



## INVER GROVE HEIGHTS CITY COUNCIL AMENDED AGENDA

Monday, January 25, 2016

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 December 14, 2015 City Council Meeting Minutes

ii. Minutes of January 4, 2016 City Council Work Session Minutes

B. Resolution Approving Disbursements for Period Ending January 19, 2016

C. Consider Approval of Therapeutic Massage License for Beth Henning

D. Consider Approval of Sentence to Service Contract

E. Consider Change Order No. 5 and Pay Voucher No. 7 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. Appointment of Board Member to the Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO)

G. Consider Resolution Adopting the Special Assessment Policy

H. Approve Purchase of Capital Equipment

I. Offsite Easements of Blackstone Vista Plat

J. 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:

A. Consider Resolution Ordering Project, Approving Plans and Specifications, Authorizing Advertisement for Bids, and Authorizing City Attorney to Complete Easement Negotiations for the 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements

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

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

- A. BLACKSTONE HIGHLANDS;** Consider the following requests for property located south of 70th Street, just east of Blackstone Vista;
- a) A Resolution relating to a Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to LDR–NWAPUD, Low Density Residential Northwest Area PUD.
  - b) A Rezoning of the property from A, Agricultural to R–1C/PUD, Single Family Residential District.
  - c) A Resolution relating to a Preliminary Plat and Preliminary PUD Development Plan for Blackstone Highlands.
- B. ETERNITY HOMES, LLC;** Consider a Resolution relating to the Preliminary Plat of Crosby Heights. Property located between 64th and 65th Streets at Craig Avenue.
- C. CITY OF INVER GROVE HEIGHTS;** Consider the Third and Final Reading of an Ordinance Amendment to the Regulations of Parking of Vehicles and Recreational Vehicles in the Front Yard by Removing One of the Temporary Exceptions.

**New Item**

**D. CITY OF INVER GROVE HEIGHTS;** Consider Approval of Community Development Block Grant Application– Fiscal Year 2016

**8. MAYOR & COUNCIL COMMENTS:**

**9. EXECUTIVE SESSION:**

Executive Session Pursuant to Minn. Stat. § 13D.05, Subd. 3  
Discussion of Property Acquisition of the Leyde Property.

**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](mailto:mtesser@invergroveheights.org)

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, DECEMBER 14, 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, December 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:** None.

**4. CONSENT AGENDA:**

- A. Minutes of November 2, 2015 City Council Work Session Minutes
- B. Resolution Approving Disbursements for Period Ending December 8, 2015
- C. Approve the 2016 City Council Meeting Schedule
- D. Approve the 2016 Meeting Schedule of Advisory Commissions
- E. Approve the 2016 Fee Schedule Amendments
- F. Consider Approval of Guaranteed Energy Savings Agreement
- G. Consider Approval of Agreement with the Minnesota State Armory Buildings Commission
- H. Consider Approval of Contract with Stantec for Development of Plans and Specifications for the VMCC Roofing Project
- I. Approve 2016-2020 Capital Improvement Plan
- J. Consider Lawful Gambling Premise Permit for South St. Paul Lions at the Premise Business Location of Moose Lodge, 5927 Concord Blvd.
- K. Consider Final Compensating Change Order No. 9, Final Pay Voucher No. 9, Engineer's Final Report, and Resolution Accepting Work for City Project No. 2014-09D – College Trail Street Reconstruction and Barbara Avenue Partial Street Reconstruction and 2014-06 Blaine Avenue Retaining Wall Replacement Improvements.
- L. Consider Change Order No. 4 and Pay Voucher No. 6 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
- M. County State Aid Highway System Adjustments
- N. Consider Resolution Accepting IPO No. 28 from Kimley-Horn and Associates and Authorizing Preparation of a Feasibility Study for City Project No. 2016-13 – Cahill Trunk Drainage Improvements and Resolution Accepting IPO No. 27 from Kimley-Horn and Associates for Feasibility Study Services for City Project No. 2016-09F – Carleda Way Area Reconstruction and City Project No. 2016-11 – Carleda Way Area Utility Improvements
- O. Personnel Actions

**Motion by Bartholomew, second by Hark, to approve the Consent Agenda 4.A- 4.O**

**Ayes: 5**

**Nays: 0            Motion carried.**

**5. PUBLIC COMMENT:**

Avery Hildebrand, 5324 Fremont Ave, Minneapolis, MN on behalf of Conservation Minnesota shared his results on an energy survey that Conservation Minnesota conducted throughout the Dakota County Electric territory. The survey was not scientific but provided a good framework on the mindset of residents on renewable energy. 50,000 surveys were completed, 80% of the surveys received were supportive of the renewable energy and to take additional resources in the future to maintain renewable energy. Mr. Hildebrand further went through the survey questions and the results.

Bob Pollock, 7930 Charles Way, Inver Grove Heights, MN 55076 stated his support in Conservation Minnesota and further that the City Council look at city ordinances to see how they can further support residents in renewable energy such as: solar cells.

**6. PUBLIC HEARINGS:**

**I. FINANCE**

**A. CITY OF INVER GROVE HEIGHTS; Consider Third and Final Reading of an Ordinance 1306 Amending City Code Title 3, Chapter 4, Sections 3-4-2-2 and 3-4-2-3 and 10-3-8 Adjusting Development Fees for 2016.**

Ms. Smith summarized the ordinance amendment to the City Code. Ms. Smith stated that this is the third reading of the ordinance. The second reading presented had no additional changes. Staff asked for approval of the ordinance to adjust the development fees for 2016.

**Motion by Mueller, second by Bartholomew, to approve the third and final reading of the ordinance.**

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

**II. ADMINISTRATION**

**B. CITY OF INVER GROVE HEIGHTS; Consider Approval of the 2016 Pawnbroker Renewal Application**

The Public Hearing was continued from the November 23, 2015 Council meeting.

City Clerk, Ms. Tesser summarized the memo provided to the Council. She stated that the public hearing is required for the issuance of a pawnbroker's license. The notice was published in the paper. The surrounding residential and businesses within 350 feet of Pawn America were notified of the public hearing. The applicant provided necessary license and background investigation was approved by the Police Department. Ms. Tesser stated that this item was tabled on November 23<sup>rd</sup> however Chief Stanger discussed on that day the penalties that were issued to Pawn America.

**Motion by Piekarski Krech, second by Hark, to close the public hearing**

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

**Motion by Piekarski Krech, second by Mueller, to approve the 2016 Pawnbroker Renewal Application.**

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

**C. CITY OF INVER GROVE HEIGHTS; Consider Approval of the 2016 Liquor License Renewal Applications**

The Public Hearing was continued from the November 23, 2015 Council meeting.

City Clerk, Ms. Tesser presented the public hearing and recapped the memo provided to the Council. She stated that we would like to amend the notice provided and remove the 3.2 Malt Liquor license from Inver Wood Golf Course. City Attorney Kuntz stated that the 3.2 Malt Liquor license for Sundays is unnecessary because the golf course now has an intoxicating liquor license per MN Statute 340A.403. She further stated that the this item was tabled at the November 23<sup>rd</sup> meeting. However, Chief Stanger discussed the violations from July 2015 with the Council. All the license holder’s backgrounds were completed by the Police Department, there were no findings reported that would warrant a recommendation of denial. Ms. Tesser stated all the insurance certificates, fees and alcohol server training information were provided.

Mayor Tourville asked about the earlier year license approval for Inver Wood Golf Course.

City Administrator Lynch stated that the golf course received special legislation for an intoxicating liquor license because the city didn’t meet the necessary state statute definitions. The thought was to come back later with a Sunday on-sale intoxicating liquor license to be approved. Mr. Lynch stated that the state statute allows the city to have a Sunday 3.2 malt liquor license. Further, he stated if staff chooses they may come back to the City Council for a Sunday on-sale intoxicating liquor license request for the golf course.

Mayor Tourville asked if license for the intoxicating liquor for Inver Wood Golf Course is being requested today. City Attorney Kuntz stated yes, the approval is for a on-sale intoxicating liquor license. Mr. Lynch stated that state statute allows the city to be granted a 3.2 malt liquor license and does not need to be an additional license approved by the council.

Councilmember Piekarski Krech asked if the King of Diamonds has an on-sale intoxicating license for Sunday. Ms. Tesser stated that the King of Diamonds is closed on Sundays.

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

**Ayes: 5**

**Nays: 0            Motion carried.**

**Motion by Piekarski Krech, second by Mueller, to approve the 2016 Liquor License Renewals.**

**Ayes: 5**

**Nays: 0            Motion carried.**

**7. REGULAR AGENDA:**

**I. FINANCE:**

**A. CITY OF INVER GROVE HEIGHTS; Consider Approval of Final 2016 Tax Levies and Final 2016 Budgets. Resolutions 15-196, 15-197 and 15-198.**

Ms. Smith presented the item. She went over the items provided to the council in the packet including the PowerPoint presentation and the 2016 Proposed Budgets and 2016 Proposed Property Taxes. Preliminarily budgets were approved on September 28, 2015. She stated that the levy and budget has to be approved and certified to the County on or before December 28, 2015. The County mailed property tax notices to residents on November 10, 2015.

Ms. Smith presented Power Point slides on the budget and went through each slide. Ms. Smith stated that the public must be allowed to speak during this item.

Mayor Tourville pointed out that the biggest increase is the difference in the residential compared to the business in the market value. In real estate, the market values went up in the residential. He stated the city doesn't set the market value.

Councilmember Piekarski Krech asked Ms. Smith for clarification on the changes that the council had requested at the work session last Monday. Ms. Smith stated in the affirmative. She remarked, that the changes requested last Monday has modified the start date of the Fire Department Duty Crew and Building Inspections but removes the Administration position(s).

Mayor Tourville explained to the audience that there has been a lot of thought that has gone into the budget. The council asked for an additional savings of \$100,000 which staff came up with. He further stated that the budget process prompted a lot of discussion and ideas which was good.

Councilmember Bartholomew complimented city staff on reducing the levy and commented that it is difficult to do when looking at department needs. He thanks staff, Ms. Smith and Mr. Lynch for their cooperation.

Mayor Tourville stated that the budget will be posted on the website. He stated a lot of hard work was put in on the budget process.

Councilmember Mueller complimented Ms. Smith on her good work.

Ms. Smith stated that there was no closure of the said item because this is not a public hearing.

**Motion by Bartholomew, second by Mueller, to approve the Final 2016 Tax Levies and Final 2016 Budgets.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**II. COMMUNITY DEVELOPMENT:**

**B. CITY OF INVER GROVE HEIGHTS; Consider Third and Final Reading of the On-Street Parking Regulations Ordinance No. 1307.**

Mr. Link presented the item. He stated the City Council approved the second reading at the November 9, 2015 meeting. No changes were asked by the Council at that time. Mr. Link stated that the city has received frequent complaints about commercial vehicles, boats, trailers, and recreation vehicles 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. Residents are concerned about the junky appearance and negative effect in the neighborhood and property values. And also are concerned with the safety impacts with obstructions to the public.

Mr. Link stated the ordinance does three things:

1. In residential zoning districts it prohibits commercial motor vehicles except for school buses and tow trucks, semi-trailers, trailers, watercraft from being parked on city streets, except for the purpose of loading and unloading.
2. In all zoning districts, prohibit vehicles, semi-trailers, trailers, watercraft, recreational truck trailers, recreation vehicles and motor homes from being parked on city streets for more than 20 continuous hours in one place.

3. In all zoning districts, require trailers, semi-trailers, watercraft recreation vehicles, recreation truck trailers, and recreational vehicles combinations that are parked on city streets to be hitched to a motor vehicle.

Mr. Link stated that the staff recommends approval of the third and final reading.

Councilmember Mueller asked if the ordinance amendment will go into effect on April 1st. Mr. Link concurred. Mr. Link stated that in the meantime, we have the winter parking ban on city streets. Councilmember Mueller asks when the notices will be given to the public. Mr. Link stated after before the April 1<sup>st</sup> effective date. Councilmember Mueller asked about enforcement procedures. Mr. Link stated that the Police Department would be the people to ask about enforcement.

Mayor Tourville stated he would like the steps to be: advertising in the City's newsletter Insights. Secondly, the enforcement should not be complaint driven if there's an ordinance in place. Mayor Tourville stated if vehicles have been illegally parked for four weeks we shouldn't have to wait for a complaint. If officers see the illegally parked vehicle the officer should be able to ticket the vehicle. Police Chief Stanger stated that upon observation from a police officer a ticket will be issued. If a complaint is received the police officer would have to observe the vehicle to make sure the vehicle has been parked for over 20 hours.

**Motion by Bartholomew, second by Piekarski Krech, to approve the third and final reading of the on-street ordinance.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**C. CITY OF INVER GROVE HEIGHTS; Consider the First Reading of an Ordinance Amendment to the regulations of parking of vehicles and recreational vehicles in the front yard by removing one of the temporary exceptions.**

Mr. Link introduced the first reading of an ordinance amendment to the regulation of parking of vehicles and recreational vehicles in the front yard. The City Council saw this several meetings ago and directed staff to follow-up on this issue. In November of 2014, the City Council approved an ordinance that regulates parking of vehicles in the front yard of houses. There was an exception to the ordinance that the ordinance doesn't apply to temporary parking, meaning parking up to 7 days at a time. Staff found that difficult to administer and enforce. Staff has to document that the vehicles hasn't moved for seven days which is essentially impossible to do. A couple of months ago Council directed staff to hold a public hearing on this matter to consider an amendment to remove that seven day exemption.

The Planning Commission held a hearing on December 1, 2015. The Planning Commission recommended removing the seven day exception clause and staff also is recommending the removal of said exception.

Councilmember Hark stated that it's not effective during the winter months. Councilmember Mueller asked if three notices will be required by the Police Department. Mr. Link responded in the affirmative, he stated it's not effective in the winter months. Further, he stated the Community Development is the enforcer and when a resident is in compliance most of the time the resident is not aware of the regulations. The typical process is to send a second or a third and final notice instead of seeking punitive action. Mr. Link stated 90-95% of the time staff doesn't have to seek punitive action and that most comply with the first or the second notice. Councilmember Mueller asked for the number of citations. Mr. Link stated about 250-300 complaints per year are received with 5% of them requiring citations.

The City Council discussed the amount of readings necessary for ordinance approval. The Council stated they didn't intend for the ordinance to be passed as it was in the first place. Councilmember Piekarski Krech stated she wanted the process for approval to go quicker. Councilmember Piekarski Krech asked if the ordinance could be accepted with one reading. Mayor Tourville discussed why having three readings was important because of transparency to public.

**Motion by Bartholomew, second by Hark, to approve the first reading of the ordinance.**

**Ayes: 5**

**Nays: 0            Motion carried.**

**D. MIHM CUSTOM HOMES; Consider a Resolution 15-199 relating to a Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to LDR, Low Density Residential for property located on the west side of Hwy 3, between future 65th and 67th Streets.**

Mr. Hunting presented the item. He indicated that the request is a Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to LDR, Low Density Residential. Mr. Hunting identified the location on the map provided for Council reference. The property located on the west side of Highway 3 between future 65<sup>th</sup> and 67<sup>th</sup> Streets. Mr. Hunting noted that the Blackstone Ridge density adjacent to said property was also changed to LDR. He said they are looking at continuing the low density designation throughout as the applicant moves eastward.

Mr. Hunting stated that staff felt that the important issues are:

1. Housing and Diversity
2. Financing

With the Housing and diversity a part of the Northwest Area and Comprehensive Plan policy was to provide a mixture of housing types and life cycle types. Historically he said, it's a 50/50 mix, throughout the years to the different types of single family, multi-use, townhomes, manufactured homes and the like. Mr. Hunting stated that the majority of the residential designation has been single family. He commented that there has been preliminary approval of townhomes but staff won't know when those will get going. Mr. Hunting stated the trend is single family housing.

Mr. Hunting stated that the point is financing and density. Every request we have had is reducing density. The issues are the financing for the trunk utilities for example the proposal is 40 units but the financial assumption was 99 units. Rough numbers on the fees suggest \$350,000 shortfall and doesn't meet expectation. Mr. Hunting asked for a policy decision on what they would like to do in the future, do we keep with the single-family housing designation or require greater density. He then asked the council on how they would like to deal with the financial impacts. He suggested doing a similar process as in 2014, by reducing the said density for the developers and having them pay the development fees based on the original financial assumptions. He discussed that the resolution before the council is to accept the density change but the council also has the option to deny the request.

The Planning Commission recommended approval of the LDR designation along with the developer to pay development fees based on the original financial assumptions that the approval be conditioned upon the new destination but not going into effect until that final plat has been approved for the property.

Councilmember Piekarski Krech asked about the likelihood of the project going through. Mr. Hunting stated that the designation will not go through until the PUD plan is approved by the Council.

Councilmember Mueller asked if staff has gone through the water runoff and ponding requirements with the applicant. Mr. Hunting stated in the affirmative, numerous preliminary meetings were had with the

applicant regarding the open space requirements, storm water and ponding requirements. There plan reflects some of those discussions.

Councilmember Hark asked about land designation in 2014 for the PUD was approved, are there any parcels that have had this designation assigned to the it. Mr. Hunting stated yes, Blackstone Ridge, Blackstone Vista. Ponds does not have the designation but Rolling Heights was approved for the designation but the developer withdrew that project.

Councilmember Bartholomew asked about the 99 lots analysis. Could we get 99 lots in the piece of property?

Mr. Hunting stated that the net available area did indicate through the unit count analysis that on average 99 was the count. He further explained that it's a formula that requires plugging in the numbers. It does changed throughout the years. Councilmember Bartholomew asked about the engineering firms analysis on this project of the low grade and open space requirement. He asked Mr. Hunting if the estimate is feasible. Mr. Hunting stated they are working with the assumptions and with the Comprehensive plan, staff felt the numbers could be accommodated. Mr. Hunting stated that some questions they are getting from developers is the terrain and it may be tricky for the number of units assumed so we are looking at them to see if the assumed units are realistic.

Mayor Tourville asked if this project will have a developer's agreement. Mr. Hunting stated in the affirmative once a PUD is seen. Mayor Tourville stated that we will have an opportunity to look at this more closely. Mr. Hunting concurred, we are not asking for the Council to make a determination on a lot count today. You're recognizing a single family housing designation that is lower housing count. Councilmember Piekarski Krech stated the fees will go with the higher density.

Tom Mihm, 842 Ivy Lane, Eagan, MN the developer of the project stated that they have owned the property for sixteen years. He stated that the terrain and rolling hills makes it difficult to have quads. He stated no one has interest right now in high density. Councilmember Piekarski Krech asked if he understands the previous conversation regarding paying the development fees based on the financial assumptions. Mr. Mihm stated yes, he understands but it will be challenging because they are taking about \$345-\$400,000. Further he stated, if that is what it takes to get it changed then he understands that he will be burdened with that cost.

Mayor Tourville stated the importance of the developers agreement to be agreed upon by both parties.

Housing Committee Chair, Mary T'Kach, 7848 Babcock Trail discussed the impact of the potential down zoning and seals that fate of the Northwest Area. She stated it will have an impact on the diversity of housing but the ability of people from all ages to stay within the community. She stated the Housing Committee doesn't support the designation change. At the very minimum we think you need to cover the upfront financials. She stated staff hasn't completed a long-term financial analysis of the affects of comparing taxable tax capacity of single family vs. multi-family properties. From a housing perspective the Council is going against the Comprehensive Plan and the Housing Policy. Ms. T'Kach asked that the Council look at a long-term vision to make sure they are going in the right direction and follow the Comprehensive Plan in front of them.

Councilmember Pierkarksi Krech, stated the Comp Plan is a changing document. It evolves; we are changing it again in 2018. She compared the Comp Plan to the Capital Improvement Plan. Councilmember Piekarski Krech said she values the Housing Committee but the focus should be in redevelopment.

Chair Ms. T'Kach stated that she respects her view on the Comp Plan however, the challenges we are facing is the changing of the lower density creates less transportation and less retail opportunity. The

housing selection is also deteriorating such as inclusionary housing and affordable housing. She stated that the pattern is starting.

Mayor Tourville stated that higher density and affordable housing are not the same definition. Chair Ms. T’Kach agreed. Mayor Tourville stated that our current existing housing stock does provide the necessary diverse housing that is required. Mayor Tourville stated he believes the higher density will happen in the NW Area. He further discussed his concerns of the housing market. Chair T’Kach emphasized the importance of senior housing stock. New developed houses for seniors are of importance. Mayor Tourville disagreed that there is housing stock available.

Councilmember Hark provided his input that there will be multi-family projects and that the Council has seen them proposed. Chair T’Kach expressed her disbelief in those project coming to fruition. Councilmember Hark stated that the Council cannot require developers to build what the Council thinks is needed. He expressed the difficulty in making these decisions. He stated that higher density has been approved in the NW Area. Councilmember Bartholomew stated we have enough space in the NWA for the higher density to arrive. Councilmember Mueller again stressed to the developer to make sure he understands the run off requirements.

City Attorney, Tim Kuntz stated there should be in addition to “Now Therefore, that the Comprehensive Plan Amendment to change the Medium Density Residential to LDR.NWAPUD, Low Density Residential Northwest Area PUD is approved.

The 4<sup>th</sup> Whereas would be added to state “And that the Plan shall not be effective until all approvals including a rezoning or development contract and PUD designation have been granted by the Met Council and the City.”

**Motion by Tourville, second by Piekarski Krech, to approve the designation to Lower Density Residential with said changes in the resolution.**

**Ayes: 5**

**Nays: 0            Motion carried.**

**III. PUBLIC WORKS:**

**E. CITY OF INVER GROVE HEIGHTS; Resolutions Establishing Utility Rates for 2016**

Mr. Thureen stated that there is three separate resolutions establishing water, sanitary sewer and storm water rates for 2016. This follows that recommendation presented in the 2012 rate study update prepared by Ehlers and Associates which is 2% for water rates and 3.5% for the increase in sanitary sewer rates. The proposed rate increase from sanitary sewer for property inside the Northwest Area includes an additional \$2.00 per 1000 gallon surcharge. Mr. Thureen stated that the storm sewer rates will remain the same.

The council discussed the potential increases according to the Ehlers recommendation in the future. Mr. Thureen stated that compared to rates in other cities we are in the middle of the pack.

**Motion by Piekarski Krech, second by Bartholomew, to approve the increase in the rates.**

**Ayes: 5**

**Nays: 0            Motion carried.**

**F. CITY OF INVER GROVE HEIGHTS; Consider Resolution Receiving Feasibility Report, Scheduling a Public Hearing, Authorizing Preparation of Plans and Specifications, Authorizing Land Acquisition Services, and Resolution Accepting IPO No. 26A from Kimley-Horn & Associates for Design Services for the 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and for the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements**

Public Works Director, Mr. Thureen stated typically this is on consent but because of the lengthy project discussions we put this on the regular agenda portion. Mr. Dodge will present the item and then we will go to the neighborhood again to discuss the project. And then a public hearing will occur in which the council will see this again in a lot more detail.

Assistant City Engineer, Mr. Dodge presented on the item. The projects include Asher Avenue, Asher Court and 60<sup>th</sup> Street, 59<sup>th</sup> Court and 63<sup>rd</sup> Court. These are standard street and water quality improvements. He also specifically outlined all of the project proposed and their uniqueness. He discussed the feasibility report on streets storm water improvements and water quality. Mr. Dodge discussed the estimated cost of the projects and assessments. He stated that Asher Avenue and Asher Court will require easements. The feedback from the residents was provided to the council and comments were taken in to account.

Councilmember Bartholomew asked about the cul-de-sac meeting with the school district. Mr. Dodge stated that they are receptive to the idea of constructing a cul-de-sac upon further conversation.

Mayor Tourville stated that they are not approving the projects today, because there will be public hearings with the public. Mr. Dodge concurred and discussed the ample opportunities residents have to be a part of the public process.

City Attorney Mr. Kuntz, reminded council and staff about the meeting notifications to the public. Mr. Dodge stated they will follow the standard protocol of the meeting notifications. The mailings to the public will go out after Christmas and will be within the time requirement.

**Motion by Bartholomew, second by Hark, to approve said projects.**

**Ayes: 5**

**Nays: 0          Motion carried.**

**8. MAYOR & COUNCIL COMMENTS**

City Hall will be closed at noon on December 24<sup>th</sup> and on December 25<sup>th</sup> and January 1<sup>st</sup> for the Holidays.

Mayor Tourville discussed the tree lighting ceremony and the anniversary luncheon.

**9. EXECUTIVE SESSION:**

Executive Session Pursuant to Minn. Stat. § 13D.05, Subd. 3

A discussion of City Acquisitions of properties took place. No decisions were made to prompt a written summarization of the discussion.

**10. ADJOURN:** Motion by Piekarski Krech, second by Mueller to go into the Executive Session. The meeting was adjourned by a unanimous vote at 9:19p.m.

**INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION  
MONDAY, JANUARY 4, 2016 - 8150 BARBARA AVENUE**

1. **CALL TO ORDER/ROLL CALL:** The City Council of Inver Grove Heights met in work session on Monday, January 4, 2016, 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. **RENTAL ORDINANCE**

Mr. Link introduced the item and stated that this same topic was in front of the Council at the October 5, 2015 work session meeting. Mr. Link asked the Council for direction on the ordinance, investigation, fees, software and public input.

Ordinance

City staff has worked with Kori Land on developing the ordinance. Ms. Land was not present but wrote a memo describing the revisions to the ordinance from July.

City Attorney, Mr. Kuntz stated that there are three matters in the ordinance before the Council tonight. One matter deals with a scenario at the time of issuance there may be violations on the property. What would staff be instructed to do? The ordinance at 4-11-8 (page 12) discusses this scenario and how staff would proceed. The license could be approved by the Council with reasonable conditions. If there is a violation at the time of an issuance staff would approve the license and set a date for which the action would be required to be taken care of rather than denial. Staff would oversee to make sure the violation and date is met.

Mr. Kuntz stated the second item is the discussion on the criteria dealing with revocation, suspension or denial what if there is a conviction of a crime, offense or egregious fine or a licensing activity. What types of convictions or crimes of the five years are we looking at for consideration? Mr. Kuntz inserted the criminal background check that would be done to determine the applicant is a fit licensee. With those examples, its those violations that would deal with the public such as: violence, fraud, reporting false crimes etc. They won't deal with some of the other type of personal offenses.

Mr. Kuntz stated the third issues deals with section 4-11-4, (page 10) of the ordinance item F. The section listed: Exceptions is the obligation to obtain a license. This discusses what doesn't need a license. However, how would we deal with a single family home that is a single family home, owner occupied and that person seeks to rent to strangers a portion of the home? What is the number of strangers to rent to without having to obtain a license? That concept is addressed in this section. You cannot have more than 3 unrelated persons in a building. The zoning allows 3 persons in a single-family owner occupied house.

Mr. Kuntz discussed the zoning license of the ordinance to allow 3-4 unrelated person(s) in a single-family, owner occupied house.

Councilmember Piekarski Krech clarified that the unrelated person(s) could be the owner and two unrelated person(s). Both discussed the mother in law type renter while maintaining the single family home. Mr. Kuntz stated that it may need more refinement. Community Development Director, Mr. Link stated that we need to make sure they comply with the zoning ordinance and if they will be required to have a rental license.

Councilmember Mueller expressed his concern of the foreign exchange students and if they count towards this type of licensing. Councilmember Piekarski Krech clarified that they are living with them but not renting. Mayor Tourville stated that they have zoning in regards to that issue and it covers that question.

Mr. Kuntz discussed what is a single-family dwelling according to the zoning district is any of the following: A. is an individual; B. is anybody who is a part of the family by blood or by marriage and C. is a group of unrelated people but no more than four. Mr. Kuntz stated that the nuisances and examples can be complex. In these examples presented staff needs direction from the Council on the limit number of people in a single-family residence of owner occupied dwelling.

Mayor Tourville asked about Kori Land's involvement. Mr. Kuntz stated his experience with drafting the ordinance is based on his rental experience in Fridley, South St. Paul and West St. Paul.

The Council discussed common complaints among residents and how to make the rental properties safe.

Councilmember Bartholomew asked for clarification whether it's owner plus two unrelated or owner plus three unrelated. Mr. Kuntz stated that it's open for refinement but right now its owner plus two unrelated.

Councilmember Bartholomew asked that we state for clarification that family should refer to also foster or adopted child(ren). Mr. Kuntz concurred and defined what a relative is which included those terms. Councilmember Piekarski Krech stated that she would like to see owner plus two unrelated people. Mayor Tourville discussed the benefits in having a rental licensing ordinance. Councilmember Hark stated that he liked the ordinance written and the fact that Ms. Land has experience with South St. Paul and West St. Paul's rental ordinance.

#### Investigation

Mr. Link discussed his need for additional time for investigation. He stated the first part of the conversation is the ordinance but investigation is another issue that needs direction.

Staff would look at contracting a service to conduct the criminal backgrounds. The other option would look at other cities for a history of rental properties. There is no central database so this could take more staff time. Mr. Link stated that most cities don't conduct a criminal background. Mr. Link discussed a criminal and license background check process. He explained the fee for the background process is not determined yet. Another issue is that a criminal background check on a corporation with the many officers listed may have more time than an individual search. Mr. Link asked the Council if they wanted to continue with a criminal and license background mandatory requirement.

Councilmember Hark confirmed that in the application they will have to list the cities they have rental properties. Mr. Link concurred and stated that staff will look into each city the license history. Councilmember Hark opined that the applicant could complete the application without listing the city they have issues in.

Councilmember Bartholomew suggested adding the Better Business Bureau (BBB) search to the investigation process. Councilmember Piekarski Krech stated BBB complaints would be unlikely. Mr. Link stated another option is checking with the Attorney General's office. Councilmember Hark stated the license background check seems like a waste of time if the City is depending upon the licensee to complete the application honestly if an applicant is unscrupulous. Mr. Link stated that staff will look into the resources and tweak the investigation process. Mayor Tourville requested Mr. Link to check with his other cities, connections and peers to see what they are doing.

Councilmember Hark asked the type of omissions and dishonest statements that would not allow a license to be granted. Mr. Link compared the licensing process with the liquor and massage licensing. Mr. Link discussed the importance of judgment from staff.

Mayor Tourville asked Mr. Link to look into more ordinances than Ms. Land's ordinance and asked to look at the League of MN Cities website for processes. Mayor Tourville doesn't want to reinvent the wheel.

Mr. Link stated all rental licenses will have to be approved by the City Council.

Mr. Kuntz discussed section 4-11-8 (page 12-13), and stated that staff will add more specific language for violations so they can link it to a denial.

Councilmember Mueller stated that staff should be able to enforce this ordinance. Mr. Link responded that Chief Stanger, Code Enforcement Officer, Nicole Cook and Cori Land have been involved in the discussion and process.

### Fees

The next issue discussed was fees. Mr. Link discussed that the fee schedule doesn't represent the full cost to the City. With the allocation of overhead cost, cost per unit and cost over two

years. Mr. Link believes the \$25.00 will cover the cost of the license for single-family. The larger complexes are going to be \$10,000. Mr. Link stated the fees are comparable to surrounding cities. Mayor Tourville stated in disbelief in the low cost stated. Mr. Link stated this it's a guesstimate at this time. .

Councilmember Hark asked how many cities are denying licenses. Mr. Link stated he didn't know. Councilmember Hark asked for the information on the average denials. Mr. Link stated that the categories vary considerably between different cities.

#### Software

Mr. Link canvassed software programs and is reviewing packages. He stated many cities have software. Mr. Link would like to see the software package would with the building department.

CM Mueller opined that staff creates their own software themselves. He questioned how the building inspectors are going to be able to take on rental inspections.

City Administrator, Mr. Lynch stated that this is an interdepartmental issue. The software needs to be shared by the departments. The departments all need the information but some departments must have their own private and not shareable information (i.e. Fire Department-Arson Investigations.). The current software product could be used and a module added. It's a conversation that staff is currently exploring. Mr. Link discussed the length of time to get the program up and running. Mr. Link stated it may take four months to get the software up and running. Councilmember Bartholomew felt that length of time was long.

#### Public Input

Mr. Link discussed writing a memo to property rental owners, putting articles in the city's newsletter and mail letters out to major apartments in town and allow them to have public input then he stated we can bring input back to the council for the council's consideration. He said this should take 60 days.

Mayor Tourville asked when the first reading of the ordinance will come forward. He would like to see the ordinance drafted first before a letter goes out for an opportunity for input. Councilmember Piekarski Krech stated that the letter should be drafted before the Council meets for the first, second and third reading. Mr. Link stated that staff is open to changing this process. Councilmember Piekarski Krech stated we need a letter to go out that to those affected that states this is the proposed ordinance the City is considering and then allow for an opportunity for feedback at a future meeting.

### **3. ASSESSMENT POLICY**

Public Works Director, Mr. Thureen updated the Council on the item. Steve Dodge, Assistant City Engineer, stated that last May this item was discussed with Council. Mr. Dodge stated that the new policy will comply with the LMC standards but was amended slightly to cater to the City.

Mr. Dodge went over the policy and discussed examples of unique policy experiences in the past. He stated that MN Stat. §429 allows for cities to create their own process. Mr. Dodge summarized the proposed changes as outlined in the Request for Council Action in the Council agenda packet. Mr. Dodge presented two options for the assessment procedure:

Option A: First assess the project, reward the project and then go to construction project.

Option B: The City would award the bid, construct the project then in the following year they would assess the project.

Mr. Lynch stated that Option A creates the extra costs that must be absorbed by the City. Option B is the City knows the costs of the project up front and then you assess accordingly. Mr. Lynch stated that we can't assess more than the 30% of the cost, but at better times we were allowed to assess at a high rate. Mayor Tourville opined that this is a working document, and that both options should be open for use. Mr. Dodge agreed with Mr. Lynch's statement and stated that in 2006 the City would take on \$100,000 more for assessments than current economic times.

Mr. Dodge discussed examples of what is considered indirect access on parcels. He stated parcels adjacent or indirect to the project are assessed at half the rate. Mr. Dodge showed examples of what an indirect access is. He also discussed needs and hardships.

Mr. Dodge further discussed updates to the revised assessment policy including Section 2 and identified the hardships defined in Section 11.

Mr. Thureen discussed the hardship and the capped proposed assessments at the feasibility level.

Councilmember Mueller asked what the streets are made of. Mr. Thureen stated that it depends on the specification of the streets. The aggregate and base components depends on the level of the collective street use. Councilmember Mueller discussed the gas/oil level going down and if the cost of the product would decrease. Mr. Dodge discussed the refinement of the petroleum and bituminous product. Councilmember Mueller asked about the service life of the roads. So you won't see a change in price with the fluctuation of oil. Mr. Thureen stated pavement service life is the maximum term for the assessment. He said we are not looking at that maximum street condition. The policy discusses the 30 year term of the assessment.

Councilmember Bartholomew discussed the street assessment rate chart. He asked how we are driving it from the reconstruction 70% to 35%. Mr. Thureen analyzed the total project cost the cost reduces but the appraiser will look at the difference at the appraisal level. The percentages are more realistic and are looking at the largest benefit leveraged for the largest assessment possible. Mayor Tourville stated that the 70% assessed didn't make sense with the market value levels being lowered. Mr. Dodge stated that the purpose is to show the true cost to the City. Mr. Thureen stated that initially the range of cities was all over the place. He opined

that we have never come close to 70% so the intent is to dial back for a closer rate to reality and this helps with the feasibility study.

Mayor Tourville asked about the approval process. Mr. Thureen stated the policy will go in front of the Council for final approval.

#### **4. NORTHWEST AREA (NWA) FEE ESTABLISHMENT**

Mr. Smith presented the item. She discussed the \$2.2 million dollar shortfall. The revenues for the Blackstone and the water/sewer cost deficient. The annual financial report won't show a shortfall. Staff needs to find a way to deal with the shortfall. The debt payments are not being paid. The comments were about taking from the Community Host Funds and are all committed to annual or single responses to help finance items. PMP is dedicated (\$1.5 million a year), general fund operations, property acquisitions (150,000), golf course outlay (\$100,000) and other misc costs. Ultimately she said, the funding source is the help pay for all deficits. Special assessments can be helpful but at the end of the year we need to cover that deficit. The CIP reflected \$1.8 million in receivables and cash balances is under \$500,000. If the cash balance remains that low the transfers will have to come from a different funding source. Ms. Smith stated that the concern is the bond rating received stated very strong annuity with a belief that would continue or not change much. She said if not, we could be affected by a bond rating perspective. We need to come up with a policy or plan for reasonableness to decrease the general fund reliance on the Host Community Fund.

There was a question asked about the possibility of a city wide tax or utility services. Ms. Smith stated that can only be done on temporary bases and can't be long-term solution. Ms. Smith Summarized Ehlers memo to the council where they pointed out solutions and the increase of potential fees. Mr. Apfelbacher recommended city-wide sewer rate increase as soon as possible. Further review and recommendations are as follows:

- Establish a City Service Area line
- \$4.3 million transfer from Water Operating Fund and \$3.8 million transfer from the Sewer Operating Fund.
- Fee increases for water and sewer
- Northwest Area Sewer Surcharge
- City-Wife sewer rate increases of 9.5%
- Create a policy providing a list of acceptable uses and minimum cash balances for the Host Community Fund
- Create a plan for decreasing the General Fund reliance on the Host Community Fund.

Councilmember Bartholomew asked about the \$4.3million water and \$3.8 million sewer funds and the shortfall of \$2.6 million with the current projects out there. Is there a different plan? Ms. Smith stated there would have to be multiple cost fee increases. She stated we could bond for projects but it wouldn't help with the cash flows. Councilmember Bartholomew asked about how

the surplus calculated would help the shortfall. CIP water and sewer can look at excess funds available. Central Equipment of \$12.5 million is a replacement of the vehicles. If there is access Ms. Smith will let the Council know. City Attorney, Mr. Kuntz asked if we could we take the tax dollars and put them into other funds? Ms. Smith will look into that option.

Ms. Smith stated that the bonding for the shortfall would add costs. What are the relative costs associated with that. Mr. Apelbacher stated that the question is the annual payment and how is it going to be carried out each year. Right now there is \$1.2 million in debt for the sewer to extend the NW area. If you issue debt at \$4.3 million if we add debt of \$350,000 the debt service is so high in relation to the sewer utility. He opined that the city is getting to the point that the debt service is too high. If you don't calculate in deappreciation, you have \$140,000 left after the bills are paid. The first 5-7 years it was in Capital Improvement funds so it wasn't identified in the S&P rating. Mr. Apelbacher stated the last time they found the debt numbers. They asked how we are handling this and we discussed what the plan was going forward. But we're going to get to the capacity that a payment plan is required to deal with the debt. It was going to be paid for by the development fund but that doesn't turn around quick enough. Mr. Apelbacher opined that they are going to look at the capacity of the sewer fund. The development creates a shortfall over time. We need to position the City well and put a story to tell what we're going to do with the debt in the future.

Mr. Apelbacher stated that the other concern is the development credits or tradeoffs that occur given for stormwater and the shortfall is then in the sewer fund. In the past approach, the city needs ponding and will give the credit and will short the funds overall and when the projects are still being constructed we need the cash and it's difficult for the perspective funds. The last couple of agreements have created this downfall.

Councilmember Bartholomew asked about the service area line and where it's going? Ms. Smith stated she didn't know. City Attorney, Mr. Kuntz discussed the service area line and how long it would take.

Mayor Tourville asked about the Plan Development Unit assumptions. Are we coming up short with the house unit developments? He expressed issues with the unit calculation forecast. Community Development Director, Mr. Link discussed the problem is the land use and the low density with the medium to high density. Mayor Tourville stated that land use assumptions were on the high side and should be looked at on an average. Mr. Link stated that the average was on the lower side. City Administrator, Mr. Lynch stated that we are using the scenarios at the lowest density and not the highest density. Councilmember Piekarski Krech asked about charging more for a lower density proposal. Mr. Link stated it's up to the City Council to make the policy.

The Council discussed a service area in length. Mr. Link expressed that the Comprehensive Plan provides authority to the council on service lines. The Council doesn't have to expand

utilities just because a developer wants a service line. The Council discussed the positive and negatives of having a service line built to completion.

Mr. Apfelbacher discussed the sewer and water fund is paid for now, but how are the dollars coming in going to pay for that. He stated its 60% upfront and 40% after the development occurs. The question is how this covers the city long-term. Are the rates high enough to cover the shortfall? The memo describes the shortfall but the question is how does the fact that the sewer line cost is not covered by the connection fees. The short-term is a problem, there needs to be enough development and enough to handle the debt service. City Attorney, Mr. Kuntz stated the connection fees are not going to pay for the costs.

Councilmember Hark discussed the rating that was recommended for the bond. Mr. Apfelbacher stated there is a calculation that is involved. The amount of debt is the issue. The adequate reserves could come down a bit but the credit rating is dependent on the management indexes. In the past, there's a budget surplus and have maintained the steady reserves. Mr. Apfelbacher stated that we can run the model and see the different changes.

Ms. Smith discussed that the connection fees of the water and sewer increase was approved. The \$2 dollar surcharge has been approved. Ms. Smith would like to have a city-wide sewer rate increase of 3.5% with an increase of 6% to the NWA to be approved. Mayor Tourville asked about transferring the funds sooner. Ms. Smith agreed that transferring the funds sooner would help and staff can look into that

Mayor Tourville asked that staff put this into a written recommendation for council approval at a future council meeting. Ms. Smith stated she will answer the questions proposed tonight.

5. **ADJOURN:** Motion by Hark, seconded by Bartholomew to adjourn the meeting. Motion was carried unanimously. Meeting adjourned at 9:03pm.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Meeting Date: January 25, 2016  
 Item Type: Consent  
 Contact: Kristi Smith 651-450-2521  
 Prepared by: Bill Schroepfer, Accountant  
 Reviewed by: N/A

**Fiscal/FTE Impact:**

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

**PURPOSE/ACTION REQUESTED**

Approve the attached resolution approving disbursements for the period of January 6, 2016 to January 19, 2016.

**SUMMARY**

Shown below is a listing of the disbursements for the various funds for the period ending January 19, 2016. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$449,466.63
Debt Service & Capital Projects	116,822.00
Enterprise & Internal Service	509,114.66
Escrows	19,518.44
	_____
Grand Total for All Funds	\$1,094,921.73

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 January 6, 2016 to January 19, 2016 and the listing of disbursements requested for approval.

**DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING DISBURSEMENTS FOR THE  
PERIOD ENDING January 19, 2016**

**WHEREAS**, a list of disbursements for the period ending January 19, 2016 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	\$449,466.63
Debt Service & Capital Projects	116,822.00
Enterprise & Internal Service	509,114.66
Escrows	19,518.44
Grand Total for All Funds	<u><u>\$1,094,921.73</u></u>

Adopted by the City Council of Inver Grove Heights this 25th day of January, 2016.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk



# Expense Approval Report

By Fund

Payment Dates 1/6/2016 - 1/19/2016

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACE PAINT & HARDWARE	526218/5	12/31/2015	501126	101.44.6000.451.60016	12.97
ADWEAR SPECIALTIES	20151239AA	12/31/2015	12/23/15	101.42.4000.421.60006	4,630.53
AFSCME COUNCIL 5	INV0048625	12/24/2015	UNION DUES (AFSCME FAIR SHARE)	101.203.2031000	33.04
AFSCME COUNCIL 5	INV0048626	12/24/2015	UNION DUES (AFSCME FULL SHARE)	101.203.2031000	756.69
AFSCME COUNCIL 5	INV0048627	12/24/2015	UNION DUES (AFSCME FULL SHARE-F	101.203.2031000	86.00
ASPEN MILLS	174919	12/31/2015	550771	101.42.4200.423.60045	168.85
ASPEN MILLS	174920	12/31/2015	550771	101.42.4200.423.60045	162.85
ASPEN MILLS	174921	12/31/2015	550771	101.42.4200.423.60045	52.95
AT & T MOBILITY	287237771092X12122015	12/31/2015	287237771092	101.41.1000.413.50020	91.42
AT & T MOBILITY	287237771092X12122015	12/31/2015	287237771092	101.43.5100.442.50020	32.14
ATOM	720779	01/13/2016	ANNU	101.42.4000.421.30070	250.00
BONFE'S PLUMBING	MH2015-2269	12/31/2015	PERMIT REFUND	101.45.0000.3224000	80.00
BUREAU OF CRIMINAL APPREHENSION	00000298881	12/31/2015	00095-0047	101.42.4000.421.40044	390.00
CA DEPT OF CHILD SUPPORT SERVICES	INV0048871	01/08/2016	MIGUEL GUADALAJARA FEIN/TAXPAY	101.203.2032100	279.69
CENTURY LINK	12/19/15 651 455 9072 782	12/31/2015	651 455 9072 782	101.42.4000.423.50020	43.18
CHADER BUSINESS EQUIPMENT	IN13555	01/13/2016	CONTRACT	101.42.4000.421.40044	196.00
CITY OF SAINT PAUL	IN00013196	12/31/2015	76	101.43.5200.443.60016	455.63
CLAREY'S SAFETY EQUIPMENT	164399	12/31/2015	090500	101.42.4200.423.60040	835.50
COMCAST	12/19/15 8772 10 591 0024	12/31/2015	8772 10 591 0024732	101.42.4200.423.30070	2.25
DAKOTA COMMUNICATIONS CENTER	IG2016-01	01/13/2016	JANUARY 2016	101.42.4000.421.70502	44,178.40
DAKOTA COMMUNICATIONS CENTER	IG2016-01	01/13/2016	JANUARY 2016	101.42.4200.423.70502	5,961.60
DAKOTA CTY PROP TAXATION & RECORDS	12312015INGHT	01/13/2016	VOTING EQUIPMENT	101.41.1100.413.60040	6,761.83
DAKOTA CTY SHERIFF'S OFFICE	5001-2015EOP-1B	12/31/2015	SHORT PAID REMAINING BALANCE	101.42.4000.421.30700	5,011.00
DAKOTA ELECTRIC ASSN	109394-7 1/16	12/31/2015	Electric	101.43.5400.445.40020	1,197.45
DAKOTA ELECTRIC ASSN	246837-9 1/16	12/31/2015	Electric	101.44.6000.451.40020	331.60
DAKOTA ELECTRIC ASSN	250165-8 1/16	12/31/2015	Electric	101.44.6000.451.40020	57.04
DAKOTA ELECTRIC ASSN	393563-2 1/16	12/31/2015	Electric	101.44.6000.451.40020	168.68
DAKOTA ELECTRIC ASSN	426713-4 1/16	12/31/2015	Electric	101.43.5400.445.40020	44.77
DAKOTA ELECTRIC ASSN	443054-2 1/16	12/31/2015	Electric	101.44.6000.451.40020	14.81
DIGITAL COMBUSTION, INC.	1112	12/31/2015	12/31/15	101.42.4200.423.30700	1,053.00
EAGAN, CITY OF	5759	12/31/2015	100803	101.43.5200.443.40046	3,325.00
EDGE MARKETING	159280	12/31/2015	35101	101.43.5200.443.60045	179.67
EFTPS	INV0048892	01/08/2016	FEDERAL WITHHOLDING	101.203.2030200	44,295.17
EFTPS	INV0048894	01/08/2016	MEDICARE WITHHOLDING	101.203.2030500	11,355.88
EFTPS	INV0048895	01/08/2016	SOCIAL SECURITY WITHHOLDING	101.203.2030400	32,426.24
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0048874	01/08/2016	HSA ELECTION-FAMILY	101.203.2032500	2,304.74
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0048875	01/08/2016	HSA ELECTION-SINGLE	101.203.2032500	2,659.26
ICMA RETIREMENT TRUST - 457	INV0048876	01/08/2016	ICMA-AGE <49 %	101.203.2031400	3,974.81
ICMA RETIREMENT TRUST - 457	INV0048877	01/08/2016	ICMA-AGE <49	101.203.2031400	4,682.30
ICMA RETIREMENT TRUST - 457	INV0048878	01/08/2016	ICMA-AGE 50+ %	101.203.2031400	1,471.00
ICMA RETIREMENT TRUST - 457	INV0048879	01/08/2016	ICMA-AGE 50+	101.203.2031400	4,724.36
ICMA RETIREMENT TRUST - 457	INV0048880	01/08/2016	ICMA (EMPLOYER SHARE ADMIN)	101.203.2031400	76.62
ICMA RETIREMENT TRUST - 457	INV0048889	01/08/2016	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	874.24
ICMA RETIREMENT TRUST - 457	INV0048890	01/08/2016	ROTH IRA (AGE 50 & OVER)	101.203.2032400	100.00
INTOXIMETERS	518584	12/31/2015	C000MNINVO	101.42.4000.421.60065	95.00
J.D. NELSON CONSTRUCTION LLC.	1/6/16	01/13/2016	1/6/16	101.45.3000.419.30700	1,050.00
JCE TREE SERVICES	2478	12/31/2015	11/30/15	101.43.5200.443.40046	9,500.00
JUST RITE CONST INC	961509	12/31/2015	12/7/15	101.44.6000.451.40047	16,895.00
KEEPRS, INC	293842-02	12/31/2015	INVGROHTPD	101.42.4000.421.60018	1,134.96
KEEPRS, INC	293842-03	12/31/2015	INVGROHTPD	101.42.4000.421.60018	19.00
KEEPRS, INC	293842-04	12/31/2015	INVGROHTPD	101.42.4000.421.60018	172.98
KEEPRS, INC	296307-01	12/31/2015	INVERG0009	101.42.4000.421.60045	116.99
KENISON, TERRI	DEC. 2015	12/31/2015	DEC. 2015	101.42.4200.423.30700	850.00
LAFORTE, ANTHONY	12/11/15	12/31/2015	REIMBURSE-EMT CLASS	101.42.4200.423.30700	780.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Council Mee	12/31/2015	Legal	101.41.1000.413.30401	120.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Engineering	12/31/2015	Legal	101.43.5100.442.30420	1,908.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Inspections	12/31/2015	Legal	101.45.3300.419.30420	244.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Mayor/CC	12/31/2015	Legal	101.41.1000.413.30420	4,524.20
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Parks	12/31/2015	Legal	101.44.6000.451.30420	2,341.80
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Planning	12/31/2015	Legal	101.45.3200.419.30420	684.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Police-Forfe	12/31/2015	Legal	101.42.4000.421.30420	204.00
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	101.41.1100.413.50025	65.45
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	101.41.1100.413.50025	211.75
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	101.45.3200.419.50025	30.80
MADISON NATIONAL LIFE INSURANCE COMPAN	1193739B	12/31/2015	012439	101.203.2031700	2,539.30
METROPOLITAN COUNCIL ENVIRON SRVCS	DECEMBER 2015B	01/13/2016	DECEMBER 2015	101.41.0000.3414000	(49.70)
METROPOLITAN COUNCIL ENVIRON SRVCS	0001050150	12/31/2015	001363	101.45.3200.419.50025	26.95
MINNESOTA DEPARTMENT OF HUMAN SERVICE	INV0048872	01/08/2016	JOEL JACKSON FEIN/TAXPAYER ID: 4	101.203.2032100	428.80
MINNESOTA DEPARTMENT OF HUMAN SERVICE	INV0048873	01/08/2016	JUSTIN PARRANTO FEIN/TAXPAYER I	101.203.2032100	300.41
MN DEPT OF REVENUE	INV0048893	01/08/2016	STATE WITHHOLDING	101.203.2030300	17,412.96

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
MN GLOVE & SAFETY, INC.	292546	12/31/2015	CTINVP	101.43.5200.443.60045	45.98
MN SOCIETY OF PROF. ENGINEERS	300000406	01/13/2016	MNSPE DUES	101.43.5000.441.50070	364.00
MPSTMA	2016 MEMBERSHIPS	01/13/2016	2016 MEMBERSHIPS	101.44.6000.451.50070	75.00
NORTHWEST LASERS, INC.	S100066566	12/31/2015	143033	101.43.5100.442.60040	557.45
NYS OFFICE OF COURT ADMINISTRATION	1/13/16	01/13/2016	LIAO, HONG JUN	101.42.0000.3422000	65.00
PERA	INV0048883	01/08/2016	PERA COORDINATED PLAN	101.203.2030600	32,341.20
PERA	INV0048884	01/08/2016	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	2,487.78
PERA	INV0048885	01/08/2016	PERA DEFINED PLAN	101.203.2030600	69.23
PERA	INV0048886	01/08/2016	EMPLOYER SHARE (PERA DEFINED P	101.203.2030600	69.23
PERA	INV0048887	01/08/2016	PERA POLICE & FIRE PLAN	101.203.2030600	13,805.25
PERA	INV0048888	01/08/2016	EMPLOYER SHARE (POLICE & FIRE PI	101.203.2030600	20,707.92
PRECISE MRM	IN200-1007194	12/31/2015	000208	101.43.5200.443.30700	29.01
STERLING CODIFIERS	17365	01/13/2016	INO921	101.41.1000.413.30700	500.00
T MOBILE	12/8/15 494910368	12/31/2015	494910368	101.43.5100.442.50020	49.99
TRANS UNION LLC	10552747	12/31/2015	0924V0009007	101.41.1100.413.30500	31.50
TRANS UNION LLC	12552179	12/31/2015	0924V0009007	101.41.1100.413.70600	15.90
TWIN CITIES OCCUPATIONAL HEALTH PC	T58612387	12/31/2015	281303	101.41.1100.413.30500	2,167.00
TYLER TECHNOLOGIES, INC	025-142868	01/13/2016	41443	101.41.2000.415.40044	30,354.89
TYLER TECHNOLOGIES, INC	025-143357	01/13/2016	41443	101.41.2000.415.40044	438.00
U OF M - CCE REGISTRATION	1/27/16-1/29/16	01/06/2016	REGISTRATION - S. THUREEN	101.43.5000.441.50070	60.00
U OF M - CCE REGISTRATION	1/27/16-1/29/16	01/06/2016	REGISTRATION - S. THUREEN	101.43.5000.441.50080	305.00
UNIFIRST CORPORATION	090 0268412	12/31/2015	1051948	101.43.5200.443.60045	33.71
UNIFIRST CORPORATION	090 0268412	12/31/2015	1051948	101.44.6000.451.60045	23.61
UNIFIRST CORPORATION	090 0283363	12/31/2015	1051948	101.43.5200.443.60045	26.99
UNIFIRST CORPORATION	090 0283363	12/31/2015	1051948	101.44.6000.451.60045	29.52
UNIFIRST CORPORATION	090 0284397	12/31/2015	1051948	101.43.5200.443.60045	26.99
UNIFIRST CORPORATION	090 0284397	12/31/2015	1051948	101.44.6000.451.60045	29.52
UNIFORMS UNLIMITED	15458-1	01/13/2016	5892-1	101.42.4000.421.60045	137.91
UNIFORMS UNLIMITED	15504-1	01/13/2016	5897-1	101.42.4000.421.60045	146.95
UNIFORMS UNLIMITED	14006-1	12/31/2015	JANUARY 2016	101.42.4000.421.60045	22.66
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.42.4000.421.50020	1,219.76
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.42.4200.423.50020	712.17
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.43.5000.441.50020	52.45
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.43.5100.442.50020	341.85
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.43.5200.443.50020	340.65
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.44.6000.451.50020	26.65
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.45.3000.419.50020	51.14
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	101.45.3300.419.50020	262.38
<b>Fund: 101 - GENERAL FUND</b>					<b>355,420.05</b>
RIVER HEIGHTS CHAMBER OF COMMERCE	5737B	12/31/2015	11/9/15	201.44.1600.465.50080	65.00
<b>Fund: 201 - C.V.B. FUND</b>					<b>65.00</b>
IGH BASEBALL ASSOCIATION	12/31/15	12/31/2015	RAKING SERVICES FOR JULY 17-19	204.44.6100.452.30700	296.00
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	204.44.6100.452.50020	75.12
<b>Fund: 204 - RECREATION FUND</b>					<b>371.12</b>
ACE PAINT & HARDWARE	49991	12/31/2015	X3551	205.44.6200.453.40040	23,113.72
ACE PAINT & HARDWARE	526153/5	12/31/2015	501126	205.44.6200.453.60016	24.95
BOECKMAN, SHARI	11/21/15	12/31/2015	REIMBURSE-PERSONAL TRAINING CE	205.44.6200.453.50080	47.70
BURROWS REFRIGERATION	10252	12/31/2015	11/20/15	205.44.6200.453.40042	228.03
COMMON SENSE BUILDING SERVICES, INC.	37456	12/31/2015	DECEMBER 2015	205.44.6200.453.40040	6,767.85
DUFF, KENDALL	12/24/15	12/31/2015	BIRTHDAY DISCOUNT	205.207.2070300	3.33
DUFF, KENDALL	12/24/15	12/31/2015	BIRTHDAY DISCOUNT	205.44.0000.3492900	46.67
HAMPER, DOUG	12/31/15	12/31/2015	MEMBERSHIP REIMBURSEMENT	205.44.0000.3490100	152.00
HORWITZ NS/I	HJ017140	12/31/2015	15392968	205.44.6200.453.80200	41,372.00
JOHNSON, KATHERINE	12/31/15	12/31/2015	REIMBURSE - FITNESS	205.44.0000.3493501	54.00
KRECH IRON WORKS	7137	12/31/2015	12/31/15	205.44.6200.453.40040	150.00
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	205.44.6200.453.50025	23.10
RUSH, PAT	12/31/15	12/31/2015	REFUND - SWIM LESSON	205.44.0000.3493501	59.00
TRIDISTRICT COMMUNITY ED	2016 CATALOGE	01/13/2016	2016 CATALOGE	205.44.6200.453.50025	250.00
VANCO SERVICES LLC	00007119651	12/31/2015	DECEMBER 2015	205.44.6200.453.70600	115.05
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	205.44.6200.453.50020	85.40
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	205.44.6200.453.50020	85.39
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	205.44.6200.453.50020	23.98
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	205.44.6200.453.50020	23.98
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	205.44.6200.453.50020	1,544.71
<b>Fund: 205 - COMMUNITY CENTER</b>					<b>74,170.86</b>
KAMISH EXCAVATING	15-234	12/31/2015	12/22/15	290.45.3000.419.30700	19,300.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 EDA Acq-Ri	12/31/2015	Legal	290.45.3000.419.30420	139.60
<b>Fund: 290 - EDA</b>					<b>19,439.60</b>
JORGENSON CONSTRUCTION INC.	134941	12/31/2015	BD2015-1019 REFUND	404.217.2170000	2,485.00
METROPOLITAN COUNCIL ENVIRON SRVCS	DECEMBER 2015B	01/13/2016	DECEMBER 2015	404.217.2170000	4,970.00
<b>Fund: 404 - SEWER CONNECTION FUND</b>					<b>7,455.00</b>

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
AMERICAN ENGINEERING TESTING, INC.	90040	12/31/2015	C15070 12/22	440.74.5900.740.30340	9,635.28
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1509E 47th	12/31/2015	Legal	440.74.5900.740.30420	17.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1609D-Impr	12/31/2015	Legal	440.74.5900.740.30420	3,348.50
<b>Fund: 440 - PAVEMENT MANAGEMENT PROJ</b>					<b>13,000.78</b>
EMMONS & OLIVIER RESOURCES	00095-0043-20	12/31/2015	00095-0043	446.74.5900.746.30300	8.05
EMMONS & OLIVIER RESOURCES	00095-0049-3	12/31/2015	00095-0049	446.74.5900.746.30300	500.50
EVERGREEN LAND SERVICES	00-11443	12/31/2015	11/23/15	446.74.5900.746.30700	450.00
EVERGREEN LAND SERVICES	00-11461	12/31/2015	12/9/15	446.74.5900.746.30700	467.25
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1411-Impr	12/31/2015	Legal	446.74.5900.746.30420	203.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1510-Impr	12/31/2015	Legal	446.74.5900.746.30420	54.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1512-Impr	12/31/2015	Legal	446.74.5900.746.30420	1,238.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1513-Impr	12/31/2015	Legal	446.74.5900.746.30420	1,468.40
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 #1516-Impr	12/31/2015	Legal	446.74.5900.746.30420	54.00
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	446.74.5900.746.50025	355.00
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	446.74.5900.746.50025	177.10
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	446.74.5900.746.50025	23.10
METROPOLITAN COUNCIL ENVIRON SRVCS	0001050150	12/31/2015	001363	446.74.5900.746.50025	326.60
S. M. HENTGES & SONS, INC.	1/11/16	12/31/2015	PAY VO. NO. 4	446.74.5900.746.80300	41,560.92
S. M. HENTGES & SONS, INC.	1/11/16	12/31/2015	PAY VO. NO. 4	446.74.5900.746.80300	34,055.05
WSB & ASSOCIATES, INC.	10/28/15 4	12/31/2015	01702-260	446.74.5900.746.30300	3,080.00
WSB & ASSOCIATES, INC.	12/28/15 5	12/31/2015	01702-260	446.74.5900.746.30300	1,645.25
<b>Fund: 446 - NW AREA</b>					<b>85,666.22</b>
DAKOTA CTY PROP TAXATION & RECORDS	12312015INGHT	01/13/2016	VOTING EQUIPMENT	450.41.1100.413.60040	10,700.00
<b>Fund: 450 - COMMUNITY PROJECTS FUND</b>					<b>10,700.00</b>
AUTOMATIC SYSTEMS CO.	29782 S	12/31/2015	INVE01	501.50.7100.512.80610	24,325.00
AUTOMATIC SYSTEMS CO.	29785	12/31/2015	INVE01	501.50.7100.512.80610	23,120.00
AUTOMATIC SYSTEMS CO.	29787 S	12/31/2015	INVE01	501.50.7100.512.80610	16,743.00
AUTOMATIC SYSTEMS CO.	29796 S	12/31/2015	INVE01	501.50.7100.512.80610	5,403.00
AUTOMATIC SYSTEMS CO.	29800 S	12/31/2015	INVE01	501.50.7100.512.80610	22,303.00
CITY OF BLOOMINGTON	12/1/15-12/31/15	12/31/2015	P/A COLIFORM	501.50.7100.512.30700	420.00
GOPHER STATE ONE-CALL	153405	12/31/2015	MN00435	501.50.7100.512.30700	239.25
HD SUPPLY WATERWORKS LTD	E918682	12/31/2015	099872	501.50.7100.512.40042	440.00
MAX STEININGER, INC.	12/28/15	12/31/2015	HYDRANT PERMIT #1504 REFUND	501.207.2070300	(36.44)
MAX STEININGER, INC.	12/28/15	12/31/2015	HYDRANT PERMIT #1504 REFUND	501.50.0000.3813000	(511.44)
MIDWEST SAFETY COUNSELORS, INC.	IVC0044931	12/31/2015	12/17/15	501.50.7100.512.60016	59.76
MN DEPT OF HEALTH	4/5/16-4/7/16	01/13/2016	REGISTRATIONS	501.50.7100.512.50080	700.00
S. M. HENTGES & SONS, INC.	1511	12/30/2015	HYDRANT PERMIT	501.207.2070300	(14.14)
S. M. HENTGES & SONS, INC.	1511	12/30/2015	HYDRANT PERMIT	501.50.0000.3813000	(198.52)
SHORT ELLIOTT HENDRICKSON, INC.	12/31/15 PAYMENT 1	12/31/2015	PAYMENT 1	501.50.7100.512.80400	51,290.50
SHORT ELLIOTT HENDRICKSON, INC.	12/31/15 PAYMENT 2	12/31/2015	PAYMENT 2	501.50.7100.512.80400	27,075.00
STANTEC CONSULTING SERVICES INC.	988254	12/31/2015	92607	501.50.7100.512.30700	1,978.50
TKDA	002015004125	12/31/2015	0015781.000	501.50.7100.512.30700	1,464.15
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	501.50.7100.512.50020	387.74
WATER CONSERVATION SERVICES INC	6491	12/31/2015	12/24/15	501.50.7100.512.40046	270.70
<b>Fund: 501 - WATER UTILITY FUND</b>					<b>175,459.06</b>
DAKOTA CTY TREASURER	DECEMBER 2015B	01/13/2016	DECEMBER 2015	502.207.2070100	84.00
METROPOLITAN COUNCIL ENVIRON SRVCS	0001050150	12/31/2015	001363	502.51.7200.514.40015	145,904.71
MN GLOVE & SAFETY, INC.	292398	12/31/2015	CTINVP	502.51.7200.514.60045	152.96
<b>Fund: 502 - SEWER UTILITY FUND</b>					<b>146,141.67</b>
ARAMARK UNIFORM SERVICES	001718291683	12/31/2015	792502342	503.52.8600.527.60045	139.19
ARAMARK UNIFORM SERVICES	001718300705	12/31/2015	79202342	503.52.8600.527.60045	158.93
ARAMARK UNIFORM SERVICES	001718345483	12/31/2015	792502342	503.52.8600.527.60045	130.16
ARAMARK UNIFORM SERVICES	001718363687	12/31/2015	792502342	503.52.8600.527.60045	60.94
ARAMARK UNIFORM SERVICES	12/16/15	12/31/2015	792502-342	503.52.8600.527.60045	(704.01)
ARAMARK UNIFORM SERVICES	1718309648	12/31/2015	792502342	503.52.8600.527.60045	159.82
ARAMARK UNIFORM SERVICES	1718318504	12/31/2015	792502342	503.52.8600.527.60045	170.10
ARAMARK UNIFORM SERVICES	1718327381	12/31/2015	792502342	503.52.8600.527.60045	167.32
ARAMARK UNIFORM SERVICES	1718336329	12/31/2015	792502342	503.52.8600.527.60045	130.16
ARAMARK UNIFORM SERVICES	1718354564	12/31/2015	792502342	503.52.8600.527.60045	135.45
ARAMARK UNIFORM SERVICES	1718372655	12/31/2015	792502342	503.52.8600.527.60045	60.94
DAKOTA ELECTRIC ASSN	201360-5 1/16	12/31/2015	Electric	503.52.8600.527.40020	223.32
DEX MEDIA EAST	12/31/15 110360619	12/31/2015	110360619	503.52.8500.526.50025	47.50
EC DESIGN GROUP, LTD	3492	12/31/2015	12/22/15	503.52.8600.527.80300	12,000.00
ESCAPE FIRE PROTECTION LLC	16731	12/31/2015	12/31/15	503.52.8500.526.40040	1,650.00
GRAINGER	9919436569	12/31/2015	855256939	503.52.8500.526.40040	57.65
HERFORD NORBY GOLF ARCHITECTS, LLC	2117	12/31/2015	12/19/15	503.52.8600.527.80300	48,500.00
MADISON NATIONAL LIFE INSURANCE COMPAN	1193739B	12/31/2015	012439	503.52.8000.521.20630	(35.46)
METRO SALES	IN418194	12/31/2015	SO83213	503.52.8500.526.60010	263.02
METRO SALES	INV420463	12/31/2015	01X544	503.52.8500.526.60010	155.00
NATURE CALLS, INC.	24449	12/31/2015	11/30/15	503.52.8600.527.40065	68.45
PW GOLF SUPPLY LLC	406192	12/31/2015	P13515	503.52.8100.522.60060	1,019.39

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
TRI-STATE BOBCAT INC.	P53269	12/30/2015	16312	503.52.8600.527.40042	22.27
TRI-STATE BOBCAT INC.	S18488	12/31/2015	41466	503.52.8600.527.80400	16,176.73
US FOODSERVICE	4455361	12/31/2015	03805983	503.52.8300.524.40042	255.44
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	503.52.8500.526.50020	216.66

**Fund: 503 - INVER WOOD GOLF COURSE**

**81,228.97**

BOYER TRUCKS - MINNEAPOLIS	1019356	12/31/2015	C20390	603.00.5300.444.40041	122.98
COMMON SENSE BUILDING SERVICES, INC.	37456	12/31/2015	DECEMBER 2015	603.00.5300.444.40040	273.76
CRAWFORD DOOR SALES COMPANY	21027	12/31/2015	IN30652	603.00.5300.444.40040	1,068.00
FLEETPRIDE	74239292	12/31/2015	501278	603.00.5300.444.40041	177.74
INVER GROVE FORD	5196966	12/30/2015	12/16/15	603.00.5300.444.40041	719.73
INVER GROVE FORD	5197038	12/31/2015	12/16/15	603.00.5300.444.40041	225.98
INVER GROVE FORD	5197090	12/31/2015	12/17/15	603.00.5300.444.40041	7.74
KIMBALL MIDWEST	4609899	12/31/2015	222006	603.00.5300.444.60012	244.19
KIMBALL MIDWEST	4627143	12/31/2015	222006	603.00.5300.444.60012	82.56
LANO EQUIPMENT, INC.	01-345159	12/31/2015	96755	603.00.5300.444.40041	930.64
LARSON COMPANIES	B-253550009	12/31/2015	14649	603.140.1450050	115.58
LITTLE FALLS MACHINE INC	00057148	12/31/2015	051903	603.00.5300.444.40041	498.70
MANSFIELD OIL COMPANY	57582	12/31/2015	23866-02-57582	603.140.1450060	11,829.84
METRO JANITORIAL SUPPLY INC	11013790	12/31/2015	12/11/15	603.00.5300.444.60011	127.99
METRO JANITORIAL SUPPLY INC	11013794	12/31/2015	12/16/15	603.00.5300.444.60012	171.29
METRO JANITORIAL SUPPLY INC	11013813	12/31/2015	12/28/15	603.00.5300.444.60011	237.20
MID CITY SERIVCES, INC.	35524	12/31/2015	12/24/15	603.00.5300.444.40065	42.75
MINNESOTA EQUIPMENT	R14086	12/31/2015	INVER001	603.00.5300.444.40041	294.74
NUSS TRUCK AND EQUIPMENT	4464850P	12/31/2015	38679B	603.00.5300.444.40041	1,499.04
NUSS TRUCK AND EQUIPMENT	4464980P	12/31/2015	38679B	603.00.5300.444.40041	681.74
NUSS TRUCK AND EQUIPMENT	4465078P	12/31/2015	38679B	603.140.1450050	742.12
NUSS TRUCK AND EQUIPMENT	4465657P	12/31/2015	38679B	603.00.5300.444.40041	292.02
NUSS TRUCK AND EQUIPMENT	4465800P	12/31/2015	38679B	603.00.5300.444.40041	(985.55)
NUSS TRUCK AND EQUIPMENT	9853	12/31/2015	20472	603.00.5300.444.80700	60,216.38
O' REILLY AUTO PARTS	1767-181049B	12/31/2015	1578028	603.00.5300.444.40041	573.52
O' REILLY AUTO PARTS	1767-181100	12/31/2015	1578028	603.00.5300.444.40041	106.60
O' REILLY AUTO PARTS	1767-181618B	12/31/2015	1578028	603.00.5300.444.40041	58.49
O' REILLY AUTO PARTS	1767-181643B	12/31/2015	1578028	603.00.5300.444.40041	(58.49)
O' REILLY AUTO PARTS	1767-181660B	12/31/2015	1578028	603.00.5300.444.40041	74.59
O' REILLY AUTO PARTS	1767-181768B	12/31/2015	1578028	603.00.5300.444.40041	70.48
O' REILLY AUTO PARTS	1767-181791B	12/31/2015	1578028	603.00.5300.444.40041	123.70
O' REILLY AUTO PARTS	1767-181792B	12/31/2015	1578028	603.00.5300.444.40041	17.20
O' REILLY AUTO PARTS	1767-181850B	12/31/2015	1578028	603.00.5300.444.40041	194.80
O' REILLY AUTO PARTS	1767-181908B	12/31/2015	1578028	603.00.5300.444.40041	22.98
O' REILLY AUTO PARTS	1767-181967B	12/31/2015	1578028	603.00.5300.444.40041	(80.00)
O' REILLY AUTO PARTS	1767-182051B	12/31/2015	1578028	603.00.5300.444.40041	7.70
O' REILLY AUTO PARTS	1767-182059B	12/31/2015	1578028	603.00.5300.444.40041	(127.10)
O' REILLY AUTO PARTS	1767-182105B	12/31/2015	1578028	603.00.5300.444.40041	89.39
O' REILLY AUTO PARTS	1767-182106B	12/31/2015	1578028	603.00.5300.444.40041	(74.59)
O' REILLY AUTO PARTS	1767-182872	12/31/2015	1578028	603.00.5300.444.40041	29.44
O' REILLY AUTO PARTS	1767-183009	12/31/2015	1578028	603.00.5300.444.40041	79.44
O' REILLY AUTO PARTS	1767-183138	12/31/2015	1578028	603.00.5300.444.40041	2.49
O' REILLY AUTO PARTS	1767-1834263	12/31/2015	1578028	603.00.5300.444.40041	171.34
O' REILLY AUTO PARTS	1767-1834263	12/31/2015	1578028	603.140.1450050	157.44
O' REILLY AUTO PARTS	1767-183654	12/31/2015	1578028	603.00.5300.444.40041	13.42
O' REILLY AUTO PARTS	1767-183656	12/31/2015	1578028	603.00.5300.444.40041	(6.71)
O' REILLY AUTO PARTS	1767-183657	12/31/2015	1578028	603.140.1450050	22.92
O' REILLY AUTO PARTS	1767-183658	12/31/2015	1578028	603.00.5300.444.40041	(6.71)
O' REILLY AUTO PARTS	1767-184053	12/31/2015	1578028	603.00.5300.444.40041	18.80
O' REILLY AUTO PARTS	1767-184072	12/31/2015	1578028	603.00.5300.444.40041	45.58
O' REILLY AUTO PARTS	1767-184264	12/31/2015	1578028	603.00.5300.444.60012	14.99
O' REILLY AUTO PARTS	1767-184276	12/31/2015	1578028	603.140.1450050	28.66
O' REILLY AUTO PARTS	1767-184455	12/31/2015	1578028	603.140.1450050	40.32
PUMP AND METER SERVICE INC	24651-26079SO	12/31/2015	494500	603.00.5300.444.40040	337.05
TITAN MACHINERY	7088945	12/31/2015	6239910	603.00.5300.444.40041	52.17
UNIFIRST CORPORATION	090 0268412	12/31/2015	1051948	603.00.5300.444.40065	126.26
UNIFIRST CORPORATION	090 0268412	12/31/2015	1051948	603.00.5300.444.60045	31.14
UNIFIRST CORPORATION	090 0283363	12/31/2015	1051948	603.00.5300.444.40065	126.13
UNIFIRST CORPORATION	090 0283363	12/31/2015	1051948	603.00.5300.444.60045	31.14
UNIFIRST CORPORATION	090 0284397	12/31/2015	1051948	603.00.5300.444.40065	126.13
UNIFIRST CORPORATION	090 0284397	12/31/2015	1051948	603.00.5300.444.60045	31.14
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	603.00.5300.444.50020	104.08
WESTERN PETROLEUM COMPANY	97359648-41801	12/31/2015	112741	603.00.5300.444.40041	19.00
WESTERN PETROLEUM COMPANY	97359648-41801	12/31/2015	112741	603.140.1450050	617.14
WESTERN PETROLEUM COMPANY	97361772-41801	12/31/2015	112741	603.00.5300.444.40041	334.15

**Fund: 603 - CENTRAL EQUIPMENT**

**83,163.38**

OFFICE DEPOT	1/11/16 6011 5685 1008 88	12/31/2015	6011 5685 1008 8883	604.00.2200.416.60010	33.77
--------------	---------------------------	------------	---------------------	-----------------------	-------

**Fund: 604 - CENTRAL STORES**

**33.77**

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
COMMON SENSE BUILDING SERVICES, INC.	37456	12/31/2015	DECEMBER 2015	605.00.7500.460.40040	3,478.41
HILLYARD INC	601899397	12/31/2015	274069	605.00.7500.460.60016	404.46
HILLYARD INC	601900842	12/31/2015	274069	605.00.7500.460.60016	445.69
HUEBSCH SERVICES	3583993	12/31/2015	100075	605.00.7500.460.40065	113.54
TOTAL CONSTRUCTION & EQUIP.	66259	12/31/2015	CIT001	605.00.7500.460.40040	163.05
<b>Fund: 605 - CITY FACILITIES</b>					<b>4,605.15</b>
ADVANCEDTEK	80204	12/31/2015	12/31/15	606.00.1400.413.60010	243.93
AT & T MOBILITY	287237771092X12122015	12/31/2015	287237771092	606.00.1400.413.50020	54.28
CDW GOVERNMENT INC	BMJ0884	12/31/2015	2394832	606.00.1400.413.80610	591.40
CDW GOVERNMENT INC	BMR2135	12/31/2015	2394832	606.00.1400.413.80610	74.28
ESRI INC	93067875	12/31/2015	19729	606.00.1400.413.30700	8,000.00
INTEGRA TELECOM	120372363	12/31/2015	002129	606.00.1400.413.50020	112.50
INTEGRA TELECOM	13519624	12/31/2015	645862	606.00.1400.413.50020	1,009.48
INTEGRA TELECOM	13538468	12/31/2015	887115	606.00.1400.413.50020	1,220.63
LOW VOLTAGE CONTRACTORS	SOI.042791	12/31/2015	85892	606.00.1400.413.30700	1,416.98
TDS METROCOM	12/13/15 651 451 1944	12/31/2015	651 451 1944	606.00.1400.413.50020	248.04
TRICOM COMMUNICATIONS	12700	12/31/2015	12/9/15	606.00.1400.413.30700	5,460.00
VERIZON WIRELESS	9757770489	12/31/2015	Telephone	606.00.1400.413.50020	51.14
<b>Fund: 606 - TECHNOLOGY FUND</b>					<b>18,482.66</b>
BUREAU OF CRIMINAL APPREHENSION	00000298881	12/31/2015	00095-0047	702.229.2293602	723.00
BUREAU OF CRIMINAL APPREHENSION	00000298881	12/31/2015	00095-0047	702.229.2295902	204.50
CARIBOU COFFEE COMPANY, INC.	12/23/15	12/31/2015	ESCROW REFUND	702.229.2289002	892.34
EMMONS & OLIVIER RESOURCES	00095-0046-11	12/31/2015	00095-0046	702.229.2282002	2,032.00
EMMONS & OLIVIER RESOURCES	00095-0046-11	12/31/2015	00095-0046	702.229.2282002	1,067.30
EMMONS & OLIVIER RESOURCES	00095-0046-11	12/31/2015	00095-0046	702.229.2287302	6,409.00
EMMONS & OLIVIER RESOURCES	00095-0046-11	12/31/2015	00095-0046	702.229.2293602	1,145.95
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Blackstone F	12/31/2015	Legal	702.229.2294102	57.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Blackstone F	12/31/2015	Legal	702.229.2289802	216.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Blackstone \	12/31/2015	Legal	702.229.2282902	1,164.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Blaine Broth	12/31/2015	Legal	702.229.2286501	77.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Clear Wirele	12/31/2015	Legal	702.229.2293301	84.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Flint Hills Re	12/31/2015	Legal	702.229.2298701	22.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Forfeiture-Dc	12/31/2015	Legal	702.229.2291000	24.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Forfeiture-Ri	12/31/2015	Legal	702.229.2291000	8.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Forfeiture-Te	12/31/2015	Legal	702.229.2291000	8.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Forfeiture-Tr	12/31/2015	Legal	702.229.2291000	572.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Mihm Develc	12/31/2015	Legal	702.229.2296002	66.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Orchard Heiç	12/31/2015	Legal	702.229.2294402	22.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Pine Bend L	12/31/2015	Legal	702.229.2293002	1,135.80
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Police-Forfei	12/31/2015	Legal	702.229.2291000	812.00
LEVANDER, GILLEN & MILLER P.A.	81000E 12/15 Simley High	12/31/2015	Legal	702.229.2303801	88.00
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	702.229.2289202	34.65
LILLIE SUBURBAN NEWSPAPERS	10/29/15 001363	12/31/2015	001363	702.229.2292802	53.90
MAX STEININGER, INC.	12/28/15	12/31/2015	HYDRANT PERMIT #1504 REFUND	702.229.2294300	1,000.00
RAMSEY COUNTY SHERIFF'S DEPT	62SUCR156795	01/13/2016	MAHENDRA TERRY PERSAUD	702.229.2291000	600.00
S. M. HENTGES & SONS, INC.	1511	12/30/2015	HYDRANT PERMIT	702.229.2294300	1,000.00
<b>Fund: 702 - ESCROW FUND</b>					<b>19,518.44</b>
<b>Grand Total</b>					<b>1,094,921.73</b>

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

---

**Consider Approval of Massage Therapist License of Beth Henning**

Meeting Date: January 25, 2016  
Item Type: Consent  
Contact: 651-450-2513  
Prepared by: Michelle Tesser  
Reviewed by: N/A

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED:** Consider approval of an application by Beth Henning for a individual massage therapist license at the premise of Inver Grove Chiropractic, 2940 65<sup>th</sup> St. E.

**SUMMARY:** The applicant submitted the appropriate fees, insurance documentation, and other information as required by City Code. Ms. Henning has completed the required number of hours of therapeutic massage training and is a member in good standing of a recognized professional therapeutic massage organization. A background investigation on the applicant revealed no basis for the denial of the license request.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CONSIDER APPROVAL OF SENTENCE TO SERVICE CONTRACT**

Meeting Date: January 25, 2016  
 Item Type: Consent Agenda  
 Contact: Brian Swoboda-651-450-2582  
 Prepared by: Eric Carlson  
 Reviewed by: Eric Carlson-Parks & Recreation

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Approve the 2016 Contract with Dakota County for Sentence to Service Program Work Crews (STS). The contract will not exceed \$26,940 and is for minimum of 60 crew days of service. Each crew day will consist of 5-10 members working 6.5 hour days.

**SUMMARY**

The approved 2016 Budget anticipates expenditure in the Parks Division budget for Sentence to Service Work Crews. The expenditure guarantees minimum of 60 crew work days for the City work and the cost is approximately \$7.50 per hour per crew member or \$449/day. STS usually provides extra crew days at no additional charge. In 2015 STS provided a total of 70+ work crew days, 60 days which were contracted and paid for.

The Contract for STS Work Crews can be terminated with or without cause with thirty days written notice.

Examples of work projects include: spring clean up of trash and debris in parks, along Cahill Ave., trails, sidewalks and in boulevards; painting trash containers, picnic tables, signs, benches bleachers, tunnels and the interior and exterior of buildings; landscaping, rain garden and erosion control projects; removal of invasive plant species; trimming and chipping brush and trees; cutting back along trails; mulching trees and trails; placing engineered wood fiber in playgrounds; preparation and assistance for special projects and community events like Inver Grove Heights Days; equipment and infrastructure assembly.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Change Order No. 5 and Pay Voucher No. 7 for City Project No. 2015-09E – 47<sup>th</sup> Street Area Reconstruction and City Project No. 2015-14 – 47<sup>th</sup> Street Area Water and Sewer Improvements and Rehabilitation**

Meeting Date: January 25, 2016  
 Item Type: Consent  
 Contact: Thomas J. Kaldunski, 651.450.2572  
 Prepared by: Steve W. Dodge, Assistant City Engineer  
 Reviewed by: Scott D. Thureen, Public Works Director

*TJK*  
*SWD*  
*SWD*

**Fiscal/FTE Impact:**

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other: Pavement Management Fund, Special Assessments, Water Fund, Sewer Fund, DCSWCD Grants, Agreements

**PURPOSE/ACTION REQUESTED**

Consider Pay Change Order No. 5 and Pay Voucher No. 7 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 and 2015 Improvement 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. 5, in the amount of \$72,856.17, covers miscellaneous contract quantity increases required due to field conditions. This change order is for City Project No. 2015-09E, and will be funded through the Contingency Funds.

I recommend approval of Change Order No. 5 in the amount of \$72,856.17, for a total contract amount of \$3,279,772.71, and Pay Voucher No. 7 in the amount of \$77,121.71 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.

TJK/nh

Attachments: Change Order No. 5  
 Pay Voucher No. 7

## CHANGE ORDER NO. 5

### 2015 Pavement Management Program

#### City Project No. 2015-09E – 47th St. Area Reconstruction

Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077	Date of Issuance: December 31, 2015
Contractor: Palda and Sons, Inc. 1462 Dayton Ave. St. Paul, MN 55104	Engineer: Short Elliott Hendrickson, Inc.

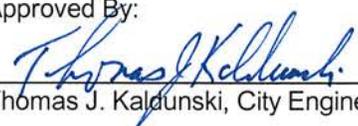
#### PURPOSE OF CHANGE ORDER

**Additional Contract Quantity Costs**

To compensate for contract quantity increases required due to: (1) additional clearing and grubbing done in preparation for the infiltration basin at 49<sup>th</sup> St. and Brent Ave., (2) lack of existing suitable Class 5 base aggregate on the streets in general, (3) increases in boulevard and driveway disturbance required to provide gentle transitions to the new street grades, (4) storm sewer modifications at the infiltration basin at 49<sup>th</sup> St. and Bryce Ave., and (5) increases in special landscape restoration required including the construction of a large boulder retaining wall adjacent to the infiltration basin at 49<sup>th</sup> St. and Brent Ave.

**Total Cost of Change Order No. 5 = \$72,856.17**

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$3,060,086.49	Original Contract Time:
Previous Change Orders \$146,830.05	Net Change from Previous Change Orders None
Contract Price Prior to this Change Order \$3,206,916.54	Contract Time Prior to this Change Order None
Net Increase (Decrease) of this Change Order \$72,856.17	Net Increase (Decrease) of Change Order None
Contract Price with all Approved Change Orders \$3,279,772.71	Contract Time with Approved Change None
Recommended By: 	Approved By:
Nick Hahn, Senior Engineering Technician	Palda and Sons, Inc.

Approved By:   
 Thomas J. Kaldunski, City Engineer

Approved By: \_\_\_\_\_  
 George Tourville, Mayor

Date of Council Action:  
 January 25, 2016



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	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	24	\$ 50.00	\$ 200.00	\$ 1,200.00
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	62	\$ 50.05	\$ 14,864.85	\$ 3,103.10
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	8	\$ 1,528.00	\$ 3,056.00	\$ 12,224.00
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	32	\$ 190.00	\$ 5,700.00	\$ 6,080.00
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	1639	\$ 54.60	\$ 82,173.00	\$ 89,489.40
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	3	\$ 600.00	\$ 1,800.00	\$ 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	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	13	\$ 400.00	\$ 800.00	\$ 5,200.00
34	2504.602	ADJUST CURB STOP BOX	EACH	14	2	\$ 130.00	\$ 1,820.00	\$ 260.00

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	24	\$	704.00	\$	4,928.00	\$	16,896.00
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
<b>TOTAL SCHEDULE 1 - 47TH STREET AREA WATER AND SEWER IMPROVEMENTS AND REHABILITATION (2015-14)</b>											
<b>\$ 785,711.05 \$ 842,051.62</b>											

<b>SCHEDULE 2 - 47TH STREET AREA RECONSTRUCTION (2015-09E)</b>										
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	72	\$ 225.00	\$ 6,750.00	\$ 16,200.00		
4	2101.507	GRUBBING	TREE	30	77	\$ 150.00	\$ 4,500.00	\$ 11,550.00		
5	2104.501	REMOVE CURB AND GUTTER	LF	13220	14128	\$ 4.36	\$ 57,639.20	\$ 61,598.08		
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	288	\$ 1.00	\$ 252.00	\$ 288.00		
9	2104.503	REMOVE BITUMINOUS PAVEMENT	SF	4005	1886	\$ 1.00	\$ 4,005.00	\$ 1,986.00		
10	2104.505	REMOVE BITUMINOUS DRIVEWAY OR TRAIL	SY	1241	1137	\$ 3.42	\$ 4,244.22	\$ 3,888.54		
11	2104.505	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	1239	1260	\$ 7.17	\$ 8,883.63	\$ 9,034.20		
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	17	\$ 25.00	\$ 425.00	\$ 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)	HOURL	40	75.5	\$ 140.00	\$ 5,600.00	\$ 10,570.00		
21	2130.601	WATER USAGE ALLOWANCE	LS	1		\$ 10,000.00	\$ 10,000.00	\$ -		
22	2211.501	AGGREGATE BASE (CV) CLASS 5Q	TON	6536	8567.49	\$ 11.01	\$ 71,961.36	\$ 94,328.06		
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	725	\$ 5.10	\$ 2,958.00	\$ 3,697.50		
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	1500	\$ 4.30	\$ 5,332.00	\$ 6,450.00		

29	2360.501	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	3215	3129	\$	51.00	\$	163,965.00	\$	159,579.00
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	310.13	\$	210.00	\$	39,900.00	\$	65,127.30
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	4	\$	300.00	\$	600.00	\$	1,200.00
35	2411.607	CONCRETE STEPS	SF	25	35.5	\$	60.00	\$	1,500.00	\$	2,130.00
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	48	\$	13.64	\$	1,200.32	\$	654.72
38	2502.541	4" PERF HDPE PIPE DRAIN WITH CIRCULAR KNIT	LF	115	172	\$	7.84	\$	901.60	\$	1,348.48
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	2	\$	248.00	\$	496.00	\$	496.00
41	2503.541	15" RC PIPE SEWER DES 3006 CL V	LF	1075	925	\$	49.00	\$	52,675.00	\$	45,325.00
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	1.23	\$	10,000.00	\$	10,000.00	\$	12,300.00
47	2504.602	6"x4" TEE (DRAIN TILE TO PVC)	EACH	8	15	\$	80.00	\$	640.00	\$	1,200.00
48	2504.602	4" KNIFE VALVE AND BOX	EACH	2	2	\$	673.00	\$	1,346.00	\$	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	2	\$	704.00	\$	7,744.00	\$	1,408.00
56	2506.602	CONSTRUCT DRAINAGE STRUCTURE (SUMP)	EACH	9	6	\$	365.00	\$	3,285.00	\$	2,190.00
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	227	\$	6.00	\$	1,362.00	\$	1,362.00
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	181	\$	21.00	\$	4,200.00	\$	3,801.00
67	2531.507	6" CONCRETE DRIVEWAY PAVEMENT	SY	1326	1220	\$	47.19	\$	62,573.94	\$	57,571.80
68	2531.507	8" CONCRETE DRIVEWAY PAVEMENT	SY	105	151	\$	68.36	\$	7,177.80	\$	10,322.36

69	2531.507	DECORATIVE DRIVEWAY ALLOWANCE	LS	1	0.42	\$	15,000.00	\$	15,000.00	\$	6,300.00
70	2540.601	MAILBOX MAINTENANCE	LS	1	1	\$	8,000.00	\$	8,000.00	\$	8,000.00
71	2540.601	BOULEVARD LANDSCAPING ALLOWANCE	LS	1	1.13	\$	15,000.00	\$	15,000.00	\$	16,950.00
72	2540.603	LANDSCAPE EDGER - PLASTIC	LF	289	440	\$	9.00	\$	2,601.00	\$	3,960.00
73	2563.601	TRAFFIC CONTROL ALLOWANCE	LS	1	1.23	\$	15,000.00	\$	15,000.00	\$	18,450.00
74	2564.531	SIGN PANELS TYPE C	SF	64	122.75	\$	40.00	\$	2,560.00	\$	4,910.00
75	2564.537	INSTALL SIGN TYPE SPECIAL	EACH	5	1	\$	125.00	\$	625.00	\$	125.00
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	625	\$	4.00	\$	1,600.00	\$	2,500.00
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 CONSTRUCTION SUPERVISOR	LS	1	1	\$	2,000.00	\$	2,000.00	\$	2,000.00
83	2573.601	STORM WATER MANAGEMENT ALLOWANCE	LS	1	0.15	\$	15,000.00	\$	15,000.00	\$	2,250.00
84	2574.525	FILTER TOPSOIL BORROW (80/20)	CY	187	228	\$	44.39	\$	8,300.93	\$	10,120.92
85	2574.525	ORGANIC TOPSOIL BORROW (CV)	CY	910	1875	\$	37.11	\$	33,770.10	\$	69,581.25
86	2575.501	SEEDING (MIX 25-151)	ACRE	2.06	2.3	\$	1,700.00	\$	3,502.00	\$	3,910.00
87	2575.513	MULCH MATERIAL TYPE 6, SHREDDED HARDWOOD	CY	23	24	\$	81.00	\$	1,863.00	\$	1,944.00
88	2575.56	FLEXTERRA HYDROMULCH (HYDRAULIC SOIL STAB. TYPE SPECIAL)	LB	6180	7200	\$	3.50	\$	21,630.00	\$	25,200.00
89	2575.605	EROSION STABILIZATION MAT - SHOREMAXTM	SY	25	27	\$	75.00	\$	1,875.00	\$	2,025.00
90	2575.605	EROSION STABILIZATION MAT - ENKAMAT	SY	13		\$	75.00	\$	975.00	\$	-
<b>TOTAL SCHEDULE 2 - 47TH STREET AREA RECONSTRUCTION (2015-09E)</b>											
<b>TOTAL BASE BID (SCHEDULE 1 + SCHEDULE 2)</b>											
										\$	2,182,992.04
										\$	2,968,703.09
										\$	3,107,830.15

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	171	\$ 7.84	\$ 1,881.60	\$ 1,340.64
3	2502.602	4" INSTALL PVC PIPE DRAIN CLEANOUT (VENTED)	EACH	3	2	\$ 248.00	\$ 744.00	\$ 496.00
4	2504.602	4" KNIFE VALVE AND BOX	EACH	1	1	\$ 673.00	\$ 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	222	\$ 9.00	\$ 2,700.00	\$ 1,998.00
7	2571.507	NATIVE PLUGS	PLANT	1785		\$ 3.50	\$ 6,247.50	\$ -
8	2573.502	SILT FENCE, TYPE MS	LF	330	260	\$ 4.00	\$ 1,320.00	\$ 1,040.00
9	2574.525	FILTER TOPSOIL BORROW (80/20)	CY	288	340	\$ 44.39	\$ 12,784.32	\$ 15,092.60
10	2574.525	ORGANIC TOPSOIL BORROW (CV)	CY	55	250	\$ 37.11	\$ 2,041.05	\$ 9,277.50
11	2575.501	SEEDING (MIX 25-151)	ACRE	0.1	0.1	\$ 2,250.00	\$ 225.00	\$ 225.00
12	2575.513	MULCH MATERIAL TYPE 6, SHREDDED HARDWOOD	CY	32	22	\$ 81.00	\$ 2,592.00	\$ 1,782.00
13	2575.56	FLEXTERRA HYDROMULCH (HYDRAULIC SOIL STAB. TYPE SPECIAL)	LB	200	200	\$ 4.00	\$ 800.00	\$ 800.00
<b>TOTAL ALTERNATE 1 - BIORETENTION BASIN AT 47TH ST. AND BOYD AVE.</b>							<b>\$ 48,295.47</b>	<b>\$ 49,011.74</b>

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	220	\$ 21.16	\$ 4,655.20	\$ 4,655.20
2	2411.618	MODULAR BLOCK RETAINING WALL	SF	290	339	\$ 45.00	\$ 13,050.00	\$ 15,255.00
3	2502.541	4" PERF HDPE PIPE DRAIN WITH CIRCULAR KNIT FILTER SOCK	LF	135	98	\$ 7.84	\$ 1,058.40	\$ 768.32
4	2502.602	4" INSTALL PVC PIPE DRAIN CLEANOUT (VENTED)	EACH	7	6	\$ 248.00	\$ 1,736.00	\$ 1,488.00
5	2504.602	4" KNIFE VALVE AND BOX	EACH	7	6	\$ 673.00	\$ 4,711.00	\$ 4,038.00
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	44	\$ 9.00	\$ 2,574.00	\$ 396.00
8	2571.507	NATIVE PLUGS	PLANT	180		\$ 3.50	\$ 630.00	\$ -
9	2574.525	FILTER TOPSOIL BORROW (80/20)	CY	63	119	\$ 44.39	\$ 2,796.57	\$ 5,282.41
10	2574.525	ORGANIC TOPSOIL BORROW (CV)	CY	16	50	\$ 37.11	\$ 593.76	\$ 1,855.50
11	2575.513	MULCH MATERIAL TYPE 6, SHREDDED HARDWOOD	CY	7	10	\$ 81.00	\$ 567.00	\$ 810.00
12	2575.56	FLEXTERRA HYDROMULCH (HYDRAULIC SOIL STAB. TYPE SPECIAL)	LB	96		\$ 4.00	\$ 384.00	\$ -
<b>TOTAL BID PRICE - CURBSIDE RAIN GARDENS</b>							<b>\$ 43,087.93</b>	<b>\$ 43,404.43</b>

**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	\$ 842,051.62
2	47th St. Area Reconstruction (2015-09E)	\$ 2,182,992.04	\$ 2,265,778.53
Alt. 1	Bioretention Basin at 47th St. and Boyd Ave.	\$ 48,295.47	\$ 49,011.74
Alt. 2	Curbside Rain Gardens	\$ 43,087.93	\$ 43,404.43
<b>Total Base Cost</b>		<b>\$ 3,060,086.49</b>	<b>\$ 3,200,246.32</b>

Change Order No. 1	\$ 28,549.78	\$ 28,549.78
Change Order No. 2	\$ 37,597.02	Included in Sch. 1
Change Order No. 3	\$ 34,809.68	\$ 12,477.68
Change Order No. 4	\$ 45,873.57	Included in Sch. 2
Change Order No. 5	\$ 72,856.17	Included in Sch. 2

<b>Total Contract Amount</b>	<b>\$ 3,279,772.71</b>	
Contract Work Completed To Date	\$ 3,241,273.78	
Retainage (2.0%)	\$ 64,825.48	
Previous Payments	\$ 3,099,326.59	
<b>Amount Due This Partial Payment #7</b>	<b>\$ 77,121.71</b>	

Current Construction Cost Breakdown to Date (Internal Use Only, Not for City Council Memo)							
Date of Council Action: 01/25/16							
City Project No.	Original Contract Amount	Total Change Orders	Contract Work Completed to Date	Retainage	Current Payment	Paid to Date	Current Contract Amount
2015-09E	\$2,274,375.44	\$159,757.20	\$2,399,222.16	\$47,984.45	\$76,974.71	\$2,351,237.71	\$2,434,132.64
2015-14	\$785,711.05	\$59,929.02	\$842,051.62	\$16,841.03	\$147.00	\$825,210.59	\$845,640.07
<b>Totals:</b>	<b>\$3,060,086.49</b>	<b>\$219,686.22</b>	<b>\$3,241,273.78</b>	<b>\$64,825.48</b>	<b>\$77,121.71</b>	<b>\$3,176,448.30</b>	<b>\$3,279,772.71</b>

*Note: Update and submit this breakdown to the Finance Department for each pay voucher.*

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Appointment of Board Member to the Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO)**

Meeting Date: January 25, 2016  
Item Type: Consent  
Contact: Scott D. Thureen, 651.450.2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: *SDT*

Fiscal/FTE Impact:	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other:

**PURPOSE/ACTION REQUESTED**

Consider re-appointment of Ms. Sharon Lencowski as one of the City's representatives on the Board of Managers for the E-IGHWMO.

**SUMMARY**

The E-IGHWMO is one of two watershed management organizations that cover the City. The E-IGHWMO replaced the Gun Club Lake Watershed Management Organization (GCLWMO).

The City has two regular board seats in the WMO. The term for one of the seats expires in 2016. The position was advertised in the Southwest Review. We received an application from Ms. Lencowski. Ms Lencowski is currently serving as the City's representative in the seat whose term expires this year.

City staff received a telephone request to mail an application on January 15th. While a form was mailed, it was not returned prior to the closing of the notice period.

Ms. Lencowski has been an active member of the board and is currently its vice-chair person. I recommend that the City Council re-appoint Ms. Sharon Lencowski to a three-year term on the Board of Managers for the E-IGHWMO.

SDT/kf  
Attachment: Application

CITY OF INVER GROVE HEIGHTS  
8150 BARBARA AVENUE  
INVER GROVE HEIGHTS, MN 55077

**WATERSHED MANAGEMENT ORGANIZATION BOARD**

FULL NAME (Print or Type): Sharon Lencowski

ADDRESS: 4000 E 66<sup>th</sup> Street

YEARS AT ABOVE ADDRESS: 28 YEARS LIVED IN IGH: 40+

HOME PHONE: 651 451 6807 <sup>Cell</sup> WORK PHONE: 651 283 7604

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: Project Management, Digital Communications, Finance & Human Resources

MEMBERSHIPS, QUALIFICATIONS, OTHER ACCOMPLISHMENTS: \_\_\_\_\_

PMP - Project Management Institute  
WMO Boards | MN Master Naturalist Volunteer

LIST SKILLS & INTERESTS: Outreach Communications, Environmental Stewardship & Water Resources

PLEASE STATE REASONS FOR INTEREST IN SERVING ON BOARD:

Help the community with water quality  
Activities

Your response to any of the above may be continued on the back of this form and you may attach other materials you would like the Council to review with this application.

Signature:  Date: 12/15/15

The City of Inver Grove Heights is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, creed, color, sex, age, national origin, or handicap.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Resolution Adopting the Special Assessment Policy

Meeting Date: January 25, 2016  
Item Type: Consent  
Contact: Steve W. Dodge, 651.450.2541 SWD  
Prepared by: Steve W. Dodge, Assistant City Engineer  
Reviewed by: Scott D. Thureen, Public Works Director SDR

Fiscal/FTE Impact:

<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other:

PURPOSE/ACTION REQUESTED

Consider resolution adopting the special assessment policy.

SUMMARY

The City assessment policy currently used by staff and Council was originally adopted in 1981 and amended four times through 1986. The 2001 Pavement Management Policy added language addressing assessments for street mill and overlay and reconstruction projects

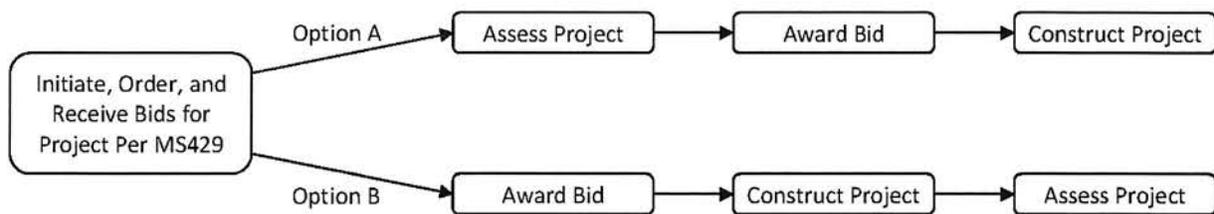
The special assessment policy is being updated to reflect the City's current practices and supersedes past policy and amendments.

Assessment Policy Proposed Changes

- Reformat and expand policy language to be consistent with League of Minnesota Cities standards and City past precedent.
- Provide additional assessment methods following current practices.
- Define assessment procedure allowing assessments to be levied before or after the project is constructed (See figure below).
- Address indirect access parcel assessments. Specify assessment rate for indirect access at 50% of the direct access rate.
- Establish unique property (i.e. subdividable parcels, etc.) assessments providing the option to assess for highest and best use with the option of deferring the additional assessment amount related to developable property.
- Incorporate the 2011 deferment policy into the assessment policy.
- Adjust language for single family residential property assessments in accordance with MS429 and City policy precedent.
- Specify language for sidewalk and trail assessments to allow flexibility in assessing the benefitted parcels at Council's discretion.

- Update language for trunk and lateral sewer and water assessment to be consistent with City past precedent.
- Expand language to allow sidewalk and lateral storm sewer to be incorporated the corresponding pavement management project and corresponding assessment rate. Language still allows for area assessment of trunk storm sewer.
- Specify pavement maintenance (i.e. crack seal, seal coat, etc.) as not assessable.
- Adjust assessment rates (see table below) to more closely align with historic benefit analysis results.

**Assessment Procedure**



**Assessment Percentage Rates for Pavement Management Program**

**Street Assessment Rate Chart**

<b>Project Type</b>	<b>Assessment Per Policy Percentage*</b>
New Construction	100%
New Improvements	100%
Reconstruction	35%
Partial Reconstruction	55%
Mill & Overlay	80%
Crack Seals and Seal Coats	None

*\*A recommended assessment "cap" is determined based on a special benefit analysis by an appraiser.*

Staff recommends Council approve the attached resolution adopting the Special Assessment Policy.

Attachments: Resolution  
 Special Assessment Policy

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION APPROVING THE SPECIAL ASSESSMENT POLICY**

**RESOLUTION \_\_\_\_\_**

**WHEREAS**, the City assessment policy currently used by staff and Council was originally adopted in 1981 and amendments made through the year 1986; and

**WHEREAS**, the City adopted a Pavement Management Policy in 2001 adding language addressing assessments for street reconstruction and mail and overlay projects.

**WHEREAS**, the proposed special assessment policy supersedes and replaces past policies.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council of Inver Grove Heights hereby adopts the Special Assessment Policy.

Adopted this 25th day of January 2016 by the City Council of Inver Grove Heights, Minnesota

AYES:  
NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

# City of Inver Grove Heights

## SPECIAL ASSESSMENT POLICY

- SECTION 1. General Policy Statement
- SECTION 2. Improvements and Maintenance Costs Eligible for Special Assessment
- SECTION 3. Initiation of Public Improvement Projects
- SECTION 4. Public Improvement Procedures
- SECTION 5. Financing of Public Improvements
- SECTION 6. General Assessment Policies
- SECTION 7. Methods of Assessment
- SECTION 8. Standards for Public Improvement Projects
- SECTION 9. Service Life and Reassessment Policy
- SECTION 10. Assessment Computations
- SECTION 11. Deferment of Assessments
- SECTION 12. Guidelines for Levy Terms

### SECTION 1. GENERAL POLICY STATEMENT

The purpose of this policy is to establish a fair and equitable manner of assessing the increase in market value (special benefit) associated with public improvements. The procedures used by the City of Inver Grove Heights for levying special assessments are those specified by Minnesota Statutes, Chapter 429 which provides that all or a part of the cost of public improvements may be assessed against benefiting properties.

Three basic criteria must be satisfied before a particular parcel can be assessed. The criteria are as follows:

1. The land must have received special benefit from the improvement.
2. The amount of the assessment must not exceed the special benefit.
3. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending an improvement past a particular parcel is not the controlling factor in determining the amount to be assessed. However, in most cases the method for assigning the initial value of the benefit received by the improvement, and therefore the amount to be assessed, shall be the cost of providing the improvement, as adjusted by this policy. This shall be true provided the cost does not demonstrably exceed the increase in the market value of the property being assessed. The assessable portion of the project shall be considered as a whole for the purpose of calculating and computing an assessment rate. In the event city staff has doubt as to whether or not the costs of the project may exceed the special benefits to the property, the City Council may obtain such special benefit analysis prepared by an appraiser as may be necessary to support the proposed assessment.

The assessment policy is intended to serve as a guide for a systematic assessment process in the City. There may be exceptions to the policy or unique circumstances or situations which may require special consideration and discretion by city staff and the City Council.

## SECTION 2. IMPROVEMENTS AND MAINTENANCE COSTS ELIGIBLE FOR SPECIAL ASSESSMENT

The following public improvements and related acquisition, construction, extension, and maintenance of such improvements, authorized by Minnesota Statutes, Sections 429.021 and 459.14, subd. 7, are eligible for special assessment within the City of Inver Grove Heights:

1. Streets, curbs and gutters, and appurtenances including the beautification thereof
2. Sidewalks and trail systems
3. Pedestrian crossings
4. Parking lots
5. Water works systems and appurtenances
6. Sanitary sewer systems and appurtenances
7. Storm sewer and storm water management systems and appurtenances
8. Street lights, street lighting systems and special lighting systems
9. Parks, playgrounds, and recreational facilities, including the purchase of equipment; abatement of nuisances; including but not limited to, draining and filling wetlands and ponds on public and private property
10. Levees and other flood control works
11. Retaining walls
12. Pedestrian bridge systems and appurtenances
13. Underground pedestrian systems and appurtenances
14. Public malls, plazas or courtyards
15. Highway sound barriers
16. Other special agreements and facilities approved by City Council
17. Other special assessments to recover the costs of service charges, area charges, operation costs, maintenance costs, code enforcement costs, public safety costs, and other items as adopted by ordinance or approved by City Council
18. Special assessments authorized by MN Section 429.101

### SECTION 3. INITIATION OF PUBLIC IMPROVEMENTS

Public improvement projects can be initiated in the following ways:

1. Public improvements may be initiated by the City Council when, in its judgment, such action is required.
2. Public improvements may be initiated by petition of owners of not less than 35% in frontage of the real property abutting on the streets named in the petition at the location of the improvement or at least 35% of the benefiting property of the proposed improvement.
3. The Council may consider the request of a Developer to construct a public improvement and assess them. Developers may petition for public improvements in relation to a new development or redevelopment project. No petition for public improvements will be considered by the Council without the developer waiving all rights to appeal the assessments.
4. Approval requirements are:
  - a. A resolution ordering public improvements initiated by Council requires a four-fifths majority vote of all members of the Council.
  - b. If the Council chooses to proceed with an improvement based upon petition (they are not required to do so), the following voting requirements shall apply:
    - i. resolution ordering any public improvements initiated by petition of owners with not less than 35% in frontage of the real property abutting on the streets named in the petition at the location of the public improvement requires a majority vote of all members of the Council.
    - ii. A resolution ordering any public improvements initiated by petition of owners with less than 35% of the benefiting properties of the improvement requires a four-fifths majority vote of all members of the Council.
    - iii. A resolution ordering any public improvements initiated by petition of all owners of the benefiting properties, and assessing the entire cost against their property, may be adopted without a public hearing.

### SECTION 4. PUBLIC IMPROVEMENT PROCEDURE

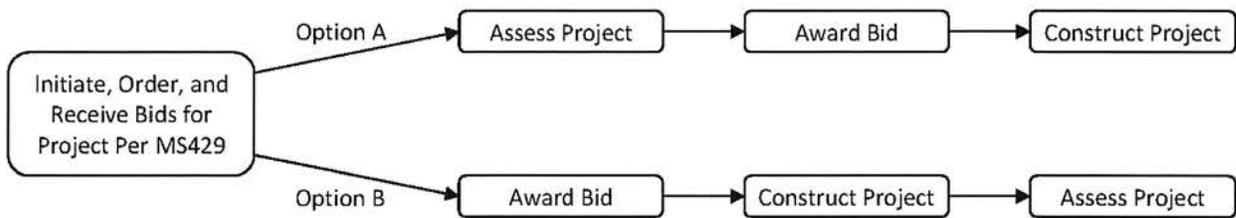
The following is the general procedure followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment roll to the County Auditor. The City of Inver Grove Heights refers to the **Local Improvement Guide** and **Special Assessment Guide** as published by the League of Minnesota Cities (LMC). Formats for the various reports and resolutions referenced in this section and provided by LMC are considered guidelines to the policies and procedures of the City. The City reserves the right to make special considerations which may require exceptions to the following IGH public improvement procedure pursuant Minnesota State Statute 429:

1. Staff receives and reviews petition to confirm that it is valid prior to submission to Council.

2. Council considers public improvement project by accepting a petition, landowner request or staff recommendation.
  - a. Council accepts or rejects petition by resolution
  - b. Public improvements authorized in the Capital Improvement Plan (CIP) and Pavement Management Program (PMP) are considered to be Council-initiated.
3. Council orders preparation of feasibility report and authorizes work related to the project: appraiser's special benefit analysis, environmental studies, geotechnical testing, topographic surveys, underground utility televising, design services, City Attorney services, consultant services, or initiation of eminent domain preparation.
4. Staff prepares feasibility report which shall:
  - a. Preliminarily evaluate whether the proposed public improvement is necessary, cost-effective, and feasible; or should be considered in conjunction with another project.
  - b. Include an estimate of construction costs, total project costs, and a funding summary.
  - c. Optionally include the preliminary assessment map and roll.
  - d. Optionally include appraiser's special benefit recommendations per type and class of property.
  - e. Identify estimated land acquisition needs
5. Staff may hold a neighborhood meeting with the benefiting and affected property owners, prior to Council receiving the report, to receive public input prior to finalizing the feasibility report.
6. Council receives feasibility report, schedules improvement hearing and authorizes preparation of plans and specifications.
7. If applicable, staff submits outline of the project to the Planning Commission to review that the improvements are consistent with the City's Comprehensive Plan in accordance with Minn. Stat. 462.356, subd. 2.
8. Staff performs improvement hearing notification to affected property owners as provided in Minn. Stat. § 429.031(a):
  - a. Publish hearing notices.
  - b. Mail notices to affected property owners noting the per-policy assessment and, if applicable, the appraiser's special benefit opinion.
9. Staff may hold informational meeting(s) prior to the improvement hearing with affected and benefiting property owners. A preliminary assessment roll with the per policy assessment and, if applicable, the recommended appraiser's special benefit amount per class and type of property shall be available for public viewing.

10. Council conducts public hearing, receives public testimony, orders project, approves plans and specifications, and authorizes advertisement for bids. Council must, by resolution, adopt or reject the public improvement within six (6) months of the improvement hearing date.
11. Staff advertises and solicits for bids or quotes per Minn. Stat. 471.345 and Minn. Stat. 429.041, which provides guidance on bid or quote requirements:
  - a. Staff holds bid opening, verifies bid accuracy, and prepares summary bid tabulation
  - b. Staff prepares recommendation to City Council for receiving bids and awarding to lowest responsible bidder.

**CHOOSE OPTION A OR B**



***OPTION A: HOLD ASSESSMENT HEARING PRIOR TO BID AWARD***

12. Staff prepares proposed assessment roll utilizing total project costs based on proposed bid award and provides funding summary; Council receives bids, declares costs to be assessed and schedules the assessment hearing.

**Note: Contract documents must be prepared to retain bids for 90-days with this option.**

13. Staff publishes hearing notice, mails notice of hearing date and proposed assessments to the benefiting property owners as provided in Minn. Stat. § 429.061 .
14. Staff may hold an informational meeting for benefiting property owners, prior to assessment hearing, to provide proposed final assessment roll with the per policy assessment or, if applicable, appraiser’s suggested special benefit amount, whichever is lower, per class and type of property.
15. Council conducts assessment hearing and adopts, revises, or rejects resolution determining the amount of the total assessment and establishing the final assessment roll.
16. Staff mails invoices for final assessment amount to the benefiting owners. After 30 days has elapsed from the date of assessment hearing, staff certifies the final assessment roll to the County Auditor in accordance with assigned principal and interest responsibilities as noted in Section 6. General Assessment Policies, No. 4. Interest, and No. 5. Prepayment, or as otherwise approved by Council.
17. Council awards contract after completion of public hearing proceedings for final assessment.

**Note: In the event there are objections to the assessment, the Council may consider scheduling the award of contract after the 30-day period has elapsed for appealing the assessment.**

***OPTION B: HOLD ASSESSMENT HEARING AFTER CONSTRUCTION IS COMPLETED***

12. Council receives bids and awards contract.
13. After construction is complete, staff prepares proposed assessment roll utilizing final project costs and provides funding summary; Council declares costs to be assessed and schedules the assessment hearing.
14. Staff may hold an informational meeting for benefiting property owners, prior to the assessment hearing, to provide proposed final assessment roll with the per policy assessment or, if applicable, appraiser's suggested special benefit amount, whichever is lower, per class and type of property.
15. Council conducts assessment hearing and adopts, revises, or rejects resolution determining the amount of the total assessment and establishing the final assessment roll.
16. Staff mails invoices for final assessment amount to the benefiting owners. After 30 days has elapsed from the date of assessment hearing, staff certifies the final assessment roll to the County Auditor in accordance with assigned principal and interest responsibilities as noted in Section 6. General Assessment Policies, No. 4. Interest, and No. 5. Prepayment, or as otherwise approved by Council.

**SECTION 5. FINANCING OF PUBLIC IMPROVEMENTS**

It is the policy of the City that properties benefiting from a public improvement shall pay a fair and equitable share of the costs of the improvements. The City encourages public improvement projects as the area(s) benefiting and needing such improvements are developed or redeveloped. Examples of this policy can be seen through the subdivision regulations, zoning ordinance, and building codes. Developers are required to provide the needed public improvements and services before development occurs, thereby avoiding unexpected hardships on the property owners purchasing such property and the general public. However, it is recognized that certain areas of the City have developed without all needed public improvements (e.g. parks, water, sewer, storm and street improvements) and that methods must be found to provide these improvements without causing undue hardships on the general public or the individual property owner.

Special assessments are generally accepted as a means by which areas can obtain improvements or services; however, the method of financing these is a critical factor to both the City and the property owner. Full project costs spread over a very short term can cause an undue hardship on the property owner and, likewise, City costs and systems costs spread over a long period of time can produce an undue hardship on the general public financing of the City.

It is the policy of the City to not defer assessments except in cases where hardship to senior citizens 65 years of age or older, deployed active military, or persons retired by virtue of a permanent and total disability would result. Also, the City Council may elect to defer assessments on undeveloped land for a specified length of time or until the lands are developed. Terms and conditions of any such deferral will be established by resolution or agreement and adopted by Council.

## SECTION 6. GENERAL ASSESSMENT POLICIES

The cost of any public improvement shall be assessed upon property by the improvements based upon benefits received. The following general principles shall be used as a basis of the City's assessment policy:

1. **Project Cost.** The "Project Cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement, plus engineering, environmental, legal, administrative, financing and other contingent costs, including acquisition of right-of-way and other property. The finance charges include all costs of financing the project. These costs include but are not limited to financial consultant's fees, bond rating agency fee, bond attorney's fees, and capitalized interest. The interest charged to the project shall be included as financing charges.
2. **City Cost.** The "City Cost" of a public improvement is the amount of the total improvement expense the City will pay as determined by Council resolution. Where the project cost of a public improvement is not entirely attributed to the need for service to the area served by said improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, or for any other reason determined by the City, the City, through the use of other funds, may pay such "City Cost."
3. **Assessable Cost.** The "Assessable Cost" of a public improvement is equal to the "Project Cost" minus the "City Cost."
4. **Interest.** The City will charge interest on special assessments at a rate specified in the resolution approving the assessment roll. If bonds were issued to finance the public improvement project, the interest rate shall be assigned at two percent (2%) more than the average interest rate of the bonds, unless otherwise directed and approved by Council. If bonds are not used or have not been issued to finance the improvement project, the interest rate may be assigned up to two percent (2%) more than the national average City bond rate based on maturity and the City's current bond rating, unless otherwise directed and approved by Council. Interest on the special assessments starts from the date of levy (or at such later date as determined by the City Council). If the public improvement has not been constructed, it is beneficial to consider starting the interest accrual on January 1 of the year following the assessment hearing, rather than utilizing the assessment hearing date.
5. **Prepayment.** Property owners may pay their assessments in full, interest free, for a period of 30 days after the assessment hearing. After such period, interest shall be computed from the date specified in the assessment resolution and the City will transmit a certified duplicate of the assessment roll with each installment, including interest, to the County Auditor. No partial

payments are accepted by the City. Once the City has certified the levied assessments to the County Auditor, payments on the principal and interest will only be accepted at the County. The principal and interest will be paid in equal installments over the designated term of the special assessments beginning the following year on the property tax statement. Payment of interest from date of levy, or such date as determined by Council, to December 31<sup>st</sup> of the year in which the first installment is payable, is added to the first principal installment.

6. **Extensions.** Where public improvements are designed for service of an area beyond that receiving the initial benefit, the City may pay for increased project costs due to such provisions for future service extensions. The City will levy assessments to cover this cost when a new improvement is installed as an extension of the existing improvement upon identification of such additional amount in the notice of hearing for the extensions or new improvements. As an alternative, the City may assess these costs to the area of future benefit immediately.
7. **Frontage Roads.** Because frontage roads along highways or other arterial streets are deemed to be of benefit to commercial or industrial properties, the entire costs of any public improvement on such frontage roads shall be assessable to the benefited properties, even if only those properties on one side of such frontage roads are benefited.
8. **Project Assistance.** If the City receives financial assistance from the Federal Government, the State of Minnesota, County, Grant Provider or from any other source which could be used to defray a portion of the costs of a given public improvement, when all or a portion of such aid is dedicated to the public improvement, the aid will be used first to reduce the "City Cost" of the improvement.
9. **Assessable Property.** Property owned by the City and other political subdivisions including municipal building sites, parks and playgrounds, but not including public streets, alleys, and right-of-way, shall be regarded as being assessable on the same basis as if such property was privately owned. Private right-of-way shall be assessable. Public property owned by Minnesota State College and University System (MnSCU) and church-owned property shall be assessed in accordance with state statute.

All benefiting properties, including other governmental areas, churches, etc., shall be assessable. The following items may be considered for exclusion in assessment calculations at Council discretion: natural waterways, lakes and wetlands as designated by the Minnesota Department of Natural Resources or City, or other property deemed undevelopable at the discretion of the City. The City Engineer will make a recommendation on the boundaries or parameters of the benefiting properties in the feasibility report.

10. **Individual Benefits.** The City may construct public improvements specifically designed for or shown to be of benefit solely to one or more properties. The costs for these improvements will be assessed directly to such properties, and not included in the assessments for the remainder of the project. An example of this would be utility service lines running from the main lines to the property.
11. **Direct Access.** Benefiting properties that are adjacent to and abut the public improvements.

12. **Indirect Access.** Benefiting properties that are adjacent to, but are not abutting, the public improvement.
13. **Benefits of Subdividable Properties.** These are properties that may be subdivided or platted per City code and are determined to receive benefit from the public improvements. In order to be fair and equitable, the City will estimate the amount of lots or subdivisions on unimproved property the land can sustain and include the estimated lots or subdivision as part of the assessment costs. The City Council may defer the assessments for the estimated lots or subdivisions at the written request of the owner.
14. **Benefits of Indirect Access Properties.** These are properties or portions of properties that access or benefit from the public improvement, but have no direct frontage. The City will include the property in the assessment roll in accordance with standard assessment procedures. In order to be fair and equitable, that portion of property with indirect access shall be assessed at 50% of an equivalent direct access property based on method of assessment.
15. **Special Benefit Analysis.** In the event that City staff has doubt as to whether or not the proposed assessments exceed the special benefits to the property in question, the City Council may order a special benefit analysis as deemed necessary to support the proposed assessments.
16. **Condemnation Awards.** A property owner may elect to offset special assessments against condemnation awards. In such case, the property owner must execute an agreement (Net Assessment Agreement) with the City Council.

## SECTION 7. METHODS OF ASSESSMENT

**Subd. 1. General Statement.** There are different methods of assessment: per lot, adjusted front foot, area, trip generation, and unique property. The feasibility report will recommend one or a combination of these methods for each project, based upon which method would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments.

**Subd. 2. Policy Statement.** The following methods of assessment, as described and defined below, are hereby established as methods of assessment in the City.

### ***A. “Adjusted Front Footage” Method of Assessment.***

The “cost per adjusted front foot” method of assessment shall be based on the quotient of the “assessable cost” divided by the total assessable frontage benefiting from the public improvement. For the purpose of determining the “assessable frontage,” all properties, including governmental agencies, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement (i.e., street, sewer, water, etc.) shall not be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an “adjusted front footage” will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature differ considerably in shape and area. The following procedures, or combination thereof, may be applied when calculating adjusted front footage. The selection of the appropriate procedure will be

determined by the specified configuration of the parcel. All measurements will be scaled from available GIS data, plat and section maps.

1. *Rectangular Interior Lots.* The adjusted front footage is the actual front footage of the lot. For rectangular lots whose frontage is not proportionate to its depth, the “odd shaped lot” method may be used.
2. *Odd Shaped Lots.* For odd shaped lots, such as exist on cul-de-sacs and curved streets, where the lots front and back footage is not proportional to its depth, the “odd shaped lot” method of determining the adjusted front footage may be used. The adjusted front footage may be computed by:
  - a. taking the average of the front footage and back footage of the lot, or
  - b. using the width of the lot at the setback line, or
  - c. using the average lot width for a comparable property, or
  - d. any other method deemed appropriate by the City Engineer to fairly and equitably assess a property
3. *Corner Lot Adjustment.* For a corner lot assessment the short side is assessed the actual front footage and the long side is assessed for front footage that exceeds 135 feet.

For reconstruction, partial reconstruction, and mill and overlay improvement projects; single family parcels on a corner lot, in which the primary driveway does not access the public improvement, will not be assessed for the street improvement.

4. *Flag Lot Adjustment.* In determining an equivalent front footage for flag style lots or flag shaped development areas having a main access to a street, the adjusted front footage is that portion that fronts the street they access plus that portion of the lot that is adjacent to, but not abutting, the street right-of-way. The portion of the real property that is adjacent to, but not abutting, the project is treated as an indirect access property.

***B. “Area” Method of Assessment.***

The “area” method of assessment shall be based on the number of square feet or acres within the boundaries of the appropriate property lines of the areas benefiting from the public improvement. The assessment rate (i.e., cost per square foot) shall be calculated by dividing the total assessable cost by the total assessable area. On large lots, the City Engineer may determine that only a portion of the lots receives the benefit and may select a lot depth for the calculations equal to the benefit received.

***C. “Per Lot” Method of Assessment.***

The “per lot” method of assessment shall be based on equal assessment of all lots within the benefited area. The “assessment per lot” shall be the quotient of the “assessable cost” divided by the total number of assessable lots or parcels benefiting from the improvement. For the purpose of determining the “lots” or “parcels” all parcels, including institutional property and governmental agencies, shall be included in such calculations.

Single family parcels: those developed single family parcels in which the primary driveway accesses the public improvement are considered the benefiting or assessable lots for public improvement projects.

***D. “Trip Generation” Method of Assessment.***

The “trip generation” method of assessment considers the amount of vehicular traffic each parcel may generate based on the existing conditions, or future conditions based on the Comprehensive Plan future land use, of the properties benefiting from the public improvement. The assessment roll is developed by taking the assessable costs and determining the appropriate cost share amongst the adjacent and contributing parcels by utilizing the ITE Trip Generation Manual and distributing the vehicular trips generated in a fair and equitable way.

A traffic study may also be implemented to provide existing conditions and to calibrate the trip generation model and assumptions.

***E. “Unique Property” Method of Assessment***

Undeveloped land within properties determined to benefit from the project may be assessed in accordance with the highest and best use as identified by the Comprehensive Plan. It may be necessary to estimate the number of platted lots such land can support based on guided zoning. The unique property method of assessment may utilize area, per lot, adjusted front footage methodology or any combination thereof. The City may defer the “unique property” assessment portion with the written request of the owner and approval by Council.

**SECTION 8. STANDARDS FOR PUBLIC IMPROVEMENT PROJECTS**

The following standards are hereby established by the City to provide a uniform guide for public improvements within the City.

**A. Surface Improvements**

Surface improvements shall normally include all public improvements visible on or above the ground within the right-of-way, and includes, but is not limited to: trees, lighting systems, signing, striping, sidewalks, trails or paths, street system (pavement, curb and gutter, gravel and subgrade) and accessory improvements such as drainage facilities and storm water facilities (ponds, rain gardens, bioretention basins, infiltration features, filtration features, and other best management practices), parking lots, parks and playgrounds.

**B. Sub-Surface Improvements**

Subsurface improvements shall normally include such items as water distribution system, sanitary sewer system storm water facilities (sewer lines, forcemains, manholes, hydrodynamic separators, and underground storm water facilities), and electric and gas utilities.

Main lines are the publicly owned and maintained lines or facilities, such as trunk lines, interceptors, mains, and laterals. Service lines are those privately owned lines or facilities extending from the main line to the property line; with the exception of water services, which the City owns and maintains up through the curb stop at the property line (typical).

#### SECTION 9. SERVICE LIFE

The City shall design public improvements to last for a definite period. The life expectancy, or service life, shall be as stated in this section, or if different, shall be as stated in the resolution ordering improvement and preparation of plans.

1. Trails – 10 years
2. Sidewalks - 30 years
3. Curb & Gutter – 30 years
4. Urban Street Reconstruction - 30 years
5. Rural Street Reconstruction – 20 years
6. Partial Street Reconstruction – 15 years
7. Mill & Overlay– 10 years
8. Ornamental street lighting - 20 years
9. Water Mains - 30 years
10. Sanitary Sewers - 30 years
11. Storm Sewers - 30 years

#### SECTION 10. ASSESSMENT COMPUTATIONS

The following is the typical city assessment for various specified public improvements.

##### Policy Statement:

1. Projects are assessed by a combination of adjusted front foot method, per lot method, area method, trip generation method, unique property or any other method deemed necessary in which the assessable portion is distributed amongst similar property type and class in accordance with the assessment procedure.
2. New improvements (i.e. curb and gutter) are assessed 100% to the benefiting properties.

## A. Street and Curb and Gutter Improvements

**Street Assessment Rate Chart**

<b>Project Type</b>	<b>Assessment %</b>
New Construction	100%
New Improvements	100%
Reconstruction	35%
Partial Reconstruction	55%
Mill & Overlay	80%
Crack Seals and Seal Coats	Not Assessed

1. ***New Construction.*** New streets with a full street section, curb and gutter, and appurtenances are assessed 100% to the benefited properties. Street and curb and gutter improvements will normally be assessed by the adjusted front foot method, however other methods may be utilized if conditions warrant as designated by the City Engineer. Cost of construction of streets shall be assessed based on a minimum design of: a 7-ton axle load for a local residential street; a 9-ton axle load for a collector or State Aid streets; or, as otherwise designated by the City Engineer. Over-sizing costs which are incurred in excess of the above may be paid by: (1) State funds, (2) larger assessment rates to other benefited properties, (3) general obligation funds, (4) area assessments to benefited properties or (5) any other method or combination of methods and funds as authorized by the City Council.
2. ***Reconstruction.*** Street reconstruction projects are assessed 35% to the benefited properties. Urban street reconstruction projects will improve the curb & gutter, pavement, aggregate base and subgrade sections and appurtenances. Rural street reconstruction projects will improve the ditches, pavement and aggregate base sections and appurtenances. Lateral storm sewer system improvements will be assessed 35% in conjunction with a street reconstruction. Trunk storm sewer systems are assessed 100% to the benefiting properties in accordance with policy.
3. ***Partial Reconstruction.*** Partial Reconstruction projects will be assessed 55% to the benefited properties for improving the full pavement section and/or aggregate base and appurtenances.
4. ***Mill & Overlay.*** Milling & Overlay project will be assessed 80% to the benefited properties for improving a portion of the pavement section and appurtenances.
5. ***Gravel Streets.*** Improving existing gravel streets with new subgrade, aggregate base, shouldering material, pavement, roadside ditches, and/or curb and gutter is considered new construction and all costs and appurtenances are assessed 100% to benefited properties.
6. ***Crack Seals and Seal Coats.*** Crack seals and seal coats are considered regular pavement maintenance and are not assessed.
7. ***Alleys.*** Alleys are assessed the same as streets.

## **B. Sidewalks and Trails**

1. ***New Construction.*** New sidewalks and trails are assessed 100% to the benefiting properties unless otherwise approved by Council.
2. ***Reconstruction, Partial Reconstruction, and Mill & Overlay.*** Sidewalks and trails within the right-of-way for streets being reconstructed, partially reconstructed, or repaired as part of an improvement project are included in the total project cost and become a part of the respective street improvement assessment.
3. ***Maintenance.*** Repairs of sidewalks and trails within right-of-way which are considered regular maintenance, and are not part of an improvement project, are not assessed.
4. ***Developments.*** Sidewalks and trail systems are 100% assessable for new development or redevelopment.

## **C. Storm Sewer Improvements**

Storm sewers are assessed on a project-by-project basis. Storm sewer systems in new subdivisions are considered a 100% assessable improvement on an area basis.

Over-sizing and over-depth costs due to larger and deeper trunk storm sewer systems and appurtenances which are serving a broader area than the platted development can be paid for by any, or a combination of, the following means: availability charges, user charges, storm taxing district fees, trunk area assessment charges or any other method that the City has legal authority to entertain. Trunk storm sewer system cost sharing for over-sizing and over-depth expenses are determined at the sole discretion of the City Engineer.

Normally, storm sewers are assessed on an area wide basis (square foot or acres); however, in certain situations the per lot method or adjusted front foot method may be utilized at the staff's discretion and as approved by City Council.

When completed in conjunction with a public improvement project, the lateral storm sewer system improvements, maintenance, replacement or rehabilitation shall be included in the total project cost that is used to calculate the assessment for the respective public improvement project (assessable percentage: 35% reconstruction, 55% partial reconstruction or 80% mill and overlay).

City storm sewer system improvements within the County right-of-way shall be determined in accordance with the Joint Powers Agreement between the City and County for maintenance of storm water systems.

## **D. Sanitary Sewer Assessments**

Assessments for sanitary sewer improvements are based upon the cost of constructing an 8-inch diameter sewer at minimum depth to maintain 13-foot deep services at the property line. Eight-inch pipe is the smallest size new sewer allowed to be constructed as City-owned main.

A 12-inch or larger sewer is considered a trunk sewer. Sewer that is installed at depths greater than 24 feet (no matter the size) that is intended to serve property outside of the development or assessment area may be considered trunk sewer at the sole discretion of the City Engineer. Over-sizing and over-depth costs of trunk sanitary sewer systems and appurtenances can be paid for by any, or a combination of the following means: availability charges, user charges, connection charges and trunk area assessment charges. Trunk sanitary sewer cost sharing for over-sizing and over-depth expenses is determined at the sole discretion of the City Engineer.

Trunk area sanitary sewer charges shall be levied to all un-platted property at the time of platting and to re-plats that have not been charged trunk area, connection or associated charges when the land was originally platted. The charges will be set in the annual fee schedule no later than the first City Council meeting in January of each year.

Normally, sanitary sewers are assessed on an area wide basis (square foot or acres), but in certain situations the per lot method or adjusted front method may be utilized at the City Council's discretion.

Lateral benefit from trunk sewers or interceptors is assessed to the properties benefited by the sewer. Lateral sewer system assessments are based on the costs for an equivalent 8-inch diameter sewer and appurtenances.

Lateral sewer main or individual service lines installed directly to specific properties are fully assessed directly to the benefited properties. Properties not currently served by a mainline sewer adjacent, across, or up to their property lines pay 100% of the assessment rate for the new mainline sanitary sewer as well as 100% of the cost associated with a new or replacement service line.

The regular maintenance and rehabilitation of existing sanitary sewer systems and appurtenances are paid for by the Utility Funds and are not assessed. The City reserves the right to assess at the rate of 100% for reconstructing existing sanitary sewer system and services.

Any defective existing service lines that are replaced as part of a public improvement or street reconstruction project may be 100% assessed directly to the benefiting property.

#### **E. Watermain Assessments**

Assessments for watermain in public improvements are based upon the cost of constructing an 8 inch diameter main at a minimum depth of 7-1/2 feet. Eight-inch pipe is the smallest size new watermain allowed to be considered as City-owned main.

A 12-inch or larger main is considered a trunk watermain. Over-sizing and over-depth costs of trunk water main systems and appurtenances can be paid for by any, or a combination of the following means: availability charges, user charges, connection charges and trunk area assessment charges. Trunk watermain cost sharing for over-sizing and over-depth expenses is determined at the sole discretion of the City Engineer.

Trunk area watermain charges shall be levied to all un-platted property at the time of platting and to re-plats that have not been charged trunk area, connection or associated charges when the land

was originally platted. The charges will be set in the annual fee schedule no later than the first City Council meeting in January of each year.

Lateral benefit from trunk water mains is assessed to properties benefited by the water main. Lateral water main assessments are based on the costs for an equivalent 8-inch diameter water main and appurtenances.

Individual service lines installed directly to specified properties are fully assessed to the benefited properties. Properties that have existing water services, but do not have lateral watermain adjacent, across, or up to their property lines pay 100% of the assessment rate for the new watermain as well as 100% of the cost associated with replacing the service lines.

The regular maintenance and rehabilitation of existing watermain systems and appurtenances are paid for by the Utility Funds and are not assessed. The City reserves the right to assess 100% for reconstructing existing watermain main system and services.

Any defective existing service lines that are replaced as part of a public improvement or street reconstruction project may be 100% assessed directly to the benefiting property.

#### **F. Street Boulevard Trees**

Street boulevard trees are not allowed per City ordinance. Any street boulevard trees allowed for storm water management purposes shall be accompanied by an agreement identifying the party responsible for maintenance, other than the City, and identifying an operation and maintenance plan.

#### **G. Street Lights**

All costs for new street lights installed as part of constructing new streets, or street lights relocated as part of reconstructing streets, are included in the overall project costs and included in the assessment calculations. The City requires the developer to finance street light improvement rather than assessing the cost.

The cost of Area Benefit light systems initiated by Council or petition shall be assessed 100% to the benefiting properties in accordance with the streetlight ordinance. The cost of Safety and Thoroughfare light systems approved by Council shall be borne by the City.

#### **H. Other Improvements**

Based on the City Council determination, any other public improvements may be fully assessed or assessed in part.

## SECTION 11. DEFERMENT OF SPECIAL ASSESSMENTS

### A. Hardship Deferment

1. The City Council of the City of Inver Grove Heights shall have the authority to defer the payment of any special assessment hereafter made for local improvements constructed by the City within the City of Inver Grove Heights when it is determined that:
  - a. The property upon which the assessment is to be levied is homestead property;

AND

- b. One (1) or more of the following conditions exist:
  - i.) One (1) or more of the owners of the property is 65 years of age or older; or
  - ii.) One (1) or more of the owners of the property is retired by virtue of a permanent and total disability; or
  - iii.) One (1) or more of the owners of the property is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in Minn. Statutes Section 190.05, subdivision 5(b) or 5(c), as stated in the person's military orders;

AND

- c. Payment of the assessment would be a hardship for the owner of the property.
2. "Hardship" shall be deemed to exist if (1) the average annual payments of principal and interest for all assessments levied against the property exceed one percent of the owner's adjusted gross income as filed in the owner's U.S. income tax return for the tax year prior to the year in which the assessment was certified; and (2) the total amount of the principal of the levied assessment exceeds \$300.00. The "average annual payment" is the total principal of the levied assessment plus the interest that would be payable based on a declining principal balance during the number of years over which the principal assessment was originally spread with the sum of principal and interest then being divided by the number of years over which the principal assessment was originally spread.

Irrespective of the standards and guidelines for hardship as stated above, nothing herein shall be construed to prohibit the Council from determining that hardship exists on the basis of exceptional and unusual circumstances not covered by the standards and guidelines where the determination is made in a non-discriminatory manner and does not give the applicant an unreasonable preference or advantage over other applicants.

3. Individuals seeking deferral shall make their application on a form prescribed by the City Clerk or the Dakota County Auditor-Treasurer. The form shall require the applicants to furnish to the City their U.S. income tax return for the year prior to the year in which the assessment was certified. The application shall be filed with the City Clerk. If a deferral is granted the terms of the deferral shall be memorialized in a resolution approved by the

Council. The Council resolution shall be recorded with the Dakota County Recorder and filed with the Dakota County Auditor-Treasurer.

4. The City Council shall determine at the time of the levying of any special assessments, the interest rate, if any, which will be charged to the individuals qualifying for the deferral under this resolution.
5. If a deferral is granted the payment of the annual installments of principal and interest with respect to the special assessment shall be deferred until occurrence of one of the termination events set forth below. The interest shall accrue during the period of deferment and shall be added to the principal amount of the special assessments and shall be payable with the principal amount when the principal amount becomes payable at the expiration of the deferment.

If the deferment ceases prior to the last year over which the assessments were originally spread, then the deferred unpaid installments of principal, together with accrued interest on the unpaid principal balance, shall become due and payable in the next calendar year and shall be payable with real estate taxes in the next calendar year. The remaining principal installments, if any, together with interest, shall be paid in the years as originally levied.

If the deferment ceases in or after the last year over which the assessments were originally spread, then the entire unpaid principal amount of the special assessments, together with accrued interest, shall become due and payable in the next calendar year and shall be payable with the real estate taxes in the next calendar year.

6. Deferrals granted pursuant to this resolution shall terminate upon the occurrence of any of the following events:
  - a. The death of the eligible owner, provided no other owner is otherwise eligible for the benefits under this resolution.
  - b. The sale, transfer, donation or subdivision of the property or any part thereof.
  - c. Contracting to sell, transfer or donate the property.
  - d. The property no longer has its homestead status.
  - e. The owner is no longer eligible for a deferral.
  - f. The City Council determines, for any reason, that there would be no hardship to require immediate, full or partial payment.
7. The City Clerk shall be responsible for establishing and maintaining procedures assuring that the terms for continued eligibility are met.

B. Other Deferments

The City Council has the authority under Minnesota State Statute §429.061, subd. 2, to defer assessments for unimproved property, with or without interest, as the Council, in its discretion, may determine appropriate.

SECTION 12. GUIDELINES FOR LEVY TERMS

Special assessments for the following public improvements shall be levied for the designated term, unless otherwise approved by Council:

Ten (10) years New street, sewer, water, and storm improvements (urban or rural)

Ten (10) years Reconstruction and partial reconstruction projects (urban or rural)

Five (5) years Street and mill & overlay projects (urban or rural)

Five (5) years Development Improvements by Petition (Developer or Landowner)

***This assessment policy supersedes the 1981 and 2001 assessment policies and such amendments thereto.***

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

---

**Approve Purchase of Capital Equipment**

Meeting Date: January 25, 2016  
Item Type: Consent  
Contact: Scott D. Thureen, 651.450.2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: 

<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input checked="" type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other:

**PURPOSE/ACTION REQUESTED**

Consider approval of purchase of capital equipment included in the approved 2016 budget.

**SUMMARY**

The attached memo from the Street Maintenance Superintendent presents cost information for the replacement of fifteen pieces of equipment approved for replacement in 2016. The attached proposal is based on the Minnesota State Cooperative Purchasing pricing. The prices shown include the trade-in value, sales tax and applicable fees.

I recommend approval of the capital equipment purchase that would be funded from the Central Equipment Fund.

SDT/kf

Attachment: Memo

**MEMO**

**CITY OF INVER GROVE HEIGHTS**

**TO:** Scott Thureen, Public Works Director  
**FROM:** Barry Underdahl, Street Superintendent  
**DATE:** January 20, 2016  
**SUBJECT:** 2016 Capital Equipment Purchases

The following equipment is proposed to be purchased in 2016 as previously discussed with the Mayor and City Council. This list is included in the 2016 budget as approved by City Council. The acquisition costs listed are current government contract prices. The acquisition costs include trade-in values, taxes, fees, and registration costs where applicable.

Street Maintenance

	<b>Current vehicle/equipment</b>	<b>Replacement</b>	<b>Budget</b>	<b>Acquisition</b>
#320	1996 Redi-Haul Trailer	Towmaster T-12DT trailer	\$10,460.00	\$6,880.00
#329	2007 Sterling Dump Truck	Mack GU813 Dump Truck	\$233,918.00	\$173,027.00
#347	2002 Case 721C Loader	Volvo L70H Loader	\$235,768.00	\$171,538.00
#348	2002 Wildcat Blower	Snowblast M8000 Blower	\$90,291.00	\$84,410.00

Utilities

#402	1999 Ford F350	Ford F550 w/dump body and plow	\$74,866.00	\$67,423.00
#410	2006 Ford F250	Ford F250 w/service body	\$51,939.00	\$50,564.00
#414	2008 Ford F250	Ford F250 w/ liftgate and plow	\$32,918.00	\$35,088.00
#416	2006 Ford F250	GMC 1500 WT Dbl Cab Pickup	\$40,184.00	\$26,781.00

Inspections

#801	2005 Ford Escape	Ford F150 Super Cab Pickup	\$30,404.00	\$26,986.00
#802	2005 Ford Escape	Ford F150 Super Cab Pickup	\$24,469.00	\$26,986.00

Police Department

#0603	2006 Ford Taurus	Ford Explorer XLT	\$18,638.00	\$30,600.00
#1129	2011 Crown Victoria	Ford Taurus SEL AWD	\$40,171.00	\$34,800.00
#1326	2013 Police Interceptor	Ford Police Interceptor SUV	\$33,151.00	\$25,600.00
#1330	2013 Police Interceptor	Ford Police Interceptor SUV	\$33,151.00	\$25,600.00

Fire Department

#S1	2008 Ford Expedition	Ford Expedition 4x4 XL SSV	\$37,928.00	\$37,500.00
-----	----------------------	----------------------------	-------------	-------------

The acquisition of the listed items leaves a budget surplus of \$164,473.00 in the equipment replacement schedule. Final costs may vary depending on contract dates and vehicle or equipment manufacturing cutoff dates.

---

**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

## MEMO

\*ALSO ADMITTED IN WISCONSIN  
◊ALSO ADMITTED IN NORTH DAKOTA  
◊ALSO ADMITTED IN MASSACHUSETTS  
◊ALSO ADMITTED IN OKLAHOMA

---

**TO: Inver Grove Heights Mayor and Councilmembers**  
**FROM: Timothy J. Kuntz, City Attorney**  
**DATE: January 20, 2016**  
**RE: Offsite Easements related to Plat of Blackstone Vista; January 25, 2016  
Council Meeting Consent Agenda**

---

**Section 1. Background.** The Developer of the plat of Blackstone Vista (CalAtlantic formerly The Ryland Group) has been working with the neighbor to the west of Blackstone Vista on several offsite easements for improvements associated with the development. The landowner to the west of the Blackstone Vista development is George Deuth and Jacqueline Deuth (Deuth). Most of the easements needed are private easements between the Developer and Deuth; however there are two easements that are between Deuth and the City. The attorney for the Developer drafted the following easement documents which have been approved by the City Attorney:

1. A Permanent Drainage and Utility Easement between the City of Inver Grove Heights and Deuth. This easement will allow the Developer to construct the utility stubs to the property line instead of stopping short and will further grant the City the right to maintain the utilities. There is a temporary private easement between the Developer and the Deuth allowing the Developer to construct the utilities.
2. A Temporary Access Easement between the City of Inver Grove Heights and Deuth. This easement will allow a temporary cul-de-sac to be placed on the Deuth property and will further grant the City the right to maintain the temporary cul-de-sac. There is a temporary private easement between the Developer and Deuth allowing the Developer to construct the temporary cul-de-sac.

Our understanding is that the Developer is in the process of obtaining the signatures of George and Jacqueline Deuth to the above-described easements.

**Section 2. Council Action.** The Council is asked to consider the attached Resolution Approving the Permanent Drainage and Utility Easement and Temporary Access Easement between the City and George Deuth and Jacqueline Deuth.

RESOLUTION NO. 16- \_\_\_\_\_

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

**RESOLUTION APPROVING A PERMANENT DRAINAGE AND UTILITY  
EASEMENT AND TEMPORARY ACCESS EASEMENT BETWEEN THE CITY OF  
INVER GROVE HEIGHTS AND GEORGE DEUTH AND JACQUELINE DEUTH**

**WHEREAS**, the Developer of the plat of Blackstone Vista (CalAtlantic formerly The Ryland Group) has been working with the neighbor to the west of Blackstone Vista on several offsite easements for improvements associated with the development.

**WHEREAS**, the landowner to the west of the Blackstone Vista development is George Deuth and Jacqueline Deuth (Deuth).

**WHEREAS**, Most of the easements needed are private easements between the Developer and Deuth; however there are two easements that are between Deuth and the City.

**WHEREAS**, the attorney for the Developer drafted the following easement documents which have been approved by the City Attorney:

1. A Permanent Drainage and Utility Easement between the City of Inver Grove Heights and Deuth. This easement will allow the Developer to construct the utility stubs to the property line instead of stopping short and will further grant the City the right to maintain the utilities. There is a temporary private easement between the Developer and the Deuth allowing the Developer to construct the utilities.
2. A Temporary Access Easement between the City of Inver Grove Heights and Deuth. This easement will allow a temporary cul-de-sac to be placed on the Deuth property and will further grant the City the right to maintain the temporary cul-de-sac. There is a temporary private easement between the Developer and Deuth allowing the Developer to construct the temporary cul-de-sac.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Inver Grove Heights, Minnesota, as follows:

- 1.) The attached Permanent Drainage and Utility Easement between the City and Deuth is hereby approved.
- 2.) The attached Temporary Access Easement between the City and Deuth is hereby approved.
- 3.) The Mayor and City Clerk are hereby authorized to execute the attached Permanent Drainage and Utility Easement and the Temporary Access Easement.

Adopted by the City Council of the City of Inver Grove Heights this 25<sup>th</sup> day of January, 2016.

---

George Tourville, Mayor

ATTEST:

---

Michelle Tesser, City Clerk

[ Above Space Reserved for Recording Data ]

---

**PERMANENT  
DRAINAGE AND UTILITY EASEMENT**

THIS PERMANENT DRAINAGE AND UTILITY EASEMENT AGREEMENT (this "**Agreement**"), is made and effective this \_\_\_\_ day of \_\_\_\_\_, 2015 (the "**Effective Date**"), by and between George T. Deuth and Jacqueline S. Deuth, husband and wife (jointly referred to herein as "**Grantor**") and the City of Inver Grove Heights, a municipal corporation (the "**City**").

**WITNESSETH:**

WHEREAS, Grantor is the fee owner of certain real property located in Dakota County, Minnesota, legally described as set forth on **Exhibit A** attached hereto and incorporated herein by reference (the "**Grantor Property**");

WHEREAS, the City desires to obtain a permanent easement for drainage and utility purposes and a permanent easement for access over and across the Grantor Property for drainage and utility purposes in connection with a development adjoining the Grantor Property known as Blackstone Vista (the "**Permanent Easement**"); and

WHEREAS, the Grantor is willing to grant to the City the requested Permanent Easement on the terms and subject to the conditions set forth herein.

NOW, THEREFORE, in consideration of the terms and conditions hereafter agreed, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned parties hereby agree as follows:

1. Grantor hereby grants to the City a 65.0 foot by 80.0 foot, permanent nonexclusive Permanent Easement for drainage and utility purposes lying over, upon, under and across those portions of the Grantor Property as described and depicted on **Exhibit B** attached hereto and incorporated herein by reference (the "**Permanent Easement Area**").
2. The Permanent Easement granted herein includes the right of the City, its contractors, agents, employees, successors, and assigns to enter and access the Grantor Property at all

reasonable times for the purposes of locating, operating, maintaining, inspecting, altering and repairing storm sewer, sanitary sewer and water facilities and ground surface drainage ways in the described Permanent Easement Area. The City shall have the further right to cut, trim, or remove from the Permanent Easement Area trees, shrubs, or other vegetation that, in the City's judgment, unreasonably interfere with the Permanent Easement or facilities of the City, its successors or assigns.

3. Grantor hereby covenants that it is the owner in fee simple of the Grantor Property and has good right to grant and convey the Permanent Easement herein to the City.

4. This Agreement, constitutes the final and entire agreement between the parties. The Permanent Easement and the rights and obligations hereunder shall be permanent, shall run with the land, and shall during the stated term hereof bind the parties hereto and their respective heirs, administrators, successors and assigns.

5. No amendment, modification, termination or waiver of any provisions of this Agreement shall be effective unless the same is in writing and signed by the parties hereto.

6. This Agreement shall be given effect and construed by application of the law of the State of Minnesota.

7. This Agreement may be executed simultaneously or in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

8. With respect to work or improvements performed by the City in the Permanent Easement Area, the City agrees not to allow any liens to attach to the Grantor Property, and agrees to remove same within ten (10) days of receipt of notice thereof.

*[ The remainder of the page is intentionally blank, signature pages and Exhibits to follow ]*

IN WITNESS WHEREOF, this Agreement is entered as of the day and year first above written.

**CITY OF INVER GROVE HEIGHTS**

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF DAKOTA    )

On this \_\_\_ day of \_\_\_\_\_, 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 Mayor and City Clerk acknowledged said instrument to be the free act and deed of said municipality.

\_\_\_\_\_  
Notary Public



**Exhibit A**  
(Grantor Property)

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

**The North 710.44 feet of the East 329.78 feet of the following described parcel:**

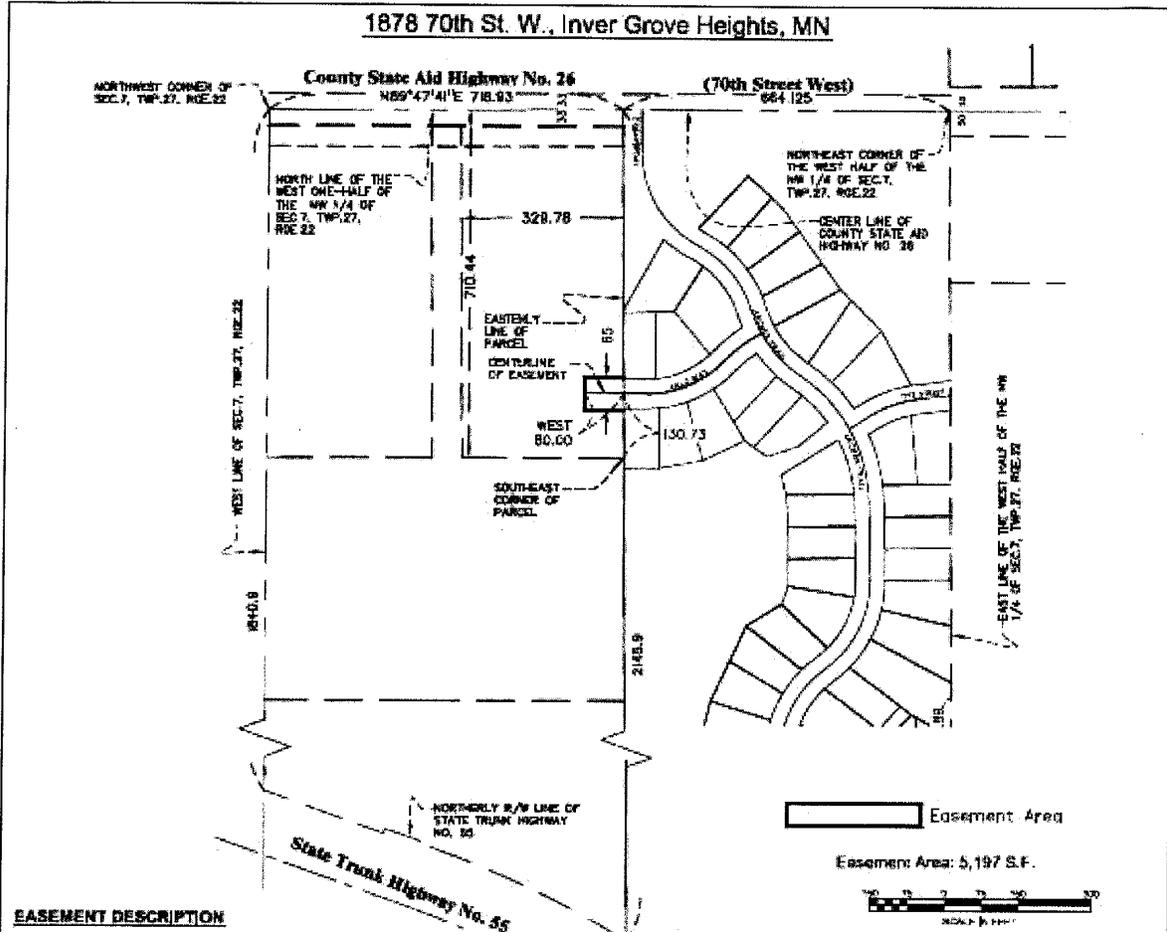
**That part of the West Half of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27) North, Range Twenty-two (22) West, lying Northerly of State Trunk Highway No. 55, described as follows:**

**Beginning at the Northwest corner of said Section Seven (7), as marked by a Judicial Land Mark; thence East, along the North line of said Section, a distance of 719.56 feet to a point which is distant 664.125 feet (40 1/4 rods) West of the Northeast corner of said West Half of the Northwest Quarter, and said point being marked by Judicial Land Mark; thence South, parallel with the East line of said West Half of the Northwest Quarter, a distance of 2145.9 feet to a point on the Northerly Right of Way Line of State Trunk Highway No. 55, said point being marked by a Judicial Land Mark; thence Northwesterly along said Right of Way line to its intersection with the West line of Section Seven (7), said point of intersection being marked by a Judicial Land Mark; thence North, along said West Section line, a distance of 1840.9 feet to the point of beginning, Dakota County, Minnesota.**

**A.P.N. 20-00700-28-015**

Torrens Property

**Exhibit B**  
(Depiction and Description of Permanent Easement Area)



**EASEMENT DESCRIPTION**

A 65.00 foot permanent drainage and utility easement over, under and across the following described parcel:

The North 710.44 feet of the East 328.78 feet of the following described parcel:

That part of the West Half of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27) North, Range Twenty-two (22) West, lying northerly of State Trunk Highway No. 55, described as follows:

Beginning at the northwest corner of said Section Seven (7), as marked by a Judicial Land Mark; thence East, along the North line of said Section, a distance of 719.56 feet to a point which is distant 664.125 feet (40 1/4 rods) West of the Northeast corner of said West Half of the Northwest Quarter, and said point being marked by a Judicial Land Mark; thence South, parallel with the East line of said West Half of the Northwest Quarter, a distance of 2145.9 feet to a point on the Northerly Right of Way Line of State Trunk Highway No. 55, said point being marked by a Judicial Land Mark; thence Northwesterly along said Right of Way line to its intersection with the West line of Section Seven (7), said point of intersection being marked by a Judicial Land Mark; thence North, along said West Section line, a distance of 1840.9 feet to the point of beginning.

Centerline of said 65.00 foot permanent drainage and utility easement is described as follows:

Commencing at the southeast corner of said North 710.44 feet of the East 328.78 feet; thence on an assumed bearing of North 00 degrees 30 minutes 23 seconds West, along the easterly line of said North 710.44 feet of the East 328.78 feet, a distance of 130.73 feet to the point of beginning of the centerline to be described; thence on a bearing of West for a distance of 80.00 feet and said centerline there terminating. The sidelines of said easement are prolonged or shortened to terminate on the east line of subject parcel.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed and Surveyor under the laws of the State of Minnesota.

Dated this 7th day of January, 2018.

SATHRE-BERGQUIST, INC.

*Daniel L. Schmidt*

Daniel L. Schmidt, P.L.S.  
schmidt@sathre.com

Minnesota License No. 26347



**SATHRE-BERGQUIST, INC.**  
150 South Broadway Ave.  
Wayzata, MN. 55391  
(952) 476-8000 www.sathre.com

<b>Easement Exhibit</b> Prepared For The City of Inver Grove Heights	Date: 2-17-18	Revision Date: 1-17-18
	Prepared By: EMW	Check By: DSP
	Project: Blackstone Vets - #1678 TDBU	
	Project Number: 78288-019	

## EASEMENT DESCRIPTION

A 65.00 foot permanent drainage and utility easement over, under and across the following described parcel:

The North 710.44 feet of the East 329.78 feet of the following described parcel:

That part of the West Half of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27) North, Range Twenty-two (22) West, lying northerly of State Trunk Highway No. 55, described as follows:

Beginning at the northwest corner of said Section Seven (7), as marked by a Judicial Land Mark; thence East, along the North line of said Section, a distance of 719.56 feet to a point which is distant 664.125 feet (40  $\frac{1}{4}$  rods) West of the Northeast corner of said West Half of the Northwest Quarter, and said point being marked by a Judicial Land Mark; thence South, parallel with the East line of said West Half of the Northwest Quarter, a distance of 2145.9 feet to a point on the Northerly Right of Way Line of State Trunk Highway No. 55, said point being marked by a Judicial Land Mark; thence Northwesterly along said Right of Way line to its intersection with the West line of Section Seven (7), said point of Intersection being marked by a Judicial Land Mark; thence North, along said West Section line, a distance of 1840.9 feet to the point of beginning.

Centerline of said 65.00 foot permanent drainage and utility easement is described as follows:

Commencing at the southeast corner of said North 710.44 feet of the East 329.78 feet; thence on an assumed bearing of North 00 degrees 30 minutes 23 seconds West, along the easterly line of said North 710.44 feet of the East 329.78 feet, a distance of 130.73 feet to the point of beginning of the centerline to be described; thence on a bearing of West for a distance of 80.00 feet and said centerline there terminating. The sidelines of said easement are prolonged or shortened to terminate on the east line of subject parcel.

MORTGAGEE CONSENT

The undersigned, being the holder of a certain mortgage dated \_\_\_\_\_, \_\_\_\_\_ and filed of record with the \_\_\_\_\_ County Registrar of Titles on \_\_\_\_\_, \_\_\_\_\_ as Document No. \_\_\_\_\_, does hereby consent to the foregoing Permanent Drainage and Utility Easement in favor of the City.

MORTGAGEE:

\_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2015, by \_\_\_\_\_, the \_\_\_\_\_, of \_\_\_\_\_, a \_\_\_\_\_, by and on behalf of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

[ Above Space Reserved for Recording Data ]

---

**TEMPORARY  
ACCESS EASEMENT**

THIS TEMPORARY ACCESS EASEMENT AGREEMENT (this "*Agreement*"), is made and effective this \_\_\_\_ day of \_\_\_\_\_, 2015 (the "*Effective Date*"), by and between George T. Deuth and Jacqueline S. Deuth, husband and wife (jointly referred to herein as "*Grantor*") and the City of Inver Grove Heights, a municipal corporation (the "*City*").

**WITNESSETH:**

WHEREAS, Grantor is the fee owner of certain real property located in Dakota County, Minnesota, legally described as set forth on **Exhibit A** attached hereto and incorporated herein by reference (the "*Grantor Property*");

WHEREAS, the City desires to obtain an easement for street purposes and for access over and across the Grantor Property for public access to the temporary turnabout constructed on the Grantor Property in connection with improvements for a development adjoining the Grantor Property known as Blackstone Vista (the "*Temporary Easement*"); and

WHEREAS, the Grantor is willing to grant to the City the requested Temporary Easement on the terms and subject to the conditions set forth herein.

NOW, THEREFORE, in consideration of the terms and conditions hereafter agreed, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned parties hereby agree as follows:

1. Grantor hereby grants to the City a 80.0 foot by 120.0 foot, nonexclusive Temporary Easement for street purposes and for pedestrian and vehicular access purposes over, upon, under and across those portions of the Grantor Property as described and depicted on **Exhibit B** attached hereto and incorporated herein by reference (the "*Temporary Easement Area*").
2. Grantor shall not erect or place any obstruction of any kind whatsoever in the Temporary Easement Area, which would prevent, restrict, or otherwise inhibit in any manner the passage of

pedestrians and/or vehicles over and across the Temporary Easement Area.

3. Grantor hereby covenants that it is the owner in fee simple of the Grantor Property and has good right to grant and convey the Temporary Easement herein to the City.

4. Unless extended in writing, the Temporary Easement shall expire upon the earlier of (i) the platting of the Grantor's Property or (ii) seventy-five (75) years after the Effective Date.

5. This Agreement, constitutes the final and entire agreement between the parties. The Temporary Easement and the rights and obligations hereunder, shall run with the land, and shall during the stated term hereof bind the parties hereto and their respective heirs, administrators, successors and assigns.

6. No amendment, modification, termination or waiver of any provisions of this Agreement shall be effective unless the same is in writing and signed by the parties hereto.

7. This Agreement shall be given effect and construed by application of the law of the State of Minnesota.

8. This Agreement may be executed simultaneously or in one or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

9. With respect to work or improvements performed by the City in the Temporary Easement Area, the City agrees not to allow any liens to attach to the Grantor Property, and agrees to remove same within ten (10) days of receipt of notice thereof.

*[ The remainder of the page is intentionally blank, signature pages and Exhibits to follow ]*

IN WITNESS WHEREOF, this Agreement is entered as of the day and year first above written.

**CITY OF INVER GROVE HEIGHTS**

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

STATE OF MINNESOTA    )  
  )ss.  
COUNTY OF DAKOTA    )

On this \_\_\_ day of \_\_\_\_\_, 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 Mayor and City Clerk acknowledged said instrument to be the free act and deed of said municipality.

\_\_\_\_\_  
Notary Public



**Exhibit A**  
(Grantor Property)

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota, described as follows:

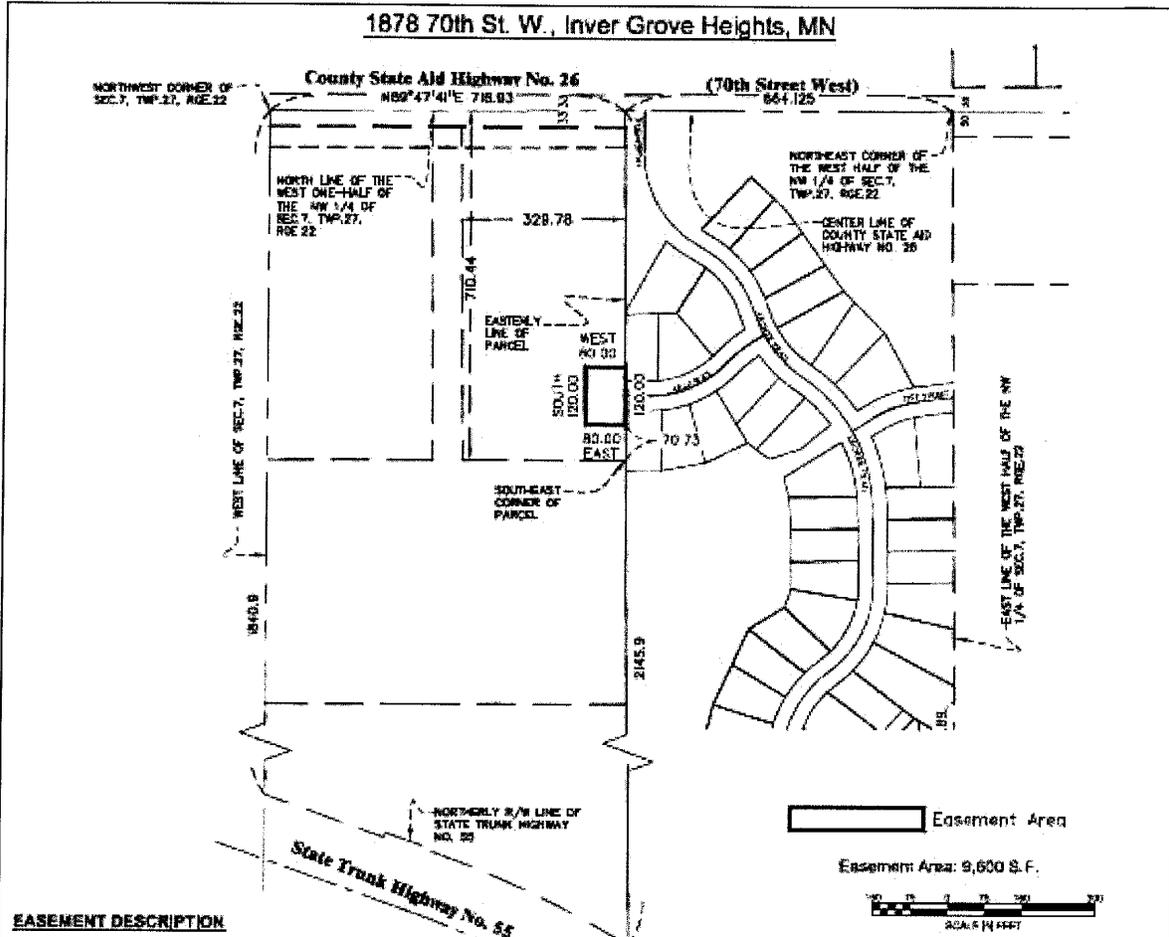
**The North 710.44 feet of the East 329.78 feet of the following described parcel:**

**That part of the West Half of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27) North, Range Twenty-two (22) West, lying Northerly of State Trunk Highway No. 55, described as follows:**

**Beginning at the Northwest corner of said Section Seven (7), as marked by a Judicial Land Mark; thence East, along the North line of said Section, a distance of 719.56 feet to a point which is distant 664.125 feet (40 1/4 rods) West of the Northeast corner of said West Half of the Northwest Quarter, and said point being marked by Judicial Land Mark; thence South, parallel with the East line of said West Half of the Northwest Quarter, a distance of 2145.9 feet to a point on the Northerly Right of Way Line of State Trunk Highway No. 55, said point being marked by a Judicial Land Mark; thence Northwesterly along said Right of Way line to its intersection with the West line of Section Seven (7), said point of intersection being marked by a Judicial Land Mark; thence North, along said West Section line, a distance of 1840.9 feet to the point of beginning, Dakota County, Minnesota.  
A.P.N. 20-00700-28-015**

Torrens Property

**Exhibit B**  
(Depiction and Description of Temporary Easement Area)



**EASEMENT DESCRIPTION**

A temporary access easement over, under and across the following described parcel:

The North 710.44 feet of the East 329.78 feet of the following described parcel

That part of the West Half of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27) North, Range Twenty-two (22) West, lying northerly of State Trunk Highway No. 55, described as follows:

Beginning at the northwest corner of said Section Seven (7), as marked by a Judicial Land Mark; thence East, along the North line of said Section, a distance of 719.58 feet to a point which is distant 664.125 feet (40 1/4 rods) West of the Northeast corner of said West Half of the Northwest Quarter, and said point being marked by a Judicial Land Mark; thence South, parallel with the East line of said West Half of the Northwest Quarter, a distance of 2145.9 feet to the Northernly Right of Way Line of State Trunk Highway No. 55, said point being marked by a Judicial Land Mark; thence Northwesterly along said Right of Way Line to its intersection with the West line of Section Seven (7), said point of intersection being marked by a Judicial Land Mark; thence North, along said West Section line, a distance of 1840.9 feet to the point of beginning.

Said temporary access easement is described as follows:

Commencing at the southeast corner of said North 710.44 feet of the East 329.78 feet; thence on an assumed bearing of North 00 degrees 30 minutes 23 seconds West, along the easterly line of said North 710.44 feet of the East 329.78 feet, a distance of 70.73 feet to the point of beginning of the easement to be described; thence North 00 degrees 30 minutes 23 seconds West, along said easterly line, a distance of 120.00 feet; thence on a bearing of West, a distance of 80.00 feet; thence on a bearing of South, a distance of 120.00 feet; thence on a bearing of East, a distance of 80.00 feet to the point of beginning.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 12th day of January, 2016.

SATHRE-BERGQUIST, INC.

*Daniel L. Schmidt*

Daniel L. Schmidt, P.L.S. Minnesota License No. 28147  
schmidt@sathre.com

**SATHRE-BERGQUIST, INC.**  
150 South Broadway Ave.  
Wayzata, MN. 55391  
(952) 476-6000 www.sathre.com

<b>Easement Exhibit</b>	Date: 11-18-15	Revision Date: 1-12-16
Prepared For <b>CalAtlantic Group, Inc.</b>	Prepared By: DMW	Check By: DSB
	Project: Blackstone Vista - 41878 TAR	1
	Project Number: 78056-012	1

## EASEMENT DESCRIPTION

A temporary access easement over, under and across the following described parcel:

The North 710.44 feet of the East 329.78 feet of the following described parcel:

That part of the West Half of the Northwest Quarter of Section Seven (7), Township Twenty-seven (27) North, Range Twenty-two (22) West, lying northerly of State Trunk Highway No. 55, described as follows:

Beginning at the northwest corner of said Section Seven (7), as marked by a Judicial Land Mark; thence East, along the North line of said Section, a distance of 719.56 feet to a point which is distant 664.125 feet (40  $\frac{1}{4}$  rods) West of the Northeast corner of said West Half of the Northwest Quarter, and said point being marked by a Judicial Land Mark; thence South, parallel with the East line of said West Half of the Northwest Quarter, a distance of 2145.9 feet to a point on the Northerly Right of Way Line of State Trunk Highway No. 55, said point being marked by a Judicial Land Mark; thence Northwesterly along said Right of Way line to its intersection with the West line of Section Seven (7), said point of Intersection being marked by a Judicial Land Mark; thence North, along said West Section line, a distance of 1840.9 feet to the point of beginning.

Said temporary access easement is described as follows:

Commencing at the southeast corner of said North 710.44 feet of the East 329.78 feet; thence on an assumed bearing of North 00 degrees 30 minutes 23 seconds West, along the easterly line of said North 710.44 feet of the East 329.78 feet, a distance of 70.73 feet to the point of beginning of the easement to be described; thence North 00 degrees 30 minutes 23 seconds West, along said easterly line, a distance of 120.00 feet; thence on a bearing of West, a distance of 80.00 feet; thence on a bearing of South, a distance of 120.00 feet; thence on a bearing of East, a distance of 80.00 feet to the point of beginning.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

---

**PERSONNEL ACTIONS**

Meeting Date: January 25, 2016  
Item Type: Consent  
Contact: Joe Lynch, City Administrator  
Prepared by: Carrie Isaacson, Admin Svc Coord  
Reviewed by: Janet Shefchik, HR Manager

**Fiscal/FTE Impact:**

- |                                     |                                    |
|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | None                               |
| <input type="checkbox"/>            | Amount included in current budget  |
| <input type="checkbox"/>            | Budget amendment requested         |
| <input type="checkbox"/>            | FTE included in current complement |
| <input type="checkbox"/>            | New FTE requested – N/A            |
| <input type="checkbox"/>            | Other                              |

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

**Please confirm the Part-Time/Seasonal/Temporary employment of:** Naomi DeWeever (VMCC/Aquatics), Cale Miller (Rec/Recreation Official), Isabelle Williams (Rec/Recreation Official), Brian Burbey (Rec/Ice Rink Attendant), Mitchell Murray (VMCC/Aquatics)

**Please confirm the Full-Time employment of:** Marlys Sweeney, Customer Service Specialist; Brett Ista, Street Maintenance Worker

**Please confirm the Termination of:** Sydney Arends (VMCC/Aquatics), Sam Frid (VMCC/Aquatics), Ellen Kormanik (VMCC/Aquatics)

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Resolution Ordering Projects, Approving Plans and Specifications, Authorizing Advertisement for Bids, and Authorizing City Attorney to Complete Easement Negotiations for the 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements**

Meeting Date: January 25, 2016  
 Item Type: Public Hearing  
 Contact: Steve W. Dodge, 651.450.2541 *SWD*  
 Prepared by: Steve W. Dodge, Assistant City Engineer  
 Reviewed by: Scott D. Thureen, Public Works Director *ST*

**Fiscal/FTE Impact:**

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Pavement Management Fund, Special Assessments, Utility Funds

**PURPOSE/ACTION REQUESTED**

Consider Resolution Ordering Projects, Approving Plans and Specifications, Authorizing Advertisement for Bids, and Authorizing City Attorney to Complete Easement Negotiations for the 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements.

**SUMMARY**

The project was initiated by the City Council as part of 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction on September 28, 2015. On November 23, 2015, Council separated the project neighborhoods designating 60th Street Area neighborhood, with existing curb, as City Project Nos. 2016-09D and 2016-10 and authorized Kimley-Horn & Associates to prepare the feasibility report. The feasibility report was received by the City Council on December 14, 2015.

Improvements

The projects, 2016-09D and 2016-10, involve street reconstruction, watermain improvements and rehabilitation, sanitary sewer improvements and rehabilitation, storm sewer improvements, and water quality improvements and appurtenances. Asher Street is proposed to be extended with a full cul-de-sac for public safety and maintenance purposes. A detailed project description and exhibits are included in the feasibility report and the street segments and affected properties are shown on the attached map.

Assessments/Costs

The total estimated project cost for City Project No. 2016-09D – 60th Street Area Reconstruction is \$2,308,000, with \$504,192 in estimated assessments (21.8 percent of the project costs). The total estimated project cost for City Project No. 2016-10 – 60th Street Area Utility Improvements is \$244,000 for a total combined project cost of \$2,552,000 including project contingencies. The attached preliminary assessment roll incorporates the independent appraiser's special benefit analysis with a recommended "assessment cap" of \$9,000 per parcel for street reconstruction. The assessable percentage is preferred to be at 25 percent at the feasibility study stage of a project to insure that the 20 percent minimum for Chapter 429 is met once the final project costs are in.

The letter accompanying the notice for the public hearing acknowledged the estimated per-policy assessment amount and the appraiser's recommended special benefit amount (assessment cap). The per-policy amount and assessment cap are both provided in the preliminary assessment roll. The final assessment amount is adopted by Council following the assessment hearing.

The City received an email from 5970 Asher Avenue objecting to the cost of the project (attached). The City also received a letter from 59th Court residents objecting to the recommended street improvement method and the estimated assessment (attached). Staff has reviewed the option of removing 59th Court from the project and concluded that the estimated assessable percentage reduces by 0.6 percent (to 21.2 percent).

The neighborhood's request raises the same issues that resulted in the original, larger, project being split into smaller projects. Due to the cost, residents do not support the technical recommendation for the type of project (reconstruction vs. mill and overlay, curb and gutter vs. ditches for storm water management, surmountable curb vs. vertical-face curb for ease of snow and ice control). Staff will discuss the City's street standards at the March study meeting.

Funding

A multi-faceted funding package has been prepared in the feasibility report which includes the pavement management fund, utility funds and special assessments.

**City Project No. 2016-09D – 60th Street Area Reconstruction**

Proposed Assessment .....	\$ 504,192
Pavement Management Fund.....	1,803,808
(DCSWCD Grant Funds – application and approval pending) .....	---
Total .....	\$2,308,000

**City Project No. 2016-10 – 60th Street Area Utility Improvements**

Water Fund .....	\$133,000
Sewer Fund.....	111,000
Total .....	\$244,000

Note: Asher Avenue cul-de-sac extension costs include \$134,000 for the street, \$39,000 for the utilities, and easement costs. The costs are split between the two projects based on the purpose (street or utility).

Land Acquisition

The City Attorney and staff will be working with property owners on Asher Avenue cul-de-sac extension, 63rd Street cul-de-sac and necessary permanent easements, temporary easements or right-of-way. Staff will complete easement negotiations and bring to Council a request for filing condemnation proceedings by March if necessary.

Schedule

If ordered, plans would be prepared in February, bids received in March, an assessment hearing held in May, a contract awarded in May, and construction started in May or June of 2016.

Public Information Meeting (2016-09D and 2016-10)

An informational meeting was held with the neighborhood on January 12, 2016 at City Hall. Staff and consultant presented the project, responded to questions, and received input from the 13 properties represented. The following reflects comments and responses unique to the project:

- Several 59th Court residents expressed frustration over the \$9000 assessment amount and concern that the project was proposed as a reconstruction instead of mill and overlay. They gave the impression they may request to be removed from the project and may object to the assessment.
- Residents from the project, except 59th Court, generally agreed the proposed improvements are necessary; however, expressed the \$9,000 assessment cap seems high.
- A resident inquired about the status of the 62nd Street and Bacon Avenue neighborhood street improvements.

- A resident from 5851 Asher Avenue discussed the proposed Asher Street extension that would impact his property, requiring a land acquisition agreement with the City. The street extension would allow direct access to a vacant lot that the individual owns.
- 63rd Court residents inquired about a solution to the steep driveway grades and cul-de-sac needs. Staff believed solutions are available as long as temporary construction easements are granted by residents.
- The vacant lot west of 1715 60th Street was discussed with residents as being undevelopable due to wetland, storm pond and drainage easements taking up the entire parcel.
- Residents inquired about the City's 50-year street design life. Staff shared the results of the life-cycle costs analysis showing the reconstruction method has lower annual costs.
- Residents were concerned about boulevard and yard tree loss. Staff informed residents they would be notified of City boulevard trees to be removed with an opportunity to discuss with staff.
- Residents inquired about the irrigation replacement policy for construction projects. Irrigation systems will be replaced in-kind and residents may utilize their private irrigation contractor and get reimbursed.
- Residents inquired about the sewer and water rehabilitation. Staff explained there is hydrant, valve and manhole rehabilitation planned and there would be sewer main and service extensions in the cul-de-sac.
- It was noted that this project is being coordinated with the 65th trunk watermain improvements being extended from 63rd Court westerly to loop the trunk water main and connect with new development.

I recommend passage of the resolution ordering projects, approving plans and specifications, authorizing advertisement for bids, and authorizing City Attorney to complete easement negotiations for the 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements.

SWD/kf

Attachments: Resolution  
Preliminary Assessment Roll  
Project Map  
Email from owners of 5970 Asher Avenue  
Letter from 59th Court residents

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

RESOLUTION ORDERING IMPROVEMENTS, APPROVING PLANS AND SPECIFICATIONS, AUTHORIZING  
ADVERTISEMENT FOR BIDS, AND AUTHORIZING CITY ATTORNEY TO COMPLETE EASEMENT  
NEGOTIATIONS FOR THE 2016 PAVEMENT MANAGEMENT PROGRAM, CITY PROJECT NO. 2016-09D –  
60TH STREET AREA RECONSTRUCTION AND THE 2016 IMPROVEMENT PROGRAM, CITY PROJECT NO.  
2016-10 – 60TH STREET AREA UTILITY IMPROVEMENTS

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, a resolution passed by the City Council on December 14, 2015 called for a public hearing on the proposed improvement project, 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements, and

**WHEREAS**, published notice was given pursuant to Minnesota Statute 429.031, and the hearing was held thereon on the January 25, 2016, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

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

1. Such improvement is hereby ordered as proposed in this Council resolution adopted January 25, 2016.
2. The final plans and specifications for City Project No. 2016-09D and 2016-10 are hereby approved.
3. The Public Works Director is hereby authorized to advertise for bids with respect to City Project Nos. 2016-09D and 2016-10.
4. The contract for these improvements shall be let no later than three years after the adoption of this resolution.
5. The City Attorney is hereby authorized to complete the easement or right-of-way acquisition by negotiation with property owners and the Council. The City Engineer or designated land acquisition consultants are hereby authorized to assist the City Attorney in negotiations for easements or right-of-way related to City Project Nos. 2016-09D and 2016-10.

Adopted by the City Council of Inver Grove Heights, Minnesota this January 25, 2016

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

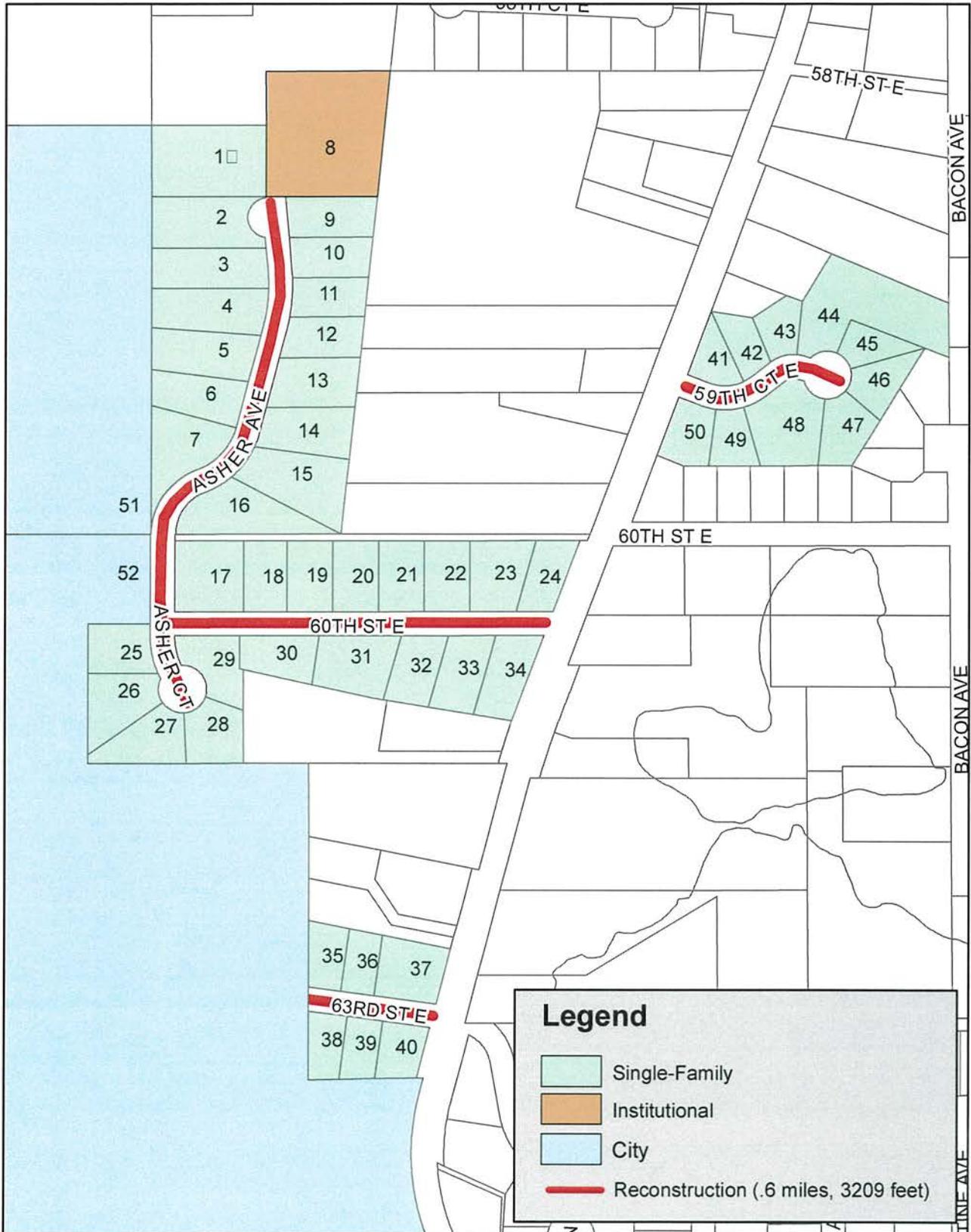
ATTEST

\_\_\_\_\_  
Michelle Tesser, City Clerk

**City Project No. 2016-09D - 60th Street Area Reconstruction**

**PRELIMINARY ASSESSMENT ROLL**

MAP NO.	PID	OWNER NAME	HOUSE NO.	STREET	TOTAL PER POLICY ASSESSMENT	TOTAL CAPPED ASSESSMENT
1	200321082040	DANIEL BURKE & CONNIE FRISKNEY			\$13,684.96	\$9,000.00
2	204250001010	DANIEL BURKE & CONNIE FRISKNEY	5851	ASHER AVE	\$13,684.96	\$9,000.00
3	204250001020	MARK PEARSON & JILL PENNIE TRUST	5875	ASHER AVE	\$13,684.96	\$9,000.00
4	204250001030	DAVID & GALINA JOHNSON	5901	ASHER AVE	\$13,684.96	\$9,000.00
5	204250001040	PAUL & JANICE ANDERSON	5917	ASHER AVE	\$13,684.96	\$9,000.00
6	204250001050	PATRICK & LAURI SCHNEIDER	5929	ASHER AVE	\$13,684.96	\$9,000.00
7	204250001060	THOMAS & PRISCILLA GADOW	5975	ASHER AVE	\$13,684.96	\$9,000.00
8	200321081011	INDEPENDENT SCHOOL DIST 199			\$10,516.63	\$10,516.63
9	204250100010	GREEN TREE SERVICING LLC	5850	ASHER AVE	\$13,684.96	\$9,000.00
10	204250100020	JAMES & MELANIE STICKLER	5866	ASHER AVE	\$13,684.96	\$9,000.00
11	204250002010	KENNETH & CASSANDRA PREINER	5880	ASHER AVE	\$13,684.96	\$9,000.00
12	204250002020	CHARLEEN FENICK & BENNETT BENSON	5906	ASHER AVE	\$13,684.96	\$9,000.00
13	204250002030	TOMMY & MONICA GOSSETT	5924	ASHER AVE	\$13,684.96	\$9,000.00
14	204250002040	PATRICIA STEWART	5938	ASHER AVE	\$13,684.96	\$9,000.00
15	204250002050	PAUL PELTIER	5952	ASHER AVE	\$13,684.96	\$9,000.00
16	204250002060	MARY & JOHN ZENSEN TRUST	5970	ASHER AVE	\$13,684.96	\$9,000.00
17	200050005010	JENNIFER DATKO	1645	60TH ST E	\$13,684.96	\$9,000.00
18	206820000010	MERLIN SCHINDELDECKER			\$0.00	\$0.00
19	206820000020	LYNDA ROGERS	1715	60TH ST E	\$13,684.96	\$9,000.00
20	206820000030	JORIN & KRISTEN TIX	1735	60TH ST E	\$13,684.96	\$9,000.00
21	206820000040	WM J & KATHERINE MILLINCZEK	1755	60TH ST E	\$13,684.96	\$9,000.00
22	206820000050	CHRISTIANA TRUST	1775	60TH ST E	\$13,684.96	\$9,000.00
23	206820000061	CHRISTOPHER PERRONE & AIMEE JILLSOM	5989	BABCOCK TRL	\$13,684.96	\$9,000.00
24	206820000072	BRIAN GORE	1805	60TH ST E	\$13,684.96	\$9,000.00
25	206760101070	ROBERT & CHRISTINE HUNTER	6015	ASHER CT	\$13,684.96	\$9,000.00
26	206760101060	DANIEL & LAURA LEMKE	6025	ASHER CT	\$13,684.96	\$9,000.00
27	206760101050	CECILIA MARTINEZ	6035	ASHER CT	\$13,684.96	\$9,000.00
28	206760101040	JOHN & CATHERINE LASKEY	6040	ASHER CT	\$13,684.96	\$9,000.00
29	206760101030	EMIGRANT RESIDENTIAL LLC	6020	ASHER CT	\$13,684.96	\$9,000.00
30	206760101020	JOSE & ALICIA VILLEGAS	1710	60TH ST E	\$13,684.96	\$9,000.00
31	206760101010	ROGER & MARY SCHWEIGERT	1730	60TH ST E	\$13,684.96	\$9,000.00
32	206760001020	DONALD & MARY BRAU			\$13,684.96	\$9,000.00
33	206760001030	DONALD & MARY BRAU	1800	60TH ST E	\$13,684.96	\$9,000.00
34	206760001040	HARVEY & HOLLY CAIN	1810	60TH ST E	\$13,684.96	\$9,000.00
35	206760201010	JOHN & KELLY STADELMAN	1695	63RD ST E	\$13,684.96	\$9,000.00
36	206760201020	JEROME & ROXANN ELLER	1715	63RD ST E	\$13,684.96	\$9,000.00
37	206760201030	LAWRENCE & NANCY SCHINDELDECKER	6241	BABCOCK TRL	\$13,684.96	\$9,000.00
38	206760202010	KEVIN & TRICIA MCNAIR	1696	63RD ST E	\$13,684.96	\$9,000.00
39	206760202020	JOHN & CHRISTINE HUERTA	1716	63RD ST E	\$13,684.96	\$9,000.00
40	206760202030	LYNDA BEERMANN	1736	63RD ST E	\$13,684.96	\$9,000.00
41	207245001010	MARC & KATHERINE PATTON	1887	59TH CT E	\$13,684.96	\$9,000.00
42	207245001020	NICOLE TAYLOR	1909	59TH CT E	\$13,684.96	\$9,000.00
43	207245001040	WALTER & LYNN TISCHLER	1921	59TH CT E	\$13,684.96	\$9,000.00
44	201450001030	MARK & KATHLEEN ANDREWS	1937	59TH CT E	\$13,684.96	\$9,000.00
45	207245001060	BRUCE & KELLY KAYSER	1953	59TH CT E	\$13,684.96	\$9,000.00
46	207245001070	MATTHEW & BRINN NITTI	1954	59TH CT E	\$13,684.96	\$9,000.00
47	207245001080	TERRY & SHERRI NELSON	1948	59TH CT E	\$13,684.96	\$9,000.00
48	207245001090	DENNIS & PATTY MCGRATH	1920	59TH CT E	\$13,684.96	\$9,000.00
49	207245001100	LUZ & BRIAN KANE	1896	59TH CT E	\$13,684.96	\$9,000.00
50	207245001110	EUGENE & KAREN TENNIS	1878	59TH CT E	\$13,684.96	\$9,000.00
51	200321083012	CITY OF INVER GROVE HEIGHTS			\$0.00	\$0.00
52	200050006010	CITY OF INVER GROVE HEIGHTS			\$61,674.87	\$61,674.87
<b>TOTAL</b>					<b>\$729,069.58</b>	<b>\$504,191.50</b>



12/1/15

**City Project No. 2016-09D  
60th Street Area Reconstruction**

City of Inver Grove Heights, MN



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.

**From:** Dee Zensen <[deewild100@yahoo.com](mailto:deewild100@yahoo.com)>

**Date:** January 18, 2016 at 7:05:36 PM CST

**To:** George Tourville <[gtourville@invergroveheights.org](mailto:gtourville@invergroveheights.org)>, Tom Bartholomew <[tbartholomew@invergroveheights.org](mailto:tbartholomew@invergroveheights.org)>, Rosemary Piekarski-Krech <[rpiekarskikrech@invergroveheights.org](mailto:rpiekarskikrech@invergroveheights.org)>, Jim Mueller <[jmueller@invergroveheights.org](mailto:jmueller@invergroveheights.org)>, "phark@invergroveheights.org" <[phark@invergroveheights.org](mailto:phark@invergroveheights.org)>

**Subject:** 60th Street Area Reconstruction project 2016-09D

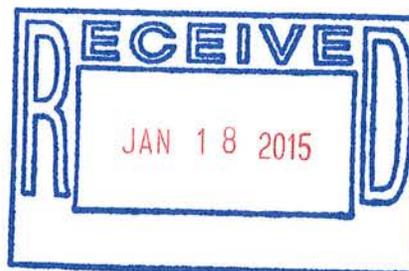
**Reply-To:** Dee Zensen <[deewild100@yahoo.com](mailto:deewild100@yahoo.com)>

Dear Mayor & City Council Members of Inver Grove Heights:

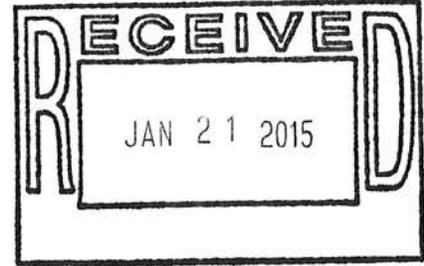
As residents on Asher Ave, we would like to voice our objection to the cost of the project of 60th Street Area Reconstruction project 1016-09D. Since we will be unable to attend future meetings on this project, we would like the record to show that we are objecting to the cost of this project. We are in communication with our neighbors as to how we as a group can hope to have a voice in this concern.

Thank you for your consideration.

John & Mary Zensen  
5970 Asher Ave  
Inver Grove Heights, MN 55077



January 19, 2016



The Honorable George Tourville, Mayor  
Council Member Rosemary Piekarski Krech  
Council Member Tom Bartholomew  
Council Member Jim Mueller  
Council Member Paul Hark  
c/o Steve Dodge, P. E., Assistant City Engineer  
City of Inver Grove Heights  
8150 Barbara Avenue  
Inver Grove Heights, Minnesota 55077

Dear Mr. Mayor and Council Members Piekarski Krech, Bartholomew, Mueller, and Hark:

We, the undersigned residents of 59th Court East, Inver Grove Heights, Minnesota, respectfully and collectively object to the approval of Project 2016-10 as outlined in said project's feasibility study submitted to council on December 14, 2015.

We briefly outline reasons for our objection to the reconstruction proposal currently under consideration as follows:

59th Court East has existed as a developed cul-de-sac since approximately 1986. Prior to that, the only home was the residence located at 1920. With the exception of the year 1991, when two homes were built simultaneously, one home was constructed on 59th Ct. E. in each of the following years: 1986, 1987, 1993, 1994, 1997, 1998, and 1999. In other words, our 30-year-old, ten-house cul-de-sac has been completely built out for less than 20 years. During that time, the only maintenance events known by current residents to have been performed on the street are a single crack repair and chip seal, occasional pothole fills, and a minor curb repair to level out the area leading up to the storm sewer.

Although the road surface shows definite signs of wear and is cosmetically unappealing, it is not excessively rugged when driving on it. Unfortunately, we have been told that our street is not a candidate for mill and overlay because the asphalt layer is not thick enough to allow for the removal of an appropriate amount of bituminous material, and the base/underlayment is of less than desirable quality. We requested, but were not provided with the exact thickness of the current asphalt on 59th Ct. E. The explanation for the inadequate asphalt layer was that the street was constructed according to "the standards at the time." Since we can cite numerous examples of streets in both Inver Grove Heights and neighboring cities that are similar in age and design and have had road repair completed with far less cost to the homeowners, we do not consider this to be a reasonable explanation as to why less costly repairs cannot be made to 59th Court East.

It is also our understanding that Inspector Nick Hahn has conducted a walk-around assessment of the curbs on all of the streets proposed for reconstruction. Although he noted 30-40% wear to our court's surmountable curb (the lowest percentage of wear in the project), we, the residents, feel the curbs are in acceptable condition, as we have noted no issues with regard to storm water runoff, standing water, or deterioration of the concrete curb material. One hundred percent of the homeowners on 59th Court East favor preserving or replacing the existing surmountable curb.

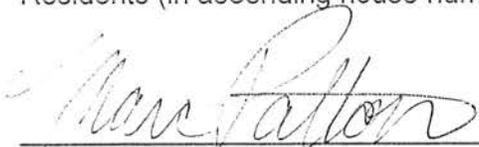
Furthermore, we strenuously object to the findings in the Benefit Appraisal Report prepared by Metzen Appraisals. We are aware that final determinations regarding individual assessments will be made only if the project is approved and submitted for bids. However, information provided in the sections titled "Project Area," "Effects of the Project," and "Single Family Homes" of said Benefit Appraisal Report does not accurately describe 59th Court East. Our street was not "originally developed in the early 1960's through the 1970's." Our cul-de-sac was constructed after the Starlight Hills plat was filed in November of 1983. As such, our street cannot be served by improvements that are "some sixty (60) years old." The single family homes on 59th Court E. were not "typically built in the 1950's to 1970's and range in values from low to mid 200,000 range." In fact, not a single house on our street meets both of those criteria. Therefore, the seven comparable sales referenced in the appraisal report do not accurately reflect the essence of the homes on 59th Court East with regard to age, style, value, location, or neighborhood setting. We cannot accept that the benefit to our properties could be "up to \$9,000" when our properties have not been accurately included in the analysis.

Finally, at the heart of our objection is the fact that we have not been made aware of another road improvement project that has required single-family homeowners to bear an assessment of \$9000. Rather, the street similar to ours (Cahill Court) that city staff suggested we visit in order to see how the proposed project would look upon completion, was fully reconstructed during the 65th Street Area Improvement Project (2012-09D) at a special assessment cost of \$4000 per home. The plat for Cahill Court (Valley View Point) was recorded more than 4 years after the plat for 59th Court East, and the first house wasn't constructed on Cahill Court until 1989, versus 1986 for 59th Court East. In addition, Cahill Court is located 1.2 miles south of 65th Street, while 59th Court E. is located only .6 miles north of 65th Street. Since 59th Court East is an older street and is located closer to the center of the 65th Street project, the logical conclusion for us is that our street should have been slated for improvement before Cahill Court and/or as part of the 65th Street project. Within this context, and given the fact that 59th Court East is a ten-parcel cul-de-sac with no through traffic, we feel that the projected cost of \$9000 per single-family home (225% of the special assessment charged to the residents of Cahill Court) is highly inequitable.

We thank you in advance for your thoughtful consideration of the information we have shared in this letter, and we look forward to the opportunity to further address our concerns at the public hearing for City Project 2016-09D on January 25, 2016.

Sincerely,

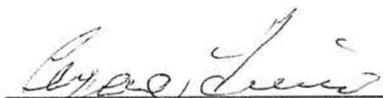
Residents (in ascending house number order) of 59th Court East, Inver Grove Heights, MN



Marc C. Patton  
1887 59th Court E. / PID 20-72450-01-010



Katherine M. Patton



Eugene T. Tennis  
1878 59th Court E. / PID 20-72450-01-110

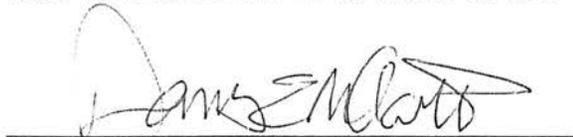


Karen J. Tennis

  
Luz M. Kane  
1896 59th Court E. / PID 20-72450-01-100

  
Brian J. Kane

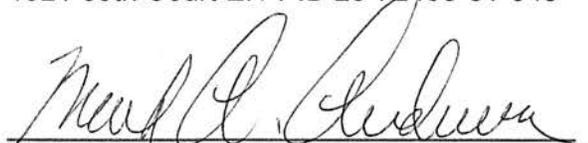
  
Nicole Lindsay Taylor  
1909 59th Court E. / PID 20-72450-01-020

  
Dennis E. McGrath  
1920 59th Court E. / PID 20-72450-01-090

  
Patty E. McGrath

  
Walter P. Tischler  
1921 59th Court E. / PID 20-72450-01-040

  
Lynn M. Tischler

  
Mark A. Andrews  
1937 59th Court E. / PID 20-14500-01-030

  
Kathleen R. Andrews

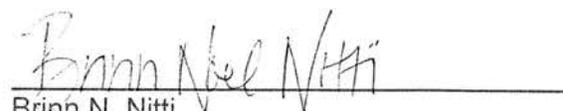
  
Terry A. Nelson  
1948 59th Court E. / PID 20-72450-01-080

  
Sherri K. Nelson

  
Bruce H. Kayser  
1953 59th Court E. / PID 20-72450-01-060

  
Kelly C. Kayser

  
Matthew J. Nitti  
1954 59th Court E. / PID 20-72450-01-070

  
Brinn N. Nitti

cc: Mayor Tourville and Council Members Piekarski Krech, Bartholomew, Mueller, and Hark

## CITY OF INVER GROVE HEIGHTS

## REQUEST FOR COUNCIL ACTION

---

**Continuation of Assessment Hearing for City Project No. 2009-01 – T.H. 3 and 80<sup>th</sup> Street/Amana Trail/County Road 28 Intersection Improvements**

Meeting Date: January 25, 2016  
 Item Type: Assessment Hearing  
 Contact: Scott D. Thureen, 651.450.2571  
 Prepared by: Scott Thureen, Public Works Director  
 Reviewed by: *SDT*

**Fiscal/FTE Impact:**

<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>	Other: Special Assessments, State Aid Funds, Dakota County

**PURPOSE/ACTION REQUESTED**

Continuation of Assessment Hearing for City Project No. 2009-01 – T.H. 3 and 80<sup>th</sup> Street/Amana Trail/County Road 28 Intersection Improvements.

**SUMMARY**

The public hearing was opened on October 26, 2015 following a staff presentation concerning the history of the process to arrive at the proposed final assessment roll.

The public testimony involved comments from seven property owners of the east side of T.H. 3. The concerns raised included:

- the assessment amounts were too high
- the long period of time between project completion and the assessment hearing
- disagreement with the method of spreading this assessment (future land use and the associated vehicular trip generation)
- development density assumptions tied to the future land use
- lack of benefit analysis

Subsequent to the October 26th meeting, staff requested an opinion from Metzen Appraisals concerning the proposed final assessment roll. They indicated that, based on the future land use, the proposed assessments were reasonable.

Based on additional input from members of the Council, staff prepared a revised proposed final assessment roll that was introduced at the November 23, 2015 continuation of the assessment hearing. This roll assumes the total amount to be assessed to the parcels on the east side of T.H. 3 is reduced from \$381,585.36 to \$147,741.52 (with Municipal State Aid funds covering the difference). The revised total is spread on an area basis.

Staff still recommends that this revised assessment be deferred as follows:

1. The deferment shall cease upon the occurrence of any of the following events or dates, whichever occurs first:
  - a) the property is platted and a final plat is recorded; or
  - b) the property is subdivided within the meaning of Minn. Stat. § 462.352, Subd. 12 provided, however, the term subdivision shall not include any parcels that are created by way of any of the following future transfers from the current owner of the Property as of the date of this Resolution and Certificate:
    - Transfers during the life of the current owner to any family members of the current owner;
    - Transfers during the life of the current owner to any trust created by the current owner or to any trust controlled by the current owner or to any trust for the benefit of any family members of the current owner;

- Transfers upon death of the current owner to any family members of the current owner;
  - Transfers upon death of the current owner to any trust for the benefit of any family members of the current owner; or
- c) The date of January 1, 2040 is reached.
2. If the deferment ceases because the Property either (a) has been platted and a final plat has been recorded or (b) has been subdivided within the meaning of Minn. Stat. § 462.352, Subd. 12, the deferred amount shall become payable and shall be collected pursuant to the following terms and conditions:
- a) The principal amount previously deferred shall begin to accrue interest at the rate of 4.8% from January 1 of the year following the date the deferment ceased. The interest rate shall be 4.8% on the unpaid principal balance.
  - b) The principal amount previously deferred shall be payable in five (5) equal annual principal installments beginning in the calendar year following the date the deferments ceased.
  - c) The principal installments, together with accrued interest on the unpaid principal balance, shall be due and payable with real estate taxes over five (5) calendar years. The first calendar year for payment shall be the calendar year that follows the year when the deferment ceased.
3. If the deferment ceases because the date of January 1, 2040 has been reached, the deferred amount shall become payable and shall be collected pursuant to the following terms and conditions:
- a) The principal amount previously deferred shall begin to accrue interest at the rate of 4.8% from January 1, 2040. The interest rate shall be 4.8% on the unpaid principal balance.
  - b) The principal amount previously deferred shall be payable in five (5) equal annual principal installments beginning in 2040.
  - c) The principal installments, together with accrued interest on the unpaid principal balance, shall be due and payable with real estate taxes over five (5) calendar years. The first calendar year for payment shall be 2040.

Following discussions concerning the revised proposed assessment roll, the Council continued the assessment hearing to January 25, 2016 and directed staff to schedule another information meeting to present the revised proposed assessment roll. That meeting was held on January 14, 2016. It was attended by two property owners and their consultant. They indicated that they would be providing a written request for a reduction in the revised proposed assessment for each of their parcels. That email request is included as an attachment. They are requesting that the revised proposed assessments be reduced further; from \$18,000 to \$6,000 for parcel 20-00800-53-010 and from \$30,000 to \$6,000 for parcel 20-00800-50-010.

Copies of emails or letters received since the November 23, 2015 meeting are attached, including objection letters from the owners of 20-00800-53-010 and 20-00800-50-010.

The agenda item includes a template for a deferment resolution that does not include the date of the assessment or the amount. If the revised proposed assessment roll is adopted, the assessment amounts listed will be inserted in the deferment resolutions.

I recommend that the Council approve the resolution adopting the revised proposed assessment roll (for a total of \$547,741.52) and the deferment as described in this agenda item (including use of the deferment template resolution).

SDT/kf

Attachments: Revised proposed assessment roll and parcel map  
 Resolution adopting assessment roll  
 Template resolution for assessment deferment  
 Emails and letters received since November 23, 2015, including letters of objection to the assessment amount for 20-00800-53-010 and 20-00800-50-010

CITY PROJECT NO. 2009-01 - TH 3 AND 80TH STREET/CR 28 INTERSECTION IMPROVEMENTS

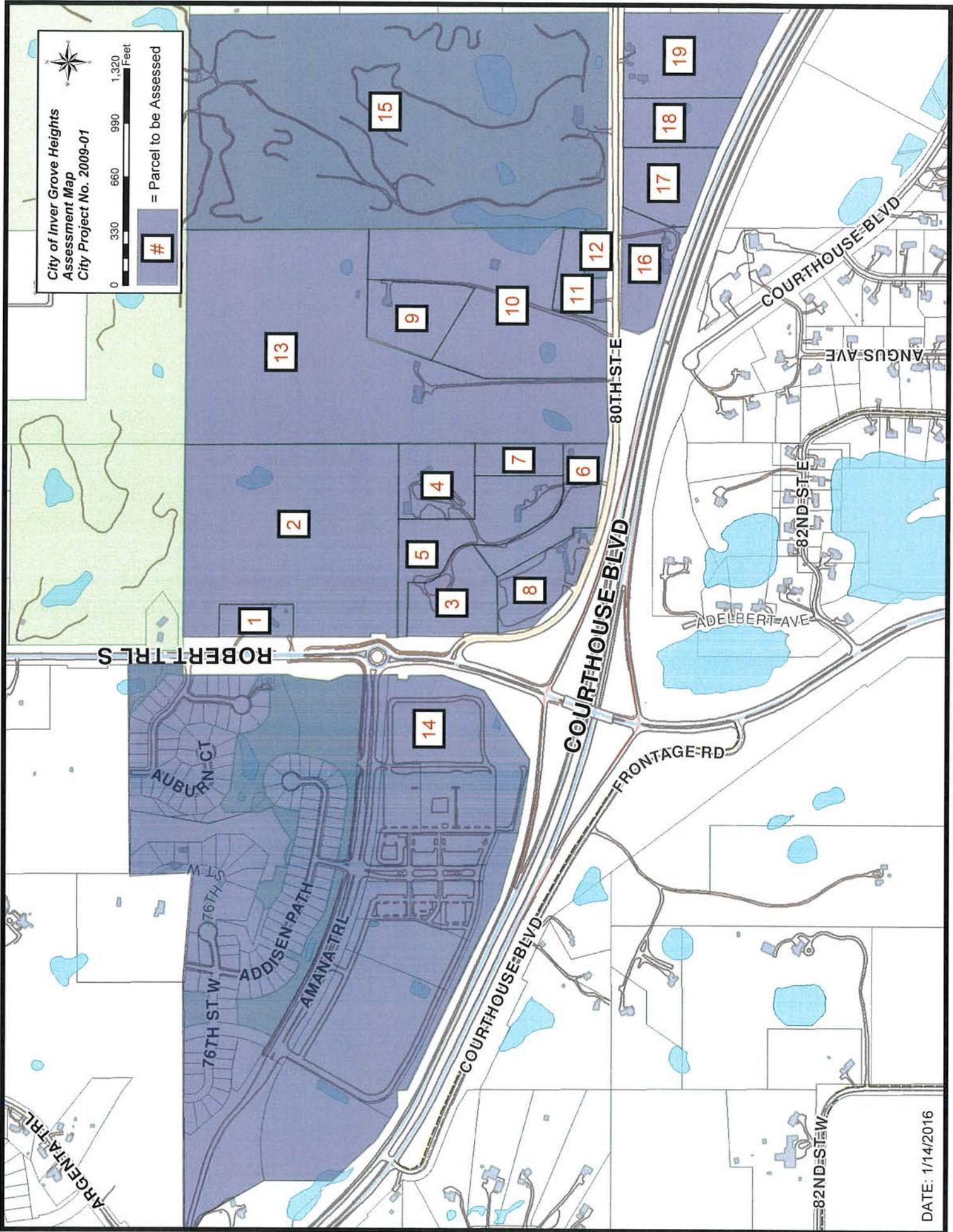
PROPOSED FINAL ASSESSMENT ROLL

MAP NO.	PID NO.	OWNER NAME	HOUSE NO.	STREET NAME	Previous Proposed Final Assessment	Revised Final Assessment
1	200080052010	MICHELLE BONIN	7884	ROBERT TRL S	\$ 2,290.70	\$ 1,285.24
2	200080053010	JOHN & CHRISTINE O'SHAUGHNESSY			\$ 29,609.00	\$ 18,727.80
3	200080054015	JAMES & APRIL CORNIEA	1125	80TH ST E	\$ 36,390.90	\$ 3,366.10
4	200080054012	JAMES HANSON	1215	80TH ST E	\$ 7,971.70	\$ 2,142.06
5	200080054014	ALFRED WILLENBRING	1225	80TH ST E	\$ 45,990.64	\$ 4,253.54
6	200080054013	ALFRED WILLENBRING	1185	80TH ST E	\$ 31,100.10	\$ 2,876.48
7	200080055040	DAKOTA COUNTY	1375	80TH ST E	\$ 1,579.60	\$ 734.42
8	200080055021	ROGER & SHERYL ANN ESPESETH	1181	80TH ST E	\$ 30,440.60	\$ 2,815.28
9	200080051014	ANTHONY & JEANNE ABBOTT	1401	80TH ST E	\$ 4,179.24	\$ 3,151.90
10	200080051013	SI LLC			\$ 16,290.70	\$ 12,301.60
11	200080051012	KURT RECHTZIGEL	1407	80TH ST E	\$ 2,315.94	\$ 1,744.26
12	200080051020	CITY OF INVER GROVE HEIGHTS	1467	80TH ST E	\$ 808.20	\$ 612.02
13	200080050010	JOHN J & MARY MALENSEK & JOHN M MALENSEK	1183	80TH ST E	\$ 44,979.82	\$ 30,270.50
14	201205501010	TARGET CORPORATION	7841	AMANA TRL	\$ 400,000.00	\$ 400,000.00
15	200080079010	CITY OF INVER GROVE HEIGHTS	1597	80TH ST E	\$ 42,109.28	\$ 48,129.24
16	200170026010	G PATRICK WISTL	1462	80TH ST E	\$ 16,591.62	\$ 2,974.42
17	200170005013	PAT WISTL	1462	80TH ST E	\$ 17,887.08	\$ 3,206.98
18	200170005014	INVER GROVE LAND LLC	1620	80TH ST E	\$ 15,839.28	\$ 2,839.76
19	200170005011	BERNADINE GORDON	1714	80TH ST E	\$ 35,210.96	\$ 6,309.92
					\$ 781,585.36	\$ 547,741.52

City of Inver Grove Heights  
Assessment Map  
City Project No. 2009-01



# = Parcel to be Assessed



DATE: 1/14/2016

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION ADOPTING FINAL ASSESSMENT ROLL FOR CITY PROJECT NO. 2009-01 –  
TRUNK HIGHWAY 3 AND 80<sup>TH</sup> STREET /AMANA TRAIL (CSAH 28) INTERSECTION  
IMPROVEMENTS**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, pursuant to proper notice duly given as required by law, the Council has met, heard and passed upon all objections to the proposed assessments for the improvements on City Project No. 2009-01 - Trunk Highway 3 and 80<sup>th</sup> Street /Amana Trail (CSAH 28) Intersection Improvements (the Project).

**WHEREAS**, the Project included construction of a roundabout at the location of Trunk Highway 3 and future 80<sup>th</sup> Street / Amana Trail and improvements to Trunk Highway 3 north and south of the intersection.

**WHEREAS**, the area of the Project improvements was Amana Trail from 230 feet west of South Robert Trail to South Robert Trail, South Robert Trail from 90 feet south of 80<sup>th</sup> Street East to 618 feet north of Amana Trail and 80<sup>th</sup> Street East from South Robert Trail to 56 feet east of South Robert Trail.

**WHEREAS**, the proposed special assessments against the benefitted properties are shown on the attached Exhibit A – Special Assessment Roll.

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

1. Such proposed special assessments, a copy of which is attached hereto as Exhibit A – Special Assessment Roll and made a part hereof, are hereby levied, approved and accepted and shall constitute the special assessments against the lands identified on Exhibit A, and each tract of land therein included is hereby found to be benefitted by the proposed assessment levied against it.
2. Such special assessment shall be payable in equal principal installments extending over a period of ten (10) years, together with interest on the unpaid principal balance. The interest rate is 4.8% per year. The first of the installments shall be payable on or before the first Monday in January 2017, and shall bear interest at the rate of 4.8% per year from and after January 25, 2016. To the first installment shall be added interest for one year on all unpaid installments plus any interest accruing from the date of January 25, 2016.
3. The owner of any property, so assessed, may at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within thirty days from the adoption of this resolution.

The owner may, at any time thereafter, pay to the County Treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the next succeeding year.

4. The Clerk, shall, forthwith, transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County, and such assessments shall be collected and paid over the same manner as other municipal taxes.

Adopted by the City Council of Inver Grove Heights, Minnesota this 25th day of January 2016

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

**EXHIBIT A**

**FINAL ASSESSMENT ROLL**

**CITY PROJECT 2009-01**

**TRUNK HIGHWAY 3 AND 80<sup>TH</sup> STREET /AMANA TRAIL (CSAH 28)  
INTERSECTION IMPROVEMENTS**

200080052010	\$1,285.24
200080053010	\$18,727.80
200080054015	\$3,366.10
200080054012	\$2,142.06
200080054014	\$4,253.54
200080054013	\$2,876.48
200080055040	\$734.42
200080055021	\$2,815.28
200080051014	\$3,151.90
200080051013	\$12,301.60
200080051012	\$1,744.26
200080051020	\$612.02
200080050010	\$30,270.50
201205501010	\$400,000.00
200080079010	\$48,129.24
200170026010	\$2,974.42
200170005013	\$3,206.98
200170005014	\$2,839.76
200170005011	\$6,309.92

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AND CERTIFICATE PURSUANT TO  
MINNESOTA STATUTES § 429.061, SUBD. 2,  
MEMORIALIZING DEFERMENT OF SPECIAL ASSESSMENT  
BY THE CITY OF INVER GROVE HEIGHTS FOR PROPERTY  
OWNED BY \_\_\_\_\_**

**WHEREAS,** \_\_\_\_\_, a \_\_\_\_\_ person, owns certain real property situated in the City of Inver Grove Heights, County of Dakota, State of Minnesota, addressed as \_\_\_\_\_, Inver Grove Heights, MN 55077, and identified as Dakota County Property Tax Parcel Number \_\_\_\_\_ and legally described as shown in Exhibit A attached hereto (the "Property").

**WHEREAS,** on July 28, 2008 the City of Inver Grove Heights (hereinafter referred to as the "City") ordered City Project No. 2009-01 – Trunk Highway 3 and 80<sup>th</sup> Street /Amana Trail (CSAH 28) Intersection Improvements (the "Project") by way of Resolution No. 08-176.

**WHEREAS,** the Project included construction of a roundabout at the location of Trunk Highway 3 and future 80<sup>th</sup> Street / Amana Trail and improvements to Trunk Highway 3 north and south of the intersection.

**WHEREAS,** the area of the Project improvements was Amana Trail from 230 feet west of South Robert Trail to South Robert Trail, South Robert Trail from 90 feet south of 80<sup>th</sup> Street East to 618 feet north of Amana Trail and 80<sup>th</sup> Street East from South Robert Trail to 56 feet east of South Robert Trail.

**WHEREAS,** construction of the Project is complete. The total cost for the Project improvements is \$1,422,207.59. The total amount to be specially assessed for the Project is \$547,741.52.

**WHEREAS**, on January 25, 2016 by Resolution No. [REDACTED], the City levied a \$ [REDACTED] principal special assessment against the Property for the benefit received from the Project, together with interest at the rate of 4.8%.

**WHEREAS**, the Property has the possibility to be platted, subdivided and further improved.

**WHEREAS**, the City has determined to defer \$ [REDACTED] of the total principal special assessment of \$ [REDACTED], together with a deferment of interest, pursuant to the terms of the deferral described below.

**WHEREAS**, Minnesota Statutes § 429.061, Subd. 2, provides a procedure whereby a city may levy special assessments against benefited property, but defer payment of certain amounts of special assessments because the Property is unimproved and can be further platted, subdivided and improved.

**WHEREAS**, Minnesota Statutes § 429.061, Subd. 2 specifically provides that if special assessments have been deferred, then the City shall record with the county recorder a certificate containing the legal description of the affected property and the amount of the deferred special assessment.

**NOW THEREFORE**, the City Council of Inver Grove Heights does hereby resolve, certify and memorialize for recording the following:

1. Upon due notice and after hearing, on January 25, 2016, the City Council, acting pursuant to Minnesota Statutes Chapter 429, levied a special assessment for the City's Project No. 2009-01 – Trunk Highway 3 and 80<sup>th</sup> Street /Amana Trail (CSAH 28) Intersection Improvements, in the original principal amount of \$ [REDACTED] against benefited property, addressed as [REDACTED], Inver Grove Heights, MN 55077 and identified as Dakota County Property Tax Parcel Number [REDACTED] and legally described in Exhibit A, which is attached hereto and made a part hereof (herein referred to as the "Property").
2. The Council determines that the Property is unimproved within the meaning of Minn. Stat. § 429.061, Subd. 2 and that the assessments are subject to the deferral.
3. Contemporaneous with the special assessment levy of \$ [REDACTED], the City Council does hereby defer payment of \$ [REDACTED] of the principal special assessment, together with interest, pursuant to the following terms and conditions:
  - a. The principal amount of \$ [REDACTED] is hereby deferred. This deferred amount shall not accrue interest during the deferral period.
  - b. The deferment shall cease upon the occurrence of any of the following events or dates, whichever occurs first:

- i. The Property is platted and a final plat is recorded; or
  - ii. The Property is subdivided within the meaning of Minn. Stat. § 462.352, Subd. 12 provided, however, the term subdivision shall not include any parcels that are created by way of any of the following future transfers from the current owner of the Property as of the date of this Resolution and Certificate:
    - Transfers during the life of the current owner to any family members of the current owner;
    - Transfers during the life of the current owner to any trust created by the current owner or to any trust controlled by the current owner or to any trust for the benefit of any family members of the current owner;
    - Transfers upon death of the current owner to any family members of the current owner;
    - Transfers upon death of the current owner to any trust for the benefit of any family members of the current owner; or
  - iii. The date of January 1, 2040 is reached.
4. If the deferment ceases because the Property either (i) has been platted and a final plat has been recorded or (ii) has been subdivided within the meaning of Minn. Stat. § 462.352, Subd. 12, the deferred amount shall become payable and shall be collected pursuant to the following terms and conditions:
  - a. The principal amount previously deferred shall begin to accrue interest at the rate of 4.8% from January 1 of the year following the date the deferment ceased. The interest rate shall be 4.8% on the unpaid principal balance.
  - b. The principal amount previously deferred shall be payable in five (5) equal annual principal installments beginning in the calendar year following the date the deferment ceased.
  - c. The principal installments, together with accrued interest on the unpaid principal balance, shall be due and payable with real estate taxes over five (5) calendar years. The first calendar year for payment shall be the calendar year that follows the year when the deferment ceased.
5. If the deferment ceases because the date of January 1, 2040 has been reached, the deferred amount shall become payable and shall be collected pursuant to the following terms and conditions:
  - a. The principal amount previously deferred shall begin to accrue interest at the rate of 4.8% from January 1, 2040. The interest rate shall be 4.8% on the unpaid principal balance.

- b. The principal amount previously deferred shall be payable in five (5) equal annual principal installments beginning in 2040.
- c. The principal installments, together with accrued interest on the unpaid principal balance, shall be due and payable with real estate taxes over five (5) calendar years. The first calendar year for payment shall be 2040.

Pursuant to Minnesota Statutes § 429.061, Subd. 2, this Resolution and Certificate shall be recorded with the Dakota County Recorder.

Passed this 25<sup>th</sup> day of January, 2016.

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Michelle Tesser, City Clerk

**This instrument was 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**  
**LEGAL DESCRIPTION OF PROPERTY**

Real Property located in the City of Inver Grove Heights, Dakota County, Minnesota,  
described as follows:

**[to be inserted]**

## Scott Thureen

---

**From:** Christine O'Shaughnessy [ctos@cloud7.org]  
**Sent:** Monday, January 18, 2016 10:44 PM  
**To:** Scott Thureen  
**Cc:** CenturyLink Customer  
**Subject:** Roundabout Assessment

Scott,

We believe that the assessment as now calculated based on land area only results in an unfair result for two reasons. First of all, it ignores the topography, wetlands, basins and ponding requirements to handle not only stormwater but also run off from the golf course. All of these greatly diminish the amount of developable property on our parcels. While we have the largest land mass, the actual amount of developable property is greatly reduced given our property's unique topographical features and water management requirements. Without a proper consideration of these items, the assessments are grossly overstated for our land.

Secondly, the assessment as now calculated based on land area only ignores the property type. As a result, the residential property owners are now bearing the brunt of the assessment while the commercial parcels are paying substantially less. The O'Shaughnessys and the Malenseks are being assessed \$18K and \$30K respectively, whereas the highest commercial property on the East is only being assessed only \$6K! Commercial property benefits substantially more from infrastructure improvements and yields significantly higher proceeds from sale, and we feel strongly that neither of our assessments should be higher than \$6K.

Please adjust our assessments so that we are not bearing the brunt of the improvement, especially given the unique topography of our parcels. An assessment of \$6K for each of our parcels is more fair and reasonable. It is unfair for us to have to carry the load of that improvement.

We have preserved our right to appeal and plan to take action to right this imbalance.

Thank you,

Christine

Christine O'Shaughnessy  
[ctos@cloud7.org](mailto:ctos@cloud7.org)

Christine O'Shaughnessy

1592 Ashbury Place Eagan Minnesota 55122



November 20, 2015

**Scott Thureen**

Public Works Director

8150 Barbara Ave

Inver Grove Heights, MN 55077

RE: CITY PROJECT NO. 2009-01

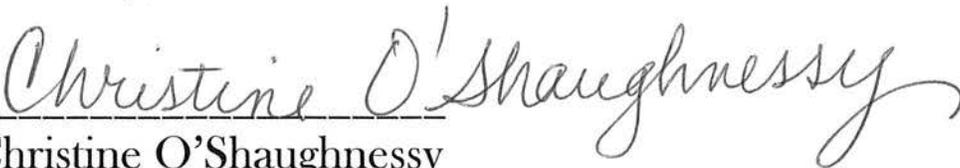
Special Assessment for the T.H. 3 and 80<sup>th</sup> Street/County Road 28  
Intersection

O'Shaughnessy Parcel PID 200080053010

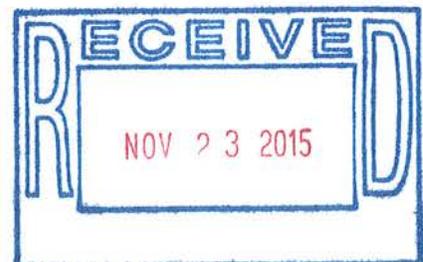
Dear Mr. Thureen,

We object to the roundabout assessment and wish to preserve our right to  
appeal.

Sincerely,



Christine O'Shaughnessy



John and Mary Ann Malensek

PO Box 2583 Inver Grove Heights Minnesota 55076



November 20, 2015

**Scott Thureen**

Public Works Director

8150 Barbara Ave

Inver Grove Heights, MN 55077

**RE: CITY PROJECT NO. 2009-01**

Special Assessment for the T.H. 3 and 80<sup>th</sup> Street/County Road 28  
Intersection

Malensek Parcel PID 200080050010

Dear Mr. Thureen,

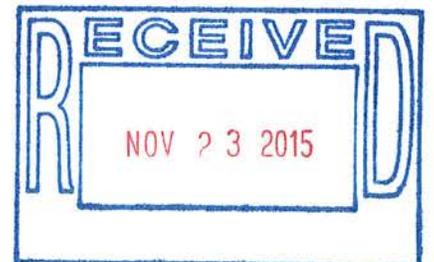
We object to the roundabout assessment and wish to preserve our right to appeal.

Sincerely,

John J. Malensek

Mary Ann Malensek

John M. Malensek



**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**BLACKSTONE HIGHLANDS**

Meeting Date: January 25, 2016  
 Item Type: Regular Agenda  
 Contact: Allan Hunting 651.450.2554  
 Prepared by: Allan Hunting, City Planner  
 Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Consider the following requests for property located south of 70<sup>th</sup> Street, just east of Blackstone Vista;

- a) A Resolution relating to a Comprehensive Plan Amendment to change the land use designation from MDR, Medium Density Residential to LDR-NWAPUD, Low Density Residential Northwest Area PUD.
  - Requires 4/5th's vote.
  
- b) An Ordinance Rezoning of the property from A, Agricultural to R-1C/PUD, Single Family Residential District.
  
- c) A Resolution relating to a Preliminary Plat and Preliminary PUD Development Plan for Blackstone Highlands.
  - b) and c) Requires 3/5th's vote.
  - 60-day deadline: January 29, 2016 (first 60 days)

**SUMMARY**

The applicant is proposing to develop a 15 acre parcel into a 40 lot single family development to be known as Blackstone Highlands. Access to the development would be via the street system in Blackstone Vista. Lot sizes would be similar to those in Vista and Blackstone Ridge.

**ANALYSIS**

Comprehensive Plan Amendment:

- The change is similar to the recently approved Mihm Custom Homes application where the change is a continuation of single family from adjacent property. The reduction in units and development fees will be addressed in the development agreement that will be part of the final plat. Staff supports the land use change.

Rezoning:

- The requested rezoning would be consistent with the proposed comprehensive plan designation for the property. The project complies with minimum and maximum densities as regulated in the Northwest Area Overlay District.

Preliminary Plat:

- The preliminary plat consists of 40 single family lots and three outlots. Outlots A and B are for storm water purposes and would remain in private ownership. Outlot C has the potential for future development along with the parcel to the north abutting 70<sup>th</sup>.

Preliminary PUD Development Plan:

- Applicant is requesting flexibility from code requirements for;
  - a) separation between single family homes,
  - b) total impervious surface coverage to 32% to allow for more coverage on the individual lots,
  - c) driveway width without the need for porous pavement,
  - d) requesting flexibility from open space requirements to allow less total open space, undisturbed open space and contiguous open space.

Based on the analysis in the planning report, staff supports these flexibility requests.

**RECOMMENDATION**

Planning Staff. Recommends approval of the comp plan amendment to the LDR-NWAPUD, rezoning and preliminary plat/preliminary PUD development plans with the conditions listed in the attached resolution

Planning Commission. Planning Commission recommended approval of the requests (8-0).

Attachments: Resolution Approving Comprehensive Plan Amendment  
Rezoning Ordinance  
Resolution Approving the Preliminary Plat and Preliminary PUD Development Plan  
Planning Commission Recommendation  
Planning Report

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A COMPREHENSIVE PLAN AMENDMENT TO CHANGE  
THE LAND USE DESIGNATION FOR THE PROPERTY DESCRIBED BELOW FROM  
MDR, MEDIUM DENSITY RESIDENTIAL TO LDR-NWAPUD, LOW DENSITY  
RESIDENTIAL, NORTHWEST AREA PUD**

**CASE NO. 15-38PUD)**

**WHEREAS**, an application has been submitted for property legally described as;

**The West 620.15 feet of the Northeast ¼ of the Northwest ¼ in Section 7, Township  
27, Range 22, EXCEPT the West 471 feet of the North 350 feet thereof, 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 January 5th, 2016, in accordance with City Code Title 10, Chapter 3, Section 10-3-5, D;

**WHEREAS**, the change to the Comprehensive 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 Amendment to change the land use designation to LDR-NWAPUD, Low Density Residential, Northwest Area PUD is hereby approved 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.

Adopted by the City Council of Inver Grove Heights on this \_\_\_\_ day of \_\_\_\_\_, 2016.

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. 15-38PUD  
(Blackstone Highlands)**

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 A, Agricultural to R-1C/Planned Unit Development, to wit:

**The West 620.15 feet of the Northeast ¼ of the Northwest ¼ in Section 7,  
Township 27, Range 22, EXCEPT the West 471 feet of the North 350 feet  
thereof, 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.

Ordinance No. \_\_\_\_\_  
Page 2

Enacted and ordained into an Ordinance this 25th day of January, 2016.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A PRELIMINARY PLAT AND PRELIMINARY PUD  
DEVELOPMENT PLAN CONSISTING OF 40 SINGLE FAMILY LOTS AND THREE (3)  
OUTLOTS FOR THE PLANNED DEVELOPMENT TO BE KNOWN AS BLACKSTONE  
HIGHLANDS**

**CASE NO. 15-38PUD**

**WHEREAS**, a preliminary plat and preliminary PUD development plan application has been submitted to the City for property legally described as;

**The West 620.15 feet of the Northeast ¼ of the Northwest ¼ in Section 7, Township 27, Range 22, EXCEPT the West 471 feet of the North 350 feet thereof, Dakota County, Minnesota**

**WHEREAS**, a public hearing concerning the preliminary plat and preliminary PUD development plan was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on January 5th, 2016;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that**, the Preliminary Plat and Preliminary PUD development plan for the planned development of Blackstone Highlands is hereby approved subject to the following conditions:

1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	12/28/15
Preliminary Site Plan/Open Space Plan	12/28/15
Sign and Lighting Plan	6/22/15
Preliminary Street Plan (4 sheets)	6/22/15
Preliminary Sanitary and Watermain Plan (9 sheets)	6/22/15
Preliminary Grading Plan	6/22/15
Preliminary Erosion Control Plan	6/22/15
Preliminary Tree Survey	12/28/15

Preliminary Landscape Plan

12/29/15

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space shall be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the use of the open space.
5. The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. This provides identification for future land owners to know boundaries of the open space areas. The final PUD plans must show the location of the marker posts.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All plans shall be subject to the review and approval of the Fire Marshal.
8. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Storm Water Facilities Maintenance Agreement with the City whereby the developer shall be responsible for the maintenance of storm water improvements on such lots.
9. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
10. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing. Final details of the amounts to be paid shall be part of the final PUD plan review.
11. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council
Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department

Location of Conservation Easement and Open Space	City Council
--	--------------

12. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
13. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
14. The following documents shall be recorded when the plat is recorded:
  - Development Contract;
  - Storm Water Facilities Maintenance Agreement;
  - Acknowledgement of PUD Zoning.
15. Prior to City Council review of the final PUD development plans, the Developer must respond to all of the comments of the City Engineer memo dated 12-15-15, Barr Engineering memo dated 12-16-15 and Kimley-Horn memo dated 12-14-15.
16. Street lighting shall be required along all public streets. The street lighting plans shall be approved by the City prior to installation.
17. A trail segment shall be required through Outlot C to provide a continuation of the trail link to the regional trail in Blackstone Vista.

Passed this 25th day of January, 2016.

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:** January 5, 2016  
**SUBJECT:** **BLACKSTONE HIGHLANDS (DAN SCHMIDT) – CASE NO. 15-38PUD**

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a comprehensive plan amendment to change the land use designation from MDR, Medium Density Residential to LDR, Low Density Residential, a rezoning of the property to R-1C/PUD in the Northwest Area Planned Unit Development, and a preliminary plat and a preliminary PUD development plan for a 40 lot, three outlot single-family subdivision to be known as Blackstone Highlands, for the property located south of 70<sup>th</sup> Street, just east of Blackstone Vista. 12 notices were mailed.

**Presentation of Request**

Mr. Hunting explained the request as detailed in the report. He advised that the applicant is proposing a 40 lot, three outlot single-family subdivision. The project would be an extension of Blackstone Vista and would utilize the street stubs, extending 71<sup>st</sup> Street to the east. A comprehensive plan amendment is being requested to change the land use designation from MDR, Medium Density Residential to LDR, Low Density Residential, similar to the recently approved Mihm Custom Homes request. Staff recommends the property be changed to LDR/NWAPUD. The trunk sewer and water would follow the 71<sup>st</sup> Street extension and eventually head north to Blackstone Ridge. The lots would range from 7,600 to 21,000 square feet in size. The majority of lot widths are approximately 65 feet wide, with 80 foot corner lots. The Park Plan does not identify a need for a park in this general area and the Parks Director therefore is recommending cash contribution. The site plan identifies sidewalks along all public streets and a trail through Outlot A to provide connection to a trail segment in Blackstone Vista. Staff is recommending that a trail also be extended through Outlot C. Engineering is comfortable with allowing 32% impervious surface. The applicant is requesting flexibility to allow for the following: 1) building separation from 20 feet down to 15 feet, 2) impervious surface up to 32%, 3) standard width driveways without the need for porous pavement, and 4) flexibility from open space requirements to allow for less total open space, undisturbed open space, and contiguous open space. Staff recommends approval of the request and the flexibility as proposed, with the conditions listed in the report.

Commissioner Klein asked how many houses total were proposed in Blackstone Vista and Blackstone Highlands.

Mr. Hunting replied 118 houses total; 78 in Vista and 40 in Highlands.

Commissioner Klein questioned why there was no provision for a small tot lot.

Mr. Hunting replied that the City's approved park plan provides for larger scale parks rather than small pocket parks.

Commissioner Robertson stated she would like to see the park plan, noting that cash contributions have been recommended for all the Blackstone phases.

Mr. Hunting advised that he did not have the park plan with him tonight but could bring it to the next Planning Commission meeting.

Commissioner Wippermann questioned why this phase was not planned at the same time as Blackstone Vista, stating the larger the piece the more ability they would have to meet all the guidelines and the less need they would have for flexibility.

Mr. Hunting replied that staff addressed the phases as they received them.

Commissioner Wippermann asked if any homes had been built yet in Blackstone Vista.

Mr. Hunting replied at least one home had already been built.

Commissioner Simon asked how staff could state there were no known issues with the driveway flexibility granted in the previous Blackstone developments when only one house and one road was built.

Mr. Hunting replied that, as with all developments, the runoff from the proposed impervious surface had already been factored into the stormwater design.

Chair Maggi asked if staff knew of another development in the City with an impervious surface total as high as 32%.

Mr. Hunting replied he did not know of any offhand, stating that overall impervious surface maximums were only a requirement of developments in the Northwest Area and not in developments elsewhere in the City.

Commissioner Niemioja asked if Council's approval of the Mihm application was based mostly on demand in the housing market.

Mr. Hunting replied he believed it was based on the current housing market, the development pattern, and what had previously been approved.

Commissioner Simon asked what the overall impervious surface percentage was in the Argenta Hills development.

Mr. Hunting replied he was unsure of the overall amount, but each phase would have been reviewed to make sure the percentages were still where they were supposed to be and that the stormwater design could address what was being proposed.

Commissioner Simon stated it would be interesting to figure out what the total was of the Argenta Hills residential portion as it would be similar in size to the Blackstone developments. She asked who was responsible for installing the trunk line on 71<sup>st</sup> Street.

Mr. Hunting replied it was a City project.

Commissioner Simon asked if the City installed the trunk line in Vista as well.

Mr. Hunting replied that the City installed the line from Argenta Trail just into the Vista development; the developer did the rest.

Commissioner Gooch asked for clarification of the proposed 15 foot side yard setback.

Mr. Hunting replied it would be the same as the standard setback for the rest of the City – ten feet on the house side and five feet on the garage side.

Commissioner Gooch asked how they would treat a garage with a family room behind it.

Mr. Hunting replied that would need a ten foot setback.

#### **Opening of Public Hearing**

There was no public testimony.

Chair Maggi closed the public hearing.

#### **Planning Commission Discussion**

Commissioner Niemioja stated she did not believe it was within the Planning Commission's purview to base their recommendation on housing demand as much as looking at the principles of the comprehensive plan. She felt if Commissioners recommended approval of the request they needed to justify that decision to everyone in the community that would be affected by the minimization of rooftops, including retailers. She was concerned about continually changing medium density housing areas to low density, stating it resulted in less housing diversity which may someday catch up to us. She felt they were creating potential problems for residents who one day may want to transition from single family home to a more affordable housing situation. Regardless of how Council voted on the Mihm application, Commissioner Niemioja questioned how the Planning Commission could justify supporting this request based on the principles of the comprehensive plan.

Commissioner Robertson advised that she had the opportunity to see the City Council discussion related to Mihm and the impacts of the trend from MDR to LDR. Her understanding of the comments was that City Council did not base their decision solely on today's market. She stated that in addition to housing diversity, they should talk about diversity in terms of employment opportunities. She stated currently the job opportunities in Inver Grove Heights were not very diverse and, with that in mind, she was less inclined to be opposed to changing to low density if it resulted in bringing in families who could support a diverse range of restaurants, employment opportunities, and retail.

Commissioner Scales believed the City should follow the market, stating you cannot make a property be something if the market does not want it. He stated that many years ago there was a time when the City tried to limit what was being done and it resulted in developers going elsewhere.

Commissioner Klein noted that one of the reasons Eagan developed faster was because of its flat topography and the fact that it was difficult to put water and sewer in the rolling hills of Inver Grove Heights. He stated Inver Grove Heights now has a good road system, a good location, houses are being built, and developers are now interested in coming in.

Commissioner Niemioja agreed that the market was relevant, but questioned how the Planning Commission could support this and the principles guiding the comprehensive plan as well.

Commissioner Robertson stated it was her understanding that the comprehensive plan was not necessarily fixed but rather was designed to be somewhat fluid and flexible based on the needs that may arise.

Commissioner Scales agreed, stating it was a living breathing document that the City regularly changes and it should be used as such.

Commissioner Gooch stated high density residential was planned for the intersection of 70<sup>th</sup> Street and South Robert Trail, which he felt was an area better suited for multi-family housing than the subject property being discussed tonight. If requests come in the future for the 70<sup>th</sup> Street/Robert Trail intersection he recommended the Commission be rigid on retaining that area as high density.

#### **Planning Commission Recommendation**

Motion by Commissioner Klein, second by Commissioner Scales, to approve the request for a comprehensive plan amendment to change the land use designation from MDR, Medium Density Residential to LDR, Low Density Residential, for the property located south of 70<sup>th</sup> Street, just east of Blackstone Vista, with the conditions listed in the report.

Motion carried (8/0).

Motion by Commissioner Klein, second by Commissioner Robertson, to approve the request for a rezoning of the property from A, Agriculture to R-1C/PUD Single Family Residential, for the property located south of 70<sup>th</sup> Street, just east of Blackstone Vista, with the condition listed in the report.

Commissioner Simon asked if this was where staff was recommending LDR/NWAPUD.

Mr. Hunting replied no, it was in regard to the comprehensive plan amendment.

Motion carried (8/0).

Chair Maggi asked if the preliminary plat request included the open space and impervious surface flexibilities being requested.

Mr. Hunting replied that was associated with the preliminary PUD request.

Commissioner Gooch believed that a small tot lot/swing set area, which would serve both Vista and Highlands, should be a provision of approval and was necessary with all the young families moving in.

Commissioner Klein stated it would be a good selling point as well.

Jim Deanovic, 5116 Mirror Lakes Drive, Edina, advised that originally they tried to blend the Vista, Ponds, and Ridges developments together, and then they subsequently purchased the Highlands property for the pipe as a result of losing a number of lots due to the realignment of Argenta Trail. In regard to diversity and density, he noted that Blackstone Ponds is a townhouse development. He stated that the topography and requirements for stormwater, open space, setbacks, etc. make it difficult to obtain get large lots or high densities. He advised that a large park will likely go in near Blackstone; however, the proposed lots are not enough to warrant a park. He stated they have a great trail system.

Commissioner Robertson shared Commissioner Klein and Gooch's concerns regarding the lack of a park in the Blackstone developments and questioned whether there was a design oversight. She recommended they get feedback from the Parks Director on the plans for park services in that area.

Chair Maggi asked staff if they felt confident there was a park plan in place relating to this particular area of the City.

Mr. Hunting replied in the affirmative, stating recently they reevaluated and fine tuned the earlier plan for the Northwest Area to pinpoint the areas where they were looking for parks. Once funding became available the Parks Director would likely begin the process of trying to acquire some land for the parks. He advised that he would have the Parks Director either provide a memo or attend a meeting to summarize the park plan for the Northwest Area.

Commissioner Klein stated although he would like to see a small tot lot in this area, he questioned where they would be able to put it.

Mr. Deanovic advised it could be put on the five acres of excess open space on Ridges.

Commissioner Niemioja did not see where a tot lot could go on the Highlands property.

Mr. Link stated that cities have gotten away from the trend of having small parks scattered throughout the city as they are difficult to maintain and much more costly. Instead they now have a fewer number of larger parks, as well as a trail system to get to them. He stated his recollection is that there is a search area for a park directly east of the Highlands property and another a quarter mile north. He advised that a lot of thought went into the plan itself and administering the park and recreational system in a cost effective manner.

Motion by Commissioner Scales, second by Commissioner Robertson, to approve the request for a preliminary plat of Blackstone Highlands, and a preliminary PUD approval of the Blackstone Highlands PUD, for the property located south of 70<sup>th</sup> Street, just east of Blackstone Vista, with the conditions listed in the report.

Motion carried (8/0). This item goes to the City Council on January 25, 2016.





## ***EVALUATION OF THE REQUEST***

### **SURROUNDING USES**

The subject property is surrounded by:

- |        |   |
|--------|---|
| North: | Existing single family residential; zoned A, Agricultural and R-1B, Single Family Residential; guided Medium Density Residential and Low Density Residential. |
| East:  | Large lot residential; zoned A; guided MDR.   |
| West:  | Blackstone Vista, single family residential; zoned R-1C/PUD; guided LDR.  |
| South: | Blackstone Vista; zoned R-1C/PUD; guided LDR.   |

### **COMPREHENSIVE PLAN AMENDMENT**

The applicant is requesting a change of the current designation of MDR to LDR.

The Land Use Chapter of the comprehensive plan has a description of the Northwest Area which includes the following:

“This comprehensive plan update modifies some of the land uses previously guided for the Northwest Area. These modifications are based on what we have learned over the last eight years of planning work completed in the Northwest Area as well as reflections of recent development proposals and comprehensive plan amendments. Two key guidelines were adhered to in modifying the land uses in the Northwest Area. 1) the development projections assumed within the Northwest AUAR remain higher than those projected for the 2030 Comprehensive Plan update, thus rendering the AUAR still effective and not impacting the design capacity of future infrastructure. 2) the assumptions used to determine how infrastructure improvements are financed remain on the low side, thus making sure that we project to exceed the amount of development needed to ensure the delivery of infrastructure to the Northwest Area is financially feasible.”

Based on the current land use designation (MDR 6-12 units/acre) and net developable acreage of 14.77, the number of units allowed would range from 89 to 179. Based on the requested land use category of LDR, 1-3 units/acre, the number of allowed units would range from 15 to 45. Based on the proposed single family detached product type, an R-1C zoning would be the required zoning approved with a PUD. The R-1C zoning in the Northwest Area has a minimum density requirement of 2 units/acre. Therefore, the project would be required to contain at least 30 units. The applicant is proposing 40 units.

The Housing chapter of the 2030 Comprehensive Plan should also be utilized when analyzing a request for a comprehensive plan change relating to residential land uses. Two factors should be analyzed and they relate to housing policy and diversity.

The following applicable excerpts are stated from the Housing chapter as they relate to this request:

“Housing is an integrals part of Inver Grove Heights’ vision. Developing and maintaining a diversity of housing opportunities is a key guiding principle of the Comprehensive Plan. Ensuring opportunities for diversity in housing also helps achieve community “sustainability”. To be sustainable, Inver Grove Heights’ approach to housing is to provide opportunities for housing at all stages of the life-cycle and a full range of price levels and design patterns.”

There are a few housing policies that directly relate to this type of amendment application:

- “Establish a housing pattern that respects the natural environment while striving to meet local housing needs and the community’s share of metropolitan area housing growth.”
- “Maintain a balanced housing supply with housing available for people at all income levels and unit types that meet the varying life-cycle needs for Inver Grove Heights residents.”
- “Continue to utilize City ordinances that allow planned developments that provide a mixture of housing types.”

The Comprehensive Plan definition of Medium Density Residential (MDR) is:

“Medium density residential accommodates somewhat higher residential densities ranging from 6-12 units per net acre. Uses in this classification include higher density townhome developments and apartments, all with full public utility services.”

The Comprehensive Plan definition of Low Density Residential (LDR) is:

“The low-density residential category encompasses traditional “urban” density development t in Inver Grove Heights. LDR includes lots or parcels ranging from 1 to 3 units per net acre. Substantial portions of the low-density residential area are anticipated to develop at a density of one to three units per net acre. Housing types in the low-density residential category include single-family detached homes, twin home units and lower density townhome style developments. In all cases, low-density residential development will be served by public water and sanitary sewer systems.”

The following provides some rationale for approval and denial of the proposed land use change.

### RATIONAL FOR THE LAND USE CHANGE

- Through numerous discussions with developers and identified by other land use and real estate professionals, it has been stated that there is a high demand for detached single family development in the suburban communities right now. The demand for higher density apartments or mid density townhome projects is very low outside of the central city areas. Due to the changes in market demand, the City may need to be flexible in density demands and housing mixes until the demand for higher densities increases, which is expected to occur in the next few years.
- The land use designation to the west and south is Low Density (1-3 units/acre). A change to LDR could be considered a continuation of a lower density neighborhood and densities would be similar. This would be a continuation of the land use pattern established in Blackstone Vista.

### RATIONALE AGAINST THE LAND USE CHANGE

- The property to the east is guided for MDR. The comp plan anticipated land along 70<sup>th</sup> by Argenta Trail to have more density along these roadways with expected high traffic volumes. An extension of the LDR designation would reduce overall densities at this location. Continuation of lower density designation changes could impact the remaining vacant parcel to the east abutting Argenta Trail by creating some land use compatibility issues with medium density product type to low density product type.
- One of the City's strengths in its housing stock is the diversity and general 50/50 mix of single family to multiple family. The recent trend of predominantly single family housing being approved could have an impact on the overall product mix and type which could negatively impact the City's goals of maintaining a balanced housing supply with housing available for all people at all income levels and unit types that meet the varying life-cycle needs for the residents.
- The Housing Chapter of the Comprehensive Plan states the need for diversity of housing to help the City achieve community "sustainability". The minimum density of the MDR category requires some type of multiple family housing to achieve densities. Single family detached housing alone will not meet the density requirements.

### FINANCIAL IMPLICATIONS

During the initial steps for studying development in the Northwest Area, the City conducted land use and financial studies to determine the densities and costs per unit in order to fund the installation of city utilities. Since no assessments were levied, fees are collected when a parcel of land is developed. Minimum densities have been established for each parcel to achieve these goals. Based on those assumptions, the subject parcel calculation assumed 73 units would be developed to cover city utility costs. The preliminary plans submitted show a total of 40 units.

The project would be 33 units short and therefore would come up short in providing its fair share of the overall utility costs. This same scenario occurred with the Argenta Hills and Groveland Heights projects and the developer did agree to pay the difference in the units they were short. For the Blackstone development, the Council agreed to a reduction in fees based on credits achieved by the development.

The City Council has already addressed this issue by creating a new subcategory for the Northwest Area during the Groveland Heights, Blackstone approvals, and just recently for the Mihm Custom Homes application. The new subcategory required any change to the comprehensive land use plan that reduces density obligates the developer to pay the difference. This new category has been created for the LDR, LMDR and MDR categories.

The category called LDR-NWAPUD establishes parameters whereby projects with unit counts that fall below projections are obligated to pay the projected unit count fee collections that were part of the original assumptions and where the land use change is based on an overall reduced density category. These categories state the same uses and goals but add that any development is subject to PUD approvals and agreements with the city must be in place which obligates the developer to pay any difference in utility fees collected between financial assumptions and those approved. The Council just recently approved a comp plan amendment reduction for the Mihm Custom Homes application with the obligation to pay any difference in proposed vs. assumed connection fees.

In September, 2015, the Council discussed the issue of fees to be paid for Blackstone Highlands. At that time, it was anticipated there would be excess credits granted for the previous Blackstone plats. The applicant requested the Council consider applying the excess credits towards any shortfall in Blackstone Highlands. The Council adopted a resolution which identified that any excess credits could be utilized to cover any shortfall in Blackstone Highlands.

### **IDENTIFICATION OF NATURAL RESOURCES**

In 2003, a Natural Resource Inventory and Management Plan were completed for the Northwest Area. The NRI inventoried and qualified natural resources systems within the area and established a management classification system to guide the preferred treatment of these features. The plan identifies a Manage 3 low land hardwood forest in the far northwest corner of the site. No specific preservation required for this low land area. There are no wetlands on the site.

### **NET DEVELOPABLE AREA**

*Note: the numbers that are referenced within this staff report are approximate based on preliminary plan submittals. They will likely change slightly between preliminary and final plat. The numbers provided are sufficient for preliminary plat review.*

Net developable area is defined as the area of a property remaining after excluding those portions that are either: a) encumbered by right-of-way for arterials roads as defined in the IGH Comprehensive Plan; or b) lying below the ordinary high water level of public waters; or c) lying

within the boundaries of delineated wetlands; or d) bluffs in shoreland areas; or e) land to be dedicated for public park needs. Based on this definition, the proposed project area contains approximately 14.77 net developable acres. This excludes the proposed right-of-way for 70<sup>th</sup> Street (Co Rd 26). There are no wetlands on the property.

<b>General Project Data</b>	<b>Acres</b>
Gross Project Area	14.91
Delineated Wetlands	0.00
Public Water Bodies (PWI)	0.00
Bluffs in Shoreland Area	0.00
Planned “Arterial” Road Right of Way	0.14
<b>Total Net Developable Area</b>	<b>14.77</b>

**NATURAL AREA/OPEN SPACE**

Section 10-13J-5. D. establishes requirements for open space preservation within the Northwest Area Overlay. Based on the net developable area the project contains the following:

	<b>Required Acres</b>	<b>Proposed Acres</b>
<i>Total Net Developable Area</i>	<i>14.77</i>	<i>NA</i>
Minimum Open Space Required = 20% of net area	2.95	1.90 (12.9%)
Required contiguous area = 75% of required open space with a minimum 100 foot corridor width	2.21	1.50 (51.0%)
Area to be undisturbed = 50% of required open space	1.48	0.0 (0%)

The site design has prioritized the open space areas around the two storm water ponds in Outlots A and B. The largest corridor is at least 100 feet wide. The site is short on open space, undisturbed open space and contiguous open space. The applicant is requesting flexibility from these standards. A discussion on the flexibility requests is included later in this report.

Because there are no regional basins on the property, all the outlots and open space will remain in private ownership and will require conservation easements to be placed over these areas. These documents will be drafted as part of the final plat review.

The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. This provides identification for future land owners to know boundaries of the open space areas. The final PUD plans must show the location of the marker posts.

### **DEVELOPMENT CAPACITY PLAN**

Section 10-13J-5. E. of the Northwest Area Overlay Ordinance outlines a process by which a site's development capacity is determined as a means to allocate development across a site. This exercise only determines the number of units that would be permissible on the site and not the actual proposed development.

The development capacity plan was established for Blackstone Highlands utilizing the base zoning district of R-1C. When applying the base district and factoring in the open space as part of the R-1C district, the development capacity plan yields a range of 30 to 54 possible units. This equates to a density range of 2.0 to 3.6 units per net acre.

<b>Base Zoning District</b>	<b>Net Acres*</b>	<b>Min Density (units per acre)</b>	<b>Max Density (based on lot size per zoning code)</b>	<b>Min Units</b>	<b>Max Units</b>
R-1C	14.77	2	12,000	30	54

The proposed net density for Blackstone Highlands would be 2.70 units/acre.

### **PROPOSED DEVELOPMENT MAGNITUDE, DENSITY AND BULK STANDARDS**

#### Building setbacks and separation.

The Northwest Area Zoning Overlay establishes suggested guidelines for building separation and setbacks. The objectives for establishing such regulations are to ensure adequate area for certain uses on a site such as storm water management, parking, buffering of mechanical equipment and landscaping. The Northwest Area setbacks and structure separation standards consider compact development and reduced setbacks in order to minimize hard surface coverage and enable greater ability to leave larger areas of intact open space. This objective has to be carefully balanced with aesthetics also.

Units within the proposed development comply with the required setbacks, except for the following situations listed below:

- Building setbacks within the development are proposed with a separation of 15 feet.

#### Impervious surface coverage.

Impervious surface coverage standards are applied to give the city the authority to ensure sufficient areas for infiltration. Impervious surface areas include roads, sidewalks, parking areas, buildings, and other hard surface areas that do not allow infiltration.

The applicant has provided impervious surface calculations for the entire project. By ordinance, the maximum impervious surface coverage allowed is 25% for R-1C, single family. The applicant

provided hardcover calculations for the entire project. After counting street and sidewalk hardcover, there is only approximately 2,200 square feet of impervious surface left for each lot.

a) The applicant is requesting a total impervious surface coverage to 32% to allow for more coverage on the individual lots. These numbers are still preliminary and may change somewhat with the final PUD submittal.

b) The applicant is requesting flexibility from the maximum driveway width requirement.

### **PRELIMINARY PLAT**

The applicant is proposing a preliminary plat which consists of 40 single family lots and 3 outlots. The outlots are for storm water purposes and possible future development. All of the outlots would be owned and maintained by the home owners association. The single family lot sizes range from approximately 7,600 square feet to 21,400 square feet. Average lot size is approximately 10,000 square feet. The majority of lot widths are approximately 65 feet wide, with 80 foot corner lots. Each lot is shown with a typical 50'x50' building pad.

The plat provides for the required 75 foot half right-of-way dedication for County Road 26.

### **PARKS/TRAILS**

There will be a trail through Outlot A that will provide a connection to the regional trail in Blackstone Vista. The trail needs to extend through Outlot C so the trail can continue to the east.

The site plan identifies sidewalks along all the public streets as required by the Northwest Ordinance.

The Parks Director has reviewed the plat and notes the following. The adopted Comprehensive Park Plan and Development Guide does not identify a need for a park in this general area; therefore, staff is not recommending the developer provide any park land dedication for this development.

It is recommended that the developer be required to provide cash in the amount of the rates in affect at the time the final plat is approved. The current 2016 rate is as follows:

Single Family Rate \$2,850 x 40 units = \$114,000

### **STREETS & CONNECTIVITY**

The project consists of a series of public streets to serve the neighborhood. 71<sup>st</sup> Street would be extended through the project. This is also the alignment for the trunk sewer and water that will eventually serve the Blackstone Ridge development. The project contains a north-south street which is designed to provide access to the parcel to the north and could also connect to 70<sup>th</sup> Street.

Street right-of-way widths meet standards as identified in the Northwest Area Overlay. ROW widths are adequate to accommodate travel lanes, storm water management systems, landscaping and sidewalks on major streets.

### **DAKOTA COUNTY REVIEW**

Dakota County has reviewed the plat and commented on right-of-way needs. The plat shows the required right-of-way dedication for 70<sup>th</sup> Street.

### **LANDSCAPING/TREE PRESERVATION**

The developer has provided a tree inventory of the site. The Code allows a tree removal of 30% for single family. The code allows removal beyond the threshold and requires replacement for those trees over the limit. The reforestation plan identifies a removal rate of 86%. In this case, a total of 379 caliper inches are required to be replanted.

The proposed landscape plan provides for a total of 127 trees ranging from 2.5 to 3.5 caliper inches for deciduous trees and 6 to 10 feet tall coniferous trees. The trees are spread out over the site so that each lot will have at least two replacement trees. The reforestation and landscape plans comply with city standards.

### **WETLANDS**

There are no wetlands on this property.

### **GRADING, DRAINAGE, STORMWATER AND UTILITIES**

The grading and storm water plan have been reviewed by the engineering staff and their consultants Barr Engineering and Kimley-Horn. As proposed, preliminary engineering review finds the project will work as generally designed. Storm water is being treated through a series of rain gardens and basins.

Engineering staff and the consultants have drafted comment memos discussing the items that will need to be addressed as part of the final plans. These memos will be incorporated into the conditions of approval in the general engineering comment condition.

### **FLEXIBILITY REQUESTS**

The applicant is requesting the following flexibility requests from Northwest Area Standards:

- a) Building setbacks within the development are proposed with a separation of 15 feet.

The code requires a minimum 20 foot separation. The intent of the code requirement was to provide space between houses for infiltration basins or rain gardens. In order for this to work, houses would have to be built at the same time so an infiltration system could be installed between the houses on both lots. This typically will not occur because houses are not always built at the same time and the infiltration feature must be constructed all at the same time in order for it to function correctly. The applicant is not proposing any storm water features between houses, but in larger basin areas. The setback separation proposed is typical of the standard required in

all other parts of the City. All residential developments approved so far have been with either a 10 foot or 15 foot separation. Staff supports this separation and flexibility request.

b) The applicant is requesting a total impervious surface coverage to 32% to allow for more coverage on the individual lots. These numbers are still preliminary and may change somewhat with the final PUD submittal.

c) The applicant is requesting flexibility from the maximum driveway width requirement.

They are requesting that the driveways be allowed to be full length and width with non porous pavement. The Northwest Area District requires any portion of a driveway greater than 20 feet in width shall be constructed of a porous pavement material. Function of the regulation is to minimize the amount of impervious surface. The applicant has designed the project to accommodate the additional runoff from the hard surface driveways in the storm water design. The amount of impervious surface maximum per lot would address the coverage issue. The Argenta Hills and Blackstone developments were granted this same flexibility and no known issues exist with this flexibility.

The amount of roadway and sidewalk in the plat consumes a large amount of the allowed 25% impervious surface. This would leave only approximately 2,200 square feet of building coverage for each lot. The applicant is requesting the impervious surface be allowed up to 32% in order to provide building coverage on each lot to approximately 3,450 square feet per lot. This is comparable to lot coverage approved in Blackstone Vista and Blackstone Ridge. A definite number would be established with the final plat and the storm water plans would be modified to address the additional impervious surface.

Engineering have indicated that they have no issues with the request because the storm water system shown on the plans assumed 30% impervious surface coverage. Any additional storm water needs can be addressed in the final PUD plans.

d) The applicant is requesting flexibility from open space requirements to allow for less total open space, undisturbed open space and contiguous open space.

The site has been used for agricultural purposes over the years and the vast majority of the site has been disturbed with this land use pattern. Any existing natural features and vegetation are contained in the northwest corner of the site. This area is to be utilized for storm water ponding purposes and would be retained as disturbed open space. Due to the roadway layout and storm water needs, it is difficult to leave any portions of the site undisturbed from its existing state. This site is relatively flat in comparison to other properties in the Northwest Area and so there are no real unique land features that need to be preserved. The applicant is maximizing density on the site with the proposed single family product type. Due to the character of the site and some constraints placed on the property due to location of trunk utilities running west-east through the property, staff would support these flexibility requests.

### **DEVELOPMENT CONTRACT**

The Developer and Owner shall enter into a Development Contract and other associated agreements with the City. The list of agreements and details of the contract will be discussed with the applicant, city attorney and staff as part of the final PUD review. All of the agreements will be approved by the City Council as part of the final PUD review.

### **ALTERNATIVES**

The Planning Commission has the following actions available on the proposed project:

- A. **Approval:** If the proposed request is found to be acceptable, approval of the applicable following actions should be taken:
  - o Approval of the **Comprehensive Plan Amendment** to change the land use designation from MDR to LDR 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.
  - o Approval of a **Rezoning** of the property from A, Agricultural to R-1C/PUD, Single Family Residential subject to the following conditions:
    1. The rezoning shall not become effective until the final plat is approved by the City and recorded with the County. In the event a final plat is not approved, the rezoning shall become null and void and the zoning of the property shall remain in its current classification.
  - o Approval of the **Preliminary Plat and Preliminary PUD** subject to the following conditions:
    1. The final plat and accompanying site plans shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	12/28/15
Preliminary Site Plan/Open Space Plan	12/28/15
Sign and Lighting Plan	6/22/15
Preliminary Street Plan (4 sheets)	6/22/15
Preliminary Sanitary and Watermain Plan (9 sheets)	6/22/15
Preliminary Grading Plan	6/22/15
Preliminary Erosion Control Plan	6/22/15

Preliminary Tree Survey	12/28/15
Preliminary Landscape Plan	12/29/15

2. Prior to final plat and plan approval, the final grading, drainage and erosion control, and utility plans shall be approved by the Director of Public Works.
3. Drainage and utility easements shall be provided on the final plat as required by the Director of Public Works.
4. The ownership of all of the natural area/open space shall be owned in private ownership by the property owner. A conservation easement shall be required by the City restricting the use of the open space.
5. The developer shall be responsible for installing marker posts at reasonable locations to define the boundary of the open space. This provides identification for future land owners to know boundaries of the open space areas. The final PUD plans must show the location of the marker posts.
6. Park dedication shall consist of a cash contribution in the amount of the rates in effect at the time the final plat is approved.
7. All plans shall be subject to the review and approval of the Fire Marshal.
8. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Owner shall execute a Storm Water Facilities Maintenance Agreement with the City whereby the developer shall be responsible for the maintenance of storm water improvements on such lots.
9. Prior to execution of the plat by the City and prior to recording of the plat with the County, the Developer must pay the City utility plat connection fees consisting of a Water Utility Fee, Sanitary Sewer Utility fee and Storm Water Sewer Utility fee according to the formulas adopted by city ordinance.
10. In the Development Contract, the Developer and Owner shall acknowledge that at the time the building permits are obtained additional connection fees for the water utility system and sanitary sewer utility system are due and owing. Final details of the amounts to be paid shall be part of the final PUD plan review.
11. In the Development Contract, the Developer and Owner shall agree that the following elements of the Planned Unit Development shall not be altered, changed or removed without first obtaining the following consents:

Site Plan Element	Consent Required By
Building Location	City Council

Driveways and Private Roads	Planning Department
Landscaping	Planning Department
Location of Utilities	Engineering Department
Location of Conservation Easement and Open Space	City Council

12. The Developer and Owner shall execute an Acknowledgement of Planned Unit Development Zoning. This Acknowledgement shall state that property within the plat is subject to the approved PUD plans and PUD zoning and that the development on the property must conform to the PUD plans and PUD zoning. This Acknowledgement shall be recorded when the plat is recorded.
  13. The Developer and Owner shall enter into a Development Contract with the City. The form of Development Contract shall substantially comply with the model Development Contract which is part of the Administrative Code, taking into account the particular requirements of the Planned Unit Development plans.
  14. The following documents shall be recorded when the plat is recorded:
    - Development Contract;
    - Storm Water Facilities Maintenance Agreement;
    - Acknowledgement of PUD Zoning.
  15. Prior to City Council review of the final PUD development plans, the Developer must respond to all of the comments of the City Engineer memo dated 12-15-15, Barr Engineering memo dated 12-16-15 and Kimley-Horn memo dated 12-14-15.
  16. Street lighting shall be required along all public streets. The street lighting plans shall be approved by the City prior to installation.
  17. A trail segment shall be required through Outlot C to provide a continuation of the trail link to the regional trail in Blackstone Vista.
- B. Denial:** Should the proposed request or portions thereof, not be found to be acceptable, the appropriate requests described above should be denied. The basis for denial must be stated in any such motion.

**RECOMMENDATION**

The project complies with nearly all performance standards of the Northwest Area. Flexibility requests have been made for building separation, driveway width and open space requirements. This is the first development requesting flexibility from some of the open space requirements. Staff supports these requests based on discussion in the planning report. Engineering is comfortable with the overall preliminary grading and storm water plans.

The City Council just recently approved a comprehensive plan change for a development with a similar situation where the change would be consistent with a recently approved plan.

Based on recent Council action, Staff is supportive of the comprehensive plan amendment but with a recommendation that the change be to the LDR-NWAPUD category which addresses the payment of connection fees for any units short of the original projections.

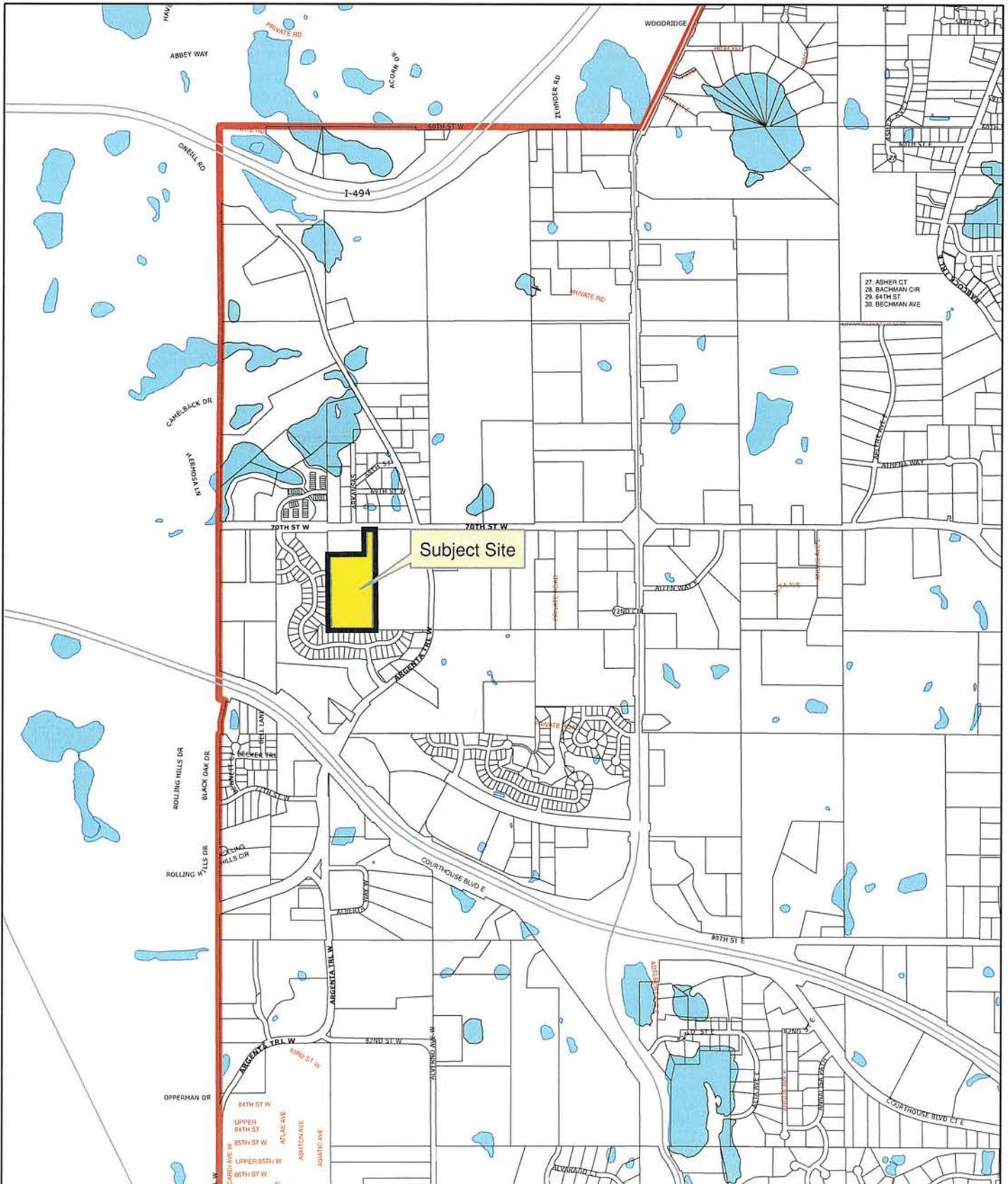
Staff recommends approval of the preliminary plat, preliminary PUD and rezoning requests with the conditions listed.

**Attachments:**

Location Map  
Current/Proposed Comp Plan Map  
Applicant Narrative  
Lot/Block Size Summary  
Preliminary Plat  
Preliminary Site Plan/Open Space Plan  
Preliminary Grading Plan  
Preliminary Tree Survey  
Preliminary Landscape Plan



# Blackstone Highlands CPA Location Map

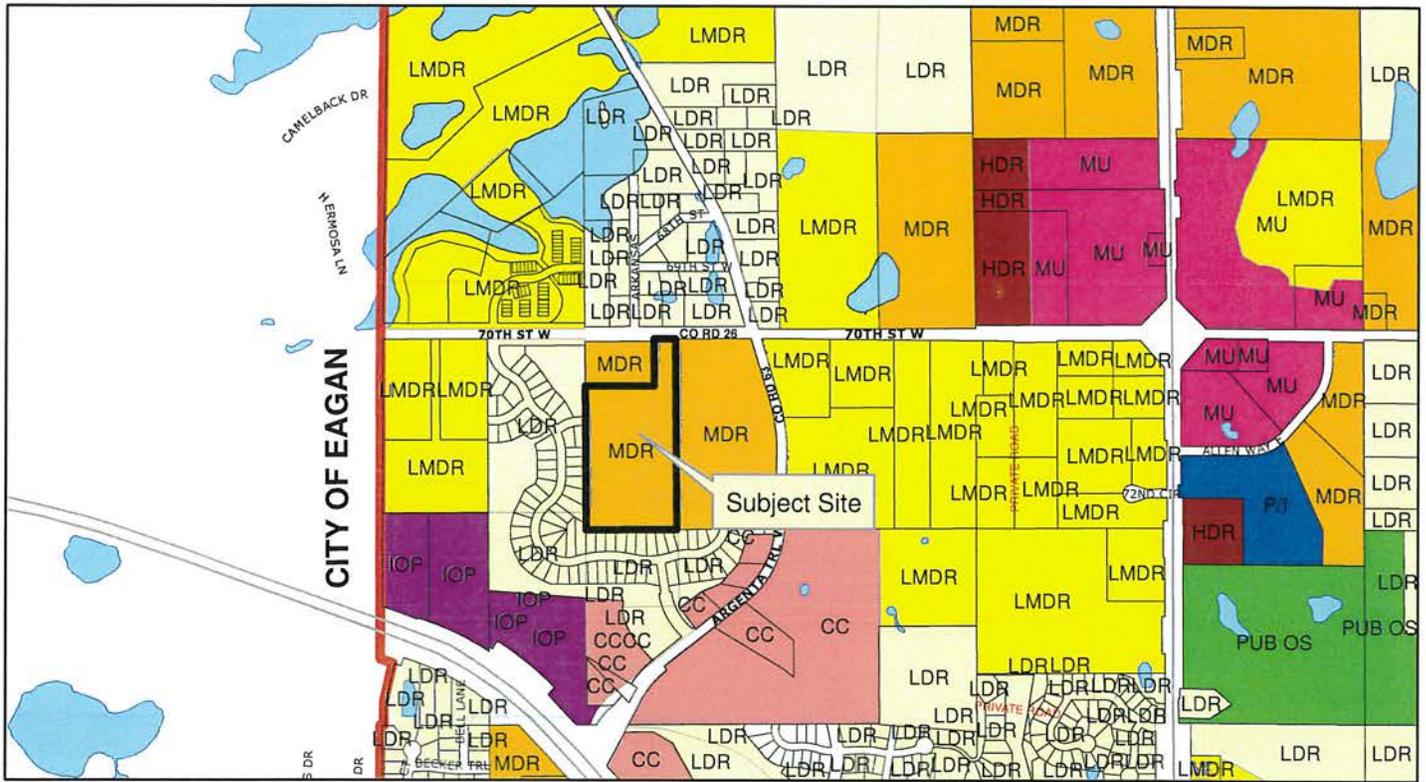




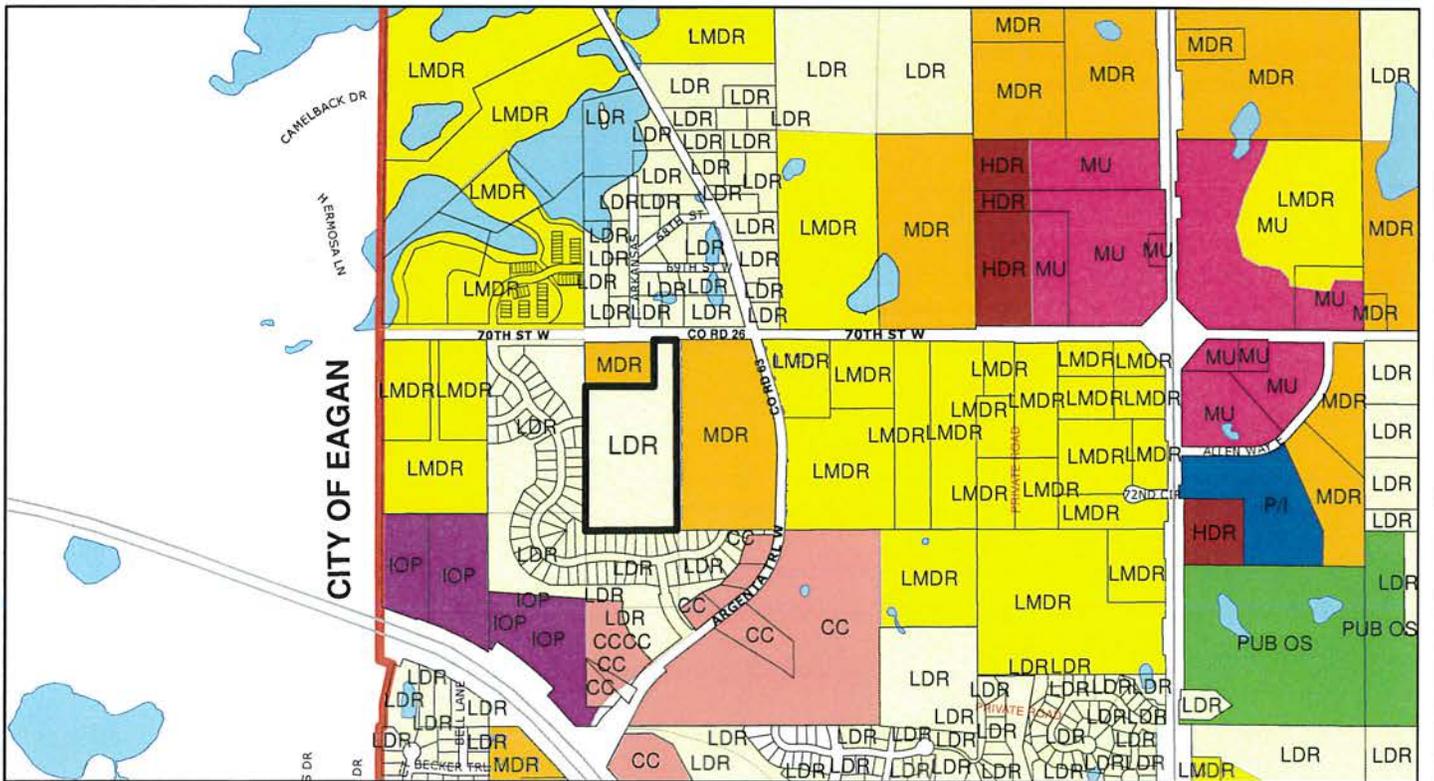
# Blackstone Highlands CPA



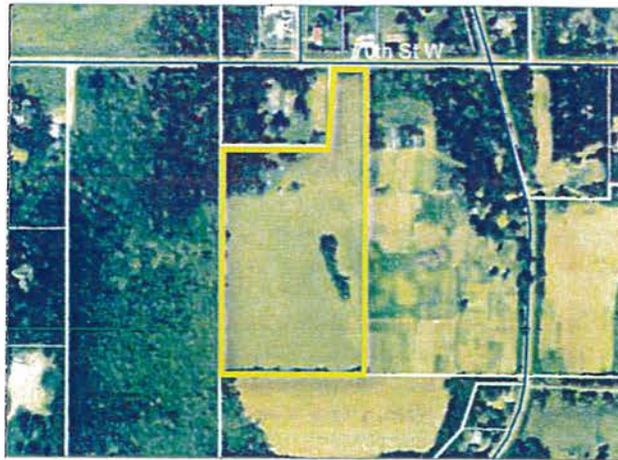
Existing Comp Plan



Proposed Comp Plan



Blackstone  
Highlands



*Application for Comprehensive Plan Amendment*  
City of Inver Grove Heights, MN

09.06.2015

*Application for Comprehensive Plan Amendment*

Applicant: Mr. Jim Deanovic

Prepared by: Sathre-Bergquist &  
SHC, LLC

Submitted to: City of Inver Grove Heights

Date: 09.06.2015

## Introduction

Over the past year our Team carefully planned and began development of three Blackstone neighborhoods: Vista, Ponds and Ridge, which were recently approved for development through the City's process. One of the first steps in the entitlement process was to seek a Comprehensive Plan Amendment (CPA) to allow for lower densities in the Blackstone neighborhoods. Specific to this request, the Blackstone Vista ("Vista") neighborhood was re-guided during that process to Low Density Residential (LDR) which is of particular importance to this Application because the Vista neighborhood is adjacent to the proposed Blackstone Highlands ("Highlands") neighborhood and is connected via a shared road network.

The Vista neighborhood was platted into single-family residential lots of various sizes ultimately resulting in a development pattern that was consistent with the City's LDR land use designation. The Vista neighborhood was designed with a main east-west roadway, 71st Street, which was stubbed into the eastern Vista property line with the plan to extend the roadway onto the adjacent property at time of development. The proposed Highlands neighborhood is nestled to the northeast of the Vista neighborhood and is planned to connect 71st Street which will become the northern east-west connection through the proposed neighborhood.

Like the other Blackstone neighborhoods, the Highlands neighborhood is located within the City's Northwest Area Overlay District and is subject to a Planned Unit Development (PUD) process which includes unique requirements as defined within the Northwest Area (NWA) zoning ordinance. Since the Vista neighborhood was developed under the NWA-PUD process, continuation of the development pattern to the Highlands will ensure that the neighborhoods are cohesive and meet the goals and objectives of this special area of the community.

In light of the development pattern on adjacent parcels, we respectfully submit the following request to re-guide approximately 15 acres of land contained within the proposed Blackstone Highlands project area from Medium Density Residential (MDR) to Low Density Residential (LDR). In conjunction with this Application to re-guide the Subject Property, we have submitted a Preliminary PUD for the Highlands which depicts the specific development contemplated for the site.

The following analysis addresses the proposed amendment to Figure 2.2 Land Use Plan, and any other associated general amendments that may be necessary.

# Blackstone Highlands

## Parcel Snapshot (Figure 2)

2010 Adopted Land Use:	Medium Density Residential (MDR); 6-12 Units/Acre
Proposed Land Use:	Low Density Residential (LDR); 1- 3 Units/Acre
Gross Site Size:	15.027 Acres
ROW:	0.113 Acres
Net Site Size:	14.914 Acres
Outlots:	Outlot A: 1.0 Acres, green space, stormwater pond, rain garden
	Outlot B: 0.92 Acres, green space, stormwater pond, rain garden
	Outlot C: 0.114 Acres, green space, rain garden
	Outlot D: 0.47 Acres, green space, rain garden
Outlot Total Acres:	3.53 Acres
# of units needed assuming adopted Land Uses:	Minimum of 89
# of Proposed Lots:	<del>39</del> 40
Proposed Unit Types:	Single Family
Proposed Lot Sizes:	7,186 - 21,418 Square Feet
Proposed Density:	#of Lots / Net Site Size <del>39</del> lots /14.914 Net Acres = 2.62 Units per Acre

40

### Analysis

The proposed Highlands neighborhood will extend the neighborhood pattern from the adjacent Vista neighborhood with slightly increased density, but generally staying consistent with the overall character of the area. The Highlands preliminary plat disperses the open spaces around the perimeter of the proposed development which creates opportunities with the Vista neighborhood's edges to increase the open space corridors and contiguous areas. Since the parcel is relatively small and is constrained by infrastructure, designing the development with large contiguous areas of open space was difficult. As a result we focused on opportunities to create contiguous corridors and open spaces with adjacent developments to increase the quantity of open space to the overall area. We believe that this provides the greatest opportunity to future residents and the community to have access to open spaces and natural areas, while developing the site in a manner which is responsive to market conditions.

While the density of the development is slightly lower than the guided land use and requires a CPA to re-guide the parcel, we believe that the Highlands neighborhood is consistent with the stated goals and objectives for the Northwest Area Overlay. The Metropolitan Council's methods for calculating density makes the development appear less dense than what the resulting neighborhood will actually feel like from an experience perspective. This is because of how the Metropolitan Council treats ownership of open space. The ownership of the open spaces is of particular significance on this plat

because it alters the required number of units to meet the current land use designation. In the case of the Highlands, we are proposing to develop 39 single family lots that will integrate and disperse more than 23% of the parcel's land area for open space, which at this time is anticipated to be privately held by a Homeowners Association (HOA). Such open spaces will be placed in Outlots and will be used for stormwater management and introduction of native vegetation. Since the HOA will own the land, it cannot be deducted from the density calculation, thus skewing the density lower than what the character of the neighborhood will experience.

Regardless of how the open spaces are ultimately owned and managed, by spreading the open spaces throughout the development nearly every lot either fronts onto or backs up to open space making some of the smaller lots in the development feel more expansive. All lots have been designed with a minimum of 65-feet of frontage, and sidewalks will be constructed on one side of the roads throughout the development providing pedestrian connections to the trails and the larger open space/greenway network in the area. Additionally, the development plan integrates a variety of lot sizes ranging from just over 7,000 square feet to more than 21,000 square feet. The range in lot sizes will create diversity in the marketplace allowing for different price points throughout the development.

## Summary Changes

The following line items within "Table 2.2 2030 Future Land Use Calculations (in Acres)" would need to be adjusted according to the proposed amendments to the land use categories.

Land Use	Currently within Urban Service Area (MUSA)*	Acreage adjustments based upon CPA	Total	% of Total**
Low Density Residential	3,176	+15	3,191	17%
Medium Density Residential	961	-15	946	5%

\*The calculations above do not account for those changes approved during the Vista Ponds and Ridge CPA process. The quantities listed are those identified in the adopted Comprehensive Plan.

\*\*The proposed rezoning of the subject property is not significant enough to change the % Total from those listed in the Comprehensive Plan.

The calculations and tabulations within Tables 2.3, 4.1, 4.3 and 7.7 would all be slightly different than calculated, however, since the proposed change reduces density the ability to serve the land with utilities and services should not be affected by the change. As such, the tables could remain unchanged, with perhaps a footnote which reflects that the majority of the changes primarily affect the Low Density Residential land use categories based upon this request.

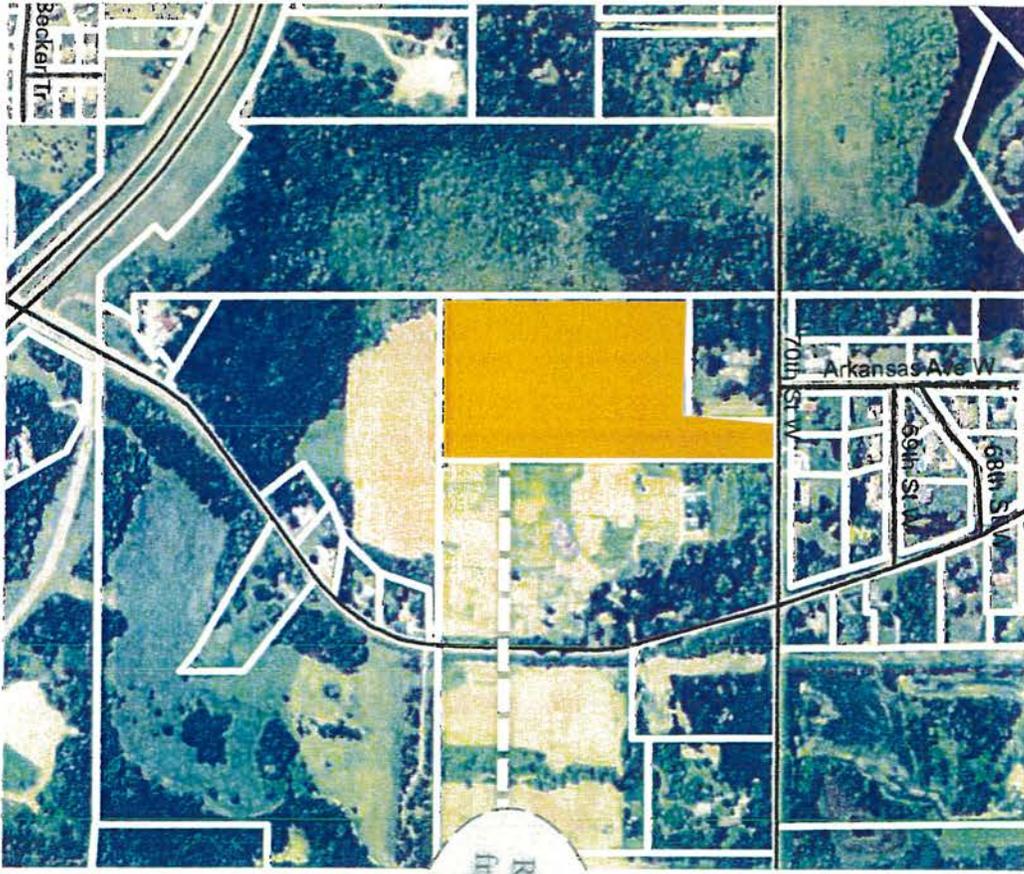
As stated within the Northwest Area section of the Comprehensive Plan, many studies and planning efforts have been completed to project and plan for a mix of land uses within the Northwest Area. The proposed land use amendments contained within this CPA application

reduce the intensity on the subject parcel. As a result, the proposed changes remain consistent with the following statements: "the development projects assumed within the Northwest AUAR remain higher than those projected for the 2008 Comprehensive Plan update, thus rendering the AUAR still effective and not impacting the design capacity of future infrastructure." Therefore the proposed changes should not create a conflict with the adopted AUAR, and from an environmental perspective no further analysis should be necessary if the CPA is approved. The section further states that the number of units necessary to support the infrastructure investment needs to remain relatively consistent with the guided land uses in order to make servicing the area economically viable. As stated within the Staff's comment letter related to the Highlands Sketch Plan review, the number of units proposed is short of what was projected for in the financial model and therefore will need to be worked through with the Applicant if the CPA and subsequent Preliminary PUD are approved.

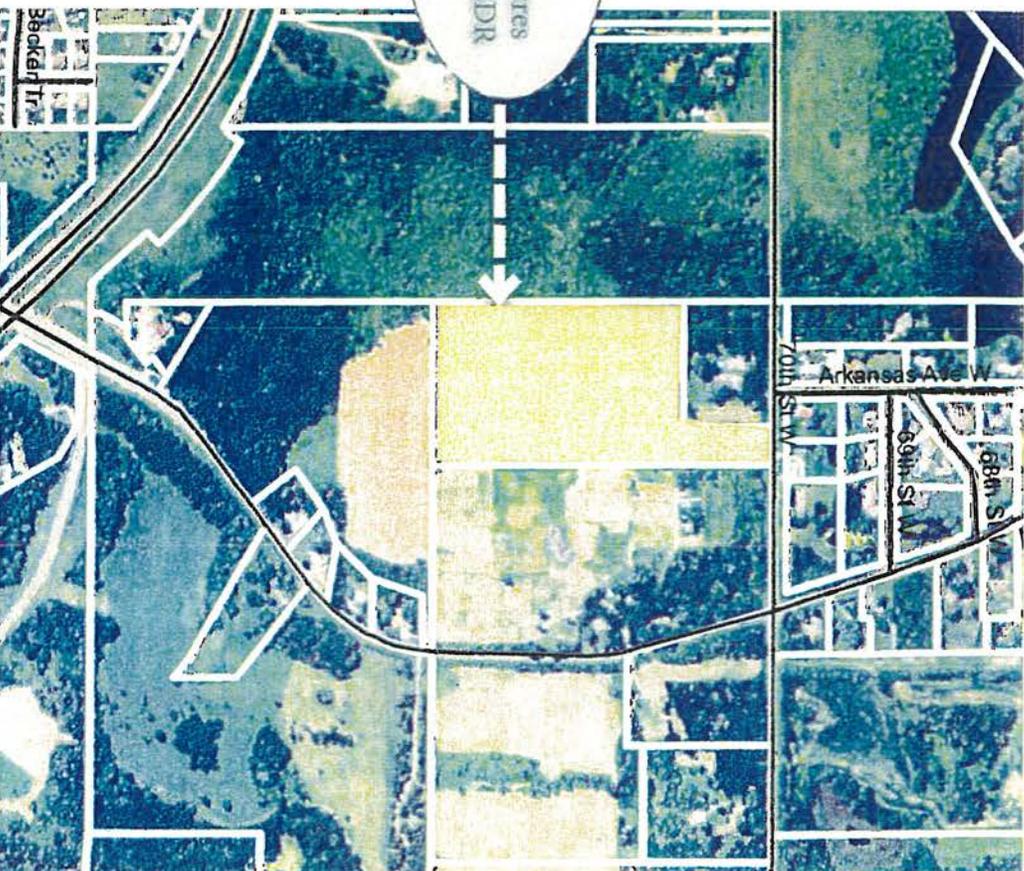
The proposed amendments seek to remain as consistent as possible with the land use plan, while respecting the Northwest Area ordinance which requires a substantial quantity of open space and greenway corridor dedications in every project. When reviewing the subject amendment, we would request that you consider that if all of the open spaces were allowed to be netted out of the development calculations that all of the sites would be closer to 4 units per acre, and the disparity between what was planned for and what is proposed would not be as significant. Therefore we believe that the proposed CPA should be acceptable to the City, as it integrates extensive open spaces, preserves natural resources, provides sidewalk connections and extends the development pattern of the Vista neighborhood, all while providing a diversity of housing types and lot sizes in this growing area of the community.

Figure 1: Proposed Amendment to Figure 2.2

Inver Grove Heights - Adopted Land Use Plan  
Figure 2.2



Re-guide 15 Acres  
from MDR to LDR



Proposed Land Use Changes to Figure 2.2

LEGEND

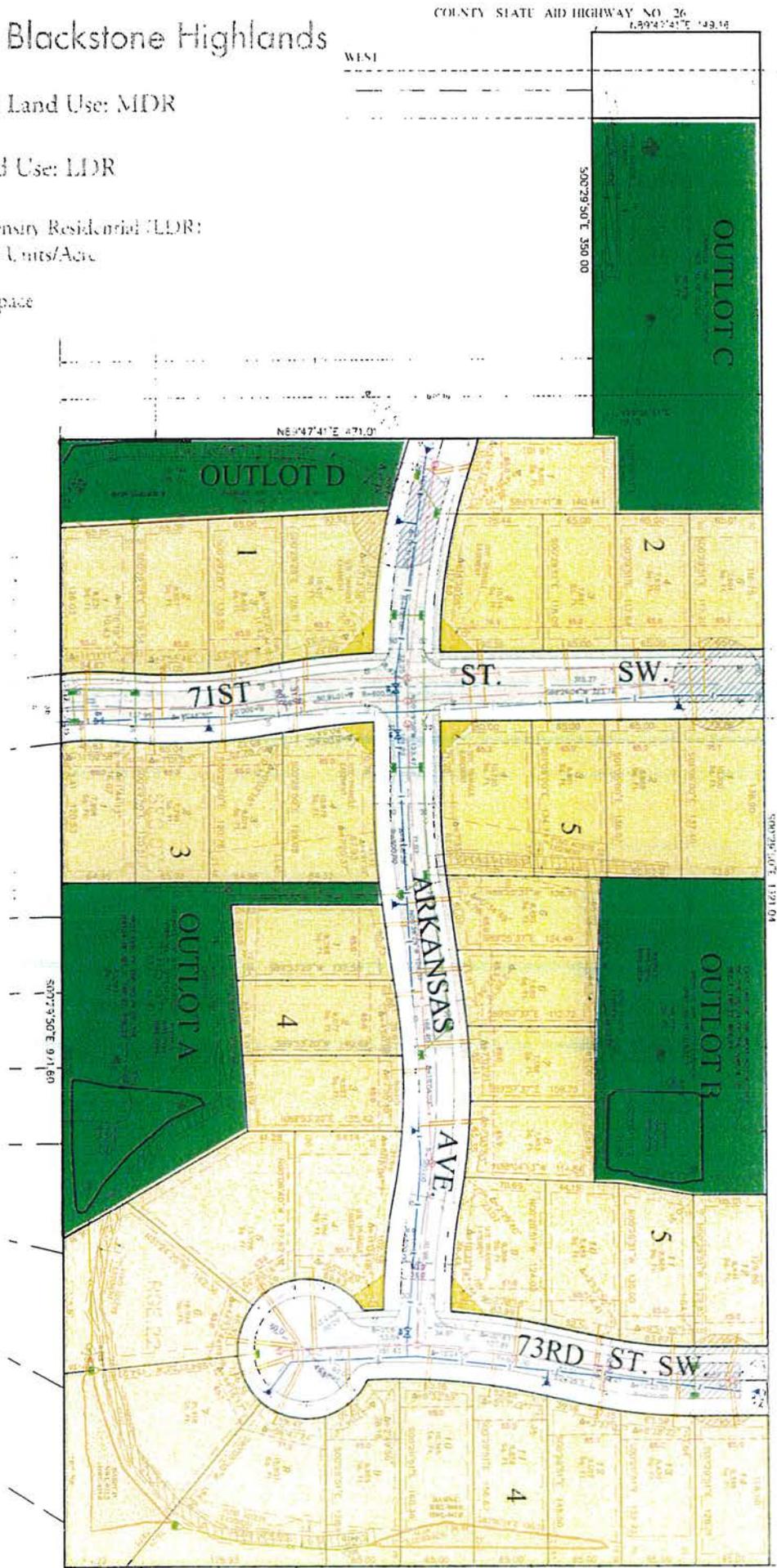
- Low Density Residential (LDR)  
1 - 2.99 Units/Acre
- Medium Density Residential (MDR)  
6 - 12 Units/Acre

Figure 2: Blackstone Highlands

IGH Adopted Land Use: MDR

Proposed Land Use: LDR

-  Low Density Residential (LDR)  
1 - 2.99 Units/Acre
-  Open Space



Blackstone  
Highlands



*Application for Preliminary PUD in the NW Area*  
City of Inver Grove Heights, MN

rev. 12.28.2015

09.08.2015

*Application for Preliminary PUD*

Applicant: Mr. Jim Deanovic

Prepared by: Sathre-Bergquist &  
SHC, LLC

Submitted to: City of Inver Grove Heights

Date: 11.25.2015 revised  
*09.08.2015*

# Introduction

In June of 2015 the Development Team submitted an Application for Sketch Plan review for Blackstone Highlands (“Highlands”) which is a proposed low-density single family residential project located in the City’s Northwest Area Overlay District. City staff reviewed the Sketch Plan application and provided comments and recommendations to our Team regarding the proposed subdivision which we have responded to both in the following narrative and on the Preliminary Plat and plan set contained as part of this application.

## *Staff Comments & Recommendations*

In July staff reviewed the Sketch Plan and provided our Team with some initial thoughts and feedback regarding the proposed Highlands neighborhood. First, staff confirmed that the Highlands neighborhood, as proposed on the Sketch Plan, would require an amendment to the Comprehensive Plan to re-guide the Subject property from Medium Density Residential (MDR) to Low Density Residential (LDR) to support the requested density. Further, the CPA application would need to be considered in conjunction with the Preliminary PUD because the project as proposed is inconsistent with the current guiding of the Parcel.

In addition to the CPA, staff provided some helpful feedback tailored specifically to the site which has been integrated into our development plan. Staff also requested additional information from our Team when submitting the Preliminary PUD, including: 1) Further analysis and breakdown of the Open Spaces; 2) Development Capacity Plan; 3) Site Design elements tailored to the NWA; and 4) Identification of components of the NWA-PUD zoning ordinance from which we are seeking flexibility.

## *Project Snapshot*

In conjunction with this Application for Preliminary PUD, we have also submitted an Application for a Comprehensive Plan Amendment to re-guide the subject property which is under separate cover. This following table provides a quick project summary of the Highlands, with further detail of the project found on subsequent pages.

Existing Zoning	Ag	# of SF Units	40
Proposed Zoning	NWA-PUD	Development Capacity (Per R-1C)	54
Site Size (Gross)	15.03 Ac.	Minimum Lot Size	7,748 SF
Site Size (Net)	14.91 Ac.	Maximum Lot Size	21,418 SF
Required OS	2.98 Ac	Proposed density	3.3 Units/Ac.
Provided OS	3.53 Ac.		

## Site Context & Development Pattern

The Highlands is nestled just north and east of the recently approved Blackstone Vista (“Vista”) neighborhood which was planned and designed by our Team. During the planning and entitlements phase of the Vista project the development of the Highlands parcel was contemplated, and connection via the road network was planned for by stubbing 71st Street to the western property line of the Highlands neighborhood. Since the two neighborhoods are connected by a shared road network we believe it is critical to develop the Highlands neighborhood with a similar character and design pattern as was approved in the Vista neighborhood. For that reason, the Highlands preliminary plat integrates similar design standards including similar lot sizes, continuation of sidewalks, roadway design and right-of-way, and continuation of the open space network. The subsequent sections describe the development plan as proposed on the Preliminary Plat and Plans submitted as part of this Application.



### *neighborhood character & design*

The Highlands neighborhood is designed with the same integrity as the other Blackstone neighborhoods, and is intended to seamlessly blend into the adjacent Blackstone Vista neighborhood. Since the site is relatively small, open spaces are integrated at the perimeter of the development providing natural resource amenities to the residents and offering the opportunity to connect with adjacent natural resource area to create larger contiguous areas of open spaces in the Northwest area. Many of the open space areas include rain gardens that will be planted with native vegetation including grasses and forbes that will not only serve as vital components of the stormwater management system, but will also provide opportunities to residents to experience a little bit of nature in proximity to their homes. Sidewalks will be constructed on one side of the street offering pedestrian connections to the local trail network in adjacent neighborhoods which run throughout much of the Northwest Area Overlay District providing key greenway linkages and local recreational opportunities.

Because of the location and design of the open spaces the majority of the lots either back up or front onto additional open spaces making lots feel larger while creating small pockets of natural resources that can be enjoyed by the maximum number of residents. By decentralizing the open spaces we were able to achieve a development where nearly every lot has the opportunity to enjoy natural areas or open spaces. Since the lots are at suburban densities, access to the open areas increases the livability of the development, and improves the design quality of the development. Additionally, the open spaces allow for greater diversity of lot sizes creating opportunities for houses of different scale, size and architectural style. The diversity of lot sizes, coupled with the integration of the open spaces will create an interesting

neighborhood fabric that is consistent with the goals and objectives of the City's planning efforts for the Northwest Area.

### *development capacity*

The site is located within the Northwest Area Overlay district which requires a project to go through a Planned Unit Development process and is subject to the City's zoning ordinance (NWA-PUD) which was established specifically for this area of the community. Part of the NWA-PUD process is to establish a base line of development for a subject parcel based upon an underlying zoning district which is correlated to the land use guiding of a parcel. As described above, in order for the proposed project to be developed the site must be re-guided from Medium Density Residential to Low Density Residential, but for purposes of this analysis we have assumed that the parcel is re-guided. Per the City's ordinance, the LDR land use designation correlates to the R-1C zoning district which has a minimum lot size of 12,000 square feet per lot. The Development Capacity of the site is determined by dividing the parcel area by the minimum lot size in the base zoning district, so the calculation for the subject parcel is:

$$\begin{aligned} & (\text{Total Square Feet of Parcel}) / (\text{Minimum Lot Size in R-1C}) = \text{Maximum Number of Units} \\ & (14.91 \text{ Acres} * 43,560 \text{ SF}) / 12,000 \text{ SF} = 54 \text{ Units} \end{aligned}$$

The Highlands Preliminary Plat contains 39 single family lots ranging in size from 7,186 square feet to 21,418 square feet, with the majority of the lots ranging in size between 8,000 and 10,500 square feet.

### *open space requirements*

The NWA-PUD ordinance requires a minimum of 20% of a parcel's net buildable area be dedicated in open space. The following calculation shows the quantity of open space required for the subject parcel.

$$14.91 \text{ Acres} * 20\% = 2.98 \text{ Acres of Open Space}$$

Once the minimum acreage of dedicated open space is established, then the ordinance further requires that a minimum of 75% of the Open Space area be contiguous, with not less than 100-foot of width. So, for purposes of the subject parcel the following calculation is performed:

$$2.98 \text{ Acres} * 75\% = 2.24 \text{ Acres Contiguous}$$

Additionally, the ordinance requires that a minimum of 50% of the open space must be in a non-disturbed state, and that 50% of the open space may be used for passive recreational uses, stormwater ponds, etc. For the subject site:

$$2.98 \text{ Acres} * 50\% = 1.49 \text{ Acres (undisturbed)}$$

*proposed development open space components*

The above open space calculations were based upon the information contained on the Preliminary Plat prepared by Sathre-Bergquist which identifies a gross parcel acreage of 15.027 Acres and 14.914 Net acres. The Net Acres were determined by reducing the Gross Acres by the quantity of Right-of-Way and wetlands contained on the site. Per the due diligence process a determination was made that there are no wetlands present on site, and the only area of existing right-of-way is located on the north edge of the site on CSAH 26.

As shown on the Preliminary Plat, we have planned for approximately 1.9 Acres of Open Space which are identified in two separate Outlots. We are requesting flexibility from the required open space due to the small size of this project. The following Summary of the Outlots is provided for your information, Outlot C depicted on the preliminary plat will not be considered as open space and is therefore not included in the following table:

<u>Outlot</u>	<u>Area</u>	<u>% of OS</u>	<u>Area of Ponds</u>	<u>% Ponds*</u>	<u>Area of Rain Gardens</u>	<u>% Rain Garden*</u>
A	18,357 SF	22.19%	0 SF	0%	5,300 SF	28.9%
B	64,380 SF	77.81%	3,700 SF	10.8%	30,600 SF	47.5%
<i>Total</i>	<i>82,737 SF</i>	-	<i>3,700 SF</i>	<i>4.5%</i>	<i>35,900 SF</i>	<i>43.4%</i>

*\*Percent is calculated per outlot, and total area.*

The open spaces will be used and function in a variety of ways including stormwater management, reintroduction of native vegetation in and around rain garden areas and passive recreational uses. The NWA-PUD ordinance requires a minimum of 50% of the Open Space to remain undisturbed; however, the site has been used for agricultural purposes in the recent past leaving the vast majority of the site in a disturbed state with little-to-no native vegetation left on site. Part of our plan is to introduce rain gardens throughout the project site bringing native grasses and forbes to the area to perform dual function 1) assist with stormwater and surface water management and 2) create natural resource value in an areas that currently lack any native vegetation of habitat quality. So, while the open spaces do not currently have any natural resource value, as indicated on the city's natural resources plans, the proposed development will create pockets of native vegetation and natural resource value to be enjoyed by the new residents as well as the larger community.

Finally, the Blackstone Highlands project leaves the Huysentruit property as a small remnant parcel to the east of Outlot C on the preliminary plat. The topography of the Huysentruit property includes a densely wooded area on the western border of the parcel which becomes less wooded as you progress east on the parcel. We believe it would be best to combine Outlot C and that portion of the Huysentruit property containing the densely wooded areas to maximize the value of both properties and to protect the most desirable natural feature on each of these parcels. The wooded portion of the Huysentruit property would be dedicated as open space, supporting the City's goals and objectives for larger contiguous areas of natural resource protection where possible. The owner of this property should be involved in this process as it progresses, and we have been in contact with the owner on a preliminary level.

### *Requested Flexibility*

#### Open Space

We are requesting flexibility from two of the open space ordinance requirements as follows: 1) flexibility from the NWA-PUD ordinance requirement that 75% of the open space be contiguous, and 2) flexibility from the quantity of dedicated open space which would require approximately 2.98 acres of dedicated open space in the project. Due to the relatively small scale of the site, orientation and proximity to adjacent open spaces, we believe it is more logical to decentralize the open spaces and provide opportunities to connect the open space network with adjacent developed and developing neighborhoods. Additionally, by slightly reducing the quantity of open space we are able to better balance the desire of the City to increase the number of housing units in the project while still bringing a desired housing product to the market.

#### Hardcover Requirements

We are requesting flexibility from the City's hardcover requirements which limit hard cover on each lot to 25%. Based upon the lot sizes in the proposed project, following the current ordinance requirements, each lot would be limited to a maximum of 2,313 square feet of coverage. We believe that this coverage is too restrictive and does not easily accommodate the anticipated product type in the project. We are requesting that the maximum coverage permitted be increased to 30% (3,450 square feet) per lot, which would accommodate housing types and sizes similar to those recently approved in the Blackstone Vista and Blackstone Ridges projects. We plan to account for the proposed increase in coverage in our stormwater calculations to ensure the designed stormwater management on site is appropriately sized and can accommodate the proposed increase. We would like to revisit this item at Final Plat when more of these details will be known.

## infrastructure

Road widths and dedicated right-of-ways are designed to match up with the roadways in the Vista neighborhood with 28-feet of traveled surface and 60-feet of ROW. Temporary cul-de-sacs/turnarounds will be installed in compliance with the City's ordinances as demonstrated on the grading and erosion control plan. Per the design standards of the Northwest Area, sidewalks are proposed within the ROW on one side of all local streets which provide critical connections to the local trail network, recreational areas and adjacent neighborhoods.

The open space network provides dual function as a natural resource amenity, as well as integrates stormwater management ponds and rain gardens. As designed there are two stormwater management ponds located in Outlots A and B, with the remainder of the surface and stormwater managed through rain gardens. On Site BMPs will be used through the site development process as detailed on the grading and erosion control plan. All lots are designed with a minimum of 65-feet of frontage ensuring that houses can be site to meet the City's front, side and rear yard setbacks which is demonstrated on the grading and erosion control plans.

The project site is located in the MUSA expansion area and is guided for development at suburban densities in the City's Comprehensive Plan. The proposed Highlands neighborhood is contiguous to the Vista neighborhood which is currently being developed with municipal water and regional sewer making the extension of services to this parcel efficient and consistent with the City's planning documents. It should be noted that the trunk sewer bisects this relatively small parcel, which contributes to the pattern of development on the parcel, making large contiguous open space areas difficult at best. While the City's plans contemplate higher densities than proposed in our development, we believe our neighborhood plan is not-only marketable, but is more compatible with adjacent development patterns.

In addition to sewer and water, the transportation infrastructure and accessibility of this site to regional transportation routes such as I-494 and Highway 55 makes development of this site highly desirable. The site will be accessed through the adjacent Vista neighborhood via 71st Street and Archer Street which connects to 70th Street which serves as an A-Minor Arterial in the City. Additionally, it is contemplated that 71st Street will continue east ultimately connecting to Argenta Trail which is scheduled for improvements in the near future.

## phasing

At this time we anticipate platting the Highlands neighborhood in one phase. Since there is a diversity of lot sizes within the development we believe bringing the development online at the same time will allow for the greatest opportunity to respond to market demands.

# Blackstone Highlands

Inver Grove Heights, Minnesota

Project # 1920-015

Date

November 23rd, 2015

Prepared for: **Jim Deanovic**  
5116 Mirror Lakes Drive  
Edina MN 55436  
Contact:  
tel: 612-799-5399

Prepared by: **Sathre-Bergquist, Inc.**  
150 Broadway Ave. S.  
Wayzata, MN 55391  
Contact: David Pemberton  
tel: 952-476-6000

BLOCK 1	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	9,307	s.f.	0.21	acres	0	s.f.	9,307	s.f.	0.21	acres	65	+/-	I.f.
Lot 2	9,470	s.f.	0.22	acres	0	s.f.	9,470	s.f.	0.22	acres	79.9	+/-	I.f.
Lot 3	7,748	s.f.	0.18	acres	0	s.f.	7,748	s.f.	0.18	acres	65	+/-	I.f.
Lot 4	7,996	s.f.	0.18	acres	0	s.f.	7,996	s.f.	0.18	acres	65	+/-	I.f.
Lot 5	8,442	s.f.	0.19	acres	0	s.f.	8,442	s.f.	0.19	acres	65	+/-	I.f.
Lot 6	8,437	s.f.	0.19	acres	0	s.f.	8,437	s.f.	0.19	acres	65	+/-	I.f.
Lot 7	8,128	s.f.	0.19	acres	0	s.f.	8,128	s.f.	0.19	acres	65	+/-	I.f.
Total	59,526	s.f.	1.37	acres	0	s.f.	59,526	s.f.	1.37	acres			

BLOCK 2	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	7,908	s.f.	0.18	acres	0	s.f.	7,908	s.f.	0.18	acres	65	+/-	I.f.
Lot 2	7,799	s.f.	0.18	acres	0	s.f.	7,799	s.f.	0.18	acres	65	+/-	I.f.
Lot 3	8,074	s.f.	0.19	acres	0	s.f.	8,074	s.f.	0.19	acres	65	+/-	I.f.
Lot 4	8,704	s.f.	0.20	acres	0	s.f.	8,704	s.f.	0.20	acres	65	+/-	I.f.
Lot 5	9,023	s.f.	0.21	acres	0	s.f.	9,023	s.f.	0.21	acres	65	+/-	I.f.
Lot 6	11,172	s.f.	0.26	acres	0	s.f.	11,172	s.f.	0.26	acres	80	+/-	I.f.
Lot 7	12,171	s.f.	0.28	acres	0	s.f.	12,171	s.f.	0.28	acres	85	+/-	I.f.
Lot 8	9,134	s.f.	0.21	acres	0	s.f.	9,134	s.f.	0.21	acres	65	+/-	I.f.
Lot 9	9,265	s.f.	0.21	acres	0	s.f.	9,265	s.f.	0.21	acres	65	+/-	I.f.
Lot 10	12,919	s.f.	0.30	acres	0	s.f.	12,919	s.f.	0.30	acres	80.3	+/-	I.f.
Lot 11	9,957	s.f.	0.23	acres	0	s.f.	9,957	s.f.	0.23	acres	65	+/-	I.f.
Lot 12	8,776	s.f.	0.20	acres	0	s.f.	8,776	s.f.	0.20	acres	65	+/-	I.f.
Lot 13	13,378	s.f.	0.31	acres	0	s.f.	13,378	s.f.	0.31	acres	65.1	+/-	I.f.
Lot 14	16,998	s.f.	0.39	acres	0	s.f.	16,998	s.f.	0.39	acres	65	+/-	I.f.
Lot 15	21,418	s.f.	0.49	acres	0	s.f.	21,418	s.f.	0.49	acres	65.1	+/-	I.f.
Lot 16	15,697	s.f.	0.36	acres	0	s.f.	15,697	s.f.	0.36	acres	77.2	+/-	I.f.
Lot 17	9,665	s.f.	0.22	acres	0	s.f.	9,665	s.f.	0.22	acres	65	+/-	I.f.
Lot 18	10,345	s.f.	0.24	acres	0	s.f.	10,345	s.f.	0.24	acres	65	+/-	I.f.
Lot 19	9,858	s.f.	0.23	acres	0	s.f.	9,858	s.f.	0.23	acres	65	+/-	I.f.
Lot 20	9,022	s.f.	0.21	acres	0	s.f.	9,022	s.f.	0.21	acres	65	+/-	I.f.
Lot 21	8,430	s.f.	0.19	acres	0	s.f.	8,430	s.f.	0.19	acres	65	+/-	I.f.
Lot 22	8,349	s.f.	0.19	acres	0	s.f.	8,349	s.f.	0.19	acres	65	+/-	I.f.
Total	238,060	s.f.	5.47	acres	0	s.f.	238,060	s.f.	5.47	acres			

BLOCK 3	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK		
Lot 1	8,441	s.f.	0.19	acres	0	s.f.	8,441	s.f.	0.19	acres	65	+/-	I.f.
Lot 2	10,728	s.f.	0.25	acres	0	s.f.	10,728	s.f.	0.25	acres	84.6	+/-	I.f.
Lot 3	10,877	s.f.	0.25	acres	0	s.f.	10,877	s.f.	0.25	acres	69.7	+/-	I.f.
Lot 4	9,881	s.f.	0.23	acres	0	s.f.	9,881	s.f.	0.23	acres	65	+/-	I.f.
Lot 5	10,088	s.f.	0.23	acres	0	s.f.	10,088	s.f.	0.23	acres	65	+/-	I.f.
Lot 6	10,094	s.f.	0.23	acres	0	s.f.	10,094	s.f.	0.23	acres	65	+/-	I.f.
Lot 7	11,021	s.f.	0.25	acres	0	s.f.	11,021	s.f.	0.25	acres	80.2	+/-	I.f.
Lot 8	10,300	s.f.	0.24	acres	0	s.f.	10,300	s.f.	0.24	acres	75.1	+/-	I.f.
Total	81,430	s.f.	1.87	acres	0	s.f.	81,430	s.f.	1.87	acres			

BLOCK 4	GROSS AREA				WETLAND AREA		NET AREA				WIDTH @ SETBACK	
---------	------------	--	--	--	--------------	--	----------	--	--	--	-----------------	--

Lot 1	7,655	s.f.	0.18	acres	0	s.f.	7,655	s.f.	0.18	acres	65	+/-	l.f.
Lot 2	10,612	s.f.	0.24	acres	0	s.f.	10,612	s.f.	0.24	acres	90.2	+/-	l.f.
Lot 3	10,176	s.f.	0.23	acres	0	s.f.	10,176	s.f.	0.23	acres	65	+/-	l.f.
<b>Total</b>	<b>28,443</b>	<b>s.f.</b>	<b>0.65</b>	<b>acres</b>	<b>0</b>	<b>s.f.</b>	<b>28,443</b>	<b>s.f.</b>	<b>0.65</b>	<b>acres</b>			

<b>OUTLOT</b>	<b>GROSS AREA</b>				<b>WETLAND AREA</b>		<b>NET AREA</b>						
A	18,357	s.f.	0.42	acres	0	s.f.	18,357	s.f.	0.42	acres			
B	64,380	s.f.	1.48	acres	0	s.f.	64,380	s.f.	1.48	acres			
C	40,962	s.f.	0.94	acres	0	s.f.	40,962	s.f.	0.94	acres			
<b>Total</b>	<b>123,699</b>	<b>s.f.</b>	<b>2.84</b>	<b>acres</b>	<b>0</b>	<b>s.f.</b>	<b>123,699</b>	<b>s.f.</b>	<b>2.84</b>	<b>acres</b>			

<b>R/W</b>	<b>GROSS AREA</b>				<b>WETLAND AREA</b>		<b>NET AREA</b>						
	123,419	s.f.	2.83	acres	0	s.f.	123,419	s.f.	2.83	acres			

<b>TOTAL</b>	<b>GROSS AREA</b>				<b>WETLAND AREA</b>		<b>NET AREA</b>						
	654,577	s.f.	15.03	acres	0	s.f.	654,577	s.f.	15.03	acres			

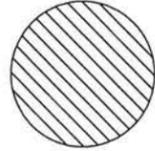
**DESCRIPTION OF PROPERTY**

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).



DENOTES TEMP CUL-DE-SAC EASEMENT

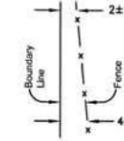
**40 SINGLE FAMILY LOTS**

**LOT STANDARDS**

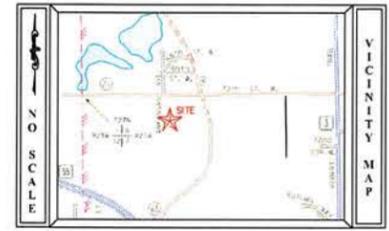
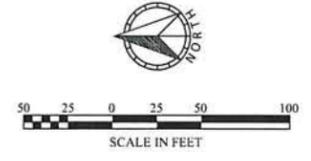
65' WIDE SINGLE FAMILY  
MIN. FRONT YARD SETBACK = 20'  
MIN. SIDE YARD SETBACK = 5', 10'  
MIN. SIDE CORNER SETBACK = 20'  
MIN. REAR YARD SETBACK = 30'  
RIGHT OF WAY - 60 feet

EXISTING ZONING: Medium Density (6 to 12 Units per acre)

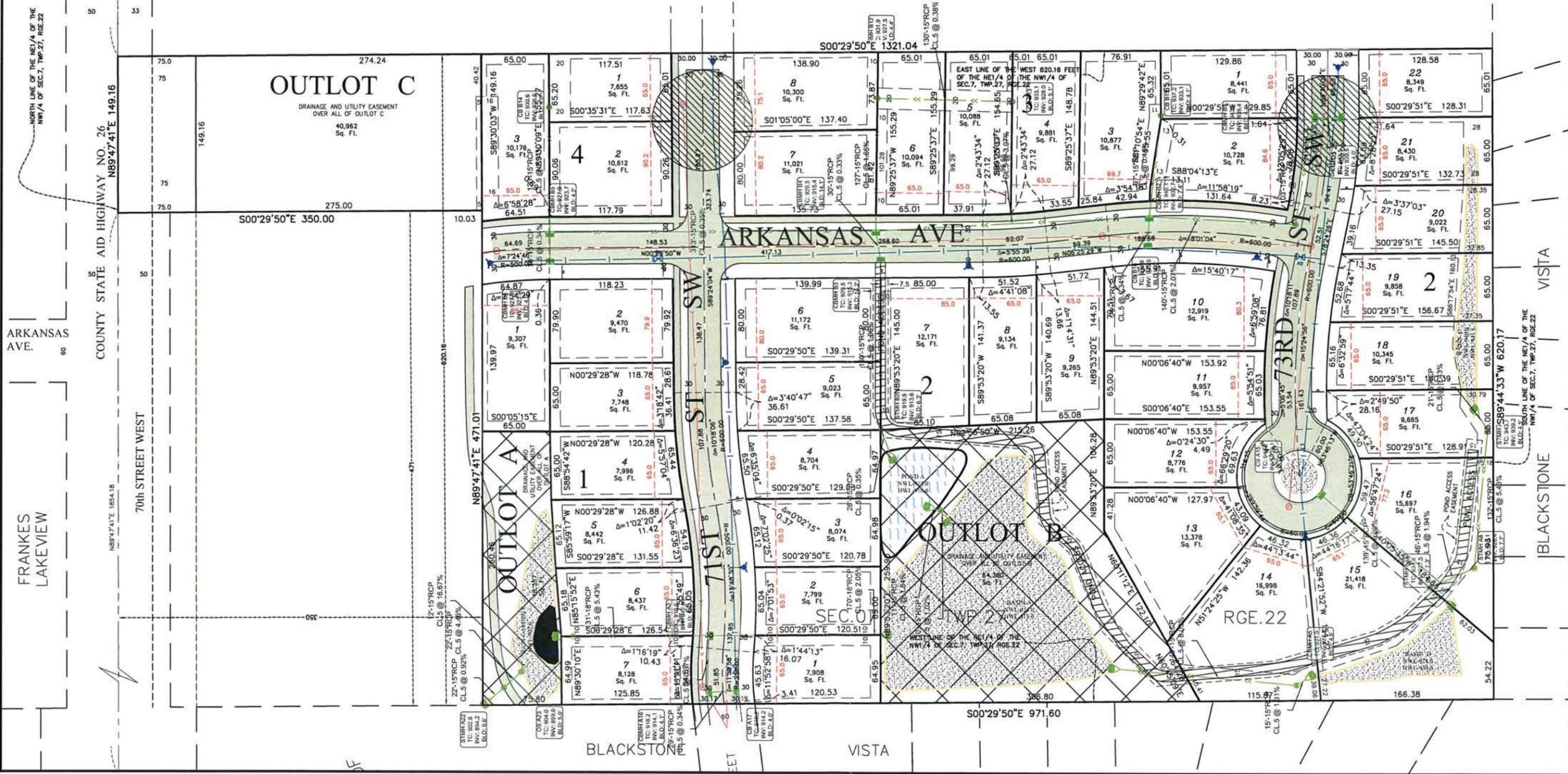
PROPOSED ZONING: PUD



Fence ties are shown on the side of the boundary line that the fence is located on.



PREPARED BY		PREPARED FOR	
SURVEYOR SATHRE-BERGQUIST, INC. 150 SOUTH BROADWAY WAYZATA, MINNESOTA 55391		DEVELOPER JIM DEANOVIC 5114 WINDSOR LAKES DRIVE EDINA, MN 55436	
PHONE: (952) 476-6000 FAX: (952) 476-0104			
CONTACT: DANIEL L. SCHMIDT, P.E. EMAIL: SCHMIDT@SATHRE.COM			



USE INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION OR BE RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

FIELD CREW	NO.	BY	DATE	REVISION	NEW SITE LAYOUT	REVISED LOT NUMBER TEXT
DH	1	JJA	11/20/2015			
DRAWN	2	DLS	12/28/2015			
CHECKED		JJA				
DSP						
DATE						

**BLACKSTONE HIGHLANDS  
PRELIMINARY PLAT**

**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN 55391 (952) 476-6000



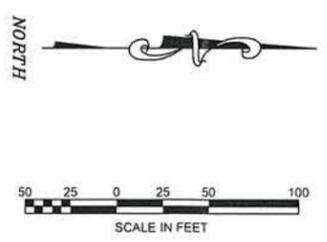


Gross Area		14.91	
75' - 70th Street West & Argenta Tr.		0.14	
Wetland/Lake		0.00	
Net Area		14.77	
Required Min Density		44	
Open Space Dedication		3.0	
Net Area		14.8	
Required Dedication(20%)		3.0	
Undisturbed Dedication (10%)		1.5	
Provided Dedication		1.9	
Provided Undisturbed		-	
Outlots	Total	Basin	Undisturbed
A	0.4	-	-
B	1.5	-	-
TOTAL		1.9	-
Required Dedication(acres)		3.0	
Largest Open Space(acres)		1.5	
Continuous Dedication		78%	

All values in Acres

**NOTE:**  
IT IS ANTICIPATED THAT OUTLOT C WILL BE COMBINED WITH THE WOODED WESTERN PORTION OF THE HUYSENTRUIT PROPERTY TO BECOME CONTINUOUS OPEN SPACE.

OPEN SPACE



**LOT STANDARDS**  
65' WIDE SINGLE FAMILY (FLEXIBLE W/PUD)  
MIN. FRONT YARD SETBACK = 20'  
MIN. SIDE YARD SETBACK = 10', 5'  
MIN. SIDE YARD SETBACK - CORNER LOT = 20'  
MIN. REAR YARD SETBACK = 30'

HARDCOVER CALCULATION			
CLIENT:	Jim Deanovic	JOB # 1920-015	ADDRESS: 70th St. Inver Grove Heights
DATE:	12/28/2015		
Net Site Area:	14.91	Acres	
Lots	40		
Max Allowable Hardcover (25%)*	3.73	Acres	
*[For lots >12,500-17,000 SF]			
	LF	SQ FT	ACRES
Street	60118		1.38
Sidewalk	9719		0.22
Remaining Hardcover	92532.9		2.12
Remaining Hardcover Per Lot*	2313.323		0.05

\*Flexibility may be requested on hardcover requirements.

DRAWING NAME	NO.	BY	DATE	REVISIONS
BASE BH	01	DLS	12-28-2015	REV. HARD COVER/OPEN SPACE CALCS
DRAWN BY				
CHECKED BY				
DATE				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

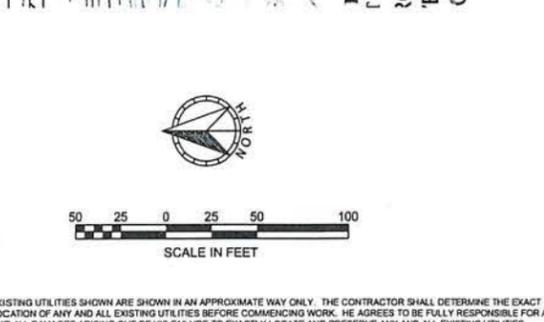
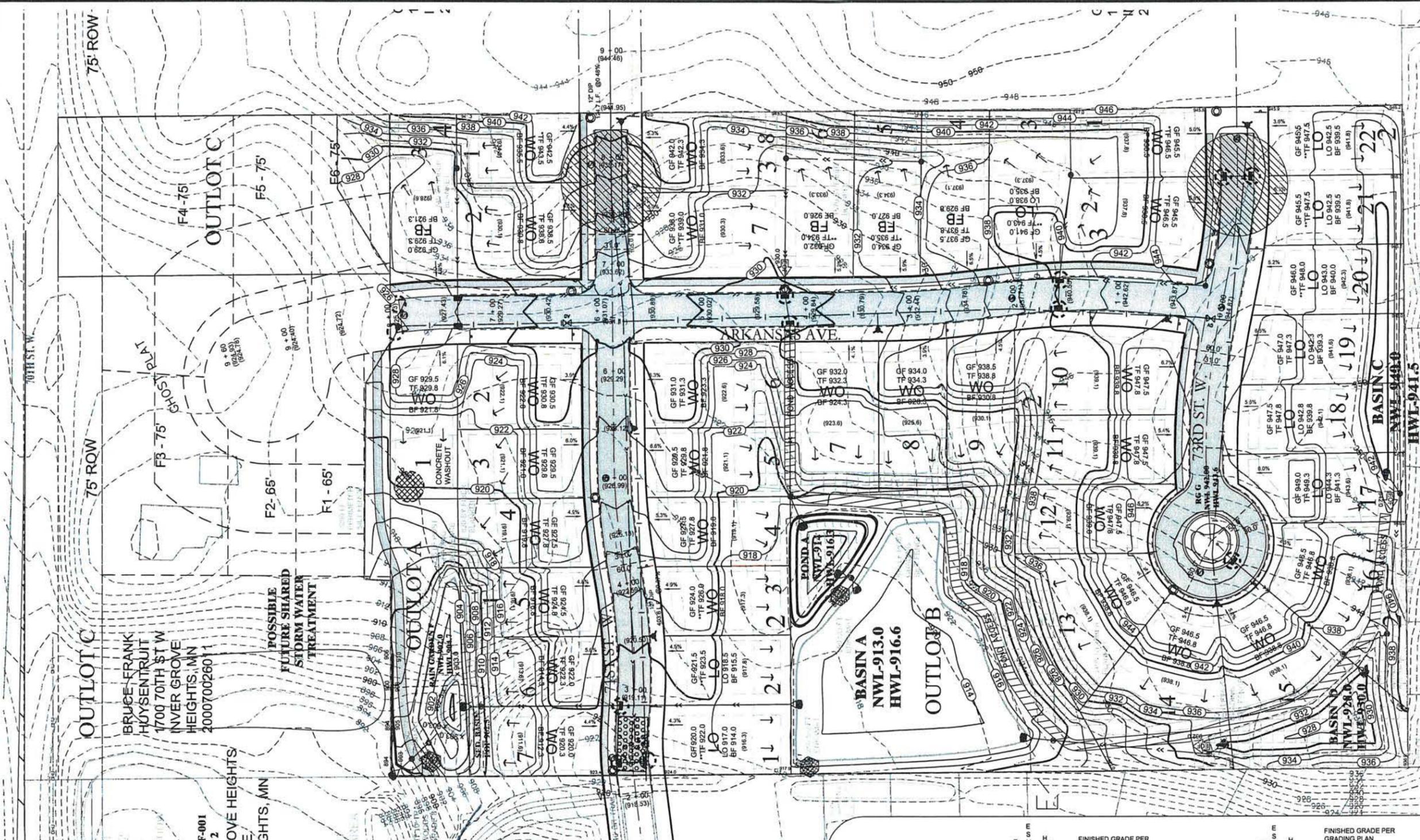
*Daniel L. Schmidt*  
Daniel L. Schmidt, P.E.  
Date: 06/22/15 Lic. No. 26147

**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

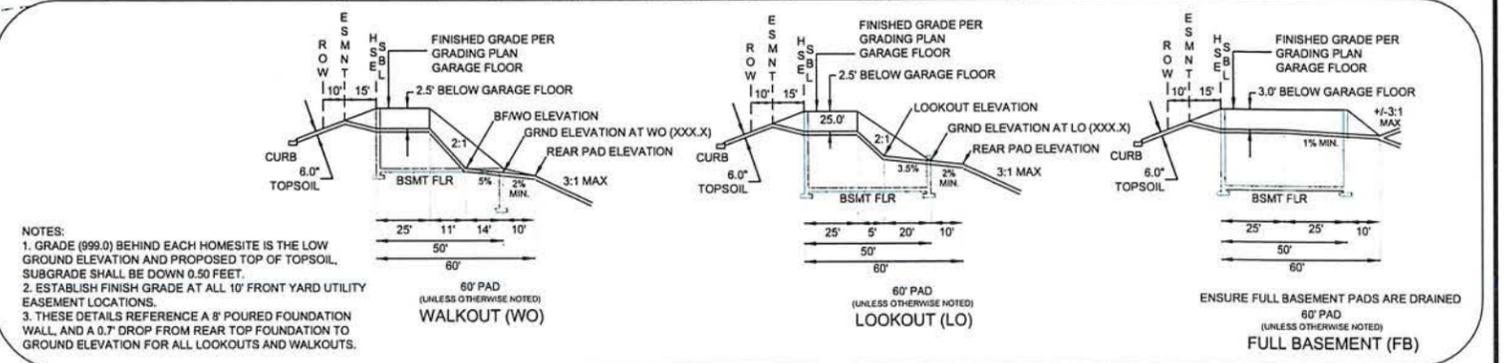
CITY PROJECT NO.		SITE PLAN BLACKSTONE HIGHLANDS JIM DEANOVIC	FILE NO.
INVER GROVE HEIGHTS, MINNESOTA			1920-015 SP1 SP1

- CONSTRUCTION NOTES**
1. INSTALL SILT FENCE AS SHOWN ON PLAN, AS REQUIRED BY THE CITY OF INVER GROVE HEIGHTS OR DIRECTED BY THE ENGINEER.
  2. THE WATER QUALITY POND MUST BE EXCAVATED AT THE BEGINNING OF GRADING OPERATIONS TO PROVIDE TEMPORARY STORM WATER DETENTION DURING CONSTRUCTION. SAND, CLAYS, AND SILTS MUST BE REMOVED FROM THE POND AS NECESSARY DURING CONSTRUCTION AND AT THE COMPLETION OF THE PROJECT. REFER TO SECTION 2.2 OF THE STORM WATER POLLUTION PREVENTION PLAN.
  3. BEGIN GRADING, INSTALL PERFORATED RISER PIPE IN PONDS WHEN POND GRADING IS COMPLETE. TEMPORARY DRAINAGE PIPE SHALL BE USED FOR INTERMEDIATE DRAINAGE DURING THE CONSTRUCTION PERIOD AS NECESSARY AND DIRECTED BY THE ENGINEER. THE TEMPORARY DRAINAGE PIPES SHALL BE INCIDENTAL TO THE GRADING OPERATIONS. INSTALL SILT FENCE AROUND EXCAVATED POND, AFTER THE AS-BUILT ELEVATIONS HAVE BEEN VERIFIED BY THE ENGINEER.
  4. INSPECT POND, SILT FENCE, AND ROCK ENTRANCE BERM AFTER ALL RAINFALL EVENTS AS REQUIRED BY THE NPDES PERMIT.
  5. LINE ALL PONDS WITH A MINIMUM 3" ORGANIC SILK & SEED SOILS BETWEEN NWL AND 100 YR HWL WITH A WATER TOLERANT MIX. (OR AS NOTED)
  6. REMOVE PERFORATED RISER PIPE WHEN STORM SEWER AND OUTLET STRUCTURE FOR PONDS ARE INSTALLED (INCIDENTAL).
  7. POND - 10:1 BENCH (1 FOOT) THEN 3:1 MAX
  8. LO & WO FINISHED PADS SHALL BE FLATTER THAN 3:1. ALL OTHER SLOPES 4:1 MAX (UNLESS NOTED)
  9. RESTORATION - ACRES PLUS WETLAND RESTORATION AREAS
    - A. RESTORE ALL DISTURBED AREAS WITH 4" TO 6" OF TOPSOIL, OR EXISTING ON-SITE ORGANIC MTR.
    - B. SEED ALL DISTURBED AREAS WITH MNDOT MIXTURE #25-141 AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE. (UNLESS OTHERWISE NOTED) WETLAND RESTORATION - BWSR SEED MIX FOR WETLANDS (AS NOTED IN THE WETLAND REPLACEMENT PLAN APPLICATION)
    - C. ONLY PHOSPHOROUS FREE FERTILIZER IS TO BE USED ON SITE.
    - D. MULCH WITH TYPE "A" AT A RATE OF 2 TONS/ACRE AND DISC ANCHOR IMMEDIATELY AFTER PLACEMENT. USE WOOLFEEDER BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER.
    - E. PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED.
    - F. MAINTAIN ALL SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED.
    - G. RESTORATION WORK WILL BE COMPLETED WITHIN 72 HOURS OF GRADING COMPLETION.
    - H. SLOPES TO WATER WAYS SHALL BE STABILIZED WITHIN 24 HOURS OF DISTURBANCE.
  10. SILT FENCE, BEFORE GRADING - 3.750 LF  
AFTER GRADING - 1.960 LF
  11. CAT. 3 EROSION CONTROL BLANKET - 6.500 SY
  12. CUT - 56000 CY  
FILL - 56000 CY

- GENERAL NOTES:**
1. THE GRADING CONTRACTOR IS RESPONSIBLE FOR ALL STORM WATER INSPECTIONS ACCORDING TO THE MPCA STORM WATER PERMIT. THIS INCLUDES BOTH WEEKLY INSPECTIONS AND INSPECTIONS DONE AFTER A 0.5" RAIN EVENT. A COPY OF THE INSPECTION REPORT MUST BE EMAILED TO THE ENGINEER AND DEVELOPER ON A WEEKLY BASIS.
  2. THE CONTRACTOR SHALL PLACE INLET PROTECTION DEVICES FOR ALL STORM SEWER INLETS (EXISTING AND PROPOSED) AND MAINTAIN THEM AS AN EFFECTIVE SILT CONTROL DEVICE. INLET PROTECTION SHALL BE REMOVED WHEN RESTORATION HAS BEEN ESTABLISHED.
  3. ALL RETAINING WALLS TO BE CONSTRUCTED DURING THE GRADING PHASE. BUILDING PERMIT WILL NOT BE ISSUED UNTIL WALLS ARE ACCEPTED.
    - 3.1. IF 4" WALLS WILL REQUIRE A STRUCTURAL DESIGN, A BUILDING PERMIT & A FINAL INSPECTION REPORT (IF APPLICABLE)
    - 3.2. WALLS IN ROW FOR ROAD TO MAINTAINED BY CITY AND CONSTRUCTED TO BIG BLOCK SPECS PER CITY ENGINEER
  4. A 1'-2" CRUSHED ROCK ENTRANCE BERM SHALL BE PLACED AT THE SITE ENTRANCE, TO REPLACE SILT BERM, AND MINIMIZE EROSION ON TO THE STREETS. THE ROCK BERMS SHALL BE THE WIDTH OF THE ENTRANCE AND 2 FEET HIGH WITH 4:1 SLOPES. (SEE DETAIL)
  5. THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM THE BUILDING PAD AND STREET AREAS THROUGHOUT CONSTRUCTION.
  6. THE CONTRACTOR SHALL ATTEMPT TO PREVENT SOIL MATERIALS FROM LEAVING THE SITE BY EROSION AND VEHICLE WHEEL TRACKING. HE SHALL BE RESPONSIBLE FOR CLEANING OF STREET, BOULEVARD AND UTILITY FACILITIES THAT RECEIVE ANY ERODED OR TRACKED SOIL, MATERIAL OR OTHER CONSTRUCTION DEBRIS OR MATERIAL. THE GRADING CONTRACTOR WILL BE REQUIRED TO PROVIDE STREET SWEEPING ON HUNTER DRIVE DURING THE GRADING OPERATIONS, IF REQUIRED.
  7. EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.



- ON-SITE BMPs**
1. NURP POND - NURP POND WILL BE UTILIZED TO MEET OR EXCEED QUALITY AND RATE CONTROL REQUIREMENTS.
  2. SKIMMERS - THE POND OUTLET STRUCTURE INCLUDES A SUBMERGED INLET PIPE TO ALLOW SKIMMING (Utility Contractor)
  3. RIP RAP - RIP RAP WILL BE UTILIZED AT ALL APRONS FOR ENERGY DISSIPATION AND PROVIDE SEDIMENT CONTROL. (Utility Contractor)
  4. INLET PROTECTION - INLET PROTECTION WILL BE INSTALLED AND MAINTAINED IN ALL CATCH BASINS & REAR YARD STRUCTURES. (MIMCO'S OR EQUAL) (Utility Contractor)
  5. SLOPE STABILIZATION - SILT FENCE WILL BE INSTALLED ALONG DOWN GRADIENT GRADING LIMITS AND WOOLFEEDER BLANKET WILL BE UTILIZED ON ALL SLOPES 3:1 OR GREATER TO PROVIDE ADEQUATE SLOPE STABILIZATION. (Grading Contractor)
  6. BIOROLLS - BIOROLLS WILL BE INSTALLED ALONG REAR YARD SWALES TO PREVENT SEDIMENT FROM REACHING THE NURP POND AND ULTIMATELY DOWNSTREAM WETLANDS (Grading Contractor)
  7. INFILTRATION AREAS - INFILTRATION AREAS WILL BE UTILIZED TO REDUCE THE AMOUNT OF RUNOFF FROM THE INCREASED HARDSURFACE. (Grading Contractor)
  8. STREET SWEEPING - STREET SWEEPING WILL BE DONE A MINIMUM OF ONCE PER WEEK OR AS NEEDED TO MINIMIZE DUST CONTROL AND VEHICLE TRACKING. (Grading and Utility Contractor)
  9. PHOSPHOROUS FREE FERTILIZER - PHOSPHOROUS FREE FERTILIZER WILL ALSO BE USED ON SITE.
  11. ALL CONCRETE WASHOUT WASTE PRODUCED SHALL BE REMOVED FROM THE SITE. (Utility Contractor)



**NOTES:**

1. GRADE (999.0) BEHIND EACH HOMESITE IS THE LOW GROUND ELEVATION AND PROPOSED TOP OF TOPSOIL. SUBGRADE SHALL BE DOWN 0.50 FEET.
2. ESTABLISH FINISH GRADE AT ALL 10' FRONT YARD UTILITY EASEMENT LOCATIONS.
3. THESE DETAILS REFERENCE A 8" POURED FOUNDATION WALL AND A 0.7' DROP FROM REAR TOP FOUNDATION TO GROUND ELEVATION FOR ALL LOOKOUTS AND WALKOUTS.

DRAWING NAME	NO.	BY	DATE	REVISIONS
BASE BH				
DRAWN BY				
CHECKED BY				
DATE				
09/01/15				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Daniel L. Schmidt*  
Daniel L. Schmidt, P.E.  
Date: 09/22/15 Lic. No. 26147

**ENGINEERS SURVEYORS DESIGNERS PLANNERS**

**SATHRE-BERGQUIST, INC.**  
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

CITY PROJECT NO. \_\_\_\_\_

**INVER GROVE HEIGHTS, MINNESOTA**

**PRELIMINARY GRADING PLAN**

**BLACKSTONE HIGHLANDS**

**JIM DEANOVIC**

FILE NO. 1920-015

**GP1**

**GP1**



Tree #	Species	Condition	Diameter	Class	Saved [in. DBH]	Removed [in. DBH]	Exempt [in. DBH]
2701	Redcedar	Good	3.0	B	3.0		
2702	Redcedar	Good	3.5	B	3.5		
2703	Redcedar	Good	4.5	B	4.5		
2704	Redcedar	Good	1.5	B	1.5		
2705	Redcedar	Good	20.0	B	20.0		
2706	Redcedar	Good	2.0	B	2.0		
2707	Oak, red	Fair	28.5	C	28.5		
2708	Redcedar	Good	10.0	B	10.0		
2709	Redcedar	Good	3.0	B	3.0		
2710	Redcedar	Fair	3.0	B			
2711	Oak, pin	Good	12.0	B			3
2712	Cherry, black	Fair	11.0	B			12
2713	Elm, Siberian	Good	8.5	A			11
2714	Cherry, black	Fair	10.0	B			8.5
2715	Ash, green	Fair	18	B			10
2716	Cherry, black	Good	15.5	B			18
2717	Oak, pin	Good	14.5	B			15
2718	Oak, pin	Fair	11.0	B			14.5
2719	Cherry, black	Good	10.0	B			11
2720	Cherry, black	Good	12.0	B			10
2721	Oak, pin	Good	11.5	B			12
2722	Oak, pin	Good	10.5	B			10
2723	Oak, pin	Good	9.5	B			11.5
2724	Oak, bur	Good	10.5	B			10.5
2725	Cherry, black	Good	16.0	B			16.0
2726	Oak, bur	Good	8.0	B			8.0
2727	Cherry, black	Fair	10.0	B			10.0
2728	Birch, paper	Fair	8.0	B			8.0
2729	Oak, bur	Good	20.0	B			20.0
2730	Oak, bur	Good	25.0	B			25.0
2731	Oak, bur	Good	23.0	B			23.0
2732	Aspen	Fair	9.5	A			9.5
2733	Elm, American	Good	18.0	A			18.0
2734	Cherry, black	Good	11.0	B			11.0
2735	Aspen	Fair	9.0	A			9.0
2736	Oak, bur	Good	28.0	C			28.0
2737	Birch, paper	Fair	16.0	B			16.0
2738	Oak, pin	Good	8.0	B	8.0		
2739	Cherry, black	Good	8.5	B	8.5		
2740	Cherry, black	Good	10.0	B		10.0	
2741	Birch, paper	Fair	9.5	B			9.5
2742	Oak, bur	Good	23.0	B			23.0
2743	Oak, bur	Good	16.5	B			16.5
2744	Oak, pin	Good	26.0	B			26.0
2745	Oak, bur	Good	20.0	B			20.0
2746	Oak, bur	Good	22.0	B			22.0
2747	Oak, bur	Good	9.0	B			9.0
2748	Oak, pin	Good	11.0	B			11.0
2749	Birch, paper	Good	10.5	B			10.5
2750	Oak, bur	Good	23.0	B			23.0
2751	Oak, bur	Good	25.0	B			25.0
2752	Cherry, black	Fair	13.0	B			13.0
2753	Oak, bur	Good	20.0	B			20.0
2754	Elm, Siberian	Good	23.0	A			23.0
2755	Oak, bur	Good	22.0	B			22.0
2756	Oak, bur	Good	25.0	B			25.0
2757	Elm, American	Good	12.0	A			12.0
2758	Cherry, black	Good	9.5	B	9.5		
2759	Cherry, black	Good	12.0	B			12.0
2760	Birch, paper	Fair	23.0	B			23.0
2761	Birch, paper	Good	13.5	B			13.5
2762	Oak, bur	Good	21.0	B			21.0
2763	Oak, bur	Good	32.0	C			32.0
2764	Oak, red	Fair	33.0	C			33.0
2765	Oak, bur	Good	20.0	B			20.0

**LEGEND**

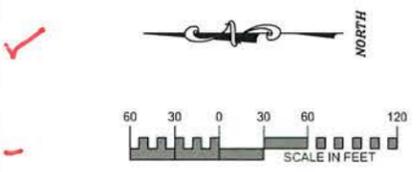
SAVED TREE	○
REMOVED TREE	●
EXEMPT TREE	●

**Tree Reforestation Calculations:**

Class	Inches Saved	Inches Removed	Replacement	Saved Credit	Replacement Inches
Class A	0	71.5	0.5	0.0	35.75
Class B	73.5	470	1.0	0.0	470
Class C	28.5	93	1.0	2.0	36
Exempt*	52.5	157	0.0	0.0	0

\*Trees near the property line but not on the property

Zone:	R-1A
Allowed Removal Percentage:	30
Allowed Removal Inches:	162.5
Total Removal Percentage:	86.2
Total Replacement Inches:	541.75
Park Dedication Credit to be Received:	0
Total Required Replacement Inches:	379.2
No. of 2.5" Replacement Trees	152



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

DRAWING NAME	NO.	BY	DATE	REVISIONS
BH TREE SURVEY	01	DSG	11/25/15	REVISED HIGHLANDS
DRAWN BY	02	DLS	12-28-15	REMOVED EXEMPT TREES
CHECKED BY				
DATE				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Donald L. Schmidt*  
 Daniel L. Schmidt, P.E.  
 Date: 09/10/15 Lic. No. 26147

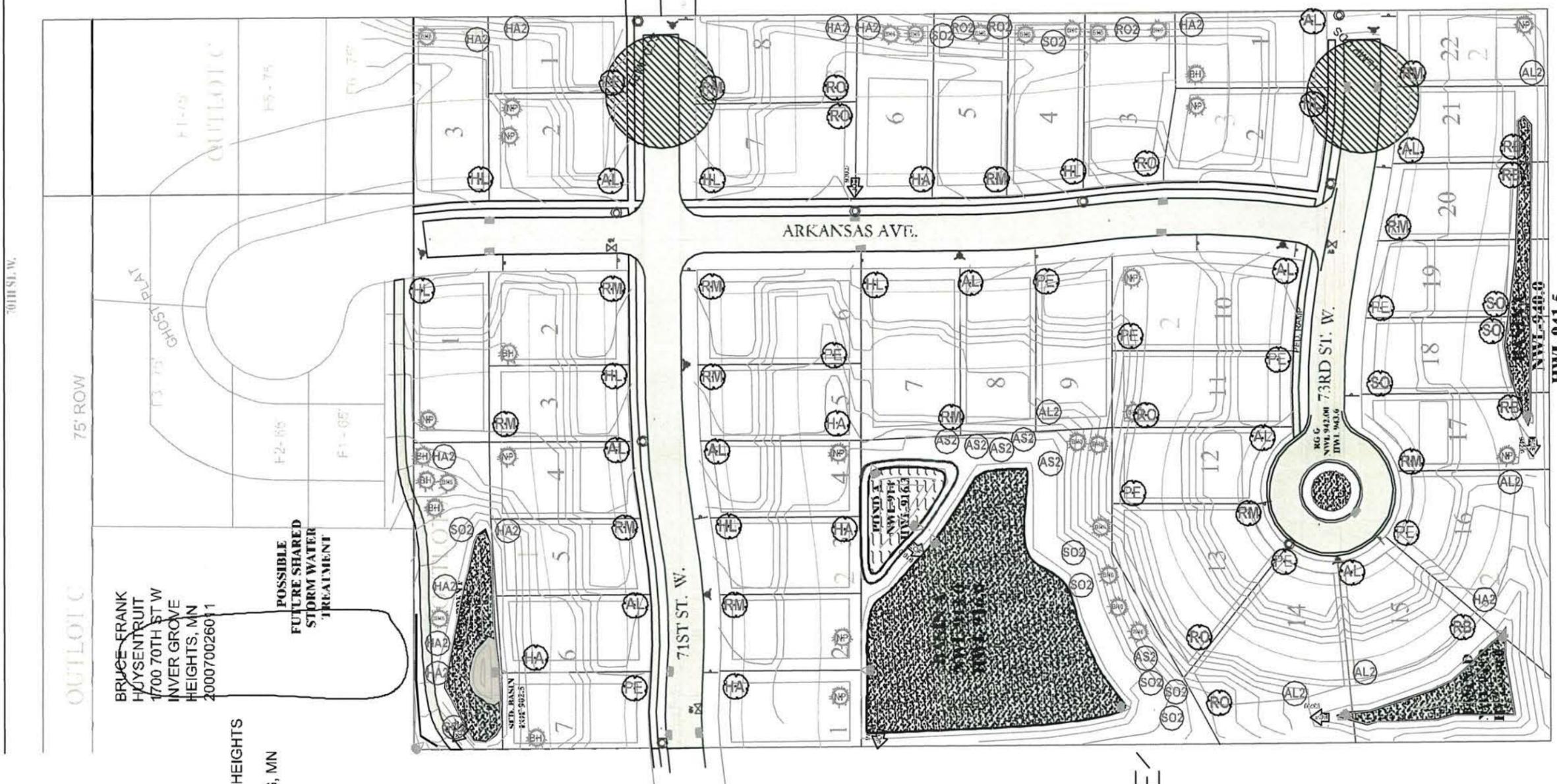
**ENGINEERS SURVEYORS DESIGNERS PLANNERS**

**SATHRE-BERGQUIST, INC.**  
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-8000

CITY PROJECT NO.  
**INVER GROVE HEIGHTS, MINNESOTA**

**TREE SURVEY**  
**BLACKSTONE HIGHLANDS**  
**JIM DEANOVIC**

FILE NO.  
 1920-015  
**TS1**  
**TS1**



BRUCE FRANK  
HUYSENTRUIT  
1700 70TH ST W  
INVER GROVE  
HEIGHTS, MN  
200070026011

HEIGHTS  
3, MN

POSSIBLE  
FUTURE SHARED  
STORM WATER  
TREATMENT

ARKANSAS AVE.

71ST ST. W.

73RD ST. W.

NWL-941-5

BLACKSTONE HIGHLANDS PLANTING LEGEND

KEY	COMMON NAME	BOTANICAL NAME	QUANTITY	CAL INCHES	TOTAL INCHES	SIZE	NOTES
<b>TREES</b>							
AL	Uden 'Redmond'	<i>Tilia americana 'Redmond'</i>	10	3	30	3" BB	straight single leader
AL2	Uden 'Redmond'	<i>Tilia americana 'Redmond'</i>	5	2.5	12.5	2.5" BB	straight single leader
AS2	Quaking Aspen	<i>Populus tremuloides</i>	6	2.5	15	2.5" BB	straight single leader
HA	Hackberry	<i>Celtis occidentalis</i>	5	3	15	3" BB	straight single leader
HA2	Hackberry	<i>Celtis occidentalis</i>	11	2.5	27.5	2.5" BB	straight single leader
HL	Honey Locust 'Skyline'	<i>Gleditsia bicarbo s 'var inermis 'Skyline'</i>	8	3	24	3" BB	straight single leader
PE	Princeton Elm	<i>Ulmus americana 'Princeton'</i>	10	3	30	3" BB	straight single leader
RB	River Birch	<i>Betula nigra</i>	4	3	12	3" BB	multi-stem
RM	Red Maple	<i>Acer rubrum</i>	13	3	39	3" BB	straight single leader
RO	Red Oak	<i>Quercus rubra</i>	6	3	18	3" BB	straight single leader
RO2	Red Oak	<i>Quercus rubra</i>	3	2.5	7.5	2.5" BB	straight single leader
SO	Swamp White Oak	<i>Quercus bicolor</i>	3	3	9	3" BB	straight single leader
SO2	Swamp White Oak	<i>Quercus bicolor</i>	9	2.5	22.5	2.5" BB	straight single leader
<b>EVERGREENS</b>							
BH	Black Hills Spruce	<i>Picea glauca densata</i>	8	4.5	36	10' BB	
BH8	Black Hills Spruce	<i>Picea glauca densata</i>	17	2.5	42.5	8' BB	
NP	Norway Pine	<i>Pinus resinosa</i>	11	4.5	49.5	10' BB	
			<b>Total</b>		<b>381</b>		

REPLACEMENT INCHES REQUIRED 379.2  
REPLACEMENT SHOWN 381  
DIFFERENCE -1.8



DRAWING NAME	NO.	BY	DATE	REVISIONS
BASE B-	1	TW	12-29-15	Reduce trees and adjust per new base.
DRAWN BY				
CHECKED BY				
DATE				
09/04/15				

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT NORBY & ASSOCIATES LANDSCAPE ARCHITECTS, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY NORBY & ASSOCIATES LANDSCAPE ARCHITECTS, INC. OF ALL RESPONSIBILITY. NORBY & ASSOCIATES LANDSCAPE ARCHITECTS, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

Norby & Associates  
Landscape Architects, Inc.  
100 East Second Street, Chaska, MN 55318 (952) 261-0644

CITY PROJECT NO.  
INVER GROVE HEIGHTS, MINNESOTA

PRELIMINARY LANDSCAPE PLAN  
BLACKSTONE HIGHLANDS  
JIM DEANOVIC

FILE NO.  
1920-015  
LP1  
LP1

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**ETERNITY HOMES, LLC**

Meeting Date: January 25, 2016  
Item Type: Regular Agenda  
Contact: Allan Hunting 651.450.2554  
Prepared by: Allan Hunting, City Planner  
Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Consider a Resolution relating to the Preliminary Plat of Crosby Heights for property located between 64<sup>th</sup> and 65<sup>th</sup> Streets and Craig Avenue.

- Requires 3/5th's vote.
- 60-day deadline: February 2, 2016 (first 60 days)

**SUMMARY**

The applicant is proposing to develop a 5.5 acre parcel into a 23 lot single family development to be known as Crosby Heights. The developer would construct Crosby Avenue between 64<sup>th</sup> and 65<sup>th</sup> Streets. The lots are of similar size to the surrounding neighborhood.

**ANALYSIS**

The property was originally platted in the 1880's and is therefore eligible to be replatted using the 70% rule, meaning lots can be 70% of the size of the R-1C standard. The applicant was originally requesting a variance from corner lots side yard setbacks, but has changed the plan and building pad areas would comply with all setback requirements.

The lots meet the 70% rule and the design addresses storm water needs with the pond occurring on the outlot. The outlot would remain in private ownership and be privately maintained.

The project complies with all performance standards.

**RECOMMENDATION**

Planning Staff. Recommends approval of the Preliminary Plat with the conditions listed in the attached resolution

Planning Commission. Planning Commission recommended approval of the request (8-0).

Attachments: Resolution Approving the Preliminary Plat  
Planning Commission Recommendation  
Planning Report

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING A PRELIMINARY PLAT FOR THE SUBDIVISION TO BE  
KNOWN AS CROSBY HEIGHTS

CASE NO. 15-47SV  
(Eternity Homes)

WHEREAS, a preliminary plat application has been submitted to the City for property legally described as;

Lots 1-10 and 16-30, Block 4, and the vacated alley located in Block 4, Inver Grove Factory Addition;

And

Lots 1-15, Block 9, and the vacated alley located in Block 9, Inver Grove Factory Addition.

All in Dakota County, Minnesota

WHEREAS, a public hearing concerning the Plat was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on January 19, 2016;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary Plat for the plat of Crosby Heights is hereby approved subject to the following conditions:

1. The final plat shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 1/8/16
Preliminary Site Plan	dated 1/8/16
Preliminary Grading Plan	dated 1/8/16
Preliminary Erosion Control Plan	dated 1/8/16
Preliminary Utility Plan	dated 1/8/16
Preliminary Landscape Plan	dated 1/8/16
2. Park dedication shall consist of a cash contribution of \$2,850 per lot payable at time of plat release.
4. Prior to final plat approval, the final grading, drainage and erosion control, utility plans and storm water calculations shall be approved by the Director of Public Works and shall provide for the comments listed in the memo dated 1/4/2016.
5. Drainage and Utility easements shall be provided on the final plat as required by the Director of Public Works.

6. The preliminary plat shall be subject to the review and recommendations of the City Fire Marshal. Prior to final plat approval, the final plans shall be approved by the Fire Marshal.
7. A development contract will be required for the improvements on site and shall be approved as part of the final plat.
8. A separate final plat application and approval will be required. The final plat shall be recorded within 90 days of Council approval.

Passed this 25th day of January, 2016.

AYES:  
NAYS:

ATTEST:

---

George Tourville, Mayor

---

Michelle Tesser, City Clerk

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights  
**FROM:** Planning Commission  
**DATE:** January 19, 2016  
**SUBJECT:** **ETERNITY HOMES LLC – CASE NO. 15-47SV**

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for a preliminary plat for a 23 lot single family subdivision to be known as Crosby Heights, and a variance from corner lot setback requirements, for the property located at between 64<sup>th</sup> and 65<sup>th</sup> Streets at Craig Avenue. 84 notices were mailed.

**Presentation of Request**

Mr. Hunting explained the request as detailed in the report. He noted that the applicant has modified their plan and withdrawn their request for a variance as it is no longer needed. The developer is proposing to construct a 23 lot, one outlot single-family subdivision on a 5.5 acre parcel. The property was originally platted in the 1880's as part of the Inver Grove Factory Addition. Since the lots were platted prior to 1965, they are eligible to re-subdivide into lots meeting the 70% rule. The lot sizes will range from 8,400 - 11,600 square feet in size with 60-80 foot lot widths, similar to the existing lot sizes in the neighborhood. As there is no need for additional parks in this area, the Parks Director will be recommending a cash contribution. The developer will construct Crosby Avenue between 64<sup>th</sup> and 65<sup>th</sup> Streets. Lots in Block 1 will access existing Craig Avenue. The outlot will be used for stormwater management purposes. Staff recommends approval of the request with the conditions listed in the report.

Commissioner Simon asked if staff had heard from any of the neighbors.

Mr. Hunting replied that he received one email, which was distributed to Commissioners, and one general phone inquiry.

Commissioner Wippermann asked if the proposed setbacks were ten feet from the house and five feet from the garage.

Mr. Hunting replied in the affirmative.

**Opening of Public Hearing**

John Anderson, Eternity Homes, 14832 Estate Avenue SE, Prior Lake, advised he was available to answer any questions.

Chair Maggi asked the applicant if he read and understood the report.

Mr. Anderson replied in the affirmative. He advised that the six lots along Craig Avenue already had sewer and water stubbed in and the property has been assessed for those services. They plan to start construction on the Craig Avenue homes this spring or early summer while Crosby Avenue is being constructed for the other 17 lots. He advised that originally they looked at a

variance request from side yard setback for the four corner lots. They have since withdrawn that request and have house plans that will fit the four narrower corner lots. The homes will be a mixture of two-story, split entry, and possibly ramblers.

Commissioner Wippermann noted that Eternity Homes was building an attractive home in Eagan, and asked if that was similar to what would be built in Crosby Heights.

Mr. Anderson replied in the affirmative. He noted that Eternity Homes is based out of Farmington, Minnesota.

Kimberly Cleary, 6361 Crosby Avenue East, was concerned about the proposed Crosby Avenue and its potential impact on the roadways in the area that were already in disrepair. She stated they have repeatedly asked for the roadways in that area to be repaired but were told they were not on the five year plan for street repavement/repair.

Commissioner Klein suggested Ms. Cleary get her neighbors involved and petition the City. He advised there would be a cost to homeowners; however, it may help get it in the five year plan.

Ms. Cleary advised that it had been previously petitioned but they have been told it was not in any way close to being within the five year plan.

Mr. Link stated he was unfamiliar with this particular situation, but explained that the Pavement Management Program classified streets according to their condition and the financial resources available. He advised that Council makes the final decision on which streets get fixed and he recommended that Ms. Cleary contact the Public Works Director.

Ms. Cleary was concerned that the construction of Crosby Avenue would add to their existing problem.

Commissioner Klein stated it would be a good time to petition the Council with the construction of Crosby Avenue being only a block away.

Mark Schwarzhoff, 6415 Coryell Court, asked what the price range was of the proposed homes, and asked if the six lots along Craig Avenue could be reconfigured to five lots instead so the lot widths would be larger and more consistent with those north of this property along Craig Avenue.

Mr. Hunting stated that the proposed lot sizes complied with the subdivision code and were consistent with those in the area. He added that the City already assessed and stubbed in utilities for six lots.

Chair Maggi asked the applicant if the home prices started at \$275,000, as stated in the report.

Mr. Anderson replied in the affirmative.

Mr. Schwarzhoff asked if they could move one of the six lots on Craig Avenue to the new Crosby Avenue.

Chair Maggi explained that it would likely remain at six lots along Craig Avenue as the proposed lots were within the size allowed for that particular area and the City had already assessed the property for six utility stubs.

Mr. Schwarzhoff reiterated that the neighborhood would prefer the lot widths be increased to 75 feet to be consistent with the houses going north along Craig Avenue.

Russ Friemann, 6433 Coryell Court, asked if there would be any condos, townhouses, etc.

Mr. Anderson replied there would not; there would only be single-family homes.

Chair Maggi closed the public hearing.

**Planning Commission Recommendation**

Motion by Commissioner Klein, second by Commissioner Lissarrague, to approve the request for a preliminary plat for a 23 lot single family subdivision to be known as Crosby Heights, for the property located at between 64<sup>th</sup> and 65<sup>th</sup> Streets at Craig Avenue, with the conditions listed in the report.

Motion carried (7/0). This item goes to the City Council on January 25, 2016.

Commissioner Simon recommended that Ms. Cleary attend the Council meeting in regard to her concern regarding the streets.

**P L A N N I N G    R E P O R T**  
**C I T Y   O F   I N V E R   G R O V E   H E I G H T S**

---

**REPORT DATE:** January 14, 2016

**CASE NO:** 15-47SV

**APPLICANT:** Eternity Homes, LLC

**PROPERTY OWNER:** Mary Piekarski Trust

**REQUEST:** Preliminary Plat

**LOCATION:** Between 64 & 65<sup>th</sup> Streets at Craig Ave

**HEARING DATE:** January 19, 2015

**COMPREHENSIVE PLAN:** LDR, Low Density Residential

**ZONING:** R-1C, Single Family

**REVIEWING DIVISIONS:**    Planning  
   Engineering

**PREPARED BY:**        Allan Hunting  
   City Planner

---

**BACKGROUND**

The applicant has submitted a plat to divide approximately 5.5 acres of undeveloped land into a single family subdivision containing 23 lots. The applicant would also be constructing a portion of Crosby Avenue between 64<sup>th</sup> and 65<sup>th</sup> Streets. Lots would have access on Crosby and Craig Avenues. The property was originally platted in the 1880's as part of the Inver Grove Factory Addition. Since the lots were platted prior to 1965 and do not meet current lot size or width standards, they are eligible to re-subdivide into lots meeting the 70% rule. The applicant is proposing to create parcels meeting the 70% rule and also be consistent with the existing lot size of the area.

The proposed plan requires the following action:

1.        A Preliminary Plat for a subdivision consisting of 23 lots and one outlet.

**EVALUATION OF THE REQUEST**

The following land uses, zoning districts and comprehensive plan designations surround the subject property:

North - Single family home sites; zoned R-1C; guided LDR, Low Density Residential.

East - Single family home sites; zoned R-1C; guided LDR, Low Density Residential.

West - Single family home sites; zoned R-1C; guided LDR, Rural Density Residential.

South - Single family home sites; zoned R-1C; guided LDR, Low Density Residential.

PRELIMINARY PLAT

Lots & Blocks. The following lists the required minimum lot size and area for the R-1C district using 70% rule minimums:

	<u>Lot Area</u>	<u>Lot Width</u>
R-1C	8,400 square feet	60 feet
	8,750 square feet (corner)	70 feet (corner)

Proposed lot sizes range from 8,400 square feet to 11,629 square feet. Average lot size is 9,979 square feet. Lot widths range from 60 – 80 feet. All of the proposed lots meet minimum lot area and width standards.

The outlot is for storm water purposes and will be dedicated to the City.

Setbacks. The preliminary grading plans indicate all required setbacks will be met for homes on all the lots.

Parks/Open Space. The Parks and Recreation Director has reviewed the plat and notes that the Comprehensive Plan does not indicate any future parks in the area and therefore no land would be needed for future parks. Park dedication is recommended in the form of cash at a rate of \$2,850 per new unit for a total of \$65,550. There are no sidewalks or trails on any other streets in the area so no sidewalks are required along the new stretch Crosby Avenue.

Access/Streets. The developer will construct Crosby Avenue between 64<sup>th</sup> and 65<sup>th</sup> Streets. Lots in Block 1 will access existing Craig Avenue.

Grading and Utilities. The City Engineer has reviewed the plat and plans and finds them acceptable. The City Engineer has drafted a memo which outlines the specific details that need to be shown on the final plat and plans when they are submitted. The conditions of approval reference this memo.

Tree Preservation/Landscaping. There is some existing vegetation in the northeast corner of the site. Tree preservation does not apply as the property has been previously platted. A landscape plan has been provided showing at least one tree per lot. All landscape requirements have been met.

South St. Paul Airport Overlay District. The property is located within the SSP Airport Overlay District and lies east of the airport. The primary function of the overlay district is to ensure building heights do not encroach into the safety zone areas of the district. This property does not

lie within or near the safety zones at the ends of the runways. The height restrictions along the sides of the airport allow greater building height than our single family zoning allows. Thus, the proposed project poses no impacts to the airport and no special conditions are needed.

Development Contract. A development contract will be required to address the public improvements for the development such as street construction, sewer, water and storm ponds. 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 release of the plat. This requirement assures the City that these particular improvements will be constructed to the satisfaction of the City.

## **ALTERNATIVES**

The Planning Commission has the following actions available on the following requests:

- A. Approval.** If the Planning Commission finds the application to be acceptable, the following action should be recommended for approval:
- o Approval of the **Preliminary Plat** of Crosby Heights subdivision subject to the following conditions:
    1. The final plat shall be in substantial conformance with the following plans on file with the Planning Department except as may be modified by the conditions below.

Preliminary Plat	dated 1/8/16
Preliminary Site Plan	dated 1/8/16
Preliminary Grading Plan	dated 1/8/16
Preliminary Erosion Control Plan	dated 1/8/16
Preliminary Utility Plan	dated 1/8/16
Preliminary Landscape Plan	dated 1/8/16
    2. Park dedication shall consist of a cash contribution of \$2,850 per lot payable at time of plat release.
    4. Prior to final plat approval, the final grading, drainage and erosion control, utility plans and storm water calculations shall be approved by the Director of Public Works and shall provide for the comments listed in the memo dated 1/4/2016.
    5. Drainage and Utility easements shall be provided on the final plat as required by the Director of Public Works.
    6. The preliminary plat shall be subject to the review and recommendations of the City Fire Marshal. Prior to final plat approval, the final plans shall be approved by the Fire Marshal.

7. A development contract will be required for the improvements on site and shall be approved as part of the final plat.
  8. A separate final plat application and approval will be required. The final plat shall be recorded within 90 days of Council approval.
- B. Denial.** If the Planning Commission does not favor the proposed application or portions thereof, the above request or requests should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

### **RECOMMENDATION**

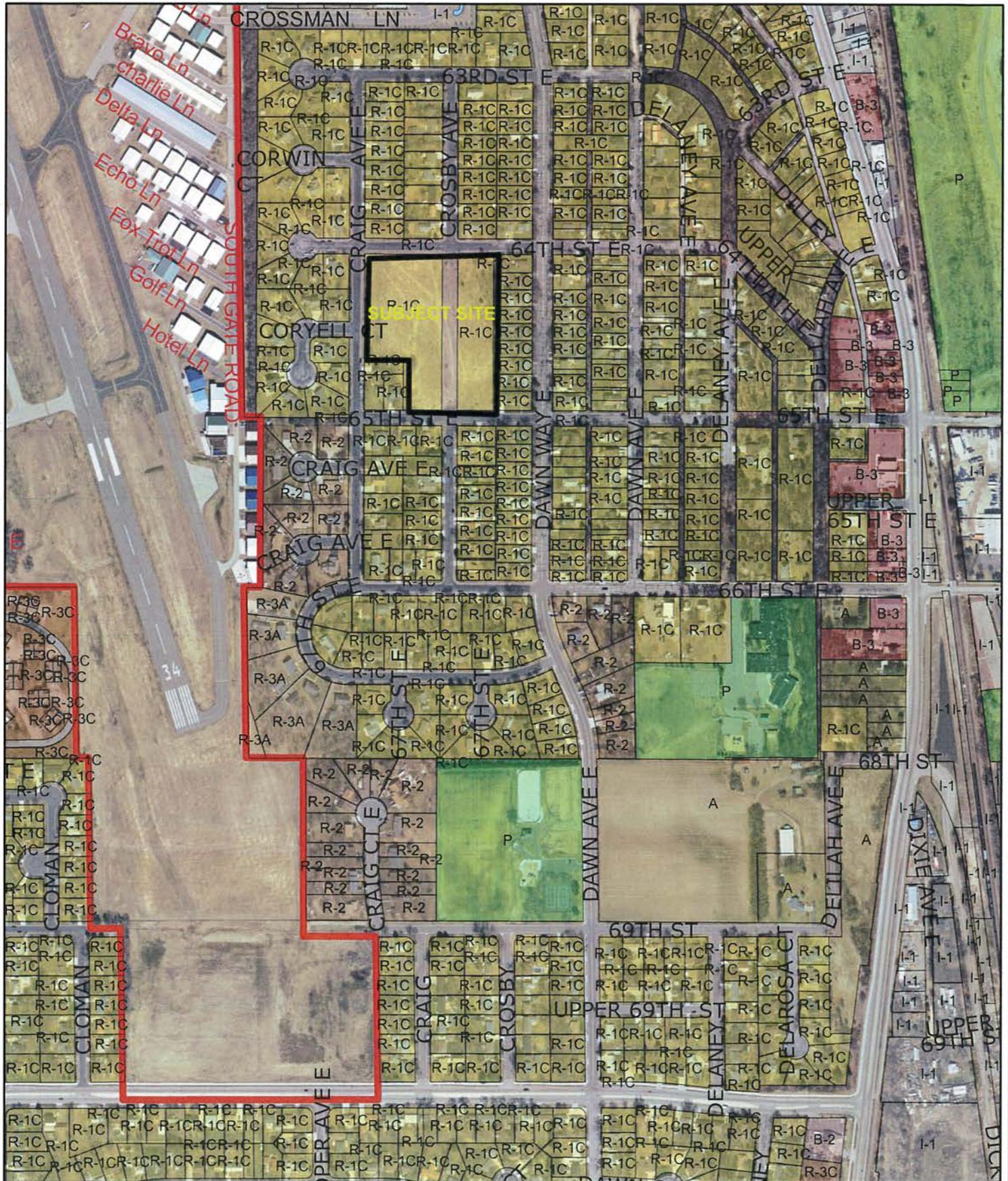
Staff recommends approval of the preliminary plat as presented.

Attachments: Site/Zoning Map  
Applicant Narrative  
Existing Conditions Drawing  
Preliminary Plat  
Preliminary Site Plan  
Preliminary Grading Plan  
Preliminary Landscape Plan



# Location Map

## Case No. 15-47SV



Crosby Heights Preliminary Plat Narrative  
December 7, 2015

The applicant, Eternity Homes, LLC, is purchasing land from the Mary E. Piekarski Trust and Theodore T. Piekarski Trust for the purpose of developing a single family detached neighborhood. There are two parcels of land involved with PID numbers of 203650009150 and 203650004301 and a total acreage of 5.5096 acres. The platted right of way of Crosby Avenue splits the property into two parcels. Craig Avenue abuts the property on the west, 64th Street E on the north, 65th Street E on the south and single family detached homes to the east. The land uses immediately surrounding the property are all single family detached structures and this is a infill property since the entire surrounding neighborhood is already developed with single family homes.

The proposed preliminary plat consists of 23 lots and one outlot for a gross density of 4.58 lots per acre. No right of way dedication is proposed since the right of way for the existing and proposed streets has already been dedicated in previous plats. The outlot is to be used for stormwater management purposes and will be dedicated to the City. Crosby Avenue is proposed to be constructed between 64th Street E and 65th Street E as part of this project. All lot except for six lots fronting Craig Avenue will front Crosby Avenue. The six lot along Craig Avenue already have water and sanitary sewer services installed.

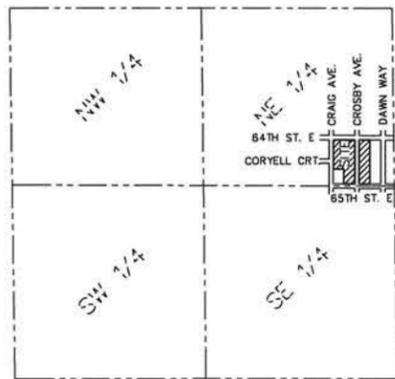
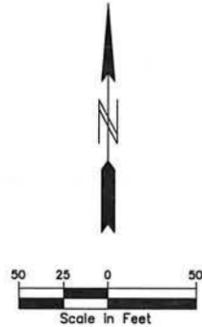
The zoning of the property is R-1C but the lots are designed at a 70% design criteria due to the property being previously platted. The minimum lot size of the R-1C district is 12,000 square feet for a interior lot and 12,500 square feet for a corner lot and 70% of those requirements is 8,400 square feet for a interior lot and 8,750 square feet for a corner lot. The proposed corner lots (4 lots) range in size from 10,871 square feet to 10,110 square feet and the proposed interior lots (19 lots) range in size from 8,775 square feet to 9,750 square feet. The average lot size is 9,979 square feet. The minimum lot width of the R-1C district is 85 feet for a interior lot and 100 feet for a corner lot and once again 70% of this is 59.5 feet for a interior lot and 70 feet for a corner lot. The interior lots are all 65 feet is width and the corner lots are either 75 or 72 feet in width. All required setback are proposed to be utilized except for the side yard setback adjacent to a street. The required setback is 30 feet and the applicant is proposing at 25 foot side yard setback adjacent to a street. A variance request for this setback change has been submitted with the preliminary plat application. These lots sizes and setbacks do match up with the majority of the existing neighborhood so the proposed plat will be compatible with the surrounding uses.

The applicant is proposing to start construction in the spring of 2016 and projects about a two year buildout. As soon as the final plat is recorded the applicant is proposing to start a home on Craig Avenue for model home purposes since this street is already constructed. Home pricing is projected to be in the \$275,000 to \$375,000 range with a mixture of split entry, one story and two story homes being built.

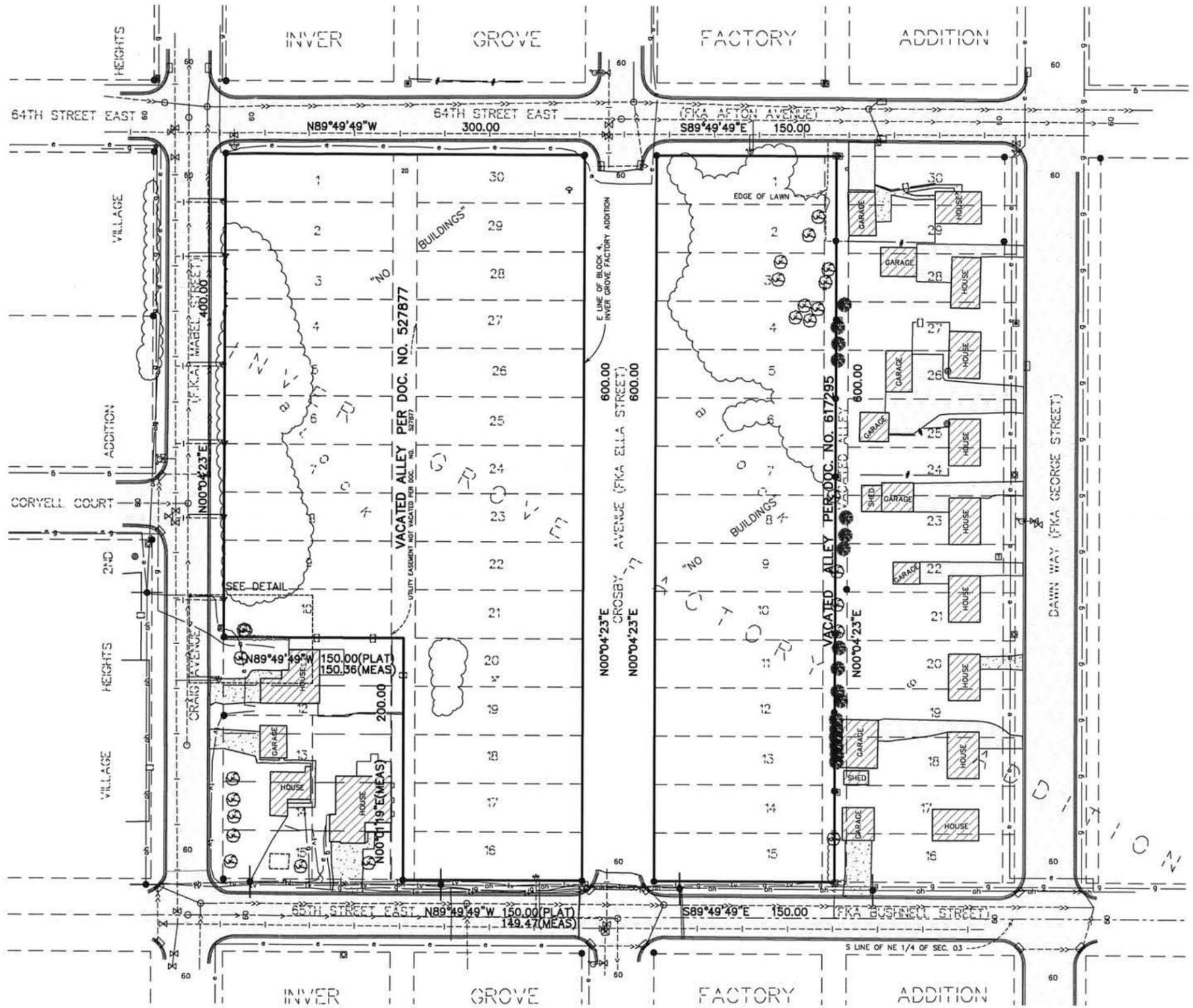
**LEGAL DESCRIPTION PER TITLE COMMITMENT**  
 Lots 1-10 & 16-30, Block 4, and the vacated alley located in Block 4, INVER GROVE FACTORY ADDITION,  
 and  
 Lots 1-15, Block 9, and the vacated alley located in Block 9, INVER GROVE FACTORY ADDITION,  
 Dakota County, Minnesota.

**LEGEND**

- Denotes concrete
- Denotes gravel
- Denotes bituminous
- Denotes tree line
- Denotes storm sewer line
- Denotes overhead utility lines
- Denotes underground electric line
- Denotes fence (barbed wire)
- Denotes fence (wood)
- Denotes edge of wetland
- Denotes edge of water
- Denotes edge of cultivated land
- Denotes approximate edge of FEMA Flood Zone A
- Denotes flared end section
- Denotes utility pole
- Denotes transformer box
- Denotes electric box
- Denotes telephone box
- Denotes cast iron monument
- Denotes found iron pipe
- Denotes test hole
- Denotes sign
- Denotes tree
- Denotes catch basin
- Denotes catch basin beehive



SEC. 03, TWP. 27, RGE. 22  
**LOCATION MAP**  
 NO SCALE



**BENCH MARK**  
 TNH SE QUAD, CRAIG AVE.  
 & 64TH ST. E. ELEV.=821.11  
 TNH NW QUAD, CRAIG AVE.  
 & CORYELL CT. ELEV.=819.99

**PIONEER**engineering

2422 Enterprise Drive  
 Mendota Heights, MN 55120  
 (651) 681-1914  
 Fax: 681-9488  
 www.pioneereng.com

I hereby certify that this plan 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: *[Signature]*  
 Title: *[Signature]*  
 Reg. No.: 4229 Date: 12/15/2015

Revisions: 1, 1-8-16 City Comments

Date: 12-02-2015  
 Design: FSS  
 Drawn: FSS

EXISTING CONDITIONS

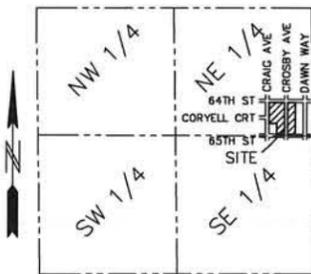
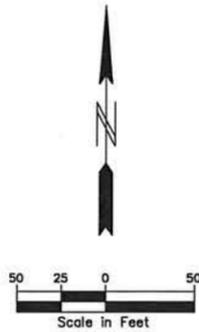
ETERNITY HOMES, LLC.  
 425 3RD STREET  
 FARMINGTON, MINNESOTA

CROSBY HEIGHTS ADDITION  
 INVER GROVE HEIGHTS, MINNESOTA

LEGAL DESCRIPTION FOR PRELIMINARY PURPOSES ONLY

Lots 1-10 & 16-30, Block 4, and the vacated alley located in Block 4, INVER GROVE FACTORY ADDITION, and

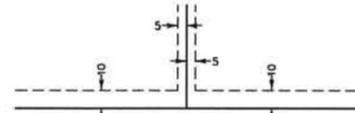
Lots 1-15, Block 9, and the vacated alley located in Block 9, INVER GROVE FACTORY ADDITION, Dakota County, Minnesota.



SECTION 03, TWP. 27, RGE. 22  
LOCATION MAP  
NO SCALE

TOTAL GROSS AREA	5.5096	ACRES
TOTAL LOT AREA	5.0165	ACRES
NUMBER OF LOTS	23	
LARGEST LOT	11629	SQ. FT.
SMALLEST LOT	8775	SQ. FT.
AVERAGE LOT	9979	SQ. FT.
NUMBER OF OUTLOTS	1	
TOTAL OUTLOT AREA	0.4912	ACRES
TOTAL RIGHT OF WAY AREA	0	ACRES
GROSS DENSITY (EXCLUDES OUTLOTS)	4.58	LOTS/ACRE
NET DENSITY (EXCLUDES OUTLOTS & R/W)	4.58	LOTS/ACRE
ZONING	R-1C	

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



being 5 feet in width, and adjoining lot lines unless otherwise indicated, and 10 feet in width and adjoining street lines and rear lot lines unless otherwise indicated on the plat.



S LINE OF NE 1/4 OF SEC. 03

BENCH MARK  
TNH SE QUAD, CRAIG AVE.  
& 64TH ST. E ELEV.=821.11  
TNH NW QUAD, CRAIG AVE.  
& CORYELL CT. ELEV.=819.69

**PIONEER** Engineering

2422 Enterprise Drive  
Mendota Heights, MN 55120  
(651) 681-1914  
Fax: 681-9488  
www.pioneereng.com

I hereby certify that this plan 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: Peter J. Hawkins  
Reg. No.: 42799 Date: 12-02-2015

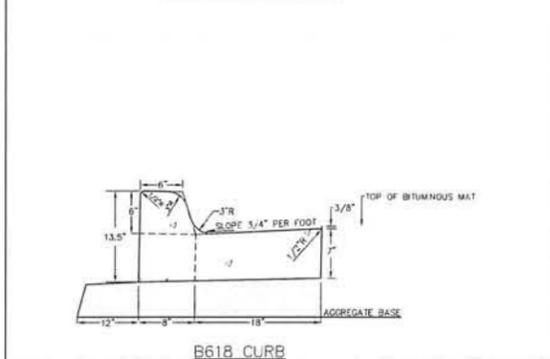
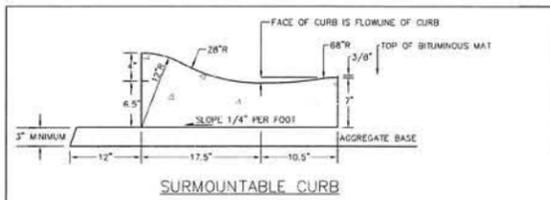
Revisions: 1, 1-8-16 City Comments  
Date: 12-02-2015  
Designed:  
Drawn: TSS

PRELIMINARY PLAT

ETERNITY HOMES, LLC.  
425 3RD STREET  
FARMINGTON, MINNESOTA

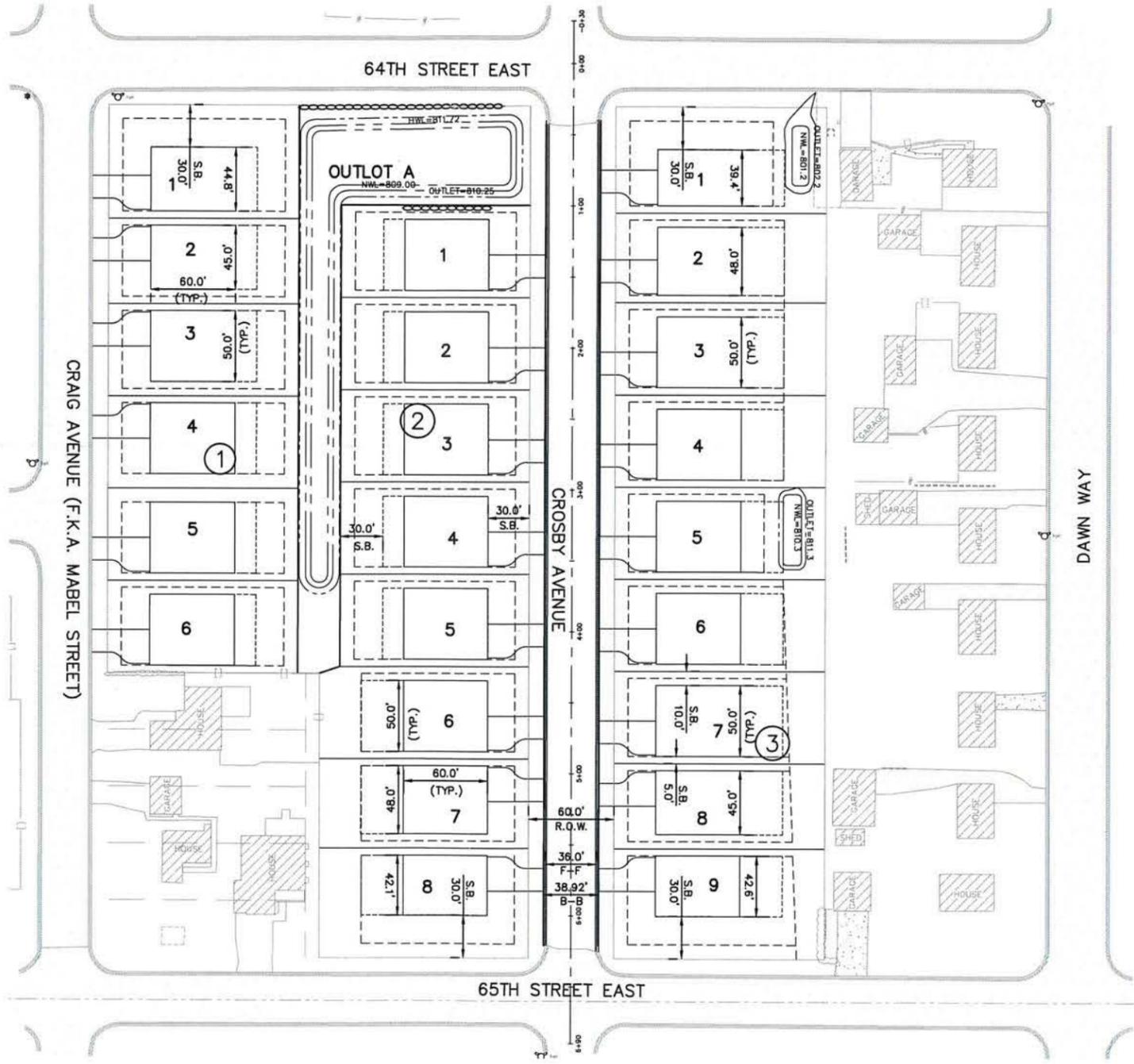
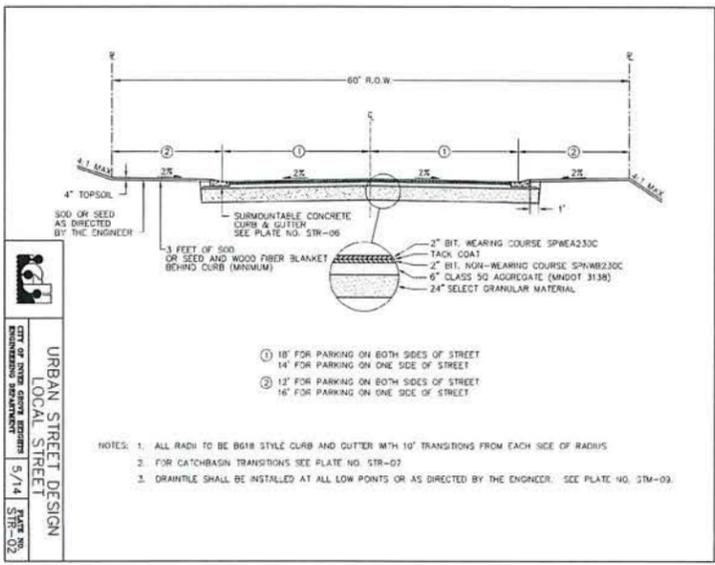
CROSBY HEIGHTS ADDITION  
INVER GROVE HEIGHTS, MINNESOTA

4 OF 9

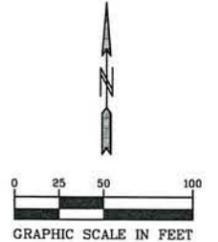


- NOTES:
1. FOR CATCH BASIN TRANSITIONS SEE PLATE NO. STR-07.
  2. EXPANSION SHALL BE PLACED AT ALL CATCH BASIN TRANSITIONS AND AT ALL BEGINNING AND END RADII.
  3. CONTRACTION JOINTS SHALL BE PLACED EVERY 10 FEET.
  4. FOUR #4 REINFORCING RODS, TWO PER SIDE, AT ALL CATCH BASINS, MINIMUM 10 FEET.
  5. ONE #4 REINFORCING ROD IN FRONT OF CASTING, MINIMUM 5 FEET FOR SURMOUNTABLE CURB.

**CURB & CUTTER**  
 CITY OF INVER GROVE HEIGHTS  
 ENGINEERING DEPARTMENT 4/11 PLATE NO. STR-06

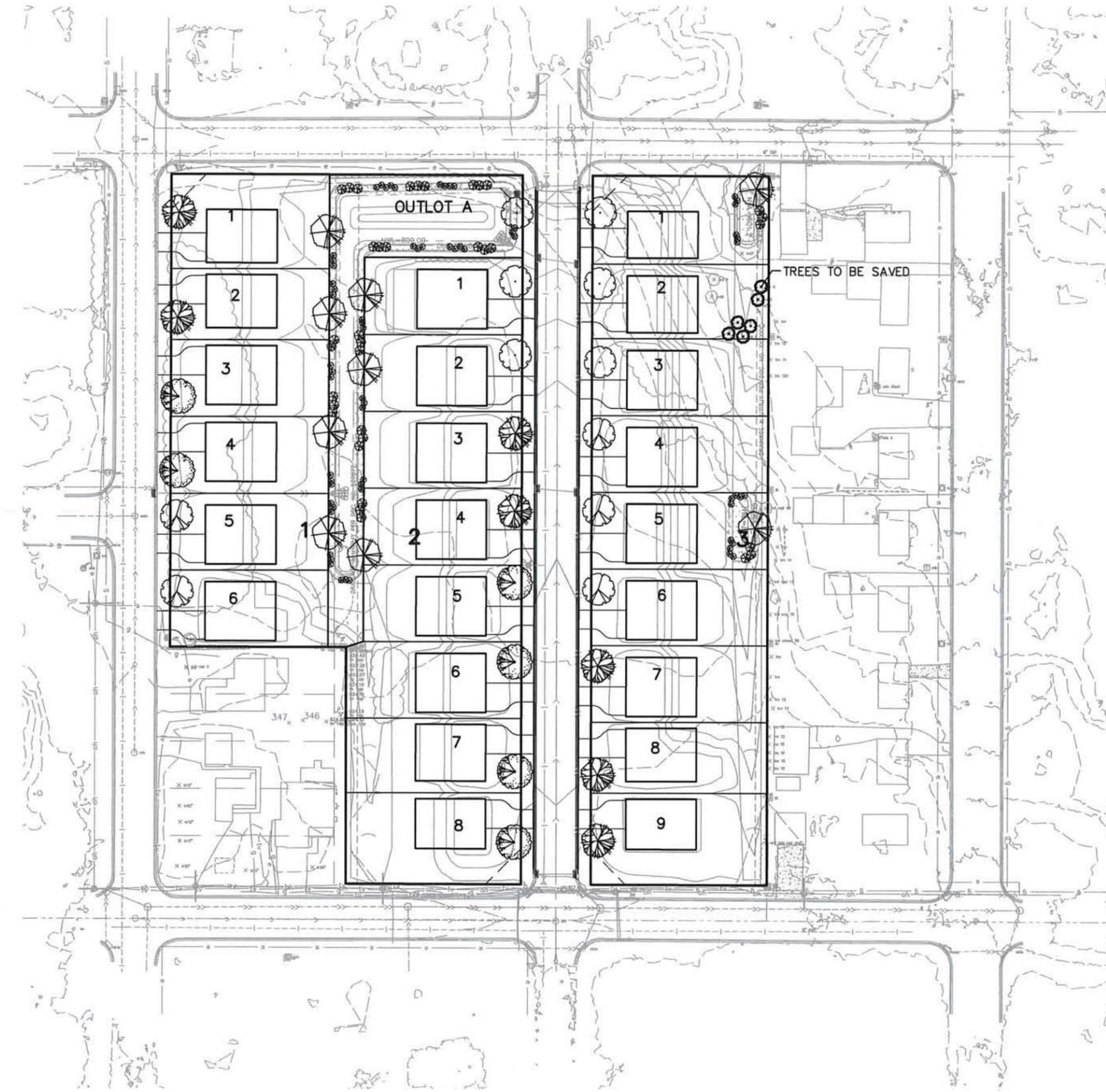


**SETBACK REQUIREMENTS**  
 R1-C STANDARDS (SINGLE FAMILY DETACHED):  
 FRONT SETBACK: 30'  
 REAR YARD SETBACK: 30'  
 HOUSE SIDE SETBACK: 10' INTERIOR, 30' STREET CORNER  
 GARAGE SIDE SETBACK: 5' INTERIOR, 30' STREET CORNER  
 LOWEST FLOOR: H.W.L. + 2ft  
 LOWEST OPENING: E.O.F. + 1ft



**BENCH MARK**  
 TNH SE QUAD. CRAIG AVE.  
 & 64TH ST. E. ELEV.=821.11  
 TNH NW QUAD. CRAIG AVE.  
 & CORYELL CT. ELEV.=819.69

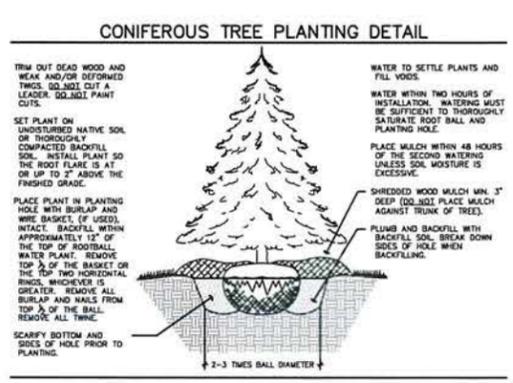
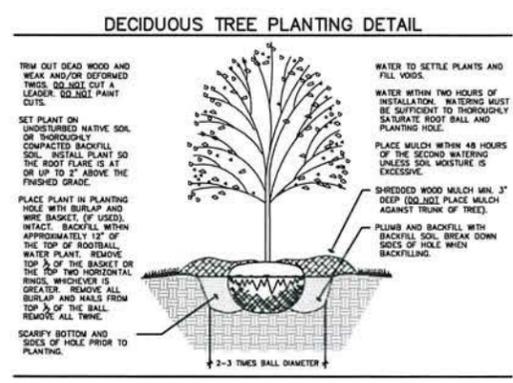




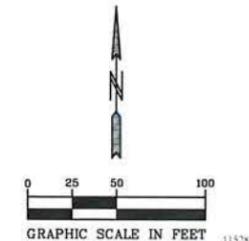
KEY	COMMON NAME/SCIENTIFIC NAME	ROOT	QUANTITY
OVERSTORY TREES			
	HACKBERRY/CELTIS OCCIDENTALIS	2.5" B&B	6
	SENTRY LINDEN/TILIA AMERICANA 'SENTRY'	2.5" B&B	5
	AUTUMN BLAZE MAPLE/ACER X FREEMANII	2.5" B&B	6
	SWAMP WHITE OAK/QUERCUS BICOLOR	2.5" B&B	9
	RED OAK/QUERCUS RUBRAS	2.5" B&B	7
SHRUBS			
	GLOSSY BLACK CHOKEBERRY/ARONIA MELANOCARPA	#3 POT	65
	GRAY DOGWOOD/CORNUS RACEMOSA	#3 POT	35

- TREE TO BE SAVED
- TREE TO BE REMOVED

FRONT YARD TREES TO BE PLANTED 5' FROM RIGHT-OF-WAY (AS SHOWN ON PLAN)  
 TREES WILL NOT BE PLANTED WITHIN SITE TRIANGLES.  
 SITE TRIANGLE AS SHOWN IN DASHED LINES ON INTERSECTION CORNERS.



- ### LANDSCAPE NOTES
- THE LANDSCAPE CONTRACTOR SHALL VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE EXISTING CONDITIONS PRIOR TO SUBMITTING A BID.
  - THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF PROPOSED PHYSICAL START DATE AT LEAST 7 DAYS IN ADVANCE.
  - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FIELD VERIFICATION OF ALL EXISTING UTILITY LOCATIONS ON THE PROJECT SITE WITH GOPHER STATE ONE CALL 1-800-252-1169 PRIOR TO COMMENCING WORK. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF EXISTING UTILITIES DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER. NOTIFY THE LANDSCAPE ARCHITECT OF ANY CONFLICTS TO FACILITATE PLANT RELOCATION.
  - GRADING TO BE PERFORMED BY OTHERS.
  - NO PLANT MATERIAL SHALL BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
  - ALL PLANT MATERIAL SHALL MEET THE STANDARDS FOUND IN THE AMERICAN ASSOCIATION OF NURSERYMEN-AMERICAN STANDARD FOR NURSERY STOCK.
  - ALL CONTAINER MATERIAL TO BE GROWN IN THE CONTAINER A MINIMUM OF SIX (6) MONTHS PRIOR TO PLANTING ON SITE.
  - DECIDUOUS AND CONIFEROUS TREES SHALL NOT BE STAKED, BUT THE LANDSCAPE CONTRACTOR MUST GUARANTEE STABILITY TO A WIND SPEED OF 60 M.P.H.
  - THE LANDSCAPE CONTRACTOR SHALL PROVIDE A MINIMUM GUARANTEE OF ONE YEAR ONE TIME REPLACEMENT ON NEW PLANT MATERIALS. GUARANTEE SHALL BE AGREED UPON BY DEVELOPER/BUILDER AND LANDSCAPE CONTRACTOR.
  - THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANTS WHICH ARE DEEMED UNSATISFACTORY BEFORE, DURING OR AFTER INSTALLATION.
  - IF THERE IS A DISCREPANCY BETWEEN THE NUMBER OF PLANTS SHOWN ON THE PLAN AND THE NUMBER SHOWN ON THE PLANT LIST, THE NUMBER SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
  - THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MULCHES AND PLANTING SOIL QUANTITIES TO COMPLETE WORK SHOWN ON THE PLAN. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE PLAN SCHEDULE.
  - COMMERCIAL GRADE POLY LAWN EDGING SHALL BE INSTALLED WHERE NOTED.
  - THE LANDSCAPE CONTRACTOR SHALL REPAIR ALL DAMAGE TO THE SITE CAUSED BY THE PLANTING OPERATION AT NO COST TO THE OWNER.
  - THE LANDSCAPE CONTRACTOR SHALL KEEP PAVEMENTS CLEAN UNSTAINED. ALL WASTES FROM AND VEHICLE ACCESS TO BE MAINTAINED THROUGHOUT CONSTRUCTION PERIOD. ALL WASTES SHALL BE PROMPTLY REMOVED FROM THE SITE. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
  - THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE CODES, REGULATIONS AND PERMITS GOVERNING THE WORK.
  - STORAGE OF MATERIALS OR SUPPLIES ON-SITE WILL NOT BE ALLOWED.



## CITY OF INVER GROVE HEIGHTS

## REQUEST FOR COUNCIL ACTION

## CITY OF INVER GROVE HEIGHTS – Case No. 15-46ZA

Meeting Date: January 25, 2016  
 Item Type: Regular Agenda  
 Contact: Allan Hunting 651.450.2554  
 Prepared by: Allan Hunting, City Planner  
 Reviewed by:

**Fiscal/FTE Impact:**

<input checked="" type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input type="checkbox"/>	Other

**PURPOSE/ACTION REQUESTED**

Consider the Third Reading of an Ordinance Amendment to the regulation of parking of vehicles and recreational vehicles in the front yard by removing the seven day temporary exception.

- Requires 3/5th's vote.
- 60-day deadline: N/A

**SUMMARY**

The City Council considered the second reading of the ordinance amendment on January 11, 2016 with no changes being requested.

**ANALYSIS**

Staff presents the third reading of the ordinance which is identical to the one reviewed at the second reading.

**RECOMMENDATION**

**Planning and Code Enforcement Staff:** Recommend removing the seven day exception clause as it cannot be tracked and too difficult to enforce.

Attachments: Ordinance Amendment Third Reading (no changes)

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE,  
TITLE 10, (ZONING ORDINANCE) CHAPTER 15 REGARDING PARKING  
STANDARDS FOR VEHICLES AND RECREATIONAL VEHICLES IN SINGLE  
FAMILY RESIDENTIAL ZONING DISTRICTS**

---

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

**Section One. Amendment.** Title 10, Chapter 15, PERFORMANCE STANDARDS of the Inver Grove Heights City Code is hereby amended to read as follows:

**10-15A-3: OFF STREET PARKING REGULATIONS:**

B. Location: Required off street parking in the E and R districts shall be on the same lot as the principal building. Required off street parking in all districts shall meet the following setback requirements:

1. Within all E and R districts, all vehicles normally owned or kept by the occupants on the premises must have a garage stall or open parking space on the same lot as the principal use served. Open parking spaces accessory to one- and two-family structures may be located anywhere on the lot containing the principal structure except that such parking may be located in a rear yard to within five feet (5') of an interior side lot line and to within eight feet (8') of rear lot line.

2. Within all R-1A, R-1B, R-1C and R-2 districts, parking of a vehicle and/or recreational vehicle on grass or unpaved areas in the front yard is prohibited.

a. For the purposes of this section only, front yard means the area located between the curb or edge of street pavement and the front line of the principal structure along any street frontage.

b. Parking of vehicles and/or recreational vehicles in the front yard is allowed only on a driveway or parking pad that is directly contiguous to the driveway. Said areas shall be constructed of bitumen, concrete or paving blocks and shall conform to maximum impervious surface standards. All parking spaces shall maintain a minimum five (5) foot side yard setback.

c. The following exception shall apply:

- 1) Parking of automobiles may be allowed on grass in the front yard only during the winter parking ban period from November 1 through March 30.

**Section Two. Effective Date.** This Ordinance shall be in full force and effect upon its publication.

Passed in regular session of the City Council on the 25th day of January, 2016.

**CITY OF INVER GROVE HEIGHTS**

By: \_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Community Development Block Grant Application – Fiscal Year 2016**

Meeting Date: January 11, 2016  
Item Type: Regular  
Contact: Thomas J. Link: 651-450-2546  
Prepared by: Tom Link, Director of Comm. Dev.  
Reviewed by: NA

**Fiscal/FTE Impact:**

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other (Revenue)

**PURPOSE/ACTION REQUESTED**

The City Council is to consider the adoption of the attached Resolution Approving the Application for Fiscal Year 2016 Dakota County Community Development Block Grant Funding.

**BACKGROUND**

The Community Development Block Grant (CDBG) is a Federal program which benefits low and moderate income individuals and neighborhoods. The City annually makes application for these funds through the Dakota County Community Development Agency (CDA).

The level of 2016 CDBG funding is expected to be, at most, the same as this last year. The Federal appropriation for the program has been decreasing in recent years and may decrease again this year. The Dakota County CDA's best estimate at this time is that Inver Grove Heights will receive about \$113,000.

**ANALYSIS**

For many years, Inver Grove Heights has allocated 50% of its CDBG funds for the Housing Rehabilitation Program and 50% for the Doffing Avenue Acquisition Program. There continues to be a strong need for the Housing Rehabilitation funds. The program has provided assistance to 70 homeowners in the last nine years. A description of the program and income requirements can be found in the attachment. As in past years, the City could allocate \$57,000 to the Housing Rehabilitation Program.

The City should consider using the remaining CDBG funds for an activity other than the Doffing Avenue Acquisition Program. The need for the CDBG funds for this activity has dropped sharply as the number of acquisitions has decreased. The City used to acquire 2-4 properties a year in the Doffing Avenue Neighborhood. The anticipated acquisition of the Castaways Marina residence, however, will be the only acquisition in the last three years. Of the remaining eight properties to be acquired in the Doffing Avenue Neighborhood, only five of them would be eligible for CDBG funds. In addition, the Federal government has adopted new rules which essentially require grant recipients to expend the grant funds within about 18 months of them being awarded.

Inver Grove Heights could consider allocating the remaining funds of \$56,000 to two other activities – the Comprehensive Plan Update and American Disability Act (ADA) construction.

### Comprehensive Plan Update

A portion of the Community Development Block Grant can be used for planning, such as the mandated comprehensive plan update. It is anticipated that the comprehensive plan update will cost approximately \$100,000. Part of the CDBG funds could be allocated for this use for each of the next three years. The use of the CDBG funds for this activity would not have to meet low or moderate income requirements or require any City matching funds.

American Disabilities Act (ADA) Construction - The CDBG funds could be allocated to the construction of ADA improvements, such as pedestrian crossings at city streets. The City is required to make these improvements with current funding coming from the General Fund, Pavement Management and/or Municipal State Aid. The disabled population is, by Federal definition, a low and moderate income population. City matching funds are not required.

### **RECOMMENDATION**

Staff recommends adoption of the attached Resolution Approving the Application for Fiscal Year 2016 Dakota County Community Development Block Grant Funding with the following allocation:

- Housing Rehabilitation Program - \$57,000
- Comprehensive Plan Update - \$28,000
- American Disabilities Act (ADA) Construction - \$28,000

Enc: Resolution Approving Application for Fiscal Year 2016 Dakota County CDBG Funding  
Housing Rehabilitation Program Information

**CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE APPLICATION OF THE CITY OF INVER GROVE  
HEIGHTS FOR FISCAL YEAR 2016 DAKOTA COUNTY COMMUNITY DEVELOPMENT  
BLOCK GRANT FUNDING**

WHEREAS, the City of Inver Grove Heights is a participating jurisdiction with the Dakota County CDBG Entitlement Program for Fiscal Year 2016 (ending June 30, 2017); and

WHEREAS, the Dakota County Community Development Agency (CDA) is the a Subgrantee of Dakota County for the administration of the CDBG Program; and

WHEREAS, the Dakota County CDA has requested FY16 CDBG applications to be submitted by January 29, 2016, based on an allocation of funds approved in the Annual Action Plan.

NOW, THEREFORE, BE IT RESOLVED that the City of Inver Grove Heights hereby approves the following:

1. The FY16 CDBG application is approved for submission to the Dakota County CDA.
2. The City Administrator for the City of Inver Grove Heights is authorized to execute the application and all agreements and documents related to receiving and using the awarded CDBG funds.
3. The Dakota County CDA is designated as the administrative entity to carry out the CDBG program on behalf of the City, subject to future Subrecipient Agreements that may be required for specific CDBG-funded activities.

Adopted by the City Council of Inver Grove Heights on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Michelle Tesser, City Clerk

## Additional Loan Programs

The Dakota County CDA is a local lending partner with Minnesota Housing for state funded Rehabilitation and Fix-Up Fund loan programs.

### Minnesota Housing Rehabilitation Loans

This program assists very low-income homeowners in financing basic home improvements that directly affect the safety, habitability, energy efficiency and accessibility of their homes.

To be eligible, borrowers must occupy the property, have less than \$25,000 in financial assets and meet program income limits.

### Fix-Up Fund Loans

The Fix-Up Fund provides low-interest, fixed rate loans to households with incomes at or below \$96,500. This is an installment loan program that allows qualified applicants to borrow up to \$35,000 for needed home improvements.

To apply for these loans, contact Mark Hanson at (651) 675-4469.

For more information about Minnesota Housing's Rehabilitation or Fix-Up Fund loan programs visit [www.mnhousing.gov](http://www.mnhousing.gov).



Dakota County  
Community Development  
Agency

1228 Town Centre Drive  
Eagan, MN 55123



Home Improvement Loan Programs

3/12

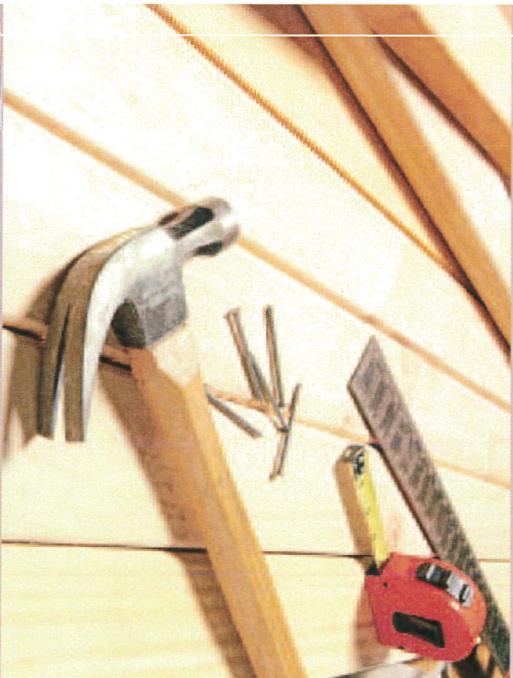
100% post consumer recycled cover



Dakota County

# Home Improvement Loan Programs

Low interest loans to help homeowners  
finance their fix-ups.



HOME  
OWNERSHIP  
connection

# Home Improvement Loan Program

Dakota County homeowners needing financial assistance to make improvements to their homes can apply for a Home Improvement Loan from the Dakota County Community Development Agency (CDA).

Common improvements include adding insulation, furnace replacements, exterior upgrades (roofs, siding, windows) and special needs modifications (such as ramps or roll-in showers).

Annually, the CDA assists between 80 to 100 homeowners with their home improvement projects.

## Loans Terms

- 0% interest
- No monthly payments
- Minimum loan = \$15,000
- Maximum loan = \$25,000
- Repayable when the home is no longer the homeowner's primary residence or when the home is sold. Homeowners may also be required to repay the loan if they refinance or take out a home equity loan.
- Dakota County CDA home improvement loans are not forgiven.



## How to Qualify

Applicants must own their home, meet equity and credit requirements and have a gross annual income under the limits listed below.

Household Size	Income Limit
1	\$45,500
2	\$52,000
3	\$58,500
4	\$65,000
5	\$70,200
6	\$75,400
7	\$80,600
8+	\$85,800

\* Income limits are as of 12/11 and are subject to change.

## The Process

- If you qualify, the CDA will inspect your home, prepare specifications and assist you in obtaining at least two bids for the work to be done.
- Loan proceeds are kept on account for you by the CDA and payments are made directly to the contractors on your behalf when the work is completed.
- Inspection of work upon completion is required by both you and the CDA before payment is made.
- Special provisions may apply to emergency situations and accessibility improvements, which can be obtained by contacting the CDA.

## How to Apply

Home Improvement Loan applications can be downloaded from the CDA's website at [www.dakotacda.org/homeowners.htm](http://www.dakotacda.org/homeowners.htm) or call (651) 675-4469 to request an application by mail.

Completed applications will be reviewed for eligibility and all personal information will be kept private per Minnesota State Law.

Program funding is limited and there is a waiting list for loans.

## Questions?

Contact Mark Hanson at (651) 675-4469 or [mhanson@dakotacda.state.mn.us](mailto:mhanson@dakotacda.state.mn.us)

The Home Improvement Loan Program is funded in part by the federal Community Development Block Grant Program through the U.S. Department of Housing and Urban Development. Additional funding is provided by the Dakota County HOPE Program, CDA General Fund and the federal HOME Program.

This program is part of the Dakota County CDA's Homeownership Connection services which provide programs for homebuyers and homeowners to be successful. For more information, visit [www.dakotacda.org](http://www.dakotacda.org)

