INVER GROVE HEIGHTS CITY COUNCIL AGENDA

Monday, September 28, 2015
8150 BARBARA AVENUE
7:00 P.M.

1. CALL TO ORDER
2. ROLL CALL
3. PRESENTATIONS
4. CONSENT AGENDA – All items on the Consent Agenda are considered routine and have been made available to the City Council at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.

A. i) Minutes of July 27, 2015 Regular City Council Meeting _____
ii) Minutes of September 8, 2015 Work Session Meeting _____

B. Resolution Approving Disbursements for Period Ending September 22, 2015 _____

C. Consider Appointment of Paul Rank as the Fire Operations Supervisor for the City of Inver Grove Heights _____

D. Consider Pay Voucher No. 5 for the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District _____

E. Consider Change Order No. 2 and Pay Voucher No. 4 for City Project No. 2015-09E – 47th Street Area Reconstruction and City Project No. 2015-14 – 47th Street Area Water and Sewer Improvements and Rehabilitation _____

F. Consider Resolution Authorizing Preparation of Amendment No. 5 to the November 19, 2014 Feasibility Study by Bolton & Menk, Inc. for City Project No. 2014-13 – Northwest Area Utility Extension, Argenta Trail Alignment and Establishing City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail Alignments) and Accepting the Final Feasibility Study for City Project No. 2015-16 _____

G. Consider Resolution Receiving the Final Feasibility Study for City Project No. 2015-12 – NWA Trunk Watermain Improvements, 65th Street Loop (Argenta Trail to Babcock Trail), Amendment No. 4 to the Feasibility Study for City Project No. 2014-13 – NWA Trunk Utility Improvements – Argenta District (70th Street Lift Station to Blackstone Ridge Development), and Setting a Public Hearing for City Project No. 2015-12 _____

H. Accept Revised Proposal from American Engineering Testing, Inc. (AET, Inc.) for Phase 1 Environmental Site Assessments for City Project No. 2014-11 – Argenta Trail _____

I. Consider Resolution Accepting Proposal IPO No. 26 for Engineering Services from Kimley-Horn & Associates, Inc. for Preparation of the Feasibility Report and Other Engineering Services for City Project No. 2016-09D – 60th Street Area Reconstruction. _____

J. Accept Proposal from NAC Mechanical & Electrical Services for Revisions to the City's Two Water System Emergency Generators to Meet EPA Emissions Standards _____

K. Accept Proposal and Award Project for Cured-in-Place Pipe Sewer Lining _____

L. Personnel Actions _____

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

6. **PUBLIC HEARINGS:**

7. **REGULAR AGENDA:**

FINANCE:

A. **CITY OF INVER GROVE HEIGHTS**: Consider Resolutions Adopting the Proposed Tax Levy for 2016, Adopting the Proposed 2016 Budgets, Adopting the Proposed Watershed Management Taxing Districts' Tax Levies for 2016, and Set the Date and Time for the Regularly Scheduled Meeting where the Budget will be Discussed _____

COMMUNITY DEVELOPMENT:

B. **ATHLOS ACADEMIES**; Consider the following requests for property located at 9725 South Robert Trail:

a) A Resolution relating to a Comprehensive Plan Amendment to change the land use designation of the property from LI, Light Industrial to P/I, Public Institutional _____

b) An Ordinance Rezoning the property from I-1, Limited Industry to P, Institutional _____

C. **ATHLOS ACADEMIES;**
Consider an agreement for Payment in Lieu of Taxes between the City of Inver Grove Heights and Athlos Preparatory Academy; together with Lease Agreement between the City of Inver Grove Heights and Athlos Preparatory Academy. _____

D. **THE CHARTER SCHOOL FUND (ATHLOS ACADEMIES);** Consider a Resolution relating to a Major Site Plan Review for the construction of a 90,000 gross square foot school building along with other property improvements for property located at 9725 South Robert Trail _____

E. **HEMANT BHAKTA;** Consider the following requests for property located at the SW corner of 54th Street and Alta Avenue:

a) An Ordinance rezoning the property from B-2, Neighborhood Business to B-3, General Business _____

b) A Resolution relating to a Comprehensive Plan Amendment to change the land use designation from NC, Neighborhood Commercial to CC, Community Commercial _____

F. **JIM DEANOVIC-BLACKSTONE RIDGE/BLACKSTONE HIGHLANDS;** Consider a Resolution relating to allowing transfer of Northwest Area connection fee credits to the future Blackstone Highlands plat _____

ADMINISTRATION:

G. **CITY OF INVER GROVE HEIGHTS**: Consider Amending Title 3, Chapter 2, Section 5 related to Approval of Dance Hall Licenses and Repeal of Title 4, Chapter 4 of the City Code Related to Dance Hall and Cabaret Licensing _____

H. CITY OF INVER GROVE HEIGHTS: A Unanimous Resolution Pursuant to Section 1-2-3 of Inver Grove Heights City Code Authorizing Consideration and Passage at One Reading of the following ordinance. An Ordinance Amending Inver Grove Heights City Code Section 5-6-1 (D)(2)(a) Related to Use of Bows and Arrows _____

8. MAYOR & COUNCIL COMMENTS:

9. EXECUTIVE SESSION

A. Executive Session Pursuant to Minn. Stat. § 13D.05, Subd. 3
Discuss Status Update Relating to Negotiations with Lawrence and Linda Flannery and Glenlin Properties, LLC related to Easements Required for Project 2015-13

10. ADJOURN

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

INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JULY 27, 2015 - 8150 BARBARA AVENUE

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, July 27, 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, Parks and Recreation Director Carlson, Finance Director Smith, Public Works Director Thureen, Chief Stanger, Chief Thill, and Recording Secretary Fox

3. PRESENTATIONS:

A. Presentation of New Police and Fire Employees

Chief Stanger introduced the three newest Inver Grove Heights Police Officers, Ryan Rose, Katie Wagoner, and Ben Bidon.

Chief Thill introduced five new Fire Department recruits, Nelson Skoglund, Anthony Mickelson, Joshua Kadrowsky, Timothy Berres, and Christopher Anderson. She noted that each of the recruits were residents of Inver Grove Heights.

The City Council welcomed the new staff members and thanked them for their service.

B. MRPA Award of Excellence for the Walk with Ease Arthritis Program

The Parks and Recreation Department was presented with the Minnesota Recreation and Park Association Award of Excellence in the sponsorships and partnerships category for the Walk with Ease Program.

4. CONSENT AGENDA:

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

Mr. Thureen removed Item 4H from the Consent Agenda.

A. Minutes of June 22, 2015 Regular City Council Meeting

B. Resolution No. 15-117 Approving Disbursements for Period Ending July 21, 2015

D. Approve Appointment of Golf Course Superintendent

E. Approve Appointment of Assistant Golf Course Superintendent

F. Change Order No. 1, Pay Voucher No. 2, and the Amended Community Conservation Partnership Grant Agreement for City Project No. 2015-09e, 47th Street Area Reconstruction and City Project No. 2015-14, 47th Street Area Water and Sewer Improvements and Rehabilitation

G. Change Order No. 2 and Pay Voucher No. 2 for the 2015 Capital Improvement Program, City Project No. 2015-10, NWA Trunk Utility Improvements - Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11, NWA 70th Street Lift Station – Argenta District

I. Resolution No. 15-118 Authorizing Right of Entry for Geotechnical and Environmental Investigation and Wetland Delineation per Minnesota Statute 117.041

J. Resolution No. 15-119 Receiving the Petition and Ordering Geotechnical Investigation for City Project No. 2016-09E, Bancroft Way Neighborhood Street Improvements

K. Personnel Actions

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

Ayes: 5
Nays: 0 Motion carried.

C. Approve Replacement of Lap Pool Heat Exchanger

Councilmember Piekarski Krech questioned how many heat exchangers the community center had and if they all needed to be considered for replacement.

Mr. Carlson stated the City recently replaced the heat exchanger for the dive pool. He explained it was difficult to estimate how long the remaining heat exchangers would last and staff tried to get as much life out of each unit as possible.

Motion by Piekarski Krech, second by Mueller, to approve replacement of lap pool heat exchanger

Ayes: 5
Nays: 0 Motion carried.

H. Accept Quote for Storm Sewer Replacement

Mr. Thureen explained the quote was to replace the culvert that ran under 49th Street. He stated the quote was under $25,000 but assumed a hard closure of the street while replacement occurred. An additional cost was proposed to allow one lane of the street to remain open at night. This caused the estimate to exceed the $25,000 threshold. Staff recommended tabling the item to obtain an additional quote unless the Council was amenable to hard closure of the street.

Councilmember Piekarski Krech questioned how long the street would be closed.

Mr. Thureen estimated two to three days.

The Council agreed they would rather proceed with the work now versus delaying the project further.

Motion by Piekarski Krech, second by Hark, to accept quote for storm sewer replacement and allow hard closure of the street.

Ayes: 5
Nays: 0 Motion carried.

5. <u>PUBLIC COMMENT:</u> None.

6. <u>PUBLIC HEARINGS:</u>

A. CITY OF INVER GROVE HEIGHTS: Consider Application of Inver Wood Golf Course for On-Sale Intoxicating Liquor License for premises located at 1850 70th St. E.

Mr. Carlson explained recent legislation and subsequent ordinance amendments would now allow for the sale of intoxicating liquor at Inver Wood. He stated the proposal would provide for the sale of intoxicating liquor at the course Monday through Saturday. Sunday sales would continue to be limited to the on sale of 3.2 malt liquor. He noted all documentation had been updated and the City had liquor liability insurance in place.

Mayor Tourville questioned why Sunday sales were still being limited to 3.2 beverages.

Mr. Kuntz explained the special legislation provided for the issuance of an on-sale intoxicating liquor license to the golf course. The special legislation applied to sales taking place Monday through Saturday. A special license to allow the sale of intoxicating liquor on Sundays can only be issued to a restaurant. He noted the standards and the statute were being reviewed to determine if Inver Wood met the standard for a restaurant.

Councilmember Bartholomew opined that the alcohol server training was extremely important. He stated the expectation would be that the City set the standard for training employees on the responsible service of alcohol.

Matt Moynihan, Inver Wood, explained responsible server training had been a standard practice at Inver Wood since 2002. He stated the City contracts with an outside entity to provide the training to all employees. He added the course also had extra internal controls in place to prevent issues from

occurring.

Motion by Piekarski Krech, second by Bartholomew, to close the public hearing.

Ayes: 5
Nays: 0 Motion carried.

Motion by Madden, second by Piekarski Krech, to approve the application of Inver Wood Golf Course for an On-Sale Intoxicating Liquor License for the premises located at 1850 70th St. E.

Ayes: 5
Nays: 0 Motion carried.

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

FINANCE:

A. CITY OF INVER GROVE HEIGHTS: Pre-Sale Reports for 2015A and 2015B Bond Sales

i) Resolution Providing for the Sale of $7,960,000 General Obligation Bonds Series 2015A

ii) Resolution Authorizing the City to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority

iii) Resolution Providing for the Sale of $4,460,000 General Obligation Sewer Revenue Bonds, Series 2015B

Steve Apfelbacher, Ehlers and Associates, stated the Council had been discussing the financing of various capital projects in 2015 and a recommendation was prepared to move forward with the issuance of two separate debt issues. The first issuance, series 2015A, was for the street reconstruction and pavement management programs. He noted both projects had previously been authorized by the Council. He explained staff projected the assessments that would be levied against the individual projects and estimated the City's annual debt service to be $660,000. The repayment of the debt issues were setup over a 15 year period. The second debt issuance related to the extension of sewer and water for the Northwest Area. The Council had already authorized various projects for the extension of the sewer. The issuance was primarily a pledge of revenues from the Sewer utility, specifically the user charges from the Northwest Area and other revenues would be used to retire the debt. He explained bids would be taken on August 24, 2015. He reviewed the pre-sale reports that were provided to Council. He recommended that the City take advantage of the State's credit enhancement program for the second debt issue because it would provide for a credit rating one notch higher than what the City currently had. He stated this would be cost effective and would result in receiving a lower interest rate.

Motion by Bartholomew, second by Mueller, to adopt Resolution No. 15-120 providing for the sale of $7,960,000 General Obligation Bonds Series 2015A

Ayes: 5
Nays: 0 Motion carried.

Motion by Bartholomew, second by Hark, to adopt Resolution No. 15-122 providing for the Sale of $4,460,000 General Obligation Sewer Revenue Bonds, Series 2015B

Ayes: 5
Nays: 0 Motion carried.

Motion by Mueller, second by Bartholomew, to adopt Resolution No. 15-121 authorizing the City to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority

Ayes: 5
Nays: 0 Motion carried.

COMMUNITY DEVELOPMENT:

B. ATHLOS ACADEMIES: Consider the following requests for property located at 9725 South Robert Trail:

i) Resolution relating to a Comprehensive Plan Amendment to Change the Land Use Designation of the property from LI, Light Industrial to P/I, Public Institutional

ii) Ordinance Rezoning the property from I-1, Limited Industry to P, Institutional

Mr. Link reviewed the location of the property. The request was to change the comprehensive plan land use designation from Industrial to Institutional. If approved, the applicant would tear down the existing building and replace it with a 90,000 square foot school. Planning staff recommended denial of the request because historically the City has hesitated to rezone commercial and industrial properties, and the City had a strong interest in economic development with respect to tax base, employment, and the ability to provide additional goods and services. He noted the current designation was consistent with that of neighboring properties. The Planning Commission recommended approval of the request because the conversion of the vacant building into a school would constitute a reinvestment into the property that would provide jobs and be an appropriate land use for the residential developments to the north and to the west. He explained if the requests were approved a site plan would be presented to the Council at a later date for consideration and to provide an opportunity to address the questions and concerns of the neighborhood.

Aaron Carroll, Athlos Academies, explained because the school would own the property it would be removed from the tax roll. He noted the current taxes being paid for the property were relatively small when compared to other industrial properties. He proposed to connect the building to City utility services, which equated to approximately $160,000 in connection fees. He noted the new building would also require approximately $60,000 to be paid for building permit fees. Met Council employment projections for the property estimated the creation of 28 to 38 jobs. He stated the school would create approximately 100 jobs. He opined the proposed use would provide a good buffer between the residential properties to the north and the commercial uses to the south. He explained a neighborhood meeting was held and he felt they would be able work with the neighborhood to design a site plan that would be acceptable. He added the hours of operation for the proposed use would be more conducive to the neighboring residential properties versus an industrial use.

Councilmember Hark questioned if the projected connection fees and building permit fees were accurate.

Mr. Link stated he would check with staff and report back to the Council.

Mr. Carroll stated the estimates were provided by the Chief Building Official.

Councilmember Piekarski Krech if the building would be serviced by Eagan's utilities.

Mr. Link confirmed this area was covered by a joint powers agreement between the two cities.

Mr. Lynch clarified the connection fees and the building permit fees would go to the City. The ongoing operational and maintenance costs would be paid to the City of Eagan.

Motion by Piekarski Krech, second Mueller, to receive email correspondence from Mr. Brown

Ayes: 5
Nays: 0 Motion carried.

Councilmember Bartholomew clarified that approximately $48,000 would be taken off the tax roll if the rezoning was approved.

Mr. Lynch stated that was correct.

Councilmember Bartholomew stated he was hesitant to rezone the property because he felt the City already had a shortage of industrial property.

Councilmember Piekarski Krech stated she had similar concerns with rezoning industrial property.

Councilmember Mueller stated he would not support changing the comprehensive plan at this time.

Councilmember Bartholomew stated there was also a risk with rezoning the property to institutional if the project did not go forward.

Mr. Carroll noted the property had been actively marketed for ten (10) years and no viable buyers had stepped forward. He explained the building was outdated and would be very difficult to rehab the existing structure. He stated the Department of Education had already approved the Charter and they had already submitted the site plan review to move the project forward.

Councilmember Piekarski Krech stated she also had concerns with building a school for grades K-8 in that location. She opined it was not an ideal site for children.

Councilmember Hark opined the Council had to maintain the integrity of the tax base and find ways to expand the tax base. He questioned if there would be any consideration of a payment in lieu of the lost tax revenue.

Mr. Carroll stated it would be difficult from a budgetary standpoint to consider such a payment. He added they were willing to look into it and consider the possibility.

Mayor Tourville explained he was also concerned about the loss of tax base. He questioned if the applicant would like to have the Council table the item to look at some of the concerns further.

Mr. Carroll stated he did not want to delay the schedule, but would not be opposed to additional discussion to try to work through some of the issues.

Mayor Tourville stated the accessibility concerns off of South Robert Trail should be looked at before getting too deep into the process.

Mr. Kuntz suggested extending the timeframe to October 2, 2015. The item would come before the Council before that date.

Mr. Carroll consented to extending timeframe as proposed.

Motion by Bartholomew, second by Piekarski Krech, to table resolution relating to a Comprehensive Plan Amendment to Change the Land Use Designation of the property from LI, Light Industrial to P/I, Public Institutional and an Ordinance Rezoning the property from I-1, Limited Industry to P, Institutional to September 14, 2015

Ayes: 5
Nays: 0 **Motion carried.**

C. CARIBOU COFFEE COMPANY: Consider the following requests for property located at 5743 Blaine Avenue:

i) Ordinance Amendment to the Bishop Heights PUD Ordinance adding 3,160 square feet of restaurant with drive-through for Lot 3, Block 1, Bishop Heights 4th Addition and allocating traffic volumes

ii) Resolution relating to a Variance to allow the drive-through lane with a setback of six feet whereas 10 feet is required

Mr. Link reviewed the location of the property. The request was to add a drive through onto the south side of the existing coffee shop and expand the restaurant space to the north into a vacant space. He provided an overview variance request. He stated the properties to the west all had a smaller setback to begin with because the right-of-way was not as wide. Both Planning staff and the Planning Commission recommended approval of the requests.

Jerry Roper, Caribou Coffee Company, he stated the plan was to undertake a joint venture with Einstein Bros. bagels.

Motion by Piekarski Krech, second by Hark, to adopt Ordinance No. 1298 amending the Bishop Heights PUD Ordinance adding 3,160 square feet of restaurant with drive-through for Lot 3, Block

1, Bishop Heights 4th Addition and allocating traffic volumes and Resolution No. 15-123 approving a Variance to allow the drive-through lane with a setback of six feet whereas 10 feet is required

Ayes: 5
Nays: 0 Motion carried.

D. CHURCH OF ST. PATRICK/CEMETERY: Consider an Ordinance Amending the Zoning Code to allow Columbariums as a Permitted Use Associated with a Cemetery

Mr. Link explained current zoning code requirements allow a mausoleum as part of a cemetery. A columbarium would be a similar use associated with a cemetery, except it would be considered a structure and would have to comply with zoning regulations. Both Planning staff and the Planning Commission recommended approval of the request.

Motion by Hark, second by Piekarski Krech, to suspend the rules and consider approval of the ordinance amendment in one reading

Ayes: 5
Nays: 0 Motion carried.

Motion by Piekarski Krech, second by Mueller, to adopt Ordinance No. 1299 amending the Zoning Code to allow Columbariums as a Permitted Use Associated with a Cemetery

Ayes: 5
Nays: 0 Motion carried.

ADMINISTRATION:

E. CITY OF INVER GROVE HEIGHTS: Consider First Reading of an Ordinance Amending City Code Title 5, Chapter 6 related to the Use of Firearms and Bows and Arrows

Ms. Calvert presented the proposed amendments to the ordinance, including revisions to the bow hunting map. She noted that the proposed changes to the map were not recommended at this time because it would be too difficult for the Police to discern the boundaries for the current and planned areas of development in 2015.

The City Council discussed amending the map to identify the current and planned areas of development as areas where bow hunting is not allowed.

Chief Stanger explained the police would have difficulty enforcing the boundaries in those areas.

Mayor Tourville stated the map needs to be updated as the City develops and changes.

Ms. Calvert reviewed the proposed process to address special exception requests on an annual basis.

Councilmember Piekarski Krech suggested it be made clear that there was a process for special exceptions in areas that have been designated as no hunting.

Ms. Calvert explained staff recommended that the City not require registration for all bow hunters in 2015 with a recommendation to revisit the topic in early 2016 to allow for proper notice and education to the public.

Motion by Mueller, second by Bartholomew, to approve the First Reading of an Ordinance Amending City Code Title 5, Chapter 6 related to the Use of Firearms and Bows and Arrows with the changes as discussed

Ayes: 5
Nays: 0 Motion carried.

F. CITY OF INVER GROVE HEIGHTS: Consider the First Reading of an Ordinance Amending City Code Title 4, Chapter 7 related to Charitable Gambling Requirements

Mr. Lynch explained the Inver Grove Heights Soccer Association made a request to obtain a premises permit for a third charitable gambling site in the City. Current ordinance requirements do not allow one organization to hold premises permits for more than two sites within the City. Following discussion with staff it was thought that the organization's comments with respect to the size of the premises made sense and should be further considered. The proposed ordinance amendment would allow a licensed organization to hold more than two premises permits, provided that two of them were at premises that were less than 1,000 square feet in size.

Mayor Tourville questioned if staff had notified the other license holders of the change.

Mr. Lynch replied in the negative.

The Council directed staff to notify the other charitable gambling license holders of the proposed changes as well as the on-sale liquor establishments.

Motion by Piekarski Krech, second by Mueller, to table consideration of the ordinance amendment to August 24, 2015

Ayes: 5
Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

9. ADJOURN: Motion by Piekarski Krech, second by Hark, to adjourn. The meeting was adjourned by a unanimous vote at 8:56 pm.

INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION
MONDAY, SEPTEMBER 8, 2015 - 8150 BARBARA AVENUE

1. **CALL TO ORDER/ROLL CALL:** The City Council of Inver Grove Heights met in work session on Monday, August 3, 2015, in the City Council Chambers. Mayor Tourville called the meeting to order at 6:00 p.m. Present were Council members Bartholomew, Hark, Mueller and Piekarski Krech; City Administrator Lynch, City Clerk Tesser, Community Development Director Link, Finance Director Kristi Smith, Public Works Director Thureen, Parks and Recreation Director Carlson and Police Chief Larry Stanger.

2. **TOBACCO DISCUSSION WITH DAKOTA COUNTY**

City Administrator Lynch presented the item and provided a brief background and timeline on the tobacco discussion. In the beginning of 2015, a letter from Public Services & Revenue Administration Department, Tom Novak and Director of Public Health, Bonnie Brueshoff sent a letter to the City asking for consideration for the city to take over licensing and enforcement of tobacco in the City of Inver Grove Heights which has been performed by Dakota County. Staff was directed by the council to investigate costs and procedures for discussion in February of 2015. Council directed staff to meet with Dakota County staff to discuss the details. Staff met with Tom Novak and Bonnie Brueshoff. Further, Council asked to meet with Dakota County Commissioners to discuss this item in length. The memo in the packet reviews the summary of events. An ordinance for licensing and enforcement has been drafted including specifics regarding sampling tobacco and e-cigarettes. Mr. Lynch discussed the challenges with the timeline of January 1, 2016 and the hardship of communicating with all the license holders in the time allotted.

Commissioner Nancy Schouweiler was present and gave a brief summary on why the county would like the cities to take over tobacco licensing. In the past year, county staff reviewed county ordinances to improve current standards. The county is only regulating two cities: Rosemount and Inver Grove Heights. County staff contacted both cities to see if they would enforce their own tobacco licensing. Rosemount will take over enforcement the 1st of the year.

Commissioner Nancy Schouweiler stated this was not a directive from the county board. It was an opportunity to look at our ordinances and see if the city would want to take it over at this time. Ms. Schouweiler stated that if the city chooses not to enforce than the county will have to do so because under State law someone has to regulate it. Ms. Schouweiler added that it's an opportunity for Inver Grove Heights to draft an ordinance.

Mayor Tourville asked if we could still take a look at our tobacco ordinance and our ordinance could deal with the other items and the county could still take on the compliance part of the ordinance. Commissioner Schouweiler and Mr. Lynch agreed.

Councilmember Mueller stated he would like the county to keep doing it at this point, at a later date the city may be able to do it, but not now with the pressure of new officers on board.

Councilmember Mueller added because bringing them up to speed would be a lot. Besides that, I'm not interested in the Ramsey Group running it.

Mr. Lynch replied that the Ramsey County organization would assist the city with the training of the youth that would be used for the compliance checks not to be the administrative office of the licensing, the City Clerk would do that. Our recommendation from a centralization and a land use stand point is that it makes more sense that the city of Inver Grove Heights enforce it. Councilmember Mueller responded that Ramsey County would do it for free. The charge would be a charge for each license. Mr. Lynch responded that the cost would not be free. Councilmember Mueller stated that the first brochure stated free. Mr. Lynch responded that subsequent correspondence stated otherwise. Each licensee would pay $60.00 of the cost for administering and the total fee for licensing would be $450. The memo in your packet from April is outlined with the costs. The estimation is $450.00 for licensing. The county charges $382.00 for their prices so they're would be a $70.00 increase for administrative costs. The Chief did indicate they will need additional support to do this whether it's a clerk position, police officer position or both from a resource standpoint.

Councilmember Piekarski Krech stated she would like the county to do it. But from her standpoint its not a major benefit for the city to take it on especially if it means adding staff. Our City Clerk and Police Officer just started. It's not the right time for us to do it.

Mayor Tourville asked if there was a real push from the county to get this done. Commissioner Schouweiler stated no. Councilmember Hark stated that he doesn't feel like the county cares either way. But that he wants the city to deal with the on the sampling issues before we get 50 tobacco businesses down Cahill Avenue.

Councilmember Bartholomew asked about Mr. Lynch's reasoning for the Land Use comment. Mr. Lynch replied that there was conversation regarding electronic sampling and having those businesses being grandfathered in. In the case of those businesses moving locations, it's up to the city to decide if they should be able to move. Mr. Lynch commented that staff believes it would be best to centralize the enforcement with the land use issues but staff understands council's concerns and challenges.

Mayor Tourville summarized that the city would like the county to continue with the compliance checks. The city wants to continue on the ordinance with the e-cigarette and tobacco sampling.

Commissioner Nancy Schouweiler asked specifically if the city plans on revisiting the enforcement in 2016. Mayor Tourville replied that the city would like the county to come up with the whys and why nots. Further, he responded that this license does go along with other city licensing. Maybe in 2016 staff can get together with the county to find out why they should take it over. But for the year 2016, the county should continue to do it.

Mayor Tourville added that the other piece that needs to come to the council yet is the ordinance amendment Mr. Lynch stated that the first reading of the tobacco ordinance will be read on Sept 28th specifically in regards to the conversation about e-cigarettes and tobacco sampling and the potential e-cigarettes locations being grandfathered in. Mayor Tourville commented that there has been no readings thus far. Mr. Lynch replied yes.

3. <u>2016 BUDGET- CASH BALANCE, FUND BALANCES & RESERVES, DEBT SERVICES</u>

Ms. Smith, Finance Director presented the items for review: fund balances, cash balances and debt service.

Ms. Smith mentioned updated documents that were handed out to the council to be included in the 2016 budget books. The documents were: 2016 Tax Levy Increase Breakdown, 2016 Budgeted Hours and Full Time Equivalents (includes staff changes with additions), 2016 Base Budget Benefited Positions by Department (multiple year impacts), the 2016 Budget Proposed Tax Levies (includes debt levy impacts) and Tax Comparison 2015 vs. 2016 City Taxes only includes base budget and base budget with additions and 2016 Budget Comparison of 2013, 2014, 2015 Actuals and 2016 Estimated City Tax Capacity Rates. Ms. Smith summarized changes to the documents including the G.O Bonds decrease and reflected changes to the levy

Ms. Smith added that on the 2016 Tax Levy Increase Breakdown document showed the debt service is $650,000. And that the total increase of the levy would be 10.76%. The tax rates for service would be 46.4%, current services and debt service 48.4% and current, new and debt service 49.8%.

Mayor Tourville affirmed that the levy increase would be 10.76% from 2015 to 2016. Councilmember Bartholomew inquired about the post community fund and where funding would be coming from. Ms. Smith declared that the $100,000 was inside of the $120,000 revenue offsets on the new requests.

Ms. Smith further discussed the city-wide levy increase of 10.76% (2016 Budget Comparison of 2013-2015 actuals and 2016 estimates). Mayor Tourville commented about last year's budget process and that once it was computed with the Department of Revenue it was 6 or 7 percentages higher than previously thought. Ms. Smith responded that the confusion was a 3.88% increase and we were talking about the increase in the tax rate percentage as opposed to the tax levy. Mr. Lynch stated that the dollar increase would be $1.75 million over the tax increase dollar levy. But that does not equate to the same percentage change to the tax rate. It is a 10.7% increase in dollars from 2015 to 2016 if you look at the document that maximum tax capacity rate will be .49840 which is a 3.55% tax rate increase. Last year, the increase in the tax rate was 3.88% but that was the tax rate. But it got to be a 9.2% in the tax dollars. Mr. Lynch instructed the council to view Tax Comparison 2015 vs. 2016 City Taxes Only- Base Budget Only page 6. The document compares what happens to the tax rate, you can see an estimated 2016 tax rate which includes base budget plus additions. Mr. Lynch further discussed the Mean

2015 residential homestead value $232,105. 2015 Taxable Market Value is $214,011 and shows the dollars collected of $1,030.06. 2016 the dollars collected would be $1,130.09. It's $100 difference. Its almost a 10% (9.71%) increase in dollars. But it's not a 10% difference in the tax rate. Mr. Lynch stated it's a 3.55% increase.

Councilmember Piekarski Krech asked what is the total tax impact for our residents? Mr. Lynch stated staff can make that calculation. Mayor Tourville stated that the property values show roughly an increase of $10,000-$16,000 in market value. Mayor Tourville mentioned the townhomes rapidly went down in market value but have came back up rapidly over that last 4-5 years, some even by $15,000. Mr. Lynch replied that overall the increase is 6%. There is a compounding effect when we raise taxes plus the increase in market value. Mayor Tourville commented that the percentage increase 3.55% with the additional $1.7 million.

Councilmember Mueller commended Ms. Smith on the budget books.

Ms. Smith presented the fund balances policy, cash and fund balances are being reported as of December 31, 2014 and cash balances are being reported as of July 31, 2015. Ms. Smith discussed cash flow and loans. She included the community fund. Councilmember Bartholomew asked if the long term loans are itemized in the cash flow. Ms. Smith replied yes. She commented that cash balances are listed through 7/31/2015. Those totals should tie in with the totals on the report handed out. The improvement funds are a cash deficient however, there are assessments pending for collection that will cover the deficient as the end of December as well as the bonds. Councilmember Bartholomew asked if each one of these that have a negative balance if Ms. Smith will show how they will offset that and what it's for. Ms. Smith replied from a project perspective there are several projects within those funds. She stated that we will go through that with the departments; the vast majority of those are Public Works. Further she stated, we sit down with them once a year to make sure the projects are funded or they know of the special assessments coming in for collection.

Mr. Lynch commented that the council should note that the storm water management fund has a cash deficit of $481,000. Council wanted to be conservative with that fund and will have a deficit for awhile until the city decides to raise the rates so we can improve the cash balance and get out of debt. On a cash basis, the golf course has a cash balance which it hasn't had before which is good news.

Ms. Smith noted that the enterprise fund, we consolidated several funds to get cash to pay for the water projects, for example in the northwest area. The NW area was bonded for to help pay for the deficit. In the long term, the fees that will be collected from the improvements should cover that, staff continues to monitor that.

Councilmember Bartholomew clarified that the cash balances in the far left is of 12/31/2014. Ms. Smith responded that the final total of cash balances is of July 2015.

Councilmember Mueller asked Ms. Smith about the $120,000 set aside for Argenta Trail project. He commented that the county set aside $50,000 and asked whether that effects the amount we will need for the study. Mr. Thureen, Public Works Director responded that it has to do with the Argenta Trail study. He commented that the council will be seeing an item at next Mondays meeting, through the study process alignments that have gone into a larger detail but we are still under what we had budgeted for our share. Councilmember Mueller stated that Rosemount is at 15% and we are at 30%. Mr. Thureen stated that it's because most of the study is in Inver Grove Heights.

Councilmember Bartholomew asked Ms. Smith that the cash balances as of 7/31 particularly the fiduciary funds 702 with that $4million is there any forfeitures that we will not be reimbursing. Ms. Smith replied within that fund developers put money in for whatever type of arrangement. Those monies are returns when they are requested back. Councilmember Bartholomew asked so there is no money we have claim to if the contractor doesn't meet their obligation. Ms. Smith replied no, because if that was the case then we would transfer those monies out. Councilmember Bartholmoew Is the detail in the CAFR? Ms. Smith responded that you don't see a lot of detail in that, it's usually the balance reported as cash. Councilmember Bartholomew is that audited. Ms. Smith responded yes.

Ms. Smith stated as far as the fund balance policy goes, the general fund should have 40% to 45% expenditures of the subsequent years budget in the general fund. If you look strictly at the base budget at 2016 we're looking at 48% and if you look at the base budget with additions we are looking at 46%. Ultimately, staff has discussed transferring out of the general fund to the project fund to cover a couple of the costs as far as the 2016 addition requests. We talked about the onetime costs of the comprehensive plan and lection equipment. We will likely come back to the council about these costs.

Ms. Smith discussed the bond rating. The bonding showed that the city had a AA rating with a stable outlook, in order for the city to maintain strong budget flexibility in the bidding profile. The city reported surplus revenues over expenditures for the last five (5) years. The bond issues we have done, three (3) were refinanced which gave a cash flow savings of $685,000. Ms. Smith mentioned that just at the last meeting we sold $7.7 in G.O. Bonds for pavement management and the construction overlay project.

Ms. Smith discussed the bonds and how the levy ties into the selling of the bonds. The pages that outlined the debt services were included in the packet. The spreadsheet shows the city's bonds, purpose of bond, original issuance amount and outstanding balance as of December 31, 2015. Total debt levies are over $2 million dollars for 2016. The Watershed levies are $66,945. Ultimately, all of the levies are put into the capital improvement plan; a one page summary was in the packet provided to the council. Ms. Smith stated that it's a multiple year snapshot and it will be discussed in more length at the October work session meeting. The impact of debt levies for 2015 are $1.4 million and in 2020 the baseline model shows $1.8 million.

Ms. Smith presented Steve Apfelbacher from Ehlers Financial to discuss planning for capital improvements.

Mr. Apfelbacher overviewed the capital improvement plan for the next five (5) years to show the council what the levy will look like from in operating and debt standpoint. Mr. Apfelbacher went over the hand out provided to the council. The capital improvement list is the projects that were proposed for the future. Mr. Apfelbacher stated that this overview would be the worst case of where you would be five (5) years from now. We also want to look at how you will stack up in relation to other cities from the debt service standpoint and then what the policies considerations should be.

The capital projects identified are on page 3. This model envisions that $39 million dollars of debt would be issued. The street reconstructions do not included $4.8 million in cash and there will be at least 20% of the street construction projects assessed.

The 2016 increase would 5% operating expense, we've included the debt services $39 million. We will focus on levy to determine what the impact will be.

Mr. Apfelbacher outlined the Tax Impacts with Planned Projects from 2015-2020. The 3.55% is identified in 2016. We have the $195,000 median home cost as the valuation with a 6% increase that gives us $207,000. Residential property taxes increase would be $92. The City Property Tax would be $100 a year until 2020 which is a 55% increase and/or 10% a year for all the projects identified in the CIP as well as the operating expenses increase.

Councilmember Bartholomew asked if we are considered maturity when projecting these number. Mr. Apfelbacher stated yes, they are being identified and coming off when they have matured. Mr. Apfelbacher further added that TIF 4-1 would decertify in 2020 and would impact 2020 taxes. Some of the planning options could be to defer some of the capital improvement projects until 2020 then it would support $6.6 million dollars of debt. Mr. Apfelbacher commented that it's a potential opportunity the city has but it's not included in the projected numbers.

Mayor Tourville commented that the $6.6 million dollars of capital costs could be supported one time. Mr. Apfelbacher agreed that the $6.6 million dollars could be issues in a onetime debt payment. In terms of measures we look at how much of the city's budget is going to debt services. Currently your percentage of debt services is 20%, if you get above 20% that's high. Ms. Smith calculates the debt service as 11%.

Mr. Apfelbacher stated when Moody's Investors Services or Standard & Poor's calculates the total debt service they won't deduct for cash or special assessments. You'll see in comparison to other AA rated cities, your debt percentage is on the higher side of that at 12.8% of your budget used for debt service. This debt doesn't include the $39 million dollars of project estimates currently discussed.

Mr. Apfelbacher commented that the AA rating is on the high side of the debt services going as high as 20% but below 20% is recommended. The operating levy in 2015 was $14.9 million dollars, in 2020 its $20 million dollars. That will push the levy from 13% in 2015 to 22% in 2020. That is above where you want to be and you want to consider that in the future.

Mayor Tourville asked what kind of growth factors does Ehlers consider when projecting these numbers. In Ehler's projection we assume a 6% of increase between 2015-2016. 2.25% increase was projected then calculated over the following four years.

Mr. Apfelbacher commented that we know what area you should stay in for capital improvements and operating costs. If the council can look at the capital projects and take the amount provided and cut it down then we can estimate the debt service with the operating increase that you decided on. Page 5 is the grind for the council to consider. It's about 10% a year for a dollar levy with a $195,000 median home value.

Councilmember Piekarski Krech commented on the capital projects, 4 out of 6 projects are pushed by the county. Ehlers is here to help put it in perspective. Two of the projects are the Fire Station and Maintenance Facility Expansion.

Councilmember Piekarski Krech stated we don't have a choice of the $15 million in the capital projects. Mr. Apfelbacher stated it's a tough position to be in. If you come to the understanding that the projects have to be completed than the taxes have to be raised.

Ms. Smith commented that within the tax base the increase would be 2.5% a year, you can take into consideration growth of 70 single family properties a year. Further she added, no commercial is built into these calculations.

Mayor Tourville commented that this is a lot to digest. We need to set our number by September 28th. If we can come up with 3.55%, it has the additional items in it.

Councilmember Piekarsi Krech commented that this decision of the 3.55% doesn't help answer the questions of Mr. Apfelbacher on capital improvement and debt percentage. Mayor Tourville stated he felt a decision regarding the capital improvements won't be figured out by tonight. Councilmember Piekarski Krech further declared that we need to figure out long-term the taxes and the economy is still not back from where it once was. She stated that people are being laid off left and right and some people of lost a lot of money in their retirements.

Mayor Tourville summarized that decisions have to be made on the taxes, debt services and capital improvements.

Mr. Apfelbacher stated that they understand further discussion has to be done. We want to help you understand the impact it's going to be and put you in a position to be in control of it.

Mayor Touville asked staff if the $1.7 million with the 3.55% of tax rate is what staff recommends. City Administrator, Mr. Lynch replied yes, staff meet with council in June and since then has worked to come up with the budget in front of you including additions. He added two other parts to this; the first is to adopt a debt management policy, in terms of measurement and financial security. The second part is strategic planning to determine the capital improvement project.

Diane Piekarski, 7609 Babcock Trial commented on resident's salaries and 5% increase in the budget when into the consideration of 5%. Mayor Tourville stated that we don't always have control over some of the increases such as utilities but referred the question to the Finance Director. Ms. Smith commented that salaries is the biggest piece, in 2015 we added new positions full year impact is found the following year. The 3% increase doesn't cover all of that. 5% was a more realistic placeholder than 3%. Mayor Tourville affirmed that there wasn't a 5% increase to salaries. Mr. Lynch discussed the current expenditures and additional personnel and supplies. Councilmember Bartholomew stated that 5% is a placeholder. We look at each item line by line.

Mayor Tourville commented on how well Ms. Smith and Mr. Apfelbacher are doing to keep council on top of what needs to be done and the monthly reporting.

Councilmember Mueller asked regarding the host community fund. Ms. Smith replied one agreement is month to month. The other agreement is the number of trucks that come in to the landfill (a fee per ton) and with the county's push to recycle then their tonnage goes down so less money comes into the fund. Quarterly report of the host community fund is updated on a yearly amount. Councilmember Meuller asked what the total amount is in the fund.

Ms. Smith instructed him to view the cash flow page in the cash balances as of July 2015. The stated amount was $3.6 million in cash availability. It is slated for certain things. If we use it all for what is earmarked then there will be very little left at the end of the year.

Mayor Tourville stated that the fund is an unrestrictive amount. We do get an amount for demolition not just landfill.

Mayor Tourville asked the council to direct staff in the amount of the tax rate. Currently proposed is 3.55%, 10.76% is the amount of the tax capacity.

Ms. Smith stated the preliminary tax levy proposed on September 28th would be with all the additions and council can work down from there.

Mayor Tourville spoke about the city having a press release and what the amount is and what it represents. Ms. Smith stated the preliminary levy due date and the tax capacity must be set by September 28th, the due date is September 30th and it must be certified by then.

4. STORM WATER ORDINANCES

Item 6 was moved to Item 4 Stormwater Ordinance.

Mr. Thureen presented the item of the Stormwater Ordinance update. The City has been covered under the National Pollutant Discharge Elimination System (NPDES) Municipally Separate Storm Sewer System (MS4) Program since 2003. The program has continued to evolve and expand with new requirements being placed on permitees with the 2013 permit revisions.

Mr. Thureen stated that Ron Leaf, PE Senior Water Resource Engineer from SHE has been assisting staff with updating staff on standard changes, changing current permit process and official controls (policies, procedures and ordinances). Mr. Leaf presented on the areas of ordinance updates that are required with the new program requirements of the NPDES MS4 Program. There are 200 other cities around the state that follow this program and are going through similar processes.

There are three (3) parts to the ordinance updates:

1. Construction Stormwater Management (construction sites/erosion)
2. Stormwater Management (ponds, rain gardens and permanent features)
3. Illicit Discharge Detection and Elimination system.

The city has an ordinance already in place. It addresses most of the program requirements of the NPDES MS4 Program. The MS4 Permit was updated in 2013 by the MPCA, several new requirements need to be incorporated in current city code to comply. Cities should take the opportunity to make the updates because it's important. Mr. Left showed the council specific detailed requests of ordinance updates such as raising rainfall frequency to 7 1/2 inch and should be considered in design sites and retention areas. He also mentioned the importance of permit and form consistencies.

The revisions will go from 23 pages long to 37 pages long and will help answer detailed questions that the city will get from developers, designers, engineers and construction companies. Of the city code, Title 9 Chapter 5, 9-1-5 through 9-1-12 and Chapter 4 of Excavation and Fills will be the areas with the most updates.

The course of the next several months will be producing updates to the ordinances. Public notices will be published and there will be a public hearing at the Planning Commission along with several readings of the ordinance with the council. The final schedule is to be determined.

We are working on procedural documents, basically what you will be imposing on developers to businesses in the city. Whereas the enforcement documents and standard operation procedures, it deals with internal controls and program outlines.

Mayor Tourville asked about the estimated time on the public hearing. Mr. Thureen stated it will be the first quarter of 2016. Mayor Tourville stated that this will affect a lot of people. Mr. Thureen agreed.

Councilmember Mueller asked for staff to make the changes clean for customers. Mr. Leaf stated that the intent is to help customers understand what's needed with guidance materials. Mr. Thureen stated that developers, construction companies etc will be given a checklist and project summary. Mr. Thureen commented that it will be very clear in the packet what they are required to complete.

Resident Diane Piekarski asked if this would cost businesses more money. Mr. Thureen stated that potentially it could because of the added details on the stormwater side. Mr. Leaf agreed, that the standard is already there but there will be additional detail for the review process. Most of the developers are doing what they have to do anyways but it's not written out in the ordinances.

5. <u>2009-01 Assessment Plan Discussion</u>

Mr. Thureen presented on proposed assessment for city project No. 2009-01, TH3 and 80th Street/Amana Trail Roundabout. In July 2015, staff brought this forward to council. When the project was constructed the feasibility report cost reported a cost of $780,000. That was the budgeted amount with the intent to assess. At that time, staff presented an assessment plan that called for assessing parcels that are not covered by an assessment agreement in the benefited area for this roundabout. That plan would assess those parcels an amount for their current use and defer the amount attributed to the fully-developed use with no interest. The Council directed staff to develop another plan.

Mr. Thureen stated that he and Tim Kuntz, City Attorney looked at the process again. The thought now is to assess the property but defer assessment on the east side. We feel we can do this because of the Argenta Hills properties on the Westside.

The west side would be the benefited parcels and defer the assessment with no interest for the parcels not covered by an assessment agreement.

The city would defer assessment for 25 years and then what would trigger the assessment is if there is a sale or sub division of the property. If it doesn't occur than the deferment ends, than the assessment is certified for the properties and the assessment would have to be paid in five years with a 2% interest or whatever the bond interest was at that point of the bond issuance.

Councilmember Piekarski Krech asked if the property would have to pay the entire assessment in five (5) years, Mr. Thureen stated yes.

Mayor Tourville asked if it sold would it have to be paid upfront in a sale or can it be set aside. Mr. Thureen stated if it's triggered than they have five (5) years to pay the assessment.

Councilmember Mueller asked if you are a business owner can you deduct special assessments. Mr. Lynch stated he did not think that could be done. Mayor Tourville stated it's not an operating expense.

City Administrator Lynch stated the city is paying off the assessment, it is deferred assessment. Mayor Tourville commented that the city would need an outline of triggers for the assessment so that it's clear and concise.

Resident, Diane Piekarski asked about the difference between a lien and a special assessment. She also asked about the public hearing of the assessment along with the possible of future assessment. City staff replied each of her questions.

Resident, Christine O'Shannessy, 1592 Ashbury Place, Eagan, MN 55122. Ms. O'Shannessy discussed her fears with the land availability and potential of platting their land and creating a trigger. She expressed concern of her land and the topography since her property has a lot of hills. Mr. Thureen responded to each of her questions.

Mr. Thureen stated the entire assessment needs to be decided including the decision regarding the west and eastside assessments. He stated that if it's the desire of the council to move forward with the assessment than direction is required soon so staff can get the certified assessment to the county so they're in the 2016 tax roles.

Councilmember Mueller stated that he thought we should go forward with the assessment. Mr. Thureen will discuss the assessment process and bring up the questions and input that was received tonight with City Attorney, Mr. Kuntz.

Councilmember Piekarski Krech asked if we can legally defer assessments for 25 years with no interest. Mr. Thureen replied yes. Councilmember Mueller asked if those affected by the assessments have been notified. Mr. Thureen replied no, but residents were notified in the past by the feasibility study. The process will be to discuss the assessment process and for council to decide if they want to move forward then they will be notified.

Councilmember Bartholomew asked if the assessment included future projects. Mr. Thureen stated no, it is for the in ground roundabout project that is complete.

Mayor Tourville stated that the council is ready to move forward with the assessment including the triggers so those affected by the assessment are aware and have opportunity to discuss their concerns during the process.

6. GOLF COURSE CAPITAL IMRPOVEMENT PLAN

Mr. Carlson presented the capital of improvements of the golf course. Mr. Carlson discussed highlights of the capital improvement operation efficiencies and the importance of remaining fiscally stable by increasing revenue and become more efficient. He further added that improvements would help with customer satisfaction and also improve the cost and water use of the irrigation system. Mr. Carlson went through the history of the golf course and improvements made since construction in 1992. The golf course has provided 1,3000,000 round of golf.

Mr. Carlson discussed council's request for the golf course capital improvement study. Total Revenue is $38 million dollars, $36 million dollars of that comes from operating revenue that includes: green fees, concessions, cart rental etc, operating expenses are approximately $30 million dollars and overall total expenses of $42 million dollars. That is an audit financial look of the golf course. Councilmember Bartholomew asked if the operating expenses included other funds. Mr. Carlson stated no, it's just the operating expenses.

Mr. Carlson discussed the benefits of the golf course, recreational, social, economic and environmental. Operational improvements was a foot golf course, we have had over 600 rounds played in foot golf. We are continuously trying to make the customer experience more enjoyable.

Council approved hiring of Herfort Norby Golf Course Architects LLC and Erick Christensen Design Group LTC. The improvements would be to the golf course, driving range and irrigation.

The golf course has currently 66 bunkers, the improvements presented would decrease the amount and size of the bunkers. And improve the customer's time spent on the golf course and maintenance time maintain the bunkers. The cost of improvement would be $680,000.

The driving range with golf technology has rendered the driving range too short. We are discussing moving our tees and netting to improve satisfaction and safety. The increase in revenue potentially could be $30,000-$50,000. Driving range cost estimate is $658,000.

The third improvement would be the irrigation system. The irrigation system's current technology is not supported in the industry. Staff experiences approximately 40-50 issues annually which ties up the maintenance staff and increases maintenance costs. Irrigation system is critical to the success of the golf course and is $1.4 million dollars to improve. It should help with water conservation, improve HDPE Pipe (40 years old expectancy), and save staff time.

Councilmember Hark, asked the water conservation and the amount of water saving. Mr. Carlson stated that its highly dependent on rainfall but currently the irrigation is water areas that is not current in need of watering. Updating the system would allow more control.

Overall the costs of improving would be $3 million dollars. The architect and designers stated that it's an estimate of the costs. Should the council go forward with parts or all of the improvements, staff recommends that the $3 million dollars be funded through the Central Equipment Fund.

Financing Summary
Central Equipment Fund (CEF) has $12,500,000.
Inver Wood would pay $152,700 per year over 10 years to pay back the CEF fund from the HostCommunity Fund (HCF)
The golf course would pay $74,000 per year over 20 years.
Future Capital Improvements will be a contribution of $50,000 yearly.
Councilmember Bartholomew asked regarding the $50,000 rounds a year.
City's contribution would be $1,527,000.
Inver Wood/Golfers contribution would be $1,474,000.

Mr. Carlson went over the Golf Course Cash Flow graph that showed other future capital improvements for the golf course that included: equipment, club house roof, parking lot and new carts.

Mr. Lynch noted that the amount paid back was discussed prior with the council and these numbers reflect the changes.

Councilmember Bartholomew asked about the average rounds a year. Mr. Carlson replied 50,000 rounds of golf was the number used in the calculations as a conservative number. Councilmember Bartholomew asked about fee increased. Mr. Carlson stated the fees would increase yearly.

Mr. Carlson reviewed the potential time line which included city council approval in October of 2015 and the bid process starting in January of 2016. The estimate of construction would start September-December 2016. Staff expects 10-14 weeks of construction and then golfers would enjoy the improvements in 2017.

Councilmember Bartholomew commented that the contribution from the city of $1,527,000 is not considered a financing plan. He asked that Mr. Carlson look differently at financing that amount and stated that residents shouldn't have to pay for the improvements to the golf course.

Councilmember Hark commented that the driving range does not pay forward. Has the city looked at reducing the amount estimated ($680,000). Councilmember Hark commented that the

irrigation is a must have but the driving range needs to be reduced. Mr. Carlson commented that within the $680,000, $330,000 is the cost for the netting the goes around the perimeters. We could decrease the size of the netting or wait on the purchase of the netting. The staff discussed the large portion of the netting and may be opportunity to save some money.

Mayor Tourville commented on the importance of irrigation. He further commented that the greens need to be in good shape or it can cause a decrease in golfers. The bunker piece brings satisfaction and increases rounds because of play time. My thought is that we hold off on the practice (driving) area and wait for the pay off from the improved irrigation and decreasing/improving the bunkers. The council can reexamine the financing of the driving range area in another year.

Mr. Lynch, asked that the council give staff a chance to go through the budget presented tonight and let staff have internal conversations to see what reductions can be made. He emphasized that completing all the projects together would be best. If they can't figure out the financing aspect then staff may need to wait on the projects until all of them can be completed all at once. Mr. Carlson stated that the cost estimates are potential bids, they are not actual bids. Further he asked that the council be open to the bidding process and the cost may go down.

Councilmember Bartholomew discussed an enterprise and commented that an enterprise needs to be able to support the enterprise's infrastructure. The golf course needs to cover expenses and capital improvements. Further, he stated that golf shouldn't be a business that the city is in. However, he have it and we should run it right but it should include capital improvements.

Mr. Lynch commented on Mr. Kuntz's father funeral and the time of the wake and funeral. MayorTourville discussed Inver Grove Heights Days including the parade and different activities.

Adjournment 8:43pm

7. <u>ADJOURN:</u> Motion by Hark, seconded by Mueller to adjourn the meeting. Motion was carried unanimously. Meeting adjourned at 8:43pm.

AGENDA ITEM _____4B_____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Meeting Date:	September 28, 2015		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Kristi Smith 651-450-2521	X	Amount included in current budget
Prepared by:	Bill Schroepfer, Accountant		Budget amendment requested
Reviewed by:	N/A		FTE included in current complement
			New FTE requested – N/A
			Other

PURPOSE/ACTION REQUESTED

Approve the attached resolution approving disbursements for the period of September 9, 2015 to September 22, 2015.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending September 22, 2015. The detail of these disbursements is attached to this memo.

General & Special Revenue	$388,831.20
Debt Service & Capital Projects	259,117.91
Enterprise & Internal Service	339,856.99
Escrows	94,797.59
Grand Total for All Funds	$1,082,603.69

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

Attached to this summary for your action is a resolution approving the disbursements for the period September 9, 2015 to September 22, 2015 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING DISBURSEMENTS FOR THE PERIOD ENDING September 22, 2015

WHEREAS, a list of disbursements for the period ending September 22, 2015 was presented to the City Council for approval;

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

General & Special Revenue	$388,831.20
Debt Service & Capital Projects	259,117.91
Enterprise & Internal Service	339,856.99
Escrows	94,797.59
Grand Total for All Funds	$1,082,603.69

Adopted by the City Council of Inver Grove Heights this 28th day of September, 2015.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

City of Inver Grove Heights

Expense Approval Report

By Fund

Payment Dates 9/9/2015 - 9/22/2015

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	525427/5	09/16/2015	501126	101.43.5200.443.60016	43.84
ACE PAINT & HARDWARE	525494/5	09/16/2015	501126	101.43.5200.443.60016	8.98
ACE PAINT & HARDWARE	525511/5	09/16/2015	501126	101.43.5200.443.60016	10.45
ACE PAINT & HARDWARE	525563/5	09/16/2015	501126	101.44.6000.451.40047	49.93
AFSCME COUNCIL 5	INV0045589	09/18/2015	UNION DUES (AFSCME FAIR SHARE)	101.203.2031000	66.08
AFSCME COUNCIL 5	INV0045590	09/18/2015	UNION DUES (AFSCME FULL SHARE)	101.203.2031000	779.62
AFSCME COUNCIL 5	INV0045591	09/18/2015	UNION DUES (AFSCME FULL SHARE-	101.203.2031000	86.00
ARAMARK REFRESHMENT SERVICES	8/6/15	09/16/2015	FLINT HILLS RESOURCES 60TH ANNI	101.41.1000.413.50080	17.00
AT & T MOBILITY	287237771092x08122015(	09/16/2015	FAN 04098834	101.41.1000.413.50020	92.75
AT & T MOBILITY	287237771092x08122015(	09/16/2015	FAN 04098834	101.43.5100.442.50020	32.61
BELLEISLE, MONICA	8/31/15	09/09/2015	MILEAGE	101.42.4200.423.50065	69.07
BITUMINOUS ROADWAYS, INC.	24568	09/16/2015	35265	101.43.5200.443.60016	8,902.55
CA DEPT OF CHILD SUPPORT SERVICES	INV0045592	09/18/2015	MIGUEL GUADALAJARA FEIN/TAXPA'	101.203.2032100	279.69
CENTRAL TURF & IRRIGATION SUPPLY	83115-99	09/16/2015	112659	101.44.6000.451.60065	10.00
CENTURY LINK	8/22/15 651 457 4184 746	09/14/2015	651 457 4184 746	101.44.6000.451.50020	59.94
CENTURY LINK	8/22/15 651 457 5524 959	09/16/2015	651 457 5524 959	101.44.6000.451.50020	68.93
CITY OF MINNEAPOLIS RECEIVABLES	400413006259	09/09/2015	612005356	101.42.4000.421.30700	1,840.50
CORPORATE MARK, INC.	421420	09/09/2015	FIRE	101.42.4200.423.60065	414.00
DAKOTA COMMUNICATIONS CENTER	IGH2015-10	09/16/2015	OCTOBER 2015	101.42.4000.421.70502	44,208.00
DAKOTA COMMUNICATIONS CENTER	IGH2015-10	09/16/2015	OCTOBER 2015	101.42.4200.423.70502	4,912.00
DAKOTA CTY SOCIAL SERVICES	10/20/15	09/16/2015	REGISTRATION - 5 INDIVIDUALS	101.42.4000.421.50080	100.00
DAKOTA CTY TECH COLLEGE	8/2014	09/09/2015	POLICE	101.42.4000.421.50080	450.00
DAKOTA ELECTRIC ASSN	246837-9 9/15	09/09/2015	Invoice	101.44.6000.451.40020	4,898.68
DAKOTA ELECTRIC ASSN	250165-8 9/15	09/09/2015	Invoice	101.44.6000.451.40020	782.95
DAKOTA ELECTRIC ASSN	393563-2 9/15	09/09/2015	Invoice	101.44.6000.451.40020	158.83
DAKOTA ELECTRIC ASSN	426713-4 9/15	09/09/2015	Invoice	101.43.5400.445.40020	44.78
DAKOTA ELECTRIC ASSN	443054-2 9/15	09/09/2015	Invoice	101.44.6000.451.40020	10.15
DAKOTA ELECTRIC ASSN	109394-7 9/15	09/09/2015	Invoice	101.43.5400.445.40020	1,201.07
EFTPS	INV0045610	09/18/2015	FEDERAL WITHHOLDING	101.203.2030200	43,030.05
EFTPS	INV0045612	09/18/2015	MEDICARE WITHHOLDING	101.203.2030500	11,976.22
EFTPS	INV0045613	09/18/2015	SOCIAL SECURITY WITHHOLDING	101.203.2030400	37,628.46
EYEMED	SEPT 2015	09/09/2015	5570949	101.203.2032700	200.59
FIRST IMPRESSION GROUP, THE	63685 B	09/16/2015	3022	101.44.6000.451.50030	347.06
FIRST IMPRESSION GROUP, THE	64072	09/16/2015	4363	101.41.1100.413.60065	88.99
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0045594	09/18/2015	HSA ELECTION-FAMILY	101.203.2032500	2,605.42
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0045595	09/18/2015	HSA ELECTION-SINGLE	101.203.2032500	2,849.67
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.41.1100.413.30550	34.46
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.41.2000.415.30550	65.66
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.42.4000.421.30550	236.94
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.42.4200.423.30550	14.00
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.43.5000.441.30550	13.44
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.43.5100.442.30550	52.12
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.43.5200.443.30550	35.51
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.44.6000.451.30550	49.98
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.45.3000.419.30550	18.30
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.45.3200.419.30550	15.46
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	101.45.3300.419.30550	22.00
GLEWWE DOORS	176608	09/16/2015	8/27/15	101.42.4200.423.40040	183.96
GOODPOINTE TECHNOLOGY, INC.	3039	09/16/2015	8/31/15	101.43.5100.442.40044	6,125.00
HAMLINE SCHOOL OF BUSINESS	TUITION - CALVERT	09/16/2015	BUILDING RESILIENCY & SUSTAINAB	101.41.1100.413.50080	1,450.00
HEALTHEAST MEDICAL TRANSPORTATION	15-28032	09/09/2015	7/25/15	101.42.4000.421.30700	85.00
HEALTHEAST MEDICAL TRANSPORTATION	15-32403	09/16/2015	15-2976	101.42.4000.421.30700	85.00
HENNEPIN COUNTRY MEDICAL EXAMINER	9/17/15	09/09/2015	REGISTRATION - NICOLE WILSON	101.42.4000.421.50080	300.00
ICMA RETIREMENT TRUST - 457	INV0045596	09/18/2015	ICMA-AGE <49 %	101.203.2031400	3,645.49
ICMA RETIREMENT TRUST - 457	INV0045597	09/18/2015	ICMA-AGE <49	101.203.2031400	4,372.30
ICMA RETIREMENT TRUST - 457	INV0045598	09/18/2015	ICMA-AGE 50+ %	101.203.2031400	1,317.11
ICMA RETIREMENT TRUST - 457	INV0045599	09/18/2015	ICMA-AGE 50+	101.203.2031400	4,724.36
ICMA RETIREMENT TRUST - 457	INV0045600	09/18/2015	ICMA (EMPLOYER SHARE ADMIN)	101.203.2031400	76.62
ICMA RETIREMENT TRUST - 457	INV0045608	09/18/2015	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	874.24
ICMA RETIREMENT TRUST - 457	INV0045609	09/18/2015	ROTH IRA (AGE 50 & OVER)	101.203.2032400	100.00
JRK SEED & TURF SUPPLY	16417/4	09/16/2015	1382	101.44.6000.451.60016	97.45
JR'S APPLIANCE DISPOSAL	87126	09/16/2015	8/21/15	101.42.4000.421.40044	20.00
LEAGUE OF MN CITIES	220842	09/16/2015	2015-2016	101.41.1000.413.50070	22,778.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Council Meet	09/09/2015	Invoice	101.41.1000.413.30401	360.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Engineering	09/09/2015	Invoice	101.43.5100.442.30420	5,077.98
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Inspections	09/09/2015	Invoice	101.45.3300.419.30420	124.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Maso Valley /	09/09/2015	Invoice	101.43.5100.442.30420	44.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Mayor/CC	09/09/2015	Invoice	101.41.1000.413.30420	3,586.40
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Planning	09/09/2015	Invoice	101.45.3200.419.30420	2,886.84
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Police	09/09/2015	Invoice	101.42.4000.421.30420	180.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Public Works	09/09/2015	Invoice	101.43.5000.441.30420	944.00
MENARDS - WEST ST. PAUL	88062	09/16/2015	30170270	101.43.5200.443.60040	102.83
METROPOLITAN COUNCIL ENVIRON SRVCS	AUGUST 2015	09/09/2015	AUGUST 2015	101.41.0000.3414000	(173.95)
MINNESOTA DEPARTMENT OF HUMAN SERV	INV0045593	09/18/2015	JUSTIN PARRANTO FEIN/TAXPAYER	101.203.2032100	300.41
MN DEPT OF LABOR & INDUSTRY	AUGUST 2015	09/11/2015	AUGUST 2015 SURCHARGE	101.207.2070100	1,975.80
MN DEPT OF LABOR & INDUSTRY	AUGUST 2015	09/11/2015	AUGUST 2015 SURCHARGE	101.41.0000.3414000	(39.52)
MN DEPT OF REVENUE	INV0045601	09/18/2015	LETTER ID: L1895525440 - BERGUM	101.203.2031900	631.45
MN DEPT OF REVENUE	INV0045611	09/18/2015	STATE WITHHOLDING	101.203.2030300	17,741.42
MN GLOVE & SAFETY, INC.	288683	07/08/2015	CTINVP	101.43.5100.442.60070	55.90
MN GLOVE & SAFETY, INC.	58307	07/08/2015	4115	101.43.5100.442.60045	186.80
MN MAYOR'S ASSN	ANNUAL DUES 2015	09/16/2015	DUES FOR GEORGE TOURVILLE	101.41.1000.413.50070	30.00
MNFIAM BOOK SALES	2103	09/16/2015	9/3/15	101.42.4200.423.60018	55.00
MTI DISTRIBUTING CO	1034122-00	09/16/2015	91180	101.44.6000.451.40047	481.00
NEWMAN SIGNS INC	TI-0289174	09/16/2015	INV001	101.43.5200.443.60016	937.44
OTTO LANDSCAPING, INC.	8/31/15	09/16/2015	8/31/15	101.44.6000.451.40047	450.00
OXYGEN SERVICE COMPANY, INC	03312420	09/09/2015	7/31/15	101.42.4000.421.60065	24.80
PERA	INV0045602	09/18/2015	PERA COORDINATED PLAN	101.203.2030600	32,776.98
PERA	INV0045603	09/18/2015	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	2,521.41
PERA	INV0045604	09/18/2015	PERA DEFINED PLAN	101.203.2030600	69.23
PERA	INV0045605	09/18/2015	EMPLOYER SHARE (PERA DEFINED I	101.203.2030600	69.23
PERA	INV0045606	09/18/2015	PERA POLICE & FIRE PLAN	101.203.2030600	12,251.15
PERA	INV0045607	09/18/2015	EMPLOYER SHARE (POLICE & FIRE F	101.203.2030600	18,376.76
PETTY CASH	9/11/15	09/16/2015	PETTY CASH - FALL CLEAN UP DAY	101.100.1010400	300.00
PINE BEND PAVING, INC.	15-557	09/16/2015	8/27/15	101.43.5200.443.60016	962.18
PLUNKETT'S PEST CONTROL	4300834	09/16/2015	9/1/15	101.42.4200.423.30700	277.43
RCM SPECIALTIES, INC.	5105	09/16/2015	8/20/15	101.43.5200.443.60016	767.10
SHERWIN-WILLIAMS	5508-6	09/16/2015	6682-5453-5	101.44.6000.451.40047	323.96
SMITH KRISTI	8/24/15	09/09/2015	REIMBURSE-REGISTRATION MNGFO	101.41.2000.415.50080	749.00
SOCCER SHOTS	4/29/15 LATE FEE	09/09/2015	LATE FEE	101.41.2000.415.70440	43.80
SOLBERG AGGREGATE CO	14378	09/16/2015	7/31/15	101.43.5200.443.60016	1,225.94
SOUTH METRO SPORTS	8/21/15	09/16/2015	8 SHIRTS	101.43.5200.443.60045	72.00
TAHO SPORTSWEAR	193851	09/16/2015	5656	101.44.6000.451.60040	21.96
TAHO SPORTSWEAR	193891	09/16/2015	5656	101.44.6000.451.60040	48.11
TAHO SPORTSWEAR	194065	09/16/2015	5656	101.44.6000.451.60040	34.48
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	101.42.4200.423.60065	25.96
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	101.42.4200.423.60065	52.98
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	101.43.5200.443.60016	12.98
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	101.43.5200.443.60016	6.35
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	101.44.6000.451.60016	39.90
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	101.44.6000.451.60040	9.98
TWIN CITY MARINA	135476	09/16/2015	8/24/15	101.43.5200.443.40046	3,752.50
UNIFIRST CORPORATION	090 0266469	09/16/2015	090 0266469	101.43.5200.443.60045	33.71
UNIFIRST CORPORATION	090 0266469	09/16/2015	090 0266469	101.44.6000.451.60045	23.61
UNIFIRST CORPORATION	090 0267427	09/16/2015	090 0267427	101.43.5200.443.60045	33.71
UNIFIRST CORPORATION	090 0267427	09/16/2015	090 0267427	101.44.6000.451.60045	23.61
UNIFORMS UNLIMITED	1960-1	09/16/2015	587-1	101.42.4000.421.60045	105.99
UNIFORMS UNLIMITED	2797-1	09/16/2015	587-1	101.42.4000.421.60045	227.71
WAKOTA CAER	RC2015-008	09/16/2015	9/2/15	101.42.4200.423.50075	40.00
XCEL ENERGY	470536867	09/16/2015	Invoice	101.43.5400.445.40020	635.16
XCEL ENERGY	470313050	09/16/2015	Invoice	101.43.5200.443.40020	953.14
XCEL ENERGY	470313050	09/16/2015	Invoice	101.43.5400.445.40020	9,579.10
XCEL ENERGY	470535069	09/16/2015	Invoice	101.42.4200.423.40010	159.60
XCEL ENERGY	470535069	09/16/2015	Invoice	101.42.4200.423.40020	1,327.65
XCEL ENERGY	471056129	09/16/2015	Invoice	101.44.6000.451.40010	129.09
XCEL ENERGY	471056129	09/16/2015	Invoice	101.44.6000.451.40020	1,638.52
XCEL ENERGY	471063469	09/16/2015	Invoice	101.42.4000.421.40042	41.98
Fund: 101 - GENERAL FUND					**340,823.81**
FEIDT, BRIAN	8/28/15	09/16/2015	REIMBURSE-FALL SOFTBALL	204.44.0000.3470000	325.00
FIRST IMPRESSION GROUP, THE	63685 B	09/16/2015	3022	204.44.6100.452.50030	3,054.15
FIRST IMPRESSION GROUP, THE	63685 B	09/16/2015	3022	204.44.6100.452.50035	147.50
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	204.44.6100.452.30550	13.78
MWSL TEAM EXTREME	8/31/15	09/16/2015	REFUND - GAME 8/19/15	204.207.2070300	7.32
MWSL TEAM EXTREME	8/31/15	09/16/2015	REFUND - GAME 8/19/15	204.44.0000.3471000	102.68
PEPPER, SIMONE	8/28/15	09/16/2015	REFUND - LITTLE SPARTAN SOFTBA	204.44.0000.3470000	55.00
SOCCER SHOTS	4/29/15	07/01/2015	4/29/15	204.44.6100.452.30700	876.00
SOCCER SHOTS	8/12/15	08/26/2015	8/12/15	204.44.6100.452.30700	2,268.00
TAHO SPORTSWEAR	15TF1753	09/16/2015	8/24/15	204.44.6100.452.60045	73.12
TAHO SPORTSWEAR	15TF1752	09/16/2015	8/25/15	204.44.6100.452.60045	310.80
Fund: 204 - RECREATION FUND					**7,233.35**
BODSBERG, KYLE	9/14/15	09/16/2015	REIMBURSE-MILEAGE	205.44.6200.453.50065	91.43
BODSBERG, KYLE	9/14/15	09/16/2015	REIMBURSE-MILEAGE	205.44.6200.453.50065	91.42
COLLETTE, COLLEEN	9/1/15	09/16/2015	REFUND-FITNESS CLASS CANCELLA	205.44.0000.3493501	20.00
ERICKSON, LAUREN	8/28/15	09/16/2015	REFUND-CRAFT FAIR	205.207.2070300	2.33
ERICKSON, LAUREN	8/28/15	09/16/2015	REFUND-CRAFT FAIR	205.44.0000.3492500	32.67
FIRST IMPRESSION GROUP, THE	63685 B	09/16/2015	3022	205.44.6200.453.50030	5,275.56
FIRST IMPRESSION GROUP, THE	63685 B	09/16/2015	3022	205.44.6200.453.50035	147.50
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	205.44.6200.453.30550	12.50
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	205.44.6200.453.30550	3.50

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	205.44.6200.453.30550	12.50
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	205.44.6200.453.30550	11.00
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	205.44.6200.453.30550	34.14
ONKEN, CORY	8/21/15	09/09/2015	REIMBURSE-MILEAGE	205.44.6200.453.50065	16.39
PBBS EQUIPMENT CORPORATION	150325	09/16/2015	504490	205.44.6200.453.40040	613.50
PBBS EQUIPMENT CORPORATION	150326	09/16/2015	504490	205.44.6200.453.40040	689.00
PBBS EQUIPMENT CORPORATION	150327	09/16/2015	504490	205.44.6200.453.40040	679.50
ROACH, RICK	9/1/15	09/09/2015	REIMBURE-MILEAGE	205.44.6200.453.50065	70.09
ROACH, RICK	9/1/15	09/09/2015	REIMBURE-MILEAGE	205.44.6200.453.50065	4.60
SCHINDLER ELEVATOR CORPORATION	8104087397	09/16/2015	1077364	205.44.6200.453.40040	287.16
SLOAN, MARY	8/20/15	09/09/2015	REIMBURSE-BOXING BAG	205.44.6200.453.60040	40.00
TAHO SPORTSWEAR	15TF1514	09/16/2015	7/31/15	205.44.6200.453.60045	22.00
TAHO SPORTSWEAR	15TF1514	09/16/2015	7/31/15	205.44.6200.453.60065	365.00
VANCO SERVICES LLC	00006909079	09/16/2015	ES12073	205.44.6200.453.70600	54.10
XCEL ENERGY	471056129	09/16/2015	Invoice	205.44.6200.453.40010	1,152.39
XCEL ENERGY	471056129	09/16/2015	Invoice	205.44.6200.453.40010	3,219.10
XCEL ENERGY	471056129	09/16/2015	Invoice	205.44.6200.453.40020	16,562.40
XCEL ENERGY	471056129	09/16/2015	Invoice	205.44.6200.453.40020	11,143.01
Fund: 205 - COMMUNITY CENTER					**40,652.79**
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	290.45.3000.419.30550	1.25
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Economic De	09/09/2015	Invoice	290.45.3000.419.30420	120.00
Fund: 290 - EDA					**121.25**
LAMBERT COMMERCIAL CONSTRUCTION	1539	09/16/2015	8/27/15	402.44.6000.451.80200	20,000.00
Fund: 402 - PARK ACQ. & DEV. FUND					**20,000.00**
METROPOLITAN COUNCIL ENVIRON SRVCS	AUGUST 2015	09/09/2015	AUGUST 2015	404.217.2170000	17,395.00
Fund: 404 - SEWER CONNECTION FUND					**17,395.00**
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Riverview Au	09/09/2015	Invoice	425.72.5900.725.30420	64.00
Fund: 425 - 2005 IMPROVEMENT FUND					**64.00**
M & J SERVICES, LLC	1321	09/16/2015	9/16/15	428.72.5900.728.80300	3,370.00
Fund: 428 - 2008 IMPROVEMENT FUND					**3,370.00**
S. M. HENTGES & SONS, INC.	PAY VO. NO 8	09/09/2015	CITY PROJECT NO. 2014-09D 2016-06	434.73.5900.734.80300	1,953.59
Fund: 434 - 2014 IMPROVEMENT FUND					**1,953.59**
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 #1409d Impr	09/09/2015	Invoice	440.74.5900.740.30420	34.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 #1509E 47th	09/09/2015	Invoice	440.74.5900.740.30420	141.50
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Street Impr P	09/09/2015	Invoice	440.74.5900.740.30420	85.00
S. M. HENTGES & SONS, INC.	PAY VO. NO 8	09/09/2015	CITY PROJECT NO. 2014-09D 2016-06	440.74.5900.740.80300	14,909.95
Fund: 440 - PAVEMENT MANAGEMENT PROJ					**15,170.45**
EMMONS & OLIVIER RESOURCES	95-0049-1	09/09/2015	95-0049	441.74.5900.741.30300	7,767.00
Fund: 441 - STORM WATER MANAGEMENT					**7,767.00**
KIMLEY-HORN & ASSOCIATES, INC.	6952494	09/09/2015	160509026.3	446.74.5900.746.30300	26,990.20
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 #1411-Argen	09/09/2015	Invoice	446.74.5900.746.30420	263.50
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 #1511 Impr P	09/09/2015	Invoice	446.74.5900.746.30420	67.50
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 #1513-Impr F	09/09/2015	Invoice	446.74.5900.746.30420	3,813.50
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 2014-13 NW/	09/09/2015	Invoice	446.74.5900.746.30420	108.00
METRO LEGAL SERVICES INC	2857940	09/09/2015	NOTICES	446.74.5900.746.30420	275.00
S. M. HENTGES & SONS, INC.	PAY VO. NO 4	09/09/2015	CITY PROJECT 2015-11	446.74.5900.746.80300	161,880.17
Fund: 446 - NW AREA					**193,397.87**
AUTOMATIC SYSTEMS CO.	29464	09/16/2015	INVEO01	501.50.7100.512.40042	1,458.85
BLACKTOP PROS, LLC	19-99	09/16/2015	8/24/15	501.50.7100.512.40046	1,800.00
EAGAN, CITY OF	JAN-JUNE 2015	09/09/2015	UTILITIES JANUARY-JUNE 2015	501.50.7100.512.40005	16,597.65
GA INDUSTRIES INC	439013765/8/21/2015	09/16/2015	8/21/15	501.50.7100.512.40042	506.07
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	501.50.7100.512.30550	43.87
GLENN LAWN CARE	110	09/16/2015	110	501.50.7100.512.40040	748.00
GOPHER STATE ONE-CALL	145519	09/16/2015	MN00435	501.50.7100.512.30700	944.35
GRAINGER	9825146856	09/16/2015	806460150	501.50.7100.512.40040	58.86
HAWKINS, INC.	3769379	09/16/2015	108816	501.50.7100.512.60019	17,505.94
HOME DEPOT CREDIT SERVICES	JULY 2015 1268	09/16/2015	ACCOUNT 1268	501.50.7100.512.60016	415.65
HOME DEPOT CREDIT SERVICES	JULY 2015 1268	09/16/2015	ACCOUNT 1268	501.50.7100.512.60016	85.53
HOME DEPOT CREDIT SERVICES	JULY 2015 1268	09/16/2015	ACCOUNT 1268	501.50.7100.512.60016	27.36
L.T.G. POWER EQUIPMENT	194065 B	09/16/2015	5656	501.50.7100.512.60016	9.60
MTI DISTRIBUTING CO	1033602-00	09/16/2015	91180	501.50.7100.512.60016	247.68
MTI DISTRIBUTING CO	1033755-00	09/16/2015	91180	501.50.7100.512.60016	31.85
MTI DISTRIBUTING CO	1034180-00	09/16/2015	91180	501.50.7100.512.60016	69.73
SHORT ELLIOTT HENDRICKSON, INC.	302345	09/16/2015	4340	501.50.7100.512.30300	288.83
XCEL ENERGY	470529632	09/16/2015	Invoice	501.50.7100.512.40010	865.40
XCEL ENERGY	470529632	09/16/2015	Invoice	501.50.7100.512.40020	22,774.29
Fund: 501 - WATER UTILITY FUND					**64,479.51**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
DUKE'S ROOT CONTROL, INC.	11240	09/11/2015	15-0693	502.51.7200.514.40043	3,839.59
EAGAN, CITY OF	UTILITY BILLS JAN-JUNE	09/16/2015	JANUARY-UNE 2015 UTILITY BILLS	502.51.7200.514.40015	29,856.15
EAGAN, CITY OF	JAN-JUNE 2015	09/09/2015	UTILITIES JANUARY-JUNE 2015	502.51.7200.514.40015	6,228.05
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	502.51.7200.514.30550	20.97
METROPOLITAN COUNCIL	0001048299	09/16/2015	5084	502.51.7200.514.40015	141,807.25
XCEL ENERGY	470529632	09/16/2015	Invoice	502.51.7200.514.40010	25.00
XCEL ENERGY	470529632	09/16/2015	Invoice	502.51.7200.514.40020	1,149.50
Fund: 502 - SEWER UTILITY FUND					**182,926.51**
ACE PAINT & HARDWARE	524161/5	09/09/2015	501130	503.52.8500.526.60065	24.55
CLUB CAR, LLC	504585	09/09/2015	1583420	503.52.8600.527.40042	24.05
COCA COLA BOTTLING COMPANY	0118409103	09/16/2015	8/20/15	503.52.8300.524.76100	507.26
COCA COLA BOTTLING COMPANY	0178356301	09/16/2015	0095045796	503.52.8300.524.76100	(661.42)
COCA COLA BOTTLING COMPANY	0158515106	09/16/2015	9/2/15	503.52.8300.524.76100	991.48
COLLEGE CITY BEVERAGE	377782	09/09/2015	3592	503.52.8300.524.76150	260.80
COLLEGE CITY BEVERAGE	378150 B	09/09/2015	3592	503.52.8300.524.76150	100.30
COLLEGE CITY BEVERAGE	378224	09/16/2015	3592	503.52.8300.524.76050	265.00
COPY RIGHT	68381	09/09/2015	8/24/15	503.52.8000.521.60010	56.63
COVERALL OF THE TWIN CITIES INC	7070216692	09/09/2015	7072469	503.52.8500.526.40040	1,124.81
DAKOTA ELECTRIC ASSN	201360-5 9/15	09/09/2015	Invoice	503.52.8600.527.40020	213.15
DENNY'S 5TH AVENUE BAKERY	570980	09/09/2015	IW185	503.52.8300.524.76050	90.50
DENNY'S 5TH AVENUE BAKERY	571405	09/09/2015	IW185	503.52.8300.524.76050	56.84
DENNY'S 5TH AVENUE BAKERY	571965	09/16/2015	IW185	503.52.8300.524.76050	91.20
DENNY'S 5TH AVENUE BAKERY	572495	09/16/2015	IW185	503.52.8300.524.76050	43.58
DRAFT TECHNOLOGIES	083111505	09/16/2015	8/31/15	503.52.8300.524.40042	50.00
FIRST IMPRESSION GROUP, THE	63685 B	09/16/2015	3022	503.52.8500.526.50025	208.23
GARY'S PEST CONTROL	49922	09/16/2015	9/3/15	503.52.8500.526.40040	71.77
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	503.52.8000.521.30550	18.50
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	503.52.8500.526.30550	11.96
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	503.52.8600.527.30550	21.50
HEGGIES PIZZA	1155214	09/09/2015	1708	503.52.8300.524.76050	155.40
JJ TAYLOR DIST. COMPANY OF MN	2405170	09/09/2015	834	503.52.8300.524.76150	330.20
JJ TAYLOR DIST. COMPANY OF MN	I2416037	09/16/2015	00834	503.52.8300.524.76150	251.50
JOHNSON BROTHERS LIQUOR COMPANY IN(	5244297	09/09/2015	701-31	503.52.8300.524.76150	290.25
M. AMUNDSON LLP	200524	09/16/2015	902858	503.52.8300.524.76050	212.63
M. AMUNDSON LLP	202179	09/16/2015	902858	503.52.8300.524.76050	155.08
MANSFIELD OIL COMPANY	741148	09/09/2015	24129-030741148	503.52.8400.525.60021	893.15
MANSFIELD OIL COMPANY	757128	09/09/2015	24129-04-757128	503.52.8400.525.60021	1,330.36
MIDWAY PARTY RENTAL	48716	09/09/2015	34346	503.52.8500.526.50025	1,088.77
MTI DISTRIBUTING CO	1033646-00	09/04/2015	402307	503.52.8600.527.40042	1,097.22
R.J.'S GOLF CARTS	8/24/15	09/09/2015	golf carts	503.52.8400.525.40065	840.00
RJ'S GOLF CARTS INC	10915	09/16/2015	8/23/15	503.52.8400.525.40065	840.00
SHAMROCK GROUP	1925316	09/09/2015	7176	503.52.8300.524.76100	139.50
SHAMROCK GROUP	1927088	09/16/2015	07176	503.52.8300.524.76100	89.50
SHAMROCK GROUP	1926684	09/09/2015	7176	503.52.8300.524.76100	102.00
SHAMROCK GROUP	1928690	09/16/2015	07176	503.52.8300.524.76100	102.00
TITLEIST	900308367 B	09/09/2015	00008363	503.52.8200.523.76300	2,519.66
TITLEIST	901288936	09/09/2015	US62177	503.52.8200.523.76450	1,854.07
TITLEIST	9/2/15	09/09/2015	CREDIT ERROR ACCOUNT 00008363	503.52.8200.523.76450	1,234.00
US FOODSERVICE	5165980	09/09/2015	3805983	503.52.8300.524.76050	1,249.01
US FOODSERVICE	5207936	09/09/2015	3805983	503.52.8300.524.76050	305.73
US FOODSERVICE	5285937	09/16/2015	03805983	503.52.8300.524.76050	746.62
WILSON SPORTING GOODS	4518437837	09/09/2015	187981	503.52.8200.523.76250	190.00
WINFIELD SOLUTIONS, LLC	000060376335	09/16/2015	7884532	503.52.8600.527.60035	400.00
WIRTZ BEVERAGE MINNESOTA WINE & SPIR	1080362985	09/16/2015	102294	503.52.8300.524.76150	1,472.24
WIRTZ BEVERAGE MINNESOTA WINE & SPIR	R08018659	09/16/2015	102294	503.52.8300.524.76150	(206.49)
WIRTZ BEVERAGE MN BEER INC	1090451151B	09/16/2015	75606	503.52.8300.524.76150	176.00
WIRTZ BEVERAGE MN BEER INC	1090453616 B	09/16/2015	75606	503.52.8300.524.76150	440.00
WIRTZ BEVERAGE MN BEER INC	1090455729 B	09/16/2015	102294	503.52.8300.524.76150	319.50
WIRTZ BEVERAGE MN BEER INC	1090447433 B	09/16/2015	75606	503.52.8300.524.76150	176.00
WIRTZ BEVERAGE MN BEER INC	1090463184	09/16/2015	102294	503.52.8300.524.76150	297.50
XCEL ENERGY	469977068	09/16/2015	Invoice	503.52.8500.526.40010	38.58
XCEL ENERGY	469977068	09/16/2015	Invoice	503.52.8500.526.40020	1,610.52
XCEL ENERGY	469977068	09/16/2015	Invoice	503.52.8600.527.40010	26.72
XCEL ENERGY	469977068	09/16/2015	Invoice	503.52.8600.527.40020	3,840.10
Fund: 503 - INVER WOOD GOLF COURSE					**28,178.01**
CARDTRONICS	LK256394	09/16/2015	EMV CARD READER	602.00.2100.415.60065	626.41
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	602.00.2100.415.30550	1.36
Fund: 602 - RISK MANAGEMENT					**627.77**
ACE PAINT & HARDWARE	525545/5	09/16/2015	501126	603.00.5300.444.60011	19.97
CONTINENTAL RESEARCH CORP	1274144	09/16/2015	IGH0001	603.00.5300.444.60012	224.28
DIAMOND MOWERS INC	0102364-IN	09/16/2015	0053925	603.00.5300.444.40041	207.40
DIAMOND MOWERS INC	0102515-IN	09/16/2015	CITYOFINVER	603.00.5300.444.40041	138.92
ELECTRIC FIRE & SECURITY	6330	09/16/2015	CIT800	603.00.5300.444.40040	177.00
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	603.00.5300.444.30550	9.24
GLEWWE DOORS	176166	09/16/2015	7/28/15	603.00.5300.444.40040	492.00
MANSFIELD OIL COMPANY	696896	09/16/2015	23866-01-696896	603.00.5300.444.60021	5,664.65
MANSFIELD OIL COMPANY	765053	09/16/2015	23866-01-765053	603.00.5300.444.60021	5,658.99

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MANSFIELD OIL COMPANY	765054	09/16/2015	23866-01-765054	603.00.5300.444.60021	11,713.27
METRO JANITORIAL SUPPLY INC	11013653	09/16/2015	9/4/15	603.00.5300.444.60012	159.43
METRO JANITORIAL SUPPLY INC	11013654	09/16/2015	9/4/16	603.00.5300.444.60012	231.97
MINNESOTA EQUIPMENT	P87332	09/16/2015	INVER001	603.00.5300.444.40041	406.21
MN GLOVE & SAFETY, INC.	289725	09/16/2015	CTINVP	603.00.5300.444.60065	23.88
O' REILLY AUTO PARTS	1767-163681	09/16/2015	1578028	603.00.5300.444.40040	208.36
O' REILLY AUTO PARTS	1767-163705	09/16/2015	1578028	603.140.1450050	40.43
O' REILLY AUTO PARTS	1767-163875	09/16/2015	1578028	603.00.5300.444.40041	99.90
O' REILLY AUTO PARTS	1767-164424	09/16/2015	1578028	603.00.5300.444.40041	19.94
O' REILLY AUTO PARTS	1767-164562	09/16/2015	1578028	603.00.5300.444.40041	4.56
O' REILLY AUTO PARTS	1767-164604	09/16/2015	1578028	603.00.5300.444.40041	50.38
O' REILLY AUTO PARTS	1767-164618	09/16/2015	1578028	603.00.5300.444.40041	11.20
O' REILLY AUTO PARTS	1767-164746	09/16/2015	1578028	603.00.5300.444.40041	72.17
O' REILLY AUTO PARTS	1767-164756	09/16/2015	1578028	603.00.5300.444.40041	(61.58)
O' REILLY AUTO PARTS	1767-164776	09/16/2015	1578028	603.00.5300.444.40041	75.92
O' REILLY AUTO PARTS	1767-164805	09/16/2015	1578028	603.00.5300.444.60012	80.15
O' REILLY AUTO PARTS	1767-164918	09/16/2015	1578028	603.140.1450050	161.09
O' REILLY AUTO PARTS	1767-165561	09/16/2015	1578028	603.00.5300.444.60012	38.00
O' REILLY AUTO PARTS	1767-165743	09/16/2015	1578028	603.140.1450050	17.06
O' REILLY AUTO PARTS	1767-164923	09/16/2015	1578028	603.00.5300.444.40041	(116.00)
O' REILLY AUTO PARTS	1767-156919	09/16/2015	1578028	603.00.5300.444.40041	(6.99)
O' REILLY AUTO PARTS	1767-165886	09/16/2015	1578028	603.140.1450050	10.35
O' REILLY AUTO PARTS	1767-165893	09/16/2015	1578028	603.00.5300.444.40041	183.48
O' REILLY AUTO PARTS	1767-166044	09/16/2015	1578028	603.00.5300.444.40041	17.98
O' REILLY AUTO PARTS	1767-166204	09/16/2015	1578028	603.00.5300.444.40041	26.02
O' REILLY AUTO PARTS	1767-166204	09/16/2015	1578028	603.00.5300.444.40041	26.02
O' REILLY AUTO PARTS	1767-166422	09/16/2015	1578028	603.00.5300.444.40041	6.59
O' REILLY AUTO PARTS	1767-166763	09/16/2015	1578028	603.00.5300.444.40041	(74.00)
PETTY CASH - POLICE	9/9/15	09/09/2015	PETTY CASH REQUEST	603.00.5300.444.80700	106.00
SHAPCO PRINTING	320149	09/16/2015	0585	603.00.5300.444.60010	440.00
TRACTOR SUPPLY CREDIT PLAN	9/3/15 REQUEST	09/09/2015	ACCOUNTS 1844/6589/8303	603.00.5300.444.40041	19.98
UNIFIRST CORPORATION	090 0266469	09/16/2015	090 0266469	603.00.5300.444.40025	41.58
UNIFIRST CORPORATION	090 0266469	09/16/2015	090 0266469	603.00.5300.444.40065	84.68
UNIFIRST CORPORATION	090 0266469	09/16/2015	090 0266469	603.00.5300.444.60045	31.14
UNIFIRST CORPORATION	090 0267427	09/16/2015	090 0267427	603.00.5300.444.40025	41.58
UNIFIRST CORPORATION	090 0267427	09/16/2015	090 0267427	603.00.5300.444.40065	84.68
UNIFIRST CORPORATION	090 0267427	09/16/2015	090 0267427	603.00.5300.444.60045	31.14
XCEL ENERGY	470313050	09/16/2015	Invoice	603.00.5300.444.40010	90.90
XCEL ENERGY	470313050	09/16/2015	Invoice	603.00.5300.444.40020	1,578.37
Fund: 603 - CENTRAL EQUIPMENT					**28,568.29**
US BANCORP EQUIPMENT FINANCE, INC.	286557319	09/16/2015	923425	604.00.2200.416.40050	3,972.83
Fund: 604 - CENTRAL STORES					**3,972.83**
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	605.00.7500.460.30550	3.50
HUEBSCH SERVICES	3522635	09/16/2015	1000075	605.00.7500.460.40065	139.07
P&D MECHANICAL CONTRACTING CO.	10950	09/16/2015	7/31/15	605.00.7500.460.40040	735.00
P&D MECHANICAL CONTRACTING CO.	10963	09/16/2015	7/31/15	605.00.7500.460.40040	160.00
TOTAL CONSTRUCTION & EQUIP.	65139	09/16/2015	CIT001	605.00.7500.460.40040	98.80
XCEL ENERGY	470313050	09/16/2015	Invoice	605.00.7500.460.40020	7,778.00
Fund: 605 - CITY FACILITIES					**8,914.37**
AT & T MOBILITY	287237771092x08122015(	09/16/2015	FAN 04098834	606.00.1400.413.50020	55.04
DAKOTA CTY FINANCIAL SVCS	00016682 B	09/16/2015	P0001753	606.00.1400.413.30700	1,961.00
GENESIS EMPLOYEE BENEFITS, INC	IN610148	09/16/2015	Invoice	606.00.1400.413.30550	16.06
INTEGRA TELECOM	13224533 B	09/16/2015	645862	606.00.1400.413.50020	1,017.51
INTEGRA TELECOM	13244233526	09/16/2015	887115	606.00.1400.413.50020	1,240.57
INTEGRA TELECOM	120368987	09/16/2015	002129	606.00.1400.413.50020	487.50
MN GIS/LIS CONSORTIUM	2000000941	09/16/2015	8/25/15	606.00.1400.413.50080	345.00
MN GIS/LIS CONSORTIUM	200000938	09/16/2015	8/25/15	606.00.1400.413.50080	345.00
OFFICE OF MN. IT SERVICES	DV15060488B	09/16/2015	200B00171	606.00.1400.413.30750	310.00
US INTERNET	110-080034-0023	09/16/2015	110-080034	606.00.1400.413.30700	220.00
WORKS COMPUTING, INC.	24207	09/16/2015	INVER	606.00.1400.413.30700	3,600.00
WORKS COMPUTING, INC.	24482	09/16/2015	INVER	606.00.1400.413.50070	12,592.02
Fund: 606 - TECHNOLOGY FUND					**22,189.70**
BRIAN, WILLIAMS	9/2/15	09/09/2015	6370 CONCORD BLVD LOC RELEASE	702.229.2300101	3,500.00
DAKOTA COUNTY CDA	9/1/15	09/09/2015	EAST CAMPUS SECOND ADDITION E	702.229.2288801	18,636.49
HENNEPIN COUNTY DISTRICT COURT	13415175	09/16/2015	JAMIE RAMOS PAZ	702.229.2291000	50.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Alan Bebel C	09/09/2015	Invoice	702.229.2285601	131.60
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Athlos Acade	09/09/2015	Invoice	702.229.2289102	2,069.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Blackstone H	09/09/2015	Invoice	702.229.2294102	114.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Blackstone P	09/09/2015	Invoice	702.229.2283502	4,688.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Blackstone R	09/09/2015	Invoice	702.229.2285601	1,653.80
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Deanovic De	09/09/2015	Invoice	702.229.2303201	66.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Forfeiture-Do	09/09/2015	Invoice	702.229.2291000	40.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Forfeiture-Gr	09/09/2015	Invoice	702.229.2291000	8.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Forfeiture-Kr	09/09/2015	Invoice	702.229.2291000	48.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Forfeiture-Ru	09/09/2015	Invoice	702.229.2291000	276.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Forfeiture-Ta	09/09/2015	Invoice	702.229.2291000	8.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Glenn Clarke	09/09/2015	Invoice	702.229.2289402	226.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Inver Hills CC	09/09/2015	Invoice	702.229.2294002	33.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Nabersberg /	09/09/2015	Invoice	702.229.2302801	394.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Police-Forfeit	09/09/2015	Invoice	702.229.2291000	475.95
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Povolny Spe	09/09/2015	Invoice	702.229.2293701	22.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Power Dynan	09/09/2015	Invoice	702.229.2287902	193.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Salem Hills E	09/09/2015	Invoice	702.229.2304801	44.00
LEVANDER, GILLEN & MILLER P.A.	81000E 8/15 Watrud Prop	09/09/2015	Invoice	702.229.2305801	391.00
RIVER HEIGHTS VINEYARD CHURCH	9/2/15 B	09/09/2015	6070 CAHILL AVE LOC RELEASE	702.229.2306901	1,500.00
RIVER HEIGHTS VINEYARD CHURCH	9/2/15	09/09/2015	6070 CAHILL AVE ESCROW RELEASE	702.229.2306801	1,173.50
THE REALTY ASSOCIATES FUND VIII LP	9/2/15	09/09/2015	6240 CARMEN AVE ESCROW LOC RE	702.229.2295701	59,056.25
Fund: 702 - ESCROW FUND					**94,797.59**
Grand Total					**1,082,603.69**

AGENDA ITEM 4C

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Meeting Date:	September 28, 2015
Item Type:	Consent
Contact:	Judy Thill, 651-450-2495
Prepared by:	Judy Thill, Fire Chief
Reviewed by:	n/a

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED Consider appointment of Paul Rank as the Fire Operations Supervisor for the City of Inver Grove Heights.

SUMMARY

The position of Fire Operations Supervisor was created and approved in the 2015 budget. There were 9 applications initially which included 3 from outside the Inver Grove Heights Fire Department (IGH FD).

The field was narrowed to six and two rounds of interviews were conducted. Interview panel members included the IGH Fire Chief, IGH Human Resources and non-IGH fire service personnel. Paul Rank was selected for the position and a conditional job offer was made.

Paul presently works for the Maplewood Fire Department as a Firefighter/EMT. In addition to his regular job, he is also an IGH FD paid-on-call Lieutenant, a position he has held for 6 years. Having been very active with the IGH FD since he joined in 2005, Lt. Rank is also a Training Coordinator and Assistant Explorer Advisor, and has served as a Company Inspector and Engineer. In 2008, he was selected as IGH FD Firefighter of the Year. A life-long resident of Inver Grove Heights, Lt. Rank holds many state certifications, is a MN Licensed Firefighter, and earned an Associate's Degree in Fire Science.

In this new position, Lt. Rank will start at step 1 of the "S" Range on the non-union compensation plan which is $52,300 annually. The training period for this position is one (1) year. Lt. Rank is expected to begin in this new position approximately mid-October.

RECOMMENDATION

Staff recommends the City Council approve the appointment of Paul Rank as the Fire Operations Supervisor for the City of Inver Grove Heights.

AGENDA ITEM 4D

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Pay Voucher No. 5 for the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District

Meeting Date:	September 28, 2015
Item Type:	Consent
Contact:	Thomas J. Kaldunski, 651.450.2572
Prepared by:	Thomas J. Kaldunski, City Engineer
Reviewed by:	Scott D. Thureen, Public Works Director

Fiscal/FTE Impact:

	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
X	Other: Water Fund 511, Sewer Fund 512

PURPOSE/ACTION REQUESTED

Pay Voucher No. 5 for the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District.

SUMMARY

The improvements were ordered as part of the 2015 Capital Improvement Program. The contract was awarded in the amount of $2,083,708.48 to S.M. Hentges & Sons, Inc. on April 27, 2015.

Pay Voucher No. 5 is for trunk sanitary sewer and water main installed through the end of August.

I recommend approval of Pay Voucher No. 5, in the amount of $213,447.85, for work on the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District.

SWD/me
Attachments: Pay Voucher No. 5

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER

ESTIMATE NO: 5 (five)

DATE: September 28, 2015

PERIOD ENDING: August 31, 2015

PROJECT NO: 2015-10 NWA Trunk Utility Improvements
2015-11 NWA 70th Street Lift Station

TO: S.M Hentges & Sons, Inc.
650 Quaker Avenue
Jordan, MN 55352

Original Contract Amount	$2,083,708.48
Total Addition (Change Order 1)	$68,081.42
Total Deduction	$0.00
Total Contract Amount	$2,151,789.90
Total Value of Work to Date	$1,856,169.31
Less Retained (5%)	$92,808.47
Less Previous Payment	$1,549,912.99
Total Approved for Payment this Voucher	$213,447.85
Total Payments including this Voucher	$1,763,360.84

Approvals:

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

Signed by: Thomas J Kaldunski — September 28, 2015
Thomas J. Kaldunski, City Engineer

Signed by: _____ _____
S.M. Hentges & Sons, Inc. — Date

Signed by: _____ September 28, 2015
George Tourville, Mayor

Partial Pay Estimate No. 5

2015-10 TRUNK UTILITY/2015-11 LIFT STATION
CITY OF INVER GROVE HEIGHTS, MINNESOTA

WORK COMPLETED THROUGH AUGUST 31, 2015

ITEM NO.	ITEM	Contract Quantity	Quant to date	Unit price	Estimated Amount	Contract Cost to Date
	SCHEDULE 1					
1	UTILITY INSPECTOR ALLOWANCE	1		$8,000.00	8,000.00	
2	MOBILIZATION	0.5	0.50	$24,000.00	12,000.00	$12,000.00
3	CLEARING	1.3	1.30	$3,060.00	3,978.00	$3,978.00
4	GRUBBING	1.3	1.30	$3,060.00	3,978.00	$3,978.00
5	CONSTRUCT ACCESS ROAD ALLOWANCE	1		$5,000.00	5,000.00	
6	OBSTRUCTION REMOVAL	6	3.00	$2,550.00	15,300.00	$7,650.00
7	WATER USAGE ALLOWANCE	0.5		$5,000.00	2,500.00	
8	GRANULAR BACKFILL	1500		$0.01	15.00	
9	AGGREGATE FOUNDATION	150		$25.00	3,750.00	
10	8" DIP CL 52 PIPE SEWER (0' - 20')	40	40.00	$111.00	4,440.00	$4,440.00
11	8" DIP CL 52 PIPE SEWER (30' - 40')	25	20.00	$165.00	4,125.00	$3,300.00
12	12" DIP CL 52 PIPE SEWER (0'-20')	106	106.00	$254.50	26,977.00	$26,977.00
13	12" DIP CL 52 PIPE SEWER (20'-30')	376	376.00	$254.50	95,692.00	$95,692.00
14	12" DIP CL 52 PIPE SEWER (30'-40')	331	331.00	$254.50	84,239.50	$84,239.50
15	12" DIP CL 52 PIPE SEWER (40'-50')	209	209.00	$254.50	53,190.50	$53,190.50
16	12" FUSIBLE PIPE SEWER (THROUGH CASING)	436	436.00	$52.00	22,672.00	$22,672.00
17	CONNECT TO EXISTING SANITARY SEWER	1	1.00	$114,259.19	114,259.19	$114,259.19
18	30" STEEL CASING PIPE (TRENCHLESS)(SANITARY)	436	436.00	$625.00	272,500.00	$272,500.00
19	CONSTRUCT 8" OUTSIDE DROP	20	30.00	$270.00	5,400.00	$8,100.00
20	CONSTRUCT 12" OUTSIDE DROP	10	14.00	$443.00	4,430.00	$6,202.00
21	CONNECT TO EXISTING WATER MAIN	1	1.00	$807.00	807.00	$807.00
22	HYDRANT (10' BURY)	3	3.00	$3,855.50	11,566.50	$11,566.50
23	6" GATE VALVE & BOX	3	3.00	$1,175.00	3,525.00	$3,525.00
24	16" BUTTERFLY GATE VALVE	6	6.00	$2,761.00	16,566.00	$16,566.00
25	6" WATERMAIN DUCTILE IRON CL 52	37	37.00	$37.25	1,378.25	$1,378.25
26	16" WATERMAIN DUCTILE IRON CL 52	753	580.00	$81.25	61,181.25	$47,125.00
27	16" WATERMAIN DUCTILE IRON CL 52 (>10')	570	570.00	$83.75	47,737.50	$47,737.50
28	16" DIP WATERMAIN (THROUGH CASING)	280	280.00	$72.75	20,370.00	$20,370.00
29	30" STEEL CASING PIPE (JACKED)(WATERMAIN)	280	280.00	$496.00	138,880.00	$138,880.00
30	BUTTERFLY VALVE MANHOLE	86	76.00	$384.00	33,024.00	$29,184.00
31	DUCTILE IRON FITTINGS	4870	6,302.00	$2.50	12,175.00	$15,755.00
32	48" DIAMETER SANITARY MANHOLE	130.1	126.00	$133.00	17,303.30	$16,758.00
33	72" DIAMETER SANITARY MANHOLE	57.4	58.00	$253.00	14,522.20	$14,674.00
34	SANITARY MANHOLE SPECIAL	74	74.00	$229.00	16,946.00	$16,946.00
35	CASTING ASSEMBLY (SANITARY)	8	8.00	$480.00	3,840.00	$3,840.00
36	EXTERNAL CHIMNEY SEAL	8	8.00	$200.00	1,600.00	$1,600.00
37	MARKING POST	14		$80.00	1,120.00	
38	TRAFFIC CONTROL	0.5	0.50	$2,525.00	1,262.50	$1,262.50
39	SILT FENCE, TYPE MS	2188	1,135.00	$2.00	4,376.00	$2,270.00
40	STORM DRAIN INLET PROTECTION	3		$100.00	300.00	
41	SEDIMENT CONTROL LOG TYPE STRAW	200		$2.20	440.00	
42	ROCK CONSTRUCTION ENTRANCE	2	2.00	$1,100.00	2,200.00	$2,200.00
43	STORM WATER MANAGEMENT ALLOWANCE	0.5		$10,000.00	5,000.00	
44	EROSION CONTROL BLANKET CATEGORY 3	500	500.00	$1.50	750.00	$750.00
45	RAPID STABILIZATION METHOD 3 (MIX 32-241)	1		$2,740.00	2,740.00	
46	RAPID STABILIZATION METHOD 3 (MIX 25-142)	3	4.00	$2,629.00	7,887.00	$10,516.00
					1,169,943.69	**$1,122,888.94**

Partial Pay Estimate No. 5

2015-10 TRUNK UTILITY/2015-11 LIFT STATION
CITY OF INVER GROVE HEIGHTS, MINNESOTA

WORK COMPLETED THROUGH AUGUST 31, 2015

ITEM NO.	ITEM	Contract Quantity	Quant to date	Unit price	Estimated Amount	Contract Cost to Date
	SCHEDULE 2					
47	MOBILIZATION	0.5	0.50	$24,000.00	12,000.00	$12,000.00
48	CLEARING	1	1.00	$3,080.00	3,080.00	$3,080.00
49	GRUBBING	1	1.00	$3,080.00	3,080.00	$3,080.00
50	OBSTRUCTION REMOVAL	4	2.00	$2,550.00	10,200.00	$5,100.00
51	WATER USAGE ALLOWANCE	0.5		$5,000.00	2,500.00	
52	AGGREGATE BASE CLASS 5	140		$15.00	2,100.00	
53	BITUMINOUS TACK COAT	15		$3.00	45.00	
54	TYPE SP 9.5 WEARING COURSE MIX (2,B)	25		$153.00	3,825.00	
55	TYPE SP 12.5 NON-WEARING COURSE MIX (2, B)	25		$153.00	3,825.00	
56	GRANULAR BACKFILL	500		$0.01	5.00	
57	AGGREGATE FOUNDATION	75		$25.00	1,875.00	
58	WASTE COLLECTION AND DISPOSAL ALLOWANCE	1		$5,000.00	5,000.00	
59	CONSTRUCT LIFT STATION	1	0.50	$378,875.19	378,875.19	$189,437.60
60	8" FORCEMAIN PVC PIPE SEWER	170	170.00	$20.00	3,400.00	$3,400.00
61	8" PVC SDR-35 PIPE SEWER	27	27.00	$25.00	675.00	$675.00
62	8" PVC SDR-26 PIPE SEWER	154	154.00	$92.00	14,168.00	$14,168.00
63	8" DIP CL 52 PIPE SEWER (0' - 20')	40	40.00	$102.50	4,100.00	$4,100.00
64	8" DIP CL 52 PIPE SEWER (40' - 50')	143	143.00	$528.50	75,575.50	$75,575.50
65	8" FUSIBLE PIPE SEWER (THROUGH CASING)	142	142.00	$34.00	4,828.00	$4,828.00
66	12" PVC SDR-26 PIPE SEWER (20'-25')	109	109.00	$76.50	8,338.50	$8,338.50
67	12" DIP CL 52 PIPE SEWER (20'-30')	52	62.00	$145.00	7,540.00	$8,990.00
68	12" DIP CL 52 PIPE SEWER (40'-50')	104	104.00	$419.00	43,576.00	$43,576.00
69	30" STEEL CASING PIPE (TRENCHLESS)(SANITARY)	142	142.00	$715.00	101,530.00	$101,530.00
70	CONSTRUCT 8" OUTSIDE DROP	14.4	20.00	$226.00	3,254.40	$4,520.00
71	CONSTRUCT 12" OUTSIDE DROP	4	2.00	$900.00	3,600.00	$1,800.00
72	HYDRANT	2	2.00	$3,673.00	7,346.00	$7,346.00
73	6" GATE VALVE & BOX	2	2.00	$1,175.00	2,350.00	$2,350.00
74	16" BUTTERFLY GATE VALVE	1	2.00	$2,761.00	2,761.00	$5,522.00
75	6" WATERMAIN DUCTILE IRON CL 52	127	23.00	$36.50	4,635.50	$839.50
76	12" WATERMAIN DUCTILE IRON CL 52	103	137.00	$64.00	6,592.00	$8,768.00
77	16" WATERMAIN DUCTILE IRON CL 52	255	342.00	$83.50	21,292.50	$28,557.00
78	16" DIP WATERMAIN (THROUGH CASING)	142	142.00	$87.00	12,354.00	$12,354.00
79	30" STEEL CASING PIPE (JACKED)(WATERMAIN)	142	142.00	$485.00	68,870.00	$68,870.00
80	DUCTILE IRON FITTINGS	1845	1,845.00	$2.50	4,612.50	$4,612.50
81	BUTTERFLY VALVE MANHOLE	10	12.60	$452.00	4,520.00	$5,695.20
82	48" DIAMETER SANITARY MANHOLE	61.3	61.30	$158.00	9,685.40	$9,685.40
83	72" DIAMETER SANITARY MANHOLE	38.8	31.00	$249.00	9,661.20	$7,719.00
84	SANITARY MANHOLE SPECIAL	84.6	82.05	$221.00	18,696.60	$18,133.05
85	CASTING ASSEMBLY (SANITARY)	7	6.00	$495.00	3,465.00	$2,970.00
86	EXTERNAL CHIMNEY SEAL	1		$200.00	200.00	
87	CONCRETE CURB & GUTTER DESIGN B618	255		$22.00	5,610.00	
88	6" CONCRETE DRIVEWAY PAVEMENT	55		$50.00	2,750.00	
89	TRAFFIC CONTROL	0.5	0.30	$2,525.00	1,262.50	$757.50
90	SILT FENCE, TYPE MS	2184		$2.00	4,368.00	
91	SEDIMENT CONTROL LOG TYPE STRAW	100		$3.50	350.00	
92	ROCK CONSTRUCTION ENTRANCE	2	2.00	$1,100.00	2,200.00	$2,200.00
93	STORM WATER MANAGEMENT ALLOWANCE	0.5		$10,000.00	5,000.00	
94	EROSION CONTROL BLANKET CATEGORY 3	200		$1.50	300.00	
95	RAPID STABILIZATION METHOD 3 (MIX 25-142)	1		$2,599.00	2,599.00	
96	CONIFEROUS TREE 8' HT B&B	39		$392.00	15,288.00	
					913,764.79	**$670,577.75**

Partial Pay Estimate No. 5

2015-10 TRUNK UTILITY/2015-11 LIFT STATION
CITY OF INVER GROVE HEIGHTS, MINNESOTA

WORK COMPLETED THROUGH AUGUST 31, 2015

ITEM NO.	ITEM	Contract Quantity	Quant to date	Unit price	Estimated Amount	Contract Cost to Date
	Change Order #1					
97	8" DIP WITH 401 LINING	424	424.00	$20.47	8,679.28	$8,679.28
98	12" DIP WITH 401 LINING	1628	1,628.00	$25.43	41,400.04	$41,400.04
99	8" MJ DROP TEE - 401 LINING	4	4.00	$397.87	1,591.48	$1,591.48
100	12" MH DROP TEE - 401 LINING	2	2.00	$402.66	805.32	$805.32
101	8" DIP CL 52 PIPE SEWER (30' - 40')	143	143.00	-$28.50	-4,075.50	-$4,075.50
102	12" DIP WATERMAIN (THROUGH CASING)	142	142.00	-$19.00	-2,698.00	-$2,698.00
103	BORING PIT LOWERING (WATERMAIN)	1	1.00	$12,000.00	12,000.00	$12,000.00
104	RECEIVING PIT LOWERING (WATERMAIN)	1	1.00	$5,000.00	5,000.00	$5,000.00
					62,702.62	**$62,702.62**
	Change Order #X					
105	PORTABLE PRECAST CONC BARRIER DES 8337	200		$16.00	3,200.00	
106	30" HYDRANT EXTENSION	1		$1,254.50	1,254.50	

STORED MATERIALS	$120,160.05
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	$120,160.05
STORED MATERIALS REMAINING	
	$1,856,169.31

	Estimated Cost	Contract Cost to Date
Schedule 1	$1,169,943.69	$1,122,888.94
Schedule 2	$913,764.79	$670,577.75
Original Contract Amount	$2,083,708.48	
C.O. #1	$68,081.42	$62,702.62
C.O. #2	N/A	N/A
Revised Contract Amount	$2,151,789.90	
Contract Work Completed to Date		$1,856,169.31
Total Stored Materials to Date		$120,160.05
Deduction for Stored Materials used		$120,160.05
Completed Work and Stored Materials		$1,856,169.31
Retainage (5%)		$92,808.47
Previous Payments		$1,549,912.99
Amount Due This Payment 5		**$213,447.85**

AGENDA ITEM 4E

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Change Order No. 2 and Pay Voucher No. 4 for City Project No. 2015-09E – 47th Street Area Reconstruction and City Project No. 2015-14 47th Street Area Water and Sewer Improvements and Rehabilitation

Meeting Date:	September 28, 2015		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Thomas J. Kaldunski, 651.450.2572		Amount included in current budget
Prepared by:	Thomas J. Kaldunski, City Engineer		Budget amendment requested
Reviewed by:	Scott D. Thureen, Public Works Director		FTE included in current complement
			New FTE requested – N/A
		X	Other: Pavement Management Fund, Special Assessments, Water Fund, Sewer Fund, DCSWCD Grants, Agreements

TJK

SDT

SB

PURPOSE/ACTION REQUESTED

Consider Change Order No. 2 and Pay Voucher No. 4 for City Project No. 2015-09E – 47th Street Area Reconstruction and City Project No. 2015-14 – 47th Street Area Water and Sewer Improvements and Rehabilitation.

SUMMARY

The improvements were ordered as part of the 2015 Pavement Management Program. The contract was awarded in the amount of $3,060,086.49 to Palda and Sons, Inc., on May 11, 2015 for City Project No. 2015-09E – 47th Street Area Reconstruction and City Project No. 2015-14 – 47th Street Area Water and Sewer Improvements and Rehabilitation.

Change Order No. 2, in the amount of $37,597.02, covers miscellaneous contract quantity increases related to unforeseen field conditions regarding the existing water main and sanitary sewer systems for City Project No. 2015-14. The contract quantity increases related to water main work will be funded through the Water Utility Fund ($26,476.77), and the contract quantity increases related to sanitary sewer work will be funded through the Sewer Utility Fund ($11,120.25).

I recommend approval of Change Order No. 2 in the amount of $37,597.02, for a total contract amount of $3,126,233.29, and Pay Voucher No. 4, in the amount of $770,278.88 for work on City Project No. 2015-09E – 47th Street Area Reconstruction and City Project No. 2015-14 – 47th Street Area Water and Sewer Improvements and Rehabilitation.

TJK/nh
Attachments: Pay Voucher No. 4
Change Order No. 2

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER

ESTIMATE NO: 4 (Four)

DATE: September 28, 2015

PERIOD ENDING: August 31, 2015

CONTRACT: 2015 Pavement Management Program

PROJECT NO: City Project No. 2015-09E – 47th Street Area Reconstruction and City Project No. 2015-14 - 47th Street Area Water and Sewer Improvements and Rehabilitation

TO: Palda and Sons, Inc.
1462 Dayton Ave.
St. Paul, MN 55104

Original Contract Amount	$3,060,086.49
Total Addition (Change Order No. 1 and 2)	$66,146.80
Total Deduction	$0.00
Total Contract Amount	$3,126,233.29
Total Value of Work to Date	$2,762,022.96
Less Retained (5%)	$138,101.14
Less Previous Payment	$1,853,642.94
Total Approved for Payment this Voucher	$770,278.88
Total Payments including this Voucher	$2,623,921.82

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through August 31, 2015.

Signed by: Thomas J. Kaldunski, City Engineer — September 28, 2015

Signed by: Palda and Sons, Inc. — Date

Signed by: George Tourville, Mayor — September 28, 2015

CHANGE ORDER NO. 2

2015 Pavement Management Program

City Project No. 2015-09E – 47th St. Area Reconstruction
City Project No. 2015-14 – 47th St. Area Water/Sewer Improvements & Rehabilitation

Owner:	City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077	Date of Issuance:	September 17, 2015
Contractor:	Palda and Sons, Inc. 1462 Dayton Ave. St. Paul, MN 55104	Engineer:	Short Elliott Hendrickson, Inc.

PURPOSE OF CHANGE ORDER

To compensate for miscellaneous contract quantity increases due to unforeseen field conditions regarding the existing water main and sanitary sewer systems.

Total Cost of Change Order No. 2 = $37,597.02

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: $3,060,086.49	Original Contract Time: Substantial Completion – September 10, 2015
Previous Change Orders $28,549.78	Net Change from Previous Change Orders None
Contract Price Prior to this Change Order $3,088,636.27	Contract Time Prior to this Change Order None
Net Increase (Decrease) of this Change Order $37,597.02	Net Increase (Decrease) of Change Order None
Contract Price with all Approved Change Orders $3,126,233.29	Contract Time with Approved Change None
Recommended By:_____ Nick Hahn, Senior Engineering Technician	Approved By:_____ Palda and Sons, Inc.

Approved By:

Thomas J. Kaldunski, City Engineer

Approved By:

George Tourville, Mayor

Date of Council Action:

September 28, 2015

Project: 2015 Pavement Management Program
Owner: City of Inver Grove Heights
Contract: SEH No.: INVER 129894

SCHEDULE 1 - 47TH STREET AREA WATER AND SEWER IMPROVEMENTS AND REHABILITATION (2015-14)								
Line No.	Item No.	Item	Unit	Est. Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2021.501	MOBILIZATION	LS	1	1	$ 150,000.00	$ 150,000.00	$ 150,000.00
2	2100.601	NIGHT WORK	EACH	3		$ 1,500.00	$ 4,500.00	$ -
3	2104.501	REMOVE WATERMAIN	LF	2008	2190	$ 5.00	$ 10,040.00	$ 10,950.00
4	2104.501	REMOVE WATER SERVICE	EACH	23	26	$ 100.00	$ 2,300.00	$ 2,600.00
5	2104.509	REMOVE GATE VALVE & BOX	EACH	25	24	$ 200.00	$ 5,000.00	$ 4,800.00
6	2104.509	REMOVE MANHOLE (SANITARY)	EACH	5	3	$ 750.00	$ 3,750.00	$ 2,250.00
7	2104.509	REMOVE CASTING AND RINGS (SANITARY)	EACH	4	21	$ 50.00	$ 200.00	$ 1,050.00
8	2104.523	SALVAGE HYDRANT AND GATE VALVE	EACH	12	13	$ 300.00	$ 3,600.00	$ 3,900.00
9	2451.607	CRUSHED ROCK PIPE BEDDING (WATERMAIN)	CY	297	47	$ 50.05	$ 14,864.85	$ 2,352.35
10	2451.607	CRUSHED ROCK PIPE BEDDING (SANITARY)	CY	155	392	$ 50.05	$ 7,757.75	$ 19,619.60
11	2501.602	EXCAV. SPECIAL (POTHOLE EXISTING UTILITY)	EACH	10	6	$ 400.00	$ 4,000.00	$ 2,400.00
12	2503.602	WATER VALVE MANHOLE	EACH	1	1	$ 3,393.00	$ 3,393.00	$ 3,393.00
13	2503.602	RECONSTRUCT SANITARY MANHOLE	EACH	2	6	$ 1,528.00	$ 3,056.00	$ 9,168.00
14	2503.602	SANITARY SEWER SERVICE REPLACEMENT	EACH	20	24	$ 1,385.00	$ 27,700.00	$ 33,240.00
15	2503.602	F&I EXTERNAL MANHOLE CHIMNEY SEAL	EACH	30	14	$ 190.00	$ 5,700.00	$ 2,660.00
16	2503.602	CONNECT TO EXISTING SANITARY SEWER	EACH	3	2	$ 405.00	$ 1,215.00	$ 810.00
17	2503.602	8" X 4" PVC WYE	EACH	3	3	$ 941.00	$ 2,823.00	$ 2,823.00
18	2503.602	4" PVC PIPE SEWER (SANITARY SERVICE) SDR 26	LF	130	73	$ 38.60	$ 5,018.00	$ 2,817.80
19	2503.603	8" PVC PIPE SEWER (SANITARY) SDR 35	LF	1505	1581	$ 54.60	$ 82,173.00	$ 86,322.60
20	2503.603	EXCAVATION POINT REPAIR	EACH	3	3	$ 1,892.00	$ 5,676.00	$ 5,676.00
21	2503.603	INFILTRATION LEAK REPAIR	EACH	3		$ 600.00	$ 1,800.00	$ -
22	2503.606	SANITARY MANHOLE UMBRELLAS	EACH	30	30	$ 150.00	$ 4,500.00	$ 4,500.00
23	2504.601	TEMPORARY WATER SYSTEM	LS	1	1.05	$ 19,400.00	$ 19,400.00	$ 20,370.00
24	2504.602	8" GATE VALVE AND BOX (NEW PIPE)	EACH	11	10	$ 2,807.00	$ 30,877.00	$ 28,070.00
25	2504.602	CUT IN 6" GATE VALVE AND BOX	EACH	12	13	$ 3,748.00	$ 44,976.00	$ 48,724.00
26	2504.602	CUT IN 12" GATE VALVE AND BOX	EACH	3	3	$ 6,473.00	$ 19,419.00	$ 19,419.00
27	2504.602	INSTALL HYDRANT & GATE VALVE	EACH	12	14	$ 7,269.00	$ 87,228.00	$ 101,766.00
28	2504.602	1" CORPORATION STOP	EACH	25	28	$ 178.00	$ 4,450.00	$ 4,984.00
29	2504.602	1" CURB STOP AND BOX	EACH	25	28	$ 265.00	$ 6,625.00	$ 7,420.00
30	2504.602	WATERMAIN SERVICE ADJUSTMENT	EACH	10		$ 1,345.00	$ 13,450.00	$ -
31	2504.602	CONNECT TO EXISTING WATER SERVICE	EACH	23	26	$ 321.00	$ 7,383.00	$ 8,346.00
32	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	6	23	$ 793.00	$ 4,758.00	$ 18,239.00
33	2504.602	ADJUST GATE VALVE	EACH	2	4	$ 400.00	$ 800.00	$ 1,600.00
34	2504.602	ADJUST CURB STOP BOX	EACH	14		$ 130.00	$ 1,820.00	$ -

35	2504.603	1" COPPER, TYPE K	LF	810	833	$ 42.64	$ 34,538.40	$ 35,519.12
36	2504.603	8" DIP WATERMAIN CL. 52	LF	2096	2167	$ 47.30	$ 99,140.80	$ 102,499.10
37	2504.604	4" POLYSTYRENE INSULATION	SY	21	4	$ 35.00	$ 735.00	$ 140.00
38	2504.608	DUCTILE IRON FITTINGS (EPOXY COATED)	LB	1085	3050	$ 9.05	$ 9,819.25	$ 27,602.50
39	2506.521	INSTALL NEW RINGS AND CASTING (SANITARY)	EACH	7	14	$ 704.00	$ 4,928.00	$ 9,856.00
40	2506.522	ADJUST CASTING (SANITARY)	EACH	19		$ 704.00	$ 13,376.00	$ -
41	2506.602	CONSTRUCT 48" MANHOLE STRUCTURE	EACH	7	7	$ 4,703.00	$ 32,921.00	$ 32,921.00
TOTAL SCHEDULE 1 - 47TH STREET AREA WATER AND SEWER IMPROVEMENTS AND REHABILITATION (2015-14)							**$ 785,711.05**	**$ 818,808.07**

SCHEDULE 2 - 47TH STREET AREA RECONSTRUCTION (2015-09E)

Line No.	Item No.	Item	Unit	Est. Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2021.501	MOBILIZATION	LS	1	1	$ 295,700.00	$ 295,700.00	$ 295,700.00
2	2031.501	FIELD OFFICE	EACH	1	1	$ 10,000.00	$ 10,000.00	$ 10,000.00
3	2101.502	CLEARING	TREE	30	63	$ 225.00	$ 6,750.00	$ 14,175.00
4	2101.507	GRUBBING	TREE	30	64	$ 150.00	$ 4,500.00	$ 9,600.00
5	2104.501	REMOVE CURB AND GUTTER	LF	13220	14037	$ 4.36	$ 57,639.20	$ 61,201.32
6	2104.501	REMOVE SEWER PIPE (STORM)	LF	504	538	$ 7.96	$ 4,011.84	$ 4,282.48
7	2104.501	REMOVE CATCH BASIN OR MANHOLE	EACH	21	24	$ 750.00	$ 15,750.00	$ 18,000.00
8	2104.503	REMOVE CONCRETE SIDEWALK	SF	252	177	$ 1.00	$ 252.00	$ 177.00
9	2104.503	REMOVE BITUMINOUS PAVEMENT	SF	4005	1200	$ 1.00	$ 4,005.00	$ 1,200.00
10	2104.505	REMOVE BITUMINOUS DRIVEWAY OR TRAIL	SY	1241	881	$ 3.42	$ 4,244.22	$ 3,013.02
11	2104.505	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	1239	1243	$ 7.17	$ 8,883.63	$ 8,912.31
12	2104.507	REMOVE CONCRETE STEPS	SF	25	23.5	$ 4.00	$ 100.00	$ 94.00
13	2104.509	REMOVE CASTING AND RINGS (STORM)	EACH	1	11	$ 50.00	$ 50.00	$ 550.00
14	2104.523	SALVAGE SIGN TYPE C	EACH	17		$ 25.00	$ 425.00	$ -
15	2105.501	COMMON EXCAVATION (EV) (P)	CY	33741	34936	$ 7.27	$ 245,297.07	$ 253,984.72
16	2105.507	SUBGRADE EXCAVATION (EV)	CY	250	1902	$ 8.89	$ 2,222.50	$ 16,908.78
17	2105.522	SELECT GRANULAR BORROW (CV)	CY	20336	22595	$ 9.96	$ 202,546.56	$ 225,046.20
18	2105.541	STABILIZING AGGREGATE	CY	200	235.32	$ 50.05	$ 10,010.00	$ 11,777.77
19	2105.604	GEOTEXTILE FABRIC, TYPE V	SY	30459	29285	$ 0.75	$ 22,844.25	$ 21,963.75
20	2123.61	STREET SWEEPING (WITH PICKUP BROOM)	HOUR	40		$ 140.00	$ 5,600.00	$ -
21	2130.601	WATER USAGE ALLOWANCE	LS	1		$ 10,000.00	$ 10,000.00	$ -
22	2211.501	AGGREGATE BASE (CV) CLASS 5Q	TON	6536	8498.56	$ 11.01	$ 71,961.36	$ 93,569.15
23	2211.501	AGGREGATE BASE (CV) CLASS 5 (100% CRUSHED	TON	774	852.85	$ 16.71	$ 12,933.54	$ 14,251.12
24	2232.501	MILL BITUMINOUS SURFACE (2" DEPTH)	SY	580		$ 5.10	$ 2,958.00	$ -
25	2232.501	EDGE MILL BITUMINOUS SURFACE	SY	900	837	$ 3.40	$ 3,060.00	$ 2,845.80
26	2301.607	HIGH EARLY STRENGTH CONCRETE	CY	100		$ 140.00	$ 14,000.00	$ -
27	2331.604	BITUMINOUS PAVEMENT RELAMATION (P)	SF	239189	239189	$ 0.44	$ 105,243.16	$ 105,243.16
28	2357.502	BITUMINOUS TACK COAT	GAL	1240		$ 4.30	$ 5,332.00	$ -

29	2360.501	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	3215		$	51.00	$	163,965.00	$	-
30	2360.501	TYPE SP 12.5 NON WEAR COURSE MIX (3,C)	TON	3215	3058.38	$	46.00	$	147,890.00	$	140,685.48
31	2360.501	TYPE SP 9.5 WEARING COURSE MIX (2,E), 2.5" -	TON	190	123.56	$	210.00	$	39,900.00	$	25,947.60
32	2360.501	TYPE SP 9.5 WEARING COURSE MIX (3,B) FOR	TON	261		$	60.50	$	15,790.50	$	-
33	2360.604	FULL DEPTH BITUMINOUS PATCHING	SY	445		$	34.00	$	15,130.00	$	-
34	2411.602	LIMESTONE SPLASH BLOCK	EACH	2		$	300.00	$	600.00	$	-
35	2411.607	CONCRETE STEPS	SF	25	23.5	$	60.00	$	1,500.00	$	1,410.00
36	2501.602	24" RC PIPE APRON AND TRASH GUARD	EACH	1	1	$	1,600.00	$	1,600.00	$	1,600.00
37	2502.521	4" PVC SUMP BASKET PIPE	LF	88	45	$	13.64	$	1,200.32	$	613.80
38	2502.541	4" PERF HDPE PIPE DRAIN WITH CIRCULAR KNIT	LF	115		$	7.84	$	901.60	$	-
39	2502.541	6" PERF PVC PIPE DRAIN WITH CIRCULAR KNIT	LF	12383	12623	$	4.66	$	57,704.78	$	58,823.18
40	2502.602	INSTALL 4" PVC PIPE DRAIN CLEANOUT	EACH	2		$	248.00	$	496.00	$	-
41	2503.541	15" RC PIPE SEWER DES 3006 CL V	LF	1075	880	$	49.00	$	52,675.00	$	43,120.00
42	2503.541	18" RC PIPE SEWER DES 3006 CL III	LF	267	370	$	53.00	$	14,151.00	$	19,610.00
43	2503.541	24" RC PIPE SEWER DES 3006 CL III	LF	22	143	$	61.00	$	1,342.00	$	8,723.00
44	2503.602	CONNECT TO EXISTING STORM STRUCTURE	EACH	5	4	$	360.00	$	1,800.00	$	1,440.00
45	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	11	18	$	360.00	$	3,960.00	$	6,480.00
46	2504.601	IRRIGATION ALLOWANCE	LS	1	0.14	$	10,000.00	$	10,000.00	$	1,400.00
47	2504.602	6"x4" TEE (DRAIN TILE TO PVC)	EACH	8	14	$	80.00	$	640.00	$	1,120.00
48	2504.602	4" KNIFE VALVE AND BOX	EACH	2		$	673.00	$	1,346.00	$	-
49	2504.602	CONSTRUCT BULKHEAD (STORM)	EACH	3	4	$	300.00	$	900.00	$	1,200.00
50	2506.502	CONSTRUCT DRAINAGE STRUCTURE 2' X 3' CB	EACH	17	16	$	1,807.00	$	30,719.00	$	28,912.00
51	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 27-4020	EACH	1	1	$	1,413.00	$	1,413.00	$	1,413.00
52	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 48-4020	EACH	21	22	$	2,550.00	$	53,550.00	$	56,100.00
53	2506.502	CONSTRUCT DRAINAGE STRUCTURE DES 60-4020	EACH	2	2	$	3,525.00	$	7,050.00	$	7,050.00
54	2506.521	INSTALL NEW RINGS AND CASTING (STORM)	EACH	1	11	$	704.00	$	704.00	$	7,744.00
55	2506.522	ADJUST CASTING (STORM)	EACH	11	1	$	704.00	$	7,744.00	$	704.00
56	2506.602	CONSTRUCT DRAINAGE STRUCTURE (SUMP	EACH	9	5	$	365.00	$	3,285.00	$	1,825.00
57	2506.602	CONST. DRAINAGE STRUCTURE DES. SPEC. 1	EACH	2	2	$	1,340.00	$	2,680.00	$	2,680.00
58	2506.602	CONST. DRAINAGE STRUCTURE DES. SPEC. 2	EACH	1	1	$	1,476.00	$	1,476.00	$	1,476.00
59	2506.602	OUTLET CONTROL STRUCTURE	EACH	1		$	4,174.00	$	4,174.00	$	-
60	2506.602	HYDRODYNAMIC SEPARATOR (STORMCEPTOR MODEL 2400)	EACH	1	1	$	29,968.00	$	29,968.00	$	29,968.00
60A	2511.618	BOULDER RETAINING WALL	SF	445				$	-	$	-
61	2521.501	4" CONCRETE WALK (CARRIAGE)	SF	256	177	$	6.00	$	1,536.00	$	1,062.00
62	2521.501	PEDESTRIAN CURB RAMP	EACH	2	2	$	700.00	$	1,400.00	$	1,400.00
63	2531.501	CONCRETE CURB AND GUTTER DESIGN B618	LF	12427	12325	$	9.62	$	119,547.74	$	118,566.50
64	2531.501	CONCRETE CURB AND GUTTER DESIGN B612	LF	120	123	$	18.00	$	2,160.00	$	2,214.00
65	2531.501	CONCRETE CURB AND GUTTER DESIGN D412	LF	1000	1002	$	15.19	$	15,190.00	$	15,220.38
66	2531.501	CONCRETE CURB AND GUTTER (HAND POUR)	LF	200	90	$	21.00	$	4,200.00	$	1,890.00
67	2531.507	6" CONCRETE DRIVEWAY PAVEMENT	SY	1326	1195	$	47.19	$	62,573.94	$	56,392.05
68	2531.507	8" CONCRETE DRIVEWAY PAVEMENT	SY	105	99	$	68.36	$	7,177.80	$	6,767.64

69	2531.507	DECORATIVE DRIVEWAY ALLOWANCE	LS	1	0.09	$ 15,000.00	$ 15,000.00	$ 1,350.00
70	2540.601	MAILBOX MAINTENANCE	LS	1	0.5	$ 8,000.00	$ 8,000.00	$ 4,000.00
71	2540.601	BOULEVARD LANDSCAPING ALLOWANCE	LS	1	0.01	$ 15,000.00	$ 15,000.00	$ 150.00
72	2540.603	LANDSCAPE EDGER - PLASTIC	LF	289		$ 9.00	$ 2,601.00	$ -
73	2563.601	TRAFFIC CONTROL ALLOWANCE	LS	1		$ 15,000.00	$ 15,000.00	$ -
74	2564.531	SIGN PANELS TYPE C	SF	64		$ 40.00	$ 2,560.00	$ -
75	2564.537	INSTALL SIGN TYPE SPECIAL	EACH	5		$ 125.00	$ 625.00	$ -
76	2571.507	NATIVE PLUGS	PLANT	2000		$ 3.50	$ 7,000.00	$ -
77	2572.125	PRUNE TREES	HR	10		$ 200.00	$ 2,000.00	$ -
78	2573.502	SILT FENCE, TYPE MS	LF	400	75	$ 4.00	$ 1,600.00	$ 300.00
79	2573.53	STORM DRAIN INLET PROTECTION (WIMCO)	EACH	29	53	$ 150.00	$ 4,350.00	$ 7,950.00
80	2573.533	SEDIMENT CONTROL LOG TYPE COMPOST	LF	120	68	$ 4.00	$ 480.00	$ 272.00
81	2573.535	STABILIZED CONSTRUCTION EXIT	LS	1		$ 3,500.00	$ 3,500.00	$ -
82	2573.55	EROSION CONSTROL SUPERVISOR	LS	1	0.75	$ 2,000.00	$ 2,000.00	$ 1,500.00
83	2573.601	STORM WATER MANAGEMENT ALLOWANCE	LS	1		$ 15,000.00	$ 15,000.00	$ -
84	2574.525	FILTER TOPSOIL BORROW (80/20)	CY	187		$ 44.39	$ 8,300.93	$ -
85	2574.525	ORGANIC TOPSOIL BORROW (CV)	CY	910	990	$ 37.11	$ 33,770.10	$ 36,738.90
86	2575.501	SEEDING (MIX 25-151)	ACRE	2.06	1.24	$ 1,700.00	$ 3,502.00	$ 2,108.00
87	2575.513	MULCH MATERIAL TYPE 6, SHREDDED HARDWOOD	CY	23		$ 81.00	$ 1,863.00	$ -
88	2575.56	FLEXTERRA HYDROMULCH (HYDRAULIC SOIL STAB. TYPE SPECIAL)	LB	6180	2600	$ 3.50	$ 21,630.00	$ 9,100.00
89	2575.605	EROSION STABILIZATION MAT – SHOREMAXTM	SY	25		$ 75.00	$ 1,875.00	$ -
90	2575.605	EROSION STABILIZATION MAT - ENKAMAT	SY	13		$ 75.00	$ 975.00	$ -
TOTAL SCHEDULE 2 - 47TH STREET AREA RECONSTRUCTION (2015-09E)							**$ 2,182,992.04**	**$ 1,889,522.11**
TOTAL BASE BID (SCHEDULE 1 + SCHEDULE 2)							**$ 2,968,703.09**	**$ 2,708,330.18**

ALTERNATE 1 - BIORETENTION BASIN AT 47TH ST. AND BOYD AVE.

Line No.	Item No.	Item	Unit	Est. Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2105.501	COMMON EXCAVATION (EV) (P)	CY	700	700	$ 19.05	$ 13,335.00	$ 13,335.00
2	2502.541	4" PERF HDPE PIPE DRAIN WITH CIRCULAR KNIT FILTER SOCK	LF	240		$ 7.84	$ 1,881.60	$ -
3	2502.602	4" INSTALL PVC PIPE DRAIN CLEANOUT (VENTED)	EACH	3		$ 248.00	$ 744.00	$ -
4	2504.602	4" KNIFE VALVE AND BOX	EACH	1		$ 673.00	$ 673.00	$ -
5	2506.602	CONST. DRAINAGE STRUCTURE DES. SPEC. 2	EACH	2	2	$ 1,476.00	$ 2,952.00	$ 2,952.00
6	2540.603	LANDSCAPE EDGER - PLASTIC	LF	300		$ 9.00	$ 2,700.00	$ -
7	2571.507	NATIVE PLUGS	PLANT	1785		$ 3.50	$ 6,247.50	$ -
8	2573.502	SILT FENCE, TYPE MS	LF	330		$ 4.00	$ 1,320.00	$ -
9	2574.525	FILTER TOPSOIL BORROW (80/20)	CY	288		$ 44.39	$ 12,784.32	$ -
10	2574.525	ORGANIC TOPSOIL BORROW (CV)	CY	55		$ 37.11	$ 2,041.05	$ -
11	2575.501	SEEDING (MIX 25-151)	ACRE	0.1		$ 2,250.00	$ 225.00	$ -
12	2575.513	MULCH MATERIAL TYPE 6, SHREDDED HARDWOOD	CY	32		$ 81.00	$ 2,592.00	$ -
13	2575.56	FLEXTERRA HYDROMULCH (HYDRAULIC SOIL STAB. TYPE SPECIAL)	LB	200		$ 4.00	$ 800.00	$ -
TOTAL ALTERNATE 1 - BIORETENTION BASIN AT 47TH ST. AND BOYD AVE.							**$ 48,295.47**	**$ 16,287.00**

ALTERNATE 2 - CURBSIDE RAIN GARDENS

Line No.	Item No.	Item	Unit	Est. Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2105.501	COMMON EXCAVATION (EV) (P)	CY	220		$ 21.16	$ 4,655.20	$ -
2	2411.618	MODULAR BLOCK RETAINING WALL	SF	290		$ 45.00	$ 13,050.00	$ -
3	2502.541	4" PERF HDPE PIPE DRAIN WITH CIRCULAR KNIT FILTER SOCK	LF	135		$ 7.84	$ 1,058.40	$ -
4	2502.602	4" INSTALL PVC PIPE DRAIN CLEANOUT (VENTED)	EACH	7		$ 248.00	$ 1,736.00	$ -
5	2504.602	4" KNIFE VALVE AND BOX	EACH	7		$ 673.00	$ 4,711.00	$ -
6	2506.602	CONST. DRAINAGE STRUCTURE DES. SPEC. 2	EACH	7	6	$ 1,476.00	$ 10,332.00	$ 8,856.00
7	2540.603	LANDSCAPE EDGER - PLASTIC	LF	286		$ 9.00	$ 2,574.00	$ -
8	2571.507	NATIVE PLUGS	PLANT	180		$ 3.50	$ 630.00	$ -
9	2574.525	FILTER TOPSOIL BORROW (80/20)	CY	63		$ 44.39	$ 2,796.57	$ -
10	2574.525	ORGANIC TOPSOIL BORROW (CV)	CY	16		$ 37.11	$ 593.76	$ -
11	2575.513	MULCH MATERIAL TYPE 6, SHREDDED HARDWOOD	CY	7		$ 81.00	$ 567.00	$ -
12	2575.56	FLEXTERRA HYDROMULCH (HYDRAULIC SOIL STAB. TYPE SPECIAL)	LB	96		$ 4.00	$ 384.00	$ -
	TOTAL BID PRICE - CURBSIDE RAIN GARDENS						**$ 43,087.93**	**$ 8,856.00**

COST SUMMARY

Contract: CP 2015-09E and 2015-14

Owner: City of Inver Grove Heights

Projects: 47th Street Area Reconstruction

47th Street Area Water and Sewer Improvements and Rehabilitation

Schedule	Description	Total Estimated Cost	Total Contract Cost To-Date
1	47th St. Area Water and Sewer Improvements and Rehabilitation (2015-14)	$ 785,711.05	$ 818,808.07
2	47th St. Area Reconstruction (2015-09E)	$ 2,182,992.04	$ 1,889,522.11
Alt. 1	Bioretention Basin at 47th St. and Boyd Ave.	$ 48,295.47	$ 16,287.00
Alt. 2	Curbside Rain Gardens	$ 43,087.93	$ 8,856.00
	Total Base Cost	$ 3,060,086.49	$ 2,733,473.18
	Change Order No. 1	$ 28,549.78	$ 28,549.78
	Change Order No. 2	$ 37,597.02	Included in Sch. 1
	Total Contract Amount	$ 3,126,233.29	
	Contract Work Completed To Date		$ 2,762,022.96
	Retainage (5.0%)		$ 138,101.14
	Previous Payments		$ 1,853,642.94
	Amount Due This Partial Payment #4		$ 770,278.88

AGENDA ITEM 4F

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Resolution Authorizing Preparation of Amendment No. 5 to the November 19, 2014 Feasibility Study by Bolton & Menk, Inc. for City Project No. 2014-13 – Northwest Area Utility Extension, Argenta Trail Alignment and Establishing City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail Alignments) and Accepting the Final Feasibility Study for City Project No. 2015-16

Meeting Date:	September 28, 2015
Item Type:	Consent
Contact:	Thomas J. Kaldunski, 651.450.2572
Prepared by:	Thomas J.Kaldunski, City Engineer
Reviewed by:	Scott D. Thureen, Public Works Director

Fiscal/FTE Impact:

	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
X	Other: NWA Utility Connection Fees (Fund 511 Water NWA, Fund 512 Sewer NWA)

PURPOSE/ACTION REQUESTED

Consider resolution authorizing preparation of Amendment No. 5 to the November 19, 2014 Feasibility Study by Bolton & Menk, Inc. for City Project No. 2014-13 – Northwest Area Utility Extension, Argenta Trail Alignment and Establishing City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail Alignments) and accepting the final feasibility study for City Project No. 2015-16.

SUMMARY

At its November 24, 2014 regular meeting, the City Council adopted a resolution accepting a a feasibility study for City Project No. 2014-13 - Northwest Area Utility Extension, Argenta Trail Alignment. The Council stated its desire to expedite the development of Blackstone PUDs (Vista, Ponds, Ridges) and the project development process so that the easement needs for the project could be identified and negotiations or initiation of the eminent domain process could proceed. The level of detail for easement acquisition and funding for this segment is not attained in the November 19, 2014 feasibility study, and in fact, Bolton & Menk indicated they need additional information regarding easements and revenue. The requested Council action will establish City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail Alignments) and receive the feasibility study for the project.

Authorization and Approval of Amendment No. 5

The City Council approved the preparation of Amendment No. 4 to the feasibility study for City Project No. 2014-13 on January 12, 2015. This authorization included the 16" watermain loop from Argenta Trail at 70th Street via the 65th Street alignment to the existing watermain at 63rd and Babcock. Amendment No. 4 was to be prepared utilizing a Blackstone Ridge alignment for the sanitary sewer trunk near the west boundary. It also intended to follow the 65th Street alignment east of T.H. 3 (South Robert Trail).

Subsequently, the watermain alignment east of T.H. 3 (Option #I) was determined to be a complex and challenging route due to topography and a potential bridge. It was also determined that the trunk sewer following the revised Blackstone Ridge alignment would get extremely deep and expensive following the N-S alignment of Alverno Lane. It was also determined that it would be beneficial to combine the trunk sewer on an alignment along the future Argenta Trail ROW with City Project No. 2015-13 – 71st Street Trunk Improvements.

Therefore, Amendment No. 5 was prepared to allow a combined bid of City Project No. 2015-13 and 2015-16. This will allow the City the opportunity for economies of scale with combining the two trunk sewer projects in one bid. The City will also benefit from reduced trunk watermain costs by allowing the Blackstone Ridge developer to install the 16" main on Alverno Lane. The City will be responsible for the cost of over-sizing this main in Blackstone Ridge.

The Council is being asked to authorize the Amendment No. 5 to the original feasibility study on City Project No. 2014-13 to benefit from these modifications to the trunk sewer project. It is recommended to authorize Amendment No. 5, establish City Project No. 2015-16 - Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail Alignments) and receive the feasibility study at this meeting to expedite the project.

Establishing City Project No. 2015-16 – Northwest Area Trunk Utility Improvements Argenta District (Blackstone Ridge/Argenta Trail Alignments

Adopting the attached resolution will establish City Project No. 2015-16. The developer will be dedicating easements and ROW with the Blackstone Ridge plat. The City will need temporary easements to construct trunk utilities before the plat is recorded.

The City has received a final plat submittal for Blackstone Ridge dated June 22, 2015. The trunk sanitary sewer will parallel the new Argenta Trail alignment on a 30 foot easement in the Blackstone Ridge Plat. The trunk water main will be extended across the future Argenta Trail alignment to the Blackstone Ridge development. The 16" watermain will be installed on Alverno Lane by the developer.

The following procedure is recommended to provide all the information the Council will need to make an informed decision concerning additional trunk utility extension in the Northwest Area.

1. Approve Amendment No. 5 to the feasibility study for City Project No. 2014-13. The study provides a recommended route and depth for the trunk utilities, as well as estimated easement needs and an estimate of the project cost and revenue sources for City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail).

2. The Council is asked to schedule a public hearing to consider ordering the project on October 26, 2015 prior to preparation of construction plans and specifications, advertisement for bids and considering award of a construction contract at a future meeting.

3. The Council authorizes Bolton & Menk to prepare a preliminary profile over the trunk sewer to assist the City in its negotiation of trunk sewer costs in Blackstone Ridge.

I recommend adoption of the resolution approving preparation of Amendment No. 5 for City Project No. 2014-13 and the establishment of City Project No. 2015-16 - Northwest Area Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge/Argenta Trail Alignment), and acceptance of the feasibility study for City Project No. 2015-16, and setting a public hearing for October 26, 2015 for this project.

TJK/kf

Attachments: Resolution
Final Feasibility Study for 2015-16
Map

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE PREPARATION OF AMENDMENT NO. 5 TO THE FEASIBILITY STUDY FROM BOLTON & MENK, INC. FOR CITY PROJECT 2014 13 - NORTHWEST AREA TRUNK UTILITIES, ARGENTA DISTRICT, ESTABLISHING CITY PROJECT NO. 2015-16 - NORTHWEST AREA TRUNK UTILITY IMPROVEMENTS, ARGENTA DISTRICT (BLACKSTONE RIDGE/ARGENTAL TRAIL ALIGNMENTS), RECEIVING THE FEASIBILITY STUDY FOR CITY PROJECT NO. 2015-16 AND SCHEDULING A PUBLIC HEARING FOR SAID PROJECT

WHEREAS, the City has approved a PUD for a portion of the Northwest Area that is not currently served by trunk utilities; and

WHEREAS, the City has received a final plat application for Blackstone Ridge PUD, and

WHEREAS, the City Council approved a proposal from Bolton & Menk, Inc. for engineering services to include a feasibility study for trunk utility improvement to serve the Northwest Area as part of City Project No. 2014-13 – Northwest Area Trunk Utilities, Argenta District on March 10, 2014; and

WHEREAS, the City Council has accepted the November 19, 2104 feasibility study at its November 24, 2014 meeting; and

WHEREAS, the scope of the feasibility study needs to be revised to include an estimate of easement needs and costs and develop a financial plan for the project; and

WHEREAS, it is desired to establish City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge).

WHEREAS, the developer has submitted plat documents for Blackstone Ridge which will need a City decision on the final alignment for City Project No. 2015-16; and

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

1. The preparation of Amendment 5 to the November 19, 2014 feasibility study for City Project No. 2014-13 – Northwest Area Trunk Utilities, Argenta District is authorized for the segment identified as City Project No. 2015-16 – Northwest Area Trunk Utility Improvements, Argenta District (Blackstone Ridge/Argenta Trail Alignment).
2. The City Council hereby accepts the Final Feasibility Report prepared by Bolton/Menk for City Project No. 2015-16
3. The City Council hereby schedules a public hearing for City Project No. 2015-16 to be held on October 26, 2015.
4. Funding is provided by Northwest Area Utility Connection Fees or by special assessments as may be determined by the Council.
5. The Council authorizes Bolton and Menk to prepare a preliminary profile over the trunk sewer to assist the City in its negotiation of trunk sewer costs in Blackstone Ridge.

Adopted by the City Council of Inver Grove Heights this 28th day of September 2015

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
12224 Nicollet Avenue • Burnsville, MN 55337
Phone (952) 890-0509 • Fax (952) 890-8065
www.bolton-menk.com

September 23, 2015

Mr. Mayor & City Council
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

RE: Feasibility Report
N.W. Area Trunk Utilities – Argenta District
Argenta Trail to Blackstone Ridge
City Project No. 2015-12

Dear Mr. Mayor & City Council,

Please find the attached Feasibility Report for the N.W. Area Trunk Utilities between Argenta Trail and Blackstone Ridge in the Argenta District. This is an amendment to the overall Argenta Trunk Utility Feasibility Report that was approved on November 24, 2014.

I will be in attendance at the September 28, 2015 Council meeting to answer any questions you may have that pertain to this report or the trunk utilities in the Argenta District.

Sincerely,

Brian Hilgardner, P.E.
Project Manager

H:\INGH\T18108658\2_Preliminary\C_Reports\2015-16 Trunk Utilities\2015-16 Cover Letter.doc

CERTIFICATION

Preliminary Engineering Report

for

N.W. Area Trunk Utilities – Argenta District
Argenta Trail to Blackstone Ridge

City of Inver Grove Heights
Inver Grove Heights, MN

City Project No. 2015-16
BMI Project No. T18.108658

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

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

Date: September 23, 2015

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APPENDIX A

FIGURE 1 – TRUNK UTILITY ALIGNMENT

APPENDIX B

PRELIMINARY COST ESTIMATES

INTRODUCTION/BACKGROUND

This report examines the feasibility for the construction of a City-owned trunk watermain and sanitary sewer to be located between 70th Street and future 65th Street extension along the Blackstone Ridge development in what is known as the Argenta District of the Northwest Area. A feasibility report that examines the entire Argenta District for trunk utilities was approved by the City Council on November 24, 2014. This report is an amendment (No. 5) to that report which more specifically evaluates the watermain and sanitary sewer trunks being considered.

The Blackstone Vista, Pond and Ridge Preliminary Plats and Preliminary P.U.D. were approved at the November 10, 2014 City Council Meeting. These plats cause a need to extend trunk utilities into this area and further north within the Argenta District. Portions of the trunk utilities will be constructed by developers as plats are approved for the area. In other areas, the City will finance and construct the trunk utilities and thus the need for amendments to the feasibility report approved on November 24, 2014. The alignments on this project have also been adjusted to fit the approved preliminary Blackstone Vista Plat.

PROPOSED UTILITY IMPROVEMENTS

This proposed watermain and sanitary sewer alignment would be located between 70th Street and the future 65th Street extension along the Blackstone Ridge development. Both the watermain and sanitary sewer will be trunk utilities to serve Blackstone Ridge and development to the north if it occurs. The location of the utilities is shown as 2015-16 on Figure 1 (Appendix A).

Watermain

The proposed watermain will be a 16-inch diameter that will serve as a trunk watermain for the area. The proposed 16-inch watermain will connect to a 16-inch watermain that will be constructed during City Project 2015-13 (70th Street Lift Station to Blackstone Ridge Development), near 70th Street. The watermain will head northeast across the future Argenta Trail corridor where the Blackstone Ridge development will connect to it. The watermain will be further extended to the north through the Blackstone Ridge development by the developer. Ultimately, additional development will allow for looping of the watermain to provide better flow and fire protection. See Figure 1 (Appendix A) for the location of watermain.

Sanitary Sewer

The proposed sanitary sewer will be a 12-inch diameter gravity sewer that will serve as a trunk sewer for the area. The proposed 12-inch sanitary sewer will run along the easterly edge of the future Argenta Trail corridor and the westerly edge of Blackstone Ridge to the future 65th Street extension. The sewer will connect to City Project 2015-13 just north of 70th Street. The sewer will flow south and west to the proposed 70th Street lift station. The gravity sewer will serve the Blackstone Ridge development along with any future development to the north of the terminus. See Figure 1 (Appendix A) for the location gravity sewer alignment.

FUTURE COUNTY ROAD IMPROVEMENTS

The City of Inver Grove Heights and Dakota County have selected a new alignment for Argenta Trail (County State Aid Highway 63). The proposed road alignment and profile will dictate the placement of sanitary sewer manholes and watermain depth. The final design of the trunk utilities will incorporate the proposed Argenta Trail alignment and profile as presented by Dakota County. Dakota County will be targeting a study in the fall of 2015 to determine its needs on CSAH 26 (70th Street) in the future.

FUTURE 65TH STREET IMPROVEMENTS

The City of Inver Grove Heights has approved the preparation of a feasibility report to study the alignment of 65th Street between TH 3 (S. Robert Street) and Argenta Trail. The proposed road alignment and profile will dictate the placement of sanitary sewer manholes and watermain depth. The final design of the trunk utilities will incorporate the proposed 65th Street alignment and profile as presented by the report. The 65th Street study is expected to be completed by the end of 2015.

EASEMENT NEEDS

The acquisition of permanent and temporary easements is necessary for construction of the proposed trunk utility improvements. The permanent easement will be used for both the proposed watermain and sanitary sewer. Due to the depth of the sanitary sewer, the temporary construction easement will be needed to provide the contractor with adequate room to construct the utilities in a safe and efficient manner. Easement documents will be prepared to acquire the easements. A Development Agreement is anticipated with the owner of Blackstone Ridge for access to their site. A preliminary plat has been approved. Final plat application is being reviewed for approval. If the final plat is not approved prior to the need of the utilities, easements will need to be acquired.

VERIFICATION OF FIELD CONDITIONS

A detailed topographic survey of the proposed utility corridors should be completed to facilitate detailed construction plans. Additionally, a geotechnical evaluation within the selected utility corridor should be completed to verify specific soils and groundwater conditions related to the project.

PERMITS AND THE CITY'S COMPREHENSIVE PLAN

Regulatory agencies anticipated to require permits for the construction of the trunk utilities:

- Minnesota Pollution Control Agency for sanitary sewer construction and NPDES requirements
- Metropolitan Council Environmental Services for sanitary sewer construction
- Minnesota Department of Health for watermain construction
- Necessary City permitting
- Wetland permitting

The sanitary sewer subdistricts being considered for the Argenta District at this time deviate slightly from the proposed alignments and flow district routings detailed in the City of Inver Grove Heights Northwest Expansion Area AUAR Update prepared in September of 2007. These deviations from the 2007 AUAR were updated in 2014. On August 11, 2014, the Council approved the modifications to the Comprehensive Sanitary Sewer Plan (CSSP) and the 2014 Northwest Area Alternative Urban Area wide

Review (AUAR). The 2014 AUAR update was reviewed by the Metropolitan Council review coordinator, per the AUAR review process.

ESTIMATED COSTS AND FINANCING

Estimated construction costs include a factor of 15 percent for contingencies. A detailed engineer's estimated construction cost is attached. The total project cost includes 28 percent overhead for soft costs, including legal, engineering, administrative and fiscal costs. Final costs should be determined by using low-bid construction costs of the proposed work.

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

Estimated Project Cost		
Estimated Construction Totals	$	1,989,900
15% Contingency	$	*298,500*
Construction Sub Total Cost	**$**	**2,288,400**
28% Overhead Cost	*$*	*640,800*
Engineer's Estimated Construction Cost	**$**	**2,929,200**

PROJECT FUNDING

These trunk sanitary sewer improvements will be financed by Utility Fund 512 – Sewer NWA. The trunk watermain improvements will be financed by Utility Fund 511 – Water NWA. Revenues for these funds are generated by the plat connection charges, building permit connection fees and Developer Funds collected in the NWA. Ultimately, the City will consider selling a bond for this work. No assessment roll has been prepared at this time.

PROJECT SCHEDULE

This feasibility report will be presented to the City Council for review on September 28, 2015. The following is a proposed schedule if the feasibility report is approved:

Receive the Feasibility Study for City Project 2015-16 ..... September 28, 2015

Call for Public Improvement Hearing ..... September 28, 2015

Public Hearing ..... October 26, 2015

Order Improvement and Preparation of Final Plans & Specifications ..... October 26, 2015

Approve Final Plans & Specifications and Authorize Ad for Bid ..... November 9, 2015

Open Bids ..... January 5, 2015

Award Contract ..... January 11, 2016

Construction ..... April 2016 – October 2016

FEASIBILITY AND RECOMMENDATION

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

APPENDIX A

FIGURES

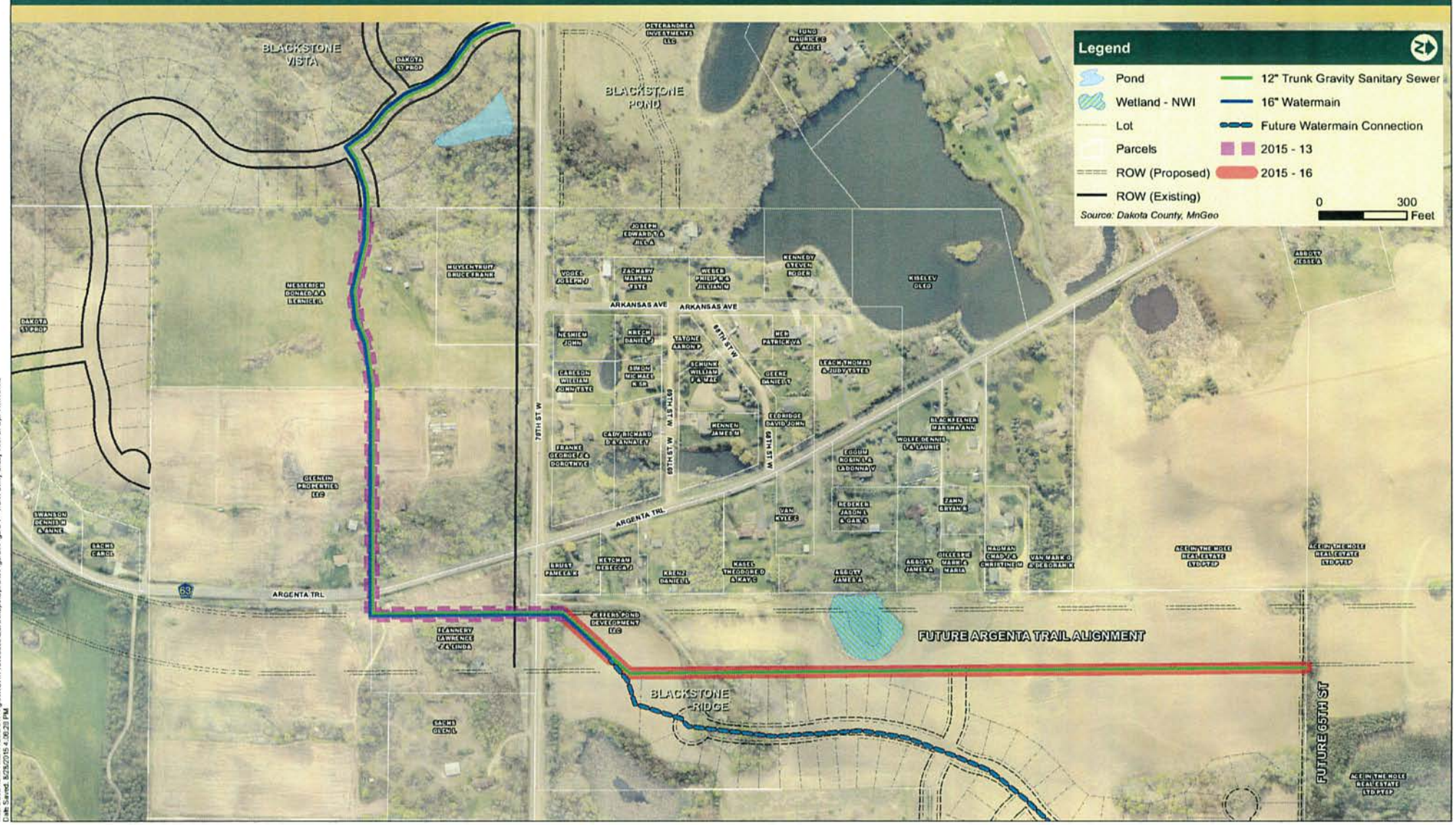
Northwest Area Trunk Utilities - Argenta District

City of Inver Grow Heights

Figure 1: 2015-16 Trunk Utility Alignment

Argenta Trail to Blackstone Ridge

August 2015



Map Document: \\METROSOUTH\Digital\HGH\118108936\ESRI\Maps\Options\Figures\Figure 1 - Trunk Utility Study 70th St Opt 11x17.mxd
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APPENDIX B

PRELIMINARY COST ESTIMATE

CITY OF INVER GROVE HEIGHTS

N.W. AREA TRUNK UTILITIES - ARGENTA DISTRICT

ARGENTA TRAIL TO BLACKSTONE RIDGE

CITY PROJECT NO. 2015-16

BMI PROJECT NO. T18.108658

DATE: 9/8/2015

Trunk Utilities - Estimated Construction Cost

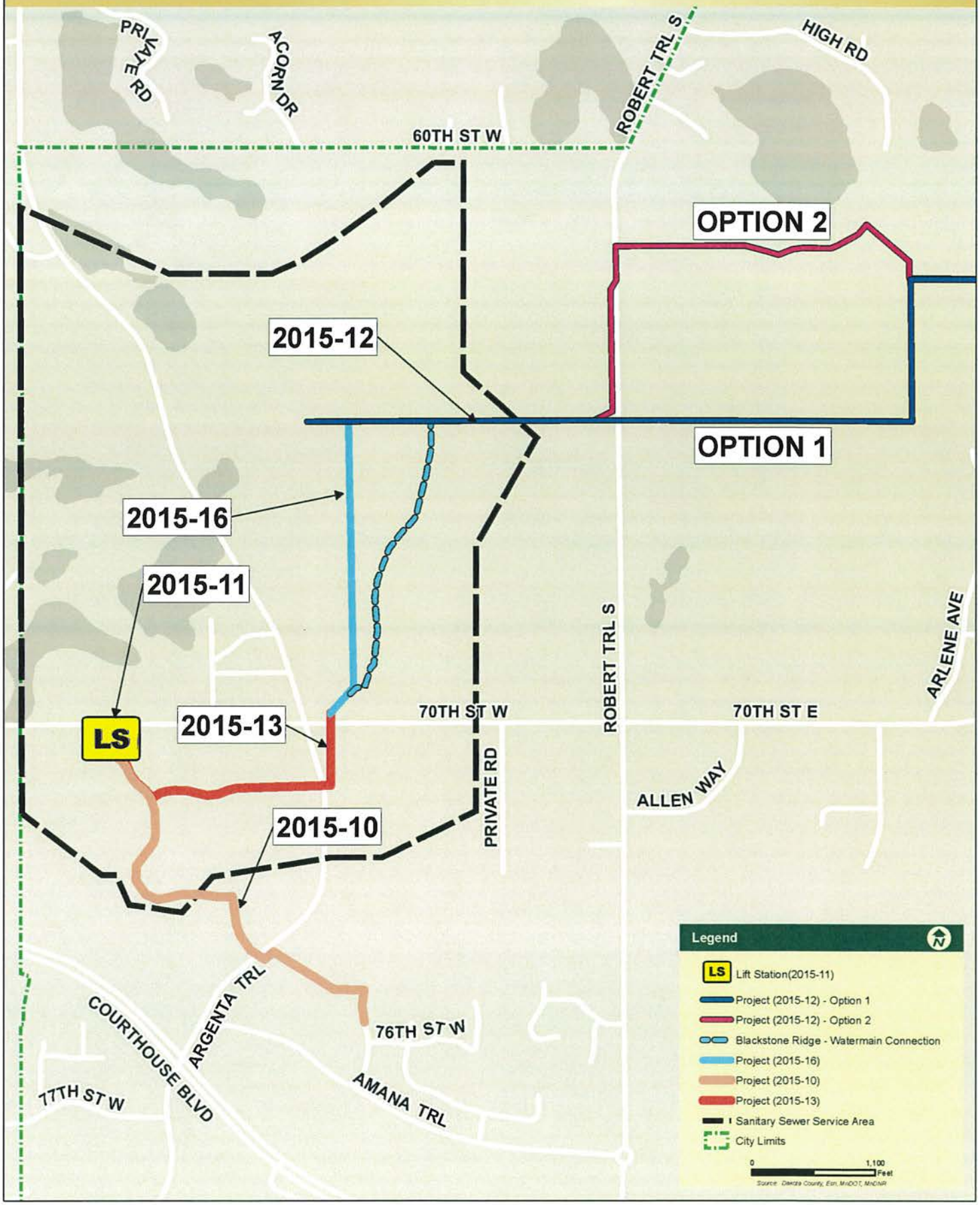
ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
1	MOBILIZATION	1	LS	$75,000.00	$75,000
2	CLEARING	1.1	AC	$6,000.00	$6,600
3	GRUBBING	1.1	AC	$6,000.00	$6,600
4	TRAFFIC CONTROL	1	LS	$8,000.00	$8,000
5	DEWATERING	1	LS	$10,000.00	$10,000
6	GRANULAR TRENCH BACKFILL	4200	TON	$6.00	$25,200
7	AGGREGATE PIPE BEDDING	1150	TON	$28.00	$32,200
8	12" DIP CL 52 PIPE SEWER (40'-50')	150	LIN FT	$350.00	$52,500
9	12" DIP CL 52 PIPE SEWER (50'-60')	460	LIN FT	$400.00	$184,000
10	12" DIP CL 52 PIPE SEWER (>60')	250	LIN FT	$450.00	$112,500
11	CONSTRUCT 8" OUTSIDE DROP	31	LIN FT	$500.00	$15,500
12	12" SANITARY SEWER (THROUGH CASING)	1820	LIN FT	$100.00	$182,000
13	24" STEEL CASING PIPE (SANITARY)(OPEN CUT)	320	LIN FT	$400.00	$128,000
14	30" STEEL CASING PIPE (SANITARY)(TRENCHLESS)	1500	LIN FT	$550.00	$825,000
15	48" DIAMETER SANITARY MANHOLE	450	LIN FT	$180.00	$81,000
16	CASTING ASSEMBLY (SANITARY)	8	EACH	$600.00	$4,800
17	EXTERNAL CHIMNEY SEAL	8	EACH	$400.00	$3,200
18	16" DIP WATERMAIN, CL 52	100	LIN FT	$90.00	$9,000
19	16" DIP WATERMAIN (THROUGH CASING)	312	LIN FT	$100.00	$31,200
20	24" STEEL CASING PIPE (WATERMAIN)(OPEN CUT)	312	LIN FT	$400.00	$124,800
21	16" GATE VALVE & BOX	2	EACH	$4,000.00	$8,000
22	BUTTERFLY VALVE MANHOLE	16	LIN FT	$550.00	$8,800
23	DUCTILE IRON FITTINGS	500	POUNDS	$4.00	$2,000
24	MARKING POST	8	EACH	$200.00	$1,600
25	STORM WATER MANAGEMENT ALLOWANCE	1	EACH	$10,000.00	$10,000
26	TEMPORARY ROCK CONSTRUCTION ENTRANCE	2	EACH	$1,200.00	$2,400
27	SEED, MULCH, & FERTILIZE	7	AC	$4,000.00	$28,000
28	SILT FENCE, "MACHINE SLICED``	6000	LIN FT	$2.00	$12,000
ENGINEER'S ESTIMATED CONSTRUCTION TOTAL:					**$1,989,900**
15% CONTINGENCY:					$298,500
ENGINEER'S ESTIMATED TOTAL CONSTRUCTION COST:					**$2,288,400**
28% OVERHEAD COST:					$640,800
ENGINEER'S ESTIMATED TOTAL PROJECT COST:					**$2,929,200**

NWA TRUNK UTILITIES - ARGENTA DISTRICT

SANITARY SEWER SERVICE AREAS

City of Inver Grove Heights

September 2015



AGENDA ITEM 4G

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Resolution Receiving the Final Feasibility Study for City Project No. 2015-12 – NWA Trunk Watermain Improvements, 65th Street Loop (Argenta Trail to Babcock Trail), Amendment No. 4 to the Feasibility Study for City Project No. 2014-13 – Northwest Area Utility Extension, Argenta Trail Alignment, and Scheduling a Public Hearing for City Project No. 2015-12

			Fiscal/FTE Impact:
Meeting Date:	September 28, 2015		None
Item Type:	Consent		Amount included in current budget
Contact:	Thomas J. Kaldunski, 651.450.2572		Budget amendment requested
Prepared by:	Thomas J.Kaldunski, City Engineer		FTE included in current complement
Reviewed by:	Scott D. Thureen, Public Works Director		New FTE requested – N/A
	SDT	X	Other: NWA Utility Connection Fees (Fund 511 Water NWA, Fund 512 Sewer NWA)

PURPOSE/ACTION REQUESTED

Consider Resolution Receiving the Final Feasibility Study for City Project No. 2015-12 – NWA Trunk Watermain Improvements, 65th Street Loop (Argenta Trail to Babcock Trail) as Amendment No. 4 to the Feasibility Study for City Project No. 2014-13 – Northwest Area Utility Extension, Argenta Trail Alignment, and Scheduling a Public Hearing for City Project No. 2015-12.

SUMMARY

At its November 24, 2014 regular meeting, the City Council adopted a resolution accepting a a feasibility study for City Project No. 2014-13 - Northwest Area Utility Extension, Argenta Trail Alignment. The Council stated its desire to expedite the development of Blackstone PUDs (Vista, Ponds, Ridge) and the project development process so that the easement needs for the project could be identified and negotiations or initiation of the eminent domain process could proceed. The level of detail for easement acquisition and funding detail for this segment is not attained in the November 19, 2014 feasibility study, and in fact, Bolton & Menk indicated they needed additional information regarding easements and revenue.

This final feasibility study is Amendment No. 4 to the original feasibility study for City Project No. 2014-13 - Northwest Area Utility Extension, Argenta Trail Alignment for City Project No. 2014-13 - Northwest Area Utility Extension, Argenta Trail Alignment.

This final feasibility study will assist the Council in selecting the final alignment for these trunk watermain improvements. Two watermain alignment options have been studied between T.H. 3 and Babcock Trail. Bolton & Menk prepared this feasibility study Amendment No. 4 to add the estimated easement costs and revenue sources to the feasibility study for the project.

The trunk watermain will be extended across the future 65th Street alignment from the proposed Argenta Trail to T.H. 3 (So. Robert Trail). In addition, the Council will select the final trunk watermain alignment between So. Robert Trail and Babcock Trail via either Option 1 (65th Street Alignment) or Option 2 (Glen Gregor Alignment).

The following procedure is recommended to provide all the information the Council will need to make an informed decision concerning additional trunk utility extension in the Northwest Area.

1. Approve Amendment No. 4 to the feasibility study for City Project No. 2014-13. The study developed a recommended route (Option 2 Glen Gregor) for the trunk utilities, as well as estimated easement needs and an estimate of the project cost and revenue sources for City Project No. 2015-12 – NWA Trunk Watermain Improvements, 65th Street Loop (Argenta Trail to Babcock Trail).

2. The Council is asked to schedule a public hearing to consider ordering the project on October 26, 2015 prior to preparation of construction plans and specifications, advertisement for bids and considering award of a construction contract at a future meeting.

I recommend adoption of the resolution approving of Amendment No. 4 for City Project No. 2014-13 and the establishment of City Project No. 2015-12 - NWA Trunk Watermain Improvements, 65th Street Loop (Argenta Trail to Babcock Trail), and acceptance of the feasibility study for City Project No. 2015-12, and scheduling a public hearing for October 26, 2015 for this project.

TJK/kf
Attachments: Resolution
Final Feasibility Study for 2015-12
Map

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION RECEIVING THE FEASIBILITY STUDY FOR CITY PROJECT NO. 2015-12 - NWA TRUNK WATERMAIN IMPROVEMENTS - 65TH STREET LOOP (ARGENTA TRAIL TO BABCOCK TRAIL) AND SCHEDULING A PUBLIC HEARING FOR SAID PROJECT

WHEREAS, the City has approved a PUD for a portion of the Northwest Area that is not currently served by trunk utilities; and

WHEREAS, the City Council approved a proposal from Bolton & Menk, Inc. for engineering services to include a feasibility study for trunk utility improvement to serve the Northwest Area as part of City Project No. 2014-13 – Northwest Area Trunk Utilities, Argenta District on March 10, 2014; and

WHEREAS, the City Council has accepted the November 19, 2104 feasibility study at its November 24, 2014 meeting; and

WHEREAS, the scope of the feasibility study needs to be revised to include an estimate of easement needs and costs and develop a funding plan for the project; and

WHEREAS, the developer has submitted plat documents for Blackstone Ridge which will need a City decision on the final alignment for City Project No. 2015-12; and

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

1. The City Council hereby accepts the Final Feasibility Report prepared by Bolton/Menk for City Project No. 2015-12, and selects Option 2 alignment as recommended.
2. The City Council hereby schedules a public hearing for City Project No. 2015-12 to be held on October 26, 2015.
3. Funding is provided by Northwest Area Utility Connection Fees or by special assessments as may be determined by the Council.

Adopted by the City Council of Inver Grove Heights this 28th day of September 2015.

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

BOLTON & MENK, INC.
Consulting Engineers & Surveyors
12224 Nicollet Avenue • Burnsville, MN 55337
Phone (952) 890-0509 • Fax (952) 890-8065
www.bolton-menk.com

September 23, 2015

Mr. Mayor & City Council
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

RE: Feasibility Report
N.W. Area Trunk Watermain Improvements – 65th Street Loop
Argenta Trail to Babcock Trail – Argenta District
City Project No. 2015-12

Dear Mr. Mayor & City Council,

Please find the attached Feasibility Report for the N.W. Area Trunk Watermain Improvements – 65th Street Loop between Argenta Trail and Babcock Trail in the Argenta District. This is an amendment to the overall Argenta Trunk Utility Feasibility Report that was approved on November 24, 2014.

I will be in attendance at the September 28, 2015 Council meeting to answer any questions you may have that pertain to this report or the trunk utilities in the Argenta District.

Sincerely,

Brian Hilgardner, P.E.
Project Manager

H:\INGH\T18108658\2_Preliminary\C_Reports\2015-12 Trunk WMN\2015-12Cover Letter.doc

CERTIFICATION

Preliminary Engineering Report

for

N.W. Area Trunk Watermain Improvements – 65th Street Loop
Argenta Trail to Babcock Trail

City of Inver Grove Heights
Inver Grove Heights, MN

City Project No. 2015-12
BMI Project No. T18.108658

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

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

Date: September 23, 2015

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ESTIMATED COSTS AND FINANCING 4
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PROJECT SCHEDULE 5
FEASIBILITY AND RECOMMENDATION 5

APPENDIX A

FIGURE 1 – ALIGNMENT OPTIONS
FIGURE 2 – EAGAN WATER MAIN INTERCONNECT

APPENDIX B

PRELIMINARY COST ESTIMATES

INTRODUCTION/BACKGROUND

This report examines the feasibility for the construction of a City owned watermain to be located between the Argenta Trail and Babcock Trail in what is known as the 65th Street Loop District of the Northwest Area. A feasibility report that examines the entire Argenta District for trunk utilities was approved by the City Council on November 24, 2014. This report is an amendment (Amendment 4) to that report which more specifically evaluates the watermain being considered.

The Blackstone Vista, Ponds and Ridge Preliminary Plat and Preliminary P.U.D. was approved at the November 10, 2014 City Council Meeting. These plats cause a need to extend trunk utilities into this area and further north within the Argenta District. Portions of the trunk utilities will be constructed by developers as plats are approved for the area. In other areas the City will finance and construct the trunk utilities and thus the need for amendments to the feasibility report approved on November 24, 2014.

PROPOSED WATERMAIN IMPROVEMENTS – OPTION 1

The proposed watermain will be located between the Argenta Trail and Babcock Trail along future 65th Street alignment. The watermain will be a trunk utility to serve development to the north and west as they occur. The location of the watermain is shown on the attached Figure 1 (Appendix A).

The proposed watermain will be a 16-inch diameter pipe that will serve as a trunk watermain for the area. The proposed 16-inch watermain will connect to an existing 16-inch watermain at 63rd Street and head west through Harmon Park to its western edge. From here the watermain will head south along the property line to the southern park boundary. The watermain will then head west along future 65th Street extension. The Project will utilize both open cut construction and trenchless construction. The final design of the trunk watermain will incorporate the future 65th Street Extension alignment and profile as presented in the Northwest Area Collector Street Plan (October 2012). This segment of the trunk watermain will allow for looping of the watermain to provide better flow and fire protection.

This alignment presents unique design and construction challenges. The existing terrain of the proposed alignment has multiple locations with large variation in vertical elevation, one location in particular has a 115 foot vertical elevation difference. Along with the terrain, the area is heavily wooded. Due to the future extension of 65th Street, the watermain will follow the proposed profile of future 65th Street when possible. The watermain will be installed to provide minimum ground cover to prevent freezing in the present, but any future fill of 65th Street extension may create depths of watermain far greater than desired. In turn, the added depth may create future maintenance issues. Also, the future 65th Street extension study calls out potential bridge locations. The watermain may create conflict points for the bridge piers. Final design of the watermain under Trunk Highway 3 (S. Robert Street or TH3) will need to take into account any expansion or alteration to TH 3 by MnDOT. This may add construction cost and easement cost depending on the future design of the roadway. A future pressure reducing valve station will be installed near 65th Street and Argenta Trail.

Rough grading of the future 65th Street corridor could take place during the construction of the watermain to minimize the impact to adjacent properties during future street construction. This could take place if the watermain construction occurs prior to any segment of the 65th Street construction. WSB is preparing a feasibility study for future 65th Street. The watermain could then follow the final grade of the roadway to minimize the deep watermain. For this to occur, the grades of the roadway would need to be determine prior to bidding the watermain project. Meetings have occurred with MnDOT as part of the street project. More easements may need to be acquired to complete the grading. The cost estimate does not include the grading or any other work that would be associated with it due to the unknowns of the roadway construction at this time. The street improvement study will be presented by WSB at a later date.

PROPOSED WATERMAIN IMPROVEMENTS – OPTION 2

The proposed watermain will be located between the Argenta Trail and Babcock Trail utilizing the Glen Gregor development site. The watermain will be trunk utility to serve development to the north and west as they occur. The location of the utility is shown on the attached Figure 1 (Appendix A).

The proposed watermain will be a 16-inch diameter pipe that will serve as a trunk watermain for the area. The proposed 16-inch watermain will connect to an existing 16-inch watermain at 63rd Street and head west through Harmon Park to its western edge and then continue heading west through the Glen Gregor development to TH 3. The watermain will then head south along TH 3 to the future 65th Street extension where it will then head west to Argenta Trail. The Project will utilize both open cut construction and trenchless construction. The final design of the trunk watermain will incorporate the future 65th Street Extension alignment and profile as presented in the Northwest Area Collector Street Plan (October 2012) and any development plans that are available. Also, final design of the watermain along TH 3 (Robert Street) will need to take into account any expansion or alteration to TH 3 by MnDOT. This may add addition construction cost and easement cost depending on the future design of the roadway. The street improvement planning on 65th Street would have the same effects on the trunk watermain as outlined for Option 1 on page 1.

EAGAN WATERMAIN INTERCONNECT

The City of Inver Grove Heights and the City of Eagan have had discussions concerning construction of a watermain interconnect at city limits on 70th Street (CSAH 26). This interconnect would provide both cities a way to serve their customers if a watermain shut down in the area is needed. The location of the utility is shown on the attached Figure 2 (Appendix A). A PRV station is being installed as part of Project 2015-11 to facilitate this interconnect.

The interconnect would consist of a 12" watermain running down the south side of 70th Street from Blackstone Vista to the Eagan border. There are two options for the construction of the connection point to Eagan's watermain. A full function connection by installing a precast concrete structure is recommended. The connection structure would house valves, bypass connections, flow meters and controls. A pressure reducing valve will be installed by the 70th Street lift station this fall to accommodate the pressure differences between the cities.

EASEMENT NEEDS

The acquisition of permanent and temporary easements is necessary for construction of the proposed trunk watermain improvements. Due to the depth of the watermain and existing terrain, temporary construction easements will provide the contractor with adequate room to construct the watermain in a safe and efficient manner. Easement documents will be prepared to acquire the easements.

The Option 2 alignment through the Glen Gregor site will run through negotiated easement on future ROW alignments provided by the developer of Glen Gregor. Also, the watermain along the south side of the Murphy Site will be located in a negotiated easement on an alignment for future dedicated road right-of-way. A meeting was held with the Glen Gregor owners to discuss a suitable alignment through the development. The owners saw the project as a positive and are willing to discuss the project in the future.

The City will hold discussions with the property owners to acquire the easements through negotiations to the greatest extent possible. A dual track process to secure the necessary easements will be utilized to ensure the proposed project stays on schedule. The City Attorney was authorized to prepare eminent domain documents and title work for all necessary acquisitions on November 24, 2014. The ROW acquisition team assembled for the NWA trunk system would implement the negotiations and process to secure the easements.

VERIFICATION OF FIELD CONDITIONS

A detailed topographic survey of the proposed utility corridors should be completed to facilitate detailed construction plans. Additionally, a geotechnical evaluation within the proposed utility corridor should be completed to verify specific soils and groundwater conditions related to the project.

PERMITS AND THE CITY'S COMPREHENSIVE PLAN

Regulatory agencies anticipated to require permits for the construction of the trunk watermain from Argenta Trail to Babcock Trail – 65th Street Loop:

- Minnesota Department of Transportation (MnDOT) for work within the TH 3 right-of-way
- Dakota County for work within the CSAH 26 (70th Street) right-of-way
- Minnesota Department of Health for watermain construction
- Necessary City Permitting

The Park Department will be involved in the design through Harmon Park.

ESTIMATED COSTS AND FINANCING

Estimated construction costs include a factor of 15 percent for contingencies. A detailed engineer's estimated construction cost is attached. The total project cost includes 28 percent overhead for soft costs, including legal, engineering, administrative and fiscal costs. Final costs should be determined by using low-bid construction costs of the proposed work.

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

Estimated Project Cost			
	65th Street Option 1	**Glen Gregor Option 2**	**Eagan Interconnect***
Estimated Construction Totals	$ 1,570,500	$ 1,508,800	$ 554,400
15% Contingency	*$ 235,600*	*$ 226,400*	*$ 83,200*
Construction Sub Total Cost	**$ 1,806,100**	**$ 1,735,200**	**$ 637,600**
28% Overhead Cost	*$ 505,800*	*$ 485,900*	*$ 178,600*
Engineer's Estimated Construction Cost	**$ 2,311,900**	**$ 2,221,100**	**$816,200**
Temporary Easement Cost	$ 49,000	$ 24,000	$ 7,000
Permanent Easement Cost	$ 144,000	$ 72,000	$ 30,000
Easement Soft Cost	$ 29,000	$ 14,400	$ 5,600
Legal/Engineering Cost	$ 44,300	$ 22,100	$ 8,500
Estimated Property Acquisition Cost	**$ 266,300**	**$ 132,500**	**$ 51,100**
Estimated Total Project Cost	**$ 2,578,200**	**$ 2,353,600**	**$ 867,300**

*Pressure reducing valve is needed as pressures are slightly different between cities.

PROJECT FUNDING

The trunk watermain improvements will be financed by Utility Fund 511 – Water NWA. Revenues for the fund are generated by the plat connection charges, building permit connection fees and Developer Funds collected in the NWA. Ultimately, the City will consider selling a bond for this work. No assessment roll has been prepared at this time.

PROJECT SCHEDULE

This feasibility report will be presented to the City Council for review on September 28, 2015. The following is a proposed schedule if the feasibility report is approved:

Receive the Feasibility Study for City Project 2015-12 ..... September 28, 2015

Call for Public Improvement Hearing ..... September 28, 2015

Public Hearing ..... October 26, 2015

Order Improvement and Preparation of Final Plans & Specifications ..... October 26, 2015

Approve Final Plans & Specifications and Authorize Ad for Bid ..... November 9, 2015

Open Bids ..... January 5, 2015

Award Contract ..... January 11, 2015

Construction ..... May – September 2016

FEASIBILITY AND RECOMMENDATION

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

APPENDIX A

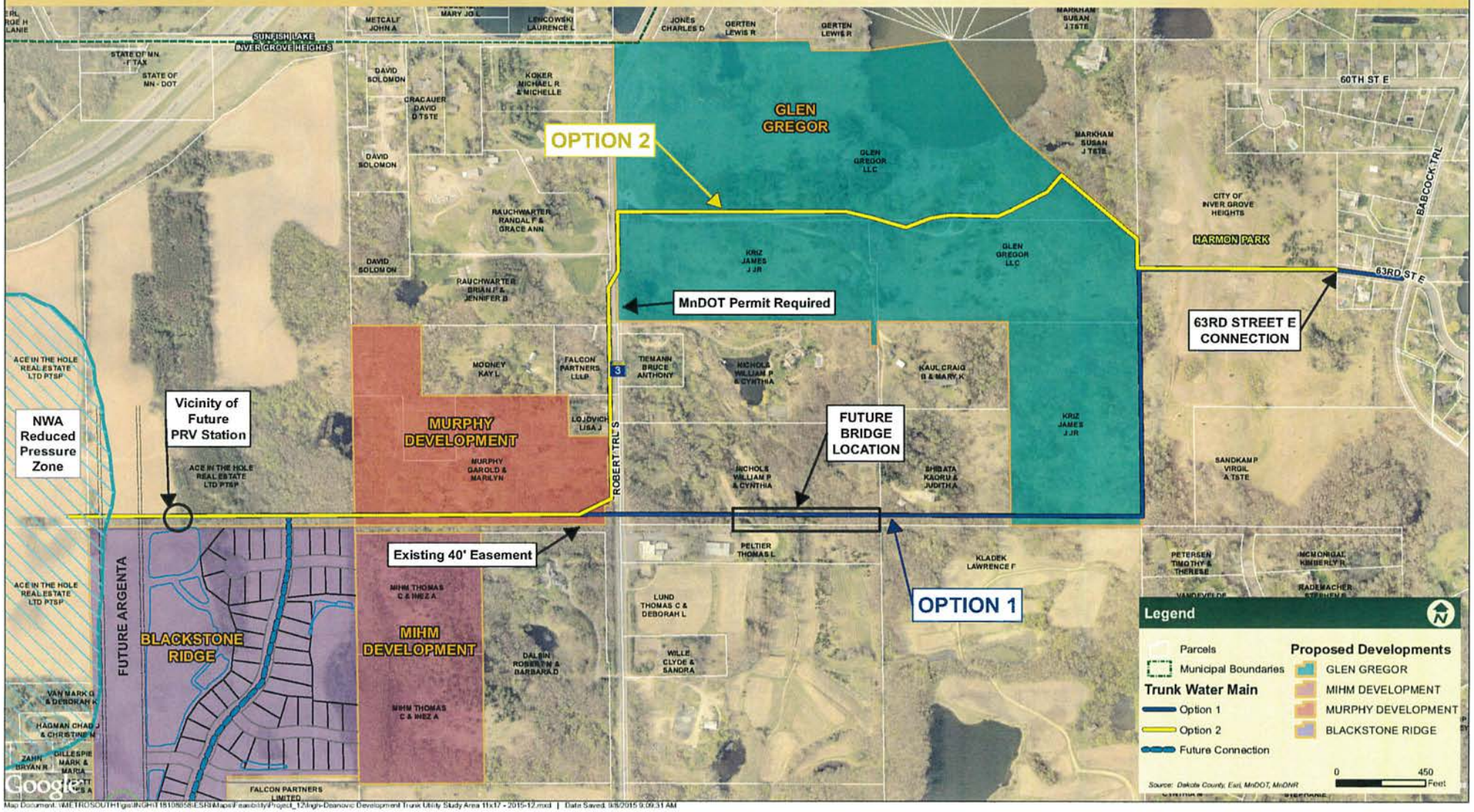
FIGURES

NWA TRUNK UTILITIES - ARGENTA DISTRICT

City of Inver Grove Heights

FIGURE 1 - 65th STREET WATERMAIN LOOP (2015-12)

September 2015



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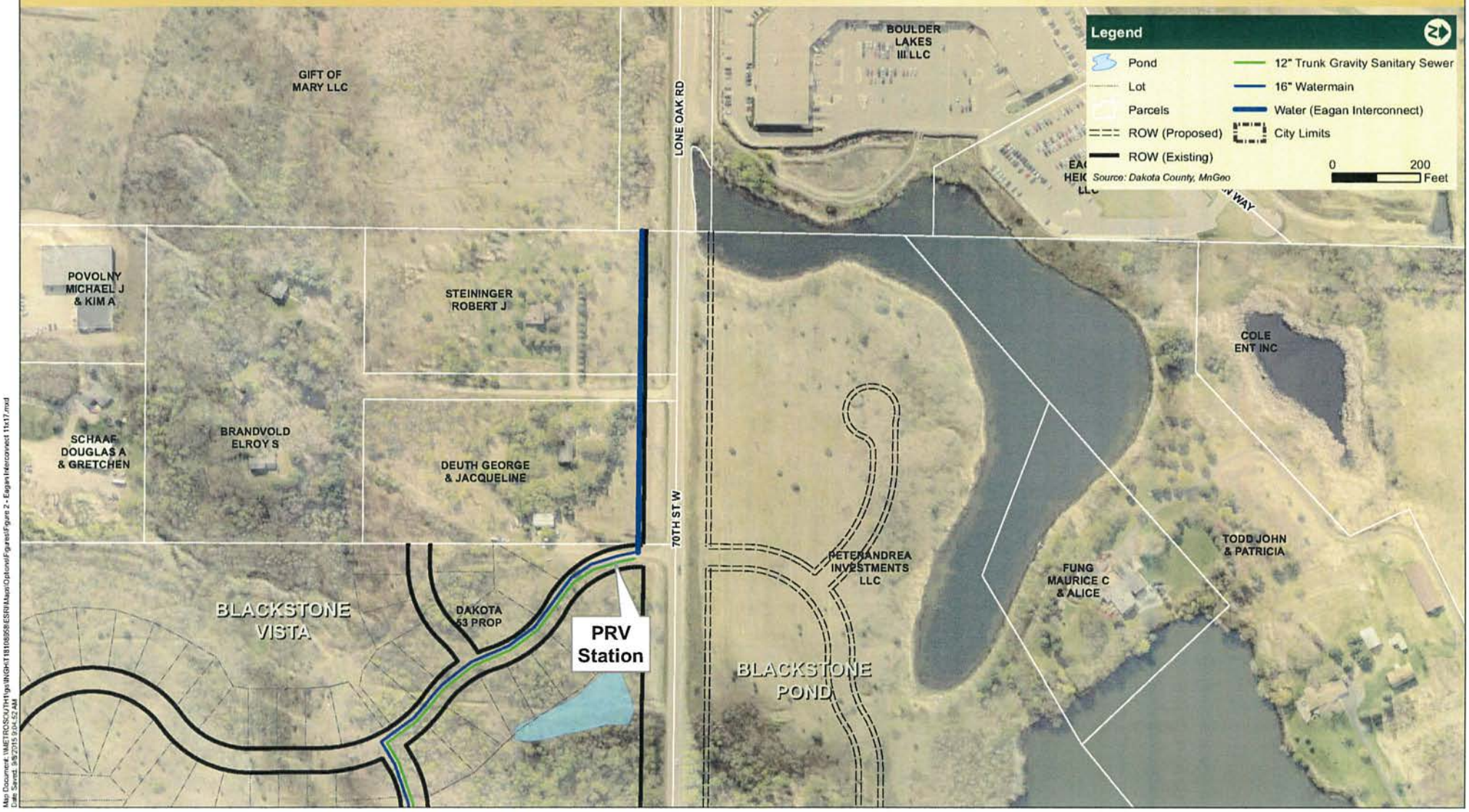
Northwest Area Trunk Utilities - Argenta District

City of Inver Grow Heights

Figure 2 - Eagan Interconnect

August 2015



Map Document: \\METROSOUTH\gis\INGR\T181\08595ESRI\Maps\Options\Figures\Figure 2 - Eagan Interconnect 11x17.mxd
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APPENDIX B

PRELIMINARY COST ESTIMATES

CITY OF INVER GROVE HEIGHTS

N.W. AREA TRUNK WATERMAIN - 65th STREET LOOP

ARGENTA TRAIL TO BABCOCK TRAIL

CITY PROJECT NO. 2015-12

BMI PROJECT NO. T18.108658

DATE: 9/6/2015

Option 1 - Estimated Construction Cost

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
1	MOBILIZATION	1	LS	$85,000.00	$85,000
2	CLEARING	8	AC	$6,000.00	$48,000
3	GRUBBING	8	AC	$6,000.00	$48,000
4	TRAFFIC CONTROL	1	LS	$8,000.00	$8,000
5	DEWATERING	1	LS	$50,000.00	$50,000
6	STRIP & SALVAGE TOPSOIL	17000	CY	$4.00	$68,000
7	REPLACE TOPSOIL	17000	CY	$4.00	$68,000
8	GRANULAR TRENCH BACKFILL	4000	TON	$6.00	$24,000
9	AGGREGATE PIPE BEDDING	2000	TON	$30.00	$60,000
10	OBSTRUCTION REMOVAL	4	EA	$3,000.00	$12,000
11	16" DIP WATERMAIN, CL. 52	3950	LF	$85.00	$335,750
12	16" DIP WATERMAIN, CL. 52 (>10')	1000	LF	$90.00	$90,000
13	16" DIP WATERMAIN, CL 52 (TIED JOINTS)	2200	LF	$100.00	$220,000
14	16" WATERMAIN (THROUGH CASING)	300	LF	$100.00	$30,000
15	30" STEEL CASING PIPE (TRENCHLESS)	300	LF	$625.00	$187,500
16	16" BUTTERFLY VALVE	6	EA	$5,000.00	$30,000
17	VALVE MANHOLE	6	EA	$3,500.00	$21,000
18	HYDRANTS W/ VALVE	10	EA	$6,000.00	$60,000
19	WATERMAIN FITTINGS	12000	LB	$4.00	$48,000
20	TEMPORARY ROCK CONSTRUCTION ENTRANCE	3	EA	$2,000.00	$6,000
21	SEED, MULCH, & FERTILIZE	11	AC	$3,200.00	$35,200
22	SILT FENCE, "MACHINE SLICED``	18000	LF	$2.00	$36,000
ENGINEER'S ESTIMATED CONSTRUCTION TOTAL:					**$1,570,500**
15% CONTINGENCY:					$235,600
ENGINEER'S ESTIMATED TOTAL CONSTRUCTION COST:					**$1,806,100**
28% OVERHEAD COST:					$505,800
ENGINEER'S ESTIMATED TOTAL PROJECT COST:					**$2,311,900**

CITY OF INVER GROVE HEIGHTS

N.W. AREA TRUNK WATERMAIN - 65th STREET LOOP

ARGENTA TRAIL TO BABCOCK TRAIL

CITY PROJECT NO. 2015-12

BMI PROJECT NO. T18.108658

DATE: 9/6/2015

Option 2 - Estimated Construction Cost

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
1	MOBILIZATION	1	LS	$60,000.00	$60,000
2	CLEARING	6	AC	$6,000.00	$36,000
3	GRUBBING	6	AC	$6,000.00	$36,000
4	TRAFFIC CONTROL	1	LS	$8,000.00	$8,000
5	DEWATERING	1	LS	$50,000.00	$50,000
6	STRIP & SALVAGE TOPSOIL	18600	CY	$4.00	$74,400
7	REPLACE TOPSOIL	18600	CY	$4.00	$74,400
8	GRANULAR TRENCH BACKFILL	6000	TON	$6.00	$36,000
9	AGGREGATE PIPE BEDDING	2200	TON	$30.00	$66,000
10	OBSTRUCTION REMOVAL	2	EA	$3,000.00	$6,000
11	16" DIP WATERMAIN, CL. 52	6170	LF	$85.00	$524,450
12	16" DIP WATERMAIN, CL. 52 (>10')	1000	LF	$90.00	$90,000
13	16" DIP WATERMAIN, CL 52 (TIED JOINTS)	1570	LF	$95.00	$149,150
14	16" WATERMAIN (THROUGH CASING)	150	LF	$100.00	$15,000
15	30" STEEL CASING PIPE (TRENCHLESS)	150	LF	$625.00	$93,750
16	16" BUTTERFLY VALVE	8	EA	$5,000.00	$40,000
17	VALVE MANHOLE	8	EA	$3,500.00	$28,000
18	HYDRANTS W/ VALVE	6	EA	$6,000.00	$36,000
19	WATERMAIN FITTINGS	11000	LB	$4.00	$44,000
20	TEMPORARY ROCK CONSTRUCTION ENTRANCE	3	EA	$2,000.00	$6,000
21	SEED, MULCH, & FERTILIZE	10	AC	$3,200.00	$32,000
22	SILT FENCE, "MACHINE SLICED``	1800	LF	$2.00	$3,600
ENGINEER'S ESTIMATED CONSTRUCTION TOTAL:					**$1,508,800**
15% CONTINGENCY:					$226,400
ENGINEER'S ESTIMATED TOTAL CONSTRUCTION COST:					**$1,735,200**
28% OVERHEAD COST:					$485,900
ENGINEER'S ESTIMATED TOTAL PROJECT COST:					**$2,221,100**

CITY OF INVER GROVE HEIGHTS

N.W. AREA TRUNK WATERMAIN - 65th STREET LOOP

EAGAN INTERCONNECT

CITY PROJECT NO. 2015-12

BMI PROJECT NO. T18.108658

DATE: 9/6/2015

Eagan Interconnect - Estimated Construction Cost

ITEM NO.	ITEM	QTY	UNIT	UNIT PRICE	TOTAL
1	MOBILIZATION	1	LS	$15,000.00	$15,000
2	CLEARING	0.2	AC	$6,000.00	$1,200
3	GRUBBING	0.2	AC	$6,000.00	$1,200
4	TRAFFIC CONTROL	1	LS	$6,000.00	$6,000
5	DEWATERING	1	LS	$25,000.00	$25,000
6	STRIP & SALVAGE TOPSOIL	300	CY	$4.00	$1,200
7	REPLACE TOPSOIL	300	CY	$4.00	$1,200
8	GRANULAR TRENCH BACKFILL	300	TON	$6.00	$1,800
9	AGGREGATE PIPE BEDDING	150	TON	$30.00	$4,500
10	12" DIP WATERMAIN, CL. 52	750	LF	$75.00	$56,250
11	12" GATE VALVE	1	EA	$6,000.00	$6,000
12	HYDRANTS W/ VALVE	1	EA	$6,000.00	$6,000
13	WATERMAIN FITTINGS	5000	LB	$4.00	$20,000
14	INTERCONNECT VAULT W/ COMPONENTS	1	LS	$400,000.00	$400,000
15	TEMPORARY ROCK CONSTRUCTION ENTRANCE	2	EA	$2,000.00	$4,000
16	SEED, MULCH, & FERTILIZE	1	AC	$3,200.00	$3,200
17	SILT FENCE, "MACHINE SLICED``	900	LF	$2.00	$1,800
ENGINEER'S ESTIMATED CONSTRUCTION TOTAL:					**$554,400**
15% CONTINGENCY:					$83,200
ENGINEER'S ESTIMATED TOTAL CONSTRUCTION COST:					**$637,600**
28% OVERHEAD COST:					$178,600
ENGINEER'S ESTIMATED TOTAL PROJECT COST:					**$816,200**

ASSESSMENT POLICY UPDATE

BACKGROUND:

At last May's work session, Staff:

1. Demonstrated that the City assessment policy currently used by Staff is not consistent with how the policy is being implemented.
2. Presented data explaining the final assessment rates are dipping below the 20 percent threshold required to bond a project through the 429 process.
3. Found the proposed 70 percent assessment per policy is in stark contrast to 20 percent threshold due to increased construction costs and flat market valuations over the last decade.
4. Discussed a proposed 35 percent assessment rate for reconstruction projects
5. Provided example Urban and Rural reconstruction assessments using 35 percent flat assessment
6. Identified the benefits of assessing the project prior to construction

COUNCIL PACKET:

1. Draft assessment policy
2. Tables comparing old and new assessment policy with example projects

SUGGESTIONS/DISCUSSION

1. **Proposed Assessment Rates**:
    a. 35%for urban and rural street reconstruction projects.
    b. 55% for partial reconstruction projects
    c. 75% for mill & overlay projects
    d. Market benefit analysis may be used to provide an adjusted special benefit assessment amount.

2. **Interest and Prepayment Updates :**
    a. Public Improvement Procedure (Section 4)
        i. Procedure that follows IGH past practices
        ii. 429 Statute provides flexibility to alter at will
        iii. Allows for final assessment hearing to be held before or after project is constructed
    b. Interest and Prepayment (Section 6)
        i. Follows IGH past practices
        ii. Identifies criteria for setting interest rates (Item 4 – Interest)
        iii. Identifies prepayment criteria (Item 5 – Prepayment)
        iv. Unique Property Receiving Special Benefit and Assessment(Section 11-12)
            1. Direct Access
            2. Indirect Access (50%)
            3. Ability to "Ghost Plat" using highest and best use

3. **Methods of Assessment (Section 7)**
    a. Trip Generation Assessment Method Item D)
    b. Unique Property Front Footage Assessment (Item A.5)

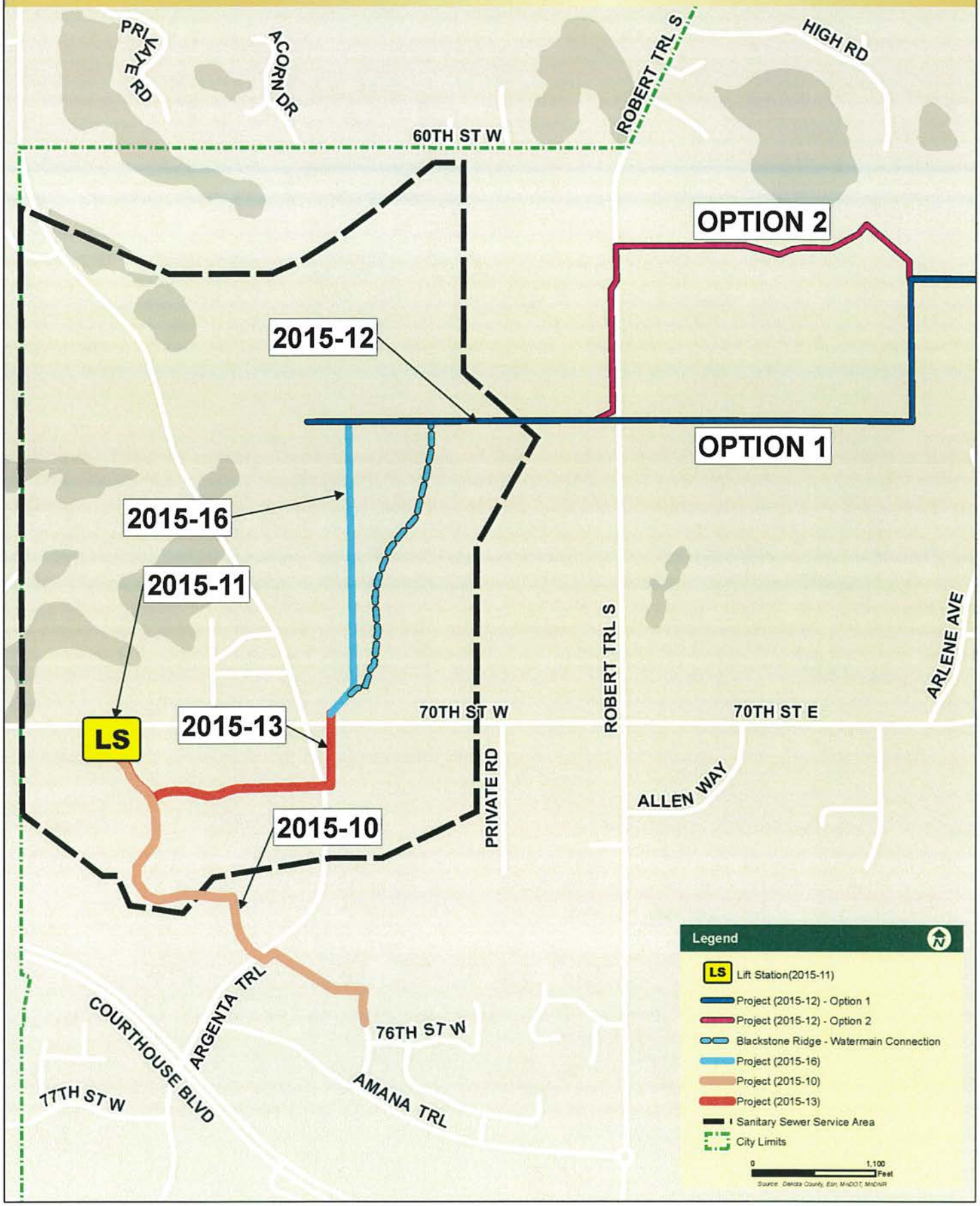
QUESTIONS?

NWA TRUNK UTILITIES - ARGENTA DISTRICT

SANITARY SEWER SERVICE AREAS

City of Inver Grove Heights

September 2015



AGENDA ITEM 4H

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Accept Revised Proposal from American Engineering Testing, Inc. (AET, Inc.) for Phase 1 Environmental Site Assessments for City Project No. 2014-11 – Argenta Trail

Meeting Date:	September 28, 2015		Fiscal/FTE Impact:
Item Type:	Consent	[ ]	None
Contact:	Scott D. Thureen, 651-450-2570	[ ]	Amount included in current budget
Prepared by:	Scott D. Thureen, Public Works Director	[ ]	Budget amendment requested
Reviewed by:	SDT	[ ]	FTE included in current complement
		[ ]	New FTE requested – N/A
		[X]	Other – Local Improvement Fund

PURPOSE/ACTION REQUESTED

Accept revised proposal from American Engineering Testing, Inc. (AET, Inc.) for Phase 1 Environmental Site Assessments for City Project No. 2014-11 – Argenta Trail.

SUMMARY

As part of the right-of-way and permanent easement acquisition process, a Phase 1 environmental site assessment needs to be completed for each parcel. On July 13, 2015, the City Council approved a proposal from AET, Inc. to provide those services for an amount of $4,000.

Subsequent to that approval, county staff revised the scope of work to increase the area requiring the review and the number of environmental site assessment reports. AET has provided an amended proposal ($12,000) in response to the revised, expanded scope. The work would be funded from the Local Improvement Fund, and Dakota County would reimburse the City for 55 percent of the cost.

A copy of the proposal is attached. I recommend acceptance of the proposal.

SDT/kf
Attachment: Proposal

AMERICAN ENGINEERING TESTING, INC.

CONSULTANTS
- ENVIRONMENTAL
- GEOTECHNICAL
- MATERIALS
- FORENSICS

September 15, 2015

City of Inver Grove Heights
8150 Barbara Ave
Inver Grove Heights, MN 55077

Attn: Scott Thureen
sthureen@invergroveheights.org

RE: Phase I Environmental Site Assessment Proposal - REVISED
Argenta Trail
CSAH 63 and TH 55, Inver Grove Heights, Dakota County, MN 55077
AET Proposal No. 03-05727

Dear Mr Thureen:

American Engineering Testing, Inc. (AET) is pleased to offer services to City of Inver Grove Heights (hereafter referred to as the Client and/or User) for conducting Phase I Environmental Site Assessments (ESA) near the above-referenced intersection (Site). This revised proposal has been prepared in response to changes in the project scope and describes our understanding of the Site, the purpose, scope, schedule, fees, and other information regarding our services.

PROJECT INFORMATION

The City of Inver Grove Heights proposes to reroute Argenta Trail (CSAH 63) as it crosses TH 55.

Initially based upon maps provided to AET the scope consisted of one report for multiple parcels (~10) along the new route as well as new intersections with Amana Trail, Yankee Doodle Rd, and 77th St (Figure 1).

In subsequent correspondence with Jenna Fabish of Dakota County it was determined that the Client was requesting separate reports for the parcels identified for total acquisition and permanent easement and that the parcels along the west side of the existing route would be included in the assessment (Figure 2). This work scope exceeded the scope agreed upon and AET contacted the County to discuss possible options.

Based on our discussion with Ms. Fabish AET recommends the following scope of work:

- Four individual Phase I ESA reports, one for each of the parcels slated for total acquisition (PIDs: 201205800010; 200070033020; 200070050021 and 200070051011)
- One Corridor style ESA for the portions of the parcels within the existing and proposed corridors and immediately adjacent (within 50 feet). Dakota County provided a spreadsheet that identifies 27 parcels to be impacted by the corridor realignment.

This document shall not be reproduced, except in full, without written approval from American Engineering Testing, Inc.

PURPOSE

Phase I ESAs for Parcels Slated for Acquisition

We assume these Phase I ESAs are being performed as part of the Clients'/Users' due diligence process to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations, hereafter referred to as the landowner liability protections (LLPs), to Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability and to evaluate specific material environmental risks which may be associated with the Sites. A complete evaluation of business environmental risks associated with the Sites may necessitate assessment beyond that identified in the American Society for Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments, the All Appropriate Inquiries (AAI) rule (40 Code of Federal Regulations Part 312, December 30, 2013), and the scope of services described below.

The purpose of these Phase I ESAs is to identify, to the extent feasible pursuant to the processes prescribed in the standard, recognized environmental conditions (RECs) in connection with the Sites. RECs are defined as follows: the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment; 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment. A controlled recognized environmental condition (CREC) is a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example, property use restrictions, activity and use limitations (AULs), institutional controls (ICs), or engineering controls (ECs)). CRECs are RECs. RECs and CRECs are not de minimus conditions which are conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate government agencies. An historical recognized environmental condition (HREC) is defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls (for example, property use restrictions, AULs, ICs, or ECs).

Corridor Style ESA

The purpose of this ESA is to identify potential sources of contamination that could impact construction activities in the proposed project corridor. The assessment will include the existing and proposed Argenta Trail right of ways from approximately ¼ mile south of the intersection with 76th Street West south to approximately 100 feet south of the intersection with Yankee Doodle Road.

SCOPE OF SERVICES

Phase I ESAs for Parcels Slated for Acquisition

In order to achieve the purpose of this service, AET will prepare the Phase I ESA by performing the following tasks:

- Review reasonably ascertainable and practically reviewable records that will help identify RECs in connection with the Sites. Records include standard environmental sources, physical setting sources, and historical use information.
- Perform a reconnaissance of the Sites to obtain information indicating the likelihood of identifying RECs in connection with the Sites. The reconnaissance will include observations of the general site setting and a discussion of the following: current and past uses of the Sites and adjoining properties; the geologic, hydrogeologic, hydrologic and topographic conditions of the Sites and adjoining properties; a general description of the structures at the Site; roads at and adjoining the Sites; potable water supply for the Sites including on-site wells, on-site sewage disposal/septic systems; hazardous substances and petroleum product uses at the Sites; hazardous substance, petroleum product, and unidentified substance containers at the Sites; storage tanks; odors; pools of liquid, stains, and corrosion; PCB containing equipment (excluding fluorescent light ballasts); drains and sumps; pits, ponds, or lagoons; stressed vegetation; solid waste; and heating/cooling systems associated with structures on the Sites.
- Interview owners, occupants, and state and/or local government officials to obtain information indicating RECs in connection with the Sites.
- Interpret information collected in conjunction with performing the records review, site reconnaissance, interviews, and present the results in a written report. An electronic copy of the report will be provided and addressed to the User (for exclusive use by the User).

The Phase I ESA will be performed by or under the supervision or responsible charge of an AET Environmental Professional.

The scope of AET's Phase I ESA is in general compliance with the Standards and Practices for All Appropriate Inquiries (AAI) rule (40 CFR Part 312, December 30, 2013) and the ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process - ASTM E 1527-13. You should be aware that, even though we follow the current AAI rule and ASTM practice standard for this service, the scope of this service is not exhaustive and there may be localized contamination on the Sites that we cannot ascertain and will not be responsible for, given this scope of services. Such contamination could be related to disposal of contaminants not reported to appropriate government agencies, not made known to us, or not reasonably visible to us at the time of our Sites observations as part of service for this Phase I ESA.

Our services to you are strictly limited to the scope described above. For your information, there may be certain environmental conditions on the Sites that are beyond the scope of our Phase I ESA services. Some of these environmental conditions include substances that may be present on the Sites in quantities and under conditions that may lead to contamination of the Sites or of

nearby properties but are not included in CERCLAs definition of hazardous substances or do not otherwise present potential CERCLA liability.

Some or all of the following items, which are considered beyond the normal ASTM/AAI Phase I ESA scope of services, could potentially exist at the Sites; you may want to assess some or all of these items in connection with this Sites: high voltage power lines; radon; lead in drinking water; lead-based paint; wetlands; site flooding; indoor air quality unrelated to releases of hazardous substances or petroleum products into the environment; regulatory compliance; cultural and historic resources; industrial hygiene; health and safety; ecological resources; endangered species; asbestos-containing building materials; biological agents; physical properties of the soils and bedrock for site grading or foundation considerations; and mold, fungi or bacterial growth in building structures. No implication is intended as to the relative importance of inquiry into such non-scope considerations, and the non-scope considerations listed above are not intended to be all inclusive.

If you desire to obtain more information on these and other non-scope considerations, please contact us.

In addition to the non-scope considerations listed above, our scope of services does not include obtaining or reviewing recorded land title records and judicial records for environmental liens or AULs. The scope of our services also does not include providing liability/risk evaluations, specific recommendations for Phase II testing, remediation techniques, or other assessment activities.

Corridor Style ESA

The Corridor Style ESA will differ from the standard ASTM Phase I ESA in the following:

- Individual parcel owners will not be interviewed.
- Parcels will be viewed from the public right-of-ways and from the parcels proposed for acquisition if they are adjoining;
- Rank/classify all identified parcels within the project corridor in accordance with high, medium or low potential for contamination criteria established by MnDOT.

USER RESPONSIBILITIES

Phase I ESAs for Parcels Slated for Acquisition

AET requests that if the User is seeking an LLP to CERCLA liability, the User, or the User's representative, will share with AET all available and relevant information pertaining to the Sites, including the following: legal description(s), plats, and surveys; recorded land title records and judicial records for environmental liens or AULs; reports of environmental site assessments, environmental compliance audits, hydrogeologic conditions, and geotechnical exploration; environmental permits; hazardous waste generator notices and reports; notices or other correspondence with any government agency regarding contamination at the Sites or relating to past or current violations of environmental laws with respect to the Sites or relating the environmental liens encumbering the Sites; registrations for aboveground and underground

storage tanks; registrations of underground injection systems; plans including Community Right to Know Plans, Safety Plans, Preparedness and Prevention Plans, and Spill Prevention, Countermeasure, and Control (SPCC) Plans; and material safety data sheets (MSDS). In addition, we request that we be provided with information such as present and past owners/occupants (phone numbers and/or addresses); existing, past, and proposed uses of the Sites, activities, etc., which are pertinent to the services to be provided by AET as part of this proposal.

Dakota Count has provided AET with a spread sheet with responses to AETs user Questionnaire in regards to the 27 parcels identified to be impacted by the corridor realignment.

PERFORMANCE SCHEDULE

We will complete this project and deliver the reports to you within 6 weeks of receiving authorization to proceed. Please let us know if this timetable does not meet your schedule as we are available to consider any special needs that you may have.

This proposal is valid for a period of 60 days from the date issued.

FEES

Our fees for the Phase I ESA scope of services described above are summarized on the attached Table 1.

TERMS AND CONDITIONS

All AET Services are provided subject to the Terms and Conditions set forth in the enclosed Service Agreement—Terms and Conditions, which, upon acceptance of this proposal, are binding upon you as the Client requesting Services, and your successors, assignees, joint venturers and third-party beneficiaries. Please be advised that additional insured status is granted upon acceptance of the proposal.

REMARKS

Please contact AET if you are requesting that additional Users, beyond the currently identified User, be allowed to rely on this Phase I ESA. AET charges a fee for additional Users of this Phase I ESA. If at your request AET provides reliance on the Phase I ESA to another User(s), the other User(s) must also satisfy the User's responsibilities previously described. The User(s) will also be bound to the same terms, conditions, and limitations included in the Service Agreement that was part of our original agreement with the Client.

ACCEPTANCE

AET requests written acceptance of this proposal in the Proposal Acceptance box below, but the following actions shall constitute your acceptance of this proposal together with the Terms and Conditions and Amendments: 1) issuing an authorizing purchase order for any of the Services described above, 2) authorizing AET's presence on site or 3) written or electronic notification for AET to proceed with any of the Services described in this proposal. Please indicate your acceptance of this proposal by signing below and returning a copy to us along with the User Questionnaire. When you accept this proposal, you represent that you are authorized to accept on behalf of the Client.

AET appreciates the opportunity to provide this service for you and looks forward to working with you on this project. If you have any questions or need addition information, please contact me.

Sincerely,
American Engineering Testing, Inc.

Susan Mickus, PG
Geologist II
Phone: (651) 603-6627
Email: smickus@amengtest.com

Attachments: Table 1 – Argenta Trail Revised Cost Table
Figure 1 – Argenta Trail Right of Way Map
Figure 2 – Argenta Trail Site Map
Service Agreement

PROPOSAL ACCEPTANCE AND AUTHORIZATION

Signature _____ Date _____

Typed/Printed Name: _____

Company _____

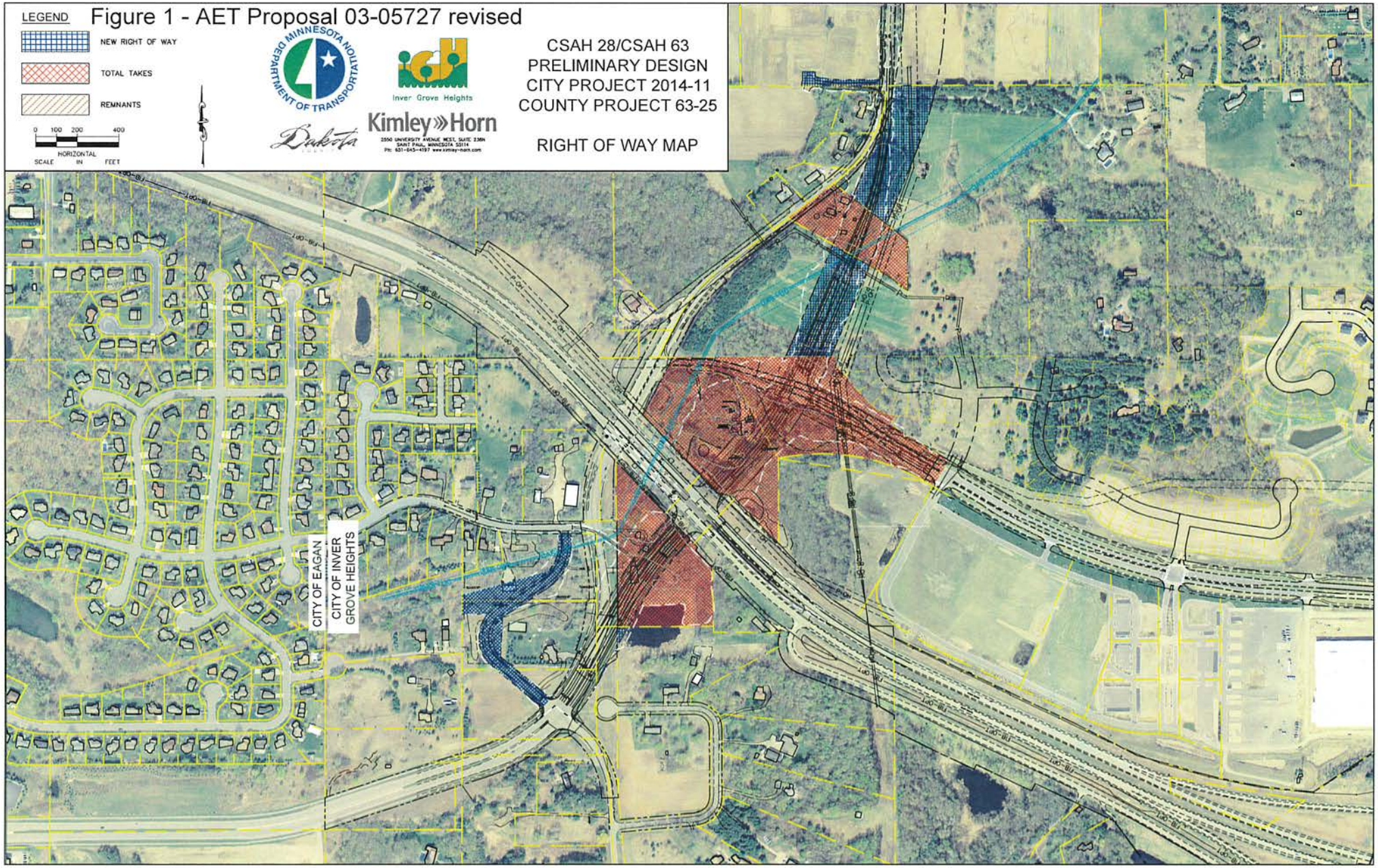
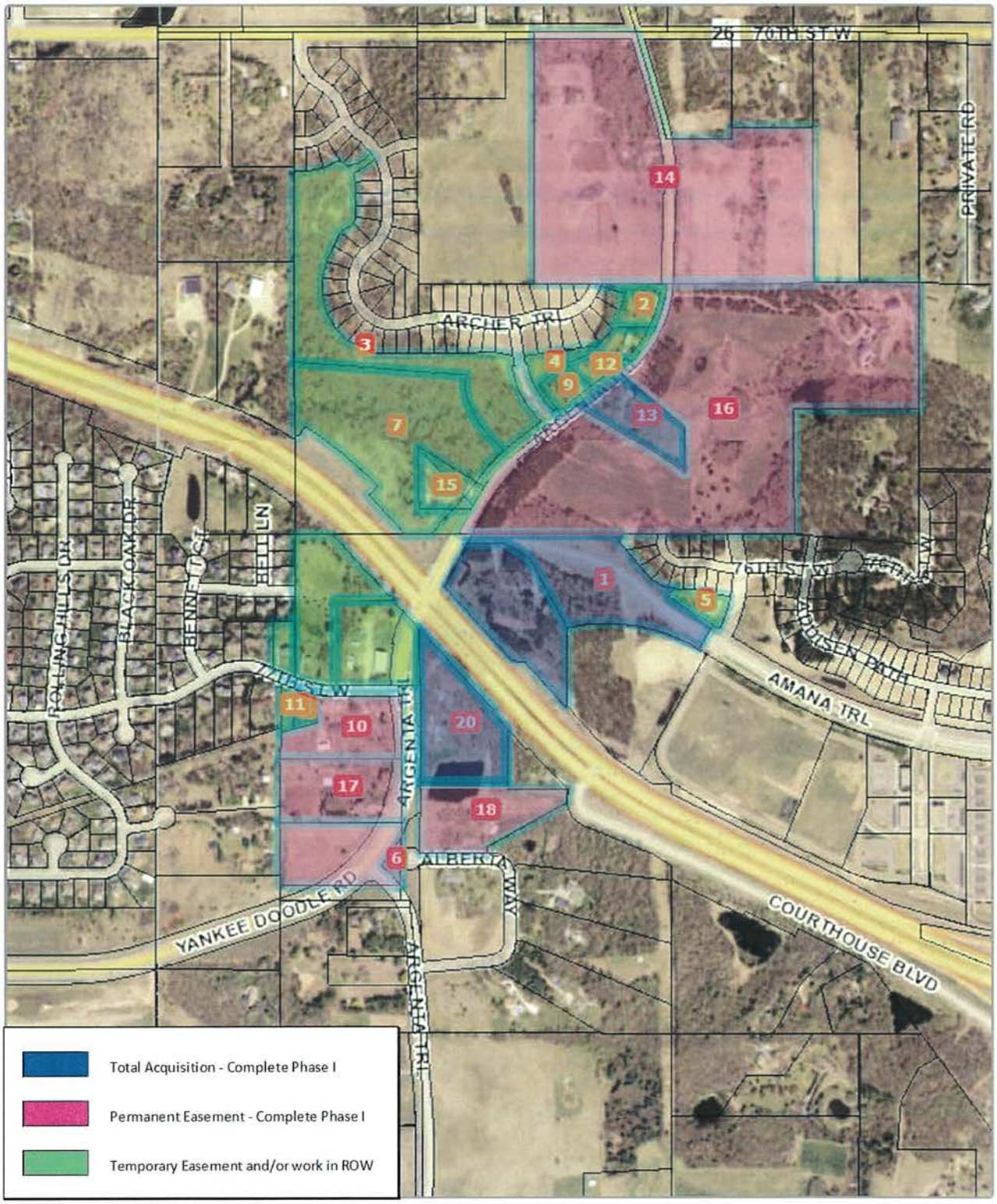

LEGEND
NEW RIGHT OF WAY
TOTAL TAKES
REMNANTS
0 100 200 400
HORIZONTAL
SCALE IN FEET
Figure 1 - AET Proposal 03-05727 revised
MINNESOTA DEPARTMENT OF TRANSPORTATION
Inver Grove Heights
Dakota
Kimley»Horn
CSAH 28/CSAH 63
PRELIMINARY DESIGN
CITY PROJECT 2014-11
COUNTY PROJECT 63-25
RIGHT OF WAY MAP
CITY OF EAGAN
CITY OF INVER GROVE HEIGHTS

Figure 2 - AET Proposal 03-05727 revised

CP 63-25 Phase I Map



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

Map Scale
1 inch = 351 feet
8/10/2015

You created this PDF from an application that is not licensed to print to novaPDF printer (http://www.novapdf.com) 10/2015

Table 1
Argenta Trail – Revised Cost Table
September 15, 2015

Date	Scope	Cost	Approved	Revised Costs
July 2, 2015 Proposal	Single ASTM Phase I ESA report for portion of 10 Parcels within the new corridor	$4,000.00	July 14, 2015	
September 15, 2015 Revised Proposal	Four – ASTM Phase ESA reports for properties slated for total acquisition	$1,500.00/Site for a total of $6,000		Additional $2000.00
September 15, 2015 Revised Proposal	Single Corridor Style ESA (additional 17 parcels)	$6,000.00		Additional $6,000.00
			Total	$12,000.00

SECTION 1 - RESPONSIBILITIES

1.1 - This Service Agreement – Terms and Conditions ("terms and conditions") is applicable to all Services provided by American Engineering Testing, Inc. (AET). As used herein "Services" refers to the scope of services described in the proposal submitted by AET to Client. The proposal, these terms and conditions and any appendices attached hereto shall comprise the Agreement between AET and Client for Services described in the proposal and are binding upon the Client, its successors, assignees, joint ventures and third-party beneficiaries. AET requests written acceptance of the Agreement, but the following actions shall also constitute Client's acceptance of the Agreement: 1) issuing an authorizing purchase order for any of the Services, 2) authorizing AET's presence on site, or 3) written or electronic notification for AET to proceed with any of the Services.

1.2 – Prior to AET performing Services, Client will provide AET with all information that may affect the cost, progress, safety and performance of the Services. This includes, but is not limited to, information on proposed and existing construction, all pertinent sections of contracts between Client and property owner, site safety plans or other documents which may control or affect AET's Services. If new information becomes available during AET's Services, Client will provide such information to AET in a timely manner. Failure of Client to timely notify AET of changes to the project including, but not limited to, location, elevation, loading, or configuration of the structure or improvement will constitute a release of any liability or indemnity obligations of AET for loss or damages related to such changes. Client will provide a representative for timely answers to project-related questions by AET.

1.3 - AET is responsible only for performance of the Services. AET will not be held responsible for work or omissions by Client or any other party working on the project. The Services do not include construction management, general contracting or surveying services. AET will not be responsible for directing or supervising the work of other parties, unless specifically authorized and agreed to in writing.

1.4 – Client acknowledges the limitations inherent in sampling to characterize buried subsurface conditions. Variations in soil conditions occur between and beyond sampled/tested locations. The passage of time, natural occurrences and direct or indirect human activities at the site or distant from it may alter the actual conditions. Client assumes all risks associated with such variations in soil and subsurface conditions.

1.5 - AET is not responsible for interpretations or modifications of AET's recommendations by other persons.

1.6 - Should changed conditions be alleged, Client agrees to notify AET before evidence of alleged change is no longer accessible for evaluation.

1.7 – Pricing in the proposal assumes use of these terms and conditions. AET reserves the right to amend pricing if Client requests modifications to the Agreement or use of Client's alternate contract format. Any contract amendments made after Client has authorized the Services shall be applicable only to Services performed after the effective date of such amendment. The proposal and these terms and conditions, including terms of payment, shall apply to all Services performed prior to the effective date of such amendment.

1.8 - The AET proposal accompanying these terms and conditions is valid for sixty (60) days after the proposal issuance date to the Client. Any attempt to authorize Services after the expiration date is subject to AET's right to revise the proposal as necessary.

SECTION 2 - SITE ACCESS AND RESTORATION

2.1 - Client will furnish AET safe and legal site access.

2.2 Client acknowledges that in the normal course of its Services, AET may unavoidably alter existing site conditions or affect the environment in the area being studied. AET will take reasonable precautions to minimize alterations to the site or existing materials. Restoration of the site is the responsibility of the Client.

SECTION 3 - UNDERGROUND UTILITY AND STRUCTURE CLEARANCE

3.1 - Borings, excavations and other penetrations must be located at safe distances from underground utilities or other man-made objects. Client shall advise AET of all utilities that service or are located on the site, and any underground improvements located on the site. Prior to drilling, AET will contact state notification centers, where available, or individual utility owners where a state notification center is not available. AET shall be entitled to rely on the location information provided by locating vendors.

3.2 – If Public utility owners do not provide the locating service on private property or the property owner has private underground improvements which cannot be cleared through the state notification center or public utility owners, Client shall be responsible for location of such utilities prior to drilling, or for payment of a private utility clearance subcontractor.

3.3 - AET will not be responsible for any damages to underground utilities/improvements not located or incorrectly identified by the foregoing location methods.

SECTION 4 - CONTAMINATION

4.1 - Client acknowledges and accepts all contamination risks which may be associated with the Services. Risks include, but are not limited to, cross contamination created by linking contaminated zones to uncontaminated zones during the drilling process; containment and proper disposal of known or suspected hazardous materials, drill cuttings and drill fluids; and decontamination of equipment and disposal and replacement of contaminated consumables. Discovery of actual or suspected hazardous materials shall entitle AET to take immediate measures it deems necessary in its sole discretion, including regulatory notification, to protect human health and safety, and/or the environment. Further, discovery of such materials constitutes a changed condition for which Client agrees to pay associated additional cost.

4.2 - Client shall indemnify and hold AET harmless from all liability, damages, claims or costs resulting from contaminants on the site.

SECTION 5 - SAFETY

5.1 - Client shall inform AET of any known or suspected hazardous materials or unsafe conditions at the site. If, during the course of AET's Services, such materials or conditions are discovered, AET reserves the right to take measures to protect AET personnel and equipment or to immediately terminate Services. Client shall be responsible for payment of such additional protection costs.

5.2 - AET shall only be responsible for safety of AET employees at the site; the safety of all others shall be Client's or other persons' responsibility.

SECTION 6 – SAMPLES

6.1 - Client shall inform AET of any known or suspected hazardous materials prior to submittal to AET. All samples obtained by or submitted to AET remain the property of the Client during and after the Services. Any known or suspected hazardous material samples will be returned to the Client at AET's discretion.

6.2 - Non-hazardous samples will be held for thirty (30) days and then discarded unless, within thirty (30) days of the report date, the Client requests in writing that AET store or ship the samples. Storage and shipping costs shall be borne solely by Client.

SECTION 7 - PROJECT RECORDS

The original project records prepared by AET will remain the property of AET. AET shall retain these original records for a minimum of three years following submission of the report, during which period the project records can be made available to Client at AET's office at reasonable times.

SECTION 8 - STANDARD OF CARE

AET performs its Services consistent with the level of care and skill normally performed by other firms in the profession at the time of this service and in this geographic area, under similar budgetary constraints.

SECTION 9 - INSURANCE

AET maintains insurance with coverage and limits shown below. AET will furnish certificates of insurance to Client upon request.

9.1 – AET maintains the following insurance coverage and limits of liability:

Workers' Compensation	Statutory Limits
Employer's Liability	$100,000 each accident $500,000 disease policy limit $100,000 disease each employee
Commercial General Liability	$1,000,000 each occurrence $1,000,000 aggregate
Automobile Liability	$1,000,000 each accident
Professional Liability Insurance	$1,000,000 per claim $1,000,000 aggregate

9.2 - Commercial General Liability insurance will include coverage for Products/Completed Operations extending one (1) year after final acceptance of the Project by Owner, Property Damage including Completed Operations, Personal Injury, and Contractual Liability insurance applicable to AET's indemnity obligations under this Agreement.

9.3 - Automobile Liability insurance shall include coverage for all owned, hired and non-owned automobiles.

9.4 - Professional Liability Insurance is written on a claims-made basis and coverage will be maintained for one (1) year after final acceptance of the Project by Owner. Renewal policies during this period shall maintain the same retroactive date.

9.5 - To the extent permitted by applicable state law, and only upon Client's signing of the proposal and return of the same to AET, Client and Owner shall be named an "additional insured" on AET's Commercial General Liability Policy (Form CG D4 14 04 08, which includes blanket coverage for Products/Completed Operations and on a Primary and Non-Contributory basis) and Automobile Liability Policy. Client and Owner shall be extended "waiver of subrogation" status for applicable coverages. Any other endorsement, coverage or policy requirement shall result in additional charges.

9.6 - AET will maintain in effect all insurance coverage required by this Agreement at its sole expense, provided such insurance is reasonably available, with insurance carriers licensed to do business in the state in which the project is located and having a current A.M. Best rating of no less than A minus (A-). Such insurance shall provide for thirty (30) days prior written notice to Client for notice of cancellation or material limitations for the policy or ten (10) days' notice for non-payment of premium.

9.7 - AET reserves the right to charge Client for AET's costs for additional coverage requirements unknown on the date of the proposal, e.g., coverage limits or policy modification including waiver of subrogation, additional insured endorsements and other project specific requirements.

SECTION 10 - DELAYS

If delays to AET's Services are caused by Client or Owner, work of others, strikes, natural causes, weather, or other items beyond AET's control, a reasonable time extension for performance of work shall be granted, and AET shall receive an equitable fee adjustment.

SECTION 11 - PAYMENT, INTEREST, AND BREACH

11.1 - Invoices are due net thirty (30) days. Client will inform AET of invoice questions or disagreements within fifteen (15) days of invoice date; unless so informed, invoices are deemed correct.

11.2 – Client agrees to pay interest on unpaid invoice balances at a rate of one and a half percent (1.5%) per month, or the maximum allowed by law, whichever is less, beginning thirty (30) days after invoice date.

11.3 – Invoices remaining unpaid for sixty (60) days shall constitute a material breach of this Agreement, permitting AET, in its sole discretion and without limiting any other legal or equitable remedies for such breach, to terminate performance of this Agreement and be relieved of any associated duties to the Client or other persons. Further, AET may withhold from Client data and reports in AET's possession. If Client fails to cure such breach, all reports associated with the unpaid invoices shall immediately upon demand be returned to AET and Client may neither use nor rely upon such reports or the Services.

11.4 - Client will pay all AET expenses and attorney fees relating to collection of past due invoices.

SECTION 12 - MEDIATION

12.1 - Except for enforcement of AET's rights to payment for Services rendered or to assert and/or enforce its lien rights, including without limitation assertion and enforcement of mechanic's lien rights and foreclosure of the same, Client and AET agree that any claim, dispute or other matter in

question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to arbitration or the institution of legal or equitable proceedings by either party; provided however that if either party fails to respond to a request for mediation within sixty (60) days, the party requesting mediation may without further notice, proceed to arbitration or the institution of legal or equitable proceedings.

12.2 - Mediation shall be in accordance with the Construction Industry Mediation Rules of the American Arbitration Association. Request for mediation shall be in writing and the parties shall share the mediator's fee and any filing fees equally. The mediator shall be acceptable to both parties and shall have experience in commercial construction matters.

SECTION 13 - LITIGATION REIMBURSEMENT

Except for matters relating to non-payment of fees, which is governed by Section 9.4 hereof, payment of attorney's fees and costs associated with lawsuits or arbitration of disputes between AET and Client, which are dismissed or are judged substantially in either party's favor, shall be paid by the non-prevailing party. Applicable costs include, but are not limited to, attorney and expert witness fees, court costs, and AET costs.

SECTION 14 - MUTUAL INDEMNIFICATION

14.1 - Subject to the limitations contained in Sections 13 and 14, AET agrees to indemnify Client from and against damages and costs to the extent caused by AET's intentional acts or negligent performance of the Services.

14.2 - Client agrees to indemnify AET from and against damages and costs to the extent caused by the intentional acts or negligence of the Client, Owner, Client's contractors and subcontractors or other third parties.

14.3 - If Client has an indemnity agreement with other persons or entities relating to the project for which AET's Services are performed, the Client shall include AET as a beneficiary.

14.4 - AET's indemnification to the Client, including any indemnity required or implied by law, is limited solely to losses or damages caused by its failure to meet the standard of care and only to the extent of its negligence or intentional acts.

SECTION 15- WAIVER OF CONSEQUENTIAL DAMAGES

NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR ANY CONSEQUENTIAL, SPECIAL, INDIRECT, INCIDENTAL OR PUNITIVE DAMAGES INCURRED EVEN IF THE POSSIBILITY OF SUCH DAMAGES WAS FORESEEABLE. CONSEQUENTIAL DAMAGES INCLUDE, BUT ARE NOT LIMITED TO LOSS OF USE AND LOSS OF INCOME OR PROFIT.

SECTION 16 - LIMITATION OF LIABILITY

Client agrees to limit AET's liability to Client resulting from AET's negligent acts, errors or omissions, such that **the total liability of AET shall not exceed $20,000.**

SECTION 17 – UNIONIZATION

AET reserves the right to negotiate an appropriate fee increase or to terminate its contract on three (3) days written notice to Client without incurring penalties or costs from Client, Owner and their successors, assignees, joint-venturers, contractors and subcontractors, or any other parties involved with the project for claims, liabilities, damages or consequential damages, directly or indirectly related to AET being required to provide unionized personnel on the project. Reservation of this right on the part of AET represents neither approval nor disapproval of unions in general or the use of collective bargaining agreements.

SECTION 18 - POSTING OF NOTICES ON EMPLOYEE RIGHTS

Effective June 21, 2010, prime contracts with a value of $100,000 or more and signed by federal contractors on projects with any agency of the United States government must comply with 29 CFR Part 471, which requires physical posting of a notice to employees of their rights under Federal labor laws. The required notice may be found at *29 Code of Federal Regulations Part 471, Appendix A to Subpart A*. The regulation also has a "flow-down" requirement for subcontractors under the prime agreement for subcontracts with a value of $10,000 or more. AET requires strict compliance of its subcontractors working on federal contracts subject to this regulation. The regulation has specific requirements for location of posting and language(s) for the poster.

SECTION 19 - TERMINATION

After 7 days written notice, either party may elect to terminate this Agreement for justifiable reasons. In this event, the Client shall pay AET for all work performed, including demobilization and reporting costs to complete the file.

SECTION 20 - SEVERABILITY

Any provisions of this Agreement later held to violate a law or regulation shall be deemed void, and all remaining provisions shall continue in force. However, Client and AET will in good faith attempt to replace an invalid or unenforceable provision with one that is valid and enforceable, and which comes as close as possible to expressing the intent of the original provision.

SECTION 21 - GOVERNING LAW

This Agreement shall be construed in accordance with the Laws of the State of Minnesota without regard to its conflicts of law provisions.

SECTION 22 - ENTIRE AGREEMENT

This Agreement, including these terms and conditions and attached proposal and appendices, is the entire agreement between AET and Client. Regardless of method of acceptance of this Agreement by the Client, this Agreement supersedes any previous written or oral agreements, including purchase/work orders or other Client agreements submitted to AET after the start of our Services. Any modifications to this Agreement must be mutually acceptable to both parties and accepted in writing. No considerations will be given to revisions to AET's terms and conditions or alternate contract format submitted by the Client as a condition for payment of AET's accrued Services.

AGENDA ITEM 4I

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Resolution Accepting Proposal IPO No. 26 for Engineering Services from Kimley-Horn & Associates, Inc. for Preparation of the Feasibility Report and Other Engineering Services for City Project No. 2016-09D – 60th Street Area Reconstruction

Meeting Date:	September 28, 2015
Item Type:	Consent
Contact:	Thomas J. Kaldunski, 651.450.2572
Prepared by:	Thomas J. Kaldunski, City Engineer
Reviewed by:	Scott D. Thureen, Public Works Director

Fiscal/FTE Impact:

	None
	Amount included in current budget
	Budget amendment requested
	FTE included in current complement
	New FTE requested – N/A
X	Other: Pavement Management Fund and Special Assessments

PURPOSE/ACTION REQUESTED

Consider resolution accepting proposal IPO No. 26 for engineering services from Kimley-Horn & Associates, Inc. for preparation of the feasibility report and other engineering services for City Project No. 2016-09D – 60th Street Area Reconstruction.

SUMMARY

Kimley-Horn & Associates, Inc. is part of the City's engineering consultant pool. Kimley-Horn is being recommended for this project based on their knowledge of the project and past experience with City projects such as the College Trail project (City Project No. 2014-09D) and various projects in the South Grove area.

As part of the Pavement Management Program (PMP), and the City Capital Improvement Plan (CIP), the 60th Street area has been identified for reconstruction in the Pavement Management Program. A feasibility report is needed to review options for the area. This project is listed in the 2016 PMP and CIP. The proposal will provide a feasibility report and review of the street with our geotechnical consultant (AET), preliminary surveying of the project area (map attached), and a wetland delineation and hydrologic study.

Due to the amount and complexity of work involved with this project, City staff is not available to complete this work in-house. We requested the attached proposal from Kimley-Horn. Kimley-Horn's proposed fee for the work is $88,600. The project will consider the reconstruction of about 1.7 miles of City streets.

I recommend that the Council adopt the resolution accepting the proposal from Kimley-Horn and awarding a contract to Kimley-Horn for drainage analysis and preparation of the feasibility report and other engineering services outlined in their proposal for City Project No. 2016-09D – 60th Street Area Reconstruction. The Council should also authorize preparation of a benefit analysis for the project.

TJK/kf

Attachments: Resolution
Map
Kimley-Horn & Associates, Inc. IPO No. 26

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY

RESOLUTION ACCEPTING AN ENGINEERING SERVICES PROPOSAL FROM KIMLEY-HORN & ASSOCIATES, INC. FOR PREPARATION OF A FEASIBILITY REPORT AND DESIGN SERVICES FOR CITY PROJECT NO. 2016-09D – 60TH STREET AREA RECONSTRUCTION

RESOLUTION NO. _____

WHEREAS, as part of the City's Pavement Management Program, the 60th Street Area has been identified for reconstruction; and

WHEREAS, in order to complete the design and construction plans in a timely manner for City Project No. 2016-09D, assistance of a consulting engineering firm is required for preparing a feasibility report; and

WHEREAS, City staff requested, and received, a proposal from Kimley-Horn & Associates, Inc.; and

WHEREAS, based on the experience of the firm, the scope and associated fee for the proposed services, it was decided that Kimley-Horn & Associates, Inc. be selected from the City's engineering consultant pool as the consulting firm for City Project No. 2016-09D – 60th Street Area Reconstruction.

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

1. The proposal from Kimley-Horn & Associates, Inc. is accepted and staff is authorized to enter into a contract in the amount of $88,600 for preparation of a feasibility report and other engineering services outlined in the proposal for the Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction.

2. The preparation of a feasibility report and other engineering services are authorized.

3. City staff is authorized to secure a benefit analysis for the project.

4. Project funding is provided through the Pavement Management Fund and special assessments.

5. The City Attorney is authorized to provide services on this project.

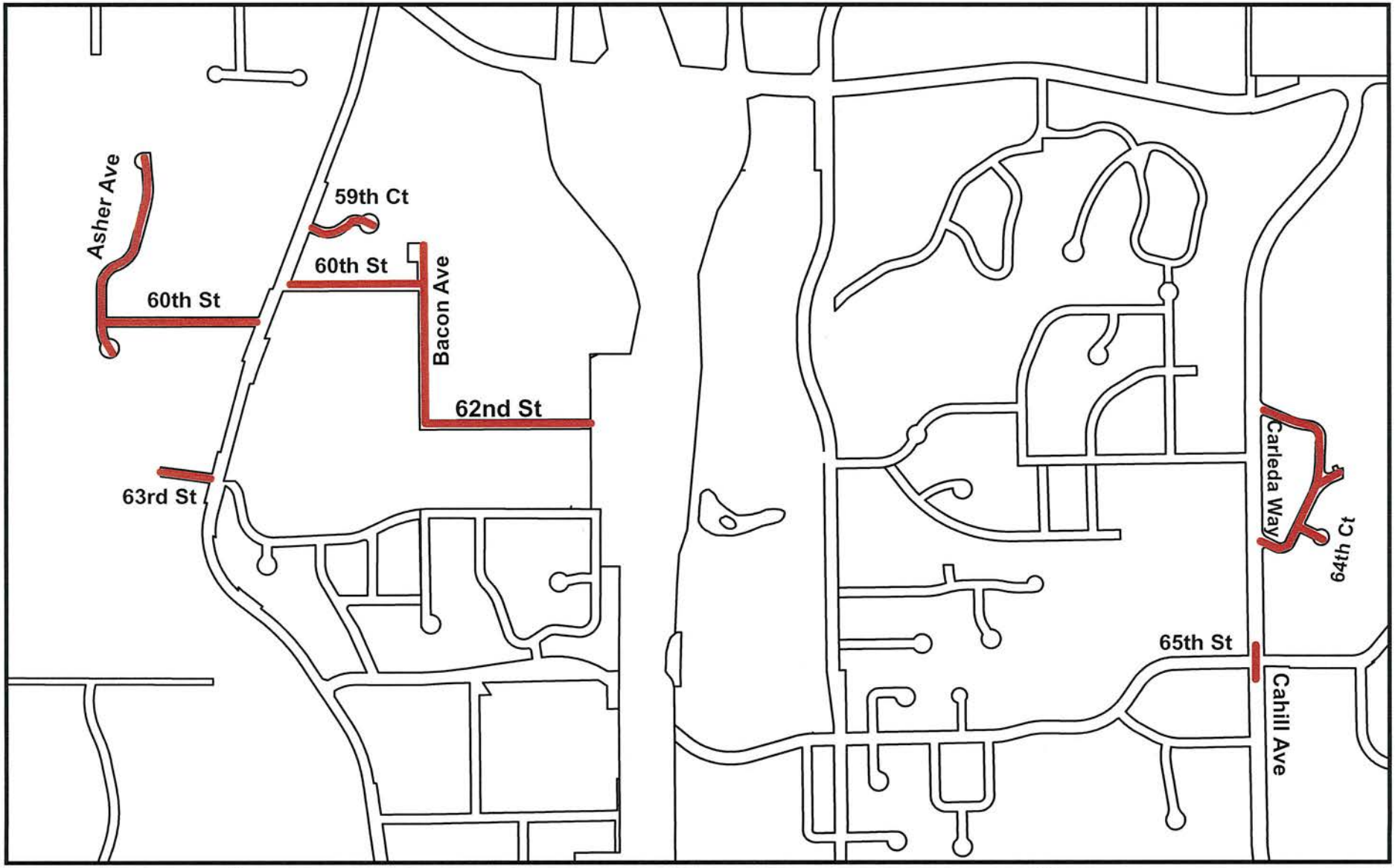
Adopted by the City Council of Inver Grove Heights, Minnesota this 28th day of September 2015

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk



Map produced by the City of Inver Grove Heights
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City Project No. 2016-09D - Area Map
60th Street Area Reconstruction
City of Inver Grove Heights, MN

N W E S

THIS DRAWING IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS ONE. THIS DRAWING IS A COMPILATION OF RECORDS, INFORMATION AND DATA LOCATED IN VARIOUS CITY, COUNTY AND STATE OFFICES AND OTHER SOURCES AND IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE CITY OF INVER GROVE HEIGHTS IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED

9/23/15

Document Path: Y:\PublicWorks\Engineering\PROJECTS_PUBLIC\2015_PROJECTS\2015-09E_47th St and Neighborhood\EXHIBITS\Phase Map.mxd Date: 9/23/2015 - 3:20:51 PM kfischer

INDIVIDUAL PROJECT ORDER NUMBER 26

Describing a specific agreement between Kimley-Horn and Associates, Inc. (the Consultant), and City of Inver Grove Heights (the Client) in accordance with the terms of the Master Agreement for Continuing Professional Services dated April 19, 2011, which is incorporated herein by reference.

Identification of Project:	60th Street Neighborhood Street Reconstruction City Project 2016-09D
General Category of Services:	Topographic Survey and Feasibility Study phase services for 60th Street Neighborhood Street Reconstruction project.
Specific Scope of Basic Services:	Preparation of feasibility study and report for the 60th Street Neighborhood Street Reconstruction project. See attached Exhibit A for a more detailed summary of the scope of services.
Additional Services if Required:	None identified at this time.
Schedule:	See attached Exhibit C.
Deliverables:	Topographic Survey Feasibility Study and Report
Method of Compensation	To be billed on an hourly (cost plus) basis as detailed in attached Exhibit B.
Special Terms of Compensation:	None
Other Special Terms of Individual Project Order:	None

ACCEPTED:

CITY OF INVER GROVE HEIGHTS

BY:_____

TITLE:_____

DATE:_____

KIMLEY-HORN AND ASSOCIATES, INC.

BY: [signature]

TITLE: Sr. Vice President

DATE: 9/29/15

EXHIBIT A
SCOPE OF SERVICES

INDIVIDUAL PROJECT ORDER (IPO) NO. 26

60TH STREET NEIGHBORHOOD STREET RECONSTRUCTION
CITY PROJECT 2016-09D

We understand the City is planning to reconstruct the streets within the 60th Street Neighborhood in 2016. This IPO includes topographic survey and feasibility study phase services for City Project 2016-09D, 60th Street Neighborhood Street Reconstruction which includes the following streets:

- Carleda Way – East of Cahill Avenue
- 63rd Street – East of Carleda Way
- 64th Court – East of Carleda Way
- 62nd Street – East of Bacon Avenue
- Bacon Avenue – North of 62nd Street
- 60th Street – Between Babcock Trail and Bacon Avenue
- 60th Street – Between Asher Avenue and Babcock Trail
- Asher Avenue – North of 60th Street
- Asher Court – South of 60th Street
- 63rd Street – West of Babcock Trail

The Scope of Work detailed below assumes the project will consist of the reconstruction of approximately 8,500 linear feet of roadway.

1. PROJECT MANAGEMENT/PUBLIC INVOLVEMENT/MEETINGS

A. Project Management

Kimley-Horn will provide overall project management and utilize internal project management tools to monitor budgets, staff roles, and responsibilities of all team members throughout the project. We will communicate directly with the City's project manager on a regular basis to discuss design decisions and progress throughout the project. We will manage day-to-day activities and milestones within the project. Kimley-Horn will prepare monthly billing invoices and provide a summary of the work tasks completed at the end of each month upon request.

B. Stakeholder Involvement/Meetings

The feasibility study phase of the project will include meetings with area property owners and stakeholders to gather input on the proposed improvements. We will attend up to two (2) individual meetings with project stakeholders or residents to discuss the project. We will assist City staff with correspondence and coordination with residents and stakeholders within the project area. We have assumed this will include the preparation of up to two (2) letters which will be mailed to residents to

inform them of the project. We have assumed we will coordinate mailings to up to 75 residents/stakeholders to notify them of the project. We have assumed the City will provide postage and mail the letters.

C. Informational Meetings, Council Work Session, and Public Hearing

We will prepare for and attend two (2) public open house meetings. Kimley-Horn will attend and present at one (1) City Council work session to update the Council on the findings of the feasibility analysis prior to submittal of the final feasibility report. We will also attend one (1) regular City Council meeting where we have assumed the Council will accept the feasibility report and order the final design of the project.

D. Meetings

We will attend up to two (2) project meetings with City staff to discuss the analysis and findings of the feasibility report. We have assumed that we will have a kick-off meeting with City staff following notice to proceed and a draft report review meeting to discuss any comments.

2. DATA COLLECTION AND COORDINATION

A. Topographic Survey and Base Mapping

A Kimley-Horn sub-consultant will obtain topographic survey information of the project area necessary for the final design of the 60th Street Neighborhood Street Reconstruction project. At this time, no survey information is proposed to be obtained outside of the existing right-of way. The following is a summary of the information that will be gathered through the topographic survey work:

- Surface Features such as Signs, Light Poles, Trees, and Mailboxes
- Private Driveway Profiles and Garage Floor Elevations
- Profile Streets and Intersections including Edge/Center of Pavement
- Locate Existing Property Irons and Underground Utilities (Gopher One Call)
- Survey Utilities (Storm Drain, Sanitary Sewer and Watermain Structures)
- Establish Survey Control and Set Project Benchmarks

B. Geotechnical Evaluation

A Kimley-Horn sub-consultant, American Engineering Testing (AET), will complete the geotechnical evaluation of the existing pavement and subgrade soils and the provide pavement design recommendations for the project. The geotechnical evaluation will be documented in a geotechnical report and memorandum to be attached as an appendix to the feasibility report. We have assumed that a full reconstruction of all streets will be recommended.

C. Wetland Delineation and Report

We will collect background information including National Wetland Inventory, Dakota County Soil Survey, precipitation data and aerial photographs to be used to identify potential wetland areas. Wetland delineation, using Routine Wetland

Delineation Methods, would be conducted on-site to determine the jurisdictional wetland boundaries within the project area. We have assumed the delineation of up to six (6) wetland boundaries may be necessary. Flags will be placed to delineate boundaries and the flags will be GPS surveyed by Kimley-Horn. We will conduct a Technical Evaluation Panel (TEP) meeting to review and approve the delineation with the City of Inver Grove Heights, BWSR, Lower Mississippi River WMO, MN DNR, and USACE.

3. FEASIBILITY STUDY SERVICES

A. Preliminary Drainage Analysis

We will perform a preliminary drainage analysis of the area surrounding the project. We have assumed that the City will provide any available existing modeling information depicted in the City's Stormwater Management Plan. We will utilize the existing model information and any additional information provided by the City, obtained by the surveyor, and observed through site visits to identify potential deficiencies in the current drainage infrastructure. We will develop an existing and proposed HydroCAD model for the study area based on the above information and proposed improvements. As part of the analysis, we will identify upgrades and replacements to the existing system and provide a preliminary layout of the proposed storm sewer system. We will also identify possible locations for stormwater BMP's to meet the City's treatment goals. We have assumed our area of study will be contained within basins BP-004, BP-005, BP-8, BP-11G, BP-27, BP-30, IP-01F, IP-01H, IP-01I, and IP-01J as defined by the City's Stormwater Management Plan.

B. Identify Proposed Improvements

The feasibility study and report will summarize the findings of the analysis listed above and identify the proposed street, storm drainage, and utility improvements to be included as a part of the project.

C. Preliminary Cost Estimates

We will prepare a preliminary engineer's estimate of probable construction costs based on the recommended improvements. We have assumed the cost estimate will be reviewed by City staff during update meetings and following the submittal of the draft report. We will revise the estimates based on input received during those comment periods.

D. Financing Plan

We will work with City staff to develop a financing plan for the proposed improvements consistent with MN Statute 429 regarding assessments. We have assumed the City will provide tax identification numbers and street addresses for the properties to be assessed. We have also assumed the City will hire the appraiser to define sustainable assessments by property. We have assumed the City will prepare the assessment roll to be included in the feasibility study.

E. Report Preparation

We will provide a feasibility study and report detailing the results of the work tasks described above. We will provide the City with three (3) copies of a draft report and up to fifteen (15) copies of the final version of the report. We will also provide the City with an electronic copy of the report at draft and final stages.

EXHIBIT B
ESTIMATED COSTS

INDIVIDUAL PROJECT ORDER (IPO) NO. 26

60TH STREET NEIGHBORHOOD STREET RECONSTRUCTION
CITY PROJECT 2016-09D

Kimley-Horn proposes to perform all services included within this IPO on an hourly (cost plus) basis using our current standard hourly rate schedule. The following is a summary of our estimated costs for the services included as a part of this IPO:

Work Task		Estimated Fee	
1	Project Management/Public Involvement/Meetings	$	16,000
2	Data Collection and Coordination	$	42,100
3	Feasibility Study Services	$	27,500
Subtotal		$	85,600
Reimbursable Expenses		$	3,000
Total		$	88,600

Reimbursable expenses (copy/printing charges, plotting, mileage, delivery charges, faxes, etc.) will be charged as an office expense at 6.0% of the labor fee.

Our total estimated not-to-exceed cost for the scope of services included as a part of this IPO is, therefore, $88,600 including all labor and reimbursable expenses.

EXHIBIT C
SCHEDULE

INDIVIDUAL PROJECT ORDER (IPO) NO. 26

60TH STREET NEIGHBORHOOD STREET RECONSTRUCTION
CITY PROJECT 2016-09D

The following is a summary of the proposed schedule for the project:

Notice to Proceed	September 28, 2015
Data Collection (Survey, Wetlands, Geotechnical)	October 2015
Prepare Draft Feasibility Report	October 2015
Property Owner Meetings	October/November 2015
Finalize Feasibility Report	November 2015
Council Receives Feasibility Report	November 9, 2015
Begin Final Design	December 2015
Construction	Summer 2016

AGENDA ITEM 4J

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Accept Proposal from NAC Mechanical & Electrical Services for Revisions to the City's Two Water System Emergency Generators to Meet EPA Emissions Standards

			Fiscal/FTE Impact:
Meeting Date:	September 28, 2015		None
Item Type:	Consent	X	Amount included in current budget
Contact:	Scott D. Thureen, 651.450.2571		Budget amendment requested
Prepared by:	Scott D. Thureen, Public Works Director		FTE included in current complement
Reviewed by:	SDT		New FTE requested – N/A
			Other: Development Escrow Funds

PURPOSE/ACTION REQUESTED

Accept proposal from NAC Mechanical & Electrical Services for revisions to the City's two Water System Emergency Generators to Meet EPA Emissions Standards.

SUMMARY

The City owns two large diesel-powered emergency generators that are used to provide backup electrical power at the Water Treatment Plan and the Babcock Booster Station.

The attached proposal from NAC Mechanical & Electrical Services installs and tests the new emissions control system for compliance. A brief memo, from Dan Helling, the Utilities Superintendent, concerning the bid results is attached. Funding comes from the Water Utility 2015 budget.

I recommend acceptance of the proposal in the amount of $103,452.

SDT/kf
Attachments: Memo and bid results

City of Inver Grove Heights
UTILITY DIVISION

MEMORANDUM

TO : Scott Thureen

FROM : Dan Helling

SUBJECT : **Water System Generator Upgrade**

DATE : September 23, 2015

On Thursday, September 17, 2015, one bid was received for the Genset upgrades to the Babcock Booster Station and the Water Treatment Facility. These upgrades will bring both generators into compliance with the National Emission Standards for Hazardous Air Pollutants that is being enforced by the EPA.(RICE/NESHAP regulations.) These standards are already in effect and will allow us to maintain Peak Control Rates that we currently receive from Excel Energy. These rates allow us to save approximately $10,000 a year.

I recommend awarding the work to NAC on their proposed bid of $103,452.00. The funds for this activity are budgeted in the 2015 Water Utility Fund. The Water Fund account number is 501.50.7100.512.80400.

SEH

Building a Better World
for All of Us®

September 23, 2015

RE: City of Inver Grove Heights
Water System Generators
SEH No. INVER 132644

Dan Helling
City of Inver Grove Heights
8150 Barbra Avenue East
Inver Grove Heights, MN 55077

On Thursday, September 17, 2015 at 2:00 p.m., one (1) bid was received for the above-referenced project. Their bid is summarized below. The bid was submitted by NAC Mechanical & Electrical Services (NAC) in the amount of $103,452.00.

	Contractors	Total Bid
1.	NAC Mechanical & Electrical Services	$103,452.00
	Engineer's Estimate	$105,000.00

In reliance on our experience with NAC and/or materials and information provided by the contractor, we have determined that 1) they have a sufficient understanding of the project and equipment to perform the construction for which they bid; and 2) according to their bonding agent they presently have the financial ability to complete the project bid. SEH makes no representation or warranty as to the actual financial viability of the contractor or its ability to complete its work.

Accordingly, we recommend the project be awarded to NAC in the amount of 103,452.00, based on their Total Bid, contingent upon the receipt by the City of all permits and easements if all permits and easements have not been obtained at the time of award.

Sincerely,

Miles B. Jensen, PE
Project Manager | Regional Practice Center Leader

s:\f\i\inver\common\132644\132644\5-final-dgn\52-specs-proj-man\rec award letter 2015 9 23.docx

TABULATION OF BIDS

1

Water System Generators				NAC Mechanical & Electrical Services	
Inver Grove Heights, MN				1001 Labore Industrial Court, Suite B	
SEH No.: INVER 132644				Vadnais Heights, MN 55110	
Bid Date: 2:00 p.m., Thursday, September 17, 2015				$103,452.00	
Item No.	**Item**	**Unit**	**Est. Quantity**	**Unit Price**	**Total Price**
1	Mobilization - Entire Project	LS	1	$2,490.00	$2,490.00
Site No.1 Water Treatment Plant (Katolight 600KW)					
1A	DOC-Silencer Installation	LS	1	28,000.00	28,000.00
1B	Crank Case Ventilation System	LS	1	8,100.00	8,100.00
1C	Monitoring Equipment	LS	1	7,612.00	7,612.00
1D	Post Installation Compliance Testing	LS	1	8,020.00	8,020.00
	SUBTOTAL SITE NO.1				**51,732.00**
Site No.2 Babcock Booster Station (Kohler 500KW)					
1A	DOC-Silencer Installation	LS	1	27,300.00	27,300.00
1B	Crank Case Ventilation System	LS	1	8,100.00	8,100.00
1C	Monitoring Equipment	LS	1	6,810.00	6,810.00
1D	Post Installation Compliance Testing	LS	1	7,020.00	7,020.00
	SUBTOTAL SITE NO.2				**49,230.00**
TOTAL BID PRICE [Mobilization + Site Nos.1 and 2]					**$103,452.00**

AGENDA ITEM 4K

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Accept Proposal and Award Project for Cured-in-Place Pipe Sewer Lining

Meeting Date:	September 28, 2015		**Fiscal/FTE Impact:**
Item Type:	Consent		None
Contact:	Dan Helling, 651-450-2565	X	Amount included in current budget
Prepared by:	Scott D. Thureen, Public Works Director		Budget amendment requested
Reviewed by:	SDT		FTE included in current complement
			New FTE requested – N/A
			Other:

PURPOSE/ACTION REQUESTED

Accept proposal and award project for cured-in-place pipe sewer lining.

SUMMARY

Each year, we budget for lining some of our existing sanitary sewer mains. The segments are selected based on a TV inspection of our system (we inspect approximately one-third of our 125 mile system each year). We typically select pipe segments that have recurrent root intrusion issues or that are showing signs of deterioration.

The cured-in-place pipe method of lining sewers allows the work to be completed without any excavation. Access is accomplished using the existing manholes. The attached memo from Dan Helling, Utilities Superintendent, provides additional detail.

I recommend receiving the three proposals and awarding the work to Insituform Technologies USA, LLC who provided the low quote of $37,287.50. The work will be funded from the approved 2015 Sewer Budget (502.51.7200.514.40043).

SDT/kf
Attachment: Memo and Proposals

City of Inver Grove Heights
UTILITY DIVISION

MEMORANDUM

TO : Scott Thureen

FROM : Dan Helling

SUBJECT : CIPP Sewer Lining

DATE : September 16,2015

Attached are three proposals for Cured-in-Place-Pipe (CIPP) sewer lining. The work that will be preformed was determined through the televising of trouble spots throughout the Cities sanitary sewer system. The lining will be for approximately 495 feet of 18 inch sanitary sewer that is in need of repair due to actual cracks in the line, and to prevent root growth from impeding the flow of the sewer.

The proposals are based on two prices, unit price per foot and the reinstatement of lateral sewer connections.

Insituform's proposal is for $74.50 per foot and $205.00 for the reinstatement of 2 lateral sewer connections for a combined total of $37,287.50.

Hydro- Klean's proposal is for $77.70 per foot and $500.00 for the reinstatement of 2 lateral sewer connections for a combined total of $39,461.50.

Visu-Sewer's proposal is for $78.75 per foot and $150.00 for the reinstatement of 2 lateral sewer connections for a combined total of $39,281.25.

I recommend awarding the work to Insituform based on their proposed price of $37,287.50. The funds for this activity are budgeted in the 2015 Utilities Sewer Fund . The Sewer Fund account # 502.51.7200.514.40043.

City of Inver Grove Heights
Utility Division

2015 SANITARY SEWER REHABILITATION
PROPOSAL FORM

Installation of 18 Inch Diameter Cast in Place Pipe Liner **UNIT PRICE**

Includes all necessary labor, equipment, materials, and taxes : $74.50 per foot

Reinstatement of lateral sewer connections **UNIT PRICE**

Includes all necessary labor, equipment, materials, and taxes : $205.00 per connection

Any deviation from the specifications must be clearly noted; otherwise it will be considered that this proposal is in strict compliance with the specifications.

Deviations from specification : Upon award, City to work with Insituform to schedule work in best interest of both parties.

In submitting this proposal the contractor understands the City retains the right to reject any proposal, and to award the sanitary sewer rehabilitation work in the best interest of the City.

Date 09/09/15

Submitter,

Insituform Technologies USA, LLC
Contractor / Vendor

Jana Lause
Signature of Representative

Jana Lause, Contracting & Attesting Officer
Printed Name of Signer

17988 Edison Avenue

Chesterfield, MO 63005
Address

636-530-8000
Telephone

Providing Water and Wastewater Service Since 1965

City of Inver Grove Heights
Utility Division

2015 SANITARY SEWER REHABILITATION
PROPOSAL FORM

Installation of 18 Inch Diameter Cast In Place Pipe Liner **UNIT PRICE**

Includes all necessary labor, equipment, materials, and taxes : 77.70 per foot

Reinstatement of lateral sewer connections **UNIT PRICE**

Includes all necessary labor, equipment, materials, and taxes : 500.00 per connection

Any deviation from the specifications must be clearly noted; otherwise it will be considered that this proposal is in strict compliance with the specifications.

Deviations from specification : Customer will provide water and dump site at no charge to Hydro-Klean. Customer will also provide access to easement and right of way for the project.

In submitting this proposal the contractor understands the City retains the right to reject any proposal, and to award the sanitary sewer rehabilitation work in the best interest of the City.

Date 9/14/2015

Submitter,

Hydro-Klean, LLC
Contractor// Vendor

Signature of Representative

Paul Govoni
Printed Name of Signer

333 NW 49th Place
Des Moines, IA 50313
Address

515-283-0500
Telephone

Providing Water and Wastewater Service Since 1965

City of Inver Grove Heights
Utility Division

2015 SANITARY SEWER REHABILITATION
PROPOSAL FORM

Installation of 18 Inch Diameter Cast in Place Pipe Liner **UNIT PRICE**

Includes all necessary labor, equipment, materials, and taxes : $78.75 per foot

Reinstatement of lateral sewer connections **UNIT PRICE**

Includes all necessary labor, equipment, materials, and taxes : $150.00 per connection

Any deviation from the specifications must be clearly noted; otherwise it will be considered that this proposal is in strict compliance with the specifications.

Deviations from specification : _____

In submitting this proposal the contractor understands the City retains the right to reject any proposal, and to award the sanitary sewer rehabilitation work in the best interest of the City.

Date 9/2/15

Submitter,

V.S.J. - SEWER
Contractor / Vendor

Signature of Representative

Ronald E Fenney
Printed Name of Signer

3155 104th LANE NE
BLAINE, MN 55449
Address

763-252-0004
Telephone

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AGENDA ITEM 4L

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

PERSONNEL ACTIONS

Meeting Date:	September 28, 2015		**Fiscal/FTE Impact:**
Item Type:	Consent	x	None
Contact:	Joe Lynch, City Administrator		Amount included in current budget
Prepared by:	Carrie Isaacson, Payroll		Budget amendment requested
Reviewed by:	Janet Shefchik, HR Manager		FTE included in current complement
			New FTE requested – N/A
			Other

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

Please confirm the seasonal/temporary employment of: Jon Lessard (Golf/Operations), April Salchert (Recreation), Scott Sitron (Recreation), Madelynne Sobiech (Recreation), Kaylyn Simonette (Recreation)

Please confirm the employment of: Joel Jackson (Street Maintenance Worker/Public Works) Carol Mulvilhill (VMCC/Child Care), Danielle Christiansen (VMCC/Aquatics), Noah Gilberg (VMCC/Aquatics), Abinaya Ilavarason (VMCC/Aquatics), Dana Joerger (VMCC/Fitness), Brandon Schmitz (VMCC/Aquatics)

Please confirm the separation of employment of: Loann Evenson (Golf/Food & Bev), Alexis Kilpatrick (VMCC/Aquatics), Paige Anderson (Recreation), Kristin McGuire (Recreation), Richard Mraz (Recreation), Kyle Nordstrom (Recreation), Melissa Wells (Recreation), Anna Dziewecynski (Kids Rock), Kathryn Johnson (Kids Rock), Lily Kane (Kids Rock), Hannah Pignato (Kids Rock), Kathleen Rooney (Kids Rock), Cathryn Rosvold (Kids Rock), Rachel Rud (Kids Rock), Ashley Smith (Kids Rock), Ryan Boris (Parks), Seth Boris (Parks), Curtis Felton (Parks), Treigh French (Parks), Jackson Graham (Parks), Travis Helling (Parks), Scott Knutson (Parks), Benjamin Kocer (Parks), Devon Lawrence (Parks), Gary Shepherd (Parks), Michael Winberg (Parks), Brody Jackson (Streets), Hailey Dye (Engineering), Claire Edwards (Utilities), Patrick O'Neil (Utilities), Brady Nelson (Utilities), Joseph Skora (Utilities), Paula Hoffman (Guest Services)

AGENDA ITEM ____7A_____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

Consider Resolutions Adopting the Proposed Tax Levy for 2016, Adopting the Proposed 2016 Budgets, Adopting the Proposed Watershed Management Taxing Districts' Tax Levies for 2016, and Set the Date and Time for the Regularly Scheduled Meeting where the Budget will be Discussed

			Fiscal/FTE Impact:
Meeting Date:	September 28, 2015		
Item Type:	Regular Agenda		None
Contact:	Kristi Smith 651-450-2521		Amount included in current budget
Prepared by:	Kristi Smith, Finance Director		Budget amendment requested
Reviewed by:	Joe Lynch, City Administrator		FTE included in current complement
			New FTE requested – N/A
		X	Other – 2016 Budget

PURPOSE/ACTION REQUESTED

To approve resolutions adopting the proposed 2016 budgets and tax levies and set the date and time for the regularly scheduled meeting where the budget will be discussed.

SUMMARY

The City must adopt the proposed 2016 tax levies and proposed budgets on or before September 30, 2015. The tax levies and the date for the regularly schedule public meeting where the budget will be discussed must be certified to Dakota County by the same date.

The budgets at this time are still proposed and may change during the forthcoming budget meetings and prior to final adoption in December. The tax levies can be reduced, but not increased after the proposed levies have been certified.

- The proposed 2016 Base Budget Plus Additions results in a 3.55% increase to the tax rate and a 10.76% increase to the tax levy.
- Taxable market values are up 6.0% and net tax capacity is up 5.3% (without new construction increases are 5.10% and 4.39%, respectively).
- In the Base Budget General Fund Expenditures increased 4.5% from the 2015 amended budget. In the Base Budget Plus Additions Expenditures increased 7.6% from the 2015 amended budget.
- The General Fund budget continues to rely on a transfer from the Host Community Fund. We are trying to reduce the reliance on other funds as they are not sustainable long-term.

The Base Plus Additions levy increase proposed is $1,754,884 which includes:

Base Budget	
$403,800	Personnel
209,500	Allocations
48,600	Other
$661,900	Base Budget Levy Increase
Additions	
$216,100	New Requests (Personnel, Allocations and Other)
200,000	Increase to Pavement Management Funding
25,000	Increase to Park Maintenance and Replacement Funding
$441,100	Additions Levy Increase
$1,103,000	Total Levy Increase for Base Plus Additions
Debt Service	
$651,884	Debt Service Levy Increase
$1,754,884	Total Levy Increase

The first study session regarding the 2016 budget was held on July 27, 2015 and the proposed budget was distributed to the City Council in August and

The following exhibits are included: Exhibit A, 2016 Budget Calendar; Exhibit B, Market Value and Net Tax Capacity Comparisons; Exhibit C, Proposed Tax Levy under the 2015 Base Budget Plus Additions scenario; Exhibit D which calculates the estimated tax rate; and Exhibit F which shows the impact to mean, median and business properties under the Base Plus Additions scenario. Also attached are the Summary pages for each of the funds budgeted.

In addition to approving the resolutions for the 2016 proposed budgets and tax levies the Council also needs to determine the time and place of the regularly scheduled meeting at which the budget and levy will be discussed and the final budget and levy determined. This meeting must be held after 6:00 p.m. between November 25 and December 30. The public must be allowed to speak. We are proposing this be done at the regularly scheduled meeting on December 14, 2015.

We will be discussing these budgets at study session meetings between now and the regularly scheduled public meeting where the budget will be discussed.

Staff recommends setting the regularly scheduled meeting where the budget will be discussed as Monday, December 14, 2015 at 7:00 p.m. and approval of the following resolutions:

- Resolution adopting the proposed 2016 budgets
- Resolution adopting the proposed property tax levy for 2016
- Resolution adopting the proposed watershed management taxing districts' tax levies for 2016

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE PROPOSED 2016 BUDGETS

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS:

The following proposed funds' expense/expenditure budgets for the City of Inver Grove Heights for fiscal year 2016 are hereby approved:

General Fund	$19,686,100
Recreation Fund	634,000
Community Center Fund (excludes Capital)	2,832,900
EDA Fund	85,200
Storm Water Fund	309,800
Storm Water – NWA Fund	0
ADA Fund	36,600
Water Fund	3,019,200
GO Water Rev Ref 2012A Fund	15,500
Water Rev Ref 2012A Fund	42,700
Water Connection Fund	0
Water System Improvement Fund	0
Water – NWA Fund	0
Sewer Fund	3,419,100
GO Sewer Rev 2007C Fund	5,300
Sewer Rev 2010A Fund	213,500
GO Sewer Rev 2014B	108,700
Sewer Connection Fund	0
Sewer – NWA Fund	0
Golf Course Fund	1,644,100
Risk Management Fund	798,600
Central Equipment Fund	2,366,900
Central Stores Fund	91,600
City Facilities Fund	890,200
Technology Fund	700,900

Adopted this 28th day of September, 2015, by the City Council of Inver Grove Heights.

Ayes:
Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser
City Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE PROPOSED TAX LEVY FOR 2016

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS:

There is a proposed tax levied upon taxable property in the City of Inver Grove Heights payable in 2016 for the following purposes in the following amounts:

General Operating Fund		$16,011,500
Bond Retirement:		
MN Armory Building Commission	$19,600	
(Levy of $63,735 less $44,135 of funds available)		
City Share of Special Assessments	235,201	
G.O. Improvement Bonds, 2014B	122,500	
(Levy of $111,269 plus shortfall of $11,231)		
G.O. Improvement Bonds, 20014B	290,000	
(Levy of $322,846 less $32,846 of funds available)		
G.O. Capital Improvement Bonds, 2009A	474,000	
(Levy of $674,000 less transfer from Closed Bond Fund of $200,000)		
G.O. Improvement Bonds, 2010B	110,000	
(Levy of $287,429 less $177,429 of funds available)		
PIR Refunding Bonds, 2010C	46,942	
(Levy of $65,351 less $18,409 of funds available)		
G.O. Improvement Refunding Bonds, 2011A	123,819	
(Levy of $46,500 plus $77,319)		
G.O. Bonds, 2015A	635,388	
Total Bond Retirement		2,057,450
Total Levy		$18,068,950

Adopted this 28th day of September, 2015, by the City Council of Inver Grove Heights.

Ayes:
Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser
City Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION ADOPTING THE PROPOSED WATERSHED MANAGEMENT TAXING DISTRICTS' TAX LEVIES FOR THE YEAR 2016

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS:

There is a proposed special property tax levied upon the taxable property within each of the following respective Watershed Management Taxing Districts (W.M.T.D.) in the City of Inver Grove Heights payable in 2016 for the following purposes in the following amounts:

Bond Retirement

Cuneen Trail W.M.T.D. G.O. Storm Water Refunding Bonds 2012A (Project No. 9501, Arbor Pointe Area Stormwater Pump/Lift) (Levy of $101,745 less $83,545 of available funds)	$18,200
Simley Lake W.M.T.D. G.O. Storm Water Bonds 2010C (Project No. 1993-27, Cahill Ave.) (Levy of $49,253 less $508 of available funds)	$48,745

Adopted this 28th day of September, 2015, by the City Council of Inver Grove Heights.

Ayes:

Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser
City Clerk

Exhibit A

CITY OF INVER GROVE HEIGHTS
2016 BUDGET CALENDAR - Revised 8-18-15

June 1, 2015	Budget Work Session Initial discussion, review/revise calendar, establish direction
July 27, 2015 5:00 p.m. Special Meeting	Budget Work Session Introduction of preliminary 2016 General Fund budget and Presentations of requested budget additions - Fire, Police and Public Works
August 3, 2015	Budget Work Session Presentations of requested budget additions - Parks, Community Development, Administration and Finance
September 8, 2015 (Tuesday)	Budget Work Session Cash balances, fund balances and reserves, Debt Service Handouts - Base Budget Benefited Positions by Department, Base Budget FTE Benefited Positions and Base Budget Hours and FTE Non-Benefited Positions
September 28, 2015	**City Council** **Adopt 2016 Proposed Budgets & Tax Levies**
September 30, 2015	Final Date to Certifity Proposed Tax Levies & Budgets to Dakota County
October 5, 2015	Budget Work Session CIP and Central Equipment replacement Recreation, Community Center, Golf and ADA EDA and TIF Funds
November 2, 2015	Budget Work Session Water, Sewer, Storm Water and Internal Service Funds CIP Final, if no major revisions necessary
Between 11/10 and 11/24	Dakota County mails out Parcel Specific Notices for Budget Meeting
December 7, 2015	Budget Work Session Final review of 2016 budget and tax levy
December 14, 2015	**City Council Truth-in-Taxation Public Hearing** **Adopt Pay 2016 Final Budgets & Tax Levies**
December 30, 2015	**Final Date to Certify Final Tax Levies & Budgets to Dakota County**

Exhibit B

CITY OF INVER GROVE HEIGHTS
2016 BUDGET

MARKET VALUE COMPARISON

	2015	%	2016	%	$ Change	% Change	New Construction	% Change w/o New
Residential	2,214,466,578	73.68%	2,377,246,477	74.64%	162,779,899	7.4%	23,168,400	6.30%
Commercial	312,898,600	10.41%	314,441,400	9.87%	1,542,800	0.5%	1,574,500	-0.01%
Industrial	68,692,700	2.29%	69,676,700	2.19%	984,000	1.4%	1,100,100	-0.17%
Utility	73,583,000	2.45%	73,583,000	2.31%	0	0.0%	0	0.00%
Agricultural	20,625,548	0.69%	21,011,118	0.66%	385,570	1.9%	29,200	1.73%
Rural Vacant	8,727,000	0.29%	8,997,900	0.28%	270,900	3.1%	0	3.10%
Apartments	260,263,300	8.66%	273,601,800	8.59%	13,338,500	5.1%	0	5.13%
Railroads	9,569,400	0.32%	9,569,400	0.30%	0	0.0%	0	0.00%
	2,968,826,126		3,148,127,795		179,301,669	6.0%	25,872,200	5.17%
Personal Prop.	36,690,200	1.22%	36,690,200	1.15%	0	0.0%	0	0.00%
	3,005,516,326	100.00%	3,184,817,995	100.00%	179,301,669	6.0%	25,872,200	5.10%

NET TAX CAPACITY COMPARISON

	2015	%	2016	%	$ Change	% Change	New Construction	% Change w/o New
Residential	22,369,310	62.79%	24,029,439	64.06%	1,660,129	7.4%	264,351	6.24%
Commercial	6,066,251	17.03%	6,097,513	16.26%	31,262	0.5%	32,990	-0.03%
Industrial	1,348,703	3.79%	1,368,383	3.65%	19,680	1.5%	22,002	-0.17%
Utility	1,470,785	4.13%	1,470,785	3.92%	0	0.0%	0	0.00%
Agricultural	186,506	0.52%	190,654	0.51%	4,148	2.2%	638	1.88%
Rural Vacant	78,567	0.22%	81,075	0.22%	2,508	3.2%	0	3.19%
Apartments	3,187,862	8.95%	3,353,568	8.94%	165,706	5.2%	0	5.20%
Railroads	191,388	0.54%	191,388	0.51%	-	0.0%	0	0.00%
	34,899,372		36,782,805		1,883,433	5.4%	319,981	4.48%
Personal Prop.	726,252	2.04%	726,252	1.94%	0	0.0%	0	0.00%
	35,625,624	100.00%	37,509,057	100.00%	1,883,433	5.3%	319,981	4.39%

2015 per Dakota County updated 2/24/15

Exhibit C

CITY OF INVER GROVE HEIGHTS
2016 BUDGET
PROPOSED TAX LEVIES

	2013 Adopted	2014 Adopted	2015 Adopted	2016 Base	2016 Additions	2015 Adopted - 2016 Base+Additions $ Change as Percentage	$ Change
Operating Levies -							
General Tax Levy (subject to Levy Limit)	13,093,012	13,518,400	14,908,500	15,570,400	441,100 *	7.40%	1,103,000
Levy Reductions:							
Community Projects Fund	-	-	-	-	-		
City Facilities Fund	-	-	-	-	-		
Host Community Fund	-	-	-	-	-		
Subtotal Operating Levies	13,093,012	13,518,400	14,908,500	15,570,400	441,100	7.40%	1,103,000
Debt Levies							
326 MN Armory Bldg Comm.	63,735	63,735	63,735	19,600		-69.25%	(44,135)
City Share of Assessments	96,944	127,828	233,023	235,201		0.93%	2,178
346 2006A G.O. Improvement Bonds	-	-	-	-			
101 2007 G.O. Public Safety Revenue	78,908	80,719	-	-			
348 2007A Certificates of Indebtedness	-	-	-	-			
362 2014B G.O. Improvements Bonds	150,000	150,000	150,000	122,500		-18.33%	(27,500)
(Contribution from Closed Bond Fund for Reduction to 2014B Debt Levy)	(65,000)	(65,000)	(27,500)	-		-100.00%	27,500
351 2008B Certificates of Indebtedness	-	-	-	-			
364 2014B G.O. Improvement Bonds	150,000	200,000	250,000	290,000		16.00%	40,000
(Contribution from Closed Bond Fund for Reduction to 2014B Debt Levy)	(65,000)	(65,000)	(27,500)	-		-100.00%	27,500
353 2009A G.O. Capital Improvement Bonds	590,400	600,300	559,800	674,000		20.40%	114,200
(Contribution from Closed Bond Fund for Reduction to 2009A Debt Levy)	(200,000)	(200,000)	(200,000)	(200,000)		0.00%	-
355 2010B G.O. Improvement Bonds	283,044	282,755	172,700	110,000		-36.31%	(62,700)
356 2010C PIR Refunding Bonds	51,303	56,985	56,308	46,942		-16.63%	(9,366)
358 2011A G.O. Improvement Refunding Bonds	170,000	150,000	175,000	123,819		-29.25%	(51,181)
2015A G.O. Bonds	-	-	-	635,388			635,388
Subtotal City-wide Debt Levies	1,304,334	1,382,322	1,405,566	2,057,450	-	46.38%	651,884
City-Wide Levies	**14,397,346**	**14,900,722**	**16,314,066**	**17,627,850**	**441,100**	**10.76%**	**1,754,884**
WMTD Levies						8.05%	base only incr., no additions
357 2010C Storm Water Bonds							
Simley Lake	41,168	44,843	45,683	48,745		6.70%	3,062
360 2012A Storm Water Refunding Bonds							
Cuneen Trail/College Trail	113,295	111,195	109,095	18,200		-83.32%	(90,895)
	154,463	156,038	154,778	66,945	-	-56.75%	(87,833)
Total	14,551,809	15,056,760	16,468,844	17,694,795	441,100	**10.12%**	1,667,051
* Levy Limit Amount	N/A	13,902,322	N/A	N/A	N/A		

Exhibit D

CITY OF INVER GROVE HEIGHTS
2016 BUDGET
COMPARISON OF 2013, 2014, 2015 ACTUALS, AND 2016 ESTIMATED
CITY TAX CAPACITY RATES

	FINAL PAY 2013	FINAL PAY 2014	FINAL PAY 2015	**CONSTANT TAX RATE** Estimated Tax Levy With Change to Levies To Keep Tax **Rate** the Same as 2015 ESTIMATED PAY PAY 2016	**BASE BUDGET** Estimated Tax Levy With Change to Levies To Inlcude the **Base Budget Only** ESTIMATED PAY PAY 2016	**BASE PLUS ADDITIONS** Estimated Tax Levy With Change to Levies **Base Budget Plus Additions** ESTIMATED PAY PAY 2016
TOTAL TAX CAPACITY (1)	$32,565,031	$33,496,932	$35,625,624	$37,509,057	$37,509,057	$37,509,057
LESS: TAX INCREMENT (2)	(1,776,961)	(1,631,509)	(1,870,734)	(1,597,300)	(1,597,300)	(1,597,300)
LESS: FISCAL DISPARITIES CONTRIBUTION VALUE (3)	(3,664,298)	(3,679,163)	(3,757,226)	(3,798,544)	(3,798,544)	(3,798,544)
NET CITY TAX CAPACITY	$27,123,772	$28,186,260	$29,997,664	$32,113,213	$32,113,213	$32,113,213
GROSS CITY-WIDE TAX LEVY	$14,397,346	$14,900,722	$16,314,066	$17,518,610	$17,627,850	$18,068,950
LESS CITY-WIDE FISCAL DISPARITIES DISTRIBUTION (4)	(1,900,473)	(1,919,017)	(1,919,284)	(2,063,774)	(2,063,774)	(2,063,774)
CITY-WIDE TAX LEVY	$12,496,873	$12,981,705	$14,394,782	$15,454,836	$15,564,076	$16,005,176
CITY TAX CAPACITY RATE	0.46312	0.46128	0.48131	**0.48131**	**0.48466**	**0.49840**
RATE INCREASE (DECREASE)	0.04555	-0.00184	0.02003	**0.00000**	**0.00335**	**0.01709**
PERCENT INCREASE (DECREASE) IN RATE	10.91%	-0.40%	4.34%	**0.00%**	**0.70%**	**3.55%**
CHANGE FROM 2015 TAX LEVY				$1,204,544	$1,313,784	$1,754,884

ASSUMPTIONS:
(1) THE ESTIMATE OF TAX CAPACITY FOR 2016 IS DAKOTA COUNTY'S DATA AS OF 2/24/15.
(2) THE TAX INCREMENT INFORMATION IS FROM DAKOTA COUNTY AS OF 4/6/15.
(3) THE FISCAL DISPARITIES INFORMATION IS FROM DAKOTA COUNTY AS OF 8/12/15.
(4) THE FISCAL DISPARITIES INFORMATION IS FROM DAKOTA COUNTY AS OF 8/12/15.

5

CITY OF INVER GROVE HEIGHTS

TAX COMPARISON 2015 VS 2016 CITY TAXES ONLY - BASE BUDGET + ADDITIONS

MEAN

RESIDENTIAL HOMESTEAD VALUE =	$ 232,105
2015 TAXABLE MARKET VALUE =	***$ 214,011***
2015	
Tax Capacity -	
1.00% of $ 214,011 =	2,140
Tax Capacity	2,140
x 2015 Rate	0.48131
2015 City Tax	$1,030.06
RESIDENTIAL HOMESTEAD VALUE =	$ 243,819
5.05% Increase in value	
2016 TAXABLE MARKET VALUE =	***$ 226,744***
2016	
Tax Capacity -	
1.00% $ 226,744 =	2,267
Tax Capacity	2,267
x Est. 2016 Rate	0.49840
Est. 2016 City Tax	$1,130.09
Difference	$100.04
Percent change	9.71%

MEDIAN

RESIDENTIAL HOMESTEAD VALUE =	$ 195,600
2015 TAXABLE MARKET VALUE =	***$ 175,419***
2015	
Tax Capacity -	
1.00% of $ 175,419 =	1,754
Tax Capacity	1,754
x 2015 Rate	0.48131
2015 City Tax	$844.31
RESIDENTIAL HOMESTEAD VALUE =	$ 207,000
5.83% Increase in value	
2016 TAXABLE MARKET VALUE =	***$ 187,954***
2016	
Tax Capacity -	
1.00% of $ 187,954 =	1,880
Tax Capacity	1,880
x Est. 2016 Rate	0.49840
Est. 2016 City Tax	$936.76
Difference	$92.45
Percent change	10.95%

BUSINESS VALUE = $ 583,200	
2015	
Tax Capacity -	
1.5% of 1st $ 150,000 =	2,250
2.0% of $ 433,200 =	8,664
Tax Capacity	10,914
Less Fiscal Disparities	(4,183)
	6,731
x 2015 Rate	0.48131
2015 City Tax	$3,239.70
BUSINESS VALUE = $ 583,200	
No Change in value	
2016	
Tax Capacity -	
1.5% of 1st $ 150,000	2,250
2.0% of $ 433,200	8,664
Tax Capacity	10,914
Less Fiscal Disparities Est.	(4,183)
	6,731
x Est. 2016 Rate	0.49840
Est. 2016 City Tax	$3,354.73
Difference	$115.03
Percent change	3.55%

BUSINESS VALUE = $ 3,080,800	
2015	
Tax Capacity -	
1.5% of 1st $ 150,000 =	2,250
2.0% of $ 2,930,800 =	58,616
Tax Capacity	60,866
Less Fiscal Disparities	(23,328)
	37,538
x 2015 Rate	0.48131
2015 City Tax	$18,067.42
BUSINESS VALUE = $ 3,080,800	
No Change in value	
2016	
Tax Capacity -	
1.5% of 1st $ 150,000	2,250
2.0% of $ 2,930,800	58,616
Tax Capacity	60,866
Less Fiscal Disparities Est.	(23,328)
	37,538
x Est. 2016 Rate	0.49840
Est. 2016 City Tax	$18,708.94
Difference	$641.52
Percent change	3.55%

City of Inver Grove Heights
General Fund Budget Summary
For Fiscal Year 2016

Account Description	Actual 2012	Actual 2013	Actual 2014	2015 Adopted Budget	2015 Amended Budget	2016 Base Budget	2016 Requested Additions	2016 Preliminary Budget	2017 Preliminary Budget
GENERAL FUND REVENUES									
TAX REVENUE	13,624,213	13,212,090	13,610,506	14,918,500	14,918,500	15,580,400	441,100	15,580,400	16,144,500
LICENSES AND PERMITS	750,482	949,138	1,241,654	887,900	887,900	1,147,800	-	1,147,800	1,170,800
INTERGOVERNMENTAL	607,945	613,903	632,978	576,800	576,800	591,800	-	591,800	603,600
CHARGES FOR SERVICES	1,231,719	1,044,032	1,170,675	1,040,500	1,040,500	1,098,500	20,800	1,098,500	1,120,500
FINES & PENALTIES	125,163	148,113	135,382	120,000	120,000	136,200	-	136,200	138,900
MISC. REVENUES	366,759	257,069	308,561	345,900	345,900	339,500	-	339,500	346,300
OTHER SOURCES	1,813,000	815,339	602,000	300,000	300,000	200,000	100,000	200,000	-
TOTAL GENERAL FUND REVENUES	18,519,281	17,039,684	17,701,756	18,189,600	18,189,600	19,094,200	561,900	19,094,200	19,524,600
GENERAL FUND EXPENDITURES									
MAYOR-COUNCIL	147,801	146,463	146,124	143,800	143,800	166,700	-	166,700	169,000
ADMINISTRATION	673,610	662,799	613,983	664,300	664,300	721,900	66,300	721,900	739,000
ELECTIONS	53,144	4,038	46,353	30,000	30,000	54,500	-	54,500	33,800
FINANCE	785,015	807,855	832,259	871,500	871,500	831,000	-	831,000	850,400
COMMUNITY DEVELOPMENT	340,882	333,502	334,904	349,700	349,700	383,400	6,800	383,400	391,000
PLANNING	366,721	305,082	299,355	342,500	358,500	340,300	-	340,300	397,100
INSPECTIONS	534,203	560,671	495,898	522,700	527,300	552,500	45,100	552,500	563,600
POLICE	5,763,637	5,756,217	5,977,786	6,469,600	6,503,000	6,967,800	112,900	6,967,800	7,132,700
FIRE	1,874,519	2,008,745	1,989,207	2,175,600	2,193,600	2,307,000	80,300	2,307,000	2,337,800
PUBLIC WORKS	224,925	251,211	216,345	233,000	233,000	231,700	800	231,700	237,500
ENGINEERING	883,997	885,946	916,827	961,600	980,400	969,400	23,800	969,400	978,800
STREETS	2,178,601	2,098,995	2,379,499	2,465,300	2,465,300	2,560,500	900	2,560,500	2,611,700
STREET LIGHTING	184,620	182,710	154,878	187,200	187,200	187,200	-	187,200	190,900
PARKS	1,631,753	1,567,823	1,677,864	1,790,400	1,803,400	1,867,900	-	1,867,900	1,902,300
CONTINGENCY	23,741	-	-	-	-	-	-	-	-
TRANSFERS	1,915,573	644,532	539,569	982,400	982,400	982,400	225,000	982,400	989,000
TOTAL GENERAL FUND EXPENDITURES	17,582,742	16,216,589	16,620,851	18,189,600	18,293,400	19,124,200	561,900	19,124,200	19,524,600
NET REVENUES OVER EXPENDITURES	936,539	823,095	1,080,905	-	(103,800)	(30,000)	-	(30,000)	-

**In 2012 MVHC was replaced with HMVE and the impact to the city was not passed to taxpayers

***In 2013 the $500,000 transfer in from Host Community Fund (HCF) and the $1,200,000 transfer out to Pavement Management (PMP) were removed. HCF will transfer $500,000 directly to PMP.

City of Inver Grove Heights

Proposed 2016 Budget

Recreation Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Intergovernmental	0	2,200	0	0	0	0	0
Charges For Services	238,770	232,436	242,700	247,000	0	0	251,900
Miscellaneous Revenues	9,507	19,959	11,100	11,100	0	0	11,300
Other Financing Sources	379,100	328,100	331,900	331,900	0	0	383,200
Total Revenue	**627,377**	**582,695**	**585,700**	**590,000**	**0**	**0**	**646,400**
Personnel	378,826	391,561	421,100	438,200	0	0	446,700
Prof/Tech Services	39,666	36,652	36,900	35,000	0	0	35,700
Purch Svcs - Prop/Equip	46,071	51,465	60,400	56,400	0	0	57,500
Other Purchased Services	27,534	28,223	27,300	31,300	0	0	31,900
Supplies	78,691	66,651	73,800	67,500	0	0	68,900
Other Expenses/Expenditures	7,467	5,298	5,000	5,600	0	0	5,700
Total Expense	**578,254**	**579,851**	**624,500**	**634,000**	**0**	**0**	**646,400**
Revenues Over (Under) Expenses			**(38,800)**	**(44,000)**	**0**	**0**	**0**
Increase (Decrease) In Cash			**(38,800)**	**(44,000)**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

Community Center Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Intergovernmental	1,420	9,730	0	0	0	0	0
Charges For Services	2,168,770	2,264,033	2,194,300	2,271,700	0	0	2,317,100
Miscellaneous Revenues	132,095	154,453	130,000	130,200	0	0	132,800
Other Financing Sources	703,918	477,642	1,075,200	431,000	0	0	440,300
Total Revenue	**3,006,203**	**2,905,858**	**3,399,500**	**2,832,900**	**0**	**0**	**2,890,200**
Personnel	1,532,746	1,562,614	1,640,700	1,733,900	0	0	1,769,400
Prof/Tech Services	91,529	14,719	22,200	19,900	0	0	20,300
Purch Svcs - Prop/Equip	731,593	777,965	711,700	732,100	0	0	746,700
Other Purchased Services	94,527	110,188	96,700	95,900	0	0	97,800
Supplies	209,253	214,138	223,700	221,600	0	0	226,000
Other Expenses/Expenditures	25,246	32,198	27,500	27,100	0	0	27,600
Purchases	6,862	5,147	6,000	2,400	0	0	2,400
Capital Outlay	309,746	188,816	671,000	0	0	0	0
Other	1,096	0	0	0	0	0	0
Total Expense	**3,002,596**	**2,905,785**	**3,399,500**	**2,832,900**	**0**	**0**	**2,890,200**
Revenue Over (Under) Expense			**0**	**0**	**0**	**0**	**0**
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

EDA Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(242)	3,565	2,300	0	0	0	0
Intergovernmental	0	640,000	0	0	0	0	0
Other Financing Sources	339,578	337,151	500	500	0	0	500
Total Revenue	**339,336**	**980,717**	**2,800**	**500**	**0**	**0**	**500**
Personnel	19,603	20,194	15,500	16,700	0	0	16,700
Prof/Tech Services	90,215	56,291	33,800	34,500	0	0	34,500
Purch Svcs - Prop/Equip	283	430	500	400	0	0	400
Other Purchased Services	26,105	29,899	34,100	33,600	0	0	33,600
Capital Outlay	180,758	918,702	0	0	0	0	0
Total Expense	**316,964**	**1,025,517**	**83,900**	**85,200**	**0**	**0**	**85,200**
Revenues Over (Under) Expenses			**(81,100)**	**(84,700)**	**0**	**0**	**(85,200)**
Increase (Decrease) In Cash			**(81,100)**	**(84,700)**	**0**	**0**	**(85,200)**

City of Inver Grove Heights

Proposed 2016 Budget

Storm Water Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	286,578	292,170	309,800	309,800	0	0	316,000
Miscellaneous Revenues	0	404	0	0	0	0	0
Other Financing Sources	10,661	0	0	0	0	0	0
Total Revenue	**297,239**	**292,574**	**309,800**	**309,800**	**0**	**0**	**316,000**
Prof/Tech Services	29,369	2,522	65,000	50,000	0	0	51,000
Purch Svcs - Prop/Equip	84,694	22,325	98,200	125,400	0	0	127,900
Other Purchased Services	0	31,515	38,800	36,600	0	0	37,300
Other Expenses/Expenditures	6,881	17,866	97,800	97,800	0	0	99,800
Capital Outlay	0	0	10,000	0	0	0	0
Other	240,839	41,033	0	0	0	0	0
Total Expense	**361,783**	**115,261**	**309,800**	**309,800**	**0**	**0**	**316,000**
Revenues Over (Under) Expenses:			**0**	**0**	**0**	**0**	**0**
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

Storm Water - NWA Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(4,250)	8,159	5,900	6,400	0	0	6,400
Charges For Services	252,558	36,306	306,700	114,200	0	0	118,200
Special Assessments	1,582	1,504	1,400	1,300	0	0	1,300
Other Financing Sources	410,351	0	0	0	0	0	0
Total Revenue	**660,241**	**45,968**	**314,000**	**121,900**	**0**	**0**	**125,900**
Prof/Tech Services	1,027	454	0	0	0	0	0
Other Expenses/Expenditures	0	596	0	0	0	0	0
Other	67,467	0	0	0	0	0	0
Total Expense	**68,493**	**1,050**	**0**	**0**	**0**	**0**	**0**
Revenues Over (Under) Expenses			**314,000**	**121,900**	**0**	**0**	**125,900**
Increase (Decrease) In Cash			**314,000**	**121,900**	**0**	**0**	**125,900**

City of Inver Grove Heights

Proposed 2016 Budget

ADA Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(35)	86	0	0	0	0	0
Other Financing Sources	36,600	41,100	33,800	36,600	0	0	41,800
Total Revenue	**36,565**	**41,186**	**33,800**	**36,600**	**0**	**0**	**41,800**
Purch Svcs - Prop/Equip	13,034	2,066	96,400	36,600	0	0	41,800
Total Expense	**13,034**	**2,066**	**96,400**	**36,600**	**0**	**0**	**41,800**
Revenues Over (Under) Expenses			**33,800**	**36,600**	**0**	**0**	**41,800**
Increase (Decrease) In Cash			**33,800**	**36,600**	**0**	**0**	**41,800**

City of Inver Grove Heights

Proposed 2016 Budget

Water Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(17,792)	134,846	123,000	81,100	0	0	82,700
Special Assessments	3,115	4,373	0	0	0	0	0
Utility Revenues	2,969,350	2,814,478	2,902,600	2,974,100	0	0	3,033,600
Other Financing Sources	377,019	934,850	0	0	0	0	0
Total Revenue	**3,331,692**	**3,888,547**	**3,025,600**	**3,055,200**	**0**	**0**	**3,116,300**
Personnel	451,828	440,918	540,700	581,900	0	0	593,500
Prof/Tech Services	84,260	97,904	87,100	143,300	0	0	146,200
Purch Svcs - Prop/Equip	740,536	1,042,521	763,000	956,900	0	0	976,000
Other Purchased Services	42,806	53,774	44,700	44,100	0	0	45,000
Supplies	103,018	102,988	131,900	132,000	0	0	134,600
Other Expenses/Expenditures	1,092,391	1,095,726	1,144,100	1,148,500	0	0	1,171,500
Costs Of Sales	35,878	14,723	5,200	12,500	0	0	12,500
Total Expense	**2,550,717**	**2,848,554**	**2,716,700**	**3,019,200**	**0**	**0**	**3,079,300**
Revenues Over (Under) Expenses:			**308,900**	**36,000**	**0**	**0**	**37,000**
Additional Cash Outlays:							
HEAVY MACHINERY & EQUIPMENT			120,000	0	0	0	0
COMPUTER HARDWARE			91,200	0	0	0	0
COMPUTER SOFTWARE			19,300	0	0	0	0
OPERATING TRANSFERS OUT			905,700	707,900	0	0	703,800
Increase (Decrease) In Cash			**76,300**	**230,100**	**0**	**0**	**(666,800)**

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City of Inver Grove Heights

Proposed 2016 Budget

GO Water Rev Ref 2012A Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	0	0	0	0	0	0	0
Total Revenue	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Debt Service	2,135	30,356	25,000	15,500	0	0	5,800
Total Expense	**2,135**	**30,356**	**25,000**	**15,500**	**0**	**0**	**5,800**
Revenues Over (Under) Expenses			**(25,000)**	**(15,500)**	**0**	**0**	**(5,800)**
Additional Cash Receipts:							
OPERATING TRANSFERS IN			499,100	504,600	0	0	504,900
Additional Cash Outlays:							
PRINCIPAL PAYMENTS			465,000	480,000	0	0	490,000
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

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City of Inver Grove Heights

Proposed 2016 Budget

Water Rev Ref 2012A Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	1	0	0	0	0	0	0
Total Revenue	**1**	**0**	**0**	**0**	**0**	**0**	**0**
Debt Service	(22,770)	22,734	59,500	42,700	0	0	35,700
Total Expense	**(22,770)**	**22,734**	**59,500**	**42,700**	**0**	**0**	**35,700**
Revenues Over (Under) Expenses			**(59,500)**	**(42,700)**	**0**	**0**	**(35,700)**
Additional Cash Receipts:							
OPERATING TRANSFERS IN			406,600	394,800	0	0	397,800
Additional Cash Outlays:							
PRINCIPAL PAYMENTS			340,000	345,000	0	0	355,000
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

Water Connection Fund Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	81,121	890	4,400	0	0	0	0
Charges For Services	225,910	254,440	83,800	198,000	0	0	203,900
Special Assessments	377	331	0	0	0	0	0
Total Revenue	**307,409**	**255,661**	**88,200**	**198,000**	**0**	**0**	**203,900**
Revenues Over (Under) Expenses			**88,200**	**198,000**	**0**	**0**	**203,900**
Additional Cash Receipts:							
OPERATING TRANSFERS IN			0	0	0	0	0
Additional Cash Outlays:							
OPERATING TRANSFERS OUT			203,300	197,400	0	0	198,900
Increase (Decrease) In Cash			**(115,100)**	**600**	**0**	**0**	**5,000**

City of Inver Grove Heights

Proposed 2016 Budget

Water System Improvem't Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(6,937)	26,030	29,000	30,800	0	0	31,400
Other Financing Sources	1,400,000	0	0	0	0	0	0
Total Revenues	**1,393,063**	**26,030**	**29,000**	**30,800**	**0**	**0**	**31,400**
Revenues Over (Under) Expenses			**29,000**	**30,800**	**0**	**0**	**31,400**
Increase (Decrease) In Cash			**29,000**	**30,800**	**0**	**0**	**31,400**

City of Inver Grove Heights

Proposed 2016 Budget

Water - NWA Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(5,223)	11,244	14,300	9,900	0	0	0
Charges For Services	219,206	109,535	41,400	169,600	0	0	215,900
Special Assessments	7,913	6,594	5,300	4,000	0	0	2,600
Other Financing Sources	0	0	0	0	0	0	0
Total Revenue	**221,895**	**127,373**	**61,000**	**183,500**	**0**	**0**	**218,500**
Prof/Tech Services	1,027	16,023	0	0	0	0	0
Other Expenses/Expenditures	0	15	0	0	0	0	0
Total Expense	**1,027**	**16,038**	**0**	**0**	**0**	**0**	**0**
Revenues Over (Under) Expenses			**61,000**	**0**	**0**	**0**	**0**
Additional Cash Receipts:							
SPECIAL ASSESSMENTS-PRINCIPAL			18,800	18,800	0	0	18,800
BOND PROCEEDS			3,300,000	3,240,300	0	0	2,540,000
Additional Cash Outlays:							
CAPITAL OUTLAY			3,290,700	3,241,000	0	0	2,536,700
OPERATING TRANSFERS OUT			0	0	0	0	0
Increase (Decrease) In Cash			**89,100**	**18,100**	**0**	**0**	**22,100**

City of Inver Grove Heights

Proposed 2016 Budget

Sewer Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(14,515)	97,033	76,000	76,600	0	0	78,100
Utility Revenues	3,016,134	3,052,651	3,104,000	3,211,700	0	0	3,275,900
Other Financing Sources	330,032	272,966	0	0	0	0	0
Total Revenue	**3,331,651**	**3,422,649**	**3,180,000**	**3,288,300**	**0**	**0**	**3,354,000**
Personnel	309,291	290,241	341,000	364,100	0	0	371,100
Prof/Tech Services	695	1,419	300	300	0	0	300
Purch Svcs - Prop/Equip	1,951,957	1,938,369	2,149,000	2,152,800	0	0	2,195,900
Other Purchased Services	5,500	17,695	31,100	30,500	0	0	31,100
Supplies	18,060	31,058	35,800	30,400	0	0	31,000
Other Expenses/Expenditures	850,121	850,967	840,800	841,000	0	0	857,800
Other	15,830	4,926	0	0	0	0	0
Total Expense	**3,151,454**	**3,134,675**	**3,398,000**	**3,419,100**	**0**	**0**	**3,487,200**
Revenues Over (Under) Expenses:			**(218,000)**	**(130,800)**	**0**	**0**	**(133,200)**
Additional Cash Outlays:							
IMPROVEMENTS (NON-BLDG)			0	76,800	0	0	0
Increase (Decrease) In Cash			**385,500**	**543,600**	**0**	**0**	**476,400**

City of Inver Grove Heights

Proposed 2016 Budget

GO Sewer Rev 2007C Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Debt Service	216,942	207,908	202,400	5,300	0	0	0
Total Expense	**216,942**	**207,908**	**202,400**	**5,300**	**0**	**0**	**0**
Revenues Over (Under) Expenses			**(202,400)**	**(5,300)**	**0**	**0**	
Additional Cash Receipts:							
OPERATING TRANSFERS IN			457,400	270,300	0	0	
Additional Cash Outlays:							
PRINCIPAL PAYMENTS			255,000	265,000	0	0	
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	

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City of Inver Grove Heights

Proposed 2016 Budget

GO Sewer Rev 2010A Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Debt Service	224,575	220,542	218,000	213,500	0	0	209,000
Total Expense	**224,575**	**220,542**	**218,000**	**213,500**	**0**	**0**	**209,000**
Revenues Over (Under) Expenses			**(218,000)**	**(213,500)**	**0**	**0**	**(209,000)**
Additional Cash Receipts:							
OPERATING TRANSFERS IN			438,000	438,500	0	0	439,000
Additional Cash Outlays:							
PRINCIPAL PAYMENTS			220,000	225,000	0	0	230,000
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

GO Sewer Rev 2014B Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Other Financing Sources	0	0		0	0	0	0
Total Revenue	**0**	**0**		**0**	**0**	**0**	**0**
Prof/Tech Services	0	49,073		0	0	0	0
Debt Service	0	32,929		108,700	0	0	108,400
Total Expense	**0**	**82,002**		**108,700**	**0**	**0**	**108,400**
Revenues Over (Under) Expenses:				**(117,100)**	**0**	**0**	**(108,400)**
Additional Cash Receipts:							
391 OPERATING TRANSFERS IN				135,300	0	0	425,000
Additional Cash Outlays:							
901 PRINCIPAL PAYMENTS				35,000	0	0	325,000
Increase (Decrease) In Cash				**0**	**0**	**0**	**0**

Budget new in 2016

City of Inver Grove Heights

Proposed 2016 Budget

Sewer Connection Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Miscellaneous Revenues	(3,545)	11,274	8,200	7,900	0	0	8,000
Charges For Services	77,892	70,710	18,700	45,100	0	0	46,500
Special Assessments	532	223	0	0	0	0	0
Total Revenue	**74,879**	**82,207**	**26,900**	**53,000**	**0**	**0**	**54,500**
Other Expenses/Expenditures	0	2,485	0	0	0	0	0
Total Expense	**0**	**2,485**	**0**	**0**	**0**	**0**	**0**
Revenues Over (Under) Expenses:			**26,900**	**53,000**	**0**	**0**	**54,500**
Increase (Decrease) In Cash			**26,900**	**53,000**	**0**	**0**	**54,500**

City of Inver Grove Heights

Proposed 2016 Budget

NWA - Sewer Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	264,479	118,451	67,000	274,700	0	0	354,500
Special Assessments	12,984	10,820	8,700	6,500	0	0	4,300
Other Financing Sources	69,263	0	0	0	0	0	0
Total Revenue	**346,725**	**129,271**	**75,700**	**281,200**	**0**	**0**	**358,800**
Prof/Tech Services	1,027	16,023	0	0	0	0	0
Other Expenses/Expenditures	0	15	0	0	0	0	0
Other	0	0	0	0	0	0	0
Total Expense	**1,027**	**16,038**	**0**	**0**	**0**	**0**	**0**
Revenues Over (Under) Expenses			**75,700**	**281,200**	**0**	**0**	**358,800**
Additional Cash Receipts:							
SPECIAL ASSESSMENTS-PRINCIPAL			30,900	30,900	0	0	30,900
BOND PROCEEDS			3,460,000	2,000,000	0	0	2,510,000
Additional Cash Outlays:							
CAPITAL OUTLAY			3,463,500	2,905,100	0	0	2,513,284
OPERATING TRANSFERS OUT			895,400	860,900	0	0	880,800
Increase (Decrease) In Cash			**(792,300)**	**(1,453,900)**	**0**	**0**	**(494,384)**

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City of Inver Grove Heights

Adopted 2016 Budget

Golf Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	1,402,594	1,414,141	1,552,000	1,602,900	0	0	1,635,000
Miscellaneous Revenues	0	3	0	1,200	0	0	1,200
Other Financing Sources	2,944,091	100,000	100,000	100,000	0	0	100,000
Total Revenue	**4,346,685**	**1,514,145**	**1,652,000**	**1,704,100**	**0**	**0**	**1,736,200**
Personnel	888,599	780,056	885,400	865,900	0	0	855,600
Prof/Tech Services	2,568	1,970	300	800	0	0	800
Purch Svcs - Prop/Equip	84,420	86,581	100,600	100,500	0	0	102,500
Other Purchased Services	91,506	77,002	41,000	49,700	0	0	50,700
Supplies	178,361	165,257	211,400	219,100	0	0	223,500
Other Expenses/Expenditures	303,256	313,750	295,700	266,800	0	0	272,100
Costs Of Sales	104,013	109,534	109,500	140,800	0	0	143,600
Purchases	(747)	5	0	0	0	0	0
Debt Service	1,272	3,089	0	500	0	0	0
Total Expense	**1,653,247**	**1,537,244**	**1,643,900**	**1,644,100**	**0**	**0**	**1,648,800**
Revenue Over (Under) Expense			**8,100**	**60,000**	**0**	**0**	**62,400**
Additional Cash Outlays:							
IMPROVEMENTS (NON-BLDG)			0	50,000	0	0	0
HEAVY MACHINERY & EQUIPMENT			149,000	0	0	0	0
PRINCIPAL ON LEASE			27,700	29,100	0	0	0
INTERFUND LOAN REPAYMENT			75,000	56,800	0	0	30,800
Increase (Decrease) In Cash			**11,100**	**52,100**	**0**	**0**	**31,600**

City of Inver Grove Heights

Proposed 2016 Budget

Risk Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	603,300	713,900	733,600	741,400	0	0	756,200
Miscellaneous Revenues	64,020	73,329	67,300	57,200	0	0	58,500
Total Revenue	**667,320**	**787,229**	**800,900**	**798,600**	**0**	**0**	**814,700**
Personnel	15,840	52,664	16,700	17,400	0	0	17,900
Prof/Tech Services	51,315	15,329	0	0	0	0	0
Purch Svcs - Prop/Equip	0	600	0	0	0	0	0
Other Purchased Services	635,063	666,969	734,200	731,200	0	0	745,800
Other Expenses/Expenditures	57,726	67,982	50,000	50,000	0	0	51,000
Other	78,874	0	0	0	0	0	0
Total Expense	**838,819**	**803,543**	**800,900**	**798,600**	**0**	**0**	**814,700**
Revenue Over (Under) Expense			**0**	**0**	**0**	**0**	**0**
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

Central Equipment Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	2,192,300	2,280,400	2,387,200	2,529,300	0	0	2,579,900
Miscellaneous Revenues	23,350	187,699	115,000	125,300	0	0	127,800
Total Revenue	**2,215,650**	**2,468,099**	**2,502,200**	**2,654,600**	**0**	**0**	**2,707,700**
Personnel	314,950	321,698	341,900	356,000	0	0	363,100
Prof/Tech Services	626	177	300	200	0	0	200
Purch Svcs - Prop/Equip	354,610	351,704	350,500	358,500	0	0	365,700
Other Purchased Services	12,911	9,966	12,200	11,900	0	0	12,100
Supplies	369,269	355,167	415,000	415,000	0	0	423,300
Other Expenses/Expenditures	682,306	696,622	658,800	1,225,300	0	0	1,249,800
Other	1,177,569	202,000	0	0	0	0	0
Total Expense	**2,912,241**	**1,937,334**	**1,778,700**	**2,366,900**	**0**	**0**	**2,414,200**
Revenue (Over) Under Expense			**723,500**	**287,700**	**0**	**0**	**293,500**
Additional Cash Receipts:							
INTERFUND LOAN RECEIPT			70,600	52,400	0	0	30,800
Additional Cash Outlays:							
HEAVY MACHINERY & EQUIPMENT			863,200	0	0	0	0
MOTOR VEHICLES			520,400	0	0	0	0
OTHER EQUIPMENT			9,700	0	0	0	0
INTERFUND LOAN TO GOLF COURSE			149,000	0	0	0	0
Increase (Decrease) In Cash			**(89,400)**	**1,565,400**	**0**	**0**	**1,574,100**

City of Inver Grove Heights

Proposed 2016 Budget

Central Stores Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	82,900	82,500	88,200	86,700	0	0	88,500
Miscellaneous Revenues	(955)	7,359	4,800	4,900	0	0	5,000
Total Revenue	**81,945**	**89,859**	**93,000**	**91,600**	**0**	**0**	**93,500**
Prof/Tech Services	402	0	0	0	0	0	0
Purch Svcs - Prop/Equip	62,985	53,837	63,000	57,600	0	0	58,800
Supplies	27,037	31,232	30,000	34,000	0	0	34,700
Other	78,874	0	0	0	0	0	0
Total Expense	**169,298**	**85,069**	**93,000**	**91,600**	**0**	**0**	**93,500**
Revenue Over (Under) Expense			**0**	**0**	**0**	**0**	**0**
Increase (Decrease) In Cash			**0**	**0**	**0**	**0**	**0**

City of Inver Grove Heights

Proposed 2016 Budget

City Facilities Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	340,900	319,800	352,800	360,500	0	0	367,700
Miscellaneous Revenues	(465)	4,285	5,841	11,000	0	0	11,200
Total Revenue	**340,435**	**324,085**	**358,641**	**371,500**	**0**	**0**	**378,900**
Personnel	71,416	72,671	74,800	77,600	0	0	79,200
Prof/Tech Services	40,834	5,790	4,200	6,000	0	0	6,100
Purch Svcs - Prop/Equip	233,871	221,641	195,300	204,500	0	0	208,600
Other Purchased Services	50,486	82,496	63,700	61,200	0	0	62,400
Supplies	33,866	11,911	17,600	22,200	0	0	22,600
Other Expenses/Expenditures	92,824	92,278	464,200	502,400	0	0	512,400
Capital Outlay	0	0	0	0	0	0	0
Other	14,400	16,191	14,700	16,300	0	0	20,300
Total Expense	**537,696**	**502,977**	**834,500**	**890,200**	**0**	**0**	**911,600**
Revenue Over (Under) Expense			**(478,900)**	**(518,700)**	**0**	**0**	**(532,700)**
Increase (Decrease) In Cash			**(14,700)**	**(16,300)**	**0**	**0**	**(20,300)**

City of Inver Grove Heights

Proposed 2016 Budget

Technology Summary

Account Description	2013 Actual	2014 Actual	2015 Amended Budget	2016 Department Request	2016 City Administrator Recommended	2016 Adopted Budget	2017 Preliminary Budget
Charges For Services	657,500	761,400	746,200	896,900	0	0	914,800
Miscellaneous Revenues	5,773	9,766	5,200	6,900	0	0	7,000
Other Financing Sources	200,000	0	0	0	0	0	0
Total Revenue	**863,273**	**771,166**	**751,400**	**903,800**	**0**	**0**	**921,800**
Personnel	278,931	292,574	304,300	360,300	0	0	324,100
Prof/Tech Services	81,393	92,166	70,100	82,600	0	0	84,300
Purch Svcs - Prop/Equip	15,531	14,284	27,000	29,000	0	0	29,600
Other Purchased Services	74,542	43,526	126,400	146,150	0	0	149,100
Supplies	62,324	97,644	35,200	45,450	0	0	46,400
Other Expenses/Expenditures	92,718	63,822	54,100	37,400	0	0	38,100
Total Expense	**605,439**	**604,015**	**617,100**	**700,900**	**0**	**0**	**671,600**
Revenues Over (Under) Expenses			**134,300**	**202,900**	**0**	**0**	**250,200**
Additional Cash Outlays:							
COMPUTER HARDWARE			35,500	84,500	0	0	0
COMPUTER SOFTWARE			0	100,000	0	0	0
Increase (Decrease) In Cash			**152,900**	**55,800**	**0**	**0**	**250,200**

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AGENDA ITEM 7B

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

ATHLOS ACADEMIES – Case No. 15-23PAZ

Meeting Date:	September 28, 2015		**Fiscal/FTE Impact:**
Item Type:	Regular Agenda	X	None
Contact:	Heather Botten 651.450.2554		Amount included in current budget
Prepared by:	Heather Botten, Associate Planner		Budget amendment requested
Reviewed by:	Planning		FTE included in current complement
	Engineering		New FTE requested – N/A
			Other

PURPOSE/ACTION REQUESTED

Consider the following actions for property located at 9725 S. Robert Trail:

a) a Resolution relating to a **Comprehensive Plan Amendment** to change the land use designation from LI, Light Industrial to P/I, Public/Institutional

- Requires 4/5th's vote.

b) an **Ordinance Amendment** to change the zoning of the parcels from LI, Limited Industry to P, Institutional

- Requires 3/5th's vote.
- 60-day deadline: October 6, 2015 (second 60-days)

BACKGROUND

This item was tabled at the July 27, 2015 and September 14, 2015 City Council meetings for the applicant and the City to discuss payment in lieu of taxes and further review of the accessibility concerns off of South Robert.

ANALYSIS

The City Attorney provided information relating to the payment in lieu of taxes; this information can be found with the next agenda item.

The applicants hired Spack consulting to do a Traffic Impact Study; this report is included for your review. The study reviewed am peak traffic, the school's pm peak traffic, and regular pm peak traffic. With the future 2018 forecasted volumes, the traffic operations at South Robert and the site driveway are expected to have poor results. To improve traffic operations different mitigation measures were recommended such as: signal timing updates at the intersection of South Robert and Diffley, curve advisory sign to slow down traffic on South Robert, provide two outbound lanes from the site driveway onto South Robert, install a right turn line on South Robert into the site driveway and possible police officer control during peak school times.

School representatives and City staff met with MnDOT to review and discuss the traffic study and MnDOT's comments. Included for your review is a letter from MnDOT dated August 20, 2015 summarizing what was discussed at the meeting. MnDOT is requiring a right turn lane into the site. MnDOT is also recommending the City require a left turn lane into the site. Police officer control was also suggested during peak times.

IGH Police Chief commented that they do not offer services such as traffic control for schools during peak times and additionally, it is unsafe to have an officer on a state highway trying to control traffic.

The applicant has agreed to meet the required traffic mitigation suggestions from MnDOT.

The City Engineering Division recommends that the conditions of approval require the applicants follow MnDOT's requirements *and* recommendations. If the rezoning and comprehensive plan amendment are approved this condition is reflected in the major site plan resolution.

Planning Staff recommends **denial** of the requests based on the information provided in the council memo dated July 27, 2015.

Planning Commission recommends **approva**l of the request based on the desire to have reinvestment in the property, additional jobs, and the institutional zoning being an appropriate land use in the neighborhood. (7-2 Gooch and Niemioja)

Attachments: MnDot review letter dated August 20, 2015
Traffic Impact Study, Spack Consulting
Denial Resolution for Comp Plan Amendment and Rezoning
Approval Resolution for the Comp Plan Amendment
Approval Resolution for the Rezoning

Minnesota Department of Transportation
Metropolitan District
Waters Edge Building
1500 County Road B2 West
Roseville, MN 55113

August 20, 2015

Heather Botten
City of Inver Grove Heights
8150 Barbara Ave.
Inver Grove Heights, MN 55077

SUBJECT: Athlos Leadership Academy, MnDOT Review # S15-028 (Follow-Up)
Northwest of MN 3 (S. Robert Trail) and MN 149 (Jefferson Trail W.)
Inver Grove Heights, Dakota County
Control Section 1921

Dear Ms. Botten:

Thank you for the meeting with us on Wednesday, August 19th. This letter is intended as a follow-up to our July 23, 2015 letter and to reflect what was discussed at the meeting.

Safely accommodating a school at the proposed site is a unique challenge due to the terrain, the narrowing of MN 3 (S. Robert Trail) for the railroad overpass, the curvature of the road, limited sight distance, challenges of the existing system to handle bicycle/pedestrian traffic, and the closely spaced access points near the proposed development. Several of these safety issues cannot be completely addressed without prohibitively costly mitigation.

Right Turn Lane into the Site:
MnDOT requires a right hand turn lane on MN 3 (S. Robert Trail) for the driveway leading into the site. Due to the narrowing of the roadway for the railroad, the right turn lane will be well below the standard length of 300 feet, with a 150 foot taper. The traffic impact study states that the right turn into the site should be free flowing and therefore won't back up into the through lanes of traffic on MN 3. MnDOT has concerns that buses may back up traffic onto MN 3 during peak hours due to the length of the buses and the need for buses to slow considerably to navigate through the sharp curve near the driveway MnDOT would like to review turning templates to better understand how much difficulty right turning traffic will encounter with the sharp curve.

Left Turn Lane into the Site:
MnDOT recommends that the City require a dedicated left turn lane on MN 3 (S. Robert Trail) leading into the site. The traffic impact study evaluated both a two way left turn lane and as well as a ¾ access (preventing motorists from turn left out of the site). MnDOT finds that a dedicated left turn lane into the sight would be the safest option.

Turning onto MN 3:
Due to the location of the railroad overpass to the east of the driveway, sight distance from the driveway looking to the east is below MnDOT standards. There are also several closely spaced intersections near the driveway and the average daily traffic volume on this section of MN 3 is 12,500 vehicles per day. Therefore turning left out of the site can be difficult. The traffic study suggested either a ¾'s access, eliminating the left turns out of the site, or using police officers to direct traffic during peak school hours. With a 3/4 access, MnDOT is concerned that motorists will take u-turns in potentially unsafe locations. U-turning traffic impacts at the MN 3 (S. Robert Trail)/County Rd. 30 (Diffley Road) intersection were not studied. MnDOT recommends that the traffic study update the sight distance evaluation with MnDOT's current intersection sight distance standards, and require police officers to direct traffic.

For questions concerning these comments, please contact David Sheen (651-234-7824) in MnDOT Metro District's Traffic Engineering Section.

Pavement Width and Depth:
With the construction of the left turn lane, standard shoulder width on MN 3 will need to be maintained. Additionally, with the construction of both the right and left turn lanes, there will need to adequate pavement depth to allow for the bus traffic.

Bicycle and Pedestrian Traffic:
While MN 3 accommodates bicycle and pedestrian traffic, there are significant safety challenges due to the lack of a shoulder under the railroad bridge and the volume of traffic on MN 3. Mitigation was not identified in the study, but the railroad work necessary to widen under the bridge would likely be cost prohibitive.

Design Layout guidelines:
The improvements on MN 3 needed to accommodate the development will require a MnDOT Level 2 Layout. MnDOT recommends that the design work be completed by a consultant that is experienced working with MnDOT standards and has performed Trunk Highway design.

The following web sites provide layout design guidance and identify layout requirements:

- http://www.dot.state.mn.us/design/geometric/index.html
- On the right side of the above page under "Quick Links", the third bullet (HPDP Geometric Design Resources) directs you to the following page: http://dotapp7.dot.state.mn.us/edms/download?docId=636152

For questions concerning the Level 2 Layout process and timing, please contact Tara McBride, MnDOT Area Engineer at 651-234-7724.

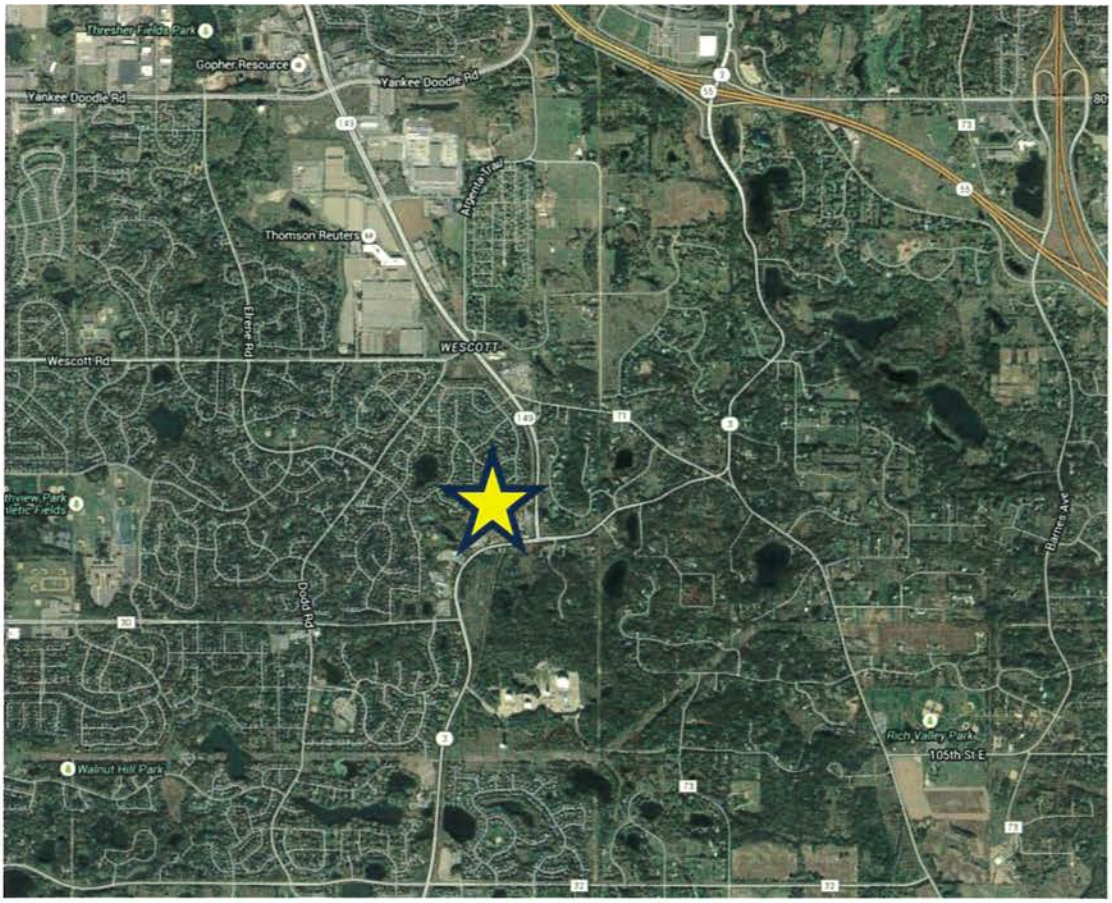
If you have any questions concerning this review, please feel free to contact me at (651) 234-7794.

Sincerely,

Tod Sherman,
Planning Supervisor

Copy sent via E-Mail to:
Jon Solberg, Area Manager
Russell Owen, Metropolitan Council
Tara McBride, Area Engineer
Nancy Jacobson, Design
Bruce Irish, Water Resources
Matt Aguirre, Right-of-Way
David Sheen, Traffic Engineering
Buck Craig, Permits
Tom Kaldunski, City of Inver Grove Heights,tkaldunski@invergroveheights.org
Steve Dodge, City of Inver Grove Heights
Joseph T. Radach, Carlson McCain, Inc. www.carlsonmccain.com

Spack
CONSULTING
THE TRAFFIC STUDY COMPANY



Traffic Impact Study

Athlos Academy
Inver Grove Heights, Minnesota

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

By: _____

Bryant J. Ficek, P.E., P.T.O.E.
License No. 42802

Date: August 11, 2015

Executive Summary

Background: Athlos Academy is proposing to construct a new school north of South Robert Trail and west of Jefferson Trail in Inver Grove Heights, MN. The new charter school will replace a currently vacant building and provide a school for kindergarten through 8th grade students in the southeastern metro area. The purpose of this study is to determine if the proposed elementary school will significantly impact the adjacent transportation system and to recommend appropriate mitigation measures if necessary.

Results: The traffic impacts of the proposed Athlos Academy on the study intersections were analyzed. The following conclusions were drawn from the information and analysis of this study:

- Under the existing conditions and traffic control, the existing intersections operate acceptably overall with the exception of the South Robert Trail/Jefferson Trail intersection in the p.m. peak hour.
- With an estimated 1,250 students, the proposed school is expected to generate 487 new trips during the a.m. peak hour, 303 new trips during the school's p.m. peak hour, and 162 new trips during the p.m. peak hour.
- With the future 2018 forecasted volumes, the traffic operations at the South Robert Trail/Site Driveway in all three peak hours and at the South Robert Trail/Jefferson Trail in the p.m. peak hour are expected to have poor results for the overall intersections.
- With the future 2018 forecasted volumes, the traffic operations at the South Robert Trail/Diffley Road in all three peak hours are expected to have poor results for the eastbound approach.

Recommendations: To improve traffic operations for the study intersections with the addition of the proposed school, the following mitigation is recommended:

- Signal timing updates should be made at the South Robert Trail/Diffley Road intersection once the school is fully operated to ensure the intersection operates acceptably. MnDOT should monitor the signalized intersection for poor operations to determine if/when retiming should occur.
- The South Robert Trail/Jefferson Trail intersection currently meets warrants for a traffic signal. MnDOT should consider this intersection for a traffic control upgrade whether or not Athlos Academy is built.
- A westbound curve advisory sign with a 25 mph advisory speed should be installed on South Robert Trail east of the railroad bridge. Slowing traffic on South Robert Trail will improve safety for vehicles exiting the school driveway.

- Provide two outbound lanes on the southbound approach at the South Robert Trail/Site Driveway intersection. This would allow vehicles turning right out of the site to proceed without needing to wait for left turning traffic.
- Install a westbound right turn lane on South Robert Trail at the Site Driveway intersection in the existing shoulder. This can extend as far back as allowed by the location of the railroad bridge.
- Restripe South Robert Trail, shifting the eastbound through lane onto the existing shoulder, in order to provide a center, two-way left turn lane starting the taper just west of the railroad bridge and extending to the west.
- Provide police officer(s) control to direct traffic at the South Robert Trail/Site Driveway intersection during peak times of school traffic. This would include at the start and end of school, the roadways peak hour as well as any special events held at the school. The police officer control should be implemented for the first two weeks of school and then the police officer should be consulted to refine the amount of time that they are actually needed. It is quite possible they will only be needed for a short period during the a.m. peak hour. This iterated plan should be done at the beginning of each school year until a permanent plan is established after the school is at maximum capacity.
- Safety options should be discussed with the officer and MnDOT. Safety improvement options could include temporary warning signs placed along South Robert Trail to inform drivers of the temporary traffic control change and two officers to allow them to focus on one approach of South Robert Trail traffic only.

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1. Introduction

Athlos Academy is proposing to construct a new school north of South Robert Trail and west of Jefferson Trail in Inver Grove Heights, MN. The new charter school will replace a currently vacant building and provide an alternative school choice for kindergarten through 8th grade students in the southeastern metro area. The purpose of this study is to determine if the proposed school will significantly impact the adjacent transportation system and to recommend appropriate mitigation measures if necessary.

The objectives of this study are to:

i. Document how the existing transportation system around the proposed site currently functions.
ii. Determine how the current transportation system will operate with the addition of traffic from the proposed development.
iii. Recommend appropriate transportation improvements if poor operations are identified as being caused by the addition of the proposed development.

Based on the standard process for Traffic Impact Studies and a review of the intersections that would be most impacted by this proposed development, the following intersections were identified for study in this report:

- South Robert Trail & Diffley Road
- South Robert Trail & Self-Storage Driveway
- South Robert Trail & Site Driveway
- South Robert Trail & Jefferson Trail

2. Proposed Development

The site is located north of South Robert Trail and west of Jefferson Trail next to a self-storage unit facility and across the street from a liquor store. There is a railroad bridge approximately 275 feet east of the proposed site driveway. Figure 1 shows the location of the proposed development.

The one access location to the site is proposed at the same location of the existing driveway to the site. Figure 2 shows the concept plan for the proposed site and its access location.

For the purposes of this report, construction is assumed to be completed in early 2016 with the first full year of occupancy being the 2016-2017 school year. Approximately 1,000 students are expected in the initial year of opening, serving kindergarten through 8th grade. Attendance is expected to ramp up to near capacity within approximately two years of opening. Capacity for the school is proposed to be 1,296 students with an expected maximum attendance slightly lower than that. The analysis detailed in this report is for 1,250 students in the year 2018 which reflects full occupancy.

3. Analysis of Existing Conditions

a. Transportation Network Characteristics

South Robert Trail is designated as an A-Minor Arterial and as Minnesota Trunk Highway 3. It is a two-lane, undivided road with a 45 mph speed limit near the site. Turn lanes are provided on South Robert Trail at the intersections with Jefferson Trail and with Diffley Road.

Jefferson Trail is designated as an A-Minor Arterial and as Minnesota Trunk Highway 149. It is a two-lane, undivided road with a 55 mph speed limit near the site. Jefferson Trail's southern origin is at a tee intersection with South Robert Trail and extends to the north. Left and right turn lanes are provided at some intersections, including with South Robert Trail.

Diffley Road is designated as a B-Minor Arterial and as Dakota County State Aid Highway 30. It is a two-lane, undivided road with a 45 mph speed limit near the site. Diffley Road terminates at a tee intersection with South Robert Trail and extends to the west. Left and right turn lanes are provided at some intersections, including with South Robert Trail. This intersection is also provided with the turn lanes and traffic signal infrastructure needed to extend Diffley Road to the east. No plans for this extension are currently underway.

The South Robert Trail intersections with Jefferson Trail, the Self-Storage Driveway and the Site Driveway are all under side-street stop control with South Robert Trail free-flowing. The South Robert Trail/Diffley Road intersection is controlled by a traffic signal. Exclusive turn lanes are provided for all existing approaches at the South Robert Trail intersections with Jefferson Trail and Diffley Road. No turn lanes are provided at the Self-Storage Driveway or Site Driveway intersections. As mentioned, the South Robert Trail/Diffley Road intersection is currently prepared for the easy addition of a fourth leg if Diffley Road were extended east. However, since this intersection is currently operating as a tee intersection and the County has no plans to extend the road at this time, the intersection is modeled with three legs in this analysis. The existing traffic control and travel lanes are shown in Figure 3 in the Appendix for each study intersection.

The study area is not currently served by regular transit routes and there are no sidewalks near the site except for on the north side of Diffley Road.

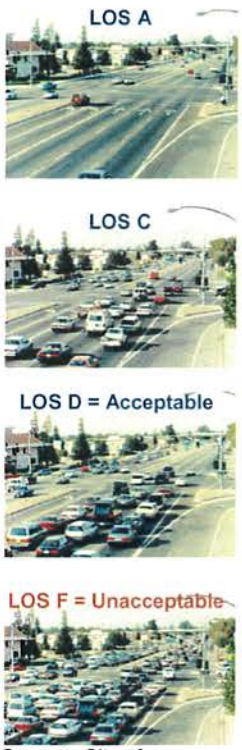
b. Traffic Volumes

Intersection video was collected at the study intersections over two days under normal weekday conditions in July 2015. Using these videos, 13-hour turning movement counts were conducted at the study intersections on two consecutive days. The volumes for the two days were averaged and a Minnesota Department of Transportation (MnDOT) seasonal adjustment

factor was applied to provide the turning movement counts used in this analysis.

From these counts, it was determined that the a.m. peak hour is from 7:15 to 8:15 a.m. and the p.m. peak hour is from 4:45 to 5:45 p.m. at each intersection. The a.m. peak hour coincides with the general school start times. Based on the school times of the Athlos Academy in Brooklyn Park, the school p.m. peak hour is from 3:00 to 4:00 p.m. The factored peak hour turning movement volumes at this intersection are shown in the attached capacity analysis section for each study scenario. The raw turning movement count data contained in fifteen minute intervals is included in the Appendix.

c. Intersection Level of Service



Source: City of San Jose, CA

An intersection capacity analysis was then conducted for the existing intersection per the *Highway Capacity Manual, 2010*. Intersections are assigned a "Level of Service" letter grade for the peak hour of traffic based on the number of lanes, traffic volumes, and traffic control. Level of Service A (LOS A) represents light traffic flow (free flow conditions) while LOS F represents heavy traffic flow (over capacity conditions). LOS D at intersections is typically considered acceptable by most government agencies. Individual movements are also assigned LOS grades. At busy intersections, one or more individual movements typically operate at LOS F when the overall intersection is operating acceptably at LOS D or better. This is particularly true for side-street stop control intersections during the peak hours. The mainline may operate acceptably while the side-street does not have sufficient gaps in mainline traffic for an acceptable grade. The pictures on the left represent some of the LOS grades (from a signal controlled intersection in San Jose, CA). These LOS grades represent the overall intersection operation, not individual movements.

The existing peak hour turning movement volumes from the Appendix were used in these LOS calculations. The LOS calculations were completed with the Vistro software package, which uses the methodology detailed in the *Highway Capacity Manual 2010*. Signal timings at the South Robert Trail/Diffley Road intersection were provided by MnDOT. A summary of the LOS results for the existing study peak hours, based on the existing traffic control and lane configurations, is shown in Table 1. Full results, including grades for each individual movement, are included in the Appendix.

Table 1 – Existing Peak Hour Level of Service Results

Intersection	AM Peak Hour[1]	School PM Peak Hour[1]	PM Peak Hour[1]
S Robert Tr/Diffley Rd	C (e)	C (e)	C (e)
S Robert Tr/Storage Driveway	A (a)	A (c)	A (e)
S Robert Tr/Site Driveway	A (a)	A (c)	A (b)
S Robert Tr/Jefferson Tr	A (f)	A (c)	**E (f)**

[1]The first letter is the Level of Service for the intersection. The second letter (in parentheses) is the Level of Service for the worst operating movement.

As shown in Table 1, most of the study intersections operate at an overall acceptable LOS C or better. The one exception is the South Robert Trail/Jefferson Trail intersection operating at LOS E during the p.m. peak hour. This result is due to the large amount of westbound through traffic on South Robert Trail causing delays for the southbound right turn movement on Jefferson Trail. These vehicles turning right from Jefferson Trail experience some delays with the 95th percentile queue length at approximately 19 vehicles long. All other movements at this intersection operate at LOS D or better in the p.m. peak hour.

In addition to this, there are several individual movements at the study intersections that operate at LOS E or F. At the South Robert Trail/Diffley Road intersection, the eastbound approach operates at LOS E in all three scenarios. This is likely due to the long cycle lengths that give most of the green time to South Robert Trail. The 95th percentile queues for the eastbound approach are longest in the a.m. peak hour at approximately 11 vehicles.

The other two LOS E or F results are at the South Robert Trail/Jefferson Trail intersection in the a.m. peak hour and the South Robert Trail/Self-Storage Driveway in the p.m. peak hour. Both results suggest a lack of gaps on South Robert Trail, although there are few vehicles making those side-street movements. Southbound left turns from Jefferson Trail during the a.m. peak hour, operating at LOS F, has only one vehicle in that hour. Similarly northbound left turns from the Self-Storage Driveway during the p.m. peak hour, operating at LOS E, has only saw seven vehicles in that hour.

Overall, the existing intersection geometry and control is sufficiently serving the amount of vehicles today with the exception of the South Robert Trail/Jefferson Trail intersection in the p.m. peak hour. It should also be noted that less-than-desired operations (LOS E or LOS F) for individual side-street movements at a stop sign are routinely found in the Twin Cities during the peak periods.

4. Projected Traffic

a. Site Traffic Forecasting

To establish the trip generation expected for the proposed site, information about the proposed school was provided by Athlos. The 1,250 students were translated into peak hour traffic assuming:

- 15% drop-off/pick-up rate by parents with 1.1 students per vehicle
- 28 buses for transit transportation
- 100 teacher, administrative and other support staff with 10% carpooling

To compare the traffic based on the above assumptions, the methods and rates from the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition*, were also consulted. ITE Land Use Code 520, Elementary School, provides average traffic rates for schools based upon studies across the nation. Table 2 shows the peak hour traffic generation for the proposed school using the School-supplied information and ITE rates. As shown, the School-supplied information provides a slightly lower estimate of traffic. This lower traffic estimate is based on data from the other Athlos Academy site in Brooklyn Park which shows a higher rate of transit use than found in national ITE studies. Since the School-supplied trip generation is based upon local Athlos data which is more reliable than the aggregated historical ITE data, the School-supplied trip generation is used in this report's analyses.

Table 2 – Proposed Site Trip Generation

1,250 Students plus Staff	School-Supplied Information[1]	ITE Rates[2]
AM Peak Hour	487	563
School PM Peak Hour	303	350
PM Peak Hour	162	188

[1] Traffic based on assumptions provided by Athlos.
[2] Traffic based on ITE Trip Generation rates for land use 520, Elementary School.

A trip distribution pattern was developed based on existing traffic, site access, area population and access to the regional transportation system. That pattern is:

- 25% to/from the south on South Robert Trail
- 30% to/from the west on Diffley Road
- 20% to/from the north on Jefferson Trail
- 25% to/from the east on South Robert Trail

Traffic generated by the site development was assigned to the area roadways per this distribution pattern.

b. Non-Site Traffic Forecasting

Non-site traffic accounts for growth due to specific and/or non-specific development in the study area. The 20-year growth factor for Dakota County, as provided by MnDOT State Aid, is 1.6, which represents about 2.4 percent per year compounded growth. Using this approximate growth rate, the existing traffic volumes were increased by seven percent for the year 2018 to account for non-site forecasting.

c. Total Traffic

Traffic forecasts were developed by first increasing the existing traffic as detailed for non-site traffic and then adding the traffic generated by the proposed development. The resultant peak hour forecasts are shown in the Appendix under the capacity analysis section for each scenario.

5. Analysis of Future Conditions

a. Level of Service Analysis

The forecasted turning movement volumes for the future year 2018 were used to re-analyze the study intersections. For this analysis, it is assumed the site driveway will operate as a full movement side street stop sign controlled intersection as it currently exists. As before, the LOS calculations were done in accordance with the *2010 Highway Capacity Manual* using the Vistro software. Tables 3 shows the summary of the results with the complete LOS calculations in the Appendix.

Table 3 – 2018 Peak Hour Level of Service Results

Intersection	AM Peak Hour[1]	School PM Peak Hour[1]	PM Peak Hour[1]
S Robert Tr/Diffley Rd	D (f)	C (e)	D (f)
S Robert Tr/Storage Driveway	A (a)	A (e)	A (f)
S Robert Tr/Site Driveway	**F (f)**	**F (f)**	**F (f)**
S Robert Tr/Jefferson Tr	A (f)	A (d)	**F (f)**

[1]The first letter is the Level of Service for the intersection. The second letter (in parentheses) is the Level of Service for the worst operating movement.

As shown in Table 3, multiple intersections and movements are forecast to operate at LOS E or F with the addition of the school traffic in the year 2018.

The South Robert Trail/Diffley Road intersection is forecast to operate at LOS D or better overall, but with the eastbound approach movements at LOS E and F in the different scenarios.

The South Robert Trail/Self-Storage Driveway in the p.m. peak hour Build scenario is forecast to have the northbound left turn movement operate at LOS F. However, with less than 10 vehicles forecast to make this movement, mitigation would not be cost-effective and is not considered further for this

report. This same situation applies to the LOS E at this intersection in the School p.m. peak hour.

Similar to the existing scenarios, the southbound approach at the South Robert Trail/Jefferson Trail intersection is forecast to experience high delays in some of the future scenarios. The LOS F in the a.m. peak hour refers to the southbound left turn which is forecast to be less than five vehicles. The entire intersection is forecast to be at LOS F in the p.m. peak hour Build scenario. This is a result of the southbound left and right turning movements which experience high delays due to the large volumes of free-flow traffic on South Robert Trail at the intersection. The southbound left turn volume is forecast to be not much more than 10 vehicles in the p.m. peak hour, but there are forecast to be nearly 700 southbound right turning vehicles. The 95th percentile queue length for these right turns is forecast to be approximately 31 vehicles long.

Table 3 shows that the South Robert Trail/Site Driveway intersection is forecast to operate at LOS F in all of the Build scenarios. The worst operating approach for all of these is the southbound approach, aka traffic exiting the school. Delay times are in the hundreds of seconds per vehicle for southbound traffic with 95th percentile queue lengths of 52, 26 and 15 vehicles long for the a.m., School p.m. and p.m. peak hours, respectively. The eastbound and westbound approaches operate with little delay, but with large amounts of traffic turning into the school access from the busy South Robert Trail, some significant queueing is forecast to occur. The 95th percentile queue length for the eastbound traffic in the a.m. peak hour is 75 vehicles long and for the westbound p.m. peak hour traffic it is 37 vehicles long. These results show that mitigation is needed at the South Robert Trail/Site Driveway intersection.

b. Mitigation Options – Diffley Road Intersection

As discussed, the eastbound approach at the South Robert Trail/Diffley Road intersection is forecast to operate at LOS E or F in the future scenarios. The overall intersection is forecast to operate at an acceptable LOS D. Changes in signal timing could improve the operations at this intersection, such as:

- Adjusting the cycle length to reduce the overall cycle length
- Adjusting the phasing time to provide more green time to the eastbound approach
- Changing the northbound left turn to protected/permissive phasing, which would allow shifting some green time to the eastbound approach

One or more of these signal adjustments would reduce the delays and improve the levels of service. This intersection is under MnDOT's jurisdiction so any signal timing changes would need to be discussed with and implemented by MnDOT.

c. Mitigation Options – Jefferson Trail Intersection

Due to the poor operations of the southbound movements at the South Robert Trail/Jefferson Trail intersection during peak times, a warrant analysis for a signal was done for the intersection with the existing volumes. The intersection meets the peak-hour warrant, the four-hour warrant and one of the eight-hour warrants for a signal. Because of this, MnDOT should consider this intersection for a traffic control upgrade whether or not Athlos Academy is built. Results from the warrant analysis can be seen in the Appendix.

d. Mitigation Options – Site Driveway Intersection

Due to the unique location of the site driveway with regard to it being on a high volume commuter route with several other driveways closely spaced nearby and a railroad bridge limiting sight distance, several different mitigation measures were analyzed to find the best solution for all traffic at the South Robert Trail/Site Driveway intersection. Those mitigation measures are:

- Add turn lanes to intersection
- Stagger the schools start and end times to spread out the arrival and departure times of vehicles to the site plus the added turn lanes
- Have a police officer direct traffic at the intersection with the added turn lanes
- Convert the southbound approach on the driveway to a right-out only making the intersection operate essentially as a 3/4 intersection with added turn lanes

Added Turn Lanes

The initial analysis with the results shown in Table 3 analyzed the Site Driveway intersection under existing characteristics with no turn lanes. While space is limited in this area with the narrow railroad bridge not too far east of the intersection, some turn lanes could be added to South Robert Trail through restriping and use of the existing shoulders. It is also recommended that there be two southbound lanes coming out of the school to separate right and left turning traffic.

With the shoulder on the north side of South Robert Trail being about 11 feet wide, a westbound right turn lane to the site access could be striped on the existing pavement that extends approximately 150 back from the intersection. A short taper to this turn lane could start just after the railroad bridge.

The shoulder on the south side of South Robert Trail varies from 10-13 feet wide. To accommodate left turning traffic into the site without blocking mainline traffic, a left turn lane could be striped down the middle of the road and the eastbound through lane could be moved to the existing shoulder pavement. This left turn lane could be striped as a two-way left turn lane thereby providing improved access to the school as well as to the other

businesses and their nearby driveways. Figure 4 in the Appendix shows a concept of these turn lanes.

Capacity analyses were re-run for the South Robert Trail/Site Driveway intersection for each of the three Build scenarios with these added turn lanes. Table 4 shows the summary of these results with the complete LOS calculations in the Appendix.

Table 4 – 2018 Peak Hour LOS Results w/ Turn Lanes

Intersection	AM Peak Hour[1]	School PM Peak Hour[1]	PM Peak Hour[1]
S Robert Tr/Site Driveway -Turn Lanes	F (f)	D (f)	C (f)

[1]The first letter is the Level of Service for the intersection. The second letter (in parentheses) is the Level of Service for the worst operating movement.

Table 4 shows that with the addition of the turn lanes, the operations improve in both p.m. peak hours. However, the southbound left turns are still at LOS F in all scenarios with delays of several minutes or more per vehicle. The southbound 95th percentile queues at the intersection are forecast to be 22 vehicles in the a.m. peak hour, ten vehicles in the School p.m. peak hour and seven vehicles in the p.m. peak hour.

This amount of delay for so many exiting vehicles in the a.m. peak hour would likely lead to potential safety issues as drivers exiting the site start taking chances rather than wait for appropriate gaps in traffic to turn onto South Robert Trail. Drivers could also decide to complete a right turn movement onto South Robert Trail and then perform a u-turn at another private driveway or the intersection with Diffley Road. These u-turn movements would also be a safety concern.

Staggered School Times plus Added Turn Lanes

In addition to providing turn lanes, Athlos Academy could stagger their starting and ending times in such a way that not all traffic for the school will be entering and exiting at the same time. For example, if the elementary grades started and ended 60 minutes after the middle school grades, then certain staff and parents for the different age groups could come at different times to the school.

A capacity analysis of this staggered times option was run for the South Robert Trail/Site Driveway intersection for each of the three Build scenarios with the added turn lanes previously mentioned. The trip generation was reduced by 50 percent to reflect staggered start and end times for each scenario. Table 5 shows the summary of these results with the complete LOS calculations in the Appendix.

Table 5 – 2018 Peak Hour LOS Results w/Staggered Times & Turn Lanes

Intersection	AM Peak Hour[1]	School PM Peak Hour[1]	PM Peak Hour[1]
S Robert Tr/Site Driveway -Turn Lanes and Staggered Times	D (f)	A (e)	A (f)

[1]The first letter is the Level of Service for the intersection. The second letter (in parentheses) is the Level of Service for the worst operating movement.

Table 5 shows that with the lowered trip generation caused by a staggered start time, the overall intersection is forecast to operate acceptably in the future scenarios. The southbound left turns are still forecast to be at LOS E or F with 95th percentile queue lengths forecast at approximately nine, two and three vehicles for the a.m., school p.m. and p.m. peaks, respectively. While the delays do improve with less vehicles going to/from the site, the average vehicle delay is still several minutes long in the a.m. and p.m. peak hours. As mentioned with the Turn Lanes Scenarios, the long delays in the a.m. peak hour would be a safety concern due to drivers attempting to turn left without waiting for an appropriate gap in traffic and/or turning right then completing a u-turn on South Robert Trail.

Police Officer Directing Traffic plus Added Turn Lanes

Having considered additional turn lanes and a reduction in trip generation, the traffic control at the intersection was re-evaluated. Since the school generated traffic is concentrated in short peaks during an average day and only for only about two thirds of the year, the intersection is not a candidate for all-way stop or traffic signal installation per MnDOT's policy requiring high traffic volumes for at least eight hours per weekday.

Alternatively, many schools hire off-duty police officer(s) to direct traffic during peak times. This could be an option for this site that would allow traffic to safely enter and exit the site without negatively impacting traffic on the main line during the other non-peak periods. Modeling a traffic signal is representative of how the intersection would operate with a police officer directing traffic. Table 6 shows the summary of these results with the complete LOS calculations in the Appendix. These results were generated with no reduction in trip generation. Re-running the capacity analysis with a traffic signal to represent a police officer directing traffic brings all movements to acceptable LOS.

Table 6 – 2018 Peak Hour LOS Results w/ Officer & Turn Lanes

Intersection	AM Peak Hour[1]	School PM Peak Hour[1]	PM Peak Hour[1]
S Robert Tr/Site Driveway -Turn Lanes and Officer Directing Traffic	C (c)	B (c)	D (d)

[1]The first letter is the Level of Service for the intersection. The second letter (in parentheses) is the Level of Service for the worst operating movement.

Due to high volumes and a 45 mph speed limit, South Robert Trail is not an ideal place for an officer directing traffic. If a police officer is used to direct traffic, options to improve their safety are recommended. Such options could include temporary warning signs placed along South Robert Trail to inform drivers of the temporary traffic control change when an officer is controlling traffic and/or using two officers to allow each to focus on one South Robert Trail approach. Discussions regarding safety should occur with the officer(s) and with MnDOT if this option is used.

3/4 Intersection plus Added Turn Lanes

A final option for the site access is to restrict turns at the South Robert Trail/Site Driveway location. The most dangerous movement at stop controlled intersections is the side-street left turn; the southbound left turn movement in this case. Prohibiting this movement and requiring all vehicles exiting the school to make right turns would help intersection operations while still permitting vehicles to turn into the proposed school from all directions. This would essentially create a 3/4 intersection at the site driveway. A capacity analysis of this 3/4 option was run for the South Robert Trail/Site Driveway intersection for each of the three Build scenarios. The entering left turn lane and right turn lane were also included in this analysis. Table 7 shows the summary of these results with the complete LOS calculations in the Appendix. These results were generated with no reduction in trip generation.

Table 7 – 2018 Peak Hour LOS Results w/ 3/4 Intersection & Turn Lanes

Intersection	AM Peak Hour[1]	School PM Peak Hour[1]	PM Peak Hour[1]
S Robert Tr/Site Driveway -Turn Lanes and 3/4 Intersection	A (b)	A (d)	A (f)

[1]The first letter is the Level of Service for the intersection. The second letter (in parentheses) is the Level of Service for the worst operating movement.

Prohibiting southbound left turns out of the school onto South Robert Trail allows the intersection to operate at LOS D or better in all scenarios with the exception of the southbound right turns in the p.m. peak hour. This movement is forecast to have approximately 52 seconds of delay per vehicle with a 95th percentile queue of less than five vehicles. These results show that a 3/4 intersection would provide reasonable operations at the South Robert Trail/Site Driveway intersection.

In order to properly implement a 3/4 intersection and ensure driver compliance, physical barriers are necessary to prevent the southbound left turn movement out of the school site. The exiting site driveway southbound lane should have a concrete channel built physically forcing drivers to the right. Pylons should also be installed along the two-way left turn lane lines on South Robert Trail to further reinforce the left turn prohibition.

Despite these improvements to enforce a 3/4-access intersection, drivers may decide to turn right onto South Robert Trail and then immediately complete a u-turn movements using the liquor store driveway access or other access points west of the site driveway. These types of movements may cause safety issues along the road as well as resulting in unwanted activity on private property. These safety concerns may be mitigated through service announcements by Athlos Academy to staff and parents informing drivers of the safety concerns and of alternative routes to use.

e. Response to MnDOT's Comments

In MnDOT's July 23, 2015 letter reviewing the proposed site plan for Athlos Academy, five issues about traffic safety arose. Those issues are addressed individually here.

1 – Due to the location of the railroad bridge, a right turn lane into the site would not be long enough to accommodate site traffic causing turning vehicles to spill beyond the turn lane and block main line traffic on South Robert Street.

The available distance between the existing site driveway and the railroad bridge could provide a 150-foot right turn lane with a short taper. Assuming a proper design of the site driveway, the right turning traffic would have no need to stop before turning into the site. The capacity analysis also shows an acceptable LOS with little to no delay for this movement. Given the results of the analysis and the availability of an adequate right turn lane length, it is unlikely westbound South Robert Street main line traffic would be blocked by the proposed school operations.

2 – Sight distance may be an issue at the proposed driveway location.

Sight distance for vehicles exiting the school and turning onto South Robert Trail could pose an issue. With a railroad bridge approximately 300 feet east of the intersection, sight distance is limited beyond that narrow overpass. MnDOT's *Road Design Manual* section 5-2.02 shows intersection sight distances needed for a vehicle at a stop sign to turn onto or cross a highway. For a 45 mph road such as South Robert Trail a vehicle stopped on a side street would need approximately 800 feet to be able to make a right or left turn without being overtaken by traffic on the main road. Currently, for a stopped vehicle facing south on the site access, there is sufficient sight distance looking to the west, but with approximately 300 feet between the proposed site driveway and railroad bridge to the east, there is not sufficient intersection sight distance to the east safely turn onto South Robert Trail.

A speed limit of 25 mph would only require approximately 300 feet of sight distance for a stopped vehicle. Putting a curve advisory sign with an advisory speed limit of 25 mph east of the railroad bridge for westbound traffic could aid in reducing the concerns with limited sight distance.

Also, if the recommendation of using a police officer to direct traffic during peak school traffic times is followed, then the intersection would act more like a signalized intersection therefore eliminating this issue during peak school traffic periods.

3 – Motorists turning left out of the site may have difficulty finding an adequate gap in traffic to safely make their maneuver.

The capacity analysis completed for this report does show high delays and long queues due to a lack of adequate gaps with the existing conditions at the site driveway. However, several mitigation options are available to reduce the delay and improve operations, including:

- Providing turn lanes
- Staggering start and end times
- Providing officer control during the peak periods
- Restricting the southbound left turn movement

Police officer control, in particular, provides acceptable operations during the peak periods.

4 – A lane for through traffic to bypass motorists turning left into the site will have safety issues due to the location of the access points to the liquor store across the street.

Rather than a bypass lane, the existing pavement width appears sufficient to support a two-way left turn lane striped down the middle of South Robert Trail. The taper to the two-way left turn lane could begin just beyond the railroad bridge and continue into the existing left turn lane at the Diffley Road intersection. This turn lane would be utilized by the school, the storage facility and the liquor store.

The improved capacity and safety of the center, two-way left turn lane would be slightly offset by the elimination of most of the shoulder on South Robert Trail.

5 – There are several closely spaced access points near the proposed Athlos Leadership Academy driveway. These closely spaced conflict points poise a safety issue and are inconsistent with MnDOT's Access Management Manual.

In MnDOT's *Access Management Manual*, Figure 3.27 lists that for a 45 mph road, high volume driveways in a rural or urban/urbanizing area

should have a minimum of 360 feet of spacing between them. With the storage facility and proposed school site access approximately 110 feet apart, edge-to-edge, this is significantly less than recommended.

However, the less-than-desired distance between accesses is offset by low volumes associated with the storage facility and traffic concentrated into two or three peaks, and only about 2/3 of the year, for the proposed school. Thus, there is little overlap between the two sites. It should also be noted Athlos Academy is proposing to use the existing driveway, which does not change the current situation.

6. Conclusions and Recommendations

The traffic impacts of the proposed Athlos Academy on the study intersections were analyzed. The following conclusions were drawn from the information and analysis of this study:

- Under the existing conditions and traffic control, the existing intersections operate acceptably overall with the exception of the South Robert Trail/Jefferson Trail intersection in the p.m. peak hour.
- With an estimated 1,250 students, the proposed school is expected to generate 487 new trips during the a.m. peak hour, 303 new trips during the school's p.m. peak hour, and 162 new trips during the p.m. peak hour.
- With the future 2018 forecasted volumes, the traffic operations at the South Robert Trail/Site Driveway in all three peak hours and at the South Robert Trail/Jefferson Trail in the p.m. peak hour are expected to have poor results for the overall intersections.
- With the future 2018 forecasted volumes, the traffic operations at the South Robert Trail/Diffley Road in all three peak hours are expected to have poor results for the eastbound approach.

To improve traffic operations for the study intersections with the addition of the proposed school, the following mitigation is recommended:

- Signal timing updates should be made at the South Robert Trail/Diffley Road intersection once the school is fully operated to ensure the intersection operates acceptably. MnDOT should monitor the signalized intersection for poor operations to determine if/when retiming should occur.
- The South Robert Trail/Jefferson Trail intersection currently meets warrants for a traffic signal. MnDOT should consider this intersection for a traffic control upgrade whether or not Athlos Academy is built.
- A westbound curve advisory sign with a 25 mph advisory speed should be installed on South Robert Trail east of the railroad bridge. Slowing traffic on South Robert Trail will improve safety for vehicles exiting the school driveway.

- Provide two outbound lanes on the southbound approach at the South Robert Trail/Site Driveway intersection. This would allow vehicles turning right out of the site to proceed without needing to wait for left turning traffic.
- Install a westbound right turn lane on South Robert Trail at the Site Driveway intersection in the existing shoulder. This can extend as far back as allowed by the location of the railroad bridge.
- Restripe South Robert Trail, shifting the eastbound through lane onto the existing shoulder, in order to provide a center, two-way left turn lane starting the taper just west of the railroad bridge and extending to the west.
- Provide police officer(s) control to direct traffic at the South Robert Trail/Site Driveway intersection during peak times of school traffic. This would include at the start and end of school, the roadways peak hour as well as any special events held at the school. The police officer control should be implemented for the first two weeks of school and then the police officer should be consulted to refine the amount of time that they are actually needed. It is quite possible they will only be needed for a short period during the a.m. peak hour. This iterated plan should be done at the beginning of each school year until a permanent plan is established after the school is at maximum capacity.
- Safety options should be discussed with the officer and MnDOT. Safety improvement options could include temporary warning signs placed along South Robert Trail to inform drivers of the temporary traffic control change and two officers to allow them to focus on one approach of South Robert Trail traffic only.

7. Appendix

a. Figures 1-4

b. Traffic Counts

c. Capacity Analysis Backup

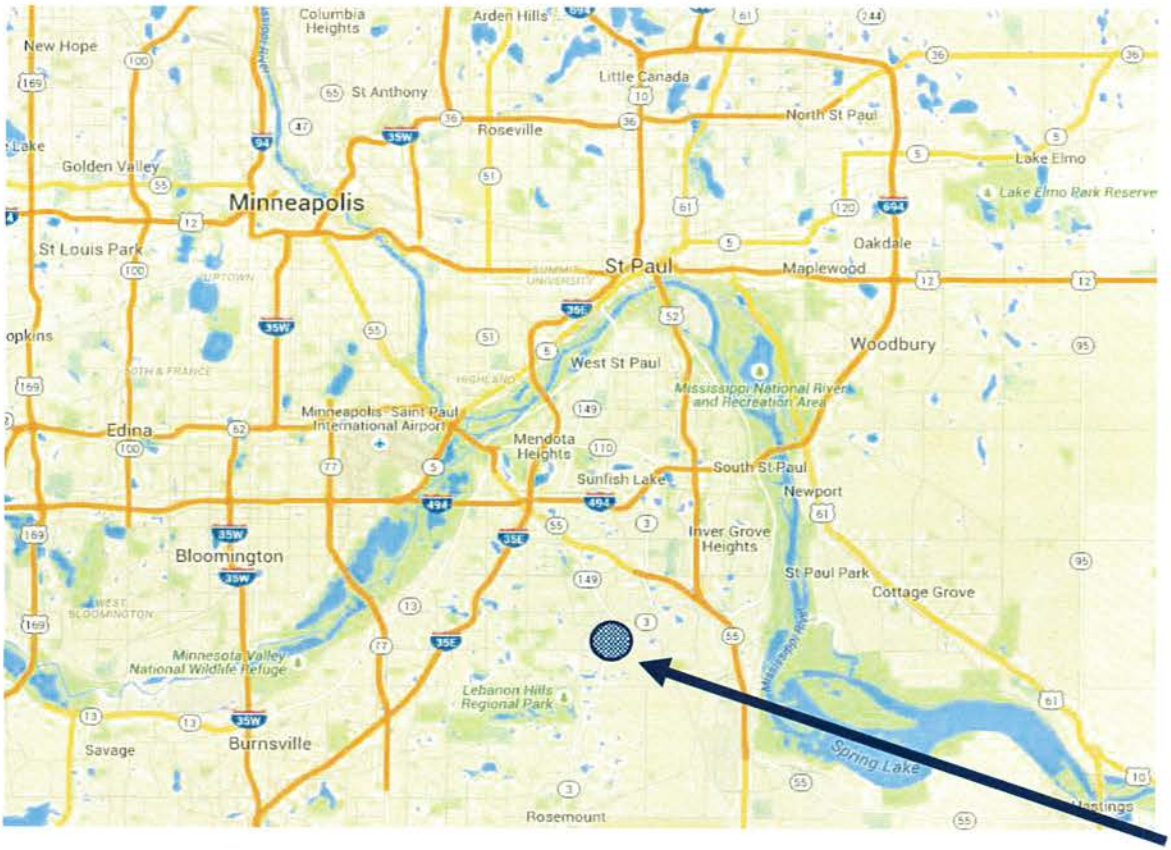
- AM Peak Hour Existing
- School PM Peak Hour Existing
- PM Peak Hour Existing
- AM Peak Hour Build
- School PM Peak Hour Build
- PM Peak Hour Build
- AM Peak Hour Build – Site Driveway w/ Turn Lanes
- School PM Peak Hour Build – Site Driveway w/ Turn Lanes
- PM Peak Hour Build – Site Driveway w/ Turn Lanes
- AM Peak Hour Build – Site Driveway w/ Turn Lanes & Staggered Times
- School PM Peak Hour Build – Site Driveway w/ Turn Lanes & Staggered Times
- PM Peak Hour Build – Site Driveway w/ Turn Lanes & Staggered Times
- AM Peak Hour Build – Site Driveway w/ Turn Lanes & Officer
- School PM Peak Hour Build – Site Driveway w/ Turn Lanes & Officer
- PM Peak Hour Build – Site Driveway w/ Turn Lanes & Officer
- AM Peak Hour Build – Site Driveway w/ Turn Lanes & 3/4
- School PM Peak Hour Build – Site Driveway w/ Turn Lanes & 3/4
- PM Peak Hour Build – Site Driveway w/ Turn Lanes & 3/4

d. South Robert Trail/Jefferson Trail Warrant Analysis

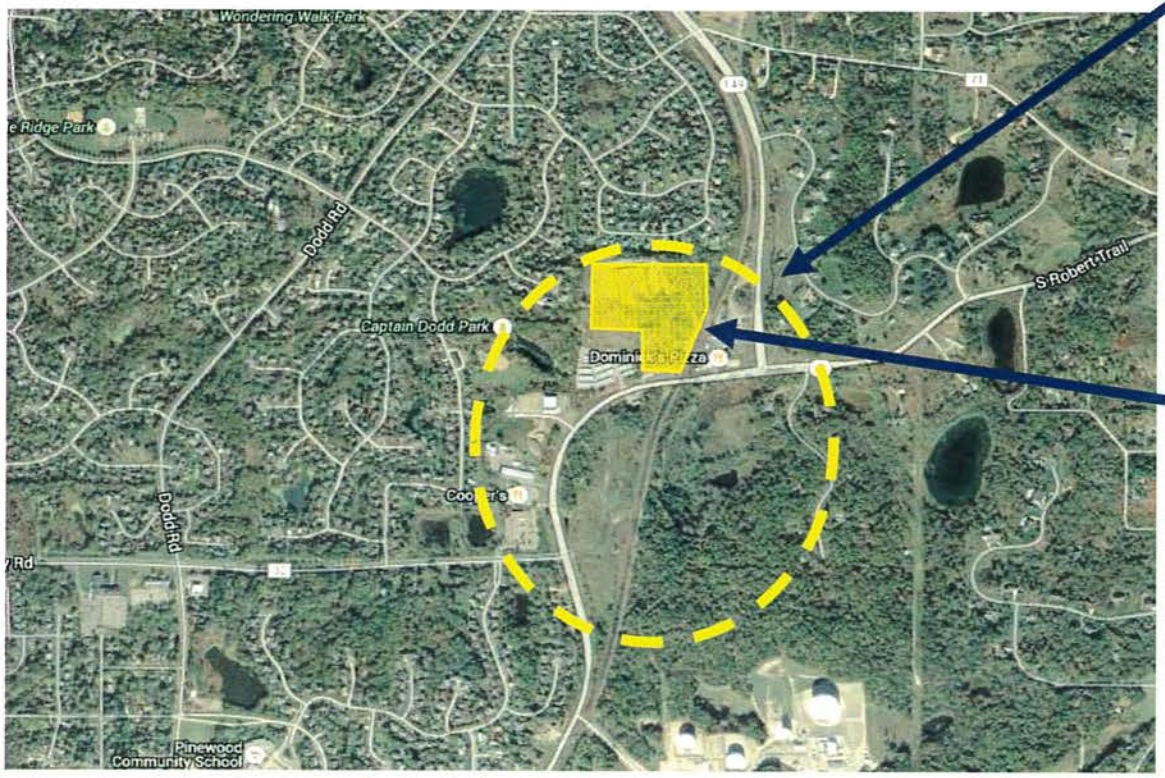
Spack CONSULTING THE TRAFFIC STUDY COMPANY

Figure 1
Location Maps

North
No Scale



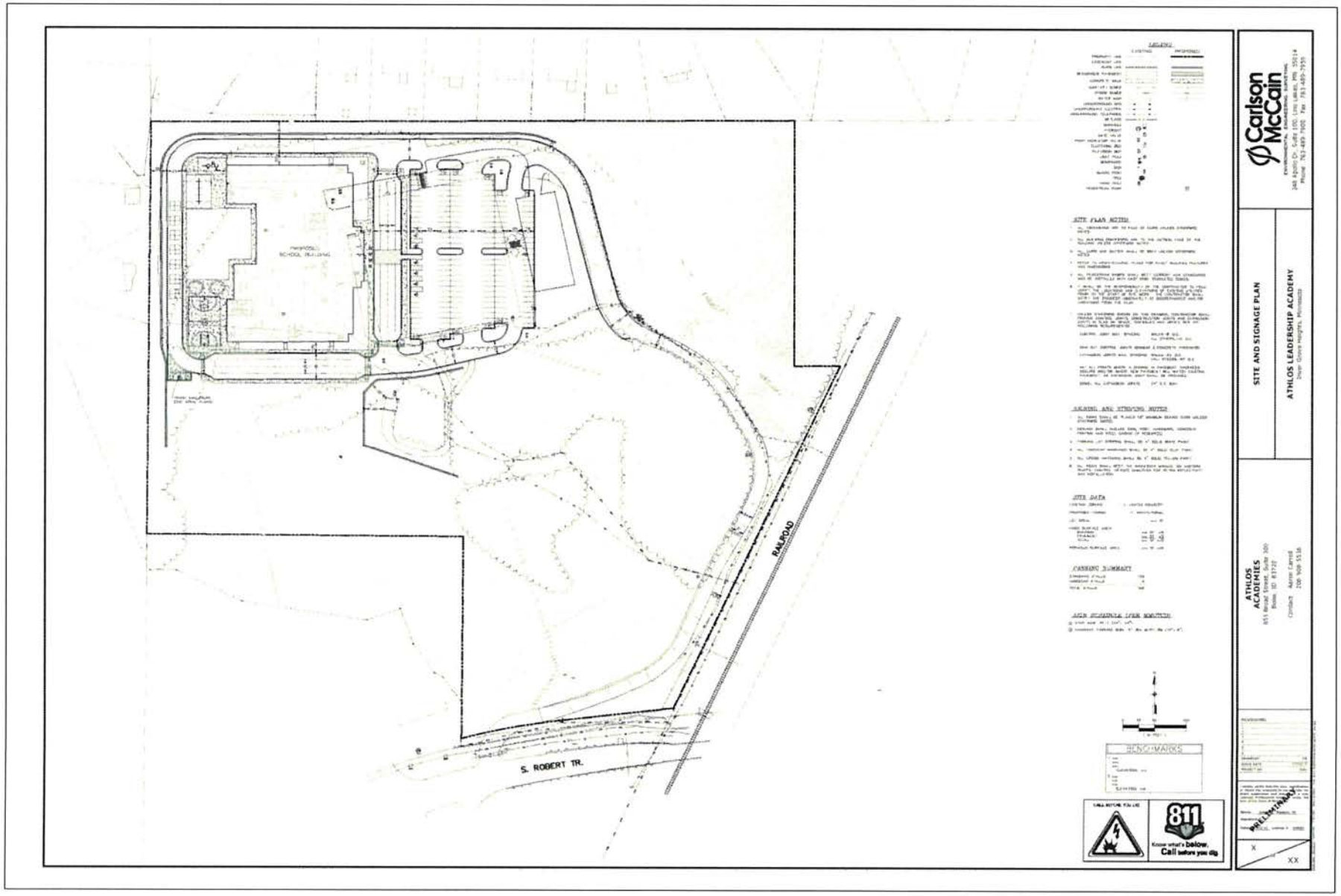
Study Area



Proposed Site

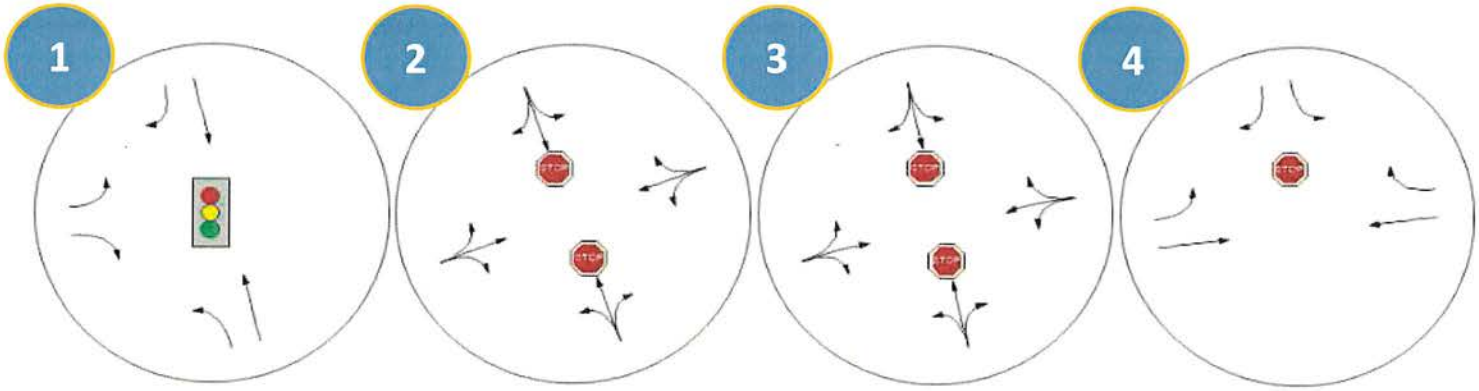
Spack CONSULTING THE TRAFFIC STUDY COMPANY

Figure 2
Concept Plan



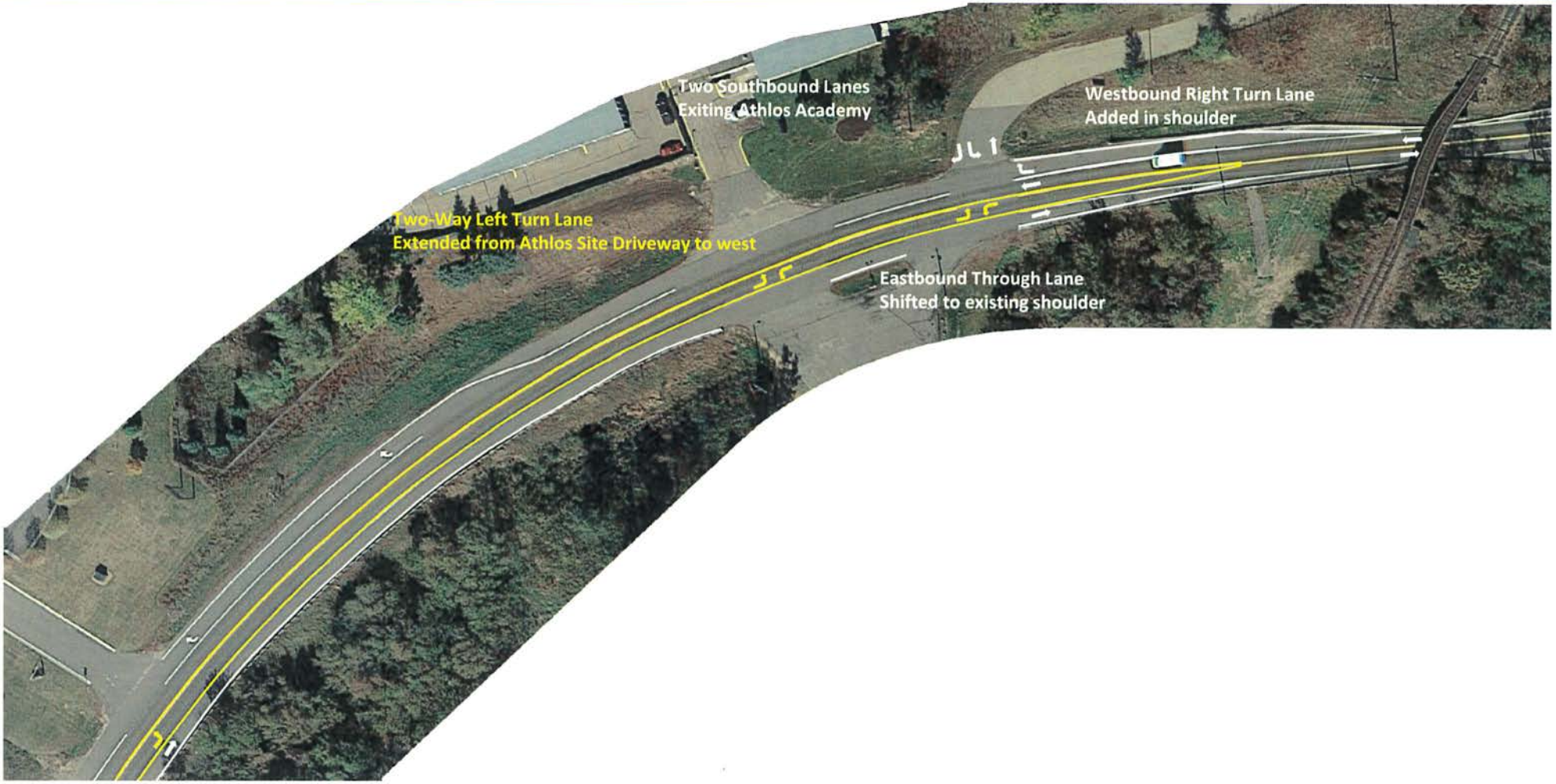
Spack CONSULTING THE TRAFFIC STUDY COMPANY

Figure 3
Existing Lanes & Traffic Control



Spack CONSULTING THE TRAFFIC STUDY COMPANY

Figure 4
Turn Lane Concept



CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION DENYING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FOR THE PROPERTY DESCRIBED BELOW FROM LI, LIGHT INDUSTRIAL TO P, PUBLIC/INSTITUTIONAL AND DENYING A REZONING OF THE PROPERTY FROM I-1, LIMITED INDUSTRY TO P, INSTITUTIONAL

CASE NO. 15-23PAZ
(Athlos Academies)

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

See Exhibit A

WHEREAS, the afore described property is zoned I-1, Limited Industry;

WHEREAS, an amendment to change boundaries of the Comprehensive Plan Land Use Map may be granted by the City Council on an affirmative vote of 4/5ths of the Council;

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

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on July 21, 2015, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

WHEREAS, the City Council reviewed the request to change to the Comprehensive Plan and rezoning and did not find the request to be consistent with the surrounding neighborhood;

WHEREAS, the requested rezoning would not be in the best interest of the physical development of the City and it would not be consistent with the comprehensive plan;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the request to change the Comprehensive Plan Land Use Plan and request for a rezoning is hereby denied based on the following findings of fact:

1. The proposed land use and rezoning change could create land use incompatibilities.

2. The site has access to a state highway which could be desirable for the existing industrial land use.

3. It is the City's desire to retain industrial tax base as one of the guiding principles of the comprehensive plan is to preserve its fiscal integrity by maintaining a well balanced tax base.

4. The existing industrial zoning and land use provides opportunities for new industrial development, expansion of existing uses, and the redevelopment of existing industrial uses to expand employment opportunities and to serve existing businesses in the community.

5. The requested rezoning would not be in the best interest of the physical development of the City and it would not be consistent with the comprehensive plan.

6. The traffic study done by Spack Consulting dated August 11, 2015 demonstrates unsafe access onto South Robert during peak times for the proposed use.

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

Adopted by the City Council of Inver Grove Heights on this _____ day of _____, 2015.

Ayes:
Nays:

ATTEST:

_____
George Tourville, Mayor

_____
Michelle Tesser, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 15-____

RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FOR THE PROPERTY DESCRIBED BELOW FROM LI, LIGHT INDUSTRIAL TO P/I, PUBLIC/INSTITUTIONAL

CASE NO. 15-23PAZ
(Athlos Academies)

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

See Exhibit A

WHEREAS, an amendment to change boundaries of the Comprehensive Plan Land Use Map may be granted by the City Council on an affirmative vote of 4/5ths of the Council;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on July 21, 2015, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

WHEREAS, the City Council reviewed the request to change to the Comprehensive Plan and found the request to be consistent with the surrounding neighborhood;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the request to change the Comprehensive Plan Land Use Plan is hereby approved subject to the following conditions:

1. The plan shall not become effective until all approvals have been granted by the Metropolitan Council and the City.

2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.

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

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

Adopted by the City Council of Inver Grove Heights on this _____day of _____, 2015.

Ayes:
Nays:

ATTEST:

_____
George Tourville, Mayor

_____
Michelle Tesser, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 (ZONING MAP) OF THE INVER GROVE HEIGHTS CITY CODE

CASE NO. 15-23PAZ
(Athlos Academies)

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1190 adopted July 27, 2009, entitled, "AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone the following described properties located within the City of Inver Grove Heights from I-1, Limited Industry District to P, Institutional District, to wit:

See Exhibit A

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002", together with all amendments thereto, hereinafter referred to as the "zoning map", shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law.

Enacted and ordained into an Ordinance this _____ day of _____, 2015.

Ayes:
Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

LEVANDER, GILLEN & MILLER, P.A.
ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
○STEPHEN H. FOCHLER
✧JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
□*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
BRIDGET McCAULEY NASON
TONA T. DOVE
BRADLEY R. HUTTER
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

*ALSO ADMITTED IN WISCONSIN
✧ALSO ADMITTED IN NORTH DAKOTA
○ALSO ADMITTED IN MASSACHUSETTS
□ALSO ADMITTED IN OKLAHOMA

MEMO

TO: **Mayor and Councilmembers**
FROM: **Timothy J. Kuntz, City Attorney**
DATE: **September 24, 2015**
RE: **Payment in Lieu of Taxes Agreement with Athlos Preparatory Academy**
September 28, 2015 Council Meeting

Section 1. <u>Background</u>. Athlos Preparatory Academy (Athlos) has made application to the City for approval of a change to the comprehensive plan, a re-zoning and a site plan approval for the purpose of being able to construct and operate a charter school on the property located at 9725 Robert Trail South, Inver Grove Heights (the Property).

In structuring its proposed financing for the charter school, Athlos desires to obtain, under Minnesota law, a real estate tax free exemption for the Property. The designation of the Property as tax exempt would negatively influence the City by removing the taxes that would otherwise be payable directly to the City and by removing the taxes that would otherwise be payable to the City indirectly through fiscal disparities. To lessen this impact on the City, Athlos has voluntarily offered and voluntarily agreed to make certain payments to the City in lieu of real property taxes and to provide other consideration to the City when a building permit for the charter school is issued.

Athlos will be the operator of the charter school and will be in possession of the Property if the charter school is constructed. Under the structure of the proposed financing for the charter school, Athlos will be responsible for any payment of real estate taxes, for any payment in lieu of real estate taxes and for other expenses and costs associated with operating the charter school and maintaining the charter school building on the Property.

Section 2. <u>Agreement with Athlos</u>. The salient terms of the attached "*Agreement for Payment in Lieu of Taxes*" between Athlos and the City are as follows:

1. Athlos has the right at any future time following construction of the charter school to apply for exemption with regard to the Property from real estate taxation in accordance with applicable Minnesota law.
2. The City will not oppose such application, provided Athlos is not then in default.
3. The Property shall not have tax exempt status for taxes payable in calendar year 2016.
4. If the Property becomes tax exempt, the level and scope of police protective services and fire protective services to be provided by the City to the Property and the manner of delivering those services will not be substantially different than would otherwise be provided to the Property if the Property were not tax exempt.
5. At or before any building permit is issued for the charter school on the Property, Athlos must pay the City the sum of $150,000. Payment must be made either by cash, bank check, certified check or wire transfer.
6. In addition, Athlos shall pay the City the sum of $15,000 on June 1 of each year for thirty (30) years beginning June 1, 2017 and ending and including June 1, 2046. With regard to the obligation of Athlos to pay the City $15,000 each year for thirty years, Athlos, at its election, may fulfill this particular obligation by paying to the City a lump sum amount equal to the present value of the remaining unpaid balance of the revenue stream related to this particular obligation; in computing the present value, the City and Athlos agree that the discount rate to be applied shall be 2.5%.
7. At or before any building permit is issued for the charter school on the Property, Athlos and the City will execute the attached Lease Agreement for use by the City of the indoor field house consisting of indoor turf area gymnasium and associated outdoor athletic fields during the summer months. The Lease is rent free.
8. Because the construction of the charter school on the Property will necessitate the installation of substantial improvements and reconstruction of Highway 3, Athlos will accept the requirements for such improvements as may be imposed by the City or the State of Minnesota. Athlos agrees that the costs associated with such improvements shall not be the responsibility of the City or of the State of Minnesota.
9. The Property will not be tax exempt for taxes payable in calendar year 2016. Athlos will cause the property taxes for the Property payable in calendar year 2016 to be paid before interest and penalty attach.
10. If because of construction delay or the timing of applications for exemption of the Property or otherwise, the Property is taxable in whole or in part for taxes payable in 2017, the taxable status of the Property in whole or in part for taxes payable in 2017 shall not alter or reduce the obligation of Athlos under the agreement; provided however, if the taxable status of the Property is such that there are taxes payable in 2017 then the obligation of Athlos to pay the City the sum of $15,000 on June 1 of each year for thirty (30) years shall begin June 1, 2018, rather than June 1, 2017 and shall end and include June 1, 2047, rather than June 1, 2046.

Section 2. <u>Council Action</u>. The Council is asked to consider the following documents at the September 28, 2015 Council meeting:

1. Agreement for Payment in Lieu of Taxes between the City of Inver Grove Heights and Athlos Preparatory Academy; together with

2. Lease Agreement between the City of Inver Grove Heights and Athlos Preparatory Academy.

Attachments

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES ("Agreement") is made as of the 28th day of September, 2015 by and between the City of Inver Grove Heights, a municipal corporation under the laws of the State of Minnesota (the "City") and Athlos Preparatory Academy, a Minnesota non-profit corporation, d/b/a Athlos Preparatory Academy and Minnesota Sports School ("Athlos"). Subject to the terms and conditions hereafter stated and based on the representations, warranties, covenants, agreements and recitals of the parties herein contained, the parties do hereby agree as follows:

ARTICLE 1
RECITALS

Recital No. 1. With respect to the property located in the City of Inver Grove Heights, Dakota County, Minnesota described on the attached **Exhibit A** (the "Property"), Athlos has made application to the City for approval of a change to the comprehensive plan, a re-zoning and a site plan approval for the purpose of being able to construct and operate a charter school on the Property.

Recital No. 2. In structuring its proposed financing for the charter school, Athlos desires to obtain under Minnesota law a real estate tax free exemption for the Property.

Recital No. 3. The designation of the Property as tax exempt would negatively influence the City by removing the taxes that would otherwise be payable directly to the City and by removing the taxes that would otherwise be payable to the City indirectly through fiscal disparities.

Recital No. 4. To lessen this impact on the City, Athlos has voluntarily offered and voluntarily agreed to make certain payments to the City in lieu of real property taxes and to provide other consideration to the City when a building permit for the charter school is issued.

Recital No. 5. Athlos will be the operator of the charter school and will be in possession of the Property if the charter school is constructed.

Recital No. 6. Under the structure of the proposed financing for the charter school, Athlos will be responsible for any payment of real estate taxes, for any payment in lieu of real estate taxes and for other expenses and costs associated with operating the charter school and maintaining the charter school building on the Property.

ARTICLE 2
REPRESENTATIONS

2.1 **Representations by the City**. The City makes the following representations as the basis for its undertakings herein:

(a) The City is a municipal corporation duly organized and existing under the laws of the State of Minnesota.

(b) The execution, delivery and performance of this Agreement by the City do not violate any agreement, law, rule, regulation or any court order or judgment in any litigation to which the City is a party or by which it is bound.

(c) The City has been duly authorized to enter into this Agreement and to perform the terms hereof.

2.2 **Representations by Athlos**. Athlos makes the following representations, warranties and covenants:

(a) Athlos is a non-profit corporation duly organized and existing under the laws of the State of Minnesota with tax exempt status for educational facilities under Minn. Stat. 272.02 subd. 5.

(b) There is no litigation pending, or to the best of its knowledge threatened, against the Athlos affecting its ability to develop and operate the Property or to carry out the terms of this Agreement.

(c) Athlos has been duly authorized to enter into this Agreement and to perform the terms hereof.

ARTICLE 3
CITY AGREEMENTS

3.1 **Exempt Status**. City agrees that Athlos shall have the right, at any future time, following construction of the charter school to apply for exemption with regard to the Property from real estate taxation in accordance with applicable Minnesota law. City agrees to not oppose such application, providing Athlos is not then in default hereunder. The parties agree that the Property shall not have tax exempt status for taxes payable in calendar year 2016.

3.2 **City Services**. City hereby agrees that if the Property becomes tax exempt, the level and scope of police protective services and fire protective services to be provided by the City to the Property and the manner of delivering those services will not be substantially different than would otherwise be provided to the Property if the Property were not tax exempt. Nothing contained in this Agreement shall be deemed to limit, restrict or determine the discretion of the City in generally determining the appropriate level and scope of police protective services

and fire protective services and the manner of delivering those services for lands and buildings within the City, whether taxable or tax exempt.

ARTICLE 4
ATHLOS AGREEMENTS

4.1 **Payment in Lieu of Taxes**. At or before any building permit is issued for the charter school on the Property, Athlos shall pay the City the sum of $150,000. Payment shall be made either by cash, bank check, certified check or wire transfer.

In addition, Athlos shall pay the City the sum of $15,000 on June 1 of each year for thirty (30) years beginning June 1, 2017 and ending and including June 1, 2046. With regard to the obligation of Athlos to pay the City $15,000 each year for thirty years, Athlos, at its election, may fulfill this particular obligation by paying to the City a lump sum amount equal to the present value of the remaining unpaid balance of the revenue stream related to this particular obligation; in computing the present value, the parties agree that the discount rate to be applied shall be 2.5%. All payments shall be made either by cash, bank check, certified check or wire transfer.

4.2 **Lease of Facilities**. At or before any building permit is issued for the charter school on the Property, Athlos and the City shall execute the Lease Agreement attached hereto as **Exhibit B**.

4.3 **Transportation Improvements**. It appears that construction of the charter school on the Property will necessitate the installation of substantial improvements and reconstruction of Highway 3. Athlos agrees that it will accept the requirements for such improvements as may be imposed by the City or the State of Minnesota. Athlos agrees that the costs associated with such improvements shall not be the responsibility of the City or of the State of Minnesota.

4.4 **Taxes Payable in Calendar Year 2016**. The parties understand and agree that the Property will not be tax exempt for taxes payable in calendar year 2016. Athlos shall cause the property taxes for the Property payable in calendar year 2016 to be paid before interest and penalty attach.

4.5 **Taxes Payable in Calendar Year 2017**. If because of construction delay or the timing of applications for exemption of the Property or otherwise, the Property is taxable in whole or in part for taxes payable in 2017, the parties understand and agree that the taxable status of the Property in whole or in part for taxes payable in 2017 shall not alter or reduce the obligation of Athlos under Section 4.1 hereof; provided however, if the taxable status of the Property is such that there are taxes payable in 2017 then the obligation of Athlos to pay the City the sum of $15,000 on June 1 of each year for thirty (30) years shall begin June 1, 2018, rather than June 1, 2017 and shall end and include June 1, 2047, rather than June 1, 2046.

ARTICLE 5
RELATIONSHIP TO LAND USE REQUESTS

5.1 **Relationship to Land Use Requests**. Nothing in this Agreement shall be deemed to be or shall be interpreted to be an approval by the City of the land use requests that have been made for the charter school. The City is not required to approve the land use requests.

ARTICLE 6
MISCELLANEOUS

6.1 **Governing Law**. The parties agree that this Agreement shall be governed and construed in accordance with the laws of the State of Minnesota.

6.2 **Time is of the Essence**. Time shall be of the essence of this Agreement.

6.3 **Counterparts**. If this Agreement is executed by any number of counterparts, each which shall be an original, but all of which shall constitute one in the same instrument.

6.4 **Interpretation; Severability**. If any one or more of the provisions, sentences, phrases or words of this Agreement or any application thereof shall be held or determined to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining phrases, sentences, phrases or words of this Agreement and any other application thereof shall in no way be affected or impaired and shall remain in full force and effect.

6.5 **Successors and Assigns**. This Agreement is binding on and inures to the benefit of the City and its successors and assigns. This Agreement is binding on and inures to the benefit of Athlos and its successors, assigns, subsidiaries, affiliates and related parties.

6.6 **Notices and Demands**. Except as otherwise expressly provided in this Agreement, a notice, demand or other communication under this Agreement by any party to any other party shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally to the following address:

City: City of Inver Grove Heights
Attention: City Administrator
Inver Grove Heights, MN 55077

Developer: Athlos Preparatory Academy
Attention: Claud Allaire, President
5975 Blackberry Trail
Inver Grove Heights, MN 55076

or at such address as either party may, from time to time, designate in writing and forward to the other party.

6.7 **Voluntary Nature of Agreement**. Each of the parties acknowledges and agrees that it has entered into this Agreement voluntarily and has had sufficient time to review the terms and conditions of this Agreement.

6.8 **Acknowledgement of Mutual Consideration**. Each of the parties acknowledges and agrees that sufficient mutual consideration has been provided for this Agreement.

6.9 **No Remedy Exclusive.** In the event this Agreement is breached, no remedy shall be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy now or hereafter existing at law or in equity or by statute.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first written above.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its: Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 28th day of September, 2015, before me a Notary Public within and for said County, personally appeared George Tourville and Michelle Tesser to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said City Clerk acknowledged said instrument to be the free act and deed of said municipality.

_____
Notary Public

ATHLOS PREPARATORY ACADEMY

By: _____
Claud Allaire
Its: President

By: _____
Ken Thielman
Its: Chairman of the Board of Directors

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this ____ day of September, 2015, before me a Notary Public within and for said County, personally appeared Claud Allaire and Ken Thielman, to me personally known, who being by me duly sworn did say that they are respectively the President and Chairman of the Board of Directors of Athlos Preparatory Academy, a Minnesota non-profit corporation, the non-profit corporation named in the foregoing instrument, and that said instrument was signed on behalf of said entity by authority of its Board of Directors and said President and Chairman of the Board of Directors acknowledged said instrument to be the free act and deed of the non-profit corporation.

_____
Notary Public

THIS INSTRUMENT DRAFTED BY:

Timothy J. Kuntz
LeVander, Gillen, & Miller, P.A.
633 South Concord Street
Suite 400
South St. Paul, MN 55075
(651) 451-1831

AFTER RECORDING PLEASE RETURN TO:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street
Suite 400
South St. Paul, MN 55075
(651) 451-1831

EXHIBIT A

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, legally

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

described as follows:

EXHIBIT B
LEASE AGREEMENT

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES BETWEEN THE CITY OF INVER GROVE HEIGHTS AND ATHLOS PREPARATORY ACADEMY AND APPROVING A RELATED LEASE AGREEMENT BETWEEN THE CITY OF INVER GROVE HEIGHTS AND ATHLOS PREPARATORY ACADEMY

WHEREAS, Athlos Preparatory Academy (Athlos) has made application to the City for approval of a change to the comprehensive plan, a re-zoning and a site plan approval for the purpose of being able to construct and operate a charter school on the property located at 9725 Robert Trail South in Inver Grove Heights (Property).

WHEREAS, in structuring its proposed financing for the charter school, Athlos desires to obtain, under Minnesota law, a real estate tax free exemption for the Property. The designation of the Property as tax exempt would negatively influence the City by removing the taxes that would otherwise be payable directly to the City and by removing the taxes that would otherwise be payable to the City indirectly through fiscal disparities. To lessen this impact on the City, Athlos has voluntarily offered and voluntarily agreed to make certain payments to the City in lieu of real property taxes and to provide other consideration to the City when a building permit for the charter school is issued.

WHEREAS, Athlos will be the operator of the charter school and will be in possession of the Property if the charter school is constructed. Under the structure of the proposed financing for the charter school, Athlos will be responsible for any payment of real estate taxes, for any payment in lieu of real estate taxes and for other expenses and costs associated with operating the charter school and maintaining the charter school building on the Property.

WHEREAS, the salient terms of the attached "*Agreement for Payment in Lieu of Taxes*" between Athlos and the City are as follows:

1. Athlos has the right at any future time following construction of the charter school to apply for exemption with regard to the Property from real estate taxation in accordance with applicable Minnesota law.
2. The City will not oppose such application, provided Athlos is not then in default.
3. The Property shall not have tax exempt status for taxes payable in calendar year 2016.
4. If the Property becomes tax exempt, the level and scope of police protective services and fire protective services to be provided by the City to the Property and the manner of delivering those services will not be substantially different than would otherwise be provided to the Property if the Property were not tax exempt.
5. At or before any building permit is issued for the charter school on the Property, Athlos must pay the City the sum of $150,000. Payment must be made either by cash, bank check, certified check or wire transfer.

6. In addition, Athlos shall pay the City the sum of $15,000 on June 1 of each year for thirty (30) years beginning June 1, 2017 and ending and including June 1, 2046. With regard to the obligation of Athlos to pay the City $15,000 each year for thirty years, Athlos, at its election, may fulfill this particular obligation by paying to the City a lump sum amount equal to the present value of the remaining unpaid balance of the revenue stream related to this particular obligation; in computing the present value, the City and Athlos agree that the discount rate to be applied shall be 2.5%.
7. At or before any building permit is issued for the charter school on the Property, Athlos and the City will execute the attached Lease Agreement for use by the City of the indoor field house consisting of the indoor turf area and gymnasium and associated outdoor athletic fields during the summer months. The Lease is rent free.
8. Because the construction of the charter school on the Property will necessitate the installation of substantial improvements and reconstruction of Highway 3, Athlos will accept the requirements for such improvements as may be imposed by the City or the State of Minnesota. Athlos agrees that the costs associated with such improvements shall not be the responsibility of the City or of the State of Minnesota.
9. The Property will not be tax exempt for taxes payable in calendar year 2016. Athlos will cause the property taxes for the Property payable in calendar year 2016 to be paid before interest and penalty attach.
10. If because of construction delay or the timing of applications for exemption of the Property or otherwise, the Property is taxable in whole or in part for taxes payable in 2017, the taxable status of the Property in whole or in part for taxes payable in 2017 shall not alter or reduce the obligation of Athlos under the agreement; provided however, if the taxable status of the Property is such that there are taxes payable in 2017 then the obligation of Athlos to pay the City the sum of $15,000 on June 1 of each year for thirty (30) years shall begin June 1, 2018, rather than June 1, 2017 and shall end and include June 1, 2047, rather than June 1, 2046.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Inver Grove Heights as follows:

1. The City Council hereby approves the attached Agreement for Payment in Lieu of Taxes dated September 28, 2015 between the City of Inver Grove Heights and Athlos Preparatory Academy.
2. The City Council hereby approves the attached Lease Agreement between the City of Inver Grove Heights and Athlos Preparatory Academy.
3. The Mayor and City Clerk are authorized to execute the attached Agreement for Payment in Lieu of Taxes dated September 28, 2015 between the City of Inver Grove Heights and Athlos Preparatory Academy on behalf of the City.
4. The Mayor and City Clerk are authorized to execute the attached Lease Agreement between the City of Inver Grove Heights and Athlos Preparatory Academy on behalf of the City.

Passed by the City Council of Inver Grove Heights this 28th day of September, 2015.

Ayes:
Nays:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

EXHIBIT B
LEASE AGREEMENT

THIS LEASE AGREEMENT (hereinafter "Lease") is made as of the _____ day of _____, 2016, by and between Athlos Preparatory Academy, a Minnesota non-profit corporation d/b/a Athlos Preparatory Academy and Minnesota Sports School (hereinafter "Landlord") and City of Inver Grove Heights, a Minnesota municipal corporation (hereinafter "Tenant") for the Premises located at 9725 Robert Trail South, Inver Grove Heights, Minnesota.

WITNESSETH:

FOR AND IN CONSIDERATION of the sum of One and No/100 Dollar ($1.00) in hand paid by Tenant to Landlord, and other good and valuable mutual consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

DATA SHEET

(1) **Premises.** The indoor field house consisting of the indoor turf area and gymnasium located on the Property, which Property is legally described on Exhibit A attached hereto, together with such fixtures located within the indoor field house consisting of the indoor turf area and gymnasium, together with the non-exclusive right to use the driveways and parking areas that serve the indoor field house, together with the non-exclusive right to use the restrooms associated with the indoor field house and together with the exclusive right to use the locker rooms associated with the indoor field house consisting of the indoor turf area and gymnasium;

AND

The outdoor athletic fields located on the Property together with such fixtures located within the outdoor athletic fields and together with the non-exclusive right to use the driveways and parking areas that serve the outdoor athletic fields, together with the non-exclusive right to use the restrooms associated with the outdoor athletic fields and together with the exclusive right to use the locker rooms associated with the outdoor athletic fields.

(2) **Commencement Date.** This Lease shall commence on January 1, 2017.

(3) **Base Term.** From the Commencement Date for a twenty-five (25) year period through December 31, 2041; provided, however, the Lease shall only apply during the Summer Months of each calendar year from 2017 through 2041. For purposes of this Lease the term Summer Months means the time period running from the date one week after Landlord ends its regular school year for the charter school to the date one week before Landlord begins its regular school year for the charter school.

(4) **Base Rent.** The Base Rent is $1.00 payable upon execution of this Lease. Landlord acknowledges receipt of Base Rent.

(5) **Notices.** Any notice desired or required to be given under this Lease shall be personally served or sent postage-paid by certified mail, return receipt requested to:

Tenant:	City of Inver Grove Heights Attention: Eric Carlson 8150 Barbara Avenue Inver Grove Heights, MN 55077
Landlord:	Athlos Preparatory Academy Attention: Claud Allaire, President 5975 Blackberry Trail Inver Grove Heights, MN 55076

All notices shall be deemed delivered either upon: (1) receipt in case of personal service, or (2) mailing in case of certified mail.

(6) **Premises Address.** The street address of the Premises is 9725 Robert Trail South, Inver Grove Heights, Minnesota.

(7) **Use**. "Use" means conducting and engaging in athletic, sport, exercise and recreational activities under programs supervised by Tenant.

(8) **Incorporation of Data Sheet.** Each reference in this Lease to any of the data contained in this Data Sheet shall be constructed to incorporate the data stated herein.

ARTICLE 1 – PREMISES

Landlord hereby leases to Tenant and Tenant hereby takes from Landlord the Premises, subject to the terms and conditions of this Lease and for the Base Term. Tenant shall have the exclusive use of the indoor field house consisting of the indoor turf area and gymnasium (and the fixtures thereon) and the exclusive use of the outdoor athletic fields (and the fixtures thereon) and the exclusive use of the locker rooms associated with the indoor field house consisting of the indoor turf area and gymnasium and associated with the outdoor athletic field. Tenant shall have the non-exclusive use of the driveway, parking areas and restrooms associated with the indoor field house consisting of the indoor turf area and gymnasium and outdoor athletic field.

ARTICLE 2 – UTILITIES

Landlord is responsible for paying for all utilities such as gas, electric, telephone, trash removal, water user charges and sewer user charges. Landlord, at its expense, shall provide heat, light and air conditioning to provide a reasonable and functional environment for the Use in the indoor field house consisting of the indoor turf area and gymnasium.

ARTICLE 3 – TERM

The term of this Lease shall be for the Base Term as described on the Data Sheet; provided, however, Tenant may terminate this Lease if Tenant gives notice of termination to Landlord at any time during the period of October 1 through March 31.

The last day of the Base Term is the Termination Date, unless earlier terminated by Tenant.

ARTICLE 4 - BASE RENT

Payment of Base Rent is hereby acknowledged.

ARTICLE 5 - USE

The Premises shall be used by Tenant for the Use set forth above and for no other purpose, in compliance with all applicable federal, state and local laws, ordinances codes, rules, regulations and orders.

Tenant shall procure at its sole cost and expense any and all necessary permits, certificates, licenses from other governmental authorities to conduct the Use.

ARTICLE 6 - ACCEPTANCE OF PREMISES

Tenant accepts the Premises in its "AS IS" present condition.

Tenant further acknowledges that no warranties or representations as to the condition of the Premises and no promises to alter, remodel or improve the Premises or their suitability therefore, have been made by Landlord.

ARTICLE 7 – ALTERATION OF PREMISES

The Tenant may not alter or change the Premises or the improvements thereon or the fixtures thereon unless the Landlord first gives written approval.

ARTICLE 8 – MAINTENANCE AND REPAIRS

A. **Clean-up by Tenant.** Tenant shall, throughout the term of this Lease, at its own cost, and without any expense to Landlord, keep the Premises in a clean and orderly state.

B. **Repair by Tenant**. If during the term of the Lease damage caused by Use occurs to the walls or ceilings of the indoor field house consisting of the indoor turf area and gymnasium except for ordinary wear or tear or damage caused by Use occurs to the restrooms or locker rooms except for ordinary wear or tear, then in such case Tenant, at its expense, shall repair the damage.

C. **Obligation of Landlord for Maintenance**. Landlord shall keep and maintain the Premises during the term of this Lease in substantially the same condition that Landlord keeps and maintains the Premises during those periods of time during the school year that the Premises are not leased to Tenant. Further, Landlord is responsible to mow the outdoor athletic facilities on a regular and routine basis.

ARTICLE 9 - INDEMNITY

Subject to the exceptions and immunities provided by Minn. Stat. § 466.03 and subject to the maximum tort liability limits provided by Minn. Stat. § 466.04 Tenant shall indemnify and hold Landlord harmless from any claim, damage, cost and expense (including reasonable attorneys' fees) or liability arising out of any injury, death, or property damage, burglary, theft or disappearance occurring in, on or about the Premises to Tenant or any agent, employee, or invitee of Tenant unless due to the negligence or willful misconduct of Landlord, its agents or employees.

Tenant's obligations and liabilities under this Article 9 shall survive the expiration of the Lease term and shall survive the termination of the Lease.

ARTICLE 10 - INSURANCE

Tenant, at the Tenant's sole cost and expense, shall maintain:

A. Comprehensive general public liability insurance with contractual liability coverage insuring Tenant and Landlord (and any other subsidiaries and affiliates of Landlord requested by Landlord) against all claims for personal injury, death or property damage occurring upon, in or about the Premises in amounts, not less than $500,000 for injury or death sustained by one person as a result of any one occurrence and $1,500,000 for injury or death to more than one person as a result of any one occurrence and $250,000 for damage to property for any one occurrence, and

B. Workers' compensation insurance within statutory limits covering Tenant's employees in the Premises.

Landlord shall be listed as additional insured on the comprehensive general public liability insurance policy. Tenant's insurance shall be primary. Landlord's insurance shall be secondary and non-contributory.

All policies of insurance shall be in form and substance reasonably satisfactory to the Landlord, shall be written with companies reasonably satisfactory to the Landlord, and shall provide for at least ten (10) days written notice to Landlord prior to cancellation or reduction in coverage. Such policies, or certificates thereof, shall be delivered to Landlord prior to the commencement of the Lease Term; and evidence of renewal of such insurance shall be delivered to Landlord not less than ten (10) days prior to the expiration of such coverage.

ARTICLE 11 - TAXES

Landlord shall pay the real estate taxes, if any, related to the Premises.

ARTICLE 12 - ASSIGNMENT

A. Tenant may assign its interest in the Lease to a third party only if Landlord consents in writing to the assignment.

B. Landlord may sell or mortgage its interest in the Premises without the Tenant's consent.

ARTICLE 13 - MECHANICS' LIENS

Tenant will not permit any mechanics', laborers' materialmen's or other liens to stand against the Premises or any part thereof for any labor, skill, material or equipment furnished or claimed to be furnished to or an account of Tenant in connection with any work in or about the Premises. Tenant shall give Landlord immediate notice of the filing of any such lien and shall cause the lien to be discharged within 10 days of its filing.

ARTICLE 14 - SURRENDER

Upon the Termination Date or earlier termination of this Lease, Tenant shall peaceably surrender the Premises.

Upon the Termination Date, or earlier termination of this Lease, Tenant shall, at its expense, remove all of its personal property from the Premises. Removal must occur within thirty (30) days after the Termination Date or the earlier termination of this Lease.

Any property not removed within thirty (30) days after the Termination Date or other termination of this Lease shall be deemed to have been abandoned. In such case, Landlord may cause the removal and all costs incurred by Landlord shall be paid by Tenant within ten (10) days after Landlord has sent an invoice to Tenant.

ARTICLE 15 - DEFAULT OF TENANT AND REMEDIES

A. Events of Default and Remedies. If any of the following occurs:

1. Tenant fails to pay any monies within thirty (30) days when due hereunder; or

2. Tenant fails to perform within thirty (30) days after notice from Landlord any other of the terms, covenants, conditions or obligations of this Lease to be performed by Tenant; provided however if such failure to perform is not reasonably curable within thirty (30) days, then Tenant shall have such additional reasonable period of time to cure the failure and the failure to cure within such additional reasonable period of time shall be deemed a default; or

3. if any proceeding is commenced by or against Tenant for the purpose of subjecting the assets of Tenant to any law relating to bankruptcy or insolvency or for an appointment of a receiver of Tenant or any of Tenant's assets, or if Tenant makes a general assignment of Tenant's assets for the benefit of creditors;

then in any such event, Tenant shall be in default hereunder and Landlord may at its option, in addition to any other rights and remedies it may have hereunder or at law or in equity or by statute or otherwise, terminate this Lease as to all future rights of Tenant, and/or regain, repossess and enjoy the Premises.

B. Right of Landlord to Cure Default of Tenant. If Tenant has not cured the default within the time limits set forth in Section 15(A), Landlord may, at its option, instead of exercising any other rights or remedies available to it under this Lease or otherwise, enter into the Premises and perform such acts or spend such sums of money as is reasonably necessary to cure any default of Tenant herein, and the amount spent and cost incurred, including reasonable attorneys' fees, in curing such default shall be paid by Tenant as additional rent upon demand.

C. Legal and Other Expenses. If suit is brought for recovery of possession of the Premises, for the recovery of any amount due under the provisions of this Lease, or because of the breach of any other covenant herein contained on the part of Tenant to be kept or performed, Tenant shall pay Landlord all expenses incurred therefor, including reasonable attorneys' fees, if Landlord is the prevailing party.

D. Cumulative Remedies. No remedy herein or elsewhere in this Lease or otherwise by law, statute or equity conferred upon or reserved to Landlord shall be exclusive of any other remedy, but shall be cumulative, and may be exercised from time to time and as often as the occasion may arise.

ARTICLE 16 - HOLDING OVER

If Tenant remains in possession of the Premises after the expiration or termination of this Lease, it shall be deemed to be occupying the Premises as a tenant at sufferance, subject to all the conditions, provisions and obligations of the Lease insofar as the same can be applicable. No unauthorized holding over shall operate to renew or extend this Lease and Tenant shall indemnify Landlord against all claims for damages of any kind resulting from the holdover.

ARTICLE 17 - ENTRY BY LANDLORD

Landlord and any authorized representatives of Landlord may enter the Premises at any time during usual business hours or any other time in case of emergency to inspect the same, to make any repairs or perform any work deemed necessary or desirable by Landlord.

ARTICLE 18 - SUCCESSORS AND ASSIGNS

The terms, covenants and conditions hereof are binding upon and inure to the benefit of

Landlord, and any of its successors and assigns. The terms, covenants and conditions hereof are binding upon and inure to the benefit of Tenant, and any of its successors and assigns approved by Landlord or otherwise permitted under this Lease.

ARTICLE 19 - QUIET ENJOYMENT

Tenant, on performing its obligations under this Lease, shall peacefully have, hold and enjoy the Premises subject to the terms of this Lease.

ARTICLE 20 - GENERAL

A. No waiver of any default hereunder shall be implied from any failure by the non-defaulting party to take action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than the default specified in the express waiver and that only for the time and to the extent therein stated. One or more waivers by Landlord or Tenant shall not be construed as a waiver of a subsequent breach of the same covenant, term or condition.

B. This Lease sets forth all the covenants, promises, agreements, conditions and understandings between Landlord and Tenant affecting the Premises and there are no covenants, promises, agreements, conditions or understandings, either oral or written, between them other than are herein set forth or referenced.

C. Landlord and Tenant disclaim any intention to create a joint venture, partnership, or agency relationship.

D. This Lease is a Minnesota contract and all of its terms shall be construed according to the laws of Minnesota.

E. Time is of the essence of each obligation of this Lease in which time is a factor.

F. This Lease may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

ARTICLE 21 – SURVIVAL OF OBLIGATIONS

Notwithstanding anything to the contrary contained in this Lease and subject to any limitations contained in this Lease, the obligations and liabilities of Tenant under the following Articles survive expiration of the Lease Term and survive termination of this Lease:

Article 9 – Indemnity
Article 13 – Mechanics' Liens
Article 14 – Surrender
Article 16 – Holding Over

IN WITNESS WHEREOF, Landlord and Tenant have duly executed this Lease as of the Lease Date set forth above.

ATHLOS PREPARATORY ACADEMY

By: _____
Claud Allaire
Its: President

By: _____
Ken Thielman
Its: Chairman of the Board of Directors

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this ____ day of _____, 2016, before me a Notary Public within and for said County, personally appeared Claud Allaire and Ken Thielman, to me personally known, who being by me duly sworn did say that they are respectively the President and Chairman of the Board of Directors of Athlos Preparatory Academy, a Minnesota non-profit corporation, the non-profit corporation named in the foregoing instrument, and that said instrument was signed on behalf of said entity by authority of its Board of Directors and said President and Chairman of the Board of Directors acknowledged said instrument to be the free act and deed of the non-profit corporation.

_____
Notary Public

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville
Its: Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this ____ day of _____, 2016, before me a Notary Public within and for said County, personally appeared George Tourville and Michelle Tesser to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said City Clerk acknowledged said instrument to be the free act and deed of said municipality.

_____
Notary Public

EXHIBIT A

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

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

AGENDA ITEM _____7D___

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

THE CHARTER SCHOOL FUND, LLC (Athlos Academies) - Case No. 15-31PR

Meeting Date:	September 28, 2015		**Fiscal/FTE Impact:**
Item Type:	Regular	X	None
Contact:	Heather Botten 651.450.2569		Amount included in current budget
Prepared by:	Heather Botten, Associate Planner		Budget amendment requested
Reviewed by:	Planning		FTE included in current complement
			Other

PURPOSE/ACTION REQUESTED

Consider a Resolution relating to a **Major Site Plan Approval** for an approximate 90,000 square foot school building along with other property improvements for property located at 9725 S. Robert

- Requires 3/5th's vote.
- 60-day deadline: November 5, 2015 (second 60-days)

BACKGROUND

This item was tabled at the September 14, 2015 City Council meeting for further review of the rezoning and comprehensive plan application.

SUMMARY

The applicant is requesting a major site plan approval to demolish the existing building on site and to construct a 90,000 gross square foot building, new parking area, athletic field, and play area, in addition to stormwater features and other property improvements.

If the rezoning and comprehensive plan amendment for the property are approved by City Council; the proposed request meets the Major Site Plan criteria relating to the Comprehensive Plan and zoning consistency. Setbacks for the parking lot and building meet and exceed code requirements. The proposed landscaping meets code requirements. Engineering has been working with the applicant on utility, storm water, and grading requirements. In general, Engineering finds the plans acceptable. There will be the need for a development contract and storm water maintenance agreement that will be presented to Council at a later date.

Originally, the applicants were proposing a 30 foot setback from the drive area to the northern property line. After meeting with neighbors and hearing their concerns, the applicants reduced the amount of green space around the building and moved the drive area 49 feet from the northern property line. In doing so, they were able to eliminate a retaining wall. To accommodate the neighbors request for privacy the applicants are proposing a six foot solid fence along the north and west property lines where improvements are being made near residential homes.

The site would be served off one access point onto Robert Street, which is a State highway. The applicants have completed a traffic study that was reviewed by staff and MnDOT. The applicant would have to meet all MnDOT requirements and recommendations.

City Staff: Based on the information provided and the conditions listed in the attached resolution, staff is recommending **approval** of the Major Site Plan.

Planning Commission: Recommended **approval** of the request at their August 5, 2015 meeting with the conditions listed in the attached resolution (7-0).

Attachments: Site Plan Approval Resolution
Site Plan Denial Resolution
PC recommendation
Planning Staff Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING A MAJOR SITE PLAN TO CONSTRUCT A 90,000 SQUARE FOOT SCHOOL BUILDING ALONG WITH OTHER PROPERTY IMPROVEMENTS

The Charter School Fund, LLC
Case No. 15-31PR

WHEREAS, an application has been submitted for property located at 9725 South Robert Trail and legally described as follows:

See Exhibit A

WHEREAS, the request is to approve a Major Site Plan to construct a 90,000 gross square foot building along with other property improvements;

WHEREAS, the aforedescribed property is zoned P, Institutional;

WHEREAS, the request has been reviewed against Title 10, Chapter 15, Article J, regarding the criterion for a Major Site Plan such as consistency with the Comprehensive Plan and conformity with the Zoning Ordinance, the request meets all of the minimum standards;

WHEREAS, a public hearing concerning the request was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statute, Section 462.357, Subdivision 3 on August 5, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Major Site Plan to add a 90,000 square foot school building is hereby approved with the following conditions:

1. The site shall be developed in substantial conformance with the following plan set on file with the Planning Department except as may be modified by the conditions herein:

   Plan Set dated 07/30/15

Resolution No. _____

Site Plan	dated 07/30/15
Site Grading Plan	dated 07/30/15
Landscape Plan	dated 07/30/15

2. Prior to any construction occurring on site, all grading, drainage, erosion control, storm water management and utility plans shall be subject to the review and approval of the City Engineer.

3. A development contract, stormwater facilities maintenance agreement and other related agreements will be required to be executed between the City and the developer.

4. Prior to any work being done on the site, an Engineering cash escrow and/or letter of credit shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.

5. The developer shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence.

6. A separate sign permit must be applied for and issued prior to the construction or installation of any freestanding or wall mounted signs on the site.

7. All parking lot and building lighting on site shall be a down cast, "shoe-box" style and the bulb shall not be directed toward abutting properties. Details of building lighting shall be submitted with the building permit.

8. Any roof top and/or ground utility equipment shall be completely screened on all sides from public view.

9. All plans shall be subject to the review and approval of the City Fire Marshal.

10. The developer shall meet the conditions outlined in the review letters from MnDot and other reviewing agencies.

11. A traffic study was complete by Spack Enginnering, the applicant shall update this study as necessary or recommended by MnDOT.

12. The applicant shall be responsible for all improvements required and recommended by MnDOT; which could include a right turn lane, a center left turn lane, bypass lane, and/or right-in right-out restrictions.

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

Resolution No. _____

Adopted by the City Council of Inver Grove Heights this _____ day of September, 2015.

AYES:
NAYS:

_____
George Tourville, Mayor

ATTEST:

_____
Michelle Tesser, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION DENYING A MAJOR SITE PLAN TO CONSTRUCT A SCHOOL BUILDING ALONG WITH OTHER PROPERTY IMPROVEMENTS

Case No. 15-31PR
The Charter School Fund, LLC

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

See Exhibit A

WHEREAS, the afore described property is zoned I-1, Limited Industry;

WHEREAS, the request is to approve a Major Site Plan to construct a 90,000 gross square foot school building along with other property improvements;

WHEREAS, the request has been reviewed against Title 10, Chapter 15, Article J, regarding the criterion for a Major Site Plan such as consistency with the Comprehensive Plan and conformity with the Zoning Ordinance;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on August 5, 2015, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

WHEREAS, the Site Plan application was submitted, assuming the City Council approved a rezoning and comprehensive plan amendment to a public/institutional use;

WHEREAS, the City Council denied the request for a comprehensive plan amendment and rezoning of the property;

WHEREAS, the requested Major Site Plan would not be in the best interest of the physical development of the City and it would be inconsistent with the zoning and comprehensive plan designation of the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Major Site Plan to add a 90,000 square foot school building is hereby denied based on the following findings of fact:

1. The proposed use is not allowed in the current I-1, Limited Industry district.

2. The requested major site plan would not be in the best interest of the physical development of the City and it would be inconsistent with the zoning and comprehensive plan land use designation.

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

Adopted by the City Council of Inver Grove Heights on this _____ day of _____, 2015.

Ayes:
Nays:

ATTEST:

_____
George Tourville, Mayor

_____
Michelle Tesser, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

That part of the West Half (W1/2) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota lying Northerly of the Northerly right-of-way line of Minnesota State Trunk Highway No. 3 and Westerly of the Westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company:

EXCEPT that part thereof included within the North 417.42 feet of the East 417.42 feet of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section Nineteen (19), Township Twenty-seven (27), Range Twenty-two (22), Dakota County, Minnesota, as measured along the North and East lines thereof, and

EXCEPT that part described as follows: Commencing at the Northwest corner of said West Half (W ½) of the Southwest Quarter (SW ¼); thence South 0 degrees 01 minutes 18 seconds East (assumed bearing) a distance of 700 feet along the West line of said West Half (W ½) of the Southwest Quarter (SW ¼) to the point of beginning of the parcel to be described; thence North 89 degrees 58 minutes 42 seconds East a distance of 500 feet; thence South 0 degrees 01 minutes 18 seconds East a distance of 343.44 feet, more or less, to the Northerly right-of-way line of State Trunk Highway No. 3; thence Southwesterly along said right-of-way line 604.14 feet, more or less, to its intersection with the West line of said West Half (W ½) of the Southwest Quarter (SW ¼); thence Northerly along said West line 666.87 feet, more or less, to the point of beginning, according to the Government Survey thereof, located in Dakota County, Minnesota.

RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: August 5, 2015

SUBJECT: **THE CHARTER SCHOOL FUND (ATHLOS ACADEMIES) – CASE NO. 15-31PR**

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a major site plan review to allow for the construction of a 90,000 gross square foot building, along with other property improvements, for the property located at 9725 S. Robert Trail. 58 notices were mailed.

Presentation of Request
Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting a major site plan approval to construct a two level school building approximately 90,000 gross square feet in size, and other property improvements, subject to the City Council approving a rezoning and comprehensive plan amendment. The Council tabled the comprehensive plan and rezoning request at their July 27th meeting for more review of financial and traffic impacts. It is scheduled to be brought back to City Council on September 14. It is the applicant's desire to move forward with the site plan review process and bring it to the Council at the same time as the rezoning and the comprehensive plan amendment, with the understanding that if the comprehensive plan and rezoning are denied the site plan approval would also be denied. If approved, the existing building on the site would be demolished and a 90,000 gross square foot building, new parking area, athletic field, and play area would be constructed, in addition to stormwater features, driveway, and other property improvements. Originally, the applicants were proposing a 30 foot setback from the drive area to the northern property line. After meeting with neighbors and hearing their concerns, the applicants reduced the amount of green space around the building and moved the drive area 49 feet from the northern property line. In doing so, they were able to eliminate a proposed retaining wall. To accommodate the neighbors request for privacy the applicants are proposing a six foot solid fence along the north and west property lines where improvements are being made near residential homes. The site would be served off one access point onto Robert Street, which is a State highway. The applicant would have to meet all MnDOT requirements, including a traffic study to determine the impacts of the project to Robert Street. Staff recommends approval of the 90,000 square foot building, subject to the rezoning and comprehensive plan amendment being approved, with the 12 conditions listed in Alternative A. She advised that staff heard from one neighbor, whose email is included in the report.

Commissioner Klein asked if they intended to remove most of the existing trees on the north portion of the site, stating he could understand why the neighbors would want screening during the winter once the leaves fell.

Ms. Botten replied that would be a better question for the applicant as she had not seen the revised grading plan.

Commissioner Wippermann asked how far the existing pavement was from the northern drive to the property line.

Ms. Botten replied approximately 30 feet.

Commissioner Robertson asked for clarification that the focus of tonight's discussion should be on the site plan review.

Ms. Botten replied in the affirmative.

Opening of Public Hearing
Ken Tucker, 855 Broad Street, Boise, Idaho, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Tucker replied in the affirmative. He advised that they met with the neighborhood in late July and then modified their site plan to accommodate some of their concerns. In regard to the previous question regarding landscaping, he advised that they intend to the leave the existing trees, as well as supplement with evergreens and other trees, to offset the impact of leaves falling, and would work with staff and the neighbors on how much gets added.

Commissioner Klein asked if they planned to install barriers on certain areas of the steep and winding driveway.

Mr. Tucker stated they planned to resurface and widen the driveway, and could add barriers if there was a safety issue.

Commissioner Wippermann asked how they planned to accommodate parking for special events, such as concerts or teacher conferences.

Mr. Tucker replied that for special events they would allow cars to park back-to-front around the perimeter drive aisle, and would have a stacking lane for parents dropping off and picking up.

Commissioner Wippermann asked if they were in a position to accommodate potential MnDOT requirements, such as a bypass lane for northbound traffic or a special turn lane for southbound traffic.

Mr. Tucker replied in the affirmative, stating they were meeting with MnDOT in two weeks to discuss the traffic study.

Commissioner Klein hoped they would reconfigure that entire area because of the existing businesses and lack of good sight lines.

Commissioner Wippermann stated he appreciated the accommodations the applicants had made to the neighbors.

David Samuelson, 9468 Tyne Lane, whose property borders the northern portion of the subject property, stated he was opposed to the request. He advised that they purchased their property 17 years ago with the understanding that it was a very private lot, and he was concerned about the fact that they were proposing to erect a two-story 90,000 square foot building behind him which could not be completely screened by evergreens. He advised that the second level of his home would be ground level with the proposed parking lot which would likely allow anyone on the second floor to look down into his home.

Commissioner Klein asked how far away Mr. Samuelson's home was from the proposed building.

Ms. Botten replied that his house was approximately 80 feet from the property line.

Chair Maggi asked if that would be a total of 130 feet to the building.

Ms. Botten replied it would be more than 130 feet as it was 50 feet from the property line just to the drive.

Mr. Samuelson stated the proposed building would dramatically change the look of their neighborhood.

Chair Maggi asked Mr. Samuelson if the subject property was zoned industrial when he purchased his home.

Mr. Samuelson replied that it was; however, the proposed building was much different from what is there now.

Commissioner Lissarrague asked if his concern was the school or the size of the building.

Mr. Samuelson replied his concern was the size of the proposed building and the change in privacy they would be experiencing.

Commissioner Lissarrague asked if he would prefer a one story building.

Mr. Samuelson stated that would help with privacy; however, car lines going around the perimeter of the school and activities at night could completely change his property.

Commissioner Scales asked staff what type of uses would be allowed on this industrial property without the need for a variance.

Ms. Botten stated the maximum height allowed in I-1 was 60 feet (at least three stories), and there could be more truck traffic, more storage, etc.

Commissioner Scales wanted everyone to understand what could potentially go on that site.

Mr. Samuelson stated if such a business was proposed neighbors would likely oppose that request as well.

Chair Maggi stated if no exceptions were needed it may not come before the City.

Commissioner Robertson advised Mr. Samuelson that City Council may end up choosing to retain this property for industrial use, which would significantly change the potential of how that property could be used.

Jim Thorn, 509 Severn Way, and Jerry Hersman, 505 Severn Way, Eagan, advised they were available to answer any questions.

Mr. Thorn advised that their lots back up to the west side of the subject property. He stated that unlike the neighbors to the north; however, they had not seen a depiction of their sight lines. He advised that the main level of their homes were eye level with the parking lot.

Commissioner Robertson reiterated that if the property remained industrial there was the potential for something very different to occur on that property.

Mr. Thorn advised that he was not opposed to having a school on the property, but was concerned about the impact of the perimeter drive, the sight line from the house to the property, and tree removal. He stated that the first proposal showed a lot of tree removal on the western side of the property bordering his neighborhood.

Commissioner Simon asked if the developers met with their neighborhood as they did with the neighbors to the north.

Mr. Thorn replied in the affirmative, stating they seemed to have accommodated the neighbors on the north but had not yet addressed the issues on the Eagan side.

Mr. Hersman was concerned about the potential for parents to drop their kids off in his cul-de-sac so they could walk through his yard to get to the school rather than using the Robert Trail access. He asked for clarification on the length of the western fence and whether there would be team activities on the playground at night.

Mr. Tucker replied that the fence was proposed to go the entire length of the western side of the building and that activity on the playground would only occur during the day.

Mr. Hersman stated the school would be a good addition to the neighborhood.

Paul Brown, 9446 Tyne Lane, stated that based on the previous plan his property was the one most impacted by the proposal. He questioned why the City would willingly lose the tax base that has been being paid on this industrial property.

Chair Maggi stated that financial matters were the City Council's purview.

Mr. Brown stated he was pleased that the applicants have accommodated the neighbors by changing their plan; however, he was concerned about the impact to his back yard and would like to see a detailed drawing of exactly which trees would be retained, where the fence would be located, etc. He was also concerned about the traffic, stating it was a narrow roadway under the railroad bridge and there were heavy traffic backups starting at 3:30 when the employees of Thomson Reuters let out. He stated if development had to happen behind his home, a school was likely the best option.

Mike Fallon, 9452 Tyne Lane, requested that the developer communicate with the neighbors on the work being done and that there be some marking done in regard to tree removal, edge of construction, etc.

Heather Caldentey, 9472 Tyne Lane, asked the school to continue to work with the neighbors on the tree line as it was important for both noise and visual screening, and stated that a school was a good option as compared to the unknown.

Chair Maggi stated she supported the request.

Commissioner Wippermann noted that District 196 is contemplating building a new elementary school, and stated perhaps this school would eliminate the need for that.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Motion by Commissioner Scales, second by Commissioner Wippermann, to approve the request for a major site plan review to allow for the construction of a 90,000 gross square foot building, along with other property improvements, for the property located at 9725 S. Robert Trail, with the twelve conditions listed in the report.

Motion carried (7/0). This item goes to the City Council on September 14, 2015.

Commissioner Simon asked the applicant to provide additional maps and information to Mr. Thorn and Mr. Hersman.

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE: July 30, 2015 **CASE NO:** 15-31PR

HEARING DATE: August 5, 2015

APPLICANT: The Charter School Fund, LLC (Athlos Academies)

PROPERTY OWNER: Paul Miller

REQUEST: Major Site Plan Review for a 90,000 square foot school building

LOCATION: 9725 S. Robert Trail

COMPREHENSIVE PLAN: LI, Light Industrial
Proposed: *P/I, Public/Institutional*

ZONING: I-1, Limited Industry
Proposed: *P, Institutional*

REVIEWING DIVISIONS: Planning, Engineering

PREPARED BY: Heather Botten, Associate Planner

BACKGROUND

The applicants are requesting a major site plan approval to construct a two level building of approximately 90,000 gross square feet and other property improvements subject to the City Council approval of the rezoning and comprehensive plan amendment. The City Council tabled the rezoning and comp plan amendment request at the July 21st meeting in order for financials and traffic to be reviewed more thoroughly; this request will be brought back to the City Council on September 14, 2015. The applicant is aware that if the rezoning and comp plan amendment are denied the request for the major site plan review would also be denied as the use would not be consistent with the comprehensive plan. Because of timing, it is the applicant's desire to move forward with the site plan review process and have it been seen in front of the council at the same time as the rezoning and comp plan amendment.

The property is approximately 19 acres in size. If approved, the existing building on the site would be demolished and a 90,000 gross square foot building along with a new parking area, athletic field and play area would be constructed. The applicants would like to start construction fall of 2015 and be open by fall of 2016.

EVALUATION OF THE REQUEST

Surrounding Uses. The subject site is surrounded by the following uses:
North– Residential; zoned R-1C, Single-family; guided LDR, Low Density Residential

West–	Residential; Eagan property
South–	Mini-storage and liquor store; zoned I-1, Limited Industrial and B-3 General Business; guided LI, Light Industry and CC, Community Commercial
East–	Trailer Sales; zoned I-1, Limited Industrial; guided LI, Light Industry

MAJOR SITE PLAN REVIEW

Lot Size and Coverage. The property is approximately 19 acres in size. The P district requires a one acre minimum lot size and 100 feet in width. The proposed site exceeds both requirements.

There is no maximum impervious surface requirement for the property. The P district allows for a maximum 20% building coverage on the site. The proposed building footprint would be less than 7% building coverage, complying with this requirement.

Building and Parking Lot Setbacks. The proposed building meets and exceeds the required 50 foot side and rear yard setbacks from residential property. The building is located over 70 feet from all property lines.

The parking lot and drive area also exceed the 10 foot minimum setback requirement. Originally, the applicants were proposing a 30 foot setback from the drive area to the northern property line; after meeting with neighbors and hearing their concerns the applicants reduced the amount of green space around the building and were able to move the drive area 49 feet from the northern property line.

Building Height. The maximum building height in the P district is 40 feet; the proposed building height would be 33 feet to the top of the roof.

Access and Circulation. The site would be served by one access point onto Robert Street/Hwy 3. This is a paved drive that would be widened to safely accommodate busses and pedestrian vehicles going to and from the school.

Robert Street is a state highway with MnDot having jurisdiction over it. The City and the applicant have been in discussions with MnDot regarding the impact the school use would have on the highway. The applicant will be required to meet all requirements of MnDot, including a traffic study to determine the impacts of the project to Robert Street. The applicant would be responsible for all improvements done to Robert Street which could include a turn lane, a bypass lane, right in/right out or other MnDot approval options.

Parking. The Zoning Code requires one parking space for each employee, plus one space per two classrooms. The applicant has stated there would be about 100 employees including full and part time staff. There would be about 50 classrooms requiring 25 additional parking spaces. The applicants are proposing 165 parking stalls, complying with code requirements.

Landscaping. The submitted landscape plan shows a mixture of trees and shrubs throughout the improved areas. The code requires a total 107 trees to be planted to meet site and parking lot

landscaping requirements. The submitted plan shows the equivalent of 116 trees that are a combination of mainly over-story and shrub plantings. The plan satisfies landscaping requirements.

Signage. Any proposed free standing or building signage must comply with the P standards. Proposed signs and locations are not approved with this plan. A separate sign permit would be required for all proposed signage.

Exterior Materials. Elevation plans have been submitted which show the building materials consisting of stucco and brick on all four sides. The proposed exterior materials comply with zoning code standards.

Lighting. A lighting plan has been submitted showing the location and illumination pattern of the proposed parking lot lighting. The photometric plan of the parking lot lighting complies with all foot-candle maximums. No details have been submitted on building lighting. The source of lights shall be hooded, recessed, or controlled in some manner so as not to be visible from adjacent property. Details of building lighting shall be submitted with the building permit and approved by the Planning Department.

Screening.
Fencing or screening is not required for the proposed institutional use. The residents to the north expressed concern about the impact to their properties the school may have. To accommodate the neighbors' request, the applicants are proposing a six foot solid fence along the north and west property lines where improvements are being made near the residential homes and a chain link fence around the athletic field area.

The code requires all roof top and ground mounted mechanical equipment to be screened from view. The elevation plan shows an approximate 2.5 foot parapet on top of the building that would screen the roof top mechanical equipment. This design would satisfy city requirements.

Engineering Review. Engineering has reviewed the plans and has been working with the applicant on storm water, utility, and grading requirements. Engineering has made some recommendations on conditions that should be added to the approval; these conditions are included in the list of conditions at the end of this report. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer.

A development contract, stormwater facilities maintenance agreement and other related agreements will be required to be executed between the City and the developer. The agreement will address the necessary site improvements including the parties responsible for the improvements and will require financial surety for the landscaping, erosion control and any other improvements that may be necessary. A developer is required to enter into a contract with the City addressing the improvements and construction on site. A letter of credit equal to 125% of the cost of these improvements is required before construction can begin. This requirement assures the City that these particular improvements will be constructed to the satisfaction of the City.

ALTERNATIVES

A. **Approval:** If the Planning Commission finds the application acceptable, the following request should be recommended for approval:

- Approval of a **Major Site Plan Review** for a 90,000 square foot building along with other property improvements subject to the following conditions:

1. The site shall be developed in substantial conformance with the following plan set on file with the Planning Department except as may be modified by the conditions herein:

Plan Set	dated 07/02/15
Site Plan	dated 07/24/15
Site Grading Plan	dated 07/02/15
Landscape Plan	dated 07/02/15

2. Prior to any construction occurring on site, all grading, drainage, erosion control, storm water management and utility plans shall be subject to the review and approval of the City Engineer.

3. A development contract, stormwater facilities maintenance agreement and other related agreements will be required to be executed between the City and the developer.

4. Prior to any work being done on the site, an Engineering cash escrow and/or letter of credit shall be submitted to the City to ensure the proper construction of the improvements and to review the drainage modeling.

5. The developer shall meet all the conditions outlined in the City Engineers review letters and subsequent correspondence.

6. A separate sign permit must be applied for and issued prior to the construction or installation of any freestanding or wall mounted signs on the site.

7. All parking lot and building lighting on site shall be a down cast, "shoe-box" style and the bulb shall not be visible from property lines. Details of building lighting shall be submitted with the building permit.

8. Any roof top and/or ground utility equipment shall be completely screened on all sides from public view.

9. All plans shall be subject to the review and approval of the City Fire Marshal.

10. The developer shall meet the conditions outlined in the review letters from MnDot and other reviewing agencies.

11. The applicant shall conduct a traffic study to review traffic characteristics, formalize vehicle generation, turning movements, and impacts to Robert Street/ Hwy 3.

12. The applicant will be responsible for all improvements required by MnDot; which could include a turn lane, bypass lane, or right in/right out traffic flow.

B. **Denial:** If the Planning Commission does not support the request, a recommendation of denial should be forwarded to the City Council. With a recommendation of denial, the basis of the recommendation should be given.

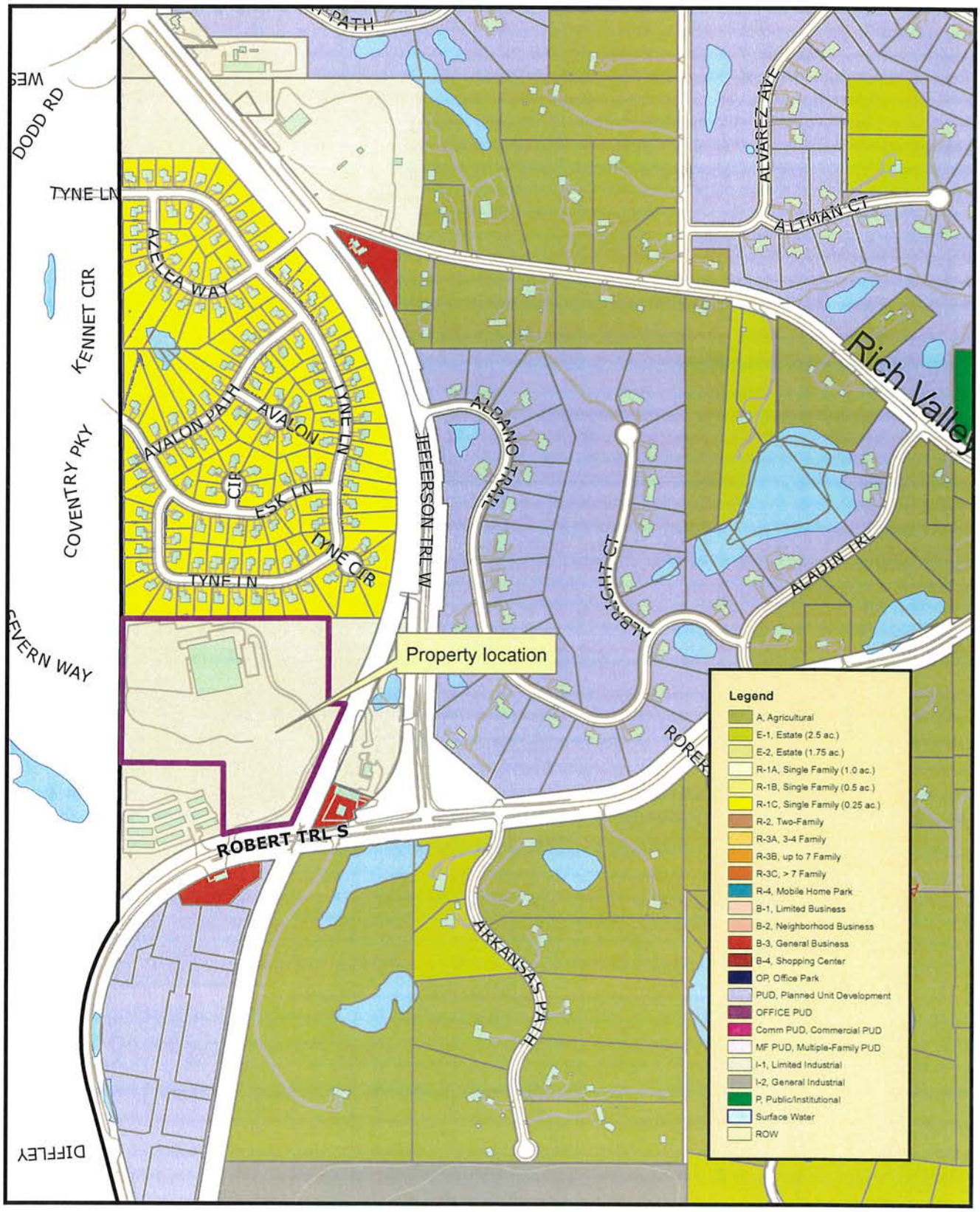
RECOMMENDATION

Based on the information in the preceding report, staff is recommending approval of the 90,000 square foot school building and other property improvements subject to the approval of the rezoning and comprehensive plan amendment and the conditions listed in Alternative A.

Attachments:
Exhibit A – Zoning Map
Exhibit B – Project Narrative
Exhibit C –Site Plan
Exhibit D –Landscape Plan
Exhibit E –Elevation Plans
Exhibit F – Letter from Neighbor

Map not to scale

The Charter School (Athlos Academies)
Case No. 15-31PR



N

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is to be used for reference purpose only. The City of IGH is not responsible for any inaccuracies herein contained.

Zoning and Location Map

ATHLOS ACADEMIES

7/2/2015

Heather Botten
Associate Planner
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

APPLICATION FOR MAJOR SITE PLAN REVIEW
9725 S. ROBERT TRAIL
INVER GROVE HEIGHTS, MN

Dear Ms. Botten,

Athlos Academies is pleased to submit this request for Major Site Plan Review for your consideration. It is our intention to utilize this site for a public charter school that will serve grades K-8.

The property is currently home to a vacant, aged, industrial building with no operating use. The building has been vacant for approximately 10 years. The improvements on the site, including the building, have severely deteriorated over that same period.

We propose to re-develop this site as a new state-of-the-art public charter school. The proposed building is anticipated to be approximately 90,000 SF in size. The site will serve approximately 1,260 students in grades K-8. The site will utilize the existing developed areas with enhancements to provide additional parking, field space and playground areas. The site will also preserve the majority of the existing trees and natural areas around the perimeter of the property to the extent possible.

This project will be an asset to the community by providing an additional option for a local school, community enhancement by re-development of a vacant eyesore, and job opportunities for local residents.

Enclosed with this letter, please find the following attachments:

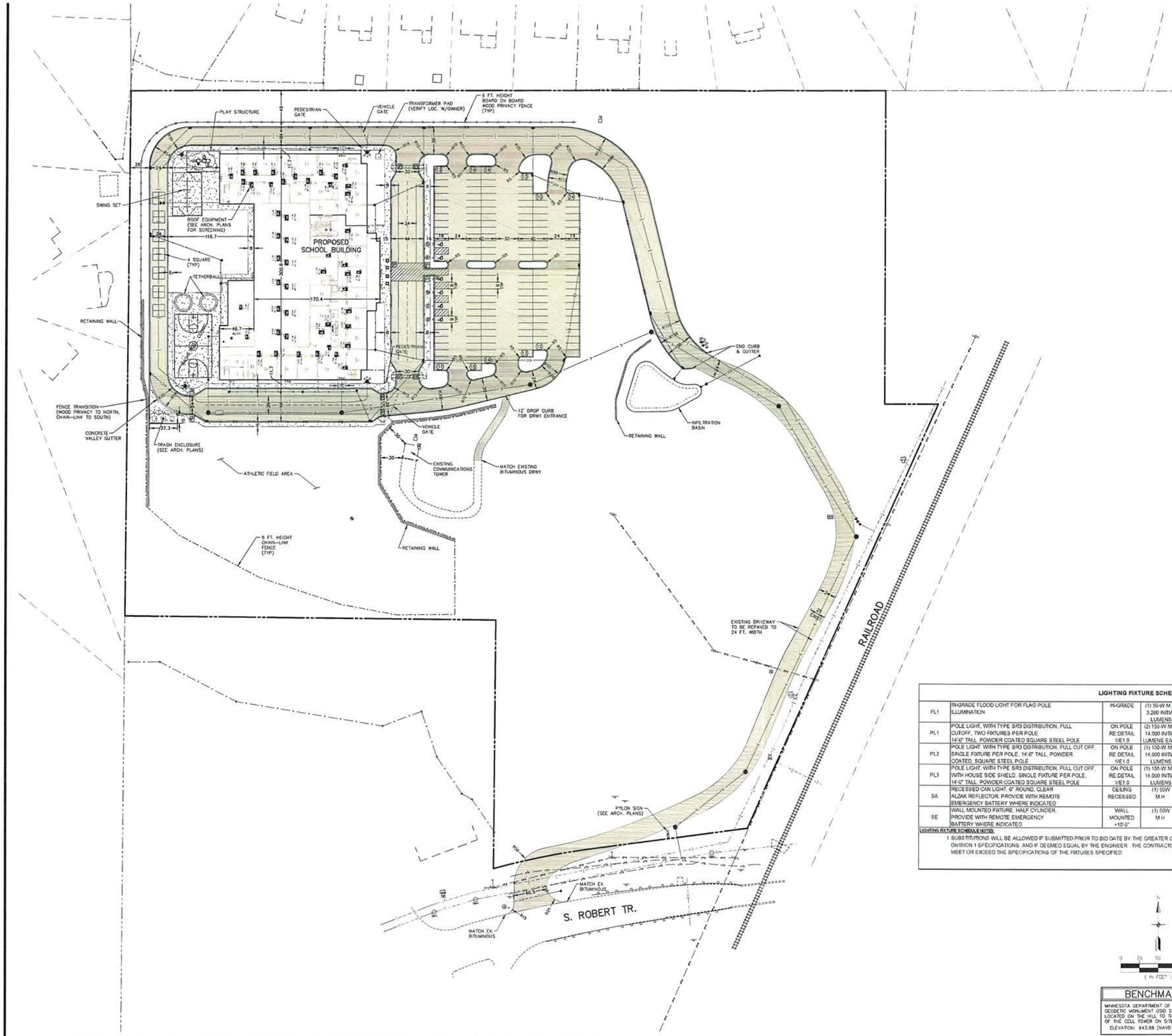
- Completed application for Major Site Plan Review
- 10 copies of the survey map, site plan, grading/stormwater drainage plan and landscape plan.
- 10 copies of "other" plans as applicable.
- Legal Description of the property.
- Abstractors certificate.

Thank you in advance for considering this application. Please feel free to contact me at (208) 908-5536 if there are any questions.

Best Regards,
Athlos Academies

Aaron Carroll
Director of Development

Exhibit B



PROPERTY LINE
EASEMENT LINE
CURB LINE
BITUMINOUS PAVEMENT
CONCRETE WALK
SANITARY SEWER
STORM SEWER
WATER MAIN
UNDERGROUND GAS
UNDERGROUND ELECTRIC
UNDERGROUND TELEPHONE
UNDERGROUND FIBER OPTIC
MANHOLE
HYDRANT
GATE VALVE
TELEPHONE BOX
TELEVISION BOX
LIGHT POLE
SIGN
GUARD POST
PEDESTRIAN RAMP

SITE PLAN NOTES

1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
2. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF THE BUILDING UNLESS OTHERWISE NOTED.
3. ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
4. REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING FEATURES AND DIMENSIONS.
5. ALL PEDESTRIAN RAMPS SHALL MEET CURRENT ADA STANDARDS AND BE INSTALLED WITH CAST IRON TRUNCATED DOMES.
6. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO THE START OF SITE WORK. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES AND/OR VARIATIONS FROM THE PLAN.
7. UNLESS OTHERWISE SHOWN ON THIS DRAWING, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINTS AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES PER THE FOLLOWING REQUIREMENTS:

CONTROL JOINT MAX. SPACING: WALKS–8' O.C.
ALL OTHERS–10' O.C.

SAW CUT CONTROL JOINTS MINIMUM ¼ CONCRETE THICKNESS.

EXPANSION JOINTS MAX. SPACING: WALKS–24. O.C.
*ALL OTHERS–40' O.C.

*AT ALL POINTS WHERE A CHANGE IN PAVEMENT THICKNESS OCCURS AND/OR WHERE NEW PAVEMENT WILL MATCH EXISTING PAVEMENT, AN EXPANSION JOINT SHALL BE PROVIDED.

DOWEL ALL EXPANSION JOINTS: 24" O.C. MAX.

SIGNING AND STRIPING NOTES

1. ALL SIGNS SHALL BE PLACED 18" MINIMUM BEHIND CURB UNLESS OTHERWISE NOTED.
2. SIGNAGE SHALL INCLUDE SIGN, POST, HARDWARE, CONCRETE FOOTING AND STEEL CASING (IF REQUIRED).
3. PARKING LOT STRIPING SHALL BE 4" SOLID WHITE PAINT.
4. ALL HANDICAP MARKINGS SHALL BE 4" SOLID BLUE PAINT.
5. ALL CROSS-HATCHING SHALL BE 4" SOLID YELLOW PAINT.
6. ALL SIGNS SHALL MEET THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) FOR RETRO REFLECTIVITY AND INSTALLATION.

SITE DATA

EXISTING ZONING:	I-1, LIMITED INDUSTRY
PROPOSED ZONING:	P, INSTITUTIONAL
LOT AREA:	841,059 SF
HARD SURFACE AREA:	
BUILDING:	56,100 SF 7%
PAVEMENT:	~~150,122 SF 21%~~
TOTAL:	~~214,222 SF 25%~~
PERVIOUS SURFACE AREA:	~~626,837 SF 75%~~

PARKING SUMMARY

STANDARD STALLS	147
HANDICAP STALLS	6
TOTAL STALLS	153

SIGN SCHEDULE (PER MMUTCD)

Ⓐ STOP SIGN: R1-1 (24"x 24")
Ⓑ HANDICAP PARKING SIGN: R7-8m W/R7-8b (12"x 6")

LIGHTING FIXTURE SCHEDULE-15-165

FL1	IN-GRADE FLOOD LIGHT FOR FLAG POLE ILLUMINATION	IN-GRADE	(1) 50-W M.H. 3,200 INITIAL LUMENS	HYDREL NO: 9100-A-50M-277-NFL-FLCAS-3-HB-LP-DNA	PRE-BID APPROVAL REQUIRED	1
PL1	POLE LIGHT, WITH TYPE SR3 DISTRIBUTION, FULL CUTOFF, TWO FIXTURES PER POLE. 14'-0" TALL, POWDER COATED SQUARE STEEL POLE	ON POLE RE:DETAIL 1/E1.0	(2) 150-W M.H. 14,000 INITIAL LUMENS EACH	LITHONIA NO: AS1-150M-SR3-SCWA-TB-SPA POLE: SSS-14-4C-DM28AS-DDB	PRE-BID APPROVAL REQUIRED	1
PL2	POLE LIGHT, WITH TYPE SR3 DISTRIBUTION, FULL CUT OFF, SINGLE FIXTURE PER POLE, 14'-0" TALL, POWDER COATED, SQUARE STEEL POLE	ON POLE RE:DETAIL 1/E1.0	(1) 150-W M.H. 14,000 INITIAL LUMENS	LITHONIA NO: AS1-150M-SR3-SCWA-TB-SPA POLE: SSS-14-4C-DM19AS-DDB	PRE-BID APPROVAL REQUIRED	1
PL3	POLE LIGHT, WITH TYPE SR3 DISTRIBUTION, FULL CUT OFF, WITH HOUSE SIDE SHIELD, SINGLE FIXTURE PER POLE, 14'-0" TALL, POWDER COATED SQUARE STEEL POLE	ON POLE RE:DETAIL 1/E1.0	(1) 150-W M.H. 14,000 INITIAL LUMENS	LITHONIA NO: AS1-150M-SR3-SCWA-TB-SPA-HS POLE: SSS-14-4C-DM19AS-DDB	PRE-BID APPROVAL REQUIRED	1
SA	RECESSED CAN LIGHT, 6" ROUND, CLEAR ALZAK REFLECTOR, PROVIDE WITH REMOTE EMERGENCY BATTERY WHERE INDICATED	CEILING RECESSED	(1) 50W M.H	GOTHAM NO: AH-50M-BAR-277 (EC WHERE INDICATED)	PRE-BID APPROVAL REQUIRED	1
SE	WALL MOUNTED FIXTURE, HALF CYLINDER, PROVIDE WITH REMOTE EMERGENCY BATTERY WHERE INDICATED	WALL MOUNTED +10'-0"	(1) 50W M.H	LITHONIA NO: WSR-50M-MD277-SCWA (WITH DC12 WHERE INDICATED)	PRE-BID APPROVAL REQUIRED	1

LIGHTING FIXTURE SCHEDULE NOTES:

1. SUBSTITUTIONS WILL BE ALLOWED IF SUBMITTED PRIOR TO BID DATE BY THE GREATER OF: 7 BUSINESS DAYS OR THE TIME PERIOD SPECIFIED BY DIVISION 1 SPECIFICATIONS. AND IF DEEMED EQUAL BY THE ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING SUBSTITUTED FIXTURES MEET OR EXCEED THE SPECIFICATIONS OF THE FIXTURES SPECIFIED

N

0 20 50 100
(IN FEET)

BENCHMARKS

MINNESOTA DEPARTMENT OF TRANSPORTATION GEODETIC MONUMENT GSID STATION #7481 LOCATED ON THE HILL TO THE SOUTHWEST OF THE CELL TOWER ON SITE.
ELEVATION: 943.88 (NAVD 88)

CALL BEFORE YOU DIG.

811 Know what's below. Call before you dig.

PRELIMINARY

Carlson McCain
ENVIRONMENTAL · ENGINEERING · SURVEYING
248 Apollo Dr, Suite 100, Lino Lakes, MN 550
Phone: 763-489-7900 Fax: 763-489-7959

SITE AND SIGNAGE PLAN

ATHLOS LEADERSHIP ACADEMY
Inver Grove Heights, Minnesota

ATHLOS ACADEMIES
855 Broad Street, Suite 300
Boise, ID 83720
Contact: Aaron Carroll
208-908-5536

REVISIONS
1. 07/24/15
2.
3.
4.
5.
6.

DRAWN BY:	JTR
ISSUE DATE:	07/02/15
PROJECT NO:	5691

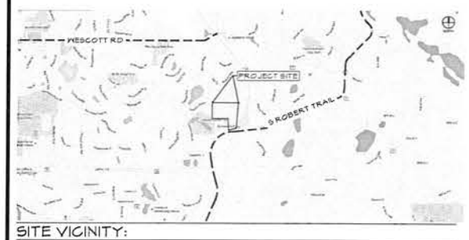
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Name: Joseph Radach, PE
Signature:
Date: 07/02/15 License #: 45889

C4 of 11

ATHLOS CHARTER SCHOOL:

INVER GROVE HEIGHTS, MN:



SITE VICINITY:

PROJECT SITE INFORMATION:

SPATIAL INFORMATION:

SITE:

LOCATION:	4725 ROBERT TRL S INVER GROVE HEIGHTS, MN 55441
PARCEL ID NUMBER	20-01900-51-011 SECTION 14 TWN 27 RANGE 22
TOTAL PROPERTY AREA:	14.27 22 14.31 ACRES

BUILDING:
GROSS SF: ##SF

PARKING LOT:
TOTAL SPACES PROVIDED: 165

LANDSCAPE NOTES:

1. REGULATIONS & STANDARDS
   1.1. All contractor work shall be conducted in accordance with MSPWC (Idaho Standard Public Works Construction), 2013; and City of Inver Grove Heights, MN codes, standards and state and local regulations.
2. EXISTING CONDITIONS
   2.1. All utilities shall be located prior to construction and protected. Any damage to structures, utilities or concrete will be replaced at contractor's expense.
   2.2. The site has many existing improvements such as underground utilities, curb and gutter, light poles and sidewalks.
   2.1. See Engineer's plans for information about existing features.
3. GRADING & SITE PREPARATION
   3.1. Prepare finish grades for planting by grubbing and removing weeds. If necessary apply Round-up (or equivalent herbicide), using a certified applicator. Remove rocks and other materials over 2".
   3.2. All gravel overprep to be removed and disposed of off site.
   3.3. Finish grade to be smooth transition to allow for entire site to be a natural flowing space.
   3.4. Fine grade lawn areas to elevations set by Engineer's plans with positive drainage away from structures.
      2.1.1. Refer to Engineer's plans for grading information & for all drainage pipes and locations. Protect and retain drainage at all times.
   2.2. No pooling or standing water will be accepted per industry standards.
3. SOILS
   3.1. Reuse of existing topsoil that has been stockpiled on site is permitted if:
      3.1.1. Topsoil is tested and analyzed to ensure a proper growing medium. Provide additional amendments as determined by soil tests. And
      3.1.2. Topsoil is to be loose, friable sandy loam that is clean and free of toxic materials, noxious weeds, weed seeds, rocks, grass or other foreign materials.
      3.1.3. Topsoil should have a ph of 5.5 to 7.0.
      3.1.4. If on site topsoil does not meet these minimum standards contractor is responsible for providing approved imported topsoil or improving onsite topsoil per the approval of the project manager.
   3.2. If imported topsoil is used it must be from a local source and be screened free of any debris or foreign matter. Topsoil must not contain rocks, sticks, lumps, or toxic matter.
   3.3. Smooth, compact, and fine grade topsoil in lawn areas to smooth and uniform grade .5" below adjacent surfaces.
   3.4. Infield and mound to be clay, coordinate with Architect.
4. PLANTER BED MULCH
   4.1. All planter beds to receive 2" depth of medium grind bark mulch, submit for approval prior to placement.
   4.1. Apply commercial grade pre-emergent as manufacturer recommends.
   4.2. Install 6" steel edging in planter beds along property line on East & West perimeter, as shown on plan. Install per manufacturer recommendations.
5. LAWN AREAS
   5.1. Seeded lawn to be MNDOT 25-151 weed free @ 2 tons per acre, seed to be installed-completed 10 weeks min. prior to school opening date.
   5.2. Sodded to be regionally grown, provide same mix as seeded or approved equal (above), to be installed 6 weeks min prior to school opening date.
   5.3. Lay sod within 24 hrs of harvesting. Lay sod to form a solid mass with offset, tightly fitted joints on even grades.
   5.4. Strip, repair and replace dead sod as needed
   5.5. All lawn areas adjacent to planters to have cut edge per detail 3/L.1.
6. PLANTS
   6.A. All plant material shall be installed per industry standards.
   6.5. All plant material shall meet or exceed the minimum federal standards as regulated by ANSI Z60.1, American Standard for Nursery Stock. Plants not meeting these standards for quality, or plants determined to be unhealthy by Owner's representative, will be rejected.
   6.6. All Ball and Burlap trees to be installed per Balled and Burlapped planting detail 1/L.1.
   6.7. All shrubs to be installed per detail 2/L.1.
   6.8. Trees and shrubs over 36" shall not be planted within clear vision triangles per city code.
   6.9. Fertilize all trees and shrubs with 'Agriform' planting tablets or approved equal. Apply per manufacturers recommendations.
7. IRRIGATION
   7.1. Irrigation system shall be built to the following specifications:
      7.1.1. Adhere to city codes when connecting to city water.
      7.1.1. All irrigation material to be new with manufacturers' warranty fully intact.
      7.1.2. Install indoor rated controller in specified location on plan. Coordinate with project manager on exact location.
      7.1.3. 2 WIRE SYSTEM TO BE INSTALLED PER MANUFACTURERS RECOMMENDATIONS. FOLLOW ALL RECOMMENDED GROUNDING AND WIRE SPLICE RECOMMENDATIONS.
      7.1.4. Irrigation system piping to be minimum class 200 PVC or approved equal, sleeves to be double the size of pipes located within, all wires to be contained in seperate sleeves 1-1/2" dia min.
      7.1.5. Use common trenching where possible.
      7.1.6. All PVC located under hardscapes to be schedule 40 PVC with same req's as above.
      7.1.7. All wires to be Paige wire 1350 or 1351 direct bury wire at a minimum of 12" below finished grade.
      7.1.8. Connect mainline to point of connection in approximate location shown on plan.
      7.1.9. Contractor is responsible complying with all codes and paying all permits necessary.
      7.1.10. Sprinkler heads shall have matched precipitation within each control circuit. Velocities shall not exceed 5 feet per second.
      7.1.11. INSTALL ALL IRRIGATION PER IRRIGATION DRAWINGS. UTILIZE MATERIAL SPECIFIED OR APPROVED EQUAL.
8. CONTRACTOR RESPONSIBILITIES
   8.1. Contractor is responsible for 1 year of maintenance starting at the final date of acceptance by owner.
   8.2. Estimated quantities are shown for general reference only. Contractor shall be responsible for all quantity estimates.
   8.3. Refer to note 2.1 regarding damages to existing utilities & permitting note in irrigation section.
   8.4. All plant material and workmanship shall be guaranteed for a period of one year beginning at the date of Acceptance by Owner. Replace all dead or unhealthy plant material immediately with same type and size at no cost to Owner.
   8.5. 22.1. Landscape contractor to turn in as built drawings at the end of project. Substantial completion will not be granted until 2 copies @ 1"=20' scale are turned in and approved by owner's representative.
9. In the event of a discrepancy, notify the General Contractor.

LANDSCAPE SHEET SET:

LANDSCAPE OVERVIEW:	1-L.1
LANDSCAPE PLANTING PLAN (S)	2-L.1
LANDSCAPE PLANTING PLAN (S)	3/L.1

PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY
	Acer saccharum 'Green Mountain' TM / Green Mountain Sugar Maple	B & B	2.5"Cal		16
	Gleditsia triacanthos 'Inermis' / Thornless Honey Locust	B & B	2.5"Cal		5
	Malus x 'Spring Snow' / Spring Snow Crab Apple	B & B	1.5"Cal		6
	Picea pungens glauca / Colorado Blue Spruce	B & B		4-5' H	21
	Pinus nigra / Austrian Black Pine	B & B		6-7' H	15
	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden	15 gal	2.5"Cal		14
SHRUBS	BOTANICAL NAME / COMMON NAME	SIZE	FIELD 2	FIELD 3	QTY
	Buxus x 'Green Mountain' / Boxwood	5 gal			56
	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	2 gal			116
	Coreopsis verticillata 'Moonbeam' / Threadleaf Coreopsis	1 gal			12
	Forsythia x 'Northern Sun' / Northern Sun Forsythia	5 gal			42
	Gaillardia aristata 'Arizona Sun' / Arizona Sun Blanket Flower	1 gal			5
	Helictotrichon sempervirens 'Blue Oats' / Blue Oat Grass	1 gal			44
	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily	1 gal			50
	Juniperus horizontalis 'Blue Rug' / Blue Rug Juniper	3 gal			54
	Philadelphus coronarius 'Aureus' / Golden Mockorange	5 gal			6
	Physocarpus opulifolius 'Dart's Gold' / Yellow Ninebark	5 gal			45
	Physocarpus opulifolius 'Monlo' / Diablo Ninebark	5 gal			31
	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac	5 gal			17
	Rosa x 'Dwarf Pavement' / Dwarf Pavement Rose	5 gal			45
	Spiraea japonica 'Neon Flash' / Neon Flash Spirea	5 gal			10
	Taxus x media 'Tauntoni' / Tauton Yew	5 gal			44

LANDSCAPE REQUIREMENTS:

(PER CITY CODE: 10-15-4 & 10-15D-2)

SCREENING & BUFFERING:

PROPERTY PERIMETER:
PERIMETER LANDSCAPING: 1 TREE PER 1,000 SF GROSS BUILDING FLOOR AREA

GROSS BUILDING FLOOR AREA: 90,846SF TREES REQUIRED: 90 PROVIDED: 98

SUBSTITUTIONS:
50% OF REQUIRED TREES MAY BE SUBSTITUTED PER:
2 ORNAMENTAL TREES PER 1 OVERSTORY: ORN TREES PROVIDED: 2 SUBSTITUTES: 1
6 SHRUBS PER 1 OVERSTORY TREE: SHRUBS PROVIDED: 240 SUBSTITUTES: 40
50% TREES MET (55) AROUND PERIMETER

SUBSTITUTIONS SUFFICE FOR TREE REQUIREMENTS THROUGHOUT SITE

NOTE: 8.25 ACRES OF TREES ARE TO BE PRESERVED ON SITE, WHICH PROVIDE HEAVY SCREENING ON THE EAST AND SOUTH PERIMETER. IT IS THE INTENT TO PROVIDE LESS TREES THAN THE MINIMUM REQUIRED THROUGHOUT THE SITE TO MAXIMIZE USE AND EFFICIENCY OF SPACE. HOWEVER, SUFFICIENT SCREENING ALONG THE NORTH PERIMETER AND WEST PERIMETER ARE PROPOSED TO BUFFER ADJACENT RESIDENTIAL UNITS.

PARKING LOT LANDSCAPING:
1 MEDIUM OR LARGE CANOPY TREE PER PLANTER ISLAND, 1 TREE PER 10 PARKING SPACES
1 MEDIUM OR LARGE CANOPY SHADE TREE PER PARKING LOT ISLAND
TOTAL PARKING SPACES: 165

PARKING LOT TREES REQUIRED: 17 PROVIDED: 17

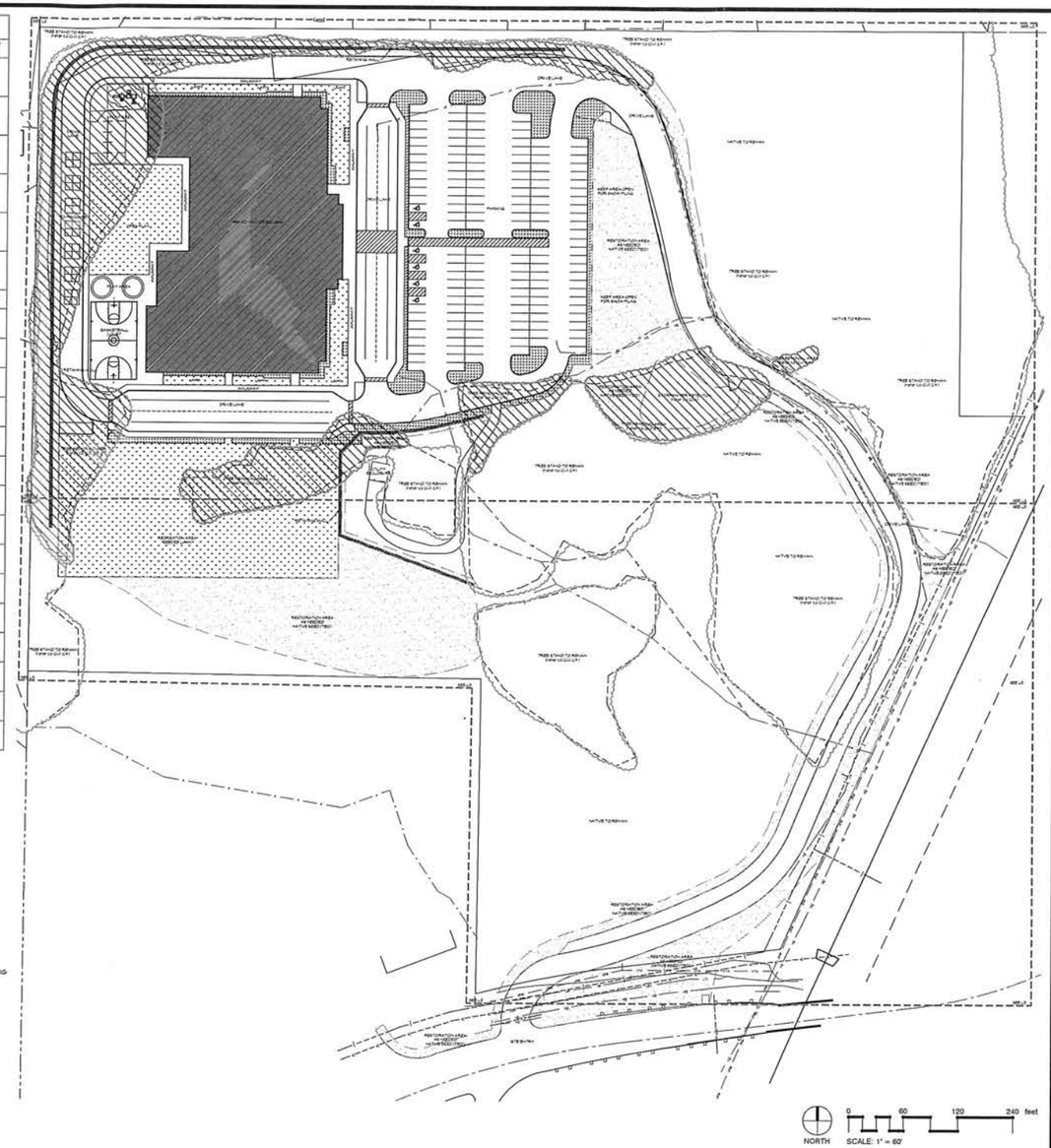
PLANT SIZING & CHARACTERISTICS MINIMUM REQUIREMENTS:

TREE SIZING:
CANOPY TREES: MIN 2 - 2½" CAL @ 3' FROM GROUND LEVEL, B&B
CONIFER TREES: MIN 6' H
ORNAMENTAL TREES: MIN 1.5" CAL @ 3' FROM GROUND LEVEL, B&B
SHRUB SIZING:
DECIDUOUS SHRUBS MIN 2' HEIGHT
EVERGREEN SHRUBS MIN 2' HEIGHT OR 2' WIDTH, WHICHEVER APPLIES
BIODIVERSITY
MIN OF 25% EVERGREEN & MIN OF 25% DECIDUOUS SHRUBS DISTRIBUTED THROUGHOUT PROJECT SITE
HEALTH & VIABILITY
PLANTS TO HAVE MIN 2 YEAR WARRANTY

*PROOF OF (2) YEAR WARRANTY FOR LANDSCAPE MATERIALS BY PROVIDER REQUIRED, OR ALTERNATE GUARANTEE FOUND ACCEPTABLE TO ZONING ADMINISTRATOR, SAID WARRANTY OR GUARANTEE TO BE SUBMITTED TO CITY PRIOR TO ISSUANCE CERTIFICATE OF OCCUPANCY
*(2) SMALL TREES CAN COUNT AS (1) SHADE TREE FOR PERIMETER

SITE ELEMENTS:

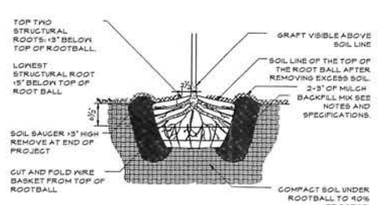
- LAWN (SF TBD)
- NATIVE SEED RESTORATION (SF TBD)
- BARK MULCH IN PLANTER BED (
- EXISTING TREE STAND TO BE REMOVED (SEE CIVIL)
- EXISTING TREE STAND TO REMAIN (SEE CIVIL)



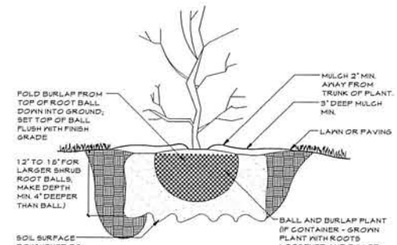
NOTE:
REMOVE ALL TAGS, TWINE OR OTHER NON BIODEGRADABLE MATERIALS ATTACHED TO PLANT OR ROOT MASS.

BACKFILL SHALL BE 100% TOPSOIL. WATER SETTLE ALL PLANTINGS TO ENSURE PLANT ROOTBALL MAINTAINS ½" HEIGHT ABOVE EXISTING SOILS WHEN COMPLETE.

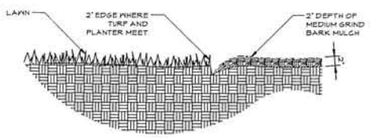
NOTES:
1. DO NOT DAMAGE OR CUT LEADER
2. DO NOT DISTURB ROOT OR DAMAGE ROOT BALL WHEN INSTALLING TREE OR TREE STAKES.
3. TREE STAKING SHALL BE AT THE DISCRETION OF CONTRACTOR. HOWEVER ANY TREES DISTURBED FROM PLUMB DURING THE PLANT WARRANTEE PERIOD WILL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE.
4. WATER PLANTS THOROUGHLY IMMEDIATELY AFTER INSTALLATION.
5. REMOVE ALL BURLAP, TWINE, ROPE, OR MATERIAL FROM THE TOP ½ OF THE ROOTBALL.
6. 5' DIAMETER PLANTER BED/MULCH RING AROUND THE TRUNK OF THE TREE. 3" OF MULCH MIN. DO NOT PLACE MULCH WITHIN 2" OF TRUNK OF TREE.



1 BALL AND BURLAP TREE PLANTING
3/4" = 1'-0" 324343.33-05



2 SHRUB PLANTING
1" = 1'-0" 324333.16-01



3 LAWN EDGE AT PLANTER LOCATIONS (TYP)
1" = 1'-0" 324413.23-02

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LANDSCAPE ARCHITECTURE/ MASTER PLANNING

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LANDSCAPE PLAN

ATHLOS LEADERSHIP ACADEMY
Inver Grove Heights, Minnesota

ATHLOS ACADEMIES
855 Broad Street, Suite 300
Boise, ID 83720
Contact: Aaron Carroll
208-908-5536

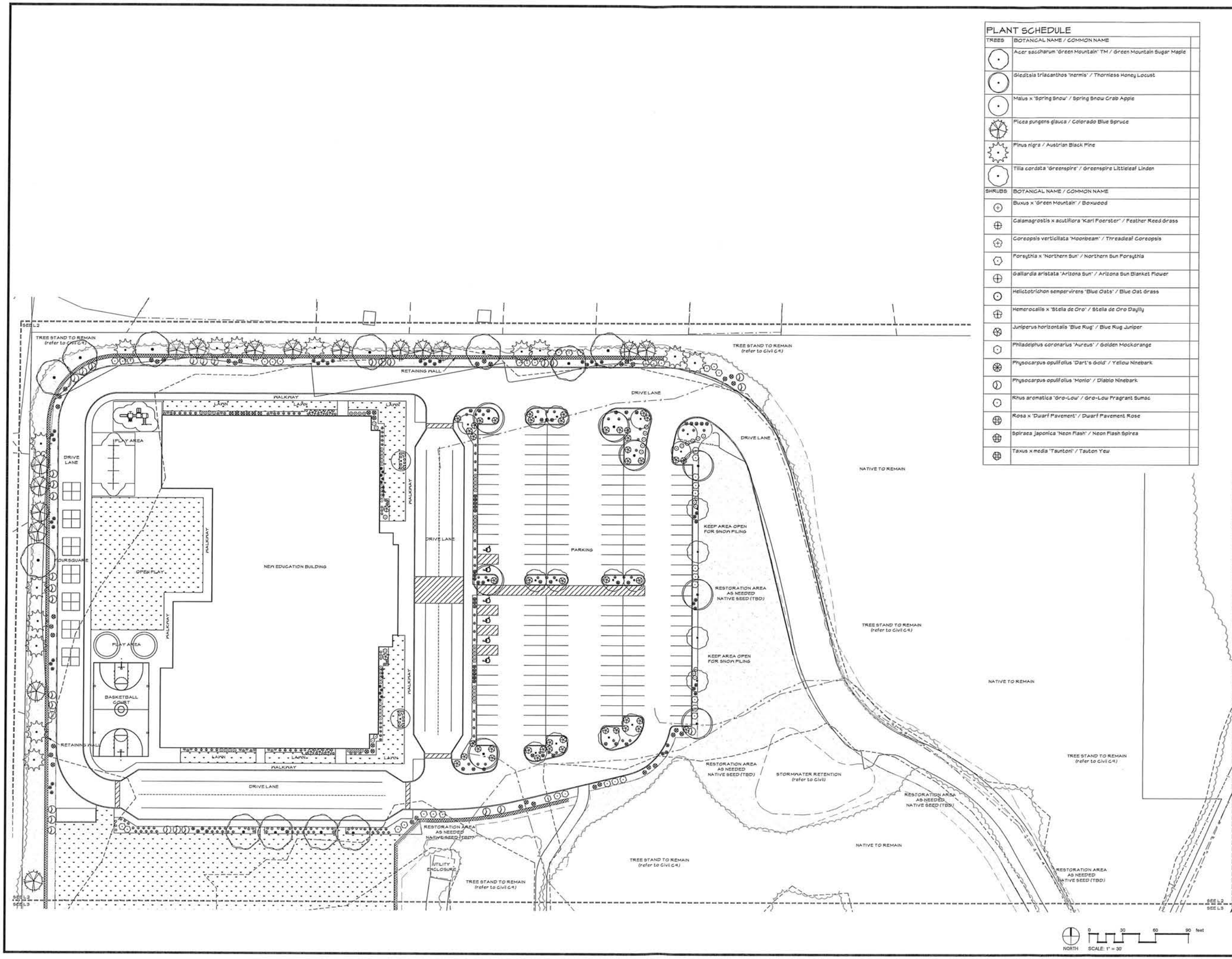
REVISIONS
1.
2.
3.
4.
5.
6.

DRAWN BY: JB/WH
ISSUE DATE: 07/02/15
PROJECT NO: 3691

PRELIMINARY

Name: William Howard
Signature:
Date: 7/02/15 License #:

L1 of 3



PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME
	Acer saccharum 'Green Mountain' TM / Green Mountain Sugar Maple
	Gleditsia triacanthos 'Inermis' / Thornless Honey Locust
	Malus x 'Spring Snow' / Spring Snow Crab Apple
	Picea pungens glauca / Colorado Blue Spruce
	Pinus nigra / Austrian Black Pine
	Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden
SHRUBS	**BOTANICAL NAME / COMMON NAME**
	Buxus x 'Green Mountain' / Boxwood
	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass
	Coreopsis verticillata 'Moonbeam' / Threadleaf Coreopsis
	Forsythia x 'Northern Sun' / Northern Sun Forsythia
	Gaillardia aristata 'Arizona Sun' / Arizona Sun Blanket Flower
	Helictotrichon sempervirens 'Blue Oats' / Blue Oat Grass
	Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily
	Juniperus horizontalis 'Blue Rug' / Blue Rug Juniper
	Philadelphus coronarius 'Aureus' / Golden Mockorange
	Physocarpus opulifolius 'Dart's Gold' / Yellow Ninebark
	Physocarpus opulifolius 'Monlo' / Diablo Ninebark
	Rhus aromatica 'Gro-Low' / Gro-Low Fragrant Sumac
	Rosa x 'Dwarf Pavement' / Dwarf Pavement Rose
	Spiraea japonica 'Neon Flash' / Neon Flash Spirea
	Taxus x media 'Taunton' / Tauton Yew

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LANDSCAPE PLAN

ATHLOS LEADERSHIP ACADEMY
Inver Grove Heights, Minnesota

ATHLOS ACADEMIES
855 Broad Street, Suite 300
Boise, ID 83720

Contact: Aaron Carroll
208-908-5536

REVISIONS
1.
2.
3.
4.
5.
6.

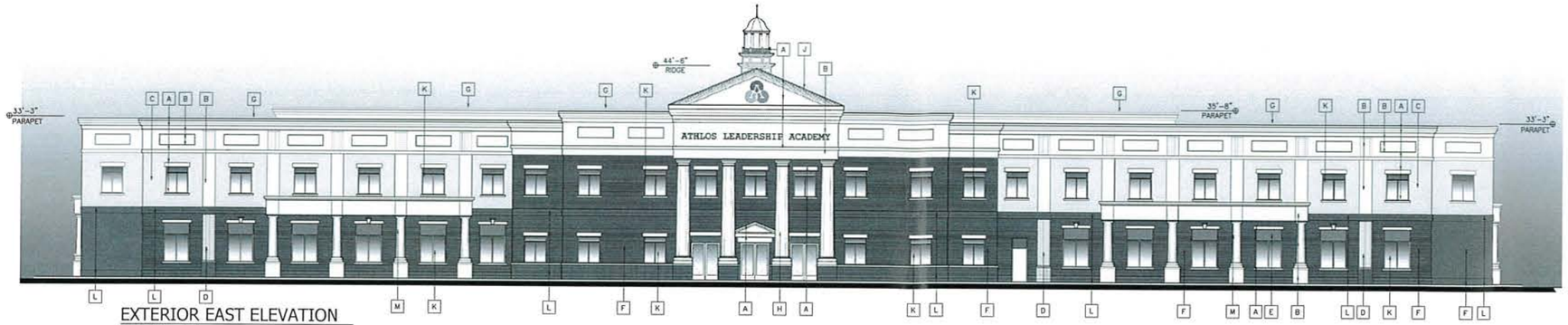
DRAWN BY:	JB/WM
ISSUE DATE:	07/02/15
PROJECT NO:	3691

PRELIMINARY

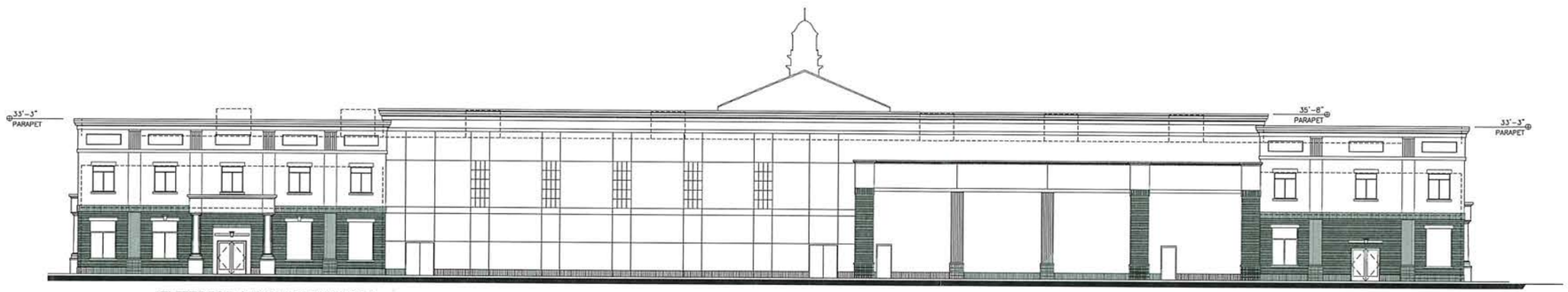
Name: William Howard
Signature:
Date: 7/2/15 License #:

L2 of 3

"D2"

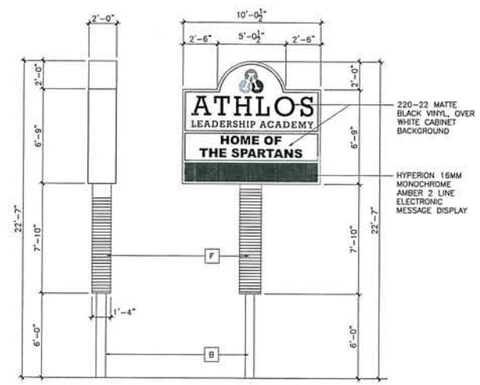


EXTERIOR EAST ELEVATION
SCALE: 3/32" = 1'-0"



EXTERIOR WEST ELEVATION
SCALE: 3/32" = 1'-0"

EXTERIOR NORTH ELEVATION
SCALE: 3/32" = 1'-0"



SITE PYLON SIGN ELEVATION (area 75 s.f.)
SCALE: 1/4" = 1'-0"

EXTERIOR SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

FINISH MATERIAL SCHEDULE

A	STUCCO/EIFS: DUNN EDWARDS DE6365 "COLD MORNING"
B	STUCCO/EIFS: DUNN EDWARDS DEC790 "ICE GRAY"
C	STUCCO/EIFS: DUNN EDWARDS DE6227 "MUSLIN"
D	STUCCO FLUTED PILASTER: DE6365 "COLD MORNING"
E	STUCCO/EIFS: DUNN EDWARDS DE6377 "BOAT ANCHOR"
F	THIN BRICK ACME BRICK CO. "CR RED", VELOUR FINISH, BLEND 100, RUNNING BOND.
G	24 GA. PREFIN. METAL COPING, COLOR: WHITE (FROM MFR. STANDARD LINE OF COLORS).
H	FIBERGLASS ROUND, TAPERED COLUMN/PILASTER, COLOR TO MATCH: DE6365 "COLD MORNING"
J	ASPHALT ROOF SHINGLES, "CHARCOAL".
K	VINYL WINDOW, FIXED, "WHITE", SEE WINDOW SCHEDULE AND SPECIFICATIONS.
L	THIN BRICK ACME BRICK CO. "CR RED", VELOUR FINISH, BLEND 100, SOLDIER COURSE.
M	FIBERGLASS HALF-ROUND, TAPERED COLUMN/PILASTER, COLOR TO MATCH: DE6365 "COLD MORNING"

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BRS ARCHITECTS

NO.	REVISIONS	DATE

BRS ARCHITECTS
1765 S. ALLANTE PL.
SUITE 100
BOISE, IDAHO 83709
(208) 336-8370
FAX (208) 336-8380

PROPOSED DEVELOPMENT FOR:

ATHLOS LEADERSHIP ACADEMY

CHARTER SCHOOL

INVER GROVE HEIGHTS, MN

SHEET TITLE

KEY PLAN

DRAWN

DATE

CHECKED

JOB NO. 15056

SHEET A2.0

"E"

Heather Botten

From: Paul Brown [pbrown.cons@gmail.com]
Sent: Thursday, July 30, 2015 11:45 AM
To: Heather Botten
Subject: Proposed charter school

Heather, my name is Paul Brown, and I am a resident whose property is likely most impacted by Athlos's proposal. Without more clarification, I cannot endorse Athlos's plans. My extensively landscaped backyard would be significantly impacted by their current plan. Please add my opposition until Athlos can provide more details and diagrams of what they are planning.

Sent from my iPhone

September 24th, 2015

Dear Inver Grove Heights City Councilmembers,

I am the listing agent of the 9725 South Robert Trail property that is currently under contract with Athlos Academy. Over the past 15 year I have worked as an industrial real estate broker with a specialization in Dakota County and I have been involved in many industrial transactions throughout the City of Inver Grove Heights. The intent of this letter is to share insight on the property and address the feasibility of future industrial use.

Since the 54,494 SF building was vacated approximately 10 years ago, it has been promoted for sale within the Twin Cities brokerage community and widely recognized as a distressed asset. It was originally designed for the manufacturing of heart valves but the existing infrastructure is obsolete and of no value for a medical related reuse. I took over the listing 9 months ago after setting expectations with the property owner about the low probability of finding a buyer that will see value in the existing building. The challenges from an office or industrial perspective are likely insurmountable and require the property to be redeveloped. Below are reasons the building is functionality obsolete and the property is poorly positioned for future industrial use:

- **Low Ceiling Height** - The 1971 building was designed with an 11'8" ceiling. Any industrial real estate expert will confirm that this alone will deter the vast majority of prospective users. There was recently a 90,000 SF industrial building in St. Paul with 14' ceilings that sat vacant 4 years before CSM Corporation sold it for $12.00 per square foot. The market is saturated with older industrial properties as low clear height is extremely restrictive. For most industrial companies, there is no price point that justifies operating within a 11'8" facility.

- **Location & Lack of Interstate access** - Industrial companies locate in close proximity to interstate access. The location of this property is also, by itself, reason that it is unattractive for industrial use. The exception to this could be a heavy outside storage use that requires being secluded from neighboring properties. Outside storage users will see little value in the existing building.

- **No fire protection** – Most industrial uses will require a costly upgrade with the full installation of sprinklers. This cost further prohibits the range of potential buyers.

- **Adjacent residential** – Industrial companies prefer to be within industrial parks. There is a strong preference by industrial companies to avoid liability and the potential complaints of residential homeowners surrounding the property.

- **Lack of sewer/water** – The lack of these utilities has a dramatic effect on the marketability of the property. These costs further detract from the value seen by a prospective buyer.

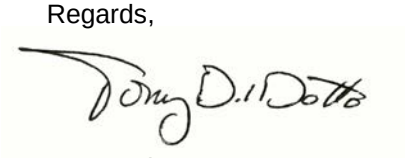
- **Environmental** - The phase I environmental report calls for a phase II investigation and potential environmental remediation. This adds to the costs that are required to improve the building.

- **Building/site condition** - Unless a company has no image requirements, the cost to upgrade the building façade, mechanicals, sewer/water, parking lot, environmental remediation, landscaping, etc far outweighs the cost of new construction. No industrial buyer will incur such costs when they can buy a flat site with sewer/water in an adjacent community and build a state-of-the-art facility for less cost.

The cost to make the building functional for the average industrial use is far beyond feasibility. The property requires redevelopment and there is no market to support industrial redevelopment on this remote site. There are far better sites throughout the metro area.

So whether or not the proposed use is acceptable, I hope this letter helps manage expectations of the site's potential for future industrial use. I am glad to field questions or even gather supporting feedback from other industrial experts who will confirm this assessment.

Regards,



Tony DelDotto
Senior Director
Cushman & Wakefield / NorthMarq
952-893-8893

AGENDA ITEM __7E____

CITY OF INVER GROVE HEIGHTS **REQUEST FOR COUNCIL ACTION**

HEMANT BHAKTA – Case No. 15-32PAZ

Meeting Date: September 28, 2015
Item Type: Regular Agenda
Contact: Allan Hunting 651.450.2554
Prepared by: Allan Hunting, City Planner
Reviewed by:

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Consider the following requests for property located at the SW corner of 54th Street and Alta Avenue:

a) A Resolution relating to a Comprehensive Plan Amendment to change the land use designation from NC, Neighborhood Commercial to CC, Community Commercial.

- Requires 4/5th's vote.

b) An Ordinance rezoning the property from B-2, Neighborhood Business to B-3, General Business.

- Requires 3/5th's vote.

- 60-day deadline: November 26, 2015 (second 60-days)

SUMMARY

The applicant is proposing to construct a 75-85 room hotel on a vacant parcel north of the Heartland Credit Union and east of the existing commercial strip center building. A rezoning and comprehensive plan amendment is required to allow a hotel on this parcel. If the rezoning and comp plan are approved, the applicant will submit an application for a Major Site Plan Approval for the detailed site plan of the hotel.

ANALYSIS

A change to a Community Commercial land use designation would be consistent with the intent of the comprehensive plan as this type of use would provide services including residents outside of Inver Grove Heights. The use does not appear out of character with the existing commercial uses to the north, west and south and the multiple family to the east. A hotel is a permitted use in the B-3 district. The change of zoning allows opportunities to develop a site that has been vacant since lot was platted and first rough graded.

RECOMMENDATION

Planning Staff: Staff recommends approval of the comprehensive plan amendment and rezoning.

Planning Commission: Recommends approval of the comprehensive plan amendment and rezoning (5-0-1).

Attachments: Comprehensive Plan Resolution
Ordinance Amendment for Rezoning
Planning Commission Recommendation
Planning Report

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE PARCEL FROM NC, NEIGHBORHOOD COMMERCIAL TO CC, COMMUNITY COMMERCIAL

CASE NO. 15-32PAZ
(Hemant Bhakta)

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

Lot 2, Block 1, Heartland Addition, Dakota County, Minnesota

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

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on September 1, 2015, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

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

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

1. The plan shall not become effective until all approvals have been granted by the Met Council and the City.

2. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.

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

Adopted by the City Council of Inver Grove Heights on this 28th day of September, 2015.

Ayes:
Nays:

ATTEST:

_____
George Tourville, Mayor

_____
Michelle Tesser, City Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 10, CHAPTER 4 (ZONING MAP) OF THE INVER GROVE HEIGHTS CITY CODE

CASE NO. 15-32PAZ
(Hemant Bhakta)

The City Council of Inver Grove Heights ordains as follows:

SECTION I. Ordinance No. 1190 adopted July 27, 2009, entitled, "AN ORDINANCE ADOPTING THE RECODIFICATION OF THE INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING ORDINANCE, is hereby amended to rezone the following described properties located within the City of Inver Grove Heights from B-2, Neighborhood Business District to B-3, General Business District, to wit:

Lot 2, Block 1, Heartland Addition, Dakota County, Minnesota

SECTION II. The Zoning Map of the City of Inver Grove Heights referred to and described in said Ordinance No. 1190 as that certain map entitled "Inver Grove Heights Zoning Map, June 24, 2002", together with all amendments thereto, hereinafter referred to as the "zoning map", shall not be republished to show the aforesaid rezoning, but the Clerk shall appropriately mark the said zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance and all of the notations, references and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

SECTION III. This Ordinance shall be in full force and effect from and after its publication according to law.

Enacted and ordained into an Ordinance this 28th day of September, 2015.

Ayes:
Nays:

George Tourville, Mayor

ATTEST:

Michelle Tesser, City Clerk

RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: September 1, 2015

SUBJECT:

HEMANT BHAKTA – CASE NO. 15-32PAZ

Reading of Notice
Commissioner Simon read the public hearing notice to consider the request for a rezoning of the property from B-2, Neighborhood Business to B-3, General Business and a Comprehensive Plan Amendment from NC, Neighborhood Commercial to CC, Community Commercial. 5 notices were mailed.

Presentation of Request
Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant would like to construct a hotel and is proposing to change the land use from Neighborhood Commercial to Community Commercial and the zoning from B-2, Neighborhood Business to B-3, General Business. Mr. Hunting advised that the property to the north was rezoned from B-4 to B-3 a few years ago when the owner was having difficulty leasing tenants because of the limited uses allowed in the B-4 district. Staff recommends approval of the request with the conditions listed in Alternative A.

Commissioner Wippermann noted a typo on page 3 of the report in which the word 'west' should have been 'east'.

Mr. Hunting noted the error.

Commissioner Lissarrague asked if the neighbors were informed of the public hearing.

Mr. Hunting replied in the affirmative, stating staff received no comments from neighbors.

Commissioner Simon asked if the neighboring apartment building was notified as well.

Mr. Hunting replied in the affirmative, stating notice was mailed to the owner or management company of the apartment building. He advised that a sign was posted on the subject property as well.

Opening of Public Hearing
Hemant Bhakta, 2020 Wilson Avenue, South St. Paul, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Bhakta replied in the affirmative, and advised he had been in the hotel business for 35

years.

Commissioner Wippermann asked what the hotel brand name would be.

Mr. Bhakta replied that decision would not be made until the land use request had been approved, but it would be some type of extended stay hotel. He noted that a feasibility study had been done, which came back positive.

Chair Maggi closed the public hearing.

Planning Commission Recommendation

Commissioner Niemioja advised that she supported the request as the proposed hotel would fulfill the comprehensive plan's goal of providing a diversity of services, would be in an area conducive to the proposed rezoning, and would provide additional hotel space in the City.

Motion by Commissioner Robertson, second by Commissioner Wippermann, to approve the request for a rezoning of the property from B-2, Neighborhood Business to B-3, General Business and a Comprehensive Plan Amendment from NC, Neighborhood Commercial to CC, Community Commercial, for the property located on the southwest corner of 54th Street and Alta Avenue.

Motion carried (5/0 with one abstention - Simon). This item goes to the City Council on September 28, 2015.

PLANNING REPORT
CITY OF INVER GROVE HEIGHTS

REPORT DATE:	August 28, 2015	**CASE NO.:**	15-32PAZ
APPLICANT:	Hemant Bhakta		
PROPERTY OWNER:	Heartland Credit Union		
REQUEST:	Comprehensive Plan Amendment to change land use from NC, Neighborhood Commercial to CC, Community Commercial and Rezoning from B-2, Neighborhood Business District to B-3, General Business District		
LOCATION:	54th Street and Alta Avenue		
HEARING DATE:	September 1, 2015		
COMPREHENSIVE PLAN:	Neighborhood Commercial		
ZONING:	B-2, Neighborhood Business District		
REVIEWING DIVISIONS:	Planning Engineering	**PREPARED BY:**	Allan Hunting City Planner

---

BACKGROUND

The applicant is proposing to change the land use designation of an approximate 1.7 acre parcel from Neighborhood Commercial to Community Commercial. The applicant would like to construct a hotel with about 75-85 rooms on the vacant parcel north of the Heartland Credit Union and east of an existing strip commercial center. Access would be from the internal private drive or alley that has access onto 54th Street.

The applicant has submitted a concept plan and elevations of the proposed hotel. If this phase of the application is successful, the applicant would be required to come back for additional city approvals of the site plan.

SURROUNDING USES

The subject property is surrounded by:

North	Commercial buildings; zoned B-3; guided Regional Commercial.
East	Multiple family residential; zoned R-3C; guided High Density Residential.
West	Commercial buildings; zoned B-2; guided Neighborhood Commercial.
South	Commercial buildings; zoned B-2; guided Neighborhood Commercial.

EVALUATION OF REQUEST

Comprehensive Plan Amendment

The subject area is currently guided for NC, Neighborhood Commercial which is defined in the 2030 Comprehensive Plan as:

> "Neighborhood commercial areas include lots or parcels containing retail sales and services located along collector roadways that serve the adjacent neighborhood area. The neighborhood commercial designation is the least intensive of the commercial classifications use in the comprehensive plan. Neighborhood commercial areas are intended to house businesses that provide convenience goods and services. Convenience goods and services include items that are regularly needed by nearby residents such as small grocery items, dry cleaning, video rentals, etc. Properties designated as neighborhood commercial on the land use plan are located along "A" minor arterials or community collector roadways."

Community Commercial is defined in the 2030 Comprehensive Plan as:

> "Community commercial areas include lots or parcels that contain retail sales and services located along community collector and arterial roadways that serve the community. Community commercial areas differ from neighborhood commercial areas in that they are more intensive and are deigned to attract customers from a wider trade area. As such, the goods and services that are available in community commercial areas are broader in scope such as restaurants, private recreational facilities, professional service offices, small-scale printing, etc."

The service that would be provided would be at a community wide level and would also extend beyond residents of Inver Grove Heights. The use could provide a service to companies located in Inver Grove Heights as well as visitors to the area.

The use is located along an arterial street within an established commercial area. Being an infill development in an established area, there is limited opportunity to provide pedestrian connectivity as described in the Community Commercial policies in the comprehensive plan.

The use would appear to be compatible with the multiple family development to the east in that it is a residential type use without generating retail type traffic counts. Multiple family adjacent to commercial is a typical land use pattern. Access to the site would be from existing streets used for the neighboring commercial uses and does not create an access connecting into residential areas, thus not creating a traffic volume impact.

Rezoning

The City Code, Title 10-3-5 states that a rezoning request must be "in the best interest of the physical development of the City" in order to be approved. This suggests that the request should be reviewed against such factors as infrastructure availability; compatibility with existing land uses in the neighborhood; and consistency with the Comprehensive Plan.

Infrastructure City sewer and water are available at the site. When the credit union was constructed, the storm water pond was sized to accommodate development on the subject site. There may need to be some additional storm water measures provided to address the new storm water standards. All road networks are in place. No additional roadways or other public improvements appear to be necessary with this proposal.

Neighborhood Compatibility The lots to the north, west and south are developed with commercial uses. The site is located just east off of Hwy 3 and I-494 is just to the north. There is multiple family development to the east, but this site sits higher, providing some physical separation between the two uses. Multiple family residential is a typical transition use between commercial and residential. There would be no direct conflicts with traffic on Alta as this site cannot access Alta and the main traffic flow would appear to be from 54th Street to stop light intersection at Hwy. 3.

Rezoning All rezoning requests must be reviewed against the City's Comprehensive Plan. Review against the various components of the Comprehensive Plan follows.

- *Wastewater Treatment* Wastewater from the building would be handled through the existing city sewer system.
- *Transportation* The site is located along Robert Street. No additional roads would be required. Most traffic would utilize 54th Street to Hwy 3.
- *Employment* The applicant expects the project would employ 6-10 individuals.
- *Natural Resources* The site has been graded long ago and altered when the property was platted and the strip center was constructed. There are no wetlands or other natural resources on the site that would need to be preserved.
- *Land Use* The proposed use seems to be consistent with the intent of the comprehensive plan by providing a use that serves the community and it is along an arterial road.

ALTERNATIVES

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

A. Approval If the Planning Commission finds the application acceptable, the Commission should make a recommendation approving the Comprehensive Plan Amendment from NC, Neighborhood Commercial to CC, Community Commercial and the rezoning from B-

2, Neighborhood Business District to B-3, General Business District subject to the following conditions:

1. The Metropolitan Council shall not require any significant modifications to the comprehensive plan amendment.

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

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

RECOMMENDATION

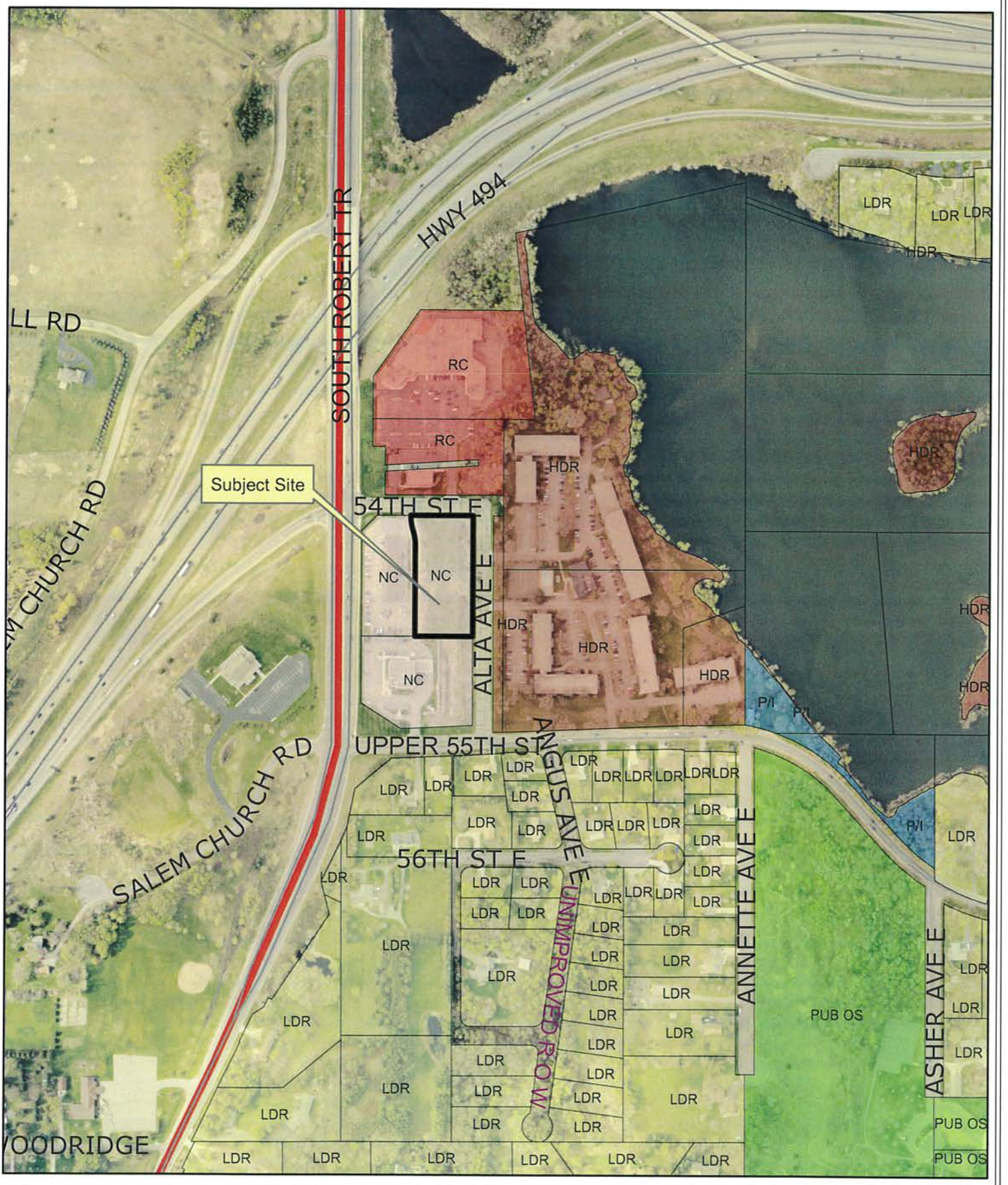
The proposed site has been vacant since the subdivision was created and the retail strip center and credit union developed around it. Visibility is limited, thus it is not a desirable retail location. An infill project to improve the site would be a benefit to the City. A hotel is a permitted use in the B-3 district. Additional site plan approvals would be necessary if the comp plan and rezoning are approved.

The City Council changed the zoning for the Salem Square Shopping Center in order to allow more uses and opportunities to fill the center. Pawn America now leases a significant space in the center as a result of the rezoning that occurred a few years ago. The City Council has made other similar changes to the area in order to allow for commercial development opportunity.

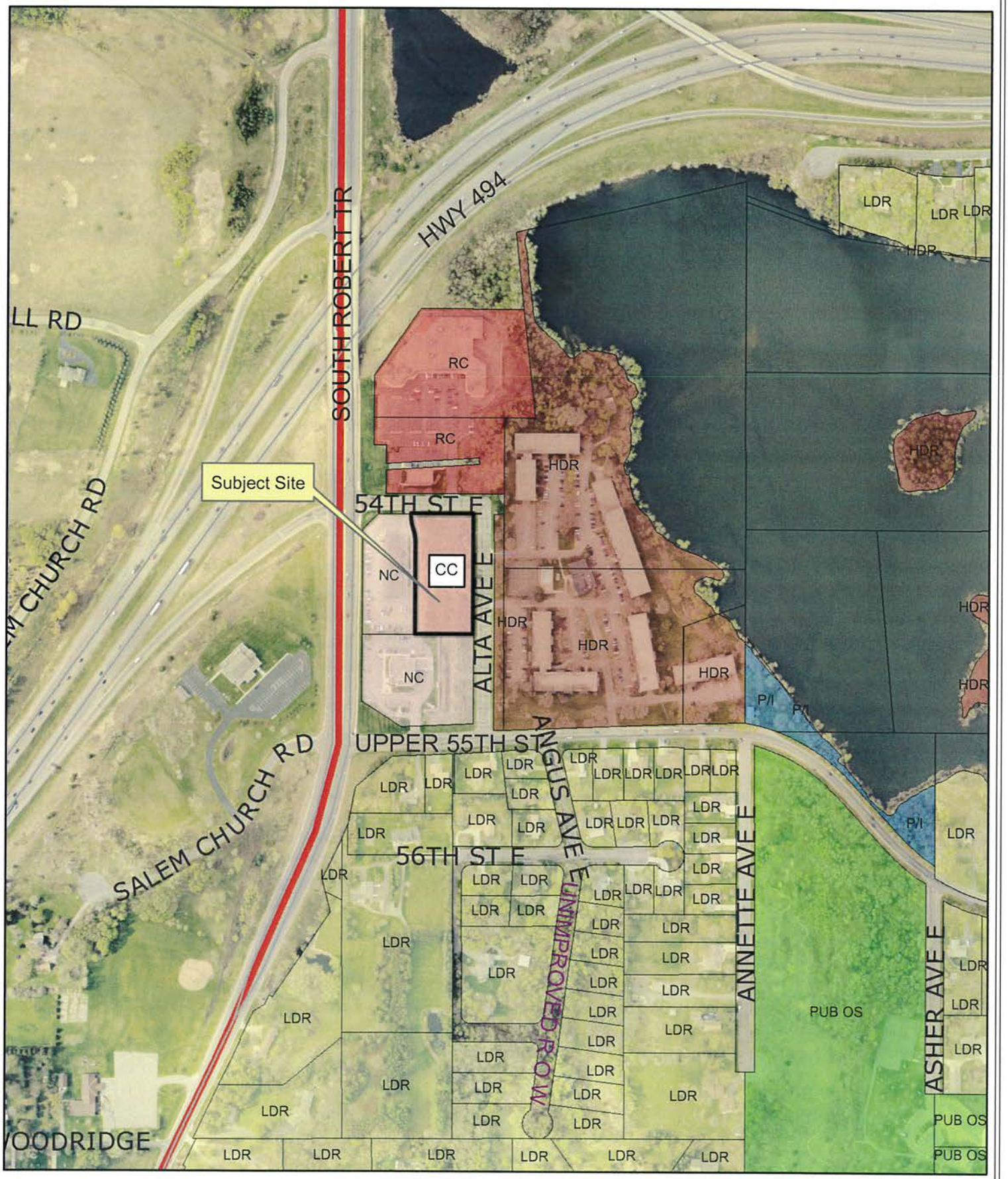
Staff recommends approval of the comprehensive plan amendment and rezoning of the parcel as proposed.

Attachments: Existing/Proposed Comp Plan Map
Existing/Proposed Zoning Map
Applicant Narrative
Concept Site Plan
Concept Building Elevation

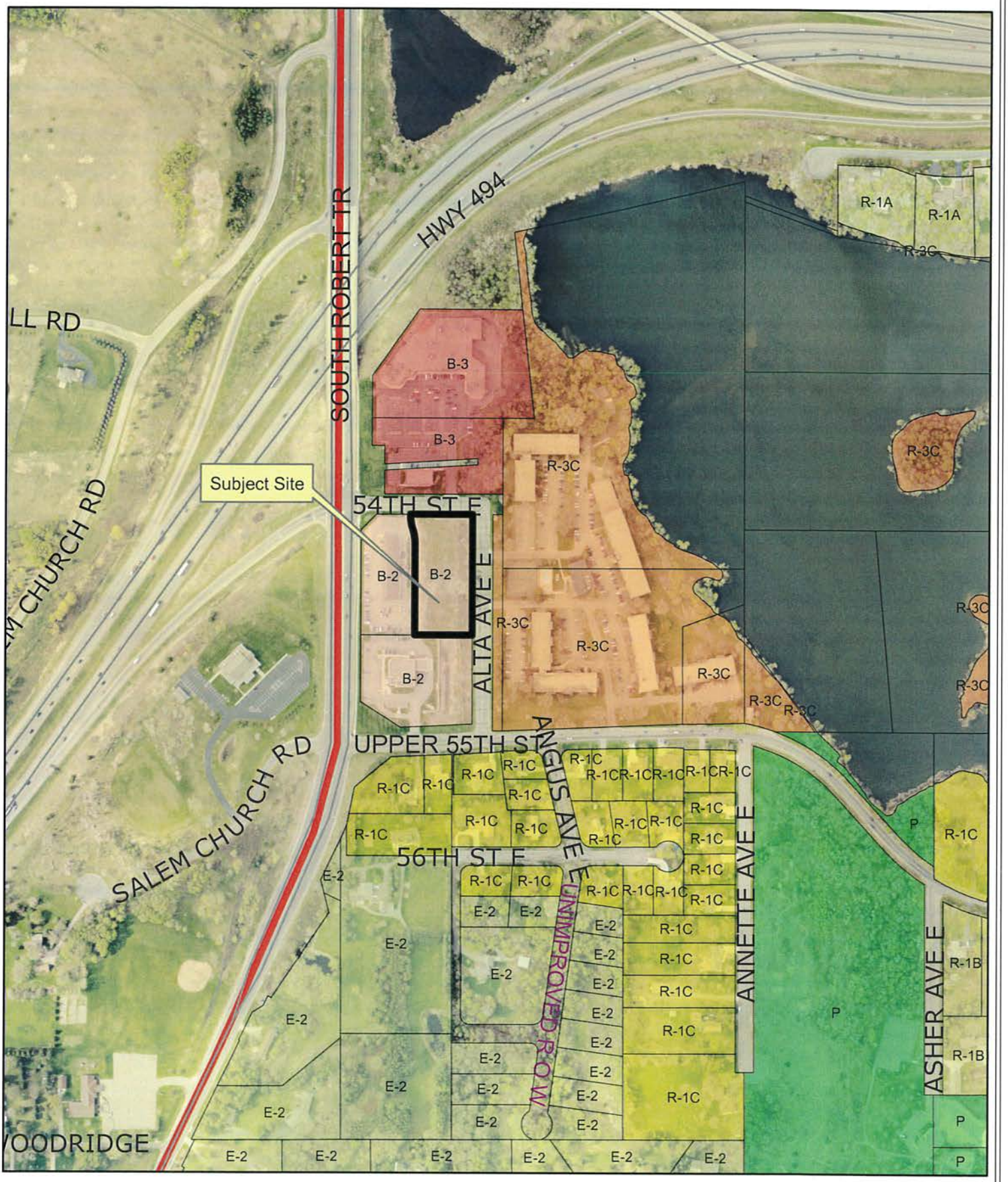
Existing Comp Plan Map
Case No. 15-32PAZ



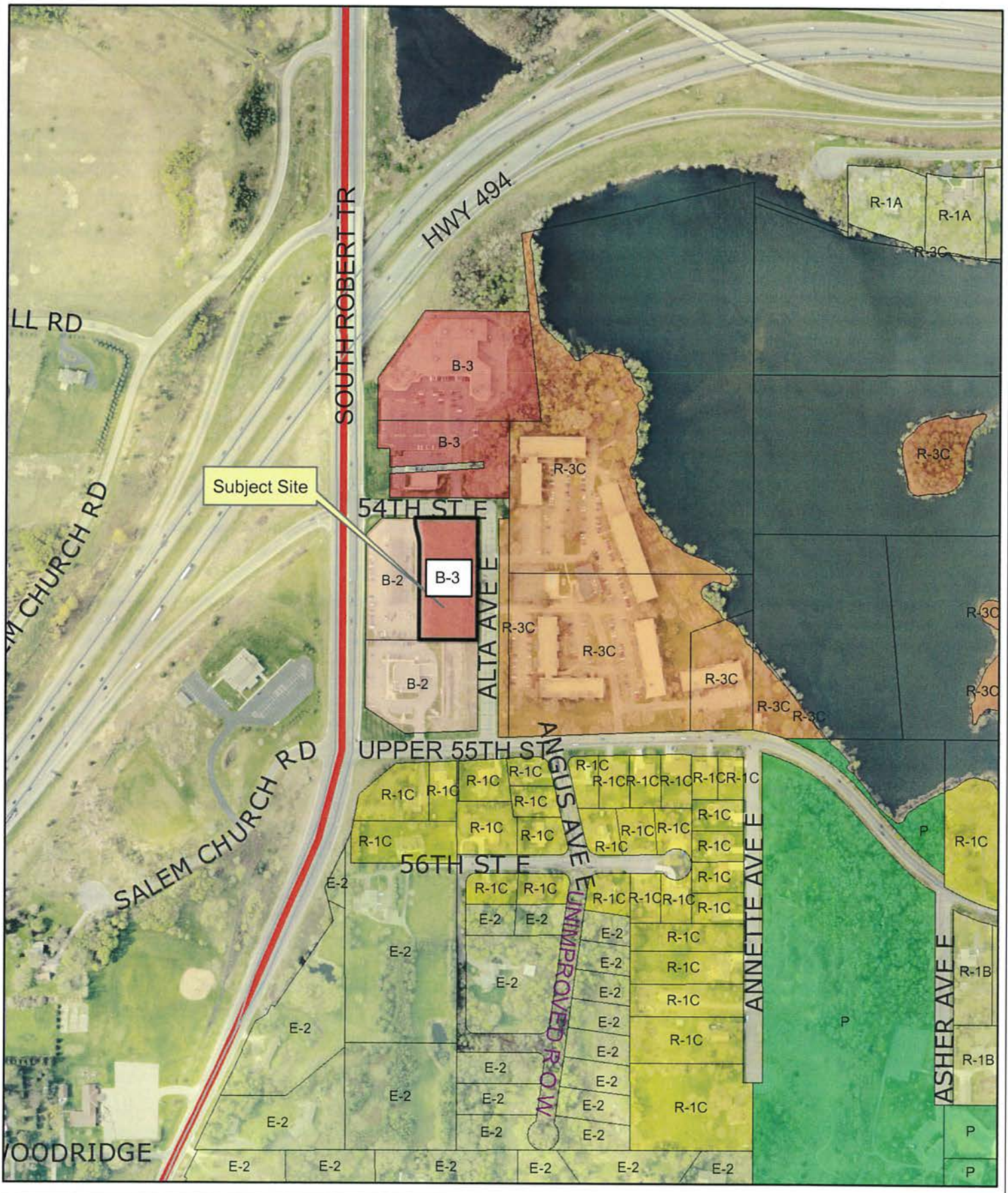
Proposed Comp Plan Map
Case No. 15-32PAZ



Existing Zoning Map
Case No. 15-32PAZ



Proposed Zoning Map
Case No. 15-32PAZ



REZOING REQUEST

DATE: 07/29/2015

TO WHOM IT MAY CONCERN:

CITY OF INVER GROVE HEIGHTS,

HEMANT BHAKTA IS REQUESTING REZOING PID# 20-32350-01-020 LOT-2/BLOCK 1 HCU MEMBER ADDITION TO CONDITIONAL USE FOR LIMITED SERVICE HOTEL/MOTEL USE. HOTEL WILL BE ABOUT BETWEEN 75 TO 85 UNITS.

HOTEL WILL EMPLOY 6 T0 10 NEW EMPLOYEE AND WILL BRING MORE VISITORS AND REVENUE TO OUR AREA.

PLEASE LET ME KNOW IF YOU NEED MORE INFORMATION REGARDING REZOING.

SINCERELY,

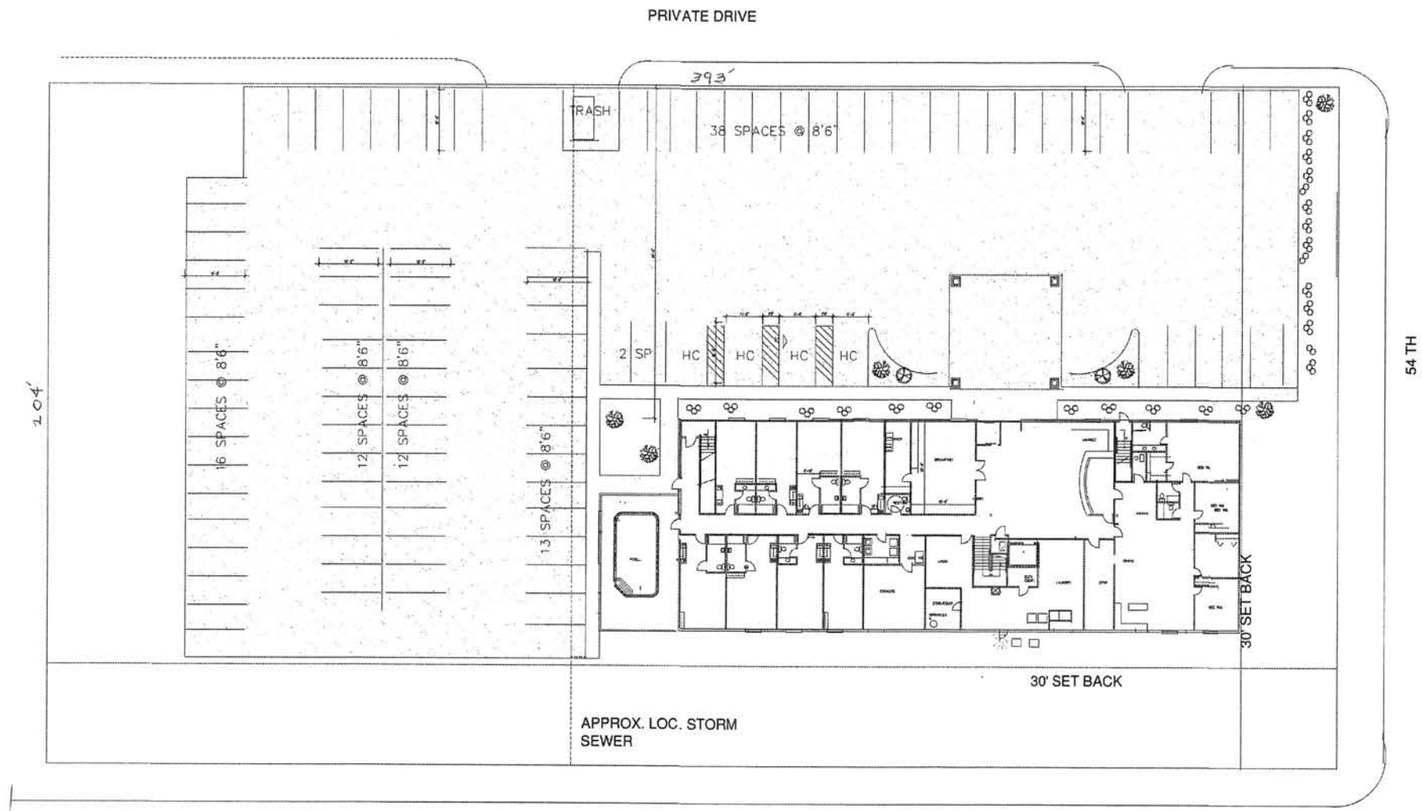
HEMANT BHAKTA

2020 WILSON AVE

SO. ST. PAUL MN, 55075

651-398-3694

EXTENDED STAY HOTEL
INVERE GROVE, MINNESOTA



SITE PLAN
A
1"=20'

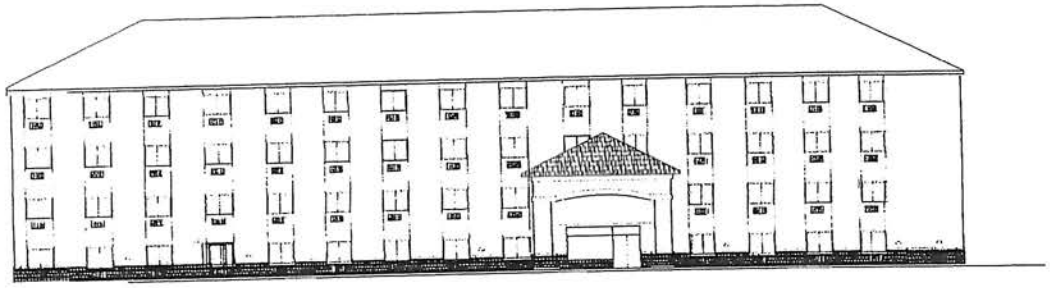
N

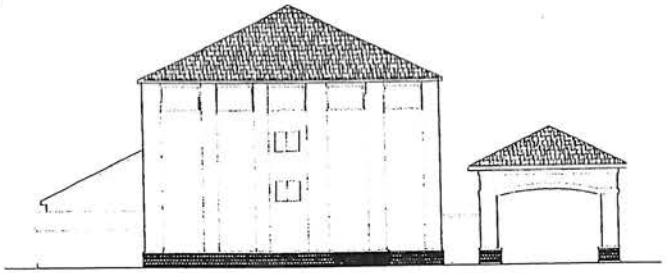
95 PARKING SPACE
9 PARKG.
EMP;OYEE
4 HC. SPACES

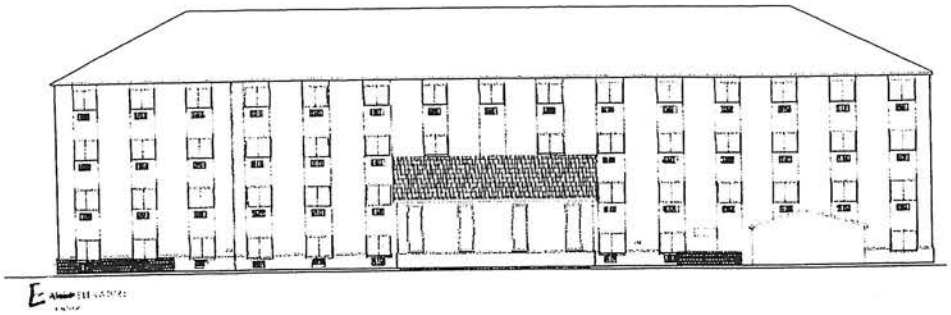
82 UNITS

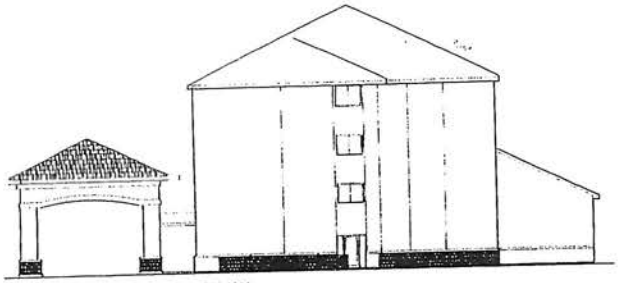
DATE: 7/28/15
REVISED:

SHEET
C1
OF
1









DATE:

REVISED:

SHEET

A-4

OF

11

AGENDA ITEM 7F

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

JIM DEANOVIC – Blackstone Ridge/Blackstone Highlands

Meeting Date:	September 28, 2015
Item Type:	Regular Agenda
Contact:	Allan Hunting 651.450.2554
Prepared by:	Allan Hunting, City Planner
Reviewed by:	

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Consider a Resolution relating to allowing transfer of Northwest Area connection fee credits to the future Blackstone Highlands plat.

- Requires 3/5th's vote.
- 60-day deadline: N/A

SUMMARY

The applicant is requesting Council allow the credit excess calculated in Resolution 14-193 to be applied to the future plat of Blackstone Highlands.

Council approved Resolution 14-193 on November 10, 2014 which authorized the application of credits for Blackstone Vista, Blackstone Ponds and Blackstone Ridge to be used for the shortage of density and payment of northwest area utility connection fees. The resolution established criteria to calculate credits for the approximate $601,000 shortage in fees.

With the revised Blackstone Ridge plat having fewer lots than the original preliminary plat design, there is more open space proposed due to the need to provide storm water treatment for the subdivision as well as some for Argenta Trail. As a result, the credit for open space in all three developments over 25% has increased to over 10 acres. This has generated a larger credit to be put towards the $601,000 shortage in connection fees. Overall, the three plats generate a credit large enough to cover the needed shortfall and produce an approximate $354,000 overage.

Mr. Deanovic has submitted an application for the plat of Blackstone Highlands. The subject property is guided MDR, Medium Density Residential and the financial assumptions for the Northwest Area assumed 73 units for this property. The applicant is applying for a comprehensive plan amendment to change the land use density to a lesser dense LDR, Low Density Residential. The plat contains 39 lots. Based on 2015 connection fees, the proposed Blackstone Highlands plat would generate approximately $364,000 less in fees than projected. Mr. Deanovic would like to use the $354,000 credit against the projected shortfall.

The credits generated in Resolution 14-193 were based on three unique characteristics of the three plats that would not be duplicated in other projects. One of the criteria was that approving the three plats would provide an opportunity to accelerate development in the Northwest Area. It was stated that 18 parcels would gain direct access to utilities because of these plats. The property on which Blackstone Highlands is proposed is one of these. Blackstone Highlands is designed around the 71st Street utility extension with a road right-of-way that would be

dedicated on the plat for the extension of utilities per city project 2015-13 that ultimately serve Blackstone Ridge.

One thing to keep in mind is that the open space shown in Blackstone Ridge provides for ponding areas needed to address storm water from both the plat and portions of future Argenta Trail. If the ponding area needed for Argenta Trail is part of the negotiations with Mr. Deanovic on the right-of-way for Argenta Trail, then this area would be deducted from the Blackstone Ridge portion of the credit overage. The size of this area is unknown at this time and negotiations on the right-of-way are still ongoing. As a result, the total credit carried forward may change and be less than my original calculations.

If Council determines that there is benefit to the Northwest Area to allow the credits generated in the three plats to be carried over to cover the shortfall in fees generated with the Blackstone Highlands plat, then the attached resolution provides for this credit application. The resolution also addresses the open space question.

If the Council does not feel there is a benefit to the City, then Council should state that any shortfall generated by a reduced density in Blackstone Highlands is to be paid by the developer or establish an alternative funding mechanism.

Attachments: Resolution authorizing application of credits to be used for Blackstone Highlands
Resolution 14-193
Sketch of Blackstone Highlands

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPLICATION OF CREDITS FROM THE PLATS OF BLACKSTONE VISTA, BLACKSTONE PONDS 1ST ADDITION AND BLACKSTONE RIDGE TO BE CARRIED FORWARD AND APPLIED TO THE PROPOSED PLAT OF BLACKSTONE HIGHLANDS

WHEREAS, on November 10, 2014, the City Council adopted Resolution No. 14-193 relating to the computation of the shortage of the connection fees and hook-up fees (Shortage Amount) for the three plats of Blackstone Vista, Blackstone Ponds 1st Addition and Blackstone Ridge due to the reduced density of the three plats in relationship to the density that was originally projected for the three plats. Resolution No. 14-193 also related to computation of the credits that the City would allow to be applied against the Shortage Amount.

WHEREAS, after review and calculation of credits for the three plats of Blackstone Vista, Blackstone Ponds 1st Addition and Blackstone Ridge, the computed credits exceed the projected Shortage Amount for the three plats.

WHEREAS, the developer of the proposed Blackstone Highlands was instrumental and integral in organizing and structuring the development of the three plats.

WHEREAS, the developer of the proposed Blackstone Highlands has submitted an application for a comprehensive plan amendment and PUD for a residential project that contains less unit density than assumed as part of the Northwest Area financing projections and thus there is expected to be a shortage of connection fees and hook-up fees to be collected from Blackstone Highlands.

WHEREAS, the plat of Blackstone Highlands is proposed to be zoned and considered as a planned unit development and the plat will require approved planned unit development plans as well as a planned unit development contract.

WHEREAS, the proposed comprehensive plan designation and the re-zoning require that within the planned unit development contract the following provisions must exist:

1. The property must be zoned, platted and developed as a PUD within an approved PUD contract and approved PUD plans;

2. At the time the plat is recorded, the landowner/developer by written agreement with the City must pay the City the difference between (a) the Northwest Area utility connection fees (including those usually payable at time of plat as well as building permit issuance) and the hook-up fees (including the water connection fee and sewer connection fee) that would have been payable for the densities shown for the subject property in the city's financial and connection fee information prepared by Ehlers & Associates (as amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook-up fees that will be collected for the subject property per the actual densities at which the subject property develops.

WHEREAS, there will be a difference (the shortage) between (a) the Northwest Area utility connection fees (including those usually payable at time of plat as well as building permit issuance) and the hook-up fees (including the water connection fee and sewer connection fee) that would have been payable for the densities shown for the subject property in the city's financial and connection fee information prepared by Ehlers & Associates (as amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook-up fees that will be collected for the subject property per the actual densities at which the subject property will develop.

WHEREAS, the developer of the proposed Blackstone Highlands has requested that credits from Blackstone Vista, Blackstone Ponds 1st Addition and Blackstone Ridge in excess of the Shortage Amount for Blackstone Vista, Blackstone Ponds 1st Addition and Blackstone Ridge as determined pursuant to Resolution 14-193 be applied to the expected shortage in Blackstone Highlands.

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

1. That the City Council determines that the Development Contract for Blackstone Highlands shall have a provision whereby the unused excess credits calculated for the three plats of Blackstone Vista, Blackstone Ponds 1st Addition and Blackstone Ridge pursuant to Resolution No. 14-193 may be applied to the calculated shortage in Blackstone Highlands provided that on or before December 31, 2015 or before final plat approval of Blackstone Highlands by the City Council, whichever occurs first, there is conveyed to the City at no cost to the City, all the drainage and utility easements across and in Blackstone Highlands necessary for city project 2015-13 as determined and approved by the City Engineer and in a form approved by the City Attorney and City Engineer.

2. The credits authorized by this Resolution for Blackstone Highlands shall not be applied to the connection fees and hook-up fees owed by the developer/owner of Blackstone Highlands for the actual densities and buildings being developed on the plat of Blackstone Highlands or to any other fees that are owed by the developer/owner for development of the plat of Blackstone Highlands. If the applied credits exceed the shortage for Blackstone Highlands, the unused credits shall have no application to any other fees owed by the developer/owner and the unused credits shall have no application to any other plat.

3. In computing the credits arising from or associated with the plat of Blackstone Ridge, no credits shall be attributed to any open space in Blackstone Ridge, if the open space acreage has been paid for or is proposed to be paid for by the City or Dakota County.

Adopted by the City Council of Inver Grove Heights on this 28th day of September, 2015.

Ayes:
Nays:

ATTEST:

_____
George Tourville, Mayor

_____
Michelle Tesser, City Clerk

RESOLUTION NO. 14-193

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

A RESOLUTION AUTHORIZING THE APPLICATION OF CREDITS FOR THE PLATS OF BLACKSTONE VISTA, BLACKSTONE PONDS AND BLACKSTONE RIDGE WITH RESPECT TO THE OBLIGATION OF THE DEVELOPER AND OWNER FOR PAYMENT OF CONNECTION AND HOOK-UP FEES STEMMING FROM THE SHORTAGE OF DENSITY IN SUCH PLATS

WHEREAS, in conjunction with this resolution, the Council has passed a comprehensive plan amendment re-designating the plats of Blackstone Vista, Blackstone Ponds and Blackstone Ridge as follows:

> Blackstone Vista – 40 acres from IOP (Industrial Office Park), CC (Community Commercial), MDR (Medium Density Residential) to LDR – NWAPUD (Low Density Residential Northwest Area PUD).
>
> Blackstone Ponds from MDR (Medium Density Residential) to MDR – NWAPUD (Medium Density Residential Northwest Area PUD).
>
> Blackstone Ridge – 40 acres from LMDR (Low-Medium Density Residential), MDR (Medium Density Residential) to LDR – NWAPUD (Low Density Residential Northwest Area PUD).

WHEREAS, in conjunction with this resolution, the Council has passed a zoning ordinance amendment re-zoning the plats of Blackstone Vista, Blackstone Ponds and Blackstone Ridge as follows:

> Rezoning the following described properties located within the City of Inver Grove Heights from A (Agricultural) to R-1C/Planned Unit Development and R-3B, Planned Unit Development, to wit:
>
> To R-1C, Single Family Planned Unit Development:
>
> Lots 1-118, Outlots A-G, Blackstone Ridge
>
> And
>
> Lots 1-78, Outlots A-H, Blackstone Vista

To R-3B, Multiple Family Planned Unit Development:

Lots 1-104, Outlots A, B, Blackstone Ponds

WHEREAS, the plats are zoned and being considered as planned unit developments and the plats require approved planned unit development plans as well as a planned unit development contract.

WHEREAS, the comprehensive plan designations and the re-zonings require that within the planned unit development contract the following provisions must exist:

1. The properties must be zoned, platted and developed as a PUD within an approved PUD contract and approved PUD plans.

2. At the time the plat is recorded, the landowner/developer by written agreement with the City must pay the City the difference between (a) the Northwest Area utility connection fees (including those usually payable at time of plat as well as building permit issuance) and the hook-up fees (including the water connection fee and sewer connection fee) that would have been payable for the densities shown for the subject properties in the city's financial and connection fee information prepared by Ehlers & Associates (as amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook-up fees that will be collected for the subject properties per the actual densities at which the subject properties develop.

WHEREAS, the difference (the shortage) between (a) the Northwest Area utility connection fees (including those usually payable at time of plat as well as building permit issuance) and the hook-up fees (including the water connection fee and sewer connection fee) that would have been payable for the densities shown for the subject properties in the city's financial and connection fee information prepared by Ehlers & Associates (as amended from time to time) for the Northwest Area and (b) the Northwest Area utility connection fees and hook-up fees that will be collected for the subject properties per the actual densities at which the subject properties develop, has been calculated by the City to be $601,559 (the Shortage Amount).

WHEREAS, the City recognizes and agrees that the following characteristics of the plats, the PUD development plans and the City imposed planned unit development conditions provide out of the ordinary benefits to the City not otherwise required by City ordinances and as such can be accorded the status of and deemed to be credits against the Shortage Amount up to the sums hereafter stated and subject to the conditions hereafter stated:

1. By the planned unit development conditions, the developer/owner is required to convey to the City in fee title the land for the sanitary sewer lift station. This land is approximately 0.21 acres in size and on the basis of land value being in the range of $75,000 per acre the dedicated land has a value of $15,980. Subject to verification of the acreage being conveyed and subject to the actual conveyance occurring, this conveyance shall be deemed as a credit up to the sum of $15,980 against the Shortage Amount.

2. The planned unit developments are located in the Northwest Area. Pursuant to the Northwest Area Overlay District, 20% of the net developable area must be dedicated to the City as a conservation area and designated as "Natural Area/Open Space" and "Undisturbed Natural Area/Open Space". The net developable area of the three plats is approximately 114.2 acres and 20% thereof is approximately 22.84 acres or 23 acres. The development plans show open space (not counting the Mendota Lebanon Trail area) to be about 33.3 acres, which is approximately 29% of net developable acreage. The City encourages a balance of open space and development density and is willing in this particular instance to recognize as a credit the open space above 25% of the net developable area. The open space above 25% of net developable area is approximately 4.6 acres valued at $75,000 per acre resulting in an available credit of $345,000 against the Shortage Amount. Subject to verification of the acreage being placed in the conservation easement and subject to the actual conveyance of the conservation easement, the conveyance of the open space above 25% shall be deemed as a credit up to the sum of $345,000 against the Shortage Amount.

3. The Mendota Lebanon Trail affects both Blackstone Ponds and Blackstone Vista. The City imposed planned unit development conditions place on the developer/owner the responsibility to dedicate the Mendota Lebanon Trail within such plats and to construct the trail. The trail right-of-way area is 2.3 acres valued at $75,000 per acre conferring a benefit of approximately $172,500. The cost of construction is approximately $30.00 per linear foot for 5,000 linear feet conferring a benefit of approximately $150,000. Subject to verification of the acreage being dedicated and subject to the actual conveyance of the trail, the conveyance of the trail easement shall be deemed as a credit up to the sum of $172,500 against the Shortage Amount. Subject to verification of the linear feet being constructed and subject to the actual construction occurring, the construction of the trail shall be deemed as a credit up to the sum of $150,000 against the Shortage Amount.

WHEREAS, although the three Blackstone plats cumulatively provide densities, connection fees and hook-up fees less than originally projected by the City, the plats do provide an opportunity to accelerate development within the Northwest Area. The plats provide 18 additional parcels with direct access to both municipal sanitary sewer and water main. This increased accessibility to utilities will present multiple alternatives for simultaneous development on the 18 affected properties lying outside of the Blackstone plats. The multiple points of accessibility create a situation where multiple developers of different properties can at the same time bring forth their development proposals without having the challenge of being delayed because development was limited to sequential linear expansion that depended solely upon extension of utilities through a single neighboring property. The acceleration of development will accelerate the increase in tax base and will accelerate collection of connection fees and hook-up fees from other properties. These plats are unique in providing opportunities for accelerated development in the 18 parcels that will gain direct access to utilities because of these plats. This benefit further justifies consideration of the credits outlined above. Other plats do not provide such opportunities and in general it is unlikely that consideration of credits for other plats will be justified.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Inver Grove Heights, Minnesota, as follows:

1.) The City Council hereby directs and authorizes that the planned unit development contract contain a provision that provides credits against the Shortage Amount up to the sums and under the guidelines set forth above, subject to the requirement in the planned unit development contract and planned unit development plans that the developer/owner actually provide to the City the following benefits:

   a. Conveyance of the land for the sanitary sewer lift station.
   b. Open space (not counting the trail easement in the Mendota Lebanon Trail area) encumbered by a conservation easement in favor of the City exceeding 25% of net developable area.
   c. Conveyance of the trail easement in the Mendota Lebanon Trail area and construction of the trail.

2.) The acreages being conveyed shall be verified and the actual acreages shall be incorporated into the calculations to compute the final credit.

3.) The credits authorized by this resolution shall not be applied to the connection fees and hook-up fees owed by the developer/owner for the actual densities and buildings being developed on the plats or to any other fees that are owed by the developer/owner for development of the plats. If the credit exceeds the Shortage Amount, the unused credit shall have no application to any other fees owed by the developer/owner.

4.) The credit outlined above for the Mendota Lebanon Trail dedication and construction is not dependent upon reimbursement by Dakota County for such dedication and construction. The planned unit development contract shall contain a provision stating that if Dakota County does nonetheless make any reimbursement for the trail dedication or construction, then such reimbursement shall be paid to the City and not to the developer/owner; if such reimbursement is received, the reimbursement shall be placed in the sewer and water utility funds.

Adopted by the City Council of the City of Inver Grove Heights this 10th day of November, 2014.

George Tourville

George Tourville, Mayor

ATTEST:

Melissa R. Kennedy

Melissa Kennedy, Deputy City Clerk

DESCRIPTION OF PROPERTY
The West 620.16 feet of the NE 1/4 of the NW 1/4 of Section 7, Township 27, Range 22, excepting therefrom the North 350 feet of the West 471.0 feet thereof, Dakota County, Minnesota.

Site Address: Unassigned, Inver Grove Heights, Minnesota

Parcel Area Information:

Gross Area:	654,577 s.f.	= 15.027 acres
R/W Area:	4,922 s.f.	= 0.113 acres
Wet Area:	0 s.f.	= 0.000 acres
Net Area:	649,655 s.f.	= 14.914 acres

Site Elevation: Elevations are based on the Found Aluminum Disk located west of the site, as shown hereon, having an elevation of 896.19 Feet (NAVD 1988)

Fence lies are shown on the side of the boundary line that the fence is located on.

SCALE IN FEET

39 SINGLE FAMILY LOTS

LOT STANDARDS

65' WIDE SINGLE FAMILY
MIN. FRONT YARD SETBACK = 20'
MIN. SIDE YARD SETBACK = 5'/10'
MIN. SIDE YARD CORNER SETBACK = 15'
MIN. REAR YARD SETBACK = 30'

RIGHT OF WAY - 60 feet

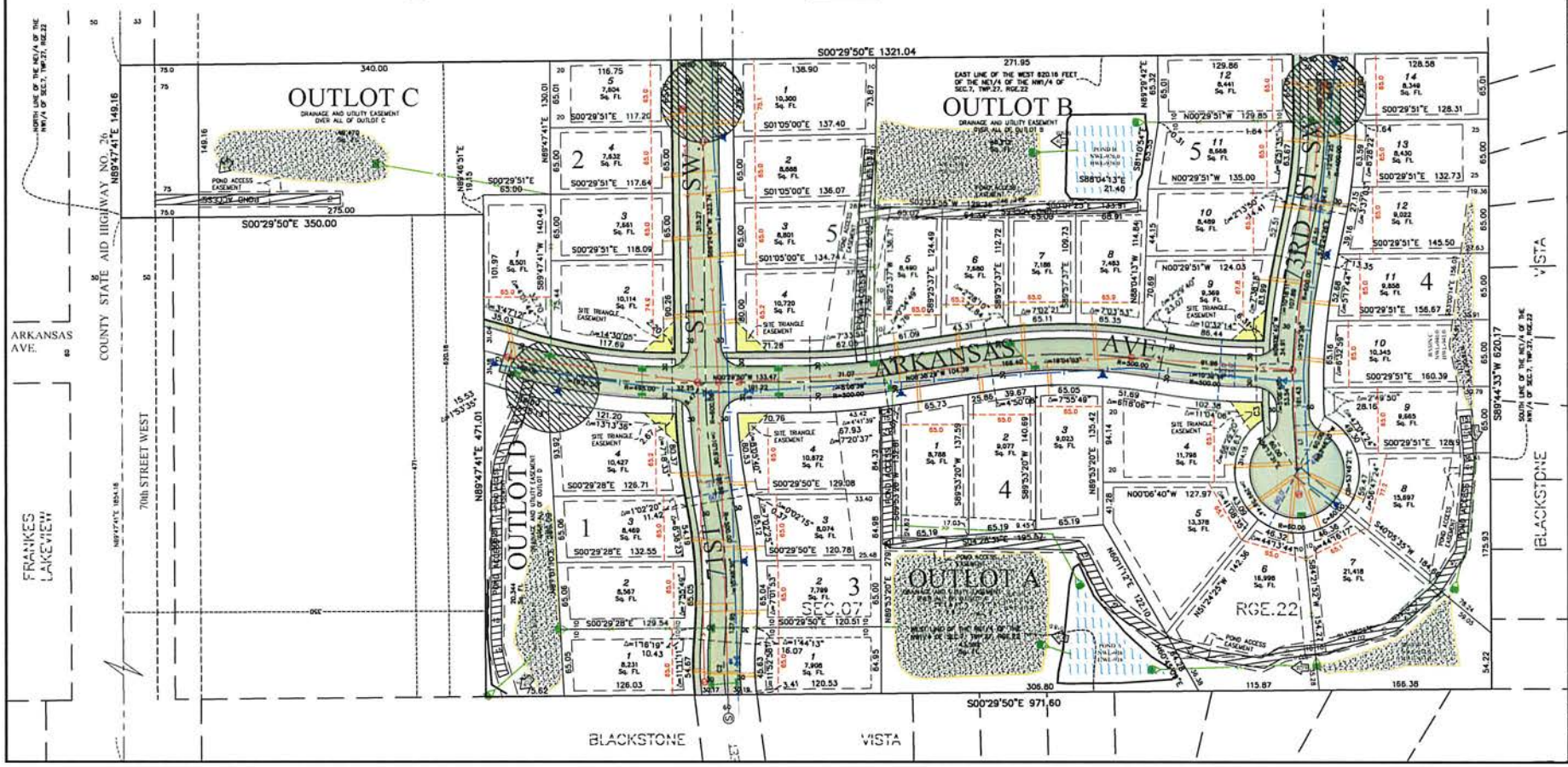
EXISITING ZONING: Medium Density (6 to 12 Units per acre)

PROPOSED ZONING: PUD

DENOTES TEMP CUL-DE-SAC EASEMENT

VICINITY MAP

PREPARED BY	PREPARED FOR
SURVEYOR SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391 PHONE: (952) 476-6000 FAX: (952) 476-0104 CONTACT : DANIEL L. SCHMIDT, P.E. EMAIL: SCHMIDT@SATHRE.COM	DEVELOPER JEFF ERICKSON 5776 MINNICK LAKES DRIVE EDINA, MN 55436



BLACKSTONE HIGHLANDS
PRELIMINARY PLAT

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN 55391 (952) 476-6000

TWP.027 - RGE.22 - SEC.07
Project City: Inver Grove Heights
Dakota County
FILE NO.: 1920-015

Sheet 1 of 1

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FIELD CREW	NO.	BY	DATE	REVISION
DFI				
DRAWN				
JJA				
CHECKED				
DBP				
DATE				
05/15				

LEVANDER, GILLEN & MILLER, P.A.
ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
○STEPHEN H. FOCHLER
✧JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
□*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
BRIDGET McCAULEY NASON
TONA T. DOVE
BRADLEY R. HUTTER
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

*ALSO ADMITTED IN WISCONSIN
✧ALSO ADMITTED IN NORTH DAKOTA
○ALSO ADMITTED IN MASSACHUSETTS
□ALSO ADMITTED IN OKLAHOMA

MEMO

TO: **Mayor and Councilmembers**
FROM: **Timothy J. Kuntz, City Attorney and Bridget McCauley Nason, Assistant City Attorney**
DATE: **September 14, 2015**
RE: **Repeal of Title 4, Chapter 4 of the City Code Related to Dance Hall and Cabaret Licensing**

Title 4, Chapter 4 of the Inver Grove Heights City Code requires that all public and private dances and dancing in cabarets occur pursuant to a license for the same. This chapter was adopted in 1974, and, with the exception of a change to the insurance provisions as part of the 2008 recodification, has not been modified since its adoption. City Staff have indicated that there are no current businesses in the City that hold a license pursuant to this chapter, that no such license has been issued since at least 2007, and that no application form for such license exists. At the request of City Staff, I have prepared the attached ordinance which repeals Title 4, Chapter 4 of the City Code, eliminating the requirement for the licensing of public dance halls, private dance halls, and cabarets, and removing language related to the issuance of such licenses found in Title 3, Chapter 2, Section 5 of the City Code, for consideration by the Council.

633 SOUTH CONCORD STREET • SUITE 400 • SOUTH SAINT PAUL, MINNESOTA 55075 • 651-451-1831 • FAX 651-450-7384
OFFICE ALSO LOCATED IN SPOONER, WISCONSIN

CITY OF INVER GROVE HEIGHTS

DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3, CHAPTER 2, SECTION 5 RELATED TO APPROVAL OF DANCE HALL LICENSES AND REPEALING INVER GROVE HEIGHTS CITY CODE, TITLE 4, CHAPTER 4 RELATED TO DANCE HALLS AND CABARETS

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Title 3, Chapter 2, Section 5 of the Inver Grove Heights City Code is hereby amended to read as follows:

3-2-5: APPROVAL OR REFUSAL OF LICENSE:

Where the approval of any city officer or state officer or the city council is required prior to the issuance of a license, the approval must be presented to the clerk before the license is issued. No license may be approved by any city officer or issued by the clerk if it appears that the conduct of the activity for which a license is sought will be contrary to the health, safety or welfare of the public or any regulation, law or ordinance applicable to such activity. The following licenses will not be approved if there are any outstanding debts or delinquencies on taxes or special assessments due to the city:

Automobile sales.

Automobile service stations.

Body art establishments.

Bowling alleys.

Contractors.

~~Dance halls.~~

Garbage collection.

Liquor sales.

Pawnbrokers and precious metal dealers.

Saunas, massage parlors, escort services and employees.

Therapeutic massage businesses

Section Two. Repeal. Title 4, Chapter 4, of the Inver Grove Heights City Code is hereby repealed in its entirety as follows:

~~Chapter 4~~
~~DANCE HALLS AND CABARETS~~

~~4-4-1: DEFINITIONS:~~

~~For the purposes of this chapter, the terms defined in this section have the meanings given them:~~

~~CABARET: A restaurant, nightclub or other place of amusement where dancing is permitted incidentally but is not operated primarily as a business to provide dancing facilities for a charge.~~

~~PRIVATE DANCE: Any dance held in a public dance hall but where the general public is not admitted.~~

~~PUBLIC DANCE: Any dance wherein the public may participate, whether or not a charge for admission for dancing is made.~~

~~PUBLIC DANCE HALL: A building, room, place or space open to or rented to the general public and operated and designed primarily as a business to provide dancing facilities for a charge. (1974 Code § 1115.01)~~

~~4-4-2: LICENSE REQUIRED; EXEMPTIONS:~~

~~It is unlawful for any person, indirectly or directly, to give, hold or conduct a "public dance" or a "private dance", as defined in section 4-4-1 of this chapter, or permit dancing in a cabaret unless the proprietor of the public dance hall or cabaret, or the person giving the same or in charge thereof, shall have first obtained a license therefor from the council; provided, however, that the council may, in its discretion, permit any lodge or society not organized or maintained for profit to conduct infrequent public dances without being licensed as herein provided. (1974 Code § 1115.03)~~

~~4-4-3: APPLICATION FOR LICENSE:~~

~~Every application for a public dance hall or cabaret license shall be verified and filed with the clerk. The application shall state the name of the applicant, his age, representations as to his character, with references as may be required, his citizenship, whether the applicant is the owner or operator of the business, how long he or she has been in that business at that location, and~~

~~such other information as the council may require from time to time. No person shall make a false statement in an application. (1974 Code § 1115.05)~~

~~4-4-4: LICENSE FEE; EXPIRATION; NONTRANSFERABILITY:~~

~~License fees are payable in advance upon application and before the issuance or renewal of a license. The annual license fees for a public dance hall and for a cabaret are established by resolution of the city council, and every such license shall expire on December 31 of each year. The annual license fee shall be prorated for an unexpired portion of a license year; provided however, that the minimum prorated fee thereof shall be fifty dollars ($50.00) in the case of the public dance hall license, and twenty five dollars ($25.00) in the case of the cabaret license. Licenses shall not be transferred from one place to another or from one person to another without prior council approval. (1974 Code § 1115.09; amd. 2008 Code)~~

~~4-4-5: INSURANCE:~~

~~Before any person is granted a license hereunder, he shall file with the clerk insurance policies of public liability and property damage which shall remain in effect during the entire term of said license and which shall contain a provision that they shall not be canceled without ten (10) days' written notice to the city. Public liability insurance shall not be less than one hundred thousand dollars ($100,000.00) for injuries, including accidental death to any one person and subject to the same limit for each person, in an amount of not less than five hundred thousand dollars ($500,000.00) on account of any one accident, and property damage insurance in the amount of not less than fifty thousand dollars ($50,000.00) for each accident or mishap. (1974 Code § 1115.23; amd. 2008 Code)~~

~~4-4-6: POSTING LICENSE:~~

~~A license granted hereunder shall be posted in a conspicuous, public place upon the premises for which such license is granted. (1974 Code § 1115.21)~~

~~4-4-7: HOURS AND DAYS OF DANCES:~~

~~Public dances and private dances, as defined in section 4-4-1 of this chapter, are prohibited between the hours of one o'clock (1:00) A.M. and eight o'clock (8:00) A.M. of any day; provided, however, that no "public dance" or "private dance", as so defined herein, shall be held or conducted on Sundays during the hours preceding twelve o'clock (12:00) noon. (1974 Code § 1115.17)~~

~~4-4-8: LIGHTING:~~

~~Public dance halls and cabarets shall be adequately illuminated during dances. (1974 Code § 1115.13)~~

~~4-4-9: POLICE OFFICERS TO BE PRESENT:~~

~~It is incumbent upon every public dance hall licensee to have officers of the law present at every public and private dance during all times such dance is being held, sufficient to maintain order. Such officers shall be designated by the chief of police, but the fees and expenses for such officers of the law, as established by the chief of police, shall be paid in advance by the licensee. (1974 Code § 1115.19)~~

~~**4-4-10: GROUNDS FOR DENIAL OR REVOCATION OF LICENSE:**~~

~~A. Any applicant or licensee shall be a person of good moral character and reputation and shall not have been convicted of a felony, gross misdemeanor, or crime involving moral turpitude, and any person that is a licensee, and who is convicted of a felony, gross misdemeanor, or crime involving moral turpitude, or a violation of this chapter shall have his license revoked upon such terms and conditions as determined by the council.~~

~~B. No license shall be issued or renewed for any public dance hall or cabaret which is not properly ventilated and equipped with necessary toilets, washrooms, and lighting facilities, nor to any place likely to become a public nuisance or detrimental to public morals. (1974 Code § 1115.07)~~

Section Three. **Effective Date**. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed in regular session of the City Council on the ___ day of _____, 2015.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Michelle Tesser, City Clerk

LEVANDER,
GILLEN &
MILLER, P.A.
ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
○STEPHEN H. FOCHLER
✧JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
□*DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
BRIDGET McCAULEY NASON
DAVID B. GATES
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

*ALSO ADMITTED IN WISCONSIN
✧ALSO ADMITTED IN NORTH DAKOTA
○ALSO ADMITTED IN MASSACHUSETTS
□ALSO ADMITTED IN OKLAHOMA

MEMO

TO: **Inver Grove Heights Mayor and Council**
FROM: **Timothy J. Kuntz, City Attorney**
DATE: **September 23, 2015**
RE: **Ordinance Amendment Related to Bow and Arrow Hunting; September 28, 2015 Council Meeting**

Section 1. <u>Background</u>. Section 5-6-1(D)(2)(b) provides that shooting of a bow and arrow cannot occur within 200 feet of any driveway unless the person shooting the bow and arrow owns the driveway or the owner of the driveway has consented in writing and the written consent is filed with the police department.

Section 5-6-1(D)(2)(a) provides that shooting of a bow and arrow cannot occur within 300 feet of any residential or commercial structure. This particular section does not have the exceptions that are found in Section 5-6-1(D)(2)(b).

The attached ordinance incorporates the exceptions into Section 5-6-1(D)(2)(a).

Section 2. <u>Ordinance Changes</u>. Because the 2015 bow and arrow hunting season has already commenced, it is recommended that the attached ordinance be adopted at one reading rather than three readings. To pass the ordinance at one reading the Council first has to adopt a resolution by unanimous vote authorizing consideration and passage at one reading. Attached to this memo is the following resolution:

> A UNANIMOUS RESOLUTION PURSUANT TO SECTION 1-2-3 OF INVER GROVE HEIGHTS CITY CODE AUTHORIZING CONSIDERATION AND PASSAGE AT ONE READING OF THE FOLLOWING ORDINANCE:
>
> AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

Section 3. <u>Council Action</u>. At the September 28, 2015 Council meeting, the Council is asked to consider and approve the following in the following order:

1. A UNANIMOUS RESOLUTION PURSUANT TO SECTION 1-2-3 OF INVER GROVE HEIGHTS CITY CODE AUTHORIZING CONSIDERATION AND PASSAGE AT ONE READING OF THE FOLLOWING ORDINANCE:

   AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

2. AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

Attachments

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

A UNANIMOUS RESOLUTION PURSUANT TO SECTION 1-2-3 OF INVER GROVE HEIGHTS CITY CODE AUTHORIZING CONSIDERATION AND PASSAGE AT ONE READING OF THE FOLLOWING ORDINANCE:

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

WHEREAS, Section 1-2-3 states that the City Council by unanimous vote may suspend the rules and may consider and adopt an ordinance at one reading instead of three readings; and

WHEREAS, the City Council wishes to consider adoption of the following ordinance at one reading instead of three readings:

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

NOW, THERFORE, BE IT RESOLVED that the City Council of Inver Grove Heights, by unanimous vote of the Council, hereby suspends the rules pursuant to Section 1-2-3 of the Inver Grove Heights City Code and does hereby authorize consideration and passage of the following ordinance at one reading instead of three readings:

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

Adopted by the unanimous vote of the City Council of the City of Inver Grove Heights on the 28th day of September, 2015.

Ayes:
Nays:

_____
George Tourville, Mayor

Attest:

_____
Michelle Tesser, City Clerk

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA
ORDINANCE NO. _____

AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE SECTION 5-6-1 (D)(2)(a) RELATED TO USE OF BOWS AND ARROWS

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Section 5-6-1 (D)(2)(a) of the Inver Grove Heights City Code is hereby amended to read as follows:

5-6-1: USE OF FIREARMS AND BOWS AND ARROWS:

D. Restrictions On Use Of Bow And Arrow:

2. Provided, however, the shooting or discharge of a bow and arrow under the circumstances described in subsection D(1) of this section relating to hunting or target practice in that geographic portion of the city designated on the map dated August 24, 2015 on file with the city clerk shall only occur if the following conditions are met:

a. There shall be no shooting or discharge of any bow and arrow within three hundred feet (300') of any residential or commercial structure; provided, however, the prohibition contained in this Section 5-6-1(D)(2)(a) shall not apply (i) if the person shooting or discharging the bow and arrow owns the residential or commercial structure or (ii) if the owner of the residential or commercial structure consents in writing to allow shooting or discharge of a bow and arrow within 300 feet of such residential or commercial structure and the written consent is filed with the city police department prior to the shooting or discharge.

Section Two. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication according to law. This ordinance was passed by at least a majority vote of the entire City Council after one reading pursuant to *A Unanimous Resolution Pursuant to Section 1-2-3 of Inver Grove Heights City Code Authorizing Consideration And Passage At One Reading of the Following Ordinance: An Ordinance Amending Inver Grove Heights City Code Section 5-6-1(d)(2)(a) Related to Use of Bows and Arrows*.

Passed in regular session of the City Council on the 28th day of September, 2015.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

By: _____
Michelle Tesser, City Clerk