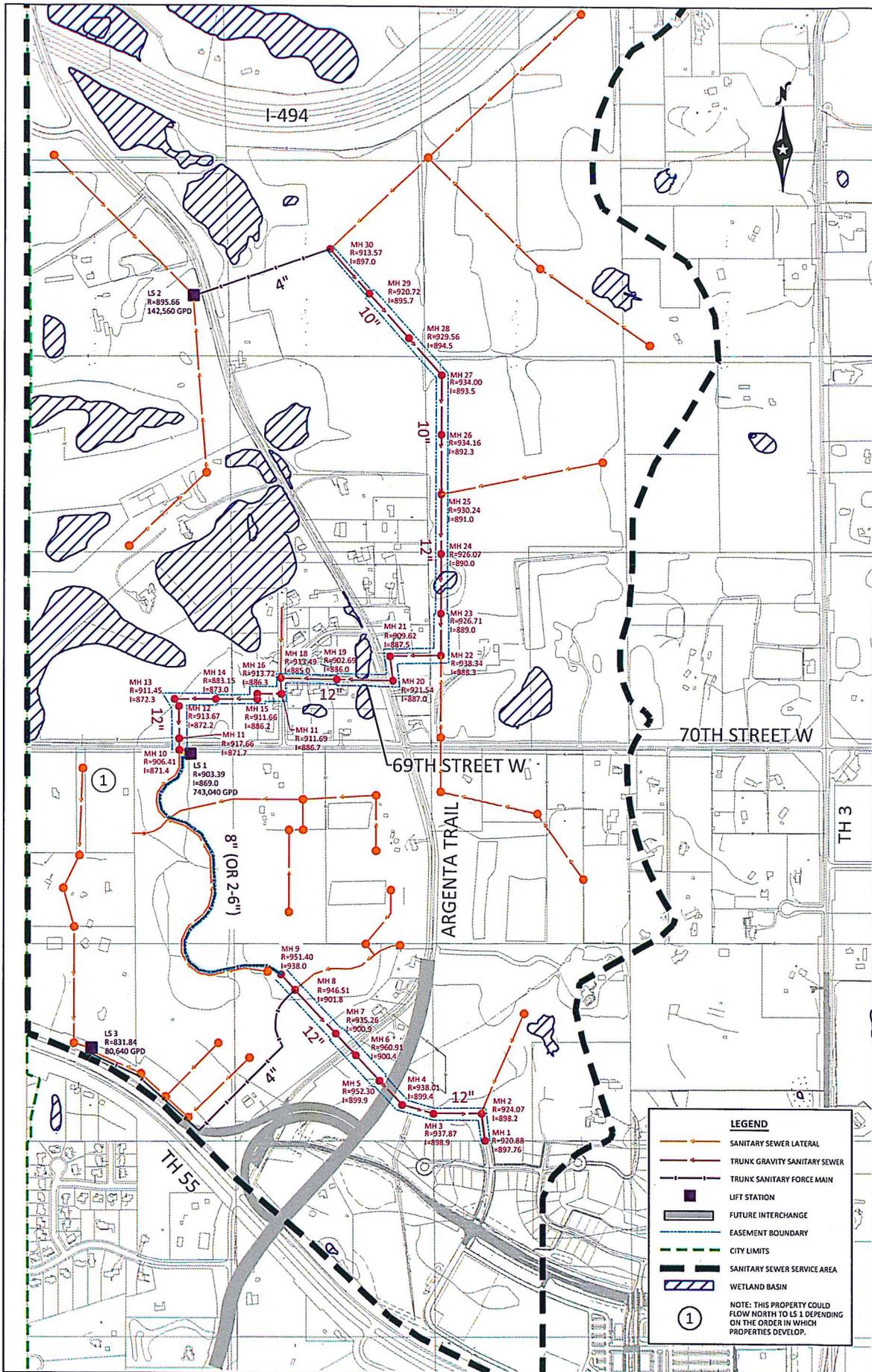
Future Land Use

Scenario 2

parcels_051208.PPLU_HKGI

-  Rural Density Residential
-  Low Density Residential
-  Low-Medium Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Community Commercial
-  Regional Commercial
-  Mixed Use
-  Office
-  Industrial Office Park
-  Light Industrial
-  General Industrial
-  Refinery Buffer Area
-  Public / Institutional
-  Public Open Space
-  Private Open Space
-  Rail Road
-  Open Water / Wetlands

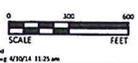




LEGEND

- SANITARY SEWER LATERAL
- TRUNK GRAVITY SANITARY SEWER
- TRUNK SANITARY FORCE MAIN
- LIFT STATION
- FUTURE INTERCHANGE
- EASEMENT BOUNDARY
- CITY LIMITS
- SANITARY SEWER SERVICE AREA
- WETLAND BASIN

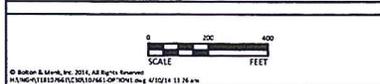
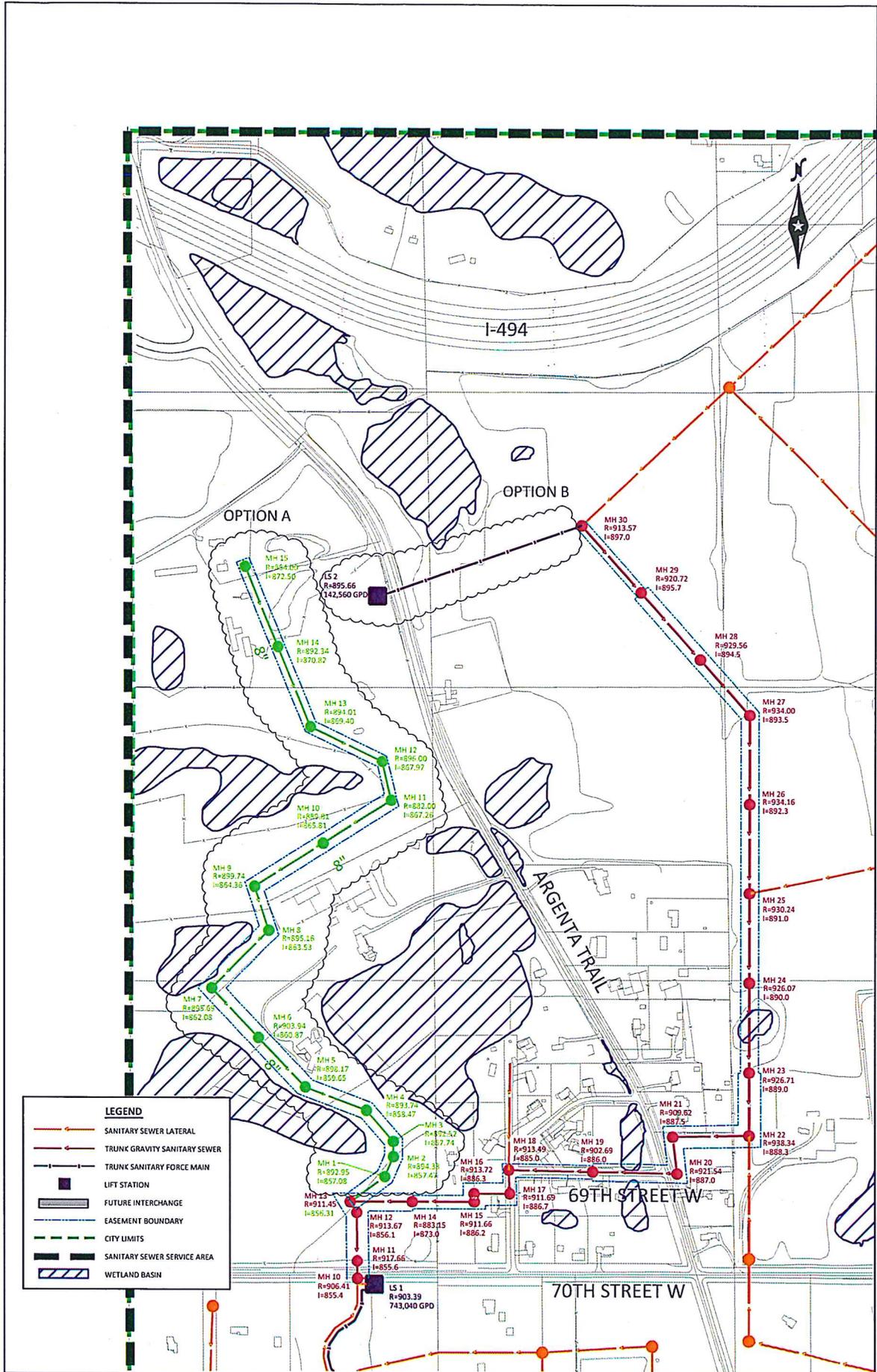
①
NOTE: THIS PROPERTY COULD FLOW NORTH TO LS 1 DEPENDING ON THE ORDER IN WHICH PROPERTIES DEVELOP.



BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 MANAKATO, MN FAIRMONT, MN SLEEPY EYE, MN BURNSVILLE, MN WILLMAR, MN
 CHASKA, MN RAINY LAKE, MN MAPLEWOOD, MN BAXTER, MN ROCHESTER, MN
 JAMES, IA SPENCER, IA DES MOINES, IA FARGO, ND

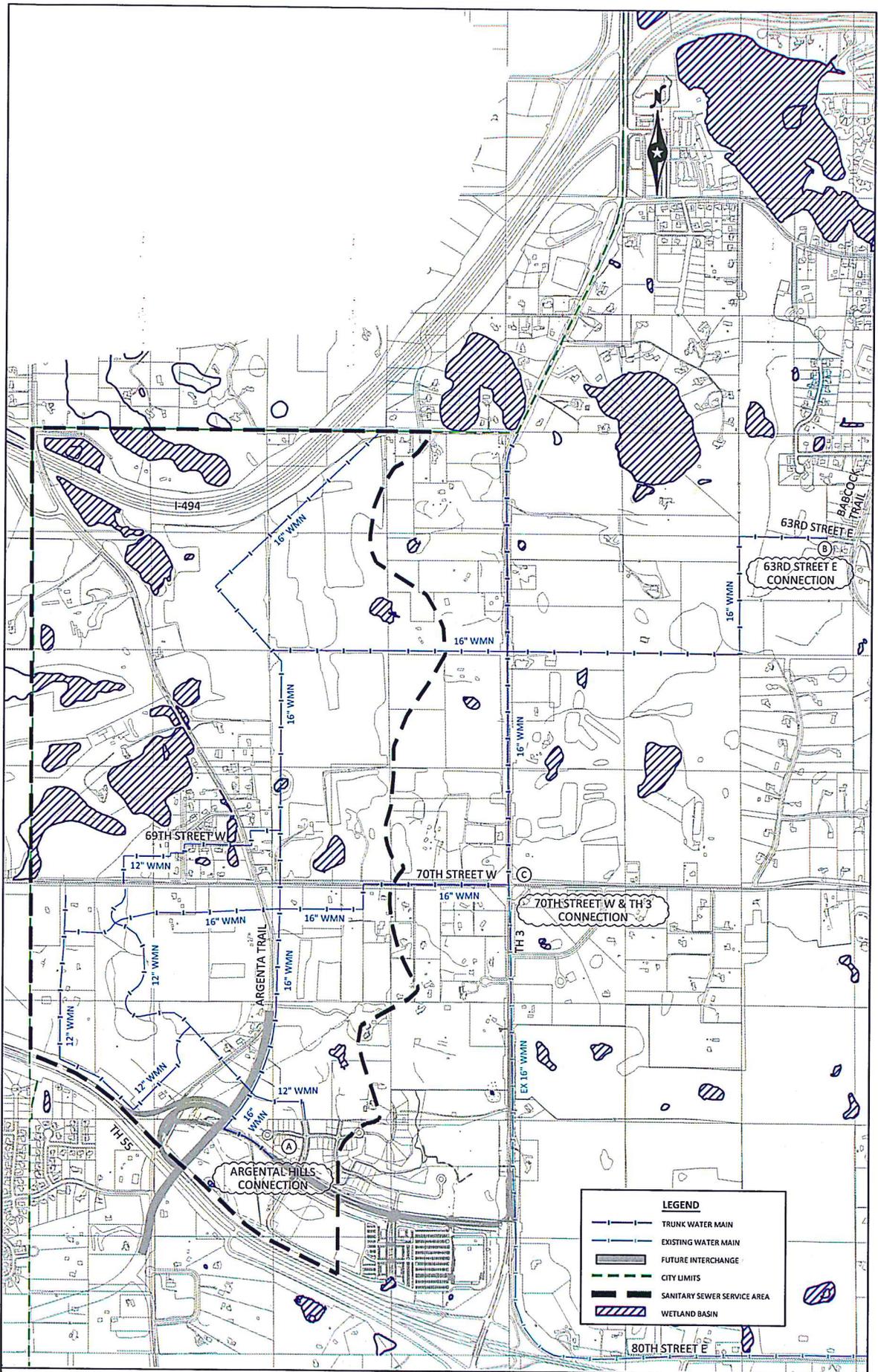
CITY OF INVER GROVE HEIGHTS, MINNESOTA
 NORTHWEST AREA TRUNK UTILITIES - ARGENTA DISTRICT
 SANITARY SEWER OPTION 1B
 APRIL, 2014

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 CHASCA, MN RAMSEY, MN MAPLEWOOD, MN BATTER, MN ROCHESTER, MN
 AMES, IA SPENCER, IA DES MOINES, IA FARGO, ND

CITY OF INVER GROVE HEIGHTS, MINNESOTA
 NORTHWEST AREA TRUNK UTILITIES - ARGENTA DISTRICT
 SANITARY SEWER OPTIONS - NORTHERN ARGENTA DISTRICT
 APRIL, 2014

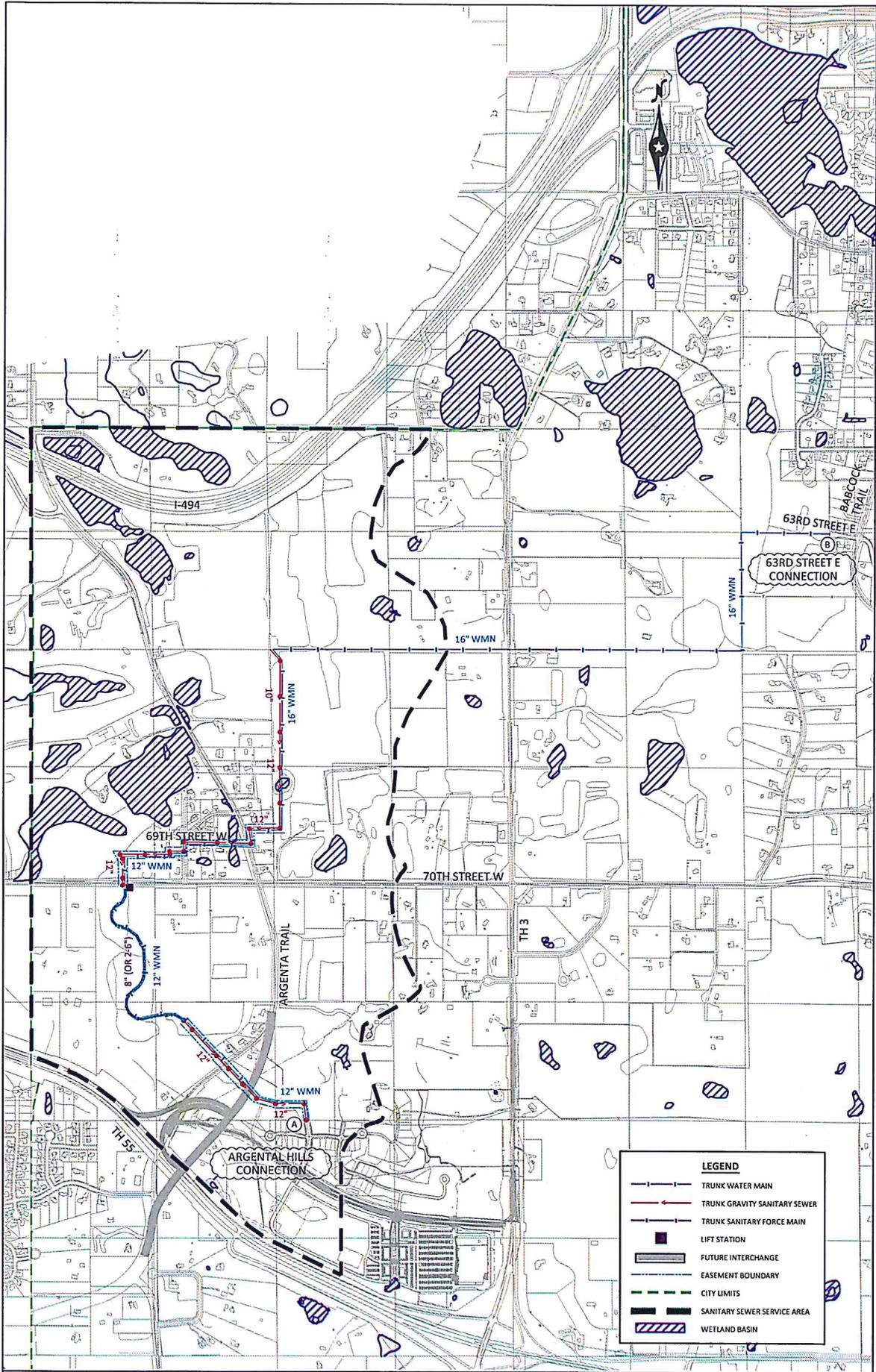


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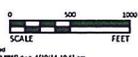
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BOLTON & MENK, INC.
Consulting Engineers & Surveyors
MANKATO, MN FAIRMONT, MN SLEEPY FLY, MN BURNSDALE, MN WILLMAR, MN
CHASKA, MN FARMSEY, MN MAPLEWOOD, MN BAXTER, MN ROCHESTER, MN
AMES, IA SPENCER, IA DES MOINES, IA FARGO, ND

CITY OF INVER GROVE HEIGHTS, MINNESOTA
NORTHWEST AREA TRUNK UTILITIES - ARGENTA DISTRICT
TRUNK WATER MAIN
APRIL, 2014
FIGURE NO. 7



LEGEND	
	TRUNK WATER MAIN
	TRUNK GRAVITY SANITARY SEWER
	TRUNK SANITARY FORCE MAIN
	LIFT STATION
	FUTURE INTERCHANGE
	EASEMENT BOUNDARY
	CITY LIMITS
	SANITARY SEWER SERVICE AREA
	WETLAND BASIN



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BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 MANKATO, MN FARMINGTON, MN SLEEPY COVE, MN GLENDALE, MN WILMAR, MN
 CHASKA, MN RAKESBY, MN MAPLEWOOD, MN BARTER, MN ROCHESTER, MN
 AMES, IA SPENCER, IA DES MOINES, IA FARGO, ND

CITY OF INVER GROVE HEIGHTS, MINNESOTA
 NORTHWEST AREA TRUNK UTILITIES - ARGENTA DISTRICT
 INITIAL REQUIRED TRUNK UTILITIES
 APRIL, 2014

FIGURE NO. 8



APPENDIX C
EXHIBIT FROM ORIGINAL
BONESTROO FEASIBILITY

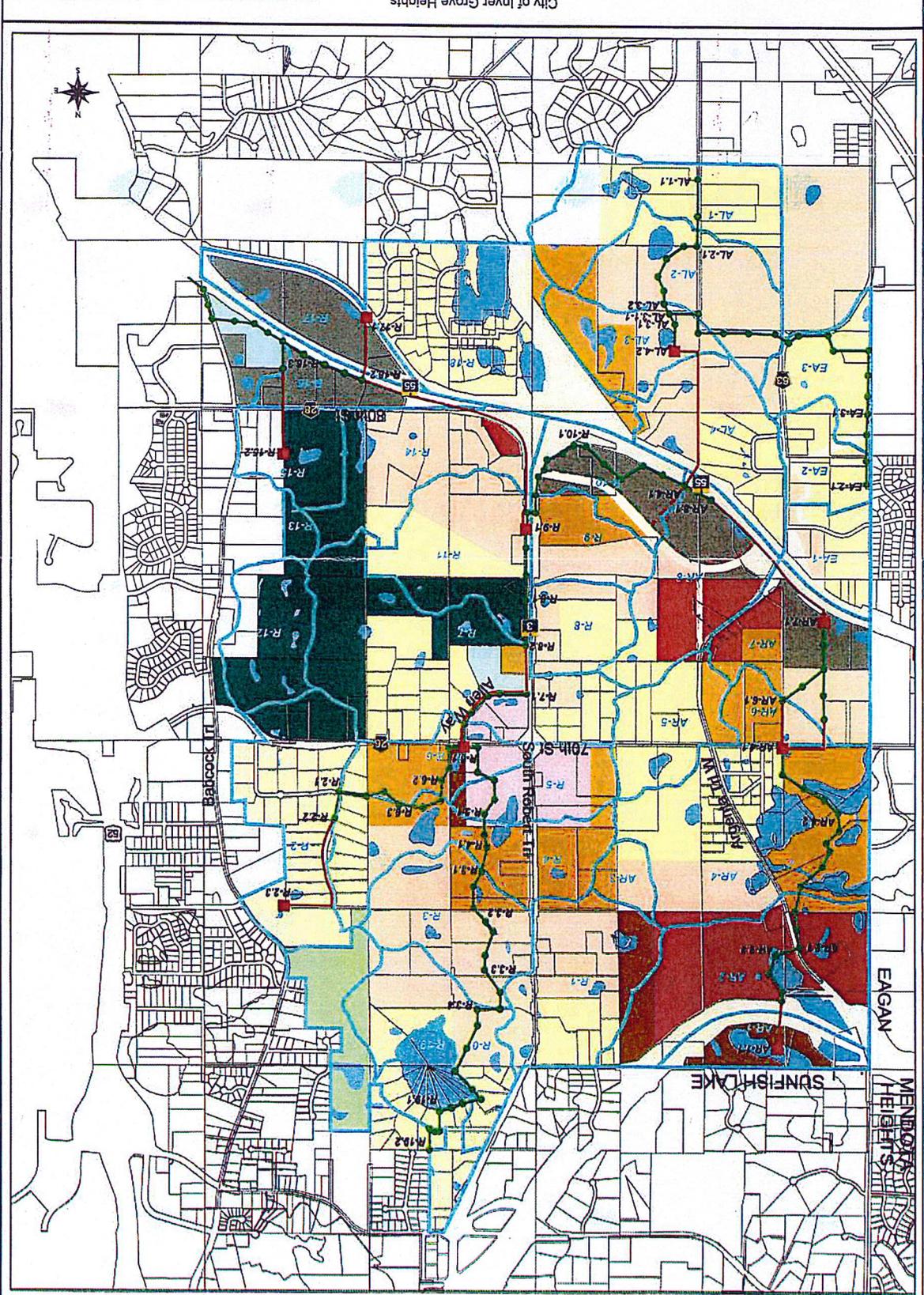
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 Feet

April 2008
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Proposed Land Use
with
Proposed Utility Extensions

City of Inver Grove Heights
 Appendix C
 Figure 1

Bonestrof
Rosenberg &
Associates
 Engineers & Architects

Gravity Sewer
 Alternate gravity sewer
 Lift station
 manhole
 Lift station
 Basin ID
 Basin Boundary
 Project Boundary
 Pub/Institutional
 Mixed Use
 Golf Course
 Park
 Right-of-Way
 Water
 High Density Residential
 Medium Density Residential
 Low Density Residential
 Industrial/Office
 Commercial
 Gravity Sewer
 Alternate gravity sewer
 Lift station
 manhole
 Basin ID
 Basin Boundary
 Project Boundary
 Pub/Institutional
 Mixed Use
 Golf Course
 Park
 Right-of-Way
 Water



APPENDIX D
SANITARY SEWER FLOW MODELING



Option A Pipes													
Element ID	From (Inlet) Node	To (Outlet) Node	Length (ft)	Inlet Invert Elevation (ft)	Outlet Invert Elevation (ft)	Total Drop (ft)	Average Slope (%)	Pipe Diameter or Height (inches)	Peak Flow (gpm)	Max Flow Velocity (ft/sec)	Design Flow Capacity (gpm)	Max Flow / Design Flow Ratio	Max Flow Depth / Total Depth Ratio
L2	MH2	MH1	185.35	898.17	897.76	0.41	0.2200	12.000	631.65	2.10	814.77	0.78	0.80
L8	MH8	MH2	839.77	928.45	898.17	30.28	3.6100	12.000	597.49	3.46	3289.53	0.18	0.52
L9	MH9	MH8	387.05	930.61	928.45	2.16	0.5600	12.000	516.10	3.69	1035.31	0.50	0.42
L13	MH13	LS1	421.63	886.56	885.72	0.84	0.2000	12.000	463.53	4.11	619.79	0.75	0.36
L18	MH18	MH13	862.95	888.00	886.56	1.44	0.1700	12.000	452.34	1.74	619.79	0.73	0.69
L20	MH20	MH18	843.95	889.60	888.00	1.60	0.1900	12.000	448.11	2.04	774.73	0.58	0.61
L22	MH22	MH20	180.25	890.70	889.60	1.10	0.6100	12.000	447.72	2.74	1353.32	0.33	0.47
L25	MH25	MH22	1013.16	892.00	890.70	1.30	0.1300	12.000	392.79	1.96	774.73	0.51	0.55
L27	MH27	MH25	868.03	894.80	892.00	2.80	0.3200	9.960	350.19	2.38	605.06	0.58	0.70
L30	MH30	MH27	1133.06	898.00	894.80	3.20	0.2800	9.960	294.18	2.24	566.16	0.52	0.53
L-EX	MH1	O1	165.35	897.76	897.40	0.36	0.2200	12.000	631.65	2.03	646.66	0.98	0.83

Option A Pumps					
Element ID	From (Inlet) Node	To (Outlet) Node	From (Inlet) Node Invert Elevation (ft)	To (Outlet) Node Invert Elevation (ft)	Peak Flow (gpm)
FM1	LS1	MH9	885.72	930.61	516.10
FM2	LS2	MH30	882.89	898.00	98.82
FM3	LS3	MH8	821.50	928.45	55.77



Option B Pipes												
Element ID	From (Inlet) Node	To (Outlet) Node	Length (ft)	Inlet Invert Elevation (ft)	Outlet Invert Elevation (ft)	Average Slope	Pipe Diameter or Height (inches)	Peak Flow (gpm)	Max Flow Velocity (ft/sec)	Design Flow Capacity (gpm)	Max Flow / Design Flow Ratio	Max Flow Depth / Total Depth Ratio
L2	MH2	MH1	185.35	898.17	897.76	0.2200	12.000	631.26	2.10	814.77	0.77	0.80
L8	MH8	MH2	839.77	928.45	898.17	3.6100	12.000	597.10	3.45	3289.53	0.18	0.52
L9	MH9	MH8	387.05	930.61	928.45	0.5600	12.000	515.71	3.69	1035.31	0.50	0.42
L13	MH13	LS1	421.63	886.56	885.72	0.2000	12.000	15.42	0.75	619.79	0.02	0.11
L18	MH18	MH13	862.95	888.00	886.56	0.1700	12.000	4.23	0.28	619.79	0.01	0.10
L21	MH21	MH20	427.68	886.00	885.00	0.2300	12.000	447.72	1.92	670.14	0.67	0.63
L25	MH25	MH23	1013.16	892.00	890.70	0.1300	12.000	392.79	1.95	774.73	0.51	0.56
L27	MH27	MH25	868.03	894.80	892.00	0.3200	9.960	350.19	2.36	605.06	0.58	0.69
L30	MH30	MH27	1133.06	898.00	894.80	0.2800	9.960	294.18	2.24	566.16	0.52	0.53

Option B Pumps					
Element ID	From (Inlet) Node	To (Outlet) Node	From (Inlet) Node Invert Elevation (ft)	To (Outlet) Node Invert Elevation (ft)	Peak Flow (gpm)
FM1	LS1	MH9	869.00	930.61	515.71
FM2	LS2	MH30	882.89	898.00	98.82
FM3	LS3	MH8	821.50	928.45	55.77

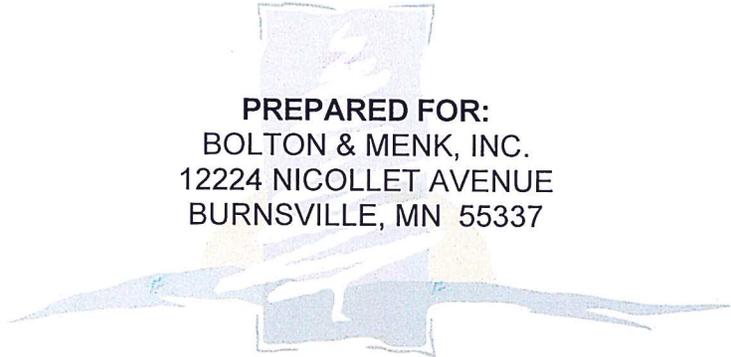


APPENDIX E
MARKET STUDY FOR EASEMENT COSTS

MARKET STUDY

SUMMARY OF LAND SALES FOR CITY OF INVER GROVE HEIGHTS UTILITY STUDY AREA

DATE OF MARKET STUDY:
APRIL 4, 2014



PREPARED FOR:
BOLTON & MENK, INC.
12224 NICOLLET AVENUE
BURNSVILLE, MN 55337

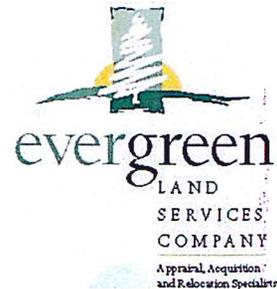
evergreen

PREPARED BY:
EVERGREEN LAND SERVICES
4131 OLD SIBLEY MEMORIAL HIGHWAY, SUITE 201
EAGAN, MN 55122

Evergreen Land Services Company
4131 Old Sibley Memorial Highway, Suite 201
Eagan, MN 55122
Tel: (651) 882-0200

April 4, 2014

Bolton & Menk, Inc.
Attn: Mr. Brian Hilgardner, P.E.
12224 Nicollet Avenue
Burnsville, MN 55337



RE: City of Inver Grove Heights Market Study

Dear Mr. Hilgardner:

It is our understanding that Bolton & Menk is part of a future utility project within the City of Inver Grove Heights, Minnesota. The purpose of this report is to provide market sales to use for consideration as data for parcels experiencing acquisitions for the future utility project.

At your request we have gathered land sales within the City of Inver Grove Heights and surrounding communities and prepared a market study analysis. The market study is based on sales that are considered market qualified. Several of the sales have not been verified by the appraiser at this time. Transactions that appeared to be between related parties, or older contract for deeds that were finalized, or sales influenced by atypical market motivations, were excluded from this study.

Please note that this area is difficult to value without having recent development occurring in the City of Inver Grove Heights. A good portion of the study area is currently agricultural land. Ideally, to find agricultural sales with future land use as commercial, industrial or residential, would be what is preferred. These types of sales were not available in this area. The majority of the sales used already had city sewer and water in place. This was taken into consideration when determining values. Typically land will sell for much less without utilities in place, but will sell higher than areas where no future extension of city sewer and water is planned.

With this being said, until a detailed appraisal is conducted on each individual property affected, the values could vary from the data provided.

Our conclusions from our market study are as follows:

Land Values for Future Commercial Use in Utility Study Area

½ to 5 acre parcels	\$5.00 to \$10.00 per square foot
5 to 20 acre parcels	\$4.00 to \$ 8.00 per square foot
20+ acre parcels	\$3.00 to \$ 7.00 per square foot

Land Values for Future Industrial/Office Use in Utility Study Area

5 to 10 acre parcels	\$2.00 to \$ 5.00 per square foot
25 to 50 acre parcels	\$1.00 to \$ 4.00 per square foot

Land Values for Low to Medium Density Residential Development Land Use in Utility Study Area

5 to 100 acre parcels	\$35,000 to \$75,000 per acre or \$0.80 to \$1.75/sf
-----------------------	---

Single Family Building Site Values in Utility Study Area

½ to 1.5 acre parcels	\$2.00 to \$5.00 per square foot
2 to 10 acre parcels	\$0.75 to \$2.00 per square foot

Please note that an "Office" zoning designation land value can be similar to "Industrial" values and therefore was considered similar for valuation purposes.

No party, other than the client, may use or rely upon this report without the prior written authorization.

If you have any questions regarding the information contained in this report, please call or email me. **A detailed summary page of any individual sale is available upon request.**

Sincerely,

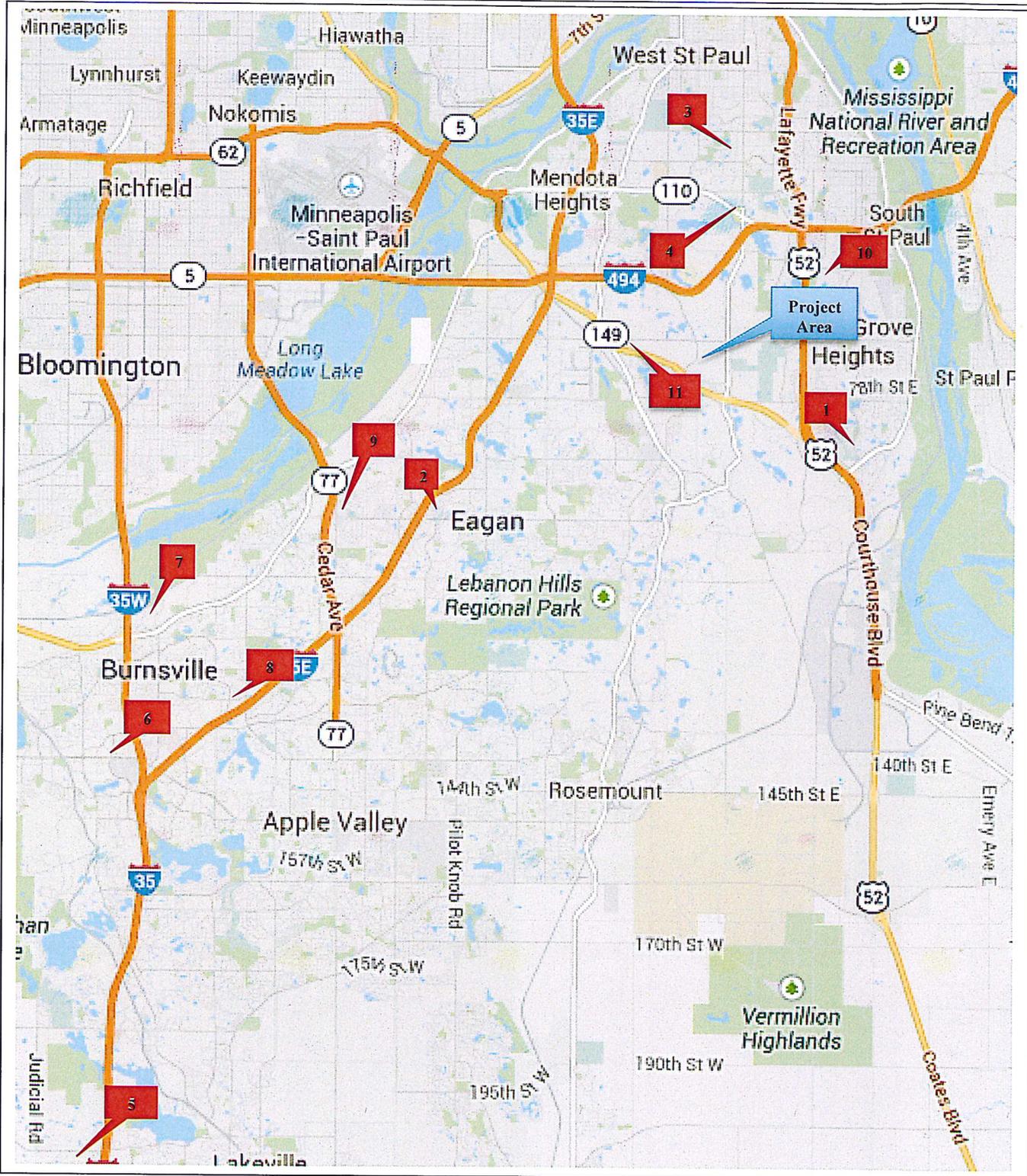


Patricia J. Nolan
Certified General Real Estate Appraiser
License #20243478
patrician@elsco.net

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COMMERCIAL LAND SALES & LISTINGS MAP



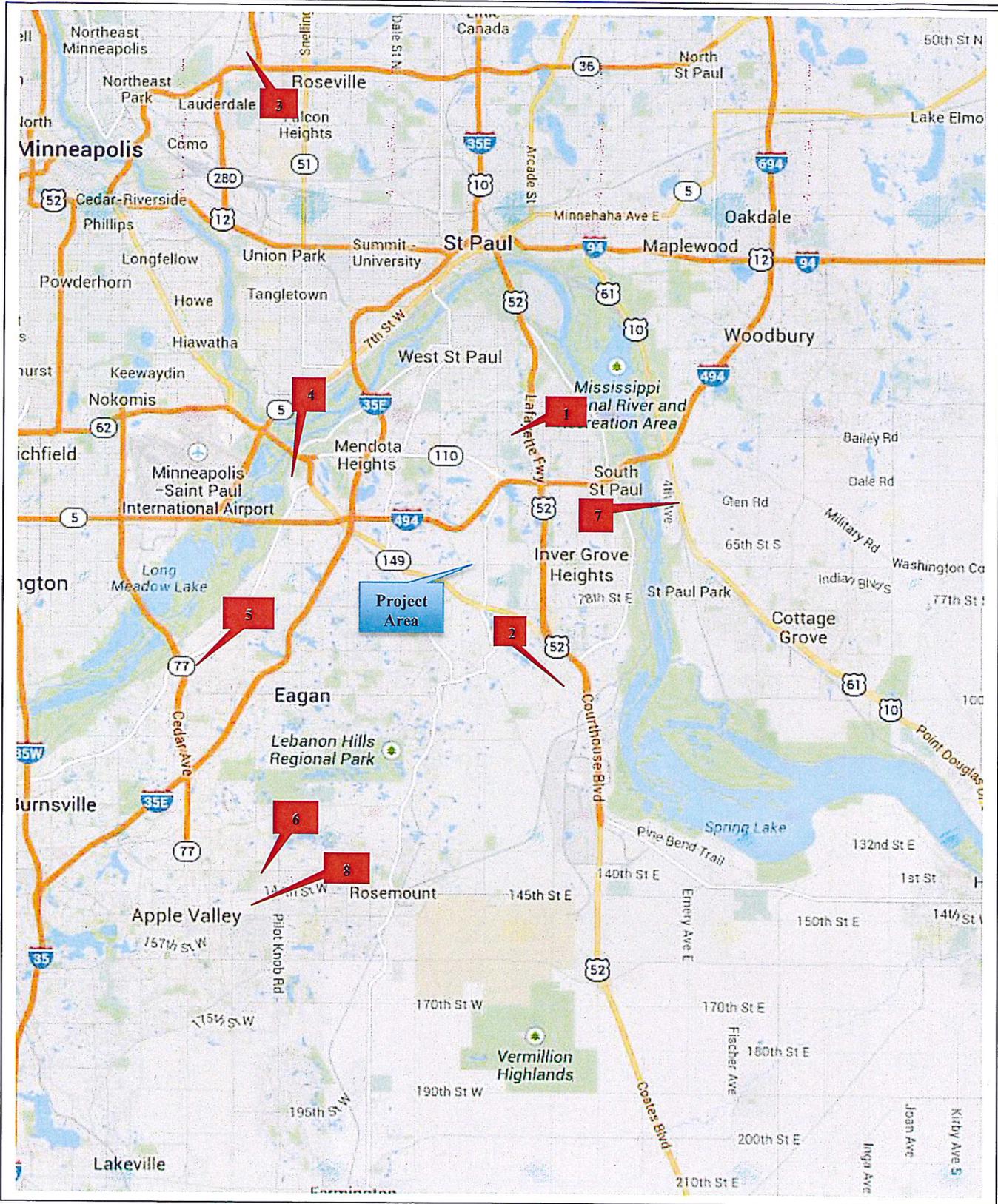
evergreen
Land Services

COMMERCIAL LAND SALES & LISTINGS SUMMARY

Sale #	Property Address	Sales Date	Size Acres/ & Square Feet	Sales Price	Price Per SF
	Sales				
1	9061 Buchanon Trail, Inver Grove Heights, MN	03/2009	1.01 ac or 43,995 sf	\$ 605,744	\$ 13.77
2	4245 Johnny Cake Ridge Road, Eagan, MN	04/2010	1.15 ac or 50,094 sf	\$ 568,000	\$ 11.34
3	1730 South Robert Street, Inver Grove Heights, MN	01/2010	1.45 ac or 63,162 sf	\$ 780,000	\$ 12.35
4	2079 South Robert Street, West St. Paul, MN	04/2009	1.55 ac or 67,518 sf	\$1,525,000	\$ 22.59
5	SWQ of I-35 & 205 th Ave.W., Lakeville, MN	08/2011	14.61 ac or 636,412 sf	\$3,673,535	\$ 5.77
6	1200 – 141st Street West, Burnsville, MN	06/2010	15.46 ac or 673,438 sf	\$7,475,000	\$ 11.10
7	12200 River Ridge Blvd., Burnsville, MN	09/2011	28.96 ac or 1,261,497 sf	\$6,250,000	\$ 4.95
	Listings				
8	XXX – 134 th E., Burnsville (PENDING SALE)	04/2014	4.09 ac or 178,134 sf	\$ 713,000	\$ 4.00
9	4195 Nicols Road, Eagan, MN	Current Listing	0.69 ac or 29,982 sf	\$ 400,000	\$ 13.34
10	SEQ of Upper 55 th St & Blaine Inver Grove Hts., MN	Current Listing	0.78 ac or 33,977 sf	\$ 280,500	\$ 8.25
11	Hwy. 55 & Lone Oak Road, Eagan, MN	Current Listing	2.95 ac or 128,535 sf	\$ 750,000	\$ 5.83

Average Price Per SF for Commercial Sales/Listings with Utilities in place = \$10.30/sf

INDUSTRIAL LAND SALES & LISTINGS MAP

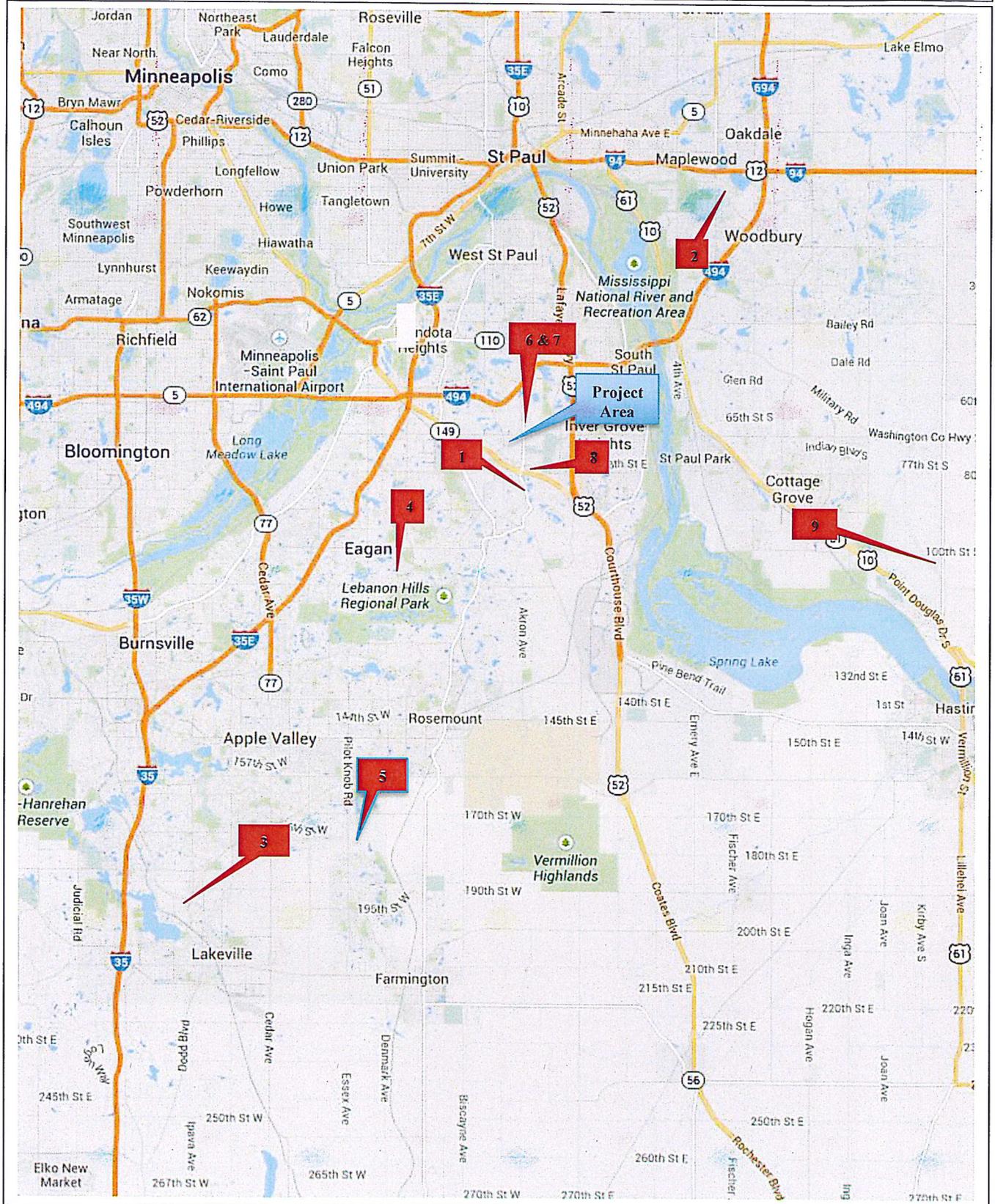


INDUSTRIAL LAND SALES & LISTINGS SUMMARY

Sale #	Property Address	Sales Date	Size Acres/ & Square Feet	Sales Price	Price Per SF
	Sales				
1	260 Marie Avenue E., West St. Paul, MN	09/2013	1.25 ac or 54,637 sf	\$ 270,000	\$ 4.94
2	XXX Briggs Drive, Inver Grove Heights, MN	02/2014	1.82 ac or 79,279 sf	\$ 200,000	\$ 2.52
3	XXX Terminal Road, Roseville, MN	06/2011	5.92 ac or 257,697 sf	\$1,030,803	\$ 4.00
	Listings				
4	XXX Commerce Drive, Mendota Heights, MN	Current Listing	4.4 ac or 191,664 sf	\$ 958,320	\$ 5.00
5	Hwy. 77 and Hwy. 13, Eagan, MN	Current Listing	6.82 ac or 297,266	\$1,783,596	\$ 6.00
6	XXX Johnny Cake Ridge Rd. Apple Valley, MN	Current Listing	8.88 acres (can be subd.)		\$ 3.50 to \$ 5.50
7	910 Hastings Avenue Newport, MN	Current Listing	16.02 ac or 697,831 sf	\$1,275,000	\$ 1.83
8	6055 – 150 th Street W. Apple Valley, MN	Current Listing	20 ac or 871,200 sf	\$4,138,200	\$ 4.75

Average Price Per SF for Industrial Sales/Listings = \$4.25/sf

RESIDENTIAL DEV. LAND SALES & LISTINGS MAP



**LOW TO MEDIUM DENSITY RESIDENTIAL DEVELOPMENT
LAND SALES & LISTING SUMMARY**

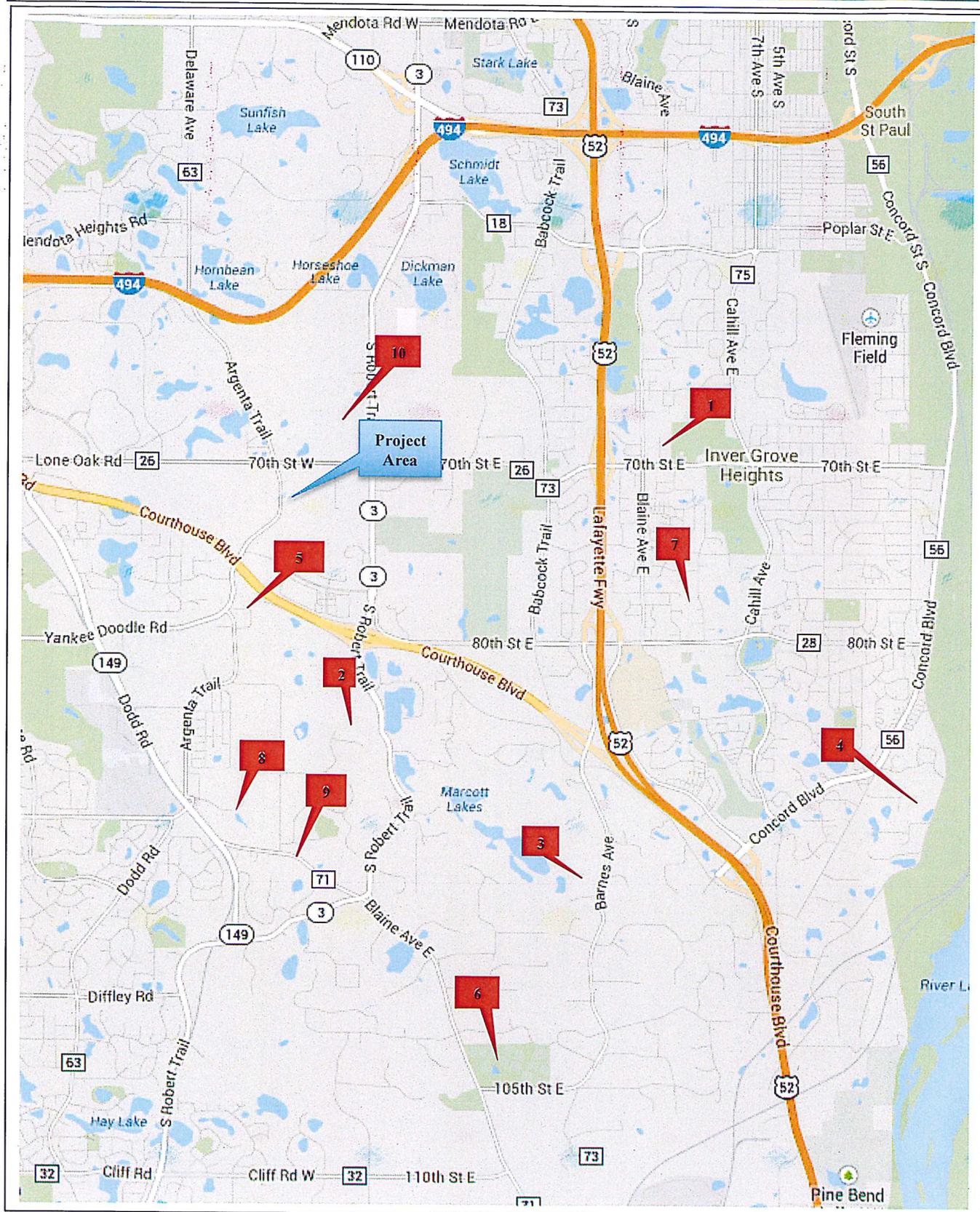
Sale #	Property Address	Sales Date	Size Acres/ & Square Feet	Sales Price	Price Per Acre/SF
	Sales				
1	8688 Alvarado Trail, Inver Grove Heights, MN	08/2013	10 ac or 435,607 sf	\$ 525,000	\$ 52,500 or \$1.21
2	995 Century Avenue, Woodbury, MN	01/2011	8.83 ac or 384,635 sf	\$ 600,000	\$ 67,950 or \$1.56
3	19770 Kenwood Trail, Lakeville, MN	03/2014	14.55 ac or 633,798 sf	\$ 844,520	\$ 58,043 or \$1.33
4	1290 & 1310 Cliff Road, Eagan, MN	06/2013	(cell tower onsite) 79 ac or 3,450,321 sf	\$8,600,000	\$108,861 or \$2.49
5	17995 Pilot Knob Road, Lakeville, MN	12/2013	80 ac or 3,484,800 sf	\$2,000,000	\$ 25,000 or \$0.57
	Listings				
6	XXX South Robert Trail, Inver Grove Heights, MN	Current Listing	4.872 ac or 212,224 sf	\$ 299,000	\$ 61,371 \$1.41
7	XXX South Robert Trail, Inver Grove Heights, MN	Current Listing	20.00 ac or 871,200 sf	\$1,000,000	\$ 50,000 \$1.15
8	XXX 80 th Street East, Inver Grove Heights, MN	Current Listing	20.11 ac or 875,788 sf	\$1,350,000	\$ 67,500 or \$1.54
9	SW corner of 200 th St. & Manning Ave., Cottage Grv.,	Current Listing	(well and septic lots) 123.5 ac or 5,379,660 sf	\$3,458,000	\$ 28,000 or \$0.64

* Please note that typically large acreage sites are not purchased on a square foot basis, but rather on price per acre. Per square foot values are shown to facilitate easement calculations.

Average Price Per SF for Sales/Listings with Utilities in place = 61,403/acre or \$1.41/sf

One Sale without utilities in place = \$28,000/acre or \$0.64/sf

SINGLE FAMILY LOT SALES & LISTINGS MAP



SINGLE FAMILY LOT SALES & LISTINGS SUMMARY

Sale #	Property Address	Sales Date	Size Acres/ & Square Feet	Sales Price	Price Per Site/SF
	Sales				
1	XXX Booth Avenue Inver Grove Heights, MN	12/2013	0.46 ac or 20,152 sf	\$ 67,500	\$ 67,500 \$ 3.35
2	8671 Alvarado Court, Inver Grove Heights, Mn	08/2012	1.37 ac or 59,703 sf	\$ 197,000	\$ 197,000 \$ 3.30
3	2143 94 th Court E. Inver Grove Heights, MN	11/2013	2.5 ac or 108,923 sf	\$ 95,000	\$ 95,000 \$ 0.87
4	9145 Dalton Court Inver Grove Heights, MN	05/2013	2.52 ac or 109,977 sf	\$132,500	\$132,500 \$ 1.20
5	7929 Argenta Trail W. Inver Grove Heights, MN	08/2013	3.46 ac or 150,578 sf	\$130,000	\$130,000 \$ 0.86
6	1173 105 th Street E Inver Grove Heights, MN	07/2012	4.45 ac or 194,031 sf	\$250,000	\$250,000 \$ 1.29
	Listings				
7	2785 79 th Street E. Inver Grove Heights, MN	Current Listing	0.55 ac or 24,106 sf	\$127,000	\$127,000 \$ 5.27
8	8858 Aviary Path, Inver Grove Heights, MN	Current Listing	2.11 ac or 91,943 sf	\$142,256	\$142,256 \$ 1.55
9	9215 Rich Valley Blvd., Inver Grove Heights, MN	Current Listing	2.5 ac or 109,029 sf	\$169,900	\$169,900 \$ 1.56
10	XXX South Robert Trail, Inver Grove Heights, MN	Current Listing	4.872 ac or 212,220 sf	\$299,000	\$299,000 \$ 1.41

* Please note that typically single family lots are not purchased on a per square foot basis, but rather on price per site/lot. Per square foot values are shown to facilitate easement calculations.

Average Price Per SF for Single Family Lot Sales/Listings ½ to 1 ½ acres = \$3.97/sf

Average Price Per SF for Single Family Lot Sales/Listings 1 ½ to 10 acres = \$1.25/sf

APPRAISER'S QUALIFICATIONS – Patricia J. Nolan

Name: Patricia J. Nolan

Business Address: Evergreen Land Services
4131 Old Sibley Memorial Highway, Suite 201
Eagan, MN 55122

Appraiser License: Certified General Real Property Appraiser
Minnesota License #20243478

Present Employment: Staff Appraiser
Evergreen Land Services

Appraisal Experience: Staff Appraiser – Appraisal Concepts, Inc.
05/01/1986 – 03/17/2006
Work experience included residential appraisals
such as – single family detached homes, town homes,
condos, 2 & 4 family properties, vacant land,
also assisted in appraising properties for eminent domain purposes

Staff Appraiser – Evergreen Land Services
03/20/2006 – current
Current work experience includes several large, right of way projects,
commercial buildings, vacant commercial and residential land

Appraisal Education: Real Estate Appraising 101 thru 108
General Appraiser Report Writing & Case Studies
General Appraiser Sales Comparison Approach
FHA Appraisal
USPAP
Right Of Way Professional Workshop 2006 & 2007
Appraising Historic Properties
Back to the Basics
Houses: 20 Cost Eff.Improvements
Houses: Interior Styles, Designs, etc.
Houses: Toxic Mold Alert
Environmental Pollution and Mold
House: Hazards Inside
Machinery & Equipment Valuation ME201
Machinery & Equipment Valuation ME202
Machinery & Equipment Valuation ME203
A.S.A. Ethics Course
Construction Blueprint Course

7E

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

ROGER C. MILLER
TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◊STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
ANN C. O'REILLY
◊*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
JEROME M. PORTER
BRIDGET McCAULEY NASON
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◊ALSO ADMITTED IN MASSACHUSETTS
◻ALSO ADMITTED IN OKLAHOMA

MEMO

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: April 9, 2014
RE: City Project 2014-09D – College Trail Reconstruction Project (Project)
James Kromschroeder Property at 8215 College Trail, Inver Grove Heights;
\$10,700 Direct Purchase Offer for 10,281 Sq. Ft. of Permanent Easement
for Public Street, Road, and Highway Purposes; Utility and Drainage
Purposes; and Sidewalk and Trail Purposes; and, for 5,787 Sq. Ft. of
Temporary Easement for Grading, Sloping and Temporary Construction
Purposes plus \$1,500 for Appraisal Reimbursement;
April 14, 2014 Council Meeting

Section 1. Background. The City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”). The Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor. The existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements. The City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels. One of those private property tax parcels is owned by James Kromschroeder (8215 College Trail).

The City’s Engineering Department has met with James Kromschroeder regarding a resolution of the easement acquisition on his property to facilitate the construction of the improvements associated with City Project 2014-09D.

The City intends to reconstruct College Trail adjacent to the Kromschroeder property as part of the Project. The Kromschroeder property extends to the centerline of the existing College Trail road improvements and the southerly thirteen (13) feet of the Kromschroeder property is

currently occupied by the existing College Trail road surface. The City intends to reconstruct the College Trail road surface and install a sidewalk/trail along the southern Kromschroder property frontage and the City needs an additional permanent easement area over a twenty-two (22) foot wide strip of the Kromschroder property. Also, the City needs to occupy an additional eighteen (18) foot wide strip of the Kromschroder property for grading, sloping and temporary construction purposes.

A survey sketch prepared by Gorman Surveying, Inc. depicted the existing thirteen (13) foot wide prescriptive easement area, the new twenty-two (22) foot wide permanent easement area, and the eighteen (18) foot wide temporary easement area needed by the City for the Project.

Section 2. Offer to Kromschroeder. The appraisal prepared by Integra Realty Resources valued the 10,281 square foot permanent easement area (the southerly thirty-five (35) feet of the Kromschroder property) at \$9,700 and the 5,787 square foot temporary easement area at \$1,000 for a total of \$10,700.

The City offered Kromschroeder \$10,700 (by way of a written offer) to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Kromschroder property as part of the Project.

In exchange for the payment of \$10,700 by the City to Kromschroeder for the permanent and temporary easement rights, Kromschroeder has executed the attached Permanent Public Street Easement, Utility and Drainage Easement, Sidewalk and Trail Easement, and Temporary Construction Easement Agreement.

In addition to the \$10,700 offer, pursuant to Minn. Stat. § 117.036, Kromschroeder is entitled to reimbursement for the reasonable costs of an appraisal up to \$1,500. The City included the \$1,500 appraisal reimbursement as part of the written offer to Kromschroeder for a total written offer of \$12,200 (\$10,700 for direct purchase of the easement rights plus \$1,500 for appraisal reimbursement costs).

Due to the fact that the negotiated settlement amount equals the City's appraisal for the easement rights acquired plus the allowance for the right to obtain an appraisal, City staff and the City Attorney recommend acceptance of the settlement.

Section 3. Council Action. The Council is asked to consider the attached RESOLUTION APPROVING THE NEGOTIATED SETTLEMENT BETWEEN JAMES KROMSCHROEDER AND THE CITY CONCERNING THE ACQUISITION OF EASEMENT RIGHTS RELATING TO THE KROMSCHROEDER PROPERTY IN CONNECTION WITH CITY PROJECT NO. 2014-09D, which resolution authorizes the payment of \$12,200 by the City to James Kromschroeder and further authorizes the Mayor and Deputy Clerk to execute the attached Permanent Public Street Easement, Utility and Drainage Easement, Sidewalk and Trail Easement, and Temporary Construction Easement Agreement.

Attachment

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 14-_____

**A RESOLUTION APPROVING THE NEGOTIATED SETTLEMENT BETWEEN
JAMES KROMSCHROEDER AND THE CITY CONCERNING THE ACQUISITION OF
EASEMENT RIGHTS RELATING TO THE KROMSCHROEDER PROPERTY
IN CONNECTION WITH CITY PROJECT 2014-09D**

WHEREAS, the City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”).

WHEREAS, the Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor.

WHEREAS, the existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements.

WHEREAS, the City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels; one of those private property tax parcels is owned by James Kromschoeder (8215 College Trail).

WHEREAS, the City’s Engineering Department has met with James Kromschroeder regarding a resolution of the easement acquisition on his property to facilitate the construction of the improvements associated with City Project 2014-09D.

WHEREAS, the City intends to reconstruct College Trail adjacent to the Kromschroeder property as part of the Project. The Kromschroeder property extends to the centerline of the existing College Trail road improvements and the southerly thirteen (13) feet of the Kromschroeder property is currently occupied by the existing College Trail road surface. The City intends to reconstruct the College Trail road surface and install a sidewalk/trail along the southern Kromschroeder property frontage and the City needs an additional permanent easement area over a twenty-two (22) foot wide strip of the Kromschroeder property. Also, the City needs to occupy an additional eighteen (18) foot wide strip of the Kromschroeder property for grading, sloping and temporary construction purposes.

WHEREAS, the appraisal prepared by Integra Realty Resources valued the 10,281 square foot permanent easement area (the southerly thirty-five (35) feet of the Kromschroeder

property) at \$9,700 and the 5,787 square foot temporary easement area at \$1,000 for a total of \$10,700.

WHEREAS, the City offered Kromschroeder \$10,700 (by way of a written offer) to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Kromschroeder property as part of the Project.

WHEREAS, in exchange for the payment of \$10,700 by the City to Kromschroeder for the permanent and temporary easement rights, Kromschroeder has executed the attached Permanent Public Street Easement, Utility and Drainage Easement, Sidewalk and Trail Easement, and Temporary Construction Easement Agreement (Easement Agreement).

WHEREAS, in addition to the \$10,700 offer, pursuant to Minn. Stat. § 117.036, Kromschroeder is entitled to reimbursement for the reasonable costs of an appraisal up to \$1,500. The City included the \$1,500 appraisal reimbursement as part of the written offer to Kromschroeder for a total written offer of \$12,200 (\$10,700 for direct purchase of the easement rights plus \$1,500 for appraisal allowance costs).

NOW, THEREFORE, BE IT RESOLVED BY THE INVER GROVE HEIGHTS CITY COUNCIL:

1. The negotiated settlement in the sum of \$12,200.00 concerning the direct purchase of temporary and permanent easement rights on the Kromschroeder property in connection with City Project 2014-09D is hereby approved.
2. The Mayor and Deputy City Clerk are hereby authorized to execute the attached Easement Agreement.
3. Payment of the negotiated settlement amount is hereby authorized upon receipt by the City of the attached Easement Agreement executed by James Kromschroeder.

Passed this 14th day of April, 2014.

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

**PERMANENT PUBLIC STREET EASEMENT,
UTILITY AND DRAINAGE EASEMENT,
SIDEWALK AND TRAIL EASEMENT, AND
TEMPORARY CONSTRUCTION EASEMENT AGREEMENT**

THIS PERMANENT PUBLIC STREET EASEMENT, UTILITY DRAINAGE EASEMENT, SIDEWALK AND TRAIL EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT (the "Easement") is made, granted and conveyed this 14th day of April, 2014, between James H. Kromschroeder, a single person, hereinafter referred to as the "Landowner," and the City of Inver Grove Heights, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City."

The Landowner owns the real property situated within Dakota County, Minnesota as described on the attached **Exhibit A** (the "Landowner Property").

The Landowner in consideration of the sum of Twelve Thousand Two Hundred Dollars (\$12,200) and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, forever, a permanent easement for public street, road, and highway purposes; utility and drainage purposes; sidewalk and trail purposes; and, for grading, sloping and temporary construction purposes and for purposes and uses incident and related thereto, including, without limitation, the construction, maintenance, repair and replacement of streets, roads, highways, utilities, rain gardens, and drainage collection and control facilities, and sidewalk and trail facilities, under, over, across, through and upon the following described premises (the "Easement Areas") situated within Dakota County, Minnesota, to-wit:

See the attached **Exhibit B**, incorporated herein by reference,

EXEMPT FROM STATE DEED TAX

The rights of the City include the right of the City, its contractors, agents and servants:

- a.) to enter upon the Easement Areas at all reasonable times for the purposes of construction, reconstruction, inspection, repair, grading, sloping, and restoration relating to the purposes of this Easement; and

- b.) to maintain the Easement Areas, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- c.) to remove from the Easement Areas trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the pipes, conduits, or mains and to deposit earthen material in and upon the Easement Area; and
- d.) to remove or otherwise dispose of all earth or other material excavated from the Easement Areas as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Easement Areas or Landowner's property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, his successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Landowner, for himself and his successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that he is well seized in fee of the Landowner's property described on Exhibit A and the Easement Areas described on Exhibit B and has good right to grant and convey the Easement herein to the City.

The Landowner and the City hereby agree that the temporary construction easement rights conveyed by this Easement over the temporary construction easement area legally described in Exhibit B shall automatically expire on December 31, 2015.

IN TESTIMONY WHEREOF, the Landowner and the City have caused this Easement to be executed as of the day and year first above written.

[the remainder of this page has been intentionally left blank]

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

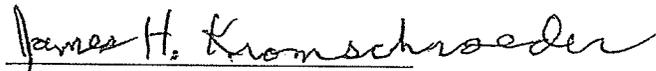
STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 14th day of April, 2014, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Kennedy, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

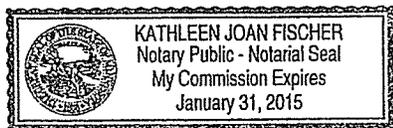
LANDOWNER:

James H. Kromschroeder


James H. Kromschroeder

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

On this 27th day of March, 2014, before me a Notary Public within and for said County, personally appeared James H. Kromschroeder, a single person, to me personally known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.




Notary Public

This instrument was drafted by:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

After recording, please return to:
Timothy J. Kuntz
LeVander, Gillen & Miller
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER PROPERTY

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

That part of Lots 14 and 15 of the State Subdivision on the NE 1/4 of Section 16, T. 27N, Range 22 W., Dakota County, Minnesota, described as follows:

Beginning at the intersection of the south line of the North 197.73 feet of said Lot 14 and the east line of the west 8 acres of that part of said Lots 14 and 15 lying north of College Trail (S.A.R. No. 75); thence South 0 degrees 20 minutes 07 seconds West (assumed bearing) along said east line 756.64 feet more or less to the centerline of said College Trail; thence North 85 degrees 01 minutes 51 seconds East, along said centerline, 293.74 feet; thence North 0 degrees 20 minutes 07 seconds East, 732.70 feet more or less to the south line of said north 197.73 feet; thence South 89 degrees 42 minutes 20 seconds West along said south line to the point of beginning, containing 5.0 acres more or less, subject to said College Trail and any other easements of record.

EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREAS

Landowner Property ("first above described property"):

That part of Lots 14 and 15 of the State Subdivision on the NE 1/4 of Section 16, T. 27N, Range 22 W., Dakota County, Minnesota, described as follows:

Beginning at the intersection of the south line of the North 197.73 feet of said Lot 14 and the east line of the west 8 acres of that part of said Lots 14 and 15 lying north of College Trail (S.A.R. No. 75); thence South 0 degrees 20 minutes 07 seconds West (assumed bearing) along said east line 756.64 feet more or less to the centerline of said College Trail; thence North 85 degrees 01 minutes 51 seconds East, along said centerline, 293.74 feet; thence North 0 degrees 20 minutes 07 seconds East, 732.70 feet more or less to the south line of said north 197.73 feet; thence South 89 degrees 42 minutes 20 seconds West along said south line to the point of beginning, containing 5.0 acres more or less, subject to said College Trail and any other easements of record.

The "Easement Areas:"

A 13.00 foot wide permanent easement for public street, road, and highway purposes; utility and drainage purposes; and sidewalk and trail purposes under, over, across, through and upon the first above described property.

Said permanent easement for public street, road, and highway purposes; utility and drainage purposes; and sidewalk and trail purposes being the south 13.00 feet of the first above described property.

Said permanent easement containing 3,818.62 Sq. Ft., 0.09 Acres.

A 22.00 foot wide permanent easement for public street, road, and highway purposes; utility and drainage purposes; and sidewalk and trail purposes under, over, across, through and upon the first above described property.

Said permanent easement for public street, road, and highway purposes; utility and drainage purposes; and sidewalk and trail purposes being the north 22.00 feet of the south 35.00 of the first above described property.

Said permanent easement containing 6,462.25 Sq. Ft., 0.15 Acres.

Together with a temporary easement for grading, sloping and temporary construction purposes under, over, across, through and upon the first above described property.

Said temporary easement for grading, sloping and temporary construction purposes being the north 18.00 feet of the south 53.00 feet of the first above described property.

Said temporary easement containing 5,787.28 Sq. Ft., 0.13 Acres.

Said temporary easement automatically expires on December 31, 2015.



N88°49'58"E 292.42'

S0°32'25"E 793.43'

GOV'T LOT 14

20-01600-06-022

West 8 acres

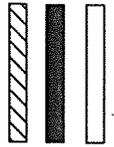
EAST
CAMPUS
SECOND
SECTION
ADDITION

GOV'T LOT 15

North Line Of 13.00 Foot
Prescriptive Easement

COLLEGE

TRAIL (S.A.R. 75)



LEGEND

PERMANENT STREET, TRAIL, DRAINAGE AND
UTILITY PRESCRIPTIVE EASEMENT
PERMANENT STREET, TRAIL, DRAINAGE AND
UTILITY EASEMENT
TEMPORARY CONSTRUCTION EASEMENT

NOTE: BEARINGS ARE BASED ON THE
DAKOTA COUNTY COORDINATE SYSTEM

REV	DESCRIPTION	BY	DATE
	CITY OF INVER GROVE HEIGHTS PERMANENT STREET, TRAIL, DRAINAGE AND UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT		
<p>James Kromschroeder to City of Inver Grove Heights</p> <p>Gorman Surveying, Inc.</p> <p>6640 HARBERT AVE. SO. SUITE 102 BLOOMINGTON MINNESOTA 55420 (623)946300 FAX (623)9469110</p>			
CHECKED BY:	DATE:	DRAWN BY:	DATE:
		R.W.C.	01-15-2014
<p>HORIZONTAL SCALE IN FEET</p> <p>0 25 50 100</p>			
JOB NUMBER	SHEET		
EXHIBIT 5	1 OF 1		

FILE: 14303\College Trail Easement\College Trail Easement.dwg

7F

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

ROGER C. MILLER
TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◊STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
ANN C. O'REILLY
◊*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
JEROME M. PORTER
BRIDGET McCAULEY NASON

HAROLD LEVANDER
1910-1992

ARTHUR GILLEN
1919-2005

*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◊ALSO ADMITTED IN MASSACHUSETTS
◊ALSO ADMITTED IN OKLAHOMA

MEMO

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: April 9, 2014
**RE: City Project 2014-09D – College Trail Reconstruction Project (Project);
Arbor Pointe Golf Course Property at 8919 Cahill Avenue, Inver Grove
Heights (20-11875-01-010) – Permanent Utility, Drainage And Storm Water
Ponding Easement Agreement as Compensation for Improvements by City to
Arbor Pointe Golf Club Property – April 14, 2014 Council Meeting**

Section 1. Background. The City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”). The Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor. The existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements. The City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels. One of those private property tax parcels is owned by Arbor Pointe Golf Club, Inc. (8919 Cahill Avenue).

The City’s Engineering Department has met with Arbor Pointe Golf Club, Inc. regarding a resolution of the easement acquisition on its property to facilitate the construction of the improvements associated with City Project 2014-09D.

The City intends to reconstruct the College Trail road surface adjacent to the Arbor Pointe Golf Club, Inc. property and install a sidewalk/trail which will increase impervious surface areas. A survey sketch prepared by Gorman Surveying, Inc. depicts the need for additional permanent easement areas for storm water ponding around the existing golf course pond feature. An appraisal prepared by Integra Realty Resources valued the additional 11,034 square foot permanent easement area at \$5,500.

In discussions with Arbor Pointe Golf Club, Inc. it was proposed that rather than receiving monetary compensation for the permanent easement area (\$5,500), the City would construct certain grading, landscaping and storm water improvements on the Arbor Pointe Golf Club property (as compensation) in exchange for Arbor Pointe Golf Club, Inc. conveying the permanent easement rights to the City.

An Erosion Control and Removal Plan and a Street and Storm Sewer Plan Profile dated February 24, 2014 and revised on March 24, 2014 prepared by Kimley-Horn and Associates, Inc. for the Project (collectively the "Construction Plan") depicts the grading, landscaping and storm water improvements to be constructed on the Arbor Pointe Golf Club property as part of the Project.

Section 2. Agreement with Arbor Pointe Golf Club, Inc. The appraisal prepared by Integra Realty Resources valued the 11,034 square foot permanent easement area at \$5,500. The City offered Arbor Pointe Golf Club, Inc. \$5,500 (by way of a written offer) to purchase the permanent easement rights that the City needs to reconstruct College Trail adjacent to the Arbor Pointe Golf Club property as part of the Project.

Rather than receive monetary compensation in the amount of \$5,500, Arbor Pointe Golf Club, Inc. has agreed to receive the grading, landscaping and storm water improvements to its property (as depicted on the Construction Plan) to be constructed by the City as part of the Project in exchange for Arbor Pointe Golf Club, Inc. executing the attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement.

City staff and the City Attorney recommend acceptance of the settlement as outlined above.

Arbor Pointe Golf Club, Inc. has signed the attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement.

Section 3. Council Action. The Council is asked to consider the attached RESOLUTION APPROVING THE NEGOTIATED SETTLEMENT BETWEEN ARBOR POINTE GOLF CLUB, INC. AND THE CITY CONCERNING THE ACQUISITION OF EASEMENT RIGHTS RELATING TO THE ARBOR POINTE GOLF CLUB PROPERTY IN CONNECTION WITH CITY PROJECT NO. 2014-09D, which resolution authorizes the City to construct the grading, landscaping and storm water improvements depicted on the Construction Plan on the Arbor Pointe Golf Club property as compensation for the permanent easement rights conveyed to the City by Arbor Pointe Golf Club, Inc. in the Permanent Utility, Drainage and Storm Water Ponding Easement Agreement and further authorizes the Mayor and Deputy Clerk to execute the attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement.

Attachment

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 14-_____

**A RESOLUTION APPROVING THE NEGOTIATED SETTLEMENT BETWEEN
ARBOR POINTE GOLF CLUB, INC. AND THE CITY CONCERNING THE
ACQUISITION OF EASEMENT RIGHTS RELATING TO THE ARBOR POINTE
GOLF CLUB PROPERTY IN CONNECTION WITH CITY PROJECT 2014-09D**

WHEREAS, the City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”).

WHEREAS, the Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor.

WHEREAS, the existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements.

WHEREAS, the City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels; one of those private property tax parcels is owned by Arbor Pointe Golf Club, Inc. (8919 Cahill Avenue).

WHEREAS, the City’s Engineering Department has met with Arbor Pointe Golf Club, Inc. regarding a resolution of the easement acquisition on its property to facilitate the construction of the improvements associated with City Project 2014-09D.

WHEREAS, the City intends to reconstruct the College Trail road surface adjacent to the Arbor Pointe Golf Club, Inc. property and install a sidewalk/trail which will increase impervious surface areas. A survey sketch prepared by Gorman Surveying, Inc. depicts the need for additional permanent easement areas for storm water ponding around the existing golf course pond feature. An appraisal prepared by Integra Realty Resources valued the additional 11,034 square foot permanent easement area at \$5,500.

WHEREAS, in discussions with Arbor Pointe Golf Club, Inc. it was proposed that rather than receiving monetary compensation for the permanent easement area (\$5,500), the City would construct certain grading, landscaping and storm water improvements on the Arbor Pointe Golf Club property (as compensation) in exchange for Arbor Pointe Golf Club, Inc. conveying the permanent easement rights to the City.

WHEREAS, an Erosion Control and Removal Plan and a Street and Storm Sewer Plan Profile dated February 24, 2014 and revised on March 24, 2014 prepared by Kimley-Horn and Associates, Inc. for the Project (collectively the "Construction Plan") depicts the grading, landscaping and storm water improvements to be constructed on the Arbor Pointe Golf Club property as part of the Project.

WHEREAS, rather than receive monetary compensation in the amount of \$5,500, Arbor Pointe Golf Club, Inc. has agreed to receive the grading, landscaping and storm water improvements to its property (as depicted on the Construction Plan) to be constructed by the City as part of the Project in exchange for Arbor Pointe Golf Club, Inc. executing the attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE INVER GROVE HEIGHTS CITY COUNCIL:

1. The City is authorized to construct the grading, landscaping and storm water improvements depicted on the Construction Plan on the Arbor Pointe Golf Club property as compensation for the permanent easement rights conveyed to the City by Arbor Pointe Golf Club, Inc. in the attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement.
2. The attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement is hereby approved.
3. The Mayor and Deputy City Clerk are hereby authorized to execute the attached Permanent Utility, Drainage and Storm Water Ponding Easement Agreement.

Passed this 14th day of April, 2014.

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

**PERMANENT UTILITY, DRAINAGE AND STORM WATER PONDING
EASEMENT AGREEMENT**

THIS PERMANENT UTILITY, DRAINAGE AND STORM WATER PONDING EASEMENT AGREEMENT ("Easement") is made, granted and conveyed this 14th day of April, 2014, between the Arbor Pointe Golf Club, Inc., a Minnesota corporation, hereinafter referred to as the "Landowner," and the City of Inver Grove Heights, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City."

The Landowner owns the real property situated within Dakota County, Minnesota as described on the attached **Exhibit A** (the Landowner Property).

The Landowner in consideration of the sum of \$1.00 and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, forever, a permanent easement for utilities, drainage, storm water ponding, storm water collection, storm water control improvements and for purposes and uses incident and related thereto, including, without limitation, the construction, maintenance, repair and replacement of utilities and storm water ponding, drainage, collection and control facilities, under, over, across, through and upon the following described premises (the Easement Area) situated within Dakota County, Minnesota, to-wit:

See the attached **Exhibit B**, incorporated herein by reference,

EXEMPT FROM STATE DEED TAX

The rights of the City include the right of the City, its contractors, agents and servants:

- a.) to enter upon the Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, grading, sloping, and restoration relating to the purposes of this Easement; and
- b.) to maintain the Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- c.) to remove from the Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the pipes, conduits, or mains and to deposit earthen material in and upon the Easement Area; and
- d.) to remove or otherwise dispose of all earth or other material excavated from the Easement Area as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Easement Area or Landowner's property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, his successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Landowner's property described on Exhibit A and the Easement Area described on Exhibit B and has good right to grant and convey the Easement herein to the City.

IN TESTIMONY WHEREOF, the Landowner and the City have caused this Easement to be executed as of the day and year first above written.

[the remainder of this page has been intentionally left blank]

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

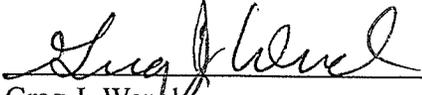
STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 14th day of April, 2014, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Kennedy, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

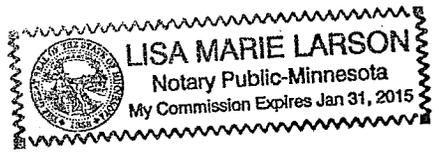
LANDOWNER:

Arbor Pointe Golf Club, Inc.

By: 
Greg J. Wencil
Its: Chief Executive Officer

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 8th day of April, 2014, before me a Notary Public within and for said County, personally appeared Greg J. Wencil to me personally known, who being by me duly sworn, did say that she is the Chief Executive Officer of Arbor Golf Club, Inc., a Minnesota corporation, the entity named in the foregoing instrument, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said Chief Executive Officer acknowledged said instrument to be the free act and deed of the corporation.




Notary Public

This instrument was drafted by:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

After recording, please return to:
Timothy J. Kuntz
LeVander, Gillen & Miller
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER PROPERTY

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

Lot 1, Block 1, ARBOR POINTE GOLF COURSE ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

Landowner Property ("first above described property"):

Lot 1, Block 1, ARBOR POINTE GOLF COURSE ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

A permanent easement for utilities, drainage, storm water ponding, storm water collection, storm water control improvements and for all such purposes and uses incident and related thereto, over, under, across, through and upon that part of the first above described property.

Said permanent easement lying easterly of a line, hereinafter described as "Line A" and westerly of the westerly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

Together with a permanent easement lying westerly of a line, hereinafter described as "Line B" and easterly of the easterly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

Together with a permanent easement lying westerly of a line, hereinafter described as "Line C" and easterly of the easterly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

Together with a permanent easement lying westerly of a line, hereinafter described as "Line D" and easterly of the easterly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

"Line A" is described as commencing at the northwest corner of said Lot 1; thence North 84 degrees 04 minutes 35 seconds East, along the northerly line of said Lot 1 a distance of 168.31 feet; thence South 21 degrees 38 minutes 57 seconds East, to a point on said westerly line for a distance of 67.68 feet; thence South 11 degrees 36 minutes 28 seconds East, along said westerly line for a distance of 39.98 feet to beginning of the line to be described; thence South 00 degrees 48 minutes 16 seconds West for a distance of 24.19 feet; thence South 15 degrees 36 minutes 19 seconds East for a distance of 92.58 feet; thence South 25 degrees 53 minutes 36 seconds East for a distance of 46.86 feet; thence South 09 degrees 26 minutes 35 seconds East for a distance of 71.03 feet; thence South 07 degrees 46 minutes 45 seconds West for a distance of 66.12 feet; thence South 17 degrees 30 minutes 27 seconds West for a distance of 104.10 feet; thence South 13 degrees 11 minutes 48 seconds East for a distance of 49.14 feet; thence South 22 degrees 50 minutes 56 seconds East for a distance of 20.47 feet; thence South 04 degrees 04 minutes 00 seconds East for a distance of 22.48 feet; thence South 36 degrees

54 minutes 46 seconds East for a distance of 29.78 feet; thence South 22 degrees 50 minutes 56 seconds East for a distance of 40.08 feet; thence South 48 degrees 23 minutes 05 seconds East for a distance of 92.09 feet; thence South 85 degrees 55 minutes 24 seconds East, to said westerly line for a distance of 13.32 feet and there terminating.

“Line B” is described as commencing at the northeast corner of said Lot 1; thence South 84 degrees 04 minutes 35 seconds West, along the northerly line of said Lot 1 a distance of 160.71 feet; thence South 21 degrees 38 minutes 57 seconds East, to a point on said easterly line for a distance of 77.73 feet to beginning of the line to be described; thence North 83 degrees 43 minutes 27 seconds East for a distance of 82.92 feet; thence South 32 degrees 20 minutes 58 seconds East for a distance of 114.11 feet; thence South 20 degrees 27 minutes 03 seconds East, to said easterly line for a distance of 37.53 feet and there terminating.

“Line C” is described as commencing at the terminus of said “Line B”; thence South 29 degrees 55 minutes 10 seconds East, along said easterly line for a distance of 29.89 feet; thence South 04 degrees 00 minutes 35 seconds East, along said easterly line for a distance of 91.22 feet to beginning of the line to be described; thence South 54 degrees 29 minutes 48 seconds East for a distance of 43.44 feet; thence South 12 degrees 33 minutes 32 seconds East for a distance of 28.01 feet; thence South 65 degrees 57 minutes 39 seconds West, to said easterly line for a distance of 60.88 feet and there terminating.

“Line D” is described as commencing at the terminus of said “Line C”; thence South 19 degrees 05 minutes 11 seconds West, along said easterly line for a distance of 92.43 feet to beginning of the line to be described; thence South 10 degrees 01 minutes 21 seconds West for a distance of 95.87 feet; thence South 00 degrees 35 minutes 43 seconds East for a distance of 43.71; thence South 30 degrees 07 minutes 37 seconds East for a distance of 89.75 feet; thence South 51 degrees 55 minutes 26 seconds West, to said easterly line for a distance of 8.71 feet and there terminating.

Said permanent easement containing 11,033.52 Sq. Ft., 0.25 Acres.

RIGHT OF ENTRY AND WAIVER OF TRESPASS AGREEMENT

THIS RIGHT OF ENTRY AND WAIVER OF TRESPASS AGREEMENT (Agreement) is made, granted and conveyed this 14th day of April, 2014, between **Arbor Pointe Golf Club, Inc.**, a Minnesota corporation, hereinafter referred to as the "Landowner" and the **City of Inver Grove Heights**, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City." The Landowner and City agree as follows:

Recitals

- A. The City is in the process of constructing City Project No. 2014-09D which includes the installation of a bituminous trail along the reconstructed street surfaces of College Trail together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor (hereinafter referred to as the "Project").
- B. Landowner is the fee owner of certain real property situate in the City of Inver Grove Heights, County of Dakota and State of Minnesota, described on the attached **Exhibit A** ("Subject Property").
- C. Landowner, in consideration of the sum of \$1.00 and in consideration of the City agreeing to construct various improvements on the Subject Property as part of the Project, agrees to grant to the City a Permanent Utility, Drainage and Storm Water Ponding Easement Agreement for the Subject Property in the form attached hereto as **Exhibit B** ("Permanent Easement Agreement").
- D. The Erosion Control and Removal Plan and the Street and Storm Sewer Plan Profile dated February 24, 2014 and revised on March 24, 2014 prepared by Kimley-Horn and Associates, Inc. for the Project (collectively the "Construction Plan") is attached hereto as **Exhibit C** and depicts the grading improvements to be constructed on the Subject Property as part of the Project. The Construction Plan is on file with the City and the City has acknowledged that insofar as the Subject Property is concerned the City shall construct the improvements as shown on the Construction Plan.
- E. In order to construct the improvements depicted on the Construction Plan it is necessary that the City, its agents, servants, representatives and contractors immediately enter upon the Subject Property in areas described in the Permanent Easement Agreement as well as areas outside of the Permanent Easement Agreement.
- F. It is in the best interest of the City and the Owner that construction work for the improvements begins immediately on the Subject Property.

Agreement

In consideration of the premises contained herein and for valuable consideration the receipt of which is hereby acknowledged, it is agreed by the parties that:

- 1.) The Landowner grants to the City, its agents, servants, representatives and contractors the right, privilege and license to enter upon the Subject Property for the purposes of ingress and egress, and the construction, maintenance, repair and replacement of the improvements depicted on the Construction Plan.
- 2.) The rights of the City also include the right of the City, its contractors, agents and servants:
 - a.) to enter upon the Subject Property during the term of this Agreement for the purposes of construction, inspection, grading, sloping, and restoration relating to the work and improvements shown on the Construction Plan; and
 - b.) to excavate, slope, grade and refill areas on the Subject Property relating to the work and improvements shown on the Construction Plan; and
 - c.) to remove from the Subject Property trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the work and improvements shown on the Construction Plan; and
 - d.) to remove or otherwise dispose of all earth or other material excavated from the Subject Property as may be necessary for the location, construction and maintenance of the work and improvements shown on the Construction Plan.
- 3.) Landowner hereby agrees to grant to the City the Permanent Utility, Drainage and Storm Water Ponding Easement Agreement attached hereto as Exhibit B ("Permanent Easement Agreement"). Landowner agrees to execute the Permanent Easement Agreement upon execution of this Agreement.
- 4.) The Landowner waives all actions, causes of action and claims against the City, its agents, servants, representatives, and contractors for trespass on the Subject Property.
- 5.) The Landowner waives all actions, causes of action and claims against the City, its agents, servants, representatives, and contractors for any taking or use of the Subject Property.
- 6.) The right, privilege and license granted to the City in paragraph number 1 hereof shall

expire and terminate on December 31, 2015.

- 7.) The Landowner covenants, represents, warrants and agrees with and to the City that it is well seized in fee of the Subject Property and has good right to grant to the City the right, privilege and license stated in paragraph number 1 hereof.
- 8.) The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to the Subject Property prior to the date hereof.
- 9.) Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, its successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.
- 10.) Nothing contained in this Agreement shall be deemed or construed to grant an easement or fee title interest in the Subject Property except for the Landowner granting to the City the Permanent Easement Agreement attached hereto as Exhibit B.
- 11.) City agrees that if the City awards a construction contract for the Project, then insofar as the Subject Property is concerned, the City will construct the improvements as shown on the Construction Plan.

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CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 14th day of April, 2014, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Kennedy, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

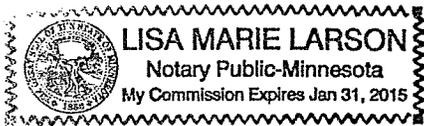
Notary Public

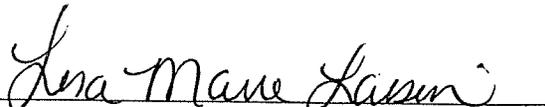
**LANDOWNER:
ARBOR POINTE GOLF CLUB, INC.**

By: 
Greg J. Wencil
Its: Chief Executive Officer

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 8th day of April, 2014, before me a Notary Public within and for said County, personally appeared Greg J. Wencil to me personally known, who being by me duly sworn, did say that she is the Chief Executive Officer of Arbor Golf Club, Inc., a Minnesota corporation, the entity named in the foregoing instrument, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said Chief Executive Officer acknowledged said instrument to be the free act and deed of the corporation.




Notary Public

This instrument was drafted by:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

After recording, please return to:
Timothy J. Kuntz
LeVander, Gillen & Miller
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

Lot 1, Block 1, ARBOR POINTE GOLF COURSE ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

EXHIBIT B
PERMANENT UTILITY, DRAINAGE AND STORM WATER
PONDING EASEMENT AGREEMENT

[Document Follows on Next Page]

**PERMANENT UTILITY, DRAINAGE AND STORM WATER PONDING
EASEMENT AGREEMENT**

THIS PERMANENT UTILITY, DRAINAGE AND STORM WATER PONDING EASEMENT AGREEMENT ("Easement") is made, granted and conveyed this 14th day of April, 2014, between the Arbor Pointe Golf Club, Inc., a Minnesota corporation, hereinafter referred to as the "Landowner," and the City of Inver Grove Heights, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City."

The Landowner owns the real property situated within Dakota County, Minnesota as described on the attached **Exhibit A** (the Landowner Property).

The Landowner in consideration of the sum of \$1.00 and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, forever, a **permanent easement for utilities, drainage, storm water ponding, storm water collection, storm water control improvements and for purposes and uses incident and related thereto, including, without limitation, the construction, maintenance, repair and replacement of utilities and storm water ponding, drainage, collection and control facilities**, under, over, across, through and upon the following described premises (the Easement Area) situated within Dakota County, Minnesota, to-wit:

See the attached **Exhibit B**, incorporated herein by reference,

EXEMPT FROM STATE DEED TAX

The rights of the City include the right of the City, its contractors, agents and servants:

- a.) to enter upon the Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, grading, sloping, and restoration relating to the purposes of this Easement; and
- b.) to maintain the Easement Area, any City improvements and any underground pipes, conduits, or mains, together with the right to excavate and refill ditches or trenches for the location of such pipes, conduits or mains; and
- c.) to remove from the Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the pipes, conduits, or mains and to deposit earthen material in and upon the Easement Area; and
- d.) to remove or otherwise dispose of all earth or other material excavated from the Easement Area as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Easement Area or Landowner's property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, his successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Landowner's property described on Exhibit A and the Easement Area described on Exhibit B and has good right to grant and convey the Easement herein to the City.

IN TESTIMONY WHEREOF, the Landowner and the City have caused this Easement to be executed as of the day and year first above written.

[the remainder of this page has been intentionally left blank]

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 14th day of April, 2014, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Kennedy, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

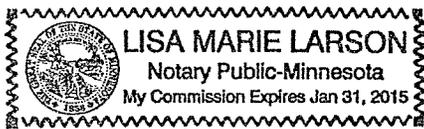
LANDOWNER:

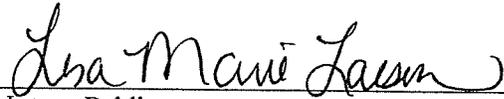
Arbor Pointe Golf Club, Inc.

By: 
Greg J. Wendt
Its: Chief Executive Officer

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 8th day of April, 2014, before me a Notary Public within and for said County, personally appeared Greg J. Wendt to me personally known, who being by me duly sworn, did say that she is the Chief Executive Officer of Arbor Golf Club, Inc., a Minnesota corporation, the entity named in the foregoing instrument, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said Chief Executive Officer acknowledged said instrument to be the free act and deed of the corporation.




Notary Public

This instrument was drafted by:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

After recording, please return to:
Timothy J. Kuntz
LeVander, Gillen & Miller
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER PROPERTY

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

Lot 1, Block 1, ARBOR POINTE GOLF COURSE ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

Landowner Property ("first above described property"):

Lot 1, Block 1, ARBOR POINTE GOLF COURSE ADDITION, according to the recorded plat thereof, Dakota County, Minnesota.

A permanent easement for utilities, drainage, storm water ponding, storm water collection, storm water control improvements and for all such purposes and uses incident and related thereto, over, under, across, through and upon that part of the first above described property.

Said permanent easement lying easterly of a line, hereinafter described as "Line A" and westerly of the westerly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

Together with a permanent easement lying westerly of a line, hereinafter described as "Line B" and easterly of the easterly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

Together with a permanent easement lying westerly of a line, hereinafter described as "Line C" and easterly of the easterly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

Together with a permanent easement lying westerly of a line, hereinafter described as "Line D" and easterly of the easterly line of the drainage and utility easement dedicated by said plat of ARBOR POINTE GOLF COURSE ADDITION according to the recorded plat thereof:

"Line A" is described as commencing at the northwest corner of said Lot 1; thence North 84 degrees 04 minutes 35 seconds East, along the northerly line of said Lot 1 a distance of 168.31 feet; thence South 21 degrees 38 minutes 57 seconds East, to a point on said westerly line for a distance of 67.68 feet; thence South 11 degrees 36 minutes 28 seconds East, along said westerly line for a distance of 39.98 feet to beginning of the line to be described; thence South 00 degrees 48 minutes 16 seconds West for a distance of 24.19 feet; thence South 15 degrees 36 minutes 19 seconds East for a distance of 92.58 feet; thence South 25 degrees 53 minutes 36 seconds East for a distance of 46.86 feet; thence South 09 degrees 26 minutes 35 seconds East for a distance of 71.03 feet; thence South 07 degrees 46 minutes 45 seconds West for a distance of 66.12 feet; thence South 17 degrees 30 minutes 27 seconds West for a distance of 104.10 feet; thence South 13 degrees 11 minutes 48 seconds East for a distance of 49.14 feet; thence South 22 degrees 50 minutes 56 seconds East for a distance of 20.47 feet; thence South 04 degrees 04 minutes 00 seconds East for a distance of 22.48 feet; thence South 36 degrees

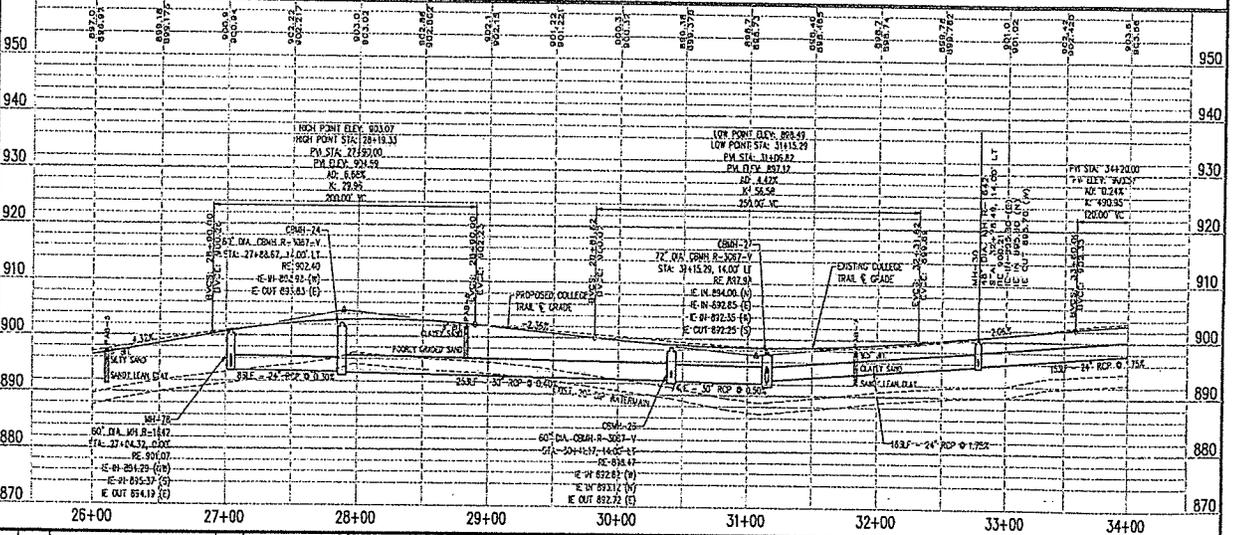
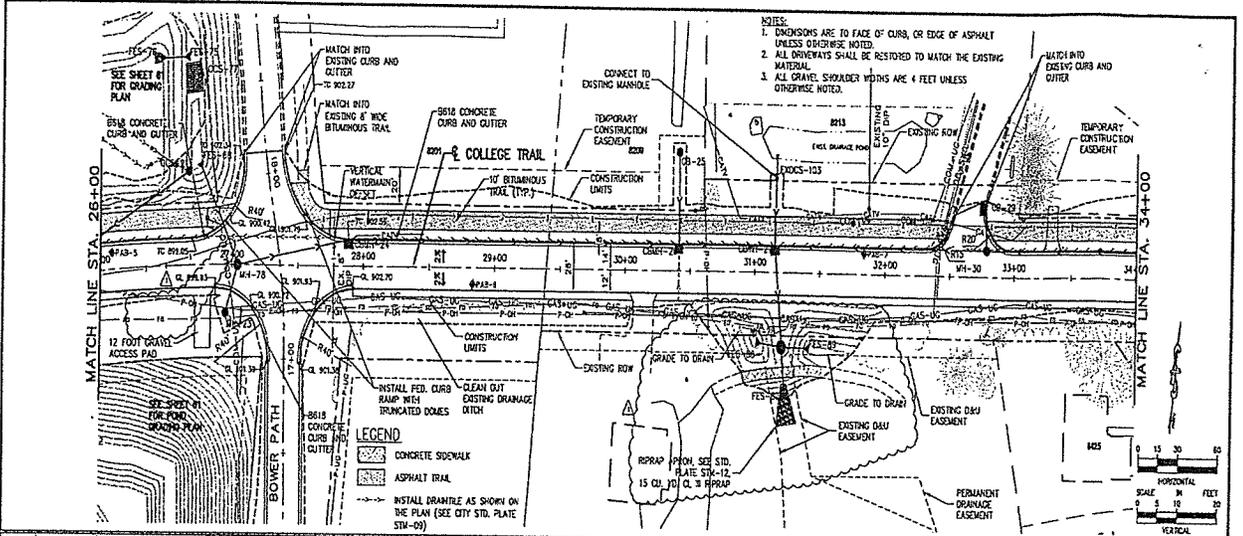
54 minutes 46 seconds East for a distance of 29.78 feet; thence South 22 degrees 50 minutes 56 seconds East for a distance of 40.08 feet; thence South 48 degrees 23 minutes 05 seconds East for a distance of 92.09 feet; thence South 85 degrees 55 minutes 24 seconds East, to said westerly line for a distance of 13.32 feet and there terminating.

“Line B” is described as commencing at the northeast corner of said Lot 1; thence South 84 degrees 04 minutes 35 seconds West, along the northerly line of said Lot 1 a distance of 160.71 feet; thence South 21 degrees 38 minutes 57 seconds East, to a point on said easterly line for a distance of 77.73 feet to beginning of the line to be described; thence North 83 degrees 43 minutes 27 seconds East for a distance of 82.92 feet; thence South 32 degrees 20 minutes 58 seconds East for a distance of 114.11 feet; thence South 20 degrees 27 minutes 03 seconds East, to said easterly line for a distance of 37.53 feet and there terminating.

“Line C” is described as commencing at the terminus of said “Line B”; thence South 29 degrees 55 minutes 10 seconds East, along said easterly line for a distance of 29.89 feet; thence South 04 degrees 00 minutes 35 seconds East, along said easterly line for a distance of 91.22 feet to beginning of the line to be described; thence South 54 degrees 29 minutes 48 seconds East for a distance of 43.44 feet; thence South 12 degrees 33 minutes 32 seconds East for a distance of 28.01 feet; thence South 65 degrees 57 minutes 39 seconds West, to said easterly line for a distance of 60.88 feet and there terminating.

“Line D” is described as commencing at the terminus of said “Line C”; thence South 19 degrees 05 minutes 11 seconds West, along said easterly line for a distance of 92.43 feet to beginning of the line to be described; thence South 10 degrees 01 minutes 21 seconds West for a distance of 95.87 feet; thence South 00 degrees 35 minutes 43 seconds East for a distance of 43.71; thence South 30 degrees 07 minutes 37 seconds East for a distance of 89.75 feet; thence South 51 degrees 55 minutes 26 seconds West, to said easterly line for a distance of 8.71 feet and there terminating.

Said permanent easement containing 11,033.52 Sq. Ft., 0.25 Acres.



No.	Date	Revisions	App.	DRAWING NAME	DESIGNED BY:	ROOM	DRAWN BY:	ROOM	CHECKED BY:	ROOM	DATE:	PROJECT NO.	 1550 UNIVERSITY AVE. WEST, SUITE 200 ST. PAUL, MINNESOTA 55108 TEL. NO. (612) 646-4111 FAX. NO. (612) 646-4111	I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. DATE: 02/14/2014 SHEET NO. 48
1	1/17/14	ADDENDUM #1	E.F.	18250920-PLAN-PROF01.dwg	RFM	RFM	E.F.	E.F.			02/14/2014	18250920		

76

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

ROGER C. MILLER
TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◊STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
◊*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
BRIDGET McCAULEY NASON

HAROLD LEVANDER
1910-1992

ARTHUR GILLEN
1919-2005

*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◊ALSO ADMITTED IN MASSACHUSETTS
◊ALSO ADMITTED IN OKLAHOMA

MEMO

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: April 9, 2014
RE: City Project 2014-09D – College Trail Reconstruction Project (Project)
Resolution Approving the Use of Eminent Domain Quick-Take Processes to
Acquire Easement from Florence A. Lushanko (as Trustee) as Required for
College Trail Improvements Included in City Project 2014-09D and Council
Approval of Appraised Easement Taking Valuation Pursuant To Minn. Stat.
§ 117.042 – April 14, 2014 Council Meeting

Section 1. Background. The City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”). The Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor. The existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements. The City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels. One of those private property tax parcels is owned by Florence A. Lushanko, as Trustee under the Florence A. Lushanko Trust Agreement dated June 2, 2010 (Lushanko) located at 82XX College Trail (20-01500-31-015).

On February 24, 2014, the City Council authorized City staff, and its consultant, Kimley-Horn & Associates, to make final offers and continue good faith settlement negotiations with the three landowners. At this time two of the three landowners (Arbor Pointe Golf Club, Inc. and James Kromschroeder) have reached a settlement with the City and have executed the easement agreements required for the City to construct the improvements for the Project.

Section 2. Offer to Lushanko. On March 17, 2014, the City made an initial written offer to Lushanko of \$1,635 to purchase 313 square feet of permanent easement for sidewalk and trail purposes and for 5,981 square feet of temporary easement for grading, sloping and temporary construction purposes needed to reconstruct College Trail adjacent to the Lushanko property as part of the Project.

On April 4, 2014, the City made a counter offer to Lushanko of \$4,135 to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Lushanko property as part of the Project. The \$4,135 offer reflected (1) the 313 square foot permanent easement area valued by Integra Realty Resources at \$500; (2) the 5,891 square foot temporary easement area valued at \$1,135; (3) an additional \$1,000 inducement for Lushanko to accept the City's offer on or before April 24, 2014 and (4) the City proposed paying \$1,500 as a substitute for an appraisal allowance.

On April 9, 2014, Lushanko made a counter offer to the City of a lump sum settlement of \$7,000 to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Lushanko property as part of the Project.

The City views the \$7,000 as the approximate sum of \$1,635 for the easement rights, plus \$5,000 as a substitute for any appraisal allowance that may be required by statute, plus \$265 to resolve removal of the trees on the Lushanko property.

Section 3. Settlement. Subject to Council approval, the City has accepted the counter offer made by Lushanko in the amount of \$7,000 in exchange for Lushanko signing a Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement (Easement Agreement). Although the City and Lushanko have reached a settlement, until the City receives the signed Easement Agreement, Lushanko must remain a named party in the Petition for Condemnation. The City will continue to work diligently to obtain the executed Easement Agreement from Lushanko. However, in the event that, for whatever reason, this cannot be accomplished, Lushanko will be included in the Petition for Condemnation and correspondingly served with the Petition. If, and when, the executed Easement Agreement is received, Lushanko will be dismissed from the eminent domain proceeding. Due to the fact that the failure to include Lushanko may jeopardize the City's ability to construct the Project, Lushanko must be included in the Petition for Condemnation until such time as the executed Easement Agreement is received.

Section 4. Discussion. To meet the schedule for the Project, the City should immediately initiate eminent domain proceedings. State law requires the City to serve a 90-day notice upon the property owner prior to securing the right to utilize the easement areas. Under the attached timeline, the City would mail the 90-day quick-take notice to Lushanko on April 25, 2014 and file the Petition for Condemnation on April 25, 2014.

City staff will continue to negotiate easement acquisition settlement with Lushanko even after the eminent domain proceeding has been initiated.

Section 5. Requested Action. City staff recommends that the City Council approve the attached Resolution Approving the Use of Eminent Domain Quick-Take Processes to Acquire Easement from Florence A. Lushanko (as Trustee) as Required for College Trail Improvements Included in City Project 2014-09D and Council Approval of Appraised Easement Taking Valuation Pursuant To Minn. Stat. § 117.042.

Attachment

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. _____

**RESOLUTION APPROVING THE USE OF EMINENT DOMAIN
QUICK-TAKE PROCESSES TO ACQUIRE EASEMENT
FROM PRIVATE PROPERTY OWNER AS REQUIRED FOR
COLLEGE TRAIL IMPROVEMENTS INCLUDED IN CITY PROJECT 2014-09D
AND COUNCIL APPROVAL OF APPRAISED EASEMENT TAKING VALUATION
PURSUANT TO MINN. STAT. § 117.042**

WHEREAS, the City of Inver Grove Heights (the “City”) desires to reconstruct College Trail as part of City Project 2014-09D;

WHEREAS, City Project 2014-09D includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor;

WHEREAS, the existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements;

WHEREAS, the City staff originally identified the need to acquire easement rights along College Trail from three (3) private property tax parcels (other than the property owned by Inver Hills Community College); it appears that the City’s direct purchase efforts have resulted in voluntary acquisitions of two (2) of the three (3) private property easements needed for the City Project 2014-09D; and, good-faith negotiation are continuing to directly purchase the a 313 square foot permanent sidewalk and trail easement valued at \$500 (by the City’s consultant appraisal firm Integra Realty Resources), and an adjacent 5,891 square foot temporary construction easement valued at \$1,135 from private property owned by a Florence A. Lushanko trust entity located at the southwest corner of College Trail and Cahill Avenue which is improved with telecommunication monopole utilities;

WHEREAS, on February 24, 2014, the City Council authorized City staff to attempt to acquire easement rights along College Trail from all private property owners by direct purchase and in compliance with Minn. Stat. § 117.036;

WHEREAS, in 2006, the State of Minnesota enacted various eminent domain reforms including an amendment to Minn. Stat. § 117.036 which: (a) requires the City to provide the property owner with a copy of the City's appraisal and inform the property owner of the right to obtain an appraisal and receive reimbursement of appraisal costs pursuant to § 117.036, (b) requires reimbursement of a property owner's appraisal costs up to \$1,500 for single family and two-family residential property and minimum damage acquisitions (i.e. appraised damages of \$10,000 or less) and \$5,000 for other types of property, and (c) requires good faith negotiations which include a good faith attempt to negotiate personally with the property owner;

WHEREAS, the City has complied with the statutory appraisal copy disclosure, notice of property owner appraisal rights, appraisal cost reimbursement, and good faith negotiation requirements of Minn. Stat. § 117.036;

WHEREAS, also in 2006, the State of Minnesota enacted Minn. Stat. § 117.031 whereby the City may be liable for a property owner's attorney fees, litigation expenses, appraisal fees, and other expert fees and other related costs if the final judgment or award of damages exceeds 20% and/or 40% of the City's final written offer of just compensation prior to filing a condemnation petition with the court. Minn. Stat. § 117.031 specifies that the court "may" award a property owner's fees and costs if the final judgment or award of damages exceeds 20% threshold; and, the court "shall" award a property owner's fees and costs if the final judgment or award of damages exceeds 40% threshold; however, no property owner's fees and costs "shall" be awarded if the final judgment or award of damages does not exceed \$25,000;

WHEREAS, on March 17, 2014 and April 1, 2014, City staff made written offers of just compensation pursuant to Minn. Stat. § 117.036 and § 117.031; and said offers were sent to the property owner that equaled or exceeded the approved appraised values shown in Exhibit No. 1;

WHEREAS, Minnesota Statutes, § 117.042 provides the City with the authority to gain title and possession to private property following a 90-day notice period. This statute is commonly referred to as the "quick take" statute. If a condemning authority does not utilize the "quick take" statute, the title and right of possession to the private property would only transfer to the City following the settlement of each parcel valuation case which can extend over a multi-year period;

WHEREAS, the City would be unable to advertise, receive bids and award a single construction contract for Project 2014-09D unless it utilizes the "quick take" statute. The 90-day "quick take" procedure must be utilized: (a) to allow the City to award a single and reasonably economical construction contract for Project 2014-09D; and (b) to meet the Project 2014-09D construction schedule during the 2014 Minnesota construction season;

WHEREAS, the City staff recommends that the Inver Grove Heights City Council authorize the use of the City's power of eminent domain for the acquisition of the easement taking parcel shown in Exhibit No. 1 as required for Project 2014-09D.

NOW, THEREFORE, BE IT RESOLVED BY THE INVER GROVE HEIGHTS CITY COUNCIL:

- 1) That the City Council hereby authorizes the use of eminent domain for the acquisition of easement rights for the parcel shown in Exhibit No. 1 as required for Project 2014-09D.
- 2) That the City Council finds that the purpose for which the easement taking parcel shown in Exhibit No. 1 is proposed to be taken is for a public project and for public use; and that the taking of said easement rights are necessary for the City's public purpose uses of the private property.
- 3) That the City Council hereby approves the appraised value of the easement rights parcel taking as listed in Exhibit No. 1.
- 4) That the City Council finds that a 90-day "quick take" is necessary pursuant to Minnesota Statutes, § 117.042: (a) to allow the City to award a single and reasonably economical construction contract for Project 2014-09D; and (b) to meet the Project 2014-09D construction schedule during the 2014 Minnesota construction season.
- 5) That the City staff is directed to continue good faith settlement negotiations with the property owner listed in Exhibit No. 1; and, the City Attorney is authorized to take the necessary action pursuant to Minnesota Statutes, Chapter 117, to acquire the property rights required for Project 2014-09D.

Passed this 14th day of April, 2014.

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

Exhibit No. 1

Easement Parcel Number	Fee Owner	Address of Property	Approved Appraised Value pursuant to Minn. Statute § 117.042
30 (Permanent easement for sidewalk and trail purposes; and, for grading, sloping and temporary construction purposes)	Florence A. Lushanko Trust	82XX College Trail Inver Grove Heights, MN 55076	\$1,635

7H

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

ROGER C. MILLER
TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◊STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
ANN C. O'REILLY
◊*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
JEROME M. PORTER
BRIDGET McCAULEY NASON

HAROLD LEVANDER
1910-1992

ARTHUR GILLEN
1919-2005

*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◊ALSO ADMITTED IN MASSACHUSETTS
◊ALSO ADMITTED IN OKLAHOMA

MEMO

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: April 10, 2014
RE: City Project 2014-09D – College Trail Reconstruction Project (Project)
Florence A. Lushanko Property on 82XX College Trail, Inver Grove Heights
(20-01500-31-015); \$7,000 Negotiated Purchase Offer for 313 Sq. Ft. of
Permanent Easement for Sidewalk and Trail Purposes and for 5,891 Sq. Ft. of
Temporary Easement for Grading, Sloping and Temporary Construction
Purposes – April 14, 2014 Council Meeting

Section 1. Background. The City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”). The Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor. The existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements. The City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels. One of those private property tax parcels is owned by Florence A. Lushanko, as Trustee under the Florence A. Lushanko Trust Agreement dated June 2, 2010 (Lushanko) located at 82XX College Trail (20-01500-31-015).

The City’s Engineering Department has had ongoing discussions and negotiations with representatives of Lushanko regarding a resolution of the easement acquisition on the property to facilitate the construction of the improvements associated with City Project 2014-09D.

On March 17, 2014, the City made an initial written offer to Lushanko of \$1,635 to purchase 313 square feet of permanent easement for sidewalk and trail purposes and for 5,981 square feet of temporary easement for grading, sloping and temporary construction purposes needed to reconstruct College Trail adjacent to the Lushanko property as part of the Project.

On April 4, 2014, the City made a counter offer to Lushanko of \$4,135 to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Lushanko property as part of the Project. The \$4,135 offer reflected (1) the 313 square foot permanent easement area valued by Integra Realty Resources at \$500; (2) the 5,891 square foot temporary easement area valued at \$1,135; (3) an additional \$1,000 inducement for Lushanko to accept the City's offer on or before April 24, 2014 and (4) the City proposed paying \$1,500 as a substitute for an appraisal allowance.

On April 9, 2014, Lushanko made a counter offer to the City of a lump sum settlement of \$7,000 to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Lushanko property as part of the Project.

Section 2. Negotiated Settlement of Lushanko.

In exchange for the lump sum payment of \$7,000 by the City to Lushanko for the permanent and temporary easement rights, Lushanko has executed the attached Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement.

The City views the \$7,000 as the approximate sum of \$1,635 for the easement rights, plus \$5,000 as a substitute for any appraisal allowance that may be required by statute, plus \$265 to resolve removal of the trees on the Lushanko property.

There was an issue under the statute as to whether the appraisal allowance was \$1,500 or \$5,000. The settlement resolves all issues.

Due to the expected litigation expenses which will be incurred if the City has to acquire the easement rights from Lushanko by way of an eminent domain action, City staff and the City Attorney recommend acceptance of the proposed settlement.

Section 3. Council Action. The Council is asked to consider the attached RESOLUTION APPROVING THE NEGOTIATED SETTLEMENT BETWEEN FLORENCE A. LUSHANKO, TRUSTEE AND THE CITY CONCERNING THE ACQUISITION OF EASEMENT RIGHTS RELATING TO THE LUSHANKO PROPERTY IN CONNECTION WITH CITY PROJECT NO. 2014-09D, which resolution authorizes the lump sum payment of \$7,000 by the City to Florence A. Lushanko (as Trustee) in exchange for Lushanko executing the attached Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement and further authorizes the Mayor and Deputy Clerk to execute the attached Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement.

Attachment

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 14-_____

**A RESOLUTION APPROVING THE NEGOTIATED SETTLEMENT BETWEEN
FLORENCE A. LUSHANKO (AS TRUSTEE) AND THE CITY CONCERNING THE
ACQUISITION OF EASEMENT RIGHTS RELATING TO THE LUSHANKO
PROPERTY IN CONNECTION WITH CITY PROJECT 2014-09D**

WHEREAS, the City of Inver Grove Heights (the “City”) has authorized the design of plans and specifications for City Project 2014-09D – College Trail Reconstruction (the “Project”).

WHEREAS, the Project includes the installation of a bituminous trail along the College Trail’s reconstructed street surfaces together with various ponding, drainage and utility improvements to accommodate increased impervious surfaces and to improve storm water management along the corridor.

WHEREAS, the existing College Trail street right-of-way and other existing public easement areas cannot fully accommodate the installation of the College Trail street reconstruction improvements, the bituminous trail improvements, and the storm water management improvements.

WHEREAS, the City needs to acquire easement rights along College Trail from approximately three (3) private property tax parcels; one of those private property tax parcels is owned by Florence A. Lushanko, as Trustee under the Florence A. Lushanko Trust Agreement dated June 2, 2010 (Lushanko) (82XX College Trail).

WHEREAS, the City’s Engineering Department has had ongoing discussions and negotiations with representatives of Lushanko regarding a resolution of the easement acquisition on the property to facilitate the construction of the improvements associated with City Project 2014-09D.

WHEREAS, on March 17, 2014, the City made an initial written offer to Lushanko of \$1,635 to purchase 313 square feet of permanent easement for sidewalk and trail purposes and for 5,981 square feet of temporary easement for grading, sloping and temporary construction purposes needed to reconstruct College Trail adjacent to the Lushanko property as part of the Project.

WHEREAS, on April 4, 2014, the City made a counter offer to Lushanko of \$4,135 to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Lushanko property as part of the Project. The \$4,135 offer reflected (1) the 313 square foot permanent easement area valued by Integra Realty Resources at \$500; (2) the

5,891 square foot temporary easement area valued at \$1,135; (3) an additional \$1,000 inducement for Lushanko to accept the City's offer on or before April 24, 2014 and (4) the City proposed paying \$1,500 as a substitute for an appraisal allowance.

WHEREAS, on April 9, 2014, Lushanko made a counter offer to the City of a lump sum settlement of \$7,000 to purchase the permanent and temporary easement rights that the City needs to reconstruct College Trail adjacent to the Lushanko property as part of the Project.

WHEREAS, in exchange for the lump sum payment of \$7,000 by the City to Lushanko for the permanent and temporary easement rights, Lushanko has executed the attached Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement.

WHEREAS, the City views the \$7,000 as the approximate sum of \$1,635 for the easement rights, plus \$5,000 as a substitute for any appraisal allowance that may be required by statute, plus \$265 to resolve removal of the trees on the Lushanko property. There was an issue under the statute as to whether the appraisal allowance was \$1,500 or \$5,000. The settlement resolves all issues.

WHEREAS, due to the expected litigation expenses which will be incurred if the City has to acquire the easement rights from Lushanko by way of an eminent domain action, City staff and the City Attorney recommend acceptance of the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE INVER GROVE HEIGHTS CITY COUNCIL:

1. The negotiated settlement in the sum of \$7,000.00 concerning the direct purchase of temporary and permanent easement rights on the Lushanko property in connection with City Project 2014-09D is hereby approved.
2. The Mayor and Deputy City Clerk are hereby authorized to execute the attached Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement.
3. Payment of the negotiated settlement amount is hereby authorized upon receipt by the City of the attached Permanent Sidewalk and Trail Easement, and Temporary Construction Easement Agreement executed by Lushanko.

Passed this 14th day of April, 2014.

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

**PERMANENT SIDEWALK AND TRAIL EASEMENT, AND
TEMPORARY CONSTRUCTION EASEMENT AGREEMENT**

THIS PERMANENT SIDEWALK AND TRAIL EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT AGREEMENT (the "Easement") is made, granted and conveyed this ____ day of _____, 2014, between Florence A. Lushanko as Trustee of the Florence A. Lushanko Trust under trust agreement dated June 2, 2010, hereinafter referred to as the "Landowner," and the City of Inver Grove Heights, a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "City."

The Landowner owns the real property situated within Dakota County, Minnesota as described on the attached **Exhibit A** (the "Landowner Property").

The Landowner in consideration of the sum of Seven Thousand Dollars (\$7,000.00) and other good and valuable consideration to it in hand paid by the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, forever, a **permanent easement for sidewalk and trail purposes; and, for grading, sloping and temporary construction purposes and for purposes and uses incident and related thereto, including, without limitation, the construction, maintenance, repair and replacement of sidewalk and trail facilities**, under, over, across, through and upon the following described premises (the "Easement Areas") situated within Dakota County, Minnesota, to-wit:

See the attached **Exhibit B**, incorporated herein by reference,

EXEMPT FROM STATE DEED TAX

The rights of the City include the right of the City, its contractors, agents and servants:

- a.) to enter upon the Easement Areas at all reasonable times for the purposes of construction, reconstruction, inspection, repair, grading, sloping, and restoration relating to the purposes of this Easement; and
- b.) to remove from the Easement Areas trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the pipes, conduits, or mains and to deposit earthen material in and upon the Easement Area; and

c.) to remove or otherwise dispose of all earth or other material excavated from the Easement Areas as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Easement Areas or Landowner's property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, his successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Landowner, for itself and its successors and assigns, does hereby warrant to and covenant with the City, its successors and assigns, that it is well seized in fee of the Landowner's property described on Exhibit A and the Easement Areas described on Exhibit B and has good right to grant and convey the Easement herein to the City.

The Landowner and the City hereby agree that the temporary construction easement rights conveyed by this Easement over the temporary construction easement area legally described in Exhibit B shall automatically expire on December 31, 2015.

IN TESTIMONY WHEREOF, the Landowner and the City have caused this Easement to be executed as of the day and year first above written.

[the remainder of this page has been intentionally left blank]

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its Mayor

ATTEST:

Melissa Kennedy, Deputy City Clerk

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

On this _____ day of _____, 2014, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Kennedy, to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER PROPERTY

That part of the east half of the Southwest Quarter of the Northwest Quarter of Section 15, Township 27, Range 22, Dakota County, Minnesota, described as follows:

Commencing at the Northwest corner of said East half of the Southwest Quarter of the Northwest Quarter; thence South 0 degrees 00 minutes 51 seconds East, assumed bearing, along the West line of said East half of the Southwest Quarter of the Northwest Quarter, a distance of 800.00 feet, to the most southerly corner of that parcel described in Book 228 of Deeds, page 248, said point being the point of beginning of the parcel to be described; thence South 0 degrees 00 minutes 51 seconds East, along the West line 293.89 feet to a point which is 1093.89 feet South of said Northwest corner, measured along said West line; thence North 89 degrees 59 minutes 09 seconds East, 340.00 feet; thence North 0 degrees 00 minutes 51 seconds West, 240.62 feet; thence North 45 degrees 07 minutes 54 seconds West, 199.30 feet, to the Southeasterly line of that parcel described in Book 228 of Deeds, page 248; thence South 21 degrees 59 minutes 09 seconds West, along said Southeasterly line 29.02 feet to the corner of that parcel described in Book 228 of Deeds, page 248; thence Southerly 72 degrees 09 minutes 09 seconds West, along the Southerly line of that parcel described in Book 228 of Deeds, page 248, a distance of 197.40 feet to the point of beginning and there terminating.

(hereinafter "the first above described property")

Except:

Parcel One (as described in Document No. 1277610) which is all that part of the first above described property which lies northerly of Line A, said Line A being described as follows:

Commencing at the southwest corner of the above described property; thence on an assumed bearing of North 00 degrees 21 minutes 07 seconds East along the westerly line of said property for 252.26 feet to the actual point of beginning of said Line A; thence North 84 degrees 56 minutes 54 seconds East for 301.17 feet to the northeasterly line of said property and there terminating.

And except:

Parcel Two (as described in Document No. 1277610) which is all that part of the first above described property which lies easterly of Line B, said Line B being described as follows:

Commencing at the southwest corner of the above described property; thence on an assumed bearing of South 89 degrees 38 minutes 53 seconds East, along the southerly line of said property for 325.14 feet to the actual point of beginning of

said Line B; thence northerly for 17.37 feet along an non-tangential curve concave to the west, radius 956.69 feet and central angle 01 degrees 02 minutes 26 seconds, the chord of said curve bears North 04 degrees 20 minutes 33 seconds East; thence North 03 degrees 49 minutes 20 seconds East, tangent to said curve for 50.34 feet; thence northerly for 186.95 feet along a tangential curve concave to the west, radius 1,207.56 feet and central angle 08 degrees 52 minutes 13 seconds, to the northeasterly line of said property and there terminating.

And except (a third parcel as described in Document No. 1277610) being:

All that part of the first above described property lying westerly of said Parcel Two and which lies easterly of a line concentric with and distant 10.00 feet westerly from said Line B and its extensions.

EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREAS

The "Landowner Property:"

That part of the east half of the Southwest Quarter of the Northwest Quarter of Section 15, Township 27, Range 22, Dakota County, Minnesota, described as follows:

Commencing at the Northwest corner of said East half of the Southwest Quarter of the Northwest Quarter; thence South 0 degrees 00 minutes 51 seconds East, assumed bearing, along the West line of said East half of the Southwest Quarter of the Northwest Quarter, a distance of 800.00 feet, to the most southerly corner of that parcel described in Book 228 of Deeds, page 248, said point being the point of beginning of the parcel to be described; thence South 0 degrees 00 minutes 51 seconds East, along the West line 293.89 feet to a point which is 1093.89 feet South of said Northwest corner, measured along said West line; thence North 89 degrees 59 minutes 09 seconds East, 340.00 feet; thence North 0 degrees 00 minutes 51 seconds West, 240.62 feet; thence North 45 degrees 07 minutes 54 seconds West, 199.30 feet, to the Southeasterly line of that parcel described in Book 228 of Deeds, page 248; thence South 21 degrees 59 minutes 09 seconds West, along said Southeasterly line 29.02 feet to the corner of that parcel described in Book 228 of Deeds, page 248; thence Southerly 72 degrees 09 minutes 09 seconds West, along the Southerly line of that parcel described in Book 228 of Deeds, page 248, a distance of 197.40 feet to the point of beginning and there terminating.

(hereinafter "the first above described property")

Except:

Parcel One (as described in Document No. 1277610) which is all that part of the first above described property which lies northerly of Line A, said Line A being described as follows:

Commencing at the southwest corner of the above described property; thence on an assumed bearing of North 00 degrees 21 minutes 07 seconds East along the westerly line of said property for 252.26 feet to the actual point of beginning of said Line A; thence North 84 degrees 56 minutes 54 seconds East for 301.17 feet to the northeasterly line of said property and there terminating.

And except:

Parcel Two (as described in Document No. 1277610) which is all that part of the first above described property which lies easterly of Line B, said Line B being described as follows:

Commencing at the southwest corner of the above described property; thence on an assumed bearing of South 89 degrees 38 minutes 53 seconds East, along the

southerly line of said property for 325.14 feet to the actual point of beginning of said Line B; thence northerly for 17.37 feet along an non-tangential curve concave to the west, radius 956.69 feet and central angle 01 degrees 02 minutes 26 seconds, the chord of said curve bears North 04 degrees 20 minutes 33 seconds East; thence North 03 degrees 49 minutes 20 seconds East, tangent to said curve for 50.34 feet; thence northerly for 186.95 feet along a tangential curve concave to the west, radius 1,207.56 feet and central angle 08 degrees 52 minutes 13 seconds, to the northeasterly line of said property and there terminating.

And except (a third parcel as described in Document No. 1277610) being:

All that part of the first above described property lying westerly of said Parcel Two and which lies easterly of a line concentric with and distant 10.00 feet westerly from said Line B and its extensions.

The "Easement Areas:"

A permanent easement for sidewalk and trail purposes under, over, across, through and upon the "Landowner Property" described above.

Said permanent easement for sidewalk and trail purposes lying to the left of the following described line:

Commencing at the southwest corner of the "Landowner Property" described above; thence North 0 degrees 31 minutes 09 seconds West, along the west line, a distance of 252.26 feet; thence North 84 degrees 04 minutes 38 seconds East, along the north line, a distance of 105.32 feet, to the beginning of the line to be described; thence North 87 degrees 34 minutes 13 seconds East a distance of 35.63 feet; thence North 83 degrees 44 minutes 39 seconds East a distance of 161.32 feet, to the northeasterly line of the "Landowner Property" described above and there terminating.

Said permanent easement containing 312.60 Sq. Ft., 0.01 Acres.

Together with a temporary easement for grading, sloping, and temporary construction purposes under, over, across, through and upon the "Landowner Property" described above.

Said temporary easement for grading, sloping, and temporary construction purposes lying to the left of the following described line:

Commencing at the southwest corner of the "Landowner Property" described above; thence North 0 degrees 31 minutes 09 seconds West, along the west line, a distance of 232.17 feet, to the beginning of the line to be described; thence North 84 degrees 04 minutes 38 seconds East a distance of 316.86 feet, to the

northeasterly line of the "Landowner Property" described above and there terminating.

Except that part of the above described temporary easement area previously described as part of the above described permanent easement for sidewalk and trail purposes.

Said temporary easement containing 5,891.05 Sq. Ft., 0.14 Acres.

Said temporary easement automatically expires on December 31, 2015.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution and Letter Supporting Legislation Authorizing the Establishment of Municipal Street Improvement Districts

Meeting Date: April 14, 2014
Item Type: Regular
Contact: Scott D. Thureen, 651-450-2571
Prepared by: Scott D. Thureen, Public Works Director
Reviewed by: *SDT*

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	

PURPOSE/ACTION REQUESTED

Consider approving a resolution and letter supporting legislation authorizing the establishment of municipal street improvement districts.

SUMMARY

At the Council's April 7, 2014 study meeting, the topic of street improvements districts was raised as part of the discussion concerning how to fund the pavement management program. Enabling legislation was considered at the previous session of the Legislature. The bill passed through all policy and finance committees that it needed to, but it did not reach final passage. It was considered in the House's omnibus tax bill in 2013, but the provision was removed in conference committee.

The attached letter from the League of Minnesota Cities, the Coalition of Greater Minnesota Cities, Metro Cities, the Municipal Legislative Commission and the Minnesota Association of Small Cities asks the Governor and the legislative leaders to pass the enabling legislation in this session. If the legislation is passed, it would not require a City to establish a municipal street improvement district. It would be enabling legislation that would give cities the authority to create street improvement districts and provide another means for funding street maintenance and reconstruction.

If the Council desires to have a street improvement district as an option to consider for funding the pavement management program, I recommend that the attached resolution of support be passed and that the Mayor be authorized to sign the attached letter of support that would be sent to Senator Metzen and Representative Atkins.

SDT/kf

Attachments: LMC (et al) letter to Governor
Resolution
Letter of support to Senator Metzen and Representative Atkins



April 9, 2014

The Honorable Mark Dayton
Governor of Minnesota
Room 130, State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

The Honorable Paul Thissen
Speaker of the House
Room 463, State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

The Honorable Tom Bakk
Senate Majority Leader
Room 226, State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

The Honorable Erin Murphy
House Majority Leader
Room 459, State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

The Honorable Kurt Daudt
House Minority Leader
Room 267, State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

The Honorable David Hann
Senate Minority Leader
Room 147, State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155

RE: Municipal Street Improvement District Legislation: HF 745 (Erhardt)/SF 607 (Carlson)

Dear Governor Dayton, Speaker Thissen, Majority Leader Bakk, Majority Leader Murphy, Minority Leader Daudt and Minority Leader Hann,

On behalf of Minnesota's 853 cities, we thank you for recognizing the pressing need for road repairs across multiple jurisdictions statewide. We sincerely appreciate you supporting efforts to advance funding to fill potholes and restore roads to a drivable condition.

Unfortunately, the deterioration we are seeing on state and local roads is not the result of one bad Minnesota winter. Roads that are properly maintained are significantly less vulnerable to damage than roads that have been neglected. The current poor condition of road pavement throughout the state is the result of deferred maintenance due to fiscal constraints. While one-time revenue will

April 9, 2014

Page 2

be helpful in the short term, a long term solution is not only necessary, but critical to preserving expensive assets.

The cost to perform maintenance on schedule is a fraction of the cost of making repairs to crumbling roads. According to the United States Dept. of Transportation, for every one dollar spent on maintenance, a road authority saves seven dollars in repairs. By the time a road is crumbling, the opportunity to make modest investments has passed.

Cities are in a uniquely difficult position as it pertains to road maintenance and reconstruction. While the state and all 87 counties receive funds from the Highway User Tax Distribution Fund, only cities over 5,000 population (currently 146 of 853 cities) are eligible for state aid dollars. Within state aid cities, revenues are not keeping up with needs. Currently 84 percent of city streets are paid for with a combination property taxes, local government aid and special assessments. Each of these funding mechanisms has limitations, which we would be more than willing to discuss with you in further detail. The point is that cities are falling woefully behind on street maintenance and have long recognized the need for a new funding option.

We are writing to respectfully ask for your assistance in securing passage of a funding tool that would help cities pay for street maintenance and reconstruction. The legislation, SF 607 (Carlson)/HF 745 (Erhardt), is a bipartisan bill that would allow cities to create street improvement districts. It is a local option that we strongly believe should be made available to cities statewide. Our preferred version of this initiative is attached.

Cities have attempted for several years to secure passage of legislation that would enable them to implement street improvement districts. Just since 2013, 100 cities have adopted resolutions of support for enacting street improvement district authority. The legislation would authorize cities to establish street improvement districts within their boundaries to fund municipal street maintenance, construction, reconstruction and facility upgrades. If enacted, this legislation would provide cities with an additional tool to build and maintain city streets. Most importantly, this tool would allow cities to perform maintenance at the optimal time—that is, when it is most cost effective.

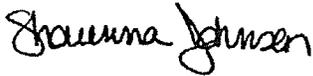
In 2013, the counties secured expanded wheelage tax authority and local option sales tax authority to fund transportation projects. In spite of passing through all policy and finance committees having jurisdiction over the bill, the street improvement district initiative did not reach final passage. A version of the cities' street improvement district bill was included in the House's omnibus tax bill in 2013, but the provision was removed in conference committee.

We strongly urge you to seek inclusion of the street improvement district language in a conference committee report that will reach final passage in 2014. We appreciate your attention to this important issue and stand ready to answer any questions you might have.

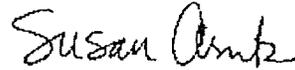
April 9, 2014
Page 3

Please direct any correspondence on this issue to Anne Finn, Assistant Intergovernmental Relations Director, League of Minnesota Cities, at (651)281-1263 or afinn@lmc.org.

Sincerely,



Shaunna Johnson
Administrator, City of Waite Park
President, League of Minnesota Cities



Susan Arntz
Administrator, City of Waconia
President, Metro Cities



Randy Wilson
Mayor, City of Glencoe
President, Coalition of Greater Minnesota Cities



Jim Hovland
Mayor, City of Edina
Chair, Municipal Legislative Commission



Jeff Thompson
Mayor, City of Paynesville
President, Minnesota Association of Small Cities

C: Rep. Ron Erhardt
Sen. Jim Carlson
Rep. Frank Hornstein
Sen. Scott Dibble
Rep. Ann Lenczewski
Sen. Rod Skoe
Commissioner Charlie Zelle

Attachments: Street Improvement District Language
List of Cities That Have Adopted Street Improvement District Resolutions



CONNECTING & INNOVATING
SINCE 1913

2013-2014 Street Improvement District Support Resolutions
As of April 9, 2014

Albert Lea	Hawley	Proctor
Alexandria	Hendrum	Ramsey
Arden Hills	Hopkins	Red Wing
Barnesville	Hoyt Lakes	Rochester
Bemidji	Hutchinson	Rogers
Bird Island	Jordan	Roseville
Bloomington	Lake City	Royalton
Braham	Lake Crystal	St. Augusta
Brainerd	Lake Park	St. Cloud
Breezy Point	Le Center	St. Joseph
Brooklyn Center	LeRoy	St. Francis
Cambridge	Lonsdale	Sartell
Canby	Luverne	Sauk Rapids
Center City	Madison Lake	Scandia
Champlin	Maple Grove	Sebeka
Chaska	Maple Plain	Shoreview
Chisholm	Maplewood	Shorewood
Clara City	Mayer	Sleepy Eye
Cloquet	Mendota Heights	Stillwater
Comfrey	Minnetonka	Tracy
Coon Rapids	Minnetrissa	Truman
Crookston	Moorhead	Verndale
Crosby	Morgan	Wadena
Crosslake	Mountain Lake	Waite Park
Currie	New Prague	Walnut Grove
Delano	New Ulm	Watkins
Dodge Center	New Prague	West St. Paul
East Grand Forks	North Mankato	Wheaton
Edina	Norwood Young America	Windom
Fairmont	Nowthen	Worthington
Falcon Heights	Oak Park Heights	Wyoming
Grand Rapids	Pelican Rapids	Zumbrota
Granite Falls	Pine City	
Grant	Pipestone	

Minnesota State Legislature

Minnesota House of Representatives

HF 745 2nd Engrossment - 88th Legislature (2013 - 2014) Posted on 04/02/2013 03:12pm

KEY: ~~stricken~~ = removed, old language. underscored = added, new language.

Version List Authors and Status

- 1.1 A bill for an act
- 1.2 relating to municipalities; authorizing municipalities to establish street
- 1.3 improvement districts and apportion street improvement fees within districts;
- 1.4 requiring adoption of street improvement plan; authorizing collection of fees;
- 1.5 proposing coding for new law in Minnesota Statutes, chapter 435.
- 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7 Section 1. **[435.39] MUNICIPAL STREET IMPROVEMENT DISTRICTS.**
- 1.8 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms
- 1.9 have the meanings given them.
- 1.10 (b) "Governing body" means the city council of a municipality.
- 1.11 (c) "Improvements" means construction, reconstruction, and facility upgrades
- 1.12 involving: right-of-way acquisition; paving; curbs and gutters; bridges and culverts and
- 1.13 their repair; milling; overlaying; drainage and storm sewers; excavation; base work;
- 1.14 subgrade corrections; street lighting; traffic signals; signage; sidewalks; pavement
- 1.15 markings; boulevard and easement restoration; impact mitigation; connection and
- 1.16 reconnection of utilities; turn lanes; medians; street and alley returns; retaining walls;
- 1.17 fences; lane additions; and fixed transit infrastructure, trails, or pathways. "Fixed transit
- 1.18 infrastructure" does not include commuter rail rolling stock, light rail vehicles, or
- 1.19 transit way buses; capital costs for park-and-ride facilities; feasibility studies, planning,
- 1.20 alternative analyses, environmental studies, engineering, or construction of transit ways;
- 1.21 or operating assistance for transit ways.
- 1.22 (d) "Maintenance" means striping, seal coating, crack sealing, pavement repair,
- 1.23 sidewalk maintenance, signal maintenance, street light maintenance, and signage.
- 1.24 (e) "Municipal street" means a street, alley, or public way in which the municipality
- 1.25 is the road authority with powers conferred by section 429.021.
- 2.1 (f) "Municipality" means a home rule charter or statutory city.
- 2.2 (g) "Street improvement district" means a geographic area designated by a
- 2.3 municipality and located within the municipality within which street improvements and
- 2.4 maintenance may be undertaken and financed according to this section.
- 2.5 (h) "Undeveloped parcel" means a parcel of land that abuts an unimproved municipal
- 2.6 street and that is not served by municipal sewer or water utilities; or in the case of a parcel
- 2.7 abutting an improved municipal street and served by municipal sewer or water utilities,
- 2.8 the parcel contains a structure that has not previously been occupied.
- 2.9 Subd. 2. Authorization. A municipality may establish by ordinance municipal
- 2.10 street improvement districts and may defray all or part of the total costs of municipal street
- 2.11 improvements and maintenance by apportioning street improvement fees to all of the
- 2.12 developed parcels located in the district. A street improvement district must not include
- 2.13 any property already located in another street improvement district.
- 2.14 Subd. 3. Uniformity. The total costs of municipal street improvements and
- 2.15 maintenance must be apportioned to all developed parcels or developed tracts of land
- 2.16 located in the established street improvement district on a uniform basis within each
- 2.17 classification of real estate.
- 2.18 Subd. 4. Adoption of plan. Before establishing a municipal street improvement
- 2.19 district or authorizing a street improvement fee, a municipality must propose and adopt a
- 2.20 street improvement plan that identifies the location of the municipal street improvement
- 2.21 district and identifies and estimates the costs of the proposed improvements during the
- 2.22 proposed period of collection of municipal street improvement fees, which must be for
- 2.23 a period of at least five years and at most 20 years. Notice of a public hearing on the
- 2.24 proposed plan must be given by mail to all affected landowners at least 30 days before
- 2.25 the hearing and posted for at least 30 days before the hearing. At the public hearing, the
- 2.26 governing body must present the plan and all affected landowners in attendance must have
- 2.27 the opportunity to comment before the governing body considers adoption of the plan.
- 2.28 Subd. 5. Use of fees. Revenues from street improvement fees must be placed in
- 2.29 a separate account and used only for projects located within the district and identified
- 2.30 in the municipal street improvement plan.

2.31 Subd. 6. **Collection; up to 20 years.** (a) An ordinance adopted under this section
2.32 must provide for billing and payment of the fee on a monthly, quarterly, or other basis
2.33 as directed by the governing body. The governing body may collect municipal street
2.34 improvement fees within a street improvement district for a maximum of 20 years.
3.1 (b) Fees that, as of October 15 of each year, have remained unpaid for at least 30
3.2 days may be certified to the county auditor for collection as a special assessment payable
3.3 in the following calendar year against the affected property.
3.4 Subd. 7. **Improvement fee.** A municipality may impose a municipal street
3.5 improvement fee by ordinance. The ordinance must not be voted on or adopted until after
3.6 public notice is provided and a public hearing is held in the same manner as provided in
3.7 subdivision 4.
3.8 Subd. 8. **Not exclusive means of financing improvements.** The use of the
3.9 municipal street improvement fee by a municipality does not restrict the municipality from
3.10 imposing other measures to pay the costs of local street improvements or maintenance,
3.11 except that a municipality must not impose special assessments for projects funded with
3.12 street improvement fees.
3.13 Subd. 9. **Undeveloped parcels; fees.** A municipality may not impose a street
3.14 improvement fee on any undeveloped parcel located within an established street
3.15 improvement district until at least three years after either the date of substantial completion
3.16 of the paving of the previous unimproved municipal street or the date which a previously
3.17 unoccupied structure is first occupied, whichever is later.
3.18 **EFFECTIVE DATE.**This section is effective July 1, 2013.

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING LEGISLATION AUTHORIZING THE ESTABLISHMENT OF
MUNICIPAL STREET IMPROVEMENT DISTRICTS**

WHEREAS, Minnesota contains over 135,000 miles of roadway, and over 19,000 miles or 14 percent are owned and maintained by Minnesota's 853 cities; and

WHEREAS, 84 percent of municipal streets are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, the more than 700 Minnesota cities with populations below 5,000 are ineligible for dedicated Highway User Tax Distribution Fund dollars; and

WHEREAS, City streets are a separate but integral piece of the network of roads supporting movement of people and goods; and

WHEREAS, existing funding mechanisms, such as Municipal State Aid (MSA) property taxes and special assessments, have limited applications, leaving cities under-equipped to address growing needs; and

WHEREAS, maintenance costs increase as road systems age, and no City, large or small, is spending enough on roadway capital improvements to maintain a 50-year lifecycle; and

WHEREAS, for every one dollar spent on maintenance, a road authority saves seven dollars in repairs; and

WHEREAS, the Council of the City of Inver Grove Heights finds it is difficult to develop adequate funding systems to support the City's needed street improvement and maintenance programs while complying with existing State statutes; and

WHEREAS, cities need flexible policies and greater resources in order to meet growing demands for municipal street improvements and maintenance.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF INVER GROVE HEIGHTS support enabling legislation that would authorize cities to establish street improvement districts to fund municipal street maintenance, construction and reconstruction.

Adopted by the Inver Grove Heights City Council this 14th day of April 2014.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Kennedy, Deputy Clerk

April 10, 2014

Senator James P. Metzen
75 Rev. Dr. Martin Luther King Jr. Blvd., Room 322
St. Paul, MN 55155

Representative Joseph Atkins
503 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Dear Senator Metzen and Representative Atkins:

I am writing to request your support for HF 745 (Erhardt, DFL-Edina) and SF 607 (Carlson, DFL-Eagan), legislation that would allow cities to create street improvement districts. This authority would allow cities to collect fees from property owners within a district to fund municipal street maintenance, construction, reconstruction and facility upgrades. If enacted, this legislation would provide cities with an additional tool to build and maintain city streets.

In Inver Grove Heights, HF745/SF607 would specifically assist us with funding the reconstruction of a street system that is deteriorating at an alarming rate.

Here are some answers to questions that have been raised about the legislation:

- This is enabling legislation. No city would be required to create a municipal street improvement district.
- The street improvement district authority legislation is modeled after Minn. Stat. 435.44, which allows cities to establish sidewalk improvement districts.
- This authority would provide a funding mechanism that is fair. It establishes a clear relationship between who pays fees and where projects occur, but stops short of the benefit test that sometimes makes special assessments vulnerable to legal challenges. It also does not prohibit cities from collecting fees from tax exempt properties within a district.
- This tool allows cities to perform maintenance and reconstruction on schedule. Timely maintenance is essential to preserving streets and thereby protecting taxpayer investments.
- This tool would allow property owners to fund expensive projects by paying relatively small fees over time. The tool could be used to mitigate or eliminate the need for special assessments.

If you have further questions on this bill, please contact me. You may also contact Anne Finn at the League of Minnesota Cities at 651-281-1263 or afinn@lmc.org. Thank you for considering this request.

Sincerely,

George Tourville, Mayor
City of Inver Grove Heights

GT/kf

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

JIM KRECH – Consider Request to Amend Bow Hunting Map for 2014 Season

Meeting Date: April 14, 2014
Item Type: Regular
Contact: 651-450-2513
Prepared by: Melissa Kennedy
Reviewed by: N/A

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

PURPOSE/ACTION REQUESTED:

Jim Krech will address the Council regarding his request to amend the bow hunting map for the 2014 season.