

**INVER GROVE HEIGHTS CITY COUNCIL AGENDA**  
**MONDAY, SEPTEMBER 8, 2008**  
**8150 BARBARA AVENUE**  
**7:30 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 – August 25, 2008 Regular Council Meeting \_\_\_\_\_
  - B. Resolution Approving Disbursements for Period Ending September 3, 2008 \_\_\_\_\_
  - C. Pay Voucher No. 1 for City Project No. 2008–09H, South Grove Sod Replacement \_\_\_\_\_
  - D. Pay Voucher No. 3 for City Project No. 2008–09D, South Grove Urban Street Reconstruction Area 3 \_\_\_\_\_
  - E. Pay Voucher No. 10 for City Project No. 2003–15A – Northwest Area Utility Improvements, Lift Station R–9.1 \_\_\_\_\_
  - F. Resolution Authorizing Submittal of Application to the Minnesota Department of Transportation (Mn/DOT) for Funding through the Municipal Agreement Program \_\_\_\_\_
  - G. Resolution Approving Individual Project Order (IPO) No. 5B with Kimley–Horn and Associates, Inc. for City Project No. 2007–17, Clark Road Improvements \_\_\_\_\_
  - H. Resolution Providing Indemnification to the State of Minnesota with Respect to Stormwater Discharges into the Highway 55 Stormwater System \_\_\_\_\_
  - I. Resolution Accepting Bid and Awarding Contract to Bituminous Roadways, Inc. for City Project No. 2008–13 – Courthouse Boulevard Court Street Improvements \_\_\_\_\_
  - J. Purchase of Equipment for Parks Department \_\_\_\_\_
  - K. Schedule Public Hearing – Liquor License Violation \_\_\_\_\_
  - L. Schedule Public Hearing – Issuance of New Off–Sale Liquor License \_\_\_\_\_
  - M. Approve Request of Inver Hills Community College for Temporary Liquor License on October 9, 2008 \_\_\_\_\_
  - N. Approve Job Description and Compensation for Fire Department Lieutenant \_\_\_\_\_
  - O. Approve 30–day Suspension of Mike Rutkowski \_\_\_\_\_

P. Approve Appointment of Judy Thill as the Full-Time Fire Chief \_\_\_\_\_

Q. 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. Please raise your hand to be recognized. Please state your name and address for the record. This section is for the express purpose of addressing concerns of City services and operations. Comments will be limited to three (3) minutes per person.

6. **PUBLIC HEARINGS:**

7. **REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT:**

A. **PINE BEND LANDFILL;** Consider Authorizing Submittal of Comments to the Minnesota Pollution Control Agency Regarding Pine Bend Landfill Permit Renewal \_\_\_\_\_

B. **SURE LOCK STORAGE;** Consider a Resolution relating to an Interim Use Permit to allow an Extension of the original time frame for property located at 10900 Courthouse Blvd. \_\_\_\_\_

C. **CITY OF INVER GROVE HEIGHTS;** Consider the third reading of an Ordinance Amendment to modify the Zoning Ordinance relating to adding a definition of impervious surface \_\_\_\_\_

D. **CITY OF INVER GROVE HEIGHTS;** Consider the third reading of an Ordinance Amendment to modify Section 515.80. Subd. 19 of the Zoning Ordinance relating to exterior building materials for all residential principle and accessory structures \_\_\_\_\_

**FINANCE:**

E. **CITY OF INVER GROVE HEIGHTS;** Proposed 2009 Tax Levies, Proposed 2009 Budgets and the Truth in Taxation Hearing \_\_\_\_\_

**PUBLIC WORKS:**

F. **CITY OF INVER GROVE HEIGHTS;** Land Alteration Permit for Falcon Partners LTD for part of Lot 1 Block 1 of the Garvey Addition Plat \_\_\_\_\_

**ADMINISTRATION:**

G. **CITY OF INVER GROVE HEIGHTS;** Consider Amendments to City Code Section 900 – Civil Defense \_\_\_\_\_

8. **MAYOR AND COUNCIL COMMENTS**

9. **ADJOURN**

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, AUGUST 25, 2008 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, August 25, 2008, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:30 p.m. Present were Council members Grannis, Madden and Piekarski Krech, Council member Klein arrived late; City Administrator Lynch, Assistant Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Community Development Director Link, Parks & Recreation Director Carlson, and Deputy Clerk Rheume.

**3. PRESENTATIONS:**

**A. Inver Grove Heights Days**

Mike Schaeffer provided an overview of the events planned for Inver Grove Heights Days and highlighted several new events that are scheduled. He recognized the many volunteers and local sponsors that make the events possible.

Mayor Tourville mentioned the parade and noted that the event would also be a food drive.

**4. CONSENT AGENDA:**

- A.** Minutes – August 11, 2008 Regular Council Meeting
- B.** **Resolution 08-193** Approving Disbursements for Period Ending August 20, 2008
- C.** Pay Voucher No. 2 - City Project No. 2003-03, Southern Sanitary Sewer System
- D.** Pay Voucher No. 3 - City Project No. 2003-15, Northwest Area Utility Extension
- E.** Pay Voucher No. 4 for VMCC Refrigeration Project
- F.** Pay Voucher No. 2 for City Project No. 2007-13, Hilltop Elementary School, Safe Routes to School Program
- G.** Pay Voucher No. 10 for City Project No. 2005-22, Cahill South Street & Utility Improvements
- H.** Pay Voucher No. 6 – City Project No. 2006-04, Drilling of City Well No. 9
- I.** Approve Contract for Surveying City Park Property
- J.** Consider Replacement of Skyview Hockey Rink
- K.** **Resolution 08-194** Making an Election Not to Waive the Statutory Tort Limits for Liability Insurance Purposes
- L.** **Resolution 08-195** Accepting Quote and Awarding Contract to Enebak Construction Company for City Project No. 2007-05, Northwest Area Storm Water Emergency Overflows – Argenta Hills
- M.** Appoint Councilmember Madden as City Representative to the Metropolitan Airports Commission Noise Oversight Committee
- N.** Personnel Actions

**Motion by Piekarski Krech, seconded by Madden to approve the Consent Agenda.**

**Ayes: 4**

**Nays: 0      Motion carried.**

**5. PUBLIC COMMENT:** None.

**6. PUBLIC HEARINGS:**

- A. CITY OF INVER GROVE HEIGHTS;** Consider Ordering City Project No. 2008-13, Courthouse Boulevard Court Street Improvements

Mr. Thureen explained that the project would include intersection improvements at Barnes Avenue and Courthouse Boulevard Court that were deemed necessary for safe movements by semi-trucks, a two-inch bituminous overlay of Courthouse Boulevard Court from Barnes Avenue, west to its terminus, with a reconstruction of two short segments, a south bound right turn lane from Barnes Avenue to Courthouse Boulevard Court and three right turn lanes on Courthouse Boulevard Court at the entrances to the development. He noted that the eastern entrance would be constructed to allow for semi-truck traffic. He stated that the feasibility study was received by the Council on July 28<sup>th</sup> and the waiver of assessment appeal documents for the subject improvements were approved by the Council on August 11<sup>th</sup>. He recommended that the Council proceed with ordering the project.

Lee Lindberg questioned if there was adequate right-of-way for the improvements at the intersection of Courthouse Boulevard Court and Barnes Avenue.

Mr. Thureen confirmed that there was adequate right-of-way for the improvements.

**Motion by Madden, seconded by Piekarski Krech, to close the public hearing.**

**Ayes: 4**

**Nays: 0      Motion carried.**

**Motion by Madden, seconded by Grannis, to approve Resolution 08-196 Ordering City Project No. 2008-13, Courthouse Boulevard Court Street Improvements**

**Ayes: 4**

**Nays: 0      Motion carried.**

## **7. REGULAR AGENDA:**

### **COMMUNITY DEVELOPMENT:**

**A. SHORT DANCE STUDIOS;** Consider the following actions relating to property located at 9295 Old Concord Boulevard:

- i) Resolution relating to a Preliminary and Final Plat with Development Contract for a two lot, one outlot subdivision
- ii) Ordinance Amendment relating to a Rezoning of Lot 2 from A, Agricultural to B-3, General Business
- iii) Resolution relating to a Major Site Plan Approval for an 8,640 square foot building for a dance studio and general retail
- iv) Resolution relating to a Variance to create a parcel that does not meet the minimum lot size requirements for the A, Agricultural zoning district

Mr. Link stated that the proposed plat consists of 2 lots and an outlot on 4.88 acres of land, with a series of wetlands extending through the property. He explained that the request is to construct a dance studio with a small amount of retail on Lot 2, retain the existing home on Lot 1 and to keep Outlot A vacant. He noted that the applicant also submitted a future concept plan of the property to demonstrate the potential commercial development on Lot 1 and Outlot A. He explained that the applicant has also requested a rezoning of Lot 2 from A, Agricultural to B-3, General Business. He stated that there is one access proposed on the site off of Cahill Avenue, and as a condition of approval an ingress/egress agreement would be required between the property owner and the applicant for future cross access between Lots 1 and 2. He explained that a variance for Lot 1 was also requested because it would not meet the minimum lot size or width requirements for the Agricultural zoning district. He noted that a development contract along with other maintenance agreements would be a part of any Council action. He stated that Planning staff and the Planning Commission recommended approval of the requests with the conditions listed in the resolution.

Councilmember Piekarski Krech asked if the Planning Commission's concerns regarding ponding had been addressed.

Jon LeNoble, Krech O'Brien Mueller, responded that those concerns had been addressed.

Councilmember Piekarski Krech noted that there have been issues with flooding.

Mayor Tourville stated that there are multiple conditions of approval and asked if the applicant was in agreement with those conditions.

Mr. LeNoble responded that the applicant was in agreement with the conditions of approval.

Jerry Hanson, 9345 Old Concord Boulevard, stated that they do not want the pond to be impacted by water run-off.

Mayor Tourville asked if more work would be done in the future.

Mr. Thureen responded that there would be a need for water quality treatment as the parcels to the South develop along Cahill Avenue.

**Motion by Piekarski Krech, seconded by Madden, to approve Resolution No. 08-197 relating to a Preliminary and Final Plat with a Development Contract for a two lot, one outlot subdivision, Ordinance 1176 relating to a rezoning of Lot 2 from A, Agricultural to B-3, General Business, Resolution No. 08-198 relating to a Major Site Plan Approval for an 8,640 square foot building for a dance studio and general retail and Resolution No. 08-199 relating to a Variance to create a parcel that does not meet the minimum lot size requirements for the A, Agricultural zoning district**

**Ayes: 4**

**Nays: 0          Motion carried.**

**B. CITY OF INVER GROVE HEIGHTS;** Consider the third reading of an Ordinance Amendment to modify the Zoning Ordinance relating to increasing maximum impervious surface coverage in the R-1A, R-1B and R-1C zoning district

Mr. Link explained that this is the third reading of an Ordinance amendment that would change the impervious surface requirements for the residential zoning district. He stated that Engineering staff further reviewed the proposed ordinance and recommended that the maximum impervious coverage be changed to 20%. He added that both Planning staff and the Planning Commission recommended approval of the third reading.

**Motion by Madden, seconded by Grannis, to adopt Ordinance 1177 approving a modification to the Zoning Ordinance relating to increasing the maximum impervious surface coverage in the R-1A, R-1B and R-1C zoning district**

**Ayes: 4**

**Nays: 0          Motion carried.**

**C. CHARLES CUDD CO.;** Consider a Resolution relating to a Variance to exceed the impervious surface requirements to construct a house and driveway for the property located at 11662 Azure Lane.

Mr. Link stated that with the adoption of the ordinance amendment for impervious surface requirements in the residential zoning district there is no variance needed. He suggested that the applicant formally withdraw the request for a variance.

John Sonnek, 5417 Sonnibel Dr., withdrew the variance request.

**Motion by Piekarski Krech, seconded by Madden, to accept the applicant's withdrawal of the request.**

**Ayes: 4**

**Nays: 0          Motion carried.**

**D. LOWELL;** Consider Resolution relating to a Variance to exceed the impervious surface requirement to construct a patio around a pool for the property located at 11651 Aileron Circle

Mr. Link stated that the variance is not necessary with the adoption of the new ordinance. He suggested that Council denies the variance because the applicant was not present to withdraw the request.

**Motion by Piekarski Krech, seconded by Grannis, to deny Resolution 08-200 relating to a Variance to exceed the impervious surface requirement to construct a patio around a pool for the property located at 11651 Aileron Circle**

**Ayes: 4**

**Nays: 0          Motion carried.**

**E. STONEHENGE USA;** Consider the following actions for property located on the West side of Clark Road, north of 117<sup>th</sup> Street:

- i) Ordinance Amendment to allow Auto Auctions as a conditional use in the I-2 Zoning District
- ii) Preliminary and Final Plat for a one lot, one outlot subdivision
- iii) Conditional Use Permit to allow an Auto Auction Sales facility with outdoor storage

Mr. Link reviewed the location of the property and stated that it is about 45 acres in size with approximately 25 acres that are buildable. He stated that the proposal is to develop an Auto Auction that would sell and store inoperable vehicles for insurance companies. He explained that the environmental issues were reviewed by Barr Engineering and it was concluded that the use would not have a negative impact on the surface or ground water. He noted that the three wetlands would remain undisturbed. He referred to the site plan and stated that there would be adequate parking and access off of Clark Road, with a solid fence that would screen the property from Clark Road. Mr. Link stated that the auto auction is currently prohibited by zoning ordinance and the request is to modify the ordinance to allow the use. He stated that staff recommended that the request be denied because it is not an adequate use and it is inconsistent with the City's development goals. He noted that the planning commission found it to be an appropriate and desirable land use for the time being and recommended approval of the request. He added that the applicant is also requesting that the time frame for storage of the vehicles be changed from 30 to 60 days. He stated that if the City Council proceeds, staff recommended a minor change to the ordinance and the definition of auto auction sales to drop the word "processing".

Councilmember Madden referred to the goals and asked what type of development would go next to the landfill.

Mr. Link responded office buildings, distribution or manufacturing facilities.

Councilmember Piekarski Krech questioned if the ordinance amendment would bring other businesses in compliance.

Mr. Link responded that staff would have to take a look at that and noted that staff's recommendation would be to retain the 30 days but to make an exception to parking rule.

Mayor Tourville commented that it may take longer than 60 days.

Mr. Link stated that they could look at other provisions as well.

Dave Carland, Stonehenge USA, stated that the vehicles they take are owned by insurance companies and added that the business is a conduit for insurance loss vehicles. He explained the major function of the auto auction is to hold the vehicles until they can clear state title which is about a 30-60 day process, and noted that there are vehicles that could take longer than 60 days. Mr. Carland noted that there are 140 locations in the United States and 12 in Canada. He emphasized that the business is not a scrap yard and stated that seventy percent of the cars get reused. He summarized the project advantages and compared the tax base to another building. He stated that the project will actually help pay for the utilities that the City is installing and noted that they are making a 2 million dollar infrastructure investment into the site. He added that they think it is a good transitional use for the property.

Councilmember Madden referred to the transitional use and asked if a time period would be considered.

Mr. Carland responded that they have a 20 year lease, but they do not see the operation as permanent. He noted that they agree with the conditions the Planning Commission recommended.

Mr. Link provided an overview of the request for Councilmember Klein.

Councilmember Klein asked what the difference is between the proposed use and the Southeast Towing permits.

Mr. Link responded that an impound lot is an allowable use and an auto auction is not.

Councilmember Grannis said he will be abstaining because of his father being involved with portions of the application.

**Motion by Piekarski Krech, seconded by Madden, to approve Ordinance 1178, an amendment to allow Auto Auctions as a conditional use in the I-2 zoning district, Resolution No. 08-201 relating to a Preliminary and Final Plat for a one lot, one outlot subdivision and Resolution No. 08-202 relating to a Conditional Use Permit to allow an Auto Auction Sales facility with outdoor storage**

**Ayes: 4**

**Nays: 0**

**Abstain: 1 (Grannis) Motion carried.**

Mr. Link clarified that staff should look into the 30 days versus the 60 days.

**F. CITY OF INVER GROVE HEIGHTS;** Consider the second reading of an Ordinance Amendment to modify the Zoning Ordinance relating to adding a definition of impervious surface

Mr. Link stated that staff composed the definition of impervious surface with assistance from the City Attorney and then forwarded the proposed definition to Emmons and Olivier for review. He stated that Emmons and Olivier did not think the proposed definition would have any unwanted effects on the Northwest Area Stormwater Manual. He noted that both Planning staff and the Planning Commission recommended that the proposed definition be adopted in both the Zoning Code and the Northwest Area Stormwater Manual.

**Motion by Madden, seconded by Grannis, to approve the second reading of an Ordinance Amendment to modify the Zoning Ordinance by adding a definition of impervious surface**

**Ayes: 4**

**Nays: 0 Motion carried.**

**G. CITY OF INVER GROVE HEIGHTS;** Consider the second reading of an Ordinance Amendment to modify Section 515.80, Subd. 19 of the Zoning Ordinance relating to exterior building materials for all residential principle and accessory structures

Mr. Link stated that the proposed ordinance would establish exterior building requirements for residential properties. He explained that staff met with the City Attorney to discuss the modification of the definition of "structure" and it was determined that the definition should not be amended. He further explained that language to include moveable apparatus was added to the amendment. He noted that all moveable apparatus or units consisting of a frame that would be used for storage would also be included in the exterior building requirements. He added that composite plastic structures would be permitted whereas plastic structures covered in sheet plastic would be prohibited. He stated that both Planning staff and the Planning Commission recommended approval of the revised ordinance.

Councilmember Piekarski Krech asked Mr. Link to display examples of structures that would be permitted and structures that would not be allowed if the ordinance amendment was adopted.

Mayor Tourville clarified that sheet metal structures would not be allowed and wood structures would be permitted.

Mr. Link confirmed that sheet metal structures would be prohibited

Mayor Tourville stated he would like the sheet metal structures to be permitted and commented that there

were many structures of that type located in the City.

Mr. Link clarified that any structure would have to comply with these requirements.

Councilmember Piekarski Krech stated that she did not want sheet metal houses to be permitted. She questioned if any information regarding the proposed ordinance amendment had been distributed to residents. She also questioned if the grandfathering issue had been addressed since the first reading.

Mr. Link stated that language was inserted to prohibit those structures not in compliance.

Council member Grannis suggested that staff work on the development of an ordinance that would prohibit sheet metal houses.

Mayor Tourville asked if the proposed amendment would only apply to accessory buildings.

Mr. Kuntz stated that in the existing ordinance sheet metal accessory structures are only permitted in the Estate and Agricultural zoning districts via a conditional use permit. He suggested that the Council provide direction regarding the exemption of 120 square foot structures.

Mayor Tourville suggested that staff further review language pertaining to accessory buildings and noted that the important areas to consider are zoning and the size.

**Motion by Grannis, seconded by Madden, to approve the second reading of an Ordinance Amendment to modify Section 515.80, Subd. 19 of the Zoning Ordinance relating to exterior building materials for all residential principle and accessory structures**

**Ayes: 3**

**Nays: 1 (Piekarski Krech) Motion carried.**

#### **PARKS AND RECREATION:**

##### **H. CITY OF INVER GROVE HEIGHTS; Consider Southern Lakes Trail Improvements**

Mr. Carlson stated that staff was directed to obtain quotes for a bituminous trail and a Class V trail. He explained that there are three utility easements that go across the property. He stated that Koch Pipeline has an underground jet fuel pipe line and would not allow the City to pave the trail under any circumstances. He added that the residents expressed interest in the City constructing a trail all the way around the pond and noted that Xcel Energy has indicated that they would not provide a trail easement across the property.

Mayor Tourville commented on the jet fuel pipeline and stated that it must bisect the trail and not run directly underneath it.

Mr. Carlson showed where the pipeline runs and noted that Koch Pipeline was surprised that there was a trail there and only agreed to allow a Class V trail because it was pre-existing.

Mayor Tourville suggested writing a letter to Koch Pipeline detailing what the City's intentions would be. He stated that the asphalt might be safer than the Class V trail.

Dorothy VanHoven, President of the Southern Lakes Association, stated that a representative from Koch Pipeline did walk the trail and indicated that any part of the trail that ran parallel to the jet fuel line could be paved with bituminous. She noted that the representative did not know the exact footage of the pipeline.

Mayor Tourville suggested that staff look at the easement agreement with Koch Pipeline and find out where the trail is actually located.

Councilmember Madden recommended that the item be tabled because there were too many questions that needed to be addressed.

Mayor Tourville reiterated that the exact location of the pipeline needs to be determined and the terms of the easement agreement need to be further clarified.

**Motion by Madden, seconded by Piekarski Krech, to table consideration of Southern Lakes Trail Improvements indefinitely.**

**Ayes: 5**

**Nays: 0      Motion carried.**

The City Council went back to item 7E.

The City Council took a five minute recess.

**I. CITY OF INVER GROVE HEIGHTS;** Consider Railroad Crossing Study for Heritage Village Park

Mr. Carlson reviewed the adopted Master Plan for Heritage Village Park and stated that the Master Plan shows a primary park entrance at 63<sup>rd</sup> Street. He explained that in order to consider an entrance at 63<sup>rd</sup> Street the City would need approval from Union Pacific Railroad to create an additional crossing of the railroad tracks that run parallel to Heritage Village Park. He stated that representatives of the railroad indicated that if there is an additional crossing of the railroad tracks, two existing crossings must be closed. He explained that the study suggests closing the crossings at 65<sup>th</sup> Street and an existing private driveway access south of 71<sup>st</sup> Street. He stated that the study and a request for approval of the 63<sup>rd</sup> Street closing would be sent to the Union Pacific Railroad for review and approval to reserve the option for creating an entrance to the park at 63<sup>rd</sup> Street. He noted that the City would not be committing to an entrance at 63<sup>rd</sup> Street.

Councilmember Klein asked if any bridges were being considered across the railroad.

Mr. Carlson responded that the Master Plan shows a pedestrian overpass in the 63<sup>rd</sup> Street area and noted that the plan is only conceptual at this point.

Ed Gunther, 6671 Concord Blvd., stated that the Council is looking too far forward and felt it is better to keep 65<sup>th</sup> Street open to prevent any more businesses being lost in that area.

Mayor Tourville stated that alternatives still should be looked at.

Mr. Carlson reiterated that the railroad representatives indicated that the City would have to close two entrances in order to get one at 63<sup>rd</sup> Street. He added that the County has indicated when that section of Concord Boulevard gets reconstructed there is a strong likelihood that the 65<sup>th</sup> Street crossing would be closed due to stacking.

Mr. Link commented on there being a lot of different variables and stated that a development across from a park entrance may have some advantages.

**Motion by Grannis, seconded by Madden, to approve Railroad Crossing Study for Heritage Village Park**

**Ayes: 5**

**Nays: 0      Motion carried.**

**ADMINISTRATION:**

**J. CITY OF INVER GROVE HEIGHTS;** Consider Third Reading of an Ordinance Amending City Code Section 300.33 and 300.35, Vacation Leave and Personal Leave

Ms. Teppen stated that this is the final reading of the Ordinance and noted that the amendment would cover all City employees.

**Motion by Madden, seconded by Grannis to approve Ordinance 1179 amending City Code Sections 300.33 and 300.35, Vacation Leave and Personal Leave**

**Ayes: 5**

**Nays: 0      Motion carried.**

**K. CITY OF INVER GROVE HEIGHTS;** Consider Approval of the 2008-09 Collective Bargaining Agreement between the City of Inver Grove Heights and Law Enforcement Labor Services (LELS), Local 84

Ms. Teppen explained that this was the last bargaining agreement to be settled and it entails a 3% increase in 2008 and a split of 2% in 2009; 2% in January and 2% in July.

Councilmember Grannis asked what the other bargaining units received.

Ms. Teppen stated that the other units all agreed to a 3% increase in 2008 and 2009.

Councilmember Grannis asked if the agreements with the other bargaining units could be renegotiated.

Councilmember Madden stated that there was no need to renegotiate because the other units already agreed to the 3% increases in 2008 and 2009.

Councilmember Grannis responded that contracts can be modified if both parties agree and stated that he felt all of the bargaining units should be treated similarly.

Ms. Teppen noted that there have been units that have received varying percentage increases in past negotiations.

**Motion by Klein, seconded by Madden to Approve the 2008-09 Collective Bargaining Agreement between the City of Inver Grove Heights and Law Enforcement Labor Services (LELS), Local 84**

**Ayes: 4**

**Nays: 1 (Grannis)      Motion carried.**

**L. CITY OF INVER GROVE HEIGHTS;** Discuss City Facilities Task Force and Citizen Involvement in Proposed Public Safety Addition and City Hall Renovation

Mayor Tourville explained that he asked staff to send a letter to the City Facilities Task Force members thanking them for their service. He suggested that another task force be appointed that would be involved in the process going forward.

Councilmember Madden stated he would like to know how members of the task force feel about the costs of the project and would like the public to have input on the project.

Councilmember Piekarski Krech stated that the current task force went through an extensive learning process and questioned how members of a new task force would be brought up to speed.

Councilmember Madden suggested keeping it open to those who were involved as well.

Councilmember Grannis suggested advertising on the website.

Mr. Lynch stated that if a new task force was formed he wanted the expectations of that group to be clearly defined. He explained that an Owner's Representative and Architect were hired and the budget for those services was based on a certain schedule that did not factor in the participation of a task force. He reiterated that the project is on a very tight schedule and noted that staff plans to have a newsletter that will go out to residents to keep them informed and added that Ms. Teppen would also be providing weekly updates to the Council.

Mayor Tourville stated that there is a big difference between telling people what is going to be done versus asking them for input. He stated that the task force attend the work sessions with the City Council so the schedule could remain the same and there would still be the opportunity for citizen involvement in the project.

Councilmember Piekarski Krech stated that she would rather have open work sessions where anyone who is interested in the project can attend. She added that there are many people in the community who have expertise in different areas or components of the project.

Councilmember Grannis suggested that the Work Session information be posted on the website prior to

the meeting.

Councilmember Klein asked that the Work Session schedule and information regarding the project be published in the newspapers.

**No Action was taken on this item.**

**M. CITY OF INVER GROVE HEIGHTS; Consider Separation Agreement**

Mr. Lynch stated that included in the packet is a separation agreement with a City employee and a general release of claims form. He noted that both documents should be changed to reflect that the accrued leave time will be through August 29<sup>th</sup> and that the dollar amount in the agreement would also change as a result of that modification.

**Motion by Madden, seconded by Grannis to adopt Resolution No. 08-203 approving Separation Agreement**

**Ayes: 5**

**Nays: 0      Motion carried.**

**8. MAYOR AND COUNCIL COMMENTS:**

Mr. Link asked for clarification on the Stonehenge ordinance adoption and stated that staff had recommended dropping the word “processing”.

Councilmember Piekarski Krech and Councilmember Madden agreed with the word “processing” being removed.

Councilmember Klein asked when 68<sup>th</sup> Street would get the first layer of asphalt.

Mr. Thureen responded that he would check on the schedule.

Mayor Tourville stated that it should be done before the school year begins.

Mayor Tourville commented on sod and grass on Claude Avenue.

Councilmember Madden noted that residents have to water the sod.

**9. ADJOURN:** Motion by Piekarski Krech, seconded by Grannis to adjourn. The meeting adjourned by unanimous vote at 11:00 p.m.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Cathy Shea 651-450-2521  
 Prepared by: Cathy Shea Asst. Finance Director  
 Reviewed by: N/A

**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**

Approve the attached resolution approving disbursements for the period of August 21, 2008 to September 3, 2008.

**SUMMARY**

Shown below is a listing of the disbursements for the various funds for the period ending September 3, 2008. The detail of these disbursements is attached to this memo.

|                                 |                            |
|---------------------------------|----------------------------|
| General & Special Reveune       | \$116,331.46               |
| Debt Service & Capital Projects | 210,569.96                 |
| Enterprise & Internal Service   | 113,414.00                 |
| Escrows                         | 802.22                     |
|                                 | <hr/>                      |
| Grand Total for All Funds       | <u><u>\$441,117.64</u></u> |

If you have any questions about any of the disbursements on the list, please call me at 651-450-2521 or Vickie Gray, Accounting Technician at 651-450-2515.

Attached to this summary for your action is a resolution approving the disbursements for the period August 21, 2008 to September 3, 2008, and the listing of disbursements requested for approval.

**DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING DISBURSEMENTS FOR THE  
PERIOD ENDING SEPTEMBER 3, 2008**

**WHEREAS**, a list of disbursements for the period ending September 3, 2008, 2008 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       | \$ 116,331.46        |
| Debt Service & Capital Projects | 210,569.96           |
| Enterprise & Internal Service   | 113,414.00           |
| Escrows                         | <u>802.22</u>        |
| Grand Total for All Funds       | <u>\$ 441,117.64</u> |

Adopted by the City Council of Inver Grove Heights this 8th day of September, 2008.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy City Clerk

| CHECK DATE | CHECK NUMBER | VENDOR NAME              | INVOICE# / DESCRIPTION    | G/L NUMBER         | PROJECT | PERIOD/ YEAR      | AMOUNT                 |
|------------|--------------|--------------------------|---------------------------|--------------------|---------|-------------------|------------------------|
| 08/27/2008 | 90034        | ACE BLACKTOP, INC.       | acct igh001               | 101-5200-443.60-16 |         | 8/2008<br>* Total | 6,291.50<br>6,291.50   |
| 08/27/2008 | 90036        | ACE PAINT & HARDWARE     | cust 1126                 | 101-4200-423.60-18 |         | 8/2008            | 15.96                  |
|            |              |                          | cust 1126                 | 101-4200-423.60-40 |         | 8/2008            | 26.61                  |
|            |              |                          | cust 1126                 | 101-4200-423.60-65 |         | 8/2008            | 30.33                  |
|            |              |                          | cust 1126                 | 101-4200-423.40-42 |         | 8/2008            | 6.91                   |
|            |              |                          | cust 1126                 | 101-6000-451.60-66 |         | 8/2008            | 17.00                  |
|            |              |                          | cust 1126                 | 101-6000-451.60-16 |         | 8/2008            | 25.53                  |
|            |              |                          | cust 1126                 | 101-6000-451.60-16 |         | 8/2008            | 3.50                   |
|            |              |                          | acct 1126                 | 101-4200-423.40-42 |         | 8/2008<br>* Total | 5.50<br>131.34         |
| 08/27/2008 | 90038        | ANCOM COMMUNICATIONS, I  | cust 809                  | 101-4200-423.40-42 |         | 8/2008<br>* Total | 12.50<br>12.50         |
| 08/27/2008 | 90043        | BEFORT ROOFING           | city of inver grove hgts  | 101-0000-322.10-00 |         | 8/2008<br>* Total | 79.60<br>79.60         |
| 08/27/2008 | 90046        | BITUMINOUS ROADWAYS, IN  | acct 35265                | 101-5200-443.60-16 |         | 8/2008<br>* Total | 358.86<br>358.86       |
| 08/27/2008 | 90053        | CITY OF APPLE VALLEY     | city of inver grove fd    | 101-4200-423.60-65 |         | 8/2008<br>* Total | 600.00<br>600.00       |
| 08/27/2008 | 90064        | DAKOTA COMMUNICATIONS C  | city of inver grove hgts  | 101-4000-421.70-30 |         | 8/2008            | 18,595.00              |
|            |              |                          | city of inver grove hgts  | 101-4200-423.70-50 |         | 8/2008            | 9,297.00               |
|            |              |                          |                           |                    |         | * Total           | 27,892.00              |
| 08/27/2008 | 90067        | DAKOTA CITY TREASURER-AU | acct 033065               | 101-6000-451.70-50 |         | 8/2008<br>* Total | 10,634.00<br>10,634.00 |
| 08/27/2008 | 90068        | DAKOTA ELECTRIC ASSN     | acct 1093947              | 101-5400-445.40-20 |         | 8/2008<br>* Total | 934.18<br>934.18       |
| 08/27/2008 | 90069        | DANNER LANDSCAPING       | city of inver grove       | 101-6000-451.60-16 |         | 8/2008            | 213.00                 |
|            |              |                          | city of inver grove       | 101-6000-451.60-16 |         | 8/2008            | 53.25                  |
|            |              |                          | city of inver grove       | 101-6000-451.60-16 |         | 8/2008            | 53.25                  |
|            |              |                          | city of inver grove       | 101-6000-451.60-16 |         | 8/2008            | 53.25                  |
|            |              |                          | city of inver grove       | 101-6000-451.60-16 |         | 8/2008            | 39.94                  |
|            |              |                          | city of inver grove       | 101-6000-451.60-16 |         | 8/2008            | 53.25                  |
|            |              |                          |                           |                    |         | * Total           | 465.94                 |
| 08/27/2008 | 90077        | FLARE HEATING & A/C      | duplicate contractors lic | 101-0000-321.95-00 |         | 8/2008<br>* Total | 50.00<br>50.00         |
| 08/27/2008 | 90080        | FOX, KIM                 | binders                   | 101-3200-419.50-30 |         | 8/2008<br>* Total | 32.11<br>32.11         |
| 08/27/2008 | 90081        | G & K SERVICES           | acct 7494701              | 101-5200-443.60-45 |         | 8/2008            | 92.05                  |
|            |              |                          | acct 7494701              | 101-6000-451.60-45 |         | 8/2008            | 58.53                  |
|            |              |                          |                           |                    |         | * Total           | 150.58                 |

City of Inver Grove Heights  
 CHECK REGISTER BY FUND

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION   | G/L NUMBER   | PROJECT  | PERIOD/ YEAR   | AMOUNT                     |
|------------|--------------|-------------------------|--|--|--|--|----------------------------|
| 08/27/2008 | 90082        | GERTENS                 | acct 103566<br>acct 103566   | 101-6000-451.60-16<br>101-6000-451.40-25   |  | 8/2008<br>8/2008<br>* Total  | 203.84<br>16.00<br>219.84  |
| 08/27/2008 | 90083        | GOPHER BEARING          | acct 103566  | 101-6000-451.40-47   |  | 8/2008<br>* Total  | 20.17<br>20.17             |
| 08/27/2008 | 90084        | GOVERNMENT FINANCE OFFI | member: ann lanoue   | 101-2000-415.50-70   |  | 8/2008<br>* Total  | 50.00<br>50.00             |
| 08/27/2008 | 90097        | HOME DEPOT CREDIT SERVI | acct 6035322502554813  | 101-4200-423.60-18   |  | 8/2008<br>* Total  | 79.16<br>79.16             |
| 08/27/2008 | 90099        | HOSE / CONVEYORS INC    | acct 1459  | 101-6000-451.40-40   |  | 8/2008<br>* Total  | 97.50<br>97.50             |
| 08/27/2008 | 90102        | INVER HILLS COMMUNITY B | city of inver grove hgts   | 101-1000-413.70-60   |  | 8/2008<br>* Total  | 1,000.00<br>1,000.00       |
| 08/27/2008 | 90103        | JD LETTERING & SPORTSWE | city of inver grove hgts   | 101-4000-421.60-45   |  | 8/2008<br>* Total  | 21.30<br>21.30             |
| 08/27/2008 | 90108        | JTD INC SPORTS TURF SPE | city of inver grove  | 101-6000-451.60-30   |  | 8/2008<br>* Total  | 6,644.54<br>6,644.54       |
| 08/27/2008 | 90115        | LO INK SPECIALTIES      | acct 21425   | 101-6000-451.60-16   |  | 8/2008<br>* Total  | 305.90<br>305.90           |
| 08/27/2008 | 90116        | LOCAL GOVERNMENT INFORM | acct 106325  | 101-4000-421.70-30   |  | 8/2008<br>* Total  | 3,670.00<br>3,670.00       |
| 08/27/2008 | 90120        | METEORLOGIX             | city of inver grove<br>city of inver grove   | 101-5200-443.60-16<br>101-6000-451.30-70   |  | 8/2008<br>8/2008<br>* Total  | 467.07<br>467.07<br>934.14 |
| 08/27/2008 | 90121        | METRO FIRE              | city of inver grove fd   | 101-4200-423.60-65   |  | 8/2008<br>* Total  | 444.75<br>444.75           |
| 08/27/2008 | 90123        | MIRACLE RECREATION EQUI | city of inver grove  | 101-6000-451.60-65   |  | 8/2008<br>* Total  | 753.50<br>753.50           |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324<br>policy 0027324 | 101-0000-203.09-00<br>101-1100-413.20-62<br>101-2000-415.20-62<br>101-3000-419.20-62<br>101-3200-419.20-62<br>101-3300-419.20-62<br>101-4000-421.20-62<br>101-4200-423.20-62<br>101-5000-441.20-62<br>101-5100-442.20-62<br>101-5200-443.20-62<br>101-6000-451.20-62 | 8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008 | 1,623.09<br>71.80<br>84.85<br>26.83<br>37.20<br>65.32<br>454.70<br>34.98<br>10.34<br>90.64<br>72.92<br>84.46 |                            |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION   | G/L NUMBER         | PROJECT | PERIOD/ YEAR | AMOUNT   |
|------------|--------------|-------------------------|--------------------------|--------------------|---------|--------------|----------|
| 08/27/2008 | 90127        | MN NCPERS LIFE INSURANC | city of inver grove      | 101-0000-203.16-00 |         | * Total      | 2,636.45 |
|            |              |                         |                          |                    |         | 8/2008       | 336.00   |
|            |              |                         |                          |                    |         | * Total      | 336.00   |
| 08/27/2008 | 90128        | MN SOCIETY OF CPA'S     | attende; cathy shea      | 101-2000-415.50-80 |         | 8/2008       | 498.00   |
|            |              |                         |                          |                    |         | * Total      | 498.00   |
| 08/27/2008 | 90129        | MTI DISTRIBUTING CO     | cust 91180               | 101-6000-451.40-47 |         | 8/2008       | 762.70   |
|            |              |                         |                          |                    |         | * Total      | 762.70   |
| 08/27/2008 | 90130        | NEXTEL COMMUNICATIONS   | acct 487383319           | 101-5200-443.50-20 |         | 8/2008       | 115.75   |
|            |              |                         | acct 487383319           | 101-6000-451.50-20 |         | 8/2008       | 496.34   |
|            |              |                         |                          |                    |         | * Total      | 612.09   |
| 08/27/2008 | 90132        | NEXTEL COMMUNICATIONS   | acct 573073317           | 101-1100-413.50-20 |         | 8/2008       | 201.93   |
|            |              |                         |                          |                    |         | * Total      | 201.93   |
| 08/27/2008 | 90134        | NEXTEL COMMUNICATIONS   | acct 249383315           | 101-5000-441.50-20 |         | 8/2008       | 42.31    |
|            |              |                         | acct 249383315           | 101-5200-443.50-20 |         | 8/2008       | 203.71   |
|            |              |                         |                          |                    |         | * Total      | 246.02   |
| 08/27/2008 | 90147        | PRECISION DATA SYSTEMS  | laser ck envelopes       | 101-2000-415.50-30 |         | 8/2008       | 468.44   |
|            |              |                         |                          |                    |         | * Total      | 468.44   |
| 08/27/2008 | 90150        | QWEST                   | acct 6514530219          | 101-6000-451.50-20 |         | 8/2008       | 41.10    |
|            |              |                         |                          |                    |         | * Total      | 41.10    |
| 08/27/2008 | 90151        | QWEST                   | acct 6515520672          | 101-6000-451.50-20 |         | 8/2008       | 41.10    |
|            |              |                         |                          |                    |         | * Total      | 41.10    |
| 08/27/2008 | 90153        | RADANT, DAN             | bails of hay             | 101-4200-423.60-18 |         | 8/2008       | 113.42   |
|            |              |                         |                          |                    |         | * Total      | 113.42   |
| 08/27/2008 | 90154        | RAMBAUM, SHANE          | lunch - training         | 101-4000-421.50-75 |         | 8/2008       | 28.38    |
|            |              |                         |                          |                    |         | * Total      | 28.38    |
| 08/27/2008 | 90155        | RHINO INDUSTRIES, INC.  | acct inv002              | 101-6000-451.60-16 |         | 8/2008       | 176.49   |
|            |              |                         |                          |                    |         | * Total      | 176.49   |
| 08/27/2008 | 90164        | SIGNAL PRO EQUIPMENT    | acct 30035               | 101-6000-451.60-40 |         | 8/2008       | 440.84   |
|            |              |                         | acct 30035               | 101-6000-451.60-40 |         | 8/2008       | 12.30    |
|            |              |                         |                          |                    |         | * Total      | 453.14   |
| 08/27/2008 | 90165        | SOLBERG AGGREGATE CO    | city of inver grove hgts | 101-5200-443.60-16 |         | 8/2008       | 21.30    |
|            |              |                         |                          |                    |         | * Total      | 21.30    |
| 08/27/2008 | 90166        | SOUTH ST PAUL STEEL SUP | city of inver grove      | 101-6000-451.60-16 |         | 8/2008       | 607.05   |
|            |              |                         |                          |                    |         | * Total      | 607.05   |
| 08/27/2008 | 90168        | SPRINT                  | acct 166309819           | 101-4000-421.50-20 |         | 8/2008       | 375.30   |
|            |              |                         |                          |                    |         | * Total      | 375.30   |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION  | G/L NUMBER   | PROJECT | PERIOD/ YEAR                          | AMOUNT                                  |
|------------|--------------|-------------------------|---|--|---------|---------------------------------------|---|
| 08/27/2008 | 90170        | ST. PAUL STAMP WORKS, I | cust inver003   | 101-4200-423.60-45   |         | 8/2008<br>* Total                     | 701.10<br>701.10                        |
| 08/27/2008 | 90172        | TDS METROCOM            | acct 6515540132<br>acct 6515540132<br>acct 6515540132             | 101-4000-421.50-20<br>101-4200-423.50-20<br>101-6000-451.50-20 |         | 8/2008<br>8/2008<br>8/2008<br>* Total | 129.52<br>182.91<br>44.06<br>356.49     |
| 08/27/2008 | 90174        | TIMESAVER OFF SITE SECR | city of inver grove   | 101-1100-413.30-70   |         | 8/2008<br>* Total                     | 536.45<br>536.45                        |
| 08/27/2008 | 90178        | TOTAL CONSTRUCTION & EQ | city of inver grove<br>city of inver grove<br>city of inver grove | 101-6000-451.40-47<br>101-6000-451.60-66<br>101-6000-451.40-40 |         | 8/2008<br>8/2008<br>8/2008<br>* Total | 88.40<br>1,190.89<br>304.73<br>1,584.02 |
| 08/27/2008 | 90179        | TOTAL CONSTRUCTION & EQ | city of inver grove hgts  | 101-5200-443.40-47   |         | 8/2008<br>* Total                     | 11,153.07<br>11,153.07                  |
| 08/27/2008 | 90180        | TOTAL CONSTRUCTION & EQ | city of inver grove<br>city of inver grove                        | 101-5200-443.40-46<br>101-5200-443.40-46                       |         | 8/2008<br>8/2008<br>* Total           | 3,942.52<br>6,437.75<br>10,380.27       |
| 08/27/2008 | 90181        | TRACTOR SUPPLY CREDIT P | acct 6035301200183679   | 101-6000-451.60-16   |         | 8/2008<br>* Total                     | 35.11<br>35.11                          |
| 08/27/2008 | 90182        | UNITED WAY              | city of inver grove   | 101-0000-203.13-00   |         | 8/2008<br>* Total                     | 181.00<br>181.00                        |
| 08/27/2008 | 90186        | USA MOBILITY WIRELESS I | acct 61192662   | 101-4000-421.50-20   |         | 8/2008<br>* Total                     | 14.51<br>14.51                          |
| 08/27/2008 | 90192        | VIKING PAINTS, INC.     | acct cig50  | 101-6000-451.60-16   |         | 8/2008<br>* Total                     | 535.31<br>535.31                        |
| 08/27/2008 | 90194        | WHAT WORKS INC          | city of inver grove hgts  | 101-1100-413.30-70   |         | 8/2008<br>* Total                     | 1,600.00<br>1,600.00                    |
| 08/27/2008 | 90195        | WISCONSIN APA           | attende; jenn emmerich  | 101-3200-419.50-80   |         | 8/2008<br>* Total                     | 85.00<br>85.00                          |
| 08/27/2008 | 90196        | XCEL ENERGY             | acct 514791673<br>acct 514791673                                  | 101-6000-451.40-10<br>101-6000-451.40-20                       |         | 8/2008<br>8/2008<br>* Total           | 108.10<br>451.59<br>559.69              |
| 08/28/2008 | 90200        | MN APA                  | attende; allan hunting  | 101-3200-419.50-80   |         | 8/2008<br>* Total                     | 500.00<br>500.00                        |
| 08/29/2008 | 90202        | ANCOM TECHNICAL CENTER  | cust 809  | 101-4200-423.40-42   |         | 8/2008<br>* Total                     | 104.50<br>104.50                        |
| 08/29/2008 | 90205        | CLAREY'S SAFETY EQUIPME | cust 090500   | 101-4200-423.60-40   |         | 8/2008<br>* Total                     | 988.00<br>988.00                        |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION                     | G/L NUMBER                               | PROJECT       | PERIOD/ YEAR                | AMOUNT                         |
|------------|--------------|-------------------------|--|--|---------------|-----------------------------|--------------------------------|
| 08/29/2008 | 90207        | JUCKEL LAWCARE & SNOW   | city of inver grove                        | 101-3300-419.30-70                       |               | 8/2008<br>* Total           | 303.52<br>303.52               |
| 08/29/2008 | 90208        | LONE OAK GRAPHICS INC   | city of inver grove                        | 101-3200-419.50-30                       |               | 8/2008<br>* Total           | 1,458.86<br>1,458.86           |
| 08/29/2008 | 90209        | MN DEPT OF LABOR & INDU | attende; david neameyer                    | 101-3300-419.50-80                       |               | 8/2008<br>* Total           | 35.00<br>35.00                 |
| 08/29/2008 | 90210        | NEXTEL COMMUNICATIONS   | acct 641378810                             | 101-4200-423.50-20                       |               | 8/2008<br>* Total           | 41.70<br>41.70                 |
| 08/29/2008 | 90212        | T MOBILE                | acct 494910368                             | 101-5100-442.50-20                       |               | 8/2008<br>* Total           | 49.99<br>49.99                 |
| 08/29/2008 | 90214        | XCEL ENERGY             | acct 5170946691                            | 101-5400-445.40-20                       |               | 8/2008<br>* Total           | 36.21<br>36.21                 |
| 08/29/2008 | 90215        | XCEL ENERGY             | acct 5160255967                            | 101-5400-445.40-20                       |               | 8/2008<br>* Total           | 35.79<br>35.79                 |
| 08/29/2008 | 90216        | XCEL ENERGY             | acct 5183943582                            | 101-5400-445.40-20                       |               | 8/2008<br>* Total           | 34.60<br>34.60                 |
| 08/27/2008 | 90045        | BENGTSON, NICOLE        | mileage                                    | 201-1600-465.50-65                       | ** Fund Total | 8/2008<br>* Total           | 100,802.51<br>136.71<br>136.71 |
| 08/27/2008 | 90149        | PROGRESS PLUS           | acct 1053<br>acct 1053                     | 201-1600-465.30-70<br>201-1600-465.40-65 |               | 8/2008<br>8/2008<br>* Total | 1,581.47<br>200.00<br>1,781.47 |
| 08/27/2008 | 90063        | DAHNS CONSTRUCTION      | south sanitary sewer                       | 423-5903-723.80-30                       | ** Fund Total | 8/2008<br>* Total           | 156,162.99<br>156,162.99       |
| 08/27/2008 | 90036        | ACE PAINT & HARDWARE    | cust 1126                                  | 428-5917-728.80-30                       | 1 Checks      | 8/2008<br>* Total           | 43.19<br>43.19                 |
| 08/27/2008 | 90042        | BECKER ARENA PRODUCTS,  | cust inv005                                | 428-5917-728.80-30                       | 0817          | 8/2008<br>* Total           | 761.48<br>761.48               |
| 08/27/2008 | 90082        | GERTENS                 | acct 103566                                | 428-5917-728.80-30                       | 0817          | 8/2008<br>* Total           | 47.45<br>47.45                 |
| 08/27/2008 | 90092        | HANCE UTILITY SERVICES  | city of inver grove<br>city of inver grove | 428-5917-728.80-30<br>428-5917-728.80-30 | 0817<br>0817  | 8/2008<br>8/2008<br>* Total | 191.00<br>157.50<br>348.50     |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION   | G/L NUMBER         | PROJECT       | PERIOD/ YEAR | AMOUNT    |
|------------|--------------|-------------------------|--------------------------|--------------------|---------------|--------------|-----------|
| 08/29/2008 | 90203        | BKV GROUP, INC.         | inver grove hgts         | 428-5918-728.30-20 | 0818          | 8/2008       | 53,165.85 |
|            |              |                         |                          |                    |               | * Total      | 53,165.85 |
| 08/27/2008 | 90167        | SOUTH ST PAUL, CITY OF  | city of inver grove hgts | 441-0000-207.08-00 | ** Fund Total |              | 54,366.47 |
|            |              |                         |                          |                    |               | * Total      | 40.50     |
|            |              |                         |                          |                    |               | * Total      | 40.50     |
| 08/27/2008 | 90033        | ABSOLUTE TRAILER SALES  | city of inver grove hgts | 501-7100-512.60-16 |               | 8/2008       | 213.50    |
|            |              |                         | city of inver grove      | 501-7100-512.60-16 |               | 8/2008       | .50-      |
|            |              |                         |                          |                    |               | * Total      | 213.00    |
| 08/27/2008 | 90036        | ACE PAINT & HARDWARE    | cust 1126                | 501-7100-512.60-16 |               | 8/2008       | 7.86      |
|            |              |                         | cust 1126                | 501-7100-512.60-16 |               | 8/2008       | 5.33      |
|            |              |                         | cust 1126                | 501-7100-512.60-16 |               | 8/2008       | 22.88     |
|            |              |                         | cust 1126                | 501-7100-512.60-16 |               | 8/2008       | 8.29      |
|            |              |                         | cust 1126                | 501-7100-512.60-16 |               | 8/2008       | 12.77     |
|            |              |                         | cust 1126                | 501-7100-512.60-16 |               | 8/2008       | 10.94     |
|            |              |                         |                          |                    |               | * Total      | 68.07     |
| 08/27/2008 | 90065        | DAKOTA CITY             | cust 2193                | 501-7100-512.30-70 |               | 8/2008       | 56.45     |
|            |              |                         |                          |                    |               | * Total      | 56.45     |
| 08/27/2008 | 90081        | G & K SERVICES          | acct 7494701             | 501-7100-512.60-45 |               | 8/2008       | 25.77     |
|            |              |                         |                          |                    |               | * Total      | 25.77     |
| 08/27/2008 | 90082        | GERTENS                 | cust 103566              | 501-7100-512.60-16 |               | 8/2008       | 6.00      |
|            |              |                         |                          |                    |               | * Total      | 6.00      |
| 08/27/2008 | 90086        | GRAINGER                | cust 806460150           | 501-7100-512.60-16 |               | 8/2008       | 66.29     |
|            |              |                         |                          |                    |               | * Total      | 66.29     |
| 08/27/2008 | 90089        | GRAYBAR                 | cust 101705              | 501-7100-512.60-16 |               | 8/2008       | 12.06     |
|            |              |                         |                          |                    |               | * Total      | 12.06     |
| 08/27/2008 | 90091        | HACH COMPANY            | cust 255136              | 501-7100-512.60-19 |               | 8/2008       | 460.19    |
|            |              |                         |                          |                    |               | * Total      | 460.19    |
| 08/27/2008 | 90093        | HAWKINS, INC.           | cust 108816              | 501-7100-512.60-19 |               | 8/2008       | 11,508.28 |
|            |              |                         |                          |                    |               | * Total      | 11,508.28 |
| 08/27/2008 | 90095        | HIGHWAY TECHNOLOGIES    | cust 66047               | 501-7100-512.40-50 |               | 8/2008       | 203.19    |
|            |              |                         |                          |                    |               | * Total      | 203.19    |
| 08/27/2008 | 90098        | HOME DEPOT CREDIT SERVI | acct 6035322502691268    | 501-7100-512.60-16 |               | 8/2008       | 139.01    |
|            |              |                         | city of inver grove      | 501-7100-512.30-70 |               | 8/2008       | 139.01    |
|            |              |                         |                          |                    |               | * Total      | 467.07    |
| 08/27/2008 | 90122        | METRO LEAK DETECTION IN | city of inver grove      | 501-7100-512.30-70 |               | 8/2008       | 4,800.00  |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION   | G/L NUMBER         | PROJECT       | PERIOD/ YEAR | AMOUNT    |
|------------|--------------|-------------------------|--------------------------|--------------------|---------------|--------------|-----------|
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324           | 501-7100-512.20-62 |               | 8/2008       | 50.87     |
|            |              |                         |                          |                    |               | * Total      | 50.87     |
| 08/27/2008 | 90130        | NEXTEL COMMUNICATIONS   | acct 487383319           | 501-7100-512.50-20 |               | 8/2008       | 115.75    |
|            |              |                         |                          |                    |               | * Total      | 115.75    |
| 08/27/2008 | 90133        | NEXTEL COMMUNICATIONS   | acct 842483314           | 501-7100-512.50-20 |               | 8/2008       | 527.93    |
|            |              |                         |                          |                    |               | * Total      | 527.93    |
| 08/27/2008 | 90163        | SHERWIN-WILLIAMS        | acct 668254535           | 501-7100-512.60-16 |               | 8/2008       | 204.91    |
|            |              |                         | acct 668254535           | 501-7100-512.60-16 |               | 8/2008       | 212.02    |
|            |              |                         | acct 668254535           | 501-7100-512.60-16 |               | 8/2008       | 108.89    |
|            |              |                         |                          |                    |               | * Total      | 525.82    |
| 08/27/2008 | 90167        | SOUTH ST PAUL, CITY OF  | city of inver grove hgts | 501-7100-512.40-05 |               | 8/2008       | 201.18    |
|            |              |                         |                          |                    |               | * Total      | 201.18    |
| 08/27/2008 | 90172        | TDS METROCOM            | acct 6515540132          | 501-7100-512.50-20 |               | 8/2008       | 266.55    |
|            |              |                         |                          |                    |               | * Total      | 266.55    |
| 08/27/2008 | 90176        | TKDA                    | city of inver grove hgts | 501-7100-512.30-70 |               | 8/2008       | 1,238.09  |
|            |              |                         |                          |                    |               | * Total      | 1,238.09  |
| 08/27/2008 | 90181        | TRACTOR SUPPLY CREDIT P | acct 6035301200183679    | 501-7100-512.60-16 |               | 8/2008       | 10.66     |
|            |              |                         |                          |                    |               | * Total      | 10.66     |
| 08/27/2008 | 90188        | VALLEY-RICH CO, INC     | cust igh                 | 501-7100-512.40-46 |               | 8/2008       | 2,847.34  |
|            |              |                         |                          |                    |               | * Total      | 2,847.34  |
| 08/27/2008 | 90198        | XCEL ENERGY             | acct 5160987097          | 501-7100-512.40-20 |               | 8/2008       | 4,727.89  |
|            |              |                         |                          |                    |               | * Total      | 4,727.89  |
|            |              |                         |                          | 23 Checks          | ** Fund Total |              | 28,537.46 |
| 08/27/2008 | 90059        | CONTINENTAL SAFETY EQUI | cust 534                 | 502-7200-514.60-65 |               | 8/2008       | 21.21     |
|            |              |                         |                          |                    |               | * Total      | 21.21     |
| 08/27/2008 | 90081        | G & K SERVICES          | acct 7494701             | 502-7200-514.60-45 |               | 8/2008       | 11.04     |
|            |              |                         |                          |                    |               | * Total      | 11.04     |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324           | 502-7200-514.20-62 |               | 8/2008       | 32.74     |
|            |              |                         |                          |                    |               | * Total      | 32.74     |
| 08/27/2008 | 90167        | SOUTH ST PAUL, CITY OF  | city of inver grove hgts | 502-7200-514.40-15 |               | 8/2008       | 395.06    |
|            |              |                         |                          |                    |               | * Total      | 395.06    |
|            |              |                         |                          | 4 Checks           | ** Fund Total |              | 460.05    |
| 08/27/2008 | 90032        | AA PARTY & TENT RENTAL  | inverwood golf course    | 503-8300-524.60-65 |               | 8/2008       | 846.68    |
|            |              |                         |                          |                    |               | * Total      | 846.68    |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION | G/L NUMBER         | PROJECT | PERIOD/ YEAR | AMOUNT   |
|------------|--------------|-------------------------|------------------------|--------------------|---------|--------------|----------|
| 08/27/2008 | 90036        | ACE PAINT & HARDWARE    | acct 1126              | 503-8600-527.60-12 |         | 8/2008       | 22.34    |
|            |              |                         | acct 1126              | 503-8500-526.40-40 |         | 8/2008       | 41.61    |
|            |              |                         |                        |                    |         | * Total      | 63.95    |
| 08/27/2008 | 90040        | ARCTIC GLACIER, INC.    | acct 1726134           | 503-8300-524.60-65 |         | 8/2008       | 97.48    |
|            |              |                         | acct 1726134           | 503-8300-524.60-65 |         | 8/2008       | 38.52    |
|            |              |                         | acct 1726134           | 503-8300-524.60-65 |         | 8/2008       | 65.32    |
|            |              |                         | acct 1726134           | 503-8300-524.60-65 |         | 8/2008       | 105.52   |
|            |              |                         | acct 1726134           | 503-8300-524.60-65 |         | 8/2008       | 94.80    |
|            |              |                         | cust 1726134           | 503-8300-524.60-65 |         | 8/2008       | 65.32    |
|            |              |                         | cust 1726134           | 503-8300-524.60-65 |         | 8/2008       | 92.12    |
|            |              |                         |                        |                    |         | * Total      | 559.08   |
| 08/27/2008 | 90054        | CLAREY'S SAFETY EQUIPME | acct 90505             | 503-8600-527.60-65 |         | 8/2008       | 64.75    |
|            |              |                         | acct 90505             | 503-8600-527.60-65 |         | 8/2008       | 216.09   |
|            |              |                         |                        |                    |         | * Total      | 280.84   |
| 08/27/2008 | 90055        | COCA COLA BOTTLING COMP | acct 3079049           | 503-8300-524.76-10 |         | 8/2008       | 616.87   |
|            |              |                         | outlet 3079049         | 503-8300-524.76-10 |         | 8/2008       | 676.69   |
|            |              |                         |                        |                    |         | * Total      | 1,293.56 |
| 08/27/2008 | 90056        | COLLEGE CITY BEVERAGE   | acct 3592              | 503-8300-524.76-15 |         | 8/2008       | 480.00   |
|            |              |                         | acct 3592              | 503-8300-524.76-15 |         | 8/2008       | 403.65   |
|            |              |                         | acct 3592              | 503-8300-524.76-15 |         | 8/2008       | 388.70   |
|            |              |                         |                        |                    |         | * Total      | 1,272.35 |
| 08/27/2008 | 90075        | FARM PLAN               | acct 7532596900        | 503-8600-527.40-42 |         | 8/2008       | 261.77   |
|            |              |                         |                        |                    |         | * Total      | 261.77   |
| 08/27/2008 | 90081        | G & K SERVICES          | acct 0157401           | 503-8600-527.60-45 |         | 8/2008       | 56.36    |
|            |              |                         | acct 0157401           | 503-8600-527.60-45 |         | 8/2008       | 55.61    |
|            |              |                         | acct 0157401           | 503-8600-527.60-45 |         | 8/2008       | .13-     |
|            |              |                         | acct 0157401           | 503-8600-527.60-45 |         | 8/2008       | 50.78    |
|            |              |                         | acct 0157401           | 503-8600-527.60-45 |         | 8/2008       | .12-     |
|            |              |                         |                        |                    |         | * Total      | 162.50   |
| 08/27/2008 | 90088        | GRANDMA'S BAKERY        | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 11.08-   |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.62    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.62    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.61    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.07    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.57    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.57    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.57    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.57    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.47    |
|            |              |                         | acct 24400             | 503-8300-524.76-05 |         | 8/2008       | 37.44    |
|            |              |                         | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.44    |
|            |              |                         | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 93.86    |
|            |              |                         | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 60.44    |
|            |              |                         | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 110.01   |
|            |              |                         | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 19.98    |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION | G/L NUMBER         | PROJECT | PERIOD/ YEAR | AMOUNT   |
|------------|--------------|-------------------------|------------------------|--------------------|---------|--------------|----------|
| 08/27/2008 | 90088        | GRANDMA'S BAKERY        | cust 24400             | 503-8300-524.76-05 |         | 8/2008       | 42.57    |
|            |              |                         |                        |                    |         | * Total      | 1,018.90 |
| 08/27/2008 | 90094        | HEGGIES PIZZA           | inverwood golf course  | 503-8300-524.76-05 |         | 8/2008       | 113.60   |
|            |              |                         |                        |                    |         | * Total      | 113.60   |
| 08/27/2008 | 90104        | JJ TAYLOR DIST. COMPANY | inverwood golf course  | 503-8300-524.76-15 |         | 8/2008       | 376.75   |
|            |              |                         |                        |                    |         | * Total      | 376.75   |
| 08/27/2008 | 90105        | JJ TAYLOR DIST. COMPANY | acct 834               | 503-8300-524.76-15 |         | 8/2008       | 316.75   |
|            |              |                         | acct 834               | 503-8300-524.76-15 |         | 8/2008       | 326.60   |
|            |              |                         |                        |                    |         | * Total      | 643.35   |
| 08/27/2008 | 90112        | KREMER SPRING & ALIGNME | acct inve03            | 503-8600-527.40-42 |         | 8/2008       | 100.25   |
|            |              |                         |                        |                    |         | * Total      | 100.25   |
| 08/27/2008 | 90113        | LAWSON PRODUCTS, INC.   | acct 7140510           | 503-8600-527.40-42 |         | 8/2008       | 265.54   |
|            |              |                         | acct 029554785523      | 503-8600-527.40-42 |         | 8/2008       | 562.00   |
|            |              |                         |                        |                    |         | * Total      | 264.92   |
| 08/27/2008 | 90114        | LESCO CREDIT SERVICES   | acct 6044062000142989  | 503-8600-527.60-30 |         | 8/2008       | 2,231.71 |
|            |              |                         | acct 6044062000142989  | 503-8600-527.60-20 |         | 8/2008       | 136.67   |
|            |              |                         | acct 6044062000142989  | 503-8600-527.60-08 |         | 8/2008       | 431.54   |
|            |              |                         |                        |                    |         | * Total      | 2,799.92 |
| 08/27/2008 | 90117        | M. AMUNDSON LLP         | cust 902858            | 503-8300-524.76-05 |         | 8/2008       | 145.14   |
|            |              |                         | cust 902858            | 503-8300-524.76-05 |         | 8/2008       | 146.00   |
|            |              |                         | cust 902858            | 503-8300-524.76-05 |         | 8/2008       | 157.57   |
|            |              |                         |                        |                    |         | * Total      | 448.71   |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324         | 503-8000-521.20-62 |         | 8/2008       | 10.18    |
|            |              |                         | policy 0027324         | 503-8500-526.20-62 |         | 8/2008       | 23.13    |
|            |              |                         | policy 0027324         | 503-8600-527.20-62 |         | 8/2008       | 38.68    |
|            |              |                         |                        |                    |         | * Total      | 71.99    |
| 08/27/2008 | 90135        | NIKE USA, INC.          | acct 79282             | 503-8200-523.76-25 |         | 8/2008       | 524.07   |
|            |              |                         |                        |                    |         | * Total      | 524.07   |
| 08/27/2008 | 90144        | PERFORMANCE DRAFT BEER  | inverwood golf course  | 503-8300-524.40-42 |         | 8/2008       | 30.00    |
|            |              |                         | inver wood golf course | 503-8300-524.40-42 |         | 8/2008       | 30.00    |
|            |              |                         |                        |                    |         | * Total      | 60.00    |
| 08/27/2008 | 90148        | PRECISION TURF & CHEMIC | cust inve01            | 503-8600-527.60-30 |         | 8/2008       | 2,566.75 |
|            |              |                         | acct inve01            | 503-8600-527.60-30 |         | 8/2008       | 6.01     |
|            |              |                         | cust inve01            | 503-8600-527.60-35 |         | 8/2008       | 2,481.94 |
|            |              |                         | acct inve01            | 503-8600-527.60-35 |         | 8/2008       | 5.81     |
|            |              |                         |                        |                    |         | * Total      | 5,036.87 |
| 08/27/2008 | 90152        | R.J.'S GOLF CARTS       | inverwood golf course  | 503-8400-525.40-65 |         | 8/2008       | 390.00   |
|            |              |                         |                        |                    |         | * Total      | 390.00   |
| 08/27/2008 | 90175        | TITLEIST                | acct 83631243062171243 | 503-8200-523.76-45 |         | 8/2008       | 730.05   |
|            |              |                         | acct 83631243062171243 | 503-8200-523.76-45 |         | 8/2008       | 614.07   |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION | G/L NUMBER         | PROJECT | PERIOD/ YEAR  | AMOUNT    |
|------------|--------------|-------------------------|------------------------|--------------------|---------|---------------|-----------|
| 08/27/2008 | 90177        | TOLL GAS & WELDING SUPP | cust cl1376            | 503-8600-527.40-42 |         | 8/2008        | 126.95    |
|            |              |                         |                        |                    |         | * Total       | 1,344.12  |
| 08/27/2008 | 90181        | TRACTOR SUPPLY CREDIT P | acct 6035301200183679  | 503-8600-527.40-42 |         | 8/2008        | 11.29     |
|            |              |                         |                        |                    |         | * Total       | 11.29     |
| 08/27/2008 | 90184        | US FOODSERVICE          | cust 223000            | 503-8300-524.60-65 |         | 8/2008        | 88.25     |
|            |              |                         | cust 223000            | 503-8300-524.60-65 |         | 8/2008        | 380.03    |
|            |              |                         | cust 223000            | 503-8300-524.76-05 |         | 8/2008        | 567.00    |
|            |              |                         | cust 223000            | 503-8300-524.76-10 |         | 8/2008        | 110.30    |
|            |              |                         | act 223000             | 503-8300-524.60-65 |         | 8/2008        | .38-      |
|            |              |                         | cust 223000            | 503-8300-524.76-05 |         | 8/2008        | 110.71    |
|            |              |                         | act 223000             | 503-8300-524.60-65 |         | 8/2008        | 319.58    |
|            |              |                         | act 223000             | 503-8300-524.76-05 |         | 8/2008        | 826.70    |
|            |              |                         | cust 223000            | 503-8300-524.60-65 |         | 8/2008        | 85.25     |
|            |              |                         | act 223000             | 503-8300-524.76-05 |         | 8/2008        | 80.94     |
|            |              |                         | act 223000             | 503-8300-524.60-65 |         | 8/2008        | 246.61    |
|            |              |                         | act 223000             | 503-8300-524.76-05 |         | 8/2008        | 555.65    |
|            |              |                         | act 223000             | 503-8300-524.76-10 |         | 8/2008        | 137.60    |
|            |              |                         |                        |                    |         | * Total       | 3,508.24  |
| 08/27/2008 | 90193        | WESTERN PETROLEUM COMPA | acct 42150             | 503-8600-527.60-22 |         | 8/2008        | 1.20-     |
|            |              |                         | cust 42150             | 503-8600-527.60-22 |         | 8/2008        | 510.80    |
|            |              |                         |                        |                    |         | * Total       | 509.60    |
| 08/27/2008 | 90197        | XCEL ENERGY             | acct 5158775121        | 503-8600-527.40-20 |         | 8/2008        | 3,241.52  |
|            |              |                         |                        |                    |         | * Total       | 3,241.52  |
| 08/27/2008 | 90199        | YOCUM OIL COMPANY, INC. | cust 506975            | 503-8600-527.60-21 |         | 8/2008        | 2,113.51  |
|            |              |                         | cust 506975            | 503-8400-525.60-21 |         | 8/2008        | 2,284.12  |
|            |              |                         | cust 506975            | 503-8400-525.60-21 |         | 8/2008        | 1,728.67  |
|            |              |                         |                        |                    |         | * Total       | 6,126.30  |
| 08/29/2008 | 90206        | COCA COLA BOTTLING COMP | outlet 3079049         | 503-8300-524.76-10 |         | 8/2008        | 517.37    |
|            |              |                         |                        |                    |         | * Total       | 517.37    |
| 08/29/2008 | 90213        | VERIZON WIRELESS        | acct 4805689130001     | 503-8500-526.50-20 |         | 8/2008        | 8.37      |
|            |              |                         |                        |                    |         | * Total       | 8.37      |
| 08/29/2008 | 90217        | XCEL ENERGY             | acct 5158775110        | 503-8600-527.40-20 |         | 8/2008        | 23.21     |
|            |              |                         |                        |                    |         | * Total       | 23.21     |
|            |              |                         |                        |                    |         | ** Fund Total | 32,007.03 |
| 08/27/2008 | 90044        | BELK, CRAIG             | CONTACT FEE - ADULT SB | 504-0000-228.01-00 |         | 8/2008        | 50.00     |
|            |              |                         |                        |                    |         | * Total       | 50.00     |
| 08/27/2008 | 90047        | BORNER, TODD            | CONTACT FEE - ADULT SB | 504-0000-228.01-00 |         | 8/2008        | 50.00     |
|            |              |                         |                        |                    |         | * Total       | 50.00     |
| 08/27/2008 | 90049        | BROADWAY AWARDS         | inver grove hgts parks | 504-6100-452.60-09 | R20680  | 8/2008        | 41.96     |

City of Inver Grove Heights  
CHECK REGISTER BY FUND

Prepared: 09/03/2008, 13:58:23  
Program: GM179L  
Bank: 00 City of Inver Grove Heights

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION    | G/L NUMBER         | PROJECT | PERIOD/ YEAR | AMOUNT   |
|------------|--------------|-------------------------|---------------------------|--------------------|---------|--------------|----------|
| 08/27/2008 | 90051        | CAIN, COLIN             | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | * Total      | 41.96    |
|            |              |                         |                           |                    |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90057        | COMMERCIAL CLUB         | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | * Total      | 50.00    |
|            |              |                         |                           |                    |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90058        | CONCORDIA MENS CLUB     | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | * Total      | 50.00    |
|            |              |                         |                           |                    |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90060        | CRESS, DAVID            | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | * Total      | 50.00    |
|            |              |                         |                           |                    |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90061        | CRESTLINE SPECIALTIES C | acct 5403662              | 504-6100-452.60-09 | R20680  | 8/2008       | 329.00   |
|            |              |                         | acct 5403662              | 504-6100-452.60-40 | R90100  | 8/2008       | 961.28   |
|            |              |                         |                           |                    |         | * Total      | 1,290.28 |
| 08/27/2008 | 90066        | DAKOTA CTY PHYSICAL DEV | city of inver grove hgt   | 504-6100-452.50-90 | R20120  | 8/2008       | 175.00   |
|            |              |                         |                           |                    |         | * Total      | 175.00   |
| 08/27/2008 | 90070        | DARSOW, JACOB           | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90072        | DUVAL, CAITLIN          | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90076        | FETT, BOB               | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90085        | GRAHAM, JEN             | supplies - last blast     | 504-6100-452.60-09 | R30720  | 8/2008       | 91.92    |
|            |              |                         |                           |                    |         | * Total      | 91.92    |
| 08/27/2008 | 90100        | IKON OFFICE SOLUTIONS   | acct 2034674              | 504-6100-452.40-44 | R90100  | 8/2008       | 396.90   |
|            |              |                         |                           |                    |         | * Total      | 396.90   |
| 08/27/2008 | 90101        | INVER GROVE STORAGE & R | city of inver grove parks | 504-6100-452.40-50 | R30720  | 8/2008       | 133.12   |
|            |              |                         |                           |                    |         | * Total      | 133.12   |
| 08/27/2008 | 90109        | KAMISH, TONY            | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90110        | KOEBSTER, NICK          | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90111        | KRECH EXTERIORS         | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 50.00    |
| 08/27/2008 | 90118        | MCLEAN, ANDREW          | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | 8/2008       | 50.00    |
|            |              |                         |                           |                    |         | * Total      | 100.00   |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324            | 504-6100-452.20-62 | R90100  | 8/2008       | 57.65    |

City of Inver Grove Heights  
CHECK REGISTER BY FUND

Prepared: 09/03/2008, 13:58:23  
Program: GM179L  
Bank: 00 City of Inver Grove Heights

| CHECK DATE              | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION    | G/L NUMBER         | PROJECT | PERIOD / YEAR  | AMOUNT   |
|-------------------------|--------------|-------------------------|---------------------------|--------------------|---------|----------------|----------|
| 08/27/2008              | 90131        | NEXTEL COMMUNICATIONS   | acct 302193319            | 504-6100-452.50-20 | R90100  | * Total        | 57.65    |
| 08/27/2008              | 90139        | OHMANN, ANDY            | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 87.23    |
| 08/27/2008              | 90140        | ORTEGA, NICHOLAS        | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 87.23    |
| 08/27/2008              | 90142        | PARTY UNIT              | skate jam 9/4/08          | 504-6100-452.30-70 | R30950  | 8/2008 * Total | 25.00    |
| 08/27/2008              | 90143        | PATRICK, MICHAEL        | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 25.00    |
| 08/27/2008              | 90146        | PLADSON, DENNIS         | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 50.00    |
| 08/27/2008              | 90159        | SALAVA, JOE             | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 50.00    |
| 08/27/2008              | 90160        | SCHRIENBECK, STEVE      | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 50.00    |
| 08/27/2008              | 90169        | ST. AUGUSTINES MENS SOF | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 50.00    |
| 08/27/2008              | 90173        | THOMAS, JULIE           | cancelled soccer          | 504-0000-347.00-00 | R40140  | 8/2008 * Total | 50.00    |
| 08/27/2008              | 90189        | VANDEHOEF, AL           | movie tickets-last blast  | 504-6100-452.60-09 | R20680  | 8/2008 * Total | 40.00    |
| 08/27/2008              | 90191        | VIERE, ERIC             | CONTACT FEE - ADULT SB    | 504-0000-228.01-00 |         | 8/2008 * Total | 68.00    |
| 32 Checks ** Fund Total |              |                         |                           |                    |         |                | 3,657.06 |
| 08/27/2008              | 90039        | APEC                    | veterans memorial comm ct | 505-6200-453.60-16 | C25000  | 8/2008         | 707.52   |
| 08/27/2008              | 90048        | BRAUN INTERTEC CORPORAT | veterans memorial comm ct | 505-6200-453.60-16 | C21000  | 8/2008 * Total | 341.90   |
| 08/27/2008              | 90061        | CRESTLINE SPECIALTIES C | city of inver grove       | 505-6200-453.30-20 | C21000  | 8/2008 * Total | 1,049.42 |
| 08/27/2008              | 90071        | DON PIEHL               | acct 5403662              | 505-6200-453.60-65 | C91000  | 8/2008         | 1,418.00 |
| 08/27/2008              | 90071        | DON PIEHL               | acct 5403662              | 505-6200-453.60-65 | C91000  | 8/2008 * Total | 1,418.00 |
| 08/27/2008              | 90071        | DON PIEHL               | vets comm center          | 505-6200-453.60-12 | C25000  | 8/2008 * Total | 771.50   |
| 32 Checks ** Fund Total |              |                         |                           |                    |         |                | 8.92     |



| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION   | G/L NUMBER   | PROJECT | PERIOD/ YEAR  | AMOUNT  |
|------------|--------------|-------------------------|--|--|---------|---|---|
| 08/27/2008 | 90036        | ACE PAINT & HARDWARE    | acct 1126<br>acct 1126   | 603-5300-444.40-41<br>603-5300-444.40-41   |         | 8/2008<br>8/2008<br>* Total   | 18.21<br>29.28<br>47.49                                     |
| 08/27/2008 | 90037        | ADVANCED GRAPHIX, INC.  | inver grove hgts pd  | 603-5300-444.40-41   |         | 8/2008<br>* Total   | 56.45<br>56.45  |
| 08/27/2008 | 90041        | BATTERIES PLUS          | acct c1034   | 603-5300-444.40-40   |         | 8/2008<br>* Total   | 10.61<br>10.61  |
| 08/27/2008 | 90052        | CARQUEST OF ROSEMOUNT   | acct 614420<br>cust 614420<br>acct 614420<br>cust 614420<br>acct 614420<br>cust 614420 | 603-5300-444.40-41<br>603-5300-444.40-41<br>603-5300-444.40-41<br>603-5300-444.40-41<br>603-5300-444.40-41<br>603-5300-444.40-41 |         | 8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>8/2008<br>* Total | 63.89<br>10.49<br>85.30<br>2.20<br>69.31<br>11.23<br>242.42 |
| 08/27/2008 | 90073        | ELK RIVER FORD, INC.    | vin lfmfui6508ia84060  | 603-5300-444.80-70   |         | 8/2008<br>* Total   | 25,156.08<br>25,156.08                                      |
| 08/27/2008 | 90074        | EMERGENCY APPARATUS MAI | city of inver grove fd   | 603-5300-444.40-41   |         | 8/2008<br>* Total   | 424.25<br>424.25  |
| 08/27/2008 | 90078        | FLEXIBLE PIPE TOOL COMP | city of inver grove  | 603-5300-444.40-41   |         | 8/2008<br>* Total   | 1,432.51<br>1,432.51  |
| 08/27/2008 | 90079        | FORCE AMERICA, INC.     | acct 366100<br>cust 36610  | 603-5300-444.40-41<br>603-0000-145.50-00   |         | 8/2008<br>8/2008<br>* Total   | 51.67<br>265.59<br>317.26                                   |
| 08/27/2008 | 90081        | G & K SERVICES          | acct 7494701<br>acct 7494701   | 603-5300-444.40-65<br>603-5300-444.60-45   |         | 8/2008<br>8/2008<br>* Total   | 101.54<br>117.75<br>219.29                                  |
| 08/27/2008 | 90112        | KREMER SPRING & ALIGNME | cust city15  | 603-5300-444.40-41   |         | 8/2008<br>* Total   | 97.98<br>97.98  |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324   | 603-5300-444.20-62   |         | 8/2008<br>* Total   | 21.42<br>21.42  |
| 08/27/2008 | 90136        | NORTHLAND CHEMICAL CORP | acct 45025141<br>acct 45025141   | 603-5300-444.60-11<br>603-5300-444.60-11   |         | 8/2008<br>8/2008<br>* Total   | 62.49<br>152.21<br>214.70                                   |
| 08/27/2008 | 90141        | OXYGEN SERVICE COMPANY, | acct 07288602  | 603-5300-444.60-12   |         | 8/2008<br>* Total   | 266.30<br>266.30  |
| 08/27/2008 | 90157        | ROSEMOUNT SAW & TOOL CO | cust 8206  | 603-5300-444.40-41   |         | 8/2008<br>* Total   | 48.30<br>48.30  |
| 08/27/2008 | 90163        | SHERWIN-WILLIAMS        | acct 668254535   | 603-5300-444.40-40   |         | 8/2008<br>* Total   | 198.35<br>198.35  |

| CHECK DATE | CHECK NUMBER | VENDOR NAME             | INVOICE# / DESCRIPTION   | G/L NUMBER         | PROJECT       | PERIOD/ YEAR      | AMOUNT               |
|------------|--------------|-------------------------|--------------------------|--------------------|---------------|-------------------|----------------------|
| 08/27/2008 | 90171        | STELLAR ENERGY SERVICES | cust 549                 | 603-5300-444.40-42 |               | 8/2008<br>* Total | 783.50<br>783.50     |
| 08/27/2008 | 90181        | TRACTOR SUPPLY CREDIT P | acct 60353012000183679   | 603-5300-444.40-41 |               | 8/2008            | 21.74                |
|            |              |                         | acct 60353012000183679   | 603-5300-444.60-40 |               | 8/2008<br>* Total | 312.31<br>334.05     |
| 08/27/2008 |              |                         | policy 0027324           | 604-2200-416.20-62 | ** Fund Total |                   | 29,870.96            |
| 08/27/2008 |              |                         | inver grove hgts         | 605-3100-419.40-40 | ** Fund Total |                   | .80                  |
| 08/27/2008 | 90050        | BROTHERS MFG            | inver grove hgts         | 605-3100-419.40-40 |               | 8/2008<br>* Total | 31.89<br>31.89       |
| 08/27/2008 | 90062        | CUSTOM HEADSETS, INC    | cust c3143               | 605-3100-419.80-60 |               | 8/2008<br>* Total | 1,136.04<br>1,136.04 |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324           | 605-3100-419.20-62 |               | 8/2008<br>* Total | 6.85<br>6.85         |
| 08/27/2008 | 90137        | NS/I MECHANICAL CONTRAC | city of inver grove      | 605-3100-419.40-40 |               | 8/2008<br>* Total | 413.40<br>413.40     |
| 08/27/2008 | 90172        | TDS METROCOM            | acct 6515540132          | 605-3100-419.50-20 |               | 8/2008<br>* Total | 444.55<br>444.55     |
| 08/27/2008 | 90185        | US POSTMASTER           | city of inver grove      | 605-3100-419.50-35 |               | 8/2008<br>* Total | 1,259.23<br>1,259.23 |
| 08/27/2008 | 90187        | USA MOBILITY WIRELESS I | acct 03174935            | 605-3100-419.40-65 |               | 8/2008<br>* Total | 3.86<br>3.86         |
| 08/29/2008 | 90211        | SIMON'S APPLIANCE       | city of inver grove hgts | 605-3100-419.60-40 |               | 8/2008<br>* Total | 1,063.94<br>1,063.94 |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO    | policy 0027324           | 606-1400-413.20-62 | ** Fund Total |                   | 4,359.76             |
| 08/27/2008 | 90138        | OFFICE OF ENTERPRISE TE | cust 200b00171           | 606-1400-413.30-75 |               | 8/2008<br>* Total | 22.76<br>22.76       |
| 08/27/2008 | 90190        | VERIZON WIRELESS        | acct 2805815020001       | 606-1400-413.50-20 |               | 8/2008<br>* Total | 311.81<br>311.81     |
| 08/29/2008 | 90201        | ADVANCED TECHNOLOGY SYS | city of inver grove hgts | 606-1400-413.60-10 |               | 8/2008<br>* Total | 32.08<br>32.08       |
| 08/29/2008 | 90204        | CARTE GRAPH SYSTEMS     | cust inverprin           | 606-1400-413.60-42 |               | 8/2008<br>* Total | 816.29<br>816.29     |
|            |              |                         |                          |                    | ** Fund Total |                   | 10,990.00            |

Prepared: 09/03/2008, 13:58:23  
 Program: GM179L  
 Bank: 00 City of Inver Grove Heights

| CHECK DATE | CHECK NUMBER | VENDOR NAME              | INVOICE# / DESCRIPTION | G/L NUMBER         | PROJECT         | PERIOD/ YEAR | AMOUNT     |
|------------|--------------|--------------------------|------------------------|--------------------|-----------------|--------------|------------|
| 08/21/2008 | 90030        | HENNEPIN COUNTY DISTRICT | dana marie gallus      | 702-0000-229.10-00 | ** Fund Total   | 8/2008       | 500.00     |
|            |              |                          |                        |                    |                 | * Total      | 500.00     |
| 08/22/2008 | 90031        | WASHINGTON COUNTY SHERI  | adam michael myers     | 702-0000-229.10-00 | ** Fund Total   | 8/2008       | 300.00     |
|            |              |                          |                        |                    |                 | * Total      | 300.00     |
| 08/27/2008 | 90126        | MN LIFE INSURANCE CO     | policy 0027324         | 703-5500-446.20-62 | ** Fund Total   | 8/2008       | 2.22       |
|            |              |                          |                        |                    |                 | * Total      | 2.22       |
|            |              |                          |                        |                    | ** Fund Total   |              | 2.22       |
|            |              |                          |                        |                    | *** Bank Total  |              | 441,117.64 |
|            |              |                          |                        |                    | *** Grand Total |              | 441,117.64 |
|            |              |                          |                        |                    | * Total         |              | 10,990.00  |

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Pay Voucher No. 1 for City Project No. 2008-09H – South Grove Sod Replacement Project**

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, 651.450.2571  
 Prepared by: Scott D. Thureen, Public Works Director  
 Reviewed by: N/A

*SDT* 

| <b>Fiscal/FTE Impact:</b>           |   |
|-------------------------------------|---|
| <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 Capital Project Fund |

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 1 for City Project No. 2008-09H – South Grove Sod Replacement Project.

**SUMMARY**

The improvements were ordered as part of the 2008 Pavement Management Program. The contract was awarded in the amount of \$63,400 to Urban Companies, on June 23, 2008 for City Project No. 2008-09H South Grove Sod Replacement Project.

The contractor has completed the work through August 31, 2008 in accordance with the contract plans and specifications. A five (5) percent retainage will be maintained until the project is completed.

I recommend approval of Pay Voucher No. 1 in the amount of \$13,319.83 for work completed on City Project No. 2008-09H – South Grove Sod Replacement Project.

SDT/kf

Attachment: Pay Voucher No. 1



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Pay Voucher No. 3 for City Project No. 2008-09D – South Grove Urban Street Reconstruction – Area 3**

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, 651.450.2571  
 Prepared by: Scott D. Thureen, Public Works Director  
 Reviewed by: N/A *SDT CS*

| <b>Fiscal/FTE Impact:</b>           |   |
|-------------------------------------|---|
| <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, MSA Funds, Water Fund, Sewer Fund |

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 3 for City Project No. 2008-09D – South Grove Urban Street Reconstruction – Area 3.

**SUMMARY**

The improvements were ordered as part of the 2008 Pavement Management Program. The contract was awarded in the amount of \$2,990,557.34 to Arcon Construction Co., Inc., on May 27, 2008 for City Project No. 2008-09D South Grove Urban Street Reconstruction, Area 3. The current contract amount is \$2,994,872.74.

The contractor has completed the work through August 31, 2008 in accordance with the contract plans and specifications. A five (5) percent retainage will be maintained until the project is completed.

I recommend approval of Pay Voucher No. 3 in the amount of \$838,658.08 for work completed on City Project No. 2008-09D – South Grove Urban Street Reconstruction Area 3.

SDT/kf  
Attachment: Pay Voucher No. 3



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Pay Voucher No. 10 – Northwest Area Utility Improvements, Lift Station R-9.1 (City Project No. 2003-15A)**

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, 651-450-2571  
 Prepared by: Scott D. Thureen, Public Works Director  
 Reviewed by: *SDT* *HT*

**Fiscal/FTE Impact:**

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other: Sanitary Sewer Funds

**PURPOSE/ACTION REQUESTED**

Consider Pay Voucher No. 10 for City Project No. 2003-15A – Northwest Area Utility Improvements, Lift Station R-9.1.

**SUMMARY**

The City Council awarded a construction contract in the amount of \$1,732,300.00 to Sheehy Construction Company for City Project No. 2003-15A, Northwest Area Utility Improvements, Lift Station R-9.1.

The contractor has completed work through August 31, 2008 in accordance with the contract plans and specifications. A five (5) percent retainage will be maintained until the project is completed.

I recommend approval of Pay Voucher No. 10 in the amount of \$75,996.20 for work on City Project No. 2003-15A – Northwest Area Utility Improvements, Lift Station R-9.1.

SDT/kf  
 Attachment: Pay Voucher No. 10

CITY OF INVER GROVE HEIGHTS  
CONSTRUCTION PAYMENT VOUCHER

ESTIMATE NO. 10

DATE August 29, 2008

PERIOD ENDING August 31, 2008

CONTRACT Northwest Area Utility Improvements - Lift Station R-9.1

PROJECT NO. 2003-15

TO: **Sheehy Construction Company**  
360 W. Larpenteur Avenue  
St. Paul, MN 55113

|   |                 |
|---|-----------------|
| A. Original Contract Amount.....                | \$ 1,732,300.00 |
| B. Total Addition (Change Order No. ).....      | \$ 0.00         |
| C. Total Deductions.....                        | \$ 0.00         |
| D. TOTAL CONTRACT AMOUNT.....                   | \$ 1,732,300.00 |
| E. TOTAL VALUE OF WORK TO DATE.....             | \$ 1,609,200.00 |
| F. LESS RETAINED (5%).....                      | \$ 80,460.00    |
| G. Less Previous Payment.....                   | \$ 1,452,743.80 |
| H. TOTAL APPROVED FOR PAYMENT THIS VOUCHER..... | \$ 75,996.20    |
| I. TOTAL PAYMENTS INCLUDING THIS VOUCHER.....   | \$ 1,528,740.00 |

APPROVALS:

Pursuant to our field observations, I hereby recommend for payment the above stated amount for work performed through August 31, 2008.

Signed By:   
Daniel M. Krause, President

8/29/08  
Date

Signed By:   
SETH A. PETERSON, P.E.

02 SEPT 2008  
Date

Signed By: \_\_\_\_\_  
George Tourville, Mayor

9-8-08  
Date

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Resolution Authorizing Submittal of Application to the Minnesota Department of Transportation (Mn/DOT) for Funding through the Municipal Agreement Program**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: Scott D. Thureen, 651-450-2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: *ST*

**Fiscal/FTE Impact:**  
 None  
 Amount included in current budget  
 Budget amendment requested  
 FTE included in current complement  
 New FTE requested — N/A  
 Other: State Funding Application

**PURPOSE/ACTION REQUESTED**

Consider resolution authorizing submittal of application to the Minnesota Department of Transportation (Mn/DOT) for funding through the Municipal Agreement Program for the proposed improvements along Trunk Highway No. 3 (TH3) at the intersections of Amana Trail and County Road No. 28 (CR28).

**SUMMARY**

The Municipal Agreement Program is a program that allows locally developed projects to receive trunk highway dollars to partially fund Cooperative Agreement Projects. A Cooperative Agreement Project is a mutually beneficial construction project developed and administered by a local government unit where Mn/DOT funds are utilized to pay for a portion of the construction cost. The project must include a trunk highway component and/or benefit. Award of funding through the Municipal Agreement Program is competitive based in five program categories. A portion of the construction costs based on Mn/DOT's current cost participation policy up to a maximum of \$550,000 per project can be awarded.

The City of Inver Grove Heights has been working cooperatively with Mn/DOT and Dakota County for the design and construction of intersection improvements along TH 3 at Amana Trail and CR 28. The project design schedule is in concurrence with the application requirements of the Municipal Agreement Program.

WSB and Associates, Inc. is preparing the application for funding request for submittal to Mn/DOT in September 2008. Project selection by Mn/DOT for Municipal Agreement Program funding will take place in January 2009.

**Recommendation:** I recommend approval of the resolution authorizing submittal of the application for funding through the Minnesota Department of Transportation Municipal Agreement Program.

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

**RESOLUTION AUTHORIZING  
SUBMITTAL OF APPLICATION TO  
MINNESOTA DEPARTMENT OF TRANSPORTATION  
FOR FISCAL YEAR 2010  
MUNICIPAL AGREEMENT PROGRAM**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, the City of Inver Grove Heights proposes to make improvements along Trunk Highway No. 3 (TH3) at the intersections of Amana Trail and County Road No. 28 (CR28); and

**WHEREAS**, the project will be a mutual benefit to the Minnesota Department of Transportation, Dakota County, and the City of Inver Grove Heights; and

**WHEREAS**, the City of Inver Grove Heights is requesting financial participation in the project from the Minnesota Department of Transportation through the Municipal Agreement Program; and

**WHEREAS**, the City of Inver Grove Heights is committed to provide the local share of funding in the project if selected as part of the Municipal Agreement Program 2010.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:**

1. The City of Inver Grove Heights is hereby requesting funding from the Minnesota Department of Transportation through its Municipal Agreement Program for the intersection and access improvements on TH 3 at Amana Trail and CR 28; and
2. The Council hereby commits to provide the local share of funding for completion of such project.

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheame, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Resolution Approving Individual Project Order (IPO) No. 5B with Kimley-Horn and Associates, Inc. for City Project No. 2007-17, Clark Road Improvements

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Scott D. Thureen, 651-450-2571  
 Prepared by: Scott D. Thureen, Public Works Director  
 Reviewed by: *SDT*

**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: Project Funds               |

**PURPOSE/ACTION REQUESTED**

Consider resolution approving Individual Project Order (IPO) No. 5B with Kimley-Horn and Associates, Inc. for City Project No. 2007-17, Clark Road Improvements.

**SUMMARY**

On July 9, 2007 the City Council approved IPO No. 5 in the amount of \$102,000 with Kimley-Horn and Associates, Inc. which provided for preparation of a feasibility report and final design of the project. The feasibility report was received on September 24, 2007 and the preparation of construction plans (final design) was authorized.

On January 14, 2008, the Council approved IPO No. 5A in the amount of \$24,400. This work addressed additional final design efforts to coordinate the design with an adjacent new commercial development and construction issues concerning an existing gas pipeline in the project area.

IPO No. 5B provides for costs associated with updating the feasibility report, additional final design services and construction phase services. The updated feasibility report will be discussed with the Council at its September 22<sup>nd</sup> study meeting.

I recommend approval of the resolution approving IPO No. 5B in the amount of \$52,500.

SDT/kf  
 Attachment: Resolution  
 IPO No. 5B

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

**RESOLUTION APPROVING INDIVIDUAL PROJECT ORDER NO. 5B WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR CITY PROJECT NO. 2007-17 – CLARK ROAD EXTENSION FROM TH 52 TO BRIGGS DRIVE**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, City Council approved Individual Project Order Nos. 5 and 5A with Kimley-Horn and Associates, Inc. for design work for Clark Road from TH 52 to Briggs Drive; and

**WHEREAS**, Kimley-Horn and Associates, Inc. has submitted Individual Project Order (IPO) No. 5B for additional work.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, MINNESOTA THAT:**

1. Individual Project Order (IPO) No. 5B with Kimley-Horn and Associates, Inc. for the following work is hereby approved:

Clark Road Extension (2007-17)

|  |              |
|--|--------------|
| Additional Feasibility Study Phase Costs | \$3,500      |
| Additional Final Design Costs            | 17,000       |
| Construction Phase                       | 29,500       |
| Reimbursable Expenses                    | <u>2,500</u> |
|  | \$52,500     |

2. The City is authorized to enter into IPO No. 5B with Kimley-Horn and Associates, Inc.

Adopted by the City Council of Inver Grove Heights, Minnesota this 8<sup>th</sup> day of September 2008.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

INDIVIDUAL PROJECT ORDER NUMBER 5B

Describing a specific agreement between Kimley-Horn and Associates, Inc. (the Consultant), and the City of Inver Grove Heights (the Client) in accordance with the terms of the Master Agreement for Continuing Professional Services dated October 31, 2005, which is incorporated herein by reference.

Identification of Project: Clark Road Improvements  
City Project 2007-17

General Category of Services: Additional Feasibility Study Phase Services  
Additional Final Design Phase Services  
Construction Phase Services

Specific Scope of Basic Services: See details in attached Scope of Services (Exhibit A).

Additional Services if Required: None identified at this time.

Schedule: See attached Exhibit C

Deliverables: Amendment to Feasibility Report  
Final Construction Plans and Specifications  
Mn/DOT Municipal Agreement Approval  
Approved Shop Drawings  
As-Builts

Method of Compensation: To be billed on an hourly (cost plus) basis consistent with our current hourly rate schedule. See attached Exhibit B.

Special Terms of Compensation: None

Other Special Terms of Individual Project Order: None

ACCEPTED:

CITY OF INVER GROVE HEIGHTS

KIMLEY-HORN AND ASSOCIATES, INC.

BY: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

EXHIBIT A  
SCOPE OF SERVICES

INDIVIDUAL PROJECT ORDER (IPO) NO. 5B

CLARK ROAD IMPROVEMENTS  
CITY PROJECT 2007-17

Previous IPO's No. 5 and 5A included feasibility study and final design phase services for the Clark Road Improvements, City Project 2007-17. This IPO includes additional feasibility study and final design phase services, and construction phase services for the project as detailed below.

**1. Additional Feasibility Study Phase Services**

Additional services have been requested by City staff and/or required for the feasibility study phase of the project as follows:

A. Amendment to Feasibility Report

Additional feasibility study phase services are required to prepare an amendment to the feasibility report dated September 2007. The amendment will update the project costs and financing plan based on the final design and the updated right-of-way/easement acquisition costs. These services will also include attendance at one City Council work session.

**2. Additional Final Design Phase Services**

Additional services have been required and/or requested by City staff and Mn/DOT for the final design phase of the project as follows:

A. Miscellaneous Design Changes and Plan Revisions

Additional final design services were required to make drainage and utility design changes due to Mn/DOT review comments and project schedule changes. The changes are as follows:

- Plan revisions to modify the grading plan and outlet control structures for the infiltration area, and additional grading to the existing detention pond on the Espeseth property.
- Plan revisions to show proposed sanitary sewer as existing and to add rim adjustments as the sewer will be installed as part of the Southern Sanitary Sewer System Improvements (CP 2003-03).
- Design changes to the ditch section between Clark Road and TH 52 to address Mn/DOT comments regarding the clear zone along TH 52. This

included additional Mn/DOT coordination, clear zone calculations, and revisions to the hydraulic modeling.

B. Additional Meetings

Additional final design services are required to attend up to three (3) additional meetings with City staff and/or Mn/DOT.

**3. Construction Phase Services**

Construction phase services for the project will include the following:

A. Contract Preparation

Upon award of the contract by the City Council, we will prepare a Notice of Award and an Agreement for the project. We will distribute copies of these documents to the contractor and coordinate their execution with City staff. We will also work with City staff to obtain the necessary Insurance Certificate.

B. Construction Staking Services

We will provide construction staking services for the project. These services will be provided by Gorman Surveying as a Kimley-Horn subconsultant.

C. Shop Drawing Review

We will review and approve shop drawings for the project submitted by the Contractor. We have assumed that this will include the review of shop drawing submittals for storm sewer facilities.

D. Meetings

We will attend the preconstruction meeting and weekly construction meetings on an as-needed basis. We have assumed that attendance at up to twelve meetings will be required throughout construction of the project improvements.

E. Construction Design Revisions

We will provide construction design revision assistance as needed.

F. As-Built Drawing Preparation

Upon completion of the improvements we will prepare as-built drawings for the project.

EXHIBIT B  
ESTIMATED COSTS

INDIVIDUAL PROJECT ORDER (IPO) NO. 5B

CLARK ROAD IMPROVEMENTS  
CITY PROJECT 2007-17

Kimley-Horn proposes to perform all services included within this IPO on an hourly (cost plus) basis using our current standard hourly rate schedule. The following is a summary of our estimated costs.

| <u>Services</u>                    | <u>Fee Basis</u> | <u>Total Cost</u> |
|------------------------------------|------------------|-------------------|
| Feasibility Study Phase            | Hourly           |                   |
| A. Amendment to Feasibility Report |                  | <u>\$ 3,500</u>   |
| Subtotal                           |                  | \$ 3,500          |
| Final Design Phase                 | Hourly           |                   |
| A. Miscellaneous Design Changes    |                  | \$ 15,000         |
| B. Additional Meetings             |                  | <u>\$ 2,000</u>   |
| Subtotal                           |                  | \$ 17,000         |
| Construction Phase                 | Hourly           |                   |
| A. Contract Preparation            |                  | \$ 2,000          |
| B. Construction Staking Services   |                  | \$ 9,000          |
| C. Shop Drawing Review             |                  | \$ 3,000          |
| D. Meetings                        |                  | \$ 8,000          |
| E. Construction Design Revisions   |                  | \$ 5,000          |
| F. As-Built Drawing Preparation    |                  | <u>\$ 2,500</u>   |
| Subtotal                           |                  | \$ 29,500         |
| <u>Reimbursable Expenses</u>       |                  | <u>\$ 2,500</u>   |
| Total                              |                  | \$ 52,500         |

Reimbursable expenses (copy/printing charges, plotting, mileage, delivery charges, faxes, etc.) will be charged as an office expense at 6.0% of the labor fee. Subconsultant costs will be billed directly to the City with no Kimley-Horn markup.

Our total estimated not-to-exceed cost for the scope of services included as a part of this IPO is, therefore, \$52,500 including all labor and reimbursable expenses.

EXHIBIT C  
SCHEDULE

INDIVIDUAL PROJECT ORDER (IPO) NO. 5B

CLARK ROAD IMPROVEMENTS  
CITY PROJECT 2007-17

Work will be completed based upon a schedule agreed upon with the City of Inver Grove Heights. A possible schedule for the project is as follows:

|  |                   |
|--|-------------------|
| City Council Receive Feasibility Report Amendment            | September 8, 2008 |
| City Council Approve Plans & Specs and Authorize Ad for Bids | February 2009     |
| Bid Opening  | March 2009        |
| City Council Award Contract                                  | April 2009        |
| Start Construction   | May 2009          |
| Construction Complete  | October 2009      |

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**RESOLUTION PROVIDING INDEMNIFICATION TO THE STATE OF MINNESOTA WITH RESPECT TO STORMWATER DISCHARGES INTO THE HIGHWAY 55 STORMWATER SYSTEM**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: Scott D. Thureen, 651-450-2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: 

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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 indemnifying the State of Minnesota Department of Transportation against claims brought about by excessive stormwater discharges to the Highway 55 storm sewer system from the City's Regional Stormwater System (Basin RB#2 on Argenta Hills Plat).

**SUMMARY**

As development occurs in the Northwest Area, a system of emergency overflows for regional basins is being provided at natural overflow locations to protect structures. The overflow for the area north of Hwy 55 and generally between Argenta Trail and Hwy 3 would flow south under Hwy 55.

The upstream systems and this regional basin have been designed to retain and infiltrate site runoff compared to preexisting conditions which in this case is up to a design event of six (6) inches of rain in 24 hours. MNDOT has conditioned the approval of their permit to connect to their pipe system under Hwy 55 on receiving this indemnification in the form of a city resolution.

The alternative to connection to the MNDOT storm sewer system would be to install a parallel pipe adjacent to the existing MNDOT pipe at a significant additional cost. While this is an extra request from MNDOT, it will allow completion of work on the regional basin. I have reviewed the proposal and I recommend approval of the resolution which provides indemnification to the State of Minnesota under the defined conditions.

Attachments: Resolution  
Map

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION PROVIDING INDEMNIFICATION TO THE STATE OF MINNESOTA  
WITH RESPECT TO STORMWATER DISCHARGES INTO THE HIGHWAY 55 STORMWATER  
SYSTEM THAT RESULT FROM NEGLIGENCE OF THE CITY IN DESIGNING, CONSTRUCTING OR  
MAINTAINING A CITY STORMWATER SYSTEM**

**WHEREAS**, the City of Inver Grove Heights (the City) has requested a permit from the State of Minnesota Department of Transportation (the State) to discharge stormwater under certain circumstances into the stormwater system that currently serves State Highway 55 downstream from the intersection of Amana Trail and State Highway 3; and

**WHEREAS**, the City has designed and is causing to be constructed a City stormwater system to accommodate the stormwater runoff from the plat of Argenta Hills, from Amana Trail and from the roundabout that will be built at the intersection of Amana Trail and State Highway 3; and

**WHEREAS**, the design criteria for the above-referenced City stormwater system is to accommodate a 100-year rainfall event and less intense rainfall events as more particularly described below; and

**WHEREAS**, the permit being requested by the City from the State is to discharge stormwater into the State stormwater system along Highway 55 in the event there is a rainfall event more intense than the 100-year rainfall event; and

**WHEREAS**, the State is willing to grant the permit to the City if the City indemnifies the State for any future claims made against the State and caused by stormwater discharges from the city stormwater system following a 100-year rainfall event and rainfall events of lesser intensity; and

**WHEREAS**, the City is willing to indemnify the State for any future claims made against the State which arise because the City was negligent in the design, construction and maintenance of the City stormwater system, which system has the intended purpose of controlling a 100 year rainfall event and less intense rainfall events; and

**WHEREAS**, both the City and State are subject to the tort liability limits contained in Chapter 466 of the Minnesota Statutes.

**NOW, THEREFORE, THE CITY OF INVER GROVE HEIGHTS DOES HEREBY RESOLVE AS FOLLOWS:**

1. Up to the tort liability limits contained in Chapter 466 of the Minnesota Statutes, the City hereby agrees to indemnify, defend and hold the State harmless against and in respect of any claims or causes of action brought against the State by landowners downstream of the State stormwater system for Highway 55 at the Argenta Hills basin RB#2 discharge point for loss or damage suffered or incurred by such landowners resulting or arising from City stormwater system runoff into the State stormwater system for Highway 55 from the plat of Argenta Hills, from Amana Trail or from the roundabout at the intersection of Amana Trail and Highway 3 under circumstances where the landowner's loss or damage was caused because the City was negligent in designing, constructing or maintaining the City storm water system to limit stormwater runoff as designed from the plat of Argenta Hills, from Amana Trail or from the roundabout at the intersection of Amana Trail and Highway 3 for the following rainfall events:

- a. A 100-year rainfall event meaning a 24-hour, 6.0 inch rainfall event under non-frozen ground conditions, meaning not including spring snow melt, and under the condition of a normal start of rainfall, meaning not significant rainfalls before the specific event, and not back-to-back events; and
- b. Rainfall events of lesser intensity than the 100-year rainfall event described above.

The foregoing obligation of the City with respect to storm water runoff from Amana Trail and the roundabout at Amana Trail and Highway 3 ceases if the City is no longer the road authority for Amana Trail.

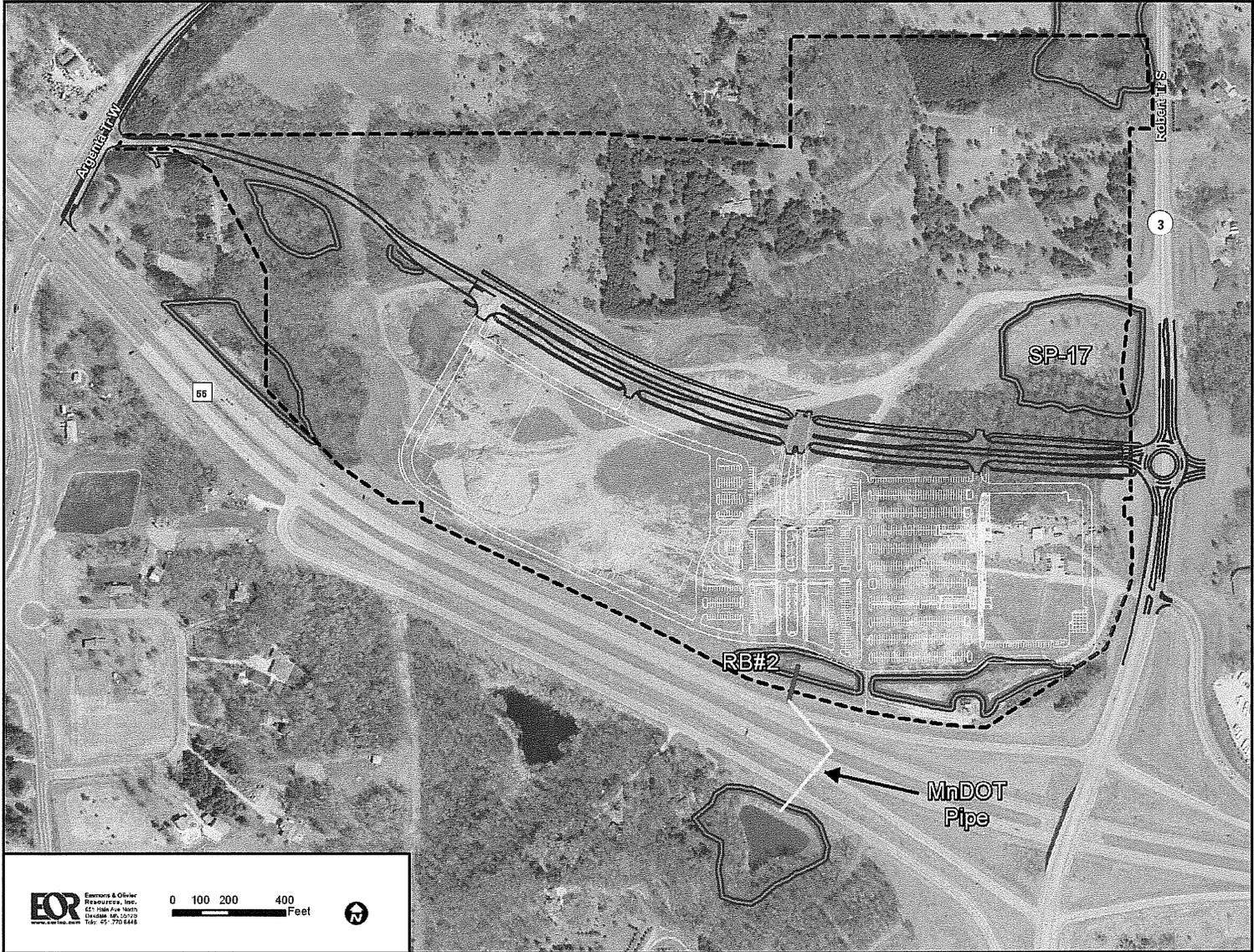
2. The City authorizes this resolution to become a part of and be incorporated into the permit being granted by the State of Minnesota Department of Transportation for discharge of storm water by the City into the State's storm water system serving Highway 55.

Adopted by the City Council of Inver Grove Heights, Minnesota this 8<sup>th</sup> day of September 2008.

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk



**EOR** Engineers & Other  
Resources, Inc.  
1211 State Ave North  
Chicago, IL 60610  
Tel: 847.770.8448

0 100 200 400  
Feet



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Resolution Accepting Bid and Awarding Contract to Bituminous Roadways, Inc. for City Project No. 2008-13 – Courthouse Boulevard Court Street Improvements**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: Scott D. Thureen, 651.450.2571  
Prepared by: Scott D. Thureen, Public Works Director  
Reviewed by: N/A *SDT*

| 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: Assessments, Northwest Area Storm Water Fees |

**PURPOSE/ACTION REQUESTED**

Consider a resolution accepting bid and awarding contract to Bituminous Roadways, Inc. for City Project No. 2008-13 – Courthouse Boulevard Court Street Improvements.

**SUMMARY**

On September 3, 2008 bids were received and opened for this project. Eight bids were received. I recommend approval of the resolution awarding the contract to the low bidder, Bituminous Roadways, Inc., in the amount of \$487,282.60.

SDT/kf

Attachments: Bid Minutes  
Resolution

**CITY OF INVER GROVE HEIGHTS  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077**

**Minutes of Bid Opening on Wednesday, September 3, 2008 at 10:00 a.m.**

**CITY PROJECT NO. 2008-13  
COURTHOUSE BOULEVARD COURT STREET IMPROVEMENTS**

Pursuant to an advertisement for bids for City Project No. 2008-13 – Courthouse Boulevard Court Street Improvements, an administrative meeting was held on September 3, 2008 for the purpose of bid opening. Bids were opened and read aloud.

Attending the meeting were:

Scott D. Thureen, Public Works Director  
Tom Voll, PE, WSB & Associates, Inc.  
Kathleen J. Fischer, Public Works Support Specialist  
Lori O'Farrill, Park Construction Company  
Gary Otte, McNamara Contracting  
Alex Schield, Ace Blacktop  
Anthony Koop, Bituminous Roadways, Inc.  
Jean Kukacka, Carl Bolander & Sons Co.  
Tony Kieger, Hardrives, Inc.  
Andrew Larson, Max Steininger, Inc.

Bids were opened and read aloud as follows:

| <u>Bidder</u>             | <u>Bid Bond</u> | <u>Addendum 1</u> | <u>Addendum 2</u> | <u>Base Bid</u> |
|---------------------------|-----------------|-------------------|-------------------|-----------------|
| Bituminous Roadways, Inc. | Yes             | Yes               | Yes               | \$487,282.60    |
| Valley Paving, Inc.       | Yes             | Yes               | Yes               | \$491,599.27    |
| Max Steininger, Inc.      | Yes             | Yes               | Yes               | \$494,636.20    |
| Carl Bolander & Sons Co.  | Yes             | Yes               | Yes               | \$502,499.99    |
| Ace Blacktop              | Yes             | Yes               | Yes               | \$505,075.65    |
| Hardrives, Inc.           | Yes             | Yes               | Yes               | \$535,157.50    |
| Park Construction Co.     | Yes             | Yes               | Yes               | \$550,559.97    |
| McNamara Contracting      | Yes             | Yes               | Yes               | \$571,170.35    |

The bids have been tabulated and verified and are accurate as shown above.

Submitted by:

  
Kathleen J. Fischer, Public Works Support Specialist

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

**RESOLUTION ACCEPTING BID AND AWARDING CONTRACT TO BITUMINOUS ROADWAYS, INC. FOR CITY  
PROJECT NO. 2008-13, COURTHOUSE BOULEVARD COURT STREET IMPROVEMENTS IN THE AMOUNT OF  
\$487,282.60**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, pursuant to an advertisement for bids for City Project No. 2008-13, bids were received, opened, read aloud, and tabulated according to law. The following bids were received complying with the advertisement:

| <u>Bidder</u>             | <u>Bid Bond</u> | <u>Addendum 1</u> | <u>Addendum 2</u> | <u>Base Bid</u> |
|---------------------------|-----------------|-------------------|-------------------|-----------------|
| Bituminous Roadways, Inc. | Yes             | Yes               | Yes               | \$487,282.60    |
| Valley Paving, Inc.       | Yes             | Yes               | Yes               | \$491,599.27    |
| Max Steininger, Inc.      | Yes             | Yes               | Yes               | \$494,636.20    |
| Carl Bolander & Sons Co.  | Yes             | Yes               | Yes               | \$502,499.99    |
| Ace Blacktop              | Yes             | Yes               | Yes               | \$505,075.65    |
| Hardrives, Inc.           | Yes             | Yes               | Yes               | \$535,157.50    |
| Park Construction Co.     | Yes             | Yes               | Yes               | \$550,559.97    |
| McNamara Contracting      | Yes             | Yes               | Yes               | \$571,170.35    |

**WHEREAS**, Bituminous Roadways, Inc., is the lowest responsible bidder.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS,  
MINNESOTA:**

1. The Mayor and Clerk are hereby authorized and directed to enter into a contract with Bituminous Roadways, Inc., in the name of the City of Inver Grove Heights, for City Project 2008-13, Courthouse Boulevard Court Street Improvements, according to plans and specifications therefore approved by the Council and on file at the Office of the City Clerk.
2. The City Clerk is hereby authorized and directed to return, forthwith, to all bidders, the deposits made with their bids except for the deposit of the successful bidder and the next lowest bidder shall be retained until the contract has been signed.
3. City Project No. 2008-13 shall be funded from special assessments and Northwest Area Storm Water fees.

Adopted by the City Council of Inver Grove Heights this 8<sup>th</sup> day of September 2008.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Purchase of Equipment for Parks Department

---

Meeting Date: September 8, 2008  
Item Type: Consent Agenda  
Contact: Eric Carlson – 651.450.2587  
Prepared by: Eric Carlson  
Reviewed by: Eric Carlson – Parks & Recreation

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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**

Approve purchase of replacement flail mower for the Parks Department from Diamond Mowers, Inc. in the amount not to exceed \$7,400. The purchased is made from the MN State Bid.

**SUMMARY**

As a part of the 2008 budget process, the replacement of the flail mower was planned. We budgeted \$10,500 for the replacement. The purchase of a new flail mower is from the MN State Bid.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

---

**SCHEDULE HEARING: LIQUOR LICENSE VIOLATION**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: Jenelle Teppen. Asst. City Admin.  
Prepared by:  
Reviewed by:

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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 scheduling a Hearing; Liquor License Violation.

**SUMMARY** State law authorizes a City Council to impose sanctions upon the holder of a retail intoxicating liquor license who has failed to comply with an applicable statute, upon a hearing duly noticed and the opportunity for the license holder to be heard.

Starz Group Liquor, Inc. DBA as Starz Liquor will be noticed that they have the right to be heard before the City Council on the violation of the liquor license for sale of an alcoholic beverage to a minor.

The Hearing shall be scheduled for Monday, October 13, 2008 at 7:30 p.m.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

---

**SCHEDULE PUBLIC HEARING TO CONSIDER APPROVAL OF AN OFF-SALE INTOXICATING LIQUOR LICENSE – GOLD PALACE LIQUOR, LLC dba GOLD PALACE LIQUOR**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: 651.450.2513  
Prepared by: Melissa Rheaume  
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:**

Schedule public hearing on September 22, 2008 to consider the application of Gold Palace Liquor, LLC dba Gold Palace Liquor for an Off-Sale Intoxicating Liquor License for premises located at 1330 Mendota Rd. E.

**SUMMARY:**

Kia Lee has submitted an application for an Off-Sale Liquor License for premises located at 1330 Mendota Rd. E. The Public Safety Department will conduct the required background investigation on the applicant prior to the public hearing.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Approval of Temporary Liquor License – Inver Hills Community College**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: 651-450-2513  
Prepared by: Melissa Rheame  
Reviewed by: N/A

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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 approval of the request from Inver Hills Community College for a temporary liquor license for Lancer’s Food Service to serve wine at a fundraiser on October 9, 2008.

**SUMMARY:**

Executive Director Gail Morrison, Inver Hills Community College Foundation, is requesting approval of a temporary liquor license to serve wine at a fundraiser at the college on October 9, 2008. Ms. Morrison will be contracting with Lancer’s Food Service Inc. of Apple Valley to cater the event. Lancer’s Food Service is licensed with the State of Minnesota for sale of intoxicating liquor and also carries liquor liability insurance to serve alcoholic beverages off-site. A certificate of liability insurance was provided with the temporary license request.

The permit for the event is actually issued by the State of Minnesota Liquor Control Division; however they require approval from the local authority prior to issuing the permit.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Judy Thill, Fire Chief  
 Prepared by: Judy Thill  
 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 job description and compensation for the Company Lieutenant position.

**SUMMARY**

The current organizational structure includes one Deputy Chief, two District Chiefs and two station Captains – one at each station, and 6 Company Lieutenants, three at each station.

Company Lieutenants assist the District Chief and Captain with the day-to-day operations within their stations and districts, including the coordination of all truck, equipment, and station maintenance. Firefighters at each station are assigned to squads and squads are assigned various duties around the stations. Company Lieutenants make assignments and supervise Firefighters within their squads.

Company Lieutenants are the front line supervisors who also serve as truck officers and if needed, in a command role at an emergency scene. They are also responsible for coordinating efforts across their district boundaries to maintain consistency within the entire fire department and ensure the Fire Department serves the needs of the City.

Compensation for each Lieutenant position will be the regular hourly rate times hours worked, with a maximum number of hours capped at 18 per month. There will be no increase in budget needed to maintain these six positions.

## CITY OF INVER GROVE HEIGHTS

### ADMINISTRATIVE ORGANIZATION DATA

**Title:** Company Lieutenant  
**Department:** Fire Department  
**Reporting To:** Station Captain  
**Number of Incumbents:** Three (3) per station

### NATURE OF WORK

To assist the Station Captain in supervising the station staff and managing assigned functions through Firefighters.

This position is responsible for assisting the Station Captain in planning, implementation, maintenance, and evaluation of programs, along with the development of personnel within the station. These duties also include administration, operations, training, prevention, response and mitigation of emergencies.

---

### FUNCTIONAL INFORMATION

#### Essential Functions:

##### **Supervises Firefighters.**

- Delegates appropriate duties, responsibilities, and authority to firefighters assigned to their squads.
- Monitors performance of station personnel to ensure departmental goals, objectives, and mission are being met efficiently and effectively.
- Evaluates performance of station personnel and takes appropriate corrective actions to ensure station personnel performance meets the goals, objectives, and mission.
- Supervises the firefighters, ensuring efficient, effective, professional, and safe emergency operations are conducted on all emergency scenes.
- Serves as a mentor to firefighters by being a role model and ensuring the professional development of staff.
- Participates in recruitment and retention efforts to ensure the department hires and retains quality personnel.

##### **Establishes, maintains, and supervises a command of small and large scale emergency operations.**

- Makes or supervises command level decisions at emergency scenes.
- Being capable and qualified to assume any role within the department's incident management system.
- Being on-call for specified periods of time to ensure command presence in the City.

##### **Assists Station Captain with the technical operations of the Fire Department.**

- Assists Station Captain and District Chief with the preparation and administration of the budget, both operating and capital.
- Provides station representation on committee and task force assignments, assisting with development, implementation, and evaluation of effective action plans that meet the goals and objectives of the department.
- Assists Station Captain with recommendations on and the completion of maintenance of station equipment, apparatus and facilities.

**Works with Station Captain to develop priorities for new and existing activities of the Station and Fire Department.**

- Recommends and implements short-term and long-term strategic goals and objectives for station operations.
- Monitors station and personnel performance and recommends programs and/or policies to improve efficiency and effectiveness of station operations.
- Works with all Officers to ensure station operations are developed and enforced consistently within and each station.

**Represents the Department in a manner that conveys a positive image of the Fire Department fosters cooperation and support.**

- Prepares and reviews station correspondence, reports, and records and takes appropriate action to ensure quality customer service standards are maintained.
- Attends and participates in staff meetings, work sessions, training sessions, and other meetings as requested by the Station Captain.
- In conjunction with the Training Officer, coordinates efforts of officers and firefighters with the design and implementation of training programs.
- Working with the Station Captain, Fire Marshal and Training Officer, assists with coordination of firefighters for Fire Prevention activities.

**Assumes additional accountabilities as assigned.**

**Non-Essential Functions:**

None

**ENVIRONMENT**

- Must work days/evenings/weekends as demands of the position require.
- Fifty to ninety percent of work time is spent outside a building and exposed to the sun, wind, rain, or snow, as fire fighter/officer at scenes and during training.
- Must tolerate frequent extreme fluctuations of temperature. Environment outside building may be -15° to 100 degrees F, but inside may be doing heavy work in hot buildings (up to 1000°F) while wearing equipment that significantly impairs body-cooling systems.
- Frequently required to perform work from aerial ladders, scaffolding, roofs or other elevations over 12 feet from the ground as well as work in confined spaces or cramped body positions (e.g., attics, cars, under houses, closets).
- Frequent exposure to high noise levels, vibration when riding in trucks, burn injuries caused by heat, fire, chemicals or electricity, noxious odors, infectious agents, and toxic substances

**WORKER REQUIREMENTS**

Essential and other important responsibilities and duties require maintaining physical condition necessary for standing and sitting for prolonged periods of time; manual dexterity; adequate hearing, vision, and speech; may be required to operate assigned vehicle.

**QUALIFICATIONS**

- Valid, unrestricted Minnesota Drivers License.
- High School Diploma or equivalent.
- Three years experience with the IGH FD.
- Knowledge of modern fire suppression, protection and prevention.
- Proven ability to communicate effectively both oral and in written format.
- MN state certified Firefighter II
- MN First Responder
- Hazardous Materials Operations Completion

**Date:** 7.3.08

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

30-DAY SUSPENSION OF FIREFIGHTER

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact: Judy Thill, Fire Chief  
 Prepared by: Judy Thill  
 Reviewed by: n/a

|                                     |                                    |
|-------------------------------------|------------------------------------|
| <b>Fiscal/FTE Impact:</b>           |                                    |
| <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** Confirm suspension of Firefighter Mike Rutkowski for failing to meet minimum call percentage for two quarters in a 365 day period.

**SUMMARY** According to Fire Department Policy #5 Call Requirements, all firefighters must maintain a minimum call percentage of 15% in each calendar quarter. Any firefighter failing to meet this requirement for one quarter shall receive a warning letter from the Fire Chief. Any firefighter failing to meet this requirement for two quarters in a 365 day period shall be suspended for 30-days.

City Code, Section 315.03, "The Fire Chief shall report each suspension of a member of the Fire Department as soon as possible to the City Administrator for transmission to the City Council for its confirmation or denial at the first regular meeting occurring more than ten days after such suspension."

Mike Rutkowski has been suspended for 30 days from September 1 to September 30, 2008 for failing to meet minimum call percentage in a 365-day period.

Staff recommends City Council confirm this suspension according to Fire Department policy, and City Code.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: September 8, 2008  
 Item Type: Consent  
 Contact:  
 Prepared by: Joe Lynch  
 Reviewed by:

**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**

Council is asked to approve the appointment of Judy Thill as the Full time Fire Chief for the City of Inver Grove Heights.

**SUMMARY**

Fire Chief Judy Thill has completed her one year training period with the City of Inver Grove Heights. Overall I find her performance to be excellent. She has done a nice job coming in to a new situation and making adjustments to the structure, the philosophy and approach to firefighting in Inver Grove Heights. She does need to make sure she is aware of the laws and policies of the State and City and adheres to them. One need identified is to be in close proximity to the other Department heads for communication and coordinated operational purposes. This will change once the Public Safety facility is completed.

I recommend appointment of Judy Thill as the Full Time Fire Chief of the City of Inver Grove Heights.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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**PERSONNEL ACTIONS**

Meeting Date: September 8, 2008  
Item Type: Consent  
Contact: Jenelle Teppen, Asst. City Admin  
Prepared by: Amy Brinkman, H.R. Coordinator  
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** Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Charles Moore, Sharyn Boeckman, and Joe Ladd.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Pine Bend Landfill – Minnesota Pollution Control Agency Permit Renewal**

Meeting Date: September 8, 2008  
 Item Type: Regular  
 Contact: Thomas J. Link: 651-450-2546  
 Prepared by: Tom Link, Director of Community Development  
 Reviewed by: N/A

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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**

The City Council is to consider approval of the attached letter and its submittal to the Minnesota Pollution Control Agency (MPCA). The letter represents the City's comments on Pine Bend Landfill's application to the MPCA for a renewal of their state license.

**SUMMARY**

Pine Bend requires a solid waste permit from the Minnesota Pollution Control Agency to operate their landfill, located on 117<sup>th</sup> Street. The MPCA issues permits for five years. Since Pine Bend's current permit is about to expire, they have submitted an application to the MPCA requesting that the permit be renewed.

Pine Bend Landfill's Non-Conforming Use Certificate provides the City with the opportunity to review the MPCA permit application and provide comments. As in the past, Barr Engineering has performed a technical review of the application. Their report, dated August 28, 2008, is enclosed.

Generally, the renewal permit application is consistent with the current permit and the existing operation. It does not propose any change in the types of waste accepted, the height of the landfill, the capacity of the landfill, or the groundwater and gas monitoring systems. Barr recommends, however, that the City comment on gas monitoring exceedances, financial assurances, and leachate recirculation.

On a separate, but related issue, Barr Engineering compared the permit renewal application to past City approvals. The permit renewal application is consistent with the Non-Conforming Use Certificate and Conditional Use Permit and does not require modifications to either document, except for possibly leachate recirculation and the gas monitoring system. Both of these issues require more analysis by the City, Barr Engineering, and Pine Bend Landfill.

Staff recommends approval of the enclosed letter to the MPCA and its submittal.

The Environmental Commission recommends that the City's comments 1) reflect the Barr report of August 28, 2) express concerns about odors from the leachate recirculation and their impact on surrounding residential neighborhoods, and 3) commend Pine Bend Landfill for their past efforts in working with the City, especially in regard to environmental concerns. These recommendations are incorporated in the attached letter.

Enc: Draft Letter to MPCA, dated September 4, 2008  
Barr Report, dated August 28, 2008

cc: Mike Ayers, Pine Bend Landfill  
Jeff Ubl, Barr Engineering

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September 4, 2008

Ms Kathleen Holland-Hanson, P.E.  
Principal Engineer  
Minnesota Pollution Control Agency  
714 Lake Avenue, Suite 220  
Detroit Lakes, MN 56501

**Re: Pine Bend Landfill (PBL) Permit Application for Renewal –  
Comments from the City of Inver Grove Heights**

Dear Ms Holland-Hanson:

This letter provides the City of Inver Grove Height's review comments on the "Application for Permit Renewal" prepared by Wenck Associates, Inc., for BFI, dated July 2008 (July 2008 Application).

These comments were developed by Barr Engineering Company (Barr) and have been provided to PBL. The City requests that you consider these comments for incorporation into the MPCA solid waste permit.

The City also requests that you respond to this letter and indicate whether you concur with the comments below.

## **I. Gas Monitoring System**

PBL performed an investigation into historically elevated concentrations of methane in subsurface gas probes along the eastern border of the landfill in 2006. PBL has indicated that these probes may be installed at least partially in waste.

The 2006 investigation of this area involved installing four temporary gas probes further east of the landfill boundary. No methane was detected in the three temporary gas probes located near the northeast corner of PBL near where the landfill is unlined. The fourth temporary gas probe located near the southeast corner of the PBL boundary showed elevated levels of methane and carbon dioxide at a depth of 25 feet below the ground surface. Neither methane nor carbon dioxide was detected at 10 and 15 feet below the ground surface in the fourth temporary gas probe.

As a result of this investigation, PBL concluded that landfill gas was not migrating off the northeast corner of PBL property as indicated by the three temporary gas probes but that landfill gas was migrating off the southeast corner of the PBL boundary. PBL subsequently installed a continuous methane detection device in its recycling building located near the southeast corner of PBL boundary.

If the gas monitoring exceedances have continued since 2006, Barr recommends that PBL prepare a work plan for mitigation and submit it to MPCA, County, and City staff for review. The first steps of such a plan may include investigating whether the gas probes on the eastern boundary are installed in waste and possibly relocating them.

## **II. Financial Assurance**

Barr comments on the financial assurance cost estimates are enclosed with this letter and Barr recommends that PBL respond to these comments.

Additionally, Barr recommends that PBL evaluate the need to update the financial assurance cost estimates based on affects from the proposed recirculation of leachate. For example the postclosure cost to manage leachate may be greater at the time of closure due to the greater quantity of leachate that will be in the waste mass.

## **III. Leachate Recirculation**

The proposed recirculation of leachate is a new item in the July 2008 Application that was not proposed previously.

The leachate recirculation operations at PBL are proposed for ongoing operation (as opposed to a pilot study basis). PBL's objectives for the proposed recirculation include:

- Alternative form of leachate treatment,
- Accelerated biodegradation of organic wastes in the landfill,
- Accelerated waste stabilization,
- Support of the landfill gas-to-electricity operation at the facility,
- Leachate contaminant strength reduction, and
- Potential reduction in long-term care of the facility.

The proposed operations include recirculating leachate and gas condensate at PBL into lined Municipal Solid Waste (MSW) disposal cells. The proposed method of recirculation is termed 'surface application' and entails spraying leachate on to the landfill waste in the daily working faces (areas). PBL proposes the recirculation of approximately 1.9 million gallons of the total 6 million gallons of leachate generated at the facility per year. The proposed volume equates to spraying 6,000 gallons of leachate per day, 6 days per week, 52 weeks per year. The submitted Leachate Recirculation Plan (contained in the July 2008 Application) provides a general overview of how PBL intends to conduct the recirculation operations.

Below are Barr's comments on the Leachate Recirculation Plan.

### **1. Section 2.3, Areas of Recirculation**

The text indicates that leachate recirculation operations will occur within active lined municipal solid waste disposal cells. Barr requests that PBL identify which existing and future cells the proposed operations will occur.

### **2. Sections 2.6, Updated Contingency Action Plan**

The text indicates that the Contingency Action Plan (CAP) has been updated to address potential effects of leachate recirculation at the landfill; however, it is not apparent where in the document these updates were made.

Barr recommends the CAP be modified to include actions to address specific contingencies that would be more likely to occur due to the proposed leachate recirculation operation. Such contingencies include, but may not be limited to, leachate seeps/ponding in the working face area and increased odors resulting from the spray application of leachate.

### **3. Section 2.7, Updated Contingency Action Cost Estimates**

The text indicates that “PBL does not anticipate much, if any, increased contingency action costs associated with leachate recirculation.”

The proposed leachate recirculation operations involve daily bulk truck-transport and spraying of leachate at the site by PBL staff. Due to increased handling of bulk quantities of leachate, it seems a valid assumption that the risk of a leachate release or odorous conditions necessitating mitigation may occur at the site as a result of the leachate recirculation operations. Barr recommends that these and other scenarios identified in Comment #2 be considered in the cost estimates.

### **4. Section 3.1, Leachate Source and Quantity**

The text indicates that PBL proposes to recirculate 1.9 million of the 6 million gallons of leachate generated in the lined phases per year (which equates to 6,000 gallons per operating day). Barr requests that PBL provide a basis for how the proposed leachate recirculation volume was developed.

### **5. Section 3.4, Water Balance Evaluation**

The text provides an equation which will be used to determine the moisture content in the waste during leachate recirculation. Barr requests PBL address the following questions regarding the moisture content issue.

- a. Why does the presented equation differ from the equation included in the referenced EPA document (EPA-456/R-05-004)?
- b. One of the variables included in the proposed water balance formula is the total weight of leachate collected from the recirculation area. Is the facility equipped to determine the volume/weight of leachate draining exclusively from the individual recirculation areas? If not, how will this be handled?
- c. What is considered the average square footage of the ‘working face’ and what is the resulting average leachate application rate per square foot?
- d. Will the leachate be applied to one ‘working face’ or landfill cell per day or will it be divided between multiple working faces or cells?
- e. At what Potential Moisture Content (PMC) will leachate recirculation be ceased?
- f. Please provide the basis for the assumption that the future annual leachate generation rate will remain 6 million gallons per year even though recirculation operations will result in the re-injection of 1.9 million gallons of leachate annually.

### **6. Section 3.5, Gas Extraction in Active Landfill Areas**

The text discusses the continued operation of the active gas extraction system at the landfill. With the spray application of leachate occurring in active areas (areas receiving waste), does PBL anticipate immediate increases of landfill gas production in working face areas and/or recirculation cells? Barr requests that PBL provide a discussion of how the active gas extraction system management will change to account for increased landfill gas generation near the working face and within the recirculation cells?

## **7. Section 3.5, Gas Extraction for Closed Landfill Areas**

It is uncertain whether the dual gas/leachate extraction system in the closed landfill area would be affected by the proposed recirculation of leachate? Barr requests that PBL evaluate this issue.

## **8. Section 4.0, Operation**

The text indicates that leachate will be recirculated via spraying to the working face area but provides only a few operational details. Barr requests that PBL provide a plan detailing the facility's standard operating procedures regarding leachate recirculation for City review.

## **9. Section 5.0, Monitoring & Reporting**

This section provides an overview of proposed monitoring for the leachate recirculation operations. Barr requests additional information on the following items:

### **a. Physical parameters:**

- i. Will leachate generation be reported for separate cells with ongoing leachate recirculation?
- ii. Will a default incoming waste moisture content be used or will site data be collected? If site data is collected, please provide the methodology in the operation document discussed in Comment # 8.
- iii. The rate of leachate generation is proposed to be tracked with pump run time and leachate loads hauled for off-site treatment and disposal. The leachate generation rate should also include the volume of leachate recirculated into the working face.
- iv. Details of leachate recirculation area inspections should be included in this section.

## **10. Slope Stability**

Barr believes that the July 2008 Application should address slope stability if leachate recirculation were to occur. Barr requests that PBL provide this evaluation.

## **11. Appendix A**

Appendix A includes responses to a number of items specified by the MPCA Leachate Recirculation Pilot Study Checklist. Barr requests supplemental information on the following items:

- a. Item # 1.6: The Contingency Plan does not appear to contain a discussion of "Triggers" that would result in temporarily or permanently stopping leachate recirculation as required. Please include a discussion of such Triggers (weather conditions, inspection findings, etc.) in the Contingency Plan.
- b. Item # 1.7: Referenced page 2-3 states that "PBL does not anticipate much, if any, increased contingency action costs associated with leachate recirculation." Please see Comments 2 and 3.
- c. Item # 3.5: Please clarify if PBL will conduct low-level mercury monitoring?
- d. Item # 4.7: The working face of active landfill cells are generally not within the influence of a gas extraction system. Barr believes that odor (besides that attributed to un-captured landfill gas) and other air emissions (such as VOCs) will likely be generated in the

working face areas as a result of leachate volatilization during spray application. Barr understands that odors are possible when leachate COD concentrations exceed 1,000 mg/L and total volatile organic acid concentrations exceed 500 mg/L (see "Landfill Bioreactor Design and Operation" by Debra A. Reinhart and Timothy G. Townsend, published 1998). No water-phase volatile organic acid, sulfide, and mercaptan concentrations are provided in the Leachate Recirculation Plan. Without such information, it is not possible to evaluate the potential for odor episodes. In light of this, Barr recommends an Odor/Emissions Evaluation and Control Plan be prepared to address the following issues and information gaps:

- i. Provide the water-phase concentrations of volatile organic acids, dissolved sulfides, mercaptans, and *para*-cresol (4-methyl phenol) in the recirculated leachate to assess the potential for odorous emissions,
- ii. Provide a technical evaluation on whether odor or other air emissions will increase if leachate recirculation were to occur and discuss any resulting impacts to nearby residents/properties,
- iii. Provide a description on how the odors from leachate volatilization and un-captured landfill gas from the near surface waste be controlled/managed, and
- iv. Describe any proposed perimeter air monitoring or air quality modeling efforts that will be undertaken to demonstrate that no additional affects to nearby residents will occur as a result of leachate recirculation and/or other related operations at the facility.

Providing that the above issues and questions are adequately addressed, the City of Inver Grove Heights supports the renewal of the MPCA permit to PBL. The City has found PBL to be cooperative and responsible in addressing City concerns, especially in regard to environmental issues.

The City appreciates your consideration of our comments and looks forward to your reply. If you have any questions, please contact me at 651/450-2546 or [tlink@ci.inver-grove-heights.mn.us](mailto:tlink@ci.inver-grove-heights.mn.us).

Sincerely,

CITY OF INVER GROVE HEIGHTS

Thomas J. Link  
Community Development Director

Enclosure

- c: Michael Ayres, Pine Bend Landfill (w/encl.)  
Tom Shustarich, Wenck Associates, Inc. (w/encl.)  
Jeff Ubl, Barr Engineering (w/encl.)  
Mike Lynn, Dakota County (w/encl.)



August 28, 2008

Mr. Tom Link  
Director of Community Development  
City of Inver Grove Heights  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077-3412

**Re: Pine Bend Landfill (PBL) Permit Re-issuance Application Review**

Dear Mr. Link:

This letter presents Barr Engineering's (Barr's) Report providing our technical review of the Pine Bend Landfill Application for Permit Renewal (July 2008 Application). Our review had two primary objectives, 1.) to check the July 2008 Application for compliance with the Non Conforming Use Certificate (NCUC) and 2.) to provide technical comments to the City for forwarding to the MPCA and Dakota County.

Information used as part of our review included:

- The "Application for Permit Renewal" prepared by Wenck Associates, Inc., (Wenck) dated July 2008 for BFI (July 2008 Application),
- The "Permit Application" prepared by Wenck dated February 2002 for BFI (February 2002 Application),
- NCUC (and Amendments) and Conditional Use Permits (CUPs) as follows:
  - a. NCUC dated November 27, 1995 (1995 NCUC),
  - b. NCUC Amendment dated March 11, 2002 (2002 NCUC Amendment),
  - c. Ordinance No. 1084 Amendment dated March 22, 2004 (2004 Ordinance Amendment),
  - d. CUP dated March 22, 2004 allowing an airspace capacity expansion (2004 CUP), and
  - e. NCUC Amendment dated March 22, 2004 (2004 NCUC Amendment).
- Annual Reports for PBL from 2005, 2006, and 2007,
- Letters to Mike Lynn (MPCA) from Wenck dated October 2, 2006 and September 6, 2007 relating to landfill gas migration evaluation,
- A letter to Michael Flaherty (MCES) from Michael Ayers dated April 28, 2008 with attached leachate analytical data from January through March 2008,

- Guidance for Leachate Recirculation, Greenhouse Gas Control and Landfill Gas-to-Energy Production at Municipal Solid Waste Landfills, MPCA, dated draft June 15, 2007 (2007 MPCA Draft Leachate Recirculation Guidance), and
- “Landfill Bioreactor Design and Operation” by Debra A. Reinhart and Timothy G. Townsend, published 1998.

Our review addressed the following eight topics:

1. Waste acceptance.
2. Waste capacity.
3. Groundwater monitoring and dual extraction systems.
4. Gas (including methane) monitoring and gas extraction/treatment systems.
5. Design drawings.
6. Groundwater quality.
7. Financial assurance cost estimates.
8. Leachate recirculation.

Barr’s approach was to provide a general description of each topic and compare the information contained in the July 2008 Application with what was provided in the February 2002 Application and the City’s NCUC.

Barr’s discussion and review of these topics is provided below.

## **Review and Comments on July 2008 Application**

### **Waste Acceptance**

Based on our review, there are relatively minor changes being proposed in the July 2008 Application relating to waste acceptance compared to the February 2002 Application.

The Solid Waste Management Plan dated revised 2005 is contained in Appendix A of the Operations and Maintenance Plan which is part of the July 2008 Permit Application. The Solid Waste Management Plan describes the procedures that PBL uses to manage its mixed municipal and non-hazardous industrial solid waste. More specifically, the Solid Waste Management Plan describes:

- Customer notification of acceptable and unacceptable wastes,
- A description of acceptable and unacceptable wastes,
- Waste evaluation procedures,
- Use of waste as daily cover, and
- Waste inspection and rejection procedures.

The revised 2005 Solid Waste Management Plan is very similar to the previous version dated revised December 2002 and provides some relatively minor modifications and includes:

- Revising the definition of Industrial Solid Waste to include construction and demolition debris,
- Including random inspections on incoming construction and demolition debris waste, and

- New language addressing the acceptance policy for clean fill and alternative cover material.

NCUC: The 2004 Ordinance Amendment and the 2004 CUP, contain nearly identical lists of waste types that are allowed for disposal at PBL. The description includes construction and demolition debris waste and also includes solid wastes approved by the MPCA for use as cover material. Both of these lists exclude asbestos.

Section 2.2.2 of the 1995 NCUC contains a list of acceptable wastes that is nearly identical to the above 2004 lists except that asbestos containing waste is allowed. The 2005 Solid Waste Management Plan appears to be in compliance with the two 2004 lists, therefore no modifications appear to be needed to the NCUC which is assumed to be superseded by the more current 2004 Ordinance Amendment and 2004 CUP.

### **Waste Capacity**

Based on our review, and discussion with Wenck staff, there are no changes being proposed in the July 2008 Application relating to waste capacity.

PBL is permitted by the MPCA for a capacity of 29.8 million cubic yards which includes waste and includes cover material. The remaining capacity of PBL was approximately 5.4 million cubic yards as of January 2008.

NCUC: The 2004 CUP indicates that capacity of PBL shall not exceed 28.6 million cubic yards. This maximum capacity excludes final cover material. The MPCA permitted airspace capacity of 29.8 million cubic yards includes final cover material, therefore the City and MPCA allowed capacities are consistent and no modifications appear to be needed to the NCUC which is assumed to be superseded by the more current 2004 CUP.

### **Groundwater Monitoring System**

Based on our review, and discussion with Wenck staff, there are no changes being proposed in the July 2008 Application relating to the groundwater monitoring system.

Groundwater samples are collected from 18 monitoring wells located upgradient and downgradient from the landfill. Groundwater monitoring of flow direction and quality has been ongoing for the past 34 years. Routine monitoring is conducted on a quarterly basis to facilitate the detection of releases to groundwater from the landfill in accordance with a sampling and analysis plan (SAP). The SAP establishes sampling methodologies, analytes, and quality assurance/quality control procedures. The SAP also provides for contingencies to increase monitoring intervals if certain water-quality levels are exceeded. Based on the contingency monitoring results, corrective action may be required.

Groundwater flows approximately southwest to northeast underneath the landfill, becoming primarily easterly along the northeast edge of the Crosby-American demolition landfill area. The depth to the groundwater is considerable (over 100 feet in some locations). The water table is in glacial drift. Monitoring wells are completed both shallow and deep in the glacial drift and in the Prairie du Chien Group (limestone). Groundwater underneath the site eventually discharges into the Mississippi River, east of the landfill.

NCUC: Section 5.6.1 of the 1995 NCUC requires approval by the City Council if more than 10% of the groundwater monitoring wells are relocated or reduced, or if the frequency of monitoring is reduced by more than 25%, or if the testing parameters are reduced by more than 10%. The baseline for determining the above percentages is the groundwater monitoring system described in the June 1995 Permit Reissuance Application.

However, Item 10 of the 2004 CUP describes the requirements for the groundwater monitoring system and sampling parameters. Therefore, there does not appear to be a need to modify the NCUC which is assumed to be superseded by the more current 2004 CUP.

### **Gas Monitoring System**

Based on our review, and discussion with Wenck staff, there are no changes being proposed in the July 2008 Application relating to the gas monitoring system.

Landfill gas (primarily methane and carbon dioxide) is produced by the decomposition of solid waste. Methane can be a major concern at landfills due to its potential to migrate in the soil subsurface and accumulate in structures at explosive concentrations.

The gas management system at PBL consists of:

- Gas collection wells and piping,
- The gas to energy generating plant, and
- The gas monitoring system.

The gas monitoring system is comprised of the three continuous electronic monitoring devices located in buildings at PBL and 39 subsurface gas probes located around the perimeter of the landfill. The subsurface gas probes are monitored on a weekly basis.

Historically, elevated concentrations of methane have been detected in several of the subsurface gas probes located along the eastern boundary of PBL (a portion of which does not have a bottom liner system). PBL has indicated that these gas probes may be installed at least partially in waste.

In 2006, PBL investigated this area further by installing four temporary gas probes further east of the landfill boundary. No methane was detected in three of the four temporary gas probes located near the northeast corner of PBL near where the landfill is unlined. The fourth temporary gas probe located near the southeast corner of PBL boundary showed elevated levels of methane and carbon dioxide at a depth of 25 feet below the ground surface. Neither methane nor carbon dioxide was detected at 10 and 15 feet below the ground surface in the fourth temporary gas probe.

As a result of this investigation PBL concluded that landfill gas was not migrating off the northeast corner of PBL property as indicated by the three temporary gas probes but that landfill gas was migrating off the southeast corner of PBL boundary. PBL subsequently installed a continuous methane detection device in its recycling building located near the southeast corner of PBL boundary.

It does not appear that 2007 gas monitoring probe data was provided to Barr in the 2007 Annual Report. However, if the gas monitoring excesses have continued, Barr recommends that PBL prepare a work plan for mitigation and submit it to City staff for review. The first steps of such a plan may include investigating whether the gas probes on the eastern boundary are installed in waste and possibly relocating them.

NCUC: Sections 2.5.2 and 2.3.9 of the 1995 NCUC requires that PBL obtain a Conditional Use Permit before they construct a gas energy recovery facility. City staff indicated that a CUP for the gas energy recovery facility was obtained by PBL on May 30, 1995 and therefore no changes to the NCUC appear to be needed on this issue.

Section 5.8.6 of the 1995 NCUC requires approval by the City Council if more than 10% of the gas probes are relocated or reduced, or if the frequency of monitoring is reduced by more than 25%. The baseline for determining the above percentages is the gas monitoring system described in the June 1995 Permit Reissuance Application. Barr recommends that PBL evaluate of the current gas monitoring system against the baseline and provide to City staff for review and possible Council approval.

### **Design Drawings**

Based on our review, and discussion with Wenck staff, there are no significant changes being proposed in the July 2008 Application relating to the design drawings.

The phasing of final cover installation has been modified in the July 2008 Application to show six final cover installation events in Phase 5 of the landfill instead of the five installations in the February 2002 Application.

The operating period of PBL is proposed to be extended from the February 2002 Application closure date of 2011 to a proposed closure date of 2022 in the July 2008 Application. The proposed extended closure date appears to be due to a reduction from the annual fill rate of 900,000 cubic yards per year in the February 2002 Application to a fill rate of 390,000 cubic yards per year in the July 2008 Application.

The final finished elevation of PBL is proposed to remain at a maximum elevation of slightly less than 1019 feet in the July 2008 Application as it is in the February 2002 Application.

NCUC: The 2004 NCUC Amendment indicates that the maximum elevation of final cover system shall not exceed elevation 1019 feet. As mentioned above, both the February 2002 and July 2008 Applications show a proposed maximum elevation less than 1019 feet. Therefore, no modifications are needed to the NCUC regarding maximum elevations.

The 2004 NCUC Amendment includes a new Exhibit D which references plan sheets depicting the development of PLB. The July 2008 only slightly modifies the number of final cover installations of Phase 5. Therefore, there does not appear to be a need to modify the NCUC.

### **Groundwater Quality**

As mentioned above, groundwater samples are collected from 18 monitoring wells located upgradient and downgradient from the landfill. Samples are analyzed for volatile organic compounds (VOCs), metals, and general geochemical parameters, such as temperature, specific conductance, and pH.

Intervention limits (ILs) are occasionally exceeded for some chlorinated organic compounds that are common in municipal waste (e.g., trichloroethylene, tetrachlorethylene, and biogenic break-down products of these chlorinated compounds). Microbial reduction of the chlorinated compounds takes place in the groundwater and the geochemical indicators of this process are part of the monitoring program. The final reductive breakdown product is vinyl chloride, which is oxidized to carbon dioxide and water in the more oxidizing conditions downgradient of the landfill. Concentrations of VOCs have generally shown a downward trend over the past several years. Some temporal increases are observed, which is expected.

The proposed leachate recirculation system is not expected to have an adverse impact on groundwater quality because the mass loading of contaminants to the landfill is not expected to change as a result of leachate recirculation and because leachate recirculation will take place only over lined portions of the landfill.

NCUC: Barr found no necessary edits to the NCUC relating to groundwater quality.

### **Financial Assurance Cost Estimates**

There are significant changes (reductions) to the financial assurance cost estimates contained in the July 2008 Application compared to the February 2002 Application.

The MPCA requires financial assurance for all mixed municipal solid waste landfills in Minnesota, including PBL and is intended to provide funds for closure, post-closure, and contingency action activities in the event that the landfill owner goes out of business. PBL submitted revised estimates to the MPCA in early June 2008 and obtained approval from the MPCA later in June 2008. These same estimates are contained in the July 2008 Application.

Barr contacted Dakota County staff regarding financial assurance for PBL. The County staff indicated that the County holds a bond from PBL for approximately \$643,000 that is intended to provide resources to begin final closure of PBL. The amount of the bond would not be enough to completely close PBL.

Barr comments on the financial assurance cost estimates are enclosed with this letter and Barr recommends that PBL respond to these comments. Additionally, Barr recommends that PBL evaluate the need to update the financial assurance cost estimates based on effects from the proposed recirculation of leachate. For example the postclosure cost to manage leachate may be greater at the time of closure due to the greater quantity of leachate that will be in the waste mass.

NCUC: Appendix 3 of the 1995 NCUC addresses financial assurance however Section 11.5 of the 1995 NCUC indicates that Appendices are for informational purposes only. Therefore it does not appear that any modifications are needed to the NCUC regarding financial assurance.

### **Leachate Recirculation**

The proposed recirculation of leachate is a new item in the July 2008 Application that was not proposed in the February 2002 Application.

#### Background

Landfill leachate is considered any liquid that has come into contact with landfilled wastes. Landfills have traditionally been designed and constructed to promote a 'dry tomb' environment for the wastes and surface covers installed to minimize liquids (precipitation) from entering the waste. Bottom liners are installed to collect leachate that drains from or through the wastes. Once collected, the leachate is typically transported to an off-site facility for treatment and disposal.

In approximately 2001, the Minnesota Pollution Control Agency adopted a policy which supported an alternative management of landfill leachate that involved re-introducing the leachate (aka, leachate recirculation). The policy arose out of the growing amount of scientific literature which demonstrated multiple benefits of keeping landfilled wastes wet. These benefits include waste mass reduction, leachate strength reduction, and increased landfill gas production. Based on the MPCA policy, a small number of landfills in Minnesota were approved to conduct leachate recirculation operations on a pilot project scale basis provided they agreed to collect and share a great deal of environmental and operational data that they were required to collect.

Recently, the MPCA, in conjunction with a working group, developed a draft guidance document regarding leachate recirculation and landfill gas control (2007 MPCA Draft Leachate Recirculation Guidance). Although not finalized, the guidance document is intended to assist landfills with

permitting future leachate recirculation operations. PBL has indicated that they used the draft guidance document to develop the Leachate Recirculation Plan.

### Proposed Operations at PBL

The leachate recirculation operations at PBL are proposed for ongoing operation (as opposed to a pilot study basis). PBL's objectives for the proposed recirculation include:

- a. Alternative form of leachate treatment,
- b. Accelerated biodegradation of organic wastes in the landfill,
- c. Accelerated waste stabilization,
- d. Support of the landfill gas-to-electricity operation at the facility,
- e. Leachate contaminant strength reduction, and
- f. Potential reduction in long-term care of the facility.

The proposed operations include recirculating leachate and gas condensate at PBL into lined MSW disposal cells. The proposed method of recirculation is termed 'surface application' and entails spraying leachate on to the landfill waste in the daily working faces (areas). PBL proposes the recirculation of approximately 1.9 million gallons of the total 6 million gallons of leachate generated at the facility per year. The proposed volume equates to spraying 6,000 gallons of leachate per day, 6 days per week, 52 weeks per year. The submitted Leachate Recirculation Plan (contained in the July 2008 Application) provides a general overview of how PBL intends to conduct the recirculation operations.

NCUC: Section 2.3.10 of the 1995 NCUC indicates that PBL is allowed to reinject leachate into lined areas provided it meets regulatory standards. Barr recommends that this Section be updated to generically reference "leachate recirculation" which can include spraying of leachate onto the waste working face as well as injecting or pumping it into the waste mass.

Below are Barr's comments on the Leachate Recirculation Plan.

#### **1. Section 2.3, Areas of Recirculation**

The text indicates that leachate recirculation operations will occur within active lined municipal solid waste disposal cells. Barr requests that PBL identify which existing and future cells the proposed operations will occur.

#### **2. Sections 2.6, Updated Contingency Action Plan**

The text indicates that the Contingency Action Plan (CAP) has been updated to address potential effects of leachate recirculation at the landfill; however, it is not apparent where in the document these updates were made.

Barr recommends the CAP be modified to include actions to address specific contingencies that would be more likely occur due to the proposed leachate recirculation operation. Such contingencies include, but may not be limited to, leachate seeps/ponding in the working face area and increased odors resulting from the spray application of leachate.

#### **3. Section 2.7, Updated Contingency Action Cost Estimates**

The text indicates that "PBL does not anticipate much, if any, increased contingency action costs associated with leachate recirculation."

The proposed leachate recirculation operations involve daily bulk truck-transport and spraying of leachate at the site by PBL staff. Due to increased handling of bulk quantities of leachate, it seems a valid assumption that the risk of a leachate release or odorous conditions necessitating mitigation may occur at the site as a result of the leachate recirculation operations. Barr recommends that these and other scenarios identified in Comment #2 be considered in the cost estimates.

#### **4. Section 3.1, Leachate Source and Quantity**

The text indicates that PBL proposes to recirculate 1.9 million of the 6 million gallons of leachate generated in the lined phases per year (which equates to 6,000 gallons per operating day). Barr requests that PBL provide a basis for how the proposed leachate recirculation volume was developed.

#### **5. Section 3.4, Water Balance Evaluation**

The text provides an equation which will be used to determine the moisture content in the waste during leachate recirculation. Barr requests PBL address the following questions regarding the moisture content issue.

- a. Why does the presented equation differ from the equation included in the referenced EPA document (EPA-456/R-05-004)?
- b. One of the variables included in the proposed water balance formula is the total weight of leachate collected from the recirculation area. Is the facility equipped to determine the volume/weight of leachate draining exclusively from the individual recirculation areas? If not, how will this be handled?
- c. What is considered the average square footage of the 'working face' and what is the resulting average leachate application rate per square foot?
- d. Will the leachate be applied to one 'working face' or landfill cell per day or will it be divided between multiple working faces or cells?
- e. At what Potential Moisture Content (PMC) will leachate recirculation be ceased?
- f. Please provide the basis for the assumption that the future annual leachate generation rate will remain 6 million gallons per year even though recirculation operations will result in the re-injection of 1.9 million gallons of leachate annually.

#### **6. Section 3.5, Gas Extraction in Active Landfill Areas**

The text discusses the continued operation of the active gas extraction system at the landfill. With the spray application of leachate occurring in active areas (areas receiving waste), does PBL anticipate immediate increases of landfill gas production in working face areas and/or recirculation cells? Barr requests that PBL provide a discussion of how the active gas extraction system management will change to account for increased landfill gas generation near the working face and within the recirculation cells?

#### **7. Section 3.5, Gas Extraction for Closed Landfill Areas**

It is uncertain whether the dual gas/leachate extraction system in the closed landfill area would be affected by the proposed recirculation of leachate? Barr requests that PBL evaluate this issue.

## **8. Section 4.0, Operation**

The text indicates that leachate will be recirculated via spraying to the working face area but provides only a few operational details. Barr requests that PBL provide a plan detailing the facility's standard operating procedures regarding leachate recirculation for City review.

## **9. Section 5.0, Monitoring & Reporting**

This section provides an overview of proposed monitoring for the leachate recirculation operations. Barr requests additional information on the following items:

a. Physical parameters:

- i. Will leachate generation be reported for separate cells with ongoing leachate recirculation?
- ii. Will a default incoming waste moisture content be used or will site data be collected? If site data is collected, please provide the methodology in the operation document discussed in Comment # 8.
- iii. The rate of leachate generation is proposed to be tracked with pump run time and leachate loads hauled for off-site treatment and disposal. The leachate generation rate should also include the volume of leachate recirculated into working face.
- iv. Details of leachate recirculation area inspections should be included in this section.

## **10. Slope Stability**

Barr believes that the July 2008 Application should address slope stability if leachate recirculation were to occur. Barr requests that PBL provide this evaluation.

## **11. Appendix A**

Appendix A includes responses to a number of items specified by the MPCA Leachate Recirculation Pilot Study Checklist. Barr requests supplemental information on the following items:

- a. Item # 1.6: The Contingency Plan does not appear to contain a discussion of "Triggers" that would result in temporarily or permanently stopping leachate recirculation as required. Please include a discussion of such Triggers (weather conditions, inspection findings, etc.) in the Contingency Plan.
- b. Item # 1.7: Referenced page 2-3 states that "PBL does not anticipate much, if any, increased contingency action costs associated with leachate recirculation." Please see Comments 2 and 3.
- c. Item # 3.5: Please clarify if PBL will conduct low-level mercury monitoring?
- d. Item # 4.7: The working face of active landfill cells are generally not within the influence of a gas extraction system. Barr believes that odor (besides that attributed to un-captured landfill gas) and other air emissions (such as VOCs) will likely be generated in the working face areas as a result of leachate volatilization during spray application. Barr understands that odors are possible when leachate COD concentrations exceed 1,000 mg/L and total volatile organic acid concentrations exceed 500 mg/L. No water-phase volatile organic acid, sulfide, and mercaptan concentrations are provided in the Leachate Recirculation Plan. Without such information, it is not possible to evaluate the potential for odor episodes. In light of this, Barr recommends an Odor/Emissions Evaluation and Control Plan be prepared to address the following issues and information gaps:

- Provide the water-phase concentrations of volatile organic acids, dissolved sulfides, mercaptans, and *para*-cresol (4-methyl phenol) in the recirculated leachate to assess the potential for odorous emissions,
- Provide technical evaluation on whether odor or other air emissions will increase if leachate recirculation were to occur and discuss any resulting impacts to nearby residents/properties,
- Provide a description on how the odors from leachate volatilization and un-captured landfill gas from the near surface waste be controlled/managed, and
- Describe any proposed perimeter air monitoring or air quality modeling efforts that will be undertaken to demonstrate that no additional affects to nearby residents will occur as a result of leachate recirculation and/or other related operations at the facility.

## **Conclusions and Recommendations**

There appear to be no or relatively minor changes proposed in the July 2008 Application compared to the February 2002 Application on the topics of waste acceptance, waste capacity, the groundwater and gas monitoring systems, and the design drawings. Groundwater quality has generally shown a downward trend in VOCs over the past several years.

Barr's NCUC recommendations and comments to the MPCA and Dakota County are provided below.

### NCUC Recommendations:

As discussed above, there are several instances where a more recent CUP provides different requirements than the older original 1995 NCUC. Barr assumes that the more recent CUP would supersede the older NCUC in these cases and therefore no modifications would be needed to the NCUC.

Therefore, Barr recommends that only two areas of the NCUC be addressed:

1. Section 2.3.10 of the 1995 NCUC should be amended to generically reference "leachate recirculation" instead of leachate injection.
2. Section 5.8.6 of the 1995 NCUC requires approval by the City Council if more than 10% of the gas probes are relocated or reduced, or if the frequency of monitoring is reduced by more than 25%. The baseline for determining the above percentages is the gas monitoring system described in the June 1995 Permit Reissuance Application. Barr recommends that PBL evaluate of the current gas monitoring system against the baseline and provide to City staff for review and possible Council approval.

### Comments to be provided to MPCA and Dakota County Staff:

1. If the gas monitoring exceedances have continued on the eastern boundary of PBL after 2006, Barr recommends that PBL prepare a work plan for mitigation and submit it to the City staff for review.
2. There are significant reductions proposed for the financial assurance cost estimates. Barr recommends that PBL respond to the comments on financial assurance enclosed with this

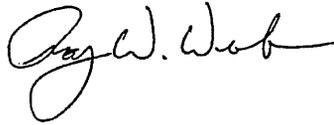
letter and also that PBL evaluate the need to update the cost based on the proposed recirculation of leachate.

3. Recirculation of leachate is a new proposal from PBL that was included in the July 2008 Application but not in the February 2002 Application. Barr has several comments on this issue that we request PBL respond to as discussed above.

Sincerely,



Jeff Ubl, P.E  
Project Manager



Ray Wuolo, P.E., P.G.  
Principal Engineer



Jim Eidem  
Senior Hydrogeologist

Enclosure



Barr Engineering Company  
4700 West 77th Street • Minneapolis, MN 55435-4803  
Phone: 952-832-2600 • Fax: 952-832-2601 • www.barr.com *An EEO Employer*

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## Memorandum

**To:** Tom Link  
**From:** Jeff Ubl  
**Subject:** Pine Bend Landfill – Review of November 13, 2007 Request for Adjustment of Financial Assurance Cost Estimates (2007 Adjusted Cost Estimate)  
**Date:** May 8, 2008  
**Project:** 23/19-218

This memo contains Barr's initial review of the 2007 Adjusted Cost Estimate and provides observations and comments below. Barr recommends that PBL modify the 2007 Adjusted Cost Estimate based on these comments and resubmit for further detailed review.

### General Observation and Comments (applicable to the closure, postclosure, and contingency action cost estimates)

#### Observation:

- The 2007 Adjusted Cost Estimate of \$10,801,621 would be a decrease from the \$14,443,434 listed in the 2007 Annual Report.

#### Comments:

1. It is not possible to determine if the 2007 Adjusted Cost Estimate is reasonable without a breakdown of the unit prices and quantities for the numerous items listed as "Lump Sum" and documentation supporting reduction of the unit prices. Barr recommends that PBL provide a breakdown of unit costs and quantities where possible and provide documentation (such as recent bids) that supports the reduced unit prices.
2. Almost all of the unit prices in the 2007 Adjustment Cost Estimate either stayed the same or were reduced from the 2004 Financial Assurance Cost Estimate approved in the current MPCA Permit (2004 Cost Estimate). For the unit prices that stayed the same, Barr

recommends they be adjusted for the inflation that occurred during the four-year period between 2004 and the present.

### **Closure Cost Estimate**

#### Observations:

- The acreage to be closed increased from 37.5 acres under the 2004 Cost Estimate to 60 acres under the 2007 Adjusted Cost Estimate (an increase of 1.6 times).
- The total closure cost estimate would increase from \$2,354,000 in the 2004 Cost Estimate to \$3,082,400 under the 2007 Adjusted Cost Estimate (an increase of 1.3 times)
- With the exception of item 10 (surface water control features), every unit price is proposed to either decrease or stay the same in the 2007 Adjusted Cost Estimate when compared to the 2004 Cost Estimate.
- The closure cost per acre under the 2004 Cost Estimate was \$62,800/acre compared to \$51,400/acre under the 2007 Adjusted Cost Estimate. For comparison purposes, the Elk River Landfill has a closure cost estimate of over \$75,000/acre for a very similar final cover.

#### Comments:

3. With an increase from 37.5 acres to 60 acres it would seem likely that the quantities for erosion control mat and CPEP drain pipe would also increase. However, these quantities remained the same between the two estimates. Barr recommends that these items be reviewed and adjusted as appropriate.
4. The 2007 Adjusted Cost Estimate does not include the engineering cost for preparing bidding documents (plans and specifications) and bidding assistance. The Elk River Landfill closure cost estimate includes a cost for all engineering (including field engineering) calculated as 10% of construction costs. Barr believes this to be reasonable and recommends that this item be increased as appropriate.

5. The 2007 Annual Report indicates that 63 acres of the landfill are open but the closure cost estimate is based on 60 open acres. Barr recommends that this discrepancy be evaluated and corrected as appropriate.

### **Postclosure Cost Estimate**

#### Observations:

- Five of the six components of the postclosure cost estimate decreased in the 2007 Adjusted Cost Estimate compared to the 2004 Cost Estimate. The sixth item did not change.
- The total annual postclosure cost estimate decreased from \$374,400 in the 2004 Cost Estimate to \$253,100 in the 2007 Adjusted Cost Estimate.

#### Comment:

6. Table 3c indicates that 800,000 gallons per year of leachate is estimated to be generated during postclosure. The 2007 Annual Report indicates that over 5,000,000 gallons of leachate were generated in 2007. Barr questions whether only 800,000 gallons of leachate will be generated during the first year of postclosure and recommends that this be evaluated and adjusted as appropriate. The leachate generation rate could be adjusted during the postclosure period based on actual generation rates that occur early in postclosure.

### **Contingency Action Cost Estimate**

#### Observations:

- Three of the 13 contingency action cost components decreased in the 2007 Adjusted Cost Estimate compared to the 2004 Cost Estimate. The cost estimate for the remaining ten items stayed the same.
- The total contingency action cost estimate decreased from \$1,166,160 in the 2004 Cost Estimate to \$913,872 in the 2007 Adjusted Cost Estimate.

**To:** Tom Link  
**From:** Jeff Ubl  
**Subject:** Pine Bend Landfill – Review of November 13, 2007 Request for Adjustment of Financial Assurance Cost Estimates  
**Date:** May 8, 2008  
**Project:** 23/19-218  
Page 4 of 4

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Comments:

7. It would seem reasonable that item 6 of the contingency action plan would include the sum of all four sub items not just fourth item (install final cover) as indicated in the 2007 Adjusted Cost Estimate. Barr recommends that further explanation be provided or that this item be adjusted to include all four sub items.
8. Item 10 indicates that 15 years of operation of a groundwater extraction system would be appropriate but the cost estimate only includes 10 years worth of operating cost. Barr recommends that the cost estimate be revised to include 15 years worth of operating costs.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Sure Lock Storage / Rodger Espeseth - Case No. 08-42VA**

Meeting Date: September 8, 2008  
 Item Type: Regular  
 Contact:  Heather Botten 651.450.2569  
 Prepared by: Heather Botten, Associate Planner  
 Reviewed by: Planning  
 Engineering

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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 a resolution relating to an **Interim Use Permit** to allow an extension of the original time frame for the property located at 10900 Courthouse Boulevard.

- Requires a 4/5<sup>th</sup>s vote.
- 60-day deadline: November 4, 2008 (2<sup>nd</sup> 60-days)

**SUMMARY**

In October 2007, Rodger Espeseth/Sure Lock Storage received approval of a final plat and interim use permit for a mini-storage facility with outdoor storage. One of the conditions of the approved interim use permit states: The Interim Use Permit shall be valid for the duration of 6 years from the approval date or until City water and sewer is available to the property, whichever happens first. At the time of approval, City Council was still discussing the details of extending sewer to this area of the City but the time frame was unknown as to when utilities would be available to this property. City sewer is currently being installed along Hwy 52/55 and will be available to the property by the end of the year. The interim use ordinance allows a one time extension of an approved use. The applicant would like to proceed with the development of his site but needs an extension to the timeframe before a building permit can be issued because utilities will be available to his site within a few months.

The intent of the original approval for Sure Lock Storage was to allow a mini-storage facility at the proposed site, for a set time frame. The approved time frame is close to be expiring because of the extension of utilities to the site, even though the original approval was about a year ago. The applicant is requesting a 12-year extension from the amendment/extension date (until August 1, 2020) to allow for a reasonable amortization of investment. Because this will be the one time extension allowed for this request, on this property, staff is recommending approval of a 10-year extension for the mini-storage facility, with outdoor storage, from the original approval date of October 8, 2007. Staff feels this is an adequate amount of time for the property owner to have a return on the property; a reasonable compromise between the original approval of 6 years and the 12 years the applicant is requesting; and still meets the City's goals in the Comprehensive Plan of encouraging more intense industrial development in this area.

Planning Staff: Recommends approval of a 10-year interim use permit from the original approval date with the conditions listed in the attached resolution.

Planning Commission: Recommended approval of a 12-year extension from August 1, 2008 at their August 19, 2008 meeting (9-0).

Park and Rec Commission: N/A

Exhibits: Interim Use Permit Resolution  
 Planning Commission Minutes from 8/19/08  
 Planning Report

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

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AN EXTENSION TO AN INTERIM USE PERMIT TO  
ALLOW A MINI-STORAGE FACILITY WITH OUTDOOR STORAGE IN THE I-1 AND I-2  
ZONING DISTRICTS FOR THE PROPERTY LOCATED AT 10900 COURTHOUSE BLVD**

**CASE NO. 08-42VA  
(Espeseth)**

**WHEREAS**, an extension to an interim use permit has been submitted to the City for property legally described as;

**Lot 1, Block 1 Espeseth Addition, Inver Grove Heights, according to the plat on file and of record in the office of the County Recorder, Dakota County, Minnesota**

**WHEREAS**, on October 8, 2007, the City Council adopted an ordinance amendment to the interim use ordinance allowing a temporary mini-storage facility with outdoor storage;

**WHEREAS**, a public hearing concerning the extension of the approved interim use permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on August 19, 2008;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS that**, an interim use permit extension is hereby approved subject to the following conditions:

1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified herein:

|                     |                |
|---------------------|----------------|
| Landscape Plan      | dated 10/03/07 |
| Site Plan           | dated 08/6/08  |
| Exterior Elevations | dated 08/22/07 |
| Lighting Plan       | dated 09/26/07 |

2. The outside storage area shall be kept in a neat and orderly manner. Maintenance or repair of items stored in the outside storage shall not be permitted. All licensable equipment and vehicles must have a current license and be in operable condition.
3. The Interim Use Permit shall be valid for the duration of \_\_\_\_ years from \_\_\_\_\_, expiring \_\_\_\_\_.
4. Where violations of the conditions of this permit are noted, the City is authorized to immediately terminate the uses approved in this permit.
5. The storage area may be surfaced with Class V gravel or an approved equivalent. The surface shall be maintained to prevent deterioration, dust and erosion.
6. Only automobile and personal recreational vehicles such as boats, campers and motorhomes may be stored in the outside storage area.
7. View of everything stored in the outside storage area shall be reasonably screened from all public roads.
8. All parking lot and building lighting shall be of a shoe-box style with all lighting being diffused or direct away from all property lines and public right-of-ways. The direct source of the light shall not be visible from any abutting property lines and public right-of-ways.
9. "For sale" signs shall be allowed to be posted only in or on the vehicle, RV, boat, etc. No "For sale" vehicles or signs advertising vehicles "For Sale" shall be allowed outside of the fenced area surrounding the property.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheume, Deputy Clerk

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights  
**FROM:** Planning Commission  
**DATE:** August 19, 2008  
**SUBJECT:** **SURE LOCK STORAGE – CASE NO. 08-42VA**

**Reading of Notice**

Commissioner Simon read the public hearing notice to consider the request for an Interim Use Permit Amendment to amend the timeframe of the proposed mini-storage business, and any variances related thereto, for the property located at 10900 Courthouse Boulevard. 4 notices were mailed.

**Presentation of Request**

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that in October of 2007 Sure Lock Storage received approval of a final plat and interim use permit for a mini-storage facility with outdoor storage. One of the conditions of approval stated that the Interim Use Permit shall be valid for the period of 6 years from the approval date or until city water and sewer was available to the property, whichever happened first. City sewer is currently being installed along hwy 52/55 and will be available to this property by the end of the year and City water is already available. Ms. Botten advised that the Interim Use Ordinance allows for a one time extension for an approved use. The applicant would like to proceed with the development of this site but needs an extension to the timeframe before a building permit can be issued because utilities will be available to this site within a few months. She advised that the applicant is requesting a 12 year extension from the amendment date to allow for a reasonable amortization of his investment. Staff is recommending approval of a 10 year extension for the mini-storage facility, with outdoor storage, from the original approval date of October 8, 2007. Staff feels this is an adequate amount of time for the property owner to have a return on the property, a reasonable compromise between the original approval of 6 years and the 12 years that the applicant is requesting, and still meets the City's goals in the Comprehensive Plan of encouraging more intense industrial development in this area. Staff recommends approval of a 10 year interim use permit from the original approval date with the conditions listed in Alternative A.

Chair Bartholomew asked if sewer had not been brought in, would the applicant have had an interim use permit for six years and then been able to request another six years.

Ms. Botten replied that an extension was not guaranteed and she was not sure whether Council or staff would have been in support of a six year extension.

Commissioner Simon noted that the Insurance Auto Auction request had similar issues to this request and asked if it had gone before Council yet, to which Ms. Botten replied it had not.

**Opening of Public Hearing**

The applicant, Roger Espeseth, 6325 Baily Trail, stated he had encountered some large assessments in conjunction with this project and was requesting a 12 year interim use to protect

himself financially.

Chair Bartholomew asked the applicant when he planned to start operations, to which Mr. Espeseth replied he was hoping to open in October.

Chair Bartholomew noted that the applicant had removed the need for a variance by working with staff and relocating the building. He asked if the applicant was in agreement with the conditions listed in the report, to which Mr. Espeseth replied in the affirmative.

Commissioner Simon asked the applicant if he was still operating the Sure Lock Storage on 80<sup>th</sup> Street, to which Mr. Espeseth replied in the affirmative.

### **Planning Commission Discussion**

Chair Bartholomew clarified that no more renewals or extensions would be granted for this facility subsequent to this request, to which Ms. Botten replied in the affirmative.

Chair Bartholomew asked if the interim use would stay with the property if the property were to be sold.

Ms. Botten advised that if the property was sold while the interim use permit was still valid the new owner could retain the same use but would not be allowed to request an extension.

Mr. Espeseth advised that he would be open to selling a portion of the property as it could be subdivided.

Chair Bartholomew stated that he supported a 12 year interim use from the date of August 1, 2008.

Commissioner Schaeffer stated he supported a 12 year interim use as well and did not want to limit Mr. Espeseth's ability to use his property for a shorter amount of time.

### **Planning Commission Recommendation**

Motion by Commissioner Gooch, second by Commissioner Schaeffer, to approve the request for a **12 year extension from August 1, 2008** to an Interim Use Permit for the allowed timeframe of an interim use, for the property located at 10900 Courthouse Boulevard, with the nine conditions listed in the report.

Motion carried (9/0). This matter goes to City Council on September 8, 2008.

**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**

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**REPORT DATE:** August 14, 2008                      **CASE NO:** 08-42VA

**HEARING DATE:** August 19, 2008

**APPLICANT:** Rodger Espeseth – Sure Lock Storage

**REQUEST:** Interim Use Permit Amendment

**LOCATION:** 10900 Courthouse Boulevard

**COMPREHENSIVE PLAN:** GI, General Industrial

**ZONING:** East half I-1, Limited Industrial – West half I-2, General Industrial

**REVIEWING DIVISIONS:** Planning  
Engineering

**PREPARED BY:** Heather Botten   
Associate Planner

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**BACKGROUND**

In October 2007, Rodger Espeseth (Sure Lock Storage) received approval of a final plat and interim use permit for a mini-storage facility with outdoor storage to be located on the west side of Hwy 52. Sure Lock Storage currently operates at the northeast corner 80<sup>th</sup> Street and Hwy 3.

One of the conditions of the approved interim use permit states: The Interim Use Permit shall be valid for the duration of 6 years from the approval date or until City water and sewer is available to the property, whichever happens first. At the time of approval, City Council was still discussing the details of extending sewer to this area of the City but the time frame was unknown as to when utilities would be available to this property. City sewer is currently being installed along Hwy 52/55 and will be available to the property by the end of the year. The intent of the Interim Use Permit is to allow a temporary use of a property; staff believes the intent of the approval of this specific use was to allow the business to be operational for longer than one year. The interim use ordinance allows a one time extension of an approved use. The applicant would like to proceed with the development of his site but needs an extension to the timeframe before a building permit can be issued because utilities will be available to his site within a few months.

Additionally, the applicant would like to change the access of the driveway from Clark Road to the private road (Courthouse Boulevard) on the south side of the property. This is not a high traffic road; additional traffic the storage area may produce will not negatively impact the

surrounding businesses. All setback requirements have been met. Staff is in approval of the minor site plan change.

### **EVALUATION OF THE REQUEST**

**SURROUNDING USES:** The subject site is surrounded by the following uses:

|       |  |
|-------|--|
| North | Zoned I-2, General Industrial; guided General Industrial                     |
| West  | Zoned I-2, General Industrial; guided General Industrial                     |
| South | Zoned I-2, General Industrial and A, Agricultural; guided General Industrial |
| East  | Zoned I-1, Light Industrial; guided Light Industrial                         |

The property is approximately 8 acres in size. The applicant received approval for outdoor rental space for automobiles, boats, campers and motorhomes. The mini-storage facility was approved as a transitional use. The City's zoning map shows the parcel zoned I-1 and I-2. City utilities are currently being installed along Hwy 52/55. Therefore, the future of the site is unclear at this time. The applicant would like to put the land to minimal impact use until a more substantial development is proposed.

An interim use is defined as a temporary use of a property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit the use. Interim uses are typically uses that are not appropriate based upon strict application of Zoning Code restrictions, existing development and proposed future land-use plans. However, they may have merit as uses for some intermediary period of time.

Interim use permits, by City Code, are allowed a one time extension. This will be the first interim use permit extension in the city. The request is unique as the approved land use has not commenced, though considerable grading has occurred. The approval for the use will expire this fall when utilities become available. The provision of utilities has occurred earlier than anticipated.

There have been six Interim Use Permits approved in the City since the ordinance first became effective in April 2004. Besides Sure Lock Storage, two of them are tied to an actual date of expiration; one is allowed for 8 years and the other 5 years, both are able to ask for a one time extension beyond the expiration date. The other three are tied to an event, which at this time none of the approved Interim Uses have "expired".

The intent of the original approval for Sure Lock Storage was to allow the mini-storage facility at the proposed site, for a set time frame. The approved time frame is close to be expiring because of the extension of utilities to the site, even though the original approval was about a year ago. The applicant is requesting a 12-year extension from the amendment/extension date (until August 1, 2020) to allow for a reasonable amortization of

investment. Because this will be the one time extension allowed on this property staff is recommending approval of a 10-year extension for the mini-storage facility, with outdoor storage, from the original approval date of October 8, 2007. Staff feels this is an adequate amount of time for the property owner to have a return on the property; a reasonable compromise between the original approval of 6 years and the 12 years the applicant is requesting; and still meets the City's goals in the Comprehensive Plan of encouraging more intense industrial development in this area.

Staff is concerned that providing a more lengthy extension would be contrary to the Comprehensive Plan and the purpose for extending sanitary sewer. The City's intent is to encourage economic development in the Highway 55/52 corridor that increases the City's employment base and tax base. Such development should provide a more intense industrial use with more significant buildings and more jobs. The long term continuation of low intense industrial activities such as mini-storage is not consistent with these City goals.

## **ALTERNATIVES**

The Planning Commission has the following actions available on the following requests:

A. **Approval.** If the Planning Commission finds the application to be acceptable, the following actions should be recommended for approval:

- Approval of an extension to an **Interim Use Permit** to allow a temporary mini-storage facility with outdoor storage as an interim use in the I-1 and I-2 zoning districts subject to the following conditions (changes are made in conditions 1 and 3 from the original approval and are shown with a strikethrough or underline):

1. The site shall be developed in substantial conformance with the following plans on file with the Planning Department except as may be modified herein:

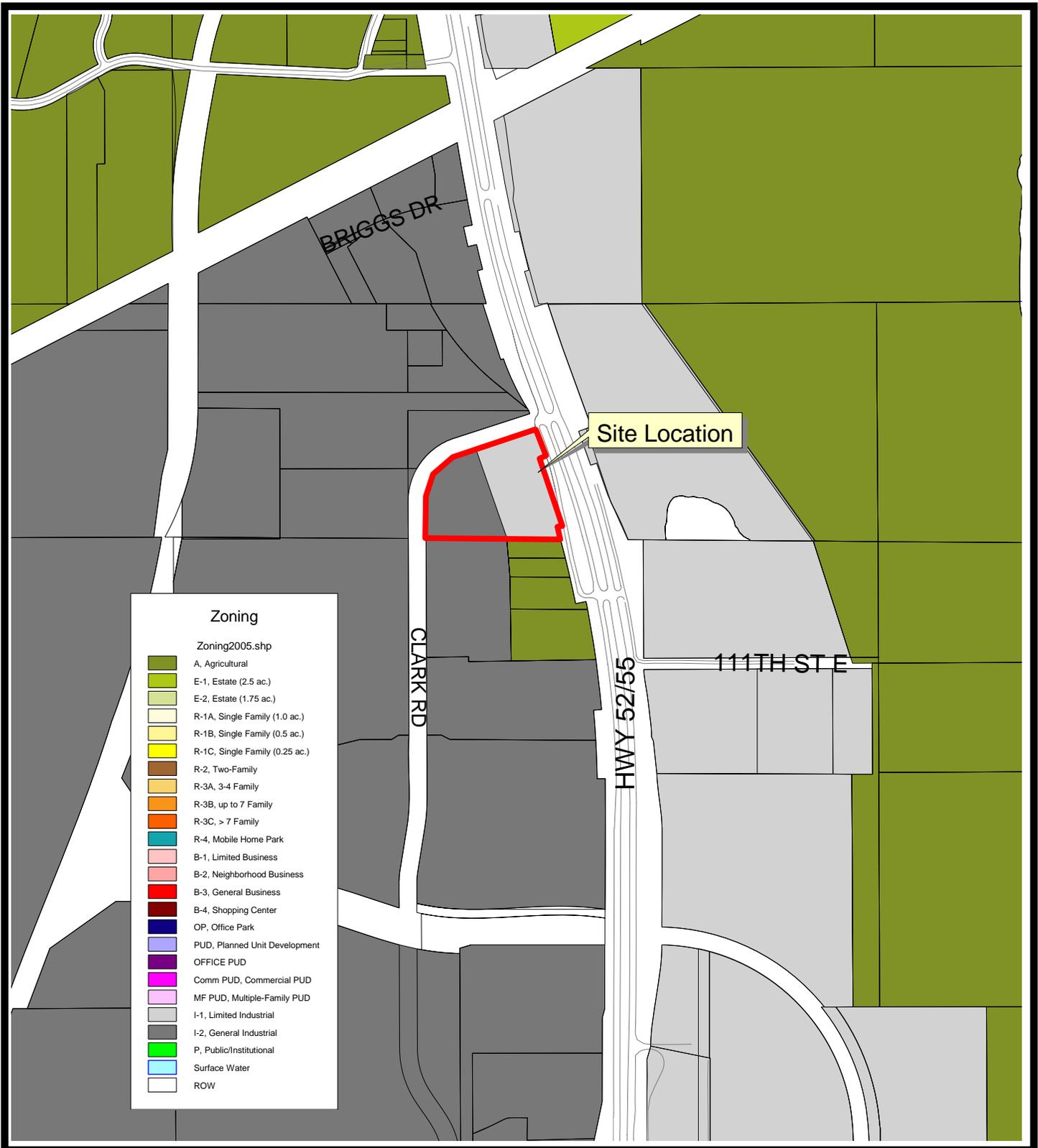
|                     |                      |
|---------------------|----------------------|
| Landscape Plan      | dated 08/22/07       |
| Site Plan           | dated <u>08/6/08</u> |
| Exterior Elevations | dated 08/22/07       |
| Lighting Plan       | dated 02/15/07       |

2. The outside storage area shall be kept in a neat and orderly manner. Maintenance or repair of items stored in the outside storage shall not be permitted. All licensable equipment and vehicles must have a current license and be in operable condition.





# Espeeth Case No. 08-42VA



Map is not to scale

Exhibit A  
Zoning and Location Map

August 7, 2008

Mayor George Tourville and Council Members  
City of Inver Grove Heights  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077

RE: *Extension of Interim Use Permit*

Dear Mayor and Council Members:

I am requesting an extension of the Interim Use Permit for my open storage facility on Clark Road at 10900 Courthouse Blvd.. When my original permit was granted, it was discussed that it would be for 6 years with the right to request one extension. However, the standard language for the permit provided that the length of the permit would be 6 years or the extension of sanitary sewer to the property, whichever came first. At the time, neither I nor anyone on staff anticipated that sanitary sewer would arrive in less than 6 years.

I just began to grade and develop my property to be used for the open storage last month. The grading and required retaining walls have been quite expensive. Recently, I was advised by City staff that because sewer was being installed in Clark Road my Interim Use Permit would be terminated as soon as the sewer became operational, and I would need to apply for an extension of the Interim Use Permit. I am requesting an extension of my Interim Use Permit to August 1, 2020. I need an extension for that length of time to allow for a reasonable amortization of the investment I am making in the interim use and to allow me to obtain financing for that investment. Without the extension I cannot get reasonable financing on my loan, which would be an extreme hardship economically. This requested extension simply puts me in the same position as everyone thought I would be in when the original Interim Use Permit was granted.

Thank you very much for your consideration.

Sincerely,



Rodger O. Espeseth

'B'



**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CITY OF INVER GROVE HEIGHTS;** Consider the third and final reading of an Ordinance Amendment to amend Section 515.30 regarding the definition of impervious coverage.

Meeting Date: September 8, 2008  
 Item Type: Regular Agenda  
 Contact: Jenn Emmerich; 651.450.2553  
 Prepared by: Jenn Emmerich, Assistant City Planner  
 Reviewed by:

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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**

- a) Consider the third and final reading of an Ordinance Amendment that would define impervious surface.
- Requires 3/5th's vote.

**SUMMARY**

Background The City Council directed Planning Commission to hold a public hearing regarding changing the allowed maximum impervious coverage in the "R" Zoning Districts. Upon review of that ordinance amendment, it was determined that a definition of impervious surface should also be added to the ordinance. Therefore, with the assistance of Tim Kuntz, City Attorney and Brett Emmons of Emmons and Olivier, staff has prepared a definition of impervious surface for approval. City Council has approved the first and second readings of this ordinance amendment at the August 11 and August 25 Council meetings. Additionally, a public hearing was held on Tuesday, September 2, 2008, at which time Planning Commission recommended approval of the amendment.

Analysis Upon review of the City Code, it was determined that impervious surface is used in several sections and that a definition of impervious surface exists in the Northwest Area Stormwater Manual. Staff composed the proposed definition with assistance from Tim Kuntz, City Attorney and forwarded the definition to Emmons and Olivier for review. Emmons and Olivier reviewed the proposed definition and did not think the new definition would have any unwanted effects on the Northwest Area Stormwater Manual. Therefore staff is recommending that the proposed definition be adopted in both the Zoning Code as well as the Northwest Area Stormwater Manual. There have been no changes made to the definition since the last City Council meeting.

**RECOMMENDATION**

Planning Staff Recommends approving the first reading of this ordinance amendment.

Planning Commission Recommends approval of the request (7-1, Roth).

Parks and Recreation Not applicable.

Attachment Ordinance Amendment Resolution  
 Planning Commission Recommendation

**CITY OF INVER GROVE HEIGHTS**

**DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE PROVIDING A DEFINITION OF THE TERM IMPERVIOUS SURFACE AND AMENDING SECTION 515.30 SUBD. 2 (ZONING CODE – DEFINITIONS) OF THE CITY CODE AND AMENDING SECTION 515.80 SUBD. 39 (I) OF THE CITY CODE RELATING TO THE INVER GROVE HEIGHTS NORTHWEST AREA STORMWATER MANUAL**

The City Council of Inver Grove Heights hereby ordains as follows:

**Section 1. AMENDMENT.** Inver Grove Heights City Code Section 515.30 Subd. 2 is hereby amended by adding the definition for the term impervious surface to read as follows:

- 128.a. Impervious Surface - That surface of the lot (1) which has been covered or has been physically altered and (2) that contains a constructed hard surface, which would prevent or retard the entry of water into the soil and cause water to run off in greater quantities or at an increased rate of flow than prior to development. Examples include concrete, asphalt, pavers, permeable pavement systems and various compacted materials including aggregate, limestone, gravel driveways, gravel parking areas, gravel storage areas and recycled bituminous. Buildings, rooftops, sidewalks, patios, driveways, parking areas, storage areas, tennis and basketball courts, covered decks and decks with an impervious surface below and any other structure shall be included for the purpose of calculating maximum lot coverage. Exception: Decks with grass, bare ground or other natural porous surfaces below will not be considered when calculating lot coverage percentage.

**Section 2. AMENDMENT.** The definition of impervious surface contained in Appendix C of the Inver Grove Heights Northwest Area Stormwater Manual dated July 2006, prepared by Emmons & Olivier Resources, as codified in Inver Grove Heights City Code Section 515.80 Subd. 39 (I), is hereby amended to read as follows:

~~Impervious surface. a surface in the landscape that impedes the infiltration of rainfall and results in an increased volume of surface runoff~~

Impervious surface. The term impervious surface, for purposes of the Inver Grove Heights Northwest Area Stormwater Manual, shall have the same meaning as that term is defined by Inver Grove Heights City Code Section 515.30 Subd. 2.

**Section 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 8<sup>th</sup> day of September, 2008.

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

---

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights

**FROM:** Planning Commission

**DATE:** September 2, 2008

**SUBJECT:** **CITY OF INVER GROVE HEIGHTS (IMPERVIOUS SURFACE DEFINITION) –  
CASE NO. 08-33ZA**

**Reading of Notice**

Commissioner Simon read the public hearing notice for consideration of a request for a Zoning Code Amendment to modify Section 515.30 of City Code relating to the definition of impervious surface.

**Presentation of Request**

Jenn Emmerich, Assistant Planner, explained the request as detailed in the report. She advised that the Planning Commission held a public hearing for an ordinance amendment to change the allowed maximum impervious coverage in the R-1A, B and C Zoning Districts. However, it was later determined that a separate public hearing was necessary for the adoption of a definition of impervious surface. As a result, staff published a public hearing notice for a public hearing on September 2. To keep the ordinance amendment moving through the process, the definition was forwarded onto City Council for the first two readings at their August 11 and August 25 meetings. This definition is set for the third reading at Council on September 8. Ms. Emmerich advised that a definition of impervious surface exists in the Northwest Area Stormwater Manual as well. Therefore Staff composed the proposed definition with assistance from both the City Attorney and Emmons and Olivier. Staff is recommending that the proposed definition be adopted in both the Zoning Code as well as the Northwest Area Stormwater Manual.

Chair Bartholomew asked if staff was certain that the proposed definition would reconcile with the Northwest Area and the way they look at impervious surface relating to pervious pavers, to which Ms. Emmerich replied in the affirmative.

Commissioner Gooch asked if adoption of this definition would affect the prohibition of Class 5 driveways in the Residential Zoning Districts, to which Ms. Emmerich replied it would not.

**Opening of Public Hearing**

There was no public testimony.

**Planning Commission Recommendation**

Motion by Commissioner Wippermann, second by Commissioners Schaeffer and Simon, to approve the request for a Zoning Code Amendment to modify Section 515.30 of City Code relating to the definition of impervious surface.

Motion carried (8/1 – Roth). This matter goes to City Council on September 8, 2008.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL DIRECTION

**CITY OF INVER GROVE HEIGHTS;** Consider the third and final reading of Ordinance Amendments to modify the requirements relating to the exterior building materials of all buildings in all residential zoning districts.

Meeting Date: September 8, 2008  
Item Type: Regular Agenda  
Contact: Jenn Emmerich; 651.450.2553  
Prepared by: Jenn Emmerich, Assistant City Planner  
Reviewed by:

|                                     |                                    |
|-------------------------------------|------------------------------------|
| <b>Fiscal/FTE Impact:</b>           |                                    |
| <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**

- a) Consider the third and final reading of Ordinance Amendments that would allow certain exterior building materials on structures in all residential zoning districts (“R”, “A” and “E” Districts).
  - Requires 3/5th's vote.

**SUMMARY**

Background At the April 28, 2008 City Council meeting, staff requested direction from Council regarding regulating exterior building materials. As a result, Council directed staff to research the issue and draft an ordinance that would regulate exterior building materials in all residential zoning districts. At the June 9, 2008 meeting, Council reviewed a draft of the ordinance, on August 6, 2008, Planning Commission held a public hearing and on August 11 and August 25, Council approved the first and second readings, respectively.

Analysis The attached draft ordinance amendments address exterior building materials for all residential structures. Adopting these ordinances would accomplish the following:

Allowed Exterior Building Materials:

- Siding (e.g. wood, vinyl, aluminum or metal horizontal lap)
- Stucco
- Brick
- Glass
- Composite plastic
- Other comparable material as approved by the City Planner
- For accessory buildings under 120 square feet: Metal
- With a Conditional Use Permit in the “A” and “E-1” Zoning Districts: Sheet metal, corrugated metal or shaped metal material

Prohibited Building Materials:

- Cloth
- Fabric
- Canvas
- Plastic sheets
- Tarps
- Tarpaper
- Insulation

Exempted Structures:

- Playground equipment
- Camping tents and special event tents which are in place for less than five days
- Commercial greenhouses
- Accessory structures to principal agricultural uses

This ordinance amendment would prohibit hoop structures and the frames for hoop structures, regardless of size. Additionally, it would exempt metal garden sheds under 120 square feet. The following is a summary of all modifications in each ordinance.

Section 515.90 Subd. 18.

Subd. 18 was modified so it would only address allowed size, number and location of accessory structures. All portions addressing exterior building materials have been moved to Section 515.90 Subd. 19. – Exterior Building Materials.

In Section A., staff has removed the portion of the ordinance that addresses corrugated steel as it would be addressed in Subd. 19. – Exterior Building Materials. Staff also updated the section for the recently adopted allowed maximum impervious coverage standard in the R-1 A, B and C Zoning Districts. Lastly, the sentence regarding minimum spacing was moved to Paragraph E. as it applies to all zoning districts, not just the “E-2”, “R-1” and “R-2” Zoning Districts.

Paragraphs B., C. and D. were not modified. Paragraph E. was modified by removing the portion of the paragraph that addresses corrugated steel as it is now addressed in the exterior building materials.

Paragraph F. has been reworded to more clearly identify that all structures over 1,000 square feet must be setback at least 50'. However, there has not been a change to the intent of this amendment.

Paragraphs G. and H. have not been changed.

Section 515.90 Subd. 19.

Section 515.90 Subd. 19 of the City Code has been amended to regulate exterior building materials on all structures in all residential zoning districts. To eliminate confusion between principal and accessory structures, staff has compartmentalized the ordinance into three sections – “Commercial, Industrial and Institutional Buildings”, “Residential Buildings – Principal Structures” and “Residential Buildings – Accessory Structures”.

The first paragraph of Subd. 19. has not been modified from the original ordinance. Section B. has been amended to change the authority from the Chief Building Official to the City Planner, as the Chief Building Official does not have authority over the zoning ordinance. Additionally, a list of allowed and prohibited exterior building materials for all principal structures in all residential zoning districts has been added.

Section C. has been added to address the exterior building materials of accessory structures in all residential zoning districts. Paragraph 1. has been modified to reflect the changes in Paragraph 1. of the “Principal Structures” section. Paragraph 2. is a list of approved exterior building materials for all accessory structures in all residential zoning districts. Additionally, as recommended by City Council, a sentence to exclude metal structures less than 120 square feet has been added to allow for small metal garden sheds. A threshold of 120 square feet or less was chosen as structures of this size do not require building permits per State Building Code.

Paragraph 3. lists all of the prohibited exterior building materials. This section prohibits certain exterior building materials for all residential accessory structures. Additionally, the last sentence prohibits the placement of hoop structure frames without covering.

Paragraph 4. addresses structures with an exterior covering of sheet metal, corrugated metal or shaped metal material. This section was removed from Section 515.90 Subd. 18 – Accessory Structures and placed in Subd. 19. - Exterior Building Materials so all exterior building materials standards would be listed in one place. Staff did make one modification to this paragraph. Currently, the standard only applies to “corrugated steel, sheet steel and aluminum metal siding”. However, the intent was to regulate all metal siding. Therefore, staff changed “corrugated steel, sheet steel and aluminum metal siding” to “sheet metal, corrugated metal or shaped metal material”. Additionally, a sentence was added to exempt metal structures under 120 square feet (i.e. small metal garden sheds).

Since the definition of structure requires that the building be permanently affixed to the ground, staff added Paragraph 5. to address those structures that are not permanently affixed. This paragraph specifically prohibits hoop houses or other hoop-designed apparatus, canopy-covered carports, tent garages and other similar apparatus. It also prohibits the placement of a hoop structure frame without the covering.

Lastly, Paragraph 6. excludes playground equipment, camping and event tents and commercial greenhouses from the exterior building requirements.

To inform property owners of these ordinance amendments, staff could publish the attached press release in the Sun Current and Southwest Review. Also, staff could include information about the ordinance amendments in the next Insights, to be delivered to all property owners on November 11, 2008.

#### **RECOMMENDATION**

Planning Staff These two ordinance amendments will prohibit hoop houses and other similar apparatus while also addressing some ‘house cleaning’ issues with the City Code. It is staff’s understanding that prohibiting this type of building/apparatus was the intent of City Council from the beginning of this ordinance amendment. Therefore staff recommends that the ordinances be adopted as proposed.

Planning Commission Recommends approval of the ordinance amendment (7-2, Bartholomew and Scales). Chair Bartholomew expressed concerns regarding the removal of the lower threshold for structure size. This concern has now been addressed by excepting structures of less than 120 square feet.

Enclosure: Ordinance Amendment  
Press Release

**CITY OF INVER GROVE HEIGHTS**

**DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 515.90 SUBD. 18. (ZONING CODE – ACCESSORY STRUCTURES) OF THE CITY CODE**

The City Council of Inver Grove Heights hereby ordains as follows:

**SECTION 1. AMENDMENT.** Inver Grove Heights City Code Section 515.90 Subd. 18. is hereby amended to read as follows:

**Subd. 18. Accessory Structures.**

- A.** Each detached accessory structure to single family residential uses in all “E-2”, “R-1” and “R-2” Zoning Districts shall not exceed a total maximum gross floor area of 1,000 square feet. The gross floor area figure may exclude any usable attic space or loft space. ~~Sheet or corrugated steel or aluminum metal shall be prohibited as a siding material on all such structures.~~ In all “R-1” Zoning Districts, the total maximum lot coverage by all structures shall not exceed ~~20% 30% or 4,000 square feet, whichever is less.~~ There shall be a minimum space of six (6) feet between all ~~other accessory structures.~~ The total number of all detached accessory structures on lots in the “E-2”, “R-1” and “R-2” Zoning Districts shall be limited to one (1).
- B.** On lots of five (5) acres or more in size, which are located in an “A” or “E-1” Zoning District, detached accessory structures to single family residential uses shall not exceed a gross floor area of 2,400 square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots of five (5) acres or more in the “A” or “E-1” Zoning District shall be limited to two (2).
- C.** On lots of 2.5 acres or more, but less than five (5) acres in size, which are located in an “A” or “E-1” Zoning District, detached accessory structures to single family residential uses shall not exceed a gross floor area of 1,600 square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots of 2.5 acres or more, but less than five (5) acres in size in the “A” or “E-1” Zoning District shall be limited to one (1).

- D. On lots of less than 2.5 acres in size, which are located in an “A” or “E-1” Zoning District, detached accessory structures to single family residential uses shall not exceed a gross floor area of 1,000 square feet. The gross floor area figure may exclude any usable attic space or loft space. The total number of all detached accessory structures on lots of less than 2.5 acres in size in the “A” or “E-1” Zoning District shall be limited to one (1).
- E. ~~Sheet or corrugated steel or aluminum metal siding~~ Sheet metal, corrugated metal or shaped metal material used to cover exterior walls shall be prohibited on all detached accessory structures in the City, unless a conditional use permit is approved for its use by the City Council. ~~A conditional use permit may only be issued by the City Council for sheet or corrugated steel or aluminum metal sheet metal corrugated metal or shaped metal material siding for lots in the “A” or “E-1” Zoning Districts, and only if the sheet or corrugated steel or aluminum metal siding sheet metal, corrugated metal or shaped metal material siding has a thickness of at least 29 gauge, and comes with a manufacturer’s warranty of at least 20 years.~~ In all Residential Zoning Districts (“R”, “E” and “A”) there shall be a minimum space of six (6) feet between the principal and accessory structure unless attached, and a minimum space of six (6) feet between all other accessory structures.
- F. ~~Any detached accessory structure that exceeds a gross floor area of 1,000 square feet must maintain a minimum setback from all property lines of 50 feet. Detached accessory structures in the “A” and “E-1” Zoning Districts that exceed a gross floor area of 1,000 square feet must maintain a 50-foot minimum setback from all property lines.~~
- G. In no Zoning District may an accessory structure be constructed on a lot prior to the construction of the lot’s principal structure.
- H. Exceptions to the requirements contained in this Section 515.90 Subd. 18. relating to accessory structures are as follows:
1. Accessory structures to single family residential uses in all “A”, “E” and “R” Zoning Districts with gross floor areas of 120 square feet or less;
  2. Accessory structures to principal agricultural uses (i.e., farms, ranches, stables, greenhouses, nurseries, and uses deemed similar by the City Council) in the “A” and “E-1” Zoning Districts.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2008.

Ayes \_\_\_\_

Nays \_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheume, Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**DAKOTA COUNTY, MINNESOTA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING SECTION 515.90 SUBD. 19. (ZONING CODE – EXTERIOR BUILDING MATERIALS) OF THE CITY CODE**

The City Council of Inver Grove Heights hereby ordains as follows:

**SECTION 1. AMENDMENT.** Inver Grove Heights City Code Section 515.90 Subd. 19 is hereby amended to read as follows:

**Section 515.90 Subd. 19. Exterior Building Materials.**

- A. Commercial, Industrial and Institutional Buildings. All exterior vertical surfaces of any principal or accessory structure in a “B”, “I” or “P” Zoning District shall have an equally attractive or the same fascia as the front. At least 50% of the exterior vertical surface shall consist of one or a combination of the following or similar materials: brick veneer; sculptured, textured or concrete block or panels; natural wood siding; steel, aluminum or vinyl lap siding; natural stone or glass. A maximum of one-third of a building wall is permitted to have sheet or corrugated steel or aluminum finish.
- B. Residential - Principal Structures.
1. All exterior surfaces of a residential ~~principal structure building~~ must be completed ~~to the City’s Chief Building Official~~ within one year of the issuance of a building permit. A six month extension may be granted, if a written request is submitted to the ~~Chief Building Official~~ City Planner 10 working days prior to the termination of the one year time limit.
  2. Exterior walls of all principal structures in all residential zoning districts (“R”, “A” and “E” Districts) must be covered only with siding (e.g. wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass, composite plastic or other comparable material as approved by the City Planner.

3. Cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal shall be prohibited as final covers for exterior walls and roofs for all principal structures in all residential zoning districts (“R”, “A” and “E” Districts).

C. Residential - Accessory Structures.

1. All exterior surfaces of a residential accessory structure building must be completed to the City’s Chief Building Official within one year of beginning construction the issuance of a building permit. A six month extension may be granted, if a written request is submitted to the Chief Building Official City Planner 10 working days prior to the termination of the one year time limit.
2. Exterior walls of all accessory structures in all residential zoning districts (“R”, “A” and “E” Districts) must be covered only with siding (e.g. wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass, composite plastic or other comparable material as approved by the City Planner. Provided, however, sheet metal, corrugated metal or shaped metal material may also be used to cover exterior walls of accessory structures under 120 square feet in all residential zoning districts (“R”, “A” and “E” Districts).
3. Cloth, fabric, canvas, plastic sheets, tarps, tarpaper and insulation shall be prohibited as final covers for exterior walls and roofs for all accessory structures in all residential zoning districts (“R”, “A” and “E” Districts). In all residential zoning districts (“R”, “A” and “E” Districts), the placement or use of framing for hoop houses or other hoop-designed apparatus, canopy-covered carports, tent garages and other similar apparatus is prohibited, whether it is an accessory structure or an apparatus as described in Section 515.90 Subd. 19.C.5.
4. Except for structures under 120 square feet, sheet metal, corrugated metal or shaped metal material used to cover exterior walls shall be prohibited on all residential detached accessory structures in the City, unless a conditional use permit is approved for its use by the City Council. A conditional use permit may only be issued by the City Council for sheet metal, corrugated metal or shaped metal material siding for lots in the “A” or “E-1” Zoning Districts, and only if the sheet metal, corrugated metal or shaped metal material siding has a thickness of at least 29 gauge, and comes with a manufacturer’s warranty of at least 20 years.
5. All limitations, restrictions, regulations, prohibitions and standards set forth in this Section 515.90 Subd. 19.C. relating to accessory structures shall also apply to the following:

Non-permanent or moveable apparatus or units, not permanently affixed to the ground, consisting of a frame that is to be used for or intended to be used for storage or other use. These include apparatus commonly known as hoop houses or other hoop-designed apparatus, canopy-covered carports, tent garages and other similar apparatus.

The framing for hoop houses or other hoop-designed apparatus, canopy-covered carports, tent garages and other similar apparatus is prohibited, whether it is an accessory structure or an apparatus as described in this Section 515.90 Subd. 19.C.5.

6. Exceptions. The following are excluded from the requirements of Section 515.90 Subd. 19.C.
- a. Playground equipment
  - b. Camping tents; and special event tents which are in place for less than five days
  - c. Commercial greenhouses
  - d. Accessory structures to principal agricultural uses (i.e. farms, ranches, stables, greenhouses, nurseries, and uses deemed similar by the City Council) in the "A" and "E-1" Zoning District.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2008.

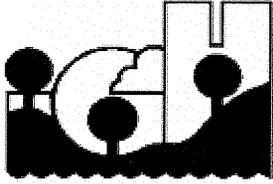
Ayes \_\_\_\_

Nays \_\_\_\_

\_\_\_\_\_  
George Tourville, Mayor

Attest:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk



City of Inver Grove Heights  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077  
[www.ci.inver-grove-heights.mn.us](http://www.ci.inver-grove-heights.mn.us)

FOR IMMEDIATE RELEASE

**CONTACT:**

Jennifer Emmerich  
Assistant City Planner  
651-450-2553 direct line  
[jemmerich@ci.inver-grove-heights.mn.us](mailto:jemmerich@ci.inver-grove-heights.mn.us)

**Ordinance Amendment Regarding Exterior Building Materials for all Residential Structures**

Inver Grove Heights, MN—September 8, 2008—On Monday, September 8, 2008, City Council approved the third and final readings of two ordinance amendments that regulate exterior building materials for all structures in all residential zoning districts (“R”, “A” and “E” districts). Both Section 515.90 Subd. 18 – Accessory Structures and 515.90 Subd. 19 – Exterior Building Materials were amended to allow and prohibit certain building materials. The following illustrates these changes:

Allowed Exterior Building Materials on All Residential Structures:

- Siding (e.g. wood, vinyl, aluminum or metal horizontal lap)
- Stucco
- Brick
- Glass
- Composite plastic
- Other comparable material as approved by the City Planner
- For accessory buildings under 120 square feet: Metal
- With a Conditional Use Permit in the “A” and “E-1” Zoning Districts: Sheet metal, corrugated metal or shaped metal material

Prohibited Building Materials:

- Cloth
- Fabric
- Canvas
- Plastic sheets
- Tarps
- Tarpaper
- Insulation

Exempted Structures:

- Playground equipment
- Camping tents and special event tents which are in place for less than five days
- Commercial greenhouses
- Accessory structures to principal agricultural uses

This ordinance amendment also prohibits hoop structures and the frames for hoop structures, regardless of size. Additionally, it exempts metal garden sheds under 120 square feet.

A copy of the new ordinances can be obtained at City Hall or by contacting Jennifer Emmerich at either 651.450.2553 or [jemmerich@ci.inver-grove-heights.mn.us](mailto:jemmerich@ci.inver-grove-heights.mn.us).

###

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Proposed 2009 Tax Levies, Proposed 2009 Budgets and the Truth in Taxation Public Hearing

Meeting Date: September 8, 2008  
 Item Type: Regular Agenda  
 Contact: Ann Lanoue 651.450.2517  
 Prepared by: Ann Lanoue, Finance Director  
 Reviewed by: Ann Lanoue

|                                     |                                    |
|-------------------------------------|------------------------------------|
| <b>Fiscal/FTE Impact:</b>           |                                    |
| <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 – 2009 Budget                |

**PURPOSE/ACTION REQUESTED**

To approve resolutions adopting proposed 2009 tax levies and budgets and set dates for the Truth in Taxation public hearing

**SUMMARY**

The City must adopt the proposed 2009 tax levies and proposed budgets on or before September 15, 2008. The tax levies and the date for the Truth in Taxation public hearing must be certified to Dakota County by the same date.

The budgets at this point are still proposed and will change during the forthcoming budget meetings and prior to final adoption in December. The tax levies can be reduced, but not increased after the proposed levies have been certified.

The proposed budget was distributed to the City Council on August 8 and a study session was held on August 11. At the time of this meet we were waiting to receive the amount of the levy we are permitted to levy under levy limits. We were also awaiting instructions on the calculation of the special levy for police and fire wages and benefits. We now have this information and the proposed tax levies and budgets we are asking you to approve this evening include this information. The proposed tax levies are 5.95% greater than in 2008 with an estimated 2.57% increase in the tax rate. This is compared to the final 2008 tax levies which increased 7.27% over 2007 with a 2.37% increase in the tax rate. I would also note that the levies proposed for 2009 are \$65,479 under the maximum allowable levy for exemption from the Truth in Taxation public hearing; however, we do recommend having the public hearing.

In addition to approving the resolutions for the 2009 proposed tax levies and proposed budget the Council also needs to approve the resolution establishing the date(s) and time(s) for the Truth in Taxation public hearing. We are proposing that the hearing be held at 7:30 p.m. on Monday, December 1, 2008 with the continuation hearing, if needed, on Monday, December 8, 2008. This would allow the Council to adopt the final tax levies and budgets for 2009 at their regular meeting on December 8.

We will be discussing these budgets at study meetings between now and the Truth in Taxation Hearing on December 1. At this time we have set the date to inspect the equipment, which is proposed to be replaced using Equipment Certificates, on Monday, November 10. Our next study session for budget discussions is scheduled for October 27.

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ADOPTING THE PROPOSED TAX LEVY FOR THE YEAR 2009**

**BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS FOLLOWS:** There is a proposed tax levied upon taxable property in the City of Inver Grove Heights payable in 2009 for the following purposes in the following amounts:

|                            |              |
|----------------------------|--------------|
| General Operating Fund     | \$ 9,065,817 |
| PERA Special Levy          | 67,700       |
| Police & Fire Special Levy | 5,275,000    |

Bond Retirement:

|                                     |          |
|-------------------------------------|----------|
| MN Armory Building Commission       | \$63,735 |
| City Share of Special Assessments   | 69,847   |
| G.O. Improvement Bonds, 2006A       | 84,600   |
| Certificates of Indebtedness, 2006B | 340,700  |
| Certificates of Indebtedness, 2007  | 141,960  |
| Certificates of Indebtedness, 2008  | 146,300  |
| Certificates of Indebtedness, 2009  | 302,529  |

|                       |                  |
|-----------------------|------------------|
| Total Bond Retirement | <u>1,149,671</u> |
|-----------------------|------------------|

|            |                     |
|------------|---------------------|
| Total Levy | <u>\$15,558,188</u> |
|------------|---------------------|

Adopted this 8<sup>th</sup> day of September, 2008, by the City Council of Inver Grove Heights.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheume  
Deputy Clerk

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ADOPTING THE PROPOSED WATERSHED MANAGEMENT  
TAXING DISTRICTS' TAX LEVIES FOR THE YEAR 2009**

**BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS AS  
FOLLOWS:** There is a proposed special property tax levied upon the taxable property within each of the following respective Watershed Management Taxing Districts (W.M.T.D.) in the City of Inver Grove Heights payable in 2009 for the following purposes in the following amounts:

***Bond Retirement***

|  |           |
|--|-----------|
| Skyline Village W.M.T.D.<br>G.O. Refunding Bonds 1998B<br>(Project No. 1990-23, Skyline Village Storm Sewer)                     | \$63,208  |
| Cuneen Trail W.M.T.D.<br>G.O. Storm Water Refunding Bonds 2005D<br>(Project No. 9501, Arbor Pointe Area<br>Stormwater Pump/Lift) | \$103,800 |
| Simley Lake W.M.T.D.<br>G.O. Storm Water Bonds 2002A<br>(Project No. 1993-27, Cahill Ave.)                                       | \$41,700  |

Adopted this 8<sup>th</sup> day of September, 2008, by the City Council of Inver Grove Heights.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume  
Deputy Clerk

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION ADOPTING THE PROPOSED 2009 BUDGETS**

BE IT RESOLVED, BY THE CITY COUNCIL OF INVER GROVE HEIGHTS  
AS FOLLOWS:

The following proposed funds' Budgets for the City of Inver Grove Heights for  
fiscal year 2009 are hereby approved:

|                                     |              |
|-------------------------------------|--------------|
| General Fund                        | \$18,298,400 |
| Recreation Fund                     | 805,800      |
| Community Center Fund               | 2,792,200    |
| Water Fund                          | 3,075,500    |
| Sewer Fund                          | 2,549,400    |
| Golf Course Fund                    | 2,172,300    |
| Risk Management Fund                | 611,900      |
| Central Equipment Fund              | 2,975,000    |
| Central Stores Fund                 | 120,300      |
| City Facilities Fund                | 362,800      |
| Management Information Systems Fund | 376,800      |

Adopted this 8<sup>th</sup> day of September, 2008, by the City Council of Inver Grove Heights.

Ayes:

Nays:

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George Tourville, Mayor

ATTEST:

---

Melissa Rheaume  
Deputy Clerk

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO SET TRUTH IN TAXATION PUBLIC HEARING DATES  
FOR 2009 BUDGETS AND TAX LEVIES**

**WHEREAS**, the City is required to set public hearing dates for the truth in taxation hearing on the 2009 budgets and tax levies by September 15, 2008; and

**WHEREAS**, these dates cannot conflict with those dates for school districts within the City of Inver Grove Heights or Dakota County.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Inver Grove Heights has set December 1, 2008 at 7:30 p.m. as the truth in taxation public hearing date and December 8, 2008 at 7:30 p.m. as the continuation hearing date if necessary.

Adopted this 8<sup>th</sup> day of September, 2008 by the City Council of Inver Grove Heights.

Ayes:

Nays:

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George Tourville, Mayor

ATTEST:

---

Melissa Rheume  
Deputy Clerk

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**Land Alteration Permit for Falcon Partners LTD for part of Lot 1 Block 1 of the Garvey Addition Plat**

Meeting Date: September 8, 2008  
 Item Type: Regular  
 Contact: Steve Dodge, 651-450-2541  
 Prepared by: Steve Dodge, Asst. City Engineer  
 Reviewed by: Scott D. Thureen, Public Works Director

| <b>Fiscal/FTE Impact:</b>           |                                    |
|-------------------------------------|------------------------------------|
| <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**

Approval of the Land Alteration Permit for Falcon Partners LTD for part of Lot 1 Block 1 of the Garvey Addition Plat.

**SUMMARY**

Consider a request for a land alteration permit for grading and excavating of material estimated at under 500 cubic yards on and generally described as parcel I.D. No. 20-28500-011-01, that 15.25 acre part of Lot 1 Block 1 of the Garvey Addition plat as depicted in the exhibit.

This platted parcel had a previous land alteration permit from 2006. The grading activities that occurred exceeded the allowed amount due to an error in the owners methods of determining the amount of material moved. City Staff worked with the landowner to determine the quantity of material hauled in or moved. It was determined that hauling was to cease, erosion control measures improved, and a revised grading plan submitted with a new land alteration permit application. The fill that was placed in a low spot had decreased the volume of water being stored on the owner’s property. The adjacent landowner, Robert Herman of 6889 Robert Trail South, complained of water in his garage lower area in the spring of 2008. High volumes of storm water run-off have been conveyed directly to the ditch just west of Herman’s property and then enter a clay drain tile which connected to a storm pipe crossing TH 3. When the clay pipe is overwhelmed or plugged, storm water back’s up in the ditch and finds it’s way into Mr. Herman’s garage low area. Paul Herman owns a vehicle repair garage along TH 3 borders the east side of Falcon Partners. Falcon Partners owns the land west of the site. Oak Grove Properties owns the land north of Falcon Partners. The subject site is located along the north side of CSAH 26 (aka 70<sup>th</sup> Street East). A list of the property owners border the land follows:

| <u>Parcel ID No.</u> | <u>Owner</u>                    | <u>Property Address</u> |
|----------------------|---------------------------------|-------------------------|
| 20-28500-012-01      | OAK GROVE PROPERTIES OF MN LLLP | 6815 ROBERT TRL S       |
| 20-28500-020-01      | FALCON PARTNERS LP              | 1165 70TH ST W          |
| 20-00600-012-78      | FALCON PARTNERS LLP             | 1285 70TH ST W          |
| 20-00600-010-77      | ROBERT R HERMAN                 | 6889 ROBERT TRL S       |

The adjacent property owners have been sent a letter by staff and were made aware of the Environmental Commission public meeting. Staff has also left message with Robert Herman notifying him of both the Environmental Commission and City Council meetings.

The Environmental Commission approved the Land Alteration Permit as submitted by Robert Mansfield of Falcon Partners with the conditions provided by City Staff at the meeting held on August 28, 2008. There were no adjacent landowners present.

The overall grading plan submitted has provided additional storm water storage and provided an emergency overflow route to ensure the water from this site flows by (and not onto) Mr. Herman's property with the following issues to consider:

The new grading plan submitted has been developed by Falcon Partners to restore the lands capacity to retain storm water. They have proposed to do this by utilizing in-place soils (previously hauled on site) to build two berms which will back the storm water run-off up to the elevation of the emergency overflow located just northwest of Robert Herman's property. The storm water run-off will be routed to bypass the existing ditch, located on the west side of Robert Herman's property, in order to reduce the volume of run-off in big events reaching this area. The Engineering Division offers the following comments:

**Permanent Grading and Drainage:** The proposed storm water storage area will return the needed storage back to the subject property. In addition, Falcon Partners will improve the drainage patterns by adding the two berms which will redirect storm water around Robert Herman's property.

**Erosion Control and Turf Restoration:** The owner has already acquired an NPDES Permit and will be required to address a temporary and permanent sediment and erosion control conditions.

**Wetlands:** There are no wetlands within the site.

**Haul Routes and Hours of Operation:** The owner is not proposing to haul any material off or on the site, only move the existing material already hauled to the site under a previous land alteration permit. The equipment is located on an adjacent property and the owner will operate between the permitted hours of 7:00 am to 7:00 pm, Monday through Saturday.

**Resident Notification:** The two adjacent land owners will be contacted by phone. Falcon Partners currently owns all other land abutting the subject property.

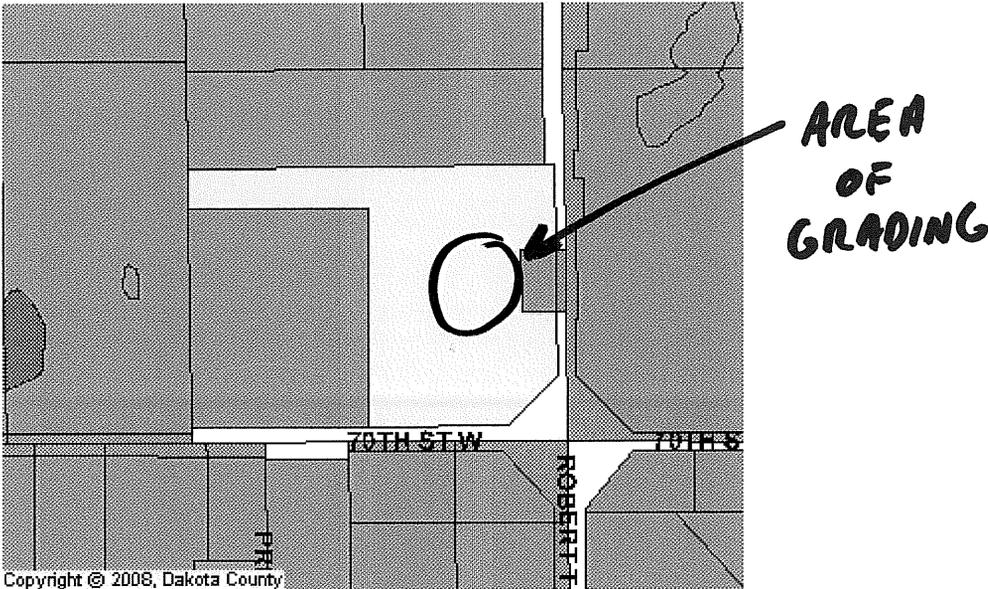
**Public Works/Engineering recommends approval of the land alteration permit for Falcon Partners LTD for part of Lot 1 Block 1 of the Garvey Addition Plat and is subject to the standard land alteration permit conditions and in accordance with the following comments and conditions:**

1. The site shall be permanently seeded and/or blanketed within 14-days. Temporary seeding will be necessary for any temporary stoppage in grading operations within a portion of the site which is longer than 21 days or for winter seeding conditions.
2. Finished grades shall not exceed 4H:1V unless otherwise approved by City Engineer.
3. Sediment in the existing ditch located just west of Robert Herman's shall be removed and the ditch regraded and seeded as part of the initial activity of the project. Heavy duty silt fence is needed along the top slope of the existing ditch to protect it from the owners grading activity and sediment laden run-off.
4. A pre-construction meeting shall be held at City Hall with the Engineering Division and erosion control shall be installed and inspected by the City Engineer prior to any work on the site.

5. If needed, acquire written agreement with adjacent landowner to grade on their property.
6. The current condition and functionality of the existing 6" clay drain tile shall be investigated by the owner and reviewed by the Engineering Division. It was reported at the Environmental Commission that the clay pipe is functional; however, Falcon Partners needs to provide periodic maintenance.
7. Final site, grading, storm water management, and erosion control plans shall be approved by the City Engineer. The Engineering Division is requesting a final grading plan with proposed 1' contours that creates a berm along the top slope of the existing ditch which is constructed to contain storm water a minimum of 1' above the emergency overflow that directs water past the ditch.
8. Owner shall closely maintain the erosion and sediment control devices to protect the City right-of-way, roads and ditches from construction sediment.
9. Street sweeping on an as needed basis shall be part of the sediment control best management practices for the site.
10. Dust must be controlled to the satisfaction of the City.
11. Grading of material on site shall be clean fill conforming to the requirements of Section 420 of the City Code.
12. A \$2,500 cash escrow and \$10,000 performance bond shall be provided.
13. Erosion and sediment control measures may need to be installed to address any concentrated storm water flows from off site.
14. Additional requirements may be added at a future date if proposed features do not adequately address drainage and erosion control prior to full turf establishment.
15. Hours of operation are restricted to 7:00 am to 7:00 pm Monday through Saturday.

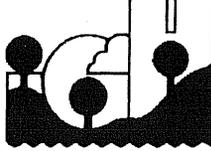
Attachments: Site Location Map & Aerial Photo  
Land Alteration Permit Application  
Existing/Proposed Conditions Map  
Garvey Addition Plat

**Exhibit 1 – Site Location**



**Exhibit 2 – Aerial Photo**





APPLICATION FOR LAND ALTERATION PERMIT

Date of Application 8/1/08

**Excavator**  
 Excavator Falcon Partners  
 Contact Person Robert Mansfield  
 Address 2320 Lexington Ave S. Mendota Hts MN 55120  
 Telephone 612-269-0791 Fax 651-452-~~2627~~ 6524

**Land Owner(s)**  
 Land Owner Falcon Partners  
 Address 2320 Lexington Ave S.  
 Telephone 651-452-2627 Fax 651-452-6524  
 PID No. 20- 28500 011 01  
 Legal Description Lot 1 Block 1 Addition Garvey Addition

Section \_\_\_\_\_ Township \_\_\_\_\_

Land Owner \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax \_\_\_\_\_  
 PID No. 20- \_\_\_\_\_  
 Legal Description Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

Section \_\_\_\_\_ Township \_\_\_\_\_

Description of Land Being Altered

General Location of Land Being Altered See Attached

Purpose of Land Alteration RIGGRADING OF FILL FROM LAND ALT PERMIT #

Value of Work \$ N/A Estimated Start Date SEPTEMBER

Estimated Completion Date OCTOBER '08

Source and Composition of Fill N/A

Cubic Yards of Fill 0 c.y.

Cubic Yards of Excavation 350 c.y.

Total Volume of Land Alteration = 350 c.y.

Total Area of Land Altered 2.8 Acres

|   |          |
|---|----------|
| <b>A. Plan Checking Fees</b>  |          |
| 100 - 500 Cubic Yards .....   | NO FEE   |
| 501 TO 1,000 Cubic Yards .....  | \$25.00  |
| 1,001 to 10,000 Cubic Yards .....   | \$30.00  |
| 10,001 to 100,000 Cubic Yards .....   | \$75.00  |
| (For the first 10,000 Cubic Yards plus \$25.00 for each additional 10,000 Cubic Yards or fraction thereof).   |          |
| 100,001 Cubic Yards or More.....  | \$300.00 |
| (For the first 100,000 Cubic Yards plus \$50.00 for each additional 100,000 Cubic Yards or fraction thereof). |          |

**B. Grading Permit Fees**

|  |          |
|--|----------|
| 100 - 500 Cubic Yards .....  | \$25.00  |
| 501 to 1,000 Cubic Yards.....  | \$50.00  |
| (For the first 500 Cubic Yards plus \$7.50 for each additional 100 Cubic Yards or fraction thereof).           |          |
| 1,001 to 10,000 Cubic Yards .....  | \$87.50  |
| (For the first 1,000 Cubic Yards plus \$12.50 for each additional 1,000 Cubic Yards or fraction thereof).      |          |
| 10,001 to 100,000 Cubic Yards .....  | \$200.00 |
| (For the first 10,000 Cubic Yards, plus \$16.00 for each additional 10,000 Cubic Yards or fraction thereof).   |          |
| 100,001 Cubic Yards or more .....  | \$350.00 |
| (For the first 100,000 Cubic Yards, plus \$25.00 for each additional 100,000 Cubic Yards or fraction thereof). |          |

PLUS \$2,500 CASH ESCROW

|                              |   |
|------------------------------|---|
| <b>A. Plan Checking Fee</b>  | \$ <u>0</u>                                 |
| <b>B. Grading Permit Fee</b> | \$ <u>\$2500</u>                            |
| <b>Total Fee (A + B)</b>     | \$ <u>\$2500</u>                            |
| <b>Amount of Bond</b>        | \$ <u>\$10,000 PLUS \$2,500 CASH ESCROW</u> |

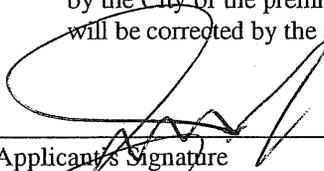
(\$5,000 per acre, minimum \$10,000; Must be submitted upon approval of application, if applicable).

**Attachments to Application (The following plans, drawings, calculations, bonds and/or statements are required by the City Engineer).**

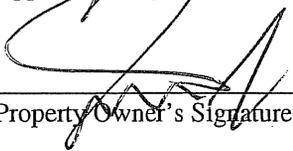
- <sup>SWP</sup> Half-section map or sketch of property showing all adjacent property indicating the existing buildings and/or structures.
- <sup>SWP</sup> Grading plan showing existing and proposed finished contours and elevations.
- Drainage plan showing existing and proposed drainage ways, culverts, storm sewer pipe, drainage structures, stabilization walls, retaining walls, cribbing, dams, or other protective items.  
(MUST SHOW PROPOSED DRAINAGE ARROWS AND CULVERT CROSSING THIS)
- Calculations for and approximate quantities of excavation and/or fill required.
- <sup>N/A</sup> Signed statement from the property owner accepting responsibility for the operation and granting permission for land alteration/mining operation.
- <sup>N/A</sup> Statement to be attached to deed advising of potential need for soil tests prior to any construction on lots where additional fill material has been placed.
- Sediment and erosion control plan meeting the requirements of the City of Inver Grove Heights City Code 430: Stormwater Management.  
(MUST PROVIDE SILT FENCE ALONG TOP OF EXISTING DITCH UNTIL TURP IS ESTABLISHED)
- Conformance with the City of Inver Grove Heights Water Resource Management Plan.
- <sup>N/A</sup> Soil borings.
- <sup>N/A</sup> Conformance with the City of Inver Grove Heights' Tree Preservation Ordinance.
- <sup>N/A</sup> A final use plan, illustrating the ultimate land uses projected for the property.
- <sup>N/A</sup> Location and surface type of access roads.  
(MUST SHOW ACCESS ROADS FOR EQUIPMENT)
- Certification of Comprehensive General Liability Insurance.
- <sup>N/A</sup> Compaction and/or Soil Density Requirements.
- Other: LAND OWNER AGREES TO PROVIDING AS-BUILT DRAWING AND TOPOGRAPHIC SURVEY OF FINAL GRADES

**Stipulations**

1. A surety bond or certified check in the amount of \$\_\_\_\_\_ (\$5,000 per acre, minimum \$10,000) must be submitted after approval of application and prior to any work. This bond or check is to ensure satisfactory performance and compliance with the below stated stipulations. The surety bond or check shall be kept active until the completion work and/or expiration of permit and can only be released by written notification of the City after a satisfactory final inspection has been performed by the City.
2. All access and street frontage of the land site must be controlled by a fence, a minimum of four (4) feet in height. All entrances must have gates that are capable of being locked.
3. Only rock, sand, gravel, dirt or similar natural earth fill is permitted. No concrete, asphalt, or demolition wastes will be permitted as fill unless a demolition landfill permit is first obtained from Dakota County (see attached).
4. Operations shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday - Saturday, and shall not interfere with the health and safety of surrounding residents and the premises shall be maintained at all times so as not to create a nuisance.
5. Any explosives used must be done so in accordance with Inver Grove Heights Code and any other applicable standards, e.g., Federal, State, Industrial, etc. Obtain all required permits.
6. At end of each season's operations and no later than the last day of December, each year, the site is to be left in a neat and orderly condition, with maximum slopes of 3:1 with no overhang of vertical banks and with a level bottom.
7. Each day, or when required by the City, material from this operation that is found to exist on City streets shall be cleaned to the City's satisfaction by the applicants.
8. Upon completion of land alteration operations, the land must be left according to the plans and contours submitted with this application and planted with vegetation (subject to approval by the City) to prevent erosion.
9. Upon completion of land alteration operations or expiration of this permit, an inspection will be made by the City of the premises and adjoining streets. Any damage to have been caused by these operations will be corrected by the applicant upon notification of the City.

  
 Applicant's Signature \_\_\_\_\_ James Riley

Date 8/1/08

  
 Property Owner's Signature \_\_\_\_\_ E.P. Falcon Partner

Date 8/1/08

\_\_\_\_\_  
 Property Owner's Signature

Date \_\_\_\_\_

|                          |                              |                          |                                   |
|--------------------------|------------------------------|--------------------------|-----------------------------------|
| <b>CITY USE ONLY</b>     |                              |                          |                                   |
| Recommended for Approval | <input type="checkbox"/>     | <input type="checkbox"/> | By _____ Date _____               |
|                          | Yes                          | No                       |                                   |
| Recommended for Approval | <input type="checkbox"/>     | <input type="checkbox"/> | By <u>City Council</u> Date _____ |
|                          | Yes                          | No                       |                                   |
| Bond No. _____           | Date Bond Expires _____      |                          |                                   |
| Insurance Company _____  | Date Insurance Expires _____ |                          |                                   |

# Notice of Storm Water Permit Coverage



The Construction site identified below is covered under the National Pollutant Discharge Elimination System General Permit (MNR100001) and is authorized by the Minnesota Pollution Control Agency to discharge storm water associated with construction activities.

Owner:

Falcon Partners LP

General Contractor:

Falcon Partners LP

Project Name:

Falcon Berm - IGH - CSW

Identification Number: C00026087

July 30, 2008

Date Issued

If you have questions regarding the storm water program for construction activity, please access the MPCA's storm water site at <http://www.pca.state.mn.us/water/stormwater/index.html>, or call the MPCA's Customer Assistance Center at 651-297-2274 or toll free at 800-646-6247.



STATE AID HIGHWAY No. 26 (70th St. West)

SOUTH LINE OF THE  
SOUTHEAST 1/4 OF  
SECTION 6.

SE CORNER SE QUARTER  
SEC. 6, T.27N., R.22W.,  
DAK.CO. CAST ALUMINUM MONUMENT FOUND

Robert Trail  
(South)

## Scope of Work

Create a storm water storage area building two earth Berms.

### Berm 1

85' long with the top elevation of 900 southeast

### Berm 2

163' long with the top elevation at 900 west end & 896.11 at east end

This will create storm water storage area of 49,520 square feet at an elevation of 893

The Berm will be built with existing earth, currently stored onsite at the 900.6 elevation. When the Berms are completed they will be seeded with rye.

One continuous silt fence will be installed and maintained on the east side of each Berm to stop any erosion.

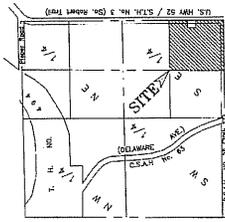
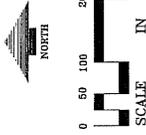
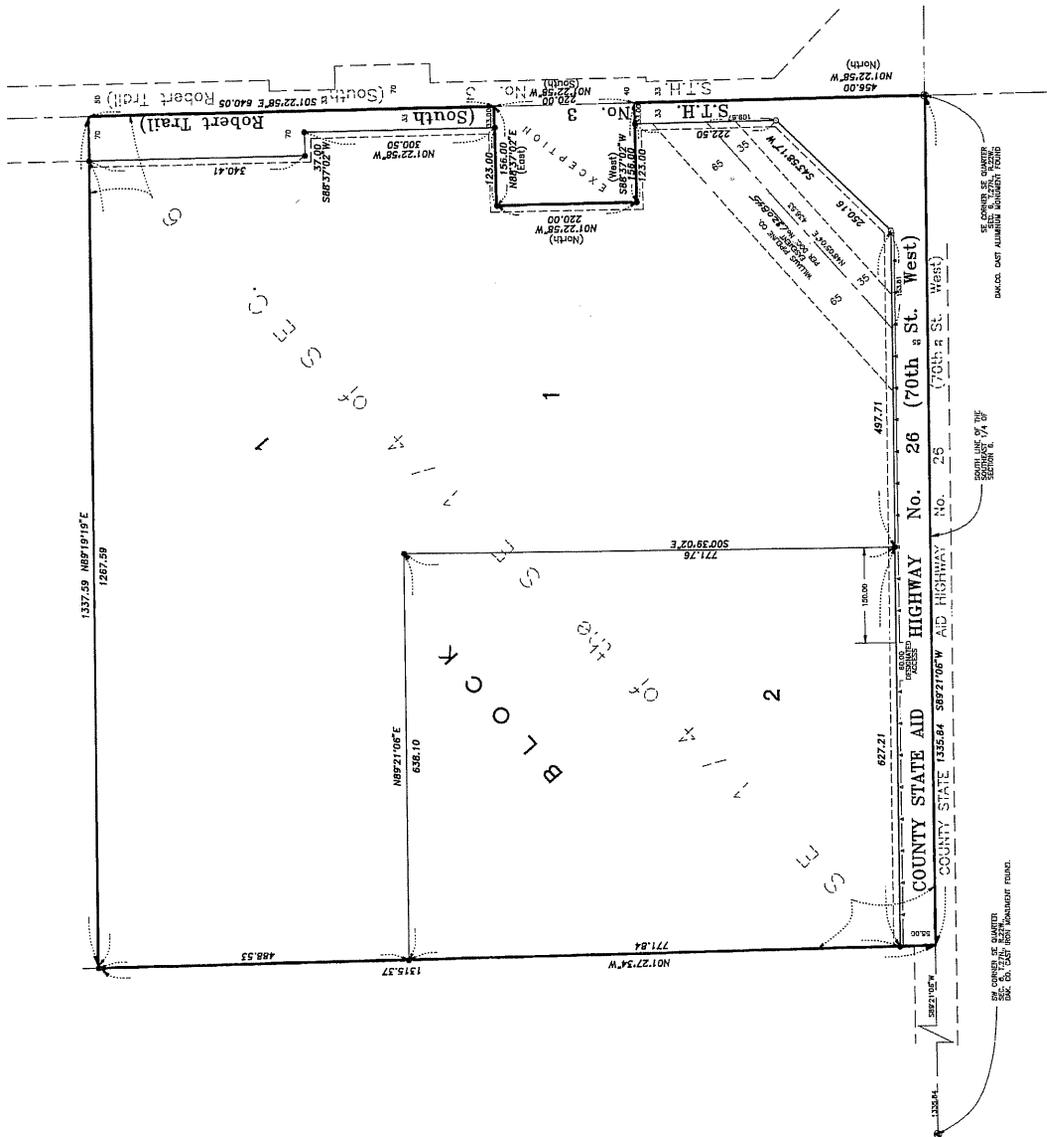
All equipment to be used to build the Berm is onsite and no access from Robert Street will be required.

2 of 2

Twenty-Nine 62

# GARVEY ADDITION

COPY



VICINITY MAP  
SECTION 5, T27N, R22W  
(NO SCALE)

- BEARINGS SHOWN IN PARENTHESIS ARE TAKEN FROM THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 5, T27N, R22W, AND ARE SUBJECT TO THE SURVEY OF 1907.
- DENOTES 3/4 INCH BY 1 1/2 INCH IRON PIPE SET, MARKED WITH MINNESOTA REG. NO. 16099.
- DENOTES A MINNESOTA DEPARTMENT OF TRANSPORTATION SURVEY POINT, 1 INCH DIAMETER STEEL PIPE, 1 INCH DIAMETER STEEL PIPE, AND AS OTHERWISE SHOWN.
- DENOTES RIGHT OF ACCESS RESTRICTED TO DAKOTA COUNTY.

**PAUL R. McLAGAN & SON**  
 MINNESOTA REGISTERED LAND SURVEYORS  
 340 SOUTH ROBERT ST., WEST ST., PAUL, MN. 55118

SHEET 2 OF 2 SHEETS

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

**CONSIDER AMENDMENTS TO CITY CODE SECTION 900 – CIVIL DEFENSE**

Meeting Date: September 8, 2008  
 Item Type: Regular  
 Contact: Jenelle Teppen, Asst. City Admin.  
 Prepared by:  
 Reviewed by:

|                                     |                                    |
|-------------------------------------|------------------------------------|
| <b>Fiscal/FTE Impact:</b>           |                                    |
| <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 the first reading of an ordinance amending City Code Section 900 – Civil Defense

**SUMMARY** Over the past year the City has participated in a number of Emergency Management planning exercises.

Upon review of the City Code with respect to the Emergency Management procedures in place, we recognized a need to update the City Code.

Attached is the ordinance amending Section 900 of the City Code.

CITY OF INVER GROVE HEIGHTS  
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 900 OF THE INVER GROVE HEIGHTS CITY CODE  
RELATING TO EMERGENCY MANAGEMENT**

The City Council of Inver Grove Heights does hereby ordain as follows:

**Section 1. Amendment.** City Code Chapter IX, Section 900, Civil Defense, is hereby amended in its entirety as follows:

**900.01 Policy and Purpose. Subdivision 1.**

~~Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action, and in order to insure that preparations of this City will be adequate to deal with such disasters, and generally to protect the public peace, health, and safety, and to preserve the lives and property of the people of this City, it is hereby found and declared to be necessary:~~

- ~~\_\_\_\_\_ a. \_\_\_\_\_ To establish a local civil defense agency;~~
- ~~\_\_\_\_\_ b. \_\_\_\_\_ To provide for the exercise of necessary powers during civil defense emergencies;~~
- ~~\_\_\_\_\_ c. \_\_\_\_\_ To provide for the rendering of mutual aid between this city and other political subdivisions of this state with respect to the carrying out of civil defense functions.~~

~~\_\_\_\_\_ **Subd. 2.** It is further declared to be the purpose of this section and the policy of this City that all civil defense functions of this City be coordinated to the maximum extent practicable with the comparable functions of the federal government, of this state, and of private agencies, to the end that the most effective preparations and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster that may occur.~~

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparations of the City of Inver Grove Heights will be adequate to deal with such disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the City of Inver Grove Heights, it is hereby found and declared to be necessary:

- (A) \_\_\_\_\_ To establish a city emergency management organization responsible for planning and preparation for emergency government operations in time of disasters.
- (B) \_\_\_\_\_ To provide for the exercise of necessary powers during emergencies and disasters.
- (C) \_\_\_\_\_ To provide for the rendering of mutual aid between the City of Inver Grove Heights and other political subdivisions of this State and of other states with respect to the carrying out of emergency preparedness functions.

(D) To comply with provisions of Minnesota Statutes, Chapter 12, Section 12.25, which requires that each political subdivision of Minnesota shall establish a local organization for emergency management.

**900.03 Definitions, Subdivision 1.** For purposes of this section, the terms defined in this subsection have the meanings given to them.

~~**Subd. 2. “Civil Defense”** means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action. These functions include, without limitation, fire-fighting services, police services, rescue, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.~~

~~**Subd. 3. “Civil Defense Emergency”** means an emergency declared by the governor under the Minnesota Civil Defense Act of 1951, Ch.694, Sec. 301.~~

~~**Subd. 4. “Civil Defense Forces”** means any personnel employed by the City and any other volunteer or paid member of the local civil defense agency engaged in carrying on civil defense functions in accordance with the provisions of this section or any rule or order thereunder.~~

**Subd. 2. “Emergency Management”** means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by fire, flood, tornado and other acts of nature, or from sabotage, hostile action, or from industrial hazardous material mishaps. These functions include, without limitation, fire-fighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out of the foregoing functions. Emergency management includes those activities sometimes referred to as "Civil Defense" functions.

**Subd. 3. “Disaster”** means a situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted in or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

**Subd. 4. “Emergency”** means an unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

**Subd. 5. “Emergency Management Forces”** means the total personnel resources engaged in city-level emergency management functions in accordance with the provisions of this resolution or any rule or order there under. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

**Subd. 6. “Emergency Management Organization”** means the staff element responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination with federal, state and local jurisdictions relative to

disaster preparedness activities and assures implementation of federal and state program requirements.

**900.05. Establishment of an Emergency Management Organization Subdivision 1. Established.**

~~There is hereby created within the City government a civil defense agency which shall be under the supervision and control of a director of civil defense, hereinafter called the director. The director shall be appointed by the mayor for an indefinite term and may be removed by him at any time. He shall serve without salary but shall be paid his necessary expenses. The director shall have direct responsibility for the organization, administration, and operation of the civil defense agency, subject to the direction and control of the mayor.~~

There is hereby created with the City of Inver Grove Heights government an emergency management organization that shall be under the supervision and control of the Emergency Management Director, hereinafter called the "director." The director shall be designated by the City Administrator for an indefinite term and may be removed by the City Administrator at any time. The director shall have direct responsibility for the organization, administration and operation of the emergency preparedness organization, subject to the direction and control of the City Administrator. An Emergency Management Coordinator, hereinafter called the "coordinator" may be designated to assist the director in fulfilling emergency management duties.

**900.07. Powers and Duties of the Director, Subdivision 1. Represent City.** ~~The director, with the consent of the mayor, shall represent the City on any regional or state organization for civil defense. He shall make such studies and surveys of the manpower, resources, and facilities of the City as he deems necessary to determine their adequacy for civil defense and to plan for their most efficient use in time of a civil defense emergency. He shall prepare a general plan for the civil defense of the City, coordinating the civil defense activities of the City, and present such plan to the Council for its approval. When the Council has approved the plan by resolution, it shall be the duty of all municipal agencies and all civil defense forces of the City to perform the duties and functions assigned to them by the plan as approved.~~

~~———— **Subd. 2. Training Programs.** The director shall institute such training programs and public information programs and take such other preparatory steps, including civil defense exercises, as he may deem necessary.~~

~~———— **Subd. 3. Equipment; Personnel.** The director shall utilize to the maximum extent practicable the personnel, services, equipment, supplies, and facilities of the City and shall organize, recruit, and train air-raid wardens, auxiliary police, auxiliary firemen, and any other personnel that may be required on a volunteer basis to carry out the civil defense plans of the City and the state. The director may dismiss any civil defense volunteer at any time and require him to surrender any equipment and identification furnished by the City.~~

~~———— **Subd. 4. Coordination.** The director shall direct and coordinate the general operation of all local civil defense forces during a civil defense emergency in conformity with controlling regulations and instructions of the state civil defense authorities. He shall provide and equip at~~

~~some suitable place in the City a control center to be used during a civil defense emergency as headquarters for direction and coordination of civil defense forces. He shall arrange for the installation at the control center of necessary facilities for communication with and between~~

~~operating units of municipal services and other agencies concerned with civil defense and for communication with other communities and control centers within the surrounding area.~~

**Powers and Duties of the Director Subdivision 1.** The director shall act as principal aide and advisor to the city official responsible for direction and control of all city emergency operations during an emergency. The director's main responsibility is to assure coordination among the operating departments, non-governmental groups, and with higher and adjacent governments.

**Subd. 2. Representative of the City.** The director, with the consent of the City Administrator, shall represent the City of Inver Grove Heights on any regional or state conference for emergency management.

**Subd. 3. Mutual Aid.** The director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present such agreements to the City Council for its action. Such arrangements shall be consistent with the State Emergency Plan.

**Subd. 4. Studies and Planning.** The director shall make studies and surveys of the manpower, industries, resources and facilities of the City as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster.

**Subd. 5. Emergency Plan.** The director shall prepare a comprehensive emergency plan, consistent with the National Incident Management System, for the emergency preparedness of the city, including municipal and unincorporated areas and shall present such plan to the City Council for its approval. When the Council has approved the plan by resolution, it shall be the duty of all city departments and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plan of the Federal Government and the State and correlated with emergency plans of other political subdivisions within the State.

**Subd. 6. Training Programs.** In accordance with the State and County Emergency Plan, the director shall institute such training programs, public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the Inver Grove Heights Emergency Operations Plan when a disaster occurs.

**Subd. 7. County Personnel.** The director shall utilize the personnel, services, equipment, supplies and facilities of existing departments and agencies of the County to the maximum extent practicable. The officers and personnel of all such departments and agencies shall, to the maximum extent practicable, cooperate with and extend such services and facilities to the city emergency management organization and to the Governor upon request. The head of each department or agency in cooperation with the director shall be responsible for the planning and programming of such emergency activities as will involve the utilization of the facilities of the department or agency.

**Subd. 8. City Personnel.** The director shall, in cooperation with existing city departments and agencies affected, assist in the organizing, recruiting and training of such emergency management personnel that may be required on a volunteer basis to carry out the emergency plans of the City and state. To the extent that such emergency personnel are recruited to

augment a regular City department or agency for emergencies, they shall be assigned to such departments or agencies and shall be under the administration and control of said department or agency

**Subd. 9. Rules and Regulations Issued by the Governor's Office.** The director shall carry out all orders, rules and regulations issued by the Governor with reference to emergency management.

**Subd. 10. Reports.** The director shall prepare and submit such reports on emergency preparedness activities as may be requested by the City Council/City Administrator.

**900.09 General Provisions on Civil Defense Workers. Subdivision 1. Oath.** No person shall be employed or associated in any capacity in the civil defense agency who advocates or has advocated a change by force or violence in the constitutional form of government of United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment on information charging any subversive act against the United States. Each person who is appointed to serve in the civil defense agency shall, before entering upon his duties, take an oath in writing as prescribed by the Minnesota Civil Defense Act of 1951, Section 403.

~~Subd. 2. Service.~~ Civil defense volunteers shall be called into service only in case of a civil defense emergency for which the regular municipal forces are inadequate or for necessary training and preparation for such emergencies. All volunteers shall serve without compensation.

~~Subd. 3. Identification.~~ Each civil defense volunteer shall be provided with such suitable insignia or other identification as may be required by the director in a form and style approved by the federal government. No volunteer shall exercise any authority over the persons or property of others without his identification. No person except an authorized volunteer shall use the identification of a volunteer or otherwise represent himself to be an authorized volunteer. No civil defense volunteer shall carry any firearm while on duty except on written order of the mayor.

**Local Emergencies Subdivision 1.** A local emergency may be declared only by the Mayor or the Mayor's legal successors. It shall not be continued for a period in excess of three days except by or with the consent of the governing board of the political subdivision. Any order, or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed promptly by the City Clerk's Office.

**Subd. 2. Declaration of Local Emergency.** A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.

**Subd. 3. Outside Agencies.** No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions.

**900.11 Emergency Regulations. Subdivision 1. Proclamation.** Whenever necessary to meet a civil defense emergency the mayor may by proclamation promulgate regulations respecting all matters which are required to protect public safety, health, and welfare in civil defense emergencies. No regulation governing observation of enemy aircraft, air attack,

alarms, or illumination during air attacks shall be adopted or take effect unless approved by the state director of civil defense.

~~Subd. 2. **Form of Regulations.** Every proclamation of emergency regulations shall be in writing and signed by the mayor, shall be dated, shall refer to the particular civil defense emergency to which it pertains, if so limited, and shall be filed in the office of the Clerk, where a copy shall be kept posted and available for public inspection during business hours. Notice of the existence of such regulation and its availability for inspection at the Clerk's office shall be conspicuously posted at the front of the City Hall and at such other places in the affected area as the mayor shall designate in the proclamation. Thereupon the regulation shall take effect immediately. By like proclamation the mayor may modify or rescind any such regulation.~~

**Emergency Regulations Subdivision 1.** Whenever necessary to meet a declared emergency or to prepare for such an emergency for which adequate regulations have not been adopted by the Governor or the City Council, the Council may by resolution promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulation, drills, or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.

**Subd. 2. Required Posting.** Every resolution of emergency regulations shall be in writing; shall be dated; shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the City Clerk's Office, which copy shall be kept posted and available for public inspection during business hours. Notice of the existence of such regulation and its availability for inspection at the Clerk's Office shall be conspicuously posted at the front of the City Hall or other headquarters of the City or at such other places in the affected area as the Mayor shall designate.

**Subd. 3. Rescission Period.** The City Council may rescind any such regulation by resolution at any time. If not sooner rescinded every such regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent such conflict exists.

**Subd. 4. Limited Exemption from State and Local Rules and Regulations.** During a declared emergency, the City is, notwithstanding any statutory or charter provision to the contrary, empowered, through its governing body acting within or without the corporate limits of the City, to enter into contracts and incur obligations necessary to combat such disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of such disaster. The City may exercise such powers in the light of the exigencies of the disaster without compliance with the time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds including, but not limited to, publication of resolutions, publication of call for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for budgets.

~~**900.13 Civil Defense Agency Procedure. Subdivision 1. Special Fund Created.** There is hereby established in the City treasury a special fund to be know as the Civil Defense Fund. Into this fund shall be placed the proceeds of taxes levied for civil defense and other revenues of the civil defense agency. From it shall be made expenditures for the operation and maintenance of the civil defense agency and other expenditures for civil defense.~~

~~**Subd. 2. Annual Report.** The director shall, as soon as possible after the end of each fiscal year, prepare and present to the Council for the information of the Council and the public, a report of the activities of the civil defense agency during the year.~~

**Emergency Management A Governmental Function.**

~~All functions there under and all other activities relating to emergency management are hereby declared to be governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this resolution or under the worker's compensation law, or under any pension law, nor the right of any such person to receive any benefits or compensation under any act of Congress.~~

~~**900.15. Conformity and Cooperation with Federal and State Authority.** Every officer and agency of the City shall cooperate with federal and state authorities and with authorized agencies engaged in civil defense and emergency measures. The provisions of this section and of all regulations made thereunder shall be subject to all applicable and controlling provisions of federal and state laws and of regulations and orders issued thereunder and shall be deemed to be suspended and inoperative so far as there is any conflict therewith.~~

~~**900.17. Prohibited Illumination a Nuisance.** Any illumination within the City contrary to the provisions of this section pertaining to civil defense or of any regulation adopted thereunder or of any federal or state law, regulation, or order shall be deemed a public nuisance. Any regular policeman may abate such nuisance summarily or may take any other action necessary to enforce such provisions, including entry on private property and the use of whatever reasonable force is necessary.~~

~~**900.15 Participation in Politics or Labor Dispute.** The civil defense agency shall not participate, directly or indirectly, in any form of political activity, nor shall it be employed in any legitimate labor dispute.~~

**Participation in Labor Dispute or Politics**

~~The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.~~

~~**900.21. Penalty.** Any person who violates any provision of this section or any regulation adopted hereunder relating to acts, omissions, or conduct other than official acts of city officers or employees, shall be guilty of a misdemeanor.~~

**Section 2. Effective Date.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this 13<sup>th</sup> day of October, 2008.

BY: \_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheume, City Clerk