

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, JULY 11, 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, July 11, 2016 in the City Council Chambers. Mayor Tourville called the meeting to order at 7:00 p.m. Present were Council members Bartholomew, Hark, Mueller and Piekarski Krech; City Administrator Lynch, City Attorney Kuntz, Community Development Director Link, Senior Office Support Fox, 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 13, 2016 City Council Meeting

**B. Resolution 16-22** Approving Disbursements for Period Ending July 6, 2016

**C.** Approve Transfers to City of Inver Grove Heights Economic Development Authority (EDA) **Resolution 16-123**

**D. Resolution 16-124** Making an Election Not to Waive the Statutory Tort Limits for Liability Insurance Purposes

**E.** Approve Custom Grading Agreement and Stormwater Facilities Maintenance Agreement for 2122 94th Court (Lot 4, Block 1, Shamrock Oaks)

**F. Resolution 16-125** Receiving Professional Services Proposal and Accepting Proposal from Short Elliot and Hendrickson, Inc. (SEH) for City Project Nos. 2016-09E – Bancroft Way Area Reconstruction and 2017-09E – 93rd Street/Abigail Court Reconstruction

**G. CITY OF INVER GROVE HEIGHTS;** Consider a **Resolution 16-126** Authorizing Staff to Submit a Planning Assistance grant funds Application to the Metropolitan Council to Cover Costs Preparing the 2040 Comprehensive Plan Update

**H.** Personnel Actions

**Mayor Tourville pulled item 4F.**

**Motion by Bartholomew, second by Hark, to approve Consent Agenda items 4A through 4H.**

**Ayes: 5**

**Nays: 0**

**Motion carried.**

**Mayor Tourville asked to remove himself from approving item 4F.**

**Motion by Bartholomew, second by Hark, to approve item 4F.**

**Ayes: 4**

**Abstain: Mayor Tourville**

**Nays: 0 Motion carried.**

**5. PUBLIC COMMENT:**

**6. PUBLIC HEARINGS:**

None.

**7. REGULAR AGENDA:****I. COMMUNITY DEVELOPMENT****A. MIKE PONE; Consider a Resolution 16-127 relating to a Variance to allow a deck and patio addition to encroach into the bluff line setback for property located at 8336 River Road.**

Mr. Link, Community Development Director summarized the item. The critical area ordinance requires a 100 foot set back from the bluff line. The applicant is requesting a 20 foot setback of the bluff line for the construction of a deck, patio and pool. The City granted a similar variance for the house in 2005 and then another variance for a fence in 2009. The application was sent to the Minnesota Department of Natural Resources, they had no objections on the variance. The proposal meets the purpose of the zoning code and intent of the Comprehensive Plan. Mr. Link stated that staff finds it to be a reasonable request. He stated variances are common for patios and decks. There is one condition here regarding the storm water facilities maintenance agreement that the Engineering Department attached. He stated the Planning staff and the Planning Commission recommend approval.

The Council asked the applicant if he understands the storm water requirements. The applicant replied in the affirmative. The Council asked the applicant if he had questions. The applicant replied in the negative.

**Motion by Piekarski Krech second Bartholomew to approve the variance to allow a deck and patio addition to encroach into the bluffline.****Ayes: 5****Nays: 0          Motion carried.****B. FRANCIS MYERS; Consider a Resolution 16-128 relating to a Conditional Use Permit to allow sheet metal siding on a detached accessory building for the property located at 11400 Albavar Path.**

Mr. Link, Community Development Director summarized the item. He mentioned that the Conditional Use Permit requires a 4/5 of the City Council. The request is to allow the steel siding onto a detached accessory building. Mr. Link outlined the property. It is an E-1 zoning districts and has 5 acres. The proposal is for the accessory building to be used to store his personal items. The proposal complies with the zoning requirements such as size, setbacks, and impervious conditions. Staff finds that it is also in compliance with requirements for steel buildings. Mr. Link stated it complies with the CUP criteria relating to land use impacts such as setbacks and aesthetics. The property is appropriate for the use. The structure is 200 feet from the road and other structures. He stated the Planning staff and Planning Commission recommended approval of the request.

**Motion by Bartholomew second Piekarski Krech to accept the Conditional Use Permit.****Ayes: 5****Nays: 0          Motion carried.****8. MAYOR & COUNCIL COMMENTS**

Mr. Lynch announced that the City Council has a joint meeting on July 12, 2016 with the ISD 199 in the City Council Chambers. The purpose of the meeting is to hear from Kelly Harder on poverty in Dakota County. Then each party will provide a summary to each other on current activities and events.

Mayor Tourville announced Night to Unite on August 2, 2016. He stated that residents can register their block party by calling the Inver Grove Heights Police Department, 651-450-2525. It instructed residents to

go to the website. He stated that others will attend the block party such as police, fire and parks and recreation staff.

Mayor Tourville announced the Kids' Safety Camp on August 4, 2016, he instructed residents to register on the city's website.

Mayor Tourville announced the State Primary Elections on August 9, 2016. He stated you can register and vote before the 9<sup>th</sup>. Mayor Tourville discussed which offices were on the ballot.

#### **9. EXECUTIVE SESSION**

The Council discussed the reason they were going into an Executive Session, they were to discuss strategies and goals previously discussed at City Administrator Lynch's performance review. Mayor Tourville discussed that goals of the City going forward will be shared with the public.

City Attorney, Mr. Kuntz stated that the MN State 13D.05 subd. 3A provides that a public body may close a meeting to evaluate the performance of an individual who is subject to its authority. The public body shall identify the individual to be evaluated before closing the meeting. At the next open meeting the body shall provide a summary of the evaluation. Mr. Kuntz explained that this is an ongoing session from the past performance evaluation. He stated there will not be any formal action taken this evening.

**Motion by Piekarski Krech second Hark to go into an Executive Session.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**10. ADJOURN:** Motion by Mueller, second by Hark to adjourn. The meeting was adjourned by a unanimous vote at 7:16 p.m. to go into an Executive Session. Council returned from Executive Session motion by Piekarski Krech, second by Bartholomew to adjourn. The meeting was adjourned by a unanimous vote at 9:14 p.m.