

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, MAY 9, 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, May 9, 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. Resolution 16-79 Approving Disbursements for Period Ending May 4, 2016

B. Personnel Actions

C. Approve Custom Grading Agreement and Stormwater Facilities Maintenance Agreement for 9480 Old Concord Blvd

D. Approve Custom Grading Agreement, Stormwater Facilities Maintenance Agreement and Encroachment Agreement for 1643 86th Ct. (Lot 2, Block 2, Orchard Trail)

E. Consider **Resolution 16-80** Accepting a Proposal from Stantec Consulting Service, Inc. (Stantec) for Updating and Evaluating the City's Northwest Area Water System Hydraulic Model

F. Approve Proposal for Professional Services for a Grant Application to the Metropolitan Council Stormwater Grant Program and Authorize Submittal of Applications

City Administrator, Mr. Lynch stated for the Council and general audience that the agenda was modified slightly from what was posted and the minutes from April 11, 2016 were removed and Item D was removed. Subsequently all items were re-lettered. Also, under Regular Agenda Administration Item 70. was amended to omit jubilation/discovery charter school.

City Clerk, Ms. Tesser stated for the record that the April 11, 2016 had been previously approved.

Councilmember Bartholomew asked Mr. Lynch to clarify the changes to 70. Mr. Lynch clarified that the word jubilation does not apply and should just be named Athlos.

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

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Allan Cederberg, 1162 82nd Street, discussed the assessment of his stormwater utility fee and his R1a zoning.

Dana Dietrich, 4837 Bissett Lane, stated he lived at discussed Lafayette Park East. He stated Wakota Storage was going to be on the agenda tonight but must have been removed. He expressed concern over development and the four way stop and cross walk at 50th Stree/Blaine Ave.

6. PUBLIC HEARINGS:**A. Assessment Hearing for City Project No. 2016-09D-60th Street Area Reconstruction, Resolution 16-81**

The Public Hearing opened at 7:20PM. Tom Kaldunski, City Engineer introduced the item. He stated that staff has been working on receiving bids on the street project. He went over the area of the street reconstruction. He stated \$7,500 single family assessment would be charged. These assessments would be charged 3.8% over a 10 year term if they are levied to the county. Staff asked the council to consider beginning the assessment on January 1, 2017 where interest would start to accrue. Levy would be certified after 30 days from the hearing today, if the Council approves the project. Mr. Kaldunski stated on the project there have been budgetary concerns. Staff met with the low bidder and made adjustments on the quantity adjustments which will save under \$118,000 to stay under budget. The obstructions of the right of way will be the resident's responsibility. The City Code discussed the resident's responsibility of obstructions on the right of way. The cost of the project in whole is \$2,122,000.

No one from the audience wished to be heard.

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

Ayes: 5

Nays: 0 Motion carried.

Motion by Bartholomew, second by Mueller, to approve No. 2016-09D-60th Street Area Reconstruction

Ayes: 5

Nays: 0 Motion carried.

Mayor Tourville commented that no partial payments would be accepted. Mayor Tourville asked Scott Thureen, Public Works Director to discuss the start date. Mr. Thureen stated that many of the items in the agenda have to deal with this project. He asked Mr. Kaldunski to discuss the timeline. City Engineer Mr. Kaldunski discussed the next steps of the project. Once the contractor's bid is rewarded further in this agenda then the contractor could start within 14 days of the approval. Mid-September would be the estimated completion but small touch ups would be completed next spring.

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

A. GLG PROPERTIES (GERTENS); Consider the following actions for property located at 2910 54th Street:

a) A Resolution 16-82 relating to a Comprehensive Plan Amendment to change the future land use designation from LDR, Low Density Residential to RC, Regional Commercial.

b) A Resolution 16-83 relating to a Planned Unit Development Amendment to all for the growing field expansion.

c) An Amendment to Ordinance #1230 by rezoning Parcel G to Commercial Planned Unit Development and to change the site plan and allowed uses for the addition of the added growing field, Ordinance 1313.

Community Development Director, Tom Link presented the item. Gerten's green house proposed to incorporate a 5.7 parcel. There is an existing house on the property for housing employees. Storm water

facilities would be put in, no structures or improvements would be made. The property is surrounded on three sides by Gerten's property, growing fields and other property surround it. Mr. Link stated that there is no full site review because there are no improvements to the site. The drainage and storm water will be reviewed. Planning staff and Planning Commission unanimously granted approval of the documents. Regarding the ordinance, Mr. Link discussed the highlights of the changes. The property would be included in the PUD ordinance for the parcel description stating that the property is for a growing field and house structure. The Resolution approving the planning amendment the drainage and storm water have to be approved by the City Engineer.

Councilmember Mueller asked about the tax classification. Mr. Link discussed the process of tax classification. He stated the tax classification is determined by Dakota County. The tax implications have been before Gerten's Greenhouse and are used for commercial purposes have to be rezoned to this planned unit development designation. Mr. Link stated the Council years ago discussed the tax implications and decided on this designation.

Councilmember Mueller commented that he has an issue with the designation. He commented that the land is being used as a rental property not as an agricultural zone.

Mayor Tourville commented that the house is already being used as a house and should be taxed as a residential property. Councilmember Piekarski Krech asked about whether this is a down zoning. Mr. Link stated the commercial PUD is a more intense zoning district. He stated in that respect it's not a down zoning.

Louis Gerten 5910 South Robert Trail. He represents Gerten's located at 5500 Blaine Ave. Inver Grove Heights. He discussed the Council's concerns regarding the houses. He stated he doesn't understand the tax implications of the homestead vs. non homestead or green acreage coverage on the house. Peter Coyle with Larkin and Hoffman Attorney represents Gertens, stated he doesn't know but that he would look in the taxes.

Councilmember Piekarski Krech asked staff what classification the property is zoned. Mr. Link stated its zoned Multi-Family (MF) PUD. It's a holding zone for properties in the South West (SW) quadrant of the city that have not developed. Mr. Link stated if it's not developed it is MF PUD but when it is developed it would be rezoned to commercial. The Council discussed the current tax classification of the property.

Peter Coyle, Larkin and Hoffman, 8300 Norman Center Drive, Bloomington, MN stated to his understanding the question being asked is what is the extent of the residential tax of the property piece. He stated its currently a non-homestead property. He discussed the role of the County Assessor and determination of the property being an agricultural designation. The residual residential occupation component will continue and will be determined by the County Assessor. He confirmed that the intent is to qualify the property under green acres as to the agricultural piece. Mr. Coyle discussed the role of the County Assessor to determine the tax classification. The question was raised by Mayor Tourville if the Planning Commission discussed the tax classification portion. Mr. Link responded that the generally the Planning Commission does not consider this when determining the zoning or land use.

The Council discussed at length the difference between green acres and residential properties. Councilmember Piekarski Krech stated the residential property and one mile around it will be taxed at a residential rate. The land is taxed at agricultural value. Also, the Council discussed the ability of a green acres designation to defer assessments. Councilmember Piekarski Krech opined that the property cannot defer taxes.

Mr. Gerten discussed the land difficulties including slope and water consideration. He stated it's probably only three (3) acres of usable land.

Mayor Tourville commented that the property requires a determination of a zone before a tax assessment from Dakota County can be done.

Councilmember Bartholomew asked if there is an ordinance regarding housing in commercial zoning districts and whether there is language regarding renting to tenants on the commercial property. Mr. Link replied that if you have an industrial use you cannot have a house on the property. Mr. Link stated I'll have to research whether there is a regulation on a commercial zoning district. Mr. Gerten stated he is not charging tenants rent.

Motion by Piekarski Krech second Bartholomew to approve Item 7A. Resolution relating to a Comprehensive Plan Amendment.

Ayes: 5

Nays: 0 Motion carried.

Motion by Piekarski Krech second Bartholomew to approve item 7B Resolution 16-83 related to the a Planned Unit Development and 7C Ordinance 1313 for rezoning.

Ayes: 5

Nays: 0 Motion carried.

B. MIHM CUSTOM HOMES; Consider the following actions for property located on the west side of Hwy 3 between future 65th and 67th Streets:

a) Rezoning of the property from A, Agricultural to R-1C/PUD, Single Family Planned Unit Development, Ordinance 1314.

b) Resolution 16-84 relating to a Preliminary Plat and Preliminary PUD Development Plan for the plat of Windwood Addition, a 44 lot single family development.

City Planner Allan Hunting, presented the item. He discussed the collector streets (north and south) and future collector of 65th and 67th on the south. It complies with all the Northwest standards. There are four points they are requesting. They are requesting the standard 15 feet between units. The streets will be 25 feet width. Their plans address the access storm water. Staff listed a condition for the developer to pay the shortage of fees. MDR was proposed in the Comprehensive Plan but resulted in a designation of LDR with a shortage of 44 lots. It is a shortage of 45 lots original assumed number. The lots will be paid in full having the classifications now be LDR. Payment will be provided once the city gets to the final plat which is outline in the agreement. Mr. Hunting stated that the Planning Commission and the Planning Staff recommended approval with recommended changes.

Councilmember Mueller asked if they went over the storm water with the applicants. Mr. Hunting stated that he has gone through the storm water system including Engineering Dept with their Engineer to satisfy the requirements. Mr. Hunting stated that he is not aware of any questions from the Engineering Dept.

Councilmember Hark pointed out the installation of sidewalks. Mr. Hunting stated that there is a full sidewalk system. Parks and Recreation looked at the development and there will be a connection system eventually when parks in the area are established.

Developer Applicant Tom Mihm, 842 Ivy Lane Eagan, MN stated he is trying to make this work with the Blackstone Ridge development and stated he has no questions for Staff or the Council.

Motion by Piekarski Krech second Bartholomew to approve 7A. rezoning of the property Ordinance 1314 and 7B Resolution 16-84 relating to the preliminary plat and PUD.

Ayes: 5

Nays: 0 Motion carried.

C. RIVER HEIGHTS LAWN & LANDSCAPE; Consider a Resolution 16-85 relating to a Conditional Use Permit and related agreements to allow a contractor’s yard with outdoor storage and for the outdoor storage of boats, trailers and RV’s for the property located at 9601 Jefferson Trail.

Community Development Director, Tom Link presented the item. The request is for a conditional use permit which requires a 4/5 vote. The first part is the landscaping company that is paved for parking and storage. The second part is for outdoor storage of RV, Boats and Trailers. Staff found that it meets the Comprehensive Plan and industrial uses. One note is that the applicant is working with the City Engineer on storm water and pond. There is some existing pavement so there will be an encroachment agreement with the City because of the right of way. There are no impervious additions to the property. The Planning Staff and the Planning Commission unanimously approve the Conditional Use Permit.

Applicant, Nick Barson, 10267 102nd Court West, Inver Grove Heights. Councilmember Piekarski Krech asked the application if the area is Class 5. Mr. Barson responded that its part crush asphalt and Class 5. She asked Mr. Link if he can store equipment without it being consider impervious surface. Mr. Link responded that in industrial storage we don’t require bituminous pavement. Mr. Barson stated improvements will be made to the pavement. He discussed a possible security fence to be installed.

Motion by Mueller second Piekarski Krech to approve the Resolution 16- 85 Conditional Use Permit and related agreements.

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

D. CITY OF INVER GROVE HEIGHTS; Consider the Second Reading of an Ordinance 1315 relating to parking of recreational vehicles in the front yard in single family zoning districts.

Mr. Hunting outlined the item. He stated the staff defined the parking of recreational vehicles in the front yard in single family zoning districts. Mr. Hunting stated that the defined area. Mr. Hunting illustrated from the map with a circular driveway and regular garage in front of the house and a duplex or house with a driveway and garage in the middle. He stated that the language in the ordinance defines the recreational vehicle. The recreational vehicles are better defined with the ordinance. It is still limiting the recreational vehicles in the front yard.

Councilmember Mueller asked about parking parallel. Mr. Hunting asked that we not allow parallel but perpendicular to back out of the side yard and drive out.

Councilmember Bartholomew the side and back yard is allowed. Mr. Hunting stated in the affirmative. There will be more illustrations in the third reading to outline to public and to staff.

Councilmember Mueller asked about applying hardship. Mr. Hunting stated there is always a chance for a variation to be filed.

Mayor Tourville discussed fire safety and the importance of this ordinance along with ascetics.

Motion by Hark second Mueller to approve the second reading of the Ordinance.

Ayes: 5

Nays: 0 Motion carried.

II. PUBLIC WORKS:

E. Consider Resolution Approving Special Assessment Agreement Relating to Payment of Special Assessments for City Project No. 2016-09D – 60th Street Area Reconstruction

Mr. Kaldunski, City Engineer summarized the item. He asked the Council to consider two parcels on City Project No. 20165-09D. to defer special assessments and to be levied once developed. He stated this is for the vacant lots discussed previously. The requirement is for Council to approve the deferment until the vacant lot is developed or sell of the property occurs then the assessment would begin.

Councilmember Piekarski Krech asked Mr. Kaldunski if it is without interest. Mr. Kaldunski stated in the affirmative.

Motion by Bartholomew second Hark to approve the Resolution 16-86 of the Special Assessment and Resolution 16-87 memorializing deferment relating to the payment. .

Ayes: 5

Nays: 0 Motion carried.

F. Consider Resolution 16-88 Awarding Contract for the 2016 Pavement Management Program, City Project No. 2016-09D – 60th Street Area Reconstruction and for the 2016 Improvement Program, City Project No. 2016-10 – 60th Street Area Utility Improvements and City Project No. 2015-12 (Phase 1) – NWA Trunk Watermain Improvements, 65th Street Loop

City Engineer, Tom Kaldunski introduced the item. This item is to award the contract to the low bidder of the 2016-09D, 2016-10 and 2015-12 projects. The contract would be with Park Construction. Alternative bids include the 63rd Street Sanitary Sewer Extension for City Project 2015-12 (Phase 1). The total contract bid is \$2,270,468.

Mr. Kaldunski stated there are slight changes to the Resolution. The Resolution under Park Construction's total amount number has been amended with the corrected number. Mr. Thureen stated in the third Whereas clause the numbers were transposed the correct amount is \$2,027,467.80. Staff is recommending the original bid and the amended bid. Included would be the alternative amount for the sewer stub out improvements the cost reimbursed would be \$11,200 is the amount they would be contributing to offset the cost. They will fund those stub out improvements. The alternative bid was illustrated on the map.

John Stadelman, 1695 63rd St East asked about the future sewer work and the driving upon the new roads

Mr. Kaldunski stated at this point we don't have a development proposal to bring forward regarding storm sewer from the west to the east. But once staff does they will look into those details in the development contract.

Peter Coyle, Larkin and Hoffman discussed alternative bid components as a cost that the partnership would be able to assume as the project continues in the future.

Motion by Bartholomew second Hark to Award the Contract 2016-09D, 2016-10 and 2015-12 Resolution 16-88.

Ayes: 5

Nays: 0 Motion carried.

G. Consider Change Order 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

City Engineer, Tom Kaldunski introduced the item. This is a continuation to the items for the above contact. This is a change order to reduce the costs by \$118,000. We changed the proposed unit quantities on the change order. It helps us meet our fiscal goal and bring down the assessment to the residents. Staff recommends this change in the contact.

Motion by Mueller second Bartholomew to approve the change order of project 2016-09D.

Ayes: 5

Nays: 0 Motion carried.

H. Consider a Resolution 16-89 approving a Wetland Replacement Plan and Authorizing Payment for Wetland Bank Credits to mitigate a total of 1,316 square feet of wetland through wetland banking as part of City Project 2016-09D.

City Engineer, Tom Kaldunski introduced the item.

He discussed the water quality improvement and the importance of the wetland and improving the basins. The approval has gone through the process and steps to make sure we are following the wetland conservation. It's gone through the DNR to get approval. It's a replacement plan for the wetland and the purchase of the wetland through the banking.

Motion by Bartholomew second Piekarski Krech to approve Resolution 16-89 the wetland replacement plan and to authorize payment to the wetland bank credits.

Ayes: 5

Nays: 0 Motion carried.

I. Resolution 16-90 Approving Temporary Construction, Slope and Grading Easement Agreements relating to 1695 63rd Street E., 1696 63rd Street E., 1715 63rd Street E., 1716 63rd Street E. for City Project No. 2016-09D – 60th Street Area Reconstruction

City Engineer, Tom Kaldunski introduced the item. As part of the City Project No. 2016-09D the City will be grading, sloping, excavating and reshaping the cul-de-sac at the end of the 63rd Street E. Presently there is a 60 foot wide right of way through the cul-del-sac up to Harmon Park. We are rebuilding the cul-de-sac to re-slope driveways and improvement the standards. The temporary easements will be required to complete this project.

Motion by Piekarksi Krech second Bartholomew to approve the easements in Resolution 16-90.

Ayes: 5

Nays: 0 Motion carried.

J. Approve Agreement with Xcel Energy for Topsoil and Seeding on City Project No. 2016-09D – 60th Street Area Reconstruction, Resolution 16-91

City Engineer, Tom Kaldunski introduced the item. The City contacts with Xcel Energy to perform topsoil and seeding of areas disturbed by Xcel Energy on City Projects. It helps managing the restoration of the boulevards. The agreement is standard and has been used for seven years.

The city does all the restorations and Xcel Energy pays for their share of the work.

Motion by Bartholomew second Mueller to approve the agreement with Xcel Energy for Topsoil and Seeding of Project No. 2016-09D Resolution 16-91.

Ayes: 5

Nays: 0 Motion carried.

K. Resolution 16-92 Receiving and Accepting Proposals from American Engineering Testing, Inc. (AET) for Construction Phase Geotechnical Services and from Kimley-Horn and Associates (IPO No. 26B) for Construction Phase Engineering and Survey Services 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 I.

City Engineer, Tom Kaldunski introduced the item. Now that the project has been awarded tonight this item is the next part of the project. This authorizes two consultants to help the city with the design and geotechnical of the project for American Engineering Testing, Inc. in the amount of \$22,098 and Kimley-Horn \$93,200. Staff asks to consider these two consultants.

Motion by Mueller second Bartholomew to approve the proposals from American Engineering Testing, Inc and Kimley-Horn and Associates, Resolution 16-92.

Ayes: 5

Nays: 0 Motion carried.

L. Resolution 16-93 Approving the negotiated settlement agreement between GlenLin Properties, LLC and the City concerning damages relating to the GlenLin Property relative to City Project 2015-13.

Mr. Kuntz, City Attorney introduced the item, he stated that this project is the Argenta Trail and in the plat of Blackstone Ridge. It's scheduled for this contract season. The Council awarded the project, the three parcels for which the city needs easements is parcels Blackstone Highlands which has been agreed upon by the owner. The other two is known as the GlenLin Properties, LLC and Lawrence J. Flannery and Linda L. Flannery (Flannery). The City has obtained the necessary Easements from Messerich, leaving it with the need to obtain the requisite Easements from GlenLin and from Flannery. The settlement is in front of the Council for approval for GlenLin Properties, LLC. With that, we will gain the temporary easements that the city needs to complete in the necessary timeline. Staff recommends approval of the said agreement. The closings will take place in the next five days.

Councilmember Piekarski Krech asked regarding the water irrigation. Mr. Kuntz stated there is two points to the water. The Easement of the well will not be able to be used. Mr. Kaldunski stated that the amount

of water used is a small hose. The farmers on the property are capturing on rain water which is what they prefer to use. It would be less costly for them to go this way.

Councilmember Piekarski Krech stated there are two water hookups. Mr. Kaldunski stated in the affirmative.

Motion by Bartholomew second Piekarski Krech to approve Resolution 16-93.

Ayes: 5

Nays: 0

Motion carried.

M. Joint Powers Agreement between the City and Dakota County for Right of Way Acquisition for County Project No. 63-27 and City Project No. 2016-05, Resolution 16-94

Scott Thureen, Public Work Director discussed Argenta Trail realignment and the 265 foot wide strip of property. There are three components to that. Mr. Thureen went through the differences of the parcels. He stated that the blue, red and green parcels shown on the map are in the Joint Powers Agreement (JPA) deals with the acquisition and dedication of those parcels.

He stated, the next dedication of going west discusses the outlot of D for storm water to make sure it meets needs of future right of way and adjacent properties that flow to the area. The Council approved the resolution to work with the City to JPA for the acquisition and work with Blackstone Ridge for the purchase of the Outlot A. The City will acquire the 165 wide of the western portion of the full design of the county road when completed. The plat for the Blackstone ridge would dedicate the stripe in exhibit A discussed in Outlot B.

He stated once the City acquires those parcels and final recorded that the county will pay the city for the acquisition of the land and 25% of the closing of the acquisition. The City will after have rights of storm water of Outlot B. The final cost is \$2,311,000. County \$1,353,000 and City is \$959,000. The County represents 65% of the appraisal of the decrease value of the property that is calculated on the appraisal amount.

Motion by Piekarski Krech second Bartholomew to approve the Joint Powers Agreement (JPA) Resolution 16-94.

Ayes: 5

Nays: 0

Motion carried.

N. Consider the following actions for purchase of Outlot A, Blackstone Ridge:

a) A Resolution 16-95 Approving an Agreement of Sale and Purchase between the City of Inver Grove Heights and Scenic Oaks, LLC and Jeffers Pond Development, LLC relating to the purchase of Outlot A, Blackstone Ridge;

b) An Agreement of Sale and Purchase between the City of Inver Grove Heights and Scenic Oaks, LLC and Jeffers Pond Development, LLC relating to the purchase of Outlot A, Blackstone Ridge.

Mr. Kuntz, City Attorney summarized this item. He stated this is a companion item with the previous item discussed with the Council. What this item is the purchase agreement with the current owners. The current owners are Scenic Oaks and Jeffers Pond Development LLC who are tenants of the property. In March of 2015, the alignment of Argenta Trail was completed and a transaction was discussed. An approximate 265 foot wide strip of the property together with ponding rights to an expended drainage and utility easement in order to accommodate storm water runoff from the future Argenta Trail. Mr. Kuntz

described the Outlot A of 165 foot wide strip and Outlot B 100 foot wide strip. This agenda item is referring to obtaining the 265 foot wide strip in exchange of payment of \$2,311,000 which was the amount identified by in March of 2015. He stated this completes the cycle and would be achieved at the closing date scheduled on May 18, 2016. Outlot B would be where the ponding would be. He stated all components would be to obtain the 265 foot strip because that's where the road is going and the other part is the storm water run-off.

Motion by Piekarski Krech second Muller to approve the Agreement of Sale, Resolution 16-95.

Ayes: 5

Nays: 0 Motion carried.

III. ADMINISTRATION:

O. Consider Athlos Preparatory School to not require PILOT payment fee for future school.

City Administrator Lynch discussed the past item in which the school applied for the changes of the Comprehensive Plan. During those past discussions Payment in Lieu of Taxes (PILOT) was discussed at length. Mr. Lynch stated we have no application or site plan. The Superintendent Founding Director is present to talk about the Council regarding the potential site of a future school called Athlos Preparatory. Mr. Lynch stated the founder would like the city to make some type of commitment regarding the potential site and intention going forward regarding PILOT.

Claud Allaire, 5975 Blackberry Trail, Inver Grove Heights. He discussed the potential of a 10 acres site on South Robert street and Diffley Road.

Mayor Tourville commented that we don't have much to look at or to decide.

Councilmember Bartholomew commented that we don't have a site plan or an application. He summarized the issues raised at with the last application and the Industrial location of the potential site. He stated this is a different property and is a PUD. He reiterated that we need an application and a site plan. He commented that it doesn't seem to have the challenge with transportation similar to the last site and is a better fit but he emphasized the need to see a site plan and an application.

Councilmember Piekarski Krech asked about the parcels. What sections are you going to re-plat. She questioned the other uses available.

Mr. Link stated the total property is 15-20 acres. Councilmember Piekarski Krech commented that it's over half of the property and commented that it's a better site.

Mr. Allaire stated we are looking at the northern end of the property.

Councilmember Hark stated you are asking us to tell you what we think when we are limited on the knowledge we have and don't know what we're looking at. He commented that it's a different situation.

The Council discussed with the applicant their concerns regarding not having a site plan or application.

Vance Grannis Jr., 9249 Barnes Ave. stated he stated the property is 20 acres and has been for sale for 20 years. It hasn't been sold. We are asking to see if the expectations of the property owners are coinciding with the expectations of the City Council. The property owners are looking at sale of the property by splitting the parcels. The problem is the school needs to know before incurring all the major site plans and comprehensive plans. Schools do not pay real estate taxes but they will bring in 100 new jobs to the area. He stated that the use of the athletic facilities which includes the indoor facilities by the

City's Parks Department. Mr. Grannis went over the other commercial properties. The traffic generated by the school would be the incentives to the local area.

Councilmember Piekarski Krech stated she wanted to know about the two liquor stores and the plats to understand the value. She asked are we going to get another 10 acres of the property of business.

Mr. Grannis stated there would be North East side of the area. No one has laid out a line. The other commercial property stated they would all go together and go in it together. It would be the northerly 10 acres. But he stated it hasn't been decided on if they will have the easterly portion too.

Mayor Tourville stated that the Council is being upfront because there's nothing to judge it on.

Councilmember Piekarski Krech discussed the value of the possible commercial with the other 10 acres.

Councilmember Bartholomew reiterated that the Athlos Academies group to meet with the City Administrator.

Mayor Tourville stated you will need a 4/5 vote with the change of the property from the Comprehensive Plan.

Councilmember Hark asked regarding procedurally going forward. City Administrator Mr. Lynch stated that he will talk to them about the importance of applying for an application. He discussed the amount of the PILOT but it was purely speculative.

Councilmember Bartholomew commented that on the PILOT and it's financial benefit.

Kevin Pedeltee, 8565 Birch Boulevard, he discussed the importance of the improvement of the land.

Council recommended representatives of Athlos to go to staff and discussed this further.

8. MAYOR & COUNCIL COMMENTS

Council and staff discussed the interview process of Commission Appointments. Mayor Tourville asked staff to open up interviews to reappointments as well as new applicants. Ms. Tesser asked for the meeting to remain scheduled at 5:00pm.

Motion by Piekarski Krech second Mueller to approve the Commission Appointment date and time on May 16, 2016 at 5:00pm.

Ayes: 5

Nays: 0

Motion carried.

9. ADJOURN: Motion by Piekarski Krech, second by Hark to adjourn. The meeting was adjourned by a unanimous vote at 9:54p.m.