



INVER GROVE HEIGHTS CITY COUNCIL AGENDA

Monday, July 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. Minutes of June 27, 2016 City Council Meeting Minutes
Minutes of July 5, 2016 Work Session Meeting Minutes
 - B. Resolution Approving Disbursements for Period Ending July 20, 2016
 - C. Consider Pay Request #2/Change Order #1 for the VMCC Roofing Project – City Project 2016–14
 - D. Consider Pay Voucher No. 1 for City Project No. 2016–09D – 60th Street Area Reconstruction, City Project No. 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)
 - E. Consider Pay Voucher No. 9 for the 2015 Capital Improvement Program, City Project No. 2015–10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015–11 – NWA 70th Street Lift Station, Argenta District
 - F. Consider Pay Voucher No. 2 for the 2015 Capital Improvement Program, City Project No. 2015–13 – NWA Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge) and 2015–16 – Trunk Utilities, Argenta Trail to Blackstone Ridge
 - G. Approve Custom Grading Agreement and Permanent Drainage and Stormwater Ponding Easement for 10280 Blair Avenue (Lot 1, Block 2, Woodland Estates)
 - H. Resolution Approving Joint Powers Agreement with Dakota County for Amana Trail
 - I. Discontinue Canadian Goose Hunting Season
 - 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:**
7. **REGULAR AGENDA:**
 - I. PARKS AND RECREATION:**
 - A. Consider Formal Response from the City of Inver Grove Heights to City of South St Paul Conditional Use Permit for the South St. Paul Rod and Gun Club Expansion Project

II. COMMUNITY DEVELOPMENT:

B. CALATLANTIC GROUP; Consider a Resolution relating to a Preliminary PUD Development Plan Amendment and Final PUD for Blackstone Ponds 1st Addition. Property located north side of 70th Street at Archer Trail.

C. CITY OF INVER GROVE HEIGHTS; Consider the First Reading of an Ordinance to opt-out of the requirements of Minn. Statute 462.3593, subd. 9, which defines and regulates Temporary Family Health Care Dwellings.

III. ADMINISTRATION

D. CITY OF INVER GROVE HEIGHTS; Request for Amendment to Bow Hunting Ordinance

8. MAYOR & COUNCIL COMMENTS:

9. ADJOURN:

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**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JUNE 27, 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, June 27, 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. PRESENTATIONS: None.

4. CONSENT AGENDA:

- A. Minutes of June 6, 2016 Work Session Meeting
- B. Resolution **16-110** Approving Disbursements for Period Ending June 22, 2016
- C. Notification of Required Contribution to the Inver Grove Heights Fire Relief Association for 2017
- D. GERTEN GREENHOUSES; Consider a Resolution Relating to Approving the Improvement Agreement and Related Agreements for the Gerten Greenhouse Growing Field Expansion **Resolution 16-111**
- E. Consider a Swap Spot program at the City of Inver Grove Heights
- F. Designate 2016 Election Judges for August 9, 2016 and November 8, 2016 Elections **Resolution 16-112**
- G. Schedule Election Canvass Meeting
- H. Approve Facility Use Agreement with ISD 199 for the VMCC/Grove
- I. Consider Pay Voucher No. 1 for the 2015 Capital Improvement Program, City Project No. 2015-13 – NWA Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge) and 2015-16 – Trunk Utilities, Argenta Trail to Blackstone Ridge
- J. Consider Change Order No. 2 for City Project No. 2016-09D – 60th Street Area Reconstruction, City Project No. 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)
- K. Consider a **Resolution 16-113** Ordering a Feasibility Study, Ordering an Assessment Benefit Analysis and Other Related Engineering Services for City Project No. 2016-09E – Bancroft Way Area Street Improvements
- L. Consider Resolution Approving Agreement Relating to Landowner Improvements within City Right-of-Way Located on Lot 1, Block 1, Schindeldecker Second Addition (1730 60th Street E.) **Resolution 16-114**
- M. Consider Proposal for Professional Services for Design and Construction Phases for Foresthaven Sanitary Sewer Lift Station Modifications
- N. Approve Letter of Support for Dakota County Regional Solicitation Application
- O. Authorization to Execute the State of Minnesota Joint Powers Agreements with the City of Inver Grove Heights on behalf of its Police Department regarding the Minnesota Internet Crimes Against Children Task Force (ICAC) **Resolution 16-115**
- P. Accept 2016 Donations for Various Parks and Recreation Programs
- Q. Personnel Actions

Councilmember Piekarski Krech pulled item 4A. Councilmember Bartholomew pulled items 4E and 4G. Mayor Tourville pulled item 4M.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Piekarski Krech asked why Item 4A Work Session Minutes was only briefly summarized. She stated that the Council minutes are the official minutes for the Council and expressed concern if that was the format going forward. City Administrator Mr. Lynch, replied that at the meeting we had a technical

malfunction of the voice memo recorder therefore staff summarized their own items. He stated this is not the format you will continue to see. Councilmember Piekarski Krech asked that a secondary machinery be present to make sure this doesn't occur again. She expressed concern that the minutes are a legal document and the importance of the minutes. Mr. Lynch stated that the third party minute taker will be present at meetings to prevent this from occurring in the future.

Councilmember Bartholomew pointed out an error on page 4 with the adjournment. Councilmember Hark stated he seconded the motion to adjourn.

Motion by Piekarski Krech, second by Bartholomew, to approve 4A with adjournment correction.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Bartholomew discussed the importance of item 4E Swap Spot and commended staff for their work and Councilmember Hark for bringing this issue forward.

Motion by Bartholomew, second by Hark, to approve item 4E.

Ayes: 5

Nays: 0 Motion carried.

Councilmember Bartholomew brought forward the Canvass meeting schedule. The Council agreed on changing the time to 8:00a.m.

Motion by Bartholomew, second by Hark, to approve item 4G with the time change.

Ayes: 5

Nays: 0 Motion carried.

Mayor Tourville asked to abstain from item 4M because SEH was chosen as a contractor.

Motion by Bartholomew, second by Piekarski Krech, to approve item 4M.

Ayes: 4

Abstain: Mayor Tourville

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Allan Cederberg, 1162 E 82nd Street, commented on his water bill. He discussed a letter with no date, the date the letter received was 1/12/16 and the payment was due on 1/20/16. The bill only gave him 8 days to pay. Mayor Tourville stated the letter is an invoice not a letter. He asked for an explanation of the bill. Mr. Cederberg brought up the storm sewer fee. The Council discussed with the resident at length regarding the designation of zoning and storm sewer fee. Resident Mr. Cederberg asked for the City Attorney's opinion. Mayor Tourville stated that the City Attorney will not state his opinion because this item is not on the agenda. The Council directed Mr. Cederberg to make an appointment with City Administrator Lynch to discuss the issue further and put it to rest.

6. PUBLIC HEARINGS:

None.

7. REGULAR AGENDA:**I. COMMUNITY DEVELOPMENT**

A. SYDNEY & JOSHUA WITTMIER; Consider a Resolution 16-116 relating amending the conditions of approval and the development contract for Shamrock Oaks to allow Lot 4 to contain more than 5,000 square feet of impervious surface.

Mr. Link summarized the item. The applicant is requesting an amendment to this condition to exceed the allowed impervious surface to construct a new house, driveway and some extra impervious surface for future additions to the property. Mr. Link discussed the changes and the impervious surface request. The applicant is proposing a storm water facility on the northern part of the property to treat the impervious surface. The Engineering Department reviewed the proposal and found that it complies with the criteria. Mr. Link noted that the 5,000 square feet in the southern part of the City would typically be allowed 1,600 square feet. It's typically allowed three times as much. He stated that the Planning Staff and the Planning Commission have approved the item with the impervious surface of 5,000 square feet.

Councilmember Piekarski Krech asked why 5,000 square ft was a concern. Mr. Link stated there was a concern from a nearby neighbor to the North regarding the impervious surface.

Councilmember Piekarski Krech asked if the neighbor continues to object. Mr. Link replied that the neighbor was given notice of the Applicant's request. He stated to date, we have not heard from the neighbor.

Public Works Director Mr. Thureen, stated that the proposal has storm water features to compensate for the additional hard surface. Councilmember Piekarski Krech asked if we know it can handle that. Mr. Thureen replied in the affirmative.

Josh Wittmier, 2122 94th Court East, The applicant stated that the feature has already been designed and will be 8,000 square feet to go along with the custom grading plan to reflect the requirements.

Motion by Bartholomew second Hark to approve the Resolution 16-116 consider a Resolution relating amending the conditions of approval and the development contract from Shamrock Oaks to allow Lot 4 to contain more than 8,000 square feet of impervious surface.

Ayes: 5

Nays: 0

Motion carried.

B. KATHLEEN VAN SCHOOTEN; Consider the following actions for property located at 10371 Inver Grove Trail:

a) an Ordinance Amendment to Rezone a portion of the property from A, Agricultural to I-1, Limited Industry

b) a Resolution relating to a Comprehensive Plan Amendment to change the land use designation of a portion of the property from RDR, Rural Density Residential to LI, Light Industrial

Community Development Director Mr. Link, briefly discussed the item. The property is located west of Highway 52 just north of 105th Street. The property is six acres. The applicant would like to subdivide one

acre and rezone it from Agricultural to Industrial. The applicant would sell the property to her daughter to start a Landscaping business. Mr. Link discussed the possible road that would go through the property.

The rationale to support the application is that there are industrial properties to the North and the East. The property has frontage and access of Highway 52. There have been discussions about a frontage road going in that would provide direct access to the property. The other access is 105th Street. The road is designated as a connector street that has more drivers than a neighborhood street. It would provide economic development and increase the tax base. The argument against the property has been made by several neighbors. There was a public hearing and concerns from residents were expressed. Mr. Link pointed out on the map that there are residents in support of the zoning amendment.

Planning staff and Planning Commission denied the variances. He discussed the issues with the access of 105th through the residential neighborhood.

Councilmember Mueller asked about the adjacent property named Jeffers and is zoned Agricultural. Mr. Link stated the Jeffers property has a conditional use for the slandering facility and is zoned Agricultural. Mr. Link disused the hardships of developing a frontage road near the property because of the adjacent railroads on the North and South of the property. Mr. Link mentioned there has been no commitment from MnDOT for the road. Mr. Link said right now the frontage road is just a concept.

Kathleen Van Schooten, 10371 Inver Grove Trail discussed the context of the property. She discussed the reputation of the family business named Branch and Borough. She discussed that the traffic would be only three (3) trucks per day. She commented about the zoning on the future land use map and asked about it being light industrial zoned. Mr. Link stated in the affirmative, I-1 limited industry. Mr. Link discussed what types of business uses would be allowed in those areas.

Councilmember Hark asked to look at the map to indicate where the light industrial section is. Councilmember Bartholomew stated the City has a definitive decision on designated light uses. Mr. Link stated he will look at the map to determine the designation.

Heidi Van Schooten and Andy Hovland, 589 Ohio Street, St. Paul, MN. The Applicant's daughter and son in law were present and discussed conversations and meetings with the Planning Staff. During that conversation Heidi Van Schooten stated the hardships of receiving a variance was not discussed with them. She discussed the option of the conditional uses and allowable home occupation businesses around the City. She discussed their tree care business and that it's not a landscaping business. She stated the employees go to the customer's houses. They discussed their wishes of not be visible from the road and no sign would be present. Andy Hovland stated that no customer's will be going to the property. They stated it's a place to put equipment and for staff to come and go. She stated their wish is for three bays to store vehicles and an office area.

Mayor Tourville asked about the zoning of landscaping businesses to Mr. Link. Mr. Link stated that landscape businesses are considered contractor's yards and are not allowed in residential zones and agricultural zones. Councilmember Piekarski Krech commented that other home occupation businesses of landscaping contractors are able to have businesses out of their home. Mr. Link stated if that is occurring than they are in violation of the ordinance. Mayor Tourville asked for clarification regarding landscaping businesses. He stated if landscaping businesses are getting calls to their home but are going out to other people's homes to care for lawns then they're in violation of the ordinance. Mr. Link replied it

depends on the specifics. Mr. Link stated home occupations are allowed but if you're working out of your garage than it's prohibited. Mr. Link stated you can have a home occupation business inside the home.

Councilmember Bartholomew asked about a possible Interim Use in this case. He discussed the possibility of the future frontage road. Andy Hovland discussed the possible use of 105th street and how he would be willing to help fund maintenance of the road. He stated all his work trucks are under weight and do not require a CDL. Mayor Tourville stated the issue is that the rezoning will stay with the property. The Applicant's daughter discussed their willingness to look at alternatives with the Council. Their need is for them to be able to be on the property on a more consistent basis to watch over her mother. Her mother wishes to stay on the property as she ages.

The Council discussed the item at length discussing the different zones.

Mr. Link discussed what is considered agricultural and the difference between a contractor's yard and an agricultural zone.

David Fleischaker, 10300 Brent Avenue opposed the change and asked the Council to look at the impact of the neighborhood when adding a business. He stated the intersection at 105th Street is dangerous.

Bob Malcome, 3175 105th Street, asked to support the project. It would be a good project for the community and doesn't think it will have any problems.

Heidi Van Schooten discussed the landscape business zoned in B-3. Mayor Tourville discussed that B-3 is connected to sewer and water.

Mr. Link asked for Heidi Van Schooten and Andy Hovland to come into the City for a meeting to discuss options.

Councilmember Bartholomew reiterated that it's permitted by Conditional Use. Mr. Link stated that the use is a business with six employees and three trucks. The contractor zones are not allowed in a residential type business. The property must be zoned agriculturally.

Councilmember Bartholomew discussed the possibility of an Interim Use but that in the current state of 105th Street it is not feasible.

Councilmember Hark opined that if an Interim Use was approved than the building may not be able to financed. He stated that the problem is that the acre is zoned industrial permanently.

Mayor Tourville stated it would need to be rezoned to be able to get approval. He asked if the applicant wanted to withdrawal or receive a denial.

Mayor Tourville moved to approve the Resolution for denial seconded by Councilmember Hark. Mayor Tourville then rescinded the motion and Councilmember Hark agreed to rescind.

Applicant Kathleen Van Schooten asked to withdrawal the applications.

The Council asked for staff to work with the applicant regarding the partial refund of the application.

The Council directed staff to let the Council know at a future meeting what staff’s recommendation was on the partial refund then Council will approve the partial payment.

Motion by Piekarski Krech second Bartholomew to accept the withdrawal of the application by the Applicant.

Ayes: 5

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider the following actions for property located at 7293 Archer Trail;

a) a Resolution 16-117 relating to the Preliminary and Final Plat for Blackstone Vista 2nd Addition

b) a Resolution 16-118 relating to Vacation of certain drainage and utility easements with the plat of Blackstone Vista.

Mr. Link introduced the item. The Outlot G will be dedicated as a road right of way for 72nd Street which will be built as part of Hwy 55/Argenta Trail project. Mr. Link identified the area on the map. He stated its advantageous to the City because we will attain the right of way and its advantageous to the Developer because he gets a widened back lot. The Planning Staff and the Planning Commission recommends approval of the Plat.

Motion by Bartholomew second Piekarski Krech to approve the Resolution 16-117 relating to the Plat and Resolution 16-118 relation to the drainage and utility.

Ayes: 5

Nays: 0 Motion carried.

D. CITY OF INVER GROVE HEIGHTS; Consider a Resolution 16-119 relating to a Variance from the maximum fence height to allow netting 50 feet tall around the practice range at Inver Wood Golf Course.

Mr. Link introduced the item. He stated the netting around the driving range is a normal use. The net is a safety prevention and will protect residents from golf balls being hit. There are no other alternatives to netting available because of the size of the driving range. Planning Staff and Planning Commission approved the variance.

Mayor Tourville stated that it’s a 50 foot fence and the netting was a part of the Request for Proposal (RFP) for the Golf Course Improvements.

Councilmember Bartholomew asked if the netting is in the aviation overlay. Mr. Link discussed the aviation flight zone requirement with the Council and stated that this variance doesn’t meet the maximum height of the requirement. Councilmember Bartholomew added that the aviation flight zone height is 90 feet.

Motion by Bartholomew second Hark to approve Resolution 16-119.

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS; Consider First Ordinance Reading of Rental Licensing Program

Mr. Link briefly discussed the rental ordinance program which is the first reading of the rental licensing ordinance. He stated if this proceeds it will be one of three readings. He discussed that the license would require all licenses to be considered including large apartment complexes to single-family homes. He stated it would be a two year license requirement for a fee of \$25.00. The applicants will be required to have a criminal background check by the Minnesota Bureau of Criminal Apprehension (BCA). Inspections will need to meet the International Property Maintenance Code. An existing staff member will be used for inspections. Inspections would be reactive only and would require complaints. Some facilities would be exempt such as: nursing homes and assisted living facilities. Public notices were sent out in March. An article was put into the City's newsletter as well as the City's website. Mr. Link stated that comments were received for six (6) weeks, in total 1/3 opposed the ordinance. One response was received an opposition from a rental owner. The Association of Multi-Housing represents apartment buildings state-wide and apartment buildings in Inver Grove Heights. Marty McDonough representing the Association of Multi-Housing wrote a letter; Mr. Link stated the letter was included in the packet for today's meeting. Mr. Link met Mr. McDonough and discussed his concerns and reaction to the ordinance.

Mr. Link stated prior to this meeting, 26 rental owners were notified which prompted concerns over the structured fees and background checks. Mr. Link estimated that the cost of the program would be \$80,000. Divided by the number of rental units that will be required is 3,300. Those numbers together identified the fee cost as \$25.00.

Mr. Link stated the larger complexes have an excess of 400 units and would be charged a fee of \$10,000 every two years. The fees are comparable to other surrounding cities. The fee comes out to \$1.00 per dwelling unit per month.

The rental owners and the Association of Multi Housing have other ideas regarding fee structures. The background is important, the less costly way is for the property owner to go to the BCA and get a criminal history check. The BCA would give them a letter and it would be reviewed with a Police Chief similarly to how the liquor license process works. The ordinance will stipulate what considerations the Police Chief would look at which would include criminal convictions over the last five years.

Mayor Tourville discussed the complexities with an apartment owner being a non-profit, financial institution and/or out of State Corporation. Staff discussed with the City Attorney and asked for this issue to be explored further.

Mr. Link stated that staff recommends that it be a phased in program. He asked that the actual licensing begin once the software is set-up. Mayor Tourville discussed the possibility of the program beginning in January of 2017.

Councilmember Hark asked to look into other software programs that other cities are using. Mr. Link replied that staff has compared the software programs and the cost of the programs vary from \$45,000-\$125,000. Mr. Link concluded the introduction of the first reading and stated that staff recommends the approval of the first reading of the ordinance.

Councilmember Piekarski Krech stated that residents are asking for attention to the cost of the fee schedule. She stated she doesn't want to overburden individuals that are renting. She asked that the staff be judicious. She also discussed the main concerns from residents is the actions taking place in these buildings. She stated there is nothing in the ordinance that discusses checking the background of the tenant. Mr. Link replied that this program is for building and safety concerns and does not regulate behavior. He stated the fee needs to represent the cost of the program per Council's recommendation. He discussed the alternatives with the difference of fee by license and then fee per dwelling unit. The Council selected the fee to be based on per dwelling unit.

Mr. Link stated that the Council has the decision, if the City should pay for the program outside of the fees collected or whether the fees will be covered by the program cost.

Councilmember Piekarski Krech asked Mr. Link if you have 400 units would you go there once or twice. She opined that there should be some cost savings within the larger apartment complexes. Councilmember Hark responded that if it's a complaint driven system we can't stay that. Mayor Tourville stated that the City must adopt an ordinance for rental properties but some refinement might need to be done as we proceed further.

Mr. Link discussed the different options of fees. Councilmember Hark asked if a complaint can be done anonymously. Mr. Link responded yes.

Councilmember Bartholomew stated we are contemplating fines for code violations. Mr. Link stated the enforcement would be like other complaints. Mr. Link stated a citation would be issued if a violation isn't received.

John Reilly representing Salem Green Apartments came forward. He stated with the background check requirement of the owners, it won't work the way it's currently written. With three apartment buildings you have over 2,000 are owned by those affiliated with Multi-Housing Associations. Mr. Reilly stated he's not opposed to the rental license program. He said he felt that the fee schedule punishes the larger apartment owners. He stated that currently two inspections are done annually that include the Insurance and Mortgage Company who have a vested interest in making sure the building is up to code.

Marty McDonough, Municipal Affairs Director for Multi-Housing Association, Mr. McDonough stated he represents over 3,000 units. He stated we educate owners of rentals regulations and on how to run a business. He discussed the difficulty of receiving owner background checks. He went over the fee structure from municipalities for the building and the small amount per units. He went thought the unit costs per city including Maple Grove, Burnsville and Minneapolis. He explained the City of Minneapolis process as a tiered structure based on the activity of problematic issues. Minneapolis has 25,000 rental units.

Mayor Tourville stated that other cities do have background checks and asked Mr. McDonough to help with the ordinance language. He discussed the out of state background checks in length.

Councilmember Hark asked about the tiered system. He asked what are examples of objective criteria. Mr. McDonough stated conduct on premise, verifiable police call. He stated a management plan would be required. There are seven ways to convict a person, housing inspections administrative citations and

illegal occupancies. He discussed the score and stated it's divided by 20% of the units. An annual review of the scoring is done first.

Mr. Link stated that the tiered system is staff intensive and would take up administrative and police time. He stated with a tiered system the Department would need additional staff to administer the program.

The Council discussed moving forward and working with Multi-Housing Association.

Resident Nadine Hunziker, 5039 Brent Ave. discussed a blighted rental house on her block. She described several criminal activities that occurred at the rental house since she moved into the neighborhood. She supports the rental housing program.

Resident Linda Danely, Stevensend Management Gracestone Apartments discussed the background checks in regards to trustees. She added that what they do is background checks on staff. She stated that staff attends the Annual Fair Housing and Multi Housing Association seminars yearly.

The Council directed staff on looked into a more defined language on the background check and the look at different fee structures. The Council stated that they are not looking at the ordinance to return to the Council until its ready.

Motion by Piekarski Krech second Bartholomew to approve the first reading of the ordinance.

Ayes: 5

Nays: 0 Motion carried.

II. ADMINISTRATION

F. CITY OF INVER GROVE HEIGHTS; Consider a Resolution 16-120 Establishing Trash Hauling Moratorium

Mr. Kuntz discussed a prior conversation with the Council at the June 6th Council Work Session regarding studying the questions on how many licenses should be in the City. Currently, there are 17 trash hauling licenses. Mr. Kuntz stated that this Resolution imposes a hold period on the issuance which is a moratorium, until a study is completed on the number of license issued. The study will be completed by the Administrative Department and returned to the Council on the study results on August 8, 2016. It makes no determination at this time if there should be a limitation on the number of licenses.

Motion by Piekarksi Krech seconded by Bartholomew to approve Resolution 16-120.

Ayes: 5

Nays: 0 Motion carried.

III. PUBLIC WORKS

G. CITY OF INVER GROVE HEIGHTS; Resolution 16-121 Approving Change Order No. 5 to City Project No. 2015-10 to Complete Emergency Storm Sewer Repair on Dawn Way

Mr. Thureen discussed the issues down the hill onto Dawn. The water is coming on top of the sewer coverage. The damage is severe. The manhole needs to be replaced. The street has been analyzed and the drainage boundaries have been identified. A portion to be added a parallel pipe to be proposed on the north blvd we suggest we construct the structure to be rebuilt. 200 feet in a diameter would be

replaced and the structure. This is an emergency condition and the damage is on the north part lane. He discussed the contractor's ability to repair this and start on July 5th. Fund 406 will cover the expense.

The Council asked for this to be fixed and not band aid this. Mr. Thureen stated he will double to occupy of the storm sewer and the catch basin won't be blown off which what has been happening.

Councilmember Mueller asked about the entire street. Mr. Thureen specified that this is for the northern part of the street.

Councilmember Mueller asked if it would be cheaper to fix the entire street now. Mr. Thureen stated no, the City would need a joint powers agreement with South St. Paul and it would take time to do that.

Motion by Bartholomew second Hark to approve the Resolution 16-121.

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS

Mr. Link asked for an Economic Development Authority (EDA) special meeting to be scheduled on Monday, July 11th 2016 at 6:30pm to consider a purchase agreement.

Motion by Mueller second Piekarski Krech to approve the scheduled meeting.

Ayes: 5

Nays: 0 Motion carried.

Mr. Lynch stated that on July 4th the City Hall is closed. He reminded the City Council regarding a special joint meeting on July 12th 2016 with the School District at 6:00pm.

9. ADJOURN: Motion by Piekarski Krech, second by Bartholomew to adjourn. The meeting was adjourned by a unanimous vote at 10:00 p.m.

**INVER GROVE HEIGHTS CITY COUNCIL WORK SESSION
TUESDAY JULY 5, 2016 – 8150 BARBARA AVENUE**

A. CALL TO ORDER/ROLL CALL: The City Council of Inver Grove Heights met in work session on Tuesday, July 5, 2016, in the Police Training Room. Mayor George Tourville called the meeting to order at 6:00 p.m. Present were: Mayor Tourville, Councilmembers Bartholomew, Hark, Mueller and Piekarski Krech, City Administrator Joe Lynch, Community Development Director Tom Link, Parks and Recreation Director Eric Carlson, Finance Director, Kristi Smith, Public Works Director, Scott Thureen, and City Government Intern Michelle Calvert.

1. RR QUIET ZONE

Director of Community Development, Mr. Link said direction was being looked at from City Council regarding railroad quiet zones. The idea came about because of two factors: 1) complaints in the Concord neighborhood and 2) the City's residential redevelopment plans for the Concord area. Quiet zones came about in early 2000 when the Federal Railroad Administration adopted rules for trains to sound their horns at railroad crossings. Because of complaints the Federal Railroad Administration has been creating quiet zones in local communities with the City constructing safety standards so trains don't have to sound their horns as often. Hastings and Rosemount have created quiet zones and so have other metro cities. Hastings and Rosemount believe it was worthwhile to install the quiet zones.

The process to create quiet zones takes about three to four years with four different steps:

1. Conceptual analysis – request for proposals (cost \$8,000 to \$12,000)
2. Feasibility report – engineering analysis and design with the railroad and Federal Railroad Administration (cost \$80,000 to \$100,000) could take three to four months
3. Design and construction – City is responsible for after approvals (cost \$200,000 to \$300,000 per crossing) Lights or barriers would be examples of safety improvements
4. City's formal request – the City formally requests the quiet zone, then the railroads are advised not to blow their horns so often

Outside funding is generally not available. Other cities have used MSA funds. Funding through the state legislature was tried this year but was unsuccessful.

A quiet zone could require the closing of some of the railroad crossings. A Request for Proposal (RFP) was put together to analyze three crossings in the Concord Neighborhood (55th, 66th, and 71st) and the impacts they could have on closing railroad crossings. As an alternate in the RFP it was also asked for an analysis of all seven railroad crossings in the City. The budget does have \$10,000 for studies, especially for the Concord Neighborhood.

Questions were asked and discussed by the council about quiet zones, locations, and funding. It was decided to send out the RFP and the item will come back to Council when the proposals have come back and money should come out of City funds. A study would be beneficial.

2. HUNTING

City Government Intern, Ms. Calvert reported the item is for consideration for modifications of the bow hunting map. It also asked for consideration to add to the ordinance a requirement for certification/and or proficiency requirements of bow hunters. She showed a map of allowed bow hunting areas in the City and reported that a City wide survey was conducted in March via the City website. The responses (269) showed an overwhelming support for bow hunting within City limits. The Cities of Woodbury and Burnsville's requirements for bow hunting were

reviewed. Eliminating some bow hunting areas in Inver Grove Heights on the map are being considered because of higher residential density.

Mr. Lynch reported that the Police Chief would like to eliminate bow hunting because Inver Grove Heights is considered a full-fledged suburb. Another reason is for safety reasons because people are not aware of the hunting rules and areas. To date no accidents have occurred.

The bow hunting map areas were discussed. Some of the concerns discussed were the over population of deer and Lyme disease.

Certification by the DNR versus proficiency requirements were discussed. Certification is done by the DNR and a proficiency testing (similar to gun safety) is done at a local archery range and proficiency test locations.

Ms. Calvert said to add the proficiency requirements (including owners hunting on their own property) would require three readings and it was suggested it could be done in two readings. Everyone hunting in this year's bow hunt need to register with the police department. Landowners hunting on their property can register on line and submit their proof of proficiency on line. If hunting on someone else's property hunters need to come into the police department to register, show their proof of proficiency and the landowners permission letter (which they must carry with them when hunting).

The Council decided not to change the map this year and let residents know bow hunting may not be allowed in the City in the future.

GOOSE HUNTING

Mr. Lynch reported that staff is recommending that the City not participate in the hunting of Canadian geese this year because of safety reasons in residential areas. The objective was to control non-migratory birds with the hunt and was not working. There were complaints from the City of Sunfish Lake regarding the goose hunt. Discussion was held regarding ways to control the resident Canadian geese population. A goose management plan would need to be approved by the Minnesota Department of Natural Resources. It was agreed to end the early goose hunt.

3. DISCUSS UTILITY BILLING DONATION PROGRAM FOR THE PARKS

Mr. Carlson, Parks and Recreation Director discussed his memo regarding adding a voluntary donation option on the utility bills that would raise funds (Fund 444) for the parks system. The Park Commission discussed the concept in May. Utility bills go out quarterly and a flat donation versus a round up donation was discussed. The costs involved would be for promoting the program with public relations information, advertise (social media, newsletter and website) and putting information in the utility bills.

Ms. Smith, Finance Director said residents would sign up first and then it would become effective the next billing cycle and would be collected with their bill until they cancelled the donation.

Mayor Tourville asked if both options could be used.

Ms. Smith responded she believes it could not be done both ways. For the flat fee options amounts would be put on the bill that they could pick. (Such as \$1, \$5 or \$10).

Mr. Carlson discussed possible amounts that could be raised.

Councilmember Piekarski Krech suggested it be done as a tax deductible donation.

Councilmember Hark asked if other municipalities have done this type of concept.

Mr. Carlson said the City of Anoka does do something similar.

There was interest in the concept of the program but it needs to be looked at further for more flexible options for donating. With flexible options it may not be a reliable source of funding. The matter will be brought back to the City council.

4. DISCUSS CAHILL STREETScape REINVESTMENTS

Mr. Carlson updated council on the Cahill streetscape improvements that were done in 1998 and a reinvestment of the streetscape would cost about \$93,000. Repair and replacement costs for various items were discussed. One thing to consider is removing the US flags. The US Flag Code now states that US flags are now required to be lit. To redo everything but the flags (X-mas and welcome) would cost about \$14,500. To take everything out of the ground would cost about \$5,000.

Councilmember Hark asked about the blue signs.

Mr. Lynch said the businesses paid for some of the streetscaping and the blue signs.

Mayor Tourville suggested there should be one US flag and talk to the business owners and tell them about the changes.

Councilmember Piekarski Krech suggested having five US flags and tell the businesses about the changes and get their input.

A plan of an updated streetscape reinvestments would be put together to show business and get their input. The matter will be brought back to the council in the future.

5. COUNCIL SERVING ON COMMISSION/COMMITTEES AFTER COMPLETION OF TERM

Mr. Lynch reported that discussion was requested for council members serving on a commission or committee after completion of their council term.

Councilmember Hark said he has some language regarding this item.

Councilmember Piekarski Krech talked about the first ballot and 5 votes that eliminate candidates.

It was decided the language Councilmember Hark has will be given to City Administrator Lynch and to check with the City attorney for legal issues.

6. PROPERTY DISPOSAL

Mr. Lynch went over a list and map of eight properties (started out with 29) that the City could possibly sell.

#3 is on Babcock Trail (land value \$184,600) at the end of Arbor that could be a viable sale. It is zoned future commercial and not a lot of commercial building going on in the area. The house was foreclosed on when the City bought the property.

#5 parcel is on Blaine and Upper 55th and is .18 acres (7700 square feet) not a viable lot for future development. It is too narrow.

#6 2399 53rd Street the City bought the property and nothing has changed up there. It is a viable residential lot but the City should wait to sell until the TIF District expires in 2019.

#8 Upper 55th and 9th Avenue is .56 acres (24,457 square feet) has a value of \$18,100 and it is not clear what could be done with the property.

#19 River Road is 2.28 acres and looks like former railroad right-of-way. It is roughly 60 feet wide by 200 feet long and is very narrow stretch on the east side of the road and abuts the railroad. It is not viable for development.

#22 is part of Ernster Park and is 24.7 acres with no access to the lot and cut off from the other park. It also abuts the railroad line.

Councilmember Mueller suggested combining the other park with the park parcel.

Mr. Lynch said a road through the park would be needed to create a connection because there is no access to the parcel.

#25 River Heights is a viable piece of property with three parcels in a row at 2.5 acres each. One parcel (furthest to the west) is an existing neighborhood park with no improvements, just an existing natural trail.

The other parcels have been eliminated for various reasons such as floodplain, or easements etc.

There are three properties of the eight that could be disposed of. The correct size of River Heights Park will be looked at and reported back to Council.

Discussion of the properties and reasons for not being able to sell them were discussed. Four of the properties will be looked at closer and brought back to Council in the future.

7. BRODERICK BLVD. RECONSTRUCTION

Mr. Thureen, Public Works Director reported that the feasibility study for Broderick Boulevard Reconstruction will be worked on again after being put on hold. A bonding application was before the legislature and nothing happened. The estimated cost of the project is just under six million. Broderick Boulevard will be done from 80th Street to Concord. Funding for the project will be a challenge for assessments because frontage is almost 50% MnDOT right-of-way and 6% is Inver Hills Community College which has a special process to assess them. The commercial area on Concord is also an issue. Since this project study started the assessment policy was amended. The assessments will be recalculated. Other funding sources will be

looked at. It is in the CIP and the street reconstruction overlay program. The project is slotted to be done in 2018 in both the CIP and street reconstruction overlay program. Policy versus recommended cap will be looked at. The funding sources will be special assessments, pavement management bonding, State Aid funding, street reconstruction bonding, and utility funding. The study will wrap up in October, a public hearing will be held in November or December and the project bid in December.

Mayor Tourville asked if there is a statute that says MnDOT does not pay assessments.

Mr. Thureen responded he believes it is in state statute.

It was suggested that a letter be sent by Mr. Lynch and signed by Mayor Tourville to MnDOT regarding funding sources for Broderick Boulevard reconstruction.

It was agreed that Broderick Boulevard needs to be reconstructed and how to fund the project needs to be analyzed.

Councilmember Piekarski Krech asked if solar gardens were in City ordinances.

Mr. Lynch responded they are not.

Mayor Tourville asked if everyone got copied regarding the MPCA request for the landfill expansion – the slope is changing. The process started last week which starts the timeline on the approval process.

Councilmember Piekarski Krech said she did not.

Mr. Link said the City received the EAW last week and is reviewing it. Comments are due by July 27th. It is a slide slope expansion from 5 to 1 to 3 to 1. The footprint will not change. It will come before the Council for approval soon.

8. ADJOURN Motion by Mueller and seconded by Bartholomew to adjourn the meeting. Motion was carried unanimously. Meeting adjourned at 8:13 pm.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: July 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 July 7, 2016 to July 20, 2016.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending July 20, 2016. The detail of these disbursements is attached to this memo.

General & Special Revenue	\$347,968.71
Debt Service & Capital Projects	658,518.87
Enterprise & Internal Service	235,336.91
Escrows	14,364.88

Grand Total for All Funds	\$1,256,189.37

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 July 7, 2016 to July 20, 2016 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING July 20, 2016**

WHEREAS, a list of disbursements for the period ending July 20, 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	\$347,968.71
Debt Service & Capital Projects	658,518.87
Enterprise & Internal Service	235,336.91
Escrows	14,364.88
Grand Total for All Funds	<u><u>\$1,256,189.37</u></u>

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

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Michelle Tesser, City Clerk



Expense Approval Report

By Fund

Payment Dates 07/07/2016 - 07/20/2016

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
ACCESSABILITY, INC.	111971	07/20/2016	DD03642	101.41.1100.413.30700	18.06
ACCESSABILITY, INC.	111971	07/20/2016	DD03642	101.41.1200.414.30700	6.00
ACCESSABILITY, INC.	111972	07/20/2016	DD03642	101.42.4000.421.30700	23.09
AFSCME COUNCIL 5	INV0053976	07/08/2016	UNION DUES (AFSCME FAIR SHAR	101.203.2031000	31.70
AFSCME COUNCIL 5	INV0053977	07/08/2016	UNION DUES (AFSCME FULL SHAF	101.203.2031000	843.84
AFSCME COUNCIL 5	INV0053978	07/08/2016	UNION DUES (AFSCME FULL SHAF	101.203.2031000	87.90
ARAMARK UNIFORM SERVICES	090 0310113	07/13/2016	1051948	101.43.5200.443.60045	33.42
ARAMARK UNIFORM SERVICES	090 0310113	07/13/2016	1051948	101.44.6000.451.60045	29.52
ARAMARK UNIFORM SERVICES	090 0311123	07/13/2016	1051948	101.43.5200.443.60045	33.42
ARAMARK UNIFORM SERVICES	090 0311123	07/13/2016	1051948	101.44.6000.451.60045	29.52
BARNA, GUZY, & STEFFEN LTD	160069	07/13/2016	00006343	101.41.1100.413.30430	117.00
BAUER, NANCY	16-03	07/20/2016	7/11/16	101.41.1100.413.30700	206.25
BENJAMIN FRANKLIN PLUMBING	6/7/16	07/13/2016	REFUND PL2016-1315 & PL2016-14	101.45.0000.3222000	50.00
BENJAMIN FRANKLIN PLUMBING	6/7/16	07/13/2016	REFUND PL2016-1315 & PL2016-14	101.45.0000.3222000	50.00
BUREAU OF CRIMINAL APPREHENSION	00000298883	07/13/2016	00000012981	101.42.4000.421.40044	390.00
CA DEPT OF CHILD SUPPORT SERVICES	INV0053979	07/08/2016	MIGUEL GUADALAJARA FEIN/TAXF	101.203.2032100	440.76
CLAREY'S SAFETY EQUIPMENT	167081	07/13/2016	090500	101.42.4200.423.40042	325.00
COMCAST	7/5/16 8772 10 591 0359	07/13/2016	8772 10 591 0359526	101.42.4200.423.30700	10.56
CULLIGAN	6/30/16 157-98459100-6	07/13/2016	157-98459100-6	101.42.4200.423.60065	137.15
CULLIGAN	6/30/16 157-98459118-8	07/13/2016	157-98459118-8	101.42.4200.423.60065	66.50
DAKOTA COMMUNICATIONS CENTER	IG2016-08	07/13/2016	AUGUST 2016	101.42.4000.421.70502	44,178.40
DAKOTA COMMUNICATIONS CENTER	IG2016-08	07/13/2016	AUGUST 2016	101.42.4200.423.70502	5,961.60
EAGAN FIRE DEPARTMENT	7/8/16	07/13/2016	7/8/16	101.42.4200.423.30700	100.00
EFTPS	INV0054000	07/08/2016	FEDERAL WITHHOLDING	101.203.2030200	49,258.74
EFTPS	INV0054002	07/08/2016	MEDICARE WITHHOLDING	101.203.2030500	13,146.52
EFTPS	INV0054003	07/08/2016	SOCIAL SECURITY WITHHOLDING	101.203.2030400	40,653.82
EFTPS	INV0054004	07/08/2016	FEDERAL WITHHOLDING	101.203.2030200	1,168.01
EFTPS	INV0054006	07/08/2016	MEDICARE WITHHOLDING	101.203.2030500	155.74
EMERGENCY RESPONSE SOLUTIONS	6753	07/13/2016	7/5/16	101.42.4200.423.60065	266.89
EMERGENCY RESPONSE SOLUTIONS	6754	07/13/2016	7/5/16	101.42.4200.423.60045	2,259.60
EYEMED	2525776	07/13/2016	JULY 2016	101.203.2032700	251.72
FIRST IMPRESSION GROUP, THE	68948	07/13/2016	4363	101.41.1100.413.50032	2,935.00
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0053982	07/08/2016	HSA ELECTION-FAMILY	101.203.2032500	2,654.74
GENESIS EMPLOYEE BENEFITS ACH ONLY	INV0053983	07/08/2016	HSA ELECTION-SINGLE	101.203.2032500	2,674.37
GERTENS	398888/1	07/13/2016	103566	101.43.5200.443.60016	48.58
GERTENS	399787/1	07/20/2016	103566	101.44.6000.451.60016	109.68
GERTENS	399896/1	07/20/2016	103566	101.44.6000.451.60016	68.85
GERTENS	399899/1	07/20/2016	103566	101.44.6000.451.60016	147.50
GERTENS	399931/1	07/20/2016	103566	101.44.6000.451.60016	68.85
GRAINGER	9156351893	07/13/2016	806460150	101.43.5200.443.60016	431.94
HEALTHEAST MEDICAL TRANSPORTATION	16-27050	07/20/2016	16-27050	101.42.4000.421.30700	85.00
ICMA RETIREMENT TRUST - 457	INV0053984	07/08/2016	ICMA-AGE <49 %	101.203.2031400	4,766.61
ICMA RETIREMENT TRUST - 457	INV0053985	07/08/2016	ICMA-AGE <49	101.203.2031400	4,752.30
ICMA RETIREMENT TRUST - 457	INV0053986	07/08/2016	ICMA-AGE 50+ %	101.203.2031400	1,525.95
ICMA RETIREMENT TRUST - 457	INV0053987	07/08/2016	ICMA-AGE 50+	101.203.2031400	4,744.36
ICMA RETIREMENT TRUST - 457	INV0053988	07/08/2016	ICMA (EMPLOYER SHARE ADMIN)	101.203.2031400	78.92
ICMA RETIREMENT TRUST - 457	INV0053997	07/08/2016	ROTH IRA (AGE 49 & UNDER)	101.203.2032400	1,074.24
ICMA RETIREMENT TRUST - 457	INV0053998	07/08/2016	ROTH IRA (AGE 50 & OVER)	101.203.2032400	200.00
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	101.41.1100.413.60018	113.78
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	101.41.1100.413.60018	214.58
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	101.43.5100.442.60040	311.56
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	101.44.6000.451.60040	51.97
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	101.45.3300.419.60010	76.02
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	101.45.3300.419.60040	152.89
IUOE	INV0053989	07/08/2016	UNION DUES IUOE	101.203.2031000	1,239.92
J.J. KELLER & ASSOCIATES, INC.	9101285394	07/13/2016	200701687	101.41.1100.413.30500	342.32
JRK SEED & TURF SUPPLY	4009861/1	07/20/2016	103566	101.44.6000.451.60035	425.70
KENISON, TERRI	JUNE 2016	07/13/2016	JUNE 2016	101.42.4200.423.30700	850.00
LANGUAGE LINE SERVICES	3867668	07/20/2016	9020909043	101.42.4000.421.50020	127.74
LEAGUE OF MN CITIES	234088	07/13/2016	3/20/16	101.41.1000.413.50070	130.00
LELS	INV0053990	07/08/2016	UNION DUES (LELS)	101.203.2031000	1,404.00
LELS SERGEANTS	INV0053999	07/08/2016	UNION DUES (LELS SGT)	101.203.2031000	245.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Community	07/13/2016	Legal	101.45.3000.419.30420	876.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Council Me	07/13/2016	Legal	101.41.1000.413.30401	120.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Engineerin	07/13/2016	Legal	101.43.5100.442.30420	1,440.50
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Inspections	07/13/2016	Legal	101.45.3300.419.30420	468.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Mayor/CC	07/13/2016	Legal	101.41.1000.413.30420	8,229.97
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Parks	07/13/2016	Legal	101.44.6000.451.30420	1,082.60

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Planning	07/13/2016	Legal	101.45.3200.419.30420	897.60
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Police	07/13/2016	Legal	101.42.4000.421.30420	628.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Public Work	07/13/2016	Legal	101.43.5000.441.30420	96.00
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.1100.413.50025	145.25
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.1100.413.50025	954.50
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.1100.413.50025	49.80
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.1100.413.50025	41.50
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.1100.413.50025	74.70
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.1100.413.50025	58.10
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.41.2000.415.50025	697.20
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.45.3000.419.50025	29.05
LILLIE SUBURBAN NEWSPAPERS	6/30/16 001363	07/13/2016	Advertising/Publishing	101.45.3000.419.50025	37.35
M & J SERVICES, LLC	1460	07/13/2016	6/15/16	101.43.5200.443.40046	940.00
M & J SERVICES, LLC	1461	07/13/2016	6/15/16	101.43.5200.443.40046	495.00
M & J SERVICES, LLC	1466	07/13/2016	6/23/16	101.43.5200.443.60016	1,320.00
M & J SERVICES, LLC	1475	07/13/2016	6/30/16	101.43.5200.443.40046	2,675.00
MARTIN-MCALLISTER	10508	07/13/2016	INV004	101.41.1100.413.30500	2,500.00
MAX STEININGER, INC.	7/7/16	07/13/2016	LAND ALTERATION PERMIT FEE R	101.43.0000.3218500	2,612.94
METROPOLITAN COUNCIL	JUNE 2016	07/20/2016	JUNE 2016	101.41.0000.3414000	(223.65)
MINNEAPOLIS OXYGEN CO.	171155299	07/13/2016	113504	101.42.4200.423.40042	56.10
MINNEAPOLIS OXYGEN CO.	171155300	07/13/2016	113504	101.42.4200.423.40042	56.10
MINNESOTA DEPARTMENT OF HUMAN SERVICE	INV0053980	07/08/2016	JOEL JACKSON FEIN/TAXPAYER IE	101.203.2032100	428.80
MINNESOTA DEPARTMENT OF HUMAN SERVICE	INV0053981	07/08/2016	JUSTIN PARRANTO FEIN/TAXPAYE	101.203.2032100	226.58
MN DEPT OF LABOR & INDUSTRY	JUNE 2016	07/12/2016	JUNE 2016 SURCHARGE	101.207.2070100	2,443.22
MN DEPT OF LABOR & INDUSTRY	JUNE 2016	07/12/2016	JUNE 2016 SURCHARGE	101.41.0000.3414000	(48.86)
MN DEPT OF REVENUE	INV0054001	07/08/2016	STATE WITHHOLDING	101.203.2030300	19,832.22
MN DEPT OF REVENUE	INV0054005	07/08/2016	STATE WITHHOLDING	101.203.2030300	360.62
MUNICIPAL EMERGENCY SERVICES, INC.	IN1043626	07/13/2016	C43426	101.42.4200.423.60045	1,224.00
NATURE CALLS, INC.	24517	07/20/2016	JANUARY 2016	101.44.6000.451.40065	162.00
NATURE CALLS, INC.	24701	07/20/2016	5/31/16	101.44.6000.451.40065	2,535.00
NEWMAN SIGNS INC	TI-0299579	07/13/2016	INV001	101.43.5200.443.60016	240.20
PERA	6/30/16	06/30/2016	6/30/16	101.203.2030600	(1,723.62)
PERA	6/30/16	06/30/2016	6/30/16	101.203.2030600	(587.80)
PERA	6/30/16	06/30/2016	6/30/16	101.203.2030600	(35.15)
PERA	INV0053991	07/08/2016	PERA COORDINATED PLAN	101.203.2030600	33,941.60
PERA	INV0053992	07/08/2016	EMPLOYER SHARE (EXTRA PERA)	101.203.2030600	2,610.78
PERA	INV0053993	07/08/2016	PERA DEFINED PLAN	101.203.2030600	69.23
PERA	INV0053994	07/08/2016	EMPLOYER SHARE (PERA DEFINE	101.203.2030600	69.23
PERA	INV0053995	07/08/2016	PERA POLICE & FIRE PLAN	101.203.2030600	13,563.41
PERA	INV0053996	07/08/2016	EMPLOYER SHARE (POLICE & FIRI	101.203.2030600	20,345.07
PINE BEND PAVING, INC.	16-355	07/13/2016	6/23/16	101.43.5200.443.60016	1,167.95
PRECISE MRM	IN200-1009325	07/13/2016	000208	101.43.5200.443.30700	960.00
SOLBERG AGGREGATE CO	15890	07/13/2016	6/1/16	101.43.5200.443.60016	167.62
THOMSON REUTER - WEST	834253488	07/13/2016	6/30/16	101.42.4000.421.30700	181.00
TRANS UNION LLC	06653468	07/13/2016	0924v0009007	101.41.1100.413.30500	47.70
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.41.1100.413.30550	5.46
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.41.2000.415.30550	7.53
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.42.4000.421.30550	32.18
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.42.4200.423.30550	0.55
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.43.5000.441.30550	2.18
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.43.5100.442.30550	8.18
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.43.5200.443.30550	2.73
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.44.6000.451.30550	6.74
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.45.3000.419.30550	1.95
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	101.45.3300.419.30550	4.34
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.42.4000.421.50020	1,302.85
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.42.4200.423.50020	681.95
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.43.5000.441.50020	52.74
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.43.5100.442.50020	343.47
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.43.5200.443.50020	367.53
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.44.6000.451.50020	354.05
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.45.3000.419.50020	51.41
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	101.45.3300.419.50020	49.67
VOLUNTEER FIREFIGHTERS BENEFIT	2016 ROOKIES	07/20/2016	2016 MEMBERSHIP FEE	101.42.4200.423.50070	55.00
WARNING LITES OF MINNESOTA, INC.	157576	07/20/2016	6/30/16	101.43.5200.443.40050	451.28
Fund: 101 - GENERAL FUND					320,703.30
ENSEMBLE CREATIVE & MARKETING	IGH070816	07/13/2016	JUNE 2016	201.44.1600.465.50025	1,999.00
RIVER HEIGHTS CHAMBER OF COMMERCE	7018	07/13/2016	7/5/16	201.44.1600.465.50020	100.00
RIVER HEIGHTS CHAMBER OF COMMERCE	7018	07/13/2016	7/5/16	201.44.1600.465.50035	22.78
RIVER HEIGHTS CHAMBER OF COMMERCE	7018	07/13/2016	7/5/16	201.44.1600.465.60010	25.90
RIVER HEIGHTS CHAMBER OF COMMERCE	7023	07/13/2016	JUNE 2016	201.44.1600.465.30700	2,924.71
RIVER HEIGHTS CHAMBER OF COMMERCE	7023	07/13/2016	JUNE 2016	201.44.1600.465.40065	250.00
Fund: 201 - C.V.B. FUND					5,322.39
DVORAK, DAVID	7/12/16	07/20/2016	REIMBURSE-BASKETBALL CAMP	204.44.0000.3470000	87.00
FLATEGRAFF, LESLEE	7/12/16	07/20/2016	CANCELLED - FISHING CAMP	204.44.0000.3470000	42.00

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
IGH SENIOR CLUB	7/1/16	07/13/2016	LUNCHEON	204.227.2271000	320.00
IGH/SSP COMMUNITY EDUCATION	7/1/16	07/13/2016	7/1/16	204.227.2271000	2,297.00
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	204.44.6100.452.60040	51.96
KINDER FIT LLC	1295	07/20/2016	AMAZING ATHLETES	204.44.6100.452.30700	390.00
SOUTH ST PAUL UMPIRES ASSOC	JUNE 2016	07/13/2016	JUNE 2016	204.44.6100.452.30700	2,964.00
TRIDISTRICT COMMUNITY ED	15-16	07/13/2016	1/7/16	204.44.6100.452.40065	75.01
TRIDISTRICT COMMUNITY ED	1516-960	07/13/2016	1516-960	204.44.6100.452.40065	113.75
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	204.44.6100.452.30550	0.73
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	204.44.6100.452.50020	75.62
Fund: 204 - RECREATION FUND					6,417.07
HORWITZ NS/I	HJ018150	07/20/2016	CITY OF IG	205.44.6200.453.40040	12,810.00
HUEBSCH SERVICES	3685009	07/13/2016	92965	205.44.6200.453.40040	204.79
HUEBSCH SERVICES	3685009	07/13/2016	92965	205.44.6200.453.40040	56.47
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	205.44.6200.453.60040	15.99
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	205.44.6200.453.60040	51.97
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	205.44.6200.453.60065	32.42
OLD WORLD PIZZA	7/8/16	07/13/2016	JUNE 2016	205.44.6200.453.60065	84.45
OLD WORLD PIZZA	7/8/16	07/13/2016	JUNE 2016	205.44.6200.453.76050	176.00
STEESE, FAWN	7/12/16	07/20/2016	REFUND-KIDS ROCK	205.44.0000.3496000	57.00
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	205.44.6200.453.30550	1.09
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	205.44.6200.453.30550	6.19
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	205.44.6200.453.30550	1.08
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	205.44.6200.453.30550	2.16
VANCO SERVICES LLC	00007557107	07/13/2016	JUNE 2016	205.44.6200.453.70600	131.20
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	205.44.6200.453.50020	115.11
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	205.44.6200.453.50020	51.41
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	205.44.6200.453.50020	88.08
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	205.44.6200.453.50020	88.09
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	205.44.6200.453.50020	24.23
ZIEBARTH, DAVID	5/26/16	07/13/2016	HP CREDITS	205.44.0000.3490100	40.00
Fund: 205 - COMMUNITY CENTER					14,037.73
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Austing	07/13/2016	Legal	290.45.3000.419.30420	1,440.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Rauschnot	07/13/2016	Legal	290.45.3000.419.30420	48.00
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	290.45.3000.419.30550	0.22
Fund: 290 - EDA					1,488.22
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Heritage Pa	07/13/2016	Legal	402.44.6000.451.30420	67.50
Fund: 402 - PARK ACQ. & DEV. FUND					67.50
METROPOLITAN COUNCIL	JUNE 2016	07/20/2016	JUNE 2016	404.217.2170000	22,365.00
Fund: 404 - SEWER CONNECTION FUND					22,365.00
EHLERS AND ASSOCIATES, INC.	70826	07/13/2016	TIF	405.57.9000.570.30150	1,356.87
Fund: 405 - NORTH SIDE WTR STOR. FAC.					1,356.87
CENTRAL ROOFING COMPANY	PAY REQUEST #2	07/20/2016	CITY PROJECT 2016-14	436.44.5900.736.80200	417,514.43
PROGRESSIVE CONSTRUCTION HOMEBUILDING	9974	07/13/2016	6/27/16	436.52.5900.736.80300	7,300.00
Fund: 436 - 2016 IMPROVEMENT FUND					424,814.43
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 #1609D-Impr	07/13/2016	Legal	440.74.5900.740.30420	212.50
Fund: 440 - PAVEMENT MANAGEMENT PROJ					212.50
BOLTON & MENK, INC.	0191497	07/13/2016	T18.108658	446.74.5900.746.30300	18,625.00
BOLTON & MENK, INC.	0191497	07/13/2016	T18.108658	446.74.5900.746.30300	51.00
BOLTON & MENK, INC.	0191497	07/13/2016	T18.108658	446.74.5900.746.30300	9,683.50
BOLTON & MENK, INC.	0191497	07/13/2016	T18.108658	446.74.5900.746.30300	18,299.50
EJM PIPE SERVICES	PAY VO. NO. 1	07/13/2016	CITY PROJECT NO. 2015-13 2015-1	446.74.5900.746.80300	68,651.75
EJM PIPE SERVICES	PAY VO. NO. 1	07/13/2016	CITY PROJECT NO. 2015-13 2015-1	446.74.5900.746.80300	72,626.08
ELEMENT MATERIALS TECHNOLOGY ST. PAUL,	ESP0114396IN	07/20/2016	00006343	446.74.5900.746.30340	2,824.25
ELEMENT MATERIALS TECHNOLOGY ST. PAUL,	ESP0114396IN	07/20/2016	00006343	446.74.5900.746.30340	2,824.25
KIMLEY-HORN & ASSOCIATES, INC.	7819768	07/20/2016	160509031.3	446.74.5900.746.30300	2,893.79
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 #1411-Impr	07/13/2016	Legal	446.74.5900.746.30420	1,269.78
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 #1512-Impr	07/13/2016	Legal	446.74.5900.746.30420	1,793.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 #1513-Impr	07/13/2016	Legal	446.74.5900.746.30420	803.79
Fund: 446 - NW AREA					200,345.69
PROGRESSIVE CONSTRUCTION HOMEBUILDING	9974	07/13/2016	6/27/16	447.00.7500.460.40047	8,000.00
Fund: 447 - ADA					8,000.00
EHLERS AND ASSOCIATES, INC.	70826	07/13/2016	TIF	453.57.9000.570.30150	1,356.88
Fund: 453 - SE QUADRANT TIF DIST 4-1					1,356.88
ACTIVAR INDUSTRIAL PLASTICS GROUP	SI+0202012	07/20/2016	200728	501.50.7100.512.40040	123.02
BATTERIES PLUS-WSP	030-653435	07/20/2016	C-1034	501.50.7100.512.60012	54.02
CITY OF BLOOMINGTON	6/1/16-6/30/16	07/20/2016	6/1/16-6/30/16	501.50.7100.512.30700	441.00
GOPHER STATE ONE-CALL	6060455	07/20/2016	6060455	501.50.7100.512.30700	893.70

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
HD SUPPLY WATERWORKS LTD	F744539	07/20/2016	099872	501.50.7100.512.40043	323.40
HD SUPPLY WATERWORKS LTD	F755024	07/20/2016	099872	501.50.7100.512.40043	2,700.00
HD SUPPLY WATERWORKS LTD	F755024	07/20/2016	099872	501.50.7100.512.75500	2,911.57
SHAPCO PRINTING	324498	07/20/2016	0585	501.50.7100.512.50032	6,068.00
TKDA	002016002051	07/20/2016	0015781.001	501.50.7100.512.30700	1,526.56
TWIN CITY FILTER SERVICE INC	0596680-IN	07/20/2016	CITYIGH	501.50.7100.512.40040	579.42
TYLER TECHNOLOGIES, INC	025-161358	07/13/2016	41443	501.50.7100.512.70440	466.88
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	501.50.7100.512.30550	7.11
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	501.50.7100.512.50020	407.96

Fund: 501 - WATER UTILITY FUND

16,502.64

DAKOTA CTY TREASURER	JUNE 2016	07/20/2016	JUNE 2016	502.207.2070100	43.00
METROPOLITAN COUNCIL	0001057524	07/20/2016	5084	502.51.7200.514.40015	145,904.71
TYLER TECHNOLOGIES, INC	025-161358	07/13/2016	41443	502.51.7200.514.70440	466.87
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	502.51.7200.514.30550	4.91

Fund: 502 - SEWER UTILITY FUND

146,419.49

ARAMARK REFRESHMENT SERVICES	1235050	07/20/2016	48128	503.52.8300.524.76100	246.96
BREAKTHRU BEVERAGE MINNESOTA	1080493088	07/13/2016	102294	503.52.8300.524.76150	135.72
BREAKTHRU BEVERAGE MINNESOTA	1090582090	07/13/2016	102294	503.52.8300.524.76100	545.35
BREAKTHRU BEVERAGE MINNESOTA	1090587735	07/20/2016	102294	503.52.8300.524.76150	137.95
COCA COLA BOTTLING COMPANY	0188450106	07/20/2016	7/13/16	503.52.8300.524.76100	904.80
COLLEGE CITY BEVERAGE	371542	07/13/2016	3592	503.52.8300.524.76150	218.95
COLLEGE CITY BEVERAGE	371685	07/20/2016	3592	503.52.8300.524.76150	733.95
COVERALL OF THE TWIN CITIES INC	7070226563	07/13/2016	707-2469	503.52.8500.526.40040	1,124.81
CUSHMAN MOTOR COMPANY INC	168504	07/13/2016	C0644	503.52.8600.527.40042	82.40
DENNY'S 5TH AVENUE BAKERY	606035	07/13/2016	IW185	503.52.8300.524.76050	75.70
DENNY'S 5TH AVENUE BAKERY	616145	07/13/2016	IW185	503.52.8300.524.76050	78.26
DENNY'S 5TH AVENUE BAKERY	616146	07/13/2016	IW185	503.52.8300.524.76050	66.70
DENNY'S 5TH AVENUE BAKERY	618093	07/20/2016	IW185	503.52.8300.524.76050	75.89
HEGGIES PIZZA	1233987	07/20/2016	1708	503.52.8300.524.76100	77.60
JJ TAYLOR DIST. COMPANY OF MN	2557801	07/13/2016	00834	503.52.8300.524.76150	143.00
JJ TAYLOR DIST. COMPANY OF MN	2557861	07/20/2016	00834	503.52.8300.524.76150	357.00
M. AMUNDSON LLP	220119	07/20/2016	902858	503.52.8300.524.76050	195.20
MANSFIELD OIL COMPANY	545362	07/13/2016	24129-04-545362	503.52.8400.525.60021	1,104.15
MTI DISTRIBUTING CO	1074561-00	07/13/2016	402307	503.52.8600.527.60008	1,406.95
MTI DISTRIBUTING CO	1075701-00	07/20/2016	402307	503.52.8600.527.40042	226.91
NATURE CALLS, INC.	24664	07/13/2016	5/31/16	503.52.8600.527.40065	124.27
PING	13383750	07/20/2016	4085	503.52.8200.523.76400	11.29
PINKY'S SEWER SERVICE INC	7/6/16	07/20/2016	74170	503.52.8500.526.40040	1,450.00
REINDERS, INC.	1643512-00	07/20/2016	326799	503.52.8600.527.60008	293.21
RJ'S GOLF CARTS INC	11009	07/20/2016	6/18/16	503.52.8400.525.40065	420.00
SHAMROCK GROUP	2018168	07/13/2016	07176	503.52.8300.524.76100	124.50
SHAMROCK GROUP	2018544	07/13/2016	07176	503.52.8300.524.76100	52.50
SHAMROCK GROUP	2020384	07/20/2016	07176	503.52.8300.524.76100	107.00
SHAMROCK GROUP	2021272	07/20/2016	07176	503.52.8300.524.76100	322.00
SHAMROCK GROUP	2022681	07/20/2016	07176	503.52.8300.524.76100	89.50
SOUTH BAY DESIGN	7/2/16	07/13/2016	INVERWOOD	503.52.8500.526.50025	255.00
TDS METROCOM	7/13/16 651 457 3667	07/20/2016	651 457 3667	503.52.8500.526.50020	261.94
TITLEIST	902817624	07/13/2016	3012249937	503.52.8200.523.76200	409.00
TITLEIST	902841688	07/20/2016	US00008363	503.52.8200.523.76450	2,190.60
TITLEIST	902847456	07/20/2016	US00008363	503.52.8200.523.76450	700.06
UNIFIRST CORPORATION	090 0312243	07/13/2016	1258268	503.52.8600.527.60045	51.07
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	503.52.8000.521.30550	3.28
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	503.52.8600.527.30550	3.28
US FOODSERVICE	5070588	07/13/2016	03805983	503.52.8300.524.76050	916.26
US FOODSERVICE	5197320	07/20/2016	03805983	503.52.8300.524.76050	682.64
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	503.52.8500.526.50020	217.94
WINFIELD SOLUTIONS, LLC	000060856441	07/20/2016	156650	503.52.8600.527.60035	670.23
WINFIELD SOLUTIONS, LLC	000060856962	07/20/2016	156650	503.52.8600.527.60035	178.06
WINFIELD SOLUTIONS, LLC	000061004488	07/13/2016	156650	503.52.8600.527.60030	1,739.21
WITTEK	INV12354	07/20/2016	123575	503.52.8100.522.60015	233.06

Fund: 503 - INVER WOOD GOLF COURSE

19,444.15

LEAGUE OF MN CITIES INS TRUST	C0025735	07/13/2016	6/24/16	602.00.2100.415.70200	3,053.53
SAFE ASSURE CONSULTANTS	1047	07/13/2016	7/5/16	602.00.2100.415.50080	6,294.42
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	602.00.2100.415.30550	0.10

Fund: 602 - RISK MANAGEMENT

9,348.05

ARAMARK UNIFORM SERVICES	090 0310113	07/13/2016	1051948	603.00.5300.444.40065	137.30
ARAMARK UNIFORM SERVICES	090 0310113	07/13/2016	1051948	603.00.5300.444.60045	43.79
ARAMARK UNIFORM SERVICES	090 0311123	07/13/2016	1051948	603.00.5300.444.40065	137.30
ARAMARK UNIFORM SERVICES	090 0311123	07/13/2016	1051948	603.00.5300.444.60045	43.79
ARROW MOWER, INC.	41284	07/13/2016	GROVINVE	603.00.5300.444.40041	94.39
ARROW MOWER, INC.	41287	07/13/2016	GROVINE	603.00.5300.444.40041	115.02
ARROW MOWER, INC.	41294	07/13/2016	GROVINE	603.00.5300.444.40041	18.80
ARROW MOWER, INC.	41607	07/13/2016	GROVINVE	603.00.5300.444.40041	89.36
ARROW MOWER, INC.	41608	07/13/2016	GROVINVE	603.00.5300.444.40041	93.31

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
CUSTOM HOSE TECH	83917	07/13/2016	6/20/16	603.00.5300.444.40041	189.34
ELECTRIC FIRE & SECURITY	11726	07/13/2016	CIT800	603.00.5300.444.40040	844.75
EMERGENCY RESPONSE SOLUTIONS	6722	07/13/2016	6/29/16	603.00.5300.444.80700	243.06
FACTORY MOTOR PARTS COMPANY	1-4982071	06/08/2016	10799	603.00.5300.444.40041	(22.00)
FACTORY MOTOR PARTS COMPANY	1-Z08130	07/13/2016	10799	603.140.1450050	110.20
FERRELLGAS	1092273411	07/13/2016	7754787	603.00.5300.444.40041	30.74
FERRELLGAS	1092361104	07/13/2016	7754787	603.00.5300.444.40041	79.26
FERRELLGAS	1092360619	07/13/2016	7754787	603.00.5300.444.40041	66.97
HANCO CORPORATION	826193	07/13/2016	332660	603.00.5300.444.60014	218.13
HANCO CORPORATION	828572	07/13/2016	332660	603.00.5300.444.40041	793.48
HEALTHEAST VEHICLE SERVICES	0000023238	07/13/2016	0000024940	603.00.5300.444.80700	5,332.62
INVER GROVE FORD	5210735	07/13/2016	EGA55248	603.00.5300.444.40041	28.71
INVER GROVE FORD	5211005	07/13/2016	6/27/16	603.00.5300.444.40041	20.83
INVER GROVE FORD	5211283	07/13/2016	6/30/16	603.00.5300.444.40041	28.71
INVER GROVE FORD	5211284	07/13/2016	6/30/16	603.00.5300.444.40041	55.95
INVER GROVE FORD	5211450	07/13/2016	7/5/16	603.00.5300.444.40041	42.88
KIMBALL MIDWEST	4996764	07/13/2016	222006	603.00.5300.444.60012	83.26
L.T.G. POWER EQUIPMENT	203407	07/13/2016	5656	603.00.5300.444.40041	122.64
L.T.G. POWER EQUIPMENT	203481	07/13/2016	5656	603.00.5300.444.40041	67.02
L.T.G. POWER EQUIPMENT	203514	07/13/2016	5656	603.00.5300.444.40041	277.10
LARSON COMPANIES	B-261880044	07/13/2016	14649	603.00.5300.444.40041	10.80
MID CITY SERVICES, INC.	45266	07/13/2016	6/22/1	603.00.5300.444.40065	42.75
MTI DISTRIBUTING CO	1073934-00	07/13/2016	91180	603.00.5300.444.40041	645.73
MTI DISTRIBUTING CO	1074594-00	07/13/2016	91180	603.00.5300.444.40041	2,577.16
NORTH AMERICAN TRAILER SALES	0304111225	07/13/2016	10095	603.00.5300.444.40041	126.07
NUSS TRUCK AND EQUIPMENT	7091614P	07/13/2016	38679B	603.00.5300.444.40041	88.08
O' REILLY AUTO PARTS	1767-212501	07/13/2016	1578028	603.00.5300.444.40041	76.78
O' REILLY AUTO PARTS	1767-213013	07/13/2016	1578028	603.00.5300.444.40041	13.32
O' REILLY AUTO PARTS	1767-213152	07/13/2016	1578028	603.00.5300.444.40041	31.64
O' REILLY AUTO PARTS	1767-213322	07/13/2016	1578028	603.00.5300.444.40041	(14.66)
O' REILLY AUTO PARTS	1767-214432	07/13/2016	1578028	603.00.5300.444.40041	(27.98)
O' REILLY AUTO PARTS	1767-214436	07/13/2016	1578028	603.00.5300.444.40041	119.18
O' REILLY AUTO PARTS	1767-214437	07/13/2016	1578028	603.00.5300.444.40041	14.47
O' REILLY AUTO PARTS	1767-214638	07/13/2016	1578028	603.00.5300.444.40041	10.78
O' REILLY AUTO PARTS	3268-397378	07/13/2016	1578028	603.00.5300.444.40041	15.19
O' REILLY AUTO PARTS	1767-214903	07/13/2016	1578028	603.140.1450050	7.66
O' REILLY AUTO PARTS	1767-214916	07/13/2016	1578028	603.140.1450050	130.38
O' REILLY AUTO PARTS	1767-215056	07/13/2016	1578028	603.00.5300.444.40040	203.00
O' REILLY AUTO PARTS	1767-215725	07/13/2016	1578028	603.00.5300.444.40041	16.70
O' REILLY AUTO PARTS	1767-215942	07/13/2016	1578028	603.00.5300.444.40041	(16.70)
O' REILLY AUTO PARTS	3268-397379	07/13/2016	1578028	603.00.5300.444.40041	(15.19)
OVERHEAD DOOR CO OF THE NORTHLAND	95156	07/13/2016	6/30/16	603.00.5300.444.40040	382.00
POMP'S TIRE SERVICE, INC.	980029130	07/13/2016	4502557	603.00.5300.444.60014	229.60
POMP'S TIRE SERVICE, INC.	980029434	07/13/2016	4502557	603.00.5300.444.40041	97.50
POMP'S TIRE SERVICE, INC.	980029452	07/13/2016	4502557	603.00.5300.444.40041	56.00
POMP'S TIRE SERVICE, INC.	980029467	07/13/2016	4502557	603.00.5300.444.40041	25.00
POMP'S TIRE SERVICE, INC.	980029610	07/13/2016	4502557	603.00.5300.444.60014	504.96
PUMP AND METER SERVICE INC	25539-27030SO	07/13/2016	494500	603.00.5300.444.40040	239.13
RED POWER DIESEL SERVICE, INC.	1152MN	07/13/2016	5086M	603.00.5300.444.40041	354.60
RED POWER DIESEL SERVICE, INC.	1153MN	07/13/2016	5086M	603.00.5300.444.40041	60.30
SHARROW LIFTING PRODUCTS	100451	07/13/2016	18300	603.00.5300.444.40040	594.75
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	603.00.5300.444.30550	2.17
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	603.00.5300.444.50020	109.96
WESTERN PETROLEUM COMPANY	97415281-41801	07/13/2016	112741	603.00.5300.444.60022	1,675.28
ZARNOTH BRUSH WORKS	0160602-IN	07/13/2016	INV1669	603.00.5300.444.40041	72.45

Fund: 603 - CENTRAL EQUIPMENT **17,845.57**

COORDINATED BUSINESS SYSTEMS	ARIN117378	07/13/2016	4502512	604.00.2200.416.60010	245.00
COORDINATED BUSINESS SYSTEMS	CNIN214650	07/13/2016	4502512	604.00.2200.416.40050	2,722.43
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	604.00.2200.416.60010	178.74
INNOVATIVE OFFICE SOLUTIONS	SUM-026258	07/20/2016	S28777	604.00.2200.416.60010	1,265.96
US BANCORP EQUIPMENT FINANCE, INC.	307900399	07/13/2016	923425	604.00.2200.416.40050	3,343.44

Fund: 604 - CENTRAL STORES **7,755.57**

CULLIGAN	6/30/16 157-98503022-8	07/20/2016	157-98503022-8	605.00.7500.460.60011	72.66
HUEBSCH SERVICES	3677575	07/13/2016	100075	605.00.7500.460.40065	113.54
HUEBSCH SERVICES	3685008	07/13/2016	100075	605.00.7500.460.40065	113.54
HUEBSCH SERVICES	3693019	07/13/2016	100075	605.00.7500.460.40065	113.54
LONE OAK COMPANIES	71723	07/20/2016	6/25/16	605.00.7500.460.50035	517.79
LONE OAK COMPANIES	7/14/16	07/20/2016	UTILITY POSTAGE	605.00.7500.460.50035	1,529.96
MAS COMMUNICATIONS	160600051	07/13/2016	7/1/16	605.00.7500.460.40040	48.20
XCEL ENERGY	506933597	07/13/2016	51-0011351155-3	605.00.7500.460.70500	225.00

Fund: 605 - CITY FACILITIES **2,734.23**

CDW GOVERNMENT INC	DHG8098	07/13/2016	2394832	606.00.1400.413.80610	2,566.36
CDW GOVERNMENT INC	DNG0085	07/13/2016	2394832	606.00.1400.413.80610	1,047.64
INTEGRA TELECOM	13940184	07/13/2016	645862	606.00.1400.413.50020	1,059.54
INTEGRA TELECOM	13960332	07/13/2016	887115	606.00.1400.413.50020	1,322.59

Vendor Name	Payable Number	Post Date	Description (Item)	Account Number	Amount
INTEGRA TELECOM	120377920	07/13/2016	002129	606.00.1400.413.50020	152.50
NDC4	33116-A	07/13/2016	3/31/16	606.00.1400.413.30700	8,865.00
UNITED STATES TREASURY	7/13/16	07/20/2016	7/13/16	606.00.1400.413.30550	2.17
US INTERNET	110-080034-0033	07/13/2016	110-080034	606.00.1400.413.30700	220.00
VERIZON WIRELESS	9767601983	07/13/2016	Telephone	606.00.1400.413.50020	51.41
Fund: 606 - TECHNOLOGY FUND					15,287.21
BOLTON & MENK, INC.	0191500	07/13/2016	R18.110793	702.229.2288802	296.00
BOLTON & MENK, INC.	0191501	07/13/2016	T18.110347	702.229.2296102	2,357.00
CULLIGAN	6/30/16 157-98473242-8	07/20/2016	157-98473242-8	702.229.2286300	67.57
EMMONS & OLIVIER RESOURCES	00095-0052-5B	07/13/2016	00095-0052	702.229.2287302	1,135.81
EMMONS & OLIVIER RESOURCES	00095-0052-5B	07/13/2016	00095-0052	702.229.2293602	1,583.50
HOME TITLE	7/11/16	07/13/2016	ESCROW RELEASE 6914 BOOTH A	702.229.2286401	1,000.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Blackstone	07/13/2016	Legal	702.229.2294102	234.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Blackstone	07/13/2016	Legal	702.229.2289802	539.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Forfeiture-K	07/13/2016	Legal	702.229.2291000	551.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Forfeiture-F	07/13/2016	Legal	702.229.2291000	16.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Forfeiture-T	07/13/2016	Legal	702.229.2291000	396.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Gerten's Gr	07/13/2016	Legal	702.229.2294602	2,485.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Larson CG/	07/13/2016	Legal	702.229.2298002	216.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Pine Bend I	07/13/2016	Legal	702.229.2293002	1,113.60
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Police-Forfe	07/13/2016	Legal	702.229.2291000	129.80
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Tenney CG	07/13/2016	Legal	702.229.2284902	166.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Wakota Stc	07/13/2016	Legal	702.229.2288601	481.60
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Wittmier CC	07/13/2016	Legal	702.229.2296602	275.00
LEVANDER, GILLEN & MILLER P.A.	81000E 6/16 Xcel/Wesc	07/13/2016	Legal	702.229.2295802	22.00
SYRING, SEAN & TARA	7/11/16	07/13/2016	ESCROW RELEASE 8915 ALVERN	702.229.2284701	1,000.00
WASHINGTON COUNTY COURT ADMIN	116003451	07/13/2016	TERRY ALLEN DUGGAN	702.229.2291000	300.00
Fund: 702 - ESCROW FUND					14,364.88
Grand Total					1,256,189.37

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Request #2/Change Order #1 for the VMCC Roofing Project - City Project 2016-14

Meeting Date: July 25, 2016
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Shannon Battles

Fiscal/FTE Impact:

<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

Recommend Pay Request #2 for the VMCC Roofing Project in the amount of \$417,514.43 to Central Roofing Company and approve Change Order #1 in the amount of \$7,824.00.

SUMMARY

The City Council approved the VMCC Roofing Project on March 28, 2016 and awarded the project to Central Roofing Company for a total of \$902,321.

Change Order #1 in the amount of \$7,824.00 is related to a lack of insulation discovered on a shared wall between the ice arena and lap pool. The contractor was directed to removed existing materials and replace with new and install spray foam insulation. The change order is paid for with project contingency funds approved by the Council in the amount of \$45,000.

Overall the project is being paid for with \$170,000 that was carried over from the 2015 VMCC/Grove budget and an interest free internal loan from the Central Equipment Fund. The VMCC/Grove will pay back the Central Equipment Fund loan over a 16-year period through energy savings from the re-commissioning projects being installed by Apex Engineering and the installation of solar panels on City Hall and the VMCC/Grove.

OWNER'S COPY



Owner: Inver Grove Heights, 8150 Barbara Ave., Inver Grove Heights, MN 55077	Date: July 5, 2016
For Period: 6/1/2016 to 6/30/2016	Request No 2
Contractor: Central Roofing Company, 4550 Main Street NE, Minneapolis, MN 55421	

CONTRACTOR'S REQUEST FOR PAYMENT

INVER GROVE HEIGHTS

VETERANS MEMORIAL COMMUNITY CENTER ROOF REPLACEMENT AND SPA POOL AREA WALL REPAIRS

STANTEC FILE NO. 193803142

SUMMARY

1	Original Contract Amount		\$ 902,321.00
2	Change Order - Addition	\$ 7,824.00	
3	Change Order - Deduction	\$ 0.00	
4	Revised Contract Amount		\$ 910,145.00
5	Value Completed to Date		\$ 819,588.80
6	Material on Hand		\$ 0.00
7	Amount Earned		\$ 819,588.80
8	Less Retainage 5%		\$ 40,979.49
9	Subtotal		\$ 778,609.31
10	Less Amount Paid Previously		\$ 361,094.88
11	Liquidated damages -		\$ 0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>2</u>		\$ <u>417,514.43</u>

Recommended for Approval by:
STANTEC CONSULTING SERVICES, INC.

See attached for signature

Approved by Contractor:
CENTRAL ROOFING COMPANY

See attached for signature

Specified Contract Completion Date:
June 10, 2016

Approved by Owner:
CITY OF INVER GROVE HEIGHTS

Date: 7/12/16

APPLICATION AND CERTIFICATE FOR PAYMENT

Invoice #: 13977

To Owner: City of Inver Grove Heights
8150 Barbara Avenue

Project: 216036, Inver Grove Heights Veterans Memorial

Application No.: 2

Inver Grove Heights, MN 55077

From Contractor: Central Roofing Company
4550 Main Street NE
Minneapolis, MN 55421

Via Architect: Stantec
2335 Highway 36 West
St. Paul MN 55113

Distribution to:
 Owner
 Architect
 Contractor

Period To: 6/30/2016

Project Nos:

Contract Date:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet is attached.

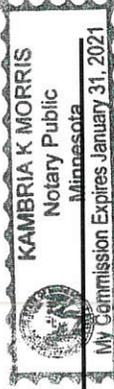
- 1. Original Contract Sum \$902,321.00
- 2. Net Change By Change Order \$7,824.00
- 3. Contract Sum To Date \$910,145.00
- 4. Total Completed and Stored To Date \$819,588.80
- 5. Retainage:
 - a. 5.00% of Completed Work \$40,979.49
 - b. 0.00% of Stored Material \$0.00
- Total Retainage \$40,979.49
- 6. Total Earned Less Retainage \$778,609.31
- 7. Less Previous Certificates For Payments \$361,094.88
- 8. Current Payment Due \$417,514.43
- 9. Balance To Finish, Plus Retainage \$131,535.69

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief, the work covered by this Application for Payment has been completed in accordance with the Contract Documents. That all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: Central Roofing Company

By: [Signature] Date: 6-17-16

State of: Minnesota
 County of: Anoka
 Subscribed and sworn to before me this 17 day of June, 2016
 Notary Public: [Signature]
 My Commission expires January 31, 2021



ARCHITECT'S CERTIFICATE FOR PAYMENT
 In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information, and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 417,514.43

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

CHANGE ORDER SUMMARY	Additions	Deductions
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total Approved this Month	\$7,824.00	\$0.00
TOTALS	\$7,824.00	\$0.00
Net Changes By Change Order	\$7,824.00	

ARCHITECT: [Signature] Date: 7-5-2016

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

Application and Certification for Payment, containing Contractor's signed certification is attached. In tabulations below, amounts are stated to the nearest dollar. Use Column I on Contracts where variable retainage for line items may apply.

Application No.: **2**
 Application Date: **06/17/16**
 To: **06/30/16**
 Architect's Project No.:

Invoice #: **13977** Contract: **216036. Inver Grove Heights Veterans Memorial**

A Item No.	B Description of Work	C Scheduled Value	D		E Work Completed This Period In Place	F Materials Presently Stored (Not in D or E)	G Total Completed and Stored To Date (D+E+F)	H Balance To Finish (C-G)	I Retainage
			From Previous Application (D+E)	Work Completed This Period In Place					
1	General Conditions	143,535.00	71,767.50	43,060.50	0.00	114,828.00	28,707.00	5,741.41	
2	Roofing Materials	374,901.00	187,450.50	187,450.50	0.00	374,901.00	0.00	18,745.06	
3	Roofing Labor	205,521.00	102,760.50	61,656.30	0.00	164,416.80	41,104.20	8,220.85	
4	Sheet Metal Materials	20,239.00	2,023.90	18,215.10	0.00	20,239.00	0.00	1,011.96	
5	Sheet Metal Labor	41,490.00	0.00	20,745.00	0.00	20,745.00	20,745.00	1,037.25	
6	Subcontractor - Mechanical	27,500.00	13,750.00	13,750.00	0.00	27,500.00	0.00	1,375.00	
7	Subcontractor - Masonry	23,475.00	2,347.50	21,127.50	0.00	23,475.00	0.00	1,173.76	
8	Subcontractor - Skylights	65,660.00	0.00	65,660.00	0.00	65,660.00	0.00	3,283.00	
9	Change Order #1	7,824.00	0.00	7,824.00	0.00	7,824.00	0.00	391.20	
Grand Totals		910,145.00	380,099.90	439,488.90	0.00	819,588.80	90,556.20	40,979.49	

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 1 for City Project No. 2016-09D – 60th Street Area Reconstruction, City Project No. 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)

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

TJK
SWD
SST

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, Water Fund, Sewer Fund, Agreements, 511 Water Fund

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 1 for City Project No. 2016-09D – 60th Street Area Reconstruction, City Project No. 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).

SUMMARY

The improvements were ordered as part of the 2016 Pavement Management Program. The contract was awarded in the amount of \$2,027,467.80 to Park Construction Company, on May 9, 2016 for City Project No. 2016-09D – 60th Street Area Reconstruction, City Project No. 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). Change Order No. 1 reduced certain bid quantities on the project for a revised total contract of \$1,909,480.20.

I recommend approval of Pay Voucher No. 1, in the amount of \$411,067.50 for work on City Project No. 2016-09D – 60th Street Area Reconstruction, City Project No. 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).

TJK/nh
 Attachments: Pay Voucher No. 1

**CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER**

ESTIMATE NO: 1 (One)
DATE: July 25, 2016
PERIOD ENDING: June 30, 2016
CONTRACT: 2016 Pavement Management Program
PROJECT NO: 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).

TO: Park Construction Company
1481 81st Ave NE
Minneapolis, MN 55432

Original Contract Amount	\$2,027,467.80
Total Addition	\$0.00
Total Deduction (Change Order No. 1)	(\$117,987.60)
Total Contract Amount.....	\$1,909,480.20
Total Value of Work to Date.....	\$432,702.63
Less Retained (5%)	\$21,635.13
Less Previous Payment.....	\$0.00
Total Approved for Payment this Voucher.....	\$411,067.50
Total Payments including this Voucher	\$411,067.50

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through June 30, 2016.

Signed by: _____ July 25, 2016
Thomas J. Kaldunski, City Engineer

Signed by: _____
Park Construction Company. Date

Signed by: _____ July 25, 2016
George Tourville, Mayor

Contract: CP 2016-09D, CP 2016-10, and CP 2015-12
 Owner: City of Inver Grove Heights
 Projects: 60th Street Area Reconstruction
 60th Street Area Utility Improvements
 (Phase 1) NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail)
 160509026

KHA Job No:

A

Schedule: CP 2016-09D Street Improvements

Item No.	Mn/IDOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2021.501	MOBILIZATION	LUMP SUM	1.00	0.75	\$ 100,000.00	\$ 100,000.00	\$ 75,000.00
2	2031.501	FIELD OFFICE	LUMP SUM	1.00		\$ 8,800.00	\$ 8,800.00	\$ -
3	2101.501	CLEARING	ACRE	0.35	0.35	\$ 11,700.00	\$ 4,095.00	\$ 4,095.00
4	2101.502	CLEARING	TREE	15.00	11.00	\$ 264.00	\$ 3,960.00	\$ 2,904.00
5	2101.506	GRUBBING	ACRE	0.35	0.35	\$ 11,700.00	\$ 4,095.00	\$ 4,095.00
6	2101.507	GRUBBING	TREE	15.00	11.00	\$ 176.00	\$ 2,640.00	\$ 1,936.00
7	2104.501	REMOVE WIRE FENCE	LIN FT	53.00	53.00	\$ 16.50	\$ 874.50	\$ 874.50
8	2104.501	REMOVE CURB AND GUTTER	LIN FT	8700.00	775.00	\$ 3.15	\$ 27,405.00	\$ 2,441.25
9	2104.505	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	1005.00	307.00	\$ 7.85	\$ 7,889.25	\$ 2,409.95
10	2104.505	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	1510.00	231.00	\$ 7.00	\$ 10,570.00	\$ 1,617.00
11	2104.505	REMOVE BITUMINOUS PAVEMENT	SQ YD	14200.00	13295.00	\$ 2.75	\$ 39,050.00	\$ 36,561.25
12	2104.523	SALVAGE SIGN TYPE C	EACH	7.00	7.00	\$ 46.40	\$ 324.80	\$ 324.80
13	2105.501	COMMON EXCAVATION (P)	CU YD	15879.00	1906.00	\$ 13.40	\$ 212,778.60	\$ 25,540.40
14	2105.507	SUBGRADE EXCAVATION (EV)	CU YD	1000.00	17.20	\$ 17.20	\$ 17,200.00	\$ -
15	2105.522	SELECT GRANULAR BORROW (CV)	CU YD	12500.00	1000.00	\$ 22.70	\$ 283,750.00	\$ 22,700.00
16	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	19000.00	1460.00	\$ 1.50	\$ 28,500.00	\$ 2,190.00
17	2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	75.00		\$ 129.00	\$ 9,675.00	\$ -
18	2130.601	WATER USAGE ALLOWANCE	LUMP SUM	1.00		\$ 3,500.00	\$ 3,500.00	\$ -
19	2211.501	AGGREGATE BASE (CV) CLASS 5	TON	4580.00	264.42	\$ 14.60	\$ 66,868.00	\$ 3,860.53
20	2211.501	AGGREGATE BASE (CV) CLASS 5 (100% CRUSHED LIMESTONE)	TON	760.00		\$ 20.90	\$ 15,884.00	\$ -
21	2211.609	STABILIZING AGGREGATE	TON	100.00		\$ 43.30	\$ 4,330.00	\$ -
22	2232.604	EDGE MILL BITUMINOUS SURFACE	SQ YD	175.00		\$ 4.35	\$ 761.25	\$ -
23	2360.501	TYPE SP 9.5 WEARING COURSE MIX (3.C)	TON	1600.00		\$ 63.70	\$ 101,920.00	\$ -
24	2360.502	TYPE SP 12.5 NON WEAR COURSE MIX (3.C)	TON	1600.00		\$ 58.60	\$ 93,760.00	\$ -
25	2360.604	TYPE SP 9.5 WEARING COURSE MIX (2.E) (DRIVEWAY MIX)	TON	350.00		\$ 162.00	\$ 56,700.00	\$ -
26	2411.607	HIGH EARLY STRENGTH CONCRETE	CU YD	100.00		\$ 16.30	\$ 1,630.00	\$ -
27	2501.602	EXCAVATION SPECIAL (POTHOLE EXISTING UTILITY)	EACH	5.00	1.00	\$ 735.00	\$ 3,675.00	\$ 735.00
28	2502.501	4" PRECAST CONCRETE HEADWALL	EACH	1.00		\$ 276.00	\$ 276.00	\$ -
29	2502.541	4" PERF PVC PIPE DRAIN WITH CIRCULAR KNIT FILTER SOCK	LIN FT	7000.00	630.00	\$ 7.70	\$ 53,900.00	\$ 4,851.00
30	2504.601	IRRIGATION SYSTEM REPAIR ALLOWANCE	LUMP SUM	1.00		\$ 15,000.00	\$ 15,000.00	\$ -
31	2531.501	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	7000.00		\$ 12.60	\$ 88,200.00	\$ -
32	2531.507	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	1005.00		\$ 46.40	\$ 46,632.00	\$ -
33	2531.601	DECORATIVE DRIVEWAY ALLOWANCE	LUMP SUM	1.00		\$ 10,000.00	\$ 10,000.00	\$ -
34	2531.602	PEDESTRIAN CURB RAMP	EACH	1.00		\$ 1,240.00	\$ 1,240.00	\$ -
35	2531.603	CONCRETE CURB AND GUTTER DESIGN B618 (HAND POUR)	LIN FT	200.00		\$ 18.60	\$ 3,720.00	\$ -
36	2531.603	CONCRETE RIBBON CURB	LIN FT	160.00		\$ 16.50	\$ 2,640.00	\$ -
37	2540.601	BOULEVARD LANDSCAPING ALLOWANCE	LUMP SUM	1.00		\$ 15,000.00	\$ 15,000.00	\$ -
38	2540.601	MAILBOX MAINTENANCE	LUMP SUM	1.00		\$ 6,010.00	\$ 6,010.00	\$ -
39	2563.601	TRAFFIC CONTROL ALLOWANCE	LUMP SUM	1.00		\$ 15,000.00	\$ 15,000.00	\$ -

40	2564.531	SIGN PANELS TYPE C	SQ FT	66.00		\$	87.70	\$	5,788.20	\$	-
41	2564.602	INSTALL SIGN TYPE SPECIAL	EACH	2.00		\$	155.00	\$	310.00	\$	-
42	2572.505	TREE PRUNING	HOUR	5.00		\$	235.00	\$	1,175.00	\$	-
43	2573.502	SILT FENCE, TYPE MS	LIN FT	900.00		\$	2.10	\$	1,890.00	\$	953.40
44	2573.530	STORM DRAIN INLET PROTECTION	EACH	31.00		\$	168.00	\$	5,208.00	\$	1,008.00
45	2573.533	SEDIMENT CONTROL LOG TYPE COMPOST	LIN FT	750.00		\$	3.15	\$	2,362.50	\$	1,512.00
46	2573.535	STABILIZED CONSTRUCTION EXIT	LUMP SUM	1.00		\$	1,960.00	\$	1,960.00	\$	-
47	2573.550	EROSION CONTROL SUPERVISOR	LUMP SUM	1.00		\$	2,630.00	\$	2,630.00	\$	-
48	2573.601	DEWATERING (EXCAVATION)	LUMP SUM	1.00		\$	9,120.00	\$	9,120.00	\$	-
49	2573.601	STORM WATER MANAGEMENT ALLOWANCE	LUMP SUM	1.00		\$	10,000.00	\$	10,000.00	\$	-
50	2574.525	BOULEVARD TOPSOIL BORROW	CU YD	1500.00		\$	31.60	\$	47,400.00	\$	-
51	2575.511	MULCH MATERIAL TYPE 1	TON	4.50		\$	342.00	\$	1,539.00	\$	-
52	2575.601	RESTORATION OF STAGING AREAS	LUMP SUM	1.00		\$	990.00	\$	990.00	\$	-
53	2575.605	RAPID STABILIZATION METHOD TYPE 2 MOD	ACRE	0.25		\$	842.00	\$	210.50	\$	-
54	2575.605	SEED MIXTURE 25-151	ACRE	1.90		\$	316.00	\$	600.40	\$	-
55	2575.608	HYDRAULIC SOIL STABILIZER, TYPE SPECIAL	POUND	6850.00		\$	1.60	\$	10,960.00	\$	-
56	2331.603	JOINT ADHESIVE (MASTIC)	LIN FT	7160.00		\$	0.57	\$	4,081.20	\$	-
57	2557.603	TEMPORARY ORANGE CONSTRUCTION FENCE	LIN FT	300.00		\$	7.10	\$	2,130.00	\$	873.30

Schedule A Subtotal: \$ 1,476,608.20 \$ 196,482.38

Schedule: B CP 2016-09D Storm Sewer Improvements

Item No.	Mn/IDOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2104.501	REMOVE SEWER PIPE (STORM)	LIN FT	425.00	94.00	\$ 16.20	\$ 6,885.00	\$ 1,522.80
2	2104.509	REMOVE MANHOLE OR CATCH BASIN	EACH	6.00	2.00	\$ 352.00	\$ 2,112.00	\$ 704.00
3	2105.501	COMMON EXCAVATION (P)	CU YD	987.00		\$ 30.70	\$ 30,300.90	\$ -
4	2501.602	15" RC PIPE ARPON AND TRASH GUARD	EACH	1.00		\$ 844.00	\$ 844.00	\$ -
5	2501.602	24" RC PIPE ARPON AND TRASH GUARD	EACH	1.00		\$ 1,300.00	\$ 1,300.00	\$ -
6	2501.602	36" RC PIPE ARPON AND TRASH GUARD	EACH	1.00		\$ 2,020.00	\$ 2,020.00	\$ -
7	2503.542	15" RC PIPE SEWER DES 3006 CL V	LIN FT	779.00	45.00	\$ 36.50	\$ 28,433.50	\$ 1,642.50
8	2503.542	18" RC PIPE SEWER DES 3006 CL V	LIN FT	166.00		\$ 38.50	\$ 6,391.00	\$ -
9	2503.542	24" RC PIPE SEWER DES 3006 CL III	LIN FT	314.00		\$ 42.00	\$ 13,188.00	\$ -
10	2503.542	24" RC PIPE SEWER DES 3006 CL IV	LIN FT	90.00		\$ 46.50	\$ 4,185.00	\$ -
11	2503.542	36" RC PIPE SEWER DES 3006 CL IV	LIN FT	83.00		\$ 76.70	\$ 6,366.10	\$ -
12	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	4.00	1.00	\$ 882.00	\$ 3,528.00	\$ 882.00
13	2503.602	BULKHEAD EXISTING STORM SEWER	EACH	3.00	1.00	\$ 309.00	\$ 927.00	\$ 309.00
14	2506.502	CONST DRAINAGE STRUCTURE DES 2' X 3' CB	EACH	6.00	1.00	\$ 1,710.00	\$ 10,260.00	\$ 1,710.00
15	2506.502	CONST DRAINAGE STRUCTURE DES 48-4020	EACH	15.00	1.00	\$ 2,570.00	\$ 38,550.00	\$ 2,570.00
16	2506.502	CONST DRAINAGE STRUCTURE DES 60-4020	EACH	4.00		\$ 3,870.00	\$ 15,480.00	\$ -
17	2506.502	OUTLET CONTROL STRUCTURE	EACH	1.00		\$ 4,140.00	\$ 4,140.00	\$ -
18	2511.501	RANDOM RIPRAP CLASS IV	CU YD	39.00		\$ 90.60	\$ 3,533.40	\$ -
19	2511.515	GEOTEXTILE FILTER TYPE IV	SQ YD	104.00		\$ 2.10	\$ 218.40	\$ -
20	2575.604	EROSION STABILIZATION MAT - ENKAMAT	SQ YD	116.00		\$ 213.00	\$ 24,708.00	\$ -
21	2575.605	SEED MIXTURE 33-261	ACRE	0.10		\$ 426.00	\$ 42.60	\$ -
22	2575.605	SEED MIXTURE 34-181	ACRE	0.10		\$ 445.00	\$ 44.50	\$ -
23	2575.605	SEED MIXTURE 36-211	ACRE	0.15		\$ 480.00	\$ 72.00	\$ -

Schedule B Subtotal: \$ 203,529.40 \$ 9,340.30

Schedule: C
 Description: CP 2016-09D Rain Garden Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2411.602	LIMESTONE SPLASH BLOCK	EACH	3.00		\$ 158.00	\$ 474.00	\$ -
2	2502.541	4" PERF PVC PIPE DRAIN WITH CIRCULAR KNIT FILTER SOCK	LIN FT	90.00		\$ 4.20	\$ 378.00	\$ -
3	2502.602	INSTALL 4" PVC PIPE DRAIN CLEANOUT	EACH	6.00		\$ 22.10	\$ 132.60	\$ -
4	2504.602	4" KNIFE VALVE & BOX	EACH	3.00		\$ 82.10	\$ 246.30	\$ -
5	2506.602	CONSTRUCT DRAINAGE STRUCTURE DESIGN SPECIAL	EACH	3.00		\$ 3,230.00	\$ 9,690.00	\$ -
6	2540.603	LANDSCAPE EDGER - PLASTIC	LIN FT	120.00		\$ 9.50	\$ 1,140.00	\$ -
7	2571.618	RAIN GARDEN PREPARATION, SAND AND BEDDING	SQ FT	600.00		\$ 10.50	\$ 6,300.00	\$ -
8	2571.618	RAIN GARDEN RETAINING WALL, BOULDER	SQ FT	50.00		\$ 31.60	\$ 1,580.00	\$ -

Schedule C Subtotal: \$ 19,940.90 \$ -

Schedule: D
 Description: CP 2016-10 Watermain Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2103.507	DISCONNECT WATER SERVICE	EACH	8.00		\$ 294.00	\$ 2,352.00	\$ -
2	2104.501	REMOVE WATER MAIN	LIN FT	30.00	26.00	\$ 29.40	\$ 882.00	\$ 764.40
3	2104.501	REMOVE WATER SERVICE	EACH	8.00		\$ 588.00	\$ 4,704.00	\$ -
4	2104.523	SALVAGE HYDRANT AND VALVE	EACH	8.00		\$ 294.00	\$ 2,352.00	\$ 2,352.00
5	2211.609	CRUSHED ROCK PIPE BEDDING	TON	25.00		\$ 26.40	\$ 660.00	\$ -
6	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	4.00	4.00	\$ 1,050.00	\$ 4,200.00	\$ 4,200.00
7	2504.602	REMOVE AND REPLACE GATE VALVE BOLTS	EACH	4.00	4.00	\$ 1,590.00	\$ 6,360.00	\$ 6,360.00
8	2504.602	WATERMAIN OFFSET	EACH	1.00	1.00	\$ 2,840.00	\$ 2,840.00	\$ 2,840.00
9	2504.602	WATERMAIN SERVICE ADJUSTMENT	EACH	5.00		\$ 834.00	\$ 4,170.00	\$ -
10	2504.602	CURB STOP AND BOX	EACH	8.00		\$ 453.00	\$ 3,624.00	\$ -
11	2504.602	HYDRANT AND GATE VALVE	EACH	9.00	9.00	\$ 5,360.00	\$ 48,240.00	\$ 48,240.00
12	2504.602	RECONNECT WATER SERVICE	EACH	8.00		\$ 335.00	\$ 2,680.00	\$ -
13	2504.602	ADJUST GATE VALVE	EACH	4.00	4.00	\$ 281.00	\$ 1,124.00	\$ 1,124.00
14	2504.602	1" CORPORATION STOP	EACH	8.00		\$ 394.00	\$ 3,152.00	\$ -
15	2504.602	CUT IN 6" GATE VALVE	EACH	3.00	3.00	\$ 2,490.00	\$ 7,470.00	\$ 7,470.00
16	2504.602	ADJUST CURB STOP	EACH	34.00		\$ 245.00	\$ 8,330.00	\$ -
17	2504.603	6" WATERMAIN DUCTILE IRON CL 52	LIN FT	30.00	26.00	\$ 77.80	\$ 2,334.00	\$ 2,022.80
18	2504.603	1" TYPE K COPPER PIPE	LIN FT	350.00		\$ 27.70	\$ 9,695.00	\$ -
19	2504.604	4" POLYSTYRENE INSULATION	SQ YD	50.00	4.00	\$ 39.80	\$ 1,990.00	\$ 159.20
20	2504.608	DUCTILE IRON FITTINGS	POUND	1000.00	450.00	\$ 3.95	\$ 3,950.00	\$ 1,777.50

Schedule D Subtotal: \$ 121,109.00 \$ 77,309.90

Schedule: E
Description: CP 2016-10 Sanitary Sewer Improvements

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2104.501	REMOVE SEWER PIPE (SANITARY)	LIN FT	84.00	84.00	\$ 14.70	\$ 1,234.80	\$ 1,234.80
2	2104.501	REMOVE SEWER SERVICE	EACH	1.00		\$ 883.00	\$ 883.00	\$ -
3	2104.602	SALVAGE CASTING AND RINGS (SANITARY)	EACH	13.00	2.00	\$ 141.00	\$ 1,833.00	\$ 282.00
4	2211.609	CRUSHED ROCK PIPE BEDDING	TON	25.00		\$ 48.50	\$ 1,212.50	\$ -
5	2503.511	8" DUCTILE IRON PIPE SEWER CL 52	LIN FT	84.00	84.00	\$ 70.20	\$ 5,896.80	\$ 5,896.80
6	2503.511	8" PVC PIPE SEWER SDR 35	LIN FT	50.00	50.00	\$ 40.50	\$ 2,025.00	\$ 2,025.00
7	2503.602	CONNECT TO EXISTING MANHOLE	EACH	4.00	5.00	\$ 882.00	\$ 3,528.00	\$ 4,410.00
8	2503.602	FURNISH AND INSTALL EXTERNAL MANHOLE CHIMNEY SEAL	EACH	15.00		\$ 261.00	\$ 3,915.00	\$ -
9	2503.602	INSTALL NEW RINGS AND CASTING	EACH	4.00		\$ 567.00	\$ 2,268.00	\$ -
10	2503.602	LOCATE SANITARY SEWER SERVICE	EACH	6.00	2.00	\$ 588.00	\$ 3,528.00	\$ 1,176.00
11	2503.602	RECONSTRUCT SANITARY MANHOLE	EACH	9.00	2.00	\$ 597.00	\$ 5,373.00	\$ 1,194.00
12	2503.602	SANITARY SEWER SERVICE REPLACEMENT	EACH	6.00	3.00	\$ 1,760.00	\$ 10,560.00	\$ 5,280.00
13	2503.602	SANITARY SEWER UMBRELLAS	EACH	15.00		\$ 379.00	\$ 5,685.00	\$ -
14	2506.602	SANITARY SEWER MANHOLE 48"	EACH	2.00	2.00	\$ 2,470.00	\$ 4,940.00	\$ 4,940.00

Schedule E Subtotal: \$ 52,882.10 \$ 26,438.60

Schedule: F
Description: CP 2015-12 NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail) Phase 1

Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	Total Estimated Cost	Total Contract Cost To-Date
1	2101.501	CLEARING	ACRE	0.10	0.10	\$ 11,700.00	\$ 1,170.00	\$ 1,170.00
2	2101.502	CLEARING	TREE	2.00	10.00	\$ 264.00	\$ 528.00	\$ 2,640.00
3	2101.506	GRUBBING	ACRE	0.10	0.10	\$ 11,700.00	\$ 1,170.00	\$ 1,170.00
4	2101.507	GRUBBING	TREE	2.00	10.00	\$ 176.00	\$ 352.00	\$ 1,760.00
5	2118.501	AGGREGATE SURFACING CLASS 2	TON	200.00		\$ 30.50	\$ 6,100.00	\$ -
6	2504.602	16" BUTTERFLY GATE VALVE	EACH	1.00	1.00	\$ 3,140.00	\$ 3,140.00	\$ 3,140.00
7	2504.602	HYDRANT AND GATE VALVE	EACH	1.00	1.00	\$ 5,350.00	\$ 5,350.00	\$ 5,350.00
8	2504.603	16" WATERMAIN DUCTILE IRON CL 52	LIN FT	1085.00	1085.00	\$ 64.30	\$ 69,765.50	\$ 69,765.50
9	2504.603	6" WATERMAIN DUCTILE IRON CL 52	LIN FT	10.00		\$ 87.30	\$ 873.00	\$ -
10	2504.603	BUTTERFLY VALVE MANHOLE	LIN FT	8.00	8.00	\$ 917.00	\$ 7,336.00	\$ 7,336.00
11	2504.604	4" POLYSTYRENE INSULATION	SQ YD	90.00	18.00	\$ 39.80	\$ 3,582.00	\$ 716.40
12	2504.608	DUCTILE IRON FITTINGS	POUND	4000.00	2750.00	\$ 3.80	\$ 15,200.00	\$ 10,450.00
13	2550.602	MARKING POST	EACH	1.00		\$ 97.90	\$ 97.90	\$ -
14	2573.502	SILT FENCE, TYPE MS	LIN FT	2280.00	2249.00	\$ 2.10	\$ 4,788.00	\$ 4,722.90
16	2575.523	EROSION CONTROL BLANKETS CATEGORY 3	SQ YD	150.00		\$ 3.15	\$ 472.50	\$ -
17	2575.605	SEED MIXTURE 35-221	ACRE	2.20		\$ 445.00	\$ 979.00	\$ -
18	2211.501	AGGREGATE BASE (CV) CLASS 5	TON	225.00	125.82	\$ 17.50	\$ 3,937.50	\$ 2,201.85
19	2574.525	BOULEVARD TOPSOIL BORROW	CU YD	80.00		\$ 31.60	\$ 2,528.00	\$ -
20	2575.560	HYDRAULIC BONDED FIBER MATRIX	POUND	7700.00		\$ 1.60	\$ 12,320.00	\$ -

Schedule F Subtotal: \$ 139,689.40 \$ 110,422.65

Alternate: 1							
Description: CP 2015-12 63rd Street Sanitary Sewer Extension							
Item No.	Mn/DOT No.	Item Description	Unit	Estimated Quantity	Quantity To-Date	Contract Unit Price	
1	2503.511	8" PVC PIPE SEWER SDR 26	LIN FT	64.00	64.00	\$ 41.70	
2	2503.602	CONNECT TO EXISTING MANHOLE	EACH	1.00	1.00	\$ 1,460.00	
3	2506.602	FORCEMAIN DISCHARGE MANHOLE	EACH	1.00	1.00	\$ 9,580.00	
						Total Estimated Cost	\$ 13,708.80
						Total Contract Cost To-Date	\$ 13,708.80

Alternate 1 Subtotal: \$ 13,708.80 \$ 13,708.80

COST SUMMARY

Contract: CP 2016-09D, CP 2016-10, and CP 2015-12

Owner: City of Inver Grove Heights

Projects: 60th Street Area Reconstruction

60th Street Area Utility Improvements

(Phase 1) NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail)

Schedule	Description	Total Estimated Cost	Total Contract Cost To-Date
A	CP 2016-09D Street Improvements	\$ 1,476,608.20	\$ 196,482.38
B	CP 2016-09D Storm Sewer Improvements	\$ 203,529.40	\$ 9,340.30
C	CP 2016-09D Rain Garden Improvements	\$ 19,940.90	\$ -
D	CP 2016-10 Watermain Improvements	\$ 121,109.00	\$ 77,309.90
E	CP 2016-10 Sanitary Sewer Improvements	\$ 52,882.10	\$ 26,438.60
F	CP 2015-12 NWA Trunk Watermain Improvements - 65th Street Loop (Argenta Trail to Babcock Trail) Phase 1	\$ 139,689.40	\$ 110,422.65
Alt 1	CP 2015-12 63rd Street Sanitary Sewer Extension	\$ 13,708.80	\$ 13,708.80
Total Base Cost Plus Alternate 1		\$ 2,027,467.80	\$ 433,702.63

Change Order No. 1
Deductions Per Contract \$ (117,987.60) \$ (1,000.00)

Total Contract Amount	\$ 1,909,480.20
Contract Work Completed To Date	\$ 432,702.63
Retainage 5.00%	\$ 21,635.13
Previous Payments	\$ -
Amount Due This Partial Payment #1	\$ 411,067.50

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 9 for the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District

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

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 9 for the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District.

SUMMARY

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

Pay Voucher No. 9 is for lift station restoration, trunk sanitary sewer and water main installed through the end of June 2016.

I recommend approval of Pay Voucher No. 9 in the amount of \$44,010.35, for work on the 2015 Capital Improvement Program, City Project No. 2015-10 – NWA Trunk Utility Improvements, Argenta District (Alverno to Blackstone Vista Development) and City Project No. 2015-11 – NWA 70th Street Lift Station, Argenta District.

TK/me

Attachments: Pay Voucher No. 9

**CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER**

ESTIMATE NO: 9 (nine)
DATE: July 25, 2016
PERIOD ENDING: June 30, 2016
PROJECT NO: 2015-10 NWA Trunk Utility Improvements
2015-11 NWA 70th Street Lift Station

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

Original Contract Amount	\$2,083,708.48
Total Addition (Change Order 1,2,3,4,5)	\$81,458.43
Total Deduction	\$0.00
Total Contract Amount.....	\$2,165,166.91
Total Value of Work to Date	\$2,136,883.20
Less Retained (1.5%)	\$32,053.25
Less Previous Payment.....	\$2,060,819.60
Total Approved for Payment this Voucher	\$44,010.35
Total Payments including this Voucher.....	\$2,104,829.95

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above state amount for work performed through June 30, 2016.

Signed by: _____ July 25, 2016
Thomas J. Kaldunski, City Engineer

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

Signed by: _____ July 25, 2016
George Tourville, Mayor

Current Construction Cost Breakdown to Date (Internal Use Only, Not for City Council Memo)

Date of Council Action: 7/25/16

City Project No.	Original Contract Amount	Total Change Orders	Contract Work Completed to Date	Retainage	Current Payment	Previous Payments	Paid to Date	Current Contract Amount
2015-10	\$1,169,943.69	\$68,081.42	\$1,190,195.00	\$17,852.93	\$2,698.91	\$1,169,643.17	\$1,172,342.08	\$1,238,025.11
2015-11	\$913,764.79	\$13,377.01	\$946,688.20	\$14,200.32	\$41,311.45	\$891,176.43	\$932,487.88	\$927,141.80
Totals:	\$2,083,708.48	\$81,458.43	\$2,136,883.20	\$32,053.25	\$44,010.35	\$2,060,819.60	\$2,104,829.95	\$2,165,166.91

Partial Pay Estimate No.9

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

WORK COMPLETED THROUGH JUNE 30, 2016

ITEM NO.	ITEM			Unit price	Estimated Amount	Contract Cost to Date
		Contract Quantity	Quant to date			
SCHEDULE 1						
1	UTILITY INSPECTOR ALLOWANCE	1		\$8,000.00	8,000.00	
2	MOBILIZATION	0.5	0.50	\$24,000.00	12,000.00	\$12,000.00
3	CLEARING	1.3	1.30	\$3,060.00	3,978.00	\$3,978.00
4	GRUBBING	1.3	1.30	\$3,060.00	3,978.00	\$3,978.00
5	CONSTRUCT ACCESS ROAD ALLOWANCE	1		\$5,000.00	5,000.00	
6	OBSTRUCTION REMOVAL	6	3.00	\$2,550.00	15,300.00	\$7,650.00
7	WATER USAGE ALLOWANCE	0.5		\$5,000.00	2,500.00	
8	GRANULAR BACKFILL	1500		\$0.01	15.00	
9	AGGREGATE FOUNDATION	150		\$25.00	3,750.00	
10	8" DIP CL 52 PIPE SEWER (0' - 20')	40	40.00	\$111.00	4,440.00	\$4,440.00
11	8" DIP CL 52 PIPE SEWER (30' - 40')	25	20.00	\$165.00	4,125.00	\$3,300.00
12	12" DIP CL 52 PIPE SEWER (0'-20')	106	106.00	\$254.50	26,977.00	\$26,977.00
13	12" DIP CL 52 PIPE SEWER (20'-30')	376	376.00	\$254.50	95,692.00	\$95,692.00
14	12" DIP CL 52 PIPE SEWER (30'-40')	331	331.00	\$254.50	84,239.50	\$84,239.50
15	12" DIP CL 52 PIPE SEWER (40'-50')	209	209.00	\$254.50	53,190.50	\$53,190.50
16	12" FUSIBLE PIPE SEWER (THROUGH CASING)	436	436.00	\$52.00	22,672.00	\$22,672.00
17	CONNECT TO EXISTING SANITARY SEWER	1	1.00	\$114,259.19	114,259.19	\$114,259.19
18	30" STEEL CASING PIPE (TRENCHLESS)(SANITARY)	436	436.00	\$625.00	272,500.00	\$272,500.00
19	CONSTRUCT 8" OUTSIDE DROP	20	30.00	\$270.00	5,400.00	\$8,100.00
20	CONSTRUCT 12" OUTSIDE DROP	10	14.00	\$443.00	4,430.00	\$6,202.00
21	CONNECT TO EXISTING WATER MAIN	1	1.00	\$807.00	807.00	\$807.00
22	HYDRANT (10' BURY)	3	3.00	\$3,855.50	11,566.50	\$11,566.50
23	6" GATE VALVE & BOX	3	3.00	\$1,175.00	3,525.00	\$3,525.00
24	16" BUTTERFLY GATE VALVE	6	6.00	\$2,761.00	16,566.00	\$16,566.00
25	6" WATERMAIN DUCTILE IRON CL 52	37	37.00	\$37.25	1,378.25	\$1,378.25
26	16" WATERMAIN DUCTILE IRON CL 52	753	580.00	\$81.25	61,181.25	\$47,125.00
27	16" WATERMAIN DUCTILE IRON CL 52 (>10')	570	570.00	\$83.75	47,737.50	\$47,737.50
28	16" DIP WATERMAIN (THROUGH CASING)	280	280.00	\$72.75	20,370.00	\$20,370.00
29	30" STEEL CASING PIPE (JACKED)(WATERMAIN)	280	280.00	\$496.00	138,880.00	\$138,880.00
30	BUTTERFLY VALVE MANHOLE	86	76.00	\$384.00	33,024.00	\$29,184.00
31	DUCTILE IRON FITTINGS	4870	6,399.00	\$2.50	12,175.00	\$15,997.50
32	48" DIAMETER SANITARY MANHOLE	130.1	126.00	\$133.00	17,303.30	\$16,758.00
33	72" DIAMETER SANITARY MANHOLE	57.4	59.98	\$253.00	14,522.20	\$15,174.94
34	SANITARY MANHOLE SPECIAL	74	74.00	\$229.00	16,946.00	\$16,946.00
35	CASTING ASSEMBLY (SANITARY)	8	8.00	\$480.00	3,840.00	\$3,840.00
36	EXTERNAL CHIMNEY SEAL	8	8.00	\$200.00	1,600.00	\$1,600.00
37	MARKING POST	14	14.00	\$80.00	1,120.00	\$1,120.00
38	TRAFFIC CONTROL	0.5	0.50	\$2,525.00	1,262.50	\$1,262.50
39	SILT FENCE, TYPE MS	2188	1,135.00	\$2.00	4,376.00	\$2,270.00
40	STORM DRAIN INLET PROTECTION	3		\$100.00	300.00	
41	SEDIMENT CONTROL LOG TYPE STRAW	200		\$2.20	440.00	
42	ROCK CONSTRUCTION ENTRANCE	2	2.00	\$1,100.00	2,200.00	\$2,200.00
43	STORM WATER MANAGEMENT ALLOWANCE	0.5		\$10,000.00	5,000.00	
44	EROSION CONTROL BLANKET CATEGORY 3	500	500.00	\$1.50	750.00	\$750.00
45	RAPID STABILIZATION METHOD 3 (MIX 32-241)	1	1.00	\$2,740.00	2,740.00	\$2,740.00
46	RAPID STABILIZATION METHOD 3 (MIX 25-142)	3	4.00	\$2,629.00	7,887.00	\$10,516.00
					1,169,943.69	\$1,127,492.38

Partial Pay Estimate No.9

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

WORK COMPLETED THROUGH JUNE 30, 2016

ITEM NO.	ITEM	Contract		Unit price	Estimated Amount	Contract Cost to Date
		Quantity	Quant to date			
SCHEDULE 2						
47	MOBILIZATION	0.5	0.50	\$24,000.00	12,000.00	\$12,000.00
48	CLEARING	1	1.00	\$3,080.00	3,080.00	\$3,080.00
49	GRUBBING	1	1.00	\$3,080.00	3,080.00	\$3,080.00
50	OBSTRUCTION REMOVAL	4	2.00	\$2,550.00	10,200.00	\$5,100.00
51	WATER USAGE ALLOWANCE	0.5		\$5,000.00	2,500.00	
52	AGGREGATE BASE CLASS 5	140	140.00	\$15.00	2,100.00	\$2,100.00
53	BITUMINOUS TACK COAT	15	15.00	\$3.00	45.00	\$45.00
54	TYPE SP 9.5 WEARING COURSE MIX (2,B)	25	25.00	\$153.00	3,825.00	\$3,825.00
55	TYPE SP 12.5 NON-WEARING COURSE MIX (2, B)	25	25.02	\$153.00	3,825.00	\$3,828.06
56	GRANULAR BACKFILL	500		\$0.01	5.00	
57	AGGREGATE FOUNDATION	75		\$25.00	1,875.00	
58	WASTE COLLECTION AND DISPOSAL ALLOWANCE	1		\$5,000.00	5,000.00	
59	CONSTRUCT LIFT STATION	1	1.00	\$378,875.19	378,875.19	\$378,875.19
60	8" FORCEMAIN PVC PIPE SEWER	170	170.00	\$20.00	3,400.00	\$3,400.00
61	8" PVC SDR-35 PIPE SEWER	27	27.00	\$25.00	675.00	\$675.00
62	8" PVC SDR-26 PIPE SEWER	154	154.00	\$92.00	14,168.00	\$14,168.00
63	8" DIP CL 52 PIPE SEWER (0' - 20')	40	40.00	\$102.50	4,100.00	\$4,100.00
64	8" DIP CL 52 PIPE SEWER (40' - 50')	143	143.00	\$528.50	75,575.50	\$75,575.50
65	8" FUSIBLE PIPE SEWER (THROUGH CASING)	142	142.00	\$34.00	4,828.00	\$4,828.00
66	12" PVC SDR-26 PIPE SEWER (20'-25')	109	109.00	\$76.50	8,338.50	\$8,338.50
67	12" DIP CL 52 PIPE SEWER (20'-30')	52	62.00	\$145.00	7,540.00	\$8,990.00
68	12" DIP CL 52 PIPE SEWER (40'-50')	104	104.00	\$419.00	43,576.00	\$43,576.00
69	30" STEEL CASING PIPE (TRENCHLESS)(SANITARY)	142	142.00	\$715.00	101,530.00	\$101,530.00
70	CONSTRUCT 8" OUTSIDE DROP	14.4	20.00	\$226.00	3,254.40	\$4,520.00
71	CONSTRUCT 12" OUTSIDE DROP	4	2.00	\$900.00	3,600.00	\$1,800.00
72	HYDRANT	2	2.00	\$3,673.00	7,346.00	\$7,346.00
73	6" GATE VALVE & BOX	2	2.00	\$1,175.00	2,350.00	\$2,350.00
74	16" BUTTERFLY GATE VALVE	1	2.00	\$2,761.00	2,761.00	\$5,522.00
75	6" WATERMAIN DUCTILE IRON CL 52	127	31.00	\$36.50	4,635.50	\$1,131.50
76	12" WATERMAIN DUCTILE IRON CL 52	103	283.00	\$64.00	6,592.00	\$18,112.00
77	16" WATERMAIN DUCTILE IRON CL 52	255	397.00	\$83.50	21,292.50	\$33,149.50
78	16" DIP WATERMAIN (THROUGH CASING)	142	142.00	\$87.00	12,354.00	\$12,354.00
79	30" STEEL CASING PIPE (JACKED)(WATERMAIN)	142	142.00	\$485.00	68,870.00	\$68,870.00
80	DUCTILE IRON FITTINGS	1845	4,665.00	\$2.50	4,612.50	\$11,662.50
81	BUTTERFLY VALVE MANHOLE	10	20.60	\$452.00	4,520.00	\$9,311.20
82	48" DIAMETER SANITARY MANHOLE	61.3	78.14	\$158.00	9,685.40	\$12,346.12
83	72" DIAMETER SANITARY MANHOLE	38.8	43.43	\$249.00	9,661.20	\$10,814.07
84	SANITARY MANHOLE SPECIAL	84.6	82.05	\$221.00	18,696.60	\$18,133.05
85	CASTING ASSEMBLY (SANITARY)	7	6.00	\$495.00	3,465.00	\$2,970.00
86	EXTERNAL CHIMNEY SEAL	1	1.00	\$200.00	200.00	\$200.00
87	CONCRETE CURB & GUTTER DESIGN B618	255	198.00	\$22.00	5,610.00	\$4,356.00
88	6" CONCRETE DRIVEWAY PAVEMENT	55	172.00	\$50.00	2,750.00	\$8,600.00
89	TRAFFIC CONTROL	0.5	0.50	\$2,525.00	1,262.50	\$1,262.50
90	SILT FENCE, TYPE MS	2184		\$2.00	4,368.00	
91	SEDIMENT CONTROL LOG TYPE STRAW	100		\$3.50	350.00	
92	ROCK CONSTRUCTION ENTRANCE	2	2.00	\$1,100.00	2,200.00	\$2,200.00
93	STORM WATER MANAGEMENT ALLOWANCE	0.5		\$10,000.00	5,000.00	
94	EROSION CONTROL BLANKET CATEGORY 3	200		\$1.50	300.00	
95	RAPID STABILIZATION METHOD 3 (MIX 25-142)	1	1.50	\$2,599.00	2,599.00	\$3,898.50
96	CONIFEROUS TREE 8' HT B&B	39	39.00	\$392.00	15,288.00	\$15,288.00
					913,764.79	\$933,311.19

Partial Pay Estimate No.9

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

WORK COMPLETED THROUGH JUNE 30, 2016

ITEM NO.	ITEM	Contract Quantity	Quant to date	Unit price	Estimated Amount	Contract Cost to Date
Change Order #1						
97	8" DIP WITH 401 LINING	424	424.00	\$20.47	8,679.28	\$8,679.28
98	12" DIP WITH 401 LINING	1628	1,628.00	\$25.43	41,400.04	\$41,400.04
99	8" MJ DROP TEE - 401 LINING	4	4.00	\$397.87	1,591.48	\$1,591.48
100	12" MH DROP TEE - 401 LINING	2	2.00	\$402.66	805.32	\$805.32
101	8" DIP CL 52 PIPE SEWER (30' - 40')	143	143.00	-\$28.50	-4,075.50	-\$4,075.50
102	12" DIP WATERMAIN (THROUGH CASING)	142	142.00	-\$19.00	-2,698.00	-\$2,698.00
103	BORING PIT LOWERING (WATERMAIN)	1	1.00	\$12,000.00	12,000.00	\$12,000.00
104	RECEIVING PIT LOWERING (WATERMAIN)	1	1.00	\$5,000.00	5,000.00	\$5,000.00
					62,702.62	\$62,702.62
Change Order #3						
105	PORTABLE PRECAST CONC BARRIER DES 8337	200	200.00	\$16.00	3,200.00	\$3,200.00
106	30" HYDRANT EXTENSION	1	1.00	\$7,862.40	7,862.40	\$7,862.40
					11,062.40	\$11,062.40
Change Order #4						
107	LIFT STATION WINTER DRIVEWAY	1	1.00	\$2,314.61	2,314.61	\$2,314.61
					2,314.61	\$2,314.61

STORED MATERIALS	\$120,160.05
DEDUCTION FOR STORED MATERIALS USED IN WORK COMPLETED	\$120,160.05
STORED MATERIALS REMAINING	

\$2,134,568.59

	Estimated Cost	Contract Cost to Date
Schedule 1	\$1,169,943.69	\$1,127,492.38
Schedule 2	\$913,764.79	\$933,311.19
Original Contract Amount	\$2,083,708.48	
C.O. #1	\$68,081.42	\$62,702.62
C.O. #3	\$11,062.40	\$11,062.40
C.O. #4	\$2,314.61	\$2,314.61
Revised Contract Amount	\$2,165,166.91	
Contract Work Completed to Date		\$2,136,883.20
Total Stored Materials to Date		\$120,160.05
Deduction for Stored Materials used		\$120,160.05
Completed Work and Stored Materials		\$2,136,883.20
Retainage (1.5%)		\$32,053.25
Previous Payments		\$2,060,819.60
Amount Due This Payment 9		\$44,010.35

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 2 for the 2015 Capital Improvement Program, City Project No. 2015-13 – NWA Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge) and 2015-16 – Trunk Utilities, Argenta Trail to Blackstone Ridge

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



Fiscal/FTE Impact:	
<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: 511 NWA Water Fund and 512 NWA Sewer Fund

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 2 for the 2015 Capital Improvement Program, City Project No. 2015-13 – NWA Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge) and City Project No. 2015-16 – Trunk Utilities, Argenta Trail to Blackstone Ridge.

SUMMARY

The improvements were ordered as part of the 2015 Capital Improvement Program. The contract was awarded in the amount of \$6,402,333.35 to EJM Pipe Services on April 11, 2016.

Pay Voucher No. 2 is for work that occurred through the end of June and includes mobilization and preparatory work for the installation of the trunk sanitary sewer and water main.

I recommend approval of Pay Voucher No. 2, in the amount of \$647,234.56 for work on the 2015 Capital Improvement Program, City Project No. 2015-13 – NWA Trunk Utility Improvements, Argenta District (70th Street Lift Station to Blackstone Ridge) and City Project No. 2015-16 – Trunk Utilities, Argenta Trail to Blackstone Ridge

TJK/me

Attachments: Pay Voucher No. 2

**CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAY VOUCHER**

ESTIMATE NO: 2 (Two)
DATE: July 25, 2016
PERIOD ENDING: June 30, 2016
PROJECT NO: 2015-13 NWA Trunk Utility Improvements, Argenta District
2015-16 Trunk Utilities, Argenta Trail to Blackstone Ridge

TO: EJM Pipe Services
7807 Lake Drive
Lino Lakes, MN 55014

Original Contract Amount\$6,402,333.35
Total Addition\$0.00
Total Deduction\$0.00
Total Contract Amount.....\$6,402,333.35
Total Value of Work to Date (includes stored materials)..... \$830,013.04
Less Retained (5%)..... \$41,500.65
Less Previous Payment.....\$141,277.83
Total Approved for Payment this Voucher \$647,234.56
Total Payments including this Voucher.....\$788,512.39

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above state amount for work performed through June 30, 2016.

Signed by: _____ July 25, 2016
Thomas J. Kaldunski, City Engineer

Signed by: _____
EJM Pipe Services Date

Signed by: _____ July 25, 2016
George Tourville, Mayor

Current Construction Cost Breakdown to Date (Internal Use Only, Not for City Council Memo)

Date of Council Action: 7/25/2016

City Project No.	Original Contract Amount	Total Change Orders	Contract Work Completed to Date	Retainage	Current Payment	Previous Payments	Paid to Date	Current Contract Amount
2015-13	\$2,862,431.15	\$0.00	\$443,445.24	\$22,172.26	\$348,646.90	\$72,626.08	\$421,272.98	\$2,862,431.15
2015-16	\$3,539,902.20	\$0.00	\$386,567.80	\$19,328.39	\$298,587.66	\$68,651.75	\$367,239.41	\$3,539,902.20
Totals:	\$6,402,333.35	\$0.00	\$830,013.04	\$41,500.65	\$647,234.56	\$141,277.83	\$788,512.39	\$6,402,333.35

Partial Pay Estimate No.:

2

2510 NWA TRUNK UTILITY IMPROVEMENTS-ARGENTA DISTRICT
 2511 NVA 70TH STREET LIFT STATION-ARGENTA DISTRICT
 CITY OF INVER GROVE HEIGHTS, MINNESOTA
 BMM PROJECT NO. T18.1.08658
 WORK COMPLETED THROUGH JUNE 30, 2016

ITEM NO.	ITEM	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
		ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
SCHEDULE 1							
1	2021.5 MOBILIZATION	0.5	LUMP SUM \$125,000.00	0.25	LUMP SUM \$62,500.00	0.35	LUMP SUM \$87,500.00
2	2101.5 CLEARING	0.41	ACRE \$1,742.50	0.41	ACRE \$1,742.50	0.41	ACRE \$1,742.50
3	2101.5 CLEARING	20	TREE \$4,300.00	10	TREE \$2,150.00	13.00	TREE \$2,795.00
4	2101.51 GRUBBING	0.41	ACRE \$1,742.50	0.41	ACRE \$1,742.50	0.41	ACRE \$1,742.50
5	2101.51 GRUBBING	20	TREE \$4,300.00	10	TREE \$2,150.00	13.00	TREE \$2,795.00
6	2103.5 CORN CRIB REMOVAL	1	LUMP SUM \$1,575.00		LUMP SUM \$0.00	0.00	LUMP SUM \$0.00
7	2104.5 REMOVE METAL CULVERT	26	LIN FT \$364.00		LIN FT \$0.00	0.00	LIN FT \$0.00
8	2105.52 COMMON BORROW (LV)	3500	CY \$28,000.00		CY \$0.00	0.00	CY \$0.00
9	2105.6 CONSTRUCT TEMPORARY ACCESS ROAD	1	EACH \$5,000.00		EACH \$0.00	0.00	EACH \$0.00
10	2105.6 OBSTRUCTION REMOVAL	8	EACH \$36,000.00		EACH \$0.00	1.00	EACH \$4,500.00
11	2118.5 AGGREGATE SURFACING CLASS 2	210	TON \$4,620.00		TON \$0.00	54.07	TON \$1,189.54
12	2123.61 STREET SWEEPER (WITH PICKUP BROOM)	5	HOUR \$840.00		HOUR \$0.00	0.00	HOUR \$0.00
13	2130.6 WATER USAGE ALLOWANCE	0.5	LUMP SUM \$5,000.00		LUMP SUM \$2,500.00	0.00	LUMP SUM \$0.00
14	2451.61 GRANULAR BACKFILL	1500	TON \$15.00		TON \$0.00	0.00	TON \$0.00
15	2451.61 AGGREGATE FOUNDATION	690	TON \$6.90		TON \$0.00	0.00	TON \$0.00
16	2476.6 WASTE COLLECTION AND DISPOSAL ALLOWANCE	0.5	LS \$10,000.00		LS \$0.00	0.00	LS \$0.00
17	2501.51 15" RC PIPE CULVERT CLASS V	50	LIN FT \$40.00		LIN FT \$0.00	0.00	LIN FT \$0.00
18	2501.52 15" RC PIPE APRON	2	EACH \$887.00		EACH \$1,774.00	0.00	EACH \$0.00
19	2503.6 BORING PIT (SANITARY)	3	EACH \$225,000.00		EACH \$675,000.00	0.00	EACH \$0.00
20	2503.6 BORING PIT (WATERMAIN)	2	EACH \$3,500.00		EACH \$7,000.00	0.00	EACH \$0.00
21	2503.6 8" DIP CL 52 PIPE SEWER (SANITARY)	40	LIN FT \$312.00		LIN FT \$12,480.00	54.00	LIN FT \$16,848.00
22	2503.6 8" DIP CL 52 PIPE SEWER (WATERMAIN)	40	LIN FT \$47.00		LIN FT \$1,880.00	0.00	LIN FT \$0.00
23	2503.6 12" DIP CL 56 PIPE SEWER (SANITARY)	175	LIN FT \$63.00		LIN FT \$11,025.00	0.00	LIN FT \$0.00
24	2503.6 12" DIP CL 52 PIPE SEWER (40'-50')	458	LIN FT \$462.00		LIN FT \$211,596.00	458.00	LIN FT \$211,596.00
25	2503.6 12" DIP CL 52 PIPE SEWER (50'-60')	132	LIN FT \$617.00		LIN FT \$81,444.00	60.00	LIN FT \$37,020.00
26	2503.6 12" DIP CL 52 PIPE SEWER (60'-70')	394	LIN FT \$780.00		LIN FT \$307,320.00	0.00	LIN FT \$0.00
27	2503.6 12" PVC SDR 26 PIPE SEWER (THROUGH CASING)	1138	LIN FT \$12.00		LIN FT \$13,656.00	0.00	LIN FT \$0.00
28	2503.6 CONNECT TO EXISTING SANITARY SEWER	1	EACH \$11,340.00		EACH \$11,340.00	1.00	EACH \$11,340.00
29	2503.6 CASING PIPE (TRENCHLESS)(SANITARY)	1138	LIN FT \$650.00		LIN FT \$739,700.00	0.00	LIN FT \$0.00
30	2503.6 CONSTRUCT 8" OUTSIDE DROP	72	LIN FT \$180.00		LIN FT \$12,960.00	40.17	LIN FT \$7,230.60
31	2503.6 CONSTRUCT 8" OUTSIDE DROP SPECIAL	140	LIN FT \$184.00		LIN FT \$25,760.00	0.00	LIN FT \$0.00
32	2504.6 IRRIGATION SERVICE	1	LUMP SUM \$1,785.00		LUMP SUM \$1,785.00	0.00	LUMP SUM \$0.00
33	2504.6 CONNECT TO EXISTING WATER MAIN	1	EACH \$630.00		EACH \$630.00	0.00	EACH \$0.00
34	2504.6 HYDRANT	5	EACH \$3,759.00		EACH \$18,795.00	0.00	EACH \$0.00
35	2504.6 FROST FREE HYDRANT	1	EACH \$1,050.00		EACH \$1,050.00	0.00	EACH \$0.00
36	2504.6 1" CORPORATION STOP	1	EACH \$142.00		EACH \$142.00	0.00	EACH \$0.00
37	2504.6 6" GATE VALVE & BOX	5	EACH \$1,234.00		EACH \$6,170.00	0.00	EACH \$0.00
38	2504.6 16" BUTTERFLY GATE VALVE	6	EACH \$2,546.00		EACH \$15,276.00	0.00	EACH \$0.00
39	2504.6 1" CURB STOP & BOX	1	EACH \$236.00		EACH \$236.00	0.00	EACH \$0.00
40	2504.6 1" TYPE K COPPER PIPE	40	LIN FT \$20.00		LIN FT \$800.00	0.00	LIN FT \$0.00
41	2504.6 1" TYPE PE PIPE	330	LIN FT \$17.00		LIN FT \$5,610.00	0.00	LIN FT \$0.00
42	2504.6 6" WATERMAIN DUCTILE IRON CL 52	70	LIN FT \$35.00		LIN FT \$2,450.00	0.00	LIN FT \$0.00
43	2504.6 16" WATERMAIN DUCTILE IRON CL 52	2141	LIN FT \$67.00		LIN FT \$143,447.00	0.00	LIN FT \$0.00
44	2504.6 16" DIP WATERMAIN (THROUGH CASING)	252	LIN FT \$67.00		LIN FT \$16,884.00	0.00	LIN FT \$0.00
45	2504.6 CASING PIPE (TRENCHLESS)(WATERMAIN)	252	LIN FT \$330.00		LIN FT \$83,160.00	110.00	LIN FT \$36,300.00
46	2504.6 BUTTERFLY VALVE MANHOLE	52	LIN FT \$758.00		LIN FT \$39,416.00	0.00	LIN FT \$0.00
47	2504.6 4" POLYSTYRENE INSULATION	300	SY \$40.00		SY \$12,000.00	0.00	SY \$0.00
48	2504.61 DUCTILE IRON FITTINGS	6500	POUND \$2.10		POUND \$13,650.00	0.00	POUND \$0.00
49	2506.5 48" DIAMETER SANITARY MANHOLE	130	LIN FT \$139.00		LIN FT \$18,070.00	58.00	LIN FT \$8,062.00
50	2506.5 SANITARY MANHOLE SPECIAL	221	LIN FT \$274.00		LIN FT \$60,554.00	0.00	LIN FT \$0.00
51	2506.52 CASTING ASSEMBLY (SANITARY)	6	EACH \$503.00		EACH \$3,018.00	0.00	EACH \$0.00

Partial Pay Estimate No.:

2

2510 NWA TRUNK UTILITY IMPROVEMENTS-ARGENTA DISTRICT
 2511 NWA 70TH STREET LIFT STATION-ARGENTA DISTRICT
 CITY OF INVER GROVE HEIGHTS, MINNESOTA
 BMI PROJECT NO. T18.108658
 WORK COMPLETED THROUGH JUNE 30, 2016

ITEM NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE		
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	
52	2506.6 EXTERNAL CHIMNEY SEAL	\$257.00	6 EACH	\$1,542.00	EACH	0.00	\$0.00	0.00	\$0.00
53	2533.51 PORTABLE PRECAST CONC BARRIER DES 8337	\$17.00	325 LIN FT	\$5,525.00	LIN FT	0.00	\$0.00	0.00	\$0.00
54	2533.51 RELOCATE PORT PRECAST CONC BAR DES 8337	\$6.30	325 LIN FT	\$2,047.50	LIN FT	0.00	\$0.00	0.00	\$0.00
55	2550.6 MARKING POST	\$74.00	17 EACH	\$1,258.00	EACH	0.00	\$0.00	0.00	\$0.00
56	2557.6 CONSTRUCTION FENCE	\$4.20	1425 LIN FT	\$5,985.00	LIN FT	400.00	\$0.00	0.00	\$1,680.00
57	2563.6 TRAFFIC CONTROL	\$25,000.00	1 LUMP SUM	\$25,000.00	LUMP SUM	0.00	\$0.00	0.00	\$0.00
58	2573.5 SILT FENCE, TYPE MS	\$2.10	4300 LIN FT	\$9,030.00	LIN FT	2,621.00	\$5,113.50	0.00	\$0.00
59	2573.6 ROCK CONSTRUCTION ENTRANCE	\$1,050.00	4 EACH	\$4,200.00	EACH	1	\$1,050.00	2.00	\$2,100.00
60	2573.9 STORM WATER MANAGEMENT ALLOWANCE	\$10,000.00	0.5 LUMP SUM	\$5,000.00	LUMP SUM	0.00	\$0.00	0.00	\$0.00
61	2575.52 EROSION CONTROL BLANKET CATEGORY 3	\$2.10	250 SY	\$525.00	SY	0.00	\$0.00	0.00	\$0.00
62	2575.54 HYDRAULIC BONDED FIBER MATRIX	\$4,305.00	2.75 ACRE	\$11,838.75	ACRE	0.00	\$0.00	0.00	\$0.00
63	2575.57 RAPID STABILIZATION METHOD 3 (MIX 25-142)	\$3,256.00	3.5 ACRE	\$11,396.00	ACRE	0.00	\$0.00	0.00	\$0.00
TOTAL SCHEDULE 1				\$2,862,431.15					\$443,445.24
SCHEDULE 2									
1	2021.5 MOBILIZATION	\$250,000.00	0.5 LUMP SUM	\$125,000.00	LUMP SUM	0.25	\$62,500.00	0.35	\$87,500.00
2	2101.5 CLEARING	\$3,255.00	2.07 ACRE	\$6,737.85	ACRE	1.5	\$4,882.50	2.07	\$6,737.85
3	2101.51 GRUBBING	\$3,255.00	2.07 ACRE	\$6,737.85	ACRE	1.5	\$4,882.50	2.07	\$6,737.85
4	2105.6 OBSTRUCTION REMOVAL	\$4,500.00	14 EACH	\$63,000.00	EACH	0.00	\$0.00	0.00	\$0.00
5	2118.5 AGGREGATE SURFACING CLASS 2	\$22.00	100 TON	\$2,200.00	TON	0.00	\$0.00	0.00	\$0.00
6	2130.6 WATER USAGE ALLOWANCE	\$5,000.00	0.5 LUMP SUM	\$2,500.00	LUMP SUM	0.00	\$0.00	0.00	\$0.00
7	2451.61 GRANULAR BACKFILL	\$0.01	500 TON	\$5.00	TON	0.00	\$0.00	0.00	\$0.00
8	2476.6 WASTE COLLECTION AND DISPOSAL ALLOWANCE	\$10,000.00	0.5 LS	\$5,000.00	LS	0.00	\$0.00	0.00	\$0.00
9	2503.6 BORING PIT (SANITARY)	\$215,000.00	7 EACH	\$1,505,000.00	EACH	0.00	\$0.00	1.30	\$279,500.00
10	2503.6 8" DIP CL 52 PIPE SEWER (SANITARY)	\$70.00	20 LIN FT	\$1,400.00	TON	0.00	\$0.00	0.00	\$0.00
11	2503.6 12" DIP CL 56 PIPE SEWER (SANITARY)	\$59.00	300 LIN FT	\$17,700.00	LUMP SUM	0.00	\$0.00	0.00	\$0.00
12	2503.6 10" PVC SDR 26 PIPE SEWER (THROUGH CASING)	\$15.00	1027 LIN FT	\$15,405.00	TON	0.00	\$0.00	0.00	\$0.00
13	2503.6 12" PVC SDR 26 PIPE SEWER (THROUGH CASING)	\$21.00	1438 LIN FT	\$30,198.00	LS	0.00	\$0.00	0.00	\$0.00
14	2503.6 CASING PIPE (TRENCHLESS)(SANITARY)	\$650.00	2465 LIN FT	\$1,602,250.00	EACH	0.00	\$0.00	0.00	\$0.00
15	2503.6 CONSTRUCT 8" OUTSIDE DROP	\$202.00	28 LIN FT	\$5,656.00	LIN FT	0.00	\$0.00	0.00	\$0.00
16	2503.6 CONSTRUCT 8" OUTSIDE DROP SPECIAL	\$177.00	60 LIN FT	\$10,620.00	LIN FT	0.00	\$0.00	0.00	\$0.00
17	2506.5 SANITARY MANHOLE SPECIAL	\$314.00	282 LIN FT	\$88,548.00	LIN FT	0.00	\$0.00	0.00	\$0.00
18	2506.52 CASTING ASSEMBLY (SANITARY)	\$503.00	6 EACH	\$3,018.00	LIN FT	0.00	\$0.00	0.00	\$0.00
19	2506.6 EXTERNAL CHIMNEY SEAL	\$152.00	6 EACH	\$912.00	LIN FT	0.00	\$0.00	0.00	\$0.00
20	2550.6 MARKING POST	\$74.00	6 EACH	\$444.00	LIN FT	0.00	\$0.00	0.00	\$0.00
21	2557.6 CONSTRUCTION FENCE	\$4.20	100 LIN FT	\$420.00	LIN FT	0.00	\$0.00	100.00	\$420.00
22	2573.5 SILT FENCE, TYPE MS	\$2.10	7975 LIN FT	\$16,747.50	LIN FT	0.00	\$0.00	2,701.00	\$5,672.10
23	2573.6 ROCK CONSTRUCTION ENTRANCE	\$1,050.00	2 EACH	\$2,100.00	EACH	0.00	\$0.00	0.00	\$0.00
24	2573.9 STORM WATER MANAGEMENT ALLOWANCE	\$10,000.00	0.5 LUMP SUM	\$5,000.00	EACH	0.00	\$0.00	0.00	\$0.00
25	2575.52 EROSION CONTROL BLANKET CATEGORY 3	\$2.10	250 SY	\$525.00	EACH	0.00	\$0.00	0.00	\$0.00
26	2575.57 RAPID STABILIZATION METHOD 3 (MIX 25-142)	\$3,254.00	7 ACRE	\$22,778.00	LIN FT	0.00	\$0.00	0.00	\$0.00
TOTAL SCHEDULE 2				\$3,539,902.20					\$386,567.80

Partial Pay Estimate No.:

2

2510 NWA TRUNK UTILITY IMPROVEMENTS-ARGENTA DISTRICT
 2511 NWA 70TH STREET LIFT STATION-ARGENTA DISTRICT
 CITY OF INVER GROVE HEIGHTS, MINNESOTA
 BMI PROJECT NO. T18.108658

WORK COMPLETED THROUGH JUNE 30, 2016

ITEM NO.	ITEM	UNIT PRICE	AS BID		PREVIOUS ESTIMATE		COMPLETED TO DATE	
			ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT	ESTIMATED QUANTITY	ESTIMATED AMOUNT
TOTAL AMOUNT:				\$6,402,333.35		\$148,713.50		\$830,013.04

Estimated Cost	Contract Cost to Date
\$2,862,431.15	\$443,445.24
\$3,539,902.20	\$386,567.80
\$6,402,333.35	
Schedule 1	
Schedule 2	
Original Contract Amount	
Contract Work Completed to Date	\$830,013.04
Retainage (5%)	\$41,500.65
Previous Payments	\$141,277.83
Amount Due This Payment 2	\$647,234.56

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Approve Custom Grading Agreement and Permanent Drainage and Stormwater Ponding Easement for 10280 Blair Avenue (Lot 1, Block 2, Woodland Estates)

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

TJK

SST

	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

Approve Custom Grading Agreement and Permanent Drainage and Stormwater Ponding Easement for 10280 Blair Avenue (Lot 1, Block 2, Woodland Estates).

SUMMARY

The owners of 10280 Blair Avenue are affected by the City Ordinance Title 9, Chapter 5, Section 9-5-5. This Ordinance requires lots of record which do not have recorded contracts or agreements with the City to provide information to ensure the Development meets current City standards for grading, erosion control and storm water management. The custom grading agreement will ensure the City standards will be met.

Besides the custom grading agreement, the owners have also agreed to execute a Stormwater Ponding Easement for a natural basin that exists on the lot.

It is recommended that the City Council approve the Custom Grading Agreement and Permanent Drainage and Stormwater Ponding Easement for 10280 Blair Avenue (Lot 1, Block 2, Woodland Estates).

TJK/kf
Attachments: Custom Grading Agreement
Storm Water Ponding Easement

CUSTOM GRADING AGREEMENT
FOR
PROPERTY LOCATED AT
10280 BLAIR AVENUE
INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

CUSTOM GRADING AGREEMENT
FOR
PROPERTY LOCATED AT
10280 BLAIR AVENUE
INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

THIS CUSTOM GRADING AGREEMENT is made and entered into on the 25th day of July, 2016, by and between the City of Inver Grove Heights, a Minnesota municipal corporation (City), and the Owner identified herein.

RECITALS:

WHEREAS, the Owner has applied to the City for approval of the Development Plans and a building permit for the Property;

WHEREAS, in conjunction with the granting of these approvals, the City requires that the Property be improved with grading, drainage and erosion control facilities;

WHEREAS, the Council has agreed to approve the Development Plans on the following conditions:

1. That the Owner enter into this Custom Grading Agreement, which contract defines the work which the Owner undertakes to complete; and
2. The Owner shall provide an irrevocable letter of credit or cash deposit in the amount and with conditions satisfactory to the City, providing for the actual construction and installation of such Improvements within the period specified by the City.

NOW, THEREFORE, subject to the terms and conditions of this Custom Grading Agreement and in reliance upon the representations, warranties and covenants of the parties herein contained, the City and Owner agree as follows:

ARTICLE 1
DEFINITIONS

1.1 TERMS. The following terms, unless elsewhere defined specifically in the Custom Grading Agreement, shall have the following meanings as set forth below.

1.2 CITY. "City" means the City of Inver Grove Heights, a Minnesota municipal corporation.

1.3 OWNER. "Owner" means James R. Thielen and Sandra M. Thielen, husband and wife, and their successors and assigns.

1.4 DEVELOPMENT PLANS. "Development Plans" means all those plans,

drawings, specifications and surveys identified on the attached Appendix 1 and attached to Appendix 1.

The Development Plans also include modifications of the above referenced Development Plans as approved from time to time by the City Engineer.

1.5 CUSTOM GRADING AGREEMENT. "Custom Grading Agreement" means this instant contract by and between the City and Owner.

1.6 COUNCIL. "Council" means the Council of the City of Inver Grove Heights.

1.7 PWD. "PWD" means the Public Works Department of the City of Inver Grove Heights.

1.8 DIRECTOR OF PWD. "Director of PWD" means the Director of the Public Works Department of the City of Inver Grove Heights and his delegates.

1.9 COUNTY. "County" means Dakota County, Minnesota.

1.10 OTHER REGULATORY AGENCIES. "Other Regulatory Agencies" means and includes the following:

- a.) Minnesota Department of Transportation
- b.) Dakota County
- c.) Water Management Organization
- d.) State of Minnesota
- e.) Minnesota Department of Natural Resources
- f.) any other regulatory or governmental agency or entity affected by, or having jurisdiction over the Improvements.

1.11 UTILITY COMPANIES. "Utility Companies" means and includes the following:

- a.) utility companies, including electric, gas and cable
- b.) pipeline companies.

1.12 PRIOR EASEMENT HOLDERS. "Prior Easement Holders" means and includes all holders of any easements or other property interests which existed prior to the grant or dedication of any public easements transferred by this Custom Grading Agreement.

1.13 IMPROVEMENTS. "Improvements" means and includes, individually and

collectively, all the improvements identified in Article 3 and on the attached Appendix 2.

1.14 OWNER DEFAULT. "Owner Default" means and includes any of the following or any combination thereof:

- a.) failure by the Owner to timely pay the City any money required to be paid under this Custom Grading Agreement;
- b.) failure by the Owner to timely construct the Improvements according to the Development Plans and the City standards and specifications;
- c.) failure by the Owner to observe or perform any covenant, condition, obligation or agreement on its part to be observed or performed under this Custom Grading Agreement;
- d.) breach of the Owner Warranties.

1.15 FORCE MAJEURE. "Force Majeure" means acts of God, including, but not limited to floods, ice storms, blizzards, tornadoes, landslides, lightning and earthquakes (but not including reasonably anticipated weather conditions for the geographic area), riots, insurrections, war or civil disorder affecting the performance of work, blockades, power or other utility failures, and fires or explosions.

1.16 OWNER WARRANTIES. "Owner Warranties" means that the Owner hereby warrants and represents the following:

- A. **AUTHORITY.** Owner has the right, power, legal capacity and authority to enter into and perform its obligations under this Custom Grading Agreement; no approvals or consents of any persons are necessary in connection with the authority of Owner to enter into and perform its obligations under this Custom Grading Agreement.
- B. **FULL DISCLOSURE.** None of the representatives and warranties made by Owner or made in any exhibit hereto or memorandum or writing furnished or to be furnished by Owner or on its behalf contains or will contain any untrue statement of material fact or omit any material fact the omission of which would be misleading.
- C. **PLAN COMPLIANCE.** The Development Plans comply with all City, County, metropolitan, state and federal laws and regulations, including but not limited to subdivision ordinances, zoning ordinances and environmental regulations.
- D. **FEE TITLE.** The Owner owns fee title to the Property.
- E. **WARRANTY ON PROPER WORK AND MATERIALS.** The Owner warrants all work required to be performed by it under this Custom Grading Agreement against defective material and faulty workmanship for a period of two (2) years after

its completion. During the warranty period the Owner shall be solely responsible for all costs of performing repair work required by the City within thirty (30) days of notification. All trees, grass, and sod shall be warranted to be alive, of good quality, and disease free for one year after planting. Any replacements shall be similarly warranted for one year from the time of planting. In addition, the warranty period for drainage and erosion control improvements shall be for two (2) years after completion; the warranty for the drainage and erosion control improvements shall also include the obligation of the Owner to repair and correct and damage to or deficiency with respect to such improvements.

1.17 CITY WARRANTIES. “City Warranties” means that the City hereby warrants and represents as follows:

- A. ORGANIZATION.** City is a municipal corporation duly incorporated and validly existing in good standing under the laws of the State of Minnesota.
- B. AUTHORITY.** City has the right, power, legal capacity and authority to enter into and perform its obligations under this Custom Grading Agreement.

1.18 FORMAL NOTICE. "Formal Notice" means notices given by one party to the other if in writing and if and when delivered or tendered either in person or by depositing it in the United States mail in a sealed envelope, by certified mail, return receipt requested, with postage and postal charges prepaid, addressed as follows:

If to CITY:
City of Inver Grove Heights
Attention: City Administrator
Inver Grove Heights City Hall
8150 Barbara Avenue
Inver Grove Heights, MN 55077

If to Owner:
James R. Thielen and Sandra M. Thielen
10280 Blair Avenue
Inver Grove Heights, MN 55077

or to such other address as the party addressed shall have previously designated by notice given in accordance with this Section. Notices shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the third day after mailing if mailed as provided above, provided, that a notice not given as above shall, if it is in writing, be deemed given if and when actually received by a party.

1.19 PROPERTY. Property means the real property located in the City of Inver Grove Heights, Dakota County, Minnesota legally described on Exhibit A attached hereto.

ARTICLE 2
APPROVAL OF DEVELOPMENT PLANS

2.1. APPROVAL OF DEVELOPMENT PLANS. Subject to the terms and conditions of this Custom Grading Agreement, the recitals above, and all other applicable City Code provisions, the City hereby approves the Development Plans.

2.2 RECORDING. This Custom Grading Agreement shall be recorded with the County Recorder within thirty (30) days from the date of this Custom Grading Agreement. No building permits shall be issued unless the Owner shows evidence to the City that this Custom Grading Agreement has been recorded with the County Recorder.

ARTICLE 3 **IMPROVEMENTS**

3.1 IMPROVEMENTS. The Owner shall install, at its own cost, the Improvements in accord with the Development Plans. The Owner Improvements shall be completed by the dates shown on Appendix 2, except as completion dates are extended by subsequent written action of the Director of PWD. Failure of the City to promptly take action to enforce this Custom Grading Agreement after expiration of time by which the Improvements are to be completed shall not waive or release any rights of the City; the City may take action at any time thereafter, and the terms of this contract shall be deemed to be automatically extended until such time as the Improvements are completed to the City's satisfaction.

3.2 GRADING/DRAINAGE PLAN. The Owner shall construct drainage facilities in accord with the Development Plans. The grading of the site shall be completed in conformance with the Development Plans.

3.3 STREET MAINTENANCE, ACCESS AND REPAIR. The Owner shall clear, on a daily basis, any soil, earth or debris from the streets and wetlands within or adjacent to the Property resulting from the grading or building on the land within the Property by the Owner or its agents, and shall repair to the City's specifications any damage to bituminous surfacing resulting from the use of construction equipment.

3.4 EROSION CONTROL. The Owner shall provide and follow a plan for erosion control and pond maintenance in accord with the Best Management Practices (BMP) as delineated in the Minnesota Pollution Control Agency handbook titled Water Quality in Urban Areas. Such plan shall be detailed on the Development Plans and shall be subject to approval of the Director of PWD. The Owner shall install and maintain such erosion control structures as appear necessary under the Development Plans or become necessary subsequent thereto. The Owner shall be responsible for all damage caused as the result of grading and excavation within the Property including, but not limited to, restoration of existing control structures and clean-up of public right-of-way, until the Improvements are completed. The City reserves the right to perform any necessary erosion control or restoration as required, if these requirements are not complied with after Formal Notice by the City as stated in Article 9. The Owner shall be financially responsible for payment for this extra work.

3.5 GRADING/DRAINAGE PLAN AND EASEMENTS. The Developer shall construct drainage facilities adequate to serve the Property in accord with the Development Plans.

The Owner and Developer agree to grant to the City all necessary easements for the preservation of the drainage system, for drainage basins, and for utility service. All such easements required by the City shall be on the Property or in writing, in recordable form, and on the standard easement form of the City, and on such other terms and conditions as the City shall determine; such easements shall be delivered to the City contemporaneously with execution of this Custom Grading Agreement. The grading of the site shall be completed in conformance with the Development Plans. In the event that the Developer fails to complete the grading of the site in conformance with the Development Plans by the stipulated date, the City may declare the Developer in default pursuant to Article 9.

3.6 AS BUILT INFORMATION. The record plan "as built" drawings of the Improvements shall be provided by the Owner in accordance with City standards no later than 90 days after completion and acceptance of the Improvements by the City, unless otherwise approved in writing by the Director of Public Works. If the record plans are not provided to the City within the 90 days, the City may have this work done and pay for it with the developer's sureties.

Final as-built information shall be submitted in an electronic format compatible with the City's Geographic Information System (GIS). All information must be on the Dakota County coordinates system. Compatible formats are emailed AUTOCAD .DWG or .DXF. As-built drawings shall also be scanned, stored and emailed as images in .TIFF or .PDF. All as-built drawings must be the approved plans modified to reflect as-built conditions Note: All corrected lines, grades and elevations shall have a line drawn through the original text and the new information placed nearby; the original information or text shall not be erased.

ARTICLE 4 **OTHER PERMITS**

4.1 PERMITS. The Owner shall obtain all necessary approvals, permits and licenses from the City, the Other Regulatory Agencies, the Utility Companies, and the Prior Easement Holders. Major design requirements of any such entities shall be determined prior to completion and incorporated into the Development Plans. All costs incurred to obtain the approvals, permits and licenses, and also all fines or penalties levied by any agency due to the failure of the Owner to obtain or comply with conditions of such approvals, permits and licenses, shall be paid by the Owner. The Owner shall defend and hold the City harmless from any action initiated by the Other Regulatory Agencies, the Utility Companies and the Prior Easement Holders resulting from such failures of the Owner.

ARTICLE 5 **RESPONSIBILITY FOR COSTS**

5.1 IMPROVEMENT COSTS. The Owner shall pay for the Improvements; that is, all costs of persons doing work or furnishing skills, tools, machinery or materials, or insurance premiums or equipment or supplies and all just claims for the same; and the City shall be under no obligation to pay the contractor or any subcontractor any sum whatsoever on account thereof, whether or not the City shall have approved the contract or subcontract.

5.2 CITY MISCELLANEOUS EXPENSES. The Owner shall reimburse the City for all engineering, administrative, legal and other expenses incurred or to be incurred by the City in connection with this Custom Grading Agreement. Bills not paid within thirty (30) days shall accrue interest at the rate of eight percent per year.

5.3 ENFORCEMENT COSTS. The Owner shall pay the City for costs incurred in the enforcement of this Custom Grading Agreement, including engineering and attorneys' fees.

5.4 TIME OF PAYMENT. The Owner shall pay all bills from the City within thirty (30) days after billing. Bills not paid within thirty (30) days shall bear interest at the rate of 8% per year.

ARTICLE 6 **OWNER WARRANTIES**

6.1 STATEMENT OF OWNER WARRANTIES. The Owner hereby makes and states the Owner Warranties.

ARTICLE 7 **CITY WARRANTIES**

7.1 STATEMENT OF CITY WARRANTIES. The City hereby makes and states the City Warranties.

ARTICLE 8 **INDEMNIFICATION OF CITY**

8.1 INDEMNIFICATION OF CITY. Owner shall indemnify, defend and hold the City, its Council, agents, employees, attorneys and representatives harmless against and in respect of any and all claims, demands, actions, suits, proceedings, losses, costs, expenses, obligations, liabilities, damages, recoveries, and deficiencies, including interest, penalties and attorneys' fees, that the City incurs or suffers, which arise out of, result from or relate to:

- a.) breach by the Owner of the Owner Warranties;
- b.) failure of the Owner to timely construct the Improvements according to the Development Plans and the City ordinances, standards and specifications;
- c.) failure by the Owner to observe or perform any covenant, condition, obligation or agreement on its part to be observed or performed under this Custom Grading Agreement;
- d.) failure by the Owner to pay contractors, subcontractors, laborers, or material;
- e.) failure by the Owner to pay for materials;

- f.) approval by the City of the Development Plans;
- g.) failure to obtain the necessary permits and authorizations to construct the Improvements;
- h.) construction of the Improvements;
- i.) delays in construction of the Improvements;
- j.) all costs and liabilities arising because building permits were issued prior to the completion and acceptance of the Improvements.

ARTICLE 9
CITY REMEDIES UPON OWNER DEFAULT

9.1 CITY REMEDIES. If an Owner Default occurs, that is not caused by Force Majeure, the City shall give the Owner Formal Notice of the Owner Default and the Owner shall have ten (10) business days to cure the Owner Default. If the Owner, after Formal Notice to it by the City, does not cure the Owner Default within ten (10) business days, then the City may avail itself of any remedy afforded by law and any of the following remedies:

- a.) the City may specifically enforce this Custom Grading Agreement;
- b.) the City may collect on the irrevocable letter of credit or cash deposit pursuant to Article 13 hereof;
- c.) the City may suspend or deny building and occupancy permits for buildings within the Property;
- d.) the City may, at its sole option, perform the work or improvements to be performed by the Owner, in which case the Owner shall within thirty (30) days after written billing by the City reimburse the City for any costs and expenses incurred by the City.

9.2 NO ADDITIONAL WAIVER IMPLIED BY ONE WAIVER. In the event any agreement contained in this Custom Grading Agreement is breached by the Owner and thereafter waived in writing by the City, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other concurrent, previous or subsequent breach hereunder. All waivers by the City must be in writing.

9.3 NO REMEDY EXCLUSIVE. No remedy herein conferred upon or reserved to the City shall be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under the Custom Grading Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to

time and as often as may be deemed expedient. In order to entitle the City to exercise any remedy reserved to it, it shall not be necessary to give notice, other than the Formal Notice.

9.4 EMERGENCY. Notwithstanding the requirement contained in Section 9.1 hereof relating to Formal Notice to the Owner in case of a Owner Default and notwithstanding the requirement contained in Section 9.1 hereof relating to giving the Owner a ten (10) business day period to cure the Owner Default, in the event of an emergency as determined by the Director of PWD, resulting from the Owner Default, the City may perform the work or improvement to be performed by the Owner without giving any notice or Formal Notice to the Owner and without giving the Owner the ten (10) day period to cure the Owner Default. In such case, the Owner shall within thirty (30) days after written billing by the City reimburse the City for any and all costs incurred by the City.

ARTICLE 10 **ESCROW DEPOSIT**

10.1 ESCROW REQUIREMENT. Contemporaneously herewith, the Owner shall deposit with the City an irrevocable letter of credit or cash deposit for the amount of \$5,000.

The bank and form of the irrevocable letter of credit or cash deposit shall be subject to approval by the City Finance Director and City Attorney and shall continue to be in full force and effect until released by the CITY. The irrevocable letter of credit shall be for a term ending December 31, 2017. In the alternative, the letter of credit may be for a one year term provided it is automatically renewable for successive one year periods from the present or any future expiration dates with a final expiration date of December 31, 2017, and further provided that the irrevocable letter of credit states that at least sixty (60) days prior to the expiration date the bank will notify the City that if the bank elects not to renew for an additional period. The irrevocable letter of credit shall secure compliance by the Owner with the terms of this Custom Grading Agreement. The City may draw down on the irrevocable letter of credit or cash deposit, without any further notice than that provided in Section 9.1 relating to an Owner Default, for any of the following reasons:

- a.) a Owner Default; or
- b.) upon the City receiving notice that the irrevocable letter of credit will be allowed to lapse before December 31, 2017.

The City shall use the escrow proceeds to reimburse the City for its costs and to cause the Improvements to be constructed to the extent practicable; after the Director of PWD determines that such Improvements have been constructed and after retaining 10% of the proceeds for later distribution pursuant to Section 10.2, the remaining proceeds shall be distributed to Owner.

With City approval, the irrevocable letter of credit or cash deposit may be reduced pursuant to Section 10.2 from time to time as financial obligations are paid.

10.2 ESCROW RELEASE AND ESCROW INCREASE.

Periodically, upon the Owner's written request and upon completion by the Owner and acceptance by the City of any specific Improvements, eighty percent (80%) of that portion of the irrevocable letter of credit, or cash deposit covering those specific completed improvements only shall be released. The final twenty percent (20%) of that portion of the irrevocable letter of credit, or cash deposit, for those specific completed improvements shall be held until acceptance by the City and expiration of the warranty period under Section 1.17 hereof; in the alternative, the Owner may post a bond satisfactory to the City with respect to the final twenty percent (20%).

10.3 ENGINEERING ESCROW AMOUNT. In addition to the Escrow Amount, the Owner shall also deposit \$2,500.00 in cash with the City (hereafter "Engineering Escrow Amount") contemporaneously with execution of this Agreement.

The Engineering Escrow Amount shall be used to pay the City for engineering review and inspection expenses, attorney's fees, consultant fees, erosion and sediment control expenses, staff review time associated with coordination, review, design, preparation and inspection of the Development Plans, the Improvements, and this Agreement and other associated City costs. Fees will be calculated at the City's standard rates charged for such tasks.

The Engineering Escrow Amount shall also be available to the City to pay for deficiencies and problems related to grading, drainage and erosion control on the Property in the event such problems and deficiencies arise. The City may also use the Engineering Escrow Amount to correct any such deficiencies or problems or to protect against further deficiencies or problems.

The City shall return to the Owner any remaining Engineering Escrow Amount when the Improvements are complete to the satisfaction of the City.

To the extent the engineering inspection charges or the amount needed to correct the deficiencies and problems relating to grading, drainage, erosion control, exceed the initially deposited \$2,500.00 Engineering Escrow Amount, the Owner is responsible for payment of such excess within thirty (30) days after billing by the City.

ARTICLE 11
MISCELLANEOUS

11.1 CITY'S DUTIES. The terms of this Custom Grading Agreement shall not be considered an affirmative duty upon the City to complete any Improvements.

11.2 NO THIRD PARTY RECOURSE. Third parties shall have no recourse against the City under this Custom Grading Agreement.

11.3 VALIDITY. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Custom Grading Agreement is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Custom Grading Agreement.

11.4 RECORDING. Within 30 days from the date of this Custom Grading Agreement, the Custom Grading Agreement shall be recorded by the Owner with the County Recorder and the Owner shall provide and execute any and all documents necessary to implement the recording.

11.5 BINDING AGREEMENT. The parties mutually recognize and agree that all terms and conditions of this recordable Custom Grading Agreement shall run with the land and shall be binding upon the heirs, successors, administrators and assigns of the Owner.

11.6 ASSIGNMENT. The Owner may not assign this Custom Grading Agreement without the written permission of the Council. The Owner's obligations hereunder shall continue in full force and effect, even if the Owner sells the Property.

11.7 AMENDMENT AND WAIVER. The parties hereto may by mutual written agreement amend this Custom Grading Agreement in any respect. Any party hereto may extend the time for the performance of any of the obligations of another, waive any inaccuracies in representations by another contained in this Custom Grading Agreement or in any document delivered pursuant hereto which inaccuracies would otherwise constitute a breach of this Custom Grading Agreement, waive compliance by another with any of the covenants contained in this Custom Grading Agreement, waive performance of any obligations by the other or waive the fulfillment of any condition that is precedent to the performance by the party so waiving of any of its obligations under this Custom Grading Agreement. Any agreement on the part of any party for any such amendment, extension or waiver must be in writing. No waiver of any of the provisions of this Custom Grading Agreement shall be deemed, or shall constitute, a waiver of any other provisions, whether or not similar, nor shall any waiver constitute a continuing waiver.

11.8 GOVERNING LAW. This Custom Grading Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota.

11.9 COUNTERPARTS. This Custom Grading Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

11.10 HEADINGS. The subject headings of the paragraphs and subparagraphs of this Custom Grading Agreement are included for purposes of convenience only, and shall not affect the construction of interpretation of any of its provisions.

11.11 INCONSISTENCY. If the Development Plans are inconsistent with the words of this Custom Grading Agreement or if the obligation imposed hereunder upon the Owner are inconsistent, then that provision or term which imposes a greater and more demanding obligation on the Owner shall prevail.

11.12 ACCESS. The Owner hereby grants to the City, its agents, employees, officers, and contractors a license to enter the Property to perform all work and inspections deemed appropriate by the City during the installation of Improvements.

IN WITNESS WHEREOF, the parties have executed this Custom Grading Agreement.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Michelle Tesser, City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this 25th day of July, 2016, before me a Notary Public within and for said County, personally appeared George Tourville and Michelle Tesser to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in 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

OWNER:

James R. Thielen

Sandra M. Thielen

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

The foregoing instrument was acknowledged before me this _____ day of July, 2016, by James R. Thielen and Sandra M. Thielen, husband and wife, to me personally known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

THIS INSTRUMENT DRAFTED BY:
Timothy J. Kuntz
LeVander, Gillen, & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831

**AFTER RECORDING, PLEASE
RETURN DOCUMENT TO:**
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831

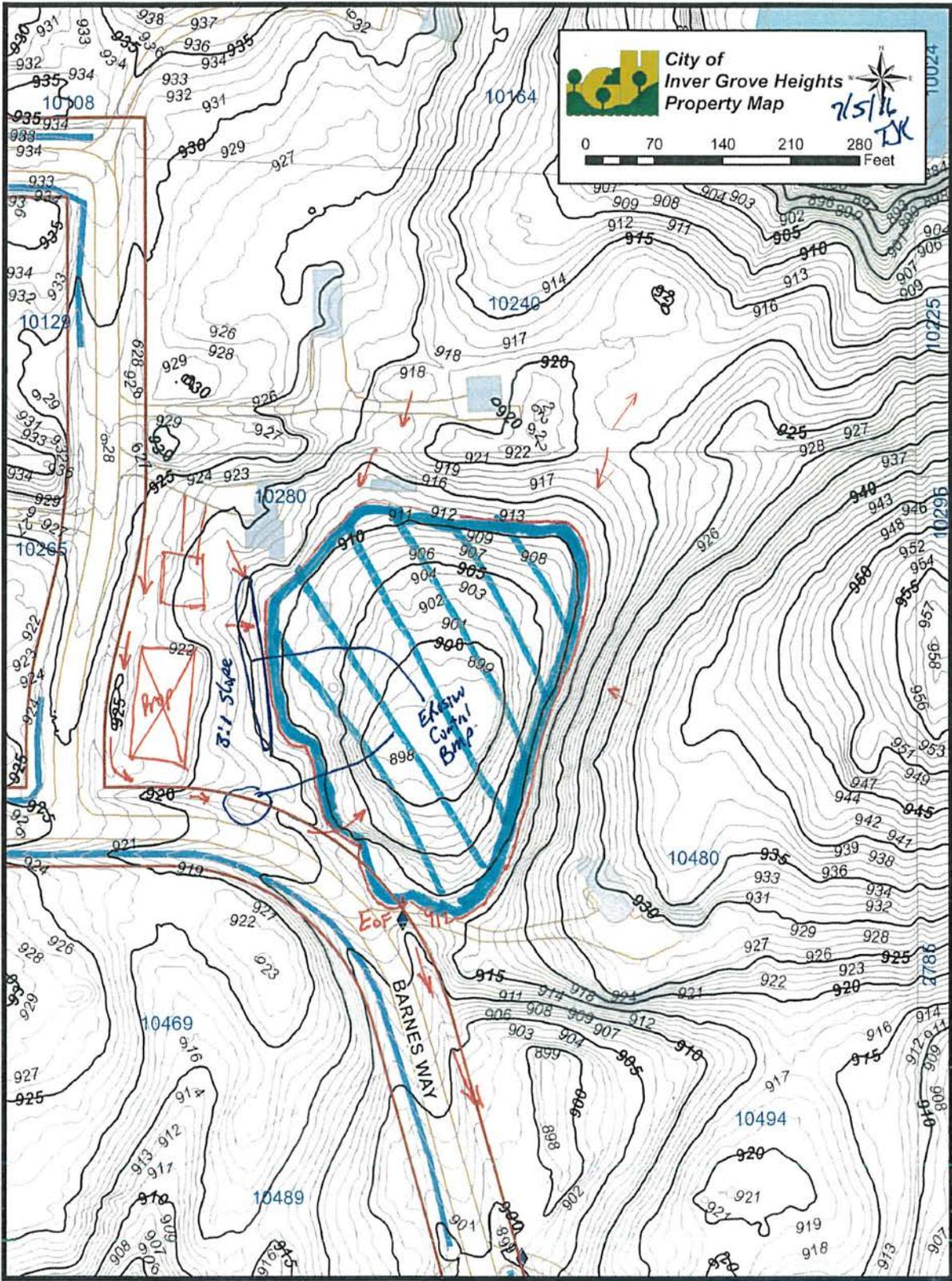
EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Real property in the City of Inver Grove Heights, County of Dakota, State of Minnesota legally described as follows:

Lot 1, Block 2, Woodland Estates, according to the recorded plat thereof, Dakota County, Minnesota.

APPENDIX 1
LIST OF DEVELOPMENT PLANS

<u>PLAN</u>	<u>DATE OF PLAN PREPARATION</u>	<u>PREPARED BY</u>
Grading Plan	July 5, 2016	City Engineer Tom Kaldunski



APPENDIX 2
IMPROVEMENTS

The items checked with an "X" below are the Improvements.

<u>CHECKED</u>	<u>COMPLETION DATE</u>	<u>IMPROVEMENT</u>
<u>X</u>	10-15-16	grading, drainage, and sediment & erosion control
<u>X</u>	11-15-16	As-built

PERMANENT DRAINAGE AND STORMWATER PONDING EASEMENT
FOR LOT 1, BLOCK 2, WOODLAND ESTATES
DAKOTA COUNTY, MINNESOTA

THIS PERMANENT DRAINAGE AND STORMWATER PONDING EASEMENT (Easement) is made, granted and conveyed this 25th day of July, 2016, between James R. Thielen and Sandra M. Thielen, husband and wife (hereinafter referred to as “Landowner”) and the City of Inver Grove Heights, a municipal corporation organized under the laws of the State of Minnesota (hereinafter referred to as the “City”).

The Landowner owns the real property situated within Dakota County, Minnesota as described on the attached **Exhibit A (hereinafter “Landowner’s Property”)**.

The Landowner, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey unto the City, its successors and assigns, the following:

A permanent easement for drainage and stormwater facilities and stormwater ponding purposes and all such purposes ancillary, incident or related thereto (hereinafter “**Permanent Easement**”) under, over, across, through and upon that real property legally described and depicted on **Exhibit B** (hereinafter the “**Permanent Easement Area**”) attached hereto and incorporated herein by reference.

The Permanent Easement rights granted herein are forever and shall include, but not be limited to, the construction, maintenance, repair and replacement of any storm water facilities, storm water ponds, drainage facilities, culverts, conduits and all facilities and improvements ancillary, incident or related thereto, under, over, across, through and upon the Permanent Easement Area.

The Permanent Easement rights further include, but are not limited to, the right of ingress and egress over the Permanent Easement Area to access the Permanent Easement for the purposes of construction, maintenance, repair and replacement of any storm water facilities, storm water ponds, drainage facilities, conduits, culverts and all facilities and improvements ancillary, incident or related thereto.

EXEMPT FROM STATE DEED TAX

The rights of the City also include the right of the City, its contractors, agents and servants:

- a.) to enter upon the Permanent Easement Area at all reasonable times for the purposes of construction, reconstruction, inspection, repair, replacement, grading, sloping, and restoration relating to the purposes of this Easement; and
- b.) to remove from the Permanent Easement Area trees, brush, herbage, aggregate, undergrowth and other obstructions interfering with the location, construction and maintenance of the storm water facilities and to deposit earthen material in and upon the Permanent Easement Area; and
- d.) to remove or otherwise dispose of all earth or other material excavated from the Permanent Easement Area as the City may deem appropriate.

The City shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Permanent Easement Area or the Landowner's Property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Landowner, themselves or their successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The Landowner, for themselves and their successors and assigns, do hereby warrant to and covenant with the City, its successors and assigns, that they are well seized in fee of the Landowner's Property described on Exhibit A and the Permanent Easement Area described on Exhibit B and that they have good right to grant and convey the Permanent Easement herein to the City.

IN TESTIMONY WHEREOF, the Landowner and the City have caused this Easement to be executed 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 25th day of July, 2016, before me a Notary Public within and for said County, personally appeared George Tourville and Michelle Tesser to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed on behalf of said municipality by authority of its City Council and said City Clerk acknowledged said instrument to be the free act and deed of said municipality.

Notary Public

LANDOWNER

James R. Thielen

Sandra M. Thielen

STATE OF MINNESOTA)
)
COUNTY OF DAKOTA) ss.

The foregoing instrument was acknowledged before me this _____ day of July, 2016, by James R. Thielen and Sandra M. Thielen, husband and wife, to me personally known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Notary Public

This instrument was drafted by:
Timothy J. Kuntz
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

After recording, please return to:
Timothy J. Kuntz
LeVander, Gillen & Miller
633 South Concord Street, Suite 400
South St. Paul, Minnesota 55075
(651)451-1831

EXHIBIT A
LEGAL DESCRIPTION OF LANDOWNER'S PROPERTY

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

Lot 1, Block 2, Woodland Estates, according to the recorded plat thereof, Dakota County, Minnesota.

Abstract Property

EXHIBIT B
LEGAL DESCRIPTION AND DEPICTION OF PERMANENT EASEMENT AREA

A Drainage And Stormwater Ponding Easement For Lot 1, Block 2, Woodland Estates, City Of Inver Grove Heights, County Of Dakota, State Of Minnesota, According To The Recorded Plat Thereof, Described As Follows:

[to be inserted]

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Resolution Approving Joint Powers Agreement with Dakota County for Amana Trail

Meeting Date: July 25, 2016
 Item Type: Consent
 Contact: Scott D. Thureen, Public Works Director
 Prepared by: Scott D. Thureen, 651-450-2572
 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 resolution approving Joint Powers Agreement with Dakota County for Amana Trail.

SUMMARY

As part of City Project No. 2014-11 – Argenta Trail South Project Area Street Improvements, including Amana Trail and 77th Street West (County Project No. 63-25), the City Council adopted Resolution No. 16-106 on June 13, 2016. That resolution revoked the Municipal State Aid designation for Amana Trail and concurred with the County’s plan to add it to the County State Aid Highway (CSAH) system. This step was taken in preparation for the improvement project.

The subject Joint Powers Agreement (JPA) addresses the jurisdictional transfer, from the City to the County, and the maintenance responsibilities for improved Amana Trail (Country State Aid Highway 28). The maintenance, repair and reconstruction responsibilities of the County and the City will follow the policy in the Dakota County Transportation Plan.

I recommend adopting the resolution approving the JPA with Dakota County for Amana Trail.

SDT/kf
 Attachments: Resolution
 JPA

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

**RESOLUTION APPROVING THE JOINT POWERS AGREEMENT FOR MAINTENANCE AND
JURISDICTIONAL TRANSFER OF AMANA TRAIL BETWEEN THE COUNTY OF DAKOTA
AND THE CITY OF INVER GROVE HEIGHTS (DAKOTA COUNTY CONTRACT C0028140)**

RESOLUTION NO. _____

WHEREAS, Dakota County and the City of Inver Grove Heights are partnering on Country Project (CP) 63-25 (City Project No. 2014-11); and

WHEREAS, County Project (CP) 63-25 is the realignment and reconstruction of County State Aid Highway (CSAH) 28/63 (Argenta Trail) to four-lane divided highway from its connection with County Road (CR) 28 (Yankee Doodle Road) to Amana Trail, including the realignment of 77th Street West and the extension of Amana Trail; and

WHEREAS, on October 20, 2015, the County Board designated County Road (CR) 28 (Yankee Doodle Road/Argenta Trail) from Trunk Highway (TH) 149 to TH 55 as CSAH 28; and

WHEREAS, on December 15, 2015, the County Board designated CR 28 (80th Street East) from TH 3 to CSAH 73 (Babcock Trail) as CSAH 28; and

WHEREAS, the City of Inver Grove Heights passed a resolution to revoke MSAS Street status and to concur with CSAH designation at their City Council meeting on June 13, 2016; and

WHEREAS, as part of CP 63-25, Amana Trail will be constructed to CSAH standards to support a county highway function and allow for CSAH designation; and

WHEREAS, a Joint Powers Agreement has been prepared to address the jurisdictional transfer of Amana Trail from the City of Inver Grove Heights to Dakota County, and to define the maintenance responsibilities.

NOW, THEREFORE, BE IT RESOLVED, the Joint Powers Agreement for Maintenance and Jurisdictional Transfer of Amana Trail Between the County of Dakota and the City of Inver Grove Heights (Dakota County Contract C0028140) is hereby approved.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Michelle Tesser, Deputy Clerk

JOINT POWERS AGREEMENT

FOR

MAINTENANCE AND JURISDICTIONAL TRANSFER

OF AMANA TRAIL

BETWEEN

THE COUNTY OF DAKOTA

AND

THE CITY OF INVER GROVE HEIGHTS

SYNOPSIS: Agreement between Dakota County and the City of Inver Grove Heights regarding jurisdictional transfer, county state-aid designation and maintenance of Amana Trail from County State Aid Highway (CSAH) 28/63 (Argenta Trail) to Trunk Highway (TH) 3 from the City of Inver Grove Heights to Dakota County.

THIS AGREEMENT, made and entered into by and between the County of Dakota, referred to in this Agreement as "the County"; and the City of Inver Grove Heights, referred to in this Agreement as "the City".

WHEREAS, under Minnesota Statutes Section 162.17, subdivision 1 and 471.59, subdivision 1, two or more governmental units may enter into an Agreement to cooperatively exercise any power common to the contracting parties, and one of the participating governmental units may exercise one of its powers on behalf of the other governmental units; and

WHEREAS, it is considered mutually desirable to transfer jurisdiction of the following road segment to Dakota County, and for the County to designate this segment as a county state-aid highway:

that portion of Amana Trail in the City of Inver Grove Heights beginning at the intersection of Argenta Trail and Amana Trail in Section 7, T27N, R22W, thence easterly along Amana Trail to the intersection of Amana Trail and Trunk Highway 3 (South Robert Trail) and there terminating in Section 7, T27N, R22W in Inver Grove Heights

(the segment is hereinafter referred to as "Future CSAH 28 Segment"); and

WHEREAS, Minn. Stat. Section 162.09, Subd. 9, authorizes a city council to revoke municipal state aid status by resolution of the city council and upon approval of the Minnesota Commissioner of Transportation; and

WHEREAS, the Inver Grove Heights City Council has revoked municipal state aid status on the Future CSAH 28 Segment; and

WHEREAS, Minn. Stat. Section 162.02, Subd. 7 and 8 permits a county board to establish a county state-aid highway upon any established road with the approval of the governing city; and

WHEREAS, Minn. Stat. Section 162.02, Subd. 12 requires any former municipal state-aid street included in the county state-aid system be adopted as a county highway under Minn. Stat. Section 163.11, Subd. 1-3; and

WHEREAS, the County intends to designate county state-aid highway status on the Future CSAH 28 Segment and to including it in its county highway system; and

WHEREAS, the County and City desire to define the responsibilities and obligations that will result from this road jurisdictional transfer and designation.

NOW, THEREFORE, it is agreed that:

1. Designation. The County shall designate and the City shall consent to county state-aid designation of the Future CSAH 28 Segment.
2. Maintenance Responsibilities. The transfer of jurisdiction to the County and county state-aid designation notwithstanding, the City agrees to be responsible for maintenance of Amana Trail, including, but not be limited to, snow and ice removal, debris removal, signage, pavement markings, boulevard mowing, street sweeping and pavement repairs, through September 30, 2017. Beginning October 1, 2017, the County and City maintenance, repair and reconstruction responsibilities and costs for the Future CSAH 28 Segment shall be controlled by the Dakota County Transportation Plan, as adopted by the Dakota County Board of Commissioners from time to time, and any related agreements may be in effect between the City and County, including the Maintenance Agreement For County Bikeway Trails executed July 13, 1995 and Dakota County Contract No. C0025413 for storm sewer construction and maintenance.

The City and the Argenta Hills Developer executed boulevard maintenance agreements for both the north side (recorded in the Dakota County Recorder's Office as Document No. 2602704) and south side of Amana Trail (recorded in the Dakota County Recorder's Office as Document No. 2602703) (the "Boulevard Maintenance Agreements") by which the Developer agreed to maintain all vegetation, trees, landscaping and irrigation facilities installed in the sections of the right of way described in the Boulevard Maintenance Agreements. The obligations, rights and remedies between the City and the Developer contained in the Boulevard Maintenance Agreements shall remain effective.

3. City Utilities. The City shall be responsible for the maintenance of all sanitary sewer, water mains and appurtenances within the Future CSAH 28 Segment. Further, the City shall be responsible for costs associated with the maintenance and any improvements to all such facilities

as long as they exist within the Future CSAH 28 Segment, including, but not limited to, all pavement maintenance necessitated by a failure of a municipal utility system or installation of new facilities.

4. Subsequent Excavation. Beginning October 1, 2017, if excavation within the highway right of way is necessary to repair or install water, sewer, or other city utilities, the City shall apply for a permit from the County and shall be responsible to restore the excavated area and road surface to its original condition at the time of disturbance. If the City fails to have the highway properly restored, the County Engineer may have the work done and the City shall pay for the work within 30 days following receipt of a written claim by the County.

5. Amendments. Any amendments to this Agreement will be effective only after approval by both governing bodies and execution of a written amendment document by duly authorized officials of each body.

6. Effective Dates. This Agreement will be effective upon execution by duly authorized officials of each governing body and shall continue in effect until all work to be carried out in accordance with this Agreement has been completed. Except for on-going maintenance activities including sidewalk and lighting maintenance, in no event will this Agreement continue in effect after September 30, 2017, unless the parties mutually agree to an extension of this Agreement.

7. Rules and Regulations. The County and the City shall abide by Minnesota Department of Transportation standard specifications, rules and contract administration procedures.

8. Indemnification. The County agrees to defend, indemnify, and hold harmless the City against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement and caused by or resulting from negligent acts or omissions of the County and/or those of County employees or agents. The City agrees to defend, indemnify, and hold harmless the County against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement for which the City is responsible, including future operation and maintenance of facilities owned by the City and caused by or resulting from negligent acts or omissions of the City and/or those of City employees or agents. All Parties to this agreement recognize that liability for any claims arising under this agreement are subject to the provisions of the Minnesota Municipal Tort Claims Law; Minnesota Statutes, Chapter 466. In the event of any claims or actions filed

against either party, nothing in this agreement shall be construed to allow a claimant to obtain separate judgments or separate liability caps from the individual Parties.

9. Employees of Parties. Any and all persons engaged in the work to be performed by the County shall not be considered employees of the City, for any purpose, including Worker's Compensation, and any and all claims that may or might arise out of said employment context on behalf of said employees while so engaged, and any and all claims made by any third party as a consequence of any act or omission on the part of said employees while so engaged on any of the work contemplated herein shall not be the obligation or responsibility of the City. Any and all persons engaged in the work to be performed by the City shall not be considered employees of the County for any purpose, including Worker's Compensation, and any and all claims that may or might arise out of said employment context on behalf of said employee while so engaged. Any and all claims made by any third party as a consequence of any act or omissions of the part of the City's employees while so engaged on any of the work contemplated herein shall not be the obligation or responsibility of the County.

10. Audits. Pursuant to Minnesota Statutes Sec 16 C. 05, Subd. 5, any books, records, documents, and accounting procedures and practices of the County and the City relevant to this Agreement are subject to examination by the County or the City and either the Legislative Auditor or the State Auditor as appropriate. The County and the City agree to maintain these records for a period of six years from the date of performance of all services covered under this Agreement.

11. Integration and Continuing Effect. The entire and integrated agreement of the Parties contained in this Agreement shall supersede all prior negotiations, representations or agreements between the City and the County regarding the Project; whether written or oral. All agreements for future maintenance or cost responsibilities shall survive and continue in full force and effect after completion of the intersection and road construction provided for in this Agreement.

12. Authorized Representatives. The authorized representatives for the purpose of the administration of this Agreement are:

Mark Krebsbach (or successor)
Dakota County Engineer
14955 Galaxie Avenue
Apple Valley, MN. 55124
(952) 891-7100
Mark.krebsbach@co.dakota.mn.us

Scott Thureen (or successor or designee)
Public Works Director
8150 Barbara Avenue
Inver Grove Heights, MN. 55077
(651) 450-2571
sthureen@invergroveheights.org

Contract No. C0028140
CSAH 28 – Amana Trail
July 21, 2016

All notices or communications required or permitted by this Agreement shall be either hand delivered or mailed by certified mail, return receipt requested, to the above addresses. Either party may change its address by written notice to the other party. Mailed notice shall be deemed complete two business days after the date of mailing.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS THEREOF, the Parties have caused this agreement to be executed by their duly authorized officials.

CITY OF INVER GROVE HEIGHTS

RECOMMENDED FOR APPROVAL:

Scott Thureen
Its: Public Works Director

By _____
George Tourville
Its: Mayor

APPROVED AS TO FORM:

Timothy Kuntz
Its: City Attorney

(SEAL)

By _____
Michelle Tesser
Its: City Clerk

Date _____

DAKOTA COUNTY

RECOMMENDED FOR APPROVAL:

Mark Krebsbach
Its: County Engineer

APPROVED AS TO FORM:

Assistant County Attorney

Date _____

By: _____
Steven C. Mielke
Its: Physical Development Director

Date: _____

COUNTY BOARD RESOLUTION

No. 16-_____ Date: August 2, 2016

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: July 25, 2016
Item Type: Consent Agenda
Contact: Joe Lynch, City Administrator
Prepared by: Michelle Calvert, *MC*
City Government Intern
Reviewed by: n/a

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:

Discontinue early Canada Goose Hunting season.

SUMMARY:

Based on the discussion held on July 5, 2016 City Council has expressed their desire to discontinue participation in the early Canada Goose Hunting season. In previous years, Council has allowed Canada Goose hunting to occur during specific dates of the hunting season for the purpose of reducing the resident goose population.

The results of this activity were that migratory birds were harvested, but the resident goose population was not changed. There are other, more effective forms of goose management that have been employed in the past, that do not require the use of firearms.

RECOMMENDATIONS

Staff recommends discontinuing early Canada Goose Hunting within City limits.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: July 25, 2016
Item Type: Consent
Contact: Joe Lynch, City Administrator
Prepared by: Carrie Isaacson, Admin Svc Cord
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/Temporary/Seasonal Employment of: Kristin Stansbury (Fitness/VMCC)

Please confirm the Termination of: Taylor Floyd (Recreation Instructor/Recreation)

Please confirm the Full-Time Employment of: Jeremy Bergman, Patrol Officer

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Formal Response from the City of Inver Grove Heights to City of South St Paul Conditional Use Permit for the South St. Paul Rod and Gun Club Expansion Project

Meeting Date: July 25, 2016
 Item Type: Regular Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by:

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

On behalf of residents living along Concord Blvd., the City Council is asked to consider sending a letter to the City of South St. Paul regarding the South St. Paul Gun Club’s request for a Conditional Use Permit regarding the expansion of their operations.

SUMMARY

Established in 1935, the South St. Paul Rod & Gun Club (SSPRGC) is the only outdoor shooting club in the Twin Cities area located within a city proper. The Club is a member-owned organization. The club’s website says:

“...the Club offers trap, skeet, sporting clays, and 5-Stand.
 The Club is open year-round for your shotgun shooting enjoyment.”

The SSPRGC is planning an expansion of their operation to include a rifle firing range. The club is nearly finished constructing a 25’ tall berm which they plan to use for the rifle range. People using the range will be shooting directly towards Heritage Village Park and the Mississippi River Regional Trail. Staff had the opportunity to tour the facility on Friday, July 15th and have the following observations:

- The Gun Club has hired the engineering firm AECOM who, according to the gun club, are experts in building firing range facilities
- The range is pointed directly at Heritage Village Park/Mississippi River Regional Trail
- They are almost done building a 25’ berm (20’ berm is considered best practice)...the berm has a 3:1 slope where a 1:1 slope is considered a best practice...the berm is designed to abate noise and collect ammunition
- They are installing baffles on the range, these are designed to eliminate any “blue sky” shooting
- They are installing a eyebrow on the end of the range designed to catch any errant ammunition from leaving the site
- They are installing a firing range building designed to eliminate any “blue sky” shooting and help with noise mitigation
- They are installing a eco block wall designed to help with noise mitigation

Generally, the SSPRGC is taking the necessary precautions for safety however that doesn't alleviate the public perception of "guns pointed at the park" and the noise that will be added to the adjacent neighborhood(s). Under MN SS 87A the gun club has to follow best practices established by the National Rifle Association (NRA). The attached letter has been drafted if the Council desires to recommend a list of conditions from a City perspective for the South St. Paul City Council to consider adding to the CUP.

You may recall that in August 2009, the City and Gun Club entered into a Lateral Support Agreement Related to the Properties Owned by the SSPRGC and the City (HVP). The agreement was established because the County was building the Mississippi River Regional Trail at the time and we all wanted to put the berm in place to help provide some separation between the Gun Club/Park, and Trail. The berm was built on both City property and Gun Club property. The berm is 8' tall and has 2:1 slopes...based on what has been learned in the last few days we should have built a berm that is 12' tall with a 4' flat top and 1:1 slopes.

Draft Letter to
South St. Paul City Council



City of Inver Grove Heights
Parks and Recreation Department
"Discover the Opportunities"

8055 Barbara Avenue • Inver Grove Heights, MN 55077 • Phone: 651-450-2585 • Fax: 651-450-2490 • www.invergroveheights.org

BY EMAIL ONLY

July 26, 2016

City of South St. Paul
Attn: Mayor Beth Baumann
125 Third Ave N
South St. Paul MN 55075

Subject: South St. Paul Rod & Gun Club Conditional Use Permit

Honorable Mayor Baumann:

I appreciate you giving the City of Inver Grove Heights an opportunity to comment on the Conditional Use Permit and Site Plan Review for the South St. Paul Rod & Gun Club (SSPRGC) that will be considered by the City Council on Monday, August 1, 2016. As you are aware, the Gun Club has noise impacts to residents in the area that live in both Inver Grove Heights and South St. Paul. Additionally, the SSPRGC operations potentially impact two public facilities in the area: Heritage Village Park, owned by the City of Inver Grove Heights, and the Mississippi River Regional Trail, owned by Dakota County.

Under Minnesota State Statute 87A, the SSPRGC operations are required to follow "best practices" established by the National Rifle Association's Range Source Book: A Guide to Planning and Construction. We kindly request that the South St. Paul City Council ensure that all of the necessary "best practices" are being followed and enforced.

Specifically, we request you consider that the following conditions are placed on the Conditional Use Permit and that they are in place and functioning properly before the range is allowed to be opened for use:

- We understand that a 25' berm is being constructed to help mitigate noise and to control ammunition from leaving the site. It is our understanding that the current berm being built has a 3:1 slope where a 1:1 slope is considered a best practice. Please require a 1:1 slope as a condition of approval.
- For public safety purposes, please require that any and all firing of rifles and shot guns are pointed away from Heritage Village Park and the Mississippi River Regional Trail as the public uses both the trail and park for recreational enjoyment and shouldn't have to be subject to stray ammunition leaving the site
- For public safety purposes, please require that there shall be no shooting of automatic or semi-automatic rifles at any time
- For public safety purposes, please require that the seven (7) proposed baffles are installed and function properly as proposed on the plan
- For public safety purposes, please require that the eye brown, designed to catch ammunition, be installed on the end of the range and functioning properly as proposed on the plan

- Please require that the eco block wall be constructed to provide the maximum amount of sound absorption possible and functions properly as proposed on the plan
- Please require that the rifle shed be constructed to provide the maximum amount of sound absorption possible and functions properly as proposed on the plan
- Please require that the SSPRGC perform an independent noise evaluation conducted by a qualified engineering firm to ensure the site is in compliance with MN SS 87A.05 related to noise standards and require that the range cannot be used unless they are in compliance

We hope you will give consideration to our request so that the public that lives in the area, that uses the park and trail, and those that use the gun club are doing it as safely and responsibly as possible. Should you have any questions, please feel free to call me at 651.450.2507 or via email at gtourville@invergroveheights.org.

Sincerely,

George Tourville
Mayor
City of Inver Grove Heights

CC Inver Grove Heights City Council
Inver Grove Heights Parks & Recreation Commission
Joe Lynch – City Administrator
Steve Sullivan – Dakota County Parks

Minnesota State Statute 87A

2015 Minnesota Statutes

[Authenticate](#)

CHAPTER 87A. SHOOTING RANGES

Section	Headnote
87A.001	<i>MS 2006 [Renumbered 15.001]</i>
87A.01	DEFINITIONS.
87A.02	SHOOTING RANGE PERFORMANCE STANDARDS; BEST PRACTICES.
87A.03	COMPLIANT RANGES; AUTHORIZED ACTIVITIES.
87A.04	MITIGATION AREA.
87A.05	NOISE STANDARDS.
87A.06	NUISANCE ACTIONS; COMPLIANCE WITH SHOOTING RANGE PERFORMANCE STANDARDS.
87A.07	CLOSURE OF SHOOTING RANGES.
87A.08	APPLICABILITY OF OTHER LAWS.
87A.09	PUBLIC SHOOTING RANGES; ACCESSIBILITY.
87A.10	SHOOTING SPORTS FACILITY GRANTS.

87A.001 MS 2006 [Renumbered [15.001](#)]

87A.01 DEFINITIONS.

Subdivision 1. **Applicability.** The definitions in this section apply to sections [87A.01](#) to [87A.08](#).

Subd. 2. **Person.** "Person" means an individual, association, proprietorship, partnership, corporation, club, political subdivision, or other legal entity.

Subd. 3. **Shooting range or range.** "Shooting range" or "range" means an area or facility designated or operated primarily for the use of firearms, as defined in section [97A.015, subdivision 19](#), or archery, and includes shooting preserves as described in section [97A.115](#) or any other Minnesota law.

Subd. 4. **Shooting range performance standards.** "Shooting range performance standards" means the best practices for shooting range performance standards identified in section [87A.02](#).

Subd. 5. **Local unit of government.** "Local unit of government" means a home rule charter or statutory city, county, town, or other political subdivision.

History: [2005 c 105 s 1](#); [2012 c 277 art 1 s 16](#)

87A.02 SHOOTING RANGE PERFORMANCE STANDARDS; BEST PRACTICES.

Subdivision 1. [Repealed, [2012 c 277 art 1 s 91](#)]

Subd. 2. **Best practices.** For purposes of this chapter, the November 1999 revised edition of the [National Rifle Association's Range Source Book: A Guide to Planning and Construction](#) shall serve as best practices for shooting range performance standards.

History: [2005 c 105 s 2](#); [2012 c 277 art 1 s 17](#)

87A.03 COMPLIANT RANGES; AUTHORIZED ACTIVITIES.

Subdivision 1. **Authorized activities.** A shooting range that operates in compliance with the shooting range performance standards must be permitted to do all of the following within its geographic boundaries, under the same or different ownership or occupancy, if done in accordance with shooting range performance standards:

- (1) operate the range and conduct activities involving the discharge of firearms;

- (2) expand or increase its membership or opportunities for public participation related to the primary activity as a shooting range;
- (3) make those repairs or improvements desirable to meet or exceed requirements of shooting range performance standards;
- (4) increase events and activities related to the primary activity as a shooting range;
- (5) conduct shooting activities and discharge firearms daily between 7:00 a.m. and 10:00 p.m. A local unit of government with zoning jurisdiction over a shooting range may extend the hours of operation by the issuance of a special or conditional use permit; and
- (6) acquire additional lands to be used for buffer zones or noise mitigation efforts or to otherwise comply with this chapter.

Subd. 2. **Nonconforming use.** A shooting range that is a nonconforming use shall be allowed to conduct additional shooting activities within the range's lawful property boundaries as of the date the range became a nonconforming use, provided the shooting range remains in compliance with noise and shooting range performance standards under this chapter.

Subd. 3. **Compliance with other law.** Nothing in this section exempts any newly constructed or remodeled building on a shooting range from compliance with fire safety, disability accessibility, elevator safety, bleacher safety, or other provisions of the State Building Code that have mandatory statewide application.

History: 2005 c 56 s 1; 2005 c 105 s 3

87A.04 MITIGATION AREA.

(a) Except for those uses, developments, and structures in existence or for which approval has been granted by October 1, 2005, or as provided in paragraph (b), no change in use, new development, or construction of a structure shall be approved for any portion of property within 750 feet of the perimeter property line of an outdoor shooting range if the change in use, development, or construction would cause an outdoor shooting range in compliance with this chapter to become out of compliance.

(b) A change in use, new development, or construction of a structure subject to this section may be approved if the person seeking the approval or, at the discretion of the governing body, the approving authority agrees to provide any mitigation required to keep the range in compliance with this chapter. The person requesting an approval subject to this section is responsible for providing documentation if no mitigation is required under this section. Failure to provide the documentation or any mitigation required under this section exempts the range from being found out of compliance with the shooting range performance and noise standards of this chapter with regard to the property responsible for the mitigation if the failure to provide the documentation or required mitigation is the sole basis for the range being out of compliance with the shooting range performance standards. Any action brought by the owner of the property against the range is subject to section 87A.06. With the permission of the range operator, any mitigation required under this section may be provided on the range property.

History: 2005 c 105 s 4

87A.05 NOISE STANDARDS.

Allowable noise levels for the operation of a shooting range are the levels determined by replacing the steady state noise L10 and L50 state standards for each period of time within each noise area's classification with a single Leq(h) standard for impulsive noise that is two dBA lower than that of the L10 level for steady state noise. The noise level shall be measured outside of the range property at the location of the receiver's activity according to Minnesota Rules, parts 7030.0010 to 7030.0080, as in effect on May 28, 2005. For purposes of this section, "Leq(h)" means the energy level that is equivalent to a

steady state level that contains the same amount of sound energy as the time varying sound level for a 60-minute time period.

History: 2005 c 105 s 5

87A.06 NUISANCE ACTIONS; COMPLIANCE WITH SHOOTING RANGE PERFORMANCE STANDARDS.

A person who owns, operates, or uses a shooting range in this state that is in compliance with shooting range performance standards is not subject to any nuisance action for damages or equitable relief based on noise or other matters regulated by the shooting range performance standards. This section does not prohibit other actions.

History: 2005 c 105 s 6

87A.07 CLOSURE OF SHOOTING RANGES.

Subdivision 1. **Closure.** Except as otherwise provided in sections 87A.01 to 87A.08, a shooting range that is in compliance with shooting range performance standards and the requirements of sections 87A.01 to 87A.08 shall not be forced to permanently close or permanently cease any activity related to the primary use of the shooting range unless the range or activity is found to be a clear and immediate safety hazard by a court of competent jurisdiction. In any action brought to compel the permanent closure of any range in compliance with shooting range performance standards and this chapter, or to permanently cease any activity related to the primary use of the shooting range, there is a rebuttable presumption that the range or activity is not a clear and immediate safety hazard. If the shooting range provides evidence that the cause of a proven safety hazard can be mitigated so as to eliminate the safety hazard, the court shall not order the permanent closure of the range, or permanent ceasing of the activity found to be a clear and immediate safety hazard, unless the range operator fails to implement the necessary mitigation to remove the safety hazard by the date that is determined reasonable by the court.

Subd. 2. **Preliminary injunctions.** Nothing in this section prohibits a court from granting a preliminary injunction against any activity determined to be a probable clear and immediate safety hazard, or against any individual determined to be the probable cause of an alleged clear and immediate safety hazard, pending the final determination of the existence of the safety hazard.

Subd. 3. **Permanent injunctions.** A court may grant a permanent injunction only against a particular activity or person instead of permanently closing the range unless the court finds that the remaining operations also pose a safety hazard under this section.

History: 2005 c 105 s 7

87A.08 APPLICABILITY OF OTHER LAWS.

Subdivision 1. **Public safety laws; zoning.** (a) Nothing in this chapter prohibits enforcement of any federal law. To the extent consistent with this chapter, other state laws regarding the health, safety, and welfare of the public may be enforced. To the extent consistent with this chapter, a local unit of government with zoning authority jurisdiction over a shooting range may enforce its applicable ordinances and permits. Nothing in this chapter shall supersede more restrictive regulation of days and hours of operation imposed by the terms and conditions of ordinances and permits that are in effect on May 28, 2005.

(b) If the operator of the shooting range shows evidence that the range can be brought into compliance with the applicable state law, local ordinance, or permit, the range may not be permanently closed unless the range operator fails to bring the range into compliance with the applicable law, ordinance, or permit under this section by the date that the court determines reasonable. Nothing in this section prohibits a court from granting a preliminary injunction against any activity determined to be a violation of a law, ordinance, or permit under this section or against any individual determined to be causing

an alleged violation, pending the final determination of the existence of the violation.

Subd. 2. **Permanent injunctions.** A court may grant a permanent injunction only against a particular activity or person instead of permanently closing the range unless the court finds that the remaining operations also create a violation under this section.

History: 2005 c 105 s 8

87A.09 PUBLIC SHOOTING RANGES; ACCESSIBILITY.

(a) A publicly owned or managed shooting range located in the seven-county metropolitan area that is funded in whole or part with public funds must be available at least twice during the spring and twice during the summer for use by participants in a Minnesota Department of Natural Resources firearms safety instruction course under section 97B.015. The shooting range must be available during hours reasonable for youth participants. The range operator may charge a fee to cover any costs directly incurred from use required under this section, but may not charge a fee to offset costs for general maintenance and operation of the facility.

(b) This section does not apply to cities of the first class or a shooting range located on the same premises as a correctional or detention facility that holds or incarcerates offenders.

History: 2012 c 277 art 1 s 18

87A.10 SHOOTING SPORTS FACILITY GRANTS.

The commissioner of natural resources shall administer a program to provide cost-share grants to local recreational shooting clubs or local units of government for up to 50 percent of the costs of developing or rehabilitating shooting sports facilities for public use. A facility rehabilitated or developed with a grant under this section must be open to the general public at reasonable times and for a reasonable fee on a walk-in basis. The commissioner shall give preference to projects that will provide the most opportunities for youth.

History: 2014 c 290 s 13; 2014 c 312 art 13 s 18; 1Sp2015 c 4 art 4 s 40

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City of South St. Paul Planning Commission Packet Information

Chair:
John Ross
Vice-Chair:
Ryan Briese
Commissioners:
Tim Felton
Justin Humenik
Ruth Krueger
Jason Pacht
Stephanie Yendell



**City of South St. Paul
Planning Commission Agenda**

REVISED
Wednesday, July 6, 2016
7:00 p.m.

City of South St. Paul
125 Third Avenue North
South St. Paul, MN 55075
Phone: (651) 554-3217
Fax: (651) 554-3211
www.southstpaul.org

Hearing assistance PA system is available – if you need a hearing assistance unit please notify City staff before the meeting.
(If you use the hearing assistance PA system, please remove your hearing aid so it does not cause a feedback problem)

Roll Call

1. Agenda

2. Minutes

A. June 1, 2016

3. New Business

A. (none)

4. Public Hearings

- A. South St. Paul Rod & Gun Club (600 Gun Club Road): Consider a Conditional Use Permit and Site Plan Review for a proposed firing shed for a proposed pistol and rifle range at their facility.
- B. Zoning Code Amendment: Amending Section 118-121 of the Zoning Code to allow up to two accessory structures to include one garage and one accessory structure.
- C. Comprehensive Plan Amendment: ~~Changing the Future Land Use designation of a property from Open Space to Industrial –~~ (moved to the August 3, 2016 Planning Commission meeting).
- D. Zoning Amendment: ~~Amendment to the North Riverfront Development District that would allow exterior storage as an Interim Use. –~~ (moved to the August 3, 2016 Planning Commission meeting).

5. Other Business

A. Updates

6. Adjournment

Next Planning Commission Meeting: August 3, 2016

This meeting is being taped by Town Square Television (NDC4): phone: 651-451-7834 web: www.townsquare.tv
Replays can be viewed on Government Channel 19 on the Thursday following the meeting at 1:00 p.m. & 7:00 p.m.

Planning Commission Meeting Date: Wednesday, July 6, 2016		City of South St. Paul Planning Commission Report	PC Agenda Item: 4.A
-------------------------------------------------------------------------	-----------------------------------------------------------------------------------	--------------------------------------------------------------	-----------------------------------

Project Name:	SSP Rod and Gun Club – Rifle Range Firing Shed CUP		
Site Address:	600 Gun Club Road	PIDs:	(multiple)
Applicant(s):	SSP Rod and Gun Club		
Request:	Consider the request for a Conditional Use Permit for an accessory building (shooting enclosure) for a proposed rifle and pistol range and associated site plans		
Proceeding:	Public Hearing / Planning Commission Recommendation		
Tentative City Council Meeting Date:	July 25, 2016		
Deadline:	August 2, 2016* <small>*The City must act on this request by this 60-day review period deadline unless the city provides the applicant with written reasons for why additional time, up to a maximum of 120 days, is required. The City may extend the review period beyond the 120 days but only with the applicant's consent.</small>		
Exhibits:	A. Location map, previous approvals B. Correspondence from neighboring property owners - (none) C. Materials submitted by the applicant		

Surrounding Area			
Direction	Future Land Use Plan	Zoning	Existing Land Use
North	Medium Performance Industrial	I: Industrial	(I) Dakota Bulk Terminal
South	Medium Performance Industrial	I: Industrial / P: Public/Institutional	(I) Gun Club / <i>Park (IGH)</i>
East	Mississippi River	N/A (Mississippi River)	Mississippi River
West	Railroad / Mixed-Use (<i>on Concord St.</i>)	Railroad / General Business	Railroad / Mostly residential / some commercial
Subject Property Site Data			
Future Land Use Plan	Medium Performance Industrial		
Existing Land Use	Industrial – Gun Club		
Zoning	I: Industrial		
Property Size	81.02 acres (3,529,231 square feet)		

Topography	Varies (generally low – floodplain area)
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ZONING SUMMARY:

Other Zoning Considerations	
Floodplain	Yes
Shoreland	Yes
MNRRRA	Yes
Utility easements	No

BACKGROUND

The South St. Paul Rod and Gun Club (Gun Club) is located at the southeastern corner of the City and up against the western side of the Mississippi River. The Gun Club was approved for a CUP for a temporary levee in 2002, a 2010 CUP was approved to amend the 2002 approval and establish a permanent barrier against flooding and with a more gradual slope to make the sides of the berm easier to maintain. Another CUP approval in 2012 included berms with a 3:1 slope and a top height of 710 feet above sea level and with berms along the southern portion of the site separating shooting areas with 2:1 slopes and a top height of 720 feet above sea level. In 2015 the Gun Club received CUP approval to amend a section of the berms inside of the previously approved berms to allow heights of up to 25 feet (725 ASL) and provides separation for a proposed rifle range. The CUP dealt with the issue of the berming as the area proposed for the range was already within the Gun Club property and was already used for shooting. At the time the proposal contemplated firing through culvert structures to ensure that everything stayed on site but no building was proposed. However, the Gun Club brought in a semi-trailer to use as a structure for firing from with culverts aligned with the firing stations. This was not what was proposed to the Council and would not have been allowed as a temporary building nor would it meet the architectural standards. The Gun Club has now submitted a plan that would replace the trailer with a permanent building that would be fully enclosed on three sides with only the side with the firing station having the openings. The culverts would be replaced with a different safety design: baffles set at different intervals so that bullets fired from standing or seated positions would not leave the site.

EVALUATION OF THE REQUEST

A. CONDITIONAL USE PERMIT

Following are standards from the City's Zoning Code that apply to specifically to the application.

1. Zoning / Land Use

Accessory structures over 200 s.f., such as the proposed firing shed, require a Conditional Use Permit (CUP). In consideration of the CUP the Planning Commission will also need to make findings that proposed use will not have adverse impacts on adjacent uses or that potential impacts can be mitigated by the addition of conditions. Findings for the Commissions to consider are listed in the following section.

Standards for shooting ranges are outlined Minnesota Statutes Chapter 87A which states that the best practices are to follow the November 1999 revised edition of the National Rifle Associations' Range Source Book: A Guide to Planning and Construction.

2. Conditional Use Permit Findings:

As a Conditional Use the Planning Commission needs to evaluate the proposal and determine that the proposed use will not cause adverse impacts on adjacent properties and the area of the proposed use. Accordingly the Planning Commission will need to make findings as part of the evaluation of the proposed use. The following findings should be made to consider approval of any proposed Conditional Use Permit:

- ✓ *The proposed conditional use conforms to the general purpose and intent of the zoning code.*
- ✓ *The conditional use will not substantially diminish or impair property values within the neighborhood, and in consideration of this question the comparison of the use shall be with respect to uses that are permitted without a Conditional Use Permit in the district which the use is located.*
- ✓ *The conditional use will not impede the normal and orderly development and improvement of property in the neighborhood for uses permitted in the district affected.*
- ✓ *Adequate utilities, access roads, streets, drainage, and other necessary facilities have been provided.*
- ✓ *Adequate measures have been or will be taken to provide ingress and egress in such a manner as to minimize traffic congestion and hazards in the public streets.*

3. Architectural Standards / Building Design

The proposed firing station building is a timber frame building with almost exclusively fiber cement siding. Fiber cement siding is a Class III material in the architectural standards and the standards for the area of the SSP Gun Club allows up to 75% of the exterior material to be Class I, II or III with no more than 25% of the exterior as Class IV or V. The Code also states that Industrial properties that have visibility from public ways or adjacent parcels should have at least 75 of those walls a Class I or II materials but properties with limited public exposure may use combinations of Class II, III, IV or V materials with no more than 10% of the exterior being a Class V material. The proposed building is relatively isolated and will be located behind a berm on three sides so none of the sides is truly visible from public ways or adjacent parcels, therefore the proposed exterior materials would be in line with the architectural standards.

Additionally, while the property is protected by berms it still has potential to be impacted by flooding. Therefore the property should include openings on the lower portion of the building that can help diminish hydrostatic pressure on the structure in the event of a flood.

4. Parking Standards

An ADA parking space is proposed next to the firing shed to accommodate ADA users of the proposed rifle range. No other parking is proposed at the site and would therefore be reliant on parking in the existing SSP Gun Club lot and walking to the site via a paved trail. Staff recommends installing a sign at the beginning point of the paved trail leading back to the rifle range which could advise users that there is only the 1 ADA parking space would be available there and all other parking would need to be in the main lot.

The existing SSP Gun Club site has a large parking area that would appear to have enough parking to accommodate the proposed use. However, if an expansion of the lot were to become necessary then the parking surface would need to be upgraded to an approved paved surface to meet City requirements. In regard to the number of spaces required by Code there is no specific standard for gun clubs but Commercial Recreation would appear to be the most appropriate:

Commercial recreation: one space per each two employees plus one space for each three persons that may be accommodated at any one time based upon maximum design capacity.

5. Correspondence from Neighboring Property Owners

Since approval of the additional height for the berming around the proposed rifle range there have been several questions from the public about the direction of firing and how the SSP Gun Club would be ensuring that bullets do not leave the site. The proposal from last year included adding onto the height of the berms to raise the elevation so that there would be a 25 foot elevation difference from the top of the berm to the firing area. The applicants also stated that people using the range would be firing through culvert structures so that they would only be able to see the berms with "no blue sky" visible from a firing position. The proposed firing shed and baffle system would replace that culvert structure.

Staff also received a letter from the Parks Department of the City of Inver Grove stating that they were not opposed to the expansion of the SSP Gun Club in general but requested that there be no aiming or firing in the direction of the Inver Grove Heights park that is directly south of the Gun Club site or the regional trail that runs west and south of the Gun Club site.

ALTERNATIVES

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

- A. **Approval.** If the Planning Commission has reviewed the application and determined that the application is consistent with the Conditional Use findings (see p.3-4 of this report), then staff would recommend the following conditions for a recommendation for approval:
- (Step 1) Findings: The Planning Commission would need to include findings (see the section above) that the proposed Conditional Use would not have an adverse impact on other properties and the general area or that potential impacts would be mitigated through specific conditions.

- (Step 2) Recommendation for Approval: Approval of the **Conditional Use Permit** to allow an accessory building over 200 s.f. and associated site plans for the rifle range, subject to the following conditions:
 - 1) **Compliance with Plans/Submittals.** The site shall be utilized in substantial conformance, in the reasonable opinion of the City Council, with the application, narratives, and with the following plans on file with the Engineering Department:

a) Application/Narrative (SSP Gun Club / Deeb)	dated 06/03/2016
b) Range and Firing Shed Plans (AECOM)	dated 06/02/2016
 - 2) Prior to opening the rifle/pistol range for shooting, construction of the proposed firing shed, baffles, and other safety measures detailed on the signed plans by AECOM will need to be completed.
 - 3) **Building Permits.** Building permits are required for the proposed improvements. All building plans and specifications are subject to the review and approval of the City Building Official and South Metro Fire Marshal.
 - 4) **Compliance with Laws and Approvals.** The property must remain compliant with all federal, state, and local laws and ordinances and all prior City approvals.
 - 5) **Bring Property into Compliance with City Code.** The following items need to be addressed to bring the property into compliance with City Code.
 - a) *A shooting trailer was installed at the rifle range and was located right behind the culvert structures but was not approved by the City Council and needs to be removed. This structure is also not compliant with the architectural standards required for buildings in that district.*
 - i. *The proposed firing shed and baffle system will replace the culvert structure that was previously proposed and installed. Therefore the culverts that were installed will also need to be removed from the property.*
 - b) *Underground electrical was run to the shooting trailer at the rifle range, this electrical work was done without an electrical permit and needs to be corrected.*
 - c) *There are several large old culvert pipes that are sitting on the ground near the rifle firing shed site. These culverts need to be removed.*
 - d) *The piles of debris, tree limbs/trunks on several piles around the site need to be cleaned up and removed.*
 - e) *There are two storage pod units on the site that were not shown on any approved CUP/site plan. The pods need to be removed or the pods would require a CUP/IUP for this exterior storage on the site.*
 - f) *Another shooting trailer was found on the site, this one for the 5-stand area and also was not part of an approved CUP/site plan and needs to be removed. In order to have a heated shooting building a more permanent structure, like the propose firing shed at the rifle range, will be needed.*

- 6) **Grading Plans Subject to City Engineer's Approval.** All engineered grading plans and specifications are subject to the review and approval of the City Engineer. Any future filling or raising of berms could not have access through wetland areas. Also any future filling would need to be reviewed and approved by the City Engineer and SWCD and MPCA.
- 7) **Structure Compliance with Floodplain Regulations.** The Firing Shed (accessory structure) shall be built to be compliant with Floodplain regulations including features such as adequately anchoring the structure to prevent floatation and shall be designed to equalize hydrostatic flood forces on exterior walls.
- 8) **Applicant is Responsible for Obtaining Approvals from other Agencies as Applicable.** The Applicant is required to secure any required approvals from the State of Minnesota/MPCA, Army Corps of Engineers, and any other applicable governmental and regulatory agencies.
- 9) **Termination of the Conditional Use Permit.** The Conditional Use Permit will terminate if improvements have not substantially begun within 1-year from the date of approval of the Conditional Use Permit. The violation of a condition of approval shall terminate the Conditional Use Permit. The property must be continually operated for use specified in the Conditional Use Permit to remain valid. If the property is not used for the use listed in this Conditional Use Permit for a period of 1-year then the Conditional Use Permit shall terminate.
- 10) **Review of the Conditional Use Permit.** The Conditional Use Permit will be reviewed in approximately 1 year to determine compliance with the Conditional Use Permit.

B. **Denial.** If the Planning Commission does not favor the proposed application or portions thereof, the above requested should be recommended for denial. If the Planning Commission recommends denial, then findings of the basis for denial should be given.

- Recommendation for Denial: Denial of the proposed **Conditional Use Permit** to allow an accessory building over 200 s.f. and associated site plans for the rifle range for the following reasons:

1) _____

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed CUP for the property located at 600 Gun Club Road, subject to the conditions listed in this report.

Respectfully Submitted,

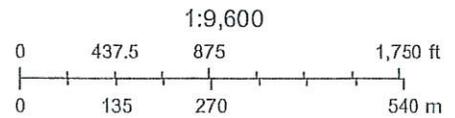
Peter Hellegers

Peter Hellegers, City Planner

SSP Gun Club - Pistol / Rifle Range Area



June 17, 2016



Property Information





City of Inver Grove Heights
Parks and Recreation Department
"Discover the Opportunities"

B₁

8055 Barbara Avenue • Inver Grove Heights, MN 55077 • Phone: 651-450-2585 • Fax: 651-450-2490 • www.invergroveheights.org

June 30, 2016

BY EMAIL ONLY

City of South St. Paul
Attn: City Planner
125 Third Ave N
South St. Paul MN 55075

Subject: South St. Paul Rod and Gun Club Conditional Use Permit

Mr. Peter Hellegers

I appreciate you giving the City of Inver Grove Heights an opportunity to comment on the Conditional Use Permit and Site Plan Review for the South St. Paul Rod and Gun Club that will be reviewed on Wednesday, July 6, 2016.

The property is adjacent to the City of Inver Grove Heights and impacts two public facilities in the area:

- Mississippi River Regional Trail (MRRT) – owned and operated by Dakota County
- Heritage Village Park (HVP) – owned and operated by the City of Inver Grove Heights

The South St. Paul Rod and Gun Club has been a good neighbor and we do not object to their expansion but would request the following condition(s) be placed on the CUP:

- No aiming or shooting of firearms should be in the direction of the MRRT or HVP

Please let me know if you have any questions or concerns by contacting me at 651.450.2587 or via email at ecarlson@invergroveheights.org.

Sincerely,

Eric Carlson
Parks & Recreation Director
City of Inver Grove Heights

CC Mayor and City Council
Inver Grove Heights Park & Recreation Commission
Joe Lynch – City Administrator
Tom Link – Community Development Director
Steve Sullivan – Dakota County Parks
Chris Esser – South St. Paul Parks & Recreation

B₂

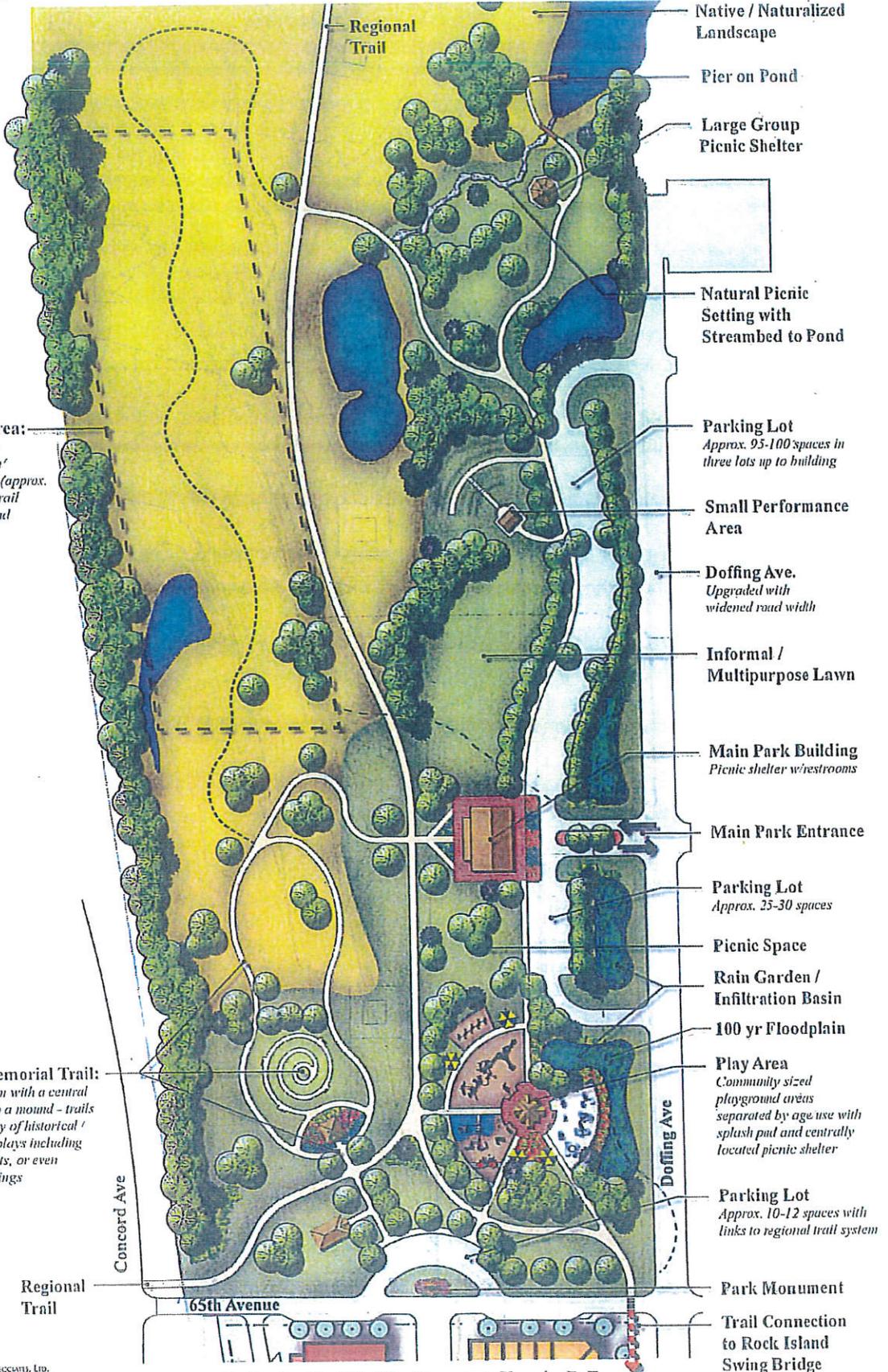


Heritage Village Park ON THE MISSISSIPPI RIVER



Infiltration Area:
Land set aside for stormwater system's infiltration basins (approx. 3 acres) - nature trail could possibly wind through this area

Heritage Memorial Trail:
Trail loop system with a central path rotating up a mound - trails contain a variety of historical / interpretive displays including signage, artifacts, or even historical buildings




Bouie & Associates, Ltd.
P.O. Box 11724 • St. Louis, MO 63111
314-437-1111
Fax: 314-437-2111

MASTER PLAN

6/3/2016

The South St. Paul Rod and Gun Club has been operating since 1935. We currently have 700+ members with an additional 500+ high school trap shooters that participate in shooting leagues. Over the last four years we have worked with the city and received approval to import fill to build and increase the height of our surrounding berms. In July 2015 we were granted a second approval for the importation and regrading of soils to form the space for an outdoor rifle/pistol range. At this time that range is has not been opened. Since that approval we have had Frattalone Companies shape our existing area and as of May 2016 start the importation of additional fill. We have also hired AECOM Engineering to produce a range design which is being submitted at this time.

The provided set of plans show the design of the permanent shooting enclosure, safety baffles, bullet traps, and sand backstops to be installed in the shooting range. The shooting enclosure will have full walls on the north, east and west sides of the building and a partial wall up to the height of the shooting benches on the south side. The shooting tables are to be set back into the building as shown. This accompanied with the finished sides of the building will greatly reduce the noise experienced outside of the range. The baffles are specifically designed such that no bullet can be fired off of the range. As shown no matter the height of which a bullet is fired downrange it will impact the baffles or the berm. Built into the berms are the bullet traps. These insure that when the bullets impact the berm that they are not able to bounce up and over the top of the berm.

The range when it is fully implemented will consist of fifteen 6' wide lanes that can be used by either rifle or pistol shooters. It will be operated seven days a week from 9am to dusk. The range will have at least one full time range officer during hours of operation with them overseeing the maximum of 15 shooters. This expansion will add 8-12 employees to our operation minimally.

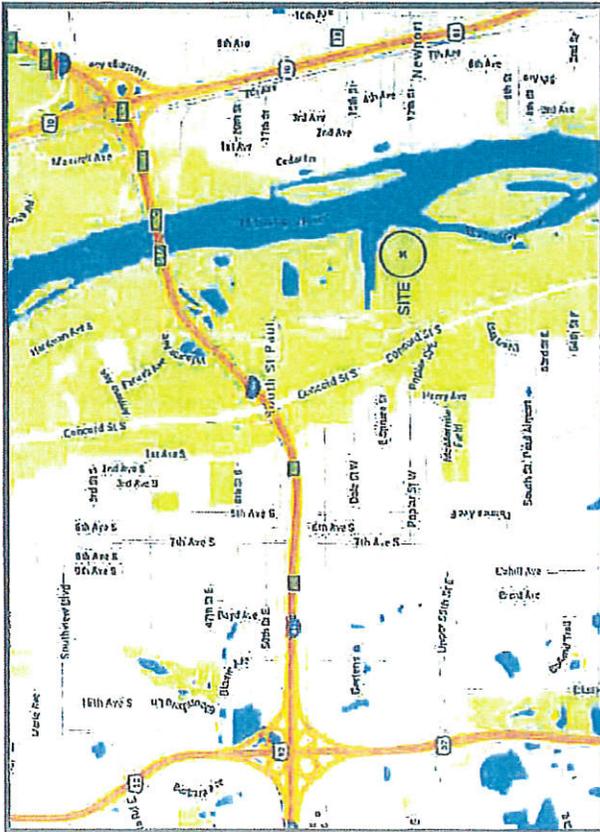
This expansion will help us generate the revenue to continue the process of additional soil importation to further our flood protection and isolate our noise impact on the surrounding properties.

SOUTH SAINT PAUL ROD & GUN CLUB

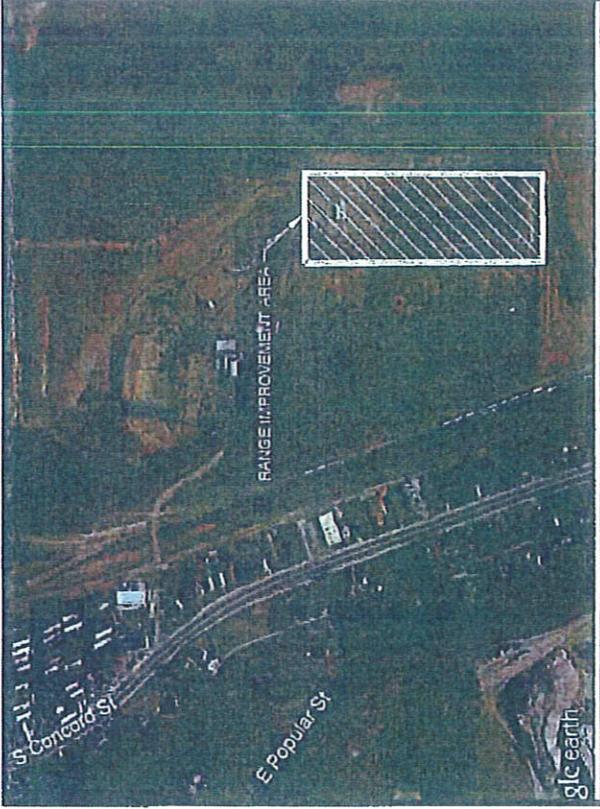
600 GUN CLUB ROAD
SAINT PAUL, MINNESOTA

RANGE IMPROVEMENTS

DRAWING INDEX	
D1	COVER SHEET
D2	DESIGN CRITERIA, GENERAL NOTES AND ABBREVIATIONS
D3	EXISTING SITE PLAN
D4	SITE DEVELOPMENT PLAN
D5	CIVIL AND STRUCTURAL NOTES
D6	FIRING LINE CROSS SECTIONS
D7	FIRING LINE SHED FOUNDATION PLAN
D8	FIRING LINE SHED ROOF FRAMING PLAN
D9	FIRING LINE SHED TYPICAL SECTIONS AND DETAILS
D10	TERRA SECTIONS
D11	ECOLOGICAL BLOCK WALL AND BULLET TRAP SECTIONS AND DETAILS
D12	CONCEPT TRIPLE EYEBROW
D13	CIVIL DETAILS



VICINITY MAP
NTS



SITE PLAN
NTS

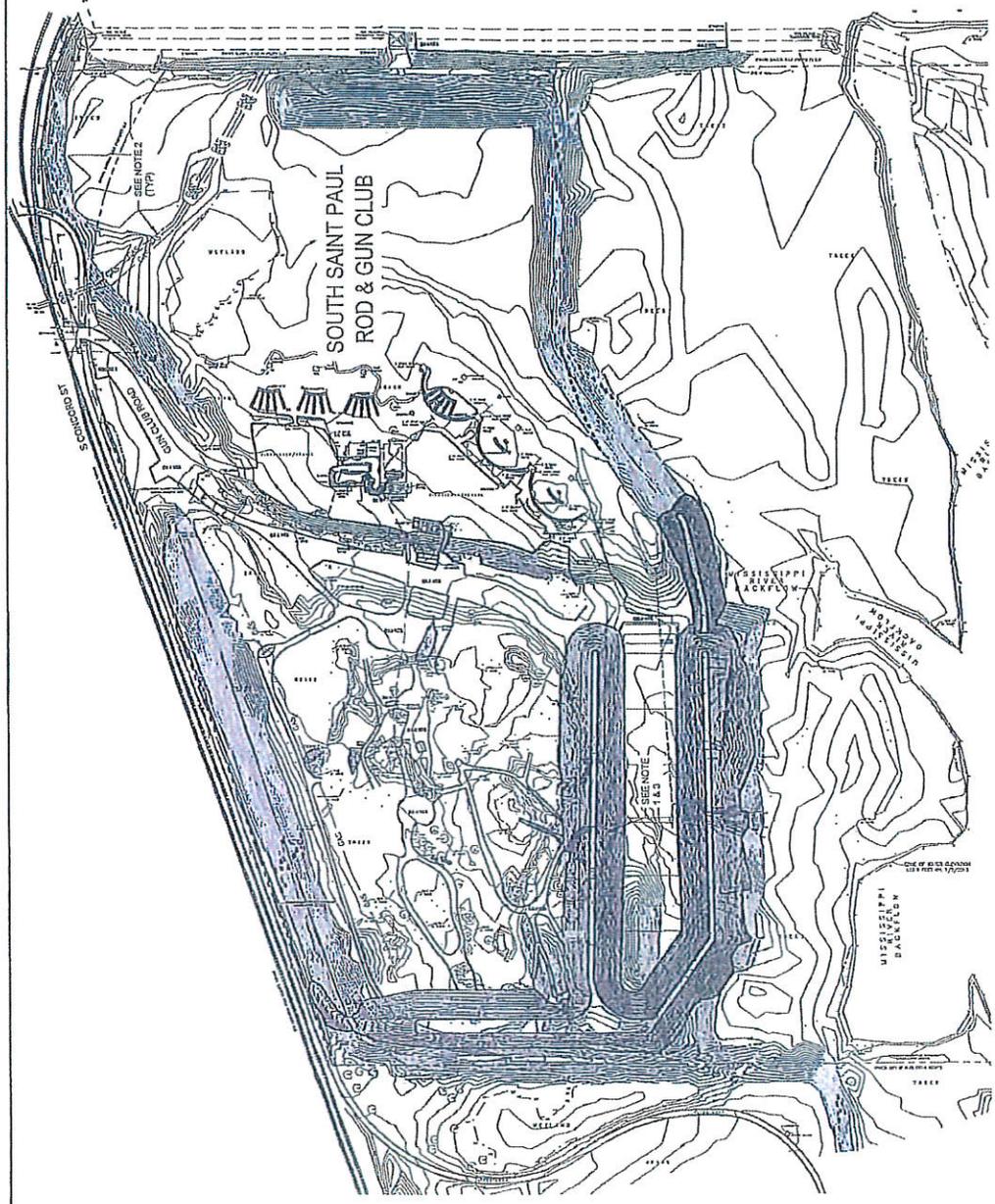
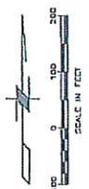
JOB NO. 048412	REGISTERED	PROJ. ENGINEER	DRAWING NUMBER 01
	SCALE AS NOTED	APPROVED BY SEC	
DATE JUNE 2016	DESIGNED BY MLT	DATE JUNE 2016	SHEETS 1 of 13
	DRAWN BY JC		
PRELIMINARY NOT FOR CONSTRUCTION		SOUTH SAINT PAUL ROD AND GUN CLUB PROJECT COVER SHEET	
REVISION		DAKOTA COUNTY, MN	
NO. DATE BY		600 GUN CLUB ROAD SAINT PAUL, MINNESOTA	

AECOM
111 5th Street, Suite 500
Paul, MN 55101-2814
(612) 552-2322-7520
(fax) 612-222-4232
www.aecom.com

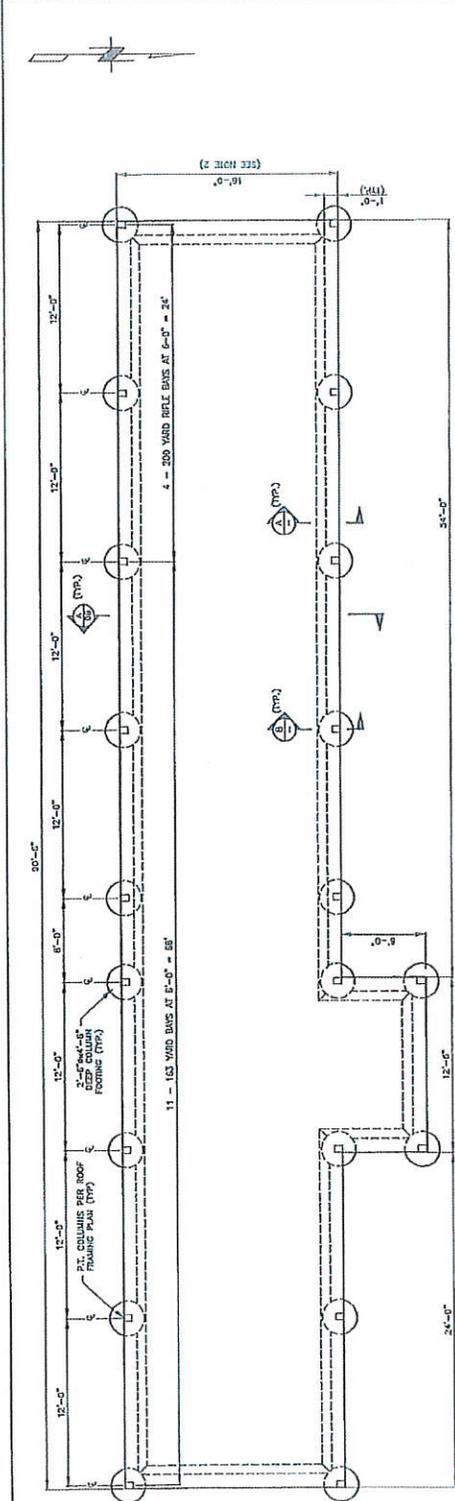
32

C4

- NOTES:**
1. SEE DRAWING NO. 04 FOR PROPOSED IMPROVEMENTS.
 2. SEE DRAWING NO. 02 & 05 FOR CENSUS, CIVIL AND SURVEYAL NOTES.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MDT AND MDTA DESIGN MANUALS. ANY CHANGES TO THE DESIGN SHALL BE APPROVED BY THE ENGINEER BEFORE CONSTRUCTION.



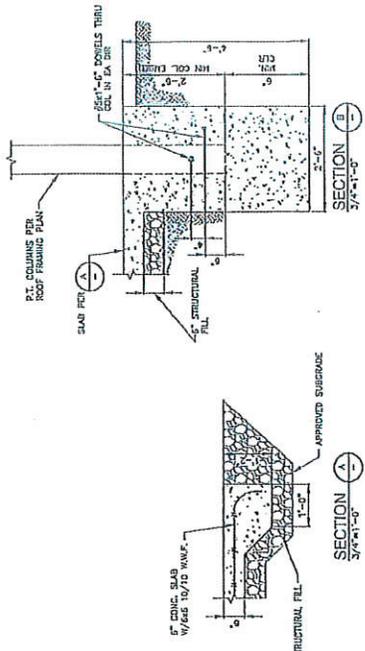
<p>PRELIMINARY NOT FOR CONSTRUCTION</p>		<p>DESIGNED BY: PS DRAWN BY: JC CHECKED BY: JEL DATE: JUNE 2015</p>	<p>PROJ. ENGINEER: MCT APPROVED BY: SK DATE: JUNE 2015</p>	<p>AECOM 111 SW Columbia, Suite 1550 Portland, Oregon 97201-4814 (503) 503-2327-7200 (503) 503-2323-4392 www.aecom.com</p>	<p>DAKOTA COUNTY, MN 600 GUN CLUB ROAD SAINT PAUL, MINNESOTA</p>	<p>SOUTH SAINT PAUL ROD AND GUN CLUB PROJECT EXISTING SITE PLAN</p>	<p>DRAWING NUMBER: 03 SHEET NUMBER: 03-0318T SHEET NAME: 3 OF 13 B</p>
-----------------------------------------------------------	--	---------------------------------------------------------------------------------	------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------	--------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------



CONCRETE OUTLINE FOR RIFLE/PISTOL FIRE LINE SHED
1/4"=1'-0"

NOTES:

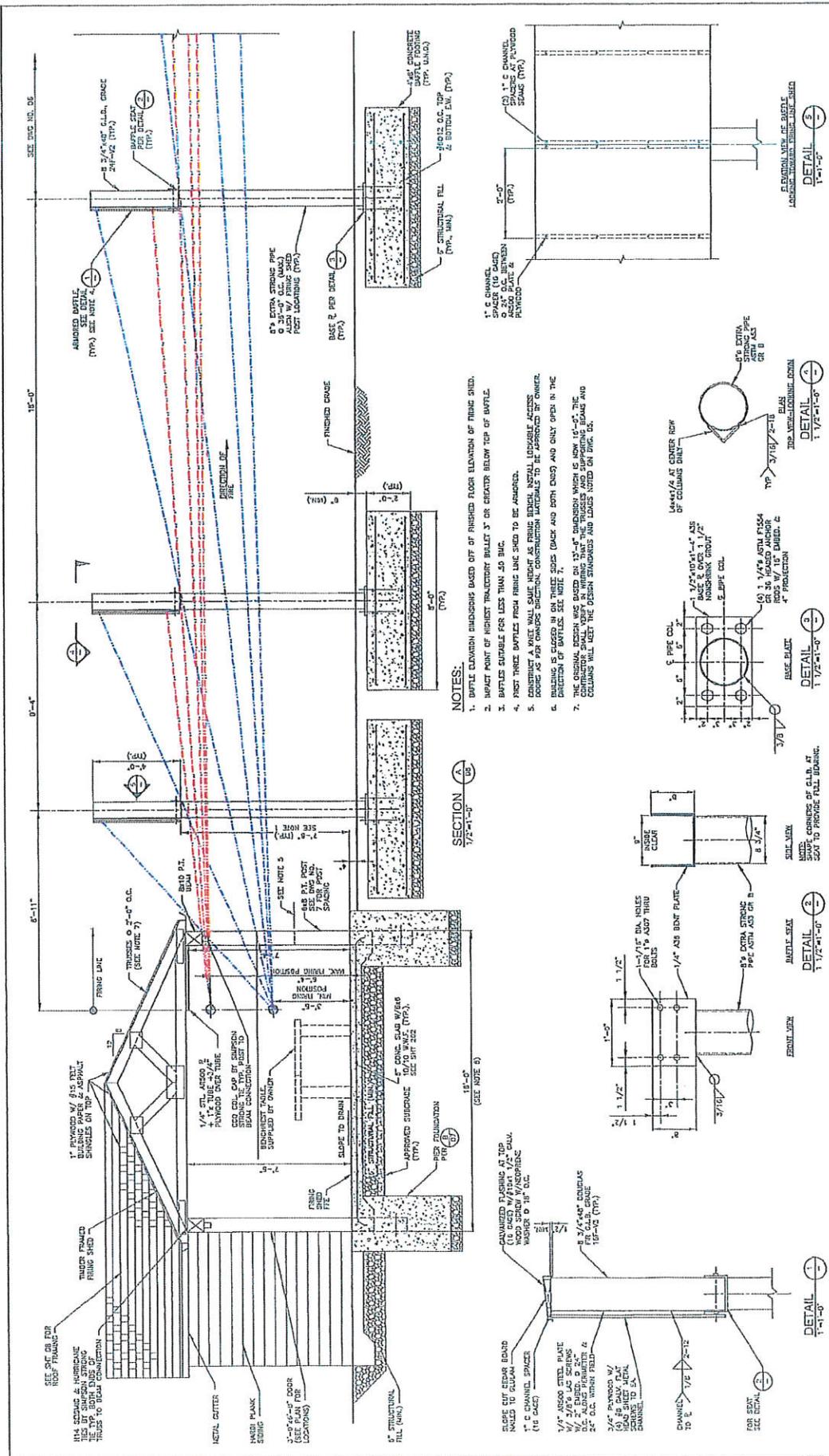
1. SEE STRUCTURAL NOTES ON DRAWING NUMBER 5 FOR INFORMATION REGARDING FOUNDATIONS, CONCRETE REINFORCING SCHEDULE, CONTROL JOINTS, AND OTHER DETAILS.
2. SEE FOR CONCRETE SCHEDULE WALL SEE SITE DEVELOPMENT PLAN. SHEET 04 FOR WALL LOCATION.



JOB No. 004442		DESIGNER: JLP	PROJ. ENGINEER: SK	DAKOTA COUNTY, MN		SOUTH SAINT PAUL ROD AND GUN CLUB PROJECT	
SCALE: AS NOTED		DRAWN BY: PCT	APPROVED BY: SK	600 GUN CLUB ROAD		FIRING LINE SHED	
CHECKED BY: MCT		DATE: JUNE 2010		SAINT PAUL, MINNESOTA		FOUNDATION PLAN	
NO.	DATE	BY	REVISION	AECOM		DRAWING NUMBER: 07	
1	06/02/10	SK	1ST FINAL REVIEW	111 SW Columbia, Suite 400 Portland, Oregon 97201-0874 (503) 503-2227/2900 (503) 503-2224-4232 www.aecom.com		DWG FILE NUMBER: C7-concrete	
						SHEET: 7 OF 13	
						REV.:	
						B	



C10



NOTES:

1. RAFTER ELEVATION DIMENSIONS BASED OFF OF FINISHED FLOOR ELEVATION OF FIRING SHED.
2. IMPACT POINT OF HIGHEST TRAJECTORY BULLET 3' OR GREATER BELOW TOP OF RAFTLE.
3. RAFTLES SUITABLE FOR LESS THAN 40 BUC.
4. FIRST THREE RAFTLES FROM FIRING LINE SHED TO BE ANCHORED.
5. ANCHORMENT & NAIL SCHEDULE HEIGHT AS PER DESIGN MANUAL, INSTALL LIGANDABLE ANCHORS AS SHOWN AS PER MANUFACTURER'S CONSTRUCTION INSTRUCTIONS TO BE APPROVED BY OWNER.
6. BRACING IS REQUIRED IN ON THREE SIDES (BACK AND BOTH ENDS) AND ONLY OPEN IN THE DIRECTION OF RAFTLES. SEE NOTE 7.
7. THE ORIGINAL DESIGN WAS BASED ON 13'-0" DIMENSION WHICH IS NOW 15'-0". THE ANCHORMENT & NAIL SCHEDULES WILL BE ADJUSTED TO ACCOMMODATE THE NEW DIMENSIONS AND THE DESIGN DIMENSIONS AND LOADS NOTED ON THIS SET.

<p>PRELIMINARY NOT FOR CONSTRUCTION</p>		<p>PROJ. CHARGE: JLP SK DESIGNED BY: JLP SK DRAWN BY: PJC SK CHECKED BY: HJT DATE: JUNE 2010</p>		<p>WORK NO. 6045412 SCALE: AS NOTED</p>		<p>DATE: JUNE 2010</p>	
<p>REVISION</p>		<p>APPROVED BY: SK</p>		<p>DATE: JUNE 2010</p>		<p>DATE: JUNE 2010</p>	
<p>NO. DATE BY</p>		<p>APPROVED BY: SK</p>		<p>DATE: JUNE 2010</p>		<p>DATE: JUNE 2010</p>	

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 Portland, Oregon 97201-5814
 (503) 525-7200
 (503) 525-7222
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DAKOTA COUNTY, MN
600 GUN CLUB ROAD
SAINT PAUL, MINNESOTA

SOUTH SAINT PAUL ROD AND GUN CLUB PROJECT
FIRING LINE SHED
TYPICAL SECTIONS AND DETAILS

ISSUE NO. 09
 D9 FILE NUMBER
 09-section
 SHEET: 9 OF 13 REV. B

DETAIL 1-1'-0"
 1-1'-0"

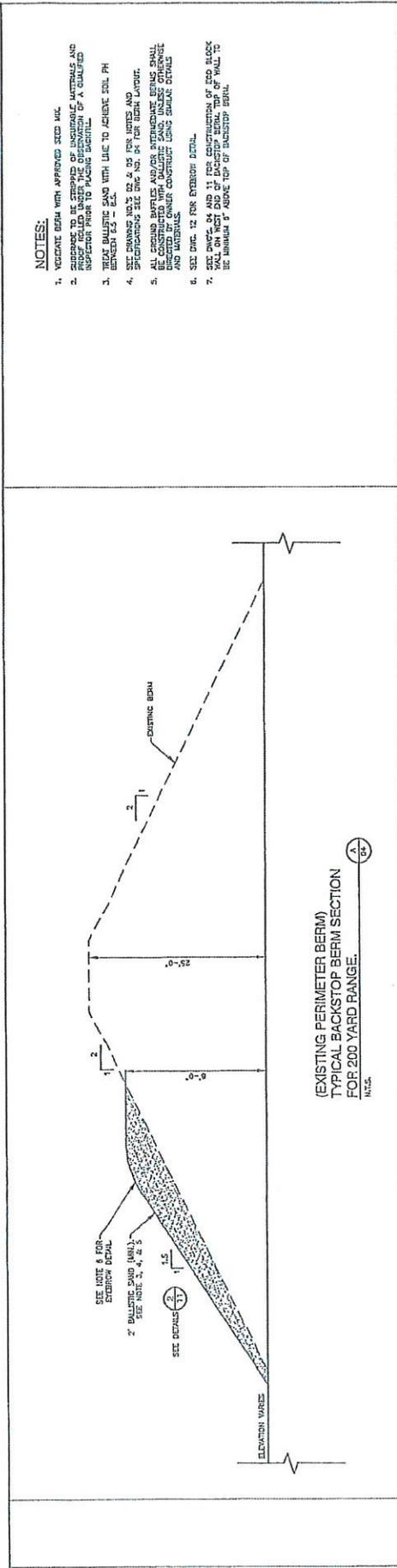
DETAIL 1-1/2'-0"
 1-1/2'-0"

DETAIL 1-1/2'-0"
 1-1/2'-0"

DETAIL 1-1'-0"
 1-1'-0"

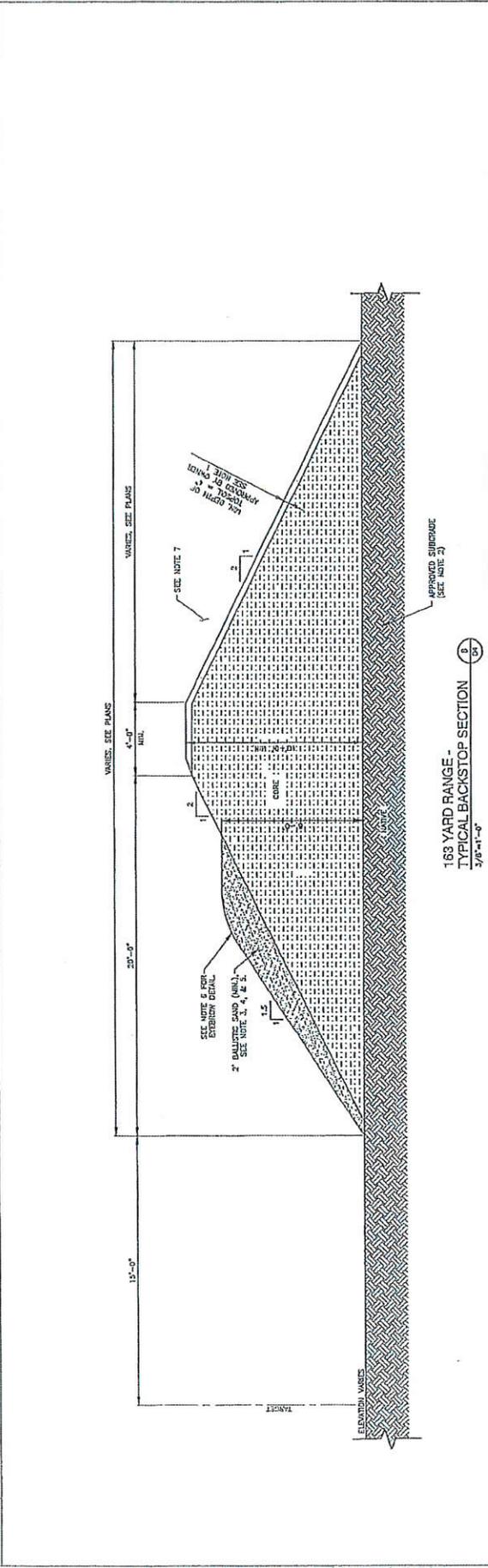
DETAIL 1-1'-0"
 1-1'-0"

C11



(EXISTING PERIMETER BERM)
TYPICAL BACKSTOP BERM SECTION
FOR 200 YARD RANGE.

- NOTES:**
1. VEGGATE BERM WITH APPROVED SEED MIX.
 2. ALL EXISTING UTILITIES AND MATERIALS AND PROBE TOLLS UNDER THE SUPERVISION OF A QUALIFIED INSPECTOR PRIOR TO PAVING SURFACE.
 3. TREAT BALLISTIC SAND WITH LIME TO ACHIEVE SOIL PH BETWEEN 6.5 - 8.5.
 4. SPECIFY 2" 50# 1/2" DIA. FOR BERM LAYOUT.
 5. ALL EXISTING UTILITIES AND/OR INTERFERING ITEMS SHALL BE CONSTRUCTED WITH BALLISTIC SAND, UNLESS OTHERWISE NOTED. WATER CONDUIT SHALL BE CONSTRUCTED USING GALVALUME AND MATERIALS.
 6. SEE DET. 12 FOR EXTERIOR DETAIL.
 7. SEE DET. 14 AND 15 FOR CONSTRUCTION OF 200 YARD WALL ON WEST END OF BACKSTOP BERM. TOP OF WALL TO BE MINIMUM 8' ABOVE TOP OF BACKSTOP BERM.



163 YARD RANGE -
TYPICAL BACKSTOP SECTION

<p>PROJECT NO. 0604412</p> <p>SCALE AS NOTED</p>		<p>DESIGNER: PS</p> <p>DRAWN BY: JG</p> <p>CHECKED BY: JLT</p>		<p>PROJ. ENGINEER: SK</p> <p>APPROVED BY: SK</p> <p>DATE: JUNE 2010</p>		<p>DAKOTA COUNTY, MN</p> <p>600 GUN CLUB ROAD</p> <p>SAINT PAUL, MINNESOTA</p>		<p>SOUTH SAINT PAUL-ROD AND GUN CLUB PROJECT</p> <p>BERM SECTIONS</p>	
<p>PRELIMINARY NOT FOR CONSTRUCTION</p>		<p>REVISION</p>		<p>NO. DATE BY</p>		<p>REVISION</p>		<p>DRAWING NUMBER: 10</p> <p>CAD FILE NUMBER: 10-Berm</p> <p>SHEET: 10 of 13</p> <p>REV: B</p>	

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111 SW Columbia, Suite 1500
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(503) 502-2200
(fax) 503-222-0822
www.aecom.com

CalAtlantic Group (Blackstone Ponds)

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS

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

<input checked="" type="checkbox"/>	Fiscal/FTE Impact: 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 on the north side of 70th Street at Archer Trail:

- b) A Resolution relating to a Preliminary PUD Amendment and Final PUD to reduce the front yard setback for Lots 1-6, Block 3.
 - Requires 3/5th's vote.
 - 60-day deadline: August 26, 2016 (first 60-days)

SUMMARY

The applicant is requesting a modification to the approved PUD development plan to reduce the front yard setback for Lots 1-6 from 20 feet to 15 feet. Reason for request is the bolder retaining wall constructed along the back of the units required more horizontal space than anticipated.

ANALYSIS

- The driveway would still be approximately 28 feet long from the garage door to the street curb which provides adequate room for parking without creating a safety concern.
- The sidewalk along Archer Trail is located on the opposite side of the street from the subject units. Therefore any reduced driveway length will not have an impact on pedestrian access and safety on the sidewalk.
- Engineering and Public Works have review the plans and have no issues with the building being moved 5 feet forward.

RECOMMENDATION

Planning Staff: Recommends approval of the request as presented with the conditions listed in the attached resolution.

Planning Commission: The Commission had concerns with the request and felt the applicant did not investigate fully other options other than requesting to move the building forward. They were concerned about the precedence of granting flexibility to a project that had received other flexibility during the initial preliminary PUD phase. While they did not think reconstruction the retaining wall was a viable option, they feel the units could be reduced in size or remove the decks in order to eliminate the setback issue. The Commission recommended denial of the PUD amendment and flexibility (6-3).

Attachments: Preliminary PUD Amendment and Final PUD Resolution
Planning Report

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

RESOLUTION NO. _____

**A RESOLUTION APPROVING A PRELIMINARY PUD DEVELOPMENT PLAN
AMENDMENT AND FINAL PUD FOR BLACKSTONE PONDS 1ST ADDITION**

**CASE NO. 16-32PUD
CaAtlantic Group)**

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

**Lots 1-6, Block 3, Blackstone Ponds 1st Addition, according to the recorded plat thereof,
Dakota County, Minnesota**

WHEREAS, the final plat application satisfies the conditions of preliminary plat and preliminary PUD approval and conforms to all applicable zoning and subdivision regulations (City Code Sections 10-13A and 11-1) and other standards applied by the City in the platting of property.

WHEREAS, a public hearing concerning the preliminary PUD amendment was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on July 19, 2016;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that, the Preliminary PUD Amendment and Final PUD development plan to allow a 15 foot front yard setback for Lots 1-6, Block 3, is hereby approved subject to the following conditions:

1. The overall site plan for Blackstone Ponds 1st shall be revised for Lots 1-6, Block 3, to allow a 15 foot front yard setback as shown on the site plan dated 6/24/2016 on file with the Planning Department.

Passed this 25th day of July, 2016.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Michelle Tesser, City Clerk

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: July 13, 2016

CASE NO: 16-32PUD

APPLICANT: CalAtlantic Group, Inc.

REQUEST: Preliminary PUD Development Plan Amendment and Final PUD for Blackstone Ponds 1st Addition relating to front yard setbacks

HEARING DATE: July 19, 2016

LOCATION: North side of 70th Street at Archer Trail

COMPREHENSIVE PLAN: LMDR-NWAPUD

ZONING: R-3B/PUD

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

The applicant has submitted an application which consists of an amended preliminary PUD development plan and Final PUD for Blackstone Ponds 1st Addition. The amendment addresses a request to reduce the front yard setback for one block of homes due to the physical construction of boulder retaining walls on the back side of the units.

The Northwest Area PUD ordinance requires a minimum front yard setback along public streets to be 20 feet. The applicant is requesting the setback be reduced to 15 feet for one 6 unit building. A request for flexibility from this code requirement is part of the PUD plan amendment.

EVALUATION OF THE REQUEST

PRELIMINARY AND FINAL PUD DEVELOPMENT PLAN

The applicant has noted that the design and type of boulder retaining wall around the infiltration basin takes up more physical space than anticipated and as shown on the grading plan. The top of the wall ends up northerly five feet of where drawn on the plans. To make up the reduced building area behind the units, the applicant is requesting to be able to move the units five feet closer to Archer Trail than allowed by ordinance.

- The driveway would still be approximately 28 feet long from the garage door to the street curb which provides adequate room for parking without creating a safety concern.

- The sidewalk along Archer Trail is located on the opposite side of the street from the subject units. Therefore any reduced driveway length will not have an impact on pedestrian access and safety on the sidewalk.
- Engineering and Public Works have reviewed the plans and have no issues with the building being moved 5 feet forward.

ALTERNATIVES

The Planning Commission has the following actions available for the request:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:
- Approval of the Preliminary PUD Amendment and Final PUD for Blackstone Ponds 1st subject to the following conditions:
 1. The overall site plan for Blackstone Ponds 1st shall be revised for Lots 1-6, Block 3, to allow a 15 foot front yard setback as shown on the site plan dated 6/24/2016 on file with the Planning Department.
- B. **Denial.** If the Planning Commission does not find the application to be acceptable, a recommendation of denial should be made. Specific findings supporting a basis for denial must be stated by the Commission if such a recommendation is made.

RECOMMENDATION

Based on the preceding report, staff recommends approval of the amended PUD Plan to allow a 15 foot setback for the six units as this has far less of an impact on the entire area as opposed to requiring the boulder wall being removed or modified. Work on the retaining wall could have a negative impact on all the work done around the infiltration basin.

ATTACHMENTS:

Location Map
Applicant Narrative
Revised Site Plan for Lots 1-6, Block 3
Blackstone Ponds overall Grading Plan

Request for P.U.D. Flexibility

Blackstone Ponds

We would like to request P.U.D. flexibility for the front setback for Lots 1-6, Block 3, BLACKSTONE PONDS 1ST ADDITION. We would like to propose to change the front setback from 20 feet to 15 feet. The reason for this request is due to the errors in the construction of the location of the retaining wall in the rear of the units. The boulder retaining wall was constructed approximately 4 feet into the lots for Block 6, making it not possible for the home builder to build the approved units. See attached sheet.

1. The majority of the development is constructed with the units fronting on private streets and 20 foot driveways. The units facing on the public streets currently have a 20 setback plus a boulevard of 12.5 feet allowing for a 33 driveway. If the flexibility was granted, Block 6 would have a 28 foot driveway, 7.5 feet longer than the units on the private drives.
2. The Existing Right of Way for Archer Trail is 56 feet. A 50 foot right of way is allowed under City of Inver Grove Ordinances but we used a 56 foot right of way because it allows more room for Minor Utilities and Sidewalk Construction. If we used 50 foot right of way along with 20 foot setbacks, the driveway distance would be 30 feet long. Our requested flexibility would have driveways of 28 feet.
3. The sidewalk is located on the north side of the street and there is no sidewalk on this side of the street. We would not have to worry about cars parked in the driveway blocking the sidewalk.
4. This area is currently a dead end with no plans for future development. The ultimate design of this area with have area will still have limited traffic.

We respectfully request the Council to grant additional flexibility in the front setback from 20 feet to 15 feet for Archer Trail.



Location Map

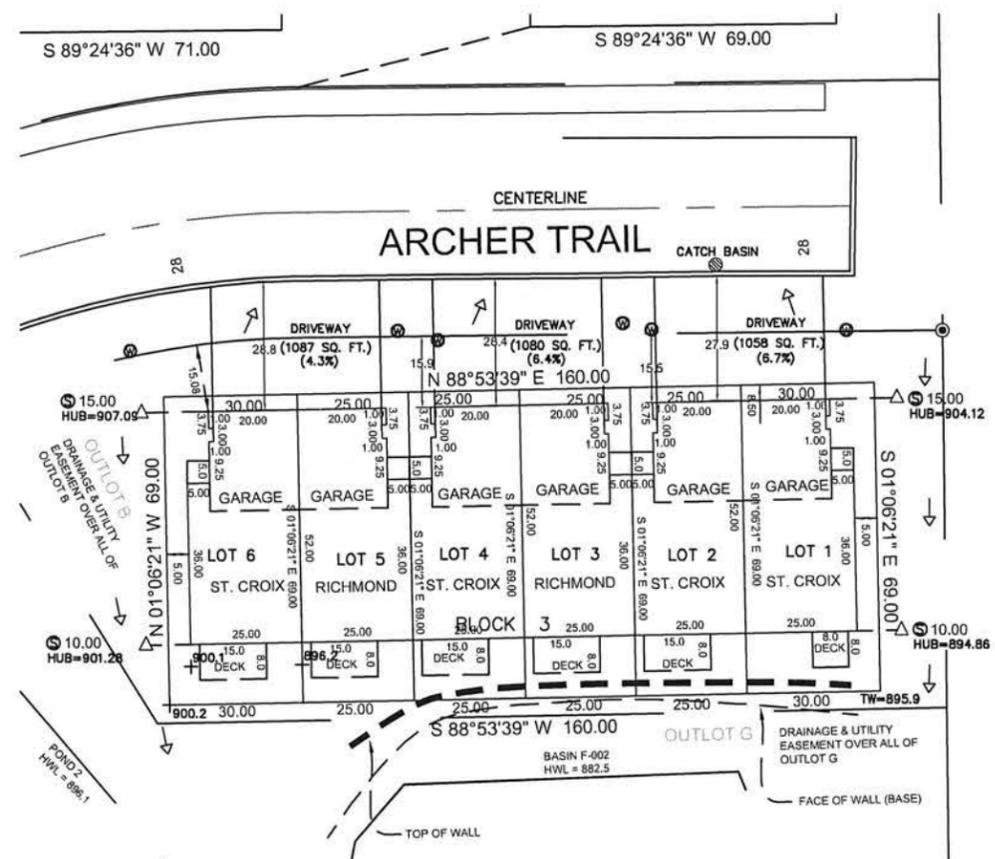
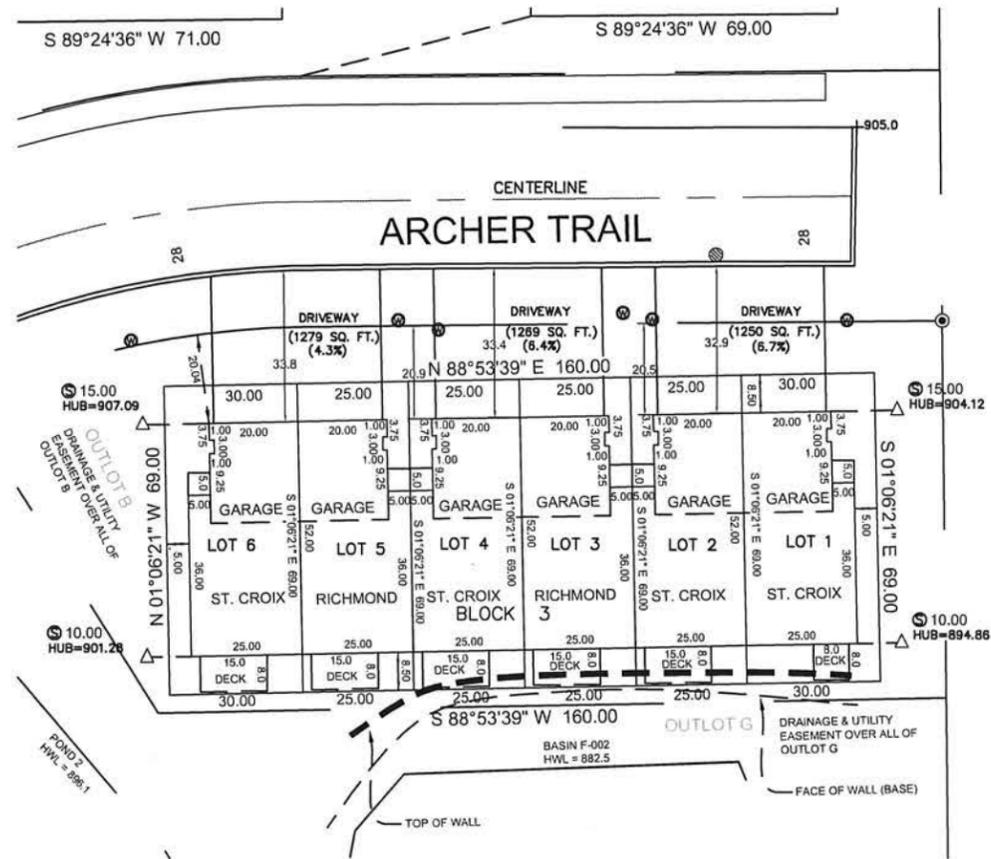
Case No. 16-32PUD



BLACKSTONE PONDS

EXISTING P.U.D.

PROPOSED FLEXIBILITY



DRAWING NAME	NO.	BY	DATE	REVISIONS
BSP Variance Request				
DRAWN BY				
MDM				
CHECKED BY				
DLS				
DATE				
06/24/2016				

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Donal L. Schmidt
 Name, P.E.
 Date: 06-24-2016 Lic. No. 26147

SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

ENGINEERS SURVEYORS PLANNERS

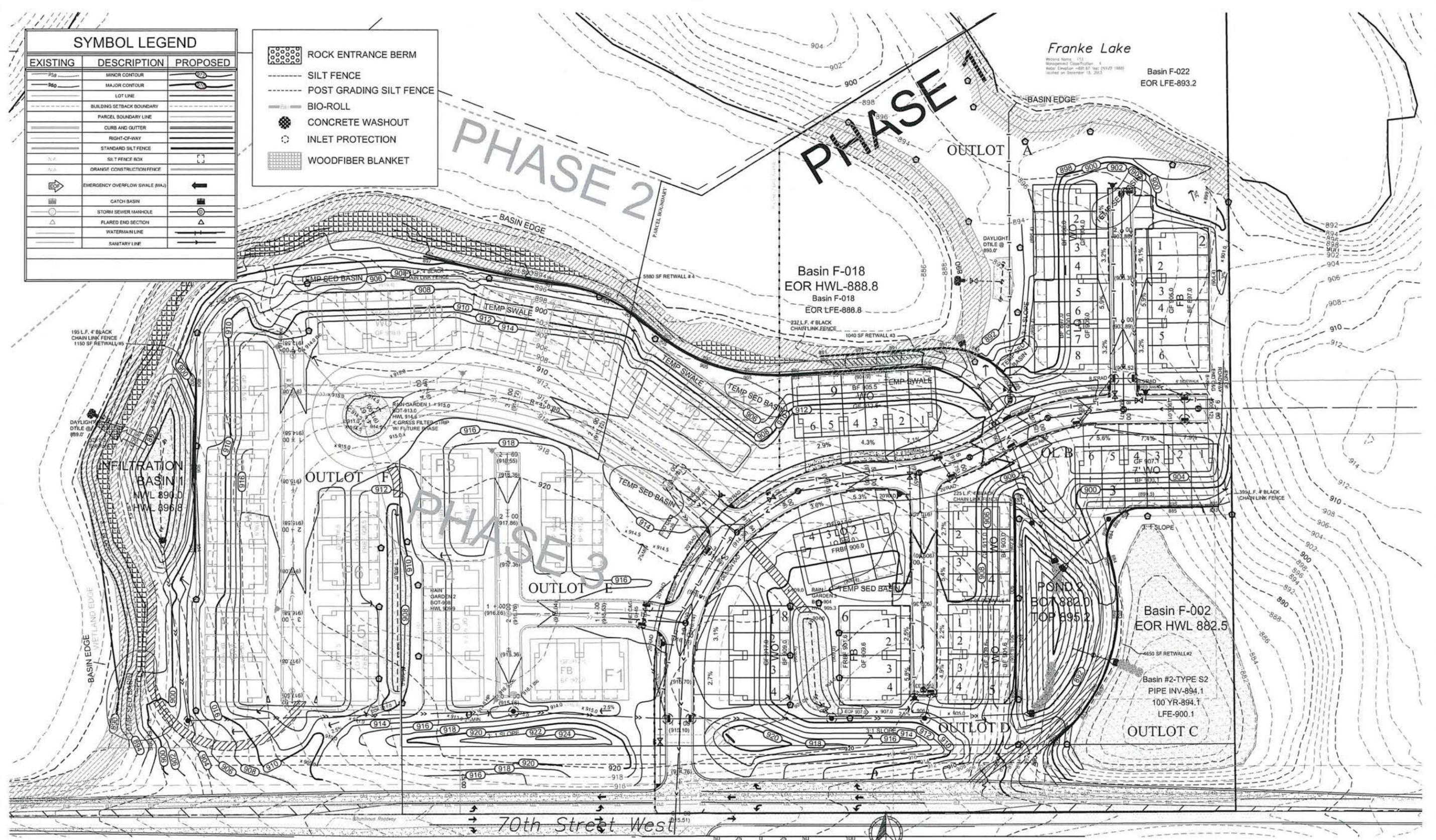
CITY PROJECT NO.
 -
INVER GROVE HEIGHTS, MINNESOTA

REQUEST FOR P.U.D. VARIANCE
BLACKSTONE PONDS
 DEVELOPERS NAME

FILE NO. 78058-021
1
1

SYMBOL LEGEND		
EXISTING	DESCRIPTION	PROPOSED
	MINOR CONTOUR	
	MAJOR CONTOUR	
	LOT LINE	
	BUILDING SETBACK BOUNDARY	
	PARCEL BOUNDARY LINE	
	CURB AND GUTTER	
	RIGHT-OF-WAY	
	STANDARD SILT FENCE	
	SILT FENCE ROCK	
	DRAINAGE CONSTRUCTION FENCE	
	EMERGENCY OVERFLOW SWALE (E.O.S.)	
	CATCH BASIN	
	STORM SEWER MANHOLE	
	FLARED END SECTION	
	WATERMAIN LINE	
	SANITARY LINE	

	ROCK ENTRANCE BERM
	SILT FENCE
	POST GRADING SILT FENCE
	BIO-ROLL
	CONCRETE WASHOUT
	INLET PROTECTION
	WOODFIBER BLANKET



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
BASE PONDS	01	DSG	05/15/15	CITY COMMENTS
DRAWN BY				
CHECKED BY				
DATE				

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Donald L. Schmidt
 Daniel L. Schmidt, P.E.
 Date: 05/12/14 Lic. No. 28147

SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

ENGINEERS SURVEYORS
 DESIGNERS PLANNERS

CITY PROJECT NO.
 INVER GROVE HEIGHTS, MINNESOTA

GRADING PLAN
 BLACKSTONE PONDS
 RYLAND HOMES

FILE NO.
 78058-021
 18
 27

INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

OPT-OUT ORDINANCE TEMPORARY FAMILY HEALTH CARE DWELLINGS

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

PURPOSE/ACTION REQUESTED

Consider the First Reading of an Ordinance to opt-out of the requirements of Minn. Stat. §462.3593, subd. 9, which defines and regulates Temporary Family Health Care Dwellings.

- Requires 3/5th's vote.

This past May, the Governor signed into law regulations that allow temporary family health care mobile dwellings to be placed on property to provide for transitional housing for those with mental and physical disabilities. The statute provides specific rules and regulations that allow these as permitted uses. The law also allows cities to “opt-out” of the regulations provided City Councils adopt an opt-out ordinance prior to September 1, 2016. If no action is taken, the new rules become mandatory on September 1, 2016.

Because the statute identifies the opt-out procedure to be done by ordinance, the City Attorney has recommended that a decision on this matter be handled like an ordinance amendment with a public hearing by the Planning Commission and final determination by Council.

ANALYSIS

The rules stipulate; maximum unit size, location, hooking up to utilities. Permits for the units are valid for 6 months with ability to apply for a onetime 6 month extension.

The City just recently adopted an ordinance allowing accessory dwelling units to provide for different types of housing opportunities for families, which would accommodate the housing needs outlined in the temporary family health care dwelling law. The Police and Fire Departments have commented that they would favor the City adopting the opt-out ordinance.

Due to the limited scope of the ordinance and time sensitivity for action, Council may chose to waive the standard three reading procedure and formally adopt the ordinance with one reading.

RECOMMENDATION

Planning Staff: Recommends the Council adopt the opt-out ordinance since the City provides alternative housing options under the current accessory dwelling unit regulations.

Planning Commission: Also recommends adoption of the opt-out ordinance (8-1) as they also felt the ADU ordinance provided opportunities for families to address their special needs housing.

Attachment: Opt-Out Ordinance
 Planning Report

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

ORDINANCE NO. _____

**AN ORDINANCE OPTING-OUT OF THE REQUIRMENTS OF MINNESOTA
STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. §462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to opt-out of those regulations;

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Inver Grove Heights opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

Section Two. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

Passed in regular session of the City Council on the ____ day of _____, 2016.

CITY OF INVER GROVE HEIGHTS

By: _____
George Tourville, Mayor

ATTEST:

Michelle Tesser City Clerk

PLANNING REPORT CITY OF INVER GROVE HEIGHTS

REPORT DATE: July 8, 2016 **CASE NO.:** 16-31ZA

HEARING DATE: July 19, 2016

APPLICANT AND PROPERTY OWNER: City of Inver Grove Heights

REQUEST: Zoning Code Amendment relating to State Statutes regarding Temporary Family Health Care Dwellings

LOCATION: N/A

COMP PLAN: N/A

ZONING: N/A

REVIEWING DIVISIONS: Planning

PREPARED BY: Allan Hunting
City Planner

BACKGROUND

In May of this year, the Governor signed into law regulations that allow landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling. Desire for transitional housing for those with mental and physical disabilities, and the increased need for short-term care for aging family members served as the catalyst behind this initiative. The law provides specific performance standards that must be met. The law also allows cities to “opt out” of the new regulations if their City Councils adopt an ordinance with such effect by September 1, 2016. The City Attorney has recommended that a decision on this matter be handled like an ordinance amendment with a public hearing by the Planning Commission and final determination by the City Council.

ANALYSIS

Unless a city opts out of the new law, temporary family health care dwellings become a mandatory permitted use following the criteria established in the state law.

Summary of new law:

The rules set forth a short term care alternative for a “mentally or physically impaired person”, by allowing them to stay in a temporary dwelling on a relative’s or caregiver’s property. The law has specific definitions of temporary family health care dwellings, caretaker, and mentally or physically impaired person

Specific performance standards include;

- Unit is limited to no more than 300 square feet

- Cannot be on a permanent foundation
- Must have connections to water and electricity
- Must provide an executed contract for septic system management
- Unit must be located on property where the caregiver or relative resides
- Unit must comply with all structure setbacks
- Limited to one occupant who is mentally or physically impaired
- Requires building permit and permit from LGU for use
- Permit valid for 6 months with ability to apply for a onetime 6 month extension

Some other requirements which raise questions about medical confidentiality and public information include:

- Proof of the provider network from which the mentally or physically impaired person and name of person who will live in the unit
- Written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living signed by a physician
- An affidavit that the applicant has provided notice to adjacent properties of the application for the unit.

A City must approve a complete application and issue a permit within 15 days.

Considerations:

The City just recently adopted an ordinance allowing ADU's as a means to provide alternative living for relatives and renters without any expiration date. The ADU ordinance would allow living opportunities for mentally or physically impaired individuals without having to notify abutting properties and presenting medical records to show proof of need.

There are several other alternatives to house those needing temporary housing such as assisted living facilities, short term health care facilities and other types of group homes.

Staff also feels that the requirement to meet setbacks will present challenges for many properties to be able to locate a unit on the lot. They cannot be placed on the front driveway and would then have to be placed in a side or rear yard. As living space, a unit would be required to meet the 30 foot setback, 10 foot side yard and 30 foot rear yard requirement. Nearly any dwelling can be converted to add an ADU, so the current ADU ordinance provides greater possibilities to address the same issues regarding housing raised in the state rules.

The buildings allowed would not have to meet state building, plumbing, electrical or building permit requirements. This raises concerns of safety for the occupants. Any type of temporary housing or temporary quarters in something such as an RV are not allowed in the City as they do not meet building code requirements. Same concerns are raised with these temporary health care dwellings.

We have received comments from the Fire Chief and Police Chief that they would recommend the City "opt out" of the statute requirements. City Staff's recommendation to Council is to

adopt the “opt out” ordinance based on the City already provides such opportunities with the allowance of ADU’s.

ALTERNATIVES

The Planning Commission has the following alternatives available for the requested action:

- A. Recommend adopting an ordinance that opts out of the requirements of Minn. Statute §496.3593, subdivision 9 which defines and regulates Temporary Family Health Care Dwellings.
- B. Recommend against the “opt out” ordinance and allow Temporary Family Health Care Dwellings as defined and regulated in Minn. Statute §496.3593, subdivision 9.

RECOMMENDATION

As stated earlier, Staff recommends the City adopt the “opt out” ordinance since the City provides alternative housing options under the current Accessory Dwelling Unit regulations.

Attachments: Two summary information articles prepared by the League of Minnesota Cities
Background articles from numerous sources on temporary family care type dwellings

LOCAL

Suburbs opt to go their own way on state's 'drop home' law

Facing a new state requirement to allow tiny trailers on residential lots, many cities are saying no.

By Erin Adler (<http://www.startribune.com/erin-adler/195633361/>) and Emma Nelson (<http://www.startribune.com/emma-nelson/261800211/>) Star Tribune staff writers

JULY 5, 2016 — 8:41AM

Metro suburbs are bypassing a new state law that would require them to allow tiny, portable houses on residential properties, saying the state mandate doesn't work for them.

The statute is intended to provide access to temporary "drop homes" for people — mostly older adults — with health care needs that require them to be close to a caregiver.

But worries about resident complaints, conflicts with local zoning ordinances and timing concerns have spurred cities to opt out of the law. Some say they already have the resources they need to meet the needs of aging residents, while others want to pass their own laws allowing temporary structures tailored to their city.

The League of Minnesota Cities fought for an opt-out provision in the statute so local governments could still have control over their own zoning.

Bill sponsor Rep. Roz Peterson, R-Lakeville, struggled to find a place for her elderly father to live when he got sick two years ago. It's disappointing that cities are opting out, she said, but she acknowledged that the law isn't one-size-fits-all.

"It's always difficult to accept change and innovation," Peterson said. "This won't solve everybody's problem — this is one tool in the toolbox, so to speak."

Drop homes, sometimes called granny pods, are trailers under 300 square feet that are billed as an affordable and temporary alternative to sending sick, injured or elderly family members to a nursing home.

The new law was based on similar, but less restrictive, laws in North Carolina and Virginia.

In Minnesota, the law allows homeowners to have a drop home on their property for six months by paying for a \$100 permit, unless their city has a specific ordinance against the homes.

The Burnsville City Council voted unanimously on June 21 to opt out. Drop homes don't meet city codes, said Mayor Elizabeth Kautz, and the city **already has temporary** housing options.

Those options include spare bedrooms, apartments, assisted living facilities, short-term health care facilities, hotels and group homes, according to a meeting agenda report.

"It's not that we don't have it," Kautz said. "We want control of what happens here in Burnsville."

Some cities want to allow accessory dwelling units but are choosing to do so on their own terms.

The Crystal City Council will likely vote to opt out at its next meeting, said Council Member Jeff Kolb. **The decision stems largely from the nature of residential properties in Crystal, many of which may be too small to qualify for drop homes under the statute, he said.**

The City Council will try to pass an ordinance in the future that allows for accessory units that are better tailored to the city, Kolb said.

"There was a concern that it would be perceived that by opting out, we were saying we don't want this kind of thing around here, that it was kind of a cold-hearted decision," he said. "The reality is it's not that at all."

In Lakeville, the City Council agreed to opt out last week but also sent the issue to city staff for further review.



(http://stmedia.startribune.com/images/1467684122_08+678634+02NEI)
ELIZABETH FLORES, STAR TRIBUNE

John Louiselle, left, and Jesse Lammi are a pair of young New Brighton entrepreneurs that have started NextDoor Housing, a company

There were multiple concerns, said Mayor Matt Little, including aesthetics, property values and the difficulty city staff would face in having to make judgments about residents' illnesses.

"Every single city in this country is going to need to figure out a way to start taking care of our seniors," Little said. "There's just a lot of issues we need to ... make fair and clear."

Meanwhile, city staff in Woodbury are recommending that city officials vote to opt out in order to have more time to figure out what local needs are, said Jason Egerstrom, Woodbury's spokesman.

Under the statute, cities have until Sept. 1 to opt out.

John Louiselle, co-owner of NextDoor Housing, a New Brighton-based drop home company that helped craft the law, said he doesn't mind if cities choose a different direction. "What's worrisome to us is when we see cities opting out and offering no alternative solution," he said.

Peterson said she would like to see cities try out the statute and see how it works. The biggest challenge, she said, is that people aren't familiar with the drop home idea.

"This is new — nobody's really done this before," she said. "Let's have a conversation with the community before we just choose to abandon the idea."

Erin Adler • 612-673-1781

Erin.Adler@startribune.com	612-673-1781	
emma.nelson@startribune.com	612-673-4509	emmamarielson



Temporary Family Health Care Dwellings of 2016 Allowing Temporary Structures – What it means for Cities

Introduction:

On May 12, 2016, Governor Dayton signed, into law, a bill creating a new process for landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling.¹ Community desire to provide transitional housing for those with mental or physical impairments and the increased need for short term care for aging family members served as the catalysts behind the legislature taking on this initiative. The resulting legislation sets forth a short term care alternative for a “mentally or physically impaired person”, by allowing them to stay in a “temporary dwelling” on a relative’s or caregiver’s property.²

Where can I read the new law?

Until the state statutes are revised to include bills passed this session, cities can find this new bill at [2016 Laws, Chapter 111](#).

Does the law require cities to follow and implement the new temporary family health care dwelling law?

Yes, unless a city opts out of the new law or currently allows temporary family health care dwellings as a permitted use.

Considerations for cities regarding the opt-out?

These new temporary dwellings address an emerging community need to provide more convenient temporary care. Cities may want to consider the below when analyzing whether or not to opt out:

- The new law alters a city’s level of zoning authority for these types of structures.
- While the city’s zoning ordinances for accessories or recreational vehicles do not apply, these structures still must comply with setback requirements.
- A city’s zoning and other ordinances, other than its accessory use or recreational vehicle ordinances, still apply to these structures. Because conflicts may arise between the statute and a city’s local ordinances, cities should confer with their city attorneys to analyze their current ordinances in light of the new law.
- Although not necessarily a legal issue for the city, it seems worth mentioning that the permit process does not have the individual with the physical or mental impairment or that

¹ [2016 Laws, Chapter 111](#).

² Some cities asked if other states have adopted this type of law. The only states that have a somewhat similar statute at the time of publication of this FAQ are North Carolina and Virginia. It is worth noting that some states have adopted Accessory Dwelling Unit (ADU) statutes to allow granny flats, however, these ADU statutes differ from Minnesota’s Temporary Health Care Dwelling law.

individual's power of attorney sign the permit application or a consent to release his or her data.

- The application's data requirements may result in the city possessing and maintaining nonpublic data governed by the Minnesota Government Data Practices Act.
- The new law sets forth a permitting system for both cities and counties³. Cities should consider whether there is an interplay between these two statutes.

Do cities need to do anything to have the new law apply in their city?

No, the law goes into effect September 1, 2016 and automatically applies to all cities that do not opt out or don't already allow temporary family health care dwellings as a permitted use under their local ordinances. By September 1, 2016, however, cities will need to be prepared to accept applications, must have determined a permit fee amount⁴ (if the city wants to have an amount different than the law's default amount), and must be ready to process the permits in accordance with the short timeline required by the law.

What if a city already allows a temporary family health care dwelling as a permitted use?

If the city already has designated temporary family health care dwellings as a permitted use, then the law does not apply and the city follows its own ordinance. The city should consult its city attorney for any uncertainty about whether structures currently permitted under existing ordinances qualify as temporary family health care dwellings.

What process should the city follow if it chooses to opt out of this statute?

Cities that wish to opt out of this law must pass an ordinance to do so. The statute does not provide clear guidance on how to treat this opt-out ordinance. However, since the new law adds section 462.3593 to the land use planning act (Minn. Stat. ch. 462), arguably, it may represent the adoption or an amendment of a zoning ordinance, triggering the requirements of Minn. Stat. § 462.357, subd. 2-4, including a public hearing with 10-day published notice. Therefore, cities may want to err on the side of caution and treat the opt-out ordinance as a zoning provision.⁵

Does the League have a model ordinance for opting out of this program?

Yes. Link to opt out ordinance here: [Temporary Family Health Care Dwellings Ordinance](#)

Can cities partially opt out of the temporary family health care dwelling law?

³ See Minn. Stat. §394.307

⁴ Cities do have flexibility as to amounts of the permit fee. The law sets, as a default, a fee of \$100 for the initial permit with a \$50 renewal fee, but authorizes a city to provide otherwise by ordinance.

⁵ For smaller communities without zoning at all, those cities still need to adopt an opt-out ordinance. In those instances, it seems less likely that the opt-out ordinance would equate to zoning. Because of the ambiguity of the statute, cities should consult their city attorneys on how best to approach adoption of the opt-out ordinance for their communities.

Not likely. The opt-out language of the statute allows a city, by ordinance, to opt out of the requirements of the law but makes no reference to opting out of parts of the law. If a city wanted a program different from the one specified in statute, the most conservative approach would be to opt out of the statute, then adopt an ordinance structured in the manner best suited to the city. Since the law does not explicitly provide for a partial opt out, cities wanting to just partially opt out from the statute should consult their city attorney.

Can a city adopt pieces of this program or change the requirements listed in the statute?

Similar to the answer about partially opting out, the law does not specifically authorize a city to alter the statutory requirements or adopt only just pieces of the statute. Several cities have asked if they could add additional criteria, like regulating placement on driveways, specific lot size limits, or anchoring requirements. As mentioned above, if a city wants a program different from the one specified in the statute, the most conservative approach would involve opting out of the statute in its entirety and then adopting an ordinance structured in the manner best suited to the city. Again, a city should consult its city attorney when considering adopting an altered version of the state law.

What is required in an application for a temporary family health care dwelling permit?

The mandatory application requests very specific information including, but not limited to:⁶

- Name, address, and telephone number of the property owner, the resident of the property (if different than the owner), and the primary care giver;
- Name of the mentally or physically impaired person;
- Proof of care from a provider network, including respite care, primary care or remote monitoring;
- Written certification signed by a Minnesota licensed physician, physician assistant or advanced practice registered nurse that the individual with the mental or physical impairment needs assistance performing two or more “instrumental activities of daily life;”⁷
- An executed contract for septic sewer management or other proof of adequate septic sewer management;
- An affidavit that the applicant provided notice to adjacent property owners and residents;
- A general site map showing the location of the temporary dwelling and the other structures on the lot; and
- Compliance with setbacks and maximum floor area requirements of primary structure.

⁶ New Minn. Stat. § 462.3593, subd. 3 sets forth all the application criteria.

⁷ This is a term defined in law at Minn. Stat. § 256B.0659, subd. 1(i) as “activities to include meal planning and preparation; basic assistance with paying bills; shopping for food, clothing, and other essential items; performing household tasks integral to the personal care assistance services; communication by telephone and other media; and traveling, including to medical appointments and to participate in the community.”

The law requires all of the following to sign the application: the primary caregiver, the owner of the property (on which the temporary dwelling will be located) and the resident of the property (if not the same as the property owner). However, neither the physically disabled or mentally impaired individual nor his or her power of attorney signs the application.

Who can host a temporary family health care dwelling?

Placement of a temporary family health care dwelling can only be on the property where a “caregiver” or “relative” resides. The statute defines caregiver as “an individual, 18 years of age or older, who: (1) provides care for a mentally or physically impaired person; and (2) is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.” The definition of “relative” includes “a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew or niece of the mentally or physically impaired person. Relative also includes half, step and in-law relationships.”

Is this program just for the elderly?

No. The legislature did not include an age requirement for the mentally or physically impaired dweller.⁸

Who can live in a temporary family health care dwelling and for how long?

The permit for a temporary health care dwelling must name the person eligible to reside in the unit. The law requires the person residing in the dwelling to qualify as “mentally or physically impaired,” defined as “a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified by a physician, a physician assistant, or an advanced practice registered nurse, licenses to practice in this state.” The law specifically limits the time frame for these temporary dwellings permits to 6 months, with a one-time 6 month renewal option. Further, there can be only one dwelling per lot and only one dweller who resides within the temporary dwelling

What structures qualify as temporary family health care dwellings under the new law?

The specific structural requirements set forth in the law preclude using pop up campers on the driveway or the “granny flat” with its own foundation as a temporary structure. Qualifying temporary structures must:

- Primarily be pre-assembled;
- Cannot exceed 300 gross square feet;
- Cannot attach to a permanent foundation;
- Must be universally designed and meet state accessibility standards;

⁸ The law expressly exempts a temporary family health care dwelling from being considered “housing with services establishment”, which, in turn, results in the 55 or older age restriction set forth for “housing with services establishment” not applying.

- Must provide access to water and electrical utilities (by connecting to principal dwelling or by other comparable means⁹);
- Must have compatible standard residential construction exterior materials;
- Must have minimum insulation of R-15;
- Must be portable (as defined by statute);
- Must comply with Minnesota Rules chapter 1360 (prefabricated buildings) or 1361 (industrialized/modular buildings), “and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2”¹⁰; and
- Must contain a backflow check valve.¹¹

Does the State Building Code apply to the construction of a temporary family health care dwelling?

Mostly, no. These structures must meet accessibility standards (which are in the State Building Code). The primary types of dwellings proposed fall within the classification of recreational vehicles, to which the State Building Code does not apply. Two other options exist, however, for these types of dwellings. If these structures represent a pre-fabricated home, the federal building code requirements for manufactured homes apply (as stated in Minnesota Rules, Chapter 1360). If these structures are modular homes, on the other hand, they must be constructed consistent with the State Building Code (as stated in Minnesota Rules, Chapter 1361).

What health, safety and welfare requirements does this new law include?

Aside from the construction requirements of the unit, the temporary family health care dwelling must be located in an area on the property where “septic services and emergency vehicles can gain access to the temporary family health care dwelling in a safe and timely manner.”

What local ordinances and zoning apply to a temporary health care dwelling?

The new law states that ordinances related to accessory uses and recreational vehicle storage and parking do not apply to these temporary family health care dwellings. However, unless otherwise provided, setbacks and other local ordinances, charter provisions, and applicable state laws still apply. Because conflicts may arise between the statute and one or more of the city’s other local ordinances, cities should confer with their city attorneys to analyze their current ordinances in light of the new law.

What permit process should cities follow for these permits?

The law creates a new type of expedited permit process. The permit approval process found in Minn. Stat. § 15.99 generally applies; however, the new law shortens the time frame for which the local governmental unit has to make a decision on granting the permit. Due to the time sensitive

⁹ The Legislature did not provide guidance on what represents “other comparable means”.

¹⁰ ANSI Code 119.2 has been superseded by NFPA 1192. For more information, the American National Standards Institute website is located at <https://www.ansi.org/>.

¹¹ New Minn. Stat. § 462.3593, subd. 2 sets forth all the structure criteria.

nature of issuing a temporary dwelling permit, the city has only 15 days (rather than 60 days) (no extension is allowed) to either issue or deny a permit. The new law waives the public hearing requirement and allows the clock to restart if a city deems an application incomplete. If a city deems an application incomplete, the city must provide the applicant written notice, within five business days of receipt of the application, telling the requester what information is missing. For those councils that regularly meet only once a month, the law provides for a 30-day decision.

Can cities collect fees for these permits?

Cities have flexibility as to amounts of the permit fee. The law sets the fee at \$100 for the initial permit with a \$50 renewal fee, unless a city provides otherwise by ordinance

Can cities inspect, enforce and ultimately revoke these permits?

Yes, but only if the permit holder violates the requirements of the law. The statute allows for the city to require the permit holder to provide evidence of compliance and also authorizes the city to inspect the temporary dwelling at times convenient to the caregiver to determine compliance. The permit holder then has sixty (60) days from the date of revocation to remove the temporary family health care dwelling. The law does not address appeals of a revocation.

How should cities handle data it acquires from these permits?

The application data may result in the city possessing and maintaining nonpublic data governed by the Minnesota Government Data Practices Act. To minimize collection of protected health data or other nonpublic data, the city could, for example, request that the required certification of need simply state “that the person who will reside in the temporary family health care dwelling needs assistance with two or more instrumental activities of daily living”, without including in that certification data or information about the specific reasons for the assistance, the types of assistance, the medical conditions or the treatment plans of the person with the mental illness or physical disability. Because of the complexities surrounding nonpublic data, cities should consult their city attorneys when drafting a permit application.

Should the city consult its city attorney?

Yes. As with any new law, to determine the potential impact on cities, the League recommends consulting with your city attorney.

Where can cities get additional information or ask other questions.

For more information, contact Staff Attorney Pamela Whitmore at pwhitmore@lmc.org or LMC General Counsel Tom Grundhoefer at tgrundho@lmc.org. If you prefer calling, you can reach Pamela at 651.281.1224 or Tom at 651.281.1266.

Focus on New Laws: Temporary Family Health Care Dwellings

Cities and counties must issue permits for a new type of land use under this law, unless they take steps to opt out.

(Published Jun 13, 2016)

Chapter 111 creates a new permit and permitting process that local governments must follow to allow a specific type of temporary transitional housing, unless the unit of local government takes official action by passing an ordinance to opt out of that program. Gov. Dayton signed the bill into law on May 12.

While the stated motivation behind passing the new law was to provide transitional housing for seniors, the statute itself does not include an age restriction for use of the structure. Anyone certified with needing assistance with two or more “instrumental activities of daily life” for mental or physical reasons may reside in a qualified temporary dwelling on the property where the “caregiver” or a “relative” resides.

Requirements of the law

The legislation is fairly complex in its requirements for both the permit application and the permit issuance, as well as for its regulations pertaining to compliant structures and eligible uses. Section 1 specifically excludes temporary family health care dwellings from the definition of “housing with services establishment,” exempting these temporary dwellings from the regulations and requirements set forth in Chapter 144D of the Minnesota Statutes.

Section 3 creates a new section in the Minnesota Land Use Planning Act (Minnesota Statutes, chapter 462), applying this new permit process for temporary family health care dwellings to cities. Section 2 of the new law also establishes the program for counties by creating a new section under Chapter 394 of the Minnesota Statutes. Finally, Section 4 of the law establishes Sept. 1, 2016, as the effective date.

What cities need to do

If your city leaders are comfortable with this program, you need to take no action to adopt it. However, by Sept. 1, your city does need to:

- Be prepared to accept applications for permits under the new law.
- Have an ordinance in place that establishes the permit fee (if the city decides to charge a fee different than the default fee).
- Be ready to review and act on a submitted application within the specified timeline.

Specifically, under the new law, most cities have 15 days to grant or deny a submitted application. (Cities that regularly meet only once a month get 30 days to make their decision.) The law expressly waives the public hearing due to the private medical information involved and because of the immediate need for care. The law does not specify an appeal process related to permit decisions.

The permit is good for six months, with the option to renew once for an additional six months. The permit fee is set at \$100, with \$50 for a renewal; however, a city can choose to adopt, by ordinance, a different fee schedule.

If a city already has designated temporary family health care dwellings as a permitted use, this new law does not apply to that city. Likewise, if a city passes an ordinance specifically opting out of this statute, none of the provisions of the law apply to that community.

If your city wants to adopt a program that differs from the one specified in the new law, you should know that the law does not authorize partial adoption or modification of the program. Instead, your city would need to opt out of the entire law and then adopt a different ordinance that meets the city's needs.

To help cities that would like to opt out of the statute, the League has developed a sample ordinance. The League has also created a frequently asked questions (FAQs) document.

- [View the sample opt-out ordinance \(doc\)](#)
- [Get additional guidance from the League's FAQs \(pdf\)](#)

A section-by-section walk-through of the bill also will be included in the *2016 Law Summaries*, which will be available on the League website by the end of June.

Details of the law

If this law applies to your city and you don't plan to opt out, it's important to know the specific details of the law, including its effect on your existing land use controls, the criteria for a qualified temporary family health care dwelling, and the permit application requirements.

Effect on land use controls

Existing local controls related to accessory uses and the parking and storage of recreational vehicles cannot regulate or prevent placement of a unit that qualifies as a temporary family health care dwelling (see section 3, subdivision 2). Other local ordinances and setbacks, as well as applicable state and federal laws, do apply.

Section 3, subdivisions 5 and 6 set forth parameters for inspection, enforcement, and permit revocation. At any time, cities can request proof that the unit remains compliant with the requirements of the law. Cities can arrange an inspection at a reasonable time that is convenient for the caregiver, to verify that the unit is compliant, is occupied, and that the resident is the one named on the permit.

Temporary family health care dwelling criteria

Section 3, subdivision 2 specifically sets the criteria for a structure to be considered a qualified temporary family health care dwelling. These structures must:

- Be primarily assembled at a location other than its site of installation.
- Be no more than 300 gross square feet.
- Not be attached to a permanent foundation.
- Be universally designed and meet state-recognized accessibility standards.
- Provide access to water and electric utilities, either by connecting to the utilities serving the principal dwelling on the lot or by other comparable means.
- Have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction.
- Have a minimum insulation rating of R-15.
- Be able to be installed, removed, and transported by a one-ton pickup truck, a truck, or a truck tractor as defined in Minnesota Statutes, section 168.002.

- Be built to either Minnesota Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2, which is an industry definition of a recreational vehicle.
- Be equipped with a backflow check valve.

Permit application requirements

A caregiver or a relative must submit a permit application to the city signed by the primary caregiver, the owner of the property on which the unit will be placed, and the resident of the property (if the owner does not reside there). The permit application requires a very specific list of information, including:

- **Applicant information.** Name, address, and phone number of the property owner, the property resident (if different from the owner), and the primary caregiver for the qualified inhabitant of the unit.
- **Resident name.** Only one person can reside in a temporary family health care dwelling and it must be the person named in the application.
- **Health care provider information.** Proof of the provider network that will provide the primary care, respite care, or remote patient monitoring service.
- **Verification of need.** Written certification of the need for assistance with two or more instrumental daily activities from a physician, physician's assistant, or advanced practice registered nurse licensed to practice in Minnesota.
- **Septic service.** An executed contract for septic service or management.
- **Neighbor notice.** An affidavit that all adjacent property owners and residents have received notification of the application.
- **Site map.** A general site map to show the location of existing structures and the proposed placement of the new unit. The placement must comply with the same setback requirements that apply to the primary residence and must allow septic service and emergency response access in a safe and timely manner.

Additionally, the law only allows one unit per lot and that unit must house only one resident, who must be the same person named in the application.

- [Get additional guidance from the League's FAQs \(pdf\)](#)

LMC Offers Sample Ordinance to Opt Out of New Health Care Dwelling Law

Cities will need to decide quickly on how to approach dealing with the new law.
(Published May 31, 2016)

A new law allows landowners to place mobile residential dwellings on their property to serve as a temporary family health care dwelling. Gov. Dayton signed this legislation into law on May 12. (Read related article. ([Link to: http://www.lmc.org/page/1/TempHCDwellings.jsp](http://www.lmc.org/page/1/TempHCDwellings.jsp))

Community desire for transitional housing for those with mental and physical disabilities, and the increased need for short-term care for aging family members served as the catalyst behind this initiative. The resulting law, Chapter 111 ([Link to: https://www.revisor.mn.gov/laws/?id=111&year=2016&type=0](https://www.revisor.mn.gov/laws/?id=111&year=2016&type=0)), allows for a family to more easily care for these individuals by using a temporary dwelling on the property.

Cities are allowed to opt out

Given the Sept. 1, 2016, effective date of the new permit system, cities will need to start planning quickly on how to approach dealing with the temporary health care dwelling issue. The new law allows cities to avoid being subject to the new permit system and its requirements if they either pass an opt-out ordinance or if these structures are a permitted use in the city.

In response to member requests, the League has developed a model ordinance in the event that a city chooses to opt out.

View the sample ordinance to opt out of the temporary family health care dwelling law (doc) ([Link to: http://www.lmc.org/media/document/1/TemporaryFamilyHealthCareDwellings.docx](http://www.lmc.org/media/document/1/TemporaryFamilyHealthCareDwellings.docx))

Further information

The June 13 issue of *Cities Bulletin* will include a "Focus on New Laws" article providing a more thorough explanation of the requirements of this new statute. The League is also developing FAQs based on the comments and questions staff have been receiving.

For more information, contact LMC Staff Attorney Pamela Whitmore at pwhitmore@lmc.org ([Link to: mailto:pwhitmore@lmc.org](mailto:pwhitmore@lmc.org)) or LMC General Counsel Tom Grundhoefer at tgrundho@lmc.org ([Link to: mailto:tgrundho@lmc.org](mailto:tgrundho@lmc.org)).

Read the current issue of the *Cities Bulletin* ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

* By posting you are agreeing to the LMC Comment Policy ([Link to: http://www.lmc.org/page/1/comment-policy.jsp](http://www.lmc.org/page/1/comment-policy.jsp)).

Your LMC Resource

Pamela Whitmore
Research Attorney
(651) 281-1224 or (800) 925-1122
pwhitmore@lmc.org ([Link to: mailto:pwhitmore@lmc.org](mailto:pwhitmore@lmc.org))

Contact Tom Grundhoefer
General Counsel
(651) 281-1266 or (800) 925-1122
tgrundho@lmc.org ([Link to: mailto:tgrundho@lmc.org](mailto:tgrundho@lmc.org))

Reach Minnesota Cities!

ORDINANCE NO. _____

CITY OF _____

**AN ORDINANCE OPTING-OUT OF
THE REQUIREMENTS OF
MINNESOTA STATUTES, SECTION 462.3593**

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

THE CITY COUNCIL OF THE CITY OF _____, ORDAINS as follows:

Section ____. City Code, Section _____ is amended as follows:

OPT-OUT OF MINNESOTA STATUTES, SECTION 462.3593:

SECTION _____. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of _____ opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

SECTION _____. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2016, by the City Council of the City of _____.

CITY OF _____

By: _____

ATTEST:

EAST METRO

New Brighton company's tiny trailer homes offer solution for families in need

New Brighton entrepreneurs helped write a bill to allow their small mobile homes into yards.

By Erin Adler (<http://www.startribune.com/erin-adler/195633361/>) Star Tribune JUNE 4, 2016 — 12:42PM

At different times, Jesse Lammi and John Louiselle have received the same bittersweet update: Their sick relative was healthy enough to leave the hospital.

The bad news: Their family had to track down a safe, affordable and local place for their still-fragile family member to convalesce in just a few days.

The young entrepreneurs created New Brighton-based NextDoor Housing to help families avoid that dilemma.

In a twist on the "tiny homes" trend, their company sells and rents out 240-square-foot, handicapped accessible trailers designed to sit temporarily in homeowners' backyards when a family member can't quite live independently.

"Really, the goal here was to provide time and sanctuary for people in need," Lammi said. "A spot where you can be near family but still have that privacy and independence."

A new bill passed weeks ago allows parking the 8-by-30-foot structures — called Drop Homes or granny pods — on single-family home lots for six months with a \$100 permit, unless barred by a local ordinance.

"The nexus of NextDoor Housing really is just trying to add another option to the current ones," Louiselle said.

Rep. Roz Peterson, R-Lakeville, and Sen. John Hoffman, DFL-Champlin, sponsored the bill.

Lammi and Louiselle crafted a "relatively complicated" bill — the Temporary Family Health Care Dwellings Bill — mostly on their own, Peterson said, an impressive feat.

Peterson was also taken with the idea of Drop Homes.

"I have a 96-year-old father and personally experience the challenges," Peterson said. "People need to have some choices and this is just one other... tool in the toolbox."

Lammi and Louiselle grew up playing hockey together in the northern suburbs. They reunited after college and came up with the NextDoor Housing concept, drawing on college majors in health care and economics.

"It really was a combination [of both of us]," Lammi said. "I kind of had modular housing ideas, and John brought the health care side into it."

The business began in 2014 and leapt forward when the two received a \$340,000 grant from the Minnesota Department of Human Services.

NextDoor Housing contracts with a company in north-central Minnesota to construct the homes. Each Drop Home plugs into a 50-amp outlet and has heat, air conditioning, heated water and a bathroom with a shower. They can be pulled with a one-ton pickup truck, making them mobile.

The homes cost \$45,000 to \$70,000 to purchase or \$1,250 a month to rent through NextDoor. Combining that rent with in-home health care would cost about \$3,500 a month, the same or less than a spot in assisted living.

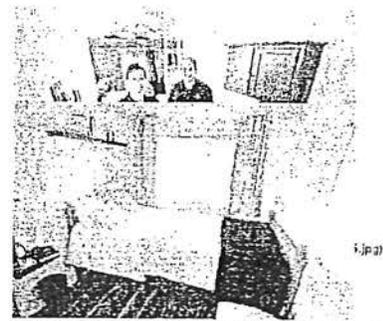
"The price of nursing home care has skyrocketed in the last five years," Louiselle said. "A lot of people need that, but there are individuals who land in nursing homes that don't necessarily need or want to be there."

A lot of interest has come from rural Minnesota, Lammi said, where there are already a few Drop Homes sheltering people with medical problems. So far, three have been sold and two rented.

Since the law takes effect Sept. 1, the real kickoff will be at the Minnesota State Fair in August, where they'll "go full-scale launching our rental operation," Lammi said.

The goal is to sell or rent five Drop Homes by the fair's end, Lammi said.

New Brighton Mayor Val Johnson, a Lammi family friend who has advised both partners on their business, called their brainchild "brilliant."



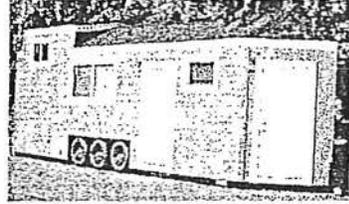
(<http://www.startribune.com/erin-adler/195633361/photos/146501345223863.jpg>)

Each mobile home (called a Drop Home) features heat, air conditioning, heated water, a bathroom with a shower and a bed and bedroom area.

"When people have a good idea and they work diligently to make it happen, it's important to support them," Johnson said. "It's not always about experience but more about drive."

"We're the only company around doing this," Lammi said. "We really believe it's the wave of the future."

Erin.Adler@startribune.com 612-673-1781



(http://stmedia.startribune.com/images/ows_146501345512607.jpg)

The small mobile homes are designed to be used by people who are recovering from an injury or illness or for those who may have a disability.

CYNTHIA R. KIRCHOFF
Attorney at Law

CALL 952-225-1610
EMAIL info@kirchoff-law.com



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Minnesota cities must allow "granny pods"

Posted on May 20, 2016 by Cynthia Kirchoff

Effective September 1, 2016, Minnesota cities must allow the installation of a "temporary family health care dwelling" or more commonly known as a "granny pod."

What exactly is a "temporary family health care dwelling"? It is specifically defined as "a mobile residential dwelling providing an environment facilitating a caregiver's provision of care for mentally or physically impaired person."

To qualify as this type of dwelling, it must be made off-site, not more than 300 square feet, not attached to a permanent foundation, and have access to utilities, among other requirements. Additionally, the dwelling must be located on property where the caregiver or relative resides and comply with all setbacks that apply to the primary dwelling.

The caregiver must apply for a temporary dwelling permit from the city. The statute lists all of the information that must be submitted with the application, including an affidavit that the applicant has notified adjacent property owners.

The city may charge a fee up to \$100 for the initial application and up to \$50 for a permit renewal.

No public hearing is required for the permit application. The city must approve or deny the permit within 15 days (or 30 days if the city holds only one meeting per month). The rest of section 15.99 (the automatic approval statute) applies.

If the application is incomplete, the city must notify the applicant within five business days what is missing from the application to re-start the 15 day or 30 day clock. The city cannot extend the period of time to take action on the permit.

A temporary dwelling permit is valid for six months and the permit may be renewed once for an additional six months. The city may revoke the permit if the permit holder violates the statute.

****Note:** The installation of a temporary family health care dwelling cannot be prohibited by a city that regulates accessory uses or RV parking or storage UNLESS it opts out of this law by ordinance. Also, if your city ordinance already permits this type of residential dwelling, then the statutory requirements don't apply.

See Chapter 111 of the 2016 Session Laws for the detailed statutory language

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CONTACT

Call 952-225-1610 or
e-mail info@kirchoff-law.com

Mailing Address
International Plaza
7900 International Drive, Suite 300
Bloomington, MN 55425

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Proud to author Sophia's Law making MN 1st state to require carbon monoxide detectors on boats. @mndnr #mnleg
<https://t.co...>

5 days ago

RT @jeffreyhayden:
Deeply appreciate strong, early support from @GovMarkDayton, @SenateDFL & community to pass these investments #mnleg

Granny pods are a go

Legislation that allows families and caregivers to create temporary housing on their property for family members who are mentally or physically impaired passed the Health, Human Services, and Housing Policy Committee this week. This bill defines the concept of temporary family health care dwellings, also known as "granny pods," and provides the process for permitting the facilities by counties and cities.

In order to legally create a shelter, applicants must obtain a six-month permit from the county or city to build the unit and may renew the permit once for an additional six months. The county or municipality is not required to hold hearings on the applications due to the time sensitive nature of the permit. However, the permit must be issued or denied within 15 days of the application. Counties and municipalities are able to opt out of the permitting provisions in the bill by resolution.

Some of the requirements of the temporary shelter include that it must be assembled off site, be no more than 300 gross square feet, be connected to water and electric utilities, meet state-recognized accessibility standards, and be limited to one mentally or physically impaired person. The bill moves next to Finance Committee. (S.F. 2555)

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April 7, 2016

Week in Review

Senate Majority Media

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Minnesota senators again 'granny pods' for aged, disabled relations

"Some growing older Minnesotans are put able that their housing wants are usually not adequately met," Sen. John Hoffman, D-Champlin, stated about his invoice Monday.

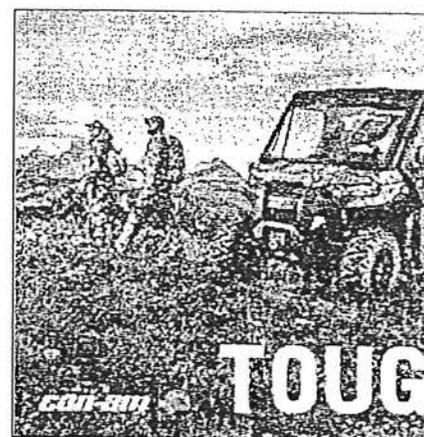
The laws would make it authorized, until an area authorities bans it, to permit short-term trailer-like houses to be positioned on caregivers' land, even when zoning ordinances in any other case wouldn't permit it. The houses could possibly be situated there for as much as a yr, and the resident have to be beneath well being care.

The houses can be restricted to 300 sq. ft.

"I might ask that all of us say sure to grandpa and grandma." Hoffman stated.

Senators agreed on a 50-15 vote. An analogous invoice awaits Home approval.

Referred to as "granny pods," the little houses often wouldn't meet native laws.



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Hoffman's invoice permits cities and counties to choose out in the event that they don't need the houses of their communities.

Sen. Carla Nelson, R-Rochester, questioned whether or not all native governments would know they should change their guidelines if the invoice passes they usually need to permit the well being houses.

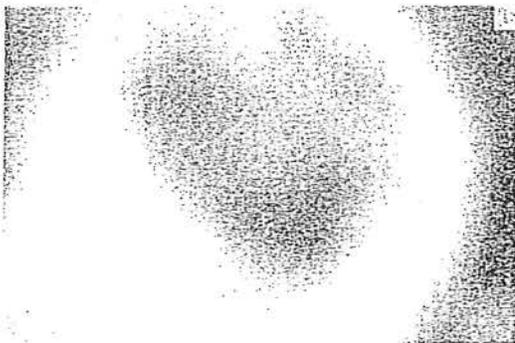
"They could not find out about granny pods," Nelson complained.

Sen. Torrey Westrom, R-Elbow Lake, who prefers to name them "tiny houses," stated he would like to see them allowed for greater than a yr. "That's getting fairly near the top of life, in the event you can predict it that shut."

Nevertheless, he added, he helps the idea of "taking a look at revolutionary, inexpensive methods of staying near their household or whoever is taking good care of them."

Hoffman stated the typical keep in such houses is forty four days.

Source link



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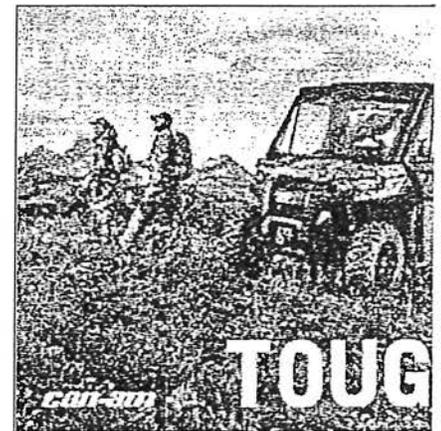
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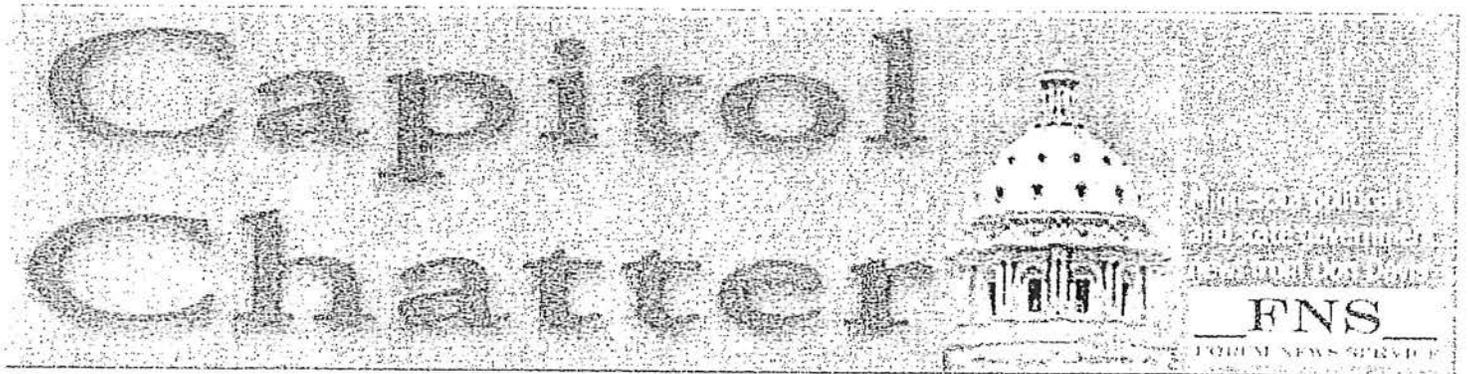
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NEWSBRY STATS



A Look At Minnesota Legislative Results

 24 May 2016 /  Don Davis /  Minnesota government, News /

Minnesota legislators introduced 7,763 bills in the 2015-2016 legislative period, most of which went nowhere. Here is a look at some of the bills that passed or failed this year, including some awaiting Gov. Mark Dayton's approval.

Animal trusts: Minnesotans will be able to put money away in trusts so after they die there will be money to care for pets.

Autocycles: Law allows operators of a new type of three-wheel motorcycle that drives like a car to only need a car driver's license, not one for motorcycles.

Bathroom law: There was lots of talk, but no action, on legislation to require students to use restrooms of their birth gender.

Body cams: Bill passed restricting public access to videos from body cameras worn by law enforcement officers.

Bonding: Attempt to borrow money for wide range of public works projects failed at the end of session.

Broadband: After the governor sought \$100 million to expand high-speed Internet in rural Minnesota, \$35 million eventually was approved.

Budget: About \$167 million will be spent from the state budget surplus for a variety of programs, with other money transferred in from other funds.

Buffers: Counties will get some state aid to implement a law requiring buffers around water. Also, a bill passed to clarify the buffer law passed last year.

Child protection: New law extends a legislative child protection task force that already has resulted in changes in how child abuse is reported.

City aid: Local Government Aid will increase \$20 million next year.

Civics test: High school students will be required to take a test with questions given to immigrants seeking citizenship. However, passage will not be required for graduation.

Drug sentencing: Sentences were lowered for lower-level offenders, with drug dealers getting stiffer sentences.

Education: The governor's request was approved for \$25 million for pre-kindergarten education.

Eyelash extensions: Technicians applying eyelash extensions will be licensed.

Family leave: Sen. Katie Sieben of Cottage Grove proposed requiring employers to give workers family leaves, but nothing passed.

Fantasy sports: Efforts to specifically legalize fantasy sports failed, leaving the activity vulnerable to a court challenge since Minnesota laws make most gambling illegal.

Farm safety: Money was appropriated to begin a program allowing farmers to get aid to install rollover bars on older tractors.

Granny pods: Temporary mobile-home-like living quarters may be placed next to a home of a care giver, such as an ill parent living next to a child's home

Greater Minnesota schools: Nearly \$5 million was appropriated to bring greater Minnesota school districts more money and bring them closer to what Twin Cities districts receive.

Hemp: Lawmakers appropriated funds to help launch a program to grow industrial hemp.

Ice arenas: Fixing ice arenas and related equipment received \$10 million.

IRRRB: The Iron Range Resources and Rehabilitation Board was reduced to being only advisory after the legislative auditor raised questions about whether the state Constitution allows it to spend money.

Laura's law: The House and Senate overwhelmingly passed a bill increasing the penalty for concealing a body. Known as Laura's Law, the measure came after an extensive 12-day Douglas County missing person search.

Marriage licenses: A five-day waiting period Minnesota law long has required was repealed.

Madelia: Tax breaks and other aid are being provided to the southern Minnesota city, which lost much of its downtown to a fire.

Prescriptions: Pharmacies may dispense 90 days' worth of medications under certain circumstances.

Presidential primary: Minnesotans will vote in a presidential primary for the first time in 2020.

Prince: Legislation was debated to guarantee that heirs would retain commercial rights to artists' likenesses. The issue arose after musician Prince died April 21, but legislation did not reach a vote.

Racial disparities: After the governor sought \$100 million to help reduce financial disparities between black and white Minnesotans, lawmakers approved \$35 million.

Rail safety: Several rail safety provisions were in a bill that failed to pass before the Sunday midnight deadline.

Range unemployment: After weeks of arguing, lawmakers earlier in the session approved extending unemployment benefits 26 weeks for many Iron Range workers off work due to a national steel industry slow-down.

Real ID: Whether to issue driver's licenses to immigrants stalled work on matching Minnesota licenses and other identification cards with federal Real ID rules.

Revenge porn: It will be illegal to use a compromising photo without the subject's permission.

Siding manufacturer: A \$6 million appropriations was made to attempt to attract a siding manufacturer to the Iron Range. State officials refuse to say what company is looking at northeastern Minnesota.

State hospitals: Funds were approved to improve security and care at St. Peter and Anoka facilities. However, money to rebuilt part of the St. Peter hospital was in a bill that failed to meet the midnight Sunday deadline.

Taxes: Tax cuts totaling \$260 million passed.

Teacher shortage: Several provisions passed to help the state attract teachers.

Transportation: Nearly everyone agreed the state needs to boost transportation-related spending \$600 million a year for a decade, but an attempt to provide a one-year infusion failed at the last minute.

Unemployment taxes: The amount businesses pay in unemployment taxes will be limited.

Utility damages: Law increased penalties for intentionally damaging telecommunications and energy equipment.

Sunday sales: There always is an effort to allow liquor stores to be open on Sundays, but like in past years it failed this year.

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Dayton Has Doubts On Transportation Funding →

ABOUT

Sen. Hoffman Update: May 13, 2016



(http://i1.wp.com/www.dfl3cd.org/wp-content/uploads/2015/11/Hoffman_masthead.jpg)

If you like to fish I hope you are able to get out to the fishing opener this weekend. There is nothing better than enjoying our Minnesota outdoors. We are fortunate to have the land of 10,000 lakes and plenty of Walleye to be enjoyed. It is important that we continue to invest in good conservation efforts to keep our State at the top when it comes to fishing and water. We spent time this week on the Senate floor going through bills and were able to get some important legislative areas, namely Real ID and the tax bill with paid family leave passed in the Senate. Our Governor met with leaders from both the House and Senate to discuss the transportation priorities in our State. We are all waiting to see what the legislative leaders and the Governor decide on the transportation bill. The Governor is coming out with that on Monday. I would like to see a comprehensive transportation plan come out of the meetings as our roads and bridges have gone neglected far too long. All of us need to continue to advocate on that point.

I hope you and yours have a great weekend. Thank you for contacting me with your ideas and concerns.

Please check out more about me and the work I have done. <http://senatedfl.mn/members/senator-john-hoffman/>
([https://iqconnect.lmhostediq.com/iqextranet/iqClickTrk.aspx?
&cid=MNS36&crop=14064.5059117.5004196.7002336&report_id=&redirect=http%3a%2f%2fsenatedfl.mn%
2fmembers%2fsenator-john-hoffman%2f](https://iqconnect.lmhostediq.com/iqextranet/iqClickTrk.aspx?&cid=MNS36&crop=14064.5059117.5004196.7002336&report_id=&redirect=http%3a%2f%2fsenatedfl.mn%2fmembers%2fsenator-john-hoffman%2f))

Sincerely,

([http://i2.wp.com/www.dfl3cd.org/wp-content/uploads/2015/07/John-Hoffman-](http://i2.wp.com/www.dfl3cd.org/wp-content/uploads/2015/07/John-Hoffman-Signature-reverse-black.png)

[Signature-reverse-black.png](http://i2.wp.com/www.dfl3cd.org/wp-content/uploads/2015/07/John-Hoffman-Signature-reverse-black.png))

John Hoffman

My Bills

Making Regulations for Body-Piercing businesses work(SF1474)

^



(<http://i0.wp.com/www.dfl3cd.org/wp-content/uploads/2016/05/Hoffman-16-05-13-1.jpg>)

Being a member of the Midway Chamber of Commerce gives me a unique perspective on the needs of businesses. One of these needs is to make sure regulations make sense for the industry in question. My bill on Wednesday did just that adding clarity to the current law dealing with the licensure of body art technicians in Minnesota.

Body art technicians include tattoo artists and body piercers. The legislation was brought to me by an establishment that provides body piercing, Almost Famous Body Piercing. Almost Famous was concerned that the current licensing laws lacked clarity in some areas. They have worked with the Department of Health to address concerns that MDH had with the original legislation. SF1474 will provide greater clarification and add more certainty to the regulations that are applied to the body art industry in Minnesota.

The Body Art Licensing law is relatively new, being enacted in 2010. It regulates body piercing technicians and tattoo artists in the state of Minnesota.

Senate File 1474 primarily does three different things: 1) it clarifies and strengthens requirements for body art technician licensure; 2) it clarifies the identification requirements for a minor to receive a body piercing; and, 3) it requires a renewal notification to licensees.

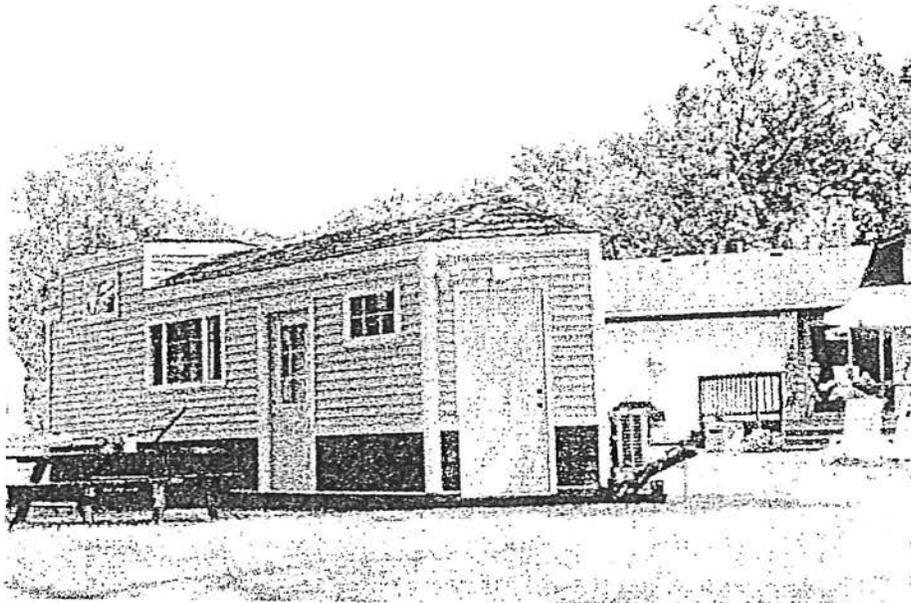
Most of the changes are clarifying as they are consistent with current law and regulatory practices. But, one change is a bit more substantial.

The experience required to become a body piercer from 200 hours of experience to 250 piercings under direct supervision and 250 under indirect supervision. This will result in an increase in experience to obtain licensure as a body piercer. It does not impact the requirements to become a tattoo artist.

This change leaves the standards for tattoo artists the same as current law. But, it changes the licensure requirement for body piercing technicians from 200 hours of experience to 250 piercings under direct supervision, and 250 piercings under indirect supervision. This, in practice, increases the licensure requirements as the Department of Health is currently interpreting 200 hours of experience to be the same as 200 piercings. Requiring a set number of piercings is more appropriate than the “hours” requirement for piercing as it is a more objective measure of experience and the number of total piercings is appropriate to ensure that piercers are properly trained. ^

The bill passed 52-6.

Granny Pod bill is signed by the Governor(SF2555)



(http://i1.wp.com/www.dfl3cd.org/wp-content/uploads/2016/05/Hoffman-16-05-13-Granny_Pod.jpg)

My bill that will make it easier to take care of a loved one with medical needs, primarily elderly parents, was signed by the governor on Thursday. The bill addresses the currently underserved need for immediate, affordable, short-term housing options with the use of “Granny Pods”.

This marks the end of a 4 month process in getting this bill passed. John Lucille and Jesse Liam of next door housing contacted me in January about this idea. It is a creative idea that will help families deal with the silver tsunami that is coming.

What is happening in the Legislature

Transportation Bill Update

^



(<http://i0.wp.com/www.dfl3cd.org/wp-content/uploads/2016/05/Hoffman-16-05-13-Transpo-Update.jpg>)

On Friday of last week, the ongoing Conference Committee on Transportation met to discuss a proposal offered by the Senate. While the House plan relies on general fund dollars and shifting money away from other priorities, the Senate has consistently put forth a plan that would provide significant new revenue and funding needed for the state's transportation network needs.

The May 6 proposal continues the Senate's commitment to raising new, dedicated revenue for Minnesota's transportation network. It included a phased-in increase in the per-gallon gas tax (a concession from the original Senate proposal), and increases in license tab fees. The proposal also included significant bonding over the next ten years through the Corridors of Commerce program, Transportation Economic Development program, and State Road construction. In addition to this revenue, Metro and Greater Minnesota transit would receive new revenue to help meet the growing demand for transit across the state.

The new revenue and funding included in the latest Senate proposal would ensure that every piece of Minnesota's transportation network—including roads, bridges, and transit—would have new dedicated revenue.

On May 11, the House presented their counter-proposal. Unlike the Senate, the House has proposed to shift general fund money from the Auto Sales Tax, with no new revenue for transit and a large amount of G.O. bonding. Additionally, the House proposal included several controversial policy provisions surrounding the Met Council and transit finance.

The latest House proposal continues to highlight the large gulf between the two proposals. The Senate remains committed to finding a long-term comprehensive solution for Minnesota's transportation network that includes new revenue and dedicated funding for roads, bridges, and transit needs. While the Senate plan included concessions, the House has continued to draw lines in the sand and has inserted controversial policy proposals which only serve to widen the divide and making it harder to find common ground.

The Governor had a press conference on Friday after the meeting. In the press briefing he described his plan to release a bill on Monday. I look forward to seeing what that looks like, as our state needs a comprehensive transportation solution to fix our roads and bridges.

Paid Family Leave passed off Senate Floor

The Paid Family Leave proposal passed the Senate floor Wednesday as a provision in the Senate Tax Bill. The bill provides wage replacement for leaves due to pregnancy, bonding with a new baby, or caring for a seriously ill family member.

The Senate's Paid Family Leave program creates a new insurance-like system that would be administered by the state. The program calls for equal contributions from employers and employees to fund the program. The average Minnesota worker would pay just \$45 per year in order to access up to 12 weeks of partial wage repayment. The program has a graduated payout, with the lowest wage workers getting about 80% of their wages repaid when they take a leave.

This February, through direction by the legislature, the Department of Employment and Economic Development and the University of Minnesota published a study which looked at options for designing and implementing a Minnesota paid family and medical leave insurance program. The study made a strong case for why paid family leave programs support workers and families.

The research showed that people with paid leave use less sick time and health care, and their children do better in school. Paid maternity leave contributes to better maternal mental and physical health, better prenatal and postnatal care, more breastfeeding, and greater parent/infant bonding. Elders cared for by family members with paid leave more often enjoy a higher quality of life. The study showed that when employees are given the opportunity to care for their children or care for their aging parents, it means they are better able to earn a good living, support their family, and retire securely.

Currently in the U.S. only 13% of workers have access to paid family leave, and 40% of workers can access paid medical leave. Usually, these workers are already some of the highest paid. Paid family leave helps level the playing field, supporting parents while they spend time with newborns, and care for loved ones when they are sick.

REAL ID passes off the floor

This is the second bill related to REAL ID the Legislature has heard this session. The first repealed the prohibition on planning, and required DPS to report to the Legislature about the next steps for implementing the law. The department reported back with the next steps Minnesota needs to complete for compliance. This second bill allows the department to make technical changes to bring Minnesota's statutes and licenses into compliance with federal REAL ID standards.

^

One of the main features of the Senate bill allows for a noncompliant license which would allow those who are concerned about the data collected and those who have no plans for air travel to have a state-issued driver's license or ID that is not REAL ID compliant. One major difference between the Chambers is the Senate's date for implementation of these new driver's licenses and IDs would be Jan. 1, 2018 when the new Minnesota Licensing and Registration System (MnLARS) is scheduled to be completed. This later implementation date saves Minnesota taxpayers millions of dollars while still being completed before the federal deadline.

In addition to the issues of federal compliance, the bill includes a provision allowing the commissioner to add lifetime game and fish information to the back of the new Minnesota driver's license or ID, in writing or as a graphic.

An amendment was adopted on the floor that requires legislative approval of any changes made to the REAL ID Act at the federal level.

Move to a Presidential Primary passes off the Senate floor



(<http://i2.wp.com/www.dfl3cd.org/wp-content/uploads/2016/05/Hoffinan-16-05-13-Primary.jpg>)

The Senate passed a bill to switch from a caucus system when picking presidential candidates to a presidential primary system. As a result of long lines and general confusion during the 2016 caucus held on March 1, elected leaders, including myself, called for a presidential primary as opposed to Minnesota's current caucus system.

Switching to a primary system would allow Minnesota voters a full day to cast a ballot for their preferred presidential nominee. A caucus, on the other hand, is limited in its appeal and convenience. In addition to allowing for all-day voting, the primary also gives people the ability to vote absentee, further increasing access to participation in the process. The bill also requires separate ballots to be created for each party so that voters are only able to participate in one party's nominating process at their polling place.

It is important to note that the primary system would only be used for presidential primaries once every four years. The caucus nominating process would still be in place for all other state and local elections. The bill does not make any other changes to general election law.

The bill also outlines guidelines for the Secretary of the State to reimburse counties and municipalities for expenses incurred. The costs of preparing and printing ballots, preparing electronic voting systems, and payments to temporary staff, election judges, and county canvassing board members can be costly for municipalities.

If you have any questions or concerns feel free to call my office at 651-296-4154 or by e-mail at jhoffman@senate.mn (<mailto:jhoffman@senate.mn>)

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[< Rep. Flanagan Update: May 13, 2016 \(http://www.dfl3cd.org/?p=2497157\)](#)

Senate District 46 Post Session Town Hall [> \(http://www.dfl3cd.org/?p=2497167\)](#)

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My Mother Lives in the Backyard: The Granny Pod Evolution

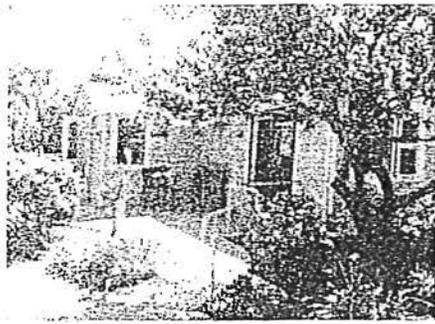
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We Customize Our Services To Fit Your Moving Needs. Contact Us Now.

If that's your answer to queries about where your elderly mother lives, you and your mom are part of one solution for the looming problem of how to care for America's rapidly aging population, which is growing at the rate of some 1.7 million seniors each year.

Maybe your mother lives in a portable self-contained medical cottage in your backyard. Dubbed "Granny Pods," these pre-fabricated and pre-equipped medical cottages can be installed in a backyard behind a caregiver's home, zoning laws permitting, and hooked up to the existing sewer, water and power lines.

Though some critics see granny pods as little more than storage containers for the elderly, over time these increasingly sophisticated medical cottages have become viewed as viable alternatives to expensive long-term care facilities, one that keeps aging seniors close to families while offering supervision and care when needed, along with the independence seniors desire.

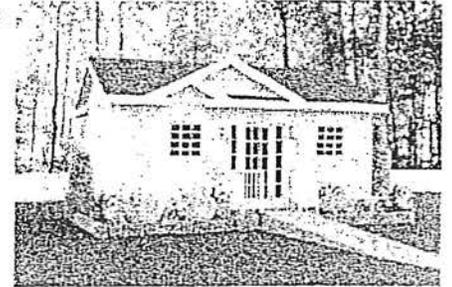


Source: InspiredIndependence.com

The prototype “granny pod” units cost up to \$125,000 installed, have standard safety features like hand railings, defibrillators and first aid supplies, lighted floorboards and a soft floor to minimize damage from falls.

The high tech units are also equipped with interactive video and devices that monitor vital signs, like blood pressure and blood glucose, and transmit real time readings to caregivers and physicians. Cameras at floor level and sensors alert caregivers to a fall, the toilet seat records weight and temperature, a hammock-like chair lift transports a resident from bed-to-bathroom, and a computer reminds residents

when it is time to take medications.



Source: MEDCottage.com

Better Care for Seniors

The Reverend Kenneth Dupin, a Methodist minister from Salem, VA, gets credit for the Granny Pod concept, though that’s not what he called the units. (According to the Washington Post, credit for that goes to a Fairfax County supervisor who equated the pods to storage containers.)

As the story goes, after visiting a depressed parishioner whose family had moved her to a nursing home, Rev. Dupin decided America should do better for its aging population. He founded a company, N2Care, and, working with Virginia Tech Research Center in Blacksburg, VA, designed the MEDCottage, now known as the granny pod.

MEDCottage

200 square feet
Dimensions 21'3" x 13'9"



Source: MEDCottage.com

Though several versions now exist, the basic MEDCottage is about 12 by 24 feet, or the size of a master bedroom, has vinyl siding, double French doors (to accommodate a wheelchair and hospital equipment) and looks like a small bungalow. Inside, it resembles a hotel suite, with living space, small kitchen and bathroom.

Though the initial cost may seem steep, proponents point out that nursing home care is also expensive, costing upwards of \$50,000 a year for a semi-private room, depending on location, and the company will buy back the units when no longer needed.

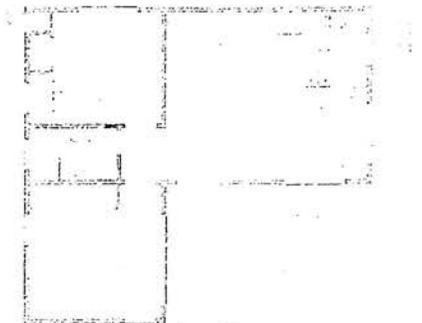
Granny pods and other auxiliary dwelling units, or ADUs, offer a blend of independence and 24/7 caregiving, plus closeness to family and friends instead of isolation in a distant nursing home.

Helping Meet the Care Need

More practically, these modular medical care units may be essential to providing care for the soaring numbers of seniors, a number the Census Bureau predicts will more than double from 35 million in 2000 to more than 70 million by 2030.

Since Genworth, a firm specializing in long-term care and life insurance, predicts that at least 70 percent of the nation’s elderly will require long-term care at some time in their lives, the nation’s current 15,700 long-term care facilities may not be sufficient to meet the need. Something more is needed and these self-contained medical units could meet that need.

The MEDCottage, the original granny pod, may have received the most publicity, but as the auxiliary care unit idea has caught on, others have entered the field. Among the other versions are ASAPs, or Architectural Solutions for Aging Populations, developed by an architectural firm in San Francisco. Fab Cab in Seattle also has a pre-fabricated version, as do PALS (Practical Assisted Living Solutions) in Rockfall, Conn., and ECHOAs or Elderly Cottage Housing



Source: InspiredIndependence.com

Opportunity Additions. Larson Shores, an architecture firm in the San Francisco Bay Area, provides pre-designed in-law cottages that are accessible, affordable, and sustainable, and built on the owner's property.

Opposition

Local zoning laws have stalled the growth of the "granny pod" movement in some parts of the country. In 2010, Virginia amended state zoning laws to permit the addition of a temporary health care structure behind an existing home, but with the stipulation that a physician documented the medical need. Other states, including California and New York, followed. (If you are not sure about your area, check with your local agency on aging or the [Accessory Dwellings](#) website for regulations by city and state.)

Yet the prefabricated units still encounter some opposition, especially from potential neighbors who worry about overcrowding, and warn that adding seniors and disabled residents will change the character of a neighborhood, increase traffic, and affect property values. Too, some people simply don't like the idea of "warehousing" the elderly in a self-contained unit, even one that is close to family and friends.



About Mary Hager

Mary Hager is an award winning journalist and editor, having worked for Newsweek and Life magazines and written for numerous other publications, including National Journal, New Yorker, American Psychologist, Consumer's Digest, Tomorrow Magazine, Longevity, National Wildlife, Grolier's Medicine and Health Yearbook, and Eco.

[View all posts by Mary Hager](#) →

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["Need help changing a light bulb?"— It Takes a Village to Care for an Aging Population](#)

6 thoughts on "My Mother Lives in the Backyard: The Granny Pod Evolution"

 [MartinB](#)
May 24, 2016 at 12:30 pm

At accessorydwellings.org, which I co-edit, we've got dozens of stories of people aging in place in accessory dwelling units (ADUs), which is what governments tend to call buildings like these.

However, nearly all of the "ADUs" we've seen are conventionally built structures, not prefab units. While it at first appears that a prefab structure will simplify issues of design and construction, in reality that doesn't seem to be the case. There are several reasons for this...

First, if the thing is going to be installed on a foundation and hooked up to local utilities, the local government will probably insist that the building follow the local government's standards for design, placement, build quality, etc. The prefab thing may have to be altered to meet those standards.

Prefab can be just as expensive as conventionally built. Once you start paying upward of \$100K for a backyard cottage, you start wondering why it can't be built with the custom touches you desire... a window here, a larger kitchen there, etc.

ADUs come in lots of sizes, shapes, and types. "Granny pods" look especially sophisticated, but readers should know they are just one way of doing it. ☺

[Log in to Reply](#)

dorothywiens

May 24, 2016 at 11:06 am

We have an adult son who had disabilities. This would be a great idea for him to have somewhere safe to live more independently .

[Log in to Reply](#)

[Pingback: MoneyFlip\\$ » Granny Pods](#)

Jarnes Zavist

November 1, 2015 at 6:55 am

For the right situation, this could be a great alternative. The two big challenges I see are cost and what happens after "granny" passes on. \$125,000+ is a big investment for most people, and I can see these easily being repurposed as non-senior guest quarters or rental units. A better solution might be leasing the units, so there's less of a reason to keep 'em, plus it would make them more affordable, much like other durable medical equipment.

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Toni

October 29, 2015 at 9:41 pm

I think this is a fantastic idea, like a mother-in-law apartment. I do think that it needs to be just a bit larger and more like a regular 1 bedroom apartment, not a studio. I think they should only have the specialized equipment that is needed for that particular patient, not necessarily everything that is listed in the article. Some of the equipment should be optional.

[Log in to Reply](#)

Elaine Booker

October 27, 2015 at 2:37 pm

This is a great idea and much better alternative than nursing homes, where there is never enough staff to support the number of patients, and no guarantee the elderly will get the quality care they need and deserve. My Mother would have enjoyed such a unit on our property instead of living in the house with us. She had lived alone for 35 years, liked her alone time, and felt as though she had lost all her independence once she came to live with me. Done right, these units can be an asset to property values, and a financial life-saver for the elderly and their families.

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BLOG

Eric Schubert

(http://www.startribune.com/blogs/archived/Eric_Schubert/)

The 'Granny Pod' and Lennar NEXTGEN Homes – Are They for You?

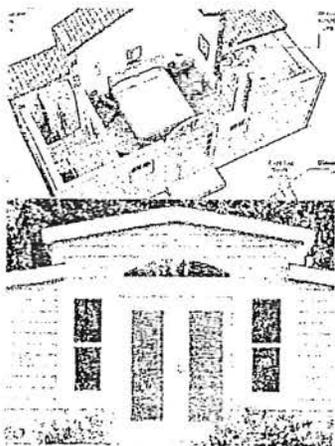
By eric schubert . JANUARY 4, 2013 — 10:07AM

America's Age Wave is leading to new backyard cottages dubbed 'Granny Pods (<http://www.medcottage.com/>)' and "homes within a home" via Lennar's NextGen Housing (<http://www.lennarcommunities.com/suburban-communities/minnesota-suburban/lennar-minnesota-grand-opens-their-next-gen-the-home-within-a-home-to-bonaire-in-maple-grove/>), which is offered locally in Maple Grove.

What do you think of them? Could you see them fitting your lifestyle? Would you rather live in one of these options than in a nursing home or assisted living apartment complex?

Both options are a "Back to the Future" approach to U.S. housing, where older and younger generations live together. That was the norm here in the past, and remains the norm in a number of countries.

The Granny Pod

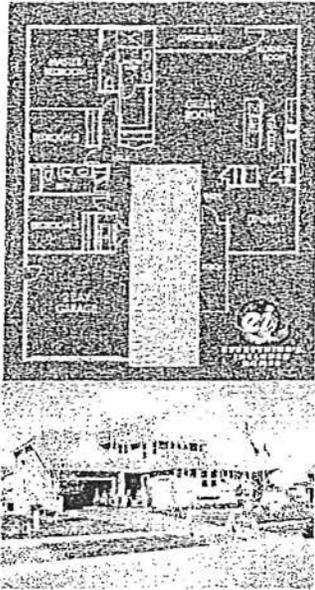


I can't stand the name, but the phrase "granny pod" gets your attention. One company's version is called a MedCottage (<http://www.medcottage.com/>). It's designed to provide an affordable, non nursing-home alternative to families at the end of life. It's temporary, modular housing that you can put in your backyard (assuming local zoning accepts it) ranging from 288 sq. feet to 605 sq. feet. Other features include:

- .Electricity and water connected directly to homeowner's utilities.
- A kitchen with a small refrigerator, microwave, and medication dispenser.
- .Bedroom and additional accommodation for a caregiver's visit.

- The bathroom is easily accessible.
- Includes cushioned floors and sensor and web-cam technology.

Lennar NEXTGEN Model



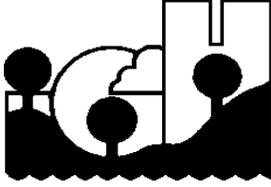
According to Pew Research Center, last year almost 17 percent of Americans lived in multigenerational households, including households with parents and adult children, as well as skipped generations with grandparents and grandchildren. That's up from 12 percent in 1980.

Recognizing this reality, Lennar created [NEXTGEN homes](http://northwestplymouth.com/2012/09/09/lennars-gen-arrives-minnesota-home-home-concept/) (<http://northwestplymouth.com/2012/09/09/lennars-gen-arrives-minnesota-home-home-concept/>). Under one roof, Lennar provides living space that can be used as a separate, private space but also offers direct access from the main house, depending upon the family's needs. Each NEXTGEN suite includes a separate entrance, living room, kitchenette, one-car garage, laundry and private outdoor living space. Both options above would require people to bring in outside caregiving services if the person has chronic care needs.

OLDER POST ([HTTP://WWW.STARTRIBUNE.COM/THE-IPHONE-AND-ELIMINATING-DISJOINTED-HORRIBLY-EXPENSIVE-HEALTH-CARE/184352981/](http://www.startribune.com/the-iphone-and-eliminating-disjointed-horribly-expensive-health-care/184352981/))
The iPhone and Eliminating Disjointed, Horribly Expensive Health Care
(<http://www.startribune.com/the-iphone-and-eliminating-disjointed-horribly-expensive-health-care/184352981/>)

NEWER POST
When Do you Plan to Retire? Will You Retire?
(<http://www.startribune.com/when-do-you-plan-to-retire-will-you-retire/191229461/>)

Eric Schubert is a vice president at Ecumen (www.ecumen.org), an innovative nonprofit senior housing and services company based in Shoreview. He oversees communications, branding, public affairs and the Ecumen "Changing Aging" blog (www.changingagingblog.org). He writes about aging and change resulting from it in innovation, how we live, wellness, public policy and beyond.



CITY OF INVER GROVE HEIGHTS

MEMORANDUM

TO: Mayor & City Council

FROM: Michelle Calvert, City Government Intern

SUBJECT: Request for Amendment to Bow Hunting Ordinance

DATE: July 25, 2016

Enclosures: Ordinance Language Changes; Updated Bow Hunting Map.

The option of requiring registration for all hunters and for requiring proof of proficiency was initially introduced in 2015 but deferred until 2016, so that more information could be gathered and analyzed. To that end, a city-wide survey was completed early in 2016.

The results of the survey were shared at the May 2, 2106 City Council work session, indicating that residents still want to be able to hunt within City limits. The results also indicated that safety concerns are an issue as well, so staff was directed to research how other cities manage their registration and proficiency requirements.

At the July 5, 2016 City Council work session, the results of that research was provided to Council. The information presented indicated that other cities consider the proficiency and registration requirements to be paramount to public safety. Council then considered possible changes to Ordinance 5-6-1 regarding requirements for all hunters (including the property owners and/or tenants of property where hunting will take place) to register with the Police Department and to require all registered hunters to provide certification of proficiency at the time of registration. Council directed staff to prepare for the first reading of the amendment to the ordinance.

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA
ORDINANCE NO. _____**

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE
SECTION 5-6-1 ~~(D)(2)(a)~~ (D)(1)(a), (D)(2) and (D)(2)(a), (D)(2)(i)(1) and (D)(4)
RELATED TO USE OF BOWS AND ARROWS**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Section 5-6-1 ~~(D)(2)(a)~~ (D)(1)(a), (D)(2) and (D)(2)(a), (D)(2)(i)(1) and (D)(4) of the Inver Grove Heights City Code is hereby amended to read as follows:

5-6-1: USE OF FIREARMS AND BOWS AND ARROWS:

D. Restrictions On Use Of Bow And Arrow:

1. The shooting or discharge of any bow and arrow within the city is hereby prohibited except in any of the following circumstances:
 - a. While hunting or engaged in target practice in that geographic portion of the city designated on the map dated August 24, 2015, effective September 17, 2016, on file with the city clerk as the area available for hunting or target practice, subject to the conditions hereafter set forth; the above identified map is hereby approved and hereby incorporated by reference and made a part of this section; or
 - b. While engaged in target practice within an enclosed structure; or
 - c. While engaged in target practice at a posted and designated archery range in a city park; or
 - d. While engaged in target practice on school or college grounds as part of an instructional course or supervised recreational activity and only with the permission of the school or college; or
 - e. While engaged in target practice at a licensed commercial archery range.
2. Provided, however, the shooting or discharge of a bow and arrow under the circumstances described in subsection D1 of this section relating to hunting or target practice in that geographic portion of the city designated on the map dated August 24, 2015, effective September 17, 2016, on file with the city clerk shall only occur if the following conditions are met:

- a. All persons whether hunting on their own property or property owned by someone else must register with the Police Department, and must also provide a copy of the hunting license as well as proof of proficiency to be obtained at a local or regional archery range or outdoor sporting goods store, the measure of which is the ability to shoot five of five arrows into a 4" target at 20 yards.
- b. There shall be no shooting or discharge of any bow and arrow within three hundred feet (300') of any residential or commercial structure.
- c. There shall be no shooting or discharge of any bow and arrow within two hundred feet (200') of any driveway not owned by the person engaged in the shooting or discharge, unless the owner of the driveway consents in writing and files the written consent with the city police department prior to the shooting or discharge.
- d. There shall be no shooting or discharge of any bow and arrow within two hundred feet (200') of any public street or private roadway.
- e. On an individual parcel less than five (5) acres in size, no shooting or discharge of a bow and arrow shall occur unless allowed under subsections D2e and D2f of this section.
- f. On an individual parcel of two and one-half (2.5) acres or more in size but less than five (5) acres in size, the owners of the parcel, the tenants of the parcel and the spouses, parents, children, grandparents, aunts, uncles, brothers and sisters of the owners or tenants may shoot or discharge a bow and arrow on such parcel for hunting or target purposes.
- g. On contiguous parcels that are cumulatively five (5) acres or more in size when combined, the owners of the parcels, the tenants of the parcels and the spouses, parents, children, grandparents, aunts, uncles, brothers and sisters of the owners or tenants and those receiving written permission from all the owners may shoot or discharge a bow and arrow on such parcels for hunting or target purposes if the owners of the contiguous parcels in writing consent to the use of the parcels for such purposes and the owners have filed the written consent with the city police department prior to the shooting or discharge.
- h. On an individual parcel of five (5) acres or more in size, only the owners of the parcel, the tenants of the parcel and the spouses, parents, children, grandparents, aunts, uncles, brothers and sisters of the owners or tenants and those receiving written permission from the owner may shoot or discharge a bow and arrow on such parcel for hunting or target practice purposes.
- i. In those instances stated above, where written permission from the owner is required, the following additional conditions must be met:
 - (1) Prior to any shooting or discharge of a bow and arrow, the person receiving the written permission shall file with the city police department the following information in writing: name, address and telephone number of the fee owner and of the persons receiving the permission; the beginning and end dates when hunting or target practice is to occur; a general description of the location of the subject parcel; a copy of the written permission received from the fee owner; as well as proof of proficiency to be obtained at a local or regional archery range or outdoor sporting goods store, the measure of which is the ability to shoot five of five arrows into a 4" target at 20 yards, the license plate number of the vehicle that the person will be driving to the subject parcel; evidence that the person has a valid Minnesota archery license; and emergency contact information.

- (2) The written permission from the fee owner must specifically state the beginning and end dates for which permission has been granted. The person receiving such permission must have the written permission in possession at all times while hunting or target practicing on the subject parcel. Discharge of the bow and arrow on the subject parcel shall only occur on the dates stated on the written permission. No shooting or discharge of a bow and arrow and no hunting shall occur on the subject parcel if the fee owner revokes the written permission.
- i. The person discharging the bow and arrow for hunting purposes must comply with all the laws and regulations of the state of Minnesota relating to hunting.
3. To facilitate inquiries with respect to which parcels of land are not available for hunting or target practice because the owners thereof decline to grant permission for such activities, the clerk shall maintain a list by owner name and address for such nonavailable parcels. In order for the owner name and parcel address to be placed on the list, the parcel owner must in writing notify the clerk that the owner wishes to be on the list and has decided not to grant permission for hunting or target practice. The name of the owner and the parcel address shall be removed from the list if the owner files a written request with the clerk to remove the owner name and parcel address. The creation of the list is a voluntary program. There is no requirement that an owner and parcel be on the list in order for the owner to decline permission to anyone for hunting or target practice. The purpose of the list is to present an opportunity for an owner to make known that the owner has decided not to grant permission with the result that contacts with the owner are reduced or eliminated.
4. The council, by resolution, may in its discretion on an annual basis add parcels to that geographic portion of the city available for hunting or target practice referenced in subsection D1a of this section. If the council adds additional parcels by resolution, the authorization granted by the resolution and the inclusion of such parcels within the above referenced geographic area shall expire on December 31 of the year when the resolution was passed. If an owner wishes the council to include the owner's parcel within the above referenced geographic area, the owner must make an application to the city no later than ~~September 4~~ August 15 of the year the owner wishes the parcel to be included. (Ord. 1300, 8-24-2015)

Passed in regular session of the City Council on the ~~28th day of September, 2015~~
8th day of August, 2016.

CITY OF INVER GROVE HEIGHTS

By:

George Tourville, Mayor

ATTEST:

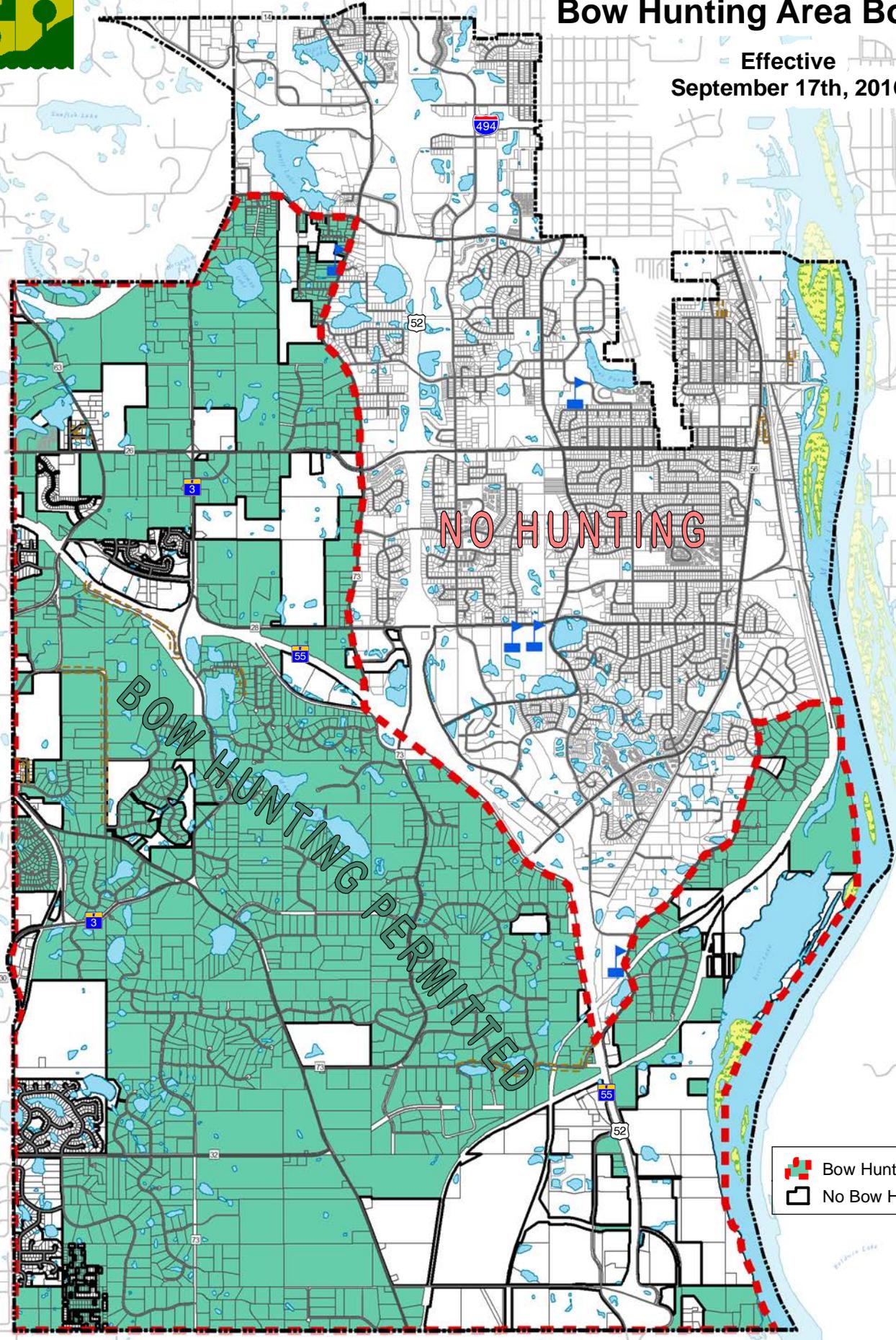
By:

Michelle Tesser, City Clerk

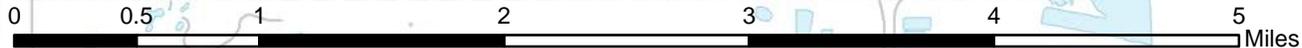


City of Inver Grove Heights Bow Hunting Area Boundary

Effective
September 17th, 2016



- Bow Hunting Permitted
- No Bow Hunting Allowed



Map produced by the City of Inver Grove Heights GIS Department using ESRI ArcGIS 10.3 Advanced. Copyright© City of Inver Grove Heights 2015. Data is projected in local coordinate system of GCS, NAD, 1983, HARN, Adj. MN, Dakota. Map sources include, but are not limited to: City of Inver Grove Heights and Dakota County GIS. 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.