

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, APRIL 14, 2014 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, April 14, 2014, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Madden, Mueller and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Community Development Director Link, Finance Director Smith, Parks and Recreation Director Carlson, and Deputy Clerk Kennedy

**3. PRESENTATIONS:** None.

**4. CONSENT AGENDA:**

Councilmember Piekarski Krech removed Item 4H from the Consent Agenda.

Citizen Allan Cederberg requested that Items 4C, 4E, 4G, and 4I be removed from the Consent Agenda.

Deputy Clerk Kennedy requested that Item 4A be removed from the Consent Agenda.

**B. Resolution No. 14-36** Approving Disbursements for Period Ending April 9, 2014

**D. Final Compensating Change Order No. 6, Final Pay Voucher No. 11, Engineer's Final Report, and Resolution No. 14-37** Accepting Work for City Project No. 2012-09D, Urban Street Reconstruction, 65<sup>th</sup> Street Neighborhood and Cahill Court

**F. Resolution No. 14-39** Calling for Hearing on Proposed Assessments and **Resolution No. 14-40** Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessments for 2012 Pavement Management Program, City Project No. 2011-08, 66<sup>th</sup> Street Improvements (Concord Boulevard to Swing Bridge Pier)

**J.** Approve Temporary On Sale Liquor License – Church of St. Patrick

**K.** Personnel Actions

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

**Ayes: 5**

**Nays: 0      Motion carried.**

**A.** Minutes – March 24, 2014 Regular City Council Meeting

Mayor Tourville stated he would abstain from the vote because he did not attend the meeting on March 24<sup>th</sup>.

**Motion by Madden, second by Bartholomew, to approve the Minutes of the March 24, 2014 Regular City Council Meeting**

**Ayes: 5**

**Nays: 0      Motion carried.**

**C.** Approve Termination of Assessment Agreement

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., stated there was no cost outlined in the assessment agreement.

Mr. Lynch responded there was no cost. He explained the item related to an agreement the City entered into with the developer, and the developer's obligations were fulfilled in accordance with the terms of the agreement. There was a minimum assessment value established and the bonds were paid. He stated the property recently sold and the new owner requested termination of the assessment agreement.

**Motion by Madden, second by Mueller, to approve Termination of Assessment Agreement**

**Ayes: 5**

**Nays: 0      Motion carried.**

- 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**

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., stated the cost of the project was approximately \$88,000 and the amount of the grant was \$50,000. He opined the resolution should detail how the remaining balance of \$38,000 would be funded.

Mr. Thureen explained the resolution spoke to the fact that project funding would come from the grant and the balance would be paid for using pavement management funds.

Mayor Tourville stated the dollar amount could be inserted into the resolution.

**Motion by Mueller, second by Piekarski Krech, to adopt Resolution No. 14-38 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 with the change as noted.**

**Ayes: 5**

**Nays: 0            Motion carried.**

- 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**

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., stated he had the same issue as the previous item in that the dollar amounts and funding sources were not identified in the resolutions.

Mr. Thureen stated the resolutions as presented were in the standard format that had been used by the City for a number of years. He noted the resolutions included all of the information required to be presented. He explained the overall funding for the project was outlined in the feasibility report when the project is ordered. He stated the resolutions specifically speak to the amount the City proposes to assess versus the total project cost.

Mr. Cederberg opined that the funding sources should be detailed.

Councilmember Bartholomew explained the resolutions were simply calling for a public hearing and all of the financial information related to the project was laid out in the feasibility report and the resolutions that ordered the project.

**Motion by Madden, second by Piekarski Krech, to adopt Resolution No. 14-41 Calling for Hearing on Proposed Assessments and Resolution No. 14-42 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**

**Ayes: 5**

**Nays: 0            Motion carried.**

- H. Approve 2014 Tree Replacement Plan**

Councilmember Piekarski Krech opined that the policy did not address removal of trees because they were dead, diseased, or hazardous. She suggested that the funding be taken from another source because tree preservation funds were supposed to be used for reforestation or special replacement needs.

Mr. Carlson stated the City had traditionally used the tree preservation fund for both the management and removal of diseased or dying trees and tree replacement.

Councilmember Piekarski Krech stated in other instances the removal was done in conjunction with replacement. She opined if the trees were not being replaced the funding should come from another source. She stated that was the whole purpose behind creating the tree preservation fund.

Mayor Tourville stated he recalled that the fund had been previously used for both tree removal and replacement.

Councilmember Piekarski Krech stated she had a philosophical problem with using the fund in that manner because the intent of the policy was to further tree preservation efforts in the City.

Mr. Carlson suggested that the item be tabled to allow staff to further discuss the issue.

**Motion by Madden, second by Mueller, to table consideration of 2014 Tree Replacement Plan to April 28, 2014**

**Ayes: 5**

**Nays: 0            Motion carried.**

**I. Approve Memorandum of Understanding with Friends of the Mississippi River for the Rock Island Swing Bridge**

Allan Cederberg, 1162 E. 82nd St., stated there was no resolution associated with the item. He questioned if the parks superintendent would be responsible for signing the agreement.

Mr. Carlson stated the item related to the second phase of a natural resource restoration project. He explained the City partnered with the Friends of the Mississippi River organization for the first phase of the project. He stated the second phase of the project would include the removal of non-desirable trees and prairie burning.

Mayor Tourville questioned if a resolution was legally required in addition to the memorandum of understanding.

Mr. Kuntz stated a resolution was not needed. He noted a motion to approve the memorandum of understanding was required.

Mr. Cederberg questioned who would sign the agreement.

Mr. Kuntz explained the agreement had to be signed by someone authorized by the City to execute the document. He stated if the Council approved the document in its current format the Parks Superintendent would be authorized to sign the agreement.

Mr. Cederberg questioned where the money was coming from to fund the project.

Councilmember Piekarski Krech stated the money would come from Fund 402.

**Motion by Piekarski Krech, second by Madden, to approve Memorandum of Understanding with Friends of the Mississippi River for the Rock Island Swing Bridge**

**Ayes: 5**

**Nays: 0            Motion carried.**

**5. PUBLIC COMMENT:**

Ted Trenzeluk, 7305 Bancroft Way, stated he had been a member of the Environmental Commission for the past eleven (11) years. He expressed concern regarding a land alteration permit request from Luther Nissan. He stated he did not want to advocate for or against the project. His main concern related to the number of conditions of approval recommended by City staff. He opined that the 48 conditions proposed were onerous to the business owner and suggested staff may want to review the conditions because they seemed excessive.

Mayor Tourville suggested that staff review the Environmental Commission's comments. He noted all of the conditions may be necessary.

**6. PUBLIC HEARINGS: None.**

**7. REGULAR AGENDA:**

Mr. Lynch requested that Council remove Item 7G from the regular agenda. He stated an agreement was reached with the property owner and the action item was no longer necessary.

**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 80<sup>th</sup> between Hwy 3 and Babcock Trail

Mr. Link reviewed the location of the property. He explained the request was for a comprehensive plan amendment to change the land use designation from High Density Residential to Low-Medium Density Residential. If approved, the applicant would make application for a 44-lot single family residential development. He stated the Low-Medium Density Residential designation seemed to fit in with the surrounding properties in the area. He explained the major issue related to the cost of the city utility infrastructure. Several years ago the City conducted a series of land use and financial studies that focused on appropriate land use densities and the financing of city utilities. At that time the City opted not to use special assessments. Instead the decision was made that the cost of city utilities would be funded with connection fees paid by developers. As part of the analysis completed at that time it was understood that the subject property would pay 91 connection fees. The proposal, if approved, would only pay 44 connection fees. The shortage of 47 connection fees equated to approximately \$370,000. To make up for the deficit the developer proposed to pay the shortage. He noted a similar agreement was reached a few years ago with another developer. Staff identified three (3) ways of addressing the agreement between the City and the developer to cover the deficit. The option favored by both staff and the developer was to create a new comprehensive plan land use category known as Low-Medium Density Residential Northwest Area Planned Unit Development. He stated this option had several advantages. The first was that it would allow the developer to proceed with the project right away. The second was that it would provide a level of certainty to both the City and the developer in that the policy would be clear, transparent, and understandable. The third advantage was that the new land use designation would provide the City with more control. Planning staff recommended approval of the request.

Councilmember Bartholomew questioned if the overall density in the Northwest Area would need to be amended to make up for the shortfall created by changing the density for this particular development.

Mr. Link responded in the negative. He stated in this instance the loss of units, in terms of utility connection fees, would be made up by the developer agreeing to pay for the deficit.

Councilmember Bartholomew clarified there would not be any burden on other developments to increase their density.

Mr. Link stated that was correct.

Councilmember Piekarski Krech questioned if this piece of property was recently changed to a high density designation.

Mr. Link replied in the affirmative. He explained the City's original designation on the property was medium density residential. A few years ago the developer approached the City to change the designation to high density because it was felt there was a market at that time for that type of use. He noted the current market for that type of use was weak and that was why the new property owner requested the amendment.

Councilmember Piekarski Krech questioned if the City's financial assumptions were premised solely on connection fees.

Mr. Thureen stated the financial analysis focused on recovery of the cost to construct the system. The assumption was that the City's standard utility rates would cover the ongoing costs to operate and maintain the system.

Mayor Tourville questioned if the amendment would be satisfactory to the Metropolitan Council.

Mr. Link stated the information still had to be reviewed and approved by the Metropolitan Council. He noted he did not anticipate any issues with the request as proposed.

Chris Wold, Meridian Land Company, clarified they were not the original developer that requested the amendment to a high density land use. He stated they were excited about the development and had already received a lot of interest in the site.

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., opined the proposed development would look better than the current single family development in the Northwest Area because there would be more space between the homes.

Mr. Wold stated the development would consist of larger lots.

Councilmember Piekarski Krech questioned if the amendment would also apply to future developments in the Northwest Area that are proposed with a lower density than what was originally planned.

Mr. Link replied in the affirmative.

Mayor Tourville stated the new land use designation could be applied to other properties in the Northwest Area going forward.

**Motion by Bartholomew, second by Mueller, to adopt Resolution No. 14-43 approving a Comprehensive Plan Amendment to Change the Land Use Designation for Property Located on the North Side of 80<sup>th</sup> Between Hwy 3 and Babcock Trail, and a Text Amendment Creating a New Land Use Category Called LMDR-NWAPUD, Low-Medium Density Residential, Northwest Area PUD**

**Ayes: 5**

**Nays: 0      Motion carried.**

**B. SAM & KATE SEVENICH:** Consider Application for Chicken License for property located at 7965 Bowman Ave.

Ms. Kennedy stated the applicants submitted a request for a chicken license to keep three (3) chickens on the property located at 7965 Bowman Avenue. She explained the issue was brought forth to the City Council for a final decision because one (1) objection was received from a neighbor directly abutting or contiguous to the subject property. She noted a copy of the written objection was provided to the Council for review.

Kate and Sam Sevenich, 7965 Bowman Avenue, opined that they had followed the City's regulations for applying for the license to keep chickens on their property. Ms. Sevenich reiterated that the request was only for three (3) hens rather than the maximum number allowed by code. She explained the objection related to concerns regarding noise, odor, and the potential to negatively affect property values. She stated they did not feel that the hens would be noisy and that they would keep the coop and the run sanitary and in good condition.

Mayor Tourville stated if the chickens were not kept in the manner prescribed by the City Code the license could be revoked. He noted nobody involved wanted to deal with excessive noise or unsanitary conditions.

**Motion by Madden, second by Mueller, to approve application for a Chicken License for property located at 7965 Bowman Avenue**

**Ayes: 5**

**Nays: 0      Motion carried.**

**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

Mr. Kaldunski stated the Dakota County Soil and Water Conservation District offered the City a grant in the amount of \$35,800 to help build the project. He explained the payment agreement with Bridgewood Apartments outlines their commitment to pay for \$16,400 of the project. The City would contribute \$27,000 towards the project in the form of funding and in-kind engineering services. He reviewed the project plans. He noted Bridgewood Apartments contribution towards the project would fund the storm sewer improvements required to direct the water from their property towards the infiltration basin. He stated the grant money would be used to put in a leaf-compost mix material to infiltrate the runoff from the parking lot into the area. Engineering staff recommended approval of the various agreements and requested authorization to move forward with the project and obtain bids.

**Motion by Madden, second by Bartholomew, to adopt Resolution No. 14-44 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**

**Ayes: 5**

**Nays: 0          Motion carried.**

- D. CITY OF INVER GROVE HEIGHTS:** Discuss Draft Feasibility Report for City Project No. 2014-13, Northwest Area Utility Extension – Argenta Trail Alignment

Mr. Thureen stated the draft feasibility report presented several alignment options for trunk utilities to serve the Argenta district in the Northwest Area. He explained it provided more detailed cost information for the improvements as well as the easements that would need to be acquired to construct the system. He noted the cost information was provided to Ehlers and Associates as they were in the process of updating the financial analysis for the extension of utilities in the Northwest Area as a whole.

Mr. Kaldunski stated in general the area being studied started at Highway 55 and extended to 494 from the Eagan border to T.H. 3. He explained staff worked with a consultant to consider a series of alignments for the extension of sanitary sewer and water into the area. He presented the recommended alternative for alignment of the sanitary sewer system. The project would begin at an existing 12" sanitary sewer pipe that was built last year as part of the Argenta Hills 8<sup>th</sup> Addition. He stated there was a portion of gravity sewer and force main that would go to a lift station on 70<sup>th</sup> Street. The recommended alignment would take a gravity sewer from the lift station through the area of 69<sup>th</sup> Street and extend to the north property line of the Deanovic property, also known as the future 65<sup>th</sup> Street alignment. He noted staff did study several other alignments that were estimated to cost \$350,000 to \$600,000 more than the recommended alignment. The second part of the feasibility study analyzed water mains and the recommended alignment followed the sanitary sewer alignment to 65<sup>th</sup> Street. From that point the recommendation was to continue to loop the water main because the City needed to do so in order to serve such a large area. Staff recommended a water main loop on the 65<sup>th</sup> Street alignment that would go to an existing 12" line on 63<sup>rd</sup> Street. He stated the water mains were generally 12" – 16" in size. A series of cost estimates were prepared as part of the feasibility study. The estimated construction costs for the entire trunk sanitary sewer system was \$11.5-11.8 million dollars. The estimated construction costs for the initial project, to construct the recommended alignment to 65<sup>th</sup> Street, were estimated to be \$6.2-6.4 million dollars. He stated the easement costs associated with the initial project were estimated to be \$670,000 - \$1.6 million dollars. He noted staff anticipated that the developers would give the City the necessary right-of-way as part of the platting procedure to reduce the easement costs significantly.

Overall, to complete the initial project as proposed, the estimated cost was \$6.9 – 7.8 million dollars. He stated staff felt completing the initial project at this time would serve the developers that had approached the City for utilities.

Mr. Thureen reiterated the study provided cost information that could be used to update the financial analysis. He stated that would be a critical component of the Council's decision process and would take into account the current debt the City already had for the trunk utilities that were already in place to serve a portion of the Northwest Area. He noted the estimates in the feasibility study assumed a given alignment through certain properties that the City had been notified would like to be developed. He stated if the concept plans were to change, the corresponding estimates would also change. If the developers move forward with plats that were fairly similar to what is contained in the report, the estimates and the schedule would be realistic. Any significant changes would affect both the project schedule and the estimated costs. He explained a project of this magnitude involved over 20 separate tasks that would impact the project schedule. He stated if the feasibility report was accepted and approved the City would begin negotiations with the consultant to move forward with the design phase. A preliminary design would provide the City with the level of information needed to put together detailed easement descriptions. The City would then be at a point to start obtaining appraisals for the easements that would need to be acquired. He stated the easement acquisition process would take approximately 8 months to complete. The project would also include updates to the Northwest Area AUAR and the Comprehensive Plan. He noted a lot of the steps included in the overall project schedule could be worked on concurrently. Permit approvals would also be required from the Minnesota Pollution Control Agency and the Metropolitan Council for the sanitary sewer and the Minnesota Department of Health for the water main. The Minnesota Department of Natural Resources, U.S. Army Corps of Engineers, and the Board of Soil and Water Resources would also need to be involved due to anticipated wetland impacts. He stated staff estimated the City could be ready to award a contract for the project by the end of April in 2015. It was estimated that the project would then take seven (7) months to construct. He reiterated a lot of assumptions were made in the development of the project schedule.

Mayor Tourville stated it seemed like a long time, but it was understandable given the scope of the project and the number of different agencies that would need to be involved.

Councilmember Piekarski Krech questioned if the developers had been apprised of the project schedule.

Mr. Thureen responded in the negative.

Councilmember Piekarski Krech stated she would like to know the developers' reaction because if the timeline would not work for them it was a moot point to continue discussing the item.

Steve Schmidt stated Mr. Deanovic would be the appropriate person to discuss the proposed schedule. He opined the schedule that was outlined would be a serious setback in terms of what Mr. Deanovic had wanted to accomplish. He noted Mr. Deanovic had not had the opportunity to review the draft feasibility report or the proposed project schedule.

Richard Palmiter, CBRE, stated he was working with Mr. Deanovic. He explained his client had been working on the project for a long time and would likely say that some of the things being discussed could have been sorted out sooner. He questioned what tasks could be done concurrently within the project schedule staff presented. He questioned if preliminary plat applications could be submitted to begin staff review of the development.

Mr. Thureen stated staff would prefer that the developers submit their applications as soon as possible because it would solidify the plan being put together for the utility extension. He added staff would hope to have plat plans in hand to confirm alignments for the trunk. He reiterated the expectation would be that the trunk utility could be installed within road rights-of-way.

Mr. Palmiter questioned what level of risk a developer would have in moving forward with development applications given all of the other agencies that need to be involved with the utility extension.

Mr. Thureen stated he did not think the formal approval process with the different agencies for the trunk utility extension would be an issue. It was simply a process the City would be required to go through and those steps had to be accounted for within the project timeline. He opined it would be beneficial to everyone involved if a developer submitted a plat application.

Mr. Palmiter questioned when it would be appropriate for a developer to submit a preliminary plat application.

Mr. Thureen stated if the Council made the decision to move forward with the trunk utility extension it would be beneficial for a developer to submit a preliminary plat application as soon as possible.

Mr. Palmiter clarified the City could take in a preliminary plat application and begin to work on it while simultaneously working on the trunk utility extension project.

Mr. Thureen responded in the affirmative. He noted the developer would have to agree up front that the timelines the City had in place for formal action on development applications may need to be extended because the action may be dependent on the trunk utility project.

Mr. Link stated staff and the developer would need to discuss the timeline. He explained the preliminary plat process would take a few months to complete. He noted there would be some risk involved for both the City and the developer because the City had not begun to discuss how the utility extension would be funded and moving forward with the preliminary plat phase would require some financial output from the developer.

Mr. Palmiter commented that by the end of the year all of the remaining vacant single family residential lots in the City would be absorbed. He opined that it was the hope of the developers involved that there would be a strong effort on the City's part to work together to get the new developments moving forward in the Northwest Area. He stated Mr. Deanovic would appreciate the City moving forward as quickly as possible.

Mayor Tourville acknowledged that the inventory of single family lots in the City was dwindling.

Mr. Schmidt clarified that the study being completed by Ehlers and Associates would provide updated information related to connection fees, park dedication fees, and density assumptions. He noted the information would be important to developers as they prepare preliminary plat applications.

Mr. Thureen replied in the affirmative.

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., stated Argenta Trail alignment had not been discussed at all and that would also have cost implications.

Mayor Tourville stated there had been ongoing discussions between the City and Dakota County regarding Argenta Trail and Highway 55.

Mr. Thureen stated he was working with Dakota County on a request for proposal for the study.

Councilmember Piekarski Krech stated the City needed to push the County and Mn/DOT on the Argenta Trail/Highway 55 issue because she had heard conflicting reports regarding the improvements from Eagan residents.

Mr. Thureen stated staff had discussions with the south area planner at Mn/DOT because the City knew there was money programmed to make improvements at the intersection. The County and the City asked Mn/DOT to wait until the proposed study was completed to consider permanent improvements that would take into account the alignment of Argenta Trail through the intersection.

Mayor Tourville stated Mn/DOT had heard from both the County and the City that it did not make sense to spend money on temporary improvements to the intersection.

Councilmember Bartholomew questioned if there was an opportunity to condense the proposed project schedule so construction could start sooner than April of 2015, assuming the City continued to get good cooperation from the developers and was able to negotiate the easement acquisitions faster than anticipated.

Mr. Thureen stated the City could ask to receive the necessary information related to easements for the downstream properties first to try to accelerate the schedule. He noted the first property that would need to be dealt with was not a part of the group of developers that approached the City.

Councilmember Bartholomew questioned if the Council had to formally accept the draft feasibility report to continue moving the process forward.

Mr. Thureen stated he purposely did not present a resolution to formally receive the report because there were so many outstanding issues. He noted until the City had the opportunity to review the financial study from Ehlers and Associates he would not feel comfortable asking the consultant to perform any additional work until Council made a decision as to whether or not to move forward with the project.

Brian Hilgardner, Bolton and Menk, opined the project schedule could potentially be condensed if all the moving pieces of the project were to fall into place. He stated his firm could put together a rough estimate of what the fees would be for the next phase of the project, taking into consideration that the City was still waiting on the financial analysis from Ehlers and Associates.

Councilmember Piekarski Krech questioned if items in the draft feasibility report would change.

Mr. Thureen stated the draft needed some minor edits. He explained in terms of the substance, the report could be considered the final draft.

Mr. Kuntz questioned if Bolton & Menk was going to provide a final draft of the feasibility report after the City receives the financial analysis from Ehlers and Associates.

Mr. Hilgardner stated the draft feasibility report could be considered final at this time.

Mr. Kuntz stated the typical components of a final report include the engineering feasibility and the financial feasibility of the project. The City was still waiting on information related to the financial feasibility.

Mr. Hilgardner reiterated the engineering feasibility was complete.

Mr. Thureen stated in order for the feasibility report to be finalized the financial information should be included.

The City Council directed staff to work with Bolton & Menk to prepare a proposal for engineering services related to preliminary and final design, and the development of necessary easement descriptions.

**Motion by Bartholomew, second by Madden, to receive Draft Feasibility Report for City Project No. 2014-13, Northwest Area Utility Extension, Argenta Trail Alignment**

**Ayes: 5**

**Nays: 0            Motion carried.**

**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

Mr. Kaldunski stated Items 7E, 7F, and 7H could be discussed concurrently because they were all related to the same project and involved negotiated easement agreements. He noted Item 7G was previously removed from the agenda. Staff recommended approval of the easement agreements and requested authorization to compensate the property owners for the easements as per the terms outlined in the agreements. He stated the terms of the agreements were all based on appraisals received.

Councilmember Bartholomew clarified the Lushanko property was where the proposed sidewalk was intended to be located.

Mr. Kaldunski replied in the affirmative.

Mayor Tourville stated the property owners suggested having a neighborhood meeting before construction started. He noted it was also suggested that alternatives be considered for the boulevard space.

Councilmember Piekarski Krech stated she did not have a problem with considering the neighborhood suggestions, provided they did not add any cost to the project.

**Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 14-45 approving Easement Acquisition and Temporary Easement Agreements for Property at 8215 College Trail for City Project No. 2014-09D, College Trail Reconstruction**

**Ayes: 5**

**Nays: 0          Motion carried.**

**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

**Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 14-46 approving Easement Acquisition for Property at 8919 Cahill Avenue for City Project No. 2014-09D, College Trail Reconstruction**

**Ayes: 5**

**Nays: 0          Motion carried.**

**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

**This item was removed from the agenda. No action was taken.**

**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

Councilmember Bartholomew stated he was not going to support the easement acquisition. He opposed the sidewalk and did not feel it was a necessary component of the project.

**Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 14-47 approving Easement Acquisition and Temporary Easement Agreements at 20-01500-31-015 for City Project No. 2014-09D, College Trail Reconstruction**

**Ayes: 4**

**Nays: 1 (Bartholomew)          Motion carried.**

**I. CITY OF INVER GROVE HEIGHTS:** Resolution and Letter Supporting Legislation Authorizing the Establishment of Municipal Street Improvement Districts

Mr. Thureen stated potential alternative funding sources for pavement management had been an ongoing topic of discussion at previous Council work sessions. He explained staff received a letter regarding street improvement districts from the League of Minnesota Cities, Coalition of Greater Minnesota Cities, Metro Cities, Municipal Legislative Commission, and the Minnesota Association of Small Cities. The letter asked the Governor and the members of the Legislature to support a bill that had been authored and presented during the last legislative session that would allow cities to establish street improvement districts if they chose to do so. He stated the agencies across the State that are responsible for maintaining street systems felt the legislation would be beneficial. He noted the legislation would not require cities to establish street improvement districts. It would provide another tool for cities to consider for funding of street improvement projects. He explained if the City chose to implement a street improvement district, adoption of a street improvement plan would be required in addition to a public process. He noted if the City established a street improvement district to fund a specific improvement project the City could not use special assessments as a means of funding the same project.

Councilmember Piekarski Krech stated she was not sure that the legislation would benefit the City. She noted that undeveloped parcels would not pay fees. She stated she would support such legislation with better language and if it meant that the City would then be able to reduce the tax levy. She explained she could not support the bill with the language that was presented.

Mayor Tourville stated one benefit would be the option to spread payments out over a 20 year period. He explained the idea was to have it as an option available to cities.

Councilmember Madden stated he did not see how it would hurt the City to support the legislation because the City was not required to establish street improvement districts.

Councilmember Bartholomew what the difference was between establishing street improvement districts and bonding for specific street improvement projects.

Mr. Lynch stated the City typically would not bond for a project without specific revenue sources, such as special assessments. He explained the legislation would allow the City to include costs without having to prove benefit and the City would be able to spread the costs out over a larger geographic area.

Dian Piekarski, 7609 Babcock Trail, expressed concern that the City was not putting any General Fund money towards pavement management projects. She opined that her tax dollars should provide for certain basic services, including management of the street infrastructure system. She questioned what it would look like if the City bonded for the gap in funding for pavement management and then taxed people for that money. She suggested this would allow people to see what amount of money was needed and determine if it was reasonable. She opined there were a lot of unanswered questions in the bill itself that could lead to vagaries that could be legally challenged and the wording of the resolution was too enthusiastic.

Mayor Tourville clarified this was the first year that money was not taken from the General Fund for pavement management because the City was considering bonding for projects.

**Motion by Madden, second by Mueller, to adopt Resolution No. 14-48 and Letter Supporting Legislation Authorizing the Establishment of Municipal Street Improvement Districts**

**Ayes: 3**

**Nays: 2 (Bartholomew, Piekarski Krech) Motion carried.**

**ADMINISTRATION:**

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

Jim Krech, 2585 62<sup>nd</sup> St. E., reported that eleven (11) doe and two (2) bucks were taken during the special hunt that was authorized at the end of the last bow hunting season. He requested that Council consider amending the bow hunting map for a specified period of time to allow hunting on his property.

Councilmember Piekarski Krech questioned if any complaints were received about hunting in the area.

Chief Stanger replied in the negative.

Mr. Krech explained one (1) of the individuals that hunted his property was a qualified instructor to certify the hunters. He stated going forward anyone who hunted on his property would be certified.

Ms. Teppen explained if the Council wanted to amend the bow hunting map the corresponding ordinance would need to be amended. She stated last year the map was amended and the changes were designated to expire on December 31, 2013.

Councilmember Mueller stated if changes were going to be made they should all be done at once. He suggested putting out a notice that changes were going to be considered to get feedback from the local hunters as well.

**NO ACTION WAS TAKEN ON THIS ITEM.**

**8. MAYOR & COUNCIL COMMENTS:**

**A. Golf Course Manager Position Discussion**

Mr. Lynch explained the City Council directed staff to move forward with the elimination of the Golf Course Manager position and to attempt to reach an amicable separation agreement with the affected employee. He anticipated that a separation agreement would be brought forth at the next regular meeting for Council

action.

Mayor Tourville questioned what the final date of employment would be for the individual.

Mr. Lynch stated the individual was notified that May 9<sup>th</sup> would be their last day.

Mr. Kuntz explained irrespective of whether or not a separation agreement is reached with the employee, administration would bring forth a resolution to eliminate the position and reallocate the duties of that position on April 28<sup>th</sup>.

Councilmember Mueller stated he would like to move the process along.

Mr. Lynch reiterated the employee had been notified that he would no longer be working for the City as of May 9<sup>th</sup>.

**9. ADJOURN:** Motion by Madden, second by Mueller, to adjourn. The meeting was adjourned by a unanimous vote at 9:15 pm