

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, FEBRUARY 8, 2016 - 8150 BARBARA AVENUE**

**1. CALL TO ORDER and 2. ROLL CALL**

The City Council of Inver Grove Heights met in regular session on Monday, January 11, 2016, 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 January 11, 2016 City Council Meeting Minutes
- B. **Resolution 16-27** Approving Disbursements for Period Ending February 2, 2016
- C. Consider Approval of Therapeutic Massage License for HongJun (Wendy) Liao
- D. 2016 Draft Legislative Issues
- E. Consider Replacement of Fitness Equipment for Veteran Memorial Community Center
- F. Consider Trunk Utility Reimbursements for Argenta Hills 8th Addition (Alverno Avenue)
- G. Consider a **Resolution 16-28** Receiving and Approving the Stormwater Project Plan for Storm Water Facilities in Tributary Areas to the Mississippi River, City Project No. 2016-01 - Stormwater Treatment for Mississippi River Discharge to Seek Clean Water Revolving Funds and Grants and Authorizing Submittal of this Approved Plan to the MPCA
- H. Approve Final Plans and Specifications and Authorize Advertisement for Bids for the 2015 Improvement Program, City Project No. 2015-16 – NWA Trunk Utility Improvements, Argenta Trail to Blackstone Ridge **Resolution 16-29**
- I. Personnel Actions

**Motion by Bartholomew, second by Piekarski Krech, to approve the Consent Agenda 4.A- 4I with the exception of 4D. Councilmember Hark pulled 4D.**

**Ayes: 5**

**Nays: 0            Motion carried.**

Councilmember Hark asked to pull item 4D.

Councilmember Hark stated he is in support of the early voting bill and asked to remove staff's recommendation of opposing the early voting bill. Councilmember Hark stated that we need to do what we have to do to make it easier for people to vote. He discussed staff's concern of high expenses from early voting and estimated a cost of at least \$18,000-\$20,000. Councilmember Hark asked that the Council move in favor of supporting early voting regardless of the financial impacts.

Mayor Tourville asked if city officials are being asked for their input during the legislative hearings.

City Administrator Lynch stated that the city drafts a legislative platform for lobbyists. One of the concerns is the possibility of the approval of early voting. Staff recommends denial due to the additional cost of \$18,000-\$20,000. Staff will have to hire additional staff, Monday or Friday to assist voters to answer questions and that security of the ballot box is maintained. He stated that the Mayor is correct; consideration of the cost is going to be passed onto the counties and cities. Further, he stated it's his belief that comments will be open to counties and cities but he is not sure how much consideration would be received by the legislatures. Mr. Hark asked that we support the issues but ask the legislature for further clarification of the bill. He asked to promote early voting, no matter the cost. Mr. Hark stated the reason he brought this subject up is to get opinions for the Council and start the conversation.

Councilmember Piekarski Krech asked if it would be amiable to state that the city supports early voting but asks for the legislator to help fund it. Further she stated small municipalities will not be staffed for this change. Councilmember Hark stated that the lobbyist should push for reimbursement to the cities. Councilmember Hark stated it will be an unfunded mandate. Councilmember Piekarski Krech stated that we are not opposed to early voting but we are opposed to the added cost to the residents to provide that type of service to our constituents.

**Motion by Hark, second by Piekarski Krech, to approve the 2016 legislative issues with the change Early Voting to “the city supports early voting but asks for a funded mandate.”**

**Ayes: 5**

**Nays: 0          Motion carried.**

**5. PUBLIC COMMENT:** None.

**6. PUBLIC HEARINGS:** None.

**7. REGULAR AGENDA:**

**I. ADMINISTRATION:**

**A. INVER GROVE HEIGHTS CONVENTION & VISITORS BUREAU; 2015 Annual CVB Report**

Nicole Bengtson, Executive Director with the Inver Grove Heights Convention & Visitors Bureau (CVB) presented on their annual 2015 CVB report to the City Council.

Ms. Bengtson went through the mission and vision of the organization. Ms. Bengtson stated that the purpose of the Convention & Visitors Bureau is to market and promote the city as a tourist destination. The bureau has generated over \$1 million in local lodging tax revenues. In 2015, the lodging tax revenue collected exceeded to the total 2015 lodging tax revenue budget by 18 percent, exceeded the total CVB Budget by 8.5 percent and exceeded the previous year's 2014 lodging tax revenues collected by 8.7 percent. She further discussed the increase in the revenue at an exceeded amount.

Councilmember Bartholomew asked who sets the lodging tax rate. Ms. Bengtson stated that it's set by the state and has not increased since that time. It's used to market and promote the city.

Councilmember Bartholomew stated that the increase in budget is a collected tax. Ms. Bengtson stated that the revenue is based on the visitors of the city's hotels.

Mayor Tourville stated that after 11 years with the CVB, Ms. Bengtson accepted a full-time position with the River Heights Chamber and will be staying within the community. He stated that the board has been meeting and a search committee has been developed. A job description has been prepared. The board will be coming up with recommendations and discussing their recommendations with the Council.

Councilmember Hark asked why the CVB markets to the State of Nebraska. Ms. Bengtson stated that the main target areas are: Wisconsin, Iowa, Nebraska and the Dakotas. Councilmember Hark responded that the target market must be to the big ten states. Ms. Bengtson concurred.

**Motion by Piekarski Krech second Bartholomew to received the 2015 CVB presentation.**

**Ayes: 5**

**Nays: 0      Motion carried.**

## **II. COMMUNITY DEVELOPMENT:**

### **B. CITY OF INVER GROVE HEIGHTS; Parking of Boats and Non-Motorized Vehicles in the Front Yard**

Mr. Hunting began by explaining that there may have been some disconnect with staff and the Council so he is returning the item to the agenda for further explanation, clarification and direction. Mr. Hunting summarized the issue. In November, 2014 Council adopted an ordinance restricting parking of vehicles in the front yard. He summarized the language addressed in the staff report provided. At that time, the ordinance did not address the orientation or location of parking of trailers, boats, RV's in the front yard.

Mr. Hunting showed numerous illustrations to the Council that helped explain the difference of front yards. The issue, he explained, is perpendicular allowance that the Council would need to address. Staff is asking for further clarification on the ordinance. The results will be of public notifications in the Insights to the public. There will be further discussions and meetings set with a public hearing on April 5<sup>th</sup> and the city council would have three readings beginning on April 25, 2016. Staff would like direction on what would be accomplished in the ordinance.

Councilmember Piekarski Krech reviewed the illustration presented and stated that she would like to allow the boxes to be horizontal but she stated she doesn't want to see four horizontals in front of a house. Mr. Hunting stated currently some could be parked horizontally if they met the impervious surface requirement.

Mayor Tourville asked Mr. Hunting to discuss the summary of the ordinance presented. Mayor Tourville stated that legally, if you don't exceed the impervious surface you can park horizontally in different directions. Mayor Tourville stated he doesn't think that was the intent of the ordinance.

Councilmember Bartholomew stated that the Council needs to decide if there will be no recreation vehicles or 1 or 2 recreation vehicles allowed in the front yard. Councilmember Bartholomew discussed half circle driveways and there impervious surface. He also discussed the difference between the 100-150ft lot sizes and the opening road limitation. Mr. Hunting explained that the opening of the road is limited to 30 feet within the right of way area. After that, he stated, your driveway can flare out and expand the surface. He further stated that if the Council's intent is to limit recreational vehicles than let's say that in the ordinance.

Mr. Hunting illustrated examples of unique lots and pointed out the void areas where possible recreational vehicles could be parked. He also discussed examples of an attached garage that is part of the principal.

Mayor Tourville stated the definition is not the front of the house. The definition is what is closest to the street. Mr. Hunting stated yes, whatever is closest to the front line of the street but not necessarily the house. Mayor Tourville stated that in some cases this is the garage. Mr. Hunting stated in the affirmative. Mayor Tourville asked if complaints were about RV, Trailers, etc being parked in the driveway. Mr. Hunting stated that residents' were okay with the driveway.

Mr. Hunting stated that the City of Farmington doesn't allow parking in front of the principal building.

Councilmember Mueller asked if they can be grandfathered in. Mr. Hunting stated that it doesn't meet the qualification of grandfathering but Attorney Kuntz could elaborate.

Attorney Kuntz discussed that case law supports non-conformity entitlement doesn't run the accessory use such as parking. Attorney Kuntz stated that staff recommends an entrance period of 3-4 months and an education program to help residents.

Councilmember Mueller asked about adding onto the improved surface and whether his driveway will be grandfathered in. Mr. Hunting discussed a specific resident code enforcement issue with the council. Mayor Tourville discussed the resident's circumstances and the neighborhood's response.

Attorney Kuntz facilitated the conversation and posed the question to the Council, what if the proposal was that recreation vehicles can only be parked in the front area or driveway and only allow 1-2 recreational vehicles. Councilmember Bartholomew asked whether the Council is willing to say the residents can only have recreational vehicles in front of your garage. Councilmember Bartholomew stated he would support that. Councilmember Piekarski Krech stated I think so. Further, she said it will have to be either your side yard or your rear yard. She said in the front yard, it has to be parked in your driveway

Councilmember Bartholomew clarified that it has to be in front of the garage and discussed the example of the half moon driveway. If it's in the driveway than allow 1-2 recreational vehicles or in front of the garage. Councilmember Bartholomew stated we are still allowing the side or the rear yard.

Councilmember Hark stated he would vote for one in the front yard. Councilmember Piekarski Krech stated unless you have a camper and a boat attached.

City Attorney, Mr. Kuntz stated not more than one in the driveway and that a portion of the driveway in front of the garage.

Mayor Tourville inquired about winter months. Legally you can park vehicles in the summer but not in the winter months. Councilmember Piekarski Krech stated most recreational vehicles are stored inside in the winter months. The council discussed whether to have this be seasonal.

The council discussed scenarios and whether there decision will cover the majority of houses. The council referred to the South St. Paul ordinance. Councilmember Piekarski Krech asked for the council to think of two recreational vehicles for those with a camper and boat.

City Attorney, Mr. Kuntz directed the question to Mr. Hunting, not more than 1 or 2 recreational vehicles and they have to be in the driveway and in front of the garage. As part of your illustration shown, could an automobile still be able to park on a parking pad along with the 2 recreational vehicles. Mr. Hunting stated in the affirmative. Councilmember Piekarski Krech asked that the parking pad be horizontal to the driveway.

The Council discussed widening the driveway, impervious surface requirements, 30 feet right of way and whether 1 parking pad should be addressed. Councilmember Hark stated 1 recreational vehicle would prevent complaints from neighbors.

City Attorney, Mr. Kuntz discussed that the parking pads be vertical and not horizontal and asked that the Council to address the automobile on the parking pad. Councilmember Piekarski Krech stated in the winter that is fine but you still will have an automobile parked in front of the house. Councilmember Bartholomew stated the impervious surface will drive this issue, 1-2 recreational vehicles in front of the garage would be limiting. Mayor Tourville discussed cars not being a part of the current discussion.

The direction to staff is there are five elements: only deals with recreational vehicles, must be in front yard, no more than two recreational vehicles in front and in the driveway in front of garage. Mayor Tourville concurred. Mr. Hunting discussed the example of the horseshoe with the Council. The Council discussed the importance of the recreational vehicles being parked in the front of the yard in the horseshow example.

Councilmember Bartholomew added that residents are still allowed to park in the yard in the winter and side/rear parking of recreational vehicles is available. Mr. Hunting asked if we will be addressing automobiles. Mayor Tourville stated we are only dealing with recreational vehicles right now.

Councilmember Hark asked how difficult these changes will be to enforce specifically the horseshoe driveways. Councilmember Bartholomew stated we could limit lot sizes. Mr. Hunting stated in a horse shoe example it will be difficult to enforce. The greater concern is larger lots. Mr. Hunting described a zoning category (R1 c) and not a lot size. Council directed Mr. Hunting to look into this specific zoning category to limit.

### **8. MAYOR & COUNCIL COMMENTS**

Mayor Tourville and Council decided to change City Administrator Lynch performance evaluation after the February 22, 2016 meeting. He stated that if the meeting runs too long than we may have to reschedule.

#### **Motion by Tourville second Bartholomew to approve**

**Ayes: 5**

**Nays: 0      Motion carried.**

### **9. EXECUTIVE SESSION**

**CITY OF INVER GROVE HEIGHTS;** Consideration of New Proposal by Wells Fargo Bank related to Transfer / Donation of Jean Ades Property to City; Executive Session Pursuant to Minn. Stat. § 13D.05, Subd. 3(c)(3)".

**10. ADJOURN:** Motion by Mueller, second by Piekarski Krech to adjourn. The meeting was adjourned by a unanimous vote at 8:46p.m.