

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, OCTOBER 26, 2015 - 8150 BARBARA AVENUE**

1. CALL TO ORDER and 2. ROLL CALL

The City Council of Inver Grove Heights met in regular session on Monday, September 14, 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, City Clerk Tesser, Parks and Recreation Director Carlson, Finance Director Smith, Public Works Director Thureen, Police Chief Stanger and Fire Chief Thill.

3. PRESENTATIONS:

A. Inver Grove Heights Police Explorers Acceptance of Fundraiser Proceeds by Hometown Meats

Police Chief Stanger introduced the Police Explorers to the Council. Hometown Meats provided 10 percent of their proceeds to the Police Explorers on August 15, 2015. The proceeds will cover uniforms, the cost for the Explorers to attend the state conference in Rochester and help fund the yearly operating expenses. Hometown Meats presented the check to the Police Explorers.

B. Introduction of 2015 Boy Scout Northern Star Council Spurgeon Award Recipient, Inver Grove Heights Firefighter Dan Bernardy

Fire Chief Judy Thill introduced Firefighter Dan Bernardy, Mr. Bernardy is the advisory of the Firefighter Explorers program and played an instrumental part in reestablishing the program. Since then the program has produced 12 out of the 65 Firefighters on the department today. Mr. Bernardy was honored for his dedication and working with the program he was nominated to receive the Boy Scout Northern Star Council Spurgeon Award.

4. CONSENT AGENDA:

- A. Minutes of September 28, 2015 Regular City Council Meeting
- B. Resolution 15-164 Approving Disbursements for Period Ending October 20, 2015
- C. Consider Contract with Common Sense Building Services, Inc.
- D. Consider Resolution 15-165 to Authorize the Police Department's Participation in the Electronic Statewide eCourtMN Initiative and to Enter into a Master Subscriber Agreement for Minnesota Court Services for Government Agencies Between the State of Minnesota, First Judicial District and Dakota County
- E. Consider Purchase of Backup Heat Exchangers for the VMCC/Grove
- F. Consider Purchase of Automated Rider Scrubber for Veterans Memorial Community Center
- G. Consider Approval of Fire Department Organizational Structure, Paid-on-call Battalion Chief Job Description/Pay, and Internal Posting
- H. Consider Request of the Inver Grove Heights Fire Department Relief Association to Raise the Retirement Benefit Level
- I. Consider Change Order No. 3 and Pay Voucher No. 6 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
- J. Consider Change Order No. 3, Pay Voucher No. 5 and 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
- K. Approve the Resolution 15-166 Certifying Delinquent Unpaid Water, Sewer, Storm water, and Street Light Charges to the County to be Collected with the Other Taxes on the Property
- L. Personnel Actions

Mr. Lynch stated that item 6D should be moved from Public Hearing to Consent and be added as 4.M.

Motion by Bartholomew, second by Hark, to approve the Consent Agenda 4.B- 4.K. 4A, 4D, 4F and 4M were pulled by Councilmembers.

Ayes: 5

Nays: 0 Motion carried.

Resident, Allan Cederberg, 11862 E. 82nd Street stated that he wanted the minutes completed sooner. Mr. Lynch responded that the City Clerk is providing them as quick as she can.

Motion by Piekarski Krech, second by Mueller to approve the September 28, 2015 minutes.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Mueller pulled item 4D and asked Chief Stanger what this is going to do for the City of Inver Grove Heights. Chief Stanger stated that this program is statewide and that the court system is requiring electronic access applications as of January 1, 2016. The charges from the Police Department will start being sent electronically. To access this, Chief Stanger stated that an agreement must be in place. Councilmember Mueller asked if it's more costly. Chief Stanger stated in the negative, it's paperless, so it's cheaper. Further, he added officers will be able to obtain the court's information on individuals remotely from the squad car.

Motion by Piekarski Krech, second by Mueller to approve the Resolution to Authorize the Police Department's Participation in the Electronic Statewide eCourtMN Initiative and to Enter into a Master Subscriber Agreement for Minnesota Court Services for Government Agencies Between the State of Minnesota, First Judicial District and Dakota County .

Ayes: 5

Nays: 0 Motion carried.

Councilmember Piekarski Krech pulled items 4.F and 4.M. Councilmember Piekarski Krech asked Parks and Recreation Director Eric Carlson if the Automated Rider Scrubber for Veterans Memorial Community Center was going to be used by the contractual janitorial group or city employees. Mr. Carlson stated city employees. Councilmember Hark asked if this was replacement equipment and if the machine works at all. Mr. Carlson responded that it is replacement equipment and that it barely works.

Motion by Mueller second by Bartholomew to approve Purchase of Automated Rider Scrubber for Veterans Memorial Community Center

Councilmember Piekarski Krech pulled item 4.M. She stated that she disagrees with the list of priorities stated in the Resolution. Further, she stated the priority should be 1. Broderick and 2. Argenta. She stated the Swing Bridge is the last priority. Mr. Lynch stated that city staff has met with State Representative, Senator and staff from Minnesota Budget Office that we state them in priority order. The discussion was that the city has received funds in the past for Heritage Village Park. It was likely that we would continue to receive funding and therefore suggested that the Swing Bridge be priority number 1.

Councilmember Piekarski Krech stated that she would like the state monies to go to roads and not parks. She added that our infrastructure needs to be improved first.

The Council discussed the comments and agreed with Councilmember Piekarski Krech's suggestion that the priority list should be changed to 1. Broderick Boulevard 2. Argenta Trail Realignment. 3. Swing Bridge Park/Mississippi River Trailhead.

Motion by Piekarski Krech, second by Bartholomew to approve the changes to Resolution 15-167 as 1. Broderick Boulevard 2. Argenta Trail Realignment. 3. Swing Bridge Park/Mississippi River Trailhead.

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT: None.

6. PUBLIC HEARINGS:

A. Consider a Second Reading of Ordinance Amending the Inver Grove Heights City Code by Adding Title 4, Chapter 12 Related to Tobacco and Electronic Delivery Sampling.

The Public Hearing opened at 7:22PM. Assistant City Attorney Bridgett McCauley Nason presented to the council the second reading of the amended Inver Grove Heights City Code by Adding Title 4, Chapter 12 Related to Tobacco and Electronic Delivery Sampling Ordinance.

Ms. McCauley Nason presented the first reading at the October 12, 2015 Council Meeting. Ms. Nason stated that there were two changes that were made to the ordinance language. The first is that it be explicitly stated that if a retail establishment which currently allows sampling does add another location within the city the sampling of electronic delivery devices at that location would be prohibited. The current businesses that do allow electronic delivery devices may continue to do so but only at the current location. However, if they were to move from their current location to another place within city limits then they could allow sampling at that location. Secondly, language was added in response to council request that if ownership is transferred to the retail establishment then the ability of that particular retail establishment to allow sampling of electronic devices would cease at that time.

Mr. Kuntz, City Attorney received a question and asked the council if they wanted to address an expansion of the existing location that was grandfathered in by the ordinance. Does the council want to limit the sampling to the existing building's foot print? Councilmember Hark stated that the other side of this question would be if the location were to relocate to a larger building. Mayor Tourville stated he didn't have a problem with allowing an expansion. Councilmember Piekarski Krech stated that adding to the ordinance is too much interference and would like it to be left as is. Councilmember Hark stated it would be fine to allow a business to expand.

Mayor Tourville asked the public for comments. There were no comments made. The public hearing was closed.

Motion by Piekarski Krech, second by Batholomew to accept the second reading of the ordinance.

Ayes: 5

Nays: 0 Motion carried.

B. Public Hearing to Consider Ordering the Trunk Watermain Looping Project on the 65th Street Alignment, Authorizing Final Plans and Specifications, and Authorizing City Attorney to Complete Easement Negotiations for the 2015 Improvement Program, City Project No. 2015-12 – NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail). Resolution 15-168

The public hearing opened at 7:26PM. Tom Kaldunski, City Engineer presented the item. He stated that its in regards to a water main loop that generally follows the 66th St alignment. A notice was sent out to residents in the area. It would be for the future alignment of 65th Street that would eventually go up to 63rd and Babcock location. He stated in the feasibility study there are two options, Mr. Kaldunski showed on

the map presented and pointed to the different options that would be available recommended through the feasibility study. Option 1 would be the 16" Diameter Watermain, along future 65th Street Corridor, it has extreme terrain and elevation changes. He discussed the potential of future easement acquisition. The cost of the project is more costly at approximately \$2.5 million dollars. Option 2 would be a 16" Diameter Watermain, it has less extreme terrain especially through Hwy 3 and in the Ellen-Gregor Development with the gravel road. The project does have potentially less easement acquisition and the cost is less at \$2.3 million dollars. There is savings going with Option 2. If the city were to continue with the cross interconnection with Eagan at 70th Street the cost would be \$800,000. The project costs of Option 2 in comparison to Option 1 is cheaper and the easement acquisitions are less. The feasibility study recommended Option 2. Residents were concerned with Option 1. The work is funded through the water fund through the northwest area. The fund usually comes from the development costs and area connection fees, there are no assessments for this project. The project schedule is the public hearing is scheduled for tonight then the next phase of design and development and securing the easements for the project. The bids would be the early part of 2016 and the project would start in April of 2016 through fall of 2016.

Councilmember Bartholomew asked about the connection with Eagan and the mechanism on that project. Mr. Kaldunski stated that it's the benefit of both communities. Currently, the city has a long dead-end main by Babcock and the City Hall and a dead end main that goes out to this particular area. Currently the pipe is about 700-800 feet away from the City of Eagan. If there was a need to shut down a water main between those two locations the city would have challenges to provide water to those areas and resident in between. The benefit would be the City of Inver Grove Heights. Eagan would have benefit as well if their main had need for maintenance and they wanted to utilize water to isolate an area. Generally, the system would be set up to accommodate those examples. Met Council encourages interconnection the actually sharing of the water doesn't occur until someone actually opens a valve, it's not automatic.

Mayor Tourville opened up the comments to the Public at 7:36PM.

Allan Cederberg, 11862 E. 82nd Street, commented on a notice in the paper that was in regards to a future public hearing of November 9, 2015.

Rue Shibatta, 6190 South Robert Trail, commented on why this needs to be connected now. Mr. Kaldunski stated he importance of the loop because of future proposed developments. And that the reason to connect the water main now is to create an alignment to make that necessary connection.

Andy Sandkamp, 6515 Babcock asked if his parent's home was going to be required to hook up to the city water at some point. Mr. Kaldunski stated that the city has a city code in place currently that states it is a voluntary choice to be connected to the water system. Further, Mr. Kaldunski pointed out that this refers to both the laterals or the mains.

Tim Peterson, 6525 Arlene Ave. commented that he prefers Option 2.

Allan Cederberg, 11862 E. 82nd Street, asked if sewer can be done at the same time. Mr. Kaldunski explained that the sewer is going north and south not east and west. He showed the map with the sewer lines and water lines to illustrate the reason.

Mayor Tourville asked if putting both options out there for bid would be the most cost and time efficient. Mr. Kaldunski stated he is asking the council for a decision on the options. He stated staff is recommending Option 2. Staff would see what the bids come back as for Option 2 first before looking at Option 1.

The public hearing was closed at 7:50PM.

Motion by Mueller, second by Bartholomew to close the public hearing.

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

Motion by Bartholomew, second by Hark to accept Option 2 and consider the Eagan connection.

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

C. Assessment Hearing for City Project No. 2009-01 – T.H. 3 and 80th Street/County Road 28 Intersection Improvements

Mayor Tourville introduced the item and stated that no decisions would be made today. And that further information gathering will be done before the decision is made at a future council meeting. Scott Thureen, Public Works Director, presented the item. He stated the project was completed in 2009. \$1.4 million dollars, the project funding included payment from Dakota County for \$629,000. State Aid funding was utilized in the amount of \$11,000. The proposed assessment this evening is for \$781,000. The feasibility study completed in 2008 studied the parcels that would be considered for assessment. Mr. Thureen used the map presented to show the areas on the west and east side. The feasibility study looked at assessing the area in review of the land and transportation system by the intersection improvement. The assessment looked at the area of the parcels and vehicle trip of the road. The study proposed splitting the assessment to the east and west sides of Truck Hwy 3. If it was a large parceled area then the assessment would look at half being assessed and the other half being deferred. Mr. Thureen stated that the method was discussed with the council, and council directed staff to figure out another way of doing so.

Mr. Thureen and Mr. Kuntz looked at the assessment and came back to the Council in September with another plan which is to defer the assessment for the properties on the east side. Currently, Mr. Thureen has waiver agreements for the west side that were signed in 2009. The assessment was \$400,000 that was deferred for 10 years and interest to be 4.8%. The proposal for the deferment was presented on October 8, 2015 at the information meeting. The proposal identifies two classes of property, the west side and the east side. The final assessment roles are included in the packet. The recommendation is to allow deferments for the properties to cease and the triggers in place would be the final plat has been platted and recorded for new development, the property is subdivided (non-development related), the third trigger would be that the date has been reached of January 1, 2040. If 2 out of the 3 triggers occur then the principal amount with the interest would begin the following year of the action. The assessment would be payable over a five year term with an interest rate of 4.8 percent.

Mr. Thureen discussed resident concerns of sub-division when dealing with estate planning. Mr. Thureen discussed the additional language that has been included to help deal with this specific concern. Mr. Thureen reviewed with the council what was discussed at the October 8, 2015. Mr. Thureen stated that the assessment hearing would be scheduled for the second meeting in November. Further, he added that the city has an agreement on the west side and is ready to begin the process but can't because the decision has to be made on the entire assessment for all the properties.

Councilmember Hark asked for the exceptions for the sub-divisions. Mr. Thureen referred him to the second resolutions of the packet. Mr. Thureen explained the resolution and the additional language added.

Mayor Tourville open the public hearing for comments at 8:04PM.

Tony Abbot, 1401 80th Street, stated his concerns about the assessment.

Jeanne Abbot, 1401 80th Street, reiterated her husbands' concerns about the assessment.

Mr. Kuntz stated that they have followed the legal guidelines. The questions asked are regarding the benefit of the property. In terms of process and creating the classifications we have followed the law.

Mayor Tourville discussed the comment on the State Highway. He discussed that the city was assessed for the improvement by the state. The county was also assessed a portion.

Mr. Thureen discussed the boundaries, the road system and the primary routes. Mr. Thureen explained the drawing area, the properties are accessing Highway 3.

Bob Whistle, 1462 80th Street, stated his concerns and opposition of the assessment.

Mr. Thureen discussed the Target Store assessment roll.

Bernadine Gordon, 1714 80th Street E, stated her concerns and opposition of the assessment.

Earl Gordon, 1714 80th Street E, reiterated his wife's concerns about the assessment.

Christine O'Shaughnessy, 1592 Ashbury Place, opposed the assessment.

Alfred Welfbring, 1225 80th Street, asked specific questions regarding the assessment.

Jeanne Abbot, 1401 80th Street, discussed revisiting the assessment process.

Allan Cederberg, 11862 E. 82nd Street, discussed his thoughts on the assessment.

Mr. Thureen discussed why a roundabout was chosen for the intersection.

Mr. Kuntz reminded those residents and audience members that they city will not be notifying residents of the continued Public Hearing for November 23, 2015 and the audience should be mindful of the date.

The public hearing was continued until 7:00PM on Monday, November 23rd 2015.

Motion by Piekarski Krech, second by Bartholomew to continue the public hearing until 7:00PM on Monday, November 23rd 2015. And a notice on the continuance will not be mailed.

Ayes: 5

Nays: 0 Motion carried.

Mayor Tourville asked for a motion to accept the pertinent information received thus far. He thanked audience members for attending the public hearing.

Motion by Piekarski Krech, second by Hark to accept the pertinent information received thus far.

Ayes: 5

Nays: 0 Motion carried.

D. Approve Attached Resolution for the Purpose of Obtaining Funds for Public Improvement Projects related to Swing Bridge Park, Broderick Boulevard, and Argenta Trail Realignment

This item was moved to Consent 4M.

7. REGULAR AGENDA:

PARKS AND RECREATION:**A. Consider Approval of Hiring Engineer and Architect to Develop Plans and Specifications for Potential Golf Course Capital Improvements Projects**

Mr. Carlson summarized the proposed improvements to the golf course. He discussed that it was council's direction at the September council meeting for the Parks and Recreation Commission and subcommittee to go through the proposal and see how they could make the project more affordable. The Commission and sub-committee examined the bids and are recommending that the council award the bid to Herfort Norby Golf Course Architects LLC (Norby Gold) in the amount of \$53,500 to provide final plans and specification for the driving range and bunker renovations on the 9-hole Executive and 18-hole Championship Course(s). They are also recommending approval to hire Erik Christensen Design Group LTF (EC Design) in the amount of \$12,000 to provide final irrigation plans and specifications for the 235-acre golf course property. Further, they are recommending that when looking at bids that they can add alternatives to the project so options are available to the council. Some examples are the 50 feet netting around the golf range, construction of target greens, tee expansions and bunker portion. This would leave staff and the council with bid options as the process moves forward. Including in the alternatives would be the irrigation and tree removal. Some of the tree removal may be done by staff to save on costs. The Parks and Recreation commission and sub-committee are recommending moving forward with the project and to start the bidding project.

Councilmember Bartholomew discussed the financing of the project. He stated that the resolution is asking that we approve the financing in the resolution. He said he would like to make it clear that I want the entire project paid for by the golf course. He stated he doesn't want the Community Fund to assist with the project. He further corrected himself and stated it was in the request for council action and not the resolution.

Mayor Tourville stated that we are not approving the financing at this time.

Councilmember Bartholomew read the request for council action and stated he wanted to clarify that he does not support the financing plan stated.

Mayor Tourville stated that we are not approving the project but that the city is looking at the pricing to see if the city will or will not go forward with the project.

Mr. Carlson stated that he realized he should not have had the statement in the request for council and apologized.

Councilmember Hark stated in the original request that the price was \$2.6 million that included everything and his concern is prioritizing the project. Irrigation is number one, then the bunkers and the driving range is of concern because the price of the driving range improvement and the payback is not there. He also discussed his concern of the total amount of the \$2.6 million dollar proposal and that he wants to bring that amount down.

Mr. Carlson stated that they Commission and staff is looking at coming forward with possibilities and flexibilities for the council to award or not award projects based on the real questions.

Councilmember Piekarski Krech asked why the amount being asked for is \$70,000 and not \$65,500. Mr. Carlson stated that the number is \$70,000 in case there are any changes; it allows staff not to have to come back to the council to be granted a small amount. Mr. Carlson suggested the amount in case something comes back with a change in specification. He doesn't anticipate that he will go to \$70,000.

Mr. Carlson stated that the bidding process would start with the plans and specifications in November 2015, then the bids would go out in January 2016 and the bids would go in front of the council in March – April 2016 then construction would start in September 2016.

Councilmember Mueller asked if the amount changes would the city have to go out for bids again. Mr. Carlson stated no, the bid package will have different options. Councilmember Hark stated that the council has choices.

Motion by Mayor Tourville second Piekarski Krech to approve the proposed bids.

Ayes: 5

Nays: 0 Motion carried.

COMMUNITY DEVELOPMENT:

B. CASTAWAYS MARINA; Consider Resolution 15-169 relating to a Conditional Use Permit Amendment to allow for the parking and temporary storage of small boats and trailers in the south parking lot for property located at 6140 Doffing Avenue.

Mr. Link presented the item, the property is located near the Mississippi River. The applicant had a Conditional Use Permit back in the early 1990's. Their property is 6 acres. They have a parking lot and are not able to use their parking lot for winter storage. The request is to amend the conditional use permit to allow the use of their parking lot for winter storage of boats and trailers owned by the Castaways Marina shareholders. It is a private marina. There are no physical changes to the property. Staff and the Planning Commission recommend approval.

The applicant was present, he discussed the business growth and need of additional storage space.

Mayor Tourville asked about the distance between the building and the parking lot. He discussed his concerns of a possible fire. He asked that the business work with the Fire Department to make sure there are no fire issues. He further added that the fire vehicles are not the normal vehicle and he wanted to make sure distance was available. The applicant concurred, and stated that at the Planning Commission meeting the Fire Marshall was present and that matter was discussed.

Motion by Piekarski Krech second Mueller to approve the amendment to the Conditional Use Permit.

Ayes: 5

Nays: 0 Motion carried.

C. JENNIFER CHRISTENSEN; Consider the following requests for property located at 4701 Barbara Avenue:

- a) Resolution 15-170 relating to a Variance from the minimum lot size and width requirements for a new single family lot.**
- b) Resolution 15-170 relating to a Variance from the rear yard setback for an existing home.**

Mr. Link presented the item, The applicant would like to subdivide the property into two lots. He indicated on the map the location and parcel. There would be two lots, the first lot would be 8,900 square feet and 69 feet in width. Typically we require 12,000 square feet and 80 feet. It meets the proposed lot size and width of the 70% standard for the lots of record which means that the ordinance went into place after the lot was created. This is not a lot of record. The second variance is for the 30 feet in case its 5feet. The side yard functions as the back yard. The recommendation from staff is to approve. The small lot size allows for a more reasonably priced lot and different housing opportunity. The Planning Commission

unanimously recommended denial, they were concerned regarding precedent and long term impact and did not find that there is hard ship. The commission did stated that they are okay with the setback variance if council approves the square feet and width variance.

Councilmember Piekarski Krech stated it is out of character of the surrounding homes. There are larger lots in the area and expressed concern of other residents lots sub dividing and changing the character of the established neighborhood. She also stated other homes are available to be bought and sold. She expressed her feelings on the difference between this request and the lots next to Target Stores.

Mr. Link stated the neighbor to the south expressed run-off concerns. He stated that the layouts of the neighborhood are larger lots.

Councilmember Hark stated number one the practical difficulties that is stated doesn't exist. He asked Mr. Link to explain show the practical difficulty. He stated staff was trying to be more creative and flexible with this request so they are providing housing opportunities.

Mayor Tourville stated that where the other lots are placed neighbors would have difficulties with sub dividing because the houses are in the middle.

Motion by Hark second Bartholomew to approve a) variance from the minimum lot size and width requirements for a new single family lot and b) variance from the rear yard setback for an existing home. Hark asked to take out item one practical difficulty.

Ayes: 3 Mayor Tourville, Hark, Bartholomew

Nays: 2 Piekarski Krech and Mueller

Motion carried.

D. IMH SPECIAL ASSET 175; Consider the following requests for property located at the northeast corner of 70th Street and Hwy 3;

a) A Rezoning of the property from A, Agricultural to R-1C/PUD, Single Family Residential District and R-3C/PUD, Multiple Family Residential District. Resolution 15-171

b) Resolution 15-172 relating to a Preliminary Plat for the plat of Hannah Meadows.

c) Resolution 15-172 relating to a Preliminary PUD Development Plan for the PUD of Hannah Meadows.

Mr. Hunting, City Planner presented the item. He stated that the proposal is a PUD and a preliminary plat. They are proposing 42 single family units, 36 townhome units and one future 160-200 unit apartment building. The lot size is single family similar to the northwest area but slightly larger than Argenta Hills. The road utilities are proposing a collector street and start at the Allen Way E. and will continue north. There will be one public street Road B and will be built within city street standards. The plat provides the necessary right of way for the expansion at 70th Street and Hwy 3. The roundabout would be constructed in the future. There should not be any changes later on. Mr. Hunting showed on the map the extended water and sewer lines. It will expand our utility system and keep it moving the development potential north. Mr. Hunting stated that it complies with the standards as far as density and storm water. There will be a 15 foot separation between the homes so no rain gardens will be in place. There will be some lots that are close to 70th Street, the right of way and not within the 50 foot requirement. Specifically, Mr. Hunting stated lots townhomes and future apartment building.

Staff and the Planning Commission have approved the request, with the conditions listed in the report.

Councilmember Piekarski Krech asked what the setbacks were for Hwy 3 and 70th Street. Mr. Hunting stated that the proposal for the apartment building setback is 30ft. and a small portion is 20ft. The townhome units will be 37ft and 42ft from the right of way.

Mayor Tourville stated that this has been vetted with the county and the state with Hwy 3 and the roundabout.

Applicant, Tim Kinney, 7001 Scottsdale Road, Scottsdale, AZ was present to answer any questions. The architect and developer were present as well. Mr. Kinney stated they have been working with Dakota County on the state highway/70th Street and the roundabout and were approved with the county and the state. Brian Johnson, 1301 American Blvd E, with the firm, Coswell Architects was present. Mr. Johnson showed the map of the design to the council.

Councilmember Hark asked about the apartment parking spaces. Mr. Johnson stated there is 150 underground stalls and 120 surface parking.

John Bender, the Civil Engineer on the project was present to answer any questions. They commended staff for their help and effort. He gave a rundown of the site and discussed the topography challenges in the area.

Mayor Tourville asked about adding a small space at the end of the neighborhood. Tom Kaldunski, City Engineer discussed the plan proposal. He stated the depth of the lot is 150-170ft and cul-de-sac will not be put in at that area because of the grade change near the property line. Mayor Tourville stated that he sees the benefit of adding a small teardrop in the road for emergency vehicles to turn around in. Mr. Kinney stated a temporary turn around could work if it was located on the west of the location discussed.

Motion by Councilmember Mueller second Piekarski Krech to approve the Resolutions regarding rezoning, preliminary plat and preliminary PUD.

Ayes: 5

Nays: 0 Motion carried.

CITY OF INVER GROVE HEIGHTS; Consider Ordinance Amending On-Street Parking Regulations section 6-3-13 and section 6-3-14 and section 6-3-15.

Mr. Link presented the item. He stated that there has been frequent complaints regarding trailers, commercial vehicles, recreational vehicles and boats being stored on public streets for extended periods of time. In some instances, these may be stored on the city street for an entire season. Mr. Link stated that city streets are being used for storage and residents have complained regarding the unattractive or junky look of the streets and neighborhoods. He said that traffic safety is a concern and can become obstructions to the public. He summarized that there are three parts to the ordinance. The first part pertains to all city streets; the ordinance prohibits parking on any street in the City for more than 20 continuous hours in one place. The second pertains to all city streets, that is a trailer, semi-trailer or boat is parked on any city street it must be hitched to a vehicle. He stated the third part is only to residential and B-1 zones, and prohibits commercial motor vehicle and other related vehicles such as semi-trailers, trailers and motor homes from being parked on streets that abut properties that are zoned agricultural (a), residential (R), Estate (E) or B-1, except for the purpose of loading or unloading.

Mr. Link discussed the vehicle types listed on the list. Council may remove those listed as they deem fit. Other scenarios to consider are school bus drivers sometimes park their vehicles between the morning and afternoon. He explained that the ordinance would prohibit that in B-1 zones. Another scenario is tow truck drivers; tow trucks may park their trucks over the weekend. This would prohibit that from happening in residential areas. Mr. Link stated that the third, issue is that automobiles would not be able to park on the city streets for more than 20 hours. He explained it does include Cenex Drive. He gave the council details on prior issues with CHS and its employees. CHS wanted their employees to be allowed to park their recreational vehicles on Cenex Drive. This ordinance would prohibit this from occurring. Mr. Link

indicated where the B-1 District would be affected with the new ordinance. The concern was brought up by CHS, there was an ordinance that was adopted specifically for CHS employees on Cenex Drive.

Mr. Link stated it is up to the council if they would like to include B-1 district or not in the ordinance. The effective date would be April 1, 2016. The winter parking restrictions would be lifted by then. This timeline allows for the word to get out to residents and be publicized through the website and newsletter.

Councilmember Piekarski Krech expressed her support of removing B-1 zone from the ordinance.

Councilmember Mueller stated he would like the ordinance to be moved as a second reading. He then removed the motion.

Councilmember Hark asked about the school bus issue and wanted to know if there are a lot of complaints regarding buses. Police Chief Stanger stated that school buses and tow trucks are considered commercial vehicles. Councilmember Hark stated he wanted to allow school busses to park because of the unique day hours that they are parked. Police Chief Stanger stated there are more complaints on tow trucks than complaints on school buses. He stated that commercial vehicles gross vehicle weight is 26,000. The council discussed what would be considered a commercial vehicle.

Police Chief Stanger stated that there are two separate issues, number one is on-street parking which is under the parking regulations. The zoning ordinance for off-street parking is a different ordinance that is handled by code enforcement.

Councilmember Mueller stated that we could allow a permit process. Chief Stanger stated that the council could remove those two commercial vehicles, excluding them from the ordinance. Chief Stanger gave a background on how the parking issue came up with Cenex Drive and CHS employees.

Mayor Tourville stated that more discussion is necessary on the ordinance. Councilmember Piekarski Krech stated that on-street parking in residential zones is really the only issue. She stated the other zones should be left alone. Mr. Link stated that it would be easier to focus on the residential zones and remove the B-1 zone. She further stated that an exception could be made for school bus parking.

Mayor Tourville asked staff to come back with the changes to the ordinance, the changes being removing B-1 zones and exempting school busses or tow trucks.

Councilmember Piekarski Krech asked that it come back first to the council and then it be accepted as the first reading.

8. MAYOR & COUNCIL COMMENTS

Mr. Lynch stated that on Wednesday staff will be meeting with council to discuss the northwest utilities.

Mayor Tourville commended the Simley Spartan football team for being second in Regions.

9. ADJOURN: Motion by Mueller second by Hark to adjourn. The meeting was adjourned by a unanimous vote at 10:21p.m.