INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, APRIL 25, 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, April 25, 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 and Fire Chief Thill.

3. PRESENTIONS: None.

4. CONSENT AGENDA:

A. i. Minutes of April 4, 2016 Work Session Meeting Minutes
ii. Minutes of April 11, 2016 Special Meeting Minutes
iii. Minutes for March 14, 2016 Performance Review Meeting Minutes
iv. Minutes for April 11, 2016 Council Meeting Minutes
B. Resolution 16-68 Approving Disbursements for Period Ending April 20, 2016
C. Consider Amendment to the Contract with Duininck Golf for the 2016 Inver Wood Golf Course Improvement Project
D. Approve Interim Appointment and Pay Differential of Police Chief
E. Approve 2016 Polling Place Location Change **Resolution 16-69**
F. Designation of 2016 Election Polling Locations for State Primary and General Election **Resolution 16-70**
G. Approve Custom Grading Agreement, Stormwater Facilities Maintenance Agreement, Permanent drainage and Stormwater Ponding Easement, Agreement Relating to Landowner Improvements, and Release and Indemnification Agreement Relating to Lot 4, Block 1, Wild Ridge Estates
H. Resolution 16-71 Receiving Bids and Awarding Contract for the 2016 Pavement Management Program, City Project No. 2016-09A – Crackseal
I. Resolution 16-72 Receiving Bids and Awarding Contract for the 2016 Pavement Management Program, City Project No. 2016-09B – Sealcoat
J. Joint Powers Agreement with Bureau of Criminal Apprehension and City of Inver Grove Heights **Resolution 16-73**
K. Amendment No. 1 to Agreement Relating to Adjustment of Sanitary Sewer Dept for Plat of Blackstone Ridge **Resolution 16-74**
L. Approve the Property Disposal Policy **Resolution 16-75**
M. Personnel Actions

Motion by Bartholomew, second by Hark, to approve the Consent Agenda 4.Ai- 4.M. 4Aii, 4C and 4L were pulled.

Ayes: 5
Nays: 0 Motion carried.

Councilmember Piekarski Krech pulled items 4Aii and 4C. Councilmember Mueller pulled item 4L.

In regards to item 4Aii, Councilmember Piekarski Krech asked that the attendees of the meeting minutes be revised.

Motion by Piekarski Krech, second by Bartholomew, to approve 4Aii Council meeting minutes of April 11, 2016 with changes to attendees.
Ayes: 5
Nays: 0 Motion carried.

DRAFT

In regards to item 4C, Councilmember Piekarski Krech discussed the proposed amendment contract approved at the last council meeting. Councilmember Piekarski Krech stated that although monies have been budgeted we should consider not using the entire budgeted amount. She stated that $50,000 is a lot of money and can be put those funds towards another fee.

Mayor Tourville stated that the golfers are paying for the changes to the Golf Course.

Councilmember Piekarski Krech replied that the golfers are not paying for the monies at this time. It would be $50,000 less than the golfers would to pay. She stated the monies could go towards another project.

Eric Carlson, Parks and Recreation Director stated that the proposed contract was shown as a reduction of costs for the storm water prevention plan and answers were finalized on the work that is being done around the pond. He stated staff believes the cost of the project would be $10,000. Because $50,000 is not being spent, staff is asking Council to move forward with plans on the bunkers or the greens on the driving range.

Councilmember Bartholomew asked what are the revenue projections if this piece of the project is completed. Mr. Carlson commented that there is no cost saving projections but believes these improvements would help with the ball flight to the center of the driving range for improved safety and decrease lost of golf balls. The target of the range would improve.

Mayor Tourville asked if this project would make a better golf course. Mr. Carlson responded affirmatively.

Councilmember Hark supported Councilmember Piekarski Krech's opinion on the importance of saving money. However, it is users that are paying for the improvements. This improvement will create a better product. Users are footing the bill. Therefore, he supported the Mayor's position.

Councilmember Piekarski Krech stated long-term she can see the value, but people of the community could use that $50,000. She asserted that just because we budget doesn't mean you have to spend everything in your budget. She affirmed that her loyalty is to the residents not to the golf course. The residents of the community are more important than a golfers' experience.

Councilmember Mueller voiced that if we need the money let's keep it.

Councilmember Bartholomew noted that we are financing the money from the golf fund. We have challenged the golf course to make money and pay for expensive. This is $50,000, it's a lot of money but it adds to the golf course's value. The golf course has to recover the expenses. The golf course has to pay for itself. He declared he was in support of the improvements.

Mayor Tourville announced that the city in the last five years has not spent the entire budget for the year. He stated we don't spend to spend. He remarked that we look at it the product over a period of time and that it will create a better product. He stated at first the project had this improvement. It's a better product to save money.

Councilmember Bartholomew stated that this piece was intentionally cut to help with financing but the change in cost would mean there's funds available.

Councilmember Mueller declared to staff that there's no more funds available if you go over budget.

Motion by Bartholomew, second by Hark, to approve item 4C.
Ayes: 3 (Bartholomew, Hark and Tourville)
Nays: 2 (Piekarski Krech and Mueller)

Motion carried.

In regards to 4L, Councilmember Mueller wants to look into the property map more. He wants to visit the sites.

Councilmember Hark asked if Mueller agreed with the policy. Councilmember Mueller remarked affirmatively.

Councilmember Hark asked to revisit this in one month. Councilmember Mueller agreed.

Motion by Piekarski Krech, second by Mueller, to approve item 4L specifically the policy but the map will come back to the council for approval on the May 23, 2016 meeting.
Ayes: 5
Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Larry Beckland, 3662 Conroy Court. The resident discussed the ordinance amendment of trailers and boats and asked for parking regulations to be 72 hours or ability to request special permission. He went further and discussed hardships.

Councilmember Hark stated he did go to the neighborhood. He spoke on the uniqueness of the neighborhood and the sizes of the boats.

Mayor Tourville asked for a petition signed by residents. Tourville stated he has heard comments from the neighborhood on both sides of the issue.

Doug Alred, 3796 Conroy Trail. The resident discussed the ordinance amendment of trailers and boats. He discussed the private pad and denial of parking for his boat. He discussed hardships and asked to suspend the 20 hours limit. He will craft a letter with the requests.

6. PUBLIC HEARINGS:

7. REGULAR AGENDA:

COMMUNITY DEVELOPMENT:

A. CASTAWAYS MARINA AND CITY OF INVER GROVE HEIGHTS; Consider the Following For Property Located at 6140 Doffing Avenue:

a) A Resolution 16-76 Relating to a Conditional Use Permit Amendment for Castaways Marina to Add a New Storage Building.
b) A Variance to Allow the Storage Building with a Five Foot Setback Whereas 40 feet is Required. Resolution 16-77
c) A Variance for the City of Inver Grove Heights to Create a New Lot Less than the Minimum Lot Size and Width Standards. Resolution 16-78

Mr. Link, Community Development Director, introduced the item. The City Council approved a purchase agreement to purchase the house and accessory garage with the intent to remove it from the floodplain. It removes the public safety concerns. The variance is requested because the lot would be less than minimum standards in the I-1 district.

Mr. Link stated that Castaways Marina is also requesting an amendment to replace that house and garage. They are asking to amend their conditional use permit to add a two- level building to be used for storage for their members and meeting room with future bathrooms. He commented that a variance from setbacks by the newly credits lot is also required. They request that the building have a five foot setback in which 40 feet is required. Mr. Link informed the Council that the practical difficulties with this is that the city is purchasing the land so that the buildings to be removed from the flood plain. The second is the duration of the lot creates a difficulty. He added that the City doesn't have a major need to provide for a larger set back in that discussed location.

The applicant, John Remmington, President of the Marina was present. He stated this request arises from the selling of the lot to the City to remove the building from the floodplain. He commented that technically they are a private marina but classified as commercial which requires the 40 foot setback.

Motion by Bartholomew second Piekarksi Krech to approve the CUP, Variance to allow the storage building with a five foot setback 40 feet is required. A variance for the City of Inver Grove Heights to Create a New lot less than the minimum lot size and width standards.

Ayes: 5
Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider the First Reading of an Ordinance Relating to Parking of Recreational Vehicles in the Front Yard in Single Family Zoning Districts.

Mr. Hunting, City Planner, introduced the item. He discussed the front yard in single family zoning districts. He had the Council look at the aerial view of the city. There are a number of lots with single car garages. He presented the ordinance amendments. He commented that this amendment is not prohibiting recreational vehicles because they are still able to park in the side and back yard. Mr. Hunting remarked that this amendment is only restricting recreational vehicles parking in the front yard.

Mr. Hunting recapped that the Planning Commission took testimony at the last meeting from residents. Three persons spoke. The Commission's concern was single car garages and singe car driveways may be too restrictive on lots. The Planning Commission's recommendation is to make exceptions to the rule for those specific lots. Mr. Hunting summarized that the first reading of the ordinance is in front of the Council for approval. Staff is asking for further direction from council.

Councilmember Bartholomew requested a recap of the exception concern.
Mr. Hunting responded that the Planning Commission is looking at existing lots with a single car garage with single wide driveway that those limitations not apply to those properties. Mr. Hunting gave an example, those with single car garages and driveways would be able to park an RV on a parking pad. Mr. Hunting discussed the difference between a parking pad and a driveway. Mr. Hunting stated a driveway leads to the street that leads to the garage.

Mayor Tourville asked it can't be parked on the grass but has to be on a hard surface. Mr. Hunting stated it could be a parking pad. Councilmember Piekarski Krech commented that if a parking pad widens out then it's considered a driveway.

Councilmember Bartholomew expressed concern regarding the horseshoe driveway. Mr. Hunting stated that the council needs to discuss all the difference scenarios.

Councilmember Hark presented illustrations of driveways to the Council. Councilmember Hark stated based on his driving around the city he came up with the illustrations. He saw driveways that are not centered but are relevant to the garage. He stipulated that the only place they could park is parallel to the garage. Councilmember Hark stated this example exists and the situation is not unusual. He described different alternatives of driveways and his perspective of acceptable parking.

City Attorney, Tim Kuntz and the Council discussed other possible options at length and possible ordinance language that would comply to the situation.

Councilmember Bartholomew suggested discussing a driveway that is in front of the driveway but nothing towards the house. It would be a mistake to confine it to the parallel of the garage.

Mayor Tourville stated there are hundreds that don't add up to the confines of the garage.

City Attorney, Kuntz described the definition of wall extension. He stated in looking at a variety and aerials that the code specialist put together. There is a lot of creativity in the community. Many times it comes from an extension of the pad and then sometimes it veers out. Some of which can end up in front of the house. He further indicated if they want it in front of the house then we can't count the driveway as veering out. He stated that is where the definition arose.

Councilmember Mueller discussed parking pads at length.

Councilmember Hark commented on not allowing parking on grass and parking pad areas in the ordinance.

Mayor Tourville discussed the option of the side of the garage and his issue with the parking in the house.

Councilmember Bartholomew summarized the intent of the ordinance takes into consideration the amount of impervious surface. He discussed an example and stated it would be a mistake to confine a vehicle to the walls off the garage for those horseshoe examples.

Mr. Hunting showed additional illustrations and clarified what is defined as in front of the house.

Council directed Mr. Kuntz to get together with Mr. Hunting to discuss the changes Council discussed.

Mr. Kuntz asked for a summary from the Council. He stated the first direction is to address by language to park on the parking pad adjoining the garage from the driveway that is closest to the set back. He asked if there was direction on the horseshoe driveway. Mayor Tourville replied that it's allowed. Councilmember Mueller discussed a specific address with a horseshoe driveway. He asked if they would be exceptions to this address. Mr. Hunting stated horseshoe driveways would be allowed to park parallel to the driveway but not in front of the house. In other cases no parking pad can be in front of the driveway.

Councilmember Bartholomew asked what cut of curb is allowed. Mr. Hunting replied that the maximum feet is 30 at the property line. After that point, the driveway can veer within the impervious surface limit. The Council discussed curb line. Mr. Hunting stated typically it is 12 feet from the property line to the driveway.

Resident Tim Willent, 4511 August Way, discussed a single care garage with a tuck under garages and a double car driveway. .

City Attorney, Tim Kuntz explained that with a traditional driveway the idea is that you can have the pad on that side of the driveway of the shortest dimension of the lot line. He discussed a potential example and issues with the horseshoe.

Council directed that the item be returned to the next meeting.

Motion by Piekarski Krech second Hark to approve the first reading of the ordinance with changes.

Ayes: 5
Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider 1) Approval of the Draft Request for Proposal (RFP) for the Comprehensive Plan Update and 2) Direction to Staff to Distribute the RFP.

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Mr. Hunting recapped that staff is asking for the final action of this item. He stated that staff is adding the wording to address the NW area analysis. We break it out but it's combined with the Request for Proposal (RFP). The consultants listed are proposed. Staff asked the Council to approve the RPF to put out to the consultants at the end of the week.

Councilmember Mueller asked about Concord Street in the 2012 program.

Mr. Link, Community Development Director stated the Concord neighborhood plan adopted in 2012. It's a 20 year plan that identifies priority sites and different options. It's been adopted already but folded into the plan. Councilmember Mueller asked about the past presentation on the development. Mr. Link stated he doesn't anticipate changes to the plan, that analysis was connected to the development.

Councilmember Bartholomew stated the study showed the contrast of industrial vs. high intensity development and the best economic sense.

Councilmember Mueller asked about Akron Ave. Mr. Link stated that the study with the City and the County will put forward whatever the results of the approval will be. Mr. Link stated the consultants will be advised of the situation.

Council directed staff to condense neighborhood group sizes at potential meetings.

Councilmember Mueller asked to consolidate the Council meetings with the Commissions. Mr. Link responded in the affirmative.

Motion by Mueller second Bartholomew to approve the draft request of the RFP.

Ayes: 5
Nays: 0 Motion carried.

PUBLIC WORKS:

D. Update Concerning Discussion with Low Bidder to Identify Potential Quantity Reductions for the Purpose of Reducing the Cost for City Project No. 2016-09D – 60th Street Area Reconstruction, 2016-10 – 60th Street Area Utility Improvements and City Project No. 2015-12 (Phase 1) - NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail).

Mr. Thureen, Public Works Director introduced the item. Staff was directed to meet with the second lowest bidder on the project. He reviewed the quantity reduction and the unit price to see if staff can meet the financing restrictions. Staff felt we can reduce quantities where we could fund the project for the bases of the $2,100,000 scheduled for May 9th. Briefly, he stated we found several line items that could reduce the quantities. The constructor has agreed with these quantities. At the next meeting, he declared would be the assessment hearing. Based on the city staff review of the project and costs, we believe we can meet the financing requirements.

Mr. Thureen stated that the critical item is the boulevard improvements, irrigation systems, pet control fence and landscaping. In the past few years we have included the costs of the items in the contract. Right now, we can't identify those costs of the projects. We are recommending that those be a home owner cost. They reviewed other cities policies and the spectrum is wide. This recommendation and issues moving forward we hope to adopt this policy. He continued, those notifications of property owners if they have them in the right away they have time to move those things. We will try to minimize issues but irrigation will be difficult to preserve especially with curb line improvements.

Staff believes we can reduce the construction contingency to 6% but with the indirect costs and monitored much more closely then the past we feel we can proceed. He stated if we received any objections of the assessment, staff would withdrawal the project. We will be very conservative of objections because we would lose the funding. There is a neighborhood meeting on Thursday in the Training (EOC) Room. At the City Council meeting on May 9, 2016 we will have the assessment and improvements award.

Mr. Thureen discussed the below ground features such as irrigation systems, invisible fence and those other examples that created obstructions in the right of way such as boulders. Councilmember Bartholomew asked how do we memorialize this policy going forward? Mr. Thureen replied in the future I suggest we bring this forward and memorialized this policy change. He stated we need to move forward reasonably to reduce our costs. He asserted the boulevard is city property. The boulevard is maintained by the owner but the city can't continue to pay for repayment costs.

Councilmember Mueller asked how many homes does this policy affect regarding below ground features. Tom Kaldunski, City Engineering, stated we don't have a firm count. There was a survey received but he didn't have the information present. He proposed to send out a similar request to have a better idea in the future.

Mr. Kaldunski stated it's hard to predict, in the past some neighborhoods have 100% percent. He stated maybe 30-40% have an irrigation system. He stated people should be locating their sprinkler heads and fence.

Mayor Tourville requested the policy piece be returned for future conversation. Further if we have objections and can't meet the 20% requirement than we won't be able to complete the project.

Councilmember Piekarski Krech asserted she doesn't like the idea of eliminating rain garden removal with its assistance in keeping our waters clean and reducing storm water and allowance for storm water quantities. We are changing are curb/gutter quantities with rain gardens.

Mr. Thureen stated that storm water quality is still in the project. A treatment basin is proposed for discharge to go to a wetland. The reduction of storm sewer was recommended for better control. The

biggest thing is the numbers you are seeing we are retaining all the drain tile. It will get the water out of the sub drain. He asserted, this is simply an update and not an action.

Kelly Kaiser 1953 59th Court East, asked for clarification in regards to the sprinkler change after the project. She asked do residents need to use their own provider to locate. Mr. Thureen stated there is no estimate of costs because each system is different. Ms. Kaiser stated do they need to research this themselves. Mr. Thureen replied in the affirmative. Ms. Kaiser stated 70% is accurate of those that have in ground sprinklers on 59th Court. Ms. Kaiser stated that the objections of the 20%, are you recommending that if you have any rejections than we won't be completing the project. Ms. Kaiser stated the last question is about definitions of decorative driveways. She asked what is that exactly. He replied anything other than a standard concrete or bituminous, stained or pavers will not be fixed. He declared we need to minimize the costs. Historically driveways would be cut for the right of way and we would incur the additional costs. He stated we are going to adhere to where the work is going to be limited too. Traffic control within the project, Mr. Thureen stated affirmatively.

Mayor Tourville stated irrigation systems have a provider because the pieces fit with the maintenance. Mayor Tourville asked about concrete and bituminous driveways, Mr. Thureen stated what will be done is the minimum necessary for the concrete and bituminous.

Mr. Kuntz discussed timing of the reinstallation of irrigation, grounds etc. and the timeline of those actions. Mr. Thureen stated staff will discuss this with residents at the next meeting.

8. MAYOR & COUNCIL COMMENTS

Mr. Lynch stated we are looking for a joint meeting with School District 199. July 12th 2016 or July18th 2016. A presentation from Mr. Kelly Harder with Dakota County regarding his poverty presentation that he has made to several groups. Then both groups will present to each other. NDC4 will record the meeting.

Mr. Hark stated that the City Pages named South Valley Park as the Best Twin Cities Public Park. He stated Gertens also was the best garden center.

Mayor Tourville discussed that B52 won the best burger in the Best Hamburger in the area again.

On the May 2nd 2016 work session the time will remain at 6pm. The charter school would like to discuss payment in lieu of taxes. Mr. Kuntz stated the proposed applicant will ask the council if an expectation of the payment is in lieu of taxes.

The council discussed resident complaints received at length.

9. EXECUTIVE SESSION

Frank Rauschnot, 6840 Dixie Avenue Property Information. Pursuant to Minn. Stat. §13D.05, Subd. 3(c)(3) this statute allows the Council to go into Executive Session regarding a property. It is not a public matter.

Motion by Piekarski Krech second Hark to approve to go into an executive session.

Ayes: 5
Nays: 0 Motion carried.

10. <u>ADJOURN:</u> Motion by Mueller, second by Piekarski Krech to adjourn. The meeting was adjourned by a unanimous vote at 9:47p.m.