



INVER GROVE HEIGHTS CITY COUNCIL AGENDA
MONDAY, JUNE 22, 2009
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 – June 8, 2009 Regular Council Meeting _____
 - B. Resolution Approving Disbursements for Period Ending June 17, 2009 _____
 - C. Approve Pay Voucher No. 1 for National Guard Armory Gymnasium Floor _____
 - D. Approve Pay Voucher No. 12 for City Project No. 2003–15, Northwest Area Trunk Utility Improvements _____
 - E. Accept Proposal for Concrete Repair _____
 - F. Approve Land Alteration Permit No. C–089–09 – Phase 2 for WWKM LLC _____
 - G. Approve Resolution Denying the Issuance of Building Permits for Certain Lots located within the Plat of Orchard Trail _____
 - H. Direct Staff to Notify Residents of Park Encroachments & Order Encroachments Removed from Public Park Property _____
 - I. Award Bid for Parking Lot Lighting at Oakwood Park _____
 - J. Consider Water Quality Improvements for Simley Pond Park _____
 - K. Consider First Reading of an Ordinance Amending Section 1500 of the City Code _____
 - L. Consider First Reading of an Ordinance Amending Section 115 of the City Code _____
 - M. Approve Non–Commercial Kennel License Application – Sean & Rachel Nyhus _____
 - N. Approve Commercial Kennel License Application – Billie Jo Wood _____
 - O. Approve Request to Extend Applebee’s On–Sale Liquor License on July 2, 2009 _____
 - P. Approve Renewal of 2AM Liquor License – Jersey’s Bar & Grill, 6449 E. Concord _____
 - 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. Comments will be limited to three (3) minutes per person.

6. **PUBLIC HEARINGS:**

7. **REGULAR AGENDA:**

PARKS AND RECREATION:

A. **CITY OF INVER GROVE HEIGHTS;** Authorization of Application for 2010 State of Minnesota Bonding Bill Request for Heritage Village Park _____

COMMUNITY DEVELOPMENT:

B. **JODY & DAN LISSON;** Consider the following requests for property located at 7140 Bovey Avenue:

- i) Variance to construct a gazebo that would encroach within the front yard setback
- ii) Variance to construct a home addition that would exceed the 30% allowed maximum impervious coverage on a lot _____

- iii) Conditional Use Permit to allow for impervious coverage on a lot to exceed 25% in the R-1C Zoning district _____

C. **CITY OF INVER GROVE HEIGHTS;** Consider Resolution Establishing a Housing Task Force and Appointing its Members _____

PUBLIC WORKS:

D. **CITY OF INVER GROVE HEIGHTS;** Consider a Change Order to the 60” Storm Sewer along Concord Boulevard – City Project 2001-12 _____

ADMINISTRATION:

E. **CITY OF INVER GROVE HEIGHTS;** Consider Change Order No. 1 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation _____

F. **CITY OF INVER GROVE HEIGHTS;** Consider First Reading of Ordinance Adopting the Recodification of the City Code Including the City Zoning Ordinance _____

G. **CITY OF INVER GROVE HEIGHTS;** Consider First Reading of an Ordinance Establishing Requirements for Peddlers & Solicitors _____

H. **CITY OF INVER GROVE HEIGHTS;** Consider First Reading of an Ordinance Establishing Regulations relating to Graffiti _____

8. **MAYOR AND COUNCIL COMMENTS**

9. **ADJOURN**

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JUNE 8, 2009 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, June 8, 2009, in the City Council Chambers. Acting Mayor Klein called the meeting to order at 7:30 p.m. Present were Council members Grannis, Madden, and Piekarski Krech; City Administrator Lynch, Assistant City Administrator Teppen, City Attorney Kuntz, Public Works Director Thureen, Parks & Recreation Director Carlson and Deputy Clerk Rheaume.

3. PRESENTATIONS:

B. IGH Days Royalty Program

Jessika Kalhamer introduced the Inver Grove Heights Days 2008 royalty, Chelsey Nissen and Alison Keil. Ms. Nissen and Ms. Keil discussed their service to and representation of Inver Grove Heights.

Ms. Kalhammer reminded residents that Inver Grove Heights Days is scheduled for September 10th -13th.

4. CONSENT AGENDA:

Councilmember Piekarski Krech removed Items 4G – Consider Purchase of Event Tent and 4H – Approve Charitable Gambling Permit for the American Legion Aux. Unit 424 from the Consent Agenda.

A. Minutes – May 26, 2009 Regular Council Meeting

B. Resolution No. 09-117 Approving Disbursements for Period Ending June 3, 2009

C. Pay Voucher No. 2 for Fire Station No. 1 Parking Lot

D. Change Order No. 3 and Pay Voucher No. 8 for City Project No. 2003-03, Southern Sanitary Sewer System Improvements

E. Time Change Order No. 3 for City Project No. 2003-15, Northwest Area Utility Improvements

F. Resolution No. 09-118 Accepting Individual Project Order No. 12B with Kimley-Horn & Associates, Inc. for Additional Final Design Phase Services for the Pavement Management Program, Urban Street Reconstruction – City Project No. 2009-09D (South Grove Area 4) and City Project No. 2010-09D (South Grove Area 5)

I. Personnel Actions

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

Ayes: 4

Nays: 0 Motion carried.

G. Consider Purchase of Event Tent

Councilmember Piekarski Krech stated she does not think the City should be responsible for paying to replace a tent that was damaged at a non-City event. She suggested that if other entities are using the tent they should pay for the use and for any damage that occurs.

Mr. Lynch explained the tent was donated to the City by the American Legion with an understanding that it be used five times a year. He noted the tent was damaged by wind during an event and the American Legion has asked the City to replace it. He stated staff recommended the purchase because the tent is an asset to the City. He added that the purchase would be funded through the Risk Management Fund.

Councilmember Madden clarified that the money for the purchase was available.

Mr. Lynch confirmed that the money was available.

Councilmember Klein asked if the City's insurance company had made a decision regarding the replacement of the tent.

Mr. Carlson responded that a decision had not been made and noted that the City's deductible had not been met.

Mr. Lynch stated the deductible was cumulative.

Councilmember Grannis stated he would be willing to pay for 25% because the tent is used by the City, the American Legion, the Best Foundation and Inver Grove Heights Days.

Councilmember Madden suggested continuing the discussion after Mayor Tourville has arrived.

H. Approve Charitable Gambling Permit – American Legion Aux. Unit 424

Councilmember Piekarski Krech stated that the memo should be changed to reflect that the Fire Marshall, not the Code Enforcement Officer, would visit the site to approve the location for the bingo tent.

Motion by Madden, second by Piekarski Krech, to approve charitable gambling permit for the American Legion Aux. Unit 424

Ayes: 4

Nays: 0 Motion carried.

5. PUBLIC COMMENT: None.

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 stated that the public hearing for the project was opened on May 11, 2009 and was continued to allow staff time to complete a survey of property owners in the area to discern the level of sump pump use and work with consultants to determine what additional field testing and analysis may be warranted to address residents' concerns regarding the affect of the proposed street reconstruction on the water table.

Mr. Thureen stated that over 55% of the residents that were surveyed responded, and the results indicated that 53% of the respondents in the reconstruction area have sump pumps that operate at a variety of levels. He added that in the proposed mill and overlay area, respondents indicated that 40% have sump pumps with 3 multiple pump locations.

Mr. Thureen explained that Barr Engineering reviewed the project and survey results and estimated that the hydraulic impact of the potential sump pump discharges. He stated that Barr Engineering indicated that the sump pump discharges would not provide a volume of water significant enough to increase the peak flood volumes. He added that Barr Engineering also examined the potential impacts to the current subsurface drainage patterns on basements or foundations and indicated that the proposed design will remove water from the soil profile and will not contribute any water to the basements or foundation of adjacent houses. He noted that the street drainage may reduce the amount of subsurface water in some areas. He explained that Barr Engineering also recommended that the project design include improvements to reduce water migration from the pond north of 63rd Street by placing a cut off wall or a liner in the pond.

Mr. Thureen stated that American Engineering Testing also reviewed the survey results and recommended a 2 foot sand layer with draitiles to reduce frost actions in the street improvements. He explained it is their opinion that the planned street improvements will not negatively impact water which reaches the basement areas and they expect the sand subbase and tile will improve water collection and disposal in the area.

Mr. Thureen stated that staff recommended option A from the feasibility study. He noted that if the Council chose to proceed with the reconstruction they would need to decide if they want the design to provide for connection of the sump pump lines to the drain tile and if the concrete sidewalk along the north side of 63rd

should be replaced.

Councilmember Madden asked if the residents want the sidewalk replaced.

Mr. Thureen responded that it was not known if the neighborhood wanted the sidewalk replaced.

Councilmember Klein asked what the price difference was between options A and B.

Mr. Thureen explained that a benefit analysis was completed and it was found that a \$6,000 assessment per parcel could be sustained. He stated that the price for option A, full reconstruction, was approximately \$13,000 and option B, full reconstruction, was approximately \$15,000.

Councilmember Piekarski Krech asked about the pond between lots 18 and 19 and questioned what would happen to the properties if that pond was unable to drain to the other pond.

Mr. Thureen responded that the plan is to retain the existing storm sewer connection.

Bill McMenemy, 2180 63rd St. E., stated he is opposed to the project. He stated that he does not think the project is economical to the City or the residents. He discussed the sidewalk replacement and stated that the residents want it replaced because it is a safety issue. He commented that a mill and overlay would be more economical and could last another 20 years if it is maintained properly.

Paul Johnston, 2170 63rd St. E., asked for more detail on the overflow by his lot and questioned the June 3rd letter from Barr Engineering which states that the pond may have to be pumped out. He discussed his concerns regarding the drainage issues from the pond and asked how the assessment amount would be affected by the additional design considerations for the pond across the street. He clarified that he did not support the proposed reconstruction.

Mr. Thureen responded that Barr Engineering suggested pumping water out of the pond across the street to bring the volume down and the costs for this were not included. He stated while there would be additional costs for the work there is a recommendation that assessments be capped at \$6,000, meaning the City would incur the additional cost not the residents.

Ryan Wilson, 6310 Beckman Ave., stated he opposed the proposed reconstruction. He commented that no street maintenance was performed since 1995 and stated that given the amount of property taxes that the residents of the neighborhood pay, he would like to see the tax dollars allotted for regular street maintenance. He suggested that a mill and overlay be done to save money. He questioned if there was a water problem at the corner of Beckman Avenue and 63rd Street and stated that there have not been any issues with water build-up since 2004.

Mr. Thureen responded that the overall condition of the street is what staff considered, not the water build-up.

Michael Hoffman, 6304 Ballantine Avenue, supported option A with full reconstruction and commented that the drain tile was a necessity. He commented that he has lived in the neighborhood for 16 years and has seen water on the roads even when it has not rained. He explained that if the project is done it needs to be done the right way to take care of the existing problems. He added that the sidewalk is a very valuable asset and should be replaced.

Joe Alpert, 6385 Bailey Trail, stated that he did not support reconstruction and would be in favor of a mill and overlay.

Councilmember Klein clarified that the City Council still had the option to not order the project after the bids were received.

Motion by Madden, second by Grannis, to close the public hearing.

Ayes: 4

Nays: 0 Motion carried.

Councilmember Piekarski Krech stated that something needs to be done to remediate the situation and she would like to send the project out for bid to see what the actual costs would be and to determine what the City could afford.

Councilmember Madden questioned how many mill and overlay projects could be done on a street over its lifespan.

Mr. Thureen explained that for a newly constructed street the first mill and overlay would be expected to be completed in the first twenty years and a second mill and overlay would be done after another twenty years. He stated that the road would be expected to need a total reconstruction after 50-60 years.

Councilmember Piekarski Krech noted that the streets included in the project are not normal streets. She stated that when the development started in the Salem Hills Farm area the regulations were different and the current streets were most likely not done correctly.

Councilmember Madden stated that he wants to see the project done the right way.

Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 09-119 Ordering Improvements, Approving Plans and Specifications and Authorizing Advertisement for Bid for City Project No. 2008-09F, Salem Hills Farm Reconstruction/Mill and Overlay

Ayes: 4

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider Resolution Ordering City Project No. 2009-11, Concord Boulevard Reconstruction – Phase 3 as a Public Improvement Project under Minnesota Statutes Chapter 429

Mr. Thureen explained the project that is being considered is the third phase of the County's project to reconstruct Concord Boulevard. He stated that Phase 3 begins just south of 65th Street East and continues through the corporate boundary with South St. Paul to Dale Place. He explained that the project would include a three lane urban section with sidewalk on the West and East side. He stated that an e-mail was received from a resident regarding parking concerns.

Mr. Thureen stated the estimated project cost is \$560,800 and is proposed to be funded by assessments to the benefitting property owners along the roadway for surface and stormwater improvements and via the Pavement Management Fund. He explained that the proposed assessment would be for street reconstruction similar to the approach used in the previous phase of the Concord Boulevard project. He stated that single-family residential parcels would be assessed on an equal amount per lot basis, and multi-family, commercial, industrial and institutional properties would be assessed on a front foot basis. He noted that a benefit analysis would be completed after the final project costs are calculated.

Councilmember Klein stated the property owner with parking concerns indicated that he would be willing to give up some right-of-way to get on-street parking. He noted there is also a severe water issue on that property and wanted to make sure that situation would be rectified through the reconstruction.

Mr. Thureen responded that a large number of catch basins would be added to remediate the water issue.

Mayor Tourville arrived.

Linda Jacobs-Buse, 5894 Concord Boulevard, stated they need on-street parking and does not see the need for a center turn lane in a residential area.

Tom Buse, 5894 Concord Boulevard, clarified the only part of the project they are against is not having parking available on the street. He stated a center turn lane is not necessary. He commented that it takes away from the value of his home. He discussed the drainage issues and said the grade of the road needs to be changed to alleviate the water problems.

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

Ayes: 5

Nays: 0 Motion carried.

Councilmember Madden stated that the City would attempt to find a solution to the parking issue, but ultimately it is a County project.

Mr. Thureen responded that he would have discussions with the County regarding on-street parking.

Mayor Tourville noted that the first proposal from the County had no parking available on the street and the City had to work to get the parking that was added to the plan.

Councilmember Piekarski Krech asked what the rationale was for a sidewalk on both sides of the street.

Ms. Jacobs-Buse responded that the County told them it was required by code once the street was upgraded.

Motion by Madden, second by Grannis, to adopt Resolution No. 09-120 ordering City Project No. 2009-11, Concord Boulevard Reconstruction Phase 3, as a Public Improvement Project under Minnesota Statutes Chapter 429

Ayes: 5

Nays: 0 Motion carried.

4. CONSENT AGENDA:

G. Consider Purchase of Event Tent Cont.

Mr. Lynch provided a recap of the discussion that occurred earlier in the meeting.

Mayor Tourville stated that there may be people interested in purchasing any of the parts of the tent that were not damaged.

Mr. Carlson stated that staff would attempt to salvage as many parts of the tent as possible. He noted that the \$7,000 would buy a brand new tent with all of the necessary accessories.

Mayor Tourville stated that the tent may be able to be used for more City functions and suggested that staff develop a policy for use of the tent by other entities.

Councilmember Klein clarified that they would be replacing a gift that was given to the City.

Councilmember Piekarski Krech reiterated that her issue is that the tent was damaged at a non-city function and she does not see how the City should be responsible for paying for the damaged tent.

Councilmember Grannis agreed with Councilmember Piekarski Krech and stated that the tent was damaged by the weather and does not see how the City should be held responsible.

Mayor Tourville stated that the American Legion originally donated the tent to the City and they use the tent for bingo during Inver Grove Heights days and the Best Foundation uses it for the May Day 5K. He commented that he feels the tent is worth replacing because it is used in conjunction with community events.

Motion by Madden, second by Klein, to approve purchase of event tent.

Ayes: 3 (Klein, Madden, Tourville)

Nays: 2 (Piekarski Krech, Grannis) Motion carried.

3. PRESENTATIONS:

A. Simley High School Social Studies Swing Bridge Presentation

Tom Goetz, Simley High School Social Studies Teacher, provided a brief overview of the project that was completed by students on the history of the swing bridge. He stated that his students valued how close

they were to a historical piece of land. He explained that another part of the project was to work on a fundraiser to help raise funds to aid in the efforts to preserve the remaining pieces of the swing bridge structure.

Amy Zang, Student Council President, stated that the fundraiser was a huge success and the students were able to raise over \$1,000.

Mr. Goetz presented the City Council with a check in the amount of \$1,010.17

Motion by Madden, seconded by Klein, to receive the check.

Ayes: 5

Nays: 0 Motion carried.

The video presentation created by students at Simley High School to provide historical accounts of the significance of the swing bridge to the City was played for the Council and the audience.

The City Council took a five-minute recess.

7. REGULAR AGENDA:

PARKS AND RECREATION:

A. CITY OF INVER GROVE HEIGHTS; Authorize Application of Transportation Enhancement Grant for Heritage Village Park

Mr. Carlson stated that both of the master plans for the City's Heritage Village Park and the County's Mississippi River Regional Trail include facilities that are similar and he explained that it makes sense to consider forming a partnership with the County in an effort to potentially share the costs associated with the facilities in the park and along the trail. He stated that the Council is being asked to authorize submittal of an application for a Transportation Enhancement Grant in the amount of \$1,200,000. He noted that the grant would be for \$1,000,000 with a \$200,000 match provided by Dakota County. He explained if the grant application was approved the City would be responsible for implementing the process and facilitating construction including any necessary engineering and consulting work. He added that if the grant was awarded the City and County would enter into a joint powers agreement that would address the ownership, maintenance and operations of the improvements.

Motion by Klein, second by Madden, to authorize application of Transportation Enhancement Grant for Heritage Village Park

Ayes: 5

Nays: 0 Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Determine Selection Process for Operational Audit of Inver Wood Golf Course

Mr. Carlson stated that proposals for the Inverwood Golf Course operational audit are due on Friday, June 19th. He explained that in an effort to keep the process moving Council needs to determine the members of both the audit screening committee and the operational audit committee. He noted staff recommended that the audit screening committee consist of: himself, Joe Lynch, Mayor Tourville and Councilmember Grannis; and the operational audit committee consist of: two members of the City Council, one member of the Parks and Recreation Advisory Commission, one Inverwood golfer, one resident of the City that is a non-golfer, Joe Lynch and himself.

Councilmember Piekarski Krech suggested adding Commissioner Schueller to the screening committee.

Councilmember Klein said he would like to see two representatives from the Parks and Recreation

Advisory Commission on the audit committee.

Councilmember Grannis stated that he thought there should be two Inver Wood Golfers on the operational audit committee, preferably one that is happy with the current operations and one that is not happy with the current operations. He questioned how the City would advertise the opening on the operational audit committee for the non-golfer resident. He also clarified that the Parks and Recreation Advisory Commission would be responsible for making the appointments of their representatives to the operational audit committee.

Mr. Carlson responded that he would be advertising the position on the operational audit committee for the resident non-golfer on the City's website as well as in the Southwest Review.

Mr. Carlson clarified that by Council direction the audit screening committee would consist of himself, Joe Lynch, Mayor Tourville, Councilmember Grannis and Commissioner Schueller. He also clarified that it is Council's direction that the operational audit committee consist of himself, Joe Lynch, two City Council members, two Parks and Recreation Advisory commissioners, two Inverwood golfers and one resident of the City that is not a golfer.

The City Council directed staff to proceed with the formation of both committees.

COMMUNITY DEVELOPMENT:

C. CITY OF INVER GROVE HEIGHTS; Consider an Ordinance Amendment to the Zoning Code relating to increasing the maximum impervious surface coverage in the R-1A, R-1B and R-1C zoning districts

Ms. Emmerich explained that in August, 2008 Council adopted an ordinance amendment that changed the allowed maximum impervious coverage for all of the R-1 zoning districts to 20% of the total lot area. She stated that since the code change staff has seen an increase in variance requests on the standard R-1C zoned lots. She explained that the Engineering Department is in the process of conducting a larger, more comprehensive storm water study to determine what an appropriate level of impervious coverage is. She stated Council recommended that staff develop a temporary ordinance to be put in place until the Engineering study has been completed. She explained that the temporary ordinance amendment would allow for a maximum of 25% impervious coverage and would require a conditional use permit for up to 30% of impervious coverage in the R-1, Residential Zoning District. She noted that the Council could decide to enact the proposed ordinance amendment in one reading.

Councilmember Grannis asked when the Engineering Department would be done with the comprehensive study.

Mr. Thureen responded that in a couple of weeks staff plans to present proposals for further analysis and satellite imagery to the Council for approval and expects to have the study completed by late summer or early fall.

Councilmember Madden stated that he would like the Council to adopt the ordinance in one reading.

Councilmember Piekarski Krech suggested that the temporary ordinance be enacted for a period not to exceed one year.

Councilmember Grannis asked what conditions would be imposed on those requests for impervious coverage between 25-30%.

Mr. Thureen stated that the same conditions that currently exist for impervious coverage requests greater than 20% would apply.

Mr. Kuntz asked for clarification regarding the default rule at the end of the one year period.

Councilmember Piekarski Krech responded that the regulations would go back to 20% in the event that another ordinance is not adopted prior to the expiration of the temporary ordinance.

Motion by Piekarski Krech, second by Madden, to approve Ordinance No. 1189 amending the zoning code by increasing the maximum impervious surface coverage in the R-1A, R-1B and R-1C

zoning districts for a time period not to exceed one year

Ayes: 5

Nays: 0 Motion carried.

D. OLI SMITH; Consider Resolution relating to a Variance to Exceed Allowed Maximum Impervious Surface Coverage for a Porch Addition for property located at 10857 Andes Circle

Mayor Tourville stated that the variance is no longer needed given the adoption of the ordinance in the previous item.

Councilmember Madden suggested that the fees associated with the variance request be refunded to the applicant.

Ms. Emmerich stated the fee was \$200.

Motion by Madden, second by Klein, to approve refunding the \$200 application fee to Mr. Smith.

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS; Consider Supporting Extension of Bus Service to Arbor Pointe

Mr. Lynch stated that it is recommended that Council authorize staff to proceed with submittal of a letter of support for the extension of bus service to Arbor Pointe. He explained that in response to a request from the River Heights Chamber of Commerce, staff made an inquiry to the Metropolitan Council regarding the extension of service and the Metropolitan Council expressed interest in considering such an extension. He noted an email of support was also received from the Progress Plus president.

Councilmember Klein encouraged the chamber to also write a letter.

Motion by Klein, second by Piekarski Krech, to authorize staff to send a letter requesting extension of bus service to Arbor Pointe

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

F. CITY OF INVER GROVE HEIGHTS; Consider Resolution Ordering City Project No. 2009-21, Concord Boulevard Reconstruction Phase 3, Utility Improvements

Mr. Thureen explained that as part of the third phase of the Concord Boulevard reconstruction, the existing water main under the street is proposed to be replaced. He stated it is recommended that the replacement occur in conjunction with the County's street project to avoid a more costly replacement in the future. He stated that the water system improvements are estimated to cost \$725,500 and would be funded from the Water Connection Fund and the sanitary sewer system improvements are estimated to cost \$14,700 and would be funded from the Sewer Connection Fund.

Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 09-121 ordering City Project No. 2009-21, Concord Boulevard Reconstruction Phase 3, Utility Improvements

Ayes: 5

Nays: 0 Motion carried.

G. CITY OF INVER GROVE HEIGHTS; Consider Resolution Ordering City Project No. 2009-22, Concord Boulevard Reconstruction Phase 3, Decorative Street Lighting and Approving Construction Agreement with Xcel Energy

Mr. Thureen stated that decorative street lights are proposed to be installed along the project corridor to match those being installed in South St. Paul. He explained that the street lights would begin at 68th Street East in Phase 2 of the Concord Boulevard Reconstruction and continue through Phase 3 to the South St.

Paul border. He stated that the agreement with Xcel Energy includes 59 street lights for Phase 3 and new, lower pricing for 14 street lights to be installed in Phase 2. He noted the funding would come from the Host Community Fund.

Councilmember Klein confirmed that the street lights would be able to handle holiday fixtures.

Councilmember Piekarski Krech asked what the cost of the project would be.

Mr. Thureen stated the cost for 59 street lights in Phase 2 and 14 in Phase 3 for a total of \$452,116.

Motion by Klein, second by Madden, to adopt Resolution No. 09-122 ordering City Project No. 2009-22, Concord Boulevard Reconstruction Phase 3, Decorative Street Lighting and Approving Construction Agreement with Xcel Energy

Ayes: 5

Nays: 0 Motion carried.

H. CITY OF INVER GROVE HEIGHTS; Accept Bids and Award Contract for City Project No. 2007-17, Clark Road Improvements

Mr. Thureen explained that the low base bid submitted by Park Construction Company for the extension of Clark Road was \$378,674.28. He stated that the low bid was 33% below the Engineer's Estimate of \$560,761.10. He noted that state cooperative funds were received for the project.

Mayor Tourville added that there were ten bids received for the project.

Motion by Klein, second by Madden, to adopt Resolution No. 09-123 accepting bids and awarding contract to Park Construction Company in the amount of \$378,674.28 for City Project No. 2007-17, Clark Road Improvements

Ayes: 5

Nays: 0 Motion carried.

I. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting the Proposal from and Awarding Contract to WSB & Associates, Inc. for Construction Phase Services for City Project No. 2009-01, Trunk Highway 3 and proposed 80th Street (County Road 28) Intersection Improvements

Mr. Thureen explained that the Council approve the construction plans and specifications and authorized advertisement for bids on May 26, 2009 for the Trunk Highway 3 and proposed 80th Street intersection improvements. He stated that staff requested proposals from Stonebrooke Engineering and WSB & Associates, Inc. for construction phase services including inspection, surveying and geotechnical testing. He noted that the proposals were based on estimated hours and the actual hours would be dictated by the construction process. He explained that the proposed team from WSB & Associates, Inc. has experience with roundabout construction whereas the proposed team from Stonebrooke has only project oversight experience. He stated that staff recommended that the proposal from WSB & Associates, Inc. be accepted, even though it was approximately \$20,000 more than the proposal from Stonebrooke, based on the experience of the consultants. He added that the project schedule is extremely tight and using an experienced team that has worked with Mn/DOT would help to keep the project on schedule.

Mr. Lynch pointed out that WSB & Associates, Inc. is on a pre-approved list of engineering firms with Mn/DOT.

Motion by Madden, second by Piekarski Krech, to adopt Resolution No. 09-124 accepting the Proposal from and awarding contract to WSB & Associates, Inc. for Construction Phase Services for City Project No. 2009-01, Trunk Highway 3 and proposed 80th Street Intersection Improvements

Ayes: 4

Nays: 1 (Grannis) Motion carried.

J. CITY OF INVER GROVE HEIGHTS; Consider Resolution Ordering Improvements to a 60" Storm Sewer along the Concord Boulevard Project 2001-12 by Authorizing a Market Value Change Order up

to \$50,000

Mr. Thureen explained that the project was initiated following the completion of the South Grove drainage basin storm water management modeling by Barr Engineering. He stated the modeling included a need to increase the storm sewer capacity from the existing 48" reinforced concrete pipe to a 60" reinforced concrete pipe at the existing pass under Concord Boulevard in phase II of the county project. He explained that the Council is asked to approve the expenditure up to \$50,000 to allow the construction to occur between June 15 and June 26.

Motion by Madden, second by Piekarski Krech, to adopt Resolution No. 09-125 ordering improvements to a 60" storm sewer along the Concord Boulevard Project 2001-12 by authorizing a market value change order up to \$50,000

Ayes: 5

Nays: 0 Motion carried.

K. CITY OF INVER GROVE HEIGHTS; Reconsider Appointments to Parks and Recreation Advisory Commission

Mr. Lynch explained that it was brought to staff's attention that one the applicants was not yet a resident of Inver Grove Heights at the time of his appointment to the Parks and Recreation Advisory Commission. He stated that Council had the option to reconsider the appointments made at the May 26, 2009 meeting.

Martin Silvi stated that he has lived in Inver Grove Heights for 30 years. He discussed the commissions he has served on and explained that he would like to be appointed for another term on the Parks and Recreation Advisory Commission because he feels that can continue to do a lot of good for the citizens of the City.

Motion by Klein, second by Piekarski Krech, to reconsider appointments made to the Parks and Recreation Advisory Commission at the May 26, 2009 regular Council meeting

Ayes: 5

Nays: 0 Motion carried.

Motion by Klein, second by Madden, to withdraw the motion to appoint Todd Kruse to the Parks and Recreation Advisory Commission

Ayes: 5

Nays: 0 Motion carried.

Motion by Madden, second by Grannis, to appoint Martin Silvi to the Parks and Recreation Advisory Commission

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR AND COUNCIL COMMENTS:

9. ADJOURN: Motion by Grannis, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 10:23 p.m.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: June 22, 2009
 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 June 5, 2009 to June 17, 2009.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending June 17, 2009. The detail of these disbursements is attached to this memo.

General & Special Reveune	\$317,789.93
Debt Service & Capital Projects	1,291,085.85
Enterprise & Internal Service	274,488.64
Escrows	4,627.29
	<hr/>
Grand Total for All Funds	<u><u>\$1,887,991.71</u></u>

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

Attached to this summary for your action is a resolution approving the disbursements for the period June 5, 2009 to June 17, 2009 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING JUNE 17, 2009**

WHEREAS, a list of disbursements for the period ending June 17, 2009 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	\$ 317,789.93
Debt Service & Capital Projects	1,291,085.85
Enterprise & Internal Service	274,488.64
Escrows	<u>4,627.29</u>
Grand Total for All Funds	<u>\$ 1,887,991.71</u>

Adopted by the City Council of Inver Grove Heights this 22th day of June, 2009.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy City Clerk

City of Inver Grove Heights
CHECK REGISTER BY FUND

Prepared: 06/17/2009, 14:27:25
Program: GM179L
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/08/2009	94662	OLD WORLD PIZZA	city of inver grove	101-1000-413.50-75		6/2009 * Total	97.81 97.81
06/10/2009	94663	ACE PAINT & HARDWARE	acct 1126 cust 1126	101-4000-421.60-65 101-6000-451.60-16		6/2009 6/2009	2.12 23.17
			cust 1126	101-6000-451.60-16		6/2009	5.33
			cust 1126	101-6000-451.60-16		6/2009	15.98
			cust 1126	101-6000-451.40-47		6/2009 * Total	39.90 86.50
06/10/2009	94668	BAARS MECHANICAL, INC.	city of inver grove hgts city of inver grove hgts	101-6000-451.40-40 101-6000-451.40-40		6/2009 6/2009 * Total	187.40 303.03 490.43
06/10/2009	94681	DAKOTA CTY FINANCIAL SV	acct id 737	101-3000-419.50-80		6/2009 * Total	75.00 75.00
06/10/2009	94682	DAKOTA CTY PROPERTY REC	february 2009 february 2009 february 2009	101-2000-415.30-70 101-4000-421.30-70 101-5100-442.30-70		6/2009 6/2009 6/2009 * Total	.32 37.20 58.40 95.92
06/10/2009	94683	DAKOTA CTY SOIL & WATER	herbicide permit	101-6000-451.50-70		6/2009 * Total	35.00 35.00
06/10/2009	94684	DAKOTA ELECTRIC ASSN	acct 4267134	101-5400-445.40-20		6/2009 * Total	28.30 28.30
06/10/2009	94686	DAKOTA ELECTRIC ASSN	acct 3935632	101-6000-451.40-20		6/2009 * Total	300.67 300.67
06/10/2009	94687	DAKOTA ELECTRIC ASSN	acct 2468379	101-6000-451.40-20		6/2009 * Total	3,022.17 3,022.17
06/10/2009	94688	DAKOTA ELECTRIC ASSN	acct 2501658	101-6000-451.40-20		6/2009 * Total	339.04 339.04
06/10/2009	94690	DELL MARKETING	acct 01936783 acct 01936783	101-4000-421.60-40 101-4000-421.60-40		6/2009 6/2009 * Total	4,389.05 216.04 4,605.09
06/10/2009	94692	DIAMOND VOGEL PAINT	city of inver grove hgts	101-5200-443.60-16		6/2009 * Total	7,188.80 7,188.80
06/10/2009	94703	GERTENS	acct 103566 acct 103566	101-6000-451.60-16 101-6000-451.60-16		6/2009 6/2009 * Total	85.04 87.65 172.69
06/10/2009	94708	HANCE UTILITY SERVICES	city of inver grove	101-6000-451.30-70		6/2009 * Total	274.25 274.25
06/10/2009	94712	HENNING FIRE PROTECTION	inver grove hgts cty	101-4000-421.60-65		6/2009 * Total	45.00 45.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94722	JTD INC SPORTS TURF SPE	city of inver grove	101-6000-451.60-16		6/2009 * Total	4,153.50 4,153.50
06/10/2009	94725	LANDMARK ENVIRONMENTAL,	city of inver grove	101-3200-419.30-60		6/2009 * Total	3,310.00 3,310.00
06/10/2009	94728	LILLIE SUBURBAN NEWSPAP	acct 1363	101-1100-413.50-25		6/2009 * Total	789.60 789.60
06/10/2009	94731	MENARDS - WEST ST. PAUL	acct 30170270	101-6000-451.60-40		6/2009	57.49
			acct 30170270	101-5200-443.60-16		6/2009 * Total	57.48 114.97
06/10/2009	94732	METRO ATHLETIC SUPPLY	acct inv350	101-6000-451.60-65		6/2009 * Total	147.40 147.40
06/10/2009	94734	MN EROSION CONTROL ASSO	city of inver grove hgts	101-5200-443.50-80		6/2009	60.00
			city of inver grove hgts	101-6000-451.50-80		6/2009 * Total	60.00 120.00
06/10/2009	94741	NATURE CALLS, INC.	city of inver grove	101-6000-451.40-65		6/2009 * Total	569.10 569.10
06/10/2009	94742	NEXTEL COMMUNICATIONS	acct 487383319	101-6000-451.50-20		6/2009 * Total	303.02 303.02
06/10/2009	94745	PAINTER, JENELLE	application fee	101-0000-341.30-00		6/2009 * Total	200.00 200.00
06/10/2009	94747	PINE BEND PAVING, INC.	city of igh	101-6000-451.40-46		6/2009 * Total	41.07 41.07
06/10/2009	94749	PONTEM SOFTWARE BY RIA	city of inver grove hgts	101-1100-413.40-44		6/2009 * Total	41.07 41.07
06/10/2009	94751	QWEST	acct 6514577674	101-6000-451.50-20		6/2009 * Total	41.07 41.07
06/10/2009	94752	QWEST	acct 6514577671	101-6000-451.50-20		6/2009 * Total	41.07 41.07
06/10/2009	94760	SENSIBLE LAND USE COALI	attende; tom link botten/hunting/emmerich	101-3000-419.50-80 101-3200-419.50-80		6/2009 6/2009 * Total	38.00 114.00 152.00
06/10/2009	94763	ST. CROIX TREE SERVICE,	city of inver grove hgts city of inver grove	101-6000-451.30-70 101-6000-451.30-70		6/2009 6/2009 * Total	300.00 1,278.00 1,578.00
06/10/2009	94769	TIMESAVER OFF SITE SECR	city of inver grove hgts city of inver grove hgts	101-1100-413.30-70 101-1100-413.30-70		6/2009 6/2009 * Total	489.00 358.50 847.50

CHECK DATE	CHECK NUMBER	CHECK VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94770	TRACTOR SUPPLY CREDIT P	acct 6035301200183679	101-5200-443.60-16		6/2009	74.71
			acct 6035301200183679	101-6000-451.60-40		6/2009	152.62
						* Total	227.33
06/10/2009	94771	TRENCHLESS TECHNOLOGY C	attende; tom kaldunski	101-5100-442.50-80		6/2009	60.00
						* Total	60.00
06/10/2009	94773	TWIN CITY CONTAINER, IN	city of inver grove hgts	101-6000-451.60-65		6/2009	532.50
						* Total	532.50
06/10/2009	94777	VERIZON WIRELESS	acct 580565481	101-5100-442.50-20		6/2009	190.52
						* Total	190.52
06/10/2009	94783	XCEL ENERGY	acct 5183943582	101-5400-445.40-20		6/2009	31.21
						* Total	31.21
06/10/2009	94784	XCEL ENERGY	acct 5170946691	101-5400-445.40-20		6/2009	31.49
						* Total	31.49
06/10/2009	94786	XCEL ENERGY	acct 5160255967	101-5400-445.40-20		6/2009	33.60
						* Total	33.60
06/17/2009	94795	A & S TRAINING LLC	city of inver grove	101-4000-421.50-80		6/2009	375.00
						* Total	375.00
06/17/2009	94796	ACE PAINT & HARDWARE	acct 1126	101-4000-421.60-65		6/2009	40.40
			acct 1126	101-4000-421.60-65		6/2009	57.36
			cust 1126	101-5200-443.60-16		6/2009	21.31
						* Total	119.07
06/17/2009	94799	AFSCME COUNCIL 5	city of inver grove	101-0000-203.10-00		6/2009	883.71
						* Total	883.71
06/17/2009	94808	BARNA, GUZY, & STEFFEN	city of inver grove hgts	101-1100-413.30-43		6/2009	24.00
						* Total	24.00
06/17/2009	94810	BERGSTROM, BOB	mailbox	101-5200-443.60-16		6/2009	62.82
						* Total	62.82
06/17/2009	94822	COPY RIGHT	city of inver grove hgts	101-4000-421.50-30		6/2009	302.29
						* Total	302.29
06/17/2009	94825	DAKOTA CTY TECH COLLEGE	inver gr hts pd	101-4000-421.50-80		6/2009	420.00
						* Total	420.00
06/17/2009	94827	DAKOTA ELECTRIC ASSN	acct1093947	101-5400-445.40-20		6/2009	1,004.34
						* Total	1,004.34
06/17/2009	94828	DCA TITLE	billed to levander gillen	101-6000-451.30-70		6/2009	490.00
						* Total	490.00
06/17/2009	94832	EHLERS AND ASSOCIATES,	city of inver grove hgts	101-2000-415.30-70		6/2009	190.00
						* Total	190.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94835	G & K SERVICES	cust 7494701 cust 7494701 cust 7494701 cust 7494701	101-5200-443.60-45 101-6000-451.60-45 101-5200-443.60-45 101-6000-451.60-45		6/2009 6/2009 6/2009 6/2009 * Total	49.32 54.47 106.06 54.47 264.32
06/17/2009	94846	HARDWOOD CREEK LUMBER,	city of inver grove	101-5100-442.60-65		6/2009 * Total	266.57 266.57
06/17/2009	94847	HEALTH PARTNERS	city of inver grove htgs city of inver grove htgs	101-0000-203.07-00 101-0000-203.08-00		6/2009 6/2009 * Total	84,028.20 6,574.40 90,602.60
06/17/2009	94848	HEALTH PARTNERS	city of inver grove htgs city of inver grove htgs	101-0000-203.07-00 101-0000-203.08-00		6/2009 6/2009 * Total	397.32 214.48 611.80
06/17/2009	94850	HENNING FIRE PROTECTION	city of inver grove	101-4000-421.60-65		6/2009 * Total	60.00 60.00
06/17/2009	94856	ICWA MEMBERSHIP RENEWAL	member jenelle teppen	101-1100-413.50-70		6/2009 * Total	876.00 876.00
06/17/2009	94865	LEVANDER, GILLEN & MILL	client 92000e	101-4000-421.30-41		6/2009 * Total	17,025.84 17,025.84
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e client 81000e client 81000e client 81000e client 81000e client 81000e client 81000e	101-1000-413.30-40 101-1000-413.30-42 101-3200-419.30-42 101-3300-419.30-42 101-4000-421.30-42 101-5000-441.30-42 101-6000-451.30-42		6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 * Total	240.00 24,218.00 4,958.00 228.00 122.60 3,885.10 165.60 33,817.30
06/17/2009	94868	LEXISNEXIS	acct 1369635	101-4000-421.50-20		6/2009 * Total	38.95 38.95
06/17/2009	94875	METROPOLITAN COUNCIL EN	city of inver grove htgs	101-0000-341.40-00		6/2009 * Total	80.00- 80.00-
06/17/2009	94877	MN DEPT OF AGRICULTURE	renewal- j. gilhausen	101-6000-451.50-70		6/2009 * Total	75.00 75.00
06/17/2009	94879	MN LOCKS	city of inver grove	101-4000-421.60-65		6/2009 * Total	28.76 28.76
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver city of inver city of inver city of inver city of inver city of inver	101-1100-413.30-55 101-2000-415.30-55 101-3000-419.30-55 101-3200-419.30-55 101-3300-419.30-55 101-4000-421.30-55		6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 * Total	12.30 28.70 8.30 4.15 13.95 61.15

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06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver city of inver city of inver	101-5000-441.30-55 101-5100-442.30-55 101-6000-451.30-55		6/2009 6/2009 6/2009 * Total	5.65 31.25 1.92 167.37
06/17/2009	94898	RACHAC, JOHN	damaged mailbox	101-5200-443.60-16		6/2009 * Total	74.68 74.68
06/17/2009	94899	REGINA MEDICAL CENTER	inver grove hgts pd	101-4000-421.30-70		6/2009 * Total	109.00 109.00
06/17/2009	94900	RIVER HEIGHTS CHAMBER O	acct 2143	101-1000-413.50-80		6/2009 * Total	15.00 15.00
06/17/2009	94903	S & T OFFICE PRODUCTS	cust S28777 cust S28777 cust S28777 cust S28777 cust S28777 cust S28777 cust S28777 cust S28777 cust S28777	101-5000-441.60-40 101-3200-419.60-10 101-1100-413.60-65 101-1100-413.60-65 101-3200-419.60-40 101-3200-419.60-40 101-1100-413.60-40 101-1100-413.60-40 101-1100-413.60-65 101-5100-442.60-10		6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 * Total	8.04 25.51 15.70 63.04 26.97 289.63 89.80 45.88 564.57
06/17/2009	94914	TWIN CITIES OCCUPATIONA	acct n261251001589	101-1100-413.30-50		6/2009 * Total	75.00 75.00
06/17/2009	94915	UNITED WAY	city of inver grove hgts	101-0000-203.13-00		6/2009 * Total	178.00 178.00
06/17/2009	94917	USA MOBILITY WIRELESS I	acct 03174091	101-4000-421.50-20		6/2009 * Total	23.23 23.23
06/17/2009	94923	XCEL ENERGY	acct 5188494737	101-5400-445.40-20		6/2009 * Total	67.83 67.83
06/17/2009	94924	XCEL ENERGY	acct 5152791130 acct 5152791130 acct 5164351291	101-5200-443.40-20 101-5400-445.40-20 101-5400-445.40-20		6/2009 6/2009 6/2009 * Total	485.82 8,711.68 115.52 9,313.02
06/10/2009	94672	BPAM	city of inver grove	201-1600-465.50-25	** Fund Total	6/2009 * Total	193,964.62 600.00 600.00
06/17/2009	94875	METROPOLITAN COUNCIL EN	city of inver grove hgts	404-0000-217.00-00	** Fund Total	6/2009 * Total	600.00 9,513.50 9,513.50
				70 Checks	** Fund Total		193,964.62
				1 Checks	** Fund Total		600.00
				1 Checks	** Fund Total		9,513.50

Prepared: 06/17/2009, 14:27:25
 Program: GM179L
 Bank: 00 City of Inver Grove Heights

City of Inver Grove Heights
 CHECK REGISTER BY FUND

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/I NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94832	EHLERS AND ASSOCIATES,	city of inver grove hghts	405-9000-570.30-70		6/2009 * Total	124.25 124.25
				1 Checks	** Fund Total		124.25
06/10/2009	94680	DAHN CONSTRUCTION	south sanitary sewer syst	423-5903-723.80-30	0303	6/2009 * Total	32,874.64 32,874.64
06/10/2009	94724	KIMLEY-HORN & ASSOCIATE	city of inver grove hghts	423-5903-723.30-30	0303	6/2009 * Total	720.80 720.80
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	423-5903-723.30-42	0303	6/2009 * Total	5,610.70 5,610.70
				3 Checks	** Fund Total		39,206.14
06/10/2009	94711	HEIKES FARMS	city of inver grove	425-5907-725.80-30	0507	6/2009 * Total	13,128.94 13,128.94
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	425-5922-725.30-42	0522	6/2009 * Total	140.20 140.20
06/17/2009	94894	PRAIRIE RESTORATIONS, I	city of inver grove	425-5907-725.80-30	0507	6/2009 * Total	21,028.00 21,028.00
				3 Checks	** Fund Total		34,297.14
06/10/2009	94671	BONESTROO, ROSENE, ANDE	city of inver grove	426-5904-726.30-30	0604	6/2009	155.00
			city of inver grove	426-5904-726.30-30	0604	6/2009 * Total	882.25 1,037.25
				1 Checks	** Fund Total		1,037.25
06/10/2009	94724	KIMLEY-HORN & ASSOCIATE	city of inver grove hghts	427-5917-727.30-30	0717	6/2009 * Total	3,031.63 3,031.63
06/10/2009	94754	REED BUSINESS INFORMATI	acct 821155	427-5917-727.50-25	0717	6/2009	265.68
			acct 821155	427-5917-727.50-25	0717	6/2009 * Total	265.68 531.36
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	427-5917-727.30-42	0717	6/2009 * Total	329.40 329.40
				3 Checks	** Fund Total		3,892.39
06/10/2009	94699	FIREMAN'S FUND INSURANC	city of inver grove hghts	428-5918-728.50-16	0818	6/2009 * Total	13,267.00 13,267.00
06/10/2009	94724	KIMLEY-HORN & ASSOCIATE	city of inver grove hghts	428-5910-728.30-30	0810	6/2009	3,024.99
			city of inver grove hghts	428-5911-728.30-30	0811	6/2009	19,607.66
			city of inver grove hghts	428-5908-728.30-30	0808	6/2009 * Total	767.18 23,399.83

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06/17/2009	94862	KRECH, O'BRIEN, MUELLER	city of inver grove hghts	428-5918-728.30-70	0818	6/2009 * Total	8,000.00 8,000.00
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	428-5911-728.30-42	0811	6/2009 * Total	1,673.80 1,673.80
06/10/2009	94670	BOLTON & MENK, INC.	city of inver grove	429-5901-729.30-30	0901	6/2009 * Total	269.00 269.00
06/10/2009	94671	BONESTROO, ROSENE, ANDE	city of inver grove	429-5923-729.30-30	0923	6/2009 * Total	1,613.50 1,613.50
06/10/2009	94782	WSB & ASSOCIATES, INC.	city of inver grove hghts	429-5901-729.30-30	0901	6/2009	2,674.25
06/17/2009	94812	BONESTROO, ROSENE, ANDE	city of inver grove hghts	429-5923-729.30-30	0923	6/2009 * Total	387.00 3,061.25
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	429-5901-729.30-42	0901	6/2009 * Total	770.50 770.50
06/17/2009	94905	SHORT ELLIOTT HENDRICKS	city of inver grove	429-5924-729.30-70	0924	6/2009 * Total	3,133.81 3,133.81
06/10/2009	94669	BARR ENGINEERING COMPAN	cust inv001	440-5900-740.30-30	0909D	6/2009 * Total	4,795.29 4,795.29
06/10/2009	94697	FEDEX KINKO'S	acct 110125232	440-5900-740.50-35	0909A	6/2009 * Total	33.85 33.85
06/10/2009	94705	GORMAN SURVEYING, INC	city of inver grove hghts	440-5900-740.30-32	0909D	6/2009	350.00
06/10/2009	94724	KIMLEY-HORN & ASSOCIATE	city of inver grove hghts	440-5900-740.30-30	0909D	6/2009 * Total	350.00 700.00
06/17/2009	94828	DCA TITLE	billed to levander gillen	440-5900-740.30-70	0909D	6/2009 * Total	29,352.74 29,352.74
06/17/2009	94840	GORMAN SURVEYING, INC	city of inver grove	440-5900-740.30-32	0909D	6/2009 * Total	455.00 455.00
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	440-5900-740.30-42	0909D	6/2009 * Total	1,350.50 1,350.50
					** Fund Total		2,002.50 2,002.50
					** Fund Total		38,689.88

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06/10/2009	94782	WSB & ASSOCIATES, INC.	city of inver grove hghts	441-5900-741.30-30		6/2009 * Total	1,001.00 1,001.00
06/10/2009	94701	G & M TREE MOVING INC	city of inver grove hghts	443-5900-743.60-16	** Fund Total	6/2009 * Total	1,001.00 1,480.00 1,480.00
06/10/2009	94703	GERTENS	acct 103566	443-5900-743.60-16	** Fund Total	6/2009 * Total	60.55 60.55
06/17/2009	94802	AMERICAN ENGINEERING TE	city of inver grove	446-5915-746.30-30	** Fund Total	6/2009 * Total	1,540.55 6,422.55 6,422.55
06/17/2009	94804	AMES CONSTRUCTION INC	nw trunk utility	446-5915-746.80-30	0315	6/2009 * Total	1,097,143.51 1,097,143.51
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	446-5915-746.30-42	0315	6/2009 * Total	453.00 453.00
06/17/2009	94832	EHLERS AND ASSOCIATES,	city of inver grove hghts	452-9000-570.30-70	** Fund Total	6/2009 * Total	1,104,019.06 124.25 124.25
06/17/2009	94832	EHLERS AND ASSOCIATES,	city of inver grove hghts	453-9000-570.30-70	** Fund Total	6/2009 * Total	124.25 124.25
06/10/2009	94663	ACE PAINT & HARDWARE	cust 1126	501-7100-512.60-16	** Fund Total	6/2009 * Total	124.25 13.33 13.33
06/10/2009	94666	ARAGORN INDUSTRIES INC	cityinver	501-7100-512.30-70	** Fund Total	6/2009 * Total	245.00 245.00
06/10/2009	94689	DANNER LANDSCAPING	city of inver grove	501-7100-512.60-16	** Fund Total	6/2009 * Total	23.86 23.86
06/10/2009	94704	GOPHER STATE ONE-CALL	city of inver grove hghts	501-7100-512.30-70	** Fund Total	6/2009 * Total	1,033.85 1,033.85
06/10/2009	94709	HD SUPPLY WATERWORKS LT	acct 099872	501-7100-512.75-50	** Fund Total	6/2009 * Total	200.46 200.46
06/10/2009	94721	JRK SEED & TURF SUPPLY	city of inver grove	501-7100-512.60-16	** Fund Total	6/2009 * Total	165.08 165.08
06/10/2009	94735	MN PIPE & EQUIPMENT	acct 2195	501-7100-512.60-16	** Fund Total	6/2009	395.83

City of Inver Grove Heights
CHECK REGISTER BY FUND

Prepared: 06/17/2009, 14:27:25
Program: GM179L
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94776	US POSTMASTER	city of inver grove	501-7100-512.50-35		* Total	395.83
						6/2009	2,004.80
						* Total	2,004.80
06/10/2009	94778	VIKING INDUSTRIAL CENTE	city of inver grove hgts	501-7100-512.60-16		6/2009	32.80
						* Total	32.80
06/10/2009	94790	XCEL ENERGY	acct 5160987097	501-7100-512.40-20		6/2009	2,359.73
						* Total	2,359.73
06/10/2009	94791	XCEL ENERGY	acct 5160987097	501-7100-512.40-20		6/2009	2,096.89
						* Total	2,096.89
06/17/2009	94796	ACE PAINT & HARDWARE	cust 1126	501-7100-512.60-16		6/2009	4.79
			cust 1126	501-7100-512.60-16		6/2009	11.72
						* Total	16.51
06/17/2009	94803	AMERICAN WATER WORKS AS	member larry blurton	501-7100-512.50-70		6/2009	176.00
						* Total	176.00
06/17/2009	94806	AUTOMATIC SYSTEMS CO.	cust inve01	501-7100-512.40-42		6/2009	480.00
						* Total	480.00
06/17/2009	94814	BRACIA DESIGNS	city of inver grove hgts	501-7100-512.50-30		6/2009	186.38
						* Total	186.38
06/17/2009	94817	CITY OF BLOOMINGTON	city of inver grove hgts	501-7100-512.30-70		6/2009	600.00
						* Total	600.00
06/17/2009	94835	G & K SERVICES	cust 7494701	501-7100-512.60-45		6/2009	28.38
			cust 7494701	501-7100-512.60-45		6/2009	28.38
						* Total	56.76
06/17/2009	94839	GERTENS	cust 103566	501-7100-512.60-16		6/2009	6.00
			cust 103566	501-7100-512.60-16		6/2009	24.00
						* Total	30.00
06/17/2009	94872	MAXIMUM GRAPHICS	acct 2173	501-7100-512.50-30		6/2009	907.38
						* Total	907.38
06/17/2009	94878	MN GLOVE & SAFETY, INC.	cust ctinvp	501-7100-512.60-45		6/2009	267.42
						* Total	267.42
06/17/2009	94882	NORTHERN WATER WORKS SU	city of inver grove	501-7100-512.60-16		6/2009	122.29
						* Total	122.29
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver	501-7100-512.30-55		6/2009	23.43
						* Total	23.43
06/17/2009	94918	VALLEY-RICH CO, INC	city of inver grove hgts	501-7100-512.40-46		6/2009	4,020.50
						* Total	4,020.50

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94925	XCEL ENERGY	acct 5160987097	501-7100-512.40-10		6/2009	231.47
			acct 5160987097	501-7100-512.40-20		6/2009	12,155.54
						* Total	12,387.01
06/10/2009	94733	METROPOLITAN COUNCIL	cust 5084	502-7200-514.40-15	** Fund Total	6/2009	27,845.31
						* Total	114,043.79
06/17/2009	94818	CLOSING PROFESSIONALS L	REQUESTED CREDIT REFUND	502-0000-116.00-00		6/2009	66.52
			city of inver grove hghts	502-0000-207.01-00		* Total	66.52
06/17/2009	94826	DAKOTA CTY TREASURER				6/2009	40.00
						* Total	40.00
06/17/2009	94834	FIRST FINANCIAL TITLE A	REQUESTED CREDIT REFUND	502-0000-116.00-00		6/2009	50.00
						* Total	50.00
06/17/2009	94835	G & K SERVICES	cust 7494701	502-7200-514.60-45		6/2009	12.16
			cust 7494701	502-7200-514.60-45		6/2009	12.16
						* Total	24.32
06/17/2009	94864	LENTZ TEAM	REQUESTED CREDIT REFUND	502-0000-116.00-00		6/2009	32.73
						* Total	32.73
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver	502-7200-514.30-55		6/2009	15.62
						* Total	15.62
06/17/2009	94897	PRO TITLE	REQUESTED CREDIT REFUND	502-0000-116.00-00		6/2009	81.45
						* Total	81.45
06/17/2009	94913	TK HILL BUILDERS & DEVE	REQUESTED CREDIT REFUND	502-0000-116.00-00		6/2009	49.03
						* Total	49.03
06/17/2009	94920	VISU-SEWER INC	cust 2021	502-7200-514.40-43		6/2009	46,172.50
						* Total	46,172.50
06/17/2009	94925	XCEL ENERGY	acct 5160987097	502-7200-514.40-20		6/2009	174.12
						* Total	174.12
06/10/2009	94663	ACE PAINT & HARDWARE	cust 1126	503-8600-527.40-42	** Fund Total	6/2009	160,750.08
						* Total	20.06
06/10/2009	94665	ALTERNATOR REBUILD	inverwood golf	503-8600-527.40-42		6/2009	64.05
						* Total	64.05
06/10/2009	94667	ARCTIC GLACIER, INC.	acct 1726134	503-8300-524.60-65		6/2009	175.20
						* Total	175.20
06/10/2009	94676	COCA COLA BOTTLING COMP	outlet 3079049	503-8300-524.76-10		6/2009	621.30
						* Total	621.30

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94677	COLLEGE CITY BEVERAGE	cust 3592	503-8300-524.76-15		6/2009 * Total	462.00 462.00
06/10/2009	94679	CUSHMAN MOTOR COMPANY I	city of inver grove	503-8600-527.40-42		6/2009 * Total	91.61 91.61
06/10/2009	94685	DAKOTA ELECTRIC ASSN	acct 2013605	503-8600-527.40-20		6/2009 * Total	203.81 203.81
06/10/2009	94696	EXCEL TURF AND ORNAMENT	inverwood golf	503-8600-527.60-35		6/2009 * Total	85.20 85.20
06/10/2009	94702	GERMPLER'S INC.	acct 982	503-8600-527.60-65		6/2009 * Total	100.65 100.65
06/10/2009	94703	GERTENS	acct 100464	503-8600-527.60-20		6/2009 * Total	20.91 20.91
06/10/2009	94707	GRANDMA'S BAKERY	inver grove hts inver grove hts	503-8300-524.76-05 503-8300-524.76-05		6/2009 6/2009	54.88 62.81
			inver grove hts	503-8300-524.76-05		6/2009	62.81
			cust 24400	503-8300-524.76-05		6/2009	60.42
			cust 24400	503-8300-524.76-05		6/2009	49.34
				503-8300-524.76-05		6/2009 * Total	49.34 339.60
06/10/2009	94710	HEGGIES PIZZA	inver grove hts	503-8300-524.76-05		6/2009 * Total	134.80 134.80
06/10/2009	94719	JOHN DEERE LANDSCAPES/L	acct 269520	503-8600-527.60-35		6/2009	1,762.58
			acct 269520	503-8600-527.60-20		6/2009	165.08
			acct 269520	503-8600-527.60-35		6/2009	521.85
			acct 269520	503-8600-527.60-35		6/2009	925.49
			acct 269520	503-8600-527.60-20		6/2009 * Total	317.47 3,692.47
06/10/2009	94727	LEITNER COMPANY	inverwood golf	503-8600-527.60-20		6/2009 * Total	350.29 350.29
06/10/2009	94729	M. AMUNDSON LLP	acct 9028958	503-8300-524.76-05		6/2009 * Total	159.30 159.30
06/10/2009	94731	MENARDS - WEST ST. PAUL	acct 30170265	503-8300-524.40-42		6/2009 * Total	74.54 74.54
06/10/2009	94740	NAPA OF INVER GROVE HEI	acct 301	503-8400-525.40-41		6/2009	13.21
			acct 301	503-8600-527.40-42		6/2009	22.14
			acct 301	503-8600-527.40-42		6/2009 * Total	58.55 93.90
06/10/2009	94741	NATURE CALLS, INC.	city of inver grove	503-8600-527.40-65		6/2009 * Total	102.60 102.60

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94748	PING	acct 4085 acct 4085	503-8200-523.76-25 503-8200-523.76-25		6/2009 6/2009 * Total	75.00 819.11 744.11
06/10/2009	94750	PRECISION TURF & CHEMIC	inverwood inverwood inverwood	503-8600-527.60-30 503-8600-527.60-20 503-8600-527.60-35		6/2009 6/2009 6/2009 * Total	2,776.46 1,209.17 2,392.70 1,592.93
06/10/2009	94767	SUMMIT FOOD EQUIPMENT S	inverwood inverwood golf course	503-8300-524.40-42 503-8300-524.40-42		6/2009 6/2009 * Total	444.54 121.45 565.99
06/10/2009	94774	TWIN CITY SAW	inverwood golf inverwood golf	503-8600-527.40-42 503-8600-527.40-42		6/2009 6/2009 * Total	46.03 53.00 6.97
06/10/2009	94775	US FOODSERVICE	acct 223000 acct 223000 acct 223000 acct 223000 cust 223000	503-8300-524.60-65 503-8300-524.76-05 503-8300-524.76-10 503-8300-524.60-65 503-8300-524.60-65		6/2009 6/2009 6/2009 6/2009 6/2009 * Total	173.34 672.82 6.15 27.75 8.04 888.10
06/10/2009	94780	WESTERN PETROLEUM COMPA	inverwood golf course	503-8600-527.60-22		6/2009 * Total	575.68 575.68
06/10/2009	94781	WINZER CORPORATION	acct 177723	503-8600-527.40-42		6/2009 * Total	234.34 234.34
06/10/2009	94787	XCEL ENERGY	acct 5157543641 acct 5157543641 acct 5157543641	503-8500-526.40-10 503-8500-526.40-20 503-8600-527.40-10		6/2009 6/2009 6/2009 * Total	35.25 1,088.91 52.35 1,176.51
06/10/2009	94788	XCEL ENERGY	acct 5158775110	503-8600-527.40-20		6/2009 * Total	19.40 19.40
06/10/2009	94792	ZACK'S, INC.	cust 2491	503-8600-527.60-40		6/2009 * Total	61.08 61.08
06/17/2009	94796	ACE PAINT & HARDWARE	cust 1126	503-8600-527.60-12		6/2009 * Total	10.97 10.97
06/17/2009	94800	ALL STAR PRO GOLF, INC.	inverwood golf	503-8200-523.76-40		6/2009 * Total	495.36 495.36
06/17/2009	94805	ARCTIC GLACIER, INC.	acct 1726134 acct 1726134 acct 1726134	503-8300-524.60-65 503-8300-524.60-65 503-8300-524.60-65		6/2009 6/2009 6/2009 * Total	68.00 135.00 129.64 332.64
06/17/2009	94819	COCA COLA BOTTLING COMP	outlet 3079049	503-8300-524.76-10		6/2009	523.55

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94819	COCA COLA BOTTLING COMP	outlet 3079049	503-8300-524.76-10		6/2009 * Total	754.55 1,278.10
06/17/2009	94820	COLLEGE CITY BEVERAGE	cust 3592 cust 3592	503-8300-524.76-15 503-8300-524.76-15		6/2009 6/2009 * Total	392.20 446.60 838.80
06/17/2009	94823	COVERALL OF THE TWIN CI	cust 2469	503-8500-526.40-40		6/2009 * Total	1,118.25 1,118.25
06/17/2009	94836	G & K SERVICES	cust 0157401 cust 0157401	503-8600-527.60-45 503-8600-527.60-45		6/2009 6/2009 * Total	80.12 74.34 154.46
06/17/2009	94837	G & K SERVICES	acct 0157401	503-8600-527.60-45		6/2009 * Total	80.12 80.12
06/17/2009	94838	GARY'S PEST CONTROL	inverwood golf course	503-8500-526.40-40		6/2009 * Total	69.39 69.39
06/17/2009	94843	GRANDMA'S BAKERY	cust 24400 cust 24400	503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05 503-8300-524.76-05		6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 * Total	44.56 54.88 52.49 64.44 54.88 49.34 49.34 43.80 41.79 54.88 65.20 60.42 46.57 682.59
06/17/2009	94849	HRGGIES PIZZA	cust 1708	503-8300-524.76-05		6/2009 * Total	113.60 113.60
06/17/2009	94859	JJ TAYLOR DIST. COMPANY	inverwood golf	503-8300-524.76-15		6/2009 * Total	234.00 234.00
06/17/2009	94863	LEMTNER, GLEN	safety toe work boots	503-8600-527.60-65		6/2009 * Total	116.99 116.99
06/17/2009	94870	M. AMUNDSON LLP	inverwood golf cust 902858	503-8300-524.76-05 503-8300-524.76-05		6/2009 6/2009 * Total	178.75 222.20 400.95
06/17/2009	94873	MENARDS - WEST ST. PAUL	cust 30170265 cust 30170265 cust 30170265	503-8600-527.60-20 503-8600-527.60-20 503-8100-522.40-45		6/2009 6/2009 6/2009 * Total	69.49 5.15 46.73 121.37

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94874	METRO CASH REGISTER SYS	inverwood golf	503-8000-521.60-65		6/2009 * Total	41.62 41.62
06/17/2009	94876	MIKEL, MATTHEW	mileage	503-8600-527.50-75		6/2009 * Total	16.50 16.50
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver	503-8600-527.30-55		6/2009 * Total	11.30 11.30
06/17/2009	94890	PERFORMANCE DRAFT BEER	inverwood golf	503-8300-524.40-42		6/2009 * Total	30.00 30.00
06/17/2009	94893	PLAISTED COMPANIES, INC	inverwood golf course	503-8600-527.60-20		6/2009 * Total	753.16 753.16
06/17/2009	94896	PRECISION TURF & CHEMIC	inverwood golf	503-8600-527.50-45		6/2009 * Total	90.00 90.00
06/17/2009	94901	RSC EQUIPMENT RENTAL	cust 185489	503-8100-522.40-45		6/2009 * Total	549.65 549.65
06/17/2009	94903	S & T OFFICE PRODUCTS	cust S28777	503-8500-526.60-65		6/2009	430.74
			cust S28777	503-8500-526.60-10		6/2009	9.61
			cust S28777	503-8500-526.60-10		6/2009 * Total	271.96 712.31
06/17/2009	94907	SOUTH BAY DESIGN	inverwood	503-8500-526.50-25		6/2009 * Total	15.00 15.00
06/17/2009	94909	STERNY, MICHEAL	mileage	503-8600-527.50-75		6/2009 * Total	15.95 15.95
06/17/2009	94911	TDS METROCOM	acct6514573667	503-8500-526.50-20		6/2009 * Total	280.71 280.71
06/17/2009	94916	US FOODSERVICE	cust 223000	503-8300-524.60-65		6/2009	327.83
			cust 223000	503-8300-524.76-05		6/2009	481.51
			cust 223000	503-8300-524.76-10		6/2009	28.08
			cust 223000	503-8300-524.60-65		6/2009	102.03
			cust 223000	503-8300-524.76-05		6/2009	685.13
			cust 223000	503-8300-524.76-10		6/2009	119.56
			cust 223000	503-8300-524.76-05		6/2009 * Total	28.27 1,772.41
06/17/2009	94926	YOCUM OIL COMPANY, INC.	cust 506975	503-8400-525.60-21		6/2009	1,659.44
			cust 506975	503-8400-525.60-21		6/2009	2,267.28
			cust 506975	503-8400-525.60-21		6/2009 * Total	1,064.68 4,991.40
06/10/2009	94663	ACE PAINT & HARDWARE	cust 1126	504-6100-452.60-09	R40340	6/2009 * Total	8.53 8.53
					** Fund Total		27,985.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94675	CHAMPIONSHIP PRODUCTS	cust ifh parks & rec	504-6100-452.60-45	R40100	6/2009	61.80
			cust ifh parks & rec	504-6100-452.60-45	R40100	6/2009	15.00
					*	Total	76.80
06/10/2009	94691	DENZER, ELEANOR	senior trip	504-0000-227.10-00		6/2009	35.00
					*	Total	35.00
06/10/2009	94716	INDEPENDENT SCHOOL DIST	veterans memorial	504-0000-227.10-00		6/2009	789.00
					*	Total	789.00
06/10/2009	94718	INVER GROVE HEIGHTS SEN	veterans memorial	504-0000-227.10-00		6/2009	436.00
					*	Total	436.00
06/10/2009	94737	MN SPORTS FEDERATION	city of inver grove hgts	504-6100-452.60-09	R50100	6/2009	2,009.11
					*	Total	2,009.11
06/10/2009	94758	SAM'S CLUB	acct 7715090065702540	504-6100-452.60-09	R90100	6/2009	201.37
					*	Total	201.37
06/10/2009	94762	SOUTH ST PAUL UMPIRES A	city of inver grove	504-6100-452.30-70	R50100	6/2009	4,482.00
					*	Total	4,482.00
06/10/2009	94765	STAATS	city of inver grove	504-6100-452.60-09	R40900	6/2009	436.49
					*	Total	436.49
06/17/2009	94801	ALPHA BITS BAND	city of inver grove hgts	504-6100-452.30-70	R30720	6/2009	175.00
					*	Total	175.00
06/17/2009	94807	BALDINGER, WENDY	city of inver grove hgts	504-6100-452.30-70	R30720	6/2009	250.00
					*	Total	250.00
06/17/2009	94816	CHAMPIONSHIP PRODUCTS	igh parks & rec	504-6100-452.60-45	R20680	6/2009	281.75
					*	Total	281.75
06/17/2009	94845	HALE, WILLIAM	city of inver grove hgts	504-6100-452.30-70	R30720	6/2009	250.00
					*	Total	250.00
06/17/2009	94881	MN RECREATION AND PARK	city of inver grove	504-6100-452.50-80	R10350	6/2009	60.00
					*	Total	60.00
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver	504-6100-452.30-55	R90100	6/2009	7.90
					*	Total	7.90
06/17/2009	94889	PARTY UNIT	skate jam	504-6100-452.30-70	R30950	6/2009	375.00
					*	Total	375.00
06/17/2009	94906	SHORT, BOBBIE	price difference	504-0000-347.00-00	R40300	6/2009	28.00
					*	Total	28.00
06/10/2009	94673	BUELOW AND ASSOCIATES I	city of inver grove hgts	505-6200-453.30-20	C21000	6/2009	413.04
					*	Total	413.04
			17 Checks		** Fund Total		9,901.95

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94675	CHAMPIONSHIP PRODUCTS	cust ifh parks & rec cust ifh parks & rec	505-6200-453.60-65 505-6200-453.60-45	C16000 C65100	6/2009 6/2009 * Total	652.50 993.95 1,646.45
06/10/2009	94678	CULLIGAN-METRO	acct 157011438908	505-6200-453.60-65	C10000	6/2009 * Total	23.00 23.00
06/10/2009	94693	DOODY MECHANICAL SERVIC	cust 6411	505-6200-453.40-40	C25000	6/2009 * Total	158.00 158.00
06/10/2009	94698	FERRELLGAS	acct 7757735	505-6200-453.60-21	C21000	6/2009 * Total	176.05 176.05
06/10/2009	94700	FREEMOTION FITNESS, INC	acct 106895	505-6200-453.40-42	C70000	6/2009 * Total	41.59 41.59
06/10/2009	94706	GRAHAM, JEN	kr supplies rainbow	505-6200-453.60-65 505-6200-453.76-10	C65100 C65100	6/2009 6/2009 * Total	133.90 103.25 237.15
06/10/2009	94720	JOHNSON CONTROLS	city of inver grove	505-6200-453.40-40	C25000	6/2009 * Total	5,800.00 5,800.00
06/10/2009	94723	KIMBALL MIDWEST	acct 226819	505-6200-453.60-16	C25000	6/2009 * Total	96.43 96.43
06/10/2009	94731	MENARDS - WEST ST. PAUL	acct 30170270	505-6200-453.60-16	C25000	6/2009 * Total	124.87 124.87
06/10/2009	94736	MN RECREATION AND PARK	inver grove hgts	505-6200-453.50-70	C10100	6/2009 * Total	750.00 750.00
06/10/2009	94738	MONEY MAILER OF THE TWI	inver grove hgts	505-6200-453.50-25	C91000	6/2009 * Total	400.00 400.00
06/10/2009	94744	ORN, MARY	cancelled class	505-0000-352.35-00	C51000	6/2009 * Total	49.00 49.00
06/10/2009	94755	ROACH, RICK	mileage	505-6200-453.50-65	C25000	6/2009 * Total	12.10 12.10
06/10/2009	94757	SAM'S CLUB	acct 7715090061606950 acct 7715090061606950	505-6200-453.60-65 505-6200-453.76-05	C70000 C30300	6/2009 6/2009 * Total	294.50 228.73 523.23
06/10/2009	94758	SAM'S CLUB	acct 7715090065702540 acct 7715090065702540	505-6200-453.60-65 505-6200-453.76-05	C85000 C16000	6/2009 6/2009 * Total	90.56 49.63 140.19
06/10/2009	94766	STATE OF MN-DEPT OF PUB	erc id 190710051	505-6200-453.50-70	C25000	6/2009 * Total	100.00 100.00
06/10/2009	94779	VISTAR CORPORATION	acct 10135003	505-6200-453.76-05	C30400	6/2009	41.48

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94779	VISTAR CORPORATION	acct 10095779	505-6200-453.76-05	C30200	6/2009 * Total	268.66 310.14
06/10/2009	94789	XCEL ENERGY	acct 5168679487 acct 5168679487	505-6200-453.40-10 505-6200-453.40-20	C25000 C25000	6/2009 6/2009 * Total	5,446.08 19,103.29 24,549.37
06/16/2009	94794	GRAND SLAM SPORTS	field trip	505-6200-453.50-90	C65100	6/2009 * Total	979.00 979.00
06/17/2009	94796	ACE PAINT & HARDWARE	cust 1126 cust 1126	505-6200-453.60-16 505-6200-453.60-16	C21000 C21000	6/2009 6/2009 * Total	11.72 9.60 21.32
06/17/2009	94821	COMCAST	cust 8772105910277033	505-6200-453.50-70	C10000	6/2009 * Total	74.95 74.95
06/17/2009	94831	DISCOUNT SCHOOL SUPPLY	acct 8009003	505-6200-453.60-65	C65100	6/2009 * Total	143.39 143.39
06/17/2009	94841	GRAINGER	acct 806460150	505-6200-453.60-16	C21000	6/2009 * Total	39.06 39.06
06/17/2009	94844	HALDEMAN-HOMME, INC	gym floor	505-6200-453.80-20	C21000	6/2009 * Total	71,294.65 71,294.65
06/17/2009	94851	HILLYARD INC	cust 267670	505-6200-453.60-11	C25000	6/2009 * Total	457.53 457.53
06/17/2009	94854	HUEBSCH SERVICES	cust 92965	505-6200-453.40-40	C25000	6/2009 * Total	105.20 105.20
06/17/2009	94860	JOHNSON CONTROLS	acct 288129520201	505-6200-453.40-40	C25000	6/2009 * Total	2,898.17 2,898.17
06/17/2009	94871	MASTER MECHANICAL INC	city of inver grove hgtls	505-6200-453.40-40	C25000	6/2009 * Total	297.00 297.00
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver	505-6200-453.30-55	C50000	6/2009 * Total	32.38 32.38
06/17/2009	94892	PIONEER PRESS	acct 414398	505-6200-453.50-25	C91000	6/2009 * Total	154.62 154.62
06/17/2009	94904	SETON IDENTIFICATION PR	inver grove hgtls	505-6200-453.60-65	C25000	6/2009 * Total	232.55 232.55
06/17/2009	94908	SPRUNG SERVICES	city of inver grove	505-6200-453.40-40	C25000	6/2009 * Total	555.23 555.23
06/17/2009	94910	STOFFEL, DIANE	canceled class	505-0000-352.35-00	C51000	6/2009 * Total	22.00 22.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94919	VICTORY CORPS	cust 2223861	505-6200-453.60-65	C10000	6/2009 * Total	421.70 421.70
06/17/2009	94921	WEIKLENGET, TOOD & YUK	class canceled	505-0000-352.35-00	C51000	6/2009 * Total	44.00 44.00
06/17/2009	94888	OPTUMHEALTH FINANCIAL S	city of inver	602-2100-415.30-55	** Fund Total	6/2009 * Total	113,323.36 .70 .70
06/10/2009	94674	CARQUEST OF ROSEMOUNT	acct 614420	603-5300-444.40-41	** Fund Total	6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 * Total	43.98 43.98 25.45 18.62 28.46 185.31 34.02 21.33 313.19 123.17 592.46 592.46 404.17 502.53 1,029.87
06/10/2009	94695	EMERGENCY AUTOMOTIVE TE	inver grove hghts city	603-5300-444.40-41	** Fund Total	6/2009 6/2009 6/2009 6/2009 6/2009 6/2009 * Total	519.52 519.52 228.58 228.58 223.03 466.53 483.27 1,172.83
06/10/2009	94717	INVER GROVE FORD	city of inver grove hghts	603-5300-444.40-41	** Fund Total	6/2009 * Total	1,041.37 1,041.37
06/10/2009	94723	KIMBALL MIDWEST	acct 222006	603-5300-444.60-12	** Fund Total	6/2009 * Total	77.75 77.75
06/10/2009	94726	LANGULIA HARDWARE INC	inver grove hghts city	603-5300-444.40-41	** Fund Total	6/2009 6/2009 6/2009 * Total	31.05 31.05 191.70 40.47 232.17
06/10/2009	94730	MACQUEEN EQUIPMENT INC	inver grove hghts city	603-5300-444.40-41	** Fund Total	6/2009 * Total	31.05 31.05
06/10/2009	94753	R & R CARPET SERVICE	city of inver grove hghts	603-5300-444.40-65	** Fund Total	6/2009 * Total	77.75 77.75
06/10/2009	94759	SAM'S CLUB	acct 7715090061845624	603-5300-444.60-11	** Fund Total	6/2009 * Total	31.05 31.05
06/10/2009	94761	SOUTH ST PAUL STEEL SUP	acct 0100202	603-5300-444.60-12	** Fund Total	6/2009 6/2009 * Total	191.70 40.47 232.17

City of Inver Grove Heights
CHECK REGISTER BY FUND

Prepared: 06/17/2009, 14:27:25
Program: GM179L
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD / YEAR	AMOUNT
06/10/2009	94764	ST. JOSEPH EQUIPMENT, I	acct si0930	603-5300-444.40-41		6/2009	746.57
			acct si0930	603-5300-444.40-41		6/2009	175.29
						* Total	921.86
06/10/2009	94770	TRACTOR SUPPLY CREDIT P	acct 6035301200183679	603-5300-444.40-41		6/2009	390.66
			acct 6035301200183679	603-5300-444.60-12		6/2009	70.90
			acct 6035301200183679	603-5300-444.60-40		6/2009	89.66
						* Total	551.22
06/10/2009	94772	TURFWERKS	acct t11270	603-5300-444.40-41		6/2009	269.20
						* Total	269.20
06/10/2009	94793	ZARNOTH BRUSH WORKS	acct inv1669	603-0000-145.50-00		6/2009	424.94
			acct inv1669	603-5300-444.40-41		6/2009	443.04
						* Total	867.98
06/17/2009	94796	ACE PAINT & HARDWARE	cust 1126	603-5300-444.40-41		6/2009	13.87
			cust 1126	603-5300-444.40-41		6/2009	21.08
						* Total	34.95
06/17/2009	94813	BOYER TRUCKS - PARTS DI	acct c20390	603-5300-444.40-41		6/2009	65.21
			acct c20390	603-5300-444.40-41		6/2009	74.95
						* Total	140.16
06/17/2009	94815	CARQUEST OF ROSEMOUNT	acct 614420	603-0000-145.50-00		6/2009	67.02
			acct 614420	603-5300-444.40-41		6/2009	170.35
			acct 614420	603-5300-444.40-41		6/2009	16.91
			acct 614420	603-5300-444.40-41		6/2009	170.35
			acct 614420	603-5300-444.40-41		6/2009	540.98
			acct 614420	603-5300-444.40-41		6/2009	24.69
			acct 614420	603-0000-145.50-00		6/2009	62.49
			acct 614420	603-5300-444.60-40		6/2009	164.02
			acct 614420	603-0000-145.50-00		6/2009	36.98
			acct 614420	603-5300-444.40-41		6/2009	5.29
			acct 614420	603-0000-145.50-00		6/2009	174.60
						* Total	1,092.98
06/17/2009	94830	DIAMOND MOWERS INC	city of inver grove hghts	603-5300-444.40-41		6/2009	364.79
						* Total	364.79
06/17/2009	94833	FACTORY MOTOR PARTS COM	city of inver grove hghts	603-5300-444.40-41		6/2009	80.15
						* Total	80.15
06/17/2009	94835	G & K SERVICES	cust 7494701	603-5300-444.40-65		6/2009	108.58
			cust 7494701	603-5300-444.60-45		6/2009	95.13
			cust 7494701	603-5300-444.40-65		6/2009	108.58
			cust 7494701	603-5300-444.60-45		6/2009	53.89
						* Total	366.18
06/17/2009	94852	HOSE / CONVEYORS INC	cust cit300	603-5300-444.40-41		6/2009	35.51
						* Total	35.51
06/17/2009	94858	INVER GROVE FORD	city of inver grove hghts	603-5300-444.40-41		6/2009	42.54

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/10/2009	94785	XCEL ENERGY	acct 5142529960 acct 5142529960	605-3100-419.40-10 605-3100-419.40-20		6/2009 6/2009 * Total	412.56 2,832.32 3,244.88
06/17/2009	94797	ACTION ROOFING & SIDING	city of inver grove hghts	605-3100-419.40-40		6/2009 * Total	1,644.96 1,644.96
06/17/2009	94811	BETTS, BETH	spring plants	605-3100-419.30-70		6/2009 * Total	270.03 270.03
06/17/2009	94869	LONE OAK COMPANIES	city of inver grove hghts	605-3100-419.50-35		6/2009 * Total	364.00 364.00
06/17/2009	94884	NS/I MECHANICAL CONTRAC	city of inver grove hghts	605-3100-419.40-40		6/2009 * Total	153.50 153.50
06/17/2009	94886	ONVOY INC	acct 1555726455	605-3100-419.50-20		6/2009 * Total	987.32 987.32
06/17/2009	94912	THYSSENKRUPP ELEVATOR C	cust 941639	605-3100-419.40-40		6/2009 * Total	286.64 286.64
06/17/2009	94917	USA MOBILITY WIRELESS I	acct 03174935	605-3100-419.40-65		6/2009 * Total	3.53 3.53
06/17/2009	94927	ZEE MEDICAL SERVICE	cust 701	605-3100-419.60-65		6/2009 * Total	152.40 152.40
06/10/2009	94664	ADVANCED TECHNOLOGY SYS	cityinver cityinver	606-1400-413.60-10 606-1400-413.60-10	11 Checks	6/2009 6/2009 * Total	7,322.14 1,868.23 199.63 2,067.86
06/10/2009	94690	DELL MARKETING	acct 01936783 acct 01936783 acct 01936783 acct 01936783 acct 01936783	606-1400-413.60-65 606-1400-413.60-41 606-1400-413.60-41 606-1400-413.60-65 606-1400-413.60-65		6/2009 6/2009 6/2009 6/2009 6/2009 * Total	70.02 54.43 2,119.25 489.32 987.38 3,720.40
06/10/2009	94694	EASTON, DIANE	hard drive - police	606-1400-413.60-65		6/2009 * Total	160.11 160.11
06/10/2009	94739	MP NEXLEVEL, LLC	city of inver grove	606-1400-413.30-70		6/2009 * Total	195.00 195.00
06/10/2009	94746	PERFORMANCE DRAFT BEER	inverwood golf course	606-1400-413.30-70		6/2009 * Total	30.00 30.00
06/10/2009	94768	SUNGARD PUBLIC SECTOR I	cust 1645	606-1400-413.40-49		6/2009 * Total	27,199.91 27,199.91

CHECK DATE	CHECK NUMBER	CHECK VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
06/17/2009	94798	ADVANCED TECHNOLOGY SYS	city of inver grove	606-1400-413.60-10		6/2009 * Total	952.26 952.26
06/17/2009	94829	DELL MARKETING	acct 019368783	606-1400-413.40-49		6/2009 * Total	568.14 568.14
06/17/2009	94861	JR'S APPLIANCE DISPOSAL	city of inver grove hgts	606-1400-413.30-70		6/2009 * Total	59.40 59.40
06/17/2009	94880	MN OFFICE OF ENTERPRISE	cust b00659	606-1400-413.30-70		6/2009 * Total	100.00 100.00
06/17/2009	94885	OFFICE OF ENTERPRISE TE	cust b00171	606-1400-413.30-75		6/2009 * Total	311.81 311.81
06/17/2009	94809	BARR ENGINEERING COMPAN	city of inver grove hgts	702-0000-228.30-00	** Fund Total	6/2009 * Total	35,364.89 1,094.00 1,094.00
06/17/2009	94824	CULLIGAN	acct 157984732428	702-0000-228.63-00		6/2009 * Total	66.90 66.90
06/17/2009	94855	HYDRO VAC INC	additional hydrant refund	702-0000-229.43-00		6/2009 * Total	.50 .50
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	702-0000-228.32-00		6/2009 6/2009 6/2009 6/2009	33.00 33.00 440.20 110.00
06/17/2009	94922	WINONA COUNTY SHERIFFS	wade dixon andrews	702-0000-229.10-00		6/2009 * Total	175.00 175.00
06/10/2009	94756	SAM'S CLUB	acct 7715090061172300	703-5500-446.60-65	5 Checks ** Fund Total	6/2009 * Total	1,952.60 229.19 229.19
06/17/2009	94809	BARR ENGINEERING COMPAN	city of inver grove hgts	703-5500-446.30-30		6/2009 * Total	2,268.50 2,268.50
06/17/2009	94867	LEVANDER, GILLEN & MILL	client 81000e	703-5500-446.30-42		6/2009 * Total	156.00 156.00
06/17/2009	94891	PINE BEND LANDFILL	acct 200	703-5500-446.60-65		6/2009 * Total	21.00 21.00
					4 Checks ** Fund Total		2,674.69
					314 Checks *** Bank Total		1,887,991.71

City of Inver Grove Heights
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Prepared: 06/17/2009, 14:27:25
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CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
314 Checks *** Grand Total							1,887,991.71

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 1 for National Guard Gymnasium Floor Replacement

Meeting Date: June 22, 2009
Item Type: Consent Agenda
Contact: Tracy Petersen 651.450.2588
Prepared by: Tracy Petersen
Reviewed by: Eric Carlson – Parks & Recreation

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 pay voucher No. 1 for the 2009 National Guard Gymnasium Floor Replacement.

SUMMARY

The City Council approved hiring Haldeman-Homme, Inc. on March 9, 2009 to replace the existing gymnasium floor in the National Guard Armory. The contractor is requesting payment of work completed to date. The project is funded in the 2009 VMCC operating budget in the amount of \$103,427 with 50% of this cost being paid for by the Minnesota State Armory Building Commission (MSABC).

To date, the project schedule is on hold while the City and National Guard are completing a comprehensive study of water/moisture issues in the gymnasium, surrounding interior spaces as well as the exterior of the National Guard building. Tests have been conducted by Emmons & Olivier Resources, Inc. with regards to surface and ground water as well as a pending inspection of the roof drains over the gymnasium.

Upon completion of the roof drain inspection, City staff, National Guard staff and Emmons & Olivier will review recommended actions to resolve the moisture issues. Staff hopes to move forward with the floor replacement once water/moisture issues are resolved.

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAYMENT VOUCHER

ESTIMATE NO. 1
DATE: June 22, 2009
PERIOD ENDING: June 1, 2009
CONTRACT: National Guard Gymnasium Floor Replacement
PROJECT NO: NA

TO: Haldeman-Homme, Inc.
 430 Industrial Blvd.
 Minneapolis, MN 55413

A.	Original Contract Amount	\$103,427
B.	Total Addition (Change Order No. 1).....	NA
C.	Total Deductions	NA
D.	TOTAL CONTRACT AMOUNT.....	\$103,427
E.	TOTAL VALUE OF WORK TO DATE	\$75,047
F.	LESS RETAINED 5%	\$3,752.35
G.	Less Previous Payment	\$0
H.	TOTAL APPROVED FOR PAYMENT THIS VOUCHER.....	\$71,294.65
I.	TOTAL PAYMENTS INCLUDING THIS VOUCHER	\$71,294.65

APPROVALS:

Pursuant to our field observations, I hereby recommend for payment the above stated amount for work performed through June 1, 2009.

Signed by: _____

_____ Date

Signed by: _____

George Tourville, Mayor

_____ Date

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Pay Voucher No. 12 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements

Meeting Date: June 22, 2009
Item Type: Consent
Contact: Steve W. Dodge, 651.450.2541
Prepared by: Steve W. Dodge, Asst. City Engineer
Reviewed by: Thomas J. Kaldunski, City Engineer

TJK

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other: 2003-15 Project Funds

PURPOSE/ACTION REQUESTED

Consider Pay Voucher No. 12 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements.

SUMMARY

The improvements were ordered by the City Council on November 14, 2005. The contract was awarded to Ames Construction in the amount of \$9,537,706.15 on April 14, 2008.

The contractor has completed the work through May 31, 2009 in accordance with the contract plans and specifications. A 5% retainage will be maintained until the project is completed.

Public Works recommends approval of Pay Voucher No. 12 in the amount of \$1,097,143.51 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements.

SWD/kf

Attachments: Pay Voucher No. 12

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAYMENT VOUCHER

ESTIMATE NO. 12
DATE: June 11, 2009
PERIOD ENDING: May 31, 2009
CONTRACT: Northwest Area Trunk Utility Improvements
PROJECT NO: 2003-15

TO: Ames Construction, Inc.
2000 Ames Drive
Burnsville, MN 55306

A. Original Contract Amount.....\$9,537,706.15
B. Total Additions (Change Orders No. 1 and No. 2)\$203,187.99
C. Total Deductions
D. TOTAL CONTRACT AMOUNT\$9,740,894.14
E. TOTAL VALUE OF WORK TO DATE\$8,997,520.46
F. LESS RETAINED (5%).....\$449,876.02
G. Less Previous Payment.....\$7,450,500.93
H. TOTAL APPROVED FOR PAYMENT THIS VOUCHER.....\$1,097,143.51
I. TOTAL PAYMENTS INCLUDING THIS VOUCHER\$8,547,644.44

APPROVALS:

Pursuant to our field observations, I hereby recommend for payment the above stated amount for work performed through May 31, 2009.

Signed by:  16 JUNE 09
Scott Thureen, Public Works Director Date

Signed by:  6-12-09
Kevin Klimmek, Ames Construction Date

Signed by: _____
George Tourville, Mayor Date

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Accept Proposal for Concrete Repair

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: Barry Underdahl, Street Maintenance Superintendent
 Prepared by: Scott D. Thureen, Public Works Director
 Reviewed by: *SDT*

Fiscal/FTE Impact:

- None
- Amount included in current budget
- Budget amendment requested
- FTE included in current complement
- New FTE requested – N/A
- Other: Water Connection Fund

PURPOSE/ACTION REQUESTED

Accept proposal for concrete repair.

SUMMARY

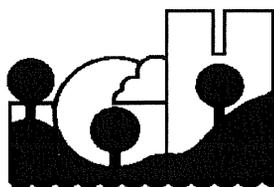
As part of the annual sidewalk maintenance program, the Street Maintenance Superintendent identified sidewalk panels, pedestrian ramps, and some curb and gutter sections adjacent to pedestrian ramps that need to be replaced. Proposals for this work were requested. Two proposals were received.

Bailey Construction	\$11,210.00
Kath Construction, Inc.	\$14,315.00

Public Works recommends accepting the proposal from Bailey Construction in the amount of \$11,210.00. This work will be funded from Fund 101-5200-443.40-46 Repairs and Maintenance – Roads.

SDT/kf

Attachments: Memo
 Proposals



City of Inver Grove Heights
Streets/Central Equipment

MEMORANDUM

TO : Scott Thureen
FROM : Barry Underdahl
SUBJECT : Concrete Repair
DATE : June 11, 2009

While inspecting sidewalks this spring I found problems with sidewalk panels, pedestrian ramps, and some curb sections adjacent to pedestrian ramps. I marked select problem areas and solicited quotes to remove and replace these potential trouble spots. I also asked the contractors to include the installation of truncated dome panels on the pedestrian ramps which are necessary to be ADA compliant. Each was given a list of locations and maps with the repair area outlined and instructed to include removals, disposal, and traffic control. I received two quotes for the necessary repairs.

Kath Construction, Inc.	\$14,315.00
Bailey Construction	\$11,210.00

I recommend accepting the low quote from Bailey Construction. As outlined in the 2009 budget Justification the cost for the repairs will come out of budget line item 101-5200-443-40-46. Repairs will begin within one week of your approval.

Proposal

BAILEY CONSTRUCTION
P.O. BOX 87
STILLWATER, MN 55082
(651) 351-7527 (715)247-3811 FAX

Att: Barry

Proposal Submitted To: <i>Barry Underdahl</i>	Job Name	Job #
Address: <i>Inver Grove Heights</i>	Job Location	
	Date	Date of Plans
Phone #: <i>(651) 450 2556</i>	Fax #: <i>651-455 9405</i>	Architect

We hereby submit specifications and estimates for:

*Remove concrete and install new ramps with
dome panels at \$500 each quantity 6 \$3000⁰⁰*

Remove & Replace curb/gutter 31' \$930⁰⁰

*Remove & Replace walks at various locations
app. 1456 sqft at \$5 \$7280⁰⁰*

\$11,210⁰⁰

Amick

We propose hereby to furnish material and labor — complete in accordance with the above specifications for the sum of:

\$ _____ Dollars

with payments to be made as follows: *on completion*

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

[Signature]

Note — this proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Signature _____

Date of Acceptance _____ Signature _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Land Alteration Permit No. C-089-09 – Phase 2 for WWKM LLC

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: Steve Dodge, 651-450-2541
 Prepared by: Steve Dodge, Asst. City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

SAT

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

Consider a request for a land alteration permit (LAP) for grading and excavating of material in excess of 10,000 cubic yards on parcel I.D. No. 20-02700-014-50, that 20.09 acre parcel of unplatted land located on the east side of TH 52 and south of the Union Pacific Railway as depicted in the attached location exhibit A. Issues relating to the completion of City Projects No. 2008-10 Ravine Ponds and No. 2008-08 TH 52 East Frontage Road are resolved. Staff is recommending approval of Phase 2.

SUMMARY

The Council approved Phase 1 of the WWKM LLC land alteration permit at the May 26, 2009, regular meeting.

The overall grading plan, including Phase 1 and 2, submitted has approximate grading elevations and drainage patterns which fall within the original approved grading plan with the following issues to consider:

Permanent Grading and Drainage: The site as shown will be rough graded to the elevations shown until such time as the site is permanently developed. A grading and drainage plan and the storm water pollution prevention plan (SWPPP) are attached. The grading plan shows that the owner is proposing to continue to fill Phase 1 toward the north and east property lines. Phase 2 would be implemented after Phase 1 is completed. Phase 2 will be required to provide temporary drainage system, similar to what is in Phase 1, which collects water at the top of the graded slopes and carries it to the bottom of the slope in order to minimize erosion. These temporary slope protection measures will need to be adjusted as filling operations occur. The permanent grading plan has additional storm pipe added to collect the runoff from the site and send it to a recently constructed 36-inch storm sewer that conveys the water to the newly built Ravine Ponds just east of the property. The owner has provided hydrologic calculations showing a temporary built-in low area for the completed Phase 1 and Phase 2 portions that will store water up to the 100-yr storm. A small amount of overflow water for the 100-yr storm or larger is directed down a reinforced emergency overflow swale to safely convey water and minimize future erosion concerns due to larger storm events or spring runoff. The proposed drainage system is semi-permanent until that time the property is fully developed. A permanent storm sewer system would be required which connects into the manholes of the existing 36-inch sewer system.

Highway 52 East Frontage Road Project: The East Frontage Road, if completed in 2009, will be the new access for this site. There will be grading and filling occurring on the west side of Phases 1 and 2 in accordance with existing easements and agreements for the East Frontage Road.

Erosion Control and Turf Restoration: The site is acquiring an NPDES Permit which will incorporate temporary and permanent sediment and erosion control plan. The measures to be considered are spelled out in the conclusions and recommendations.

Ravine Ponds: The ponds recently built to the east of this property have been sized to accommodate storm water runoff from this site for Phase 1 and Phase 2. The newly installed 36-inch pipe has been designed to accept storm water from the WWKM LLC site. When this site is developed, the developer will be responsible for pre-treatment of the storm water (i.e. sediments and oils). The existing storm systems can accommodate a storm system sized for the 10-year storm. Temporary onsite storage of events larger than the 10-year storm event will be required.

Existing Storm Manholes: The owner will be responsible for labor and material costs associated with raising the manholes to grade as the area is filled.

Tree Preservation: All tree preservation and replacement requirements have been waived for both Phase 1 and 2 in exchange for granting of easements and land owner cooperation in accordance with the agreement associated with the Ravine Ponds and East Frontage Road projects.

Rechtzigel Driveway: The Rechtzigel's driveway has been mostly completed across the property to maintain access Rechtzigel's property and the City for maintenance of Ravine Ponds. The driveway access will be adjusted to connect to the East Frontage Road project when the frontage road is constructed.

Wetlands: None.

Haul Routes and Hours of Operation: Highway 52 is the current entrance to the site. The owner will be required to use East Frontage Road as the access when the project is completed. TH 52 and the future East Frontage Road can support the additional truck traffic. The owner will operate between the permitted hours of 7:00 am to 7:00 pm, Monday through Saturday.

Compacted fill: The applicant has noted that fill brought to the site will be clean fill as approved by a geotechnical engineer and in accordance with Section 420 of the City Ordinance and compacted in designated areas in order to prepare it for development and buildings.

Resident Notification: Done with Phase 1.

Environment Commission: Environmental commission reviewed the Land Alteration Submittal and heard the presentation from Staff. Mr. Vance Grannis attended the meeting representing the owner. The Environmental Commission recommended approval.

Public Works/Engineering recommends approval of the land alteration permit subject to the standard land alteration permit conditions and in accordance with the following comments and conditions:

1. The long slopes shall be permanently seeded and blanketed in accordance with the SWPPP. Any slopes 3:1 or steeper shall be permanently seeded and blanketed within 7-days of completion. Temporary seeding will be necessary for any temporary stoppage in grading operations in accordance with the SWPPP.
2. Finished grades shall not exceed 4H:1V unless otherwise approved by City Engineer. The proposed grading plan is being recommended for approval with 3:1 slopes shown.
3. The owner may need to incorporate temporary sediment basins until turf is established on certain areas of the site during interim construction as directed or approved by the City Engineer.
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 commencing work under this land alteration permit.
5. If needed (within the duration of this permit), supply the City a copy of any written agreement with adjacent landowners to grade on their property.
6. Owner will need to coordinate his grading with the City's contractor in any permanent and temporary easements being acquired through City Projects No. 2008-10 Ravine Ponds and No. 2008-08 TH 52 East Frontage Road.
7. Owner shall closely maintain the erosion and sediment control devices to protect the City and State right-of-way, roads and ditches from construction sediment.
8. Street sweeping on an as needed basis shall be part of the sediment control best management practices for the site.

9. Dust must be controlled to the satisfaction of the City.
10. Tree replacement requirements have been waived in exchange for granting of easements and land owner cooperation in accordance with the attached agreement.
11. A \$4,000 cash escrow and \$80,000 performance bond shall be provided.
12. Existing and proposed temporary erosion and sediment control devices, interim slope drainage conveyance pipe and systems, and other measures installed may need to be adjusted or modified to address any concentrated storm water flows from off site.
13. 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.
14. The owner is responsible for removal of any sediment from this site that impacts the in-place storm system or downstream ponds (i.e. Ravine Ponds).
15. Hours of operation are restricted to 7:00 am to 7:00 pm Monday through Saturday.
16. The applicant must certify that all fill brought to the site will be clean fill as approved by a geotechnical engineer and in accordance with Section 420 of the City Ordinance and compacted in designated areas in order to prepare it for development and buildings.
17. Upon completion of the site grading or land alteration permit, a certified letter and asbuilt grading plan from a registered Engineer or Land Surveyor shall be provided to the City certifying that the site grades are as shown on the approved grading plan.
18. Prior to any disturbance of Phase 2, the owner will be required to accept the responsibility of erosion control, sediment control, temporary seeding and permanent turf establishment if the NPDES permit for City Projects No. 2008-10 Ravine Ponds and No. 2008-08 TH 52 East Frontage Road has not been terminated.

SWD/kf

Attachments: Location Map
 Proposed Grading Plan

EXHIBIT 1 LOCATION MAP FOR KRECH LAND ALTERATION PERMIT

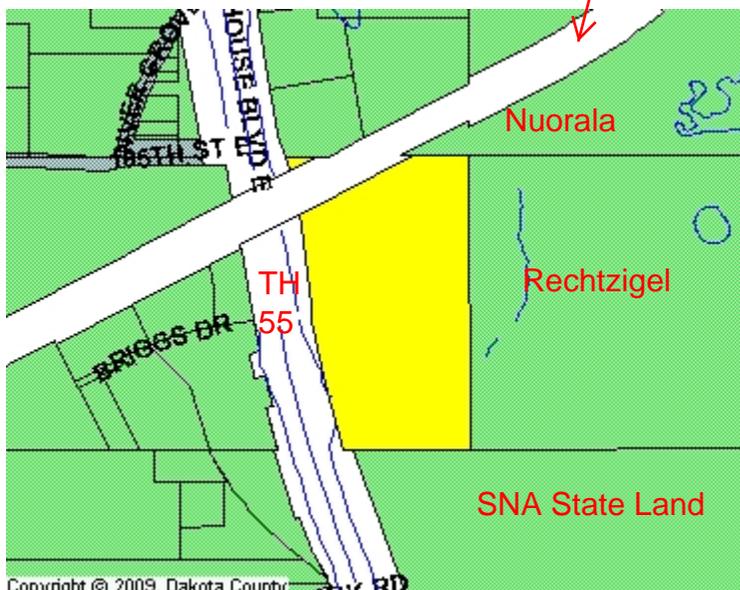
PIN: 20-02700-014-50

Owner: WWKM LLC

Address: 10608 COURTHOUSE BLVD

City: INVER GROVE HEIGHTS, MN 55077

Union Pacific
Railroad



**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

ROGER C. MILLER
TIMOTHY J. KUNTZ
DANIEL J. BEESON
*KENNETH J. ROHLF
◊STEPHEN H. FOCHLER
◊JAY P. KARLOVICH
ANGELA M. LUTZ AMANN
*KORINE L. LAND
ANN C. O'REILLY
◊DONALD L. HOEFT
DARCY M. ERICKSON
DAVID S. KENDALL
JEROME M. PORTER
BRIDGET McCAULEY NASON
.
HAROLD LEVANDER
1910-1992
.
ARTHUR GILLEN
1919-2005
.

MEMO

*ALSO ADMITTED IN WISCONSIN
◊ALSO ADMITTED IN NORTH DAKOTA
◊ALSO ADMITTED IN MASSACHUSETTS
◊ALSO ADMITTED IN OKLAHOMA

TO: Mayor and Council Members
FROM: Timothy J. Kuntz and Kenneth J. Rohlf, City Attorneys
DATE: June 22, 2009
RE: Orchard Trail Development
Manley Brothers Construction, Inc.

Section 1. Background:

The Orchard Trail Development: The City of Inver Grove Heights and Manley Land Development, Inc.¹, entered into a Development Agreement for the development of the Plat of Orchard Trail. Pursuant to a Consent Agreement, Manley Brothers Construction, Inc., (hereinafter "Manley") became the owner of the Orchard Trail property and assumed all of the development obligations under the Development Agreement with the City. The Development Agreement was dated November 24, 2004 and was filed of record with the Dakota County Recorder's Office on December 8, 2004. Pursuant to the terms of the Development Agreement, Manley was obligated to construct certain public improvements within the Plat. In an effort to ensure the eventual construction of the public improvements, the Development Agreement required Manley to post a Letter of Credit with the City in the sum of \$1,000,000.00. Manley enlisted its lender, Eagan based, Lakeland Construction Finance, LLC, ("Lakeland") to post the \$1,000,000.00 letter of credit with the City.

¹ Throughout the development approval process at the City, Manley Land Development, Inc., held itself out as the intended owner and developer of the Orchard Trail Property. Due to business reasons, Manley Brothers Construction, Inc., and not Manley Land Development, Inc., purchased the Property and became the owner and developer of the Property. Manley Land Development, Inc., consented and agreed to the terms and conditions contained in the Development Agreement and consented to Manley Brothers Construction, Inc., becoming the owner and developer under the terms of the Development Agreement. The Development Agreement runs with the Property.

The Developer's Default: Manley did not complete construction of the various Developer Improvements as required by the Development Agreement. On April 11, 2007, pursuant to the Development Agreement, the City served upon Manley a Formal Notice of Default. The City cited seventeen (17) deficiencies in the Developer's construction of the Improvement required by the Development Agreement. A copy of the City's Formal Notice of Default and list of seventeen (17) deficiencies in Developer's construction of the Improvement required by the Development Agreement is attached hereto as **Exhibit A.**² Manley did not cure or remedy the stated defaults. Under the Development Agreement, if a Developer does not cure the stated default(s) under the Formal Notice of Default, the City is entitled to draw upon the letter of credit to cure the same. The City engaged the services of a private contractor to install erosion control improvements at the development and incurred \$4,949.60 in costs to cure work that should have been performed by Manley. On October 28, 2008, the City made a demand upon Lakeland, the lender holding Manley's Letter of Credit, for the cost of the work performed by the City. Lakeland did not respond to the City's request for payment under the letter of credit posted by Manley.

Status of Manley Brothers Construction, Inc.

As of the date of this memo, Manley Brothers Construction, Inc., is an active Minnesota corporation with an office location in Apple Valley³ and has not filed for bankruptcy protection. In any event, Manley has failed to respond to requests of the City to cure the construction deficiencies as required under the Development Agreement.

Status of Lakeland Construction Finance, LLC.

As for its business, Lakeland loaned millions of dollars to developers, including Manley.⁴ However, work at many of Lakeland financed projects has come to a halt during the past two years and Lakeland has allegedly defaulted on more than \$400 million in loans from the Bank of Scotland. Lakeland has been sued by the Royal Bank of Scotland for non-payment on its loans. The financial situation surrounding both Manley and Lakeland is directly related to the recent downturn in the real estate market. On or about December 29, 2008, the City learned that Lakeland had been placed into a court supervised Receivership where a Receiver was appointed by a court as an independent and impartial party to manage and preserve the property of Lakeland. On March 23, 2009, a representative from the City Attorney's office attended an informational session for municipalities and letter of credit claimants related to the Lakeland receivership. There were approximately ten to twelve city attorneys representing an even larger number of municipalities at the presentation.⁵

What follows are some of the salient points made and discussed at the meeting:

² See Letter dated April 11, 2007 to Manley Brothers Construction attached hereto as **Exhibit A.**

³ Manley Land Development, Inc., is an inactive Minnesota corporation.

⁴ See Star Tribune article attached hereto as **Exhibit B.**

⁵ The cities affected by the Lakeland Construction Finance, LLC receivership include, but are not limited to: Lakeville, Corcoran, Champlin, Cottage Grove, Chanhassen, Maplewood, Eagan, Hugo, Wyoming Township, Woodbury, Eden Prairie, Farmington, Mora, Sauk Rapids, Avon, Mankato, Montrose, Becker, Maple Grove, Cannon Falls, Plymouth, Minnetonka, St. Louis Park, Rochester, St. Michael, Waconia, Watertown, Dassel, Hugo, Pine City, Prior Lake, Sartell, St. Josephs and the City of Rogers.

- The receiver has been working to identify the collateral securing Lakeland's loans and is approaching completion on this task. The receiver has gained control of some properties through foreclosure, but other properties are outside of its control due to litigation or uncooperative borrowers.
- The current real estate market is so weak that the ultimate options with respect to many projects will be vastly different than what was originally contemplated in the development agreement phase. One option that the receiver may pursue is simply letting some projects go to tax forfeit if there are no viable development options. The cities may possibly need to cooperate with the receiver to renegotiate development agreements in such a way that the projects may be remarketed.
- The Bank of Scotland has a first priority security interest in most of the properties and may exercise rights with respect to collateral, including the right to accept the collateral, rather than request that it be sold by the Receiver. The Bank of Scotland is in serious financial straits as well, having been recently partially purchased by England and forced to merge with Lloyd's Bank.
- The Receiver believes that there will be some assets available to pay unsecured creditors (such as the City). However, it is expected that there will not be many assets available to satisfy unsecured creditors. Municipalities were urged to attempt to cooperate with the Receiver to develop alternative developments rather than to focus on obtaining funds through the Receivership.

There was also a court hearing on April 20, 2009, to approve a claims process in accordance with the motion that was previously served by the Bank of Scotland upon Lakeland. The claims process advanced at the court hearing was approved. Consequently, prior to September 2009, the City of Inver Grove Heights will submit its claim against Lakeland / Manley to the Receiver for processing. All indications are, however, that the City is unlikely to receive any significant payment from the Receiver on its Letter of Credit claim. Consequently, the City should develop an alternate strategy with respect to the Orchard Trail property and the incomplete Developer Improvements that were part of the original Development Agreement.

Status of Development of Orchard Trail:

The current status of the Orchard Trail development is as follows:

- **Developer Improvements:** The current status of the Developer Improvements for the Orchard Trail Plat has been modified since the City's Formal Notice of Default letter was sent to Manley in April 2007. Although some of the seventeen (17) deficiencies cited in the April 2007 letter have been cured by Manley, as of May 19, 2009, there remain eleven (11) deficiencies which yet need to be cured by Manley. **See Exhibit C.**

- **Lot Ownership** – The current status of the ownership of the Lots within the Plat of Orchard Trail is as Shown on **Exhibit D**.

- Total lots located within Orchard Trail – 32 lots.
- Lots currently under Manley Ownership – 12 lots.
- Lots currently under private ownership – 20 lots.

- **City has released of a portion of the Letter of Credit** – Notwithstanding the fact that numerous Developer Improvements remain incomplete, Manley did complete some of its Developer obligations under the Development Agreement for Orchard Trail. As is typical, Manley sought the release of a portion of the Letter of Credit for the improvements that it had completed. The City verified the completion of some of the improvements and released \$573,750 of the Letter of Credit. Consequently, the remaining amount that the City can claim against the Letter of Credit is \$426,250.

- The City has recently conducted a site visit to the Orchard Trail development and reviewed the City's file related to the project. The City has outlined the remaining eleven incomplete Developer Public Improvements as of May 18, 2009 and estimates that the cost to finish the incomplete Developer Public Improvements is \$535,365. **See Exhibit C**.

- The City intends to follow the Claim procedure process to the Receiver as established by the District Court. Nevertheless, all indications are that it is unlikely that the City of Inver Grove Heights will be paid anything under the Claims process. Therefore, the above-stated unfinished Developer Public Improvements will not be completed by Manley or by the City obtaining proceeds from the Letter of Credit to repay the City if the City completed the outstanding Developer Improvements. Consequently, the City must develop a strategy with respect to the incomplete Developer Improvements for the Plat of Orchard Trail.

Strategy to complete Public Improvements under the Development Agreement:

The best strategy available to the City with respect to the incomplete Developer Improvements for the Plat of Orchard Trail is to pass a Resolution that provides that unless and until any and all Developer Default(s) under the terms and provisions of the Orchard Trail Development Agreement are cured, the City will exercise one of its remedies under the Development Agreement and deny any requested building permits on all lots located within the Plat of Orchard Trail that are still under the ownership of Manley.

Recommendation:

The City Engineer and the Office of the City Attorney recommend that the Council pass a Resolution that establishes that unless and until any and all Developer Default(s) under the terms and provisions of the Orchard Trail Development Agreement are cured, the City will deny any requested building permits on all lots located within the Plat of Orchard Trail that are still under the ownership of Manley.



Inver Grove Heights

EXHIBIT A

www.ci.inver-grove-heights.mn.us

CERTIFIED MAIL

April 11, 2007

Mr. Kevin Manley, President
Manley Brothers Construction
14815 Energy Way
Apple Valley, MN 55124

Re: Orchard Trail

Dear Mr. Manley:

The purpose of this letter is to serve notice that you are in Developer Default for the Orchard Trail Subdivision. You are currently violating Article 14 in the Developer Contract for the plat of Orchard Trail. A storm sewer punch list along with a sketch showing areas with erosion problems dated November 1, 2005 was sent to you. The letter stated that the City would like these items completed by November 18, 2005. They were not done. We were anticipating these items to be completed sometime in 2006. There was no action taken.

On January 4, 2007, Paul Thomas of Pioneer Engineering set up a meeting at City Hall with McNamara Construction, Northdale Construction and I to go over these issues. You were notified. Your engineer, contractor, and his subcontractor were present. Neither you nor a representative of your company attended. Mr. Thomas has repeatedly tried to contact you since, and you have not responded. As a result you have until May 15, 2007 to make the necessary repairs. If you should fail to do so, the City will exercise its right under Article 14 of the Developer contract and collect on your letter of credit. The City will then hire a contractor to perform the work. Please note that you must notify the City Engineering Department for an inspection at least 48 hours (2 working days) prior to commencing this work.

The following items must be completed by May 15, 2007:

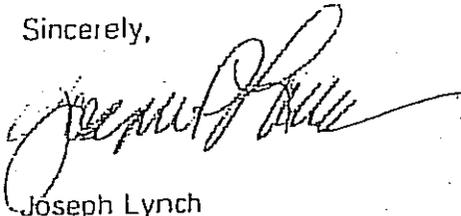
1. Vacuum out line between FES A and FES B.
2. CB/MH 203 and CB/MH 202 need concrete collars.
3. Vacuum out entire line between FES C and FES D.
4. Replace broken FES P and trash guard.
5. Remove fabric from FES N and FES M.
6. Add one adjusting ring to MH 304.
7. Vacuum out line between MH 304 and FES O.
8. Bulkhead east opening at SK 300.
9. Remove fabric under grates at CB/MH 302 and CB 303.
10. Remove fabric under grate at CB 106.
11. Remove utility spool from ditch upstream of CB 106.
12. Vacuum out pipe between CB 106 and FES J.

13. Vacuum out pipe between FES W and FES X.
14. Clean out FES G.
15. A sketch has been provided showing areas with erosion problems
16. Wear course must be placed (this season).
17. A certified grading plan must be submitted when grading issues have been resolved (also this season).

NOTE: Protect all FES inlets and load stool openings, where turf has not been established with sill fence.

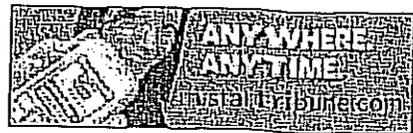
If you have any questions or concerns, please contact Scott Thureen, City Engineer, at 651-450-2572.

Sincerely,



Joseph Lynch
City Administrator

cc: Gary Johnson, Public Works Director
Scott D. Thureen, City Engineer
Peter T. Hindman, Engineering Technician
Paul Thomas, Pioneer Engineering
Kurt Manley, President, Manley Land Development



Minnesota's housing wastelands

Brian Peterson, Star Tribune

On a bluff overlooking downtown Cannon Falls, Minn., roads are crumbling on soil that residents say was never fit for development. Near Watertown, bent scaffolding and other construction debris lie amid a field of weeds that was set to be home to rows of Italian-themed townhouses.

Outside Dassel, whenever it rains, dirt piled five stories high in a partially completed subdivision flows into driveways and the city's sewer system.

It's all stark evidence of the housing bust. And, more precisely, the collapse of an Egan lender named Lakeland Construction Finance LLC, which loaned hundreds of millions of dollars to developers, sometimes without visiting sites or requiring an appraisal.

"It's like we're being held hostage," said Aaron Reeves, city administrator for Cannon Falls, as he walked on crumbling asphalt left at Sandstone Ridge, a housing development financed by Lakeland. "The money's gone, and no one seems willing to take responsibility for what's happened."

Work at more than a dozen Lakeland projects has screeched to a halt during the past two years as the firm defaulted on more than \$400 million in

loans from the Bank of Scotland. Local government officials, now owed millions of dollars by the firm, were surprised to learn that specialty lenders such as Lakeland are unregulated. No state or federal agency checks their finances, and there's little recourse when the companies fail.

Just as mortgage lenders such as Countrywide and Washington Mutual made credit too easily available to consumers buying new homes, Lakeland kept money flowing to Minnesota developers well after the housing market had showed signs of cratering.

Now, people who bought houses in Lakeland-financed projects around the state thinking that they would be part of thriving communities find themselves surrounded by vacant land and unfinished roads.

Molly Carlson bought a Hugo townhouse in a project called Generation Acres in late 2006, about 15 months before Lakeland defaulted on its loans and stopped paying contractors. About 40 townhouses were planned, but only eight were built and two sit vacant.

Carlson, who is 70, has been forced to do the shoveling, lawn mowing and some of the building repairs herself. "A 70-year-old lady is not supposed to be climbing a 16-foot stepladder," she said.

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...
Lakeland is not a bank. It has no customer deposits, and because it lent money to land speculators and home builders and not home buyers, it occupied a place largely free from regulatory oversight. That allowed it and other specialty lenders to back developers and write loans that banks might avoid.

In return for this increased risk, these specialty lenders charged interest rates and fees that many bankers would not contemplate. Some continued extending credit to developers well after the housing market had begun to stall, slide and then plummet.

"They got pretty reckless on some of those loans," said Rudy Novak, a developer who worked with Lakeland on Savannah Village, an unfinished housing project in Becker. "They did stuff that no bank would ever do."

Like other specialty finance companies in the Twin Cities that flourished during the housing boom, Lakeland put money to work on behalf of financial institutions and wealthy investors. Area home builders count about a dozen firms that made an estimated \$2 billion or more in residential real estate loans in and around the Twin Cities, often in far-flung suburbs that have been hardest hit by the sharp downturn in housing prices.

Lakeland was founded in 1999 by former Northwest Airlines senior manager Jeff Majkrzak. It grew into a major player in the Twin Cities residential lending market after it attracted the financial backing of Ted Waitt, who had made more than \$1 billion from the sale of Gateway Computers, the personal computer-maker he founded in an Iowa farmhouse in 1985.

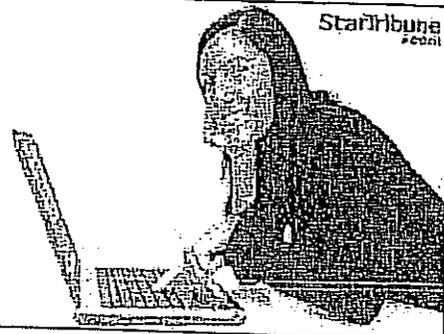
Officials from Lakeland did not return multiple telephone calls. On a recent weekday, the firm's office in Egan was eerily quiet, with no one sitting at the front desk. A person who described himself as a "consultant" emerged, but insisted he was not an employee and declined to talk. The firm's receiver, Lighthouse Management Group Inc., also did not return telephone calls. Waitt's investment firm, Avalon Capital Group in La Jolla, Calif., referred all questions to its general counsel, Nicole Blakely, who did not return calls.

According to court documents, Lakeland's profits surged along with the Twin Cities housing market. But Majkrzak increasingly found himself clashing with his biggest investor. Court records indicate he resigned as the company's chief executive in 2003 over strategic differences with Avalon. About two years later, Waitt recruited Joseph Burke, a former Blockbuster Entertainment executive known for building franchise operations, to be CEO.

Majkrzak declined to be interviewed for this article because of a confidentiality agreement with

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Lakeland, as did a number of other former executives. According to a November 2008 court deposition, Majkrzak said he disagreed with one of Avalon's executives, Rose Ann Ignell, who hired consultants from Utah to position the company for growth.

"However strong the market is, you have to have very intimate knowledge in a given market and I didn't feel at all that these individuals brought any experience," he said in the deposition.

It was about this time, say local developers, that Lakeland began giving more authority to a loan officer named Robert Machacek. A short, stockily built man in his late 30s, Machacek had a reputation in development circles as a dealmaker. He eventually became Lakeland's chief operating officer.

He also had a criminal record. In 2000, Machacek pleaded guilty to two charges of mail fraud in connection with the embezzlement of \$355,000 from Builders Development & Finance of Wayzata, a rival residential-construction lender, where he had worked as CFO. He was sentenced to a year in prison. Citing the criminal conviction, the American Institute of Certified Public Accountants terminated his certificate to practice as an accountant in 2002.

Machacek was dismissed from Lakeland in December 2007, and is now suing the company for wrongful dismissal and breach of contract. He

does not have a locally published telephone number and did not respond to written notes left at a house listed under his name on Safari Heights Trail in Eagan.

Among local developers, Machacek and his counterparts at Lakeland became the go-to people to obtain complicated development loans quickly. Deals that would take weeks or months for banks to approve, Lakeland would arrange in a matter of days.

To be sure, plenty of regulated banks got in trouble by loosening their lending standards during the credit boom. But banks are required by regulators to maintain minimum capital levels and cash reserves that act as cushions against loan losses, while specialty finance companies like Lakeland are not.

Banks wouldn't even talk to developer Alan Gilyard of Becker after a medical condition forced him to file for personal bankruptcy years earlier, but Lakeland was a willing partner on more than 20 housing projects scattered throughout central Minnesota.

Along the way, Gilyard, the son of a dairy farmer, built a sprawling country home and bought 620 acres of hunting land and three restaurants.

"I owe everything I have to Lakeland," Gilyard said as he drove past his hunting land outside of Becker. "And now I'm losing it all."

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Gilyard's experience offers a window into the way Lakeland operated.

In a decade of doing business with Lakeland, Gilyard said, the firm never asked him for an appraisal or a soil test -- standard requests by banks that make development loans. On most of Lakeland's land loans, he said, it was enough to give the firm a single piece of paper that showed how much the lots would sell for and a schedule for how the loan would be repaid.

Unlike a bank, which often demands a down payment of at least 10 percent on a development loan, Lakeland financed up to 100 percent of the cost of a project. Developers say the papers often were signed over breakfast at a Perkins restaurant or in a developer's SUV parked near a project site.

"In all my years with Lakeland, I don't ever recall them doing an appraisal," said Kurt Manley, vice president of Manley Brothers Construction. "It definitely set them apart."

...

Easy credit came with a price, though.

Developers say Lakeland often charged interest rates that were 3 or 4 percentage points higher than many banks, plus origination fees of up to 2.25 percent of the amount borrowed. As loans came due, Lakeland would automatically renew

the loans and collect more fees, developers said. They also had first security rights to the property in case of default.

On some Lakeland-financed projects that did not proceed as planned, the accrued interest and fees added up to many times the original amounts lent.

In 2000, for instance, Lakeland made a \$4 million loan to Anoka-based Edina Development Corp. to acquire 180 acres of farmland in Blaine, known as the Finn Farm. But a national builder's plan to buy the land and build 800 houses fell through, and Edina Development has since filed for bankruptcy protection. According to court documents, the firm now owes an estimated \$30 million to Lakeland on the Finn Farm project, or about seven times the amount originally lent. The site remains undeveloped.

Rick Lewandowski, president of Edina Development, declined to comment.

"It's beyond comprehension how they thought all of this would work," said Bill Keenan, president of Builders Development & Finance in Wayzata. "They appeared to be betting on inflation" in land prices, he said.

By 2006, the housing market in the Twin Cities had slowed. In the following years it would slide and plummet. Lakeland began putting pressure on its borrowers.

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In the summer of 2007, Gilyard said, Lakeland demanded immediate payment of its loans. The following January, Lakeland defaulted on its loans from the Bank of Scotland.

Gilyard estimates that he owes \$22 million to the company. He has canceled work on about 10 new housing projects, including one in Onamia called Woodland Meadows, which is now overgrown with weeds. Contractors on his projects are still owed about \$1 million, he says.

Gilyard says he was getting so many telephone calls from angry creditors that he switched cell phone numbers. Like many developers who dealt with Lakeland, he is convinced that he could have made his payments and come out ahead -- if only Lakeland would have given him more time to sell his unfinished lots.

Woodland Meadows is one of at least a dozen Lakeland-financed projects across the state that are foundering, and cities and townships are still dealing with the aftermath.

In Pine City, city officials have all but given up trying to get Lakeland to honor a \$250,000 letter of credit and finish work on basic infrastructure improvements, including roads and sewer systems, on a housing project called Fawn Meadows.

Going forward, the city will never again approve a new housing project based on a financial

guarantee from an unregulated finance company, said Don Howard, city administrator. "It will have to be an FDIC-insured institution or a regulated bank," he said. "We will never walk down this road again."

As of December, Lakeland had 42 outstanding letters of credit with a face value of about \$28 million issued on behalf of its borrowers to governmental and developmental agencies, according to a receiver's report filed with the court. The balance due on those letters of credit was \$11.23 million.

Court documents indicate that Lakeland has about 565 outstanding loans to 151 different borrowers.

In Dassel, city officials are still trying to persuade Lakeland to remove more than 100,000 cubic yards of dirt and clay that builders left at Summit Hills, an unfinished subdivision on a scenic hillside outside the downtown. With each rain, mud from the hill seeps into the town's sewers, and city engineers fear it could clog the system. Meanwhile, the handful of families that moved into Summit Hills are worried that someone will get hurt on the dirt pile, which is nearly 60 feet high on one side.

"A child could get buried over there if that caved in," said Kristi Rorah, a resident of Summit Hills and mother of two children.

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In Cannon Falls, city officials have tried working with Lakeland to clean up a series of dilapidated streets on a scenic bluff overlooking downtown.

Reeves, the city administrator, said he contacted Lakeland to see whether the firm would consider selling the land to the city, which could turn it into a public park with soccer and baseball fields. Lakeland, which now owns the land through foreclosure, hasn't responded, Reeves said.

It may take years for the courts and the receiver to sift through the mess and sell all of the property. However, developers involved in the process say the longer these unfinished projects fester without a buyer, the less money there will be for Lakeland's main creditor, the Bank of Scotland.

The extent of Lakeland's losses remain unclear. Even if Lakeland were to liquidate all of its assets over 20 months, it would still have unpaid debts of \$206 million, according to court documents. Nearly 80 percent of the company's collateral consists of raw land or finished lots with no houses -- the toughest real estate to sell during a severe housing slump.

Keenan, president of Builders Development & Finance, argues that government regulation doesn't address Lakeland's main problem -- that it had an out-of-state owner in Waitt who did not understand the Twin Cities real estate market. "Most companies of our type are operated by

boards or owners who literally go out and look at every project before they make a loan," he said. "In their case, they had an absentee owner who contributed a lot of capital. ... And it looks like no one was minding the store."

Staff researcher John Wareham contributed to this article. Chris Serres • 612-673-4308
cserres@startribune.com

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EXHIBIT C.

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Scott D. Thureen, Public Works
Timothy Kuntz, City Attorney
Kenneth Rohlf, City Attorney

FROM: Thomas J. Kaldunski, City Engineer

DATE: May 19, 2009

SUBJECT: City Engineer Estimate to Finish the Incomplete Developer Public Improvements Orchard Trail Development
Manley Brothers Construction, Inc.

As requested, I have conducted a site visit to the Orchard Trail Development and reviewed the City files related to this project. The Developer (Manley Brothers Construction, Inc.) is currently in default and the City is attempting to take action to secure the unfinished public improvements that the Developer is required to complete per the Development Agreement.

The following outlines the Incomplete Developer Public Improvements as viewed the week of May 18, 2009 (see attached sketch):

Orchard Trail
Escrow Calculations
Incomplete Developer Public Improvements
May 18, 2009

- | | | |
|----|---|-----------|
| 1. | Grading, drainage, erosion control and street grading and drainage (includes 86 th Street cul-de-sac sediment basin and April Court ditch erosion) | \$20,000 |
| 2. | Storm sewer and storm water ponds (including 550 LF of 50 ft. slope stabilization, issues at pond skimmer, rip rap at FES by wetland and 3 sediment basins to be filled and restored), dredge pond 3P to final bottom elevation of 904, dredge pond 4P to final bottom elevation of 902 | \$50,000 |
| 3. | Infiltration features for specific lots (23,000 SF, 10 locations of rain gardens) per Storm Water Facilities Agreement and sample of 2009 bids | \$138,000 |
| 4. | Street and bituminous pavement (per July 28, 2008 quote from McNamara) | \$155,000 |
| 5. | Site landscaping, trees and plantings on Outlots A and C (161 trees) per landscape plan and City Forester input | \$64,400 |
| 6. | Private pedestrian trail (4,400 LF of woodchip surface and fabric); Signs to prohibit vehicles (7 each) | \$36,050 |
| 7. | Construction debris cleanup | \$5,000 |

8.	Additional items from May 2009 inspection	
	Silt fence removal (3,000 LF)	\$3,750
	Erosion work per Danner's invoice	\$4,949.60
	Concrete driveway modification to final elevation (27 SY)	\$1,539
	Concrete saw cutting (40 LF)	\$120
	Bituminous driveway modifications to final elevation (135 SY)	\$2,430
	Bituminous saw cutting (200 LF)	\$400
	Clean up concrete truck wash basin	\$1000
	Adjust MH to wear course elevation (2 ea)	\$720
	Misc. bituminous base course patching (125 SY)	\$2,250
	Saw cut bituminous base course patching (300 LF)	\$600
9.	Provide certified electronic asbuilt grading plan per Developer's Agreement (8.6 item 10)	\$6,000
10.	No Trespassing signs on Outlot D (18)	\$2,700
11.	Posts and signs on conservation easement/lot corners	<u>\$800</u>
	Subtotal	\$495,708.60
	Construction Management	<u>X 1.08</u>
	Claim for Incomplete Developer Public Improvements	\$535,365.00

The City will request this amount of \$535,365 as the value of the work remaining to be completed by the Orchard Trail Developer (Manley Brothers Construction, Inc.) as the process moves through the court system.

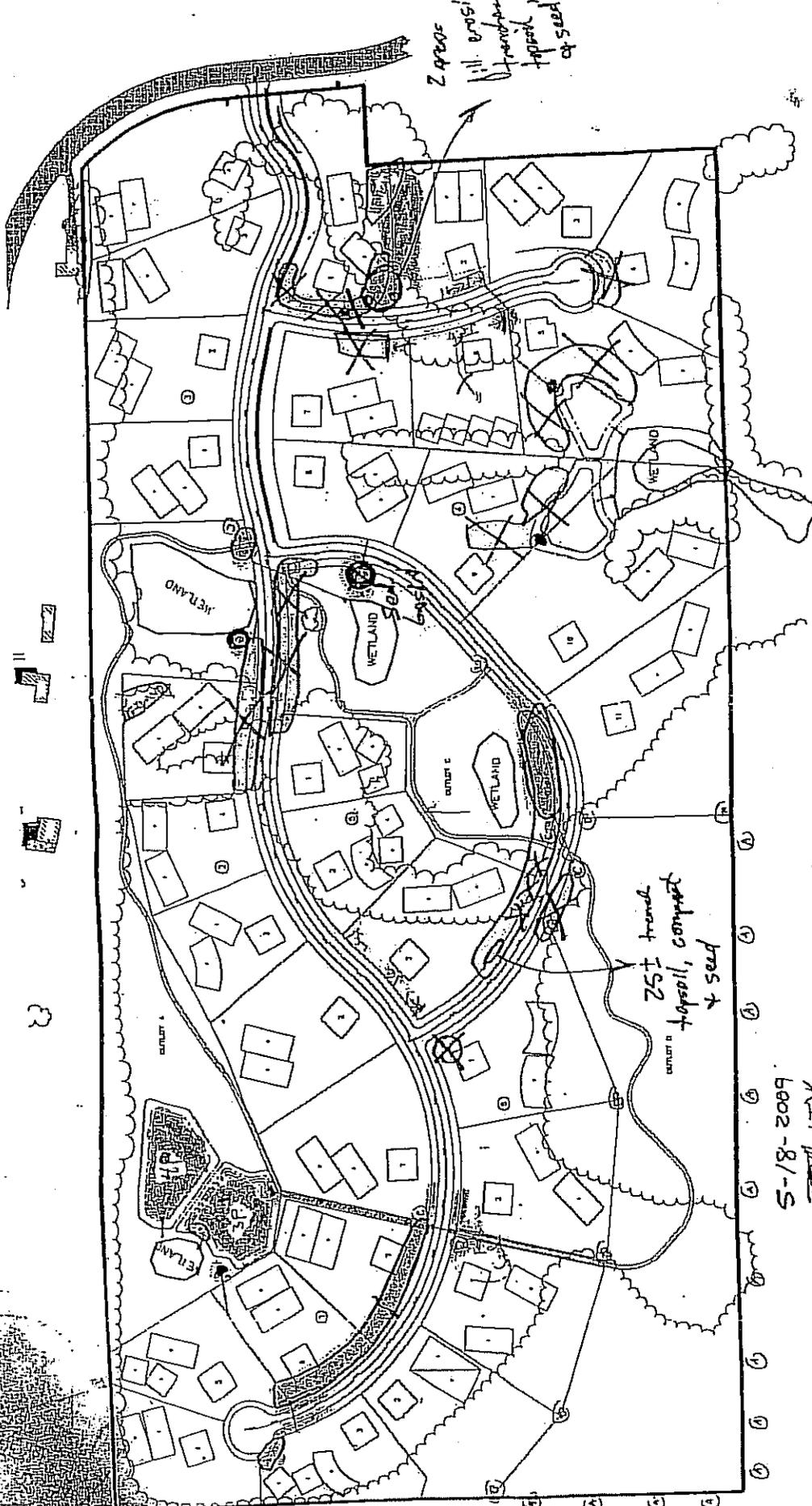
I have attached a copy of the form related to the Letter of Credit as requested by the City Attorney for reference.

Sincerely,



Thomas J. Kaldunski, P.E.
City Engineer

Attachments



2 areas will erosion with transfer compact topsoil + seed to

25ft trench topsoil, compost + seed

- wood chip T4, 1
- Rain Gardens

- Glades, drainage, erosion
- Innuet myot issues

- Ⓐ - No Transpress Sign @ 100' spacing
- Ⓑ - Conservation Best Practices
- Ⓒ - No Vehicle on Trail signs

5-18-2002
RCL + HCL
+ TK

ORCHARD TRAIL
INNUET GLOUE HTS

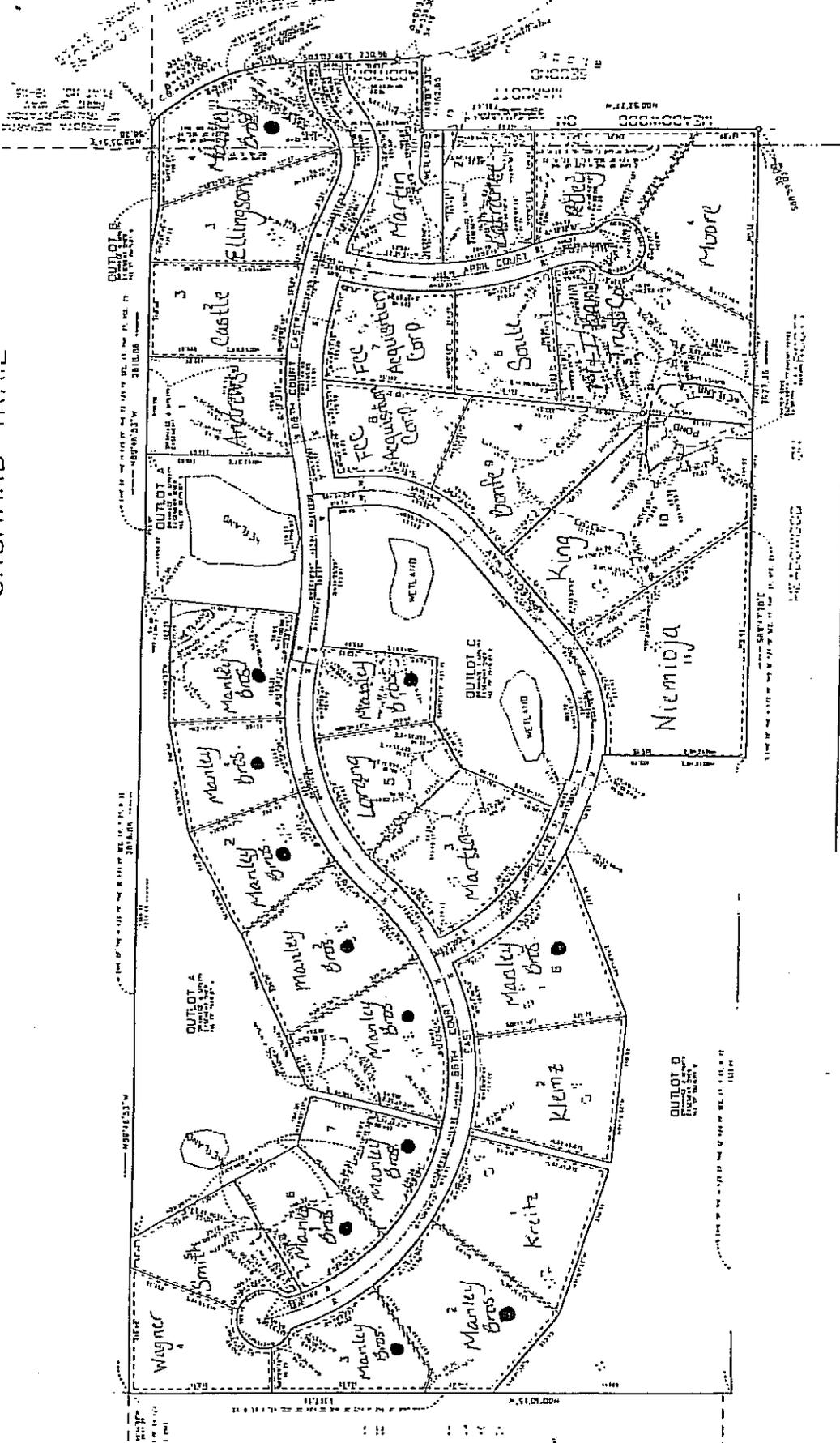


EXHIBIT D

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

RESOLUTION NO. 09-_____

**A RESOLUTION DENYING THE ISSUANCE OF
BUILDING PERMITS FOR CERTAIN LOTS
LOCATED WITHIN THE PLAT OF ORCHARD TRAIL**

Whereas, on November 24, 2004, the City of Inver Grove Heights, a Minnesota municipal corporation (the "City") and Manley Land Development, Inc., a Minnesota corporation entered into a Development Agreement for the development of the Plat of Orchard Trail.

Whereas, pursuant to a Consent Agreement, Manley Brothers Construction, Inc., (hereinafter "Developer") became the owner of the Orchard Trail property and agreed to perform all of the duties and obligations contained in the Development Agreement.

Whereas, the Development Agreement was dated November 24, 2004 and was filed of record with the Dakota County Recorder's Office on December 8, 2004 as Document No. 2273798.

WHEREAS, Article 14 of the Development Agreement provides in relevant part, "If a DEVELOPER DEFAULT occurs, that is not caused by FORCE MAJEURE, the CITY shall give the DEVELOPER FORMAL NOTICE of the DEVELOPER DEFAULT and the DEVELOPER shall have three days to cure the DEVELOPER DEFAULT."

Whereas, on April 11, 2007, the City served Developer with Formal Notice of a Developer Default pursuant to the Development Agreement citing seventeen (17) deficiencies in Developer's construction of the Improvement required by the Development Agreement.

Whereas, a copy of the City's Formal Notice of Default and list of seventeen (17) deficiencies in Developer's construction of the Improvement required by the Development Agreement is attached hereto and incorporated herein as Exhibit A.

WHEREAS, Article 14 of the Development Agreement provides in relevant part, "If the DEVELOPER, after FORMAL NOTICE to it by the CITY, does not cure the DEVELOPER DEFAULT within fifteen days, then the CITY may avail itself of any remedy afforded by law and any of the following remedies: (d.) the CITY may suspend or deny building and occupancy permits for buildings within the PLAT."

Whereas, as of June 22, 2009, the Developer remains in default on certain terms and provisions of the Development Agreement.

Whereas, as of June 22, 2009, the Developer has not cured all of the Developer Defaults stated in the April 11, 2007, communication after receipt of the requisite Formal Notice of the Developer Default to it by the City.

Whereas, as of June 22, 2009, the Developer has not cured those Developer Defaults stated in the memorandum prepared by the City Engineer dated May 19, 2009. See Exhibit B, attached hereto and incorporated herein by reference.

Whereas, as of June 22, 2009, there have been no building permits issued for any of the following lots located within the Plat of Orchard Trail and all of the below stated lots are currently vacant and owned by Manley:

**Lots 2, 3, 6 and 7, Block 1; and
Lots 1, 2, 3, 4, and 5, Block 2; and
Lot 4, Block 3; and
Lot 1, Block 5; and
Lot 1, Block 6.**

WHEREAS, the City intends to avail itself of certain remedies stated in the Development Agreement.

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

1. Unless and until all of the Developer Default(s) under the terms and provisions of the Development Agreement are cured, the City, pursuant to the Development Agreement, will deny any requested building permits for the following lots located within the Plat of Orchard Trail:
Lots 2, 3, 6 and 7, Block 1; and
Lots 1, 2, 3, 4, and 5, Block 2; and
Lot 4, Block 3; and
Lot 1, Block 5; and
Lot 1, Block 6.
2. The City reserves any and all remedies at law or in equity in connection with the violation of the terms and conditions of that certain Development Agreement dated November 24, 2004 and filed of record with the Dakota County Recorder's Office on December 8, 2004 as Document No. 2273798.

Passed this 22nd day of June, 2009.

George Tourville, Mayor

Attest:

Melissa Rheaume, Deputy City Clerk

EXHIBIT A
[CITY'S FORMAL NOTICE OF DEFAULT]



Inver Grove Heights

www.ci.inver-grove-heights.mn.us

CERTIFIED MAIL

April 11, 2007

Mr. Kevin Manley, President
Manley Brothers Construction
14815 Energy Way
Apple Valley, MN 55124

Re: Orchard Trail

Dear Mr. Manley:

The purpose of this letter is to serve notice that you are in Developer Default for the Orchard Trail Subdivision. You are currently violating Article 14 in the Developer Contract for the plat of Orchard Trail. A storm sewer punch list along with a sketch showing areas with erosion problems dated November 1, 2005 was sent to you. The letter stated that the City would like these items completed by November 18, 2005. They were not done. We were anticipating these items to be completed sometime in 2006. There was no action taken.

On January 4, 2007, Paul Thomas of Pioneer Engineering set up a meeting at City Hall with McNamara Construction, Northdale Construction and I to go over these issues. You were notified. Your engineer, contractor, and his subcontractor were present. Neither you nor a representative of your company attended. Mr. Thomas has repeatedly tried to contact you since, and you have not responded. As a result you have until May 15, 2007 to make the necessary repairs. If you should fail to do so, the City will exercise its right under Article 14 of the Developer contract and collect on your letter of credit. The City will then hire a contractor to perform the work. Please note that you must notify the City Engineering Department for an inspection at least 48 hours (2 working days) prior to commencing this work.

The following items must be completed by May 15, 2007:

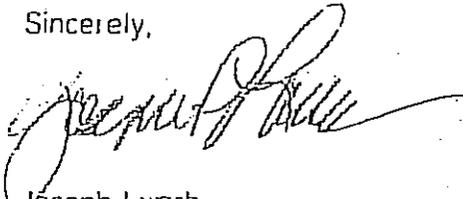
1. Vacuum out line between FES A and FES B.
2. CB/MH 203 and CB/MH 202 need concrete collars.
3. Vacuum out entire line between FES C and FES D.
4. Replace broken FES P and trash guard.
5. Remove fabric from FES N and FES M.
6. Add one adjusting ring to MH 304.
7. Vacuum out line between MH 304 and FES O.
8. Bulkhead east opening at SK 300.
9. Remove fabric under grates at CB/MH 302 and CB 303.
10. Remove fabric under grate at CB 106.
11. Remove utility spool from ditch upstream of CB 106.
12. Vacuum out pipe between CB 106 and FES J.

13. Vacuum out pipe between FES W and FES X.
14. Clean out FES G.
15. A sketch has been provided showing areas with erosion problems
16. Wear course must be placed (this season).
17. A certified grading plan must be submitted when grading issues have been resolved (also this season).

NOTE: Protect all FES inlets and load stool openings, where turf has not been established with silt fence.

If you have any questions or concerns, please contact Scott Thureen, City Engineer, at 651-450-2572.

Sincerely,



Joseph Lynch
City Administrator

cc: Gary Johnson, Public Works Director
Scott D. Thureen, City Engineer
Peter T. Hindman, Engineering Technician
Paul Thomas, Pioneer Engineering
Kurt Manley, President, Manley Land Development

EXHIBIT B
[CITY MEMORANDUM DATED MAY 19, 2009]

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Scott D. Thureen, Public Works
Timothy Kuntz, City Attorney
Kenneth Rohlf, City Attorney

FROM: Thomas J. Kaldunski, City Engineer

DATE: May 19, 2009

SUBJECT: City Engineer Estimate to Finish the Incomplete Developer Public Improvements Orchard Trail Development
Manley Brothers Construction, Inc.

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Escrow Calculations
Incomplete Developer Public Improvements
May 18, 2009

- | | |
|--|-----------|
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| 3. Infiltration features for specific lots (23,000 SF, 10 locations of rain gardens) per Storm Water Facilities Agreement and sample of 2009 bids | \$138,000 |
| 4. Street and bituminous pavement (per July 28, 2008 quote from McNamara) | \$155,000 |
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| 6. Private pedestrian trail (4,400 LF of woodchip surface and fabric); Signs to prohibit vehicles (7 each) | \$36,050 |
| 7. Construction debris cleanup | \$5,000 |

8.	Additional items from May 2009 inspection	
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	Erosion work per Danner's invoice	\$4,949.60
	Concrete driveway modification to final elevation (27 SY)	\$1,539
	Concrete saw cutting (40 LF)	\$120
	Bituminous driveway modifications to final elevation (135 SY)	\$2,430
	Bituminous saw cutting (200 LF)	\$400
	Clean up concrete truck wash basin	\$1000
	Adjust MH to wear course elevation (2 ea)	\$720
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	Saw cut bituminous base course patching (300 LF)	\$600
9.	Provide certified electronic asbuilt grading plan per Developer's Agreement (8.6 item 10)	\$6,000
10.	No Trespassing signs on Outlot D (18)	\$2,700
11.	Posts and signs on conservation easement/lot corners	<u>\$800</u>
	Subtotal	\$495,708.60
	Construction Management	<u>X 1.08</u>

Claim for Incomplete Developer Public Improvements \$535,365.00

The City will request this amount of \$535,365 as the value of the work remaining to be completed by the Orchard Trail Developer (Manley Brothers Construction, Inc.) as the process moves through the court system.

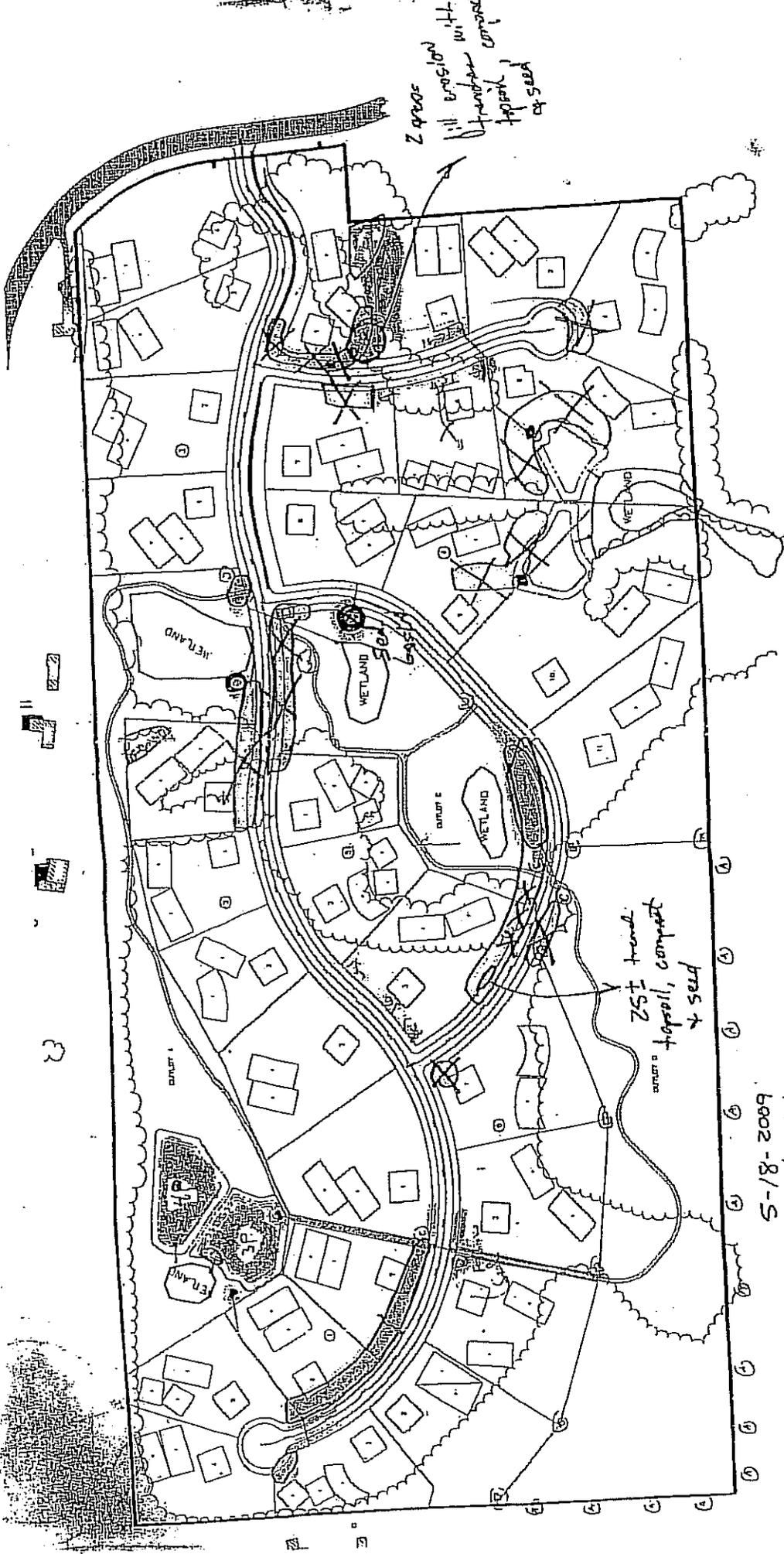
I have attached a copy of the form related to the Letter of Credit as requested by the City Attorney for reference.

Sincerely,



Thomas J. Kaldunski, P.E.
City Engineer

Attachments



- ① - No Transpress Sign @ 100' spacing
- ② - Conservation East 11/20'ers
- ③ - 'No Vehicle on Trail' signs
- wood chip Trail
- Rain Gardens
- Grading, drainage, erosion, fishery, etc. issues

S-18-2009
 KCPA
 6002-81-S
 JTL

ORCHARD TRAIL
 INVER GROVE HTS

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Directing Staff to Notify Residents of Park Encroachments and Order Encroachments Removed From Public Park Property

Meeting Date: June 22, 2009
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Eric Carlson – Parks & Recreation

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

Direct staff to send letters to residents who appear to have encroached onto public property.

SUMMARY

At the June 8th Council Work Study Session, the Council reviewing information concerning the City's effort to identify our park boundaries. There is apparently a number of private encroachments onto public property and the Council directed staff to send those property owners letters asking them to remove their private improvements. Staff has drafted the attached form letter that would be sent to residents. Our approach would be to send a batch of letters to property owners whose encroachments seem simple to solve. Once the first batch is resolved the more difficult encroachment issues would be addressed. Staff is recommending that the first batch of letters be given until August 31, 2009 to remove the encroachment.

1st Batch

Arbor Pointe	Bechtel	Hardscape
Broadmoor (Eagan resident)	Weston Hills Drive	Hardscape
	Avery Dr	Fire pit
Ernster	Concord Blvd E	Dumpster
Oakwood	Conroy Way	Landscape
	Conroy Way	Outdoor Storage
	Conroy Way	Shed
	Conroy Way	Shed
Salem	58th Ct E	Fire Pit
	Asher Ave E	Landscape
	Asher Ave E	Landscape
Skyview	Dawn Way	Hardscape
Sleepy Hollow	Casey Ct	Hardscape
	Casey Ct	Retaining Wall
Southern Lakes	Alison Way	Hardscape
	Amherst Way	Landscape
	Amery Ct	Landscape
River Heights	River Heights Way	Shed

2nd Batch

PARK	STREET	ENCROACHMENT VIOLATION
Oakwood	Conroy Way	Driveway
	Conroy Way	Retaining Wall
Seidl's Lake	Bower Crt E	Hardscape
Sleepy Hollow	Comstock Way	Fence & Deck
	Comstock Way	Fence & Deck
Southern Lakes	Alison Way	Fence
	Amherst Way	Fence & Storage
River Front	Not completed	

June 23, 2009

«AddressBlock»

«GreetingLine»

The City of Inver Grove Heights has been working on a project to identify our park and public land boundaries. As you may have noticed, we've marked our boundary with a brown stake. In the process we have been identifying private encroachments onto public property.

We have identified what appears to be an encroachment belonging to your property onto public property. It appears that you have private improvements consisting of «Encroachment» on to land owned by the City as «Park».

The City Council has directed me to contact you and ask that you remove these private improvements from public property within the next 60 days giving you until August 31, 2009 to rectify the encroachment.

If you feel the City is in error you are encouraged to have your property surveyed by a registered survey company and provide information to the City so we can adjust our records accordingly. Should you have any questions or concerns, please feel free to contact me at 651.450.2587 or by email at ecarlson@ci.inver-grove-heights.mn.us.

Sincerely,

Eric Carlson
Parks and Recreation Director
City of Inver Grove Heights

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Awarding Bid for Parking Lot Lighting at Oakwood Park

Meeting Date: June 22, 2009
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Mark Borgwardt
 Reviewed by: Eric Carlson – Parks & Recreation

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

Award Oakwood Park parking lot and trail lighting quote to Total Construction & Equipment for the sum of \$32,400. A second quote was received from Phasor Electric Company for \$37,550. The project is funded from the Park Maintenance Fund (Fund 444).

SUMMARY

In February, the Council reviewed the potential list of park projects for 2009. One of the projects listed was the replacement of the Oakwood Park parking lot and additional lot and trail lighting. Plans and specifications were developed for lighting upgrades, quotes were solicited and 2 quotes were received.

- | | |
|---|----------|
| 1. Total Construction & Equipment, Inc. | \$32,400 |
| 2. Phasor Electric Company | \$37,550 |

The project consists of two new poles/fixtures in lot, one pole/fixture by playground, one pole/fixture on east side of building and two poles along bituminous trail from building to tennis courts. Pole/fixture locations will illuminate key areas to make park safer, deter vandalism and yet be sensitive to surrounding neighbors. All fixtures direct lighting down and have the latest industry cut off features.

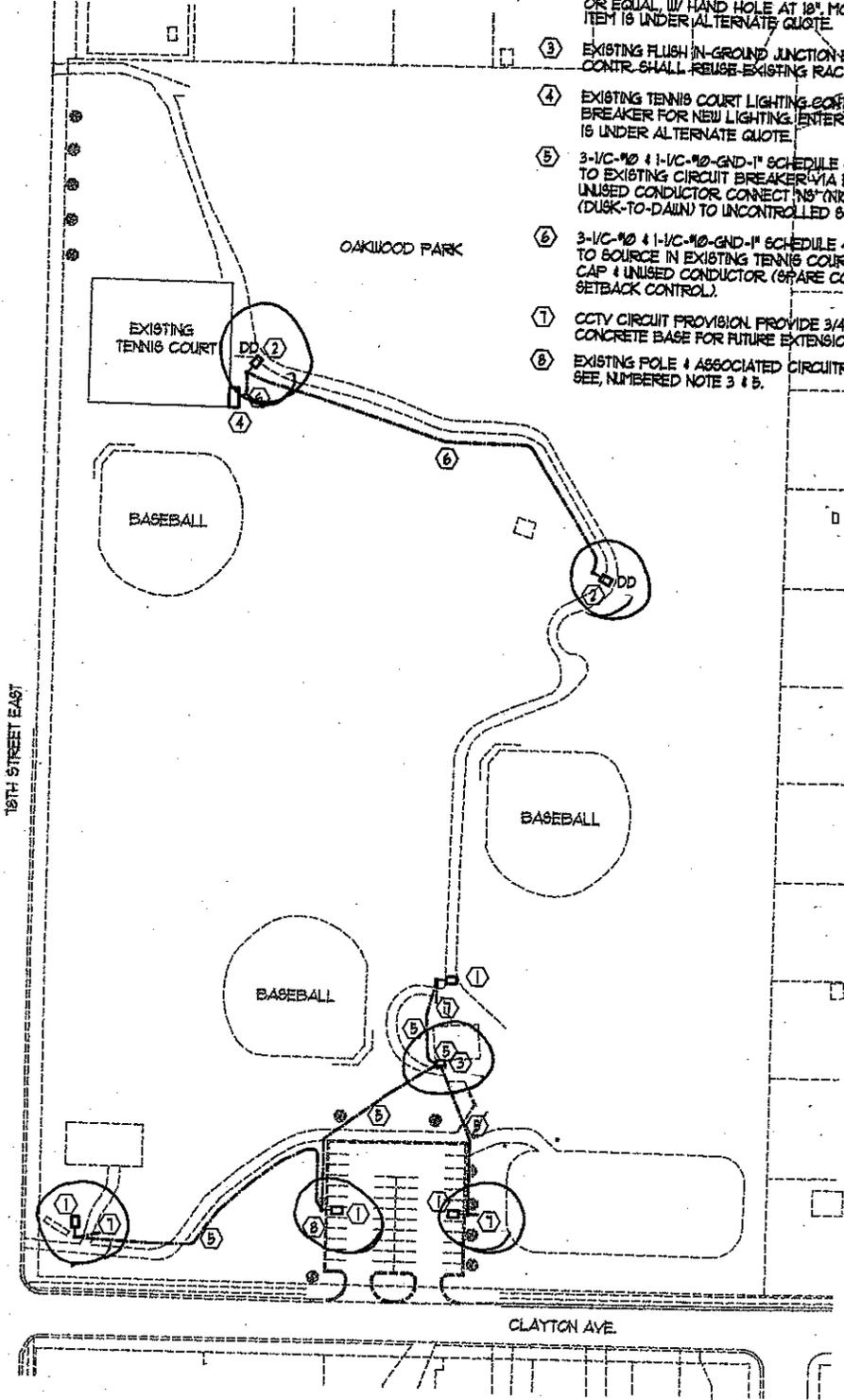
The Park and Recreation Commission reviewed this issue on June 10th and is recommending approval on a 8-0 vote.

GENERAL NOTES

1. CONTRACTOR SHALL VISIT SITES & BECOME FAMILIAR W/ EXISTING CONDITIONS PRIOR TO BIDDING.
2. COORDINATE ALL UNDERGROUND WORK W/ OTHER CONTR'S. NO CIRCUITRY SHALL BE PERMITTED IN THE PRIMARY OR SECONDARY PLAY AREAS, UNLESS SPECIFICALLY SHOWN.
3. ALL CIRCUITRY SHALL BE A MINIMUM OF 24" BELOW GRADE W/ 3" WIDE YELLOW WARNING TAPE LOCATED 6" ABOVE CONDUIT/DUCT. TAPE SHALL INDICATE "CAUTION: ELECTRIC CABLES" OR SIMILAR PERMANENT PRINTING.
4. CONTR. MAY USE HIGH-DENSITY POLYETHYLENE (HDPE) DUCT IN LIEU OF PVC CONDUIT, WHERE PERMITTED BY CODE.

NUMBERED NOTES

- ① KIM #1A/AR3/250HP8/120/DB-P/A25/5V6F/A, OR EQUAL, LUMINAIRE COMPLETE W/ LAMP, PHOTOCONTROL, RECEPTACLE & MATING PHOTOCONTROL, VERTICAL SLIPFITTER & STRAIGHT SQUARE STEEL POLE. POLE SHALL BE KIM #K3025-5120/A (TENON/DB-P, OR EQUAL, W/ HAND HOLES AT 18" & AT 240" & 3/4" THREADED HUB AT 242" (HUB SHALL BE OPPOSITE UPPER HANDHOLE). HUB SHALL INCLUDE PLUG & IS INTENDED FOR FUTURE CCTV. POLE & LUMINAIRE FINISHES TO MATCH CONCRETE BASE EDGE SHALL BE LOCATED AT APPROXIMATELY 18" AWAY FOR BACK OF CURB OR TRAIL. PROVIDE CONCRETE BASE PER DETAIL.
- ② KIM #1A/AR3/250HP8/120/DB-P/A25/5V6F/A, OR EQUAL, LUMINAIRE COMPLETE W/ LAMP, PHOTOCONTROL, RECEPTACLE & MATING PHOTOCONTROL, VERTICAL SLIPFITTER & STRAIGHT SQUARE STEEL POLE. POLE SHALL BE KIM #K3025-5120/A (TENON/DB-P, OR EQUAL, W/ HAND HOLE AT 18". MOUNT ON EXISTING CONCRETE BASE. THIS ITEM IS UNDER ALTERNATE QUOTE.
- ③ EXISTING FLUSH IN-GROUND JUNCTION BOX W/ EXISTING CIRCUITRY INTO PARK STRUCTURE CONTR. SHALL REUSE EXISTING RACEWAY TO ENTER BUILDING.
- ④ EXISTING TENNIS COURT LIGHTING CONTROL CABINET. PROVIDE NEW 20A/1P CIRCUIT BREAKER FOR NEW LIGHTING. ENTER CABINET FROM UNDERGROUND. THIS ITEM IS UNDER ALTERNATE QUOTE.
- ⑤ 3-1/2" ID & 1-1/2" GND-1" SCHEDULE 40 PVC, SEE GENERAL NOTE 4. ROUTE CIRCUITRY TO EXISTING CIRCUIT BREAKER VIA EXISTING TIME CLOCK ENCLOSURE. TAPE & CAP UNUSED CONDUCTOR CONNECT INS (NIGHT SETBACK) FIXTURE VIA TIME CLOCK & 'DD' (DUSK-TO-DAWN) TO UNCONTROLLED SOURCE. CONFIRM W/ OWNER.
- ⑥ 3-1/2" ID & 1-1/2" GND-1" SCHEDULE 40 PVC, SEE GENERAL NOTE 4. ROUTE CIRCUITRY TO SOURCE IN EXISTING TENNIS COURT LIGHTING CABINET. SEE NUMBERED NOTE 4. CAP & UNUSED CONDUCTOR (IF ARE CONDUCTOR IS FOR FUTURE TIME CLOCK, NIGHT SETBACK CONTROL).
- ⑦ CCTV CIRCUIT PROVISION. PROVIDE 3/4" SCHEDULE 40 PVC STUBBED 36" BEYOND CONCRETE BASE FOR FUTURE EXTENSION.
- ⑧ EXISTING POLE & ASSOCIATED CIRCUITRY TO BE REMOVED. CIRCUITRY MAY BE REUSED SEE, NUMBERED NOTE 3 & 5.



OAKWOOD PARK LIGHTING LAYOUT

SCALE: 1"=100'



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Water Quality Improvements for Simley Pond Park

Meeting Date: June 22, 2009
 Item Type: Consent Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Mark Borgwardt
 Reviewed by: Eric Carlson – Parks & Recreation

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

Approval of proposed shoreline restoration plan for Simley Island from Prairie Restorations, Inc. Cost of \$19,250 to come from Park Maintenance Fund 444. Second quote was received from Natural Shore Technologies, Inc. for \$23,146.

SUMMARY

A majority of the island shore consists of hard armoring – mainly connected concrete blocks with cavities. A main goal of the restoration plan would be to incorporate native vegetation in and around this hard armoring. This would be accomplished by using a combination of erosion control materials, introduced soil/compost and native plants that would have the ability to withstand the conditions associated with the concrete structures and the islands use. The planting would transition from a shoreline mix to a mixed height mesic mix to a short dry mix in a buffer approximately 12' wide along the shore. To accommodate shore fishing the DNR is willing to donate up to 4 shore fishing stations if city park crews install. This would provide a total of 5 shore fishing stations on the island alone, including the existing fishing dock. The shoreline planting would have many positive impacts for this highly visible park including:

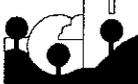
1. The island is now entirely turf grass and has a tremendous Canada goose problem. Planting taller transition-zone vegetation along the shoreline should reduce use by geese.
2. Establishing native grasses and flowers in this area will provide a long term, ecologically sound landscape that is perfectly adapted to the existing soils. Native prairie grasses and flowers will not require mowing, irrigation, fertilizer, herbicide or other soil amendments, and it will add a distinctive look to the site.
3. The shoreline restoration plan as proposed would improve habitat and attract desirable birds and butterflies.
4. The plan would soften the look of current concrete armoring and be much more aesthetically pleasing making the island a much more attractive destination.
5. According to the DNR, Simley Lake has poor water quality for most of the open water season and has persisted in this state for many years. The shoreline planting would help stabilize the shore, reduce erosion and sediment flow into the lake by providing a filtering buffer and help improve water quality. Future plantings around the remaining shoreline would further promote improving water quality.

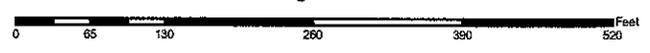
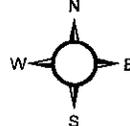
The Park and Recreation Commission reviewed this issue on June 10th and is recommending approval on a 8-0 vote.

**Simley Lake
DP-21**

Normal Water Elv. 887.50
10 year flood 890
100 year flood 892.1

12" RCP Pond Outlet 887.60

 **CITY OF INVER GROVE HEIGHTS
DP-21 SIMLEY LAKE**



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER FIRST READING OF AN ORDINANCE AMENDING SECTION 1500 OF THE CITY CODE

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: JTeppen, Asst. City Admin.
 Prepared by:
 Reviewed by:

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 The Council is asked to consider the first reading to amend the City Code to reduce the compliance time for grass and weed violations from 15 days to 7 days.

SUMMARY After one season of administering the Property Nuisance ordinance and receiving complaints from residents regarding the 15-day time period that property owners have to bring their grass and weed violations into compliance, staff recommends the Council consider amending this piece of the Property Nuisance ordinance.

Instead of the 15-day time period with two notices to correct, staff recommends a 7-day time period with two notices to correct. If not corrected in 7 days, the City abates and costs are assessed to the property.

Attached is the ordinance amendment.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1500 OF THE CITY CODE

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

Section 1. Amendment. IGH City Code Section 1500.13 Subd. 3 is hereby amended to read as follows:

“ . . . The notice shall state that the Responsible Parties in apparent control of the Property and the Owners must correct the violation within ~~45~~ 7 days after the date of the notice and that failure to do so may result in the City correcting the violation, charging the cost of correction to the Owners and specially assessing the cost thereof against the Property pursuant to Minn. Stat. § 429.101 if the Owners do not pay.”

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 27th day of July, 2009.

George Tourville, Mayor

AYES:

NAYS:

ATTEST:

Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER FIRST READING OF AN ORDINANCE AMENDING SECTION 115 OF THE CITY CODE

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: JTeppen, Asst. City Admin.
 Prepared by:
 Reviewed by:

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 The Council is asked to consider the first reading to amend the City Code to grant the Code Compliance Specialist the authority to issue citations for violations of the code.

SUMMARY When the Property Nuisance Code was adopted, the City Council was reluctant to allow the Code Compliance Specialist to issue citations. Now that we have one year of experience with both the code and the incumbent, Staff asks the City Council to authorize the Code Compliance Specialist to issue citations.

To issue a citation now, the Code Compliance Specialist must go through a police officer. Since they are the person signing the citation, there is the possibility that they could be called to court if the matter proceeded to that point. In terms of efficiency it would be easier if she had that ability.

Current practice would not change with respect to the process for violations. Nicole would continue to work with property owners on compliance, issuing a citation only as a last resort. Property owners would still be issued compliance letters (giving notice on time for compliance), she grants extensions in an effort to achieve compliance, and they are in some cases, provided information on seeking assistance through outside agencies.

One other note – the Code states that the “Code Enforcement Officer” has the authority to issue citations. This position no longer exists in the City, the position used to be Fire Marshal/Code Enforcement Officer but it was changed a few years ago to simply Fire Marshal.

Attached is the ordinance amendment.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS

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

Section 1. Amendment. IGH City Code Section 115.11 Subd. e is hereby amended to read as follows:

The ~~code enforcement officer~~ Code Compliance Specialist is hereby authorized to issue citations for violations of this code.

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 27th day of July, 2009.

George Tourville, Mayor

AYES:

NAYS:

ATTEST:

Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Application for Non-Commercial Kennel License – Sean Nyhus & Rachel London-Nyhus

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: 651.450.2513
 Prepared by: Melissa Rheume
 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:

Consider approval of non-commercial kennel license application for A Good Home, located at 9217 Cheney Trail

SUMMARY:

Sean Nyhus & Rachel London-Nyhuys, owner/operators of A Good Home, submitted an application for a non-commercial kennel license for the property located at 9217 Cheney Trail. The applicants are proposing to house a total of four (4) dogs including one (1) poodle, one (1) Manchester Terrier and two (2) Springer Spaniels. All of the dogs are neutered and the applicants have no intention of breeding their dogs. The applicants also indicated on their application that they never plan on housing more than four (4) dogs.

In order to comply with Inver Grove Heights City Code Section 910 the applicants were required to obtain consent from owners of residential dwellings located within a 500 foot radius of their home and submitted the required documentation to fulfill that requirement. The applicants have indicated that all of their dogs are primarily kept inside of their home and are supervised when they are let outside. The applicants also have an invisible fence to keep the dogs on their property when they are outside.

The applicants submitted vaccination records as well as the required license fees with their applications.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Application for Commercial Kennel License – Kay & Bee Kennels

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: 651.450.2513
 Prepared by: Melissa Rheume
 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:

Consider approval of commercial kennel license application for Kay & Bee Kennels, located at 1254 90th St. E.

SUMMARY:

Billie Jo Wood, owner/operator of Kay & Bee Kennels, submitted an application for a commercial kennel license for the property located at 1254 90th St. E. Ms. Wood is proposing to house a total of six (6) dogs including four (4) Bulldogs and two (2) German Shepherds. The commercial kennel license is required because the applicant intends to show and breed the Bulldogs.

The applicant has a kennel room located inside of her home as Bulldogs cannot be outside in extreme hot or cold weather, and each dog has their own kennel that is 4'Lx3'H. The property is zoned E-1 and there are no residential dwellings within a 1000 ft. radius of the home. The applicant has indicated that the property is also equipped with invisible fencing to ensure that the dogs remain on the property when they are outside.

The applicant submitted the required documentation from Inver Grove Heights Animal Hospital to prove that the dogs have up-to-date vaccinations and also submitted the required license fees.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Request to Extend On-Sale Liquor License to Outdoor Fenced Area on Thursday, July 2nd from 2-10 p.m. – Applebee’s, 5855 Blaine Avenue

Meeting Date: June 22, 2009
 Item Type: Consent
 Contact: 651.450.2513
 Prepared by: Melissa Rheume
 Reviewed by:

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:

Consider request of Applebee’s to extend the On-Sale liquor license to an outdoor fenced area on Thursday, July 2nd from 2-10 p.m. in conjunction with the “Hero’s Day Neighborhood Block Party” event.

SUMMARY:

Applebee’s currently holds an On-Sale Liquor License in the City of Inver Grove Heights. City Code Section 1200.25, Subd 2., states: “No liquor license shall be effective beyond the compact and contiguous space named therein for which the same was granted.” This provision has been interpreted by the City Attorney to mean that sales can only occur within the building, unless the Council otherwise gives specific approval for sales outside the building.

Cassandra Vrba, Applebee’s Manager, has made a request to serve food and beverage outdoors during this one-day event. Sale and consumption of food and beverage would occur within a fenced area, covered by a tent, within the establishment’s parking lot. In order to ensure responsible service of alcohol, all guests over the age of 21 will be required to wear wristbands. When a patron orders an alcoholic beverage their wristband will be stamped so Applebee’s staff can accurately keep track of how many drinks guests are consuming. Ms. Vrba has indicated that Applebee’s also intends to have off-duty police officers present throughout the day for event security in addition to Applebee’s staff.

The Police Chief and the Fire Marshall have been notified and will provide Ms. Vrba with input regarding the proposed outdoor sales and other safety issues related to the event as needed.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Renewal of Optional 2AM Liquor License – Ashton, Inc. dba Jersey’s Bar & Grill

Meeting Date: June 22, 2009
Item Type: Consent
Contact: 651.450.2513
Prepared by: Melissa Rheume
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:

Consider request for renewal of Extended On-Sale Intoxicating Liquor Sales to 2:00 a.m. for Jersey’s Bar & Grill

SUMMARY:

The above-listed liquor establishment has had extended hours of sale since 2003 and must obtain approval from the City of Inver Grove Heights prior to submitting their renewal application to the State Alcohol & Gambling Enforcement Division. The current 2AM license held by Jersey’s Bar & Grill will expire on July 1, 2009.

The Police Department was contacted to determine if the additional hour of sale of liquor poses any enforcement issues, and no basis for denial of the request was found.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: June 22, 2009
Item Type: Consent
Contact: Jenelle Teppen, Asst. City Admin
Prepared by: Amy Brinkman, H.R. Coordinator
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 Staff requests that the Council approve the personnel actions listed below:

Please confirm the seasonal/temporary employment of: Rachel Nyberg, Amelia Ollrich, and Connor Lynch.

Please confirm the termination of employment of: Steven Thornton as Firefighter.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Authorization of Application for 2010 State of Minnesota Bonding Bill Request for Heritage Village Park

Meeting Date: June 22, 2009
 Item Type: Regular Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Eric Carlson – Parks & Recreation

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

Authorize a request to the State of Minnesota to be included in the 2010 Bonding Bill allocating state funds to Heritage Village Park. The City's request is for \$1,312,750 which would be matched by a the same amount of City Funds.

SUMMARY

In even numbered years the Minnesota Legislature considers requests to be including in the State Bonding Bill. Local requests can be for up to 50% of the project costs. It is recommended that the Council support the attached 2010 State Bonding Request to be submitted for consideration.

Phase III	65 St Access	\$431,600
Phase IV	Central Gathering Area & Trailhead	\$1,891,700
Phase V	Performance Area	\$1,552,200
<i>Total</i>		<i>\$3,875,500</i>
Less TE Grant		\$1,250,000
<i>Sub-Total</i>		<i>\$2,625,500</i>
50%		\$1,312,750

The Park and Recreation Commission reviewed this item on June 10th and is recommending approval. Should the City receive funding, the Council would need to determine the funding source(s) for the City's share of the project.

Local Government Unit Submitting Request

City of Inver Grove Heights

Project Title

Heritage Village Park

Project Priority Number

Only project the City of Inver Grove Heights is submitting.

Project Location

Heritage Village Park is located in the far northeastern corner of Inver Grove Heights along the Mississippi River, abutting the South St. Paul City limits on the north, the railroad track on the west and north of 65th Street. The Park is in the vicinity of T27N R22W Section 2 and T28N R22W Section 35, Dakota County. City map showing location along with more detail map showing location of the park is attached.

Who will own the facility

The City of Inver Grove Heights will own the park. Dakota County will own the regional trail (Mississippi River Regional Trail) that runs through the park.

Who will operate the facility

The City of Inver Grove Heights will operate the park. Dakota County will operation the regional trail (Mississippi River Regional Trail)

Name any private entities that will occupy any portion of the building

None.

Project Contact Person

City of Inver Grove Heights
Attn: Eric Carlson – Parks & Recreation Director
8055 Barbara Ave
Inver Grove Heights MN 55077
651.450.2587
ecarlson@ci.inver-grove-heights.mn.us

Project Description and rationale

The City of Inver Grove Heights is seeking \$1,312,750 in funds for the development of Heritage Village Park on the Mississippi River; a park with regional, ecological and historical significance. The 50-acre Heritage Village Park on the Mississippi River has begun and the park will provide major public access to the Mississippi River; access to regional and national trails; space with ample parking to accommodate festivals and celebrations; and interpretive opportunities highlighting the natural, cultural and transportation history of the site.

The Dakota County Mississippi River Regional Trail (MRRT) will run through the park. The property is well positioned to accommodate the MRRT, providing links to the river, recreational facilities (private

marinas and parks); existing local and regional bikeways and trails; and nearby transit lines. The MRRT will serve as the National Great River Road's Mississippi River Trail in Dakota County. The Mississippi River Trail extends from the Mississippi's headwaters in Itasca State Park to the Gulf of Mexico and is expected to draw local, regional, national and international visitors. Dakota County estimates that over 100,000 users could ride on the trail annually. The park location provides for easy access by road, trail, river or transit from major population centers.

New square footage

Development of an 50-acre park

Remodeling Projects

Not applicable

Local Project Financing

Project Name:

Heritage Village Park

Local government submitting request:

City of Inver Grove Heights

Does the project cost estimates below already include inflation?

No

Sources of Funds Dollars in Thousands	Prior Years	For 2010	For 2012	For 2014	Total
State GO Bonds Requested		\$1,312,750			\$1,312,750
Funds Already Committed					
State Funds	\$1,237,100				\$1,237,100
City Funds	\$1,216,600				\$1,216,600
County Funds	\$350,000				\$350,000
Other Local government Funds					
Local Private Funds (in-kind)	\$3,011,100				\$3,011,100
Federal Funds	\$918,000				\$918,000
Pending Contributions (requested)					
City Funds		\$1,312,750			\$1,312,750
County Funds (TE Grant Match)				\$250,000	\$250,000
Other Local Government Funds					
Local Private Funds					
Federal Funds (TE Grant)				\$1,000,000	\$1,000,000
Total	\$6,732,800	\$2,625,500		\$1,250,000	\$10,608,300

Use of Funds Dollars in Thousands	Prior Years	For 2010	For 2012	For 2014	Total
Land Acquisition	\$2,898,500				\$2,898,500
Pre-design	\$110,000				\$110,000
Design	\$100,000	\$596,400			\$696,400
Project Management	\$104,300				\$104,300
Construction	\$3,520,000	\$2,029,100		\$1,250,000	\$6,799,350
Furniture/Fixtures/Equipment					
Relocation					
Total	\$6,732,800	\$2,625,500		\$1,250,000	\$10,608,550

Project Schedule

Schedule is dependent on available funding

Project pre-design

Master Plan for the project is attached.

New or Additional Operating Dollars

No new or additional operating dollars are needed or requested.

Sustainability Issues

The City has incorporated sustainability guidelines into our Comprehensive Park Plan & Development Guide as follows:

- That all new park buildings shall be constructed using LEED (Leadership in Energy and Environmental Design) standards
- That parks shall have recycling receptacles in addition to trash receptacles
- That new facilities and significant renovation of existing facilities include a sustainability evaluation of materials, energy use, operating cost and lifecycle replacement.
- That innovative storm water retention techniques be utilized in new park development and in the renovation of existing parks, such as permeable paving and rain gardens.

Resolution of Support

Attached is a resolution passed by the Inver Grove Heights City Council

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

RESOLUTION NO.

**RESOLUTION OF AUTHORIZATION TO APPLY FOR
2010 MINNESOTA STATE BONDING BILL FUNDS FOR THE DEVELOPMENT
OF
HERITAGE VILLAGE PARK ON THE MISSISSIPPI RIVER**

WHEREAS. The State Legislature will be considering a state-wide bonding bill in the 2010 Legislative Session, and;

WHEREAS, Local units of government have been invited to submit their requests for consideration for inclusion in the 2010 bonding bill, and;

WHEREAS, Inver Grove Heights has embarked upon a park plan to provide public access to the Mississippi River at the Heritage Village Park, a park facility with both State and Regional significance, and;

WHEREAS, The City has acquired more than 50 acres of former rail road property abutting the Mississippi River and undertaken a series of actions to remediate environmental contamination on the site, restore the natural habitat and improve the site for the benefit of the citizens of the State and Region, and;

WHEREAS, Heritage Park has become a project of State and Regional significance, and has gained support from Dakota County, The National Park Foundation – Mississippi River Fund, Friends of the Mississippi River, The Minnesota Departments of Natural Resources, Commerce, and Pollution Control Agency, the others.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Inver Grove Heights does hereby authorize its staff to submit an application to the State of Minnesota for 2010 State bonding assistance for Heritage Village Park and to take the appropriate actions to promote the application with the Legislature.

Adopted by the City Council of the City of Inver Grove Heights on June 22, 2009.

Ayes:

Nays:

George Tourville, Mayor

Attest:

Mellissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

JUDY AND DAN LISSON - Case No. 09-12V

Meeting Date: June 22, 2009
 Item Type: Regular
 Contact: Heather Botten 651.450.2569
 Prepared by: Heather Botten, Associate Planner
 Reviewed by: Planning
 Engineering

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"/>	Other

PURPOSE/ACTION REQUESTED

Consider the following requests for property located at 7140 Bovey Avenue:

- a) A **Variance** to construct a gazebo that would encroach within the front yard setback.
 - Require's a 3/5th's vote.
- b) A **Variance** to construct a home addition that would exceed the 30% allowed maximum impervious coverage on a lot.
 - Require's a 3/5th's vote.
- c) A **Conditional Use Permit** to allow for impervious coverage on a lot to exceed 25% in the R-1C Zoning district.
 - Require's a 4/5th's vote.
 - 60-day deadline: June 25, 2009 (first 60 days)

SUMMARY

Currently the applicant's lot features a home, attached garage, deck, and patio features, adding up to about 35% existing impervious surface. The applicant's are requesting a variance to construct a home and porch addition to the front of their house, bringing the total impervious surface on the lot to 37%. The property currently exceeds the maximum allowed impervious surface standard of 30%, and though the proposed increase is marginal, overall the property would be exceeding the impervious surface requirements by 872 +/- square feet.

The applicants are also requesting a variance to construct a gazebo 4.5 feet from the corner front property line whereas 30 feet is required. The proposed location of the gazebo would be in a City drainage and utility easement. Additionally there is space on the property to construct a gazebo that would meet setbacks and be located out of the City easement.

As you are aware, a temporary ordinance amendment allowing an increase to the impervious surface standards was recently approved. This increase allows 25% impervious surface on a property; with a conditional use permit the impervious surface could be increased to 30%. A conditional use permit does not require a hardship for approval. Staff is in support of the Conditional Use Permit request provided no additional impervious surface is added to the property, retaining the 35% coverage, and the conditions in the attached resolution are met. In this case, Engineering has determined that since no additional impervious surface would be added, stormwater treatment would not be required for this property.

The Planning Commission discussed removing some of the existing patio areas to bring the property in conformance with the current regulations. The applicant agreed to remove any existing impervious coverage, so with the house addition the lot would not exceed 30%.

Planning Staff: Based on all of the information provided staff finds the hardship criteria has not been met and therefore recommends denial of the setback variance and the impervious surface variance.

Staff would be in support of a conditional use permit provided the property maintains the existing impervious surface percentage of 35%.

Planning Commission: Recommends **denial** of the request for a variance to construct a gazebo that would encroach within the front yard setback (7-0).

Recommends **approval** of the request for a conditional use permit to allow for impervious coverage on the lot up to 30% with the conditions listed in the attached resolution and to **deny** the request for a variance to construct a home addition that would exceed the 30% allowed maximum impervious coverage (7-0).

Attachments: Denial resolution for the setback variance
Denial resolution for the impervious surface variance
Approval resolution for the CUP (based on Planning Commission recommendation)
Planning Commission Recommendation
Planning Staff Report

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

RESOLUTION NO. _____

**RESOLUTION DENYING THE REQUEST TO ALLOW A GAZEBO TO BE LOCATED 4.5
FEET FROM THE CORNER FRONT PROPERTY LINE WHEREAS 30 FEET IS THE
REQUIRED SETBACK FOR THE PROPERTY LOCATED AT 7140 BOVEY AVENUE**

CASE NO. 09-12V

Lisson

WHEREAS, an application for a Variance has been submitted for property legally described as:

**LOT 1, BLOCK 3 MICHAEL D DUPONT 4TH ADDITION COUNTRY
MEADOWS, DAKOTA COUNTY, MINNESOTA**

WHEREAS, an application has been received for a Variance to allow a gazebo to be located 4.5 feet from the corner front property line;

WHEREAS, the gazebo would be located in the City drainage and utility easement;

WHEREAS, the aforescribed property is zoned R-1C, Single family residential;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the Zoning Code (City Code Section 515) and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code Section 515.40, Subd. 3A;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on June 16, 2009 in accordance with City Code Section 515.40, Subd. 3C;

Resolution No. _____

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, the requested Variance is hereby denied based on the following findings of fact:

1. Denying the variance request does not preclude the applicant from reasonable use of the property as the lot already features a single-family home, attached garage, deck, and patio areas.
2. The request lacks any hardship unique to the property.
3. Approval of the variance would set a precedent for structures located with the front yard setbacks.
4. Approval of the variance would set a precedent for structures located in the City drainage and utility easements.
5. The variance request is out of a convenience to the applicant as there is room on the property to construct a gazebo that would meet setbacks.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights on this _____ day of _____, 2009.

Ayes:

Nays:

ATTEST:

George Tourville, Mayor

Melissa Rheaume, Deputy Clerk

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

RESOLUTION NO. _____

**RESOLUTION DENYING A VARIANCE TO EXCEED THE ALLOWED MAXIMUM
IMPERVIOUS COVERAGE TO CONSTRUCT A HOME ADDITION FOR THE
PROPERTY LOCATED AT 7140 BOVEY AVENUE**

**CASE NO. 09-12V
Lisson**

WHEREAS, an application for a Variance has been submitted for the property legally described as:

**LOT 1, BLOCK 3, MICHAEL D DUPONT 4TH ADDITION COUNTRY
MEADOWS, DAKOTA COUNTY, MINNESOTA**

WHEREAS, an application has been received for a Variance from the 30% maximum allowed impervious coverage standard to allow the existing coverage of 35% and construct an additional 2% of impervious surface for a home addition, for a total of 37%;

WHEREAS, the afore described property is zoned R-1C, Single Family Residential District;

WHEREAS, a Variance may be granted by the City Council from the strict application of the provisions of the Zoning Code (City Code Section 515) and conditions and safeguards imposed in the variance so granted where practical difficulties or particular hardships result from carrying out the strict letter of the regulations of the Zoning Code, as per City Code Section 515.40, Subd. 3A;

WHEREAS, the City of Inver Grove Heights Planning Commission reviewed the request on June 16, 2009 in accordance with City Code Section 515.40, Subd. 3C;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the requested Variance to exceed the impervious surface standards is hereby denied based on the following findings of fact:

1. Denying the variance request does not preclude the applicant from reasonable use of the property as the lot already features a single-family home, attached garage, and deck and patio areas.
2. The request lacks any hardship unique to the property.
3. Approval of the variance could set a precedent for lots to exceed the allowed impervious coverage in the R-1C, Single Family Residential Zoning District.
4. The variance request is out of a convenience to the applicant, as the property owner could remove the additional impervious surface on the lot to meet code requirements.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this 22nd day of June 2008.

George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Melissa Rheaume, Deputy Clerk

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

RESOLUTION NO. _____

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW IMPERVIOUS
COVERAGE ON A LOT UP TO 30% IN THE R-1C ZONING DISTRICT**

**CASE NO. 09-12V
(Lisson)**

WHEREAS, an application for Conditional Use Permit has been submitted for property located at 7140 Bovey Avenue and legally described as the following;

**Lot 1, Block 3 MICHAEL D DUPONT 4TH ADDITION COUNTRY
MEADOWS, DAKOTA COUNTY, MINNESOTA**

WHEREAS, the aforescribed property is currently zoned R-1C, Single-family residential;

WHEREAS, all conditional use permits are subject to the criteria listed in City Code Section 515.57, Subd. 10, regarding consistency with the Comprehensive Plan, conformity with the Zoning Ordinance and compatibility with adjacent properties, among other criteria;

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on June 16, 2009;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that a Conditional Use Permit to allow impervious surface up to 30% is hereby granted for the aforescribed property, subject to the following conditions:

1. Any permanent structures that encroach on the City drainage and utility easements require an encroachment agreement between the applicant and the City.

2. Prior to issuance of the Certificate of Occupancy for the building addition, the applicant shall submit a revised site plan showing the area of impervious surface to be removed. The revised plan shall be approved by the Planning Department.

BE IT FURTHER RESOLVED that the Deputy Clerk is hereby authorized and directed to record a certified copy of this Resolution at the Dakota County Recorder's Office.

Adopted by the City Council of Inver Grove Heights this _____ day of _____, 2009.

George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Melissa Rheame, Deputy Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights
FROM: Planning Commission
DATE: June 16, 2009
SUBJECT: **JODY & DAN LISSON – CASE NO. 09-12V**

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a conditional use permit to construct a home addition that would exceed the 25% allowed maximum impervious coverage, a variance to construct a home addition that would exceed the 30% allowed maximum impervious coverage, and a variance to construct a gazebo that would encroach within the front yard setback, for the property located at 7140 Bovey Avenue. 22 notices were mailed.

Presentation of Request

Heather Botten, Associate Planner, explained the request as detailed in the report. She advised that the applicant is requesting a variance to construct a home and porch addition to the front of their house which would exceed the allowed 30% impervious surface standards in the R-1C zoning district. Additionally, the applicants would like to construct a gazebo 4.5 feet from the property line whereas 30 feet is required. The request is also for a conditional use permit to allow for impervious coverage on a lot to exceed 25% in the R-1C zoning district. Ms. Botten advised that the property is located on the corner of Blake and Bovey Avenues and currently features the applicant's home, attached garage, and patios which total approximately 35% of impervious surface. Ms. Botten advised that the requested house and porch addition would add another 2% of impervious coverage, bringing the total to 37%. Ms. Botten advised that the proposed location for the gazebo is within a City drainage and utility easement. Staff recommends denial of the variance requests due to lack of hardship. Staff would be in support of the conditional use permit provided the property maintains the existing impervious surface percentage of 35%, meaning existing impervious surface must be removed to accommodate the proposed porch addition. Ms. Botten advised that staff heard from a couple neighbors who were in support of the request.

Chair Bartholomew asked staff to indicate on the map where the gazebo would need to be located to be in compliance with the setbacks, to which Ms. Botten advised it would need to be in line with the existing home which was 30 feet from the property line.

Opening of Public Hearing

The applicant, Dan Lisson, 7140 Bovey Avenue, advised he was not aware they exceeded the maximum impervious surface coverage until he applied for a building permit for the proposed changes to his home. He advised he would prefer to remove portions of the existing hard surface area rather than installing a rain garden in order to lower the impervious surface coverage in return for the proposed house and porch addition to the front of their home. Mr. Lisson advised that the existing footings and foundation for the gazebo were poured years ago and was placed in that location as a means of blocking the light from automobile headlights. Mr. Lisson stated he was unaware there was a boulevard setback, and he suggested the hardship

be that he had already purchased building materials for the gazebo.

Chair Bartholomew stated he appreciated the fact that Mr. Lisson was willing to compromise, and he recommended that the applicant move the gazebo to be in line with the house.

Mr. Lisson advised he would prefer not to move the gazebo to that location, stating there were geographic limitations to his property, he would lose the flow to his yard, and the new location would not block the headlight intrusion.

Chair Bartholomew advised it would be difficult for the Planning Commission to approve a variance without a hardship, stating it would be easier to obtain a conditional use permit. He asked staff if a conditional use permit would be required to bring the impervious surface total from 25% to 30%.

Ms. Botten replied in the affirmative, stating in this situation, however, staff acknowledged there was 35% of existing impervious coverage.

Mr. Lisson stated that although he had no viable hardship he would like to move forward with the proposed house and porch addition.

Chair Bartholomew asked the applicant if he was in agreement with the conditions listed in the report, to which Mr. Lisson replied in the affirmative.

Commissioner Simon asked if the proposed house addition would extend closer to Blake Avenue, to which Mr. Lisson replied it would not.

Commissioner Hark asked if the gazebo footings were made of cement, to which Mr. Lisson replied in the affirmative.

Commissioner Hark asked if the applicant had discussions with City staff regarding specific hard surface areas he would be willing to remove, to which Mr. Lisson replied they only spoke of it general terms.

Commissioner Hark asked what the applicant's plans would be for the cement gazebo area if this request was not approved.

Mr. Lisson replied if he was directed to remove the cement foundation he would likely plant a pine tree in that location, however, if he was allowed to keep the foundation he would create a gazebo without a permanent roof structure.

Planning Commission Discussion

Chair Bartholomew stated that if the applicant could get the impervious surface on his lot down to 30% a variance would not be needed.

Commissioner Wippermann stated he had no issues with the proposed porch addition if the applicant would eliminate some of the existing impervious area, however he was opposed to the gazebo being in the easement area.

Chair Bartholomew suggested the requests be dealt with individually.

Commissioner Koch suggested the hardship be that the property was on a corner lot.

Commissioner Simon stated she was concerned that would set a precedent for all corner lots in the city.

Chair Bartholomew noted that a setback variance for a corner lot was approved a few years ago, however, there was no easement encroachment involved.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Hark, to deny the request for a variance to construct a gazebo that would encroach within the front yard setback for the property located at 7140 Bovey Avenue.

Commissioner Roth asked if the setback requirements had changed over the years, to which Mr. Hunting replied they had not changed since 1965.

Commissioner Koch suggested the applicant move the gazebo forward.

Mr. Lisson advised he would prefer to remove the hard surface and walkway leading up to it rather than move it.

Motion carried (7/0).

Chair Bartholomew stated he would support a conditional use permit to allow up to 30% impervious surface.

Motion by Commissioner Simon, second by Commissioner Koch, to approve the request for a conditional use permit to allow for impervious coverage on a lot up to 30% in the R-1C zoning district and to deny the request for a variance to construct a home addition that would exceed the 30% allowed maximum impervious coverage on a lot located at 7140 Bovey Avenue.

Commissioner Wippermann asked if the motion included the conditions listed in the report that applied to the conditional use permit.

Mr. Hunting recommended that the conditions remain in place.

The motioners agreed to add the conditions listed in the report to their motion.

Motion carried (7/0). This matter goes to City Council on June 22, 2009.

Mr. Lisson requested that City staff work with him to identify which impervious areas they would like removed, and asked if the gazebo foundation needed to be removed.

Chair Bartholomew replied that the applicant should discuss the gazebo area with staff.

PLANNING REPORT

CITY OF INVER GROVE HEIGHTS

REPORT DATE: June 10, 2009

CASE NO.: 09-12V

HEARING DATE: June 16, 2009

APPLICANT AND PROPERTY OWNERS: Judy and Dan Lisson

REQUEST: Conditional Use Permit to exceed 25% impervious surface in an R-1 zoned lot, a Variance to increase the maximum impervious coverage on a lot and a Variance to construct a gazebo within the front yard setback.

LOCATION: 7140 Bovey Avenue

COMP PLAN: LDR, Low Density Residential

ZONING: R-1C, Single Family Residential

REVIEWING DIVISIONS: Planning
Engineering

PREPARED BY: Heather Botten 
Associate Planner

BACKGROUND

The applicant is requesting a variance to construct a home and porch addition to the front of their house, exceeding the allowed impervious surface standards in the R-1C zoning district. Additionally, the applicants would like to construct a gazebo 4.5 feet from their "front" property line whereas 30 feet is the required setback. Currently the lot features the applicant's home, attached garage, and deck and patio features.

The request is also for Conditional Use Permit to allow for impervious coverage on a lot to exceed 25% in the R-1C zoning district. At the June 8, 2009 City Council the Council approved a temporary ordinance amendment allowing an increase to the maximum impervious surface standards in the "R" Districts. This amendment would temporarily increase the impervious surface standard until the impervious surface study is completed and the permanent code change is adopted. The code was changed to allow for a maximum of 25% impervious coverage and require a Conditional Use Permit for up to 30% of impervious coverage in the "R-1", Residential Zoning Districts.

The lot calculations are as follows:

	Square Feet	Percentage
Lot Size	13,079	-
Existing Impervious Coverage (House, garage, driveway, patios)	4,546	35%
Proposed additional impervious coverage (house and porch addition)	250	2%
Total impervious coverage requested	4,796	37%

EVALUATION OF THE REQUEST

The following specific applications are being requested:

- A.) A **Variance** to construct a gazebo 4.5 feet from the front property line;
- B.) A **Variance** to construct a home addition that would increase the maximum impervious coverage to 37%;
- C.) A **Conditional Use Permit** to allow for impervious coverage on a lot to exceed 25% in the R-1C zoning district.

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

- North Single Family; zoned R-1C; guided Low Density Residential
- West Single Family; zoned R-1C; guided Low Density Residential
- South Multiple Family; zoned R-3C; guided Medium Density Residential
- East Single Family; zoned R-1C; guided Low Density Residential

VARIANCES

As indicated earlier, the applicant is requesting two variances; 1) to exceed the maximum allowed impervious surface on an R-1C lot and 2) a setback variance for a gazebo to be located within the front yard setback.

City Code Section 515.59, states that the City Council may grant variances in instances where practical difficulties exist or where a hardship would be imposed upon the property owner if the code were strictly enforced. In order to grant the requested variances, the City Code identifies several criteria which are to be considered. The applicant’s request is reviewed below against those criteria.

- a. *Special conditions apply to the structure or land in question which are peculiar to such property or immediately adjoining property, and do not apply generally to other land or structures in the district in which said land is located.*

The general intent of this standard is to limit the precedent that could be set if the variance was granted. The property does not have any conditions that make it unique for the zoning district it is in. Furthermore, the applicant is not being denied reasonable use of the property as the lot currently features a single-family home, attached garage, and a large deck and patio area.

- b. *The granting of the application will not be contrary to the intent of the Zoning Code or the Comprehensive Plan.*

The lot currently has more impervious surface than what our code has ever allowed since the inception of the impervious surface standards in 2002. Since the impervious surface ordinance has recently been changed, it would be contrary to the intent of the zoning code to allow additional impervious surface on the lot.

The property is a corner lot. Corner lots have more restrictive setbacks than an interior lot because, by definition, they have two front yards. In this case the location of the gazebo would be in a City drainage and utility easement and there is room on the property to construct the gazebo that would meet setbacks.

- c. *The granting of such variance is necessary as a result of a demonstrated undue hardship or difficulty, and will not merely serve as a convenience to the applicant.*

There is no hardship relating to the request as the impervious coverage standard is not precluding the homeowners from reasonable use of the property. The property is currently exceeding the maximum allowed amount of impervious surface, and though the increase is marginal, overall the property would be exceeding the impervious surface requirements by 872 +/- square feet.

There is no hardship relating to the location of the gazebo. No permit or inspections were done for the existing location of the large impervious pad where the applicant's would like the gazebo and there is room on the lot for the gazebo to meet setbacks. The location of the gazebo would be for the convenience of the property owner.

- d. *Economic considerations alone do not constitute an undue hardship.*

Economic considerations do appear to be a basis for this request.

CONDITIONAL USE PERMIT

On June 8, 2009 the City Council approved a temporary ordinance amendment allowing an increase to the maximum impervious surface standards in the "R" Districts. This increase allows 25% impervious surface on a property; with a conditional use permit the impervious surface could be increased to 30%. The existing impervious surface on the lot is about 35%. This existing impervious surface is considered to be legal non-conforming.

Staff is in support of a Conditional Use Permit provided no additional impervious surface is added to the property (retaining the current 35% coverage) and the following criteria are met:

1. A Storm Water Management System shall be constructed within the property that meets the Best Management Practices design criteria as set forth in the Northwest Area Ordinances and Storm Water Manual.

2. The Storm Water Management System and Grading Plan (including necessary details for construction, showing proper location, material, size, and grades) shall be approved by the Engineering Division prior to ground disturbance or installation of the facility.
3. The Storm Water Management System is considered a private system and the responsibility of maintenance is that of the owner.
4. A storm water facilities maintenance agreement shall be entered into between the applicant and City to address responsibilities and maintenance of the storm water system.
5. An escrow or fee, to be determined by the City Engineer, shall be submitted to the City with the Storm Water Management System submittal. The final amount and submittal process shall be determined by the City by the time the Owners are ready to submit the Storm Water Management System and Grading Plan.
6. The soils shall be tested to determine the infiltration capacity to insure the storm water maintenance facility performs and functions within the assumed design parameters

Engineering Division. The Engineering Department has reviewed the request. If the impervious surface variance and conditional use permit is approved they recommend that at a minimum, the applicant shall provide a storm water management system to mitigate any additional impervious surface. However, it is desirable to provide a storm water management system to address the additional impervious surface over the 30% allowed by current ordinance for allowable maximum impervious coverage.

ALTERNATIVES

The Planning Commission has the following alternatives available for the requested action:

- A. **Approval.** If the Planning Commission finds the applications to be acceptable, as proposed, the following actions should be recommended for approval:
 - A **Variance** to construct a gazebo 4.5 feet from the front property line subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The permanent structures that encroach on the City drainage and utility easements require an encroachment agreement between the applicant and the City.

Hardship: A hardship must be stated if approval of the variances is recommended

- A **Variance** to construct a home addition that would allow up to 37%+/- impervious coverage on a lot subject to the following conditions:
 1. The site shall be developed in substantial conformance with the site plan on file with the Planning Department.
 2. The permanent structures that encroach on the City drainage and utility easements require an encroachment agreement between the applicant and the City.
 3. The amount of impervious surface area to be treated with a stormwater management system will be based on any additional impervious surface added to the property (about 250 square feet). If an equal or greater amount of existing impervious surface is removed from the property no stormwater management system would be required.
 4. A Storm Water Management System shall be constructed within the property that meets the Best Management Practices design criteria as set forth in the Northwest Area Ordinances and Storm Water Manual.
 5. The Storm Water Management System and Grading Plan (including necessary details for construction, showing proper location, material, size, and grades) shall be approved by the Engineering Division prior to ground disturbance or installation of the facility.
 6. The Storm Water Management System is considered a private system and the responsibility of maintenance is that of the owner.
 7. Prior to issuance of a building permit, a storm water facilities maintenance agreement shall be entered into between the applicant and City to address responsibilities and maintenance of the storm water system.
 8. An escrow or fee, to be determined by the City Engineer, shall be submitted to the City with the Storm Water Management System submittal. The final amount and submittal process shall be determined by the City by the time the Owners are ready to submit the Storm Water Management System and Grading Plan. The Engineering Department reserves the right to have both a cash escrow for expenses, fees, and maintenance requirements and additional escrow for assurance the storm water facility is constructed properly.
 9. The soils shall be tested to determine the infiltration capacity to insure the storm water maintenance facility performs and functions within the assumed design parameters

Hardship: A hardship must be stated if approval of the variances is recommended

- A **Conditional Use Permit** to allow for impervious coverage on a lot to exceed 25% in the R-1C zoning district subject to the following conditions:
 1. A Storm Water Management System shall be constructed within the property that meets the Best Management Practices design criteria as set forth in the Northwest Area Ordinances and Storm Water Manual.
 2. The Storm Water Management System and Grading Plan (including necessary details for construction, showing proper location, material, size, and grades) shall be approved by the Engineering Division prior to ground disturbance or installation of the facility.
 3. The Storm Water Management System is considered a private system and the responsibility of maintenance is that of the owner.
 4. A storm water facilities maintenance agreement shall be entered into between the applicant and City to address responsibilities and maintenance of the storm water system.
 5. An escrow or fee, to be determined by the City Engineer, shall be submitted to the City with the Storm Water Management System submittal. The final amount and submittal process shall be determined by the City by the time the Owners are ready to submit the Storm Water Management System and Grading Plan.
 6. The soils shall be tested to determine the infiltration capacity to insure the storm water maintenance facility performs and functions within the assumed design parameters.
 7. The impervious surface shall remain at the current percentage that has been grandfathered in on the property. Any new impervious surface would require the removal of a equal or greater amount of impervious surface on the property.

B. Denial If the Planning Commission does not favor the proposed request, it should be recommended for denial, which could be based on the following rationale:

1. Denying the variance requests do not preclude the applicant from reasonable use of the property as the lot already features a single-family home, attached garage, and deck and patio areas.
2. The request lacks any hardship unique to the property.
3. Approval of the variance could set a future precedent for lots to exceed the allowed impervious coverage in the R-1C, Single Family Residential Zoning District.
4. Approval of the variance could set a precedent for structures located with the front yard setbacks and the City drainage and utility easements.
5. The variance requests are out of a convenience to the applicant.

RECOMMENDATION

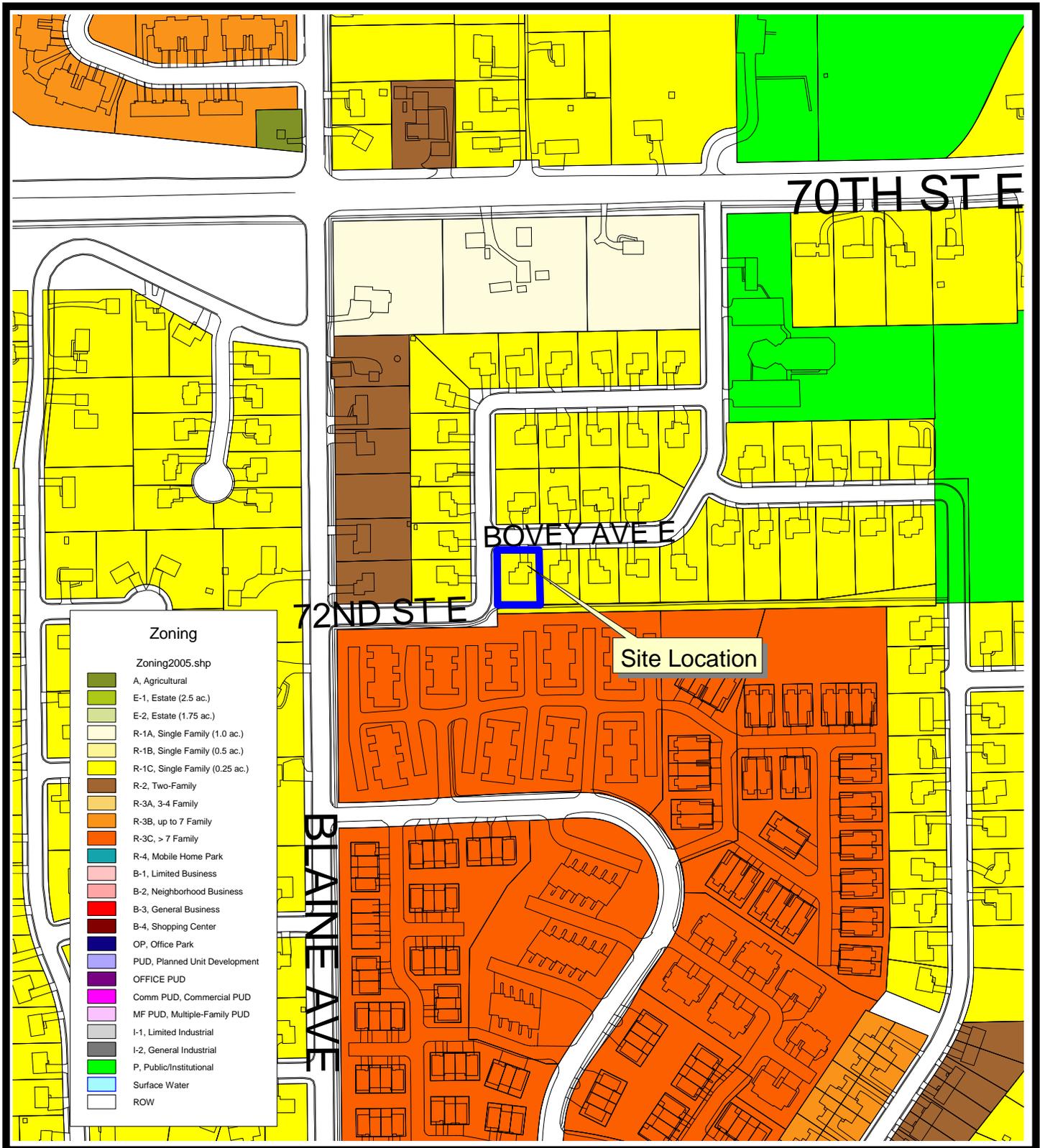
Staff finds the hardship criteria for both variances have not been met and therefore, staff recommends denial of the variance requests as presented.

Staff would be in support of the Conditional Use Permit, if the property maintains the existing impervious surface percentage of 35%, meaning 250 square feet of existing impervious surface should be removed to accommodate the porch addition.

Attachments: Exhibit A – Location/Zoning Map
Exhibit B – Aerial picture of the property
Exhibit C – Site Plan
Exhibit D – Letter from the applicant
Exhibit E – Letters from the neighbors



Lisson Variance Case No. 09-12V



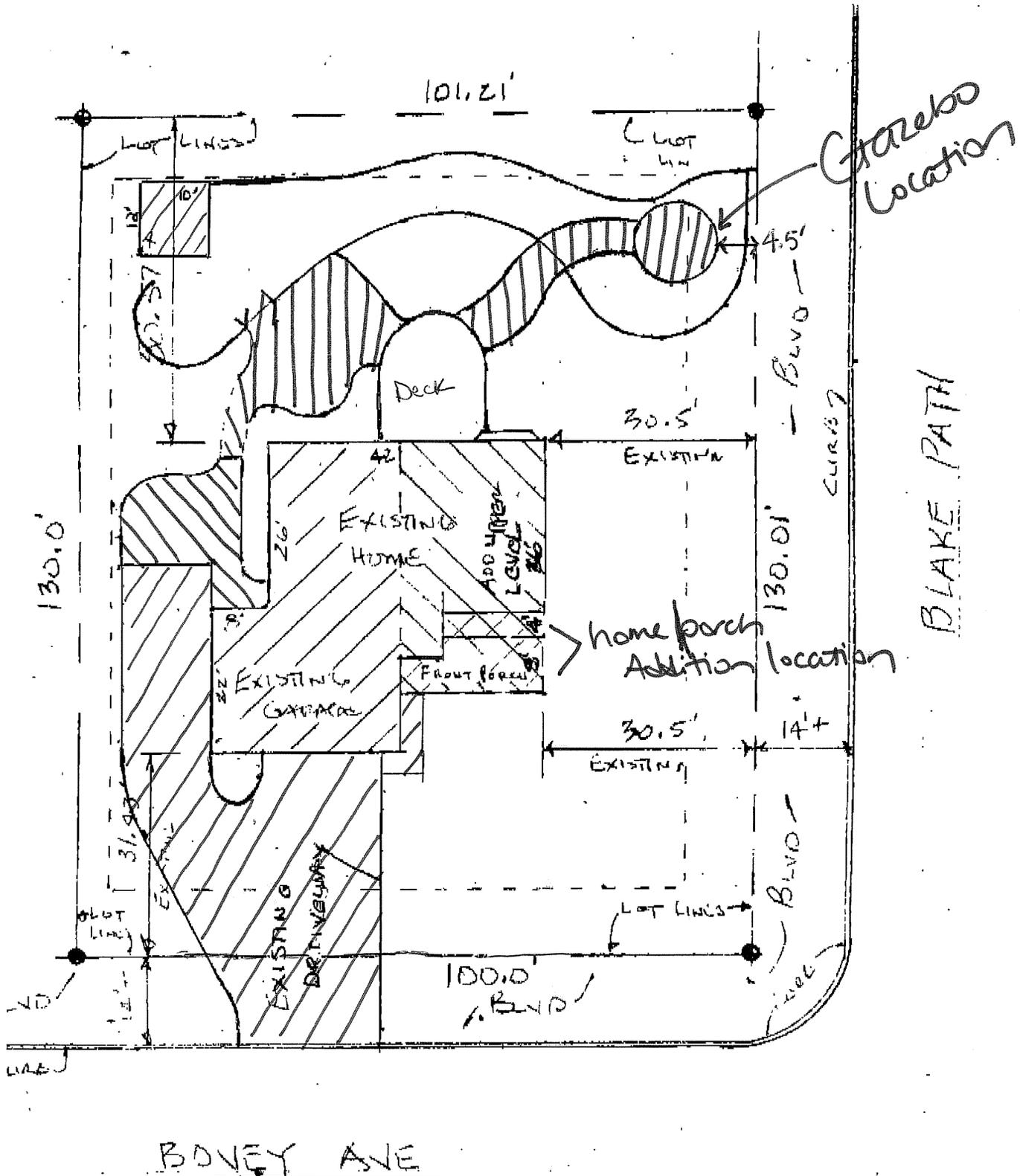
Map is not to scale

Exhibit A
Zoning and Location Map



Scale 1" = 20'

 = Impervious Surface



April 29, 2009

Ms. Jennifer Emmerich
Assistant Planner
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Re: Dan and Jody Lisson/Home Expansion Project

Dear Ms. Emmerich:

Per our telephone conversation, this letter will explain some of our reasons for the home expansion projects we would like to do this Spring.

We would like to add 88 square feet to the existing north foundation of our house, add a 162 square foot covered porch to the front of the house, add a second level to our home's main level and complete our gazebo we started ten years ago in the back yard.

In the process of obtaining a permit for the projects, we learned that we needed to apply for a variance from the city code before we could proceed. We were told that our property exceeds the 20 percent limit for impervious coverage and that our gazebo's foundation did not meet the 30 foot setback for a corner lot.

When my wife and I purchased our home 17 years ago in 1992, it was the perfect size. However, two years ago we had our third child and decided that we needed to expand to make room for our growing family. We explored many options and we decided, instead of moving, we will add to our existing home. We both come from very large families and we have many family functions. Our existing home was getting crowded, so we thought we would expand the home and add outdoor living as well.

We decided with the new addition, to add a front porch to give the home some "curb appeal" and we've always wanted a front porch. The reason a front porch was necessary is because we wanted extra seating for our family and we wanted protection from the hot sun in the summer. The front porch is the only area surrounding our home that is in the shade at all times, since it faces the north side of the house.

Seventeen years ago, we started to build a two tier retaining wall and quickly realized a major problem to the property was traffic lights that would shine into our back yard and our home as the vehicles turned the corner from 72nd Street to Blake path. A simple fix was to extend that side of the backyard retaining wall far enough to block the lights from the cars as they turned. A discussion with the city at that time left me to understand that the retaining wall I was planning did not require a permit and that I needed to keep the wall at least 12 feet from the street. The retaining wall took me about ten seasons to complete because the project kept taking on new ideas and money. Eventually, the wall did block most of the traffic lights, but because the wall had to extend along the street to keep the lights from shining into the house, a large pad was created on the first tier to create an area for a gazebo. We poured footings and the foundation and purchased all the windows and the door for the gazebo seven years ago and would like to complete the project this Spring.

We believe that adding the addition, gazebo and front porch will add to the value of our home and the community of Inver Grove Heights. I assure you that the City will be pleased with the outcome of the project.

We are asking that you approve the plan so that we can proceed with the project as planned. We are willing to make concessions to our existing plan to accommodate the City. Please take a look at the photos and feel free to visit our home prior to making your decision.

We are excited to get started on the project and look forward to hearing from you soon.

We appreciate your consideration!

Sincerely,

Dan Lisson
7140 Bovey Avenue
Inver Grove Heights, MN 55076
(651) 451-1657 (home)
(651) 228-9050 (work)
(651) 492-7633 (cell)

Heather Botten

From: Allan Hunting
Sent: Tuesday, May 26, 2009 4:35 PM
To: Heather Botten
Subject: FW: Public Hearing Notice - Jody & Dan Lesson

From: Todd & Megan [mailto:toddandmegan@gmail.com]
Sent: Tuesday, May 26, 2009 4:26 PM
To: Allan Hunting
Subject: Public Hearing Notice - Jody & Dan Lisson

Greetings Allan -

Received the notice in the mail today regarding the home addition variances for Jody & Dan Lisson. Megan and I will not be able to attend the Commission Meeting on June 2nd but would like it know that we do not oppose the additions that Dan & Jody are trying to complete. We have known them for a while and have spoken to them about their projects and we know they will do a good job and make it look nice.

We like having them as neighbors and would like them to be able to make these changes to their house, so let it be known that we are ok with this.

If there is anything else we need to do regarding this, please let us know.

Thanks

Todd and Megan Parsons
7175 Blake Path

Heather Botten

From: Allan Hunting
Sent: Monday, June 08, 2009 9:40 AM
To: Heather Botten
Subject: FW: Public Hearing, 7140 Bovey Ave.

From: taurus55076@comcast.net [mailto:taurus55076@comcast.net]
Sent: Friday, June 05, 2009 7:40 PM
To: Allan Hunting
Subject: Public Hearing, 7140 Bovey Ave.

Dear Mr. Hunting,

I am neighbors with Jody and Dan Lisson at 7140 Bovey Ave. I am okay with whatever they choose to do -- as long as they follow proper construction and safety codes. The house's stability and the family's safety are my concerns.

I think you should increase their property taxes to the new fair market value of the house. That way, they benefit with more living space for their family and the city benefits with more profit for its expenditures!

Thank you for your time.

Respectfully,

Gail Marek
7109 Bovey Ave.
Inver Grove Heights, MN 55076-2406
612-237-4696

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CITY OF INVER GROVE HEIGHTS; Consider adopting the following resolution establishing a Housing Task Force and appointing its members.

Meeting Date: June 22, 2009
 Item Type: Regular Agenda
 Contact: Jenn Emmerich; 651.450.2553
 Prepared by: Jenn Emmerich, Asst. City Planner
 Reviewed by:

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

Consider adopting a resolution establishing a Housing Task Force and appointing its members.

SUMMARY

The City Council has solicited applications from residents who are interested in serving on a task force to study and advise the Council on housing issues. The need for this task force derived from the goals in the Comprehensive Plan, the 2008 City Council strategic goals and input from affordable housing advocates. The ideal size of the task force would be five, seven or nine individuals.

Attached is a resolution establishing the Housing Task Force and appointing its members. The resolution further identifies the scope, timeframe and responsibilities of the task force. Also attached are the applications (with private information redacted) for Council's consideration. Lastly, the Planning Commission has recommended Mike Schaeffer to represent them for the Housing Task Force.

Attachments: Resolution
 Applications

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

RESOLUTION NO. _____

**RESOLUTION ESTABLISHING A HOUSING TASK FORCE AND APPOINTING ITS
MEMBERS.**

WHEREAS, City Council approved the Comprehensive Plan which establishes housing as an integral part of Inver Grove Heights;

WHEREAS, City Council adopted goals, one of which states, "Maintain the quality of Housing stock in the city".

WHEREAS, workforce housing advocates approached the City and requested that action be taken to address housing issues in the City;

WHEREAS, this Housing Task Force responsible for recommending a Housing Action Plan that identifies next action steps for housing issues, including but not limited to the following:

- Education Campaign
- Foreclosed Properties
- Monitoring Housing
- Volunteer Maintenance Program
- Housing Development
- Aging Housing Stock/Property Maintenance
- Demographic Change
- Mix of Owner and Rental Housing
- Study of Regulatory Barriers
- Housing for Various Income Levels
- Mix of Single-Family and Multi-Family

WHEREAS, this Housing Task Force is established for the next 12 months, terminating in July 2010;

WHEREAS, this Housing Task Force consists of _____ members.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the Housing Task Force be established with the following members:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Adopted by the City Council of Inver Grove Heights this 22nd day of June 2009.

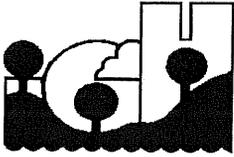
George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Melissa Rheaume, Deputy Clerk



CITY OF INVER GROVE HEIGHTS CITIZEN ADVISORY TASKFORCE

The City Council of the City of Inver Grove Heights is seeking residents to participate in a Citizen Advisory Housing Taskforce. ***Please type or print clearly in ink***

HOUSING TASKFORCE APPLICATION

NAME: Gloria Edin DATE: May 26, 2009

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: _____ ZIP CODE: _____

HOME PHONE: _____ WORK PHONE: Same

E-MAIL ADDRESS: _____

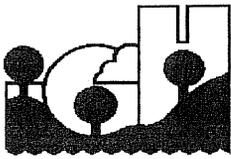
HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 8 months MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: _____
Edin Consulting, LLC, self-employed attorney and work from home.

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce. As an attorney, I have worked on several housing/predatory lending issues so I am familiar with the housing issues that have presented themselves in recent years. I have also had a long history of working with poor or disadvantaged communities, assisting many with their legal concerns. My husband and I recently moved to Inver Grove Heights so that he could enjoy a shorter commute to the Mayo Clinic where he is an anesthesiologist. We have come to enjoy the beauty of the City with its parks, libraries and lakes and we both want to support its further success through volunteerism and participation.

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce: I am an attorney and consultant working with local non-profits and foundations. Until recently, I was the Executive Director of Centro Legal, Inc. a non-profit law firm that provided legal services to immigrants, including services in predatory lending and housing issues. I am actively engaged in Minnesota's philanthropic community. I have been appointed to the Charities Review Council Board and I am a trustee for the Minnesota Council on Foundations, the Initiative Foundation of Minnesota and the Women's Foundation of Minnesota. I also sit on the State Senate's Commission for Welcoming New Americans and to Minnesota's Supreme Court's Statewide Legal Service Commission. I have also sat on the Headwaters Foundation's Democracy Fund Giving Committee, The Hamline University Paralegal Graduate Program's Advisory Committee, and St. Paul Fire Chief Selection Committee, among others.

The City of Inver Grove Heights is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, creed, color, sex, age, national origin, or handicap.



**CITY OF INVER GROVE HEIGHTS
CITIZEN ADVISORY TASKFORCE**

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HOUSING TASKFORCE APPLICATION

NAME: Steven M. Hoffman DATE: 5/19/09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 22 YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE:
Professor & Chair, Dept. of Political Science,
Univ. of St. Thomas, St. Paul, MN

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce.

see attached

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce:

see attached

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Statement of Interest

I have lived in IGH since my arrival in Minnesota, some 22 years ago. I have long valued the city as an exceptional place to raise and educate my children. I also appreciate the excellent quality of services provided by the city. I believe it is now time to give something back.

The *Housing Task Force* would seem to be a good fit with my professional and academic background. My academic training is in Urban Affairs and Public Policy (Ph.D., University of Delaware, 1987) and Public Administration (M.P.A., Arizona State University 1977). I have also taught many courses at the University of St. Thomas in both of these fields and I have worked with numerous local units of government and nonprofit organizations in various capacities over the years.

STEVEN M. HOFFMAN

T. PAUL, MN

612/457-4904 home

612/962-5723 office

smhoffman@stthomas.edu

SELECTED RESUME

EDUCATION

University of Delaware, 1987. Ph.D., Urban Affairs and Public Policy.

Arizona State University, 1977. Masters in Public Administration.

University of Missouri at St. Louis, 1976. Bachelor of Science in Education/Political Science.

PROFESSIONAL EMPLOYMENT

University of St. Thomas. Department of Political Science. University of St. Thomas. St. Paul, MN. 1987-present. Includes service as Chair, Political Science Department and Director, Environmental Studies Program.

Visiting Professor. Victoria University of Wellington, New Zealand. Political Science Programme. 2005.

Adjunct Research Professor. Center for Energy and Environmental University of Delaware, 1988 to present.

PUBLICATIONS (selected)

“From Private Lives to Collective Action: Recruitment and Participation Incentives for a Community Energy Program.” 2009. With Angela High-Pippert. *Energy Policy. Special Issue: Low Carbon Communities*. Summer.

Power Struggle: Hydro Development and First Nations in Manitoba and Quebec. 2008. With Thibault Martin, editors. Winnipeg, MB: University of Manitoba Press.

Perspectives on Minnesota Government and Politics. 2007. With Angela High-Pippert and Kay Wolsborn, editors. 6th Edition. Edina, MN: Pearson Custom Publishing Company. 5th edition, 2003; 4th edition, 1998.

“Who Speaks for the Trees (and the Prairie and the Lakes and the Air): A Brief Look at Minnesota’s Environmental Advocacy Community.” 2007. In Steven M. Hoffman, Angela High-Pippert and Kay Wolsborn, eds. *Perspectives on Minnesota Government and Politics*. 6th Edition. Edina, MN: Pearson Custom Publishing Company. Pp. 151-72.

“Community Energy: A Social Architecture for an Alternative Energy Future.” December, 2005. With Angela High-Pippert. *Bulletin of Science, Technology and Society*. Volume 25, Number 5: 387-401.

“Minnesota’s Electrical Future: Debates and Strategies.” 2003. In Steven M. Hoffman, Kay Wolsborn, and Homer Williamson, eds. *Perspectives on Minnesota Government and Politics* 5th Edition. Boston, MA: Pearson Custom Publishing Company. Pp. 179-96.

Bulletin of Science, Technology and Society: Energy Choices. 2002. With John Byrne, editors. Volume 22, No. 2. Beverly Hills, CA; Sage Publications.

“Switching on the Future: Midwestern Models for a Clean Energy Transition.” With Michael Noble. 2002. In John Byrne and Steven M. Hoffman, eds. *Bulletin of Science, Technology and Society: Energy Choices*. Beverly Hills, CA: Sage Publications. Volume 22. Number 2: 132-46.

Bulletin of Science, Technology and Society: Energy Controversy. 2001. Co-Editor. With John Byrne. Volume 21, Number 6. Beverly Hills, CA; Sage Publications.

Energy Sources: Energy, Environment and Sustainable World Development: Options for the Year 2000. 1990. With John Byrne, editors. Volume 13, No. 1.

TEACHING (selected courses)

Environmental Policy Formation; Government in Comparative Perspective; Urban and Metropolitan Government; Policy Analysis and Administration; Introduction to American Government; Introduction to Public Administration; Public Finance; Public Personnel Administration

COMMUNITY SERVICE ACTIVITIES (selected)

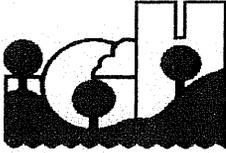
Director. Friends of the Boundary Water Wilderness. 2007-present.

Director and Chair. 1994 to 2003. Minnesotans for an Energy-Efficient Environment (now Fresh Energy). St. Paul, MN.

Board Member. 1993 to 2000. *Neighborhood Planning for Community Revitalization Project*. In collaboration with the Center for Urban and Regional Affairs, University of Minnesota.

Higher Education Consortium for Urban Affairs (HECUA). St. Paul, Minnesota. Board member, 1987-1993.

Director and Vice-Chair. 1993 to 2000. Minnesota Center for Environmental Advocacy. St. Paul, Minnesota.



**CITY OF INVER GROVE HEIGHTS
CITIZEN ADVISORY TASKFORCE**

The City Council of the City of Inver Grove Heights is seeking residents to participate in a Citizen Advisory Housing Taskforce. *Please type or print clearly in ink*

HOUSING TASKFORCE APPLICATION

NAME: Jon Wallerick DATE: 5-15-09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

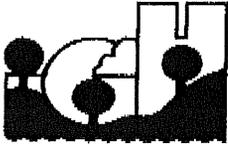
HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 3yrs. 9mos YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: Attorney

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce. I am passionate about housing, both as to its importance to individuals, and to the effect it has on a community. I am particularly interested in ensuring that there is an adequate amount of affordable housing. I appreciate the City's pro-active approach to this issue

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce: I am a real-estate attorney at Best Buy. In addition to my work there, I have also worked in the apartment industry, both market-rate and affordable. Finally, I have volunteered with many organizations in the housing industry. Thanks for considering my application

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CITY OF INVER GROVE HEIGHTS CITIZEN ADVISORY TASKFORCE

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HOUSING TASKFORCE APPLICATION

NAME: Catherine Carlson DATE: 5-13-09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 16 YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: Community Mgr. and Sales Associate at Emerald Hills Village

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce.

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce:

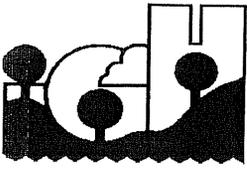
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IGH Housing Task Force Application – continued

I have worked in the housing industry for the last 16 years as manager and sales person for Emerald Hills Village, a manufactured home community. I have hands on experience with affordable housing, and have a great deal of pride in the homes I sell and the Community I manage. I believe that no housing committee would be complete without an experienced and certified representative of manufactured housing, which makes up 7 % of the housing in Inver Grove Heights.

I have lived in manufactured housing for 19 years and worked in the industry for 16. I am a member of the MN Manufactured Housing Association and have received training as a Professional Housing Consultant and Accredited Community Manager 101 and 201. I attend yearly seminars sponsored by the MN Manufactured Housing Association and MN State Building Codes, now the Dept. of Labor and Industry.

Catherine E. Carlson



**CITY OF INVER GROVE HEIGHTS
CITIZEN ADVISORY TASKFORCE**

The City Council of the City of Inver Grove Heights is seeking residents to participate in a Citizen Advisory Housing Taskforce. ***Please type or print clearly in ink***

HOUSING TASKFORCE APPLICATION

NAME: Karen Nelson DATE: 1/2/09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: ---

E-MAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 10 yrs YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: Please see attached "A"

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce.
Please see attached "B"

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce:

Please see attached "B"

The City of Inver Grove Heights is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, creed, color, sex, age, national origin, or handicap.

Karen M. Nelson

187 Candace Avenue

Inver Grove Heights, MN 55076

(612) 457-9130

Work Experience:

Minnesota Conservation Corps (MCC) – Non-Profit (July/2003)

October 2003 to January 2005

Assistant Business Manager

Major Activities: Worked with director in assisting the transition from a state program to a non-profit, which still had funding from the legislature. Instrumental in developing the accounts needed for the non-profit and also the selection of the payroll system. Did the accounts payable services and payroll for MCC. Assisted central office staff and four district managers in business office functions such as procurement and payroll problems.

Computer/software programs used: Peachtree Accounting System and PayDay payroll system

AT&T Wireless Phone Company

September 2002 to May 2003 (part-time)

Customer Service

Major Activities: Assisted phone customers with billing problems, activating phone service that was interrupted and making payments by phone.

Department of Natural Resources-Minnesota Conservation Corps (MCC)

September 1990 until retirement August 2000 (Retired)

Administrative Manager

Major Activities: Worked with director to develop and monitor all spending plans and annual/budgets for MCC program statewide. Reconcile statewide accounting reports to ensure that spending is within the established budget and that expenditures are charged to the proper accounts. Perform as an expert resource person to authorize and direct the preparation and processing of contracts, grants and amendments and provide section with continuously updated information and procedures. Authorize and direct the preparation and processing of health insurance premiums for corps members. Act as personnel liaison between MCC and Bureau of Human Resources and oversee personnel matters for the program. Evaluate and maintain policies and procedures for the education awards program in compliance with state and federal regulations.

Computer/software used: Minn. Accounting Procurement System (MAPS), Sema 4, IA Reports, Infopac, WP6.1, AS400

Karen M. Nelson

Department of Natural Resources-License Bureau

February 1987 until September 1990

Watercraft and Snowmobile License Supervisor

Major Activities: Supervise the complete watercraft/snowmobile licensing operation including resolving problems over the phone and customers at the counter. Supervise total clerical support for the watercraft/snowmobile section. Responsible for ordering all the materials for registration of watercraft/snowmobiles. Insuring time lines are met for each year's registration. Represent watercraft/snowmobile section at numerous meetings/conferences as required. Serve as affirmative action representative for License Bureau on the Affirmative Action Committee.

Number and title(s) of people you supervised: 1 clerk III, 3 clerk II's, 1 clerk-typist I and 1 clerk-typist II

Computer software/hardware used: AS400 and cash register

Department of Natural Resources/License Bureau

Snowmobile License Supervisor

December 1980 until February 1987

Major Activities: Supervise the complete snowmobile licensing operation including resolving problems over the phone and customers at the counter. Issue dealer and manufacturer licenses. Supervise clerk in charge of Deputy Registrars regarding snowmobile licenses. In charge of collecting NSF checks for License Bureau. Attend snowmobile related meetings.

Number and title(s) of people you supervised: 1 clerk III, 1 clerk-typist II and 1 clerk-typist I

Department of Natural Resources/Finance

Senior Account Clerk/Executive I

November 1973 to December 1980

Major Activities: Depositing and posting royalty payments from mining companies. Keeping the payroll for the weigh master's at Hibbing and billing the mining companies for their salaries. Verified acquired forestry and consolidated conservation accounts. Checked, coded and batched bills for payment. Worked with the Office Manager in Rochester and New Ulm answering questions and helping them with problems. Processed allotment increases.

Karen M. Nelson

Department of Natural Resources/Forestry and Parks

Senior Account Clerk

February 1971 to November 1973

Major Activities: Clerical support, accounting and receptionist duties.

**Departments of Highway, Veterans Affairs and Soil and Water Conservation
Commission**

Started as Clerk-Typist 1 up to an Account Clerk

August 1964 – February 1971

Major Activities: Various clerical support duties and entry-level accounting duties.

Volunteer Experience:

Regions Hospital – Emergency Room – 4 hours week at reception desk.

Church Officer – Deacon Board

Member of Youth Corps Advisory Board (MCC)

Board member “Friends of MCC” (non-profit)

Education and Training

Schools:

Graduated from Harding High School – 1964

University of Minnesota: 1969, Accounting 24, one semester

Courses:

Bookkeeping and accounting

Supervisor Role in State Government

Supervision: Managing the Human Resource

Assertiveness Training

Data processing concepts

Handling difficult situations

Stress Management

Printing policies and procedures

Sexual harassment/affirmative action

Managing Conflict

Public Responsiveness

National Seminars

--How to get things done

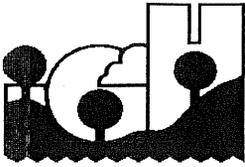
--Assertiveness Training for Achievers

--Powerful Business Writing Skills

--Image and Communication Skills for Women

Very interested in all housing in Inver Grove with a special emphasis on Senior Housing. I've been seeing a lot of housing for seniors but I would like to see more affordable rental housing for over 55 in the form of one-level Townhomes or cottages.

During my career I've had the opportunity to serve on many task forces, attend legislative meetings sometimes to testify, represent not only many of the divisions I've worked for but also the Department on several committees. In my personal life I have been on a pastoral nominating committee and board member at different times in my life.



CITY OF INVER GROVE HEIGHTS
CITIZEN ADVISORY TASKFORCE

The City Council of the City of Inver Grove Heights is seeking residents to participate in a Citizen Advisory Housing Taskforce. *Please type or print clearly in ink*

HOUSING TASKFORCE APPLICATION

NAME: ALLAN CEDERBERG DATE: 5/13/09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: —

E-MAIL ADDRESS: [REDACTED]

HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 31 YEARS/MONTHS

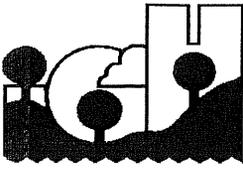
EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: RETIRED MECHANIC,
FRANCHISE

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce. HAVE BEEN ACTIVE IN
HABITAT FOR HUMANITY SINCE 1990.
THE COUNCIL ASKED ME TO JOIN
THE TASKFORCE FOR THE NEW CITY HALL
RENOVATION AND I ADDED MUCH
TO THE EFFORT

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce: AS AN ENGINEER I CAN SOLVE
PROBLEMS. I KNOW THE CITY SHOULD
DO MORE FOR HOUSING AND WOULD
LIKE TO BE PART OF THAT EFFORT.

-Council appointed him to the gun club watershed

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[Signature]



CITY OF INVER GROVE HEIGHTS CITIZEN ADVISORY TASKFORCE

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HOUSING TASKFORCE APPLICATION

NAME: James Zentner DATE: 05/08/09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: 8004 Delano Way ZIP CODE: 55076

HOME PHONE: 457-2211 WORK PHONE: 770-4483

E-MAIL ADDRESS: James.Zentner@co.invergrove.mn.us

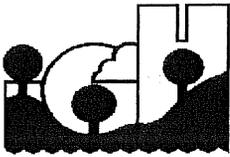
HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 31 YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: Planning Specialist for Ramsey County Employment and Training, Member Amazing Grace Lutheran Church co-chair outreach ministry team

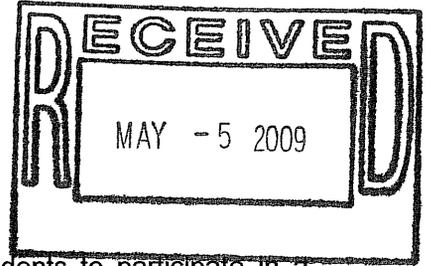
Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce. I have been working for affordable housing in IGH since 2000. Amazing Grace is an affiliated congregation to ISAIAH which is a faith based organization dedicated to working on issues of equity and justice. I was the benefactor along with my family in 1978 of a HUD program making our first home affordable. Since those programs no longer exist, I want to find and develop ways the city can assure through policy that others have the same chance we had to become established in a community.

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce: Prior to working for Ramsey County I worked for the Minnesota Senior Federation-Metro Region. In that capacity, one of the significant policy issues we focused on was affordable housing for seniors. This is where I began to learn about resources available or not and how things get done and decisions made. This will be valuable I believe for a city housing work group.

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CITY OF INVER GROVE HEIGHTS
CITIZEN ADVISORY TASKFORCE



The City Council of the City of Inver Grove Heights is seeking residents to participate in a Citizen Advisory Housing Taskforce. *Please type or print clearly in ink*

HOUSING TASKFORCE APPLICATION

NAME: DAVID HOUG DATE: 5-3-2009

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 25 YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: COMPUTER PROGRAMMER

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce.

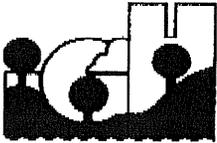
I HAVE A PASSION FOR HOUSING THAT FILLS A WIDE RANGE OF NEEDS, FROM AFFORDABLE TO EXECUTIVE. A CITY PROSPERS WHEN A RANGE OF FOLKS ARE ATTRACTED TO THE CITY

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce:

I AM AN EMPTY-NESTER. I FIRST CAME TO IGH AS A PLACE TO RAISE MY CHILDREN. WE NOW HAVE ELDER-CARE FOR PARENTS ISSUES. I AM FAMILIAR WITH A WIDE RANGE OF HOUSING NEEDS. I WANT OUR CITY TO BE SUCCESSFUL FOR DECADES.

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David Houg



CITY OF INVER GROVE HEIGHTS CITIZEN ADVISORY TASKFORCE

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HOUSING TASKFORCE APPLICATION

NAME: TODD FOSTER DATE: 5-29-09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary): Acc in the Hole Partnership

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

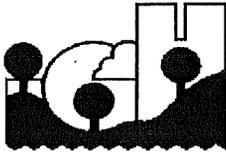
HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 30+ YEARS/MONTHS
Lived at 6480 Argenta for 7 years in late 70s & owned land since early 70s
EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: Civil Engineering, Residential
& Commercial Real Estate Project manager (5 yrs), Sales &
Marketing Director (~10 yrs)

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce. as a partner in one of the largest tracts of undeveloped
land in the Northwest Area, I want to have a say in the
future of IGH's growth. I know there is a need for all types
of housing for a healthy growing community and thoughtful
growth is essential to grow IGH while respecting its past.

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce:

I think my civil engineering background combined with my
development experience and sales/marketing background would
provide a great combination. I have no real agenda beyond
responsible growth of IGH. A thoughtful plan for the entire
city is essential for the future health of the city.

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CITY OF INVER GROVE HEIGHTS CITIZEN ADVISORY TASKFORCE

The City Council of the City of Inver Grove Heights is seeking residents to participate in a Citizen Advisory Housing Taskforce. ***Please type or print clearly in ink***

HOUSING TASKFORCE APPLICATION

NAME: CHRISTOPHER SCHULZ DATE: 6/1/09

In order that the Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information (attach extra sheets if necessary):

ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

HOME PHONE: [REDACTED] WORK PHONE: [REDACTED]

E-MAIL ADDRESS: [REDACTED]

HOW LONG HAVE YOU LIVED IN INVER GROVE HEIGHTS? 5yr, 3mo YEARS/MONTHS

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: _____

Employed @ Overland Contracting Inc. - owned by Black & Veatch
- Working on the Wireless Project for ATT.

Please provide a short paragraph summarizing why you are seeking an appointment to the Housing Taskforce. I would like to participate in my community.

I have seen and heard enough from experts that do not have the best interest of the community in mind. I want to see all people have housing options and to have them able to interact.

I want to see a solution with real world options that work. With parents that are aging and kids that will need housing we need affordable solutions.

Briefly describe your background and any other information not previously given which you believe should be considered regarding appointment to this taskforce: _____

I have grown up in the construction industry; starting with single family homes to building multi-unit condos and apartments. I have also been in the wireless industry building towers and working to find solutions that will work within any community. I also participate in my children's sports and scouts within IGH.

Thank You!
Christopher Schulz

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CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider a Change Order for the 60” Storm Sewer along Concord Boulevard – City Project 2001-12

Meeting Date: June 22, 2009
 Item Type: Regular
 Contact: Thomas J. Kaldunski, 651.450.2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director



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: Pavement Management Fund

PURPOSE/ACTION REQUESTED

Consider a change order for the 60” storm sewer along Concord Boulevard – City Project No. 2001-12.

SUMMARY

The expenditure of up to \$50,000 to replace the existing 48” reinforced concrete pipe (RCP) pipe with a 60” RCP was approved at the June 8, 2009 Council meeting. This project was initiated following the completion of the South Grove drainage basin storm water management modeling by Barr Engineering. This modeling identified a need to increase the storm sewer capacity from the existing 48” RCP to a 60” RCP at the existing cattle pass under Concord Boulevard in Phase 2 of the County’s project (see map).

The preliminary estimate of the construction was less than \$100,000 which allowed the City to seek market value quotes for the work. Quotes were solicited from four contractors for the work. Three quotes were received as follows:

- (1) Arcon Construction, Co. Inc. \$73,850.45
- (2) Dahn Construction \$82,405.00
- (3) Danner, Inc. \$86,275.00

The City Council is being asked to approve the change order (in the amount of \$80,000 to allow a construction contingency) for the quote submitted by the low bidder (Arcon Construction Co., Inc.). The change order will be funded from the Pavement Management Fund. Note that City Project No. 2001-12 is actually part of the County’s Concord Boulevard Reconstruction project. The contract is administered by Dakota County. The change order work will be invoiced directly to the City by the contractor. Construction will be completed by June 26, 2009.

TJK/kf

Attachments: Quotes
 Change Order No. 1
 Map

ARCON CONSTRUCTION CO., INC
PO BOX 159
5973 433rd Street
HARRIS MN, 55032

PHONE: (651) 674-4474
FAX: (651) 674-2027

FAX COVER SHEET

DATE: June ¹⁸ 12, 2009

COMPANY: City of Inver Grove Heights, MN

PLEASE DELIVER TO: Thomas J. Kaldunski, P.E.

FAX NUMBER: 651-450-2502

PHONE NUMBER:

FROM: Dale Mans Vice President

RE: Request for Quote 60" RCP at Concord Boulevard

PAGES INCLUDING THIS PAGE: 2

URGENT FOR YOUR INFORMATION
 PLEASE REPLY FOR REVIEW

COMMENTS: Per your request - Quote on Concord Boulevard

If you have any questions - Please Call.

Thank-you

BID FORM

Owner: City of Inver Grove Heights
 Project: South Grove Street Reconstruction - Concord Boulevard Storm Sewer



Kimley-Horn
and Associates, Inc.

KHA Job No: 160519013

Schedule: A
 Description: Concord Boulevard Storm Sewer Improvements

Item No.	Item Description	Unit	Contract Quantity	Unit Price	Amount
1	Mobilization	LS	1	\$ 500.00	\$ 500.00
2	Clearing and Grubbing	LS	1	\$ 2000.00	\$ 2000.00
3	Remove 48" RC Pipe	LF	155	\$ 19.20	\$ 2976.00
4	Salvage 27" RC Pipe	LF	35	\$ 18.00	\$ 630.00
5	Salvage and Reinstall 10" PVC Pipe	LS	1	\$ 600.00	\$ 600.00
6	Remove Manhole	EACH	1	\$ 720.00	\$ 720.00
7	Install Salvaged 27" RC Pipe	LF	25	\$ 23.00	\$ 575.00
8	60" RC Pipe	LF	135	\$ 180.07	\$ 24,309.45
9	120" Manhole Structure	EACH	1	\$ 9,700.00	\$ 9,700.00
10	Construct Concrete Vault (7' X 9' Vault)	EACH	1	\$ 16,000.00	\$ 16,000.00
11	Connect to Existing Pipe (48"x60" Increaser)	EACH	1	\$ 2,950.00	\$ 2,950.00
12	Watermain Offset	EACH	1	\$ 7,840.00	\$ 7,840.00
13	Seeding	LS	1	\$ 800.00	\$ 800.00
14	Temporary Erosion Control	LS	1	\$ 750.00	\$ 750.00
15	P.E. Certification on Box MH	LS	1	\$ 3,500.00	\$ 3,500.00

Total: **\$73,850.45**

DAHIN CONSTRUCTION

Thomas Kaldunski
City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077-3412
PH: (651) 450-2500 * FAX: (651) 450-2502

June 12, 2009

RE: 60" RCP at Concord

Tom,

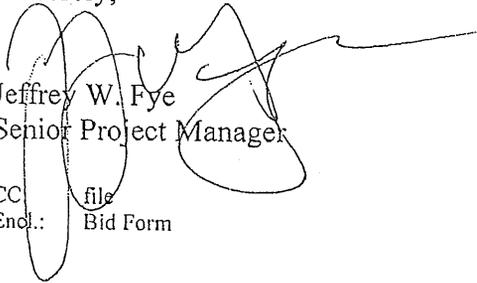
Thank you for inviting us to bid on the sewer improvement off Concord Boulevard. We have looked at the site and quantified the work asked of us in Kimley-Horn and Associates bid form.

We have included their bid form with this cover letter. We can complete the work by June 26th, weather depending. We would need to authorize our suppliers to create shop drawings by Wednesday 7 AM to make sure we can get materials delivered to the site on time.

We have the right men and equipment to get the job done. We feel we have priced up all the work required on the bid form, but we have not included permits, easements, soil corrections, removals beyond what is in items 2 through 6, restoration beyond items 13 and 14, testing, survey, bond, SAC/WAC, MDH submittals, detours, traffic control, or winter conditions.

Thanks again and if you have any questions please call me at 651-480-1911.

Sincerely,


Jeffrey W. Fye
Senior Project Manager

CC: file
Encl.: Bid Form

13135 Doyle Path East
Rosemount, MN 55068
Phone: 651-480-1911 Fax: 651-480-1971
www.dahnconstruction.com

BID FORM

Owner: City of Inver Grove Heights
 Project: South Grove Street Reconstruction - Concord Boulevard Storm Sewer



KHA Job No: 160509013

Schedule: A
 Description: Concord Boulevard Storm Sewer Improvements

Item No.	Item Description	Unit	Contract Quantity	Unit Price	Amount
1	Mobilization	LS	1	\$ 2500.00	\$ 2500.00
2	Clearing and Grubbing	LS	1	\$ 1500.00	\$ 1500.00
3	Remove 48" RC Pipe	LF	155	\$ 17.00	\$ 2635.00
4	Salvage 27" RC Pipe	LF	35	\$ 39.00	\$ 1365.00
5	Salvage and Reinstall 10" PVC Pipe	LS	1	\$ 420.00	\$ 420.00
6	Remove Manhole	EACH	1	\$ 930.00	\$ 930.00
7	Install Salvaged 27" RC Pipe	LF	25	\$ 65.00	\$ 1625.00
8	60" RC Pipe	LF	135	\$ 180.00	\$ 24,300.00
9	120" Manhole Structure	EACH	1	\$ 15,250.00	\$ 15,250.00
10	Construct Concrete Vault (7' X 9' Vault)	EACH	1	\$ 17,950.00	\$ 17,950.00
11	Connect to Existing Pipe (48"x60" Increaser)	EACH	1	\$ 3130.00	\$ 3130.00
12	Watermain Offset	EACH	1	\$ 8200.00	\$ 8200.00
13	Seeding	LS	1	\$ 1700.00	\$ 1700.00
14	Temporary Erosion Control	LS	1	\$ 900.00	\$ 900.00
Total:					\$ 82,405.00



FAX COVER SHEET

DANNER, INC. _____

843 Hardman Avenue South • South St. Paul, MN 55075
Phone: (651) 450-0830 • Fax: (651) 450-9076

SEND TO Company Name I.G.H.	From: MARLEY
Attention: Steve Dodge	Date: 6-18-09
Fax Number: 450-2502	Phone Number: (651) 450-0830

Urgent Reply ASAP For your information

Total pages, including cover: _____

COMMENTS:

Bid Requested

BID FORM

Owner: City of Inver Grove Heights
Project: South Grove Street Reconstruction - Concord Boulevard Storm Sewer



Kimley-Horn
and Associates, Inc.

KHA Job No: 180509013

Schedule: A
Description: Concord Boulevard Storm Sewer Improvements

Item No.	Item Description	Unit	Contract Quantity	Unit Price	Amount
1	Mobilization	LS	1	\$ 2500-	\$ 2500-
2	Clearing and Grubbing	LS	1	\$ 2000-	\$ 2000-
3	Remove 48" RC Pipe	LF	155	\$ 25-	\$ 3875-
4	Salvage 27" RC Pipe	LF	35	\$ 25-	\$ 875-
5	Salvage and Reinstall 10" PVC Pipe	LS	1	\$ 1500-	\$ 1500-
6	Remove Manhole	EACH	1	\$ 750-	\$ 750-
7	Install Salvaged 27" RC Pipe	LF	25	\$ 40-	\$ 1000-
8	60" RC Pipe	LF	135	\$ 225	\$ 30,375-
9	120" Manhole Structure	EACH	1	\$ 14000-	\$ 14000-
10	Construct Concrete Vault (7' X 9' Vault)	EACH	1	\$ 15000-	\$ 15000-
11	Connect to Existing Pipe (48"x60" Increaser)	EACH	1	\$ 4400-	\$ 4400-
12	Watermain Offset	EACH	1	\$ 6000-	\$ 6000-
13	Seeding	LS	1	\$ 2000-	\$ 2000-
14	Temporary Erosion Control	LS	1	\$ 2000-	\$ 2000-

Total: \$ 86,275-

CHANGE ORDER NO. 1

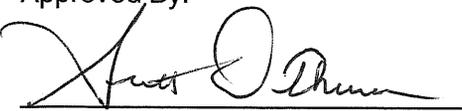
**CITY PROJECT NO. 2001-12
CONCORD BOULEVARD STREET RECONSTRUCTION – PHASE 2**

Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077	Date of Issuance: June 18, 2009\
Contractor: Arcon Construction Co., Inc. P. O. Box 159 Harris, MN 55032	Engineer: City of Inver Grove Heights

Purpose of Change Order
 Replace 48-inch RCP storm sewer in 2001-02 construction area with 60-inch RCP storm sewer.

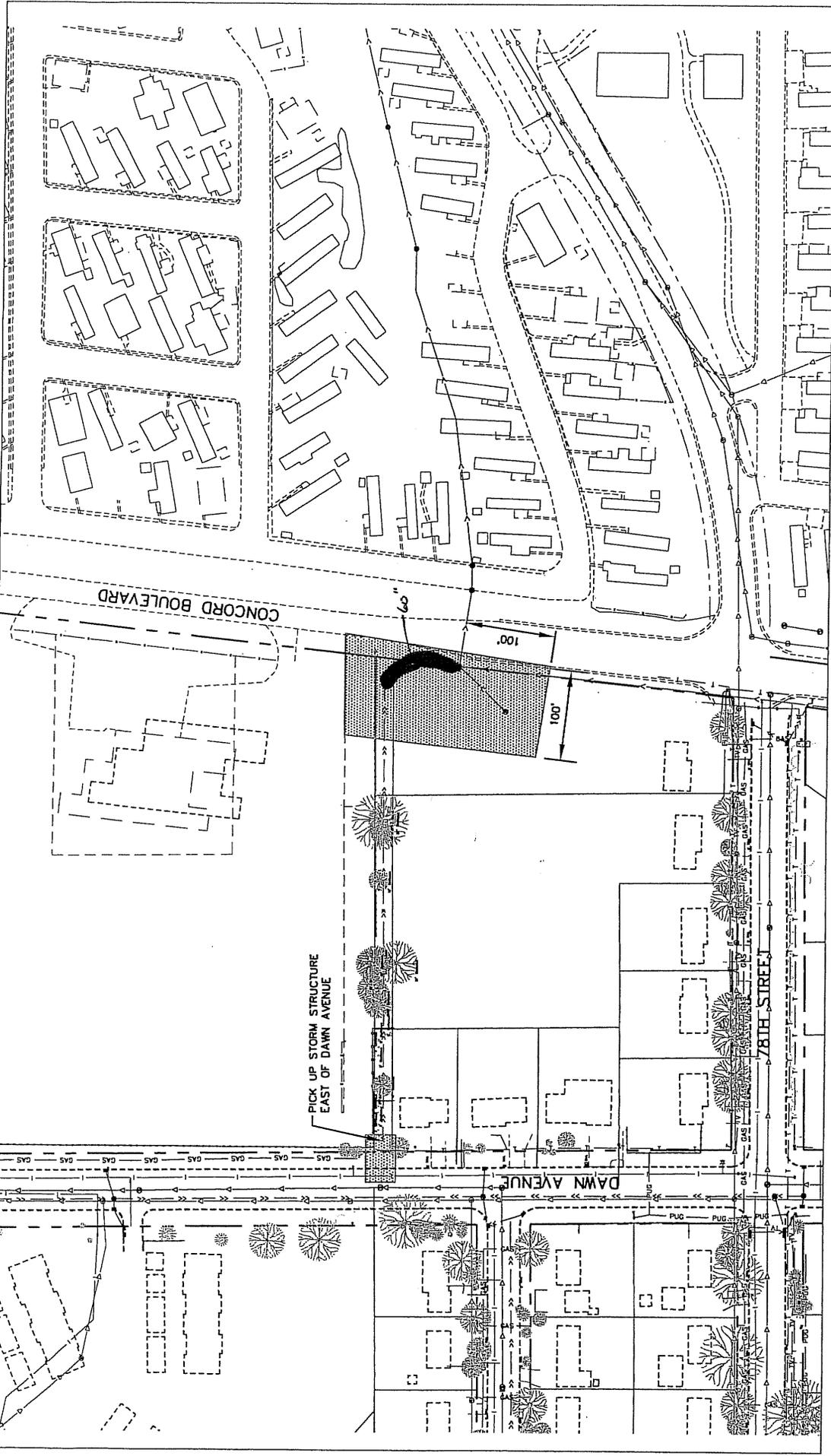
Construction is being coordinated with Dakota County and the work must occur between June 15 and June 26, 2009.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: NA (County Project)	Original Contract Time:
Previous Change Orders No. ____ to No. ____	Net Change from Previous Change Orders
Contract Price Prior to this Change Order NA	Contract Time Prior to this Change Order
Net Increase of this Change Order \$80,000.00	Net Increase (Decrease) of Change Order
Contract Price with all Approved Change Orders \$80,000.00	Contract Time with Approved Change Orders
Recommended By: <u></u> Thomas J. Kaldunski, P.E., City Engineer	Approved By: _____

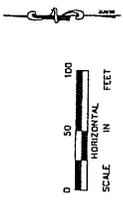
Approved By: 
 Scott D. Thureen, Public Works Director

Approved By: _____
 George Tourville, Mayor

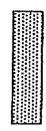
Date of Council Action:
June 22, 2009



CONCORD BOULEVARD
 ADDITIONAL SURVEY
 SOUTH GROVE STREET
 RECONSTRUCTION AREA 5



AREA TO BE SURVEYED



City of
 Inver Grove Heights
 8150 BARNETT AVENUE
 INVER GROVE HEIGHTS, MN 55077-3412

**Kirley-Horn
 and Associates, Inc.**

TEL. NO. (651) 846-1107
 FAX NO. (651) 846-5118



2550 UNIVERSITY AVE. WEST, SUITE 1400
 ST. PAUL, MN 55108

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER CHANGE ORDER NO. 1 FOR CITY PROJECT 2008-18 PUBLIC SAFETY ADDITION/CITY HALL RENOVATION

Meeting Date: June 22, 2009
Item Type: Regular
Contact: JTeppen, Asst City Admin
Prepared by:
Reviewed by:

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

PURPOSE/ACTION REQUESTED Consider Change Order No. 1 for City Project 2008-18 Public Safety Addition/City Hall Renovation for additional conduit around the Public Safety Building parking lot in an amount of \$33,861.

SUMMARY This project was approved by the City Council on April 27, 2009, and the contract was awarded to Shaw Lundquist Associates. The total project budget is \$15.7 million.

The original specifications put the conduit for telephone and data cabling under the parking lot of the Public Safety Addition. Upon further reflection, the Architect recommends that the conduit is extended out beyond the parking lot. This parking lot is where the enclosed parking area would be expanded in the future.

Staff recommends approval of Change Order No. 1 for City Project 2008-18 Public Safety Addition/City Hall Renovation in an amount of \$33,861.

Attachments: Memo from Shaw Lundquist
Change Order Number 1



**SHAW-LUNDQUIST
ASSOCIATES INC**

June 3, 2009

Dave Jaeger
B K V Group
222 North 2nd Street
Minneapolis, MN 55401

RE: I G H Public Safety Addition & City Hall
PR #001

Dear Architect:

For the above mentioned change, we herewith propose to do the above work for the following cost:

Total Cost: **\$33,861**

To ensure that we can promptly process this change and to avoid project delays, please issue a written notice to proceed, construction change directive, or a signed change order to us no later than Wednesday, June 10, 2009.

No work will commence without a written notice to proceed.

This change request requires a 0 day time extension if approved prior to the approval date noted above.

Sincerely,

Shaw-Lundquist Associates, Inc.

A handwritten signature in black ink, appearing to read 'Tad Ulrich', written in a cursive style.

Tad Ulrich
Project Manager

Copies: File #15
Joel Lundquist - S L A

Shaw - Lundquist Associates, Inc.

2757 West Service Road

Eagan Mn 55121

CHANGE ORDER / PROPOSAL QUOTATION	NO.	PR #001
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PROJECT: I G H Public Safety Addition & City Hall QUOTATION NO.: PR #001 DATE: 6/3/2009	PROJECT NO.: 09477 THIS PROPOSAL IS VALID FOR THE FOLLOWING NUMBER OF DAYS: 07
OWNER: City Of Inver Grove Heights TO: Dave Jaeger B K V Group, Inc. 222 North Second Street Minneapolis MN 55401	THIS PROPOSAL REQUIRES THE FOLLOWING NO. OF ADDITIONAL DAYS FOR COMPLETION OF THIS CONTRACT: 00

DESCRIPTION: E010 Electrical Site Plan
 1. Add handhole and revise conduit routing as shown on attached E1/PR-01. Refer to E4/ADD-1 for original routing.
 E082 Electrical Demolition Plan - Lower Level Area B
 1. Provide conduit and junction boxes as shown on attached E2/PR-01.

BREAKDOWN:	AMOUNT:
Self Performed Work	\$474
Dymanyk Electric	\$31440
Deduct \$8,347 if cabling for this conduit is by others, conduit only.	

APPROVAL
Architect: _____
Date: _____
Owner: _____
Date: _____

	\$31914	
FEE PERCENT: 5%	\$1596	
	\$33509	
BOND PERCENT: 1.05%	\$352	
TOTAL REQUEST AMOUNT:	\$33861	

DISTRIBUTION
Joel Lundquist - S L A

SHAW - LUNDQUIST ASSOCIATES, INC.
Name: <u>Tad Ulrich</u>
Title: <u>Project Manager</u>
Date: <u>6/3/2009</u>

CHANGE ORDER / PROPOSAL QUOTATION NO.

PR #001

SELF PERFORMED WORK BREAKDOWN

PROJECT: I G H Public Safety Addition & City Hall
 QUOTATION NO. PR #001
 DATE: 6/3/2009
 PROJECT NO.: 09477

DIVISION:	ACTIVITY:	AMOUNT:
GENERAL CONDITIONS:	Supervision Layout Temporary Office Material Delivery / Storage Temporary facilities/Services Utility Bills TemporaryImprovements Temporary Protection Temporary HVAC Winter Protection Periodic Cleanup Final Cleanup Material Testing OSHA/Safety Cranes/Hoisting Scheduling Additional Documents	
LABOR:	Foremen Hrs @ Carpenters Hrs @ Laborers 8 Hrs @ \$53.84 Cement Finishers Hrs @ Masons Hrs @ Equipment Operators Hrs @ Other - See Attached Hrs @	\$431
MATERIALS:		
EQUIPMENT:	Pickup Truck Equipment Rental Small Tools of labor total	\$0
SUBTOTAL SELF PERFORMED WORK:		\$431
Overhead Percentage Self Performed Work: 10%		\$43

TOTAL REQUEST FOR SELF PERFORMED WORK:	\$474
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CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER FIRST READING OF AN ORDINANCE ADOPTING THE RECODIFICATION OF THE CITY CODE INCLUDING THE CITY ZONING ORDINANCE

Meeting Date: June 22, 2009
Item Type: Regular
Contact: JTeppen, Asst City Admin
Prepared by:
Reviewed by:

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 Consider the first reading of an ordinance adopting the recodification of the City Code including the City zoning ordinance.

SUMMARY The City Code was originally adopted in 1974 and since that time a number of ordinances have been adopted amending the Code. In the intervening years, there has not been a recodification, where those amendments have been incorporated into the Code in any formal way.

Council authorized a contract with Sterling Codifiers in September of 2006 to undertake this recodification. In addition to incorporating those various amendments into the Code, Sterling, with the advice and authorization from City Staff and the City Attorney re-formatted the code sections into a uniform numbering system, changed various terms to be gender neutral, updated references to Minnesota statutes and rules, removed fee references and listed all fees in the fee schedule, eliminated assignment of duties to specific staff positions, updated title terminology and references, and corrected grammatical and punctuation errors.

Attached is the ordinance that adopts the recodification of the code, including the zoning ordinance. Since there are slight amendments to the Zoning Code, we are required to hold a public hearing at the Planning Commission, and that is scheduled for July 21st.

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

ORDINANCE NO. _____

**AN ORDINANCE ADOPTING THE RECODIFICATION OF THE
INVER GROVE HEIGHTS CITY CODE INCLUDING THE CITY ZONING
ORDINANCE**

The City Council of Inver Grove Heights does hereby ordain:

Section 1. Authority.

- 1.1 Minnesota Statutes, Sections 415.02, 415.021, and 599.13 authorize the City to codify its ordinances and print them in various formats, including book, loose leaf or pamphlet form, and provide that any ordinance included in a new code but not previously published is sufficiently published if a substantial quantity of the code is printed for distribution to the general public.
- 1.2 The City has completed a recodification the (“Recodification”), of the 1974 Code of City Ordinances (“City Code”), which was prepared by Sterling Codifiers with assistance from City Staff, and which incorporates ordinances through Ordinance No. 1176.
- 1.3 The City Council has reviewed the proposed Recodification in a publication entitled “2008 Inver Grove Heights City Code.” The Recodification is on file with the Deputy City Clerk.
- 1.4 Minnesota Statutes Sections 331A.01, subdivision 10, and 412.191, subdivision 4 allow publication by title and summary in the event of lengthy ordinances or those containing charts or maps. The City Council finds that the summary of the Recodification would clearly inform the public of the intent and effect of the Recodification; that the Recodification is lengthy, comprising two volumes and exceeding 200 pages in length; and summary publication is appropriate.

Section 2. Summary of Recodification Ordinance.

The City Council desires to adopt this summary of Ordinance No. _____, recodifying the Inver Grove Heights City Code, for publication purposes. A copy of the entirety of this Ordinance is available for review at City Hall during regular business hours as well as at the Inver Glen Library and the Veteran’s Memorial Community Center. The Recodification incorporates City ordinances through Ordinance No. 1176 into the 2008 Inver Grove Heights City Code, including the City’s Zoning Ordinance, and makes changes that are summarized as follows:

2.1 Summary of General Changes

Various non-substantive changes to the City Code have been made, including reformatting the code sections into a uniform numbering system, changing various terms to be gender neutral, updating references to Minnesota statutes and rules, removing fee references and listing all fees in the fee schedule, eliminating assignment of duties to specific staff positions, updating title terminology and references, and correcting grammatical and punctuation errors.

2.2 Summary of Specific Changes

Specific changes have been made to the following sections of the 1974 City Code:

100.01-Introduction of Code; 100.03-Numbering System; 100.07-References to Statutes and Other Legislation; 105.01-General Definitions, 105.07-Interpretation, Conflict; 110.03, subd. 1-Procedures; 110.03, subd. 7-Emergency Ordinances, 110.05-Catchlines and Cross References; 110.07, subd. 2-Integration of Ordinances into Code; 110.07, subd. 4-Source Notes; 115.01-General Penalty; 115.09-Definition of Misdemeanor and Petty Misdemeanor; 115.11(d)-Authority to Issue Citations; 115.11(f)-Citations by Health Officer and Health Inspector; 200.11, subd. 1-Council Meetings, Order of Business; 205.03-Elected Officials; 210.01-Salaries of Mayor and Council; 300.03, subd. 26-Personnel Policy, Definition; 300.77-Personnel, Layoffs; 300.81, subd. 10-Personnel, Dismissal of Veterans; 305.01-Housing and Redevelopment Authority; 305.01-County and City Powers and Responsibilities; 1005.09-License and Permit Procedures, Approval or Refusal of License; 115.23-Dance Halls, Liability Insurance; 1117.13, subd. 1-Tattoo and Body Piercing Establishments, Application/License; 1100.07-License Fees for Motor Vehicle Sales; 1103.15e and f-Service Station Operation Regulations and Standards; 1125.27-Liability Insurance for Trades and Contractors; 1125.23-Letter of Credit for Building Movers; 900.03, subds. 2 and 3-Emergency Management Definitions; 900.09, subd. 1-Emergency Management Workers; 910.05, subds. 3, and 5-Dog and Kennel Licenses and Vaccination; 910.11-Confinement of Certain Dogs; 910.15-Dog Pound; 910.31, subd. 1-Dog Kennels, License Requirements; 910.43-Riding Horses, Hours; 2005.05, subds. 1, 4, 6, and 9-Miscellaneous Offense, Disorderly Conduct; 2005.07-Misdemeanor Violation, Disorderly Conduct; 2005.01-Miscellaneous Offense, Littering; 906.09-Fire Lane Parking Penalty; 1310.11, subds. 1 and 3-Driving Near Fire Vehicles and Fires; 1325.01, subd. 2-Bicycles, Definition; 1325.05, subd. 7-Bicycles, Carrying Articles; 705.11-Water System; 705.23-Water System, Use Confined to Premises; 710.07, subd. 3-Water Wells, Inspections; 710.21, subd. 21-Sewer System, Definitions; 610.05, subd. 1-Solid Waste Collection and Disposal, License Fee and Display; 610.03, subd. 4b-Solid Waste Collection and Disposal, Collector Liability Insurance; 1140.35, subd. 1-Pawnbrokers, Records; 1140.65-Severability; 1200.43, subd. 2c-Armory Intoxicating Liquor Sale; 1120.11-Bowling Alley License Provisions; 1120.15-Use of Property; 315.03-Removal of Fire Chief and Assistant Fire Chief; 400.11-Certificate of Occupancy; 400.13-Building, Minimum Floor Area; 400.15-Building, Driveways; 400.17-Building Elevation; 420.01, Permit Requirements for Excavations and Fills; 420.01, subd. 3g-Hours of Operation; 420.05, subd. 6-Bonds; 420.09-Term of Permit; 420.19(a)-Demolition Debris Definition; 420.01, subd. 2-Measurement of Material; 430.21-Penalty Section for Storm Water Management; 430.25-Severability; 515.30, subd. 2-Definitions; 515.40, subd. 2-Administration Site Plan Required; 515.40 subds. 6b, 6b1, 6c, and 7c--Amendments, Board of Appeals; 515.60,

subd. 3-Effectuation; 515.80, subd. 16-Zoning Matrices; 515.80, subd. 20(C)(3)-Curb Cuts in the B-4 Zoning District; 515.80, subd. 30F; Severability, Shoreland District; 515.80, subds. 30(N)(3) and 30(S)(2)(e)(ii), Shoreland Management, Wetland Protection and Water and Sewage; 515.80, subd. 31(J)(4)(a)-Rural Open Space District; 515.80, subd. 31(Z)-Effective Date for Critical Area Overlay District; 515.80, subd. 32(E)(7)-Flood Plain Management, Severability; 515.80, subd. 23(G)(4)(g)-Floodway District, Standards; 515.80, subd. 33(C)-Integrated Resource Management Overlay District Boundaries; 515.80, subd. 36(K)(2)-South St. Paul Airport Overlay District; 515.80, subd. 37(A)-Airport Overlay District Boundaries; 515.90, subds. 21(D)(9), 27(B)(3), and 29(F)-Off Street Parking for Manufacturing, Apartment Application permits, and Removal of Signs; 510.03, subds. 2, 7, 8, 9, 14, 16, 19, 20, 22, 23, 25, 29, 32, 39, 45-Definitions; 510.16, subd. 2(e)-Subdivision Regulations, Waiver Procedure; 510.05-Plat and Procedures Sketch Plan; 510.07, subd. 2(4)-Plats and Procedures Preliminary Grading and Drainage; 510.07, subd. 2(8)-Plat and Procedures Preliminary Wetland Plan; 510.07, subd. 3(2)-Plats and Procedures Final Wetland Plan; 510.09, subds. 2(12) and 2(14)-Design Standards for Right of Way Widths and Cul-de-sacs; 510.11, subds. 3(1)(a), (3)(2)(a), (3)(2)(c), (3)(2)(e), and (3)(2)(d)-Required Improvements for Sanitary Sewer and Water Systems, Design Standards for Subdivisions, Required Street Improvements, and Required Improvements for Storm Water Facilities; 510.11, subd. 4-Guarantee of Improvements; 510.13, subd. 2-Large Scale Development Variances; 515.90-Manufactured Home Parks; 1107-Christmas Tree Sales; 1110-Cigarette Sales; 1111-Drive-In Theaters; 1112-Roller Skating Rinks; 2015-Drug Paraphernalia; 1115.11 and 1115.15-Prohibition of Immodest Dances and Denial of Admittance; 2005.03-Vagrancy; 515.90, subds. 32E1, 2, and 2a, E3, E4, and E5-Manufactured Home Parks; 600-Board of Health; 510.21-Violations; 510.23-Repealer of Certain Ordinances Prior to 1974; 510.25-Effective Date of Subdivision Regulations; 2030-Materials Harmful to Minors; 2000.03-Criminal Code Provision Adoption; 515.80, subd. 29-Rural Residential Overlay Zoning District; 415-Signs and Billboards.

2.3 Summary of New Code Provisions

New sections have been added to the Recodified City Code addressing the following: Acceptance of the Code (1-1-2), Code Alterations (1-1-4), Saving Clause (1-2-2A); Limitations on Repeal (1-2-2B); Public Ways and Public Utility Ordinances (1-2-2C); Rules of Interpretation (1-3-1B – J, K, L); Limitation, Compliance with Statute (1-4-1C); Application of Provisions (1-4-2A1, C); Definition of Static Sign (10-2-2); Definition of Lot, Reversed Frontage and definition of Public Street (11-1-2);

2.4 Summary of the Contents of the 2008 Inver Grove Heights City Code

Title 1: Administration: Inver Grove Heights City Code, Legislative Procedure, Saving Clause, Definitions; Interpretation, General Penalty, Council Rules and Procedure, City Officers and Personnel, Personnel Policy, Elections, Disposition of Unclaimed Property, Housing and Redevelopment Programs.

Title 2: Commissions, Task Forces And Committees: General Provisions, Planning Commission, Parks and Recreation Advisory Commission, Environmental Advisory Commission, Aircraft Noise Abatement Advisory Commission.

Title 3: License And Permit Procedures; Fees: General Provisions, Licensing Procedures, Permit Procedures, Fees.

Title 4: Business Regulations: Alcoholic Beverages, Intoxicating Liquor, Clubs, 3.2 Percent Malt Liquor, Persons Under Twenty One, Pawnbrokers and Secondhand Dealers, Bowling Alleys, Dance Halls and Cabarets, Motor Vehicle Related Businesses, Motor Vehicle Sales, Automobile Service Stations, Automobile Junkyards, Contractors; Trades, Gambling, Saunas, Massage Parlors and Escort Services, Therapeutic Massage Businesses, Tattoo and Body Piercing Establishments, Lodging Tax.

Title 5: Police, Health And Safety: Fire Department, Emergency Management, Alarm Systems, Animal Control, Miscellaneous Offenses, Weapons, Minors, Diseased Trees, Property Nuisances.

Title 6: Motor Vehicles And Traffic: General Traffic Provisions, Fire Lanes, Parking Regulations, Bicycles, Snowmobiles and All-Terrain Vehicles, Abandoned Motor Vehicles.

Title 7: Public Ways And Property: Streets, Sidewalks and Public Ways, Excavations in Public Ways, Public Rights of Way Management, Streetlights, Parks and Recreation Areas, Cemetery.

Title 8: Water And Sewer; Public Services: Combined Water and Sewer Utility, Water System, Water Wells, Sewer System, Individual Sewage Treatment Systems, Solid Waste Collection and Disposal, Fee for Operators of Solid Waste Facilities, Fee for Operators of Construction Debris Disposal Facilities

Title 9: Building And Development: Building Code; General Building Provisions, Fire Prevention Code, Moving Buildings, Excavations and Fills, Storm Water Management.

Title 10: Zoning Regulations: Title; Purpose; Interpretation, Rules and Definitions, Administration and Enforcement, Conditional Uses, Zoning Districts and Map, General Zoning Provisions, Land Use Matrices, A Agricultural District, Estate Districts, E-1 2½ Acre Estate District, E-2 1¾ Acre Estate District, Residential Districts, R-1 One-Family Residential Districts, R-2 Two-Family Residential District, R-3 Multiple-Family residential Districts, R-4 Manufacture Home Park District, MF-PUD Multiple-Family Planned Unit Development District, Business Districts, B-1 Limited Business District, B-2 Neighborhood Business District, B-3 General Business District, B-4 Shopping Center District, MU-PUD Mixed Use Planned Unit Development District, COMM-PUD Commercial Planned Unit Development District, OFFICE-PUD Office Planned Unit Development District, OP Office Park District, Industrial Districts, I-1 Limited Industry District, IOP Industrial Office Park District, I-2 General Industry District, P Institutional District, Special Use Districts, Planned Unit Development District, Shoreland Management Overlay District, Critical Area Overlay District, Floodplain Management District, IRM Integrated Resource Management Overlay District, Noise Abatement

Overlay District, SG Sand and Gravel Overlay District, South St. Paul Airport Overlay District, AP Airport Overlay District, Northwest Area Overlay District, Interim Uses, Performance Standards, Off Street Parking and Loading, Townhouses, Apartments; Multiple Dwellings; Condominiums; Cooperatives, Tree Protection and Preservation During Land Alteration, Signs and Billboards, Adult Uses, Towers and Antennas, Manufactured Homes and Parks, Advertising Benches, Site Plan Review, Nonconformities.

Title 11: Subdivision Regulations: General Subdivision Provisions, Plats and Procedures, Design Standards, Park, Trail and Recreation Dedication or Cash in Lieu, Required Improvements.

Index

Section 3. Changes Made to the 1974 Inver Grove Heights City Code and Incorporated Into the 2008 Inver Grove Heights City Code.

3.1 General Changes

- 3.1.1 The entire Code has been reformatted to a uniform numbering system, and references to various chapters, sections, subdivisions, and subparts have been adjusted accordingly.
- 3.1.2 The text has been modified to be gender neutral.
- 3.1.3 References to Minnesota Statutes and Rules have been updated.
- 3.1.4 Various fees set by ordinance were deleted and are now to be set by Council resolution and listed in the fee schedule.
- 3.1.5 In many cases, the assignment of duties to specific staff positions have been deleted to reflect administrative reorganization and to allow flexibility in staff duty assignments.
- 3.1.6 Many changes in grammar, punctuation, and form have been made which did not alter the substance of the Code.
- 3.1.7 References to the City of Inver Grove Heights have been changed to “city”.
- 3.1.8 In many cases, the term exemption has been changed to exception.
- 3.1.9 The title Building Inspector has been changed to building official. (*See Section 1125.25, 1974 Code compared to 4-6-8B, 2008 Code*)

- 3.1.10 Throughout Section 1200 of the 1974 Code (4-1A of the 2008 Code) the term “non-intoxicating” has been changed to “3.2 percent”.
- 3.1.11 The Inspector has changed to building official. *(See Section 1125.25, 1974 Code compared to 4-6-8B, 2008 Code)*
- 3.1.12 Within section 1125 of 1974 Code (Title 4 Chapter 6 (4-6) of 2008 Code) relating to trades, the phrase administrative authority has been changed to building official.
- 3.1.13 In instances where the inspection department was the designated authority in the 1974 Code, the 2008 Code assigns the duties to a specific individual with the title building official. *(Inspection department changed to building official—compare Section 410, 1974 Code to 9-3-1, 2008 Code)*
- 3.1.14 Throughout various sections of the Code, the term “performance bond” has been changed to “letter of credit”. *(See Section 410, 1974 Code compared to 9-3-4, 2008 Code)*
- 3.1.15 The expression “acts of God” has been changed to “acts of Nature.” *(See Section 110.03 Subd. 7, 1974 Code compared to 1-2-3F, 2008 Code)*
- 3.1.16 Within Section 515.90, Subd. 28 of the 1974 Code (10-15D of the 2008 Code), relating to tree protection, references to the city forester now appear as city planner.
- 3.1.17 The Minnesota State Board of Health has been changed to Minnesota State Commissioner of Health. *(See Section 715, 1974 Code compared to 8-3, 2008 Code)*

3.2 Specific Changes. Throughout the Recodified City Code, various changes were made as part of the recodification process. In reviewing the changes below, new text is underlined, and text that has been removed has been ~~struck-through~~. For ease of review, references to both the location of the changed text in the 1974 Code and the 2008 Code have been included, as well as a reference to the subject matter of the change.

- 3.2.1 100.01 to 1-1-1; Introduction of Code, Title
Upon the adoption by the city council, this code is hereby declared to be and shall hereafter constitute the official city code of Inver Grove Heights. This code of ordinances shall be known and cited as the INVER GROVE HEIGHTS CITY CODE of 1974 and is hereby published by authority of the council and shall be supplemented to incorporate the most recent legislation of the city. Any reference to the number of any section contained herein shall be understood to refer to the position of the same number, its appropriate chapter and title heading, and to the general penalty clause relating thereto, as well as to the section itself, when reference is made to this code by title in any legal documents. (2008 Code)

3.2.2 100.03; no reference (deleted) Numbering System
~~For the purposes of internal reference in this Code and citation by its users, the following terms shall be used:~~

~~Chapter Roman numerals (e.g. Chapter XI)
Section Arabic numerals (e.g. Section 1100)
Subsection Arabic numerals for section and subsection separated by decimal (e.g. subsection 1100.01)~~

3.2.3 1-1-2; no reference (new language); Acceptance of Code
The city code, as hereby presented in printed form, shall hereafter be received without further proof in all courts and in administrative tribunals of this state as the ordinances of the city of general and permanent effect, except the excluded ordinances enumerated in section 1-2-2 of this title. (2008 Code)

3.2.4 1-1-4; no reference (new language); Code Alterations
It shall be deemed unlawful for any person to alter, change, replace or deface in any way any section or any page of this code in such a manner that the meaning of any phrase or order may be changed or omitted. Said code, while in actual possession of officials and other interested persons, shall be and remain the property of the city and shall be returned to the office of the city clerk when directed so to do by order of the city council.

3.2.5 100.07 to 1-3-5-A; References to Statutes and Other Legislation
References to Minnesota statutes are to Minnesota statutes 1971–2006, as amended by the most recent session laws, unless otherwise provided in this code. (1974 Code § 105.05)

3.2.6 105.01 to 1-3-2; General Definitions
~~For purposes of this Code, the terms defined in this Section have the meanings given them. Whenever the following words or terms are used in this code, they shall have the meanings herein ascribed to them, unless the context makes such meaning repugnant thereto:~~

Agent: A person acting on behalf of another with authority conferred, either expressed or by implication.

~~Code “this Code” or Code of Ordinances” means †The city code of the city of Inver Grove Heights City Code adopted by ordinance in 1974, as organized, compiled and codified herein.~~

~~Council means †Unless otherwise indicated, the City Council of the City of Inver Grove Heights.~~

County: The county of Dakota, state of Minnesota.

License: The permission granted for the carrying on of a business, profession or occupation.

MSA: Minnesota Statutes Annotated, as amended.

Occupant: As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

Offense: Any act forbidden by any provision of this code or the omission of any act required by the provisions of this code.

Operator: The person who is in charge of any operation, business or profession.

Personal Property: Shall include every description of money, goods, chattels, effects, evidence of rights in action and all written instruments by which any pecuniary obligation, right or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished and every right or interest therein.

Retailer: Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things direct to the consumer.

Right of Way: The privilege of the immediate use of the roadway or other property.

State: The state of Minnesota.

Street: Shall include alleys, lanes, courts, boulevards, public ways, public squares, public places and sidewalks.

Tenant: As applied to a building or land, shall include any person who occupies the whole or any part of such building or land, whether alone or with others.

Wholesaler and Wholesale Dealer: Unless otherwise specifically defined, shall be understood to relate to the sale of goods, merchandise, articles or things to persons who purchase for the purpose of resale.

Written in Writing: May include printing and any other mode of representing words and letters, but when the written signature of any person is required by law to any official or public writing or bond, it shall be in the proper handwriting of such person, or in case such person is unable to write, by such person's proper mark. (1974 Code § 105.01; amd. 2008 Code)

3.2.7 105.07; no reference (deleted); Interpretation, Conflict

~~Words and phrases used in this code shall be interpreted and understood in accordance with common and accepted usage, but any words or phrases or such other as have acquired a specific or peculiar meaning shall be interpreted and understood in accordance with such meaning.~~

3.2.8 1-2-2A; no reference (new language); Saving Clause

Ordinances Repealed And Ordinances Saved From Repeal: All general ordinances of the city passed prior to the adoption of this code are hereby repealed, except such as are included in this code or are by necessary implication herein reserved from repeal (subject to the saving clauses contained herein), and excluding the following ordinances which are not hereby repealed:

1. Tax levy ordinances;

2. Appropriation ordinances;

3. Ordinances relating to boundaries and annexations;

4. Ordinances relating to adoption of or amendments to the city zoning map;

5. Franchise ordinances and other ordinances granting special rights to persons or corporations;

6. Contract ordinances and ordinances authorizing the execution of a contract or the issuance of warrants;

7. Salary ordinances;

8. Ordinances establishing, naming or vacating streets, alleys or other public places;

9. Improvement ordinances;

10. Bond Ordinances;

11. Ordinances relating to elections;

12. Ordinances relating to the lease, transfer or acceptance of real estate by or from the city;

13. Ordinances or contracts relating to utility service outside the city limits; and

14. All special ordinances or orders of suspension.

3.2.9 1-2-2B; no reference (new language); Limitations On Repeal

The repeal of the ordinances, as provided in subsection A of this section, shall not affect any debt or fee which is accrued, any duty imposed, any penalty incurred, nor any action or proceeding commenced under or by virtue of the ordinances repealed or the term of office of any person holding office at the time these ordinances take effect; nor shall the repeal of any ordinance have the effect of reviving any ordinance heretofore repealed or superseded.

- 3.2.10 1-2-2C; no reference (new language); Public Ways And Public Utility Ordinances No ordinance relating to railroad crossings with streets and other public ways, or relating to the conduct, duties, service or rates of public utilities shall be repealed by virtue of the adoption of this code or by virtue of subsection A of this section, excepting as this code may contain provisions for such matters, in which case, this code shall be considered as amending such ordinance or ordinances in respect to such provisions only. (2008 Code)
- 3.2.11 110.03 Subd. 1 to 1-2-3A; Procedures
An ordinance amending this ~~C~~code shall ~~must~~ specify the chapter, article, section, subsection and subdivision or clause to be amended; ~~I~~Language to be added shall must be underlined; language to be repealed shall must be stricken. An ordinance repealing an entire chapter, article, section, subsection or subdivision clause, need refer only to that chapter, article, section, subsection or subdivision clause, and the text need not be reproduced. The text of An ordinance adding only new provisions to the ~~C~~code need not be underlined.
- 3.2.12 110.03 Subd. 7 to 1-2-3F; Emergency Ordinances
When the ~~C~~council, by a unanimous vote of the ~~C~~council members present at any regular or special meeting, declares emergency action appropriate with reference to fire, civil disorder, riot, flood, tornado, and other disasters or other acts of ~~G~~od nature, then any ordinance dealing with such declared emergency situation may be passed at that meeting and shall be effective at a time and date set forth in said ordinance. An ordinance passed under this emergency rule shall automatically be suspended and be of no further effect following the ~~10th~~ tenth day after the ordinance has been passed unless another termination date is specified within the ordinance. (~~Ord. 799; 11/8/93~~)-(1974 Code § 110.03; amd. 2008 Code)
- 3.2.13 110.05 to 1-2-4; Catchlines and Cross References
Chapter, article, section, and subsection and subdivision ~~headnotes, catchlines,~~ titles and cross references are not substantive parts of this ~~C~~code, but merely matter to expedite and simplify its use. (1974 Code § 110.03; amd. 2008 Code)
- 3.2.14 110.07 Subd. 2 to 1-2-5B; Integration of Ordinances into Code
When an ordinance is integrated into this ~~C~~code, the following matters may be omitted:
- a.1. Title.

~~b.2.~~ Enacting Clause.

~~e.3.~~ Section Numbers.

~~d.~~ Definitions of terms identical to those contained in this Code.

~~e.4.~~ Validation and repealing clauses.

~~f.5.~~ Validating signatures and dates.

~~g.6.~~ Punctuation and other matters not an integral part of the text of the ordinance.

~~h.7.~~ Penalty provisions. (1974 Code § 110.07; amd. 2008 Code)

3.2.15 110.07 Subd. 4 to 1-2-5D; Source Notes

When an ordinance is integrated into the Code, a source note shall be added at the end of each new chapter, section, subsection or subdivision indicating the ordinance number and section passage date from which the same was derived. (1974 Code § 110.07; amd. 2008 Code)

3.2.16 1-3-1B-J1, K, L; no reference (new language); Rules of Interpretation

Minimum Requirements: In the interpretation and application of any provision of this code, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety and general welfare.

Computation Of Time: Whenever a notice is required to be given or an act to be done in a certain length of time before any proceeding shall be had, the day on which such notice is given or such act is done shall not be counted in computing the time, but the day on which such proceeding is to be held shall be counted.

Delegation Of Authority: Whenever a provision appears requiring the head of a department or some other city officer to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate and authorize subordinates to perform the required act or perform the duty unless the terms of the provision or section specify otherwise.

Gender: A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

Joint Authority: All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

May; Must; Shall: The word "may" is permissive; the word "must" is mandatory; the word "shall" is mandatory.

Nontechnical And Technical Words: Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Number: A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing.

Officers And Employees Generally:

Whenever any officer or employee is referred to by title only, such reference shall be construed as if followed by the words "of the city of Inver Grove Heights". (2008 Code)

Tense: Words used in the past or present tense include the future as well as the past and present.

Ordinance: The word "ordinance" contained in the ordinances of the city has been changed in the content of this code to "title", "chapter", "article", "section" and/or "subsection" or words of like import for organizational and clarification purposes only. Such change to the city's ordinances is not meant to amend passage and effective dates of such original ordinances. (2008 Code)

3.2.17 115.01 to 1-4-1A; General Penalty

Any person who violates a provision of the Code is guilty of a misdemeanor and, upon conviction thereof, may be punished by a fine of not more than \$700 one thousand dollars (\$1,000.00) and imprisonment for a term not to exceed ninety (90) days, or both. Each act of violation and every day on which a violation occurs or continues is a separate violation. (~~Ord. 596; 10/12/87~~) (1974 Code § 115.01; amd. 2008 Code)

3.2.18 115.09 to 1-4-1B; Definition of Misdemeanor and Petty Misdemeanor

~~For purposes of the Code, the term A "misdemeanor" means a penal is an offense or crime which that the city Counsel is empowered to punish with fine or imprisonment; and a "petty misdemeanor" is as defined by State law. (1974 Code § 115.09)~~

3.2.19 1-4-1C; no reference (new language); Limitation, Compliance With Statute

The provisions of subsection A of this section notwithstanding, no penalty shall be greater than that established by state statute for the same offense. (2008 Code)

3.2.20 1-4-2A1, C; no reference (new language); Application of Provisions

The penalty provided in this chapter shall be applicable to every section of this Code the same as though it were a part of each and every separate section. (2008 Code)

Breach of Provisions: Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this code and there shall be no fine or penalty specifically declared for such breach, the provisions of this chapter shall apply. (2008 Code)

3.2.21 115.11d to 1-4-4D; Authority to Issue Citations

~~¶~~The electrical inspector, the plumbing inspector, the mechanical inspector, the building official, ~~the building inspector,~~ the fire chief, the fire marshal, the fire inspectors, and the code enforcement officer are hereby authorized to issue citations for violations of the state building code, the state fire code, the city building code, the city fire code, the state plumbing code, the city plumbing code, the state electrical code, and the city electrical code;.

3.2.22 115.11f; no reference (deleted)

~~the health officer and health inspector are hereby authorized to issue citations for violations of those provisions of State Law that relate to public health and for violations of those provisions of the City Code that relate to public health;~~

3.2.23 200.11 Subd. 1 to 1-5-3A; Council Meetings, Order of Business
Council business shall be conducted in the following order:

1. Call ~~To~~ order.
2. Roll ~~C~~all.
3. ~~Approval of Minutes~~ Presentations.
4. ~~Special Order of Business~~ Public hearings.
5. ~~Consent Calendar~~ Public comment.
6. ~~Unfinished Business~~ Consent Agenda.
7. ~~Public Hearings~~ Regular Agenda.
8. ~~Petitions, Requests and Communications~~ Mayor and council comments.
9. ~~New Business~~ Adjourn. (1974 Code § 200.11; amd. 2008 Code)
10. ~~Citizens' Comments~~
11. ~~Ordinances and Resolutions~~
12. ~~Reports of Officers, Boards and Committees~~
13. ~~Permits, Licenses and Claims~~
14. ~~Adjournment~~

3.2.24 205.03 to 1-7-2C; Elected Officials

New terms shall begin and each old term shall expire on the first ~~business day~~ Monday of January in the year following the election of the officer. (~~Ord. 197, 3/11/74~~)-(1974 Code § 205.03)

3.2.25 210.01 to 1-6-1A1-2; Salaries of Mayor and Council

Mayor: The salary of the Mayor is \$7,500 ~~eight thousand three hundred dollars~~ (\$8,300.00) beginning January 1, 2005, and nine thousand dollars (\$9,000.00) beginning January 1, 2006, and per year thereafter.

Council Members: The salary of each member of the Council is \$6,000.00 six thousand five hundred dollars (\$6,500.00) beginning January 1, 2005, and seven thousand dollars (\$7,000.00) beginning January 1, 2006, and per year thereafter. (Ord. 735; 9/23/91)

3.2.26 300.03 Subd. 26 to 1-6A-2; Personnel Policy, Definition

Related Employee: means the following kin of either the employee or the employee's spouse: children, mother, father, sister, brother, grandparent, grandchild, stepchildren, stepmother, stepfather, stepsister, stepbrother, stepgrandparent or stepgrandchild.

3.2.27 300.77 to 1-6A-20A; Personnel, Layoffs

No full time employee shall be laid off while there are temporary or part time employees serving in the same class of positions for which a ~~part~~ full time employee is qualified, eligible and available.

3.2.28 300.81 Subd. 10 to 1-6A-22H3; Personnel, Dismissal of Veteran

Veterans shall be treated as defined in Minnesota Statutes section 197.46, Veterans Preference Act; removal forbidden; right of mandamus.

3.2.29 305.01 to 1-9-1A; Housing and Redevelopment Authority

The ~~Dakota County Housing and Redevelopment Authority~~ (the "HRA") has been duly organized pursuant to ~~Laws of Minnesota laws for 1971, Chapter 333, Section 2, as amended, and has all of the powers and duties of a housing and redevelopment authority under the provisions of the Municipal Housing and Redevelopment Act, being Minnesota Statutes, Sections 462.411~~ 469.001, et seq. (1974 Code § 305.01; amd. 2008 Code)

3.2.30 305.01 to 1-9-2; County and City Powers and Responsibilities

Accordingly, the HRA is hereby authorized to exercise on behalf of the City of ~~Inver Grove Heights~~ all of the powers conferred by Minnesota Statutes, Section 462C.01 to 462C.08; provided that the City Council of ~~the City~~ shall hold public hearings required under the Act, and the City Council must approve any housing plan or program prior to its submission to the Metropolitan Council or ~~the Minnesota Housing and Finance Agency, state agencies~~ state agencies respectively; And no revenue bonds or obligations shall be issued without City Council approval.

3.2.31 1005.09 to 3-2-5; License and Permit Procedures, Approval or Refusal of License

The following licenses will not be approved if there are any outstanding debts or delinquencies on taxes or special assessments due to the City of ~~Inver Grove Heights~~:

- ~~1.~~ Automobile Sales.
- ~~2.~~ Automobile Service Stations.
- ~~3.~~ Bowling Alleys.

- 4. ~~Christmas Tree Sales~~
- 5. ~~Cigarettes~~
- 6. ~~Contractors.~~
- 7. ~~Dance Hhalls.~~
- 8. ~~Drive In Theaters~~
- 9. ~~Garbage Ccollection.~~
- 10. ~~Liquor Sales.~~
Pawnbrokers and secondhand goods dealers.
- 11. ~~Roller Skating Rinks~~
- 12. ~~Saunas, Mmessage Pparlors, Eescort Sservices & and Eemployees.~~
- 13. ~~Vending Machines~~
Tattoo and body piercing establishments.
Therapeutic massage businesses. (1974 Code § 1005.09; amd. 2008 Code)

3.2.32 1115.23 to 4-4-5; Dance Halls, Liability Insurance

Public liability insurance shall not be less than one hundred thousand dollars (\$100,000.00) for injuries, including accidental death to any one person and subject to the same limit for each person, in an amount of not less than \$200,000 five hundred thousand (\$500,000.00) on account of any one accident, and property damage insurance in the amount of not less than \$25,000 fifty thousand dollars (\$50,000.00) for each accident or mishap. (1974 Code § 1115.23; amd. 2008 Code)

3.2.33 1117.13 Subd. 1 to 4-9-7B; Tattoo and Body Piercing Establishments, Application/License

The ~~City Administrator~~ issuing authority shall issue a tattoo or body piercing establishment ~~permit~~ license within thirty (30) days of receipt of the application, unless the ~~Administrator~~ issuing authority finds that: (Ord. 943, 10-12-1998; amd. 2008 Code)

3.2.34 1100.07 to 4-5A5; License Fees for Motor Vehicle Sales

The license shall expire ~~one year after date of issuance as shown on the license.~~ December 31.

3.2.35 1103.15e to 4-5B8E; Service Station Operation Regulations and Standards

No motor vehicle in need of repair shall be stored on the premises of a service station for a continuous period of more than ~~seven (7) days~~ forty eight (48) hours, except when so stored pursuant to ~~an Inver Grove Heights a city~~ a city police department directive, or unless there is a bona fide delay in obtaining necessary parts for the repair of such vehicle, in which case, the police department may grant the initial extension of time, subject to review by the council.

3.2.36 1103.15f to 4-5B8F; Service Station Operation Regulations and Standards

~~Service station premises shall not be used as a place of sale or resale, or as a place for display for sale or resale of new or used motor vehicles, unless the owner has~~

~~an automobile dealer's license. No sales of motor vehicles shall be permitted on service station premises. (1974 Code § 1103.15; amd. 2008 Code)~~

3.2.37 1125.27 to 4-6-4; Liability Insurance for Trades and Contractors

Public liability insurance shall not be less than one hundred thousand dollars (\$100,000.00) for injuries, including accidental death to any one person, and, subject to the same limit for each person, in an amount of not less than \$200,000 five hundred thousand dollars (\$500,000.00) on account of any one accident, and property damage insurance in the amount of not less than \$25,000 fifty thousand dollars (\$50,000.00) for each accident or mishap.

3.2.38 1125.23 to 4-6-8A; Letter of Credit for Building Movers

Any person applying for a permit to move a building may be required by the council to furnish the city with a ~~surety bond~~ letter of credit, the amount of which may be established by the council prior to the issuance of such permit in an amount in excess of ~~\$2,000.00~~ ten thousand dollars (\$10,000.00).

3.2.39 900.03 Subd. 3 to 5-2-2; Emergency Management Definitions

~~Civil Defense Declared~~ Emergency: means an A national security or peacetime emergency declared by the governor under ~~the Minnesota Civil Defense Act of 1951, Ch. 694, Sec. 301~~ statutes section 12.31.

3.2.40 900.03 Subd. 2 to 5-2-2; Emergency Management Definitions

~~Civil Defense Emergency Management~~: means the preparation for and the carrying out of 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~~ from acute shortages of energy, or from incidents occurring at nuclear power plants that pose radiological or other health hazards. These functions include, without limitation, firefighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare human services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, implementation of energy supply emergency conservation and allocation measures, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of ~~the foregoing these~~ functions.

3.2.41 900.09 Subd. 1 to 5-2-3D1; Emergency Management Workers

~~General Provisions on Civil Defense Workers~~ Restrictions: Oath: Required: No person shall be employed or associated in any capacity in the ~~civil defense agency~~ local organization for emergency management 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~~ local organization for emergency management shall, before entering upon his duties, take an oath in writing as prescribed by the Minnesota ~~Civil Defense~~ emergency management act of 1951, ~~Section 403~~ 1996, section 12.43.

3.2.42 910.05 Subd. 3 to 5-4-2-1C; Dog and Kennel Licenses

Term Of Dog And Kennel Licenses; Late Payment Penalty: License fees and applications on dog licenses and kennel licenses shall be issued for one year beginning on ~~the first day of May 1~~ for dog licenses and ~~first day of March~~ January 1 for kennel licenses. Applications for licenses may be made ~~sixty (60)~~ days prior to the start of the licensing year, and thereafter during the licensing year. Application made ~~after May 30 of~~ thirty (30) days after the licensing year shall be assessed ~~a penalty~~ an additional fee of fifty cents (\$0.50) for each late month or portion thereof, which amount shall be added to and collected with the regular license fee. Any owner who secures a dog after the start of the license year shall be allowed thirty (30) days after acquiring such dog to secure a license. (1974 Code § 910.05; amd. 2008 Code)

3.2.43 910.05 Subd. 5 to 5-4-2-1E3; Dog Rabies Vaccination

The veterinarian who vaccinates a dog to be licensed in the city shall complete, in triplicate, a certificate of vaccination. One copy shall be issued to the dog owner, one shall be retained in the veterinarian's files, and one shall be sent to the Minnesota ~~Livestock-Veterinary~~ board of animal health. The copy issued to the owner is to be shown to the city at the time of application for a license. (1974 Code § 910.05; amd. 2008 Code)

3.2.44 910.11 to 5-4-2-3; Confinement of Certain Dogs

Dangerous, Vicious Dogs: Every owner shall confine within a building or secure enclosure every fierce, dangerous or vicious dog and not take such dog out of such enclosure unless such dog is securely muzzled- and restrained by a substantial chain or leash and under the physical restraint of a responsible person. (1974 Code § 910.11; amd. 2008 Code)

3.2.45 910.15; no reference (deleted); Dog Pound

~~The Council may provide for a municipal dog pound or may designate as a dog pound a suitable kennel either within or outside the limits Inver Grove Heights.~~

3.2.46 910.31 Subd. 1 to 5-4-2-10; Dog Kennels, License Requirements

No person shall operate or maintain a kennel within the city without first securing a kennel permit license from the clerk. The fees for such licenses are ~~set by Chapter X.~~ established by resolution of the city council. The permit license year shall ~~commence March 1~~ be from January 1 to December 31 each year. The clerk shall not issue a kennel permit license until the council approves the same. Each

kennel license shall be posted conspicuously on the kennel premises. (1974 Code § 910.31; amd. 2008 Code)

- 3.2.47 910.43 to 5-4-6A; Riding Horses, Hours
~~Hours of Riding~~ Riding After Dark: No person may ride or drive a horse or pony after the hour of sunset and before the hour of sunrise or at any other time when visibility is impaired by weather, smoke, fog or other conditions along or crossing any public way without appropriate lighting or reflectorized clothing. (1974 Code § 910.43; amd. 2008 Code)
- 3.2.48 2005.05 Subd. 1 to 5-5-1A; Miscellaneous Offenses, Disorderly Conduct
Determination Of Disorderly Conduct: The doing of any of the following acts without authority of law in a public or private place, including a school bus, by any person or persons knowing or having reasonable grounds to know that it will or will tend to alarm, anger or disturb others or provoke an assault or breach of the peace is hereby declared to be disorderly conduct:
- 3.2.49 2005.05 Subd. 4 to 5-5-1A3
Engaging in offensive, ~~or~~ obscene, abusive language ~~or in~~, boisterous ~~and~~ or noisy conduct or offensive, obscene or abusive language tending reasonably to arouse alarm, anger and resentment in others.
- 3.2.50 2005.05 Subd. 6; no reference (deleted); Miscellaneous Offenses, Disorderly Conduct
~~Appearing upon any public street or other public place or on any private property without the consent of the owner or occupant in an intoxicated condition or drinking intoxicating liquors on any street or in any vehicle upon a public street.~~
- 3.2.51 2005.05 Subd. 9; no reference (deleted); Miscellaneous Offenses, Disorderly Conduct
~~Using profane, vulgar or indecent language in or about any public buildings, store or place of business or upon any of the streets, alleys, sidewalks, parks, or public places in the municipality or from any private place in such manner as to be heard from any of the above listed places.~~
- 3.2.52 2005.07 to 5-5-1B; Misdemeanor Violation, Disorderly Conduct
Disorderly conduct is hereby prohibited, and anyone doing any of the ~~above~~ acts stated in subsection A of this section is guilty of a misdemeanor. A person does not violate this section if the person's disorderly conduct was caused by an epileptic seizure. (1974 Code § 2005.07; amd. 2008 Code)
- 3.2.53 2005.01 to 5-5-5; Miscellaneous Offenses, Littering
No person shall deposit garbage, rubbish, cigarette filters, debris from fireworks, offal, or the body of a dead animal, or other litter in or upon any public highway, public waters or the ice thereon, shoreland areas adjacent to rivers or streams as defined by Minnesota statutes section 103F.205, public lands, or, without the

consent of the owner, ~~in or upon any~~ private lands or water or ice thereon. (1974 Code § 2005.01; amd. 2008 Code)

3.2.54 906.09 to 6-2-7; Fire Lane Parking Penalty

Any person parking a vehicle in or blocking entrance to an established fire lane which has been designated with signs or paint as provided herein or any owner of property adjacent to such fire lanes who fails to post said signs or paint curbs yellow within sixty (60) days after having been directed to do so by the fire chief or fire marshal or fails to maintain said signs shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished ~~by a fine of not more than \$300 or imprisoned for a term not to exceed 90 days, or both.~~ as provided in section 1-4-1 of this code. (1974 Code § 906.09; amd. 2008 Code)

3.2.55 1310.11 Subd. 1 to 6-3-7A; Driving Near Fire Vehicles and Fires

No person shall come within ~~300~~ five hundred feet (500') of fire apparatus going to a fire. Immediately upon the approach of any fire apparatus or fire officers' cars, sounding proper signals and responding to an alarm, all other vehicles shall draw as near as possible to the curb and remain standing until such apparatus or vehicle shall have passed. (1974 Code § 1310.11; amd. 2008 Code)

3.2.56 1310.11 Subd. 3 to 6-3-7C; Driving Near Fire Vehicles and Fires

No person, except fire department members, shall drive or park a ear vehicle within ~~300 feet of a~~ the block where a fire apparatus has stopped to answer a fire alarm. (1974 Code § 1310.11; amd. 2008 Code)

3.2.57 1325.01 Subd. 2 to 6-4-1; Bicycles, Definition

For the purpose of this ~~section~~ chapter, the term "bicycle" means every device propelled solely by human power upon which a person may ride, having two (2) tandem wheels ~~either of which is over 14 inches in diameter,~~ except scooters and similar devices, and including any device generally recognized as a "bicycle" though equipped with two (2) front or rear wheels. (1974 Code § 1325.01; amd. 2008 Code)

3.2.58 1325.05 Subd. 7 to 6-4-2G; Bicycles, Carrying Articles

No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handlebars- or from properly operating the brakes of the bicycle. (1974 Code § 1325.05; amd. 2008 Code)

3.2.59 705.11 to 8-2-8A; Water System

Supply From One Service Only: Exceptions No more than one housing unit or building shall be supplied from one service connection except by special permission of the council or the ~~Water Department~~ utility superintendent. (1974 Code § 705.11)

3.2.60 705.23 to 8-2-8B; Water System, Use Confined to Premises

No person shall permit water from the water system to be used for any purpose except upon his own premises unless written consent is obtained from the council or the ~~Water Department~~ utility superintendent. (1974 Code § 705.23)

3.2.61 710.07 Subd. 3 to 8-3-5C; Water Wells, Inspections

Any reinspection required as a result of nonconformance to code shall be made by the city building inspection department. Cost for such reinspection may be charged to the applicant on the basis of actual city cost for such inspection. The applicant shall correct and/or ~~estimate~~ eliminate all defects prior to final approval. No system shall be placed or replaced into service until final approval by the inspection department. (1974 Code § 715.07)

3.2.62 710.21 Subd. 21 to 8-4-1; Sewer System, Definitions

Superintendent: ~~means the~~ utility superintendent of the ~~Municipal Sewage Works~~ city. (1974 Code § 710.21)

3.2.63 610.05 Subd. 1 to 8-6-2C2; Solid Waste Collection and Disposal, License Fee and Display

When a license is issued, the city shall furnish a license tab to the licensee for a charge ~~to the licensee for a charge of \$3.00~~ a established by resolution of the city council per license for each vehicle to be used by such licensee within the city, which license tab shall be affixed to each such vehicle in a conspicuous place. (1974 Code § 610.05; amd. 2008 Code)

3.2.64 610.03 Subd. 4b to 8-6-2D2; Solid Waste Collection and Disposal, Collector Liability Insurance

Public liability insurance shall not be less than one hundred thousand dollars (\$100,000.00) for injuries, including accidental death to any one person, and, subject to the same limit for each person, in an amount of not less than three hundred thousand (\$300,000.00) on account of any one accident, and property damage insurance in the amount of not less than ~~twenty-five~~ fifty thousand dollars (\$~~2550,000.00~~) for each accident or mishap.

3.2.65 1140.35 Subd. 1 to 4-2-14D1; Pawnbrokers, Records

A licensed secondhand goods dealer and pawnbroker, at the time of receipt of an item, must immediately record, in ink or other indelible medium, in the English language, in a book or word processing unit, ~~the following~~ all information: required by Minnesota statutes section 325J.04. (1974 Code § 1140.35; amd. 2008 Code)

- ~~a. An accurate description of the item including, but not limited to, any trademark, identification number, serial number, model number, brand name and/or other identifying mark(s) on such item;~~
- ~~b. The purchase price;~~
- ~~c. Date, time and place of receipt;~~

- d. ~~Name, address phone number and date of birth of the person from whom the item was received;~~
 - e. ~~The identification number from any of the following forms of identification of the seller;~~
 - 1. ~~Valid picture driver's license;~~
 - 2. ~~Official state photo identification, passport or military identification;~~
- 3.2.66 1140.65; no reference (deleted); Severability
~~If any part of this ordinance shall be adjudged to be invalid by a court of competent jurisdiction such judgment or decree shall not affect or impair the remainder of this ordinance.~~
- 3.2.67 1200.43 Subd. 2c to 4-A1-17; Armory Intoxicating Liquor Sale (Ord. 1078)
 No sale shall occur between the hours of twelve o' clock 12:00 midnight and ~~8:00 a.m.~~ five o'clock (5:00) A.M.
- 3.2.68 1120.11 to 4-3-7; Bowling Alley License Provisions
~~The license~~ It shall be effective from the date of issuance to the following annual anniversary thereof: January 1 to December 31. ~~The license~~ It shall not be transferrable. The license It shall be kept conspicuously posted in the bowling alley to which it applies, and no person shall post such license upon premises other than those for which issued, or deface or destroy any such license. (1974 Code § 1120.11; amd. 2008 Code)
- 3.2.69 1120.15; no reference (deleted); Use of Property
~~No person shall permit any real property owned or controlled by him to be used as a bowling alley without a license as provided herein.~~
- 3.2.70 3.2.71 315.02 to 5-1-2E; Removal of Fire Chief and Assistant Fire Chief
~~The Ffire Cchief and Aassistant Ffire Cchiefs may be removed from their position by the Ccouncil with or without cause after first being given an opportunity to be heard by the Ccity Ccouncil. (Ord. 1118. 6-20-2005) Firefighters and probationary firefighters shall be appointed by the Fire Chief in accordance with guidelines approved by the Council.~~
- 3.2.71 400.11 to 9-1-5; Certificate of Occupancy
 Group U occupancies are exempt from this requirement
- 3.2.72 400.13; no reference (deleted); Building, Minimum Floor Area
~~Minimum floor area of single family residential dwellings shall be in accordance with Section 515.29, Subdivision 3a.~~
- 3.2.73 400.15; no reference (deleted); Building, Driveways
~~Driveway construction shall be in accordance with Section 515.51, Subdivision 5.~~
- 3.2.74 400.17; no reference (deleted); Building Elevation

~~The elevation of all buildings shall be in accordance with Section 515.47, Subdivision 16.~~

3.2.75 420.01 to 9-4-1-1; Permit Requirements for Excavations and Fills

~~All permits for existing or new operations received under this section for the first time, shall be considered initial permits. All operations existing on March 26, 1973, shall be required to obtain a permit under this section except where exempt by subdivision 2, upon expiration of existing license or by September 26, 1973, whichever occurs first.~~

3.2.76 420.01 Subd. 3g to 9-4-1-2C1g; Hours of Operation

~~The maximum hours of operation shall be seven o'clock (7:00) A.M. to seven o'clock (7:00) P.M., Monday through Saturday, unless the director of public works or council provides otherwise.~~

3.2.77 420.05 Subd. 6 to 9-4-1-6E; Bonds

~~Post a surety letter of credit or security cash escrow of a minimum of five thousand dollars (\$5,000) per acre with a total minimum not less than ten thousand dollars (\$10,000), unless a lesser amount is set by the ~~C~~council for each ~~excavation at any time,~~ running to the ~~C~~city, conditioned to pay the ~~C~~city the cost and expense of restoration of an excavated area and expense of grading, providing topsoil and seeding where the applicant or owner shall fail to complete an excavation or restoration within the conditions under which the excavation permit was issued.~~

3.2.78 420.09 to 9-4-1-8; Term of Permit

~~The excavation permit shall run from April 1 through March 31 of the following January 1 to December 31 of each year or for a lesser period of time as the ~~C~~council may specify when the permit is issued.~~

3.2.79 420.19a to 9-4-4A; Demolition Debris Definition

~~Demolition debris means concrete, blacktop, bricks, stone facing, concrete block, stucco, gas, structural metal and wood from demolished structures. Demolition debris shall also mean and include construction debris which means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of building and roads. Solid waste resulting from the demolition of buildings, roads, and other manmade structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos waste. (1974 Code § 420.19; amd. 2008 Code)~~

3.2.80 420.21 Subd. 2; no reference (deleted); Measurement of Material

~~Under this section, for purposes of determining whether the amount of fill material requires the approval of the Director of Public Works or a permit from the Council, the fill material shall be measured in an uncompact state.~~

3.2.81 430.21 to 9-5-11; Penalty Section for Storm Water Management

Any person, firm or corporation violating any provision of this ~~Section~~ chapter shall be fined ~~not less than as provided in section 1-4-1 of this code, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.~~ (1974 Code 430.21; amd. 2008 Code)

3.2.82 430.25; no reference (deleted); Severability

~~The provisions of this ordinance are severable. If any provision of this Section or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.~~

3.2.83 515.30 Subd. 2, 37 to 10-2-2; Definition

Board – ~~The~~ Board of Zoning Adjustments and Appeals

3.2.84 515.30 Subd.2, 68 to 10-2-2; Definition

~~Day Care Facility – Day care facilities include, but are not limited to: family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, daytime activity centers, day treatment programs, and day services as defined by means a nonresidential program under Minnesota Statutes section 245A.02, subdivision 10.~~

3.2.85 515.30 Subd. 2, 82(e)(iv) to 10-2-2; Definition

~~Townhouse – means a single family dwelling unit horizontally attached to linear or cluster fashion to one or more single family dwelling units, Three (3) or more horizontally attached townhouse dwelling units, separated by party walls, and shall not exceed eight (8) such townhouse dwelling units per structure.~~

3.2.86 515.30 Subd. 2, 126 to 10-15-26B; Definition

~~Home Occupation – Any gainful occupation meeting all of the following requirements when 1. Engaged in only by persons residing in their the subject structure when that occupation is 2. Conducted entirely within the structure dwelling, not in attached or detached accessory structures. when 3. Evidence of the occupation is shall not be visible from the street, 4. No signs other than those permitted in “R” Districts are present permitted, 5. No stock in trade is stored on the premises, 6. Over the counter On site retail sales are not involved, and 7. Entrance to the home occupation is gained exclusively from within the structure dwelling. 8. When the home occupation is a beauty/barber shop, entrance to the home occupation shall be a separate, direct entrance and shall not be from within the dwelling. See also Performance Standards, Section 55.90, Subd. 35.~~

3.2.87 515.30 Subd. 2, 139; no reference (deleted); Definition

~~Junk Yards/Salvage Yards – An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles.~~

- 3.2.88 515.30 Subd. 2, 174; no reference deleted); Definition
MOEA—means the Minnesota Office of Environmental Assistance
- 3.2.89 515.30 Subd. 2, 179; no reference (deleted); Definition
MPCA—means the Minnesota Pollution Control Agency
- 3.2.90 515.30 Subd. 2, 190 to 10-2-2; Definition
Nursing Home – A building with facilities for the care of children, the aged, and infirm, or place of rest for those suffering bodily disorder. Said nursing home shall be licensed by the ~~State Board~~ commissioner of ~~H~~hhealth.
- 3.2.91 10-2-2; no reference (new language); Definition
Static Sign: A sign where the face remains unchanged and all components of the sign are unmoving. All illumination is maintained stationary and constant in intensity, color and brightness.
- 3.2.92 515.40 Subd. 2 to 10-3-2; Administration site plan required
A site plan shall accompany all requests for rezoning, conditional use permit, or variance regardless of whether or not any structures are proposed to be located on the property. Such site plan shall include the following information at the minimum in addition to those requirements set out in subsection 10-15J-8A of this title (other information may be required in other portions of this ~~Ordinance~~ title): (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.93 515.40 Subd. 6B and 6B1 to 10-3-5B; Amendments, Initiation
Proceedings for amendment of the ~~Ordinance~~ this title shall be initiated by: 1. A petition of seventy five percent (75%) or more of the ~~owner or owners in the area and number of the property, the zoning of which is~~ subject to the proposed amendment to be changed;
- 3.2.94 515.40 Subd. 6C to 10-3-5C; Amendments, Application
All applications for amendment which are initiated by the petition of seventy five percent (75%) or more of the ~~owner or owners in the area and number of property~~ subject to the proposed amendment shall be filed with the ~~Clerk~~ and if the application involves the changing of zoning districts and boundary thereof, the application shall be accompanied by an abstractor's certified property certificate showing the property owners within three hundred fifty feet (350) feet of the outer boundaries of the property in question; ~~and the property in question.~~
- 3.2.95 515.40 Subd. 7C to 10-3-7A2; Board of Appeals Duties
The board shall act upon all questions as they may arise in the administration of this ~~Ordinance~~ title, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by an ~~administrative official~~ the zoning administrator ~~charged with enforcing this ordinance.~~

- 3.2.96 515.40 Subd. 7C to 10-3-7B1; Board of Appeals, Appeals
~~Such~~ An appeal may be taken by any person aggrieved or by any officer, department, board or bureau of a town, municipality, county or state the city.
- 3.2.97 515.60 Subd 3; no reference (deleted); Effectuation
~~This Ordinance shall be in full force and effect from its passage and publication according to law.~~
- 3.2.98 515.80 Subd. 16 to 10-6-2; Zoning Matrices
 Studios: dance, exercise, martial arts, etc. < 2,000 square feet in floor area has changed from a ~~Conditional Use (C)~~ to a Permitted Use (P) in the COMM-PUD zoning district.
- 3.2.99 515.80 Subd. 20C3 to 10-10D-3C; Curb Cuts in the B-4 Zoning District
 The driveway curb cuts to the development shall ~~not exceed 26 feet in width, six foot return curb radii,~~ and be located not less than sixty feet (60) feet from all intersecting streets. (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.100 515.80 Subd. 30F; no reference (deleted); Severability, Shoreland District
~~If any subdivisions, clause, provision, or portion of Section 515.80, Subd. 30 is adjudged unconstitutional or invalid in a court of competent jurisdiction, the remainder of this Section shall not be affected thereby.~~
- 3.2.101 515.80 Subd. 30N3 to 10-13B-11C; Shoreland Management, Wetland Protection
 Development, grading and filling shall comply with the provisions for the Minnesota wetland conservation act of 1991, Minnesota statutes ~~Chapter 354 section 103G.221 et seq.~~ (Ord 1098, 11-8-2004; amd. 2008 Code)
- 3.2.102 515.80 Subd. 30S2e(ii) to 10-13B-16B5b; Shoreland Management, Water and Sewage
 Minnesota statutes section ~~105.458~~ 103F.221
- 3.2.103 515.80 Subd. 31J4a to 10-13C-7A; Rural Open Space District
 In the rural open space district, no new business or industrial development which would otherwise be permitted in business and industrial districts under ~~the Zoning Ordinance~~ this title shall be permitted and existing business and industrial developments shall not be permitted to expand, provided, however, such development may occur in those areas topographically consistent therewith as shown exclusively on the Inver Grove Heights Zoning that certain map dated April 24, 1989, on file with the city clerk, and that certain map dated October 11, 2004, as approved by DNR, on file with the city clerk, which maps is are hereby incorporated by reference.
- 3.2.104 515.80 Subd. 31Z; no reference (deleted); Effective Date for Critical Area Overlay District

~~Section 515.80, Subd. 31 was duly passed by the City Council of the City of Inver Grove Heights on this 13th day of August, 1979 and became effective after publication.~~

- 3.2.105 515.80 Subd. 32E7; no reference (deleted); Flood Plain Management, Severability
~~If any sub section, clause, provision or portion of this Section 515.80, Subd. 32 is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Section 515.80, Subd. 32 shall not be affected thereby.~~
- 3.2.106 515.80 Subd. 32G4g to 10-13D-6-1B2g; Floodway District, Standards
Structural works for flood control that will change the course, current or cross section of a protected wetlands or public waters shall be subject to the provisions of Minnesota statutes chapters ~~405~~ 103A, 103B, 103C, 103D, 103E, 103F, and 103G.
- 3.2.107 515.80 Subd. 33C to 10-13E-4; Integrated Resource Management Overlay District Boundaries
For purposes of determining the application of this ~~Section 515.80, Subd. 33 of the Ordinance, article,~~ the boundaries of the integrated resource management (IRM) overlay zoning district shall be as shown on the official zoning map of the city, on file in the office of the city clerk and the zoning administrator. (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.108 515.80 Subd. 36K2 to 10-13H-10B; South St. Paul Airport Overlay District
In addition, any person aggrieved, or any taxpayer affected by any decisions of the zoning administrator made in his administration of this ~~Section article,~~ who desires to appeal such decision shall submit ~~an application for a variance~~ a notice of appeal, by certified mail to the members of the board in the manner set forth in Minnesota statute section 360.068, subdivision 2. (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.109 515.80 Subd. 37A to 10-13I-1; Airport Overlay District Boundaries
The boundaries of the airport overlay zoning district shall be as shown on the official zoning map of the city, on file in the office of the city clerk and zoning administrator. (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.110 515.90 Subd. 21D9 to 10-15A-3J; Off Street Parking for Manufacturing
Manufacturing, fabrication or processing of a product or material required number of parking spaces: At least four ~~off street parking~~ spaces, plus one additional space for each 800 square feet; 1 additional ~~off street parking~~ space shall be provided for each 2,500 square feet or fraction thereof of land devoted to outside storage.
- 3.2.111 515.90 Subd. 27B3 to 10-15C-2B; Apartment Application Permits

Conditional use permit applications shall have ~~three~~ thirteen (13) copies or more as required by the ~~administration of the site filed with the application~~ the planning department with the following features outlined and provided for in the site plan: (Ord. 1098, 11-8-2004; amd. 2008 Code)

3.2.112 515.90 Subd. 29F to 10-15E-9A3; Removal of Signs

All costs incurred in removing such signs or other advertising structure or billboard shall be paid ~~for~~ by the permittee, or in case no permit has been issued, by the owner of said sign or structure or the owner of the premises upon which said sign or structure is located.

3.2.113 510.03 Subd. 2 to 11-1-2; Definition

Alley: ~~A minor~~ Any dedicated public right of way which affordsing a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.

3.2.114 510.03 Subd. 7 to 11-1-2; Definition

Building: Any structure, ~~having a roof which may shelter or enclose persons, animals or chattel. When said structure is divided by party walls without openings, each portion of such building so separated shall be deemed a separate building.~~ temporary or permanent, used or intended for supporting or sheltering any use or occupancy.

3.2.115 510.03 Subd. 8 to 11-1-2; Definition

Building Setback: The minimum horizontal distance from a lot boundary to the nearest ~~part~~ vertical surface of the foundation wall a building or structure, except that ~~no~~ a roof, eave or overhang shall may project more than 30 up to twenty four inches (24") into the required setback zone area.

3.2.116 510.03 Subd. 9 to 11-1-2; Definition

Easement: ~~Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property. A grant by an owner of land for a specific use by persons or agencies other than the owner.~~

3.2.117 510.03 Subd. 14 to 11-1-2; Definition

Lot: ~~A parcel, piece or portion~~ A unit of land designated by plat, metes and bounds, registered land survey, auditor's plat subdivision, or other accepted means and separated from other parcels and or portions by said description for the purpose of separation sale or lease or separate use thereof. For purposes of measuring the size of the lot, if the lot is not platted, all areas encumbered by public or private road or driveway easements shall be excluded.

3.2.118 510.03 Subd. 16 to 11-1-2; Definition

Lot, corner: A lot situated at the junction of, and abutting on two (2) or more intersecting streets, ~~or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed 135°.~~

3.2.119 510.03 Subd. 19 to 11-1-2; Definition

Lot Area: The area of a lot ~~on~~ in a horizontal plane bounded by the lot lines. For purposes of measuring the size of the lot, if the lot is not platted, all areas encumbered by public or private road or driveway easements shall be excluded.

3.2.120 510.03 Subd. 20 to 11-1-2; Definition

Lot Line: ~~A lot line is~~ The property line bounding ~~bordering~~ a lot except that where any portion of a lot extends into the ~~public right of way, proposed right of way or permanent easement~~ the line of such right of way ~~on easement~~ shall be the lot line.

3.2.121 510.03 Subd. 22 to 11-1-2; Definition

Lot Line, Front: That boundary of a lot ~~which~~ that abuts ~~on existing or dedicated public~~ a street, and in the case of a corner lot, it shall be the shortest ~~dimension~~ boundary on a public street, except that a corner lot in a non-residential area shall be deemed to have a frontage on both streets.

3.2.122 510.03 Subd. 23 to 11-1-2; Definition

Lot Line, Rear: That boundary of a lot ~~which~~ that is opposite the front lot line. If the rear ~~lot line is less than 40 feet~~ ten feet (10') in length, or if the lot forms a point at the rear, the rear lot line shall be a line ~~40 feet~~ ten feet (10') in length within the lot, ~~and parallel to, and at the maximum distance from,~~ the front lot line.

3.2.123 510.03 Subd. 25 to 11-1-2; Definition

Lot of Record: ~~A platted~~ Any lot or metes and bounds parcel which is one unit of a plat heretofore duly approved and filed, or one unit of an auditor's subdivision or a registered land survey, or a parcel of land not so platted, subdivided or registered but for which a deed, auditor's subdivision or registered land survey has been duly recorded in the office of the register of deeds of or registrar of titles for Dakota County, Minnesota, and which was duly approved by the City Council of the City of Inver Grove Heights, when and where the City has jurisdiction over said platting according to Minnesota State Statutes. prior to the effective date hereof.

3.2.124 11-1-2; no reference (new language); Definition

Lot, Reversed Frontage: The first lot to the rear of a corner lot (itself being an interior lot, not a corner lot), the front line of which is a continuation of the side lot line of the corner lot.

3.2.125 510.03 Subd. 29 to 11-1-2; Definition

Pedestrianway: A pedestrian walkway shall be provided between lots where required by the planning commission and/or city council to allow for pedestrian accessibility to streets or public service areas. A pedestrianway is distinguished from a sidewalk principally by its location in areas other than where sidewalks are

typically found, which is to say, in boulevards parallel to streets. Unlike typical sidewalks, pedestrianways may also be constructed with bituminous surfaces rather than concrete.

3.2.126 510.03 Subd. 32 to 11-1-2; Definition

Protective Covenant: A contract entered into between private parties ~~which~~ that constitutes a restriction ~~on~~ of the use of a particular parcel of property ~~for the benefit of the owners.~~

3.2.127 510.03 Subd. 39 to 11-1-2; Definition

Street: A Any public or private right of way, street, avenue, boulevard, road, parkway, drive, or other roadway that ~~which~~ affords a primary means of access to abutting property.

3.2.128 11-1-2; no reference (new language); Definition

Street, Public: A street which is dedicated to the city for public use.

3.2.129 510.03 Subd. 45 to 11-1-2; Definition

Street, Service: A marginal access street or frontage road that ~~which~~ is generally parallel and adjacent to a major street.

3.2.130 510.16 Subd 2e to 11-1-6C1e; Subdivision Regulations, Waiver Procedure

Six (6) Fifteen (15) copies and reductions at eleven inches by seventeen inches (11" x 17") of a topographic map for the subject property shall be provided.

3.2.131 510.05 to 11-2-1; Plat and Procedures Sketch Plan

~~Subdividers may prepare for review with the City Planning Commission, a subdivision sketch plan for review with the city staff. For large acreage in particular, subdividers are urged to avail themselves of this informal review. Such Ssketch Pplan will be considered as submitted for informal discussion, between the subdivider and the City Planning Commission and no fee shall be required of the subdivider for the submission of the Ssketch Pplan. Submission of the subdivision Ssketch Pplan shall not constitute formal filing of the plan with the Ccity. As far as may be practical on the basis of the Ssketch Pplan, the Ccity Planning Commission staff will informally advise the subdivider, as promptly as possible, of the extent to which the proposed subdivision conforms to the design standards of this section title and the Ccomprehensive Pplan of the Ccity, and will discuss possible modifications necessary to secure approval of the plan. The informal advice of the city staff is not legally binding, and the sketch plan shall not be deemed a formal application for purposes of Minnesota statutes section 15.99. (Ord. 1038, 7-8-2002)~~

3.2.132 510.07 Subd. 2, 4 to 11-2-5B4; Plats and Procedures Preliminary Grading and Drainage

A preliminary grading and drainage plan including earthwork quantities, final grades (4:1 3:1 maximum slopes, 4:1 preferred maximum), building pad

elevations, existing and proposed topography at two foot (2') intervals, drainage calculations, 10-year storm pipe design, 100-year storm level of protection, direction of drainage around each building pad location, appropriate easements as required.

3.2.133 510.07 Subd. 2, 8 to 11-2-5B8; Plats and Procedures Preliminary Wetland Plan
 Plan showing fill or draining of any wetland including sequencing justification and proposed mitigation consistent with the wetland conservation act. All wetlands must be delineated in accordance with ~~1989 Federal Manual for Identifying and Delineating Wetlands~~ the wetland conservation act.

3.2.134 510.07 Subd. 3, 2 to 11-2-5C2b; Plats and Procedures Final Wetland Plan
 Plan showing fill or draining of any wetland including sequencing justification and proposed mitigation consistent with the wetland conservation act. All wetlands must be delineated in accordance with ~~1989 Federal Manual for Identifying and Delineating Wetlands~~ the wetland conservation act.

3.2.135 510.09 Subd. 2, 12 to 11-3-2; Design Standards for Right of Way Widths
 1. Street right of way widths shall be as shown in the ~~Master Plan~~ transportation element of the city comprehensive plan and, where not shown therein, shall not be less than as follows:

Street Type	Minimum Right Of Way (Feet)
<u>Principal and "A" minor Arterial & Major</u>	100-150 feet
<u>"B" minor, community Collector, neighborhood collector</u>	80 feet to 100
Local	<u>50 to 60 feet</u>
Half Street	30 feet

2. When special conditions such as steep slopes, vegetation, or other physical or environmental conditions are present, the plan shall meet certain conditions that may be imposed at the discretion of the city, county, and/or state.

3.2.136 510.09 Subd. 2, 14 to 11-3-2N; Design Standards, Cul-de-sacs
 Cul-de-sac dead end streets, designed to be so permanently, shall not be longer than five hundred feet (500') in area where municipal sewer is available and one thousand feet (1,000') in areas where municipal sewer is not available, and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least ~~one hundred (100) feet~~ ninety feet (90') and a street property line diameter of at least ~~one hundred twenty (120) feet~~ one hundred ten feet (110').

- 3.2.137 510.11 Subd. 3, 1a to 11-5-3A1; Required Improvements for Sanitary Sewer Systems
Where available, municipal sewer facilities shall be provided by the subdivider in the development of the subdivision.
- 3.2.138 510.11 Subd. 3, 2a to 11-5-3B1; Required Improvements for Water Systems
Where available, municipal water facilities shall be provided by the developer in the development of the subdivision.
- 3.2.139 510.11 Subd. 3, 2c; no reference (deleted); Design Standards for Subdivisions
~~Within each subdivision, the subdivider shall provide for streets, alleys and sidewalks as required by Section 5, "Design Standards".~~
- 3.2.140 510.11 Subd. 3, 2e to 11-5-3C; Required Improvements, Streets
Construction of ~~public utilities and~~ streets, including sanitary sewer systems, water systems, ~~streets,~~ and storm sewers, located ~~on property or easements dedicated or to be dedicated to the City in the plat~~ within street rights of way shall be completed by the ~~City~~ subdivider under the supervision of the ~~City~~ Engineer, unless some other arrangement is specifically approved by the ~~City~~ Council.
- 3.2.141 510.11 Subd. 3, 2d to 11-5-3H1; Required Improvements for Storm Water Facilities
Storm sewer, open drainage or other facilities and easements shall be installed by the subdivider as will adequately provide for the drainage of surface waters.
- 3.2.142 510.11 Subd. 4 to 11-5-4; Guarantee of Improvements
Before final plat is approved by the ~~City~~ Council, the subdivider shall submit a development agreement/contract in form and content satisfactory to the city, and a financial surety found satisfactory to the city and performance bond or cash escrow agreement in such reasonable amount as determined by the ~~City~~ Council to assure the following:
- 3.2.143 510.13 Subd. 2 to 11-1-5A2; Large Scale Development Variances
The standards and requirements of ~~these regulations~~ this title may be modified by the ~~City~~ Council in the case of a plan and program for a ~~new town, a complete community or a~~ neighborhood unit which in the judgment of the ~~City~~ Council, will provide adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which will also provide such covenants or other legal provisions as will assure conformity to and achievement of the plan. (Ord 1038, 7-8-2002)
- 3.2.144 515.90 to 10; Manufactured Homes and Parks
The term "mobile home" was replaced with "manufactured home" throughout the Zoning Ordinance provisions of the Code.
- 3.2.145 Section 1107 of the 1974 Code relating to Christmas Tree Sales has been deleted

and repealed in its entirety.

- 3.2.146 Section 1110 of the 1974 Code relating to Cigarette Sales has been deleted and repealed in its entirety.
- 3.2.147 Section 1111 of the 1974 Code relating to Drive-In Theatres has been deleted and repealed in its entirety.
- 3.2.148 Section 1112 of the 1974 Code relating to Roller Skating Rinks has been deleted and repealed in its entirety.
- 3.2.149 Section 2015 of the 1974 Code Prohibiting the Possession, Manufacture, Delivery and Advertisement of Drug Paraphernalia has been deleted and repealed in its entirety.
- 3.2.150 Sections 1115.11 and 1115.15 relating to the Prohibition of Immodest Dances and Denial of Admittance of Certain Persons into Dance Halls have been deleted and repealed in their entirety.
- 3.2.151 Section 2005.03 of the 1974 Code relating to Vagrancy has been deleted and repealed in its entirety.
- 3.2.152 Section 515.90 Subd. 32E1, 2, and 2a, along with E3, E4, and E5 of the Zoning Code relating to manufactured homes and parks permit application, contents, investigation, fees, and bond have been deleted and repealed in their entirety.
- 3.2.153 Section 600 of the 1974 Code relating to the Board of Health and Health Officer has been deleted and repealed in its entirety.
- 3.2.154 Sections 510.21, 510.23, and 510.25 relating to violations, repealer of ordinances prior to 1974, and the effective date of Subdivision Regulations have been deleted and repealed in their entirety.
- 3.2.155 Section 720 relating to Cable Communications Franchise has been deleted in its entirety but is exempted out below and remains in full force and effect.
- 3.2.156 Section 2030 relating to the Distribution and Display of Materials Harmful to Minors has been deleted and repealed in its entirety.
- 3.2.157 Section 2000.03 relating to Adoption by Reference of Provisions of the Criminal Code has been deleted and repealed in its entirety.
- 3.2.158 Section 515.80, subd. 29 relating to the Rural Residential Overlay Zoning District has been deleted and repealed in its entirety.
- 3.2.159 Section 415, relating to Signs and Billboards, was deleted and repealed in its

entirety in 1993 pursuant to Ordinance 794.

Section 4. Previously Adopted Ordinances Incorporated by Reference.

The following ordinances have been previously adopted by the City Council but have not yet been incorporated into the Recodified City Code, and shall hereafter be integrated into the Recodified City Code where appropriate:

- 4.1 1177 Amend Sect. 515.80, subd. 8.B.1 relating to Allowable Maximum Impervious Coverage in the ‘R’ Districts
- 4.2 1178 Amend Sec. 515 by Adding a Definition of Auto Auction Sales and Adding Auto Auction Sales as a Conditional Use in the 1-2, General Industry Zoning District
- 4.3 1180 Providing a Definition of the Term Impervious Surface and Amending Sec. 515.30, Subd 2 (Zoning Code Definitions) and Amending Sec. 515.80, Subd. 39 (I) relating to the Inver Grove Heights Northwest Area Stormwater Manual.
- 4.4 1181 Amend Sec. 515.90, Subd. 18 relating to Accessory Structures
- 4.5 1182 Amend Sec. 515.90, Subd. 19 relating to Exterior Building Materials
- 4.6 1183 Amend Sec. 515.80, Subd. 38, Interim Uses, to allow the temporary crushing of concrete or asphalt aggregate associated with public road construction
- 4.7 1184 Amend City Code Sec. 900 relating to Emergency Management
- 4.8 1185 Amend City Code Sec. 1500.13, Subd. 6 and Sec. 1105 relating to Junk Vehicles and Auto Auction Sales
- 4.9 1186 Amend City Code Sections 1010.03, 1010.04 and 515.40, Subd. 9 relating to fees
- 4.10 1187 Amend City Code Sec. 515 relating to the Planned Unit Development zoning district in the Southeast quadrant of Highways 52 and 494
- 4.11 1188 Amend City Code Sec. 320.03 relating to disposal of unclaimed property & approval of agreement with PropertyRoom.com
- 4.12 1189 Amend Code Sec. 515.80, subd. 8 relating to Allowable Maximum Impervious Coverage in the R Districts.

Section 5. Ordinances Not Affected By Recodification.

The following ordinances of the City are not included in the 2008 City Code and are not affected, repealed, amended or altered by the adoption of this recodification of the City Code, notwithstanding anything to the contrary contained in the Recodified City Code:

- Ordinance No. 73 Repealing certain ordinances, adopted July 22, 1968
- Ordinance No. 81 Designating a certain street as official street map No. 1, adopted March 3, 1969
- Ordinance No. 109 Granting an Electric Franchise to Northern State Power Company, adopted December 22, 1969
- Ordinance No. 110 Granting an Electric Franchise to Dakota Electric Association, adopted December 22, 1969
- Ordinance No. 111 Granting a Gas Franchise to Northern States Power Company, adopted December 22, 1969
- Ordinance No. 112 Granting Permission to Northern Natural Gas Company, adopted December 22, 1969
- Ordinance No. 197 Regulating Elections Held in the City of Inver Grove Heights, Repealing Ordinance Nos. 2 and 34, adopted March 11, 1974
- Ordinance No. 255 Repealing Section 500.25 of the City Code – Planning Commission, Relating to Building Permits, adopted July 12, 1976
- Ordinance No. 268 Rescinding Section 1215.13, Subd. 2 of Chapter XII of City Code, adopted January 10, 1977
- Ordinance No. 277 Repealing Inver Grove Heights City Code, Section 1200, adopted March 28, 1977
- Ordinance No. 313 Repealing the 2nd Paragraph of City Code Section 1325.01, Subd. 1, which eliminates mandatory bicycle registration, adopted February 27, 1978
- Ordinance No. 314 Repeal City Code Sections 800.09 and 800.11 which relate to apportioning costs for street sprinkling, flushing, oiling, tree care and street lighting, adopted March 27, 1978
- Ordinance No. 372 Repeal City Code Sections 600, 600.01, 600.03, 600.05, 600.07, entitled “Board of Health: Health Officer,” adopted June 9, 1980
- Ordinance No. 377 Repealing City Code Sections 927.09 and 2005.15 relating to Weapons and Handguns, adopted July 28, 1980

- Ordinance No. 423 Repealing City Code Section 927.05 relating to the use of “Stop and Frisk” technique by Police Officers, adopted May 10, 1982
- Ordinance No. 444 Repealing City Code Section 1100.15 because of pre-emption of the subject matter by the State of Minnesota, adopted January 24, 1983
- Ordinance No. 498 Cable Communications Franchise Ordinance, adopted November 13, 1984
- Ordinance No. 501 Repealing City Code Sections 1020 and 1025 relating to Licensing and Regulations of Authorized Gambling Activities and Bingo, adopted November 26, 1984
- Ordinance No. 545 Amending City Code Section 205.02 and 205.03 relating to the year of municipal elections and changing the year of election from odd to even numbered years, adopted April 28, 1986
- Ordinance No. 556 Establishing a special watershed management tax district pursuant to Minnesota Statutes Sections 473.875 to 473.883 for land in the City of Inver Grove Heights contained within the Lower Mississippi River Watershed, adopted August 11, 1986
- Ordinance No. 557 Establishing a special watershed management tax district pursuant to Minnesota Statutes Sections 473.875 to 473.883 for land in the City of Inver Grove Heights contained within the Gun Club Lake Watershed, adopted August 11, 1986
- Ordinance No. 578 Rescinding Ordinance No. 540, adopted January 26, 1987
- Ordinance No. 649 Repealing City Code Sections 400.17 and 400.19 relating to the position of City Electrical Inspector and relating to City Electrical Inspections, adopted January 9, 1989
- Ordinance No. 653 Repealing the Fire Inspection Fee for Intoxicating Liquor License in Section 1010.01 of the IGH City Code, adopted January 23, 1989
- Ordinance No. 672 Repealing Section 1200.21 of the IGH City Code Relating to Security of On-Sale and Off-sale Liquor Licenses, adopted December 11, 1989
- Ordinance No. 673 Granting NSP Electric Franchise, adopted December 11, 1989
- Ordinance No. 674 Granting NSP Gas Franchise, adopted December 11, 1989

- Ordinance No. 675 Granting Dakota Electric Association Electric Franchise, adopted December 11, 1989
- Ordinance No. 681 Repealing Section 605 of the IGH City Code Relating to Garbage and Rubbish Disposal, adopted January 22, 1990
- Ordinance No. 684 Establishing a Special Minor Watershed Management Tax District Designated as The Simley Lake Watershed District Pursuant to Minnesota Statutes Sections 473.875 to 473.883 for Land in the City of IGH Contained Within the Lower Mississippi River Watershed, adopted March 15, 1990
- Ordinance No. 685 Establishing a Special Minor Watershed Management Tax District Designated as the Highway 110/I-494 Subwatershed District Pursuant to MN Statutes Sections 473.875 to 473.883 for Land in the City of IGH Contained Within the Lower Mississippi Watershed, adopted March 15, 1990
- Ordinance No. 686 Establishing a Special Minor Watershed Management Tax District Designated as the Skyline Village Subwatershed District Pursuant to MN Statutes Sections 473.875 to 473.883 for Land in the City of IGH Contained Within the Lower Mississippi River Watershed, adopted March 15, 1990
- Ordinance No. 711 Amending IGH Ordinance No. 685 by Adding Project 1991-12 to the List of Capital Water Management Facilities to be Financed by a Special Ad Valorem Tax on the Land in Hwy. 110/I-494 Subwatershed Special Tax District, adopted March 11, 1991
- Ordinance No. 712 Establishing a Special Subwatershed Management Tax District Designated as the 70th Street Subwatershed District Pursuant to MN Stat. Sections 103B.201 to 103B.251 for Land in the City of IGH Contained Within the Lower Mississippi River Watershed, adopted March 11, 1991
- Ordinance No. 713 Amending IGH Ordinance No. 686 by Adding Project 1991-14 to the List of Capital Water Management Facilities to be Financed by a Special Ad Valorem Tax on the Land in the Skyline Village Subwatershed Special Tax District, adopted March 11, 1991
- Ordinance No. 728 Repealing Section 1113 of the IGH City Code Relating to the Licensing of Vending Machines, adopted June 24, 1991
- Ordinance No. 729 Amending the Franchise Agreement Between the City of IGH and Continental Cablevision of Northern Dakota County, Inc., Regarding the Provision of Geographic Narrowcasting Capability

by Repealing Former Section 5.01(E) Thereof Requiring Geographic Narrowcasting Capability, and by Adding a New Section 501(E), adopted June 24, 1991

- Ordinance No. 774 Creating Marcott Lake Subwatershed Taxing District, adopted March 29, 1993
- Ordinance No. 775 Creating South Grove Subwatershed Taxing District, adopted March 29, 1993
- Ordinance No. 776 Creating Old Village Subwatershed Taxing District, adopted March 29, 1993
- Ordinance No. 777 Adding Projects 1993-13 and 1993-17 to 70th Street Subwatershed Taxing District, adopted March 29, 1993
- Ordinance No. 778 Adding Projects 1993-16 and 1993-21 to Simley Lake Subwatershed Special Tax District, adopted March 29, 1993
- Ordinance No. 790 Creating Special Minor Watershed Tax District Designated as Babcock Trail Subwatershed District for Land Contained Within the Lower Mississippi River Watershed District, adopted August 9, 1993
- Ordinance No. 860 Establishing Special Minor Watershed Management Tax District Designated as the College Trail Watershed District, adopted march 11, 1996
- Ordinance No. 971 Adopting New Cable Television Franchise for MediaOne, adopted February 14, 2000
- Ordinance No. 990 Amending Ordinance No. 684 by Adjusting the Boundaries of the Simley Lake Subwatershed Special Tax District, adopted November 27, 2000
- Ordinance No. 991 Amending Ordinance No. 686 by Adjusting the Boundaries of the Skyline Village Subwatershed Special Tax District, adopted November 27, 2000
- Ordinance No. 992 Amending Ordinance No. 712 by Adjusting the Boundaries of the 70th Street Subwatershed Special Tax District, adopted November 27, 2000
- Ordinance No. 993 Amending Ordinance No. 860 by Adjusting the Boundaries of the College Trail Subwatershed Special Tax District, adopted November 27, 2000

- Ordinance No. 998 Ordinance Granting a Franchise to Everest MN LLC to Construct, Operate, and Maintain a Cable Communications System in the City of IGH, adopted January 8, 2001
- Ordinance No. 1081 Amending Ordinance No. 790 by Adjusting the Boundaries of the Babcock Trail Subwatershed Special Tax District and by adding Project No. 2001-02 to the list of Capital Water Management Facilities to be Financed by a Special Ad Valorem Tax on Land in the Babcock Trail Subwatershed Special Taxing District, adopted March 22, 2004
- Ordinance No. 1082 Amending Ordinance 775 by Adjusting the Boundaries of the South Grove Subwatershed Special Tax District and by adding Project No. 2001-02 to the List of Capital Water Management Facilities to be Financed by a Special Ad Valorem Tax on Land in the South Grove Subwatershed Special Tax District, adopted March 22, 2004
- Ordinance No. 1083 Amending Ordinance No. 712 (As Amended by Ordinance No. 992), by adding Project No. 2001-02 to the List of Capital Water Management Facilities to be Financed by a Special Ad Valorem Tax on Land in the 70th Street Subwatershed Special Tax District, adopted March 22, 2004
- Ordinance No. 1117 Amending Ordinance No. 775 (As Amended by Ordinance 1082) by adding Project No. 2004-08 to the List of Capital Water Management Facilities to be Financed by a Special Ad Valorem Tax on Land in the South Grove Subwatershed Special Tax District, adopted July 25, 2005
- Ordinance No. 1151 Amending City Code Section 515 to Repeal in its Entirety the RR, Rural Residential Overlay District, adopted May 29, 2007

Section 6. Repealer and Amendment Ordinances Not Affected by Recodification.

The following ordinances of the City are not included in the 2008 City Code and are not affected, repealed, amended or altered by the adoption of this recodification of the City Code insofar as and to the extent that these ordinances repeal various provisions of other ordinances, notwithstanding anything to the contrary contained in the Recodified City Code:

- Ordinance No. 263 Repealing Section 200, City Code – Council Rules and Procedure and Substituting in its Place a Revised Section, December 13, 1976

- Ordinance No. 272 Repealing Section 500 Titled “Planning Commissioner” and Adopting Ordinance Titled “Planning Commission,” adopted March 14, 1977
- Ordinance No. 289 Repealing City Code Section 1125.07, Issuance of License and Section 1125.15, Qualifications, within Section 1125 relating to Trades and Business Licenses and Adopting Amendments Thereto, adopted June 13, 1977
- Ordinance No. 304 Repealing City Code Section Moving Buildings and Substituting in its Place, a Revised Section, adopted October 24, 1977
- Ordinance No. 325 Amending City Code Section 405.06, Subd. 1 and 405.10, Subd. 1 and Repealing Section 405.10, Subd. 2 relating to Mobile Home Parks, adopted September 11, 1978
- Ordinance No. 333 Amending, Adding and Repealing Various Sections and Subsections of City Code Section 705 and 710 relating to Municipal Water and Sanitary Sewer Systems, adopted, adopted October 23, 1978
- Ordinance No. 334 Repealing City Code Subsections 1310.07 and 1310.09 and adding a New Subsection, adopted October 23, 1978
- Ordinance No. 339 Licensing and Regulating the Conduct of Gambling, Repealing Inconsistent Ordinances and Providing a Penalty for Violation, adopted December 26, 1978
- Ordinance No. 376 Amending City Code Section 400.13, Subd. 1a) and d); repealing Section 400.13, Subd. 1 b); and Section 400.13, Subd. 2 – Floor Areas in Residences, adopted July 14, 1980
- Ordinance No. 426 Amending City Code Section 1330 and Repealing Sections 2010.01, Subd. 3 and 2010.03, Subd. 2 and 2010.13, relating to vehicles in Public Parks, adopted June 28, 1982
- Ordinance No. 464 Repealing City Code Section 1020.15 and Amending Subsection 1010.01 relating to Bingo and License Fees, adopted August 8, 1983
- Ordinance No. 490 Repealing City Code Section 325 and Adopting an Ordinance Regulating the Maintenance and Use of a Municipal Cemetery in Inver Grove Heights, adopted August 27, 1984
- Ordinance No. 553 Deleting Sections 906.01 – recommendation of fire lanes, 906.03 – establishment of fire lanes 906.05 – erection of fire lane signs,

906.07 – sign specifications, 906.09 – parking, 906.11 – violations, 906.13 – existing fire lanes, and adding new Sections 906.01 – establishment of fire lanes, 906.03 – erection of fire lane signs, 906.05 – sign specifications, 906.07 – parking, 906.09 – violations, 906.11 – existing fire lanes, 906.13 – maintenance and 906.15 – appeals, adopted July 14, 1986

Ordinance No. 780 Repealing City Code Section 517 and Adding a New Section 517 Relating to Shoreland Zoning, adopted April 12, 1993

Ordinance No. 794 Amending Sections 415, 515.03, 515.11, 515.31, 515.33, 515.35, 515.39, 515.41, 515.43, and 515.49 Regulating Signs and Billboards, adopted October 11, 1993

Section 7. General Repeal of Prior Ordinances.

All ordinances and parts of ordinances of a general or permanent nature passed and approved prior to the passage and approval of this recodification of the City Code and in conflict with the Recodified City Code or with any provisions of any part of the ordinances in the Recodified City Code are hereby repealed, provided that in construing the provisions of this Ordinance the following ordinances and code provisions shall not be considered to be ordinances of a general or permanent nature and are thereby unaffected by this recodification and shall remain in full force and effect notwithstanding the foregoing and notwithstanding anything to the contrary contained in the Recodified City Code :

1. Any ordinances or provisions of ordinances prior to Ordinance Number 1176 that repealed another ordinance or any provision thereof;
2. Ordinances vacating streets and alleys;
3. Ordinances authorizing or directing public improvements to be made;
4. Ordinances levying taxes or special assessments;
5. Ordinances granting a franchise or special license to persons, firms, or corporations;
6. Ordinances annexing property;
7. Ordinances rezoning property;
8. Ordinances providing for the issuance of bonds or other instruments of indebtedness;
9. Ordinances establishing grades;
10. Ordinances creating any watershed management tax districts;

11. Ordinances establishing or modifying Planned Unit Developments (“PUDs”); and
12. Ordinances establishing subdivision regulations for specific PUDs and any amendments to such ordinances;
13. Ordinances approving or modifying PUD development plans; and
14. Real estate transactions.

Section 8. Appendix.

The City Clerk may maintain an Appendix to the 2008 City Code to assist the City Council, City Staff, and the public to easily locate certain ordinances and other relevant materials. The Appendix shall not be considered to be a part of the 2008 City Code, but may contain this Enacting Ordinance, a list of all ordinances adopted by the City Council, all franchise agreements, all PUDs, and all tax, watershed, or other special districts, as well as such other documents of ongoing significance and effect as may be desirable as a reference tool for the City Council, City Staff, and the public.

Section 9. Adoption and Approval.

- 9.1 The City Council hereby declares that this recodification is to be prima facie evidence of the law of the City of Inver Grove Heights
- 9.2 The Recodification of the City Code and City Zoning Ordinance, including the amendments contained therein, which shall be known as the “2008 Inver Grove Heights City Code,” is hereby adopted and enacted and is hereby incorporated herein and made a part hereof as if fully set forth herein.
- 9.3 The summary of the recodified City Code and City Zoning Ordinance is approved.

Section 10. Publication.

- 10.1 The Deputy City Clerk is authorized and directed to prepare sufficient copies of the Recodification for use by the City Council, staff and for general distribution to the public in accordance with the City’s policies regarding distribution and availability of City Documents.
- 10.2 The Deputy City Clerk is directed to distribute one copy of the 2008 Inver Grove Heights City Code to the Inver Glen public library and the Dakota County Law Library and to maintain one or more copies for viewing and use by the general public at City Hall during regular business hours.
- 10.3 The Deputy City Clerk is directed to publish the summary of this Ordinance in the City’s official newspaper.

10.4 The Deputy City Clerk is directed to publish this Recodification online.

Section 11. Effective Date and Savings Clause.

11.1 This Ordinance shall be effective from and after its passage and the publication of the ordinance summary according to law.

11.2 Nothing in the Recodification of the City Code and City Zoning Ordinance is intended, or shall be construed, to modify, abrogate or abridge:

11.2.1 The rights, duties, liabilities, privileges or immunities of the City;

11.2.2 The qualifications or terms of office of City officers as they exist on the effective date of the Recodification.

Passed this _____ day of _____, 2009.

Mayor George Tourville

Attest

Melissa Rheume

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER THE FIRST READING OF AN ORDINANCE ESTABLISHING REQUIREMENTS FOR PEDDLERS AND SOLICITORS

Meeting Date: June 22, 2009
Item Type: Regular
Contact: JTeppen, Asst City Admin
Prepared by:
Reviewed by:

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 Consider the first reading of an ordinance establishing requirements for peddlers and solicitors.

SUMMARY The City Council has asked staff to prepare an ordinance for their review regarding peddlers and solicitors. Attached is a draft for consideration. This ordinance is modeled on a recent ordinance drafted by the City Attorney and adopted by the City of Sunfish Lake and hopefully follows Council's desire for simplicity.

Staff suggests that the Council consider setting the fee amount at \$150. If that is agreeable, we will return with an amendment to the resolution that sets fees at the third reading of this ordinance.

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

ORDINANCE NO. 09-_____

**AN ORDINANCE ESTABLISHING REQUIREMENTS FOR
PEDDLERS AND SOLICITORS
IN THE CITY OF INVER GROVE HEIGHTS**

The City Council of Inver Grove Heights hereby ordains:

SECTION 1. The Inver Grove Heights Code is amended by adding the following section:

Section XXX. Peddlers and Solicitors

Section XXX.01. Purpose. The City has the authority to regulate nuisances created by certain business practices under the police power. It is the purpose and intent of this Section to establish regulations relating to Peddlers and Solicitors as specifically authorized by Minnesota Statutes Sections 329.15 and 412.221 Subd. 19.

Section XXX.03. Definitions. The following definitions shall apply in the interpretation and enforcement of this Ordinance:

Subd. 1. Peddler: A Peddler means a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of offering for sale, displaying or exposing for sale, selling or attempting to sell, and delivering immediately upon sale, the goods, wares, products, merchandise, or other personal property, that the person is carrying or otherwise transporting. The term "Peddler" also includes the term "hawker."

Subd. 2. Person: A person means an individual, group, organization, corporation, partnership or association. As applied to groups, organizations, corporations, partnerships and associations, the term shall include each member, officer, partner, associate, agent or employee.

Subd. 3. Police Chief: Police Chief means the Inver Grove Heights Police Chief.

Subd. 4. Solicitor: A Solicitor means a person who goes from house-to-house, door-to-door, business-to-business, street-to-street, or any other type of place-to-place, for the purpose of obtaining or attempting to obtain orders for goods, wares, products, merchandise, other personal property, or services, of which a person may be carrying or transporting samples, or that may be described in a catalog or by other means, and for which delivery or performance shall occur at a later time.

The absence of samples or catalogs does not remove a person from the scope of this provision if the actual purpose of the person's activity is to obtain or attempt to obtain orders as discussed above. The term "Solicitor" also includes the term "canvasser."

Section XXX.05. Exceptions. For the purpose of this Section, the terms "Peddler" and "Solicitor" shall not apply to the following:

Subd. 1. Auctions. Any persons conducting an auction with a licensed auctioneer.

Subd. 2. Court-Ordered Sales. Any officer of the court conducting a court-ordered sale.

Subd. 3. Customer Route Sales. Any person who makes initial contacts with other people for the purpose of establishing or trying to establish a regular customer delivery route for the delivery of perishable food and dairy products such as baked goods, frozen goods and milk, or any person making deliveries of perishable food and dairy products to the customers on an established regular delivery route.

Subd. 4. Exercise of Constitutional Rights. Any person going from house-to-house, door-to-door, business-to-business, street-to-street, or other type of place-to-place when that activity is for the purpose of exercising that person's State or Federal Constitutional rights (i.e., freedom of speech, press, religion, etc.), except that this exemption may be lost if the person's exercise of Constitutional rights is merely incidental to a commercial activity. However, professional fundraisers working on behalf of an otherwise exempt person or group must comply with the licensing requirements in Section XXX.07.

Subd. 5. Flea Markets. Any person participating in an organized multi-person bazaar or flea market, when there are no more than two such sales in each calendar year and the sale lasts no longer than one week.

Subd. 6. Garage Sales. Any person conducting the type of sales commonly known as garage sales, rummage sales, or estate sales, when there are no more than two such sales in each calendar year and the sale lasts no longer than one week.

Subd. 7. Isolated Sales. Any isolated or singular sale of property.

Subd. 8. Wholesalers. Any person selling or attempting to sell any goods, wares, products, merchandise or other personal property to a retailer at wholesale.

Section XXX.07. License Required. No person may conduct business as a Peddler in the City without obtaining a license from the City Council. A separate license is required for each person engaging in the proposed activity.

Subd. 1. Contents of License Application. The application shall contain the following information:

- a. Name, address, date of birth, driver's license number and contact information of applicant.
- b. Name, address and contact information of employer.
- c. Description of the product being sold.
- d. Length of time desired for the business activity.
- e. Employer's Minnesota tax identification number.

Subd. 2. Background Investigation. A background investigation shall be required, for which the appropriate fee must be paid. Following completion of the background investigation, the Police Chief shall make a recommendation to the City Council as to the applicant's fitness for approval.

Subd. 3. Action by City Council. The application shall be submitted at least 30 business days before the applicant desires to conduct business. The City Council will

either grant or deny the license within 30 days after a completed application has been submitted, based on a recommendation of the Police Chief.

Subd. 4. Photo Identification Required. No Peddler may conduct business within the City without obtaining a photo identification card authorized by the City.

Subd. 5. Fee. The license fee, photo identification card fee, and background investigation fee are established by City Council Resolution.

Subd. 6. License Term. The term of the license shall be the lesser of either the length of time set forth in the application for which the applicant desires to conduct the business activity, or twelve months from the date the license is approved by the City Council.

Section XXX.09. Registration Required. All Solicitors, farmers selling produce, and non-profit, charitable, religious organizations or public or private schools engaging in activities described in Section XXX.03 subdivisions 1 or 4 are required to obtain a Certificate of Registration from the City Clerk. A registration application may be submitted on behalf of a group or organization, however, each person who will be engaging in the proposed activity shall be listed on the application.

Subd. 1. Contents of Registration Application. The application shall contain the following information:

- a. Name, address, date of birth, driver's license number and contact information of applicant.
- b. Name, address and contact information of employer, if related to the business activity.
- c. Description of the product being sold.
- d. Length of time desired for the business activity.
- e. Employer's Minnesota tax identification number.
- f. Name and address of each person who will be engaging in the proposed activity.

Subd. 2. Farmer's Produce. Any person selling or attempting to sell, or to take or attempting to take orders for any products of the farm or garden occupied and cultivated by the applicant shall provide the following additional information:

- a. The location or locations within the City where the proposed selling or peddling will be conducted.
- b. The address or specific location of the farm or garden upon which the produce was cultivated or obtained.
- c. A written acknowledgment that the produce of the farm or garden was from lands of and cultivated by the applicant.
- d. Written permission of the property owner for any property to be used for the proposed selling or peddling.

Subd. 3. Background Investigation. A background investigation of the applicant may be conducted at the discretion of the Council, but no fee shall be required of the applicant.

Subd. 4. Action by City Clerk. The application shall be submitted at least 30 business days before the applicant desires to conduct business. Upon receipt of a completed application, the City Clerk shall grant or deny the issuance of a Certificate of Registration, based on a recommendation of the Police Chief.

Subd. 5. Registration Fee. No registration fee is required.

Subd. 6. Registration Term. The term of the registration shall be the lesser of either the length of time set forth in the application for which the applicant desires to conduct the business activity, or twelve months from the date the registration is approved by the City Clerk.

Section XXX.11. Conditions of Licenses And Certificates of Registrations.

Subd. 1. Display. Every licensee shall display the photo identification card on his or her person in a conspicuous place showing the license number and photo identification card.

Subd. 2. Production of Photo ID, License and Certificate of Registration. Every licensee shall produce and show the photo identification card and license number and every Registrant shall produce and show the Certificate of Registration upon the request of a resident, police officer or City-identified staff person.

Subd. 3. Non-Transferable. No license or Certificate of Registration is transferable from one person to another. Each person shall obtain a separate license and each group or organization shall obtain a separate Certificate of Registration.

Subd. 4. Conduct of Business. No Peddler or Solicitor shall conduct business in any of the following manners:

- a. Calling attention to his or her business or items to be sold by means of blowing a horn or whistle, ringing a bell, crying out, or by any other noise so as to be unreasonably audible within an enclosed structure.
- b. Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk or other public right-of-way.
- c. Conducting business in such a way so as to create a threat to the health, safety and welfare of any individual or the public.
- d. Conducting business before 8:00 a.m. or after 9:00 p.m.
- e. Failing to provide proof of license, registration, or identification, when requested.
- f. Using the license or registration of another person.
- g. Making any false or misleading statements about the product or service being sold, including untrue statements of endorsement. No Peddler or Solicitor shall claim to have the endorsement of the City solely based on the City having issued a license or Certificate of Registration.

- h. Remaining on the property of another when requested to leave, or to otherwise conduct business in a manner a reasonable person would find obscene, threatening, intimidating, or abusive.

Subd. 5. Exclusion By Placard. Unless invited to do so by the property owner or tenant, no Peddler or Solicitor shall enter the property of another for the purpose of conducting business as a Peddler or Solicitor when the property is marked with a sign or placard at least 3¾ inches long and three and ¾ inches wide with print of at least 48 point in size stating “No Peddlers or Solicitors,” or “Peddlers or Solicitors Prohibited,” or other comparable statement. No person other than the property owner or tenant shall remove, deface or otherwise tamper with any sign or placard under this Section.

Section XXX.13. Revocation, Suspension or Denial of License or Certificate of Registration.

Subd. 1. Grounds for Denial, Suspension or Revocation. A license or Certificate of Registration may be revoked, suspended or denied for one or more of the following reasons:

- a. The proposed use does not comply with the Zoning Code.
- b. The applicant has failed to pay any of the appropriate fees.
- c. The applicant has made fraudulent statements, misrepresentations, or false statements on the application or as part of the background investigation.
- d. Conviction of any crime directly related to the business or activity being applied and failure to show sufficient rehabilitation and present fitness to perform the duties of the business.
- e. Conducting the business activity in such a manner as to constitute a breach of the peace, menace to the health, safety and welfare of the public, or a disturbance of the peace or comfort of the residents of the City, upon a recommendation of the Police Chief or an appropriate City Official.
- f. Actions unauthorized or beyond the scope of the license or Certificate of Registration.
- g. The applicant’s license or Certificate of Registration has been denied, revoked or suspended by the City or another governmental unit in the past.
- h. Violation of any regulation or provision of the City Code or Zoning Code applicable to the activity for which the license or Certificate of Registration has been granted, or any regulation or state law that may be applicable.
- i. Other good cause.

Subd. 2. Action on License. Before the suspension or revocation of any license, the City must provide written notice informing the licensee of the right to a hearing.

- a. Notice. The notice must be served at least 20 days prior to the time and place of the hearing and state the grounds for suspension or revocation.

The notice must be served upon the licensee personally or by certified mail to the address listed on the license application.

- b. Hearing. A hearing will be conducted before the City Council. At the hearing, the licensee has the right to be represented by counsel, the right to respond to the charges, the right to present evidence through witnesses under oath and the right to confront and cross-examine witnesses under oath.
- c. Final Decision of the City Council. Following the hearing, the City Council may choose to suspend, revoke or take no action on the license. The decision of the City Council following a hearing is final.

Subd. 3. Action on Certificate of Registration. A Certificate of Registration may be revoked, suspended or denied by the City Clerk following a recommendation of the Police Chief, based on a reason stated in Section XXX.13 subd. 1.

XXX.15. Penalties. Any person who violates a provision of this Section is guilty of a misdemeanor. Each day on which a violation occurs or continues is a separate violation.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after its adoption and publication according to law.

Passed this _____ day of July, 2009.

George Tourville, Mayor

ATTEST:

Melissa Rheume, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Graffiti Ordinance – First Reading

Meeting Date: June 22, 2009
Item Type: Consent
Contact: Lt. Larry Stanger (651) 450-2528
Prepared by: Lt. Larry Stanger
Department of Public Safety
Reviewed by: Chief Charles Kleckner
Director of Public Safety

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:

Consider First Reading of a Graffiti Ordinance.

SUMMARY:

At the direction of City Council at the June 8, 2009 Study Session, please find attached a draft ordinance related to Graffiti prepared by the City Attorney's office.

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

ORDINANCE NO. _____

**AN ORDINANCE ENACTING CITY CODE SECTION __, _____
RELATING TO GRAFFITI**

The City Council of Inver Grove Heights does hereby ordain:

Section 1. ENACTMENT. Section _____ of the City Code is hereby enacted as follows:

FINDINGS.

The City Council of the City of Inver Grove Heights makes the following findings regarding the need to promptly remove graffiti from private and public property:

- a. Graffiti constitutes a form of vandalism defacing public and private property without the permission of the owner, and causing citizens, businesses and the City to incur the cost of repair and removal.
- b. Graffiti is a visual symbol of disorder eroding public safety, contributing to a downward spiral of blight and decay, lessening property values, business viability and ultimately tax revenues and, as such, is inconsistent with the City's property maintenance goals and aesthetic standards.
- c. There is substantial evidence that prompt eradication of graffiti is an effective prevention strategy that discourages its return, while failure to promptly remove graffiti increases the likelihood that more graffiti will occur on the same site and on other nearby property.
- d. The failure to maintain one's property by removing graffiti after being ordered by the City to do so within a reasonable period of time is injurious to the public health, safety, morals and general welfare of the residents of the City.

DEFINITION.

"Graffiti" means any unauthorized inscription, word, figure, painting, or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of a permanent structure, fixture or object, including but not limited to: buildings, walls, fences, bridges, benches, shelters, sidewalks, hydrants, fountains, pavement, curbs, trees, rocks, signs, utility poles or boxes situated on public or private property to the extent that the inscription, word, figure, painting or other defacement was not authorized in advance by the responsible party for the property.

GRAFFITI VANDALISM.

It shall be unlawful for any person to intentionally place or apply, or attempt to place or apply, graffiti on any surface of a permanent structure, fixture or object located on public or private real property within the City without the advance authorization of the property owner.

REMOVAL OF GRAFFITI.

- a. **By perpetrator.** Any person applying graffiti on public or private property has the duty to remove the graffiti within 24 hours after being given notice by the City or property owner. This removal must be done in a manner prescribed by the city administrator, chief of police, code compliance specialist or their designees. Any person applying graffiti is responsible for the removal or for the payment of the removal. Failure of any person to remove graffiti or pay for the removal will constitute an additional violation of this ordinance. If graffiti is applied by a person under 18 years old, the parents or legal guardian will also be responsible for such removal or for the payment for the removal. Notice shall be served as provided in this ordinance.
- b. **By property owner.** If graffiti is not removed by the perpetrator according to the previous section, the City may order that the graffiti be removed by the property owner or any person who may be in possession or who has the right to possess such property. The graffiti must be removed within 7 days unless a different time frame is specified in the notice. Notice shall be served as provided in this ordinance.

NOTICE.

The City shall cause written notice to be served on the perpetrator or owner of the property by personal service or by certified mail, ordering the perpetrator or owner to remove the graffiti within the time frame specified in the notice. The notice shall contain a description of the property, the location of the graffiti, and inform the perpetrator or owner that failure to comply with the notice may result in the imposition of a misdemeanor criminal citation.

PENALTY.

Violation of this ordinance shall be punishable as a misdemeanor under Minnesota law.

Section 2. EFFECTIVE DATE. This ordinance shall be effective from and after its passage and publication according to law.

Passed this _____ day of _____, 2009.

Ayes ____

Nays ____

George Tourville, Mayor

Attest

Melissa Rheaume, Deputy City Clerk