

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, AUGUST 11, 2014 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, August 11, 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, and Public Works Director Thureen

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Councilmember Bartholomew removed Item 4F from the Consent Agenda.

- A. Minutes – July 28, 2014 Regular City Council Meeting
- B. **Resolution No. 14-113** Approving Disbursements for Period Ending August 6, 2014
- C. Pay Voucher No. 11 for City Project No. 2006-08, Asher Water Tower Replacement
- D. Pay Voucher No. 3 and Change Order No. 1 for City Project No. 2012-07, Bohrer Pond NW Pre-Treatment Basin
- E. Change Order No. 4 for City Project No. 2014-09D, College Trail Street Reconstruction and Barbara Avenue Partial Street Reconstruction and City Project No. 2014-06, Blaine Avenue Retaining Wall Replacement Improvements
- G. Approve Execution of Improvement Agreement and Other Project related Documents for the Land Alteration Permit (LAP) No. C-094-14 for Luther Company Limited Partnership at 1470 50th St. E.
- H. Approve Land Alteration Permit No. C-095-14 at 10199 Barnes Way
- I. Approve Temporary Liquor License Extension – Drkula's
- J. Schedule Special Meetings
- K. Approve 30-Day Suspension of Firefighter
- L. Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

F. Resolution Receiving the Petition and Ordering the Preparation of a Feasibility Report for City Project No. 2015-03, 47th Street and Neighborhood Street Reconstruction

Councilmember Bartholomew asked for an overview of the process going forward and questioned what the implications would be for any projects that are already scheduled.

Mr. Thureen stated the City received a petition with approximately 43 signatures from residents on three (3) streets in the area. If the Council approved the resolution staff would move forward with the feasibility study. A neighborhood meeting would be held as part of the feasibility study process. The study would be brought back to the Council for formal acceptance and a public hearing would be scheduled to consider ordering the project. If the project was ordered plans and specifications would be prepared and the project would be put out for bid.

Councilmember Bartholomew questioned if the project would be completed sooner than what was anticipated based on the City's current pavement management schedule.

Mr. Thureen explained the proposed 2015 budget would provide some additional funding for the Pavement Management program from the General Fund. If the additional funding proposal was approved it would allow the project to move up on the priority list. He noted the project was not included in the

current five (5) year pavement management schedule.

Motion by Bartholomew, second by Piekarski Krech, to adopt Resolution No. 14-114 Receiving the Petition and Ordering the Preparation of a Feasibility Report for City Project No. 2015-03, 47th Street and Neighborhood Street Reconstruction

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT: None.

6. PUBLIC HEARINGS: None.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. GATEWAY CHRISTIAN CHURCH: Consider Resolution relating to a Conditional Use Permit to Allow a Church in the B-3, General Business District in an Existing Building at 5300 South Robert Trail

Mr. Link reviewed the location of the property. He explained the request was for a conditional use permit for a Church in the B-3 zoning district. The conditional use permit was required because a Church was not a permitted use in a commercial zoning district. The shopping center was in excess of 50,000 square feet and the proposed Church would be approximately 6,300 square feet in size. No changes to the site or building exterior were proposed. Both Planning staff and the Planning Commission recommended approval of the request.

Mayor Tourville clarified that the tax status of the building would not change even though the lessee was an exempt entity.

Mr. Kuntz stated there are a number of instances throughout the County in which a Church is a tenant of a commercial building. The County confirmed that the tax status of the property would not change.

Richard Farrell, Senior Pastor, stated the Church would pay to rent the space in the building.

Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 14-115 approving a Conditional Use Permit to allow a Church in the B-3, General Business District in an Existing Building at 5300 South Robert Trail

Ayes: 5

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS: Consider Resolution Approving an Update to the Alternative Urban Areawide Review (AUAR) for the Northwest Area

Mr. Link explained the Council previously reviewed a draft of the AUAR and authorized staff to submit the draft to other governmental agencies for review and comment. Staff distributed the draft update to nineteen agencies and received minor comments from four (4) of them including Metropolitan Council, Dakota County, Mn/DOT, and the City of Sunfish Lake. The revised draft included in the Council's packet contained responses to the comments that were received. He noted the update simply noted that different infrastructure improvements, developments, and studies had occurred since the original AUAR was drafted and that those things were consistent with the original analysis that was completed. Staff recommended approval of the update to the AUAR.

Councilmember Bartholomew questioned why the update did not have to be reviewed by the Planning Commission.

Mr. Link stated the document did not need to be reviewed by the Planning Commission because it was simply an update to the original analysis. He noted if the update had included more detailed analysis that was substantially different that what was completed several years ago the update would have been reviewed by the Planning Commission.

Motion by Bartholomew, second by Madden, to adopt Resolution No. 14-116 approving an Update

to the Alternative Urban Areawide Review (AUAR) for the Northwest Area**Ayes: 5****Nays: 0 Motion carried.****PARKS AND RECREATION:****C. CITY OF INVER GROVE HEIGHTS:** Consider Approval of Northwest Area Park & Trail Plan

Mr. Carlson stated Council was being asked to consider approval of the Northwest Area Park and Trail Plan. He noted the plan was previously reviewed by the Council at their August 4th work session. He provided an overview of the process that was followed to update the plan. In 2007 the original plan was developed and in 2009 the plan was incorporated into the 2030 Comprehensive Plan. As part of the City's current process to update the plan staff has attempted to evaluate park service areas in order to connect trails to parks and people. The updated plan also incorporated the County's Mendota/Lebanon Greenway. The goal was to eventually identify properties to acquire as the Northwest Area develops. The proposed plan included six (6) parks connected by ten (10) to fifteen (15) miles of trails. When possible the City would take advantage of the 20% open space requirements for development. The plan was flexible in terms of program space in order to respond to changing demographics. He explained the park system would generally be paid for through park dedication funds and reviewed the anticipated park development investments. Following approval of the plan the next steps would include Council authorization to explore potential property acquisitions for the "C" park to be located south of 70th Street, west of T.H. 3, and east of Argenta Trail to serve the Argenta Hills neighborhood and proposed future residential development.

Councilmember Bartholomew suggested keeping the size of the proposed "C" park towards the lower end of the range, at 56 acres. He stated the target area had existing topographical issues and it would be burdensome to increase the size to 82 acres.

Councilmember Piekarski Krech noted this was merely a concept plan at this point and changes could occur at any time. She stated the City was aware that there are areas that have a need for a park, but that did not mean that everything on the concept plan would be built. She also encouraged staff to evaluate the entire system to determine if there were some parks that, based on their level of use, could become more passive parks.

Mayor Tourville reiterated the Council was not approving any financial expenditures, exact locations, or land acquisitions at this point.

Motion by Mueller, second by Bartholomew, to approve the Northwest Area Park and Trail Plan

Mr. Carlson clarified the Council was also authorizing staff to speak with property owners regarding potential property acquisitions in the Northwest Area for the "C" park.

Mayor Tourville replied in the affirmative.

Ayes: 5**Nays: 0 Motion carried.****PUBLIC WORKS:****D. CITY OF INVER GROVE HEIGHTS:** Resolution Approving Joint Powers Agreement with Dakota County and the City of Rosemount for the Pine Bend Area Arterial Connector Study

Mr. Thureen reviewed the study area. He explained the proposed study would address two needs. The first was to look at alternatives for a north-south arterial connection. The second was to consider options for the connection of Cliff Road to 117th Street in order to complete the east-west connection from T.H. 3 to Highway 52. The joint powers agreement outlined the cost-share responsibilities between the County (55%), the City (30%), and the City of Rosemount (15%).

Councilmember Piekarski Krech questioned if there had been any discussions about crossing the river with respect to the alignment of the connection from Cliff Road to 117th Street.

Mr. Thureen replied in the negative.

Motion by Madden, second by Piekarski Krech, to adopt Resolution No. 14-117 approving a Joint Powers Agreement with Dakota County and the City of Rosemount for the Pine Bend Arterial Connector Study

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS: Resolution Approving the Joint Powers Agreement with Dakota County for City Project No. 2014-04, Cliff Road Turn Lanes, and Ordering the Project

Mr. Thureen explained the project would involve the construction of left and right turn lanes on Cliff Road at its intersection with Weston Hill Drive, Alison Way, and Albavar Path. He noted for several years residents in the area had expressed concerns regarding safety along the roadway. The construction of turn lanes would remove traffic from the through lanes and the shoulders to improve safety. The project would involve widening of the shoulders and restriping of the roadway. The County would be the lead on the project and would contribute 55% towards the project. The City would be responsible for funding the remaining 45% of the cost. Based on the cost estimates for the project it was anticipated that the City's share would be approximately \$190,000. He proposed funding the project with municipal state aid funds. He explained the County intended to put the project out for bid in the fall. If the bids were not favorable the County would postpone the project and solicit bids again in the spring of 2015 to attempt to get better pricing.

Mr. Kuntz clarified that the final bid would go to the County for approval, not the City. He suggested adding language to the resolution that would clarify that the project was unrelated to the Comprehensive Plan and did not require a review by the Planning Commission.

Mayor Tourville stated in the past the County had brought the bids back to the City prior to awarding a contract for a joint project.

Mr. Thureen stated the agreement could be amended if the Council so desired. He explained staff felt the cost estimates for the project were realistic and recognized that if the bids came in higher than anticipated the project would be rebid in the spring. He noted at this point in the construction season staff would consider anything that was 10% above the estimate to be too high.

Motion by Piekarski Krech, second by Bartholomew, to adopt Resolution No. 14-118 approving the Joint Powers Agreement with Dakota County for City Project No. 2014-04, Cliff Road Turn Lanes, and Ordering the Project with the additional language as suggested by the City Attorney

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

Lisa Albright, 8767 Concord Ct., stated she thought there was going to be a discussion on the agenda related to commercial development in the area.

Mayor Tourville explained the discussion took place at the EDA meeting that was held prior to the Council meeting.

Councilmember Piekarski Krech noted the EDA meeting was recorded and could be viewed online.

Sandy Derocker, 8744 Concord Ct., questioned how residents could receive notification of and information about the EDA meetings.

Mayor Tourville suggested that the residents on Concord Court contact their association and request that the information is distributed to everyone in the future.

Councilmember Piekarski Krech stated residents could also sign up on the City's website to receive agenda information via email.

9. ADJOURN: Motion by Mueller, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 7:53 p.m