

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, FEBRUARY 23, 2015 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, February 23, 2015, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Hark, Mueller and Piekarski Krech; City Administrator Lynch, City Attorney Kuntz, Community Development Director Link, Public Works Director Thureen, Parks and Recreation Director Carlson, Chief Stanger, Chief Thill, and Deputy Clerk Kennedy

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

- A. i) Minutes – February 2, 2015 City Council Work Session
- ii) Minutes – February 9, 2015 Special City Council Meeting
- iii) Minutes – February 9, 2015 Regular City Council Meeting
- B. **Resolution No. 15-23** Approving Application for Fiscal Year 2015 Dakota County Community Development Block Grant Funding
- C. Approve Purchase of Golf Course Capital Equipment
- D. **Resolution No. 15-24** Approving Conveyance of Property to Macalester College and Granting of an Easement by Macalester College to the City of Inver Grove Heights
- E. Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Joe Beckers, 5058 Brent Ave. E., stated there was a meeting within the last week regarding the reconstruction of Brent Avenue. He expressed concern that residents were informed the City was the project until there was another street project large enough to include the Brent Avenue component. He explained his main concern was not the condition of the street. He stated the main problem was the manhole at the end of 51st Street and Brent Avenue. He opined the manhole was too high and would not allow the water to flow off of the street properly. He suggested that the manhole cover be lowered by eight (8) inches to allow water to runoff the street. He stated the street project had been delayed many times and the residents had been told for 20 years that it would be attached to another project. He asked the Council to help expedite the process to at least fix the manhole cover to get the water off of the street.

Mr. Thureen stated a summary of the meeting that was held with the neighborhood would be provided to the Council for review.

6. PUBLIC HEARINGS:

A. CITY OF INVER GROVE HEIGHTS: Consider Resolutions Ordering Projects, Approving Plans and Specifications, and Authorizing Advertisement for Bids for the 2015 Pavement Management Program, City Project No. 2015-09E, 47th Street Area Reconstruction, and the 2015 Improvement Program, City Project No. 2015-14, 47th Street Area Water and Sanitary Sewer Improvements and Rehabilitation

Steve Dodge, Assistant City Engineer, explained the general improvements proposed for the area included segments of full reconstruction, segments of mill and overlay, and drainage improvements. He added that some of the fully reconstructed segments would also receive water main and sewer improvements. The total cost for the street reconstruction project (2015-09E) was estimated to be \$3,296,725 and \$788,005 was proposed to be assessed, approximately 24% of the total project cost. The total cost for the water and sanitary sewer improvement project (2015-14) was estimated to be \$841,930. The benefit appraisal report for the project recommended utilizing an assessment cap of \$6,000 for single family parcels. The appraiser recommended an assessment cap of \$3,000 for a single family parcel that

only received drainage improvements. He noted there were five (5) such parcels located on 46th Street. The appraiser also analyzed the special benefit for the Church parcel and recommended an assessment of \$55,000. He explained even though the proposed assessments were included in a preliminary assessment roll the Council would not take formal action to levy the assessments until the final assessment hearing was held for the project. He stated one (1) letter of objection was received related to the proposed assessment of five (5) parcels on 46th Street for drainage improvements. He explained the total drainage area for the five (5) parcels drained onto the project area either through the storm sewer off of 46th Street or through the back of the lots down to Bower Path. Engineering staff recommended formally receiving the letter but continuing with the project parameters as proposed. He noted the individual property owners would have to follow the appropriate procedure to submit formal objections prior to the final assessment hearing. He explained the project schedule called for the Council to receive bids and hold the assessment hearing in early May prior to awarding a contract for the project in May or June.

Councilmember Mueller questioned if the all of the property owners proposed to be assessed only for drainage improvements were made aware of the proposed \$3,000 assessment.

Mr. Dodge stated the property owners were informed that the appraiser reevaluated the proposed drainage assessment included in the feasibility report and changed the recommended benefit from \$4,000 to \$3,000.

Councilmember Piekarski Krech questioned if all property owners proposed to be assessed, including the Church, were notified about the recommended assessment caps.

Mr. Dodge replied in the affirmative.

Motion by Mueller, second by Piekarski Krech, to close the public hearing for both projects

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Mueller, to receive the letter of objection from Mike and Brenda VerWay

Ayes: 5

Nays: 0 Motion carried.

Motion by Bartholomew, second by Hark, to adopt Resolution No. 15-25 Ordering Improvements, Authorizing and Approving Plans and Specifications, and Authorizing Advertisement for Bids for the 2015 Pavement Management Program, City Project No. 2015-09E – 47th Street Area Reconstruction, and Resolution No. 15-26 Ordering Improvements, Authorizing and Approving Plans and Specifications, and Authorizing Advertisement for Bids for the 2015 Improvement Program, City Project No. 2015-14 – 47th Street Area Water and Sanitary Sewer Improvements and Rehabilitation

Ayes: 5

Nays: 0 Motion carried.

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. BRAND ENERGY SERVICES: Consider Resolution relating to a Conditional Use Permit to Allow Outdoor Storage on the property located at 6265 Carmen Avenue

Mr. Link reviewed the location of the property. The request was for a conditional use permit for an outdoor contractor's yard. The applicant proposed to lease an existing building and use it for his business which offers scaffolding, insulation, and painting services to the industrial construction market. Most of the applicant's equipment would be stored inside with the exception of scaffolding and vehicles. He stated the storage would be up against the building and on the periphery of the property. Ordinance regulations required screening along residential properties. He stated there was existing screening along the western

and northern property lines that was in disrepair and the applicant would make the necessary improvements. The applicant would also be required to install screening along Carmen Avenue to screen the operation from the public road. The proposal met the conditional use permit criteria. Both Planning staff and the Planning Commission recommended approval. He noted in the past there had been concerns raised by the neighborhood regarding nighttime noise and operations as the previous tenant had a lot of nighttime activity. The current applicant proposed regular business hours of 7 am – 5 pm with the exception of emergency calls for service.

Councilmember Bartholomew questioned if there was an existing fence along Carmen Avenue.

Mr. Link replied in the negative.

Councilmember Bartholomew questioned why the previous tenant was not required to install a fence.

Councilmember Piekarski Krech questioned if screening was required along the front of the property and along the residential neighborhood.

Mr. Link replied in the affirmative.

Mayor Tourville stated the previous tenant likely was not required to have a fence along Carmen Avenue because there was no outdoor storage.

Councilmember Hark questioned what the hours of operation would be on the weekends.

Mr. Link stated staff's understanding was that operations were limited to Monday through Friday.

Councilmember Mueller questioned why a fence was required in the front of the property. He expressed concern that the applicant would not be able to adequately advertise the location of his business.

Mr. Link stated the applicant proposed a mesh fence to screen the outdoor storage from the public.

Adam Sease, Brand Energy Services, stated the hours of operation would be Monday through Friday from 7 am to 5 pm with the exception of responding to emergency calls for service. He explained he wanted a fence across the front of the property for security reasons. He stated the fence would adjoin to the building and the existing fences on the property with access gates on the front.

Mayor Tourville questioned if the applicant agreed with the conditions of approval.

Mr. Sease replied in the affirmative.

Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 15-27 approving a Conditional Use Permit for a Contractor's Yard with Outdoor Storage

Ayes: 5

Nays: 0 Motion carried.

B. JAMES CUNNINGHAM: Consider the following Resolutions related to a Variance from Critical Area Setback Standards to allow a building pad location for property located at the end of Dalton Court:

- i) Resolution approving a Variance to allow a 10 foot setback from bluffline for a 35'x65' building pad and to allow grading to occur on slopes greater than 18% for the storm water design
- ii) Resolution denying a Variance to allow a gazebo with a 15 foot setback from bluffline

Mr. Link reviewed the location of the property. The request was for a variance from bluff setback standards, a variance to allow grading on slopes greater than 18%, and a variance from bluff setback standards for a gazebo. He explained the property was approximately six (6) acres in size and was currently vacant. The applicant planned to sell the property and would like to provide buyers with an assurance that there was a building site on the property. He stated if the critical area zoning regulations were applied to the property there was no buildable site. The variances were requested to create the buildable site. He explained the property had several unique features including steep topography. The bluffline represented the flattest topography on the property and that is where the building pad was

proposed to be located. The proposed gazebo site would be located towards the tip of the bluffline ridge. He stated the lot was also created prior to the adoption of the critical area zoning regulations. He explained there was a lot of discussion at the Planning Commission public hearing as to what would be an appropriate use of the property. He stated there was a general consensus that some of the variances were necessary in order to make the lot buildable. An agreement was reached that the building pad should be 35 feet by 65 feet in size and setback ten (10) feet from the bluffline, and that grading should be allowed to create a storm water management facility down slope. The disagreement related to the variance for the gazebo as both Planning staff and the Planning Commission did not find the variance to be necessary in order to make a reasonable use of the property.

James Cunningham, applicant, stated he wanted to make it as easy as possible for whoever purchased the lot to build a home. He explained when the issue was first discussed with City staff the engineer suggested including a pad for a gazebo. He noted he was not even sure that anyone would want to build a gazebo on the property and he did not want to jeopardize the sale of the lot over that variance.

Mayor Tourville stated the bluffline guidelines were originally established by the DNR and it was unlikely that the variance for the gazebo would be approved because it was not necessary to make the lot buildable.

Councilmember Hark commended the applicant for finding a compromise at the Planning Commission meeting.

Motion by Bartholomew, second by Hark, to adopt Resolution No. 15-28 approving a Variance to allow a 10 foot setback from bluffline for a 35'x65' building pad and to allow grading to occur on slopes greater than 18% for the storm water design and Resolution No. 15-29 denying a Variance to allow a gazebo with a 15 foot setback from bluffline

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

C. CITY OF INVER GROVE HEIGHTS: Consider the following actions:

- i) Receive Preliminary Design Reports for Argenta Trail (CSAH 28/63) Realignment South Project (City Project No. 2014-11), Argenta Trail (CSAH 63) Realignment 77th Street Area Study (City Project No. 2014-11), Argenta Trail (CSAH 63) Realignment North Study Area
- ii) Consider Resolutions Adopting an Alignment for the South Project Area, an Alignment for the 77th Street Connection, and an Alignment for the North Study Area Future Right-of-Way Corridor
- iii) Consider Resolutions Scheduling a Public Hearing at the Planning Commission to consider a Comprehensive Plan Amendment for the New Road Alignments

Mr. Thureen stated the Council was provided with a hard copy of a letter received late in the afternoon from the attorney representing Mr. Deanovic. He noted all other correspondence related to the item that had been received to date was previously provided to the Council. He stated an update of the text for the north area study was also provided prior to the meeting. He explained when the study began the focus was on the south project area. The goals of the study were to determine a preliminary design for a realignment of Argenta Trail to extend the existing four-lane segment from Yankee Doodle Road across T.H. 55 north to Amana Trail. The project was to include safety improvements at the intersection with T.H. 55, completion of the construction of Amana Trail, and realignment of the existing local street connection to Argenta Trail. As staff worked on the study for the south project area the preliminary plat for the Blackstone properties was approved. Several of the conditions of approval spoke to going through the process to determine the alignment for the future county road in relationship to the Blackstone plat. Once staff analyzed in detail the point at which the new four-lane segment would transition back into the two-lane stretch of existing Argenta Trail, it was determined that the acquisitions that would be required to facilitate the transition varied based on the alignment that would be chosen for the future right-of-way

corridor going north. Because of those factors the contract with Kimley-Horn was amended to add the north project area to the study while maintaining the original schedule to ensure that deadlines were met for construction of the south segment in 2016 and the conditions outlined in the Blackstone preliminary plat approval.

Brian Sorensen, Assistant County Engineer, provided an overview of the Regional Roadway System Visioning Study that was commissioned in 2009 by Dakota County, Eagan, and Inver Grove Heights in conjunction with Mendota Heights, Sunfish Lake, Mn/DOT, and the Federal Highway Administration. At that time 4,300 acres of land in Eagan and Inver Grove Heights were identified to be analyzed because of the growth that was coming to the area. It was also understood that there would be a lot of growth throughout the region that would generate transportation needs within the study area. The agencies involved in the study acknowledged that the transportation system would not be able to support the future planned growth that had been identified. The purpose of the study was to identify a long-term roadway system vision for transportation improvements in the study area to address the needs arising from future growth. Five (5) different alternatives were considered in the study for improvements to the roadway system. He noted that three (3) of the alternatives considered the addition of an interchange at 494 between T.H. 149 and T.H. 3. He reviewed the recommendations that were adopted by the study partners as the system vision. He noted that the study clearly identified a need for a system of improvements to address all of the growth coming to the region. He stated throughout the current process with Argenta many people inquired why other roadways in the area could not be improved in lieu of improvements to Argenta Trail. He reiterated that improvements to other roadways would be necessary in addition to the improvements that are needed along Argenta Trail. He noted the study also recommended consideration of a high volume, high capacity intersection or interchange in the long-term at T.H. 55 and Argenta Trail.

Mr. Sorensen discussed the regional study's recommendations that were specific to Argenta Trail. The segment between T.H. 55 and 494 showed projected traffic volumes that would warrant future improvements to a six-lane roadway. He explained that was why a 200 foot right-of-way corridor had been discussed throughout the process in relation to the north study area. The projected traffic volumes would require ½ mile access spacing for full intersections. The recommendations also included long-term coordination with transit needs and the need to avoid or minimize impacts to Hornbeam Lake. He noted the original undertaking was a system planning study so no specifics related to the future alignment or design of Argenta Trail were determined.

Bill Klingbeil, Kimley-Horn, reviewed the preliminary design report for the south project. The goals of the design for the south project area were to improve safety at the T.H. 55 intersection, accommodate projected traffic growth, upgrade roadways to current design standards, provide full access at Amana Trail, and accommodate the potential for a future interchange at T.H. 55. He stated three (3) alignment alternatives were developed and each of the alternatives met the project goals and priorities. The alignment alternatives were then evaluated against specific criteria including safety and operations, design standards, cost, right-of-way and utility impacts, and impacts to the Northwest Area regional basins. He noted the area was landlocked and drainage was a major concern.

The first alignment alternative for the south project area was the western most alignment and it matched the existing alignment of Argenta Trail where possible. He noted the alignment also generally avoided the Northwest Area regional basins. He explained the alignment was not recommended by the project management team because the skew angle at the intersection was not desirable.

Councilmember Bartholomew asked for a more detailed explanation of a skew angle.

Mr. Klingbeil explained T.H. 55 and Argenta Trail did not intersect at a 90-degree angle and it was difficult for drivers to see cars approaching from far away because of the acute angles at the intersection. He stated engineers try to design intersections so they are perpendicular. He explained the first alignment alternative was also not recommended because it was found that a long segment of the Magellan Pipeline would run directly underneath the road. He noted the existence of the pipeline made the alignment alternative cost prohibitive because of the cost implications of relocating the pipeline. Additional right-of-way impacts also contributed to the alternative not being recommended.

Mr. Klingbeil stated the second alignment alternative was recommended by the project management team. He explained the proposed alignment improved the skew angle at the intersection and the horizontal curves were flatter for increased safety and better drivability. He noted the road was designed using reverse curves to reduce the impact to the regional basins and protect the drainage feature. He explained the alignment alternative was recommended because it was the best balance of meeting the design standards and protecting the regional basins, and it reduced the overall right-of-way and utility impacts.

Mr. Klingbeil reviewed the third alignment alternative. He explained the alternative was the eastern-most alignment. It eliminated the skew angles at the intersection and it created the most desirable horizontal curves resulting in the straightest alignment. He stated the third alignment was not recommended by the project management team because it significantly impacted the Northwest Area regional basins and ultimately was not the right balance for the project.

Mr. Klingbeil discussed the public involvement in the process. He stated the project team hosted several open houses and attended numerous meetings with individual property owners. He explained the general concerns from the public related to property impacts. The development community expressed concerns related to the impact on future opportunities for development. He stated if the Council moved forward with approval of the second alignment alternative the County Board would consider approval of the recommendation on March 17th. Once an alignment was approved by both the City Council and the County Board staff would begin the right-of-way acquisition process in April/May of 2015 in anticipation of completing the acquisition and final design processes by the spring of 2016. He noted actual construction of the improvements would not start until mid-2016.

Councilmember Piekarski Krech questioned if the County Board was going to consider all three (3) alternatives or only the alternative selected by the City Council.

Mr. Sorensen stated all three (3) alternatives would be presented to the County Board along with an explanation of the process that had been completed. He explained ultimately the project management team would like the County Board to endorse one alignment for all of Argenta Trail. He noted a big part of the County's consideration would be what the City would like to see in terms of an alignment. He stated everyone involved wanted the City and the County to be on the same page and endorse the same alignment.

Mr. Klingbeil presented the preliminary design report for the 77th Street local connection to Argenta Trail. He stated the realignment of the local street connection was necessary because of the realignment of CR-28 and Argenta Trail. The goals of the project were to provide adequate spacing from the T.H. 55 intersection and to maintain full access from the 77th Street neighborhood to Argenta Trail and Yankee Doodle Road. Three (3) alignment alternatives were developed and evaluated against specific criteria including safety, design standards, cost, utility impacts, and right-of-way impacts.

Mr. Klingbeil reviewed the revised Alignment A. The revised alignment maintained the existing neighborhood connection routing via 77th Street, was the lowest cost alternative, connected to Yankee Doodle Road at the Argenta Trail intersection, and was a 90-degree intersection that accommodated the Magellan Pipeline crossing. Alignment B modified the connection to the neighborhood via Rolling Hills Drive and impacted the driving pattern through the neighborhood. Alignment C also modified the connection to the neighborhood via Rolling Hills Drive and connected to Yankee Doodle Road a ¼ mile west of the Argenta Trail intersection. He explained the County also required additional traffic studies to be completed to determine the best location for the intersection. The County took traffic counts at the existing intersections of CR-28 and 77th Street as well as CR-28 and Argenta Trail to analyze the vehicle delay for traffic exiting the neighborhood during the peak morning and afternoon rush hours. A sight line assessment, crash summary analysis, and a signal warrant analysis were also completed for the intersection of CR-28 and Argenta Trail. It was found that the operations of Alignment C would be better for traffic exiting the neighborhood, Alignments B and C would significantly redistribute traffic patterns through the neighborhood by approximately 1,400 vehicles per day, sight lines would be adequate for each connection point, current crash rates were near state-wide averages, and a signal would not be justified at CR-28 and Argenta Trail with any of the alignment options. He noted the need for a signal was

triggered by the traffic volume on the roads and a signal could not be constructed until the traffic volume reached the appropriate threshold. He explained the existing traffic pattern conditions were analyzed to determine what would happen if connections were made at either option B or C. He stated the existing traffic patterns remained the same with Alignment A. Alignment B rerouted the traffic through the neighborhood and increased the number of cars leaving the area from approximately 100 vehicles per day to 1,500 to 2,000 vehicles per day in the future. Alignment C similarly rerouted traffic through the neighborhood and increased the number of cars leaving the area to the estimated volumes shown for Alignment B. He stated through the public process there was support and opposition for each of the alignment alternatives. Many of the concerns were related to safety at the Yankee Doodle intersection and rerouting traffic through the Eagan neighborhood for options B and C. He noted there were property impact concerns for each of the alignments as well as concerns related to increased travel time when entering and exiting the neighborhood. He stated the speeding concerns related to 77th Street were addressed through the speed studies that were conducted as well as information provided by law enforcement patrolling the area. The conclusion was that a speeding issue had not been witnessed on 77th Street. He explained the project management team recommended adoption of Alignment A because it maintained the existing neighborhood traffic patterns, provided a full access intersection at Yankee Doodle Road, and it limited direct impacts to residential properties and right-of-way acquisition.

Councilmember Hark clarified that either Alignment B or C would also require approval from the City of Eagan.

Mr. Klingbeil replied in the affirmative. He noted that the City of Eagan was involved in the process.

Mayor Tourville questioned if a response had been received from Mn/DOT regarding potential loss of the interchange at T.H. 55 and T.H. 3.

Mr. Thureen stated Mn/DOT's responded that none of the alignments being considered would affect the existing interchange at T.H. 55 and T.H. 3.

Councilmember Piekarski Krech questioned if 77th Street currently connected to Rolling Hills Drive.

Mr. Klingbeil replied in the affirmative.

Councilmember Piekarski Krech questioned if it was assumed under Alignments B and C that the Eagan residents would be traveling through the neighborhood instead of going out to T.H. 149.

Mr. Klingbeil stated the new intersection created under Alignment B or C would generally draw more vehicles from Eagan because it would be located closer them.

Councilmember Piekarski Krech opined she did not like Alignment A because the intersection would be placed on a curve and it would be unsafe.

Mr. Klingbeil stated the existing intersection was located on a curve that did not meet the design criteria being used for the project. A sight distance analysis was conducted at the proposed location and it was found that there would be sufficient sight distance at the new intersection.

Councilmember Piekarski Krech stated she still had safety concerns because most people did not drive according to engineering standards. She opined she did not support any of the alignment options presented.

Councilmember Mueller questioned if the speed could be lowered on that stretch of the road.

Mr. Klingbeil explained speed limits were established by Mn/DOT.

Mayor Tourville stated he received some comments from residents questioning why Alignments B and C were not pursued further to see if the City of Eagan would be agreeable to either option.

Mr. Klingbeil stated in Alignments B and C, where the increased traffic volume was anticipated, the existing road was only 32 feet wide whereas 77th Street was currently 40 feet wide. He explained 77th Street was built to handle higher volumes of traffic. He noted Alignments B and C were both circuitous

routes and it did not seem feasible to send up to 2,000 vehicles through the area on a daily basis. He stated when making the alignment recommendation more factors were considered than just whether or not the City of Eagan would grant approval of an alignment.

Mr. Klingbeil reviewed the north area study. He explained the goals of the study were to plan for a future interchange connection at 494, identify a 200 foot right-of-way corridor, provide direction for alignment of south project area, and provide guidance for future development. He stated in order to finish the design for the south project area there needed to be an understanding of where the north alignment would be in the future. Five alignment alternatives were developed and evaluated against specific criteria including safety, design standards, regional basin impacts, right-of-way impacts, and project cost differential. He explained for the north study area ranges of project costs were assigned to each alternative because it was a long-term project and the costs would be dependent upon the stage of development properties were in at the time of construction.

The first alignment alternative was located to the west of the existing power lines, provided a direct alignment to the future interchange, and utilized the most existing right-of-way. Mr. Klingbeil explained the alignment would involve substantial impacts to the neighborhood with an estimated ten (10) total acquisitions and 20 impacted parcels. The total cost was estimated to be \$7.4 to \$8.7 million.

The second alignment was centered on the existing power lines and provided a direct alignment to the future interchange. He stated this alternative would require future relocation of the power lines to the west. The alternative had substantial impacts to the neighborhood with an estimated six (6) total acquisitions and 19 impacted parcels. He noted the alignment would have major impacts on the regional basins and power lines. The total cost was estimated to be \$7.8 to \$9.6 million.

The third alignment was located on the western 200 feet of the Blackstone Ridge development and the eastern property line of the existing neighborhood and provided a direct alignment to the future interchange. The alternative would require relocation of the power lines on the west side of the property line. Four (4) total acquisitions and 16 impacted parcels were estimated in addition to major impacts to the regional basins. The total cost was estimated to be \$8.4 to \$10.8 million.

Mr. Klingbeil explained since the last time the alignments were discussed with the Council there were more questions raised regarding the third alternative and what would happen if it was moved right next to the power lines. He stated alignment 3a was located within the 200 foot right-of-way on the Blackstone Ridge development, directly east of the power lines. The alternative would require relocation of the power lines south of 70th Street, but would provide a direct alignment to the future interchange. One (1) total acquisition and ten (10) impacted parcels were estimated. The alignment would result in major impacts to the regional basins as well as the power lines. The total cost was estimated to be \$7.3 to \$9.8 million.

The fourth alignment moved farther to the east to avoid both neighborhood and regional basin impacts and provided a direct alignment to the future interchange. One (1) total acquisition and ten (10) impacted parcels were estimated. He noted the alignment would sever 14 acres of the Blackstone Ridge development resulting in increased right-of-way acquisition costs. The total cost was estimated to be \$6.2 to \$9.3 million.

Councilmember Bartholomew questioned if the cost of the easement for the property to the south was included.

Mr. Klingbeil replied in the affirmative. He explained the fifth alternative was the eastern-most alignment possible within the design standards. The alignment avoided major impacts to the regional basins but was the least preferred alternative from a roadway and intersection design standpoint. One (1) total acquisition and 11 impacted parcels were estimated. Ten (10) acres of the Blackstone Ridge development would be severed. He noted there were also transition cost implications. He explained alignment alternatives 1, 2, and 3 were able to take advantage of the construction work being done in the south project area to avoid additional construction costs in the future. He stated the fifth alternative was also the longest alignment and would be more expensive in terms of construction costs. The total cost was estimated to be \$7.2 to \$10.2 million.

Mr. Klingbeil discussed the feedback received from the existing neighborhood. A majority of the concerns related to the potential impacts to properties and the community feel of the existing neighborhood. In general, the neighborhood expressed opposition to Alignments 1, 2, and 3 and preferred Alignment 5. The developers' concerns generally related to the impacts on planned and future development. He noted no general consensus on a preferred alignment was received from the developers.

Mr. Klingbeil stated after evaluating the alignment alternatives the project management team found that Alignments 2 and 3 were higher risk because of the need to relocate the power lines and the associated cost implications. He noted the project management team recommended eliminating Alignments 2 and 3 from consideration.

Mr. Sorensen discussed what each of the alignment alternatives would mean going forward and the plans for implementation. He stated with respect to the implementation of Alignment 1 there was no immediate need to acquire any property. He clarified the individual property owners would not be approached by the City or the County to purchase their property unless the property owner indicated an interest in selling. He explained property acquisitions were not likely to occur until such time that there were plans in place to move forward with an interchange at 494. He noted the entire process that would be required to move forward with an interchange project would take a long time. He stated it would be prudent for the City and the County to be prepared to acquire properties if and when property owners were willing to sell. He recommended that the City consider adoption of an official map in 2015 to clearly identify the future alignment to both existing property owners and developers. He stated the City and the County would need to work with development as it occurred to preserve and secure the future right-of-way needed.

Mr. Sorensen stated the implementation process for Alignment 4 would be slightly different. The City and County would still need to be prepared to work with future development as it occurred to preserve right-of-way. He explained it would also be helpful if the City and County completed a preliminary design to help guide future development access and grading. He explained construction of the south project would also have to include a transitional roadway section to tie into the existing Argenta Trail south of 70th Street that would not be needed for the ultimate build-out of Alignment 4.

Mr. Sorensen explained the implementation process for Alignment 5 would also involve coordination with future development to preserve right-of-way and completion of a preliminary design. He noted early acquisition may be desired to accommodate development and access north of 70th Street. He stated with this alignment a transitional roadway section would be required for construction of the south project.

Mr. Thureen stated the next step in the process would be to present the south project and north study alignments to the County Physical Development Committee on March 10th and the County Board would consider formal adoption of the alignments on March 17th. He noted if the City and County wanted to take advantage of the funding programmed by Mn/DOT a project would need to be scheduled for construction in 2016 for the south area. He reiterated the alignment chosen for the north study area impacted the location of the tie-in for the south project area. He explained the western-most alignment for the north study area, Alignment 1, would necessitate the acquisition of one (1) additional property in the south project area whereas Alignment 2-5 would not. He reviewed the two (2) conditions (28 and 29) of approval included in the preliminary plat and PUD for Blackstone Ridge that also impacted the project schedule. He stated staff did allow flexibility in the schedule with respect to the north study area alignment that would allow postponement of a final decision until March 9th if needed.

Councilmember Bartholomew opined the City was a long way from coming up with money to begin the acquisition of properties. He stated the phrase "no immediate need" was very open-ended and made it difficult for the Council to make decisions regarding the north study area.

Mr. Thureen stated the interchange project was likely a 10 to 20 year timeframe. He noted ten (10) years was an optimistic schedule to get an interchange designed, approved, and constructed.

Councilmember Bartholomew stated his fear was that by placing an alignment for the north study area on a map the City would be locking in certain properties when the City had no funding available at the moment for acquisition.

Mayor Tourville questioned what the plan would be if a property owner was interested in selling after an alignment was selected.

Mr. Thureen explained staff would present a recommendation that would outline how acquisitions could be funded if there was immediate interest from impacted property owners.

Mayor Tourville questioned if the funding package for the north area was somewhat dependent on the alignment that was selected.

Mr. Thureen replied in the affirmative. He explained with respect to properties that were currently undeveloped the County would expect dedication of the right-of-way for a typical county road.

Councilmember Mueller stated the property owners in the existing neighborhood needed a decision to be made so they would know what the plans were and have time to plan accordingly for the impacts to their property. He questioned how long property owners would be given to stay in their property.

Mr. Thureen reiterated the need to acquire properties would be triggered by either an interchange project at 494 or future development that would enough pressure on the system to require incremental improvements to Argenta Trail.

Charles Thorkildson, 510 Rolling Hills Circle, Eagan, discussed the local street connection at 77th Street. He opined that all of the traffic would not be coming from Eagan residents because in both Alignments B and C the traffic from Inver Grove Heights would be rerouted through Eagan. He expressed concern regarding the projected traffic delays for vehicles exiting the neighborhood under Alignments B and C. He stated under Alignment B his home would be less than 30 feet from the road and he would not be able to get out of his driveway, under Alignment C his home would no longer exist.

Tim Moore, 1949 77th St., expressed concern that Alignments A and B each created four-legged intersections with two directions of traffic that would be uncontrolled. He opined the intersection would be unsafe and if vehicles had to wait longer periods of time to exit the neighborhood drivers may become impatient and take more risks. He questioned why the ¼ mile spacing from the T.H. 55 intersection was allowed when ½ mile access spacing would be required to the north.

Darryl Boerger, 1959 77th St. W., opined both Alignments A and B created skewed angles at the intersection because the intersection would be located in the middle of a curve. He stated the intersection would not be safe, especially with a speed limit of 50 mph. He referenced a national traffic study and opined that a three-legged intersection would be much safer than a four-legged intersection that was partially uncontrolled.

Larry Rocheford, 1966 77th St., opined that the proposed Alignment A was ill-advised. He stated that either Alignment B or C would be better and safer alternatives for the whole neighborhood. He added there was too much traffic on 77th Street and Alignment A would be dangerous.

Jerry Bretoi, 8365 Courthouse Blvd. Ct., opined it was the Council's responsibility to do everything within their legal authority to protect the property rights of the existing residents. He encouraged the Council to support the alignments that would do the least harm to the existing neighborhoods.

Andrew Hanselman, 1970 Upper 86th St. W., stated there was already a pre-existing entrance that Alignment B would tie into and that option would be the least disruptive to the neighborhood.

Ryan Vetter, 3294 Rolling Hills Drive, Eagan, stated the topography of Argenta was very challenging regardless of the alignment that was selected. He expressed concern that Alignments B and C would significantly increase the amount of traffic flowing through the neighborhood in Eagan and would not funnel the traffic out as efficiently as Alignment A. He noted throughout all of the neighborhood meetings the project management team was always very clear that their recommendation was to create a four-legged intersection.

Craig Selander, 3298 Rolling Hills Drive, Eagan, opined that the project management team was comprised of experienced professionals with the necessary knowledge and experience to make recommendations on

traffic safety and roadway design. He stated the project management team was looking out for the best interest and safety of the community and county as a whole. He encouraged the Council to listen to the recommendations of the project management team.

Mr. Sorensen explained that the existing curve at Yankee Doodle Road and Argenta Trail would become flatter as a result of the realignment under the proposed Alignment A and the existing sight lines would also improve. He stated the design standards were important because they factored into how the curve needed to be designed so drivers could see as they approached the curve. He noted issues related to sight lines arose when the curves were less than the typical standards for arterial roadways. He clarified there was an important distinction between skewed intersections and intersections located on curves. He explained the projected 29 second delay was the average delay estimated for any vehicle approaching the intersection to make a left turn. He stated the City and County were restricted by State statute with respect to establishing speed limits. He noted neither the City nor the County had the option to reject or override a speed limit established by Mn/DOT. He explained the process to establish speed limits was standardized and used in all 50 states. He acknowledged that the crash rates, on average, would be higher at a four-legged intersection than at a three-legged intersection because there was traffic entering the intersection from both sides. He stated if Alignment C was selected two (2) three-legged intersections would be created and the average crash rates for both intersections combined would be similar to that of a four-legged intersection. He addressed the concerns related to access spacing. He stated in the short-term a four-lane roadway was proposed and with the design that was recommended Amana Trail would be located much closer than a ½ mile from T.H. 55. In the long-term, the roadway section to the north of Amana Trail was the segment with traffic volume projections that would warrant an eventual six-lane roadway and would require the ½ mile access spacing from the intersection. He noted the long-term traffic volume projections for the segment south of Amana Trail were not the same and ¼ mile access spacing would be sufficient. He clarified that the project management team attempted to analyze and assess the situation based on what would be the best solution for the entire neighborhood and the boundary between Eagan and Inver Grove Heights was not a factor in their recommendation.

Roger Tadsen, 115 Belmont Road, Apple Valley, stated his neighborhood was impacted by two roadways that were constructed through the neighborhood. He explained through that process not a single home in the neighborhood was lost because of advanced planning by the city, county, and state. He encouraged the Council to make their decision quickly and with as little impact to the existing neighborhood as possible.

Kyle Van, 6818 Argenta Trail, referenced language in the City's 2030 Comprehensive Plan that stated "future development should focus on preservation and maintenance of existing neighborhoods". He opined that Alignment Alternative 1 for the north study area contradicted what was contained in the Comprehensive Plan because it involved the total acquisition of ten (10) properties. He stated in 2010 the participants in the Regional Roadway Visioning Study adopted option E for the future alignment of Argenta. He argued that option E most closely resembled Alignment Alternative 4 for the north study area. He stated the same alignment (option E) was reflected in the City's Northwest Area Collector Street Study in 2012. He opined that the proposed Blackstone developments precipitated a push to adopt Alignment Alternative 1 because it placed no burden on the developer to provide right-of-way for the future alignment of Argenta Trail north of 70th Street. He stated the burden would be placed on long-time property owners and tax payers if Alignment 1 was selected.

Laurie Wolfe, 6742 Argenta Trail, stated she represented the neighborhood located in the northeast quadrant of 70th Street and Argenta Trail. She explained the residents were not opposed to development in the City or proposed developments within their neighborhood. She stated they supported the development of necessary roadways in the City to improve the efficient handling of transportation needs. She noted 12 of the 15 property owners in her neighborhood were not interested in selling their property. The remaining property owners had either not provided their opinions or were waiting for the final alignment of Argenta in the north study area to be determined. She argued that no one from the City or County had visited the property owners in the neighborhood to discuss the proposed alignment options. She stated the neighborhood was interested in a negotiated compromise. She added that all of the residents at the open house in early January supported Alignment Alternative 5 and also suggested

Alignment Alternative 3a that was presented by the project management team. She opined Alignment 3a would allow for the realignment of Argenta Trail while keeping the developer's property for Blackstone Ridge intact and dramatically reducing the need to acquire existing homes in the neighborhood. She asked the Council to give serious consideration to Alignment 3a.

Dennis Wolfe, 6742 Argenta Trail, questioned why it took so long for the project management team to present Alignment 3a when it was originally suggested in early January. He also questioned why the project management team did not recommend that Alignment 3a stay in the mix for consideration. He opined that further analysis of the option was warranted because it was a compromise that would provide benefit to all parties involved. He stated Alignment 3a would put the road directly on the east side of the existing power line easement and the homes in his neighborhood would be preserved. He opined there were viable possibilities for mitigating and relocating the affected wetlands located on the Deanovic property. He suggested the power line easement could accommodate the relocated wetland and there was a possibility that private land could also be used if it was discussed with the property owner. He opined that total reconstruction of the power line would not be any worse than the 400 feet that was laid out in Alignment 3 and there would be no degradation to the proposed skew angles. He added that the total amount of earthwork required for Alignment 3a would be similar to what was outlined in Alignment 3. He noted the new roadway in Alignment 3a would be straighter than what was proposed in Alignment 1. He stated under the proposed Alignment 3a the Ace in the Hole property would lose less acreage and the property owner was not in favor of Alignment 1. He argued it was wrong to put a road on developed properties rather than on vacant land. He opined the Council was supposed to represent the best interest of the citizens in the community not a developer. He requested that the Council look at the options available to come up with a compromise that would be amenable to both the existing neighborhood and the Deanovic property.

Sally English, Sunfish Lake, stated the residents within the existing neighborhood agreed with the many aspects of what the City and the developer proposed. She opined that Alignment 3a was the only option that considered the desire to optimize land development and preserve the existing neighborhood. She argued that eminent domain should be the City's last option and the goal should be to protect individual property rights.

Greg Alsterlund, 2205 75th St., stated he had been a resident of the City since 1979. He explained he had a number of close relationships with the residents along Argenta Trail. He opined the neighborhood was a very proud and valuable part of the community and the proposed project did not feel right because it appeared that the City was attempting to maximize its tax base at the expense of the existing neighborhood. He stated the neighborhood was trying to get through the situation by coming up with a solution that was a compromise for all parties involved. He suggested further consideration of Alignment 3a because it would keep the existing neighborhood intact.

Linda Flannery, 7101 Argenta Trail, stated each of the five (5) alignment alternatives presented for the north study area went across her property. She opined it was not fair that the staff report did not mention how much of her property would be taken in each of the options. She agreed that Alignment 3a should be further discussed and analyzed even though it would probably mean her house would be sacrificed. She stated the neighborhood did not want to live in the lurch any longer and needed a decision to be made so the residents would know how their property would be affected. She asked the Council to consider and acknowledge the impact on the existing residents who have paid taxes in the City for many years.

John Todd, 6689 Argenta Trail, questioned if the letter received from Mr. Deanovic's attorney was available for public review.

Mayor Tourville stated it would become a part of the public record after the Council formally received it.

Dian Piekarski, 7609 Babcock Trail, stated she had often questioned if the City would be able to pay its debt obligations if no more development occurred and the answer had always been yes. She explained she met with the Finance Director to discuss her concern that the City was pushing development to pay off its existing debt obligations for the infrastructure in the Northwest Area. She stated she questioned how much in additional taxes the average property owner would have to pay to pay the City's debt if no more

development occurred. She explained the answer was that taxes would increase \$58 to \$70 annually for residential property owners to pay off the debt. She opined that Alignment 3a was worth considering even though it would result in less connection fees being collected from the developer. She noted if the development moved forward the City would only take on more debt to extend utilities. She opined that the Council needed to consider the taxpayers it represented and that she would be in favor of paying a little bit more in taxes every year to cover debt obligations if it would preserve the existing homes in the neighborhood.

Steven Soltau, 8170 Old Carriage Court, Shakopee, introduced himself as one of the underlying landowners of property included in the Blackstone development. He stated he had been involved with the property since 2002. He opined owning property for planned development was not easy. He explained he had dealt with trespassing, theft, encroachment, poaching, and other difficulties that come with carrying the burden of holding property. He noted he started with six (6) ownership partners and was down to one (1). He stated the most difficult aspect was the uncertainty and risk of eminent domain. He opined Mr. Deanovic was unique in that he was able to bring forth a viable development despite the challenges in the Northwest Area. He asked the Council to consider that the need to realign Argenta Trail was regional in nature and no local benefit would be gained by the developer.

Joe Vogel, 6963 Arkansas Ave., opined it did not seem that anyone wanted the road except for the County and there was not a need to do anything at this point in time, especially from a financial standpoint. He argued that a future six-lane roadway was unrealistic. He opined the realignment provided no benefit to the City.

Ian Peterson, Vice President of Ryland Homes, stated the realignment of Argenta Trail was a big component of the Blackstone development. He explained it was difficult to assess the financial impacts of the various alignment alternatives even though the project management team attempted to calculate cost ranges. He stated one key component that had been left out of the calculations was the loss of development fees and tax base. He provided an overview of the projected impact of Alignment 5 on the Blackstone Ridge development and the Falcon Partners parcel. He explained approximately \$3.7 million in development fees would be generated under Alignment 1 by the Blackstone and Falcon Partners plat. Under Alignment 4 the fees generated would be reduced to \$1.5 million and under Alignment 5 the fees generated would be reduced to \$1.8 million. He reiterated there would also be a significant impact to the tax base. He stated under Alignment 1 approximately \$80 million in assessed value was assumed for the Blackstone property and the Falcon Partners property. Under Alignment 4 the assessed value of the decreased to \$34 million and under Alignment 5 the assessed value decreased to \$43.5 million. Under Alignment 4 he estimated the loss of tax revenue to be \$700,000 annually and under Alignment 5 \$550,000 annually. He opined that would represent a lot of lost revenue to both the City and the County. He stated the developer also had property rights and needed a decision to be made in order to determine if they would be able to move forward with the Blackstone development.

Councilmember Piekarski Krech questioned if the developer could make the development viable under Alignment 3a if the City negotiated changes to the development requirements or made concessions to the development fees.

Mr. Peterson explained it was communicated early in the process that the wetland being discussed could not be touched by the developer or anyone else. He noted Alignment 3a went right through that wetland. He stated they worked very hard to come up with a plan that would be viable and still fit within the constraints of the Northwest Area. He stated that Alignment 3a would not be a viable option from a development perspective and if that alignment was selected the development would not be able to move forward.

Councilmember Piekarski Krech questioned if the developer would agree to Alignment 5.

Mr. Peterson stated the developer would lose 35 lots under Alignment 5 and would need additional financial considerations to make it work.

Councilmember Piekarski Krech questioned how many lots the developer would lose under Alignment 3a.

Mr. Peterson stated they never ran the numbers because they did not see it as a viable alternative.

Councilmember Bartholomew questioned why Alignment 3a was not a viable option.

Mr. Peterson stated the developer would have a hard time getting things permitted correctly in order to go through an exceptional class wetland.

Mr. Thureen stated the impact to the wetland would need to be seriously considered. He added he would pull the survey from the Northwest Area to determine the exact classification and whether or not relocation was an option.

Councilmember Piekarski Krech stated it may be able to be moved to the west if the neighbors were amenable.

Mr. Thureen stated the wetland was fairly significant in terms of its performance as a regional basin for the Northwest Area. He noted that was why the developer was advised to stay away from it in his design. He explained it would be difficult to relocate given the terrain in the area. He estimated additional volume would be needed from what would remain in the Blackstone Ridge plat in order to compensate for the loss of the basin.

Councilmember Piekarski Krech stated flexibility was a main premise of the design standards for the Northwest Area. She opined the City needed to be flexible and look at things differently in this instance to come up with a solution that would save the existing homes in the neighborhood and maximize the development potential for Blackstone. She stated she wanted both the development and the neighborhood to succeed and she was willing to make compromises to ensure that happened.

Jim Deanovic, developer, asked the Council to give him more time to examine Alternative 3a with staff and determine if something could be worked out.

Councilmember Piekarski Krech stated both she and the neighborhood were willing to make concessions to find a viable solution.

Mayor Tourville questioned if the amount of right-of-way needed for the corridor could be reduced.

Councilmember Piekarski Krech questioned why the City and County could not ask Xcel to use some of their right-of-way.

Mr. Sorensen stated the intent was to make sure that a larger problem was not created in the future when the needs became apparent. He explained if enough space was not set aside now it could cost everyone involved substantially more in the future when the roadway had to be expanded. He noted there could be some things done to phase or stage the right-of-way need make it work better in the short-term. He explained Xcel purchased their own easement and if the City or County wanted to do anything within that easement the costs associated with the relocation of the lines would have to be negotiated.

Jim Abbott, 6720 Argenta Trail, stated the wetland being discussed encroached on his property. He explained he would potentially be willing to extend more of the wetland on his property to accommodate the easement needed for Alignment 3a.

Nikki Abbott, 6720 Argenta Trail, opined the developer would also gain land if he was able to develop where the existing marsh was located.

Mary T'Kach, 7848 Babcock Trail, asked the City and the developer to discuss the original goals of the Northwest Area including higher densities and clustered development. She opined the developer may be able to reconfigure the type of development to get more units on the property and make it more viable financially.

Councilmember Bartholomew stated the preliminary design reports were completed by professionals and he believed the recommended alignment for the local street connection was the correct. He explained he could not justify routing all of the traffic through Eagan and doubling the traffic volume through that area. He stated he supported Alignment A for the 77th Street local connection.

Councilmember Hark stated he also supported Alignment A for the local street connection because it maintained the status quo in terms of traffic flow and volumes. He noted once the southern segment of

Argenta was realigned the curve would become much flatter.

Councilmember Mueller stated he would support the recommended alignment for 77th Street because it would not affect the interchange at T.H. 55 and T.H. 3.

Councilmember Piekarski Krech stated the professionals did not drive on the road or live in the neighborhood. She opined Alignment A was not more beneficial because the intersection would still be located on a curve and the sight lines would still be impacted. She noted she did not think any of the alternatives presented for the local street connection were viable. She added the increased traffic volumes would be generated from Eagan residents.

Mayor Tourville stated there was no solution for the local street connection that would appease everyone. He noted the Police Department would continue to monitor the speed of traffic through the area as closely as possible to make sure it did not become an issue. He explained he would support Alignment A for the local street connection.

Motion by Bartholomew, second by Hark, to adopt Resolution No. 15-30 selecting Alignment Option A for the Connection of 77th Street West to Realigned Argenta Trail (County State Aid Highway 63) as presented in the February 23, 2015 Preliminary Design Report for Argenta Trail (CSAH 63) Realignment – 77th Street Area Study

Ayes: 4

Nays: 1 (Piekarski Krech) Motion carried.

Motion by Bartholomew, second by Piekarski Krech, to adopt Resolution No. 15-31 selecting Alignment Alternative 2 for the Reconstruction and Expansion of Argenta Trail (County State Aid Highway 28/63) as presented in the February 23, 2015 Preliminary Design Report for Argenta Trail (CSAH 28/63) Realignment – South Project (CP 63-25)

Ayes: 5

Nays: 0 Motion carried.

Mayor Tourville suggested City and County staff meet with the neighborhood and the developer to further explore Alignment 3a and discuss the alignment alternatives to determine if a compromise could be reached.

Councilmember Bartholomew stated he would support tabling the item to further consider Alignment 3a. He opined that everyone involved had property rights, including the developer, and the City had to protect all of them.

Mr. Kuntz suggested continuing to proceed with the schedule to hold a public hearing before the Planning Commission regarding the Comprehensive Plan Amendment. He explained that way the notification process could still be followed and if the hearing had to be cancelled or postponed it could be.

Motion by Piekarski Krech, second by Bartholomew, to table consideration of an Alignment Alternative for the Realignment of Argenta Trail (CSAH 63) – North Area Future Right-of-Way Corridor to March 9, 2015 and to direct staff to further review and analyze Alignment Alternative 3a as presented

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 15-32 authorizing staff to Initiate a Comprehensive Plan Amendment Application Process related to the Realignment of Argenta Trail between the points at Highway 55 on the South End and near I-494 on the North End

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Hark, to receive Preliminary Design Reports for Argenta Trail (CSAH 28/63) Realignment South Project (City Project No. 2014-11), Argenta Trail (CSAH 63) Realignment 77th Street Area Study (City Project No. 2014-11), Argenta Trail (CSAH 63) Realignment North Study Area, and to receive all written correspondence presented at the meeting

Ayes: 5

Nays: 0 Motion carried.

The City Council recessed at 10:40 pm and reconvened at 10:50 pm.

D. CITY OF INVER GROVE HEIGHTS: Consider Resolution Receiving the Final Feasibility Report and Scheduling Public Hearing for City Project No. 2015-13, Northwest Area Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge Development) and a Resolution Authorizing Comprehensive Plan Amendments if the 69th Street Alignment is Selected

Mr. Kaldunski stated City Project No. 2015-13 involved the extension of trunk sewer and water from the 70th Street lift station to the Blackstone Ridge development. Bolton & Menk was hired to complete a feasibility study to examine three (3) options including 69th Street, 70th Street, and 71st Street. He explained the 70th Street option began at a lift station (located on an outlot of the Blackstone Vista plat) and would travel south of existing 70th Street right-of-way through various properties and across Argenta Trail to eventually cross under 70th Street and end at Blackstone Ridge. The total estimated cost for the option was \$3.6 to \$3.7 million. The 71st Street alignment started at the same lift station location and followed an existing road proposed through the Blackstone Vista development, through the Messerich, Glennin, and Flannery properties, and up to Blackstone Ridge. The total estimated cost for the option was \$3.1 to \$3.5 million, including both construction and easement acquisition costs. The 69th Street alignment started at the same lift station location and would go through the Joseph and Zachary properties to follow the existing 69th Street right-of-way to cross the Krenz property and end at Blackstone Ridge. The total estimated cost for the option was \$2.9 to \$2.95 million. He noted the cost differential between the options was reduced because the actual easement costs were further refined by an independent appraiser. He explained the project would be funded with connection charges as trunk improvements. He reiterated the 69th Street and 71st Street alignment alternatives were very close in cost. He noted if the City was successful in negotiating the donation of the easement across the Messerich property the 69th Street and 71st Street option would become even closer in cost. He stated the public hearing would be scheduled for April 13th at which time the Council would actually consider ordering the project.

Mr. Kuntz stated there was discussion about the possibility of considering simultaneous construction of a lateral line if the Council wanted to consider the 69th Street alignment for the extension of trunk utilities. He explained the lateral line would be designed and constructed for eventual connection by the residents in the area. He noted the trunk line would be so deep that connection would not be available without a lateral line. He explained at this point in time the City did not have a feasibility report for a lateral line. If the Council wanted to pursue a lateral line they would have to order a feasibility report to gain an understanding of the costs that would be associated with that component of the project. The City would also need to discuss how to fund the construction of the lateral line if the determination was made that connection would not be mandatory. He noted the City would not be able to fund the lateral line using connection fees for the Northwest Area that were collected for the trunk line because they were dedicated funds. The City also would not be able to issue revenue bonds dependent upon lateral connection fees. He explained there was an existing State Plumbing Code requirement that stated if sewer was accessible, and if it was feasible to connect, buildings had to be connected to City sewer unless local ordinance provided otherwise. The City had an ordinance that required connection to the sewer in the year following the year in which connection was made available. If the City chose to install a lateral line at this time he suggested that the City pass an ordinance that would not require connection to that particular line in order to protect the Comprehensive Plan designation of the exception neighborhood. He explained the ordinance would provide the ability for those in the exception neighborhood to connect to the lateral line under certain circumstances including voluntary connection, failure of an existing septic system, or construction of a new building.

Mayor Tourville clarified if the 69th Street alignment was selected residents in the exception neighborhood would not be required to connect to City utilities at the time of construction even if a lateral line was included.

Mr. Kuntz replied in the affirmative.

Councilmember Hark confirmed there would be three scenarios in which residents would be forced to connect.

Mr. Kuntz replied in the affirmative.

Mayor Tourville questioned if there was a rough estimate of how much it would cost to hook up to the system.

Mr. Kaldunski stated he would not be able to provide an exact cost without a feasibility report. He explained he estimated construction of a lateral line to cost \$120,000 to \$180,000 depending on how much pipe was needed. He stated the connection fee would also change based on when a property owner decided to connect because the fees were generally adjusted annually.

Mr. Lynch reiterated if the lateral line was included the costs for the 69th Street and 71st Street alignments were nearly equal. He stated the City put together a report related to the status of the existing septic systems in the exception neighborhood. He explained there were eight (8) properties in the area with systems that ranged from 14 to 40 years old and when those systems failed the property owners would be required to connect to City utilities if they were unable to replace their system. He noted it would be more expensive at that time for residents to connect to City services.

Martha Zachary, 6921 Arkansas Ave., expressed disappointment that the 69th Street option was being discussed even though the City Council had previously removed it from consideration. She stated she did not want any of her property taken for an easement or right-of-way. She explained no one had approached her to discuss the proposed 69th Street alignment and she requested that people contact her directly if they had questions about her property. She reiterated she was opposed to the 69th Street alignment.

Jim Deanovic, developer, stated he was in favor of the 71st Street alignment. He opined if the residents in the 69th Street neighborhood did not want utilities extended through their neighborhood the City should not force the issue.

Mike Simon, 1636 69th Street, clarified if the 69th Street option was selected without a lateral line the pipe would be buried too deep for residents to connect.

Mayor Tourville replied in the affirmative.

Mr. Simon questioned if anyone on 69th Street would be assessed for the trunk line.

Mayor Tourville replied in the negative.

Mr. Simon questioned why the neighborhood was not notified about the meeting at which the Council chose to add the 69th Street option to the feasibility report. He stated a majority of the neighborhood had been under the assumption that it was not being considered.

Mayor Tourville stated the Council was given preliminary cost estimates that 70th Street and 71st Street options may have been a couple hundred thousand dollars more than the 69th Street option. The Council made the decision to add 69th Street to the feasibility report to obtain more refined cost estimates. He noted there was also a misconception in the neighborhood that people would be assessed for the trunk line. He stated adding it to the feasibility report provided the Council with more information to make a better decision.

Mr. Simon stated he and his wife were opposed to the 69th Street option in large part because of what would happen to the Zachary property. He opined the City had not provided the neighborhood with any concrete information regarding what would happen under the 69th Street scenario or the cost to property owners. He stated it was hard to make a decision without detailed information.

Nikki Abbott, 6720 Argenta Trail, questioned if the Zachary property could be restored to its original stated if utilities were extended through her property.

Mr. Kaldunski addressed the concerns regarding a lack of information communicated with the neighborhood. He explained the first step in the process was to do a feasibility study and set a public hearing. He stated neighborhood meetings were typically held approximately ten (10) days before the public hearing to share more detailed information with the affected property owners. He noted there were no plans at this point in time to include a street improvement project with the 69th Street alternative. He explained in the feasibility study the 69th Street alternative involved installation of a sanitary sewer that would be jacked approximately 35 feet deep below the existing surface of the Zachary property in an area to the north of the house. He stated the line would be directionally drilled and she would see no disturbance on the surface of her property from the deep sanitary sewer line. The second part of the improvement project would include directionally boring a trunk water main seven (7) to ten (10) feet deep that would be installed in such a manner that the surface of the property would not be disturbed.

Councilmember Hark questioned how wide the easement would be across the Zachary property.

Mr. Kaldunski stated the easement would match the southern right-of-way line of 69th Street and the City would attempt to negotiate an easement over the northern portion of the Zachary property.

Mayor Tourville questioned if there was an existing easement on the property.

Mr. Kaldunski replied in the negative. He noted the appraiser did provide an estimate on the value of the easement.

Ian Peterson, Ryland Homes, opined this was an opportunity for the neighborhood. He stated when the existing septic systems began to fail and there were city utilities surrounding the neighborhood it was extremely likely that property owners would be forced to bring sewer and water to their property to connect. He explained the deal being offered was favorable because the City would install the utilities and the property owners would not be forced to connect.

Joe Vogel, 6963 Arkansas Ave., opined that the value of the Zachary property would go down as a result of the easement. He stated the lot sizes in the neighborhood were part of the reason why the homes in the area were so unique. He explained he always expected sewer and water to eventually be extended down 70th Street because it was a major roadway and it was a much straighter alignment. He opined the cheapest option was not necessarily the best alternative. He questioned who would pay for the trunk line going from the Vista development to the Ridge development.

Mr. Lynch stated the developer would pay for the utility extension on and across his properties and the City would fund the extension of the remaining segments, including the construction of the lift station.

Mr. Vogel stated as a taxpayer he had as much right to have access to the trunk line as anyone else. He opined that the 70th Street alignment made the most sense.

Dick Roberts, 1655 68th St., stated it was nice to hear that the City was considering a lateral line if the 69th Street alignment was selected because it would provide some incentive or potential benefit to the exception neighborhood. He opined if that had been a part of the original proposal the neighborhood may have reacted more favorably.

Ed Joseph, 1735 70th St. W., stated he supported the 69th Street alignment because of the cost savings to the neighborhood. He explained if the trunk line was installed now with a lateral line the costs would be covered by the City rather than by the residents of the neighborhood. He opined that the neighborhood did not understand how expensive it would be to connect to the system in the future when their septic systems failed.

Mr. Kuntz clarified that if the 69th Street alternative was selected and a lateral line was installed the property owners would not be forced to connect to the system at the time of construction. If and when they did choose to connect, they would have to pay the applicable trunk and lateral connection fees.

Kyle Van, 6818 Argenta Trail, questioned if the feasibility study could include information outlining the

connection fees so residents would have a cost estimate to make an informed decision.

Mr. Kaldunski stated the issue was brought to the Council to determine if they wanted to add information regarding the lateral line to the feasibility study. He noted he could not provide detailed cost estimates without a feasibility study.

Councilmember Bartholomew questioned how large the easement would be across the Zachary property.

Mr. Kaldunski stated he did not know the exact dimensions of the easement at this time. He noted it would be located to the north of the existing home.

Councilmember Bartholomew questioned if anything could be done on the property within the easement.

Mr. Kaldunski stated the property owner would not be able to construct anything within the easement. He noted there was an existing septic system in the same location and the property owner was not currently allowed to construct anything over the septic system.

Councilmember Piekarski Krech stated the easement shown on the map appeared as though it would span half of the property.

Mr. Kaldunski stated the property owner would still retain ownership of the property within the easement and would still be able to enjoy the use of her yard. He noted property owners typically received compensation for easements that were granted.

Ms. Zachary stated no one had been to her house to perform an appraisal or find out where her septic system was located. She questioned the accuracy of the figures in the feasibility report.

Mayor Tourville stated the appraiser based their estimates on the value of the land.

Mr. Simon stated it was difficult to make a decision without a cost estimate.

Councilmember Bartholomew questioned if it would cost more to prepare a feasibility study for the lateral line on 69th Street.

Mr. Thureen stated there would be costs for the consultant to prepare the report.

Councilmember Mueller stated if the neighborhood was not interested they should not spend more money and staff time on the issue.

Mayor Tourville stated he originally saw further consideration of 69th Street as an opportunity to save money. He explained because the construction costs were so similar it may be best to proceed with the 71st Street alternative.

Mr. Kuntz stated the resolution would have to be amended to identify the 71st alignment as the selected alignment.

Motion by Piekarski Krech, second by Mueller, to adopt Resolution No. 15-33 receiving the Feasibility Report dated February 23, 2015 and Calling for a Public Hearing to Order City Project No. 2015-13, Northwest Area Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge Development) and to amend the resolution to identify the 71st Street alignment as the preferred alternative.

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

9. ADJOURN: Motion by Mueller, second by Hark, to adjourn. The meeting was adjourned by a unanimous vote at 12:12 am on Tuesday, February 24, 2015