

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, APRIL 13, 2009 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, April 13, 2009, in the City Council Chambers. Mayor Tourville called the meeting to order at 7:30 p.m. Present were Council members Grannis, Klein, Madden, and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Community Development Director Link, Parks & Recreation Director Carlson, Finance Director Lanoue and Deputy Clerk Rheaume.

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Councilmember Piekarski Krech removed Item 4H, Authorize Expenditure of Funds to Upgrade Fiber Module at Fire Station Three from the Consent Agenda

- A.** Minutes of March 23, 2009 Regular Council Meeting
- B.** **Resolution 09-52** Approving Disbursements for Period Ending April 8, 2009
- C.** **Resolution 09-53** Approving Temporary Easement Agreement between the City of South Saint Paul and the City of Inver Grove Heights allowing use of a portion of South Saint Paul Airport Land for City Project No. 2009-09D
- D.** **Resolution 09-54** Authorizing the City to Enter into Traffic Control Signal Agreement No. 94220R with Mn/DOT and Dakota County
- E.** **Resolution 09-55** Accepting Proposal from WSB and Associates, Inc. for 2009 NPDES Storm Water Permit Assistance Program
- F.** Approve Joint Powers Agreement relating to Edward Byrne Memorial Grant
- G.** Approve Contract with Dakota County for Sentence to Serve
- I.** Schedule Public Hearing
- J.** Personnel Actions

Motion by Madden, second by Grannis, to approve the Consent Agenda.

Ayes: 5

Nays: 0 Motion carried.

H. Authorize Expenditure of Funds to Upgrade Fiber Module at Fire Station Three

Councilmember Piekarski Krech questioned if this work would need to be completed if the proposed City Facilities project was to move forward.

Ms. Teppen responded that the fiber module would be used in the long-term because personnel would continue to operate out of two fire stations and programs would not be removed from the computers.

Councilmember Piekarski Krech questioned if the funds should be taken from the City Facilities Fund or the Fire Department budget.

Mayor Tourville stated that the upgrade to the fiber module is required for the system at the Fire Station to operate more efficiently and the previous upgrades to the City's phone system were funded via the City Facilities Fund.

Motion by Klein, second by Madden to Authorize Expenditure of Funds to Upgrade Fiber Module at Fire Station Three

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Ed Gunter, 6671 Concord Boulevard, explained that on April 27th construction on Concord Boulevard is scheduled to begin and he expressed concerns regarding the signage for businesses located on the North end of Concord.

Mr. Thureen responded that businesses within the construction zone do have “trailblazing” signs. He explained that for businesses located outside of the construction zone, the assumption is that traffic will utilize detours to access those businesses so that area typically does not have signs posted.

6. PUBLIC HEARINGS: None.

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

A. QUALITY PROPANE, INC.; Consider the following resolutions for property located on the East side of Clark Road

- i) Resolution relating to a Conditional Use Permit to allow for a fuel storage (propane) tank facility and to allow storage of small tanks and related equipment
- ii) Resolution relating to a Variance to allow outdoor storage to encroach into the required 100 foot buffer along property zoned A, Agricultural

Mr. Link explained that the applicant is proposing construction of a fuel storage facility consisting of 5-30,000 gallon propane tanks buried partially underground within a sand filled concrete containment area. He stated that outdoor storage is also being requested to store empty propane tanks and equipment. He noted that improvements would include a 5,000 square foot office/storage building with a parking lot in front of the building with the balance of the lot consisting of crushed rock around the tanks and storage area. He added that a chain link fence would surround the lot and the applicant has requested a variance from a required buffer setback. He stated that the proposal meets all of the performance standard requirements with the exception of the buffer requirements. He explained that the applicant has proposed to construct a six foot high berm with a six foot high solid wood fence on top to mitigate the impacts of the outdoor storage from the residences to the East. He added that the Comprehensive Plan anticipates that the area will eventually develop with industrial uses. He explained that the hardship is that the ordinance is narrowly worded and noted that both the Planning Commission and Planning staff recommended approval of the requests.

Councilmember Piekarski Krech asked if the operation would be similar to that of Ferrell Gas, just on a smaller scale. She also questioned if the fuel would be brought to the site via pipeline.

Mr. Link responded that fuel would be brought to the site by trucks.

Councilmember Piekarski Krech asked if painting would occur inside of the building.

Russ Head, Quality Propane, explained that the operation would be a retail facility with no pipeline, very similar to that of Ferrell Gas. He stated that the painting is all done with a roller and noted that there would be no spray painting.

Councilmember Klein asked for an explanation regarding the concrete containment area.

Mr. Head stated that the containment area is a two foot retaining wall block, on grade. He explained that the main function of the concrete barrier is to prevent the sand covering the tanks from spilling out.

Councilmember Piekarski Krech asked if the general public would be served.

Mr. Head responded that the business would serve commercial customers as well as the general public.

Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 09-56 relating to a Conditional Use Permit to allow for a fuel storage (propane) tank facility and to allow outdoor storage of small tanks and related equipment and Resolution No. 09-57 relating to a Variance to allow outdoor storage to encroach into the required 100 foot buffer along property zoned A, Agricultural

Ayes: 5

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Amendment to Sec. 510 (Subdivision Regulations) of the City Code adopting regulations related to street naming and addressing

Mr. Link explained that the City Attorney and Staff recommended two minor administrative changes to the ordinance. He stated that a change to Subdivision 5.1 is proposed so the ordinance recognizes any changes that may be made to the County addressing procedural manual. He added that the second change is to Section 2 which includes adding “addresses” to the list of what is part of the official map of streets.

Motion by Madden, second by Piekarski Krech, to approve the Second Reading of an Ordinance Amendment to Sec. 510 (Subdivision Regulations) of the City Code adopting regulations related to street naming and addressing

Ayes: 5

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting the Proposal of Landmark Environmental to Prepare a Phase II Environmental Investigation for the Highway 52 Site

Mr. Link explained that the northern property is owned by the City and has been used over the years for public works open storage and the middle property was acquired by Mn/DOT during the construction of Highway 52. He stated that a Phase I environmental analysis concluded that the Mn/DOT property has soil contamination that is likely lead and polycyclic aromatic hydrocarbons. He explained that the Phase I analysis also found that the northern City property may have soil contamination because it was used for the stockpiling of soils of unknown origin, street sweepings, and asphalt. He stated that a Phase II environmental investigation of the site would involve the collection and analysis of soil samples from the northern City property only. He added that the estimated cost for the Phase II investigation is \$2,775.00 and this expenditure was included in the 2009 budget. He noted that there is a MPCA program that may provide and environmental investigation of the Mn/DOT property at no cost to the City and staff has submitted a request for such assistance.

Mayor Tourville asked if this investigation is required if the City wants to market the property in the future.

Councilmember Piekarski Krech asked if the costs associated with the analysis would be recouped in any future sale of the property.

Councilmember Madden confirmed that the analysis would be done on property owned by the City.

Mr. Link responded that the investigation would be required for the City to market the property and confirmed that if the City were to sell the property the costs would be recovered.

Motion by Madden, second by Klein, to approve Resolution No. 09-58 Accepting the Proposal of Landmark Environmental to Prepare a Phase II Environmental Investigation for the Highway 52 Site

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

D. CITY OF INVER GROVE HEIGHTS; Consider Resolution Receiving the Feasibility Report, Authorizing an Appraisal Analysis, Authorizing Preparation of Plans and Specifications, and Scheduling a Public Hearing for the 2009 Pavement Management Program, City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay

Mr. Thureen explained that in 2008 the City Council directed staff to postpone the project to provide time for further review and response to residents' inquiries. He stated that the project would include a mill and overlay portion as well as a reconstruction portion with two options for the reconstruction portion. He explained that the proposal includes reconstruction of the majority 63rd Street and some of the side streets going South. He noted that after the neighborhood meeting staff decided to update the feasibility study. He stated that a geotechnical consultant was brought in to analyze whether or not a 500 foot section at the end of 63rd street was in need of full reconstruction and noted that there are two options for this section included in the feasibility report. He explained that a benefit analysis is needed to determine the sustainable assessment amount for the area prior to the public hearing. He noted that staff would also be holding another neighborhood meeting to further discuss the project with residents.

Motion by Klein, second by Grannis to receive the letter submitted by Paul Johnston

Ayes: 5

Nays: 0 Motion carried.

Motion by Klein, second by Piekarski Krech, to adopt Resolution No. 09-59 receiving the Feasibility Report, Authorizing an Appraisal Analysis, Authorizing Preparation of Plans and Specification, and Scheduling a Public Hearing for the 2009 Pavement Management Program, City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay

Bill McMenemy, resident, stated that he requested the road maintenance documents from staff and still has not received the information. He questioned the estimated assessment amounts included in the feasibility report and stated that there are still a number of residents in the neighborhood that feel that a lot of the work that is included in the feasibility report does not need to be done. He stated that the neighbors are willing to compromise and would like to further discuss the project at the neighborhood meeting. He also questioned why all of the properties in the area were marked.

Mr. Thureen responded that it is standard practice to mark properties as preparation for putting construction plans together so that utility line information can be included in the plans. He stated that the assessment amounts included in the report are estimates.

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS; 2009 Budget Amendments

Mr. Lynch explained that Council requested additional information for two of the items included in the proposed 2009 budget amendments. He stated that the recommendation to reduce the number of hours for a position in the inspections department was changed so that the position would be restored to full time. He noted that the position would be utilized in another department for ten hours per week. He explained that the recommendation to eliminate one position at the Veterans Memorial Community Center is still proposed.

Motion by Klein, second by Grannis, to approve the 2009 Budget Amendments as proposed.

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR AND COUNCIL COMMENTS:

Mayor Tourville stated that a work session to discuss the proposed Public Safety Addition/City Hall Renovation project needs to be scheduled for Thursday, April 23, 2009 at 6:00 p.m.

Motion by Madden, seconded by Piekarski Krech, to schedule a Special Council Work Session on

April 23, 2009 at 6:00 p.m. to discuss the City Facilities Project.

Ayes: 5

Nays: 0 Motion carried

Councilmember Piekarski Krech reminded citizens that Spring Clean-Up Day is scheduled on April 25th. She asked if there was anything that could be done to reduce the fees in an effort to encourage residents to participate in the event.

Mayor Tourville added that Park Clean-Up Day is also scheduled on April 25th.

Councilmember Grannis stated that there are some employees that have questions and suggestions regarding the budget and would like to be more involved in the process going forward. He asked that a staff member be designated as a contact person for those employees and also recommended leaving a box in the break room for those employees that would like to make suggestions anonymously.

Councilmember Klein requested that information regarding the Cahill Improvements be brought back.

Mr. Kuntz suggested that the Public Works department be directed to prepare the feasibility report for the Cahill Improvements. He stated that the feasibility report should include the baseline methodology for calculation of assessments that is currently used. He noted that parcels also serviced by a private road would have an alternative assessment amount listed in the report for Council consideration.

9. EXECUTIVE SESSION:

A. DOFFING AVENUE ACQUISITION PROGRAM

10. ADJOURN: Motion by Grannis, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 8:50 p.m.