

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
TUESDAY, MAY 26, 2009 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Tuesday, May 26, 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:

4. CONSENT AGENDA:

Councilmember Klein removed Item 4A, Minutes – May 11, 2009 Regular Council Meeting from the Consent Agenda

Mr. Thureen removed Item 4D – Resolution Receiving Bids and Awarding Contract for the 2009 Pavement Management Program, City Project No. 2009-09A, Cracksealing – from the Consent Agenda

Councilmember Grannis removed Item 4E - Resolution Receiving Bids and Awarding Contract for the 2009 Pavement Management Program, City Project No. 2009-09B, Sealcoating – from the Consent Agenda

Mayor Tourville removed Item 4G – Approve Resolution releasing Lot 18, Block 3, Southern Lakes 5th Addition from recorded development contracts – from the Consent Agenda

Councilmember Piekarski Krech removed Items 4N - Approve Contract with Qwest to relocate utility for Public Safety Addition/City Hall Renovation, 4O – Approve Contract with Comcast to relocate utility for Public Safety Addition/City Hall Renovation and 4P – Consider Purchase of Event Tent, from the Consent Agenda.

- B. Resolution No. 09-98** Approving Disbursements for Period Ending May 20, 2009
- C.** Pay Voucher No. 11 for City Project No. 2003-15, Northwest Area Trunk Utility Improvements
- F.** Approve Floodplain Mapping Agreement relating to River Heights Marina and **Resolution No. 09-101** Levying a Special Assessment against Tax Parcel #20-36500-151-42
- H.** Approve Water Tower Site Lease Agreement with Cingular
- I.** Approve Purchase of Eight-Inch Pressure Reducing Station from Northwestern Power Equipment Company, Inc.
- J.** Accept Proposal for Water Distribution System Leak Detection Services
- K. Resolution No. 09-104** Authorizing the City to Enter into Amended Traffic Control Signal Agreement Number 94220R with Mn/DOT and Dakota County
- L.** Approve Contract for Continuing Disclosure Reporting Services
- M.** Approving Changing the name National Night Out to Minnesota's Night to Unite
- Q.** Award Contract for Installation of Non-Slip Flooring at Fire Stations
- R.** Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

A. Minutes – May 11, 2009 Regular Council Meeting

Councilmember Klein indicated that he would abstain from voting on the approval of the minutes because he was absent on May 11th.

Motion by Grannis, second by Madden, to approve the Minutes of the May 11, 2009 Regular Council Meeting**Ayes: 4****Nays: 0****Abstain: 1 (Klein) Motion carried.****D. Resolution Receiving Bids and Awarding Contract for the 2009 Pavement Management Program, City Project No. 2009-09A – Cracksealing**

Mr. Thureen stated that a revised resolution was provided to the Council. He explained that the City Attorney suggested that language be added to the “now therefore” clause of the resolution to denote that the City officially accepted the withdrawal of the bid submitted by Astech Corp.

Motion by Klein, second by Madden, to adopt Resolution No. 09-99 Receiving Bids and Awarding Contract to Pearson Brothers, Inc. in the amount of \$57,243.75 for the 2009 Pavement Management Program, City Project No. 2009-09A, Cracksealing**Ayes: 5****Nays: 0 Motion carried.****E. Resolution Receiving Bids and Awarding Contract for the 2009 Pavement Management Program, City Project No. 2009-09B – Seal coating**

Councilmember Grannis stated that the alternate bid that includes cul-de-sacs should be considered because he thinks it is a mistake to not maintain some of the areas of the streets.

Mr. Thureen responded that the base bid plus alternate two was not recommended for approval by staff because seal coating cul-de-sacs has been a source of complaints from residents in the past due to loose seal coating aggregate and rough surfaces. He explained that the aggregate is knocked loose much more easily than on a typical street because there is not enough traffic volume on cul-de-sacs to provide proper bedding and compaction of the rock. He noted that several alternative treatments were considered by staff and it was determined that the alternatives would not last as long. He stated that cul-de-sacs would be included if the Council chose to award the base bid plus alternate two.

Councilmember Piekarski Krech stated that residents on cul-de-sacs need to be informed that the City does not have the staff available to sweep the loose aggregate on every cul-de-sac in the City multiple times.

Motion by Grannis, second by Piekarski Krech, to adopt Resolution No. 09-100 Receiving Bids and Awarding Contract to Pearson Brothers, Inc. in the amount of \$135,441.49 for the 2009 Pavement Management Program, City Project No. 2009-09B, Seal coating**Ayes: 5****Nays: 0 Motion carried.****G. Approve Resolution releasing Lot 18, Block 3, Southern Lakes 5th Addition from recorded development contracts – Nicholas & Jennifer Bartl**

Mr. Kuntz explained that the applicants are in the process of purchasing the home on Lot 18, Block 3 of the Southern Lakes 5th Addition. He stated that the development is complete and the applicants have requested that the subject lot be released from the recorded development contract. He explained that the development contracts recorded against the property were reviewed and no issues were found relating to the release of the lot from the development contracts with two exceptions. He stated street lighting obligations which state that the lot is charged for energy costs must remain in place and the joint powers agreement with Eagan covering utilities and fees must remain in place.

Motion by Piekarski Krech, second by Grannis, to adopt Resolution No. 09-102 releasing Lot 18, Block 3 from Southern Lakes 1st, 2nd, 3rd & 4th Addition Development Contracts & Resolution No. 09-103 approving the partial release of Lot 18, Block 3, from Southern Lakes 5th Addition Development Contract

Ayes: 5

Nays: 0 Motion carried.

N. Approve Contract with Qwest to relocate utility for Public Safety Addition/City Hall Renovation

O. Approve Contract with Comcast to relocate utility for Public Safety Addition/City Hall Renovation

Councilmember Piekarski Krech stated that she is concerned that the combined totals of the work associated with items 4N, 4O & 7J is \$10,000 over the allocated project budget amount.

Mayor Tourville noted that item 7J is for the engineering services associated with the relocation.

Ms. Teppen responded that the \$20,000 that was allocated in the budget was an estimate because it was unknown at that time what the cost would be for the labor and materials associated with the relocation of utilities. She stated that contracts are in place with Qwest and Comcast and they reflect the actual costs for the labor and materials needed to relocate the utilities.

Mayor Tourville added that the City does not have any other alternatives because the utilities need to be moved.

Motion by Madden, second by Klein, to approve contracts with Qwest & Comcast to relocate utilities for Public Safety Addition/City Hall Renovation

Ayes: 5

Nays: 0 Motion carried.

P. Consider Purchase of Event Tent

Councilmember Piekarski Krech questioned why the City was paying for the tent when it was being used by the Best Foundation at the time the damage occurred.

Mr. Carlson responded that the City owns the tent and an insurance claim was submitted. He stated that it appears very likely that the City will be reimbursed for the cost to replace the tent. He explained that the tent was donated to the City and is set up by City staff for two events annually.

Councilmember Piekarski Krech clarified that the tent was damaged at an event that was not sponsored by the City. She questioned why the claim would be submitted on the City's insurance when it was not damaged at a City event. She asked that the item be tabled to get more information regarding the insurance claim. She stated that she is not comfortable spending the money when she is not sure who should be responsible.

Motion by Piekarski Krech, second by Klein, to table the item to June 8, 2009

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Dorothy Van Hoven, 10632 Alison Way, stated that the trail that was recently completed in the Southern Lakes neighborhood is used daily by residents. She explained that the trail ends at Cliff Road and residents would like a sidewalk constructed to the West, along Cliff Road, back to the two entrances to the Southern Lakes subdivision. She stated that the sidewalk would help alleviate major safety concerns of those attempting to travel along Cliff Road where the speed limit is 55mph. She noted that Dakota County was contacted and the response that was received was previously provided to the Council.

Mayor Tourville responded that staff would evaluate the request and the response from Dakota County and it would be placed on a Council agenda for discussion and consideration at a later date.

Clarence Sampson, 7600 River Road, commended the City and the Council for improvements that were made at River Front park. He raised concerns regarding graffiti on the bridge at 77th Street. He stated that he wants to see the bridge painted more frequently and added that he volunteered to paint the bridge if the City provided the paint. He explained that he is not satisfied with the amount of time it has taken the City to work out the adopt-a-bridge program that would allow him to cover the graffiti.

Jim Douglas, 8657 Callahan Trail, informed the Council that the Arbor Pointe Master Association would be installing containers for the disposal of animal waste along Broderick and Brooks Boulevard to see if people start using them. He expressed safety concerns regarding the intersection of Callahan Trail and Cahill Avenue. He suggested that signs be installed to make drivers aware of the “blind” intersection. He stated that the Arbor Pointe Master Association would be seeking reimbursement from the City for work that was done last winter to remove and dispose of asphalt that was torn up.

Allan Cederberg, 1162 East 82nd Street, stated that he would be filing a complaint with the District Court against the City because he feels that the City did not follow the proper procedure when it authorized the issuance and sale of General Obligation Bonds for the Public Safety Addition/City Hall renovation project. He also discussed the expiration of his term as the alternate representative to the Gun Club Watershed Management Organization and questioned if a replacement would be appointed.

Mr. Thureen responded that the position was advertised in the City’s official newspaper and a recommendation would be brought to the Council after the application period expired.

Mayor Tourville added that the opening was also posted on the City’s website.

Dayle Bright, 8611 Brinkley Lane, stated that she concerned with the condition of Cahill Avenue and questioned why it has taken the City so long to fix the street.

Mayor Tourville responded that those questions would be addressed under Item 6B.

6. PUBLIC HEARINGS:

A. CITY OF INVER GROVE HEIGHTS; Consider Resolution Ordering Improvements, Approving Plans & Specifications and Authorizing Advertisement for Bid for City Project No. 2008-09F, Salem Hills Farm Reconstruction/Mill and Overlay

Mr. Thureen explained that the public hearing was opened at the May 11th Council meeting and staff was directed to survey the property owners in the project area to determine the level of sump pump use. He added that 58 responses had been received to date and that staff would summarize the results of the survey and provide the information to the consultant for review. He stated that staff was also directed to work with the geotechnical consultant to determine what additional field testing and analysis would need to be completed to address the residents’ concerns regarding the affect of the proposed street reconstruction on the ground water level and on the water bodies that would receive the groundwater collected by the proposed street drain tile system. He recommended that the Council continue to leave the public hearing open until the June 8th Council meeting to allow the results of the survey to be analyzed by the consultant.

Motion by Klein, second by Madden, to table consideration of the item and continue the public hearing on June 8, 2009 at 7:30 p.m. in the City Council Chambers

Ayes: 5

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider a Resolution Ordering the Project, Approving Plans and Specifications, and Authorizing Advertisement for Bids for 2008 Pavement Management Program – City Project No. 2008-09G, Cahill Avenue/Brooks Boulevard Mill and Overlay

Mr. Thureen explained that the streets were constructed in 1993 and 1994 and the Pavement Condition Index was assessed three years ago and the rating at that time did not warrant a mill and overlay as determined by the Pavement Management Program policy. He stated that since the last pavement assessment significant wearing course failure has occurred, and the City retained American Engineering

and Testing to take core samples and provide a recommendation to the City based on their analysis. He explained that in their May 7, 2008 report AET recommended a two-inch deep mill and overlay due to the wearing course layer having insufficient density.

Mr. Thureen explained that the project was considered in 2008 and it was not approved due to citizen concerns over assessment of properties with private streets that abut the project area. He added that there was also a desire to research whether or not the City should include improvements to private streets in public projects. He stated that in response to the assessment concerns, the feasibility study was amended to provide two options for an increased City contribution to reduce the assessments. He noted that the City Attorney has determined that the City cannot improve private streets and cannot specially assess to fund the improvement of private streets. He stated that the private associations have the option to contact a City street improvement contractor to request a quote for work on their private streets while the contractor is mobilized for a City project.

Mr. Thureen stated that the total estimated project cost is approximately \$457,000 and funding sources include the Pavement Management Fund and special assessments. He explained that if the Pavement Management Program policy was followed, the proposed assessment would be approximately \$258,000 divided amongst 496 parcels.

Jim Douglas, 8657 Callahan Trail, suggested that the City Council take another look at how the project is proposed to be assessed. He questioned why properties located on Birch Boulevard were not being assessed when it has two access points to Cahill Avenue. He stated that the Arbor Pointe Master Association would like to know if the center islands on streets would be removed when construction starts.

Mr. Thureen stated that the center islands would not be removed but there would likely be spot replacement. He suggested waiting to replace any shrubbery until the locations for spot removal were marked. He explained that if a property located on a private street has a driveway that accesses a public street it is included in the assessment. He stated that there are two classes of property identified in the funding policy and if multi-family properties have frontage on a public street that amount is assessed over entire association.

Linda Bohler, 8766 Benson Way, commented that it was her understanding from the meeting in July of 2008 that there was going to be some discussion regarding the assessment methodology that would be used for this project. She stated that Cahill Avenue is a major road in the City that is used by more than just the property owners being assessed.

Mayor Tourville responded that staff and the City Attorney looked at the state statute to see if the project could be assessed in a different manner and it was determined that legally it could not be. He stated that the City is likely going to contribute a large portion of the cost, which ultimately means everyone in the City is contributing.

Mr. Thureen stated that the basic funding policy for a mill and overlay calls for a 20% City contribution and if the funding is approved as proposed, the City contribution would be more than 50%. He reiterated that the increased City contribution recognizes that Cahill Avenue serves as a collector street in the City.

Terry Akemann, 8728 Callahan Trail, asked that when improvements are made to Birch Boulevard if he would be assessed for those improvements as well.

Mr. Thureen responded that the whole association would be assessed for frontage on Birch Boulevard.

Motion by Klein, second by Madden, to close the public hearing

Ayes: 5

Nays: 0 Motion carried.

Motion by Klein, second by Madden to adopt Resolution No. 09-105 ordering the project, approving plans and specifications and authorizing advertisement for bids for 2008 Pavement Management Program – City Project No. 2008-09G, Cahill Avenue/Brooks Boulevard Mill and Overlay

Ayes: 5

Nays: 0 Motion carried.

The City Council took a five-minute recess.

7. REGULAR AGENDA:

PARKS AND RECREATION:

A. CITY OF INVER GROVE HEIGHTS; Consider Acquisition of Land Adjacent to Heritage Village Park

Mr. Carlson explained that Castaway Marina, Inc. owns property that is land-locked by Heritage Village Park property and a pond. He stated that Castaway Marina proposed to give the City property that lies West of the pond and is surrounded by Heritage Village Park. He explained that acquisition and trespassing issues were discussed with the marina and it was determined that it may be necessary for the City to construct a six-foot high chain link fence along the rear property boundary to keep people from driving their vehicles and ATV's across park property. He noted that the fence would be approximately 300 feet in length. He explained that if the Council would like to pursue acquisition of the land City staff and the City Attorney would work on the details of the issue and bring a formal proposal back to the Council for approval at a later date.

Councilmember Piekarski Krech asked how much the fence would cost.

Mr. Carlson responded that it is estimated to cost approximately \$6,000.

Councilmember Piekarski Krech asked if the land is worth \$6,000.

Mr. Carlson stated that the land is approximately one half of an acre.

Motion by Grannis, second by Madden, to direct staff to work on a proposal to acquire land adjacent to Heritage Village Park

Ayes: 5

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Review Plans for Trail Connection along Babcock Trail between Baldwin and 75th

Mr. Carlson explained that a trail connection from Baldwin Avenue to 75th Street on the East side of Babcock Trail has been supported by the Parks and Recreation Advisory Commission and the City Council as part of the 2009 park improvement planning process. He stated that the trail is being proposed at this time based on the City's development of Well #9. He noted that the trail would provide a safe off-road alternative to people in the neighborhood because it would connect trails adjacent to 75th and 70th Streets which both connect to the trail along Highway 52. He explained that an informational meeting was held and the two property owners in attendance supported the proposed trail if the City was able to preserve the mature evergreen trees located on the rear property line. He added that one of the property owners has private improvements in the right-of-way that would need to be removed and placed back on the private property. He noted that one resident attended the May 13th Parks and Recreation Advisory Commission meeting and asked that the City provide natural screening of his property if the trail was installed.

Councilmember Piekarski Krech questioned why the trail would not be run along Babcock, similar to a sidewalk.

Mr. Carlson responded that the trail would not be run along the road because of grade issues and the location of several rain gardens on properties along Babcock.

Mark Yarrington, 7339 Baldwin, expressed concerns regarding the removal of tree coverage. He stated that the proposed trail would run along his property and requested that the City provide heavy screening to

maintain his privacy. He noted that he is not opposed to the trail. He commented on the large sign that Glassing's is going to operate and stated that the light from the sign will shine directly into his home and requested that screening be provided to alleviate that problem as well.

Mayor Tourville stated that Glassing's may be will to discuss the hours of operation for the sign if it is creating a legitimate problem or hardship.

Councilmember Piekarski Krech questioned the cost and stated that she is not sure that this is where money should be spent right now.

Mayor Tourville stated that the connection to existing trails would be a much safer option for those using the trails versus walking along the road to move from trail to trail.

Councilmember Klein commented that now would be a good time to build the trail connection because the area is already being worked on.

Mr. Carlson stated that the estimated project cost is approximately \$60,000. He noted that the Council would not consider approval of the project until bids are received.

Councilmember Klein clarified that the project would be funded with Park Dedication money.

Councilmember Grannis stated that he is willing to go along with going out to get bids because of the current economic conditions and he wants to see what the project would actually cost.

Motion by Klein, second by Grannis, to approve the layout of the trail proposed along Babcock Trail Baldwin Avenue and 75th Street and to authorize staff to obtain bids for the installation of the trail

Ayes: 5

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider Hiring Consultant for Rock Island Swing Bridge Project

Mr. Carlson stated that in April of 2009 the City submitted a Transportation Enhancement American Recovery & Reinvest Act grant request in the amount of \$1,300,000. He explained that the grant request has been recommended to be funded in the full amount and official approval is expected on June 10, 2009. He stated that on May 11, 2009 the City Council directed staff to work towards potential ownership of the Rock Island Swing Bridge and reviewed the conditions of ownership that were imposed by the Council at that time. He explained that on May 16, 2009 the Minnesota Legislature passed a bill putting a moratorium on demolition of the bridge. He provided a brief overview of the project timeline and stated that the Council is scheduled to consider approval of plans and specifications for the project on July 13, 2009. He added that the project schedule was aggressive in order to successfully get the required information submitted to the Metropolitan Council by November 13, 2009. He noted that failure to submit the necessary environmental documentation, right-of-way certificates, plans & specifications and project cost estimates would result in the loss of funds for the project. He explained that the League of Minnesota Cities Insurance Trust expects to be able to insure the project once it has been restored and is safe. He stated that the League has not been able to identify an annual cost for insuring the structure but it is estimated to be between \$0 and \$25,000. He reviewed Minnesota Statute 466.03 pertaining to "Recreational Immunity" and stated that if the project continued to proceed, the City would want to use that statute to protect itself from claims that could be filed against the City.

Councilmember Klein clarified that if a consultant is hired, the City would be billed on a monthly basis and would be in a position to terminate the contract if the project was to stop due to lack of funding or other unforeseen circumstances.

Mr. Carlson confirmed that the consultants would invoice the City on a monthly basis for services performed. He noted that the \$1,300,000 grant could not be used to hire engineers and all of the grant money has to be used for the necessary capital improvements to the structure. He explained that the Legislature also passed a bill that has \$100,000 allocated for the bridge and the City would need to follow a process as designated by the Minnesota Historical Society to receive that funding.

Councilmember Piekarski Krech asked if the historical society still had interest in saving the structure. She stated that she is concerned that the historical value or significance of the bridge may be lost if it is rebuilt.

Mr. Carlson responded that the consultants will review the two spans to determine if it would be in the best interest of the City to rebuild or rehabilitate the existing spans. He noted that initial reviews indicated that it would be cheaper to remove the spans and rebuild them. He clarified that all of the agencies involved agreed that the City was not being awarded grant dollars because of the historical factor of the bridge.

Councilmember Grannis questioned if the 1.3 million dollar grant would be enough to complete the project.

Mr. Carlson responded that his recommendation would be to develop a base project and then include alternates when the project is sent out for bid to see what the costs associated with each phase would be. He stated that if the \$1,300,000 would not cover any of the alternates, staff could attempt to find additional funding. He discussed the proposals received from both consulting firms and stated that the cost would be in an amount not to exceed \$150,000 and would be funded via the Host Community Fund. He stated that staff recommended accepting the proposal from SEH, Inc. in the amount of \$130,900.

Motion by Piekarski Krech, second by Klein, to authorize an agreement with SEH, Inc. in the amount of \$130,900 and not to exceed \$150,000 for the purposes of assisting the City in the development of plans & specifications, applying for the necessary permits, submission of necessary environmental documentation, development of master plan concept and bidding services in an effort to re-use the Rock Island Swing Bridge as a recreational pier in the Mississippi River

Ayes: 5

Nays: 0 Motion carried.

COMMUNITY DEVELOPMENT:

D. CITY OF INVER GROVE HEIGHTS; Consider Resolution approving a proposal from Hoisington-Koegler to prepare a reporting tool for the Northwest Area

Mr. Link stated that it was anticipated that once development began in the Northwest Area, an annual reporting summary would be prepared to evaluate the progress of development. He explained that the tool would be used by staff to track development to compare actual development to financial revenue assumptions, to monitor Comprehensive Plan forecasts of population households and employment, and compare to the City and Metropolitan Council forecasts, to track the number of dwelling units, commercial and industrial square footage, density and Floor Area Ratios and compare to City and Metropolitan Council assumptions and to determine how well the ordinance is working based on its unique performance standards. He stated that once the tool is created the City would own it, and staff would update information and prepare year end reports. He noted that the cost to create the reporting tool would be \$2,500 and is proposed to be funded through the Planning Services 2009 budget.

Motion by Klein, second by Grannis, to adopt Resolution No. 09-106 approving a proposal from Hoisington-Koegler to prepare a reporting tool for the Northwest Area

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

E. CITY OF INVER GROVE HEIGHTS; Consider Resolutions Authorizing Plans and Specifications, Authorizing Advertisement for Bids, Approving Agreement with Mn/DOT for Construction and Maintenance, Approving Agreement with Dakota County for Construction Cost-Sharing and Maintenance and Approving Limited Use Permit with Mn/DOT for Trail in Trunk Highway 3 Right-of-Way for City Project No. 2009-01, Trunk Highway 3 and Amana Trail/Proposed 80th Street (County Road 28) Intersection Improvements

Mr. Thureen explained that the plans and specifications have been approved by Mn/DOT and Dakota County and the proposed schedule calls for a bid opening on July 7, 2009 and Council consideration of the bids on July 13, 2009. He stated that the required Cooperative Construction Agreement with Mn/DOT outlines the construction and maintenance responsibilities of Mn/DOT and the City and the Limited Use Permit is required for the trail that is part of the standard roundabout design.

Councilmember Piekarski Krech asked when the trail would be constructed.

Mr. Thureen responded that the trail goes around the perimeter of the roundabout and noted that there were pedestrian crossings.

Motion by Klein, second by Madden, to adopt Resolution Nos. 09-107, 09-108, 09-109 and 09-110 Authorizing Plans and Specifications, Authorizing Advertisement for Bids, Approving Agreement with Mn/DOT for Construction and Maintenance, Approving Agreement with Dakota County for Construction Cost-Sharing and Maintenance and Approving Limited Use Permit with Mn/DOT for Trail in Trunk Highway 3 Right-of-Way for City Project No. 2009-01, Trunk Highway 3 and Amana Trail/Proposed 80th Street (County Road 28) Intersection Improvements

Ayes: 4

Nays: 1 (Grannis) Motion carried.

F. CITY OF INVER GROVE HEIGHTS; Consider Resolution Receiving Amended Feasibility Report for City Project No. 2009-11, Concord Boulevard Improvement from 65th Street East to the Corporate Boundary with the City of South St. Paul and Associated City Project Nos. 2009-21 and 2009-22

Mr. Thureen stated that the feasibility report was amended to break City Project No. 2009-11 into three separate projects for funding purposes. He explained that the City Project No. 2009-11 now includes the street and storm sewer construction at an estimated cost of \$560,800 with \$306,542 funded from the Pavement Management Fund and \$254,258 funded from special assessments. He stated that City Project No. 2009-21 includes water main and sewer work at an estimated cost of \$740,200 that will be funded from the Water Connection Fund and the Sewer Connection Fund, and City Project No. 2009-22 includes decorative street lighting at a cost of \$365,400 that will be funded from the Host Community Fund.

Motion by Piekarski Krech, second by Klein, adopt Resolution No. 09-111 receiving the amended feasibility report for City Project No. 2009-11, Concord Boulevard Improvement from 65th Street East to the Corporate Boundary with the City of South St. Paul and associated City Project Nos. 2009-21 and 2009-22

Ayes: 5

Nays: 0 Motion carried.

G. CITY OF INVER GROVE HEIGHTS; Consider Approval of Land Alteration Permit No. C-089-09 for WWKM, LLC

Mr. Thureen stated that this permit was originally granted in 2001. He reviewed the phasing map for the current permit. He explained that staff recommended approval of Phase I and would bring back Phase II for approval when issues relating to the completion of City Project No. 2008-10, Ravine Ponds, and City Project No. 2008-08, TH 52 East Frontage Road, are resolved.

Motion by Klein, second by Grannis, to approve Land Alteration Permit No. C-089-09 for WWKM, LLC

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:

H. CITY OF INVER GROVE HEIGHTS; Consider Resolutions Approving Compromise Agreements and Settlement Stipulations for Special Assessment Appeals related to City Project No. 2003-03, Southern Sanitary Sewer Improvements

Mr. Kuntz explained that there was a number of assessment appeals associated with the City's Southern Sanitary Sewer Improvements. He explained that the Council is being asked to approve compromise agreements and settlement stipulations for appeals associated with five parcels. He stated that the cumulative total of assessment across the five parcels was \$180,542 and a reduction of \$9,027 is recommended, leaving a net assessment total of \$171,515.

Mayor Tourville confirmed that the City Attorney's office found the recommended settlement amount to be in the best interest of the City and the property owners.

Motion by Klein, second by Madden, to adopt Resolution Nos. 09-112, 09-113, 09-114, 09-115 and 09-116 approving compromise agreements and settlement stipulations for special assessment appeals related to City Project No. 2003-02, Southern Sanitary Sewer Improvements

Ayes: 5

Nays: 0 Motion carried.

I. CITY OF INVER GROVE HEIGHTS; Consider Advisory Board Applications

Mr. Kuntz said with the aircraft noise abatement commission there are four openings with three seeking to be reappointed.

Motion by Piekarski Krech, second by Madden, to reappoint Rue Shibata to the Aircraft Noise Abatement Commission

Ayes: 5

Nays: 0 Motion carried.

Mr. Kuntz said that the convention of visitor's bureau has two positions that need appointment.

Motion by Grannis, second by Madden, to reappoint Don Heikkila and Jenelle Teppen as representatives to the Convention and Visitors Bureau

Ayes: 5

Nays: 0 Motion carried.

Mr. Kuntz stated that there were no vacancies on the Planning Commission and three commissioners are seeking reappointment.

Motion by Klein, second by Madden, to appoint Paul Hark, Harold Gooch and Tom Bartholomew to the Planning Commission

Ayes: 5

Nays: 0 Motion carried.

Mr. Kuntz stated that the Parks and Recreation Advisory Commission had no vacancies with three commissioners seeking reappointment.

Motion by Klein, second by Grannis, to appoint Joseph Boehmer, Dennis Schueller and Todd Kruse to the Parks and Recreation Advisory Commission

Ayes: 5

Nays: 0 Motion carried.

Mr. Kuntz stated that the Environmental Commission had no openings with two commissioners seeking reappointment.

Motion by Madden, second by Klein, appoint Alice Lesney and Ted Trenzeluk to the Environmental Commission

Ayes: 5

Nays: 0 Motion carried.

J. CITY OF INVER GROVE HEIGHTS; Consider Additional Services Agreement with Elert & Associates

Mayor Tourville explained that the maximum would be \$3,000 or \$150 per hour.

Motion by Klein, second by Madden, to approve additional services agreement with Elert & Associates

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR AND COUNCIL COMMENTS:

Mayor Tourville stated that the ground breaking for the Public Safety Addition/City Hall Renovation Project would be held on the West side of City Hall at 6:00 p.m. on Monday June 1st.

Mayor Tourville asked for the results of the composting event that was held.

Councilmember Grannis stated that he has received complaints regarding solicitors and suggested that the Council may want to consider having a discussion on regulation of solicitors. He stated that he has also heard from several citizens that they would like the City to reduce garbage collection to one specific day per week.

9. ADJOURN: Motion by Piekarski Krech, second by Grannis, to adjourn. The meeting was adjourned by a unanimous vote at 10:45 p.m.