INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JULY 28, 2014 - 8150 BARBARA AVENUE

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, July 28, 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, City Attorney Kuntz, Community Development Director Link, Finance Director Smith, Parks and Recreation Director Carlson, Chief Stanger, City Engineer Kaldunski, Assistant City Engineer Dodge and Deputy Clerk Kennedy

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Councilmember Mueller removed Item 4C from the Consent Agenda.

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

Councilmember Bartholomew removed Item 4K from the Consent Agenda.

A. i) Minutes – July 7, 2014 City Council Work Session
ii) Minutes – July 14, 2014 Regular City Council Meeting

B. **Resolution No. 14-104** Approving Disbursements for Period Ending July 23, 2014

D. Approve Custom Grading, Drainage Easement, and Drainage and Utility Easement Agreements for 8594 Inver Grove Trail

E. Approve Storm Water Facilities Maintenance Agreement for a Rain Garden to be built at 6070 Cahill Avenue (River Heights Vineyard Church)

F. **Resolution 14-105** Approving the Third Amendment to Revised and Restated Joint Powers Agreement (JPA) Establishing a Watershed Management Organization for the Lower Mississippi River Watershed and Revised Legal Boundary Map

G. **Resolution 14-106** Approving the Improvement Agreement, Storm Water Facilities Maintenance Agreement and related agreements for property located on the East Side of Clark Road, between 10900 and 11098 Clark Road

H. **Resolution 14-107** Approving a Contract Addendum for Lloyd's Construction Services Inc. for Demolition at 8195 Babcock Trail

I. Approve Contractor for Low E Ceiling for East Rink

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

Ayes: 5
Nays: 0 Motion carried.

C. Pay Voucher No. 1, Change Order No. 2 and Change Order No. 3 for City Project No. 2014-09D, College Trail Street Reconstruction and Barbara Avenue Partial Street Reconstruction

Councilmember Mueller questioned why the change orders were needed.

Mr. Kaldunski explained change order no. 2 related to unforeseen issues found in the field conditions. He stated change order no. 3 related to the installation of geotextile fabric on clay soils. Due to extremely wet conditions experienced in June, stabilization aggregate was laid down as needed primarily in the wetland areas. He stated the road was originally constructed over several wetland areas and the stabilization aggregate was needed to mitigate some very soft soils that were discovered. The geotextile fabric was used to keep the sand separate from the clay soils underneath it. He noted while they knew about some of the issues going into the project it became apparent that more of the materials were needed than what was originally anticipated because of the extremely wet conditions. He explained a similar treatment was used during the Blaine Avenue project.

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Councilmember Mueller questioned what would happen if the additional work was not done.

Mr. Kaldunski stated there would be a risk of long-term trench settlement.

Councilmember Mueller questioned how long the road would last if the work was not done.

Mr. Kaldunski stated the geotextile fabric was laid to hold the materials together and confine them so the sand does not disappear into the soft clay underneath. Without reinforcement the road could develop trenches and fail within a year or two.

Mayor Tourville questioned if some of the work had already been done.

Mr. Kaldunski replied in the affirmative. He stated the project continued to move forward.

Councilmember Piekarski Krech questioned if the predetermined amount was the maximum the additional work and materials could cost.

Mr. Kaldunski explained it could go either way depending on the soil conditions that are found.

Councilmember Mueller stated there was no guarantee that the fix would stabilize the soils. He opined that the additional cost was high.

Councilmember Madden questioned if it was safe to say that with a project of this size and scope it was impossible to know the true soil conditions until the ground was actually opened up. He clarified that the change order was the result of finding something that was not anticipated during the engineering phase of the project.

Mr. Kaldunski responded in the affirmative. He stated because soil borings were taken every 400 to 500 feet it was not unusual to find different soil conditions between borings.

Mayor Tourville stated if the additional reinforcement work was not done the road would not last as long.

Councilmember Bartholomew questioned if the recommended solution was commonly used practice to mitigate similar soil conditions.

Mr. Kaldunski replied in the affirmative.

Motion by Bartholomew, second by Madden, to approve Pay Voucher No. 1, Change Order No. 2, and Change Order No. 3 for City Project No. 2014-09D, College Trail Street Reconstruction and Barbara Avenue Partial Street Reconstruction

Ayes: 5
Nays: 0 Motion carried.

J. Approve Replacement of Waterpark Pool Furniture for Veterans Memorial Community Center

Councilmember Piekarski Krech questioned how long the current equipment was supposed to last.

Mr. Carlson stated the existing furniture was purchased approximately seven (7) years ago and many of the pieces were in a state of disrepair. The new equipment recommended for purchase was of a higher quality and was expected to last substantially longer.

Mayor Tourville stated the recommended equipment had a 35 year warranty and was not expected to rust.

Motion by Madden, second by Piekarski Krech, to approve replacement of waterpark pool furniture for Veterans Memorial Community Center

Ayes: 5
Nays: 0 Motion carried.

K. Personnel Actions

Councilmember Bartholomew questioned if the new employee was being hired to fill the same position, within the same pay scale that was going to be vacant in the Building and Inspections division.

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Mr. Lynch responded in the affirmative. He explained the new employee would fill a position left open due to the retirement of the individual currently in the position.

Councilmember Bartholomew questioned if the offer of employment was contingent upon Council approval.
Mr. Lynch responded in the affirmative.

Motion by Bartholomew, second by Piekarski Krech, to approve personnel actions

Ayes: 5
Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Jack Nelson, 10399 Barnes Way, expressed concerns regarding truck traffic and noise. He opined there was no reason for the trucks to travel along Barnes and felt they should be asked to use alternate routes. He asked the Council to speak to the County on behalf of the residents along Barnes to solve the problem.

Mayor Tourville stated the drivers could be cited if their trucks were not tarped. He explained the City cannot legally tell the drivers not to drive on a county road.

Mr. Nelson opined the City could talk to the companies themselves and ask them not to drive along Barnes Way. He stated the trucks drive too fast and should take alternate routes.

Councilmember Bartholomew suggested that there could be an increased Police presence along Barnes Way to more actively monitor the speed along the roadway and ensure that the trucks were tarped.

Mr. Kaldunski stated the truck traffic had increased along Barnes because of the Mn/DOT project on Highway 52. He noted the City does provide contractors with suggested truck routes but cannot control traffic on County or State roadways.

6. PUBLIC HEARINGS:

A. **CITY OF INVER GROVE HEIGHTS:** Consider the following actions:

i) Assessment Hearing for the 2012 Pavement Management Program, Urban Street Reconstruction, City Project No. 2012-09D, 65th Street Neighborhood and Cahill Court

ii) Consider Resolutions Approving Subdivision and Special Assessment Agreements relating to Payment of Special Assessments for City Project No. 2012-09D, 65th Street Neighborhood and Cahill Court

Mr. Kaldunski reviewed the project area. He explained the road project itself was a $5.6 million dollar project. The project was proposed to be funded through the Pavement Management Fund, special assessments, and State aid. He noted the City was awarded $2.6 million dollars in State aid funding. Two assessment rolls were presented for consideration. The first option was prepared in accordance with the information contained in the benefit appraisal analysis. The independent appraiser recommended a $4,000 cap for single family parcels on the west side of Highway 52 and a $5,000 cap for single family parcels on the east side of Highway 52. Commercial properties were proposed to be assessed at a rate of $1 per square foot. The second option would assess a uniform rate of $4,000 for all single family properties. He noted City staff recommended approval of option two. He stated the residents generally supported the proposed $4,000 cap for all single family properties. Staff also received questions regarding the proposed 4.8% interest rate. He explained the interest rate was set per City policy. Specific discussions also took place regarding the properties along Bixby, within the Blaine Ridge subdivision, in response to objections received related to the classification of a common area within the subdivision. Assessment objections were also received from residents on Blackhawk Trail.

Duane Cloud, 2476 Bixby Way, stated a letter of objection was submitted on behalf of 31 out of 33 property owners in the association. He explained that their properties were designated as single family

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units and the problem was related to the designation of the common area that was part of the association. He noted that the common area did not have its own parcel identification number because it was treated like an extension of each of the individual properties in the association. He opined that assessing the common area at the multi-family rate would be punitive to all those in the association who have a property designated as single family. He explained he was told that all other common areas in the City were treated as multi-family parcels. He argued this particular situation was unique because it was the only common area associated with single family units. He requested that the Council consider reducing their assessment for the common area to the single family rate.

Mr. Kuntz explained the portion north of 65th Street was known as Blaine Ridge 2nd Addition and the portion south of 65th Street was known as Blaine Ridge 1st Addition. All of the units within the Blaine Ridge development own a pro rata share of the common lots known as outlots A and B, located north of 65th Street. He stated that was why the City assessed all of the units for a portion of the benefit thought to have accrued on the common areas as a result of the street improvement. He noted the units received multiple assessments for different things.

Mr. Kaldunski explained a private lot could have been assessed for the specific area of the parcel located within the drainage area. The property owner would also be assessed an additional amount for their share of the common area. He noted the common area had both a drainage and street assessment. He referenced previous projects that had very similar calculations due to the existence of a common area with frontage assessed for street improvements. He explained within the assessment policy the City had two rates, single family or non-single family. He stated the non-single family rate applied to commercial, institutional, or multi-family properties. He added that the single family rate was approximately $85 per linear foot and the non-single family rate was approximately $170 per linear foot.

Mr. Kuntz questioned if the issue related to the rate applied to both the drainage and street components.

Mr. Kaldunski stated it only applied to the street component of the assessment. He explained the drainage component was assessed at a uniform rate of $0.31 per square foot and was based on the actual square footage located within the drainage area.

Mr. Kuntz clarified that the debate was if the street benefit attributable to the common area should be assessed at the single family or non-single family rate.

Mr. Kaldunski replied in the affirmative. He stated the proposed assessment was currently at the non-single family rate.

Sharon O'Hara, 6856 Blackhawk Trail, requested that the Council reconsider the assessment being levied against the residents of Blackhawk Trail. She stated the assessment was for 60 feet of road and was excessive for the senior development. She explained they had their own drainage and maintained their own private road.

Mr. Kaldunski stated they were being assessed for their 60 feet of roadway and for indirect access on 68th Street. He noted the indirect access was assessed at one half of the actual rate. He explained the route they were being assessed for is their only available route to Babcock Trail.

Mr. Kuntz explained all of the units were part of a common interest community. Each of the units owned their pro rata share of each of the outlots that make up the private road grid. Those units were assessed for 66 feet of street frontage and a half assessment for indirect access to 68th Street. He noted that they could not access Babcock Trail from any other road.

Gloria Mason, 2075 68th St. E., questioned why the rate for the drainage assessment was so high and why the properties across the street were not assessed for drainage.

Mr. Kaldunski explained within the mill and overlay area the assessments varied based on the size of the property that was within the drainage area. The rate of $0.31 per square foot for the drainage assessment was a function of the amount of work that was completed and it reflects the actual cost of the physical improvements within the drainage area.

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Peter Villard, 2676 Borden Way, reviewed his letter of objection. He objected to the 25% disparity between the assessment caps recommended in the benefit analysis report for single family properties located to the east and west of Highway 52. He requested that a uniform assessment cap of $4,000 be adopted for all single family properties.

Mayor Tourville stated the Council was going to consider a uniform cap for single family properties.

Dean Wennerberg, 6491 Barclay Avenue, stated his property was the only one in Salem Hills Farm being assessed for drainage. He explained only one-third of his property was within the drainage area. He opined that the proposed assessment was excessive for 100 feet.

Mr. Kaldunski explained the boundary for the 65th Street drainage area was located on Mr. Wennerberg's property. He stated he was being assessed for his fair share of the improvements within the drainage area.

Howard Virnig, 2021 68th Street East, explained when the City Engineer proposed the mill and overlay project he also proposed installation of crowning to make the streets stronger. He questioned why the contractor only removed two (2) inches of bituminous on either side of the street, left a 20 foot wide strip of the original bituminous along the center of the street and built the crown on top of that. He stated after the project was completed there were 23 cracks in the pavement. He explained the City sealed the cracks and now 16 new cracks have since emerged. He questioned why two (2) inches of bituminous was not removed from the entire width of the road. He opined that before the project his street was in better condition than most of the streets within the project area and it had since become one of the worst streets. He questioned why he was being charged for drainage when his house was located on an upslope and the homes across the street were located on a downslope and were not proposed to be assessed for drainage. He opined that he should not have to pay the full amount proposed to be assessed.

Mr. Kaldunski explained the geotechnical consultant analyzed the pavement section, the gravel underneath, and the thickness of the bituminous. He stated they found approximately four (4) inches of good, solid bituminous in the middle of the road. An edge mill was suggested with a two (2) inch crown along the center of the road to increase the strength of the pavement itself. He explained the feasibility study referenced the fact that reflective cracking was likely to occur after a mill and overlay project. He noted a seal coat was done to seal the initial cracks that appeared after the project and an additional seal coat was planned to address the new cracks that have started to show through. He stated structurally the pavement is strong and the mill and overlay made it stronger.

Councilmember Madden stated reflective cracking was not an unusual occurrence after a mill and overlay.

Mr. Virnig questioned why the mill and overlay was done if the City knew there was going to be cracked anyway. He opined the mill and overlay was not needed and the street should have had four (4) new inches at the top of the crown. He reiterated the house across the street was not being assessed for drainage.

Mr. Kaldunski explained from an engineering perspective the net result was six (6) inches of bituminous at the center of the road versus only four (4) inches if the bituminous had been removed across the entire width of the road. He reiterated the pavement was structurally strong.

Mr. Virnig stated if the street was redone in the future the residents would have to pay for that as well. He explained they had new pavement and new water pipes installed twenty years ago and he paid $7,000 in assessments at that time. He opined the mill and overlay project destroyed the pavement and the pipes and now he is being asked to pay for that as well.

Ben Christopherson, 6665 Cahill Avenue, stated he owned one of the commercial properties proposed to be assessed. He explained the parcel was landlocked from Cahill and opined that it received no added benefit or value from the drainage improvements. He asked the Council to reconsider his proposed assessment.

Mr. Kaldunski stated Mr. Christopherson owned two (2) parcels and both were proposed to be assessed

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for drainage improvements.

Terry Gerten, 2900 65th Street, stated he was also speaking on behalf of several other business owners that submitted letters of objection. He requested that their commercial properties to be removed from the assessment roll to allow the property owners time to meet with staff and renegotiate assessments that were fair and equitable.

Jim Walker, 2648 Borden Court, asked the Council to consider following staff's recommendation and approve an assessment cap of $4,000 for all single family properties. He explained that he understood that one way or another they were going to pay for the work that was done. He opined that the road and drainage improvements were very nice and he was pleased with the work that was done.

Eric, 6504 Bonner Court, questioned what the proposed assessment cap was for duplexes.

Councilmember Piekarski Krech stated the parcels were proposed to be assessed $3,498 each under the second option presented by staff.

Mr. Kaldunski stated the parcels would be slightly less than the $4,000 cap being considered by Council because of driveway credits that were applied to each parcel.

Ron Schmidt, 7569 Cahill Avenue, stated he was pleased with the work that was done. He encouraged the Council to consider a uniform assessment cap for all single family parcels.

Mr. Cloud stated for his assessment for the common area the designation was being changed from single family to non-single family. He argued that he should be charged at a single family rate.

Mr. Kaldunski reiterated that the properties were assessed for the common area at the non-single family rate.

Councilmember Piekarski Krech asked for further clarification on the rate designations.

Mr. Kuntz stated a detached single family home would be assessed $85 per linear foot for street improvements. A townhome or a condominium would be assessed at a rate of $170 per linear foot for street improvements. A commercial or institutional property would also be assessed at a rate of $170 per linear foot for street improvements. He explained there were two possible rates, a single family detached rate and a non-single family rate. He noted the non-single family rate was applied to all properties that were not single family detached.

Mr. Kaldunski stated that was correct.

Mayor Tourville stated it appeared that there were more than two rates.

Steve Dodge, Assistant City Engineer, stated the single family rate was a designation for a detached, single family home that was on its own lot with a driveway that accessed the road that was improved. He explained the residents on Bixby Avenue were part of the Blaine Ridge subdivision and were considered to be single family units. There were seven (7) units, north of 65th Street that were part of Blaine Ridge 2nd Addition. Those seven (7) units did not have direct access to Blaine Avenue. They maintained and used their own frontage road for access to Blaine Avenue. Those seven (7) units were proposed to be assessed at the non-single family rate.

Councilmember Bartholomew questioned why it appeared as though the Bixby Way residents were designated as multi-family properties under option one.

Mr. Dodge explained the properties in Blaine Ridge 1st Addition and Blaine Ridge 2nd Addition are all attributable to the common area located north of 65th Street according to the development agreements that were in place at the time the development was platted. He stated the development was an example of a mixed PUD that took single family homes and made them responsible for a portion of the common area along with the seven (7) units on the north side of 65th Street that would normally be classified as multi-family properties. He noted it has been the City's policy for quite some time that common areas are assessed at the non-single family rate.

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Councilmember Piekarski Krech clarified that the single family designation is applied to those parcels that have their own driveway access.

Mr. Dodge replied in the affirmative. He noted that single family parcels were not assessed for the non-driveway side of the property.

Mr. Kuntz stated the common area that was part of Blaine Ridge 2nd Addition had a certain amount of frontage along 65th Street. To calculate the assessment for the common area, staff multiplied the frontage along 65th Street by approximately $170 per linear foot and then divided the total amongst all of the units within Blaine Ridge 1st and 2nd Additions. He explained that was done because the area that had the
frontage along 65th Street was not a single family property.

Mayor Tourville stated the residents along Bixby Way would like to be assessed at the single family rate or both their individual unit assessments and the common area assessment.

Mr. Cloud noted that the seven (7) units north of 65th Street were designated as single family units by the County. He stated the frontage road was an extension of their individual driveways. He opined that the common area should be designated the same as the owners of the property it is attributable to.
Councilmember Piekarski Krech stated the common areas were not individually listed on the assessment roll. She questioned where the amount that was divided amongst all of the properties for the common area was shown on the assessment roll.

Mr. Kaldunski stated the assessment roll for option two has a separate column that reflects their share of the street assessment for the common area. He noted the common area had a large amount of frontage along 65th Street.

Councilmember Piekarski Krech clarified that they were only paying a street assessment for the common area. The rest of their individual assessment was for drainage.

Mr. Kaldunski replied in the affirmative.

Mr. Kuntz stated the residents want the linear frontage of the common area along 65th Street to be assessed at the single family rate of approximately $85 per linear foot.

Mayor Tourville clarified that the issue related to common areas did not apply to the residents on Blackhawk Trail.

Mr. Kaldunski stated that was correct.

Mayor Tourville questioned if there were any other townhome developments in the project area.

Mr. Kaldunski stated there were several within the project area that were assessed at the non-single family rate.
Mayor Tourville questioned what the residents on Burnham Circle were being assessed for.

Mr. Dodge stated there were several single family residences with indirect access to 65th Street that were being assessed for street improvements.

Mayor Tourville stated the rate designations were very confusing. He explained his preference would be to follow the recommendation in option two and establish a cap of $4,000 for all single family parcels. He suggested that more discussion was needed regarding the cap for commercial properties and the designation of the properties along Bixby with respect to the common area. He stated the commercial property owners needed to meet with staff for additional discussion.

The Council agreed more discussion was needed with staff regarding the cap for commercial properties.

Mayor Tourville stated the properties on Bixby, in terms of real estate classifications, were not designated as multi-family properties.

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Motion by Mueller, second by Piekarski Krech, to receive all written correspondence and assessment objections

Ayes: 5
Nays: 0 Motion carried.

Mayor Tourville questioned if the assessments would go into effect January 1, 2015.

Mr. Kuntz stated the interest would begin to accrue on the date the assessment was levied. The first installment would be payable in 2015.

Mayor Tourville explained how the City established the interest rate.

Mr. Lynch stated the City was holding costs on the bonds that were sold until the assessments begin to be paid. The bonds were sold at an interest rate between 3.5% and 3.7%. The proposed interest rate for the assessments was 4.8%.

Mayor Tourville reviewed the deferment process.

Mr. Kuntz suggested that the Council could continue the hearing to the second regular meeting in August to allow staff time to work out the issues related to the commercial properties and the non-single family classifications. He stated some of the historical background related to the two (2) rate classifications could also be provided at that time.

Councilmember Piekarski Krech reiterated that the Council was going to establish a $4,000 cap for all single family properties even though it would not be voted on until August 25th.

Councilmember Mueller clarified that people would have thirty days from the date the assessment was levied to pay without interest.

Mr. Kuntz stated that was correct.

Motion by Bartholomew, second by Piekarski Krech, to continue public hearing to August 25, 2014 at 7:00 pm

Ayes: 5
Nays: 0 Motion carried.

7. <u>REGULAR AGENDA:</u>

COMMUNITY DEVELOPMENT:

A. CONCORD CROSSROADS: Consider the following requests for property located at 9008 Cahill Avenue:

i) Resolution relating to a Preliminary and Final Plat for a Two Lot Commercial Subdivision to be known as Concord Crossroads 2nd Addition

ii) Resolution relating to a Vacation of related Public Drainage and Utility Easements Associated with the Original Plat

Mr. Link reviewed the location of the property. He explained the request was to divide the lot into two (2) lots to make the site more marketable. The current utility and drainage easements would be vacated and rededicated. No changes to the site were proposed. The request met all ordinance requirements and both Planning staff and the Planning Commission recommended approval.

Mark Hanson, land surveyor, stated the developer wanted to divide the lot in order to refinance the retail portion of the commercial property.

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Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 14-108 relating to a Preliminary and Final Plat for a Two Lot Commercial Subdivision to be known as Concord Crossroads 2nd Addition and Resolution No. 14-109 relating to a Vacation of related Public Drainage and Utility Easements Associated with the Original Plat

Ayes: 5
Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS: Consider Resolution relating to the Vacation of Certain Drainage and Utility Easements within the plat of Argenta Hills

Mr. Link explained the easement was dedicated with the original plat and the properties within the development had subsequently gone through a series of replats. As the new plats are approved the original easements are vacated and new easements are dedicated. It was found that a vacation was missed as part of the Argenta Hills Fifth Addition. He noted the new easement had already been dedicated. Both Planning staff and the Planning Commission recommended approval.

Motion by Piekarski Krech, second by Bartholomew, to adopt Resolution No. 14-110 relating to the Vacation of Certain Drainage and Utility Easements within the plat of Argenta Hills

Ayes: 5
Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS: Consider Resolution Accepting the Opportunity City Program Summary Report prepared by the Urban Land Institute

Mr. Link stated the summary report was presented to the Council during their most recent work session. He explained the Housing Committee would use the report to develop a work plan and identify priorities for the next one (1) to two (2) years.

Motion by Bartholomew, second by Madden, to adopt Resolution No. 14-111Accepting the Opportunity City Program Summary Report prepared by the Urban Land Institute

Ayes: 5
Nays: 0 Motion carried.

ADMINISTRATION:

D. CITY OF INVER GROVE HEIGHTS: Consider approval of the following actions:

i) Ordinance Amending Inver Grove Heights City Code Title 1, Chapter 7, Section 6 related to the Authority to Duplicate Military and Overseas Absentee Ballots

ii) Resolution Delegating Duty of Duplicating Military and Overseas Absentee Ballots to the Dakota County Absentee Ballot Board when Necessary Prior to Delivery to the City

Councilmember Madden asked for further clarification as to why the request was being made.

Ms. Kennedy explained that although Inver Grove Heights was designated to administer absentee voting the City was not responsible for the administration of military and overseas (UOCAVA) absentee ballots with the exception of counting the accepted ballots. She stated Dakota County was responsible for processing UOCAVA applications, issuing UOCAVA ballots, and accepting and rejecting UOCAVA ballots submitted by voters. The Dakota County Absentee Ballot Board delivered all accepted UOCAVA absentee ballots to the City for counting purposes. Because many of the UOCAVA ballots require duplication prior to being counted the Dakota County Absentee Ballot Board offered to complete the duplication process prior to the delivery of the UOCAVA ballots to the City. She noted this would save staff a tremendous amount of time on Election Day as it can be very time consuming to duplicate ballots.

Councilmember Bartholomew questioned why the ballots needed to be duplicated.

Ms. Kennedy stated in most instances the UOCAVA ballots were not in a format or on media that could be

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read by the ballot counter.

Councilmember Bartholomew questioned how the City would be able to verify that the ballots were duplicated correctly.

Ms. Kennedy explained that the Dakota County Absentee Ballot Board would be required to perform the duplication process as outlined in State statute. She stated this included delivery of both the original and the duplicate ballot to the City for retention purposes. She noted every municipality in the County that was designated to administer absentee voting was considering delegation of the same authority to the Dakota County Absentee Ballot Board.

Councilmember Piekarski Krech questioned if the ordinance required three (3) readings.

Ms. Kennedy stated staff requested that Council consider waiving the requirement for three (3) readings of the ordinance in order to delegate the specified authority to the County prior to the Primary Election.

Motion by Madden, second by Bartholomew, to adopt Ordinance No. 1281 Amending Inver Grove Heights Title 1, Chapter 7, Section 6 related to the Authority to Duplicate Military and Overseas Absentee Ballots and to waive the requirement for three readings and Resolution No. 14-112 Delegating Duty of Duplicating Military and Overseas Absentee Ballots to the Dakota County Absentee Ballot Board when Necessary Prior to Delivery to the City

Ayes: 5
Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS: Consider Approval of Organizational Changes

Mr. Lynch explained several organizational changes were discussed to fulfill some of the duties that were previously handled by the Assistant City Administrator position. He proposed the creation of a new position, Human Resources Director, to handle the various human resources related issues for the City. He stated the position would not be at the department head level, would have no direct reports, and would report directly to the City Administrator. He stated in order to attract a candidate with the desired level of experience the proposed pay range of $83,000 to $103,000 was commensurate with other high-level positions in the City including the Assistant Fire Chief, Police Lieutenants, and the City Engineer. He reviewed salary survey information from the League of Minnesota Cities to provide comparative data for similar positions in cities similar in size to Inver Grove Heights. South St. Paul's pay range was $78,000 to $102,910 and they currently paid their Human Resources Director $86,445. Farmington's pay range was $82,497 to $103,000. Fridley's pay range was $85,000 to $109,000 and the Human Resources Director was currently paid $109,000. Brooklyn Center's pay range was $77,987 to $94,906 and the position was currently paid $ 94,906. Andover's pay range was $72,251 to $95,610 and the position was currently paid $95,610.

Councilmember Bartholomew stated if the position was not going to be a department head the position title should not include the word director. He suggested the title "Human Resources Manager". He suggested that the pay scale be lowered to $76,700 to $95,900 because the position would have no direct reports. He opined the City could attract quality individuals within that pay scale. He suggested that the job description be changed to reflect five (5) years of government experience versus ten (10) years.

Councilmember Mueller agreed that ten (10) years of government experience could be reduced. He stated he felt a starting salary in the $78,000 range would be sufficient.

Mayor Tourville agreed that the title should be changed if it was not going to be a department head position. He opined the years of experience may have to be reduced if the pay scale was going to be lowered.

Councilmember Piekarski Krech questioned if the City was going to hold to the desired level of experience in the job description and if the individual had to have government experience. She opined the candidate may not necessarily need government experience.

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Councilmember Madden stated government employment was completely different than the private sector.

Mayor Tourville agreed that government experience was important because it was very different from the private sector. He suggested five (5) to ten (10) years of government experience. He agreed with including five (5) years of supervisory experience.

Mr. Lynch opined that supervisory experience was necessary because the individual would be expected to provide guidance and assistance to employees in a supervisory position. He explained government experience was important because many aspects of government employment, such as comparable worth, were very unique and different from common practices in the private sector.

Mayor Tourville stated the range could be lowered with the understanding that the City Administrator could come to the Council for approval to increase the starting salary for an exceptional candidate.

Councilmember Bartholomew opined it was important to keep the position within the "V" pay scale. He stated he would be open to the City Administrator asking for approval to start the candidate at a different step within that pay scale.

Councilmember Piekarski Krech stated the City had moved positions to other pay scales in the past when it was warranted. She questioned if the Council wanted to consider advertising the position with a pay scale that would be dependent on the candidate's qualifications.

Mr. Lynch stated in order to negotiate with a candidate some sort of scale should be established.

Motion by Mueller, second by Bartholomew, to authorize the City Administrator to proceed withthe hiring process for the position of Human Resources Manager with the changes to the job description as discussed.

Ayes: 5
Nays: 0 Motion carried.

Mr. Lynch provided an overview of the revised job description for the City Administrator. He noted the changes were made following discussion with the City Council at previous work sessions. He explained he would be bringing back revised job descriptions for each of the positions that formerly reported to the Assistant City Administrator to reflect the fact that those positions now report directly to the City Administrator, along with the formal abolishment of the Assistant City Administrator position. He also suggested changes to the job description for one (1) position to more accurately reflect the duties performed by that position. He stated those items would likely be brought back to the Council after the Human Resources Manager position was filled. He explained he would like to reinstitute an internship program to assist in the various City departments and learn about the operations of a local government.

Mayor Tourville stated he would like more information related to the internship position.

Mr. Lynch stated his intent would be to present the Council with a formalized plan and schedule.

Mayor Tourville stated in the City Administrator's job description it was listed that the position serves as the Clerk for the City. He noted this issue was previously discussed. He explained a number of cities have taken that designation out of the City Administrator's title and job description because the City Administrator does not have the proper certification to be a City Clerk. He stated the City Administrator may supervise the City Clerk, but does not necessarily function as the Clerk.

Mr. Lynch stated following Council discussion that was one of the terms that was left in the job description.

Mayor Tourville stated the job description was false because the City Administrator did not perform any of the duties associated with the City Clerk. He opined he just wanted the job description to be accurate.

Mr. Lynch explained until the title was amended he was the City Clerk and could designate someone else to perform the duties of the City Clerk.

Mr. Kuntz stated as of right now the City Administrator was the City Clerk and there was an employment

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contract in place that reflected that fact.

Councilmember Bartholomew stated the City Administrator could appoint a Deputy Clerk to perform the clerk duties.

Councilmember Piekarski Krech stated that was the way it had always been.

Mr. Kuntz stated the previous City Administrator, Jim Willis, was also technically the City Clerk. He noted prior to that the City Administrator was not the City Clerk.

Councilmember Madden questioned if the City Administrator was certified to be a City Clerk.

Mr. Lynch replied in the negative.

Councilmember Madden opined he should not be designated as the City Clerk if he is not certified.

Councilmember Piekarski Krech stated the problem was that he was hired as the City Administrator/Clerk and his employment contract should be amended if he is no longer going to serve as the clerk.

Councilmember Bartholomew suggested holding off on approving the job description until the City Administrator's employment contract was amended.

Councilmember Mueller questioned if Mr. Lynch objected to not being designated as the clerk.

Mr. Lynch stated he had never been a certified municipal clerk and the City currently had a very good person fulfilling the duties of the clerk.

Councilmember Bartholomew stated the employment contract needed to be amended to reflect the change.

Mr. Lynch stated he would bring back an amended contract and revised job description at a subsequent meeting.

Councilmember Piekarski Krech stated if they were going to hire a human resources person they needed to review the existing position and the corresponding job description at the same time.

Mr. Lynch stated that was why he suggested changes to the job description of the Human Resources Coordinator to more accurately reflect the duties performed by the position. He explained the position provided assistance to the City Administrator, the Deputy Clerk during elections, and previously to the Assistant City Administrator primarily in human resources functions. He reiterated the title of the position needed to more accurately reflect the flexibility of the position.

8. MAYOR & COUNCIL COMMENTS:

Mr. Lynch stated he had previously discussed appointing two representatives from the Council to the interview committee for the fire station.

Motion by Bartholomew, second by Madden, to appoint Council members Mueller and Piekarski Krech to the Fire Station Interview Committee

Ayes: 5
Nays: 0 Motion carried.

Councilmember Piekarski Krech reminded residents about Night to Unite on August 5th.

9. ADJOURN: Motion by Madden, second by Mueller, to adjourn. The meeting was adjourned by a unanimous vote at 10:45 p.m.

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