



INVER GROVE HEIGHTS CITY COUNCIL AGENDA
MONDAY, JULY 27, 2009
8150 BARBARA AVENUE
7:30 P.M.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PRESENTATIONS:**

A. Assistance to Firefighter Grant – Judy Thill

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 – July 13, 2009 Regular Council Meeting _____

B. Resolution Approving Disbursements for Period Ending July 22, 2009 _____

C. Change Order No. 1 for National Guard Armory Gym Floor Replacement _____

D. Final Compensating Change Order No. 3, Final Pay Voucher No. 6, Engineer’s Final Report, and Resolution Accepting Work under the 2008 Pavement Management Program, City Project No. 2008–09H – South Grove Sod Replacement Project _____

E. Change Order No. 4 and Pay Voucher No. 13 for City Project No. 2003–15, Northwest Area Trunk Utility Improvements _____

F. Accept Proposal for Street Patching Services _____

G. Consider Purchase of Water Heaters at the VMCC _____

H. Consider Hiring Consultant for Operational Assessment of Inver Wood Golf Course _____

I. Approve Resolution Authorizing Execution of Joint Traffic Safety Project Grant Awarded for the Period from October 1, 2009 through September 30, 2010 _____

J. Consider Approval of Charitable Gambling Premises Permit – IGH Hockey _____

K. Schedule Public Hearing

L. 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:

ADMINISTRATION:

A. CITY OF INVER GROVE HEIGHTS; Consider Approval of Additional Cost for City Project No. 2008-18, Public Safety Addition/City Hall Renovation _____

COMMUNITY DEVELOPMENT:

B. HERDTLE; Consider a Resolution relating to a Variance to encroach within the front yard setback for a porch addition for property located at 7710 Banks Path _____

ADMINISTRATION CONT.:

C. CITY OF INVER GROVE HEIGHTS; Consider the following actions:

i) Consider Third Reading of an Ordinance Adopting the Re-codification of the City Code Including the City Zoning Ordinance _____

ii) Consider Resolution Adopting for Publication the Summary and Title of the Ordinance Adopting Recodification of the 1974 Code of City Ordinances _____

D. CITY OF INVER GROVE HEIGHTS; Consider First Reading of an Ordinance Amendment relating to Off Sale Intoxicating Liquor Licenses _____

E. CITY OF INVER GROVE HEIGHTS; Consider Third Reading of an Ordinance Amending Sec. 1500 of the City Code _____

F. CITY OF INVER GROVE HEIGHTS; Consider Third Reading of an Ordinance Amending Section 115 of the City Code _____

G. CITY OF INVER GROVE HEIGHTS; Consider the following Actions:

i) Consider Third Reading of an Ordinance Establishing Requirements for Peddlers & Solicitors _____

ii) Consider Resolution Adopting Fees with Respect to a Peddler's License _____

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

PUBLIC WORKS:

I. CITY OF INVER GROVE HEIGHTS; Consider Appointment of Alternate to the Gun Club Lake Watershed Management Organization Board _____

J. CITY OF INVER GROVE HEIGHTS; Clayton Avenue Boulevard Restoration _____

8. MAYOR AND COUNCIL COMMENTS

9. ADJOURN

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

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

3. PRESENTATIONS:

4. CONSENT AGENDA:

Councilmember Grannis removed Item 4I, Resolution Adjusting the Price of Contract with Stonebrooke Engineering for Engineering Final Design Services and Construction Phase Services for City Project No. 2009-01, Trunk Highway 3 and Proposed 80th Street (CSAH 28) Intersection Improvements, from the Consent Agenda.

Councilmember Piekarski Krech removed Item 4M, Consider Allowing Contractor to Begin Work Before 7AM, from the Consent Agenda.

- A. Minutes – June 22, 2009 Regular Council Meeting
- B. **Resolution No. 09-133** Approving Disbursements for Period Ending July 8, 2009
- C. **Resolution No. 09-134** Approving Final Payment for Groveland Lighting Project 2005-04 and North Valley Lighting Project 2007-10
- D. Consider Pay Voucher No. 1 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- E. Consider Change Order No. 1 and Pay Voucher No. 1 for City Project No. 2009-09D, South Grove Urban Street Reconstruction – Area 4
- F. Consider Pay Voucher No. 1 for City Project No. 2007-17, Clark Road Extension
- G. Consider Change Order No. 4 and Pay Voucher No. 9 for City Project No. 2003-03, Southern Sanitary Sewer System Improvements
- H. Land Alteration Permit No. A-122-09 – Starfire Property
- J. **Resolution No. 09-136** Approving a Right of Entry and Waiver of Trespass Agreement, Permanent Utility and Drainage Easement, and Raingarden Maintenance Agreement with Rolling Meadows Cooperative relating to City Project No. 2009-09D, South Grove Street Reconstruction Area 4
- K. Accept Proposal for Geotechnical Testing Services of American Engineering Testing, Inc. for City Project No. 2008-11, Southern Sanitary Sewer East Segment Improvements
- L. **Resolution No. 09-137** Terminating Contract for City Project No. 2008-22, Bohrer Pond Shoreland Protection Project
- N. Approve Expenditure of Funds to Purchase Computer Server
- O. Renew Optional 2AM Liquor License – Grove Bowl, Inc. dba Drkula's
- P. Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

I. Resolution Adjusting the Price of Contract with Stonebrooke Engineering for Engineering Final Design Services and Construction Phase Services for City Project No. 2009-01, Trunk Highway 3 and Proposed 80th Street (CSAH 28) Intersection Improvements

Councilmember Grannis questioned why Stonebrooke did not submit the plans to the State Aid office for review until after they were completed.

Mr. Thureen responded that the City did not originally plan to apply for state aid. He stated the City initially applied for cooperative agreement funding and then decided to apply for state aid to cover the City's portion of the project costs.

Councilmember Grannis asked why multiple design options relating to the infiltration basins were needed and why an area of the design was moved out of right-of-way.

Mr. Thureen stated the design that was initially proposed did keep the project in the right-of-way. He explained the plans were redesigned because MN/DOT wanted to move an area of concern out of the right-of-way.

Councilmember Grannis clarified that Mn/DOT forced the change. He asked why additional money was requested for agreement assistance. He questioned how the work that was done was different from what would normally be done for this type of project that requires the City, County and State to agree.

Mr. Thureen responded that the way the scope of the project was designed it was unclear what was going to be required for approval and in the end Mn/DOT thought it would be best to have maps. He stated the additional money requested from Stonebrooke was for a number of exhibits that were prepared for County and State approval.

Motion by Klein, second by Madden, to adopt Resolution No. 09-135 Adjusting the Price of the Contract with Stonebrooke Engineering for Engineering Final Design Services and Construction Phase Services for City Project No. 2009-01, Trunk Highway 3 and Proposed 80th Street (CSAH 28) Intersection Improvements

Ayes: 5

Nays: 0 Motion carried.

M. Consider Allowing Contractor to Begin Work Before 7AM

Councilmember Piekarski Krech expressed concerns regarding noise levels and stated she wants to make sure the neighbors are not negatively impacted.

Mr. Lynch stated that the majority of the noise should occur in the next two weeks. He noted the amended work hours would not pertain to the entire construction project, only through the end of September, 2009.

Councilmember Piekarski Krech stated she is concerned with how far the noise will carry.

Councilmember Grannis stated he had similar concerns but did not see a big difference between the equipment the contractor will be using and the equipment already being used at that time of day by City staff.

Councilmember Piekarski Krech commented that they owe it to the residents to be thoughtful.

Mayor Tourville suggested that if complaints are received staff may have to tell Shaw-Lundquist to cease work prior to 7 a.m.

Motion by Piekarski Krech, second by Klein, to allow Shaw-Lundquist to begin work at 6:30 a.m. through the end of September, 2009

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Rich Burrows stated he recently moved from the South Grove area and has money being held in an escrow account to pay for the pending assessments from last year's project. He asked when the final assessments would be calculated so he can get his money out of escrow.

Mr. Thureen responded that the City has not made the final payment to the contractor. He stated after the final payment has been made the assessments would be calculated and an assessment hearing would be scheduled to adopt the final assessment roll. He noted staff would try to expedite the process as much as possible.

Councilmember Madden asked that staff expedite the process because it also affects other residents in the neighborhood.

6. PUBLIC HEARINGS:**7. REGULAR AGENDA:****PARKS AND RECREATION:****A. CITY OF INVER GROVE HEIGHTS; Consider Approval of Comprehensive Trail Plan**

Mr. Carlson explained the City has been working on two separate but connected documents regarding the future of parks and trails in the community. He stated at this level of planning the specific details regarding trail locations, widths and costs have not been decided and the plan is a concept of what may be done at some point in the future. He reviewed comments received from the Metropolitan Council regarding the proposed trails in the draft plan. He stated the Parks and Recreation Advisory Commission reviewed the issue and recommended approval of the trail plan with several exceptions including: the removal the trail shown along Barnes Avenue, removal of the trail shown along Courthouse Boulevard across from the United Properties Development, and removal of the trail along Annalisa Path and Ann Marie Trail East. He explained that if the City Council proceeds with removal of those trails, the Planning Commission would be required to hold a public hearing and the plan would have to be re-submitted to the Metropolitan Council for review.

Mr. Link added that the trails being considered for removal are city trails and the Metropolitan Council should not have issues with their removal from the plan.

Kirk Lindberg, 8799 Audubon Rd., stated that the Parks and Recreation Commission listened to the residents' comments and made some minor changes to the plan. He urged the Council to continue following that process. He commented on a trail that was put in the fact that he does not see many people using it. He referred to the difficulties with slopes and the grades in the area and said several of the trails on the plan are not feasible. He asked that the Parks and Recreation Commission's recommendation be followed.

Darlene Grannis, 9249 Barnes Ave., commented that there would be a number of safety concerns associated with a trail along Barnes Avenue. She stated that residents already encounter safety issues with getting on and off Barnes Avenue to and from their homes because of the topography of the street and the speed with which people travel. She stated that a trail would only add to the problems and it would not be safe.

Amy Hunting, 2645 96th St. E., stated she was very happy to see a trail proposed for 96th Street. She commented that this would allow for safe travel from one area to another.

Tim Sweeney, 9223 Barnes Ave., asked if there is ever a time that there would be changes to the master Plan and what would prompt those changes.

Mayor Tourville responded that zoning changes have effects on the plan. He stated that the Metropolitan Council give final approval of the Comprehensive Plan, but changes first have to be approved by the

Council.

Councilmember Piekarski Krech stated that development also spurs changes to the plan.

Mr. Sweeney stated he would like to follow the recommendation of the Parks and Recreation Commission.

MaryAnn Sweeney, 9223 Barnes Ave., said she is against putting a trail along Barnes Avenue and supports the Parks and Recreation Commission's recommendation.

Mike Knapp, 8700 Ann Marie Trail, stated his street is developed and there is no room for a trail. He stated he is against the trail and believes it will reduce the value of his property. He commented he is also concerned about it being a trail to nowhere. He asked that the trail be removed from the plan.

Ann, 9047 Barnes Avenue, stated she was also opposed to the trail along Barnes Avenue because it appears to be a trail to nowhere. She stated Barnes Avenue is not safe for pedestrian travel.

Lee Lindberg, 8965 Alfa Lane, stated he hopes the Parks and Recreation Commission's recommendation is taken into account. He suggested that the trails be looked at from a safety standpoint as to whether they should be on the Comprehensive Plan.

Gretchen Koestler, 10081 Barnes Ave., stated she did not want a trail along Barnes Avenue.

Dennis Schueller, 8081 Carmen Ave. E., asked the City Council to take into consideration the opinions of several of the Parks and Recreation commissioners that were not in favor of removal of the trails from the plan. He discussed Barnes Avenue and stated that it is a dangerous road and it is not safe for pedestrian or bike traffic and it may be best to have a path on one side to provide safe access to Rich Valley. He agreed that the trail along Annalisa and Ann Marie trail was not necessary.

Martin Silvi, PRAC Commissioner, stated Rich Valley Park is a destination that parents drive their kids to. He added that a trail along Barnes Avenue would not serve anyone.

Councilmember Klein stated he agrees with the Parks and Recreation Commission's recommendations on the removals. He clarified that the trail would not be going down Inver Grove Trail.

Councilmember Madden stated he also agrees with the Parks and Recreation Commission. He talked about the cost to maintain the trail and questioned why money would be spent to have a trail that people do not want.

Councilmember Piekarski Krech stated any major city streets should have sidewalks or trails to promote other modes of transportation from neighborhood to neighborhood. She commented that the City needs to plan for pedestrian traffic.

Councilmember Grannis stated that the plan shows a trail on 96th Street going through to Rich Valley and clarified that 96th Street does not connect to Rich Valley Boulevard. He stated that trail should be removed. He commented that the majority of the people on the East side of Barnes Avenue do not want a trail and he agrees with the Parks and Recreation Commission's recommendation.

Mayor Tourville noted that the 96th Street trail was not discussed at Parks and Recreation Commission meeting. He stated he feels that there needs to be more discussion and information regarding the trail along Courthouse Boulevard. He stated he supports removing the trail along Barnes Avenue from the plan.

Motion by Piekarski Krech, second by Grannis, to remove all trails that do not currently exist from the Comprehensive Trail Plan and to look at future trails on a case by case basis.

Ayes: 2 (Grannis, Piekarski Krech)

Nays: 3 (Klein, Madden, Tourville)

Motion failed.

Councilmember Piekarski Krech asked if future trails had to be on the Comprehensive Plan.

Mr. Kuntz responded that it would put the City in a difficult position with future developers to ask that a trail

be built if it was not on the Comprehensive Plan.

Councilmember Madden that money should not be spent on a trail that people do not want.

Councilmember Grannis noted he has heard from residents along Courthouse Boulevard that are opposed to a trail.

Mr. Kuntz commented that the Council is only being asked to decide if the Planning Commission should hold a public hearing regarding changes to the plan.

Motion by Madden, second by Klein, to support the Parks and Recreation Commission's recommendation to remove the three trails from the Comprehensive Plan and to direct the Planning Commission to hold a public hearing to consider the changes to the Comprehensive Plan

Ayes: 3 (Tourville, Madden and Klein)

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

B. CITY OF INVER GROVE HEIGHTS; Consider Approval of Rock Island Swing Bridge Plans

Mr. Carlson explained that the Council is being asked to approve several design features regarding the Rock Island Swing Bridge. He reviewed that the City received a 1.3 million dollar Transportation Enhancement grant along with a \$100,000 from the Minnesota Historical Society. He stated staff recommended approval of Option 1 and is also seeking authorization to submit the necessary permits and Project Memorandum. He noted that approval would not commit the City to ownership of the bridge.

Jeff Johnson, SEH Inc., showed pictures of the bridge and stated that the railroad ties would need to be removed for safety purposes. He stated there is lead-based paint on the bridge and graffiti on the deck area, and the railing is a wood railing that is in poor condition. He reviewed all of the improvements included in Option 1. He presented the preliminary cost summary and stated the construction cost of option 1 is \$1,680,000 and the estimated annual maintenance cost would be \$42,500.

Councilmember Klein stated there are still other grants that can be applied for to help defray some of the costs and noted there is a lot of interest in the preservation of this landmark.

Councilmember Madden stated that they need to take into account the amount of money it may cost the City to maintain the structure.

Mayor Tourville suggested that it may be beneficial to spend more money on the initial improvements to reduce the annual maintenance costs.

Mr. Johnson commented that bids have been coming in approximately 10-20% lower than the estimates on state projects.

Ed Gunther, 6671 Concord Blvd., stated the rails should be kept on the top and because it is an important part of the historical value of the bridge.

Mr. Johnson explained that from a liability standpoint people can get up on top and walk on the rail.

Loren Scherff, 1320 105th Street East, expressed concerns about the City taking over the liability for the bridge.

Mayor Tourville stated that if the bridge is not safe they are not going to do it. He noted they are looking at bike and pedestrian traffic.

Motion by Klein, second by Piekarski Krech, to approve Rock Island Swing Bridge Plan Option 1

Ayes: 5

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider Approval of Inver Wood Golf Course Operational Assessment Committee Makeup

The City Council discussed the options to appoint member to the assessment committee and decided to appoint all applicants.

Mr. Lynch noted that a schedule would need to be established.

Motion by Piekarski Krech, second by Madden, to appoint Tom Bartholomew, Andy Hansen, Dave Lesch, Donavon Roberts, Jim Laska, Joel Johnson, Kevin Finley, Manny Krug, Matt Hunt, Jerry Schommer, Jim Corcoran, Richard Lanpher, and Paul Engleson to the Inver Wood Golf Course Operational Assessment Committee

Ayes: 5

Nays: 0 Motion carried.

COMMUNITY DEVELOPMENT:

D. TOTAL HOMES PLUS; Consider Resolution relating to a Conditional Use Permit to exceed the allowed maximum impervious surface coverage on a lot not meeting the minimum lot size requirements for property located at 3820 74th Street

Mr. Link explained that the property owner would like to construct a garage on his property with a driveway leading up to it. He stated the lot is 9,855 square feet which is 20% smaller than what is required by the Zoning Code for a minimum lot size in the R-1C district. He noted that the property does not have an attached or detached garage, and the construction of a garage would exceed the impervious surface maximum on the property. He stated the total proposed impervious surface on the lot would approximately be 31% whereas 25% is the maximum allowed. He explained lots that do not meet the minimum lot size requirements in the R-1 district require a conditional use permit to exceed the allowed 25% maximum impervious surface provided the conditions of the staff report are met. He added that the property owner was working with staff and the City Engineering department to meet the conditional use criteria. He stated both Planning staff and the Planning Commission recommended approval of the request with the conditions as outlined in the resolution.

Councilmember Grannis asked if there was a cap on the amount of impervious surface coverage.

Mr. Link responded it was capped at 30% and noted there was still an exception for smaller lots.

The applicant's representative stated they have agreed to staff's conditions of approval.

Motion by Klein, second by Madden, to adopt Resolution No. 09-138 relating to a Conditional Use Permit to exceed the allowed maximum impervious surface coverage on a lot not meeting the minimum lot size requirements for property located at 3820 74th Street

Ayes: 5

Nays: 0 Motion carried.

E. DAHN; Consider the following requests for property located at 5645 Annette Avenue:

- i) Preliminary and Final Plat for a three-lot subdivision
- ii) Variance to allow an accessory structure on a lot without a principle structure
- iii) Variance to allow accessory structures on a lot without a principle structure for Lot 3
- iv) Variance to allow impervious surface coverage to exceed 30% maximum allowed for Lot 3
- v) Conditional Use Permit to exceed 25% impervious surface coverage in the R-1C District and in the Shoreland Overlay District for Lot 3

Mr. Link stated the property would like to plat the 2.5 acre lot into three single family lots. He explained the existing home would remain on the proposed Lot 2, and there are three detached accessory buildings on Lots 1 and 3. He stated there are two key issues and that is if the accessory structures should remain and what amount of impervious surface coverage should be allowed on the Lot 3. He stated Planning

staff did not support the proposed plat and subsequent requests as presented because the design of the plat would create a non-conforming lot in relation to impervious surface and accessory buildings on a property prior to a principle structure. He explained Planning staff would support the subdivision of the property into two lots, because leaving Lots 2 and 3 as one large lot eliminates the two variance requests needed for Lot 3. He stated the Planning Commission recommended approval of the Preliminary and Final Plat with several conditions. He stated the Planning Commission recommended denial of the variance to allow an accessory building on Lot 1 and denial of the variance to allow impervious surface coverage to exceed 30% on Lot 3. He explained the Planning Commission recommended approval of a conditional use permit to allow for impervious coverage on the lot up to 30% with conditions and approval of the variance to allow accessory buildings on Lot 3 with conditions and the hardship that it is unreasonable to remove the large structures.

Jeff Dahn, 8341 Delaney Circle, stated that he no longer needed a variance to exceed 30% impervious surface coverage on Lot 3 because he agreed to remove some of the existing impervious surface.

Mr. Kuntz questioned if Mr. Dahn's calculation of impervious coverage included the building on Lot 3.

Mr. Dahn responded his calculation was 25% impervious coverage and the building would need to be removed once a house was built on the lot.

Mr. Link clarified that the applicant would need to remove the gravel this year and the Southwest accessory building would need to be removed before a building permit is issued. He stated requests iv and v would no longer be necessary if the applicant agreed to the conditions and stated his intent to withdraw those requests. He stated the Council would still need to take action on item i-iii.

Mr. Kuntz said this would be in the developer's agreement.

Mr. Dahn formally withdrew requests iv and v.

The City Council discussed what the hardship would be for the variance requests for Lots 1 and 3.

Councilmember Madden stated the hardship could be that it is unreasonable to remove the larger structures on Lot 3.

Mr. Link stated the accessory structure on Lot 1 does not have any impact on the neighbors or on storm water and is too small to be used for a commercial use.

Councilmember Piekarski Krech suggested using the hardship rationale from staff fro Lot 1 and the rationale from the Planning Commission on Lot 3.

Mr. Kuntz asked if the applicant agreed to the condition that the buildings could not be used for commercial use.

Mr. Dahn stated he agreed with the conditions.

Motion by Piekarski Krech, second by Madden, to adopt Resolution No. 09-139 approving a Preliminary and Final Plat for a three-lot subdivision and Resolution No. 09-140 approving a Variance to allow an accessory structure on a lot without a principal structure for Lot 1 and to allow accessory structures on a lot without a principle structure for Lot 3 with the conditions as listed and the hardships as identified.

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

F. CITY OF INVER GROVE HEIGHTS; Accept Proposal for Storm Sewer Pipe Repair at South Valley Park

Mr. Thureen explained the storm sewer is being proposed to reduce the erosion that is occurring between the existing storm outlet and the bottom of the valley. He stated the erosion is affecting the City trail system in the area. He explained City staff arranged for the Parks Department to clear the trees and

brush in the ravine and fill material from the South Grove project will be used to backfill the outfall. He stated Dahn Construction submitted a quote for the work in the amount of \$15,320 and the work is proposed to be funded via the Repairs and Maintenance – Structures account.

Motion by Klein, second by Madden, to accept proposal from Dahn Construction in the amount of \$15,320 for Storm Sewer Pipe Repair at South Valley Park

Ayes: 5

Nays: 0 Motion carried.

G. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting Bids and Awarding Contract for the 2008 Pavement Management Program, City Project No. 2008-09G, Cahill Avenue/Brooks Boulevard Mill and Overlay

Mr. Thureen stated eight bids were received and opened on June 30th. He explained the low bid was submitted by Rum River Contracting in the amount of \$243,098.72. He noted this amount was \$88,628.93 less than the engineer's estimate

Councilmember Grannis asked when the mill and overlay work begin.

Mr. Thureen responded the contractor would begin in approximately two to three weeks.

Councilmember Grannis asked when the project would be completed.

Mr. Thureen responded he would check the specifications for that information.

Motion by Madden, second by Klein, to adopt Resolution No. 09-141 Accepting Bids and Awarding Contract in the amount of \$243,098.72 to Rum River Contracting for City Project No. 2008-09G, Cahill Avenue/Brooks Boulevard Mill and Overlay

Ayes: 5

Nays: 0 Motion carried.

I. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting Bids and Awarding Contract for the 2008 Pavement Management Program, City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay

Mr. Thureen stated seven bids were received and opened on July 8th. He explained the base bid was for the street reconstruction portion of the project, alternate number one was for the mill and overlay portion of the project, and alternate number two was for a trail connection. He stated the engineer's estimate for the base bid was \$932,378.00, the estimate for alternate number one was \$251,393.00, and the estimate for alternate number two was \$18,175.00. He noted the estimate for the base bid plus both alternates was \$1,201,946.00. He explained that Danner, Inc. is the apparent low bidder. He stated the low base bid is \$775,564.41, the low bid for alternate number one is \$198,867.70, and the low bid for alternate number two is \$16,681. He stated the total for base bid plus alternates is \$991,245.11, which is \$210,700.89 less than the engineer's estimate. He asked if the Council would like to postpone a decision on the project to allow staff to hold another neighborhood meeting to discuss to discuss the mill and overlay portion.

Councilmember Piekarski Krech asked how long the bids were good for.

Mr. Thureen responded 60 days.

Councilmember Klein stated that he would prefer to go ahead with the project because it needs to get done before the end of the construction season.

Bill McMenomy, 2180 63rd St. E., state the costs associated with the mill and overlay sound very reasonable. He questioned what the proposed assessment would be for the reconstruction portion.

Mr. Thureen stated the estimated assessment for the reconstruction portion is approximately the same as what was outline in the feasibility study. He noted the recommended assessment cap per parcel is \$5,000.

Mayor Tourville asked if the outstanding issues relating to the pond and drain tile installation could still be discussed.

Mr. Thureen responded there could always be change orders to the contract.

Mayor Tourville noted there are concerns in the neighborhood that the storm sewer piping may be plugged.

Paul Johnston, 2170 63rd St. E., stated he would be in favor of having another neighborhood meeting because he still has questions and concerns relating to the storm sewer system.

Ryan Wilson, 6310 Beckman Ave., stated he would like to see the assessments capped at \$5,000 per parcel with the City contributing the remaining balance. He discussed the location of the proposed trail connection and stated he is concerned with the proximity of the trail to his property and asked if a fence could potentially be installed to maintain his privacy. He also asked if he would be specially assessed for the trail.

Mayor Tourville stated that he would not be specially assessed for the trail and noted there would be further discussion regarding the trail and the potential for some sort of screening to be installed. He clarified with Mr. Thureen that the question is if a discussion should be had with the property owners in the mill and overlay area of the project.

Mr. Johnston clarified that his desire to have a neighborhood meeting is not to discuss the mill and overlay or the reconstruction but rather to address his concerns regarding the storm sewer and the holding pond near his property.

Mr. Thureen stated Council needed to identify a funding source for the trail. He noted staff recommended that park dedication funds be used.

Mr. Kuntz referred to item number three of the resolution and suggested that language be added to identify the funding source for the trail, bid alternate number two. He stated the sentence would read, "the Council reserves the right to also provide funding for the trail system through the Park Dedication fund".

Motion by Klein, second by Grannis, to adopt Resolution No. 09-142 Accepting Bids and Awarding Contract in the amount of \$991,245.11 to Danner, Inc. for City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay with the addition of language to number three of the resolution as suggested by the City Attorney to identify the funding source for bid alternate number two

Ayes: 5

Nays: 0 Motion carried.

H. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting the Proposal and Awarding Contract for Engineering Construction Services for City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay

Mr. Thureen explained that staff requested proposals from three area consulting firms to assist perform inspections for the project. He stated staff reviewed the experience of the three firms, their work scope, and the associated fee for the proposed services. He added that staff also received two proposals for geotechnical services. He stated staff recommended that the proposal from Kimley-Horn and Associates, Inc. in the amount of \$69,470 be accepted for construction services and that the proposal from AET in the amount of \$23,212.50 be accepted for geotechnical services. He noted that the geotechnical services performed by AET would be invoiced through Kimley-Horn and Associates, Inc.

Mayor Tourville stated that these services should have been bid with the rest of the project if it was known that there would not be sufficient staff to perform the duties in-house.

Mr. Thureen responded the revised estimated assessments included the costs for the services.

Motion by Klein, second by Piekarski Krech, to adopt Resolution No. 09-143 Accepting the Proposal and Awarding Contract to Kimley-Horn and Associates, Inc. for the combined amount of \$92,682.50 for Engineering Construction Services for City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay

Ayes: 5

Nays: 0 Motion carried.

J. CITY OF INVER GROVE HEIGHTS; Consider Resolution Awarding Contract for City Project No. 2009-01, Trunk Highway 3 and Proposed 80th Street (County Road 28) Intersection Improvements

Mr. Thureen stated eight bids were received and opened on July 8th. He explained the low base bid was submitted by Enebak Construction Co., in the amount of \$869,859.71. He noted the bid was \$154,197.28 lower than the engineer's estimate.

Councilmember Piekarski Krech clarified that this was for the roundabout.

Motion by Klein, second by Madden, to adopt Resolution No. 09-144 awarding contract to Enebak Construction Co. in the amount of \$869,859.71 for City Project No. 2009-01, Trunk Highway 3 and Proposed 80th Street (County Road 28) Intersection Improvements

Ayes: 4

Nays: 1 (Grannis) Motion carried.

K. CITY OF INVER GROVE HEIGHTS; Consider Resolution Accepting Quotes and Awarding Contract for City Project No. 2008-22, Bohrer Pond Shoreland Protection Project

Mr. Thureen explained the south shoreline experienced erosion due to the high water level. He stated staff contacted the DNR and the Dakota County Soil and Water Conservation District to request technical assistance for the design of a natural shoreline restoration project and the City selected a contractor to complete the project in the Spring of 2009. He explained that the contractor did not perform and the City subsequently terminated the original contract. He stated City staff requested quotes from six contractors to finish the project and three bids were received. He added the low base bid was submitted by Applied Ecological Services in the amount of \$45,365.77. He stated the project would be funded from the State Cost Share money administered through the Dakota County Soil and Water Conservation District and by the Bohrer Pond Outlet project funds. He noted that Applied Ecological Services would complete the project this fall and would perform maintenance on the plantings for two years.

Motion by Piekarski Krech, second by Grannis, to adopt Resolution No. 09-145 Accepting Quotes and Awarding Contract to Applied Ecological Services in the amount of \$45,365.77 for City Project No. 2008-22 – Bohrer Pond Shoreland Protection Project

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:

L. CITY OF INVER GROVE HEIGHTS; Consider Allocating Funds to Upgrade the Light Fixtures in the Public Works Building

Ms. Emmerich explained in an effort to identify ways in which the City can save money, staff identified an option to upgrade and replace the existing light fixtures in the Public Works building with more efficient T-8 fluorescent fixtures and to place the lights on sensors. She stated staff contacted the Center for Energy and Environment regarding rebate programs and the City was awarded a rebate in the amount of \$8,169.53. She explained staff solicited quotes from local electrical companies to perform the services and Gephart Electric submitted the low bid of \$14,370.00. She noted with the grant that was received the total cost to the City would be \$5,200.47. She added that the Center for Energy and Environment determined that the estimated annual savings in energy costs would be \$4,144.89, which equates to a rate of return of just over one year.

Mr. Lynch stated the project would be funded via the City Facilities Fund which has a current balance of approximately \$950,000.

Motion by Klein, second by Grannis, to approve Allocating Funds in the amount of \$5200.47 to Upgrade the Light Fixtures in the Public Works Building.

Ayes: 5

Nays: 0 Motion carried.

M. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Amending Sec. 1500 of the City Code

Ms. Teppen stated this is the second reading of an ordinance amendment that would reduce the compliance time for grass and weed violations from 15 days to 7 days. She explained that if the violation is not corrected within 7 days the City would abate and assess the costs associated would be assessed to the property.

Motion by Grannis, second by Madden, to approve the Second Reading of an Ordinance Amending Sec. 1500 of the City Code

Ayes: 4

Nays: 1 (Piekarski Krech) Motion carried.

N. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Amending Section 115 of the City Code

Ms. Teppen stated this is the second reading of an ordinance amendment that would grant the code compliance specialist the authority to issue citations for violations of the code. She explained at the first reading the Council requested information regarding the number of citations issued in the past year as well as the nature of the citations. She stated the Code Compliance Specialist opened 237 cases in the past year and issued five (5) citations.

Councilmember Madden reviewed the violations for which the five citations were issued and stated there was no reason to tie up a police officer to issue a citation for nuisance violations.

Ms. Teppen added that the Code Compliance Specialist works with the property owners to correct a violation in a timely manner and a citation is issued only as a last resort.

Councilmember Piekarski Krech stated she had a problem with most of the contact between the Code Compliance Specialist and the property owner being via letters. She suggested there should be more personal contact.

Motion by Madden, second by Grannis, to approve the Second Reading of an Ordinance Amending Sec. 115 of the City Code.

Ayes: 4

Nays: 1 (Piekarski Krech) Motion carried.

O. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Establishing Requirements for Peddlers & Solicitors

Ms. Teppen stated this is the second reading an ordinance establishing requirements for peddlers and solicitors. She noted the draft ordinance reflected suggested changes that were made during the first reading. She explained Council requested that staff contact local school districts as well as the Boy Scouts and Girl Scouts for input. She stated School District 196 personnel found the requirements to be onerous and the Superintendent of School District 199 had number of comments and procedural questions that staff would respond to prior to the third reading. She noted the Boy Scouts and Girls Scouts did not respond to the request for input. She stated the City Attorney provided a memorandum regarding the practices followed by surrounding communities.

Councilmember Piekarski Krech commented that Independent School District 196 had to follow similar requirements in Eagan and Apple Valley.

Ms. Teppen responded that the school district does have to follow the requirements set forth by each of those communities, but representatives feel the requirements are too extensive.

Mayor Tourville stated that the ordinance was not intended to hinder non-profit organizations, religious or school groups. He suggested that language be added to the ordinance that would address those types of groups and would not require registration for every fundraiser that occurs throughout the course of a school year.

Mr. Kuntz responded that the current draft of the ordinance, with respect to solicitation, provides that there is no fee for registering and registration by group is allowed. He stated the alternative is to not require school age children selling items for a fundraiser to register or obtain a license.

Councilmember Piekarski Krech stated it is important for residents to know that if someone coming to the door selling goods it is for a legitimate purpose.

Mr. Kuntz stated language would be added to grant exemption to students who attend schools or school districts within the City, and students who reside in the City.

Ms. Teppen noted that associated fees would be discussed at the third reading.

Councilmember Klein asked that the ordinance be submitted to the Chamber of Commerce for review.

Motion by Klein, second by Grannis, to Approve Second Reading of an Ordinance Establishing Requirements for Peddlers & Solicitors

Ayes: 5

Nays: 0 Motion carried.

P. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Establishing Regulations relating to Graffiti

Mr. Lynch stated two changes were made to the ordinance since the first reading. He explained that item C in the Findings section was removed because there was no specific study cited, and the penalty section was deleted because there is a general penalty provision section in the re-codification of the City Code.

Motion by Klein, second by Grannis, to approve Second Reading of an Ordinance Establishing Regulations relating to Graffiti.

Ayes: 5

Nays: 0 Motion carried.

Q. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance Adopting the Re-codification of the City Code Including the City Zoning Ordinance

Ms. Teppen stated that following the first reading several minor changes were made and as per Council's request staff contacted the licensed contractors and garbage haulers to notify them of changes that were made to their insurance requirements. She noted that no questions or comments were received from the licensees.

Councilmember Piekarski Krech asked why the amount of time a service station can have a vehicle outside awaiting repair was reduced from seven (7) days to two (2) days.

Mr. Kuntz responded that information would be provided to the Council prior to the third reading of the ordinance as to what precipitated that change. He noted that time frame would not apply if there was a delay in getting the appropriate part(s) to repair the vehicle. He referred to page 13, section 3.2.25, relating to the salaries of the Mayor and Council and stated the reference to the 2005 amount would be removed.

Councilmember Piekarski Krech questioned why the licensing requirements for Christmas tree sales was removed from the code.

Ms. Teppen responded that the City had not issued a license or had a request for a license to conduct Christmas tree sales in over 15 years.

Mr. Kuntz stated the licensing of tobacco products was also removed from the code because the County took over the licensure and regulation of such businesses.

Mr. Kuntz referred to page 21 of the ordinance and stated there was a question related to the dismissal of the Fire Chief. He stated the Fire Chief is covered as a department head and this section is referring to a 2005 ordinance that needs to be revised after the re-codification is in place.

Mr. Kuntz referred to page 40 of the ordinance and indicated that the language would be changed to reflect that copies of the City Code would be placed in both Dakota County library locations.

Motion by Klein, second by Madden, to approve Second Reading of an Ordinance Adopting the Re-codification of the City Code Including the City Zoning Ordinance.

Ayes: 5

Nays: 0 Motion carried.

R. CITY OF INVER GROVE HEIGHTS; Consider Accepting Proposal for Barbara Avenue Bituminous Driveway Restoration

Mr. Thureen explained that a quote was requested and received for a complete Barbara Avenue bituminous driveway restoration rather than patching the road. He stated the cost would be \$16,678 to place a new 4-inch bituminous surface on the road. He noted that the estimated cost for a 2-inch mill and overlay was \$14,346. He stated the new surfacing would be a better long-term solution for the road.

Councilmember Klein asked if both coats would be put on right away or if one would be delayed until after construction of the new City facilities was completed.

Mr. Thureen stated both coats would be put on right away.

Mayor Tourville commented that the road would need to be re-done after construction was complete because of the heavy truck and machine traffic that would be traveling on the new surface.

Mr. Thureen responded that it is a short segment of road that would be done and noted the contractor for the City facilities project would use the alternate route so as not to drive on the new section of bituminous.

Mayor Tourville suggested waiting to do the restoration until the heavy footings were in place.

The Council agreed that the consensus was to restore the driveway after construction.

Frank Rauschnott, 6840 Dixie Ave., agreed that Barbara Avenue should not be restored with new bituminous until after construction is done. He stated there was not a lot of discussion on 7M and he would like to see the compliance period remain at 15 days. He also discussed item 7Q and suggested that there needs to be a way that ordinances are done with more public input and more time for people to understand them.

8. MAYOR AND COUNCIL COMMENTS:

Councilmember Grannis asked about the status of the boulevard restoration along Clayton Avenue.

Mr. Thureen responded that proposals for restoration of the boulevard area on Clayton Avenue would be brought to the next meeting for Council action.

Mayor Tourville stated the Council would be going into Executive Session to discuss the acquisition strategy for the property located at 80th and Barnes. He noted the only thing Council would do upon returning is adjourn.

9. EXECUTIVE SESSION:

A. Discuss Property Acquisition Strategy for Mn/DOT Property on the Corner of 80th and Barnes

10. ADJOURN: Motion by Klein, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 12:05 a.m.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: July 27, 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 July 9, 2009 to July 22, 2009.

SUMMARY

Shown below is a listing of the disbursements for the various funds for the period ending July 22, 2009. The detail of these disbursements is attached to this memo.

General & Special Reveune	\$324,680.11
Debt Service & Capital Projects	1,043,556.85
Enterprise & Internal Service	211,015.47
Escrows	7,146.81
	<hr/>
Grand Total for All Funds	<u><u>\$1,586,399.24</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 July 9, 2009 to July 22, 2009 and the listing of disbursements requested for approval.

DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING DISBURSEMENTS FOR THE
PERIOD ENDING JULY 22, 2009**

WHEREAS, a list of disbursements for the period ending July 22, 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	\$ 324,680.11
Debt Service & Capital Projects	1,043,556.85
Enterprise & Internal Service	211,015.47
Escrows	<u>7,146.81</u>
Grand Total for All Funds	<u>\$ 1,586,399.24</u>

Adopted by the City Council of Inver Grove Heights this 27th day of July, 2009.

Ayes:

Nays:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy City Clerk

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD / YEAR	AMOUNT
07/15/2009	95235	ACE PAINT & HARDWARE	cust 1126	101-4200-423.40-40		7/2009	5.37
			acct 1126	101-6000-451.60-12		7/2009	73.92
			acct 1126	101-6000-451.60-12		7/2009	19.13
			acct 1126	101-5200-443.60-16		7/2009	9.99
			acct 1126	101-6000-451.60-12		7/2009	46.76
			acct 1126	101-5200-443.60-16		7/2009	16.00
						* Total	171.17
07/15/2009	95236	AFSCME COUNCIL 5	city of inver grove hgts	101-0000-203.10-00		7/2009	867.17
						* Total	867.17
07/15/2009	95238	ANCOM TECHNICAL CENTER	cust 809	101-4200-423.30-70		7/2009	224.50
			cust 809	101-4200-423.40-42		7/2009	13.31
						* Total	237.81
07/15/2009	95241	ARROWWOOD RESORT & CONF	cathy shea 9/22-9/25	101-2000-415.50-75		7/2009	333.45
						* Total	333.45
07/15/2009	95243	BARNA, GUZY, & STEFFEN	city of inver grove	101-1100-413.30-43		7/2009	24.00
						* Total	24.00
07/15/2009	95245	BITUMINOUS ROADWAYS, IN	city of inver grove hgts	101-5200-443.60-16		7/2009	1,482.05
						* Total	1,482.05
07/15/2009	95247	BRYAN ROCK PRODUCTS	city of inver grove hgts	101-6000-451.60-16		7/2009	1,218.18
						* Total	1,218.18
07/15/2009	95253	COLLINS ELECTRICAL CONS	city of inver grove hgts	101-5200-443.40-46		7/2009	191.84
						* Total	191.84
07/15/2009	95260	DAKOTA COMMUNICATIONS C	city of inver grove	101-4000-421.70-30		7/2009	24,556.00
			city of inver grove	101-4200-423.70-50		7/2009	12,278.00
						* Total	36,834.00
07/15/2009	95261	DAKOTA CTY PROPERTY REC	city of inver grove	101-2000-415.30-70		7/2009	11.52
			city of inver grove	101-4000-421.30-70		7/2009	18.40
			city of inver grove	101-4200-423.30-70		7/2009	.24
			city of inver grove	101-5100-442.30-70		7/2009	102.72
						* Total	132.88
07/15/2009	95263	DAKOTA CTY TREASURER	cust 2294	101-5200-443.60-16		7/2009	1,350.00
						* Total	1,350.00
07/15/2009	95266	DAKOTA ELECTRIC ASSN	acct 4267134	101-5400-445.40-20		7/2009	32.07
						* Total	32.07
07/15/2009	95267	DAKOTA ELECTRIC ASSN	acct 2501658	101-6000-451.40-20		7/2009	650.29
						* Total	650.29
07/15/2009	95268	DAKOTA ELECTRIC ASSN	acct 2468379	101-6000-451.40-10		7/2009	4,544.14
						* Total	4,544.14
07/15/2009	95269	DAKOTA ELECTRIC ASSN	acct 3935632	101-6000-451.40-20		7/2009	699.20

City of Inver Grove Heights
CHECK REGISTER BY FUND

Prepared: 07/22/2009, 11:20:40
Program: GM179L
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/15/2009	95274	EMERGENCY APPARATUS MAI	city of inver grove hgts	101-4200-423.40-41		* Total	699.20
07/15/2009	95280	FIRE FINDINGS	member jeff schadegg	101-4200-423.50-70		7/2009	477.12
						* Total	477.12
07/15/2009	95282	G & K SERVICES	acct 7494701	101-5200-443.60-45		7/2009	103.34
			acct 7494701	101-6000-451.60-45		7/2009	63.61
						* Total	166.95
07/15/2009	95289	GREENER SOLUTIONS	city of inver grove hgts	101-6000-451.60-40		7/2009	191.71
						* Total	191.71
07/15/2009	95294	HEALTH PARTNERS	city of inver grove hgts	101-0000-203.07-00		7/2009	82,119.74
			city of inver grove hgts	101-0000-203.08-00		7/2009	6,574.40
						* Total	88,694.14
07/15/2009	95295	HEALTH PARTNERS	city of inver grove hgts	101-0000-203.07-00		7/2009	1,511.14
			city of inver grove hgts	101-0000-203.08-00		7/2009	214.48
						* Total	1,725.62
07/15/2009	95298	HOSE / CONVEYORS INC	city of inver grove hgts	101-6000-451.60-40		7/2009	29.26
						* Total	29.26
07/15/2009	95300	HUGO'S TREE CARE	city of inver grove hgts	101-5200-443.40-46		7/2009	553.80
						* Total	553.80
07/15/2009	95302	J-C PRESS	acct 1598	101-1100-413.50-32		7/2009	3,623.06
						* Total	3,623.06
07/15/2009	95308	LEVANDER, GILLEN & MILL	client 81000e	101-1000-413.30-40		7/2009	360.00
			client 81000e	101-1000-413.30-42		7/2009	24,187.04
			client 81000e	101-3200-419.30-42		7/2009	6,397.88
			client 81000e	101-4000-421.30-41		7/2009	96.00
			client 81000e	101-4000-421.30-42		7/2009	570.24
			client 81000e	101-4200-423.30-42		7/2009	132.00
			client 81000e	101-5000-441.30-42		7/2009	4,984.34
			client 81000e	101-6000-451.30-42		7/2009	1,279.99
						* Total	38,007.49
07/15/2009	95309	LEVANDER, GILLEN & MILL	client 92000e	101-4000-421.30-41		7/2009	18,099.80
						* Total	18,099.80
07/15/2009	95316	METROPOLITAN COUNCIL EN	city of inver grove hgts	101-0000-341.40-00		7/2009	280.00-
						* Total	280.00-
07/15/2009	95317	MID STATE PLUMBING & HE	inver grove hgts fd	101-4200-423.40-40		7/2009	3,500.00
			inver grove hgts fd	101-4200-423.40-40		7/2009	1,147.39
						* Total	4,647.39
07/15/2009	95318	MIKE'S SHOE REPAIR, INC	inver grove hgts fd	101-4200-423.30-70		7/2009	39.95

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/15/2009	95318	MIKE'S SHOE REPAIR, INC	inver grove hghts fd	101-4200-423.30-70		7/2009 * Total	22.95 62.90
07/15/2009	95319	MIRACLE RECREATION EQUI	cust 5507a05 cust 5507a05	101-6000-451.40-47 101-6000-451.40-47		7/2009 * Total	709.03 98.12 807.15
07/15/2009	95320	MN FIRE SERVICE	inver grove hghts fd	101-4200-423.30-70		7/2009 * Total	630.00 630.00
07/15/2009	95321	MN GFOA	member; cathy shea	101-2000-415.50-80		7/2009 * Total	225.00 225.00
07/15/2009	95322	MN LOCKS	inver grove hghts fd	101-4200-423.30-70		7/2009 * Total	372.67 372.67
07/15/2009	95323	MRPA	attendee; eric carlson	101-6000-451.50-80		7/2009 * Total	39.00 39.00
07/15/2009	95325	MTI DISTRIBUTING CO	cust 91180	101-6000-451.40-47		7/2009 * Total	374.43 374.43
07/15/2009	95327	NATURE CALLS, INC.	city of inver grove	101-6000-451.40-65		7/2009 * Total	528.94 528.94
07/15/2009	95328	NIGHTENGALE, KATIE	FOOD FOR BURN	101-4200-423.50-75		7/2009 * Total	209.77 209.77
07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver city of inver	101-1100-413.30-55 101-2000-415.30-55 101-3000-419.30-55 101-3200-419.30-55 101-3300-419.30-55 101-4000-421.30-55 101-5000-441.30-55 101-5100-442.30-55 101-6000-451.30-55		7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 * Total	12.30 28.70 8.30 4.15 13.95 61.15 5.65 42.55 1.92 178.67
07/15/2009	95342	PRESTIGE ELECTRIC, INC.	invergro3	101-4200-423.30-70		7/2009 * Total	800.00 800.00
07/15/2009	95343	QWEST	acct 6514577674	101-6000-451.50-20		7/2009 * Total	41.07 41.07
07/15/2009	95344	QWEST	acct 6514577671	101-6000-451.50-20		7/2009 * Total	41.07 41.07
07/15/2009	95348	REMINGTON ARMS CO INC	cust r9152490	101-4000-421.50-80		7/2009 * Total	400.00 400.00
07/15/2009	95352	SAM'S CLUB	acct 7715090401334891	101-4200-423.60-65		7/2009 * Total	1,052.42 1,052.42

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/15/2009	95356	SHERWIN-WILLIAMS	acct 668254535	101-6000-451.60-16		7/2009	199.17
			acct 668254535	101-6000-451.40-47		7/2009	139.95
						* Total	339.12
07/15/2009	95360	SOUTH RIVER HEATING & C	inver grove hgts	101-4200-423.40-40		7/2009	190.82
						* Total	190.82
07/15/2009	95361	SOUTH ST PAUL ANIMAL HO	city of inver grove hgts	101-4000-421.70-50		7/2009	648.62
						* Total	648.62
07/15/2009	95362	SPRINT	acct 641378810	101-4200-423.50-20		7/2009	40.99
						* Total	40.99
07/15/2009	95364	ST. CROIX TREE SERVICE,	city of inver grove hgts	101-5200-443.40-47		7/2009	1,661.40
						* Total	1,661.40
07/15/2009	95366	STEENBERG, LUKE	LUNCH/MILEAGE	101-4200-423.50-75		7/2009	41.71
			WOOD FOR FIRE TRAINING	101-4200-423.60-18		7/2009	49.18
						* Total	90.89
07/15/2009	95368	STRUCTURES HARDSCAPES	OVERPMT ON PERMIT	101-0000-322.70-00		7/2009	10.40
						* Total	10.40
07/15/2009	95370	TERRI KENISON	inver grove hgts fd	101-4200-423.30-70		7/2009	905.25
						* Total	905.25
07/15/2009	95372	TWIN CITY SAW	city of inver grove	101-6000-451.60-40		7/2009	161.72
						* Total	161.72
07/15/2009	95373	UNITED WAY	city of inver grove hgts	101-0000-203.13-00		7/2009	178.00
						* Total	178.00
07/15/2009	95376	USA MOBILITY WIRELESS I	ACCT 0317409 1	101-4000-421.50-20		7/2009	26.56
						* Total	26.56
07/15/2009	95378	VERIZON WIRELESS	acct 580565481	101-5100-442.50-20		7/2009	191.35
						* Total	191.35
07/15/2009	95383	XCEL ENERGY	acct 5188494737	101-5400-445.40-20		7/2009	74.28
						* Total	74.28
07/15/2009	95388	ZEE MEDICAL SERVICE	acct 1279	101-6000-451.60-45		7/2009	168.10
						* Total	168.10
07/22/2009	95394	ARROWWOOD RESORT & CONF	william schroepfer	101-2000-415.50-75		7/2009	333.45
						* Total	333.45
07/22/2009	95395	B & K TRAINING, LLC	city of inver grove hgts	101-4000-421.50-80		7/2009	700.00
						* Total	700.00
07/22/2009	95398	BAILEY CONSTRUCTION	city of inver grove hgts	101-5200-443.40-46		7/2009	10,976.00
			city of inver grove hgts	101-5200-443.40-46		7/2009	1,700.00
						* Total	12,676.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/22/2009	95406	CITY OF SAINT PAUL	city of inver grove hgts	101-4000-421.40-42		7/2009	60.85
						* Total	60.85
07/22/2009	95409	CULLIGAN	cust 157984591006	101-4200-423.30-70		7/2009	5.28
						* Total	5.28
07/22/2009	95410	DAKOTA CITY PROPERTY REC	city of inver grove hgts	101-2000-415.30-70		7/2009	9.04
			city of inver grove hgts	101-4000-421.30-70		7/2009	14.80
			city of inver grove hgts	101-5100-442.30-70		7/2009	67.84
						* Total	91.68
07/22/2009	95412	DAKOTA CITY TREASURER-AU	city of inver grove	101-4000-421.70-30		7/2009	1,336.08
			city of inver grove	101-4200-423.70-50		7/2009	1,125.12
			city of inver grove	101-5200-443.30-70		7/2009	46.88
						* Total	2,508.08
07/22/2009	95414	DAKOTA ELECTRIC ASSN	acct 1093947	101-5400-445.40-20		7/2009	1,024.43
						* Total	1,024.43
07/22/2009	95417	FERRELLGAS	acct 7754787	101-5200-443.60-16		7/2009	25.95
						* Total	25.95
07/22/2009	95419	G & K SERVICES	cust 0157401	101-5200-443.60-45		7/2009	49.49
			cust 0157401	101-6000-451.60-45		7/2009	108.52
						* Total	158.01
07/22/2009	95431	HOME DEPOT CREDIT SERVI	cust 6035322502061959	101-5200-443.60-16		7/2009	148.03
						* Total	148.03
07/22/2009	95441	LANGUAGE LINE SERVICES	acct 9020909043	101-4000-421.50-20		7/2009	4.14
						* Total	4.14
07/22/2009	95442	LILLIE SUBURBAN NEWSPAP	city of inver grove	101-2000-415.50-25		7/2009	403.20
			city of inver grove	101-3200-419.50-25		7/2009	9.60
			city of inver grove	101-3200-419.50-25		7/2009	11.20
			city of inver grove	101-3200-419.50-25		7/2009	91.20
						* Total	515.20
07/22/2009	95444	LYNCH, JOE	mtg w architect - lunch	101-1100-413.50-75		7/2009	52.70
						* Total	52.70
07/22/2009	95446	MIKE'S SHOE REPAIR, INC	inver grove hgts fd	101-4200-423.30-70		7/2009	18.00
						* Total	18.00
07/22/2009	95448	MN DEPT OF EMPLOYMENT &	city of inver grove hgts	101-1100-413.20-70		7/2009	24.97
			city of inver grove hgts	101-1200-414.20-70		7/2009	36.81
			city of inver grove hgts	101-3300-419.20-70		7/2009	6,226.00
			city of inver grove hgts	101-4200-423.20-70		7/2009	1,313.83
			city of inver grove hgts	101-6000-451.20-70		7/2009	339.57
						* Total	7,941.18
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	101-2000-415.50-30		7/2009	210.69
			mn id 8022953	101-3300-419.30-70		7/2009	127.82

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07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	101-3300-419.60-18		7/2009	60.41
			mn id 8022953	101-4000-421.60-18		7/2009	168.72
			mn id 8022953	101-4000-421.60-45		7/2009	32.52
			mn id 8022953	101-4000-421.60-65		7/2009	235.08
			mn id 8022953	101-5100-442.60-42		7/2009	3,484.07
			mn id 8022953	101-5200-443.60-16		7/2009	77.46
						* Total	4,396.77
07/22/2009	95453	MN GFOA	member bill schroepfer	101-2000-415.50-80		7/2009	225.00
						* Total	225.00
07/22/2009	95457	MN STATE COLLEGES & UNI	inver grove hqts 3626	101-4200-423.50-30		7/2009	90.95
						* Total	90.95
07/22/2009	95458	NELCOM CORP	city of inver grove	101-4000-421.40-42		7/2009	2,777.04
						* Total	2,777.04
07/22/2009	95459	NEXTEL COMMUNICATIONS	acct 249383315	101-5200-443.50-20		7/2009	241.64
						* Total	241.64
07/22/2009	95460	NEXTEL COMMUNICATIONS	acct 266948529	101-4000-421.50-20		7/2009	623.93
						* Total	623.93
07/22/2009	95461	NEXTEL COMMUNICATIONS	acct 266183728	101-4200-423.50-20		7/2009	425.16
						* Total	425.16
07/22/2009	95468	PRECISION DATA SYSTEMS	cust 274	101-6000-451.50-30		7/2009	321.44
						* Total	321.44
07/22/2009	95474	S & T OFFICE PRODUCTS	acct S28777	101-2000-415.60-40		7/2009	37.22
			acct S28777	101-4000-421.60-40		7/2009	38.79
			acct S28777	101-3200-419.60-10		7/2009	16.32
			acct S28777	101-2000-415.60-40		7/2009	43.40
			acct S28777	101-3200-419.60-10		7/2009	4.42
						* Total	136.15
07/22/2009	95481	SPRINT	acct 166309819	101-4000-421.50-20		7/2009	399.90
						* Total	399.90
07/22/2009	95484	STREICHER'S	acct 153162	101-4000-421.60-45		7/2009	109.99
			acct 153162	101-4000-421.60-45		7/2009	5.33
						* Total	115.32
07/22/2009	95485	T MOBILE	acct 6513998892	101-5100-442.50-20		7/2009	49.99
						* Total	49.99
07/22/2009	95487	TWIN CITIES OCCUPATIONA	acct n261251001589	101-1100-413.30-50		7/2009	380.00
						* Total	380.00
07/22/2009	95490	VERMEER SALES & SERVICE	city of inver grove hqts	101-5200-443.40-47		7/2009	1,816.88
						* Total	1,816.88
07/22/2009	95493	VOYER, JACQUELINE	blg permit	101-0000-322.10-00		7/2009	94.40

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07/22/2009	95495	WHAT WORKS INC	city of inver grove hgts	101-4200-423.30-70		* Total	94.40
07/22/2009	95496	WSB & ASSOCIATES, INC.	city of inver grove hgts	101-5100-442.30-30		* Total	1,000.00
07/22/2009	95497	XCEL ENERGY	acct 51585446	101-4000-421.40-42		* Total	1,000.00
07/22/2009	95498	XCEL ENERGY	acct 5164351291	101-5400-445.40-20		* Total	603.00
07/22/2009	95499	XCEL ENERGY	acct 5152791130	101-5200-443.40-20		* Total	603.00
07/22/2009	95499	XCEL ENERGY	acct 5152791130	101-5400-445.40-20		* Total	39.75
						* Total	39.75
						* Total	122.65
						* Total	122.65
						* Total	90.31
						* Total	8,651.26
						* Total	8,741.57
						* Total	264,072.70
07/15/2009	95349	RIVER HEIGHTS CHAMBER O	acct 5737	201-1600-465.40-65		7/2009	100.00
			acct 5737	201-1600-465.50-35		7/2009	9.22
						* Total	109.22
07/22/2009	95494	WELLS FARGO BANK	acct inve1093agoi	322-9000-570.90-30		* Fund Total	200.00
07/22/2009	95494	WELLS FARGO BANK	acct inve996agoi	328-9000-570.90-30		* Fund Total	200.00
07/22/2009	95494	WELLS FARGO BANK	acct inve598ag0ip	331-9000-570.90-30		* Fund Total	200.00
07/22/2009	95494	WELLS FARGO BANK	acct inve598bgor	332-9000-570.90-30		* Fund Total	200.00
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	402-6000-451.70-60		7/2009	62.50
						* Total	62.50
07/15/2009	95272	EAGAN, CITY OF	city of inver grove hgts	403-0000-207.05-00		* Fund Total	62.50
						* Total	62.50
						* Total	445.27
						* Total	445.27
						* Total	445.27
						* Total	2,020.00
						* Total	2,020.00

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City of Inver Grove Heights
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07/22/2009	95469	REED BUSINESS INFORMATI	cust 821155	429-5901-729.50-25	0901	7/2009 * Total	275.52 275.52
07/22/2009	95496	WSB & ASSOCIATES, INC.	city of inver grove hghts	429-5911-729.30-30	0911	7/2009 * Total	5,690.50 5,690.50
				5 Checks	** Fund Total		8,900.97
07/15/2009	95278	FEDEX KINKO'S	acct 9980016701	440-5900-740.50-30	0809F	7/2009	32.69
			acct 9980016701	440-5900-740.60-65	0809G	7/2009 * Total	55.53 88.22
07/15/2009	95308	LEVANDER, GILLEN & MILL	client 81000e	440-5900-740.30-42	0909D	7/2009 * Total	1,212.30 1,212.30
07/22/2009	95399	BARR ENGINEERING COMPAN	city of inver grove hghts	440-5900-740.30-30	0809F	7/2009	2,334.50
			city of inver grove hghts	440-5900-740.30-30	0809F	7/2009 * Total	1,328.85 3,663.35
07/22/2009	95422	GOODPOINTE TECHNOLOGY C	city of inver grove hghts	440-5900-740.30-70	0809F	7/2009 * Total	2,350.00 2,350.00
07/22/2009	95440	KIMLEY-HORN & ASSOCIATE	city of inver grove	440-5900-740.30-30	0909D	7/2009 * Total	31,860.95 31,860.95
07/22/2009	95442	LILLIE SUBURBAN NEWSPAP	city of inver grove	440-5900-740.50-25	0809F	7/2009	33.60
			city of inver grove	440-5900-740.50-25	0809F	7/2009 * Total	30.40 64.00
07/22/2009	95454	MN PIPE & EQUIPMENT	cust 2195	440-5900-740.60-65	0909D	7/2009 * Total	1,652.35 1,652.35
07/22/2009	95488	URBAN COMPANIES	south grove sod replac pr	440-5900-740.80-30	0809H	7/2009 * Total	5,131.20 5,131.20
				8 Checks	** Fund Total		46,022.37
07/22/2009	95496	WSB & ASSOCIATES, INC.	city of inver grove hghts	441-5900-741.30-30		7/2009 * Total	507.00 507.00
07/15/2009	95364	ST. CROIX TREE SERVICE,	city of inver grove hghts	443-5900-743.60-16		7/2009 * Total	2,460.15 2,460.15
				1 Checks	** Fund Total		507.00
07/15/2009	95308	LEVANDER, GILLEN & MILL	client 81000e	446-5915-746.30-42	0315	7/2009 * Total	2,714.70 2,714.70
07/22/2009	95392	AMES CONSTRUCTION INC	VOUCHER 13/CO 4	446-5915-746.80-30	0315	7/2009 * Total	664,837.69 664,837.69

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07/22/2009	95439	KENNEDY & GRAVEN	446-5915-746.30-44 billed to levander	0315		7/2009 * Total	1,798.00 1,798.00
3 Checks ** Fund Total							669,350.39
07/15/2009	95233	ACE BLACKTOP, INC.	city of inver grove hgts	501-7100-512.60-16		7/2009 * Total	5,849.00 5,849.00
07/15/2009	95235	ACE PAINT & HARDWARE	cust 1126	501-7100-512.60-16		7/2009	7.44
			cust 1126	501-7100-512.60-16		7/2009	18.07
			cust 1126	501-7100-512.60-16		7/2009	76.89
			cust 1126	501-7100-512.60-16		7/2009	17.61
			cust 1126	501-7100-512.60-16		7/2009	12.78
			cust 1126	501-7100-512.60-16		7/2009	8.54
						* Total	141.33
07/15/2009	95244	BATTERIES PLUS	acct c1034	501-7100-512.60-16		7/2009 * Total	19.94 19.94
07/15/2009	95250	CITY OF BLOOMINGTON	city of inver grove hgts	501-7100-512.30-70		7/2009 * Total	600.00 600.00
07/15/2009	95256	CONTRACTORS & SURVEYORS	city of inver grove	501-7100-512.40-43		7/2009 * Total	247.61 247.61
07/15/2009	95264	DAKOTA ELECTRIC ASSN	acct 2148310	501-7100-512.40-20		7/2009 * Total	9.27 9.27
07/15/2009	95270	DANNER LANDSCAPING	city of inver grove	501-7100-512.60-16		7/2009 * Total	10.65 10.65
07/15/2009	95273	ELECTRIC FIRE & SECURIT	city of inver grove	501-7100-512.40-40		7/2009 * Total	634.74 634.74
07/15/2009	95282	G & K SERVICES	acct 7494701	501-7100-512.60-45		7/2009 * Total	28.48 28.48
07/15/2009	95283	GARTZKE CONSTRUCTION IN	city of inver grove	501-7100-512.40-43		7/2009	2,069.87
			city of inver grove	501-7100-512.40-43		7/2009	1,561.68
			city of inver grove	501-7100-512.40-43		7/2009	1,540.00
						* Total	5,171.55
07/15/2009	95284	GERTENS	cust 103566	501-7100-512.60-16		7/2009 * Total	1.50 1.50
07/15/2009	95285	GOPHER STATE ONE-CALL	city of inver grove	501-7100-512.30-70		7/2009 * Total	878.70 878.70
07/15/2009	95293	HD SUPPLY WATERWORKS LT	cust 99872	501-7100-512.40-43		7/2009 * Total	1,113.39 1,113.39
07/15/2009	95310	LUBRICATION TECHNOLOGIE	cust 7015b	501-7100-512.60-22		7/2009 * Total	339.44 339.44

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07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver	501-7100-512.30-55		7/2009 * Total	23.43 23.43
07/15/2009	95335	OUT BACK NURSERY, INC.	city of inver grove hgts	501-7100-512.60-16		7/2009 * Total	196.15 196.15
07/15/2009	95357	SIGNAL PRO EQUIPMENT	acct c30035	501-7100-512.60-40		7/2009 * Total	470.24 470.24
07/15/2009	95380	VIKING INDUSTRIAL CENTE	city of grove hgts	501-7100-512.60-16		7/2009 * Total	138.38 151.23 289.61
07/15/2009	95386	XCEL ENERGY	acct 5160987097	501-7100-512.40-10		7/2009 * Total	501.12 22,028.11 22,529.23
07/22/2009	95413	DAKOTA ELECTRIC ASSN	cust 2148310	501-7100-512.40-20		7/2009 * Total	8.80 8.80
07/22/2009	95419	G & K SERVICES	cust 0157401	501-7100-512.60-45		7/2009 * Total	28.48 28.48
07/22/2009	95427	HAWKINS, INC.	cust 123650	501-7100-512.60-19		7/2009 * Total	561.00 561.00
07/22/2009	95428	HD SUPPLY WATERWORKS LT	cust 99872	501-7100-512.40-43		7/2009 * Total	787.66 787.66
07/22/2009	95430	HOME DEPOT CREDIT SERVI	cust 6035322502691268	501-7100-512.60-16		7/2009 * Total	97.69 97.69
07/22/2009	95443	LONE OAK COMPANIES	city of inver grove hgts	501-7100-512.50-35		7/2009 * Total	538.91 538.91
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	501-7100-512.40-43		7/2009 * Total	395.07 654.89 1,049.96
07/22/2009	95452	MN DNR WATERS	permit 19806052	501-7100-512.30-70		7/2009 * Total	11.00 11.00
07/22/2009	95454	MN PIPE & EQUIPMENT	cust 2195	501-7100-512.60-16		7/2009 * Total	272.99 272.99
07/22/2009	95478	SIGNAL PRO EQUIPMENT	cust 30035	501-7100-512.60-16		7/2009 * Total	46.97 46.97
07/22/2009	95480	SPRINT	cust 84248331	501-7100-512.50-20		7/2009 * Total	281.95 281.95
						** Fund Total	42,239.67

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07/15/2009	95237	ANCHOR SCIENTIFIC INC	acct inv20	502-7200-514.40-42		7/2009 * Total	89.10 89.10
07/15/2009	95262	DAKOTA CTY TREASURER	city of inver grove	502-0000-207.01-00		7/2009 * Total	160.00 160.00
07/15/2009	95282	G & K SERVICES	acct 7494701	502-7200-514.60-45		7/2009 * Total	12.21 12.21
07/15/2009	95315	METROPOLITAN COUNCIL	cust 5084	502-7200-514.40-15		7/2009 * Total	114,043.79 114,043.79
07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver	502-7200-514.30-55		7/2009 * Total	15.62 15.62
07/15/2009	95354	SEELYE PLASTICS INC	acct cit5076	502-7200-514.60-16		7/2009 * Total	110.41 110.41
07/15/2009	95386	XCEL ENERGY	acct 5160987097	502-7200-514.40-20		7/2009 * Total	184.72 184.72
07/22/2009	95418	FIRST FINANCIAL TITLE A	REQUESTED CREDIT REFUND	502-0000-116.00-00		7/2009 * Total	100.00 100.00
07/22/2009	95419	G & K SERVICES	cust 0157401	502-7200-514.60-45		7/2009 * Total	12.21 12.21
07/22/2009	95465	OLD REPUBLIC	REQUESTED CREDIT REFUND	502-0000-116.00-00		7/2009 * Total	253.37 253.37
07/22/2009	95470	RELS TITLE	REQUESTED CREDIT REFUND	502-0000-116.00-00		7/2009 * Total	80.08 80.08
07/22/2009	95471	REMAX RESULTS	REQUESTED CREDIT REFUND	502-0000-116.00-00		7/2009 * Total	38.94 38.94
07/22/2009	95479	SIGNATURE TITLE MIDWEST	REQUESTED CREDIT REFUND	502-0000-116.00-00		7/2009 * Total	31.56 31.56
				13 Checks	** Fund Total		115,132.01
07/15/2009	95240	ARCTIC GLACIER, INC.	acct 1726134	503-8300-524.60-65		7/2009	25.12
			acct 1726134	503-8300-524.60-65		7/2009	43.88
			acct 1726134	503-8300-524.60-65		7/2009	21.44
			acct 1726134	503-8300-524.60-65		7/2009	35.84
						* Total	126.28
07/15/2009	95251	COCA COLA BOTTLING COMP	outlet 3079049	503-8300-524.76-10		7/2009	481.30
			outlet 3079049	503-8300-524.76-10		7/2009	467.65
						* Total	948.95
07/15/2009	95252	COLLEGE CITY BEVERAGE	cust 3592	503-8300-524.76-15		7/2009	316.00
						* Total	316.00

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07/15/2009	95265	DAKOTA ELECTRIC ASSN	cust 2013605	503-8600-527.40-20		7/2009 * Total	181.20 181.20
07/15/2009	95277	EXCEL TURF AND ORNAMENT	inver wood golf course	503-8600-527.60-35		7/2009 * Total	85.20 85.20
07/15/2009	95281	G & K SERVICES	cust 0157401 acct 0157401	503-8600-527.60-45 503-8600-527.60-45		7/2009 7/2009 * Total	80.12 74.60 154.72
07/15/2009	95288	GRANDMA'S BAKERY	inverwood golf course	503-8300-524.76-05		7/2009	49.34
			inverwood golf course	503-8300-524.76-05		7/2009	54.12
			inverwood golf course	503-8300-524.76-05		7/2009	65.20
			inverwood golf course	503-8300-524.76-05		7/2009	65.20
			inverwood golf course	503-8300-524.76-05		7/2009	49.34
			inverwood golf course	503-8300-524.76-05		7/2009	54.12
			inverwood golf course	503-8300-524.76-05		7/2009	49.34
			inverwood golf course	503-8300-524.76-05		7/2009	54.88
			inverwood golf course	503-8300-524.76-05		7/2009	62.81
			inverwood golf course	503-8300-524.76-05		7/2009	65.20
			inverwood golf course	503-8300-524.76-05		* Total	634.75
07/15/2009	95290	HANCO CORPORATION	acct 332801	503-8600-527.60-14		7/2009 * Total	84.67 84.67
07/15/2009	95296	HEGGIES PIZZA	inverwood golf course	503-8300-524.76-05		7/2009 * Total	159.80 159.80
07/15/2009	95303	JJ TAYLOR DIST. COMPANY	inverwood golf course	503-8300-524.76-15		7/2009 * Total	249.40 249.40
07/15/2009	95311	M. AMUNDSON LLP	cust 902858	503-8300-524.76-05		7/2009 * Total	269.55 269.55
07/15/2009	95312	MCURCHIE, AL	BINDERS/INDEXES	503-8500-526.60-10		7/2009 * Total	42.00 42.00
07/15/2009	95313	MENARDS - WEST ST. PAUL	cust 30170265 cust 30170265	503-8600-527.60-12 503-8600-527.60-12		7/2009 7/2009 * Total	79.81 9.57 89.38
07/15/2009	95314	METRO CASH REGISTER SYS	inverwood golf course inverwood golf course	503-8000-521.60-10 503-8500-526.60-65		7/2009 7/2009 * Total	177.53 15.00 192.53
07/15/2009	95325	MTI DISTRIBUTING CO	cust 402307 cust 402307 cust 402307 cust 402307 cust 402307 cust 402307 cust 402307	503-8600-527.60-08 503-8600-527.60-08 503-8600-527.60-08 503-8600-527.40-42 503-8600-527.40-42 503-8600-527.40-42 503-8600-527.40-42		7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009	946.99 1,204.52 1,169.22 170.44 301.78 583.47 190.00

City of Inver Grove Heights
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07/15/2009	95325	MTI DISTRIBUTING CO	cust 402307	503-8600-527.40-42		7/2009	210.73
			cust 402307	503-8600-527.40-42		7/2009	100.25
			cust 402307	503-8600-527.40-42		7/2009	21.70
			cust 402307	503-8600-527.40-42		7/2009	185.77
			cust 402307	503-8600-527.40-42		7/2009	34.26
			cust 402307	503-8600-527.40-42		7/2009	23.22
			cust 402307	503-8600-527.40-42		7/2009	150.39
						* Total	5,292.74
07/15/2009	95326	NAPA OF INVER GROVE HEI	cust 301	503-8600-527.40-42		7/2009	8.07
			cust 301	503-8600-527.40-42		7/2009	2.68
			cust 301	503-8600-527.40-42		7/2009	4.03
			cust 301	503-8600-527.40-42		7/2009	11.27
						* Total	26.05
07/15/2009	95327	NATURE CALLS, INC.	INVERWOOD	503-8600-527.40-65		7/2009	102.75
						* Total	102.75
07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver	503-8500-526.30-55		7/2009	4.15
			city of inver	503-8600-527.30-55		7/2009	11.30
						* Total	15.45
07/15/2009	95336	PERFORMANCE DRAFT BEER	inverwood golf course	503-8300-524.40-42		7/2009	30.00
						* Total	30.00
07/15/2009	95338	PLAISTED COMPANIES, INC	INVERWOOD	503-8600-527.60-20		7/2009	700.06
			inverwood golf course	503-8600-527.60-20		7/2009	70.00
						* Total	770.06
07/15/2009	95359	SOUTH BAY DESIGN	inverwood golf	503-8500-526.50-25		7/2009	180.00
						* Total	180.00
07/15/2009	95375	US FOODSERVICE	acct 223000	503-8300-524.60-65		7/2009	185.27
			acct 223000	503-8300-524.76-05		7/2009	544.85
			acct 223000	503-8300-524.76-10		7/2009	8.48
			acct 223000	503-8300-524.76-05		7/2009	223.32
			acct 223000	503-8300-524.60-65		7/2009	262.22
			acct 223000	503-8300-524.76-05		7/2009	749.24
						* Total	1,973.38
07/15/2009	95382	WIRTZ BEVERAGE MN BEER	city of inver grove hgts	503-8300-524.76-15		7/2009	84.00
						* Total	84.00
07/15/2009	95384	XCEL ENERGY	acct 5158775121	503-8600-527.40-20		7/2009	2,244.34
						* Total	2,244.34
07/15/2009	95385	XCEL ENERGY	acct 5158775121	503-8600-527.40-20		7/2009	2,537.95
						* Total	2,537.95
07/22/2009	95389	ACE PAINT & HARDWARE	cust 1126	503-8600-527.60-08		7/2009	29.86
			cust 1126	503-8600-527.60-12		7/2009	19.21
			cust 1126	503-8600-527.60-40		7/2009	37.38
			cust 1126	503-8600-527.60-20		7/2009	6.94

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD / YEAR	AMOUNT
07/22/2009	95389	ACE PAINT & HARDWARE	cust 1126	503-8000-521.60-65		7/2009 * Total	11.75 105.14
07/22/2009	95391	ALTERNATOR REBUILD	city of inver grove hgts	503-8600-527.40-42		7/2009 * Total	111.83 111.83
07/22/2009	95393	ARCTIC GLACIER, INC.	acct 1726134 acct 1726134 acct 1726134	503-8300-524.60-65 503-8300-524.60-65 503-8300-524.60-65		7/2009 7/2009 7/2009 * Total	118.92 35.84 27.80 182.56
07/22/2009	95407	COCA COLA BOTTLING COMP	outlet 3079049	503-8300-524.76-10		7/2009 * Total	832.60 832.60
07/22/2009	95408	COLLEGE CITY BEVERAGE	cust 3592	503-8300-524.76-15		7/2009 * Total	469.20 469.20
07/22/2009	95420	G & K SERVICES	cust 0157401	503-8600-527.60-45		7/2009 * Total	84.35 84.35
07/22/2009	95421	GERTENS	cust 100464 cust 100464 cust 100464 cust 100464	503-8600-527.60-20 503-8600-527.60-20 503-8600-527.60-20 503-8600-527.60-20		7/2009 7/2009 7/2009 7/2009 * Total	32.08 815.22 13.02 92.02 952.34
07/22/2009	95423	GRAINGER	cust 855256939	503-8500-526.60-65		7/2009 * Total	191.20 191.20
07/22/2009	95424	GRANDMA'S BAKERY	acct 24400 acct 24400 cust 24400 cust 24400 cust 24400 cust 24400 cust 24400 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		7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 7/2009 * Total	45.50 45.50 49.34 52.11 62.43 65.20 65.20 49.34 483.96
07/22/2009	95426	HANCO CORPORATION	cust 332801	503-8600-527.60-14		7/2009 * Total	42.34 42.34
07/22/2009	95437	JJ TAYLOR DIST. COMPANY	cust 834	503-8300-524.76-15		7/2009 * Total	357.20 357.20
07/22/2009	95438	JOHN DEERE LANDSCAPES/L	cust 269520 cust 269520 cust 269520 cust 269520	503-8600-527.60-20 503-8600-527.60-35 503-8600-527.60-35 503-8600-527.60-30		7/2009 7/2009 7/2009 7/2009 * Total	96.08 2,540.65 64.05 66.83 2,767.61
07/22/2009	95445	M. AMUNDSON LLP	cust 902858	503-8300-524.76-05		7/2009	237.10

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD / YEAR	AMOUNT
07/22/2009	95448	MN DEPT OF EMPLOYMENT &	city of inver grove hgts	503-8000-521.20-70		7/2009	764.00
			city of inver grove hgts	503-8300-524.20-70		7/2009	265.00
			city of inver grove hgts	503-8600-527.20-70		7/2009	1,101.01
						* Total	2,130.01
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	503-8000-521.60-65		7/2009	449.92
			mn id 8022953	503-8500-526.50-55		7/2009	278.87
			mn id 8022953	503-8600-527.60-20		7/2009	221.01
			mn id 8022953	503-8600-527.60-65		7/2009	130.53
						* Total	1,080.33
07/22/2009	95474	S & T OFFICE PRODUCTS	acct 528777	503-8500-526.60-10		7/2009	30.44
						* Total	30.44
07/22/2009	95475	SAMARITAN TIRE COMPANY	city of inver grove hgts	503-8600-527.60-14		7/2009	115.88
						* Total	115.88
07/22/2009	95477	SEVEN CORNERS HARDWARE,	city of inver grove hgts	503-8600-527.60-40		7/2009	53.38
						* Total	53.38
07/22/2009	95486	TDS METROCOM	acct 6514573667	503-8500-526.50-20		7/2009	284.42
						* Total	284.42
07/22/2009	95489	US FOODSERVICE	acct 223000	503-8300-524.60-65		7/2009	42.29
			acct 223000	503-8300-524.76-05		7/2009	537.44
			acct 223000	503-8300-524.60-65		7/2009	59.96
			acct 223000	503-8300-524.76-05		7/2009	10.50
						* Total	650.19
07/22/2009	95500	YOCUM OIL COMPANY, INC.	acct 506975	503-8400-525.60-21		7/2009	816.69
						* Total	816.69
07/15/2009	95249	CERO, ANDREW	city of inver grove hgts	504-6100-452.30-70	R40200	7/2009	30.00
						* Total	30.00
07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver	504-6100-452.30-55	R90100	7/2009	7.90
						* Total	7.90
07/15/2009	95351	SAM'S CLUB	acct 7715090065702540	504-6100-452.60-09	R20680	7/2009	276.40
						* Total	276.40
07/15/2009	95358	SKYHAWKS SPORTS ACADEMY	inver grove hgts p & r	504-6100-452.30-70	R41050	7/2009	534.00
						* Total	534.00
07/22/2009	95389	ACE PAINT & HARDWARE	cust 1126	504-6100-452.60-09	R30700	7/2009	12.80
						* Total	12.80
07/22/2009	95396	BACKES, RAY	trip canceled	504-0000-227.10-00		7/2009	58.00
						* Total	58.00
						** Fund Total	28,769.92

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07/22/2009	95397	BAEZ, TAMMY	trip canceled	504-0000-347.00-00	R20120	7/2009 * Total	25.00 25.00
07/22/2009	95405	CHAMPIONSHIP PRODUCTS	cust id igh parks	504-6100-452.60-45	R20680	7/2009 * Total	3.50- 3.50-
07/22/2009	95435	IGH BASEBALL ASSOCIATIO	city of inver grove	504-6100-452.30-70	R90100	7/2009 * Total	174.00 174.00
07/22/2009	95448	MN DEPT OF EMPLOYMENT &	city of inver grove hgts	504-6100-452.20-70	R20800	7/2009 * Total	18.36 18.36
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	504-6100-452.40-44	R90100	7/2009	172.20
			mn id 8022953	504-6100-452.50-90	R20140	7/2009 * Total	336.97 509.17
07/22/2009	95455	MN SPORTS FEDERATION	mens slow north	504-6100-452.50-90	R50100	7/2009 * Total	470.00 470.00
07/22/2009	95456	MN SPORTS FEDERATION	city of inver grove hgts	504-6100-452.50-70	R50100	7/2009 * Total	920.00 920.00
07/22/2009	95467	PETERSEN, CAROLYN	senior trip canceled	504-0000-227.10-00		7/2009 * Total	58.00 58.00
07/22/2009	95468	PRECISION DATA SYSTEMS	cust 274	504-6100-452.50-30	R90100	7/2009 * Total	321.44 321.44
07/22/2009	95472	RUDIE, LAURINE	senior trip canceled	504-0000-227.10-00		7/2009 * Total	58.00 58.00
					** Fund Total		3,469.57
07/09/2009	95227	BAUER, CORA L	ach payroll return	505-6200-453.10-30	C10000	7/2009 * Total	385.83 385.83
07/14/2009	95230	MALL OF AMERICA ENTERTA	inver grove hts park/rec	505-6200-453.50-90	C65100	7/2009 * Total	676.00 676.00
07/14/2009	95231	SHOREVIEW COMMUNITY CEN	inver grove hgts p & r	505-6200-453.50-90	C65100	7/2009	106.75
			BACK OUT	505-6200-453.50-90	C65100	7/2009	106.75-
			inver grove hts park/rec	505-6200-453.50-90	C65100	7/2009 * Total	162.83 162.83
07/15/2009	95235	ACE PAINT & HARDWARE	cust 1126	505-6200-453.60-16	C21000	7/2009 * Total	25.55 25.55
07/15/2009	95239	APEC	city of inver grove hgt	505-6200-453.60-16	C25000	7/2009 * Total	569.69 569.69
07/15/2009	95254	COMCAST	acct 8772105910277033	505-6200-453.50-70	C10000	7/2009 * Total	74.95 74.95

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/15/2009	95258	CRARY, AMY	daycare supplies daycare- tv	505-6200-453.60-40 505-6200-453.60-65	C70000 C60100	7/2009 7/2009 * Total	65.83 507.03 572.86
07/15/2009	95276	EMMONS & OLIVIER RESOUR	city of inver grove	505-6200-453.30-20	C21000	7/2009 * Total	2,830.00 2,830.00
07/15/2009	95279	FERRELLGAS	acct 7757735	505-6200-453.60-21	C21000	7/2009 * Total	281.01 281.01
07/15/2009	95286	GRAHAM, JEN	kids rock supplies	505-6200-453.60-65	C65100	7/2009 * Total	14.02 14.02
07/15/2009	95287	GRAINGER	acct 806460150 acct 806460150	505-6200-453.60-16 505-6200-453.60-16	C21000 C21000	7/2009 7/2009 * Total	344.47 64.99 409.46
07/15/2009	95292	HAWKINS, INC.	acct 108815 acct 108815	505-6200-453.60-15 505-6200-453.60-15	C25000 C25000	7/2009 7/2009 * Total	1,762.36 510.56 2,272.92
07/15/2009	95297	HILLYARD INC	acct 267670 acct 267670 acct 267670 acct 267670 acct 267670	505-6200-453.60-11 505-6200-453.60-11 505-6200-453.60-11 505-6200-453.60-11 505-6200-453.60-11	C25000 C25000 C25000 C25000 C25000	7/2009 7/2009 7/2009 7/2009 7/2009 * Total	533.39 380.08 166.21 47.42 240.15 1,367.25
07/15/2009	95299	HUEBSCH SERVICES	acct 92965	505-6200-453.40-40	C25000	7/2009 * Total	105.57 105.57
07/15/2009	95301	ISACSON, JEFF	class canceled	505-0000-352.35-00	C71000	7/2009 * Total	49.00 49.00
07/15/2009	95304	JOHNSON CONTROLS	acct 28/8129520201 acct 28/8129520201	505-6200-453.40-40 505-6200-453.40-40	C25000 C25000	7/2009 7/2009 * Total	1,417.22 2,898.17 4,315.39
07/15/2009	95306	KIMBALL MIDWEST	acct 226819	505-6200-453.60-16	C25000	7/2009 * Total	83.98 83.98
07/15/2009	95329	NORTH ST PAUL PIZZA FAC	city of inver grove hgts	505-6200-453.60-65	C65100	7/2009 * Total	303.00 303.00
07/15/2009	95331	OLD WORLD PIZZA	city of inver grove	505-6200-453.76-05	C16000	7/2009 * Total	328.26 328.26
07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver	505-6200-453.30-55	C50000	7/2009 * Total	32.38 32.38
07/15/2009	95337	PETTY CASH - ATM	reimbursement	505-6200-453.70-44	C10000	7/2009 * Total	8.79 8.79

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/15/2009	95339	PLUNKETT'S PEST CONTROL	cust 100530	505-6200-453.40-40	C25000	7/2009 * Total	1,115.96 1,115.96
07/15/2009	95340	PODIUM SPORTS MKTG	city of inver grove hgtls	505-6200-453.50-25	C91000	7/2009 * Total	150.00 150.00
07/15/2009	95350	SAFE-WAY BUS COMPANY	veterans memorial per	505-6200-453.70-61	C65100	7/2009 * Total	283.50 283.50
07/15/2009	95351	SAM'S CLUB	acct 7715090065702540	505-6200-453.60-65	C65100	7/2009	215.15
			acct 7715090065702540	505-6200-453.76-10	C65100	7/2009 * Total	17.39 232.54
07/15/2009	95353	SAM'S CLUB	acct 7715090061606950	505-6200-453.60-40	C51000	7/2009	284.27
			acct 7715090061606950	505-6200-453.60-65	C65100	7/2009	309.99
			acct 7715090061606950	505-6200-453.76-05	C16000	7/2009 * Total	174.80 769.06
07/15/2009	95355	SEVEN CORNERS HARDWARE,	city of inver grove	505-6200-453.60-40	C21000	7/2009 * Total	47.87 47.87
07/15/2009	95363	SPRUNG SERVICES	city of inver grove	505-6200-453.40-40	C25000	7/2009 * Total	555.23 555.23
07/15/2009	95367	STERICYCLE INC	acct 2003272	505-6200-453.40-25	C10000	7/2009 * Total	211.23 211.23
07/15/2009	95369	SULLIVAN, ANNA	class canceled	505-0000-352.35-00	C71000	7/2009 * Total	49.00 49.00
07/15/2009	95374	UNORA, SOWA	city of inver grove	505-6200-453.30-70	C51000	7/2009 * Total	140.00 140.00
07/15/2009	95377	VANCO SERVICES LLC	veterans memorial	505-6200-453.70-60	C10100	7/2009 * Total	24.95 24.95
07/15/2009	95381	VISTAR CORPORATION	acct 10130236	505-6200-453.60-65	C65100	7/2009	334.01
			acct 10130236	505-6200-453.60-65	C65100	7/2009	30.59
			acct 10130236	505-6200-453.60-65	C65100	7/2009	44.88
			acct 10135003	505-6200-453.76-05	C30400	7/2009	199.05
			acct 10095779	505-6200-453.60-65	C16000	7/2009	19.79
			acct 10095779	505-6200-453.76-05	C30200	7/2009 * Total	208.76 837.08
07/15/2009	95385	XCEL ENERGY	acct 5168679487	505-6200-453.40-10	C25000	7/2009 * Total	2,667.75 2,667.75
07/15/2009	95387	XCEL ENERGY	acct 5168679487	505-6200-453.40-10	C21000	7/2009	1,049.60
			acct 5168679487	505-6200-453.40-20	C25000	7/2009 * Total	22,521.64 23,571.24
07/22/2009	95389	ACE PAINT & HARDWARE	cust 1126	505-6200-453.60-65	C50000	7/2009 * Total	12.79 12.79

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07/22/2009	95405	CHAMPIONSHIP PRODUCTS	cust id igh parks	505-6200-453.60-45	C65100	7/2009 * Total	92.70 92.70
07/22/2009	95407	COCA COLA BOTTLING COMP	outlet 3291552	505-6200-453.76-10	C30200	7/2009 * Total	185.50 185.50
07/22/2009	95415	DISCOUNT SCHOOL SUPPLY	acct 8009003	505-6200-453.60-65	C65100	7/2009 * Total	106.73 106.73
07/22/2009	95432	HOME DEPOT CREDIT SERVI	acct 6035322017128343	505-6200-453.60-40	C21000	7/2009	110.81
			acct 6035322017128343	505-6200-453.60-65	C21500	7/2009 * Total	130.98 241.79
07/22/2009	95433	IDEARC MEDIA CORP	acct 390001924527	505-6200-453.50-25	C91000	7/2009 * Total	117.00 117.00
07/22/2009	95434	IGH APOSTOLIC CHURCH	event canceled	505-0000-352.25-00	C15000	7/2009 * Total	500.00 500.00
07/22/2009	95448	MN DEPT OF EMPLOYMENT &	city of inver grove hgts	505-6200-453.20-70	C81000	7/2009 * Total	6,766.55 6,766.55
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	505-6200-453.40-42	C30400	7/2009	132.12
			mn id 8022953	505-6200-453.40-44	C10000	7/2009	172.20
			mn id 8022953	505-6200-453.60-11	C25000	7/2009	125.38
			mn id 8022953	505-6200-453.60-40	C30200	7/2009	605.29
			mn id 8022953	505-6200-453.60-65	C30100	7/2009	209.36
			mn id 8022953	505-6200-453.70-60	C10000	7/2009 * Total	51.92 1,296.27
07/22/2009	95468	PRECISION DATA SYSTEMS	cust 274	505-6200-453.50-30	C10000	7/2009 * Total	171.50 171.50
07/22/2009	95492	VISTAR CORPORATION	cust 10130236	505-6200-453.60-65	C65100	7/2009 * Total	774.14 774.14
07/22/2009	95501	ZEE MEDICAL SERVICE	cust 2914	505-6200-453.60-65	C65100	7/2009 * Total	1,239.50 1,239.50
07/15/2009	95334	OPTUMHEALTH FINANCIAL S	city of inver	602-2100-415.30-55		47 Checks ** Fund Total	57,028.62
						7/2009 * Total	.70 .70
07/15/2009	95235	ACE PAINT & HARDWARE	acct 1126	603-5300-444.60-12		1 Checks ** Fund Total	.70
						7/2009 * Total	18.68 18.68
07/15/2009	95242	ASTLEFORD INT'L & ISUZU	acct 1454	603-0000-145.50-00		7/2009 * Total	97.30 97.30
07/15/2009	95246	BOYER TRUCKS - PARTS DI	city of inver grove hgts	603-5300-444.40-41		7/2009	236.50

City of Inver Grove Heights
CHECK REGISTER BY FUND

Prepared: 07/22/2009, 11:20:40
Program: GM179L
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/15/2009	95248	CARQUEST OF ROSEMOUNT	acct 1596103583	603-5300-444.40-41		* Total	236.50
			acct 1596103583	603-0000-145.50-00		7/2009	2.12
			acct 1596103583	603-5300-444.60-12		7/2009	76.35
			acct 1596103583	603-5300-444.40-41		7/2009	25.14
			acct 1596103583	603-5300-444.60-12		7/2009	2.13-
			acct 1596103583	603-5300-444.60-12		7/2009	7.46
			acct 1596103583	603-5300-444.60-12		7/2009	7.32
			acct 1596103583	603-5300-444.40-41		7/2009	19.71
			acct 1596103583	603-5300-444.40-41		7/2009	7.50
			acct 1596103583	603-0000-145.50-00		7/2009	10.35
			acct 1596103583	603-5300-444.40-41		7/2009	5.63
			acct 1596103583	603-5300-444.60-12		7/2009	6.96
						* Total	166.41
07/15/2009	95275	EMERGENCY AUTOMOTIVE TE	city of inver grove hgts	603-5300-444.40-41		7/2009	217.88
						* Total	217.88
07/15/2009	95282	G & K SERVICES	acct 7494701	603-5300-444.40-65		7/2009	108.95
			acct 7494701	603-5300-444.60-45		7/2009	41.51
						* Total	150.46
07/15/2009	95290	HANCO CORPORATION	acct 332801	603-5300-444.60-14		7/2009	221.48
						* Total	221.48
07/15/2009	95291	HARMON AUTOGLASS-BURNSV	acct 4452	603-5300-444.40-41		7/2009	61.15
						* Total	61.15
07/15/2009	95306	KIMBALL MIDWEST	ACCT 222006	603-5300-444.60-12		7/2009	108.88
						* Total	108.88
07/15/2009	95345	R & R CARPET SERVICE	city of inver grove	603-5300-444.40-65		7/2009	116.62
						* Total	116.62
07/15/2009	95346	RDO EQUIPMENT COMPANY	ACCT 2556007	603-5300-444.40-41		7/2009	140.63
						* Total	140.63
07/15/2009	95347	REED'S SALES & SERVICE	ACCT INC1191	603-5300-444.40-41		7/2009	120.73
						* Total	120.73
07/15/2009	95365	ST. PAUL HARLEY-DAVIDSO	cust 44051	603-5300-444.40-41		7/2009	402.63
			cust 44051	603-5300-444.40-41		7/2009	402.63
						* Total	805.26
07/15/2009	95371	TOTAL CONSTRUCTION & EQ	CITY OF INVER GROVE HGTS	603-5300-444.40-40		7/2009	706.93
						* Total	706.93
07/15/2009	95379	VIKING ELECTRIC SUPPLY	ACCT 1376	603-5300-444.60-16		7/2009	153.88
						* Total	153.88
07/15/2009	95388	ZEE MEDICAL SERVICE	CITY OF INVER GROVE HGTS	603-5300-444.60-65		7/2009	192.45
						* Total	192.45

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD / YEAR	AMOUNT
07/22/2009	95389	ACE PAINT & HARDWARE	cust 1126	603-5300-444.60-12		7/2009	15.46
			cust 1126	603-5300-444.60-12		7/2009	9.98
						* Total	25.44
07/22/2009	95401	BOYER TRUCKS - PARTS DI	cust c20390	603-0000-145.50-00		7/2009	190.05
			cust c20390	603-0000-145.50-00		7/2009	131.46
						* Total	321.51
07/22/2009	95404	CARQUEST OF ROSEMOUNT	acct 614420	603-5300-444.40-41		7/2009	91.43
			acct 614420	603-5300-444.60-12		7/2009	13.12
			acct 614420	603-5300-444.40-41		7/2009	10.69
			acct 614420	603-5300-444.40-41		7/2009	157.35
			acct 614420	603-5300-444.60-12		7/2009	35.78
			acct 614420	603-5300-444.40-41		7/2009	16.02
			acct 614420	603-5300-444.40-41		7/2009	73.07
			acct 614420	603-0000-145.50-00		7/2009	29.02
			acct 614420	603-5300-444.40-41		7/2009	42.43
			acct 614420	603-0000-145.50-00		7/2009	102.09
			cust 614420	603-0000-145.50-00		7/2009	177.06
			cust 614420	603-5300-444.40-41		7/2009	11.72
			cust 614420	603-0000-145.50-00		7/2009	8.06
			cust 614420	603-0000-145.50-00		7/2009	16.12
			cust 614420	603-5300-444.40-41		7/2009	2.20
			cust 614420	603-0000-145.50-00		7/2009	32.96
						* Total	797.74
07/22/2009	95419	G & K SERVICES	cust 0157401	603-5300-444.40-65		7/2009	108.96
			cust 0157401	603-5300-444.60-45		7/2009	41.51
						* Total	150.47
07/22/2009	95425	GREENER SOLUTIONS	inver grove hghts	603-5300-444.40-41		7/2009	191.70
						* Total	191.70
07/22/2009	95436	INVER GROVE FORD	city of inver grove	603-5300-444.40-41		7/2009	288.13
			city of inver grove	603-5300-444.40-41		7/2009	57.51
			city of inver grove	603-5300-444.40-41		7/2009	2,094.43
						* Total	2,440.07
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	603-5300-444.40-40		7/2009	215.87
			mn id 8022953	603-5300-444.40-65		7/2009	45.32
						* Total	261.19
07/22/2009	95459	NEXTEL COMMUNICATIONS	acct 249383315	603-5300-444.50-20		7/2009	64.02
						* Total	64.02
07/22/2009	95462	NORTHLAND CHEMICAL CORP	cust 45025141	603-5300-444.60-11		7/2009	61.24
						* Total	61.24
07/22/2009	95463	NS/I MECHANICAL CONTRAC	city of inver grove hghts	603-5300-444.40-40		7/2009	1,212.18
						* Total	1,212.18
07/22/2009	95466	OXYGEN SERVICE COMPANY,	acct 4393	603-5300-444.60-12		7/2009	112.36
						* Total	112.36

Prepared: 07/22/2009, 11:20:40
 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/L NUMBER	PROJECT	PERIOD / YEAR	AMOUNT
07/22/2009	95476	SCHARBER & SONS	cust 4502581	603-5300-444.40-41		7/2009 * Total	37.93 37.93
07/22/2009	95482	ST. JOSEPH EQUIPMENT, I	acct si0930	603-5300-444.40-41		7/2009 * Total	273.36 273.36
07/22/2009	95491	VIKING ELECTRIC SUPPLY	acct 1376	603-5300-444.60-16		7/2009 * Total	87.15 87.15
07/22/2009	95499	XCEL ENERGY	acct 5152791130 acct 5152791130	603-5300-444.40-20 603-5300-444.40-10		7/2009 * Total	1,580.28 84.45 1,664.73
07/15/2009	95257	COORDINATED BUSINESS SY	city of inver grove hgts	604-2200-416.40-50	** Fund Total	7/2009 * Total	11,216.33 495.00 495.00
07/15/2009	95341	PRECISION DATA SYSTEMS	park & rec copy paper	604-2200-416.60-10		7/2009 * Total	357.70 357.70
07/22/2009	95474	S & T OFFICE PRODUCTS	acct S28777 acct S28777 acct S28777 acct S28777 acct S28777 acct S28777 acct S28777	604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10		7/2009 * Total	9.17 33.46 175.95 43.59 1.62 106.13 141.35 511.27
07/15/2009	95332	ONVOY INC	acct 1555726455	605-3100-419.50-20	** Fund Total	7/2009 * Total	1,363.97 992.91 992.91
07/15/2009	95345	R & R CARPET SERVICE	city of inver grove	605-3100-419.40-65		7/2009 * Total	154.80 154.80
07/15/2009	95376	USA MOBILITY WIRELESS I	acct 03174935	605-3100-419.40-65		7/2009 * Total	4.89 4.89
07/15/2009	95388	ZEE MEDICAL SERVICE	city of inver grove hgts	605-3100-419.60-65		7/2009 * Total	138.55 138.55
07/22/2009	95400	BONESTROO, ROSENE, ANDE	city of inver grove hgts	605-3100-419.30-70		7/2009 * Total	971.44 971.44
07/22/2009	95429	HILLIARD INC	acct 274069	605-3100-419.60-11		7/2009 * Total	117.23 117.23
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	605-3100-419.40-65		7/2009 * Total	81.50 81.50

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE # / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
				7 Checks	** Fund Total		2,461.32
07/15/2009	95271	DELL MARKETING	acct 019368783 acct 019368783	606-1400-413.60-65 606-1400-413.60-65		7/2009 7/2009 * Total	53.79 16.14 69.93
07/15/2009	95330	OFFICE OF ENTERPRISE TE	acct b00659	606-1400-413.30-70		7/2009 * Total	500.00 500.00
07/22/2009	95390	ADVANCED TECHNOLOGY SYS	cust cityinver	606-1400-413.60-10		7/2009 * Total	448.64 448.64
07/22/2009	95448	MN DEPT OF EMPLOYMENT &	city of inver grove hgts	606-1400-413.20-70		7/2009 * Total	7,358.00 7,358.00
07/22/2009	95451	MN DEPT OF REVENUE	mn id 8022953	606-1400-413.30-70		7/2009 * Total	987.68 987.68
07/22/2009	95464	OFFICE OF ENTERPRISE TE	city of inver grove	606-1400-413.30-75		7/2009 * Total	311.81 311.81
07/22/2009	95474	S & T OFFICE PRODUCTS	acct 528777	606-1400-413.60-65		7/2009 * Total	155.49 155.49
07/09/2009	95228	RAMSEY COUNTY SHERIFF'S	kianna mcbride	702-0000-229.10-00		7/2009 * Total	200.00 200.00
07/14/2009	95229	DAKOTA CTY SHERIFF'S DE	angel marie illetschko	702-0000-229.10-00		7/2009 * Total	300.00 300.00
07/15/2009	95255	CONDOR CORPORATION	escrow released	702-0000-228.25-00		7/2009 * Total	2,488.41 2,488.41
07/15/2009	95259	CULLIGAN	acct 157984732428	702-0000-228.63-00		7/2009 * Total	35.30 35.30
07/15/2009	95308	LEVANDER, GILLEN & MILL	client 81000e client 81000e client 81000e	702-0000-228.38-00 702-0000-228.80-00 702-0000-230.25-00		7/2009 7/2009 7/2009 * Total	76.80 494.60 248.60 820.00
07/22/2009	95411	DAKOTA CTY SHERIFF'S DE	adrian parias sanchez	702-0000-229.10-00		7/2009 * Total	1,000.00 1,000.00
07/22/2009	95416	EMMONS & OLIVIER RESOUR	city of inver grove hgts city of inver grove hgts city of inver grove hgts	702-0000-228.21-00 702-0000-228.22-00 702-0000-230.44-00		7/2009 7/2009 7/2009 * Total	783.70 554.20 849.40 2,187.30
07/22/2009	95442	LILLIE SUBURBAN NEWSPAP	city of inver grove	702-0000-228.66-00		7/2009 * Total	12.80 12.80

City of Inver Grove Heights
CHECK REGISTER BY FUND

Prepared: 07/22/2009, 11:20:40
Program: GM179L
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
07/22/2009	95483	STONEHENGE IGH VENTURE	escrow refund	702-0000-228.75-00		7/2009	63.00
						* Total	63.00
07/15/2009	95305	JR'S APPLIANCE DISPOSAL	INVER GROVE HGTS	703-5500-446.40-25		7/2009	16.00
						* Total	16.00
07/15/2009	95308	LEVANDER, GILLEN & MILL	client 81000e	703-5500-446.30-42		7/2009	24.00
						* Total	24.00
						** Fund Total	40.00
						*** Bank Total	1,586,399.24
						*** Grand Total	1,586,399.24

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Change Order #1 for National Guard Gymnasium Floor Replacement

Meeting Date: July 27, 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 type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input checked="" 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

Authorize change order #1 in an amount not to exceed \$63,000 to apply epoxy floor sealing product to seal concrete slab at the National Guard Gymnasium. The original contract awarded to Anderson Ladd is \$103,000. The epoxy product has a cost of \$62,119 and we will receive a credit of \$7,774 so the net change to the contract is \$54,345. The contractor did receive multiple quotes and the work is being performed by a sub-contractor. The change order is funded from City Facilities fund which had a balance of \$1,600,000 at the end of June and \$20,000 of encumbrances.

Originally the gymnasium was scheduled to be closed for construction for seven weeks from April 27th – June 12th. The additional analysis of the moisture issues have delayed the project our goal is to have the gym back in operation by mid-September.

SUMMARY

The City and National Guard have been working on replacing the gymnasium flooring at the National Guard Gymnasium. The existing floor did not last its expected useful life in part due to moisture issues found underneath the concrete slab. In March 2008, the City and MSABC signed a memorandum of understanding indicating that the City and MSABC would approve of a mutually beneficial flooring system for the National Guard Armory including specifications and final costs. The City and MSABC agreed to split the project cost 50/50 with total project costs not to exceed \$150,000.

On April 14, 2008 the Council hired Buetow & Associates to test the floor and develop plans and specifications for the project. As a part of the testing, a moisture vapor emission test and a relative humidity test were performed. The vapor emission test recorded an 8 and an acceptable number is less than 3. The humidity test recorded a range of 93-97% and an acceptable level is 75%. As a part of the specifications, Buetow & Associates specified a process to seal the floor that would correct the moisture issues discovered in the original testing.

As a part of the contract the contractor was require to “re-test” the moisture found in the floor. During this re-test, the moisture reading rose to a level of an average of 13. The process specified in the original specification is not capable of correcting this moisture level.

After the existing floor was removed and moisture was found on the concrete slab, the City hired Emmons & Olivier Inc., to investigate surface and ground water on the site. The evaluation has revealed a small amount of ground water in the southern\southeastern portion of the building. One possible solution to the resolve the issue is to install drain tile on the exterior of the building. The estimated cost for this is \$32,000. There is no guarantee that drain tile will resolve the moisture issues.

The contractor, Anderson Ladd, can install an epoxy product on the floor that will “guarantee” that moisture will not impact the performance of the flooring system. The cost to apply the epoxy product is \$62,119.

The position of the National Guard is that anything better than a concrete floor is an “enhanced” floor. The Guard has been very cooperative and had previously agreed to participate in funding of the floors replacement with a contribution of \$75,000. The Guard is willing to increase this contribution to \$90,000 to help with the installation of the epoxy product.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Final Compensating Change Order No. 3, Final Pay Voucher No. 6, Engineer's Final Report, and Resolution Accepting Work under the 2008 Pavement Management Program, City Project No. 2008-09H – South Grove Sod Replacement Project

Meeting Date: July 27, 2009
 Item Type: Consent
 Contact: Thomas J. Kaldunski, 651.450.2572
 Prepared by: Thomas J. Kaldunski, City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director

SST *ST*

Fiscal/FTE Impact:

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

PURPOSE/ACTION REQUESTED

Consider Final Compensating Change Order No. 3, Final Pay Voucher No. 6, Engineer's Final Report, and Resolution Accepting Work under the 2008 Pavement Management Program, City Project No. 2008-09H – South Grove Sod Replacement Project.

SUMMARY

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

Final Compensating Change Order No. 3 is a deduction of \$3,100.37. The contractor has completed the work and maintenance period in accordance with contract plans and specifications.

I recommend approval of Final Compensating Change Order No. 3 for a deduction of \$3,100.37 (for a final contract amount of \$102,623.99), Final Pay Voucher No. 6 in the amount of \$5,131.20, Engineer's Final Report, and Resolution Accepting Work under the 2008 Pavement Management Program, City Project No. 2008-09H – South Grove Sod Replacement Project.

SDT/kf

Attachment: Final Compensating Change Order No. 3
 Final Pay Voucher No. 6
 Engineer's Final Report
 Resolution

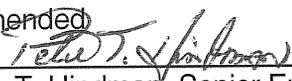
FINAL COMPENSATING CHANGE ORDER NO. 3

**2008 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2008-09H – SOUTH GROVE SOD REPLACEMENT PROJECT**

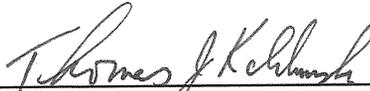
Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077	Date of Issuance: June 30, 2009
Contractor: Urban Companies 3781 Labore Road St. Paul, MN 55110 651-248-9830	Engineer: City of Inver Grove Heights

Purpose of Change Order

Total contract amount was less.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$63,400.00	Original Contract Time:
Previous Change Orders No. 1 to No. 2 \$42,324.36	Net Change from Previous Change Orders
Contract Price Prior to this Change Order \$105,724.36	Contract Time Prior to this Change Order
Net Decrease of this Change Order (\$3,100.37)	Net Increase (Decrease) of Change Order
Contract Price with all Approved Change Orders \$102,623.99	Contract Time with Approved Change Orders
Recommended By: <u></u> Peter T. Hindman, Senior Engineering Tech.	Approved By: _____

Approved By:


Thomas J. Kaldunski
City Engineer

Approved By:

George Tourville, Mayor

Date of Council Action:

July 27, 2009

**CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAYMENT VOUCHER**

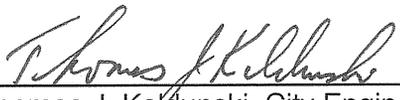
ESTIMATE NO: 6 (Six) FINAL
DATE: July 20, 2009
PERIOD ENDING: June 30, 2009
CONTRACT: 2008 Pavement Management Program
PROJECT NO: 2008-09H – South Grove Sod Replacement Project

TO: Urban Companies
3781 Labore Road
St. Paul, MN 55110
651-248-9830

Original Contract Amount	\$63,400.00
Total Addition (Change Order Nos. 1, 2).....	\$42,324.36
Total Deduction (Change Order No. 3)	(\$3,100.37)
Total Contract Amount.....	\$105,724.36
Total Value of Work to Date.....	\$102,623.99
Less Retained (0%)	\$0.00
Less Previous Payment.....	\$97,492.79
Total Approved for Payment this Voucher.....	\$5,131.20
Total Payments including this Voucher	\$102,623.99

Approvals:

Pursuant to our field observation, I hereby recommend for payment the above stated amount for work performed through June 30, 2009.

Signed by:  July 20, 2009
Thomas J. Kaldunski, City Engineer

Signed by: _____
Urban Companies Date

Signed by: _____
George Tourville, Mayor July 27, 2009

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ENGINEER'S REPORT OF FINAL ACCEPTANCE

2008 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2008-09H – SOUTH GROVE SOD REPLACEMENT PROJECT

July 20, 2009

TO THE CITY COUNCIL
INVER GROVE HEIGHTS, MINNESOTA

HONORABLE MAYOR AND CITY COUNCIL MEMBERS:

This is to advise you that I have received the work under contract to Urban Companies. The work consisted of sod replacement within the City of Inver Grove Heights.

The contractor has completed the project in accordance with the contract.

It is recommended, herewith, that final payment be made for said improvements to the contractor in the amount as follows:

ORIGINAL CONTRACT PRICE	\$63,400.00
CHANGE ORDER NO. 1	\$41,971.15
CHANGE ORDER NO. 2	\$353.21
FINAL CHANGE ORDER NO. 3	(\$3,100.37)
FINAL CONTRACT AMOUNT	\$105,724.36
FINAL VALUE OF WORK	\$102,623.99
PREVIOUS PAYMENTS	\$97,492.79
BALANCE DUE	\$5,131.20

Sincerely,



Thomas J. Kaldunski, P.E.
City Engineer

TJK/kf

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

**RESOLUTION ACCEPTING WORK OF URBAN COMPANIES AND AUTHORIZING FINAL
PAYMENT IN THE AMOUNT OF \$5,131.20**

**2008 PAVEMENT MANAGEMENT PROGRAM
CITY PROJECT NO. 2008-09H – SOUTH GROVE SOD REPLACEMENT PROJECT**

RESOLUTION NO. _____

WHEREAS, pursuant to a written contract with the City of Inver Grove Heights dated May 12, 2008, Urban Companies satisfactorily completed improvements and appurtenances for the 2008 Pavement Management Program, City Project No. 2008-09H – South Grove Sod Replacement Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: That the work completed under this contract is hereby accepted and approved, and

BE IT FURTHER RESOLVED: That the Mayor and the City Clerk are hereby directed to issue a proper order for final payment on such contract, taking the contractor's receipt in full.

Adopted by the City Council of Inver Grove Heights this 27th day of July 2009.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Change Order No. 4 and Pay Voucher No. 13 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements

Meeting Date: July 27, 2009
 Item Type: Consent
 Contact: Steve W. Dodge, 651.450.2541
 Prepared by: Steve W. Dodge, Asst. City Engineer
 Reviewed by: Scott D. Thureen, Public Works Director
SDT ST

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: 2003-15 Project Funds

PURPOSE/ACTION REQUESTED

Consider Change Order No. 4 and Pay Voucher No. 13 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.

Change Order No. 4 in the amount of \$9,993.50 is to compensate the contractor for additional work performed outside the scope of the project contract. Change Order No. 4 is funded by the project contingency fund.

The contractor has completed the work through June 30, 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 Change Order No. 4 in the amount of \$9,993.50 (for a total contract amount of \$9,750,887.64) and Pay Voucher No. 13 in the amount of \$664,837.69 for City Project No. 2003-15 – Northwest Area Trunk Utility Improvements.

SWD/kf
 Attachments: Change Order No. 4
 Pay Voucher No. 13

CITY PROJECT NO. 2003-15
NORTHWEST AREA TRUNK UTILITY IMPROVEMENTS

Owner: City of Inver Grove Heights
8150 Barbara Avenue
Inver Grove Heights, MN 55077

Date of Issuance: July 13, 2009

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

Engineer: Bolton & Menk, Inc.
12224 Nicollet Ave
Burnsville, MN 55337

Purpose of Change Order:

Compensate the Contractor for additional work performed outside of the scope of the original project contract.

Whereas existing irrigation lines, valves and sprinkler heads within the Babcock Trail right-of-way for the National Guard Armory, the skateboard park, and the vehicle maintenance facility were required to be removed to facilitate the adjacent infrastructure improvements.

Therefore, the Contractor should be compensated \$9,993.50 to repair and replace the irrigation lines, valves and sprinkler heads.

The Contractor will not make claim of any kind or character whatsoever for any other costs, expenses, or time that may have incurred or that may be hereafter incurred in performing the work and furnishing the labor or materials required by this agreement.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$9,537,706.15	Original Contract Time:
Previous Change Orders No. <u>1</u> to No. <u>2</u>	Net Change from Previous Change Orders
Contract Price Prior to this Change Order \$9,740,894.14	Contract Time Prior to this Change Order:
Net Increase of this Change Order \$9,993.50	Net Increase of current Change Order:
Contract Price with all Approved Change Orders Orders \$9,750,887.64	Contract Time with Approved Changes:

Recommended By: <u>Marcus A Thomas</u> Engineering Project Manager	Approved By: <u>[Signature]</u> Project Manager
--	---

Approved By:

[Signature]
Scott Thureen,
Public Works Director

Approved By:

George Tourville, Mayor

Date of Council Action:

CITY OF INVER GROVE HEIGHTS
CONSTRUCTION PAYMENT VOUCHER

ESTIMATE NO. 13
DATE: July 13, 2009
PERIOD ENDING: June 30, 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, No. 2, and No. 4).....\$213,181.49
C. Total Deductions
D. TOTAL CONTRACT AMOUNT\$9,750,887.64
E. TOTAL VALUE OF WORK TO DATE\$9,697,349.61
F. LESS RETAINED (5%).....\$484,867.48
G. Less Previous Payment.....\$8,547,644.44
H. TOTAL APPROVED FOR PAYMENT THIS VOUCHER.....\$664,837.69
I. TOTAL PAYMENTS INCLUDING THIS VOUCHER\$9,212,482.13

APPROVALS:

Pursuant to our field observations, I hereby recommend for payment the above stated amount for work performed through June 30, 2009.

Signed by: 
Scott Thureen, Public Works Director

21 JULY 09
Date

Signed by: 
Kevin Klimmek, Ames Construction

7/16/09
Date

Signed by: _____
George Tourville, Mayor

Date

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Accept Proposal for Street Patching Services

Meeting Date: July 27, 2009
 Item Type: Consent
 Contact: Barry Underdahl, 651.775.3319
 Prepared by: Scott D. Thureen, Public Works Director
 Reviewed by: *SDT*

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

Accept proposal for street patching services.

SUMMARY

Each year, the Street Maintenance budget includes funding to hire contractors to assist with pothole patching, if needed. We will need the assistance of a contractor this year. Street Maintenance personnel are doing a significant amount of additional work for storm water pond maintenance. In addition, Streets is short-staffed. One vacant full-time position and all seasonal positions were not filled to help address budget issues.

The proposed work would address all patching on Broderick Boulevard between College Trail and Concord Boulevard using a technique called spray patching. We have not used it before. However, a number of agencies are using it and report very good results.

Two quotes were received:

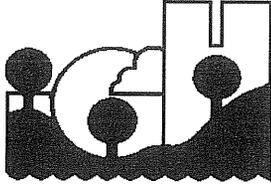
RCM Specialties Inc.	\$3,800.00
Minnesota Asphalt Maintenance	\$4,600.00

I recommend accepting the proposal from RCM Specialties, Inc. in an amount not to exceed \$3,800.00.

An additional request for contractor assistance with street patching will be presented to the Council at a future meeting.

SDT/kf

Attachments: Memo from Barry Underdahl
 Proposals



City of Inver Grove Heights
Streets/Central Equipment

MEMORANDUM

TO : Scott Thureen
FROM : Barry Underdahl
SUBJECT : Patching
DATE : 7-22-09

Background

To help keep up with street maintenance each year contractors assist the Street Department in select areas. Quotes have been received from two companies for a patching process called Spray Injection Patching. This process involves one truck and one operator who performs all operations from the driver's seat. The repair area is blown clean, CRS2 oil is applied, a mixture of CRS2 oil and FA2 Trap Rock is applied to build up the repair and blend it to the surrounding pavement, and then FA2 Trap Rock is applied for the wear surface of the repair. This type of repair can last longer than conventional pothole patching methods and it blends in better so it is less noticeable.

RCM Specialties Inc. and Minnesota Asphalt Maintenance have each submitted a quote to Spray Injection Patch Broderick Blvd. from College Trail to Concord Blvd.

Recommendation

I recommend excepting the quote from RCM Specialties Inc. for a total project cost of \$3,800.00. This amount would be paid from budget line item 101-5200-443-40-46 Repairs & Maint. – Road.

RCM SPECIALTIES INC.
PO Box 278
Cottage Grove MN 55016

July 20, 2009

Barry Underdahl
City of Inver Grove Heights
8168 Barbara Ave
Inver Grove Heights MN 55077

Spray Patch Project Broderick Blvd

RCM Specialties will apply approximately 14 tons of FA2 Dresser Trap Rock
To areas on Broderick Blvd between Collage Trail and Concord Blvd.
Areas will be patched as outlined by Barry Underdahl.

TOTAL PROJECT COST WILL BE \$3800.00

This does include time and all material

Sincerely,



Frank Connelly
President RCM Specialties Inc

Minnesota Asphalt Maintenance

821 66th Ave. NE

Fridley, MN 55432

Office: 763-753-0586 Fax: (763) 586-0945

www.minnesotaasphalt.com

Proposal

Proposal Date:
7/21/2009

Proposal #:
8231

Submitted to:

City of Inver Grove Heights
Barry Underdahl
Inver Grove Heights, MN

Job Location

City of Inver Grove Heights
Barry Underdahl
Inver Grove Heights, MN

DESCRIPTION

Total

Spray injection patching on Broadrick Ave

4,600.00

All Material is Guranteed to be as specified. All work to be completed in a workman like manner according to stander practices. Any alteration or deviation from above specifications involving extra costs will become an extra charge over and above the estimate. Contractor to carry necessary Insurance including Workman's Compensation Insurance. No bonds or permits included.

Any person or company supplying labor or materials for this improvement to your property may file a lien against your property if that person or company is not paid for the contributions. Under MN law, you have the right to pay persons who supplied labor or materials for this improvement directly and deduct this amount from our contract price, or withhold the amounts due from us until 120 days after completion of the improvement unless we give you a lien waiver signed by persons who supplied any labor or material for the improvement and who gave you timely notice.

Proposal Must be Accepted within 30 days from date.

Total	\$4,600.00
--------------	------------

Authorized Signature _____

Date _____

ACCEPTANCE OF PROPOSAL.

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

Authorized Signature _____

Date _____

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Accept Proposal for Water Heater Replacement

Meeting Date: July 27,2009
Item Type: Consent
Contact: Michael Sheggeby 651.450.2514
Prepared by: Michael Sheggeby
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

Accept proposal for water heater replacement from US Mechanical in the amount of \$30,675 + tax to be funded from the VMCC Operating budget C21000 80-20.

SUMMARY

Hot water is required for use in the ice resufacer for resurfacing the ice after each use. Two of the three hot water heaters are in a condition that warrants replacement. Staff has solicited quotes as follows:

U.S. Mechanical	\$30,675
Yale Mechanical	\$38,200
Master Mechanical	\$38,500

Staff recommends accepting the proposal from U.S Mechanical in the amount of \$30,675 + tax.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Hiring Consultant for Operational Assessment of Inver Wood Golf Course

Meeting Date: July 27, 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 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

Approve hiring Global Golf Advisors in an amount not to exceed \$55,100 to perform an Operational Assessment of the Inver Wood Golf Course as outlined in the Request for Proposals approved by the Council on May 11, 2009. The expenditure is recommended to be funded from the Host Community Fund.

SUMMARY

The Council approved advertising a Request for Proposal for an Inver Wood Operational Assessment on May 11, 2009. The City received a total of seven proposals ranging in price from \$16,800 - \$68,500. The proposals were received as follows:

- CEHP Inc.
- Edge Golf Group, THK Associates Inc.
- Global Golf Advisors
- Golf Property Analysts
- Professional Golf & Hospitality Consultants
- Sirius Golf Advisors LLC
- Wexford Golf

A committee consisting of Mayor Tourville, Councilmember Grannis, PRAC member Schueller, City Administrator Lynch, and Director Carlson met to narrow the field from seven to four. On Thursday, July 16th we interviewed four firms and are unanimously recommending Global Golf Advisors.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: July 27, 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:

Approve resolution authorizing execution of the joint Traffic Safety Project Grant awarded for the period from October 1, 2009 through September 30, 2010.

SUMMARY:

The City of Inver Grove Heights previously, through a resolution, partnered with eleven Dakota County cities to coordinate local law enforcement traffic safety laws. The Dakota County Traffic Safety Group initiated the agreement, acting on behalf of all jurisdictions. The City of Burnsville is responsible for all funds received and disbursed. The effort is aimed at targeting geographical areas within the participating jurisdictions, by providing personnel and equipment in quantities that would not be possible on an individual jurisdictional basis. The traffic enforcement partnership became known as the Dakota County Traffic Safety Project (DCTSP).

The DCTSP is again applying for grant funding in the amount of \$131,000. This funding will come from the National Highway Traffic Safety Administration.

In the proposed grant, all participating agencies would be eligible for reimbursement for overtime expenditures for 22 enforcement actions between October 1 2009 and September 30 2010. These expenditures would consist of one officer working six hours per shift. There is no matching funds requirement, but the grant requires the DCTSP to conduct an additional 22 enforcement actions during this period. These events would require one officer per agency working six hours (not overtime) per additional event.

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

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY OF INVER GROVE HEIGHTS TO
ENTER INTO A GRANT AGREEMENT WITH THE DAKOTA COUNTY
TRAFFIC SAFETY GROUP**

WHEREAS, the City of Inver Grove Heights desires to participate in the Dakota County Traffic Safety Group Grant Project. Project Dates October 1, 2009 through September 30, 2010, and

WHEREAS, the State of Minnesota requires a resolution of the City Council to participate, and

WHEREAS, the City has entered into previous grants to provide increased traffic enforcement and educational activities, and

WHEREAS, the City has partnered with other Dakota County law enforcement agencies to increase traffic safety in the community, and

WHEREAS, the City will partner the 11 other government entities in Dakota County to increase traffic safety, and

WHEREAS, the City Councilors of the City of Inver Grove Heights have duly considered this matter and believe that it is in the best interests of the City to enter into a grant agreement with the OTS through the DCTSG to provide enhanced traffic enforcement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS: that the proper City officers be and hereby are authorized to execute such agreement and any amendments, and thereby assume for and on behalf of the City all of the contractual obligations contained therein.

Adopted by the City Council of Inver Grove Heights this 27th day of July, 2009.

AYES:

NAYS:

George Tourville, Mayor

ATTEST:

Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Inver Grove Heights Hockey Association – Consider Application for Charitable Gambling Premises Permit at L.W.’s Bierstube, 6434 Cahill Ave.

Meeting Date: July 27, 2009
Item Type: Consent
Contact: 651.450.2513
Prepared by: Melissa Rheaume
Reviewed by: N/A

Fiscal/FTE Impact:

- | | |
|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | None |
| <input type="checkbox"/> | Amount included in current budget |
| <input type="checkbox"/> | Budget amendment requested |
| <input type="checkbox"/> | FTE included in current complement |
| <input type="checkbox"/> | New FTE requested – N/A |
| <input type="checkbox"/> | Other |

PURPOSE/ACTION REQUESTED:

Consider Resolution Approving Application of the Inver Grove Heights Hockey Association for a Class “B” Premises Permit for the Sale of Pull-Tabs at L.W.’s Bierstube, 6434 Concord Boulevard, effective September 1, 2009.

SUMMARY:

The Inver Grove Heights Hockey Association has submitted an application for a premises permit for the sale of pull-tabs at L.W.’s Bierstube beginning September 1, 2009. The hockey association currently holds a premises permit for Jersey’s Bar & Grill and is in compliance with the trade area expenditure requirements and has submitted all reporting documentation as outlined in the City Code Section 1020.09.

Staff recommends adoption of the attached resolution approving the application of the Inver Grove Heights Hockey Association for a Class B Gambling Premises Permit for Sale of Pull-Tabs at L.W.’s Bierstube.

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

RESOLUTION NO. _____

**RESOLUTION APPROVING THE APPLICATION OF
INVER GROVE HEIGHTS HOCKEY ASSOCIATION FOR
A CLASS "B" PREMISES PERMIT TO CONDUCT LAWFUL PURPOSE
GAMBLING AT L.W.'S BIERSTUBE LOCATED AT
6434 CAHILL AVE., INVER GROVE HEIGHTS, MINNESOTA**

WHEREAS, Minnesota Statutes require premises on which lawful gambling is conducted to be licensed by the Minnesota Charitable Gambling Control Board, and

WHEREAS, the Inver Grove Heights Hockey Association has submitted an application for a Class "B" Gambling Premises Permit to conduct the sale of pull-tabs at L.W.'s Bierstube, located at 6434 Cahill Avenue, Inver Grove Heights, and

WHEREAS, the City of Inver Grove Heights has conducted the required background investigation on the application which has not developed any facts that would constitute the basis for denial, now

THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Inver Grove Heights, County of Dakota, State of Minnesota, hereby approves the application of the Inver Grove Heights Hockey Association for a premises permit for Class "B" charitable gambling operations at L.W.'s Bierstube, 6434 Cahill Avenue, subject to compliance with the provision of the City's Gambling Ordinance (City Code Section 1020) or Minnesota Statutes relating to charitable gambling and requests waiver of the 30-day waiting period.

FURTHER, to direct staff to forward of copy of this resolution to the Minnesota Charitable Gambling Control Board.

Adopted this 27th day July, 2009

Ayes:

Nays:

George Tourville, Mayor

Attest:

Melissa Rheume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

SCHEDULE PUBLIC HEARING TO CONSIDER APPLICATION FOR RELOCATION OF OFF-SALE LIQUOR LICENSE - CAMERON'S LIQUOR

Meeting Date: July 27, 2009
 Item Type: Consent
 Contact: 651.450.2513
 Prepared by: Melissa Rheame
 Reviewed by: N/A

Fiscal/FTE Impact:

- | | |
|-------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> | None |
| <input type="checkbox"/> | Amount included in current budget |
| <input type="checkbox"/> | Budget amendment requested |
| <input type="checkbox"/> | FTE included in current complement |
| <input type="checkbox"/> | New FTE requested – N/A |
| <input type="checkbox"/> | Other |

PURPOSE/ACTION REQUESTED:

Schedule public hearing on August 24, 2009 to consider application for relocation of off-sale intoxicating liquor license held by Cameron's Warehouse Liqs, Inc. dba Cameron's Warehouse Liquors.

SUMMARY:

Council is required to hold a public hearing to consider the relocation request of Cameron's Warehouse Liquors as it relates to the off-sale intoxicating liquor license. Because of publication requirements as outlined in the Inver Grove Heights City Code, the earliest date a public hearing can be held is Monday, August 24, 2009 at 7:30 p.m. in the City Council Chambers. Notice of public hearing will be published in the August 2, 2009 edition of the Southwest Review.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

PERSONNEL ACTIONS

Meeting Date: July 27, 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: Mary Hitzeman, Jeff Bauer, Keith Root.

Please confirm the seasonal/temporary termination of: Melissa Blum.

Please confirm the termination of employment of: Elwyn Wang from Fire Department.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

CONSIDER APPROVAL OF ADDITIONAL COST FOR CITY PROJECT 2008-18 PUBLIC SAFETY ADDITION/CITY HALL RENOVATION

Meeting Date: July 27, 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 approval of additional cost for City Project 2008-18 Public Safety Addition/City Hall Renovation.

SUMMARY The construction of the police addition to the west of the existing City Hall and the lower level storage area below the new council chamber location to the East of the existing City Hall contractually note footings and foundations which extend below the existing City Hall's footings and foundations.

To assure stability at the existing City Hall during construction while excavation and construction activities are occurring below the existing footing locations', 'underpinning' is required to be installed. Underpinning is used for stabilization of existing structures during construction activities. Different types of underpinning become suitable for different construction conditions, configurations, elevation differences, and actual soil conditions. The original construction bids and construction documents anticipated the construction of a concrete footing extension below the existing structure. The underpinning system called for by the documents was determined not to be feasible at the west side of the building due to the height and lateral loads imposed. It has been determined that the installation of a 'helical pier' or 'jet grouting' underpinning system is required for this project's specific conditions. The design and owner's representative team as well as the contracting team are in agreement that a change is required and that it requires additional cost to the project and that the project can't move forward without this change.

The east side is being evaluated to see if any changes are necessary to the documents. If changes are needed this will come back to the City Council for consideration at a later date.

The contractor team has submitted a cost associated with the increase in project costs for this finalized system including a credit for the elimination of the work included in the original bid documents. The owner's representative and design team have reviewed these costs as follows:

- a) Independent cost estimating conducted by Architect and Owner's Representative
- b) Review of costs with other contractors
- c) Review of costs against RS Means, a nationally recognized construction cost estimating resource
- d) Third party cost review conducted by Faithful and Gould, a construction cost estimating firm.

All review resources have resulted in cost estimates which appear to be within a close range. These cost assessments concur and substantiate Shaw Lundquist's costs for the finalized system on the west side.

To assure the safety and stability of the existing City Hall during construction, and to move the construction progress forward, the City Council is requested to approve this additional cost for the required work for a not-to-exceed amount of \$45,139 for the west side only. This cost reflects the adjusted credit amounts reviewed through the multiple cost assessments.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Herdle; Consider adopting the following resolution for the property located at 7710 Banks Court, Inver Grove Heights, MN.

Meeting Date: July 27, 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

- a) Consider denying a variance to construct a covered porch that would encroach within the front yard setback.
- Requires 3/5th's vote.
 - 60-day deadline: August 3, 2009 (first 60 days)

SUMMARY

The applicant has submitted a variance request to construct a porch addition that would encroach within the front yard setback of his R-1C, Single Family Residential lot. The lot currently features the applicant's home and attached garage, which are constructed 32 feet from the front property line. City Code states that all structures must be setback at least 30' from the front property line. The applicant is requesting to construct a 96 square foot (8' x 12') porch addition that would extend six feet into the required setback. Therefore, he is requesting a variance to construct the addition.

RECOMMENDATION

Analysis The property does not have any special conditions that make it unique. The applicant is not being denied reasonable use of his property as he has a single family residential home on the lot. The applicant has stated that the primary reason for the front porch is to protect the front door from the elements. Staff agrees that a front porch would achieve this, but would rather see him construct a narrower porch that doesn't require such a large variance.

Planning Staff Recommends denial of the variance request.

Planning Commission Recommends denial of the variance request (8-1).

- Attachments Variance Denial Resolution
 Planning Commission Recommendation
 Planning Report

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

RESOLUTION NO. _____

**RESOLUTION DENYING A VARIANCE TO CONSTRUCT A PORCH ADDITION THAT
WOULD ENCROACH WITHIN THE FRONT YARD SETBACK.**

**CASE NO. 09-18V
(Herdtle)**

Property located at 7710 Banks Court and legally described as follows:

Lot 25, Block 1 of INVER GROVE ESTATES, of Dakota County, Minnesota

WHEREAS, an application has been received for a Variance from the front yard setback standard to construct a porch addition;

WHEREAS, the afore described 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 July 7, 2009 in accordance with City Code Section 515.40, Subd. 3C;

WHEREAS, a hardship, was not found to exist and the variance request is a convenience for the applicant. 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 large single-family home and attached garage.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS, that the variance to construct a porch addition is hereby denied.

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 27th day of July 2009.

George Tourville, Mayor

Ayes:

Nays:

ATTEST:

Melissa Rheaume, Deputy Clerk

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: July 7, 2009

SUBJECT: HERDTLE – CASE NO. 09-18V

Reading of Notice

Commissioner Simon read the public hearing notice to consider the request for a variance to encroach within the front yard setback on an R-1C, Single Family Residential lot, for the property located at 7710 Banks Court. 4 notices were mailed.

Presentation of Request

Allan Hunting, City Planner, explained the request as detailed in the report. He advised that the applicant is requesting to construct an 8' x 12' covered porch addition to the front of their house which would protect the front door from the elements. Mr. Hunting advised that staff looked at the ten other homes on the applicant's cul-de-sac and with the exception of the home to the west of the subject property, all structures appeared to either meet or exceed the required setback. Mr. Hunting stated he was unsure as to why the home to the west was within the required setback as no variances had been granted. He added that many of the homes had a built-in covering over the front door area and staff felt it was reasonable to allow a porch be built onto the subject home. Mr. Hunting stated that staff felt the requested size was too large, however, and would be out of character with the neighborhood. He noted that the home had a 32 foot setback whereas 30 feet was required and therefore the applicants could construct a two foot deep porch without a variance. Mr. Hunting stated that if the Planning Commission wanted to support the variance, staff would rather see a smaller, four foot porch. Staff recommends denial of the request as presented.

Commissioner Wippermann asked if the applicants were proposing an open or enclosed porch, to which Mr. Hunting replied an open structure.

Chair Bartholomew asked for clarification regarding the measurement of setbacks.

Mr. Hunting advised that the setback is measured from the furthest vertical surface, which in this case would be the wall.

Chair Bartholomew asked if a self-supporting awning would be measured from the wall.

Mr. Hunting replied that a hanging awning would be measured from the wall, whereas a structure that needed a footing or a post would be measured from the furthest vertical surface (i.e. pillar).

Opening of Public Hearing

The applicants, Thomas Herdtle and Diane North, 7710 Banks Court, advised they have a concrete stoop that is 7.5 feet from the house and they would like to put a roof over it to protect it from the elements as well as have a seating area.

Chair Bartholomew advised it would be difficult for the Planning Commission to approve the request without a viable hardship.

Mr. Herdtle stated they would only be allowed a two foot roof section without a variance which he felt would be an unreasonable size.

Chair Bartholomew advised that staff has stated they would support a four foot variance, or the applicants could consider a structured awning.

Mr. Herdtle asked for clarification of a structured awning.

Chair Bartholomew stated it was a cantilevered awning that was self-supporting.

Ms. North advised they originally asked about a covered awning and were told they could not have it.

Mr. Hunting advised that a suspended awning would be acceptable as the setback would be measured from the wall.

Chair Bartholomew asked if an awning that was not supported to the ground but was constructed of timber and shingles would be acceptable.

Mr. Hunting stated any structure that required a building permit would have to meet setbacks. However, an awning which was not a structural part of the house (i.e. cantilevered or roll-up awning) would not be considered as an encroachment into the setbacks.

Mr. Herdtle stated the front portion of their house was deteriorating because it had no protection from the elements and they would like to have something more permanent than an awning.

Chair Bartholomew asked if the applicants had read the report.

Ms. North replied they had, and asked for clarification of a statement in the report regarding constructing a porch without a variance.

Mr. Hunting advised that the house is setback 32 feet whereas 30 feet is required. Therefore, the applicants could build a two foot wide porch without a variance. They also could consider getting a two foot variance and having a four foot deep porch.

Chair Bartholomew clarified that once the applicants moved into the setback a variance was needed no matter how large the encroachment was.

Commissioner Simon asked when the gutters were installed, to which Mr. Herdtle replied they were in place when they purchased the house.

Ms. North advised their home only had 4" eaves whereas most homes have 16" eaves.

Commissioner Wippermann asked if the proposed porch would cover just the top platform of the concrete area or the lower stoop as well.

Mr. Herdtle displayed a diagram of the home, stating the porch would extend out eight feet.

Commissioner Wippermann asked if the setback would be measured from the post shown in the drawing, to which Mr. Hunting replied in the affirmative.

Commissioner Gooch asked staff if they received any comments from neighbors.

Mr. Hunting stated they received only one inquiry from the neighbor behind the subject property.

Mr. Herdtle stated the neighbors he spoke with had no issue with the proposed project.

Ms. North stated that the house to the west appeared to be situated closer to the road than theirs; and asked when the ordinance that stipulated a 30 foot setback was put in place.

Mr. Hunting replied that it was in place since 1965. He added that staff used computer mapping and determined that the other homes on the cul-de-sac were at least 30 feet from the road with the exception of the house to the west which was approximately 26 feet from the road.

Ms. North pointed out two homes on 80th and Banks and asked if they complied with setback requirements.

Mr. Hunting replied they did comply with setbacks along Banks, but were granted variances from 80th Street.

Planning Commission Discussion

Commissioner Wippermann stated he would likely oppose the request due to lack of hardship, although he felt the project might be an asset to the house and would not be detrimental to the neighborhood.

Commissioner Hark asked if the applicants had discussed the possibility of a four foot porch with their architect.

Ms. North replied they had not as they were not aware staff would support a four foot porch.

Chair Bartholomew advised that a hardship was needed no matter the size of the variance. He noted that if the applicants compromised by building a four foot porch they could perhaps extend the length to gain additional area.

Mr. Herdtle asked if there were issues with lengthening the porch.

Chair Bartholomew replied that lengthening the porch would cause no additional problems with the front setback regulations.

Commissioner Gooch stated that since the setback would be measured from the pillar, perhaps the applicants could move the post closer to the house but still have the roof extend beyond that.

Mr. Hunting advised that the roof overhang could encroach no more than 24 inches into the required setback. Therefore, if the pillar became the established setback line the roof could extend 24 inches beyond that.

Commissioner Gooch asked if the applicants could have an eight foot porch if they used the two feet they were set back from the 30 foot line, the four feet staff had stated they would be

agreeable to, plus a two foot overhang past the post.

Mr. Hunting clarified that staff was agreeable to a porch that was four feet in total depth consisting of the two feet they were set back from the 30 foot line plus a two foot variance.

Commissioner Gooch advised that with that in mind the applicants could then have a six foot porch; the two feet they were set back from the property line, a two foot variance, and an additional 24 inch overhang past the post.

Chair Bartholomew asked if the applicants were proposing footings or just a floating slab.

Mr. Herdtle stated there should be footings to prevent the slab from shifting.

Chair Bartholomew asked if staff would measure the porch from the edge of the slab if there were footings in the ground, to which Mr. Hunting replied they would - it would be measured from the furthest vertical surface.

Mr. Hunting stated that typically a post would be located on the perimeter of the slab to provide support.

Planning Commission Recommendation

Motion by Commissioner Simon, second by Commissioner Roth, to deny the request for a variance to encroach within the front yard setback for a porch addition, for the property located at 7710 Banks Court, due to lack of hardship.

Commissioner Hark clarified to the applicant that the Commission was in no way promising that City Council would approve any of the alternate options they had discussed tonight; they were merely suggestions.

The Commission then discussed how they should proceed as far as possibly making a recommendation for an alternate proposal.

Commissioner Hark questioned how they could come up with a hardship for a two foot variance but not for the six feet being requested.

Commissioner Schaeffer stated he would prefer to move the request on to City Council as is in the hopes they would approve the request as presented. He stated he did not want to recommend the porch be downsized to six feet in size when it was possible it could be approved as presented.

Motion carried (8/1 - Gooch). This matter goes to the City Council on July 27, 2009.

Commissioner Schaeffer suggested the applicants measure the setback of the home to the west of them since it appeared as if they had already set a precedent.

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 special conditions that make it unique. The applicants are not being denied reasonable use of their property as they have a single family residential home on the lot. The applicant has stated that the primary reason for the front porch is to protect the front door from the elements. Staff agrees that a front porch would achieve this, but would rather see him construct a narrower porch that doesn't require such a large variance.

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

The application is not contrary to the Comprehensive Plan as the future land use is Low Density Residential.

- 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 porch addition request as the property owners are not being prevented from reasonable residential use of their property. Additionally, the applicant's home is currently constructed 32' from the property line. Therefore he could construct a small porch without a variance.

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

Economic considerations do not appear to be a basis for this request.

ALTERNATIVES

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

- A. **Approval.** If the Planning Commission favors the requested Variance, the Commission should recommend approval of the request with at least the following condition:
 - 1. The site shall be developed in substantial conformance with the site plan dated June 4, 2009 on file with the Planning Department.

- B. Denial.** If the Planning Commission does not favor the proposed application, the above request should be recommended for denial. With a recommendation for denial, findings or the basis for the denial should be given.

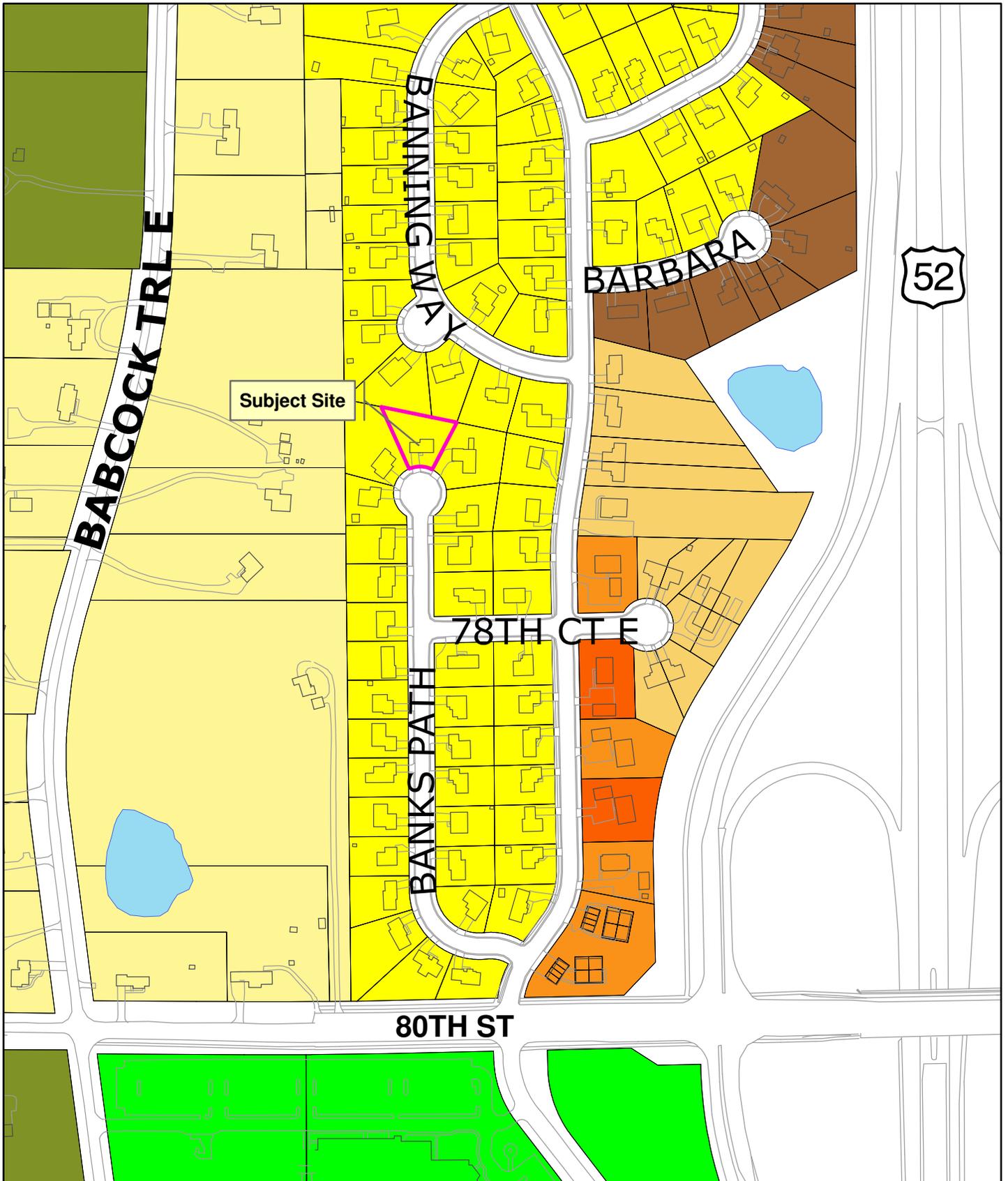
RECOMMENDATION

Staff believes that the variance criterion has not been met and therefore Staff recommends denial of the variance as presented.

Attachments: Exhibit A – Location/Zoning Map
Exhibit B – Applicant Narrative
Exhibit C – Site Plan
Exhibit D – Photos of the applicant's home

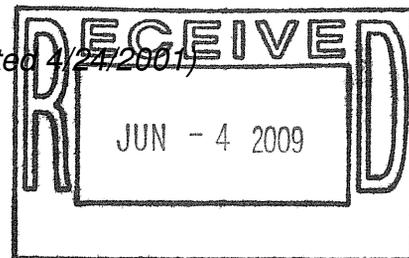


Herdle Variance Request Case No. 09-18V



Variance Request for:

Thomas Herdtle & Diane North (*Herdtle/North Living Trust dated 4/27/2001*)
7710 Banks Court
Inver Grove Heights, MN 55077
(651) 736-8249 (*daytime*)
(651) 455-4799 (*evening*)
Prop. #20-3600-250-01; Lot 25, Block 1, Inver Grove Estates



We would like to request a variance under City Code Section 515.40, Subd. 3. A. In particular we would like to add a covered porch to the front of our house, which faces the street. We have recently replaced our front door and sill, and it became evident that this south-facing entry is accelerating the deterioration of the sill under the door (see included images). We believe that the rain, sleet, and snow hitting directly on the front of the house is responsible. A covered porch would provide much more protection to this vulnerable part of the house.

Our house is unique in the neighborhood since the eaves only have an overhang of 4", thus letting the elements, like rain and snow, directly impinge on our front door.

The current stoop has a concrete pad that's essentially 9 feet wide and 7½ feet in the direction away from the house. We'd like to replace this stoop with a covered porch 12 feet wide and 8 feet deep, plus any required steps toward the front. Since our house is about 32 feet from the property boundary, and structure needs to be more than 30 feet from this line, our new covered porch would ingress into the setback by about 6 feet. Therefore we need to ask for this variance.

We are unique in the neighborhood, not having a covered porch, and particularly having a south-facing front door. This request comes from the intension of improved maintenance of our house, which is why we're trying to add this porch now, just as we've replaced our previous siding (loved by woodpeckers and chewed by squirrels) with much longer lasting HardieBoard.

This variance does not appear to be detrimental in any way to the public, neighborhood, or neighbors. The only reason we need the variance is that the edge of our house appears to be about 32 ft from the edge of our property line, so our intended porch awning will encroach into the 30 ft setback by about 6 feet. However, looking at the houses along our street, many of them are clearly much closer to the edge of their property than we will be.

Since we're at the end of a cul-de-sac, this variance would not adversely affect any traffic, increase fire hazards, endanger public safety, or hurt any property values. Since our and the neighboring properties are all wedge-shaped, there will be no affect on the supply of light or air to any nearby properties.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Herdtle".

Thomas Herdtle

EXHIBIT B

Variance Request for Thomas Herdtle & Diane North

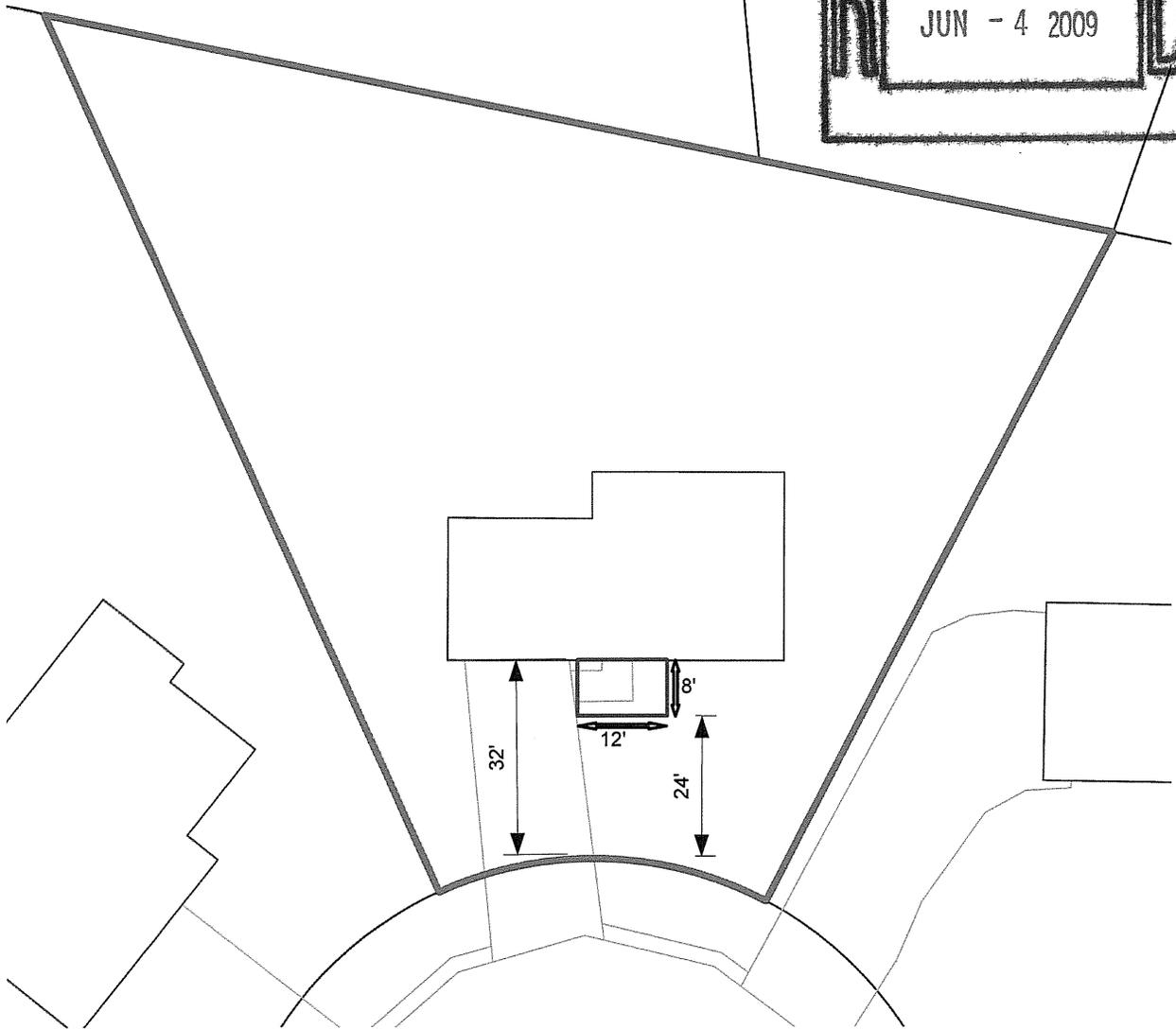
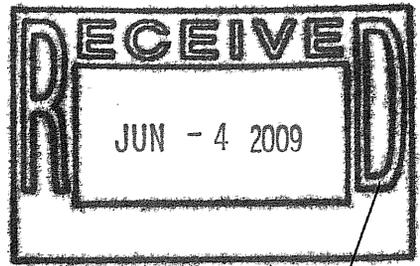


EXHIBIT C

Variance Request for Thomas Herdtle & Diane North:

Original entry showing weathered door & frame.



Left and right side of sill showing water ingress.



Another view of the left and right side of sill showing water ingress.



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

ATTORNEYS AT LAW

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DAVID B. GATES
*
HAROLD LEVANDER
1910-1992
*
ARTHUR GILLEN
1919-2005
*
* ROGER C. MILLER
1924-2009

MEMO

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

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: July 27, 2009
RE: Third Reading of Recodification Ordinance – 7/27/09 Council Meeting

Section 1. Background. The third reading of the recodification ordinance is on the Council agenda for July 27, 2009. The remainder of this memo addresses the various questions and changes that were discussed at the time of the second reading.

Section 2. Service Station Operation and Regulation – Inoperable Vehicles.

At the July 13, 2009, City Council meeting, the Council asked the City Attorney to determine the reason for shortening the storage period for a vehicle in need of repair from 7 days to 2 days.

Specifically, as a part of the recodification process, Section 1103.15e is being revised to read as follows (deleted language is stricken through and new language is underlined):

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 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.

The motor vehicle business licensing provisions of the Old Code permitted a seven (7) day period for vehicles that were inoperable to be located on the property. **The zoning provisions of the Old Code permitted just a forty-eight (48) hour period.**

In the course of the recodification, it appears that Sterling Codifiers eliminated the discrepancy between the two provisions and conformed the provisions to the most restrictive provision. This explains the change from 7 days to 2 days.

My suggestion is to make the change from 7 to 2 days. If the Council believes that the time frame should be expanded, we can prepare a separate ordinance that changes both the licensing and zoning sections. We cannot change the zoning section at this time because it was not the subject of a public hearing.

The zoning provision has been in place since creation of the City in 1965.

Section 3. Increased Insurance Requirements – Trades and Contractors.

At the July 13, 2009, City Council meeting, the Council inquired into the reason for increase in required insurance coverage required for trades and contractors. Specifically Old Code Section 1125.27 is being revised to read as follows (deleted language is stricken through and new language is underlined):

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.

The increase occurred during the recodification in an effort to ensure sufficient insurance coverage given the lack of any increased coverage limits since the provision's enactment in 1974. Jenelle Teppen and Melissa Rheume reviewed each business license in the City and verified that all business licensees already carry insurance in excess of these newly increased policy minimums. Moreover, the City has provided notice to the River Heights Chamber of Commerce, garbage haulers and contractors regarding this increased insurance coverage requirement and has not received any comments from the business community with respect to this increase.

Section 4. Removal from Recodification Ordinance of Zoning Changes Previously Recodified. To simplify the recodification ordinance, we eliminated recitations which were previously recodified in or about November 2004, when then City Planner, Bill Turnblad, oversaw a recodification of the Zoning Code. The changes made in 2004 are still in the 2008 Code, but are not specifically identified in the recodification ordinance due to the fact that the changes have already been made.

Section 5. Salaries of Council and Mayor. The Council asked that the historic recitation of the salaries not be included in the 2008 Code because such recitations are moot and irrelevant. We have made this housekeeping correction.

Section 6. Lots of Record. Both the Zoning and Subdivision portions of the Code contain a definition of Lot of Record. In the November 2004 process that codified the zoning and subdivision ordinances, the definition referenced the phrase “prior to the effective date of this ordinance”. In another section of the Zoning Code the effective date of this ordinance was identified as October 25, 1965. That particular reference is not in the 2008 Code so we have inserted into the definition of Lot of Record the specific date of October 25, 1965, so as to not lose the reference to the effective date of when the City’s Zoning Ordinance first came into effect. The first City Zoning Ordinance was Zoning Ordinance No. 19, which was adopted October 25, 1965.

Section 7. Appendix to Code. As a resource tool, the City Clerk and City Attorney are creating an Appendix to the Code. The Appendix is not a part of the Code, but it will be a reference tool. The Appendix is a lengthy document and I will bring a copy to the July 27th meeting. The Appendix will contain the following:

1. A list of all the ordinances enacted from 1965 to the present.
2. A copy of all franchise ordinances.
3. A copy of all ordinances creating Planned Unit Developments and regulating specific Planned Unit Developments, such as Arbor Pointe and Bishop Heights.
4. A copy of all the ordinances creating and amending the special stormwater tax districts.
5. A copy of the recodification ordinance and the summary ordinance that was published.

Section 8. Publication of Summary Ordinance. The 2008 Code is about 1,126 pages. The Recodification Ordinance (which adopts the 2008 Code) is about 40 pages. In instances where the ordinance is lengthy, state law allows publication of a summary in lieu of publishing the entire 40 pages. We have prepared a summary and a resolution adopting the summary. In order for the summary to be published, the resolution has to be approved by at least 4 out of 5 votes.

Section 9. Council Action. The Council is asked to consider the third reading of the Recodification Ordinance and the resolution authorizing publication by means of a summary ordinance.

**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, subs. 2 and 3-Emergency Management Definitions; 900.09, subd. 1-Emergency Management Workers; 910.05, subs. 3, and 5-Dog and Kennel Licenses and Vaccination; 910.11-Confinement of Certain Dogs; 910.31, subd. 1-Dog Kennels, License Requirements; 910.43-Riding Horses, Hours; 2005.05, subs. 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, subs. 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; 1200.43, subd. 2c-Armory Intoxicating Liquor Sale; 1120.11-Bowling Alley License Provisions; 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; 430.21-Penalty Section for Storm Water Management; 515.30, subd. 2-Definitions; 515.40, subd. 2-Administration Site Plan Required; 515.40 subs. 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, subs. 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. 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, 16, 19, 20, 23, 26, 32 - Definitions; 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; 600-Board of Health; 2030-Materials Harmful to Minors; 2000.03-Criminal Code Provision Adoption.

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)

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 Some of 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*)
- 3.1.18 References to severability located at the end of various code sections have been removed and general language regarding the severability of all code provisions has been added.
- 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 Aan 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.~~ a.1. Title.

~~b.2.~~ b.2. Enacting ~~C~~clause.

~~e.3.~~ e.3. Section ~~N~~numbers.

~~d.~~ Definitions of terms identical to those contained in this Code.

~~e.4.~~ e.4. Validation and repealing clauses.

~~f.5.~~ f.5. Validating signatures and dates.

~~g.6.~~ 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, and 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 ~~T~~o 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, ~~V~~veterans Preference Act; removal forbidden; right of mandamus.

3.2.29 305.01 to 1-9-1A; Housing and Redevelopment Authority

The ~~Dakota C~~ounty Housing and ~~R~~edevelopment Authority (the "HRA") has been duly organized pursuant to ~~Laws of Minnesota laws for 1971, C~~hapter 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 S~~tatutes; 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 ~~C~~ity of Inver Grove Heights all of the powers conferred by Minnesota Statutes, Section 462C.01 to 462C.08; provided that the ~~C~~ity Council of the ~~City~~ shall hold public hearings required under the Act, and the ~~C~~ity Council must approve any housing plan or program prior to its submission to the ~~M~~etropolitan Council or the ~~Minnesota Housing and Finance Agency, state agencies~~ respectively; And no revenue bonds or obligations shall be issued without ~~C~~ity 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 ~~C~~ity of Inver Grove Heights:

- ~~1.~~ Automobile Sales.
- ~~2.~~ Automobile Service Stations.
- ~~3.~~ Bowling Alleys.
- ~~4.~~ Christmas Tree Sales
- ~~5.~~ Cigarettes
- ~~6.~~ Contractors.
- ~~7.~~ Dance Halls.
- ~~8.~~ Drive In Theaters
- ~~9.~~ Garbage Collection.
- ~~10.~~ Liquor Sales.
Pawnbrokers and secondhand goods dealers.
- ~~11.~~ Roller-Skating Rinks
- ~~12.~~ Saunas, Massage Parlors, Escort Services & and Employees.
- ~~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 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)

3.2.45 910.31 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)

3.2.46 910.43 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)

3.2.47 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:

- 3.2.48 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.
- 3.2.49 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.~~
- 3.2.50 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.~~
- 3.2.51 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)
- 3.2.52 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)
- 3.2.53 906.09 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)
- 3.2.54 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)

3.2.55 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 car 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)

3.2.56 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)

3.2.57 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)

3.2.58 705.11 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)

3.2.59 705.23 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)

3.2.60 710.07 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)

3.2.61 710.21 Subd. 21 to 8-4-1; Sewer System, Definitions

Superintendent: ~~means the utility superintendent of the Municipal Sewage Works city.~~ (1974 Code § 710.21)

3.2.62 610.05 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)

3.2.63 610.03 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.

3.2.64 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;~~

3.2.65 1200.43 Subd. 2c to 4-1A-17; Armory Intoxicating Liquor Sale (Ord. 1078)

No sale shall occur between the hours of twelve o' clock 12:00 midnight and eight o'clock 8:00 a.m.

3.2.66 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)

- 3.2.67 315.02 to 5-1-2E; Removal of Fire Chief and Assistant Fire Chief
The ~~F~~ire ~~C~~hief and ~~A~~ssistant ~~F~~ire ~~C~~hiefs may be removed from their position by the ~~C~~ouncil with or without cause after first being given an opportunity to be heard by the ~~C~~ity ~~C~~ouncil. (Ord. 1118, 6-20-2005) ~~Firefighters and probationary firefighters shall be appointed by the Fire Chief in accordance with guidelines approved by the Council.~~
- 3.2.68 400.11 to 9-1-5; Certificate of Occupancy
Group U occupancies are exempt from this requirement
- 3.2.69 400.13; 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.~~
- 3.2.70 400.15; no reference (deleted); Building, Driveways
~~Driveway construction shall be in accordance with Section 515.51, Subdivision 5.~~
- 3.2.71 400.17; no reference (deleted); Building Elevation
~~The elevation of all buildings shall be in accordance with Section 515.47, Subdivision 16.~~
- 3.2.72 420.01 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.~~
- 3.2.73 420.01 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.
- 3.2.74 420.05 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~~ouncil ~~for each excavation at any time,~~ running to the ~~C~~ity, conditioned to pay the ~~C~~ity 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.
- 3.2.75 420.09 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 Council may specify when the permit is issued.

3.2.76 420.19a 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)~~

3.2.77 430.21 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)

3.2.78 515.30 Subd. 2, 37 to 10-2-2; Definition

Board – ~~The Board of Zoning Adjustments and Appeals~~

3.2.79 515.30 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 Sstatutes section 245A.02, subdivision 10.~~

3.2.80 515.30 Subd. 2, 82(e)(iv) to 10-2-2; Definition

Dwelling/Dwelling Unit, 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.~~

3.2.81 515.30 Subd. 2, 126 to 10-15-26B; Definition

Home Occupation – ~~Any gainful occupation meeting all of the following requirements when engaged in only by persons residing in their dwelling, when that occupation is conducted within the principal structure, when evidence of the occupation is not visible from the street, no signs other than those permitted in “R” Districts are present, no stock in trade is stored on the premises, over the counter retail sales are not involved, and entrance to the home occupation is~~

~~gained from within the structure. See also Performance Standards, Section 515.90, Subd. 35. See subsection 10-15-26B of this title for definition.~~

3.2.82 515.30 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.~~

3.2.83 515.30 Subd. 2, 148 to 10-2-2; Definition

Lot of Record – Any lot which is one (1) 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 recorded in the office of the registrar of deeds or registrar of titles for Dakota County, Minnesota, prior to ~~the effective date of this Ordinance~~ October 25, 1965.

3.2.84 515.30 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~~health.

3.2.85 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.

3.2.86 515.40 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)

3.2.87 515.40 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;

3.2.88 515.40 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 ~~C~~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.~~

3.2.89 515.40 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.

3.2.90 515.40 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.

3.2.91 515.60 Subd 3; no reference (deleted); Effectuation

~~This Ordinance shall be in full force and effect from its passage and publication according to law.~~

3.2.92 515.80 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.

3.2.93 515.80 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)

3.2.94 515.80 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)

3.2.95 515.80 Subd. 30S2e(ii) to 10-13B-16B5b; Shoreland Management, Water and Sewage

Minnesota statutes section ~~105.458~~ 103F.221

3.2.96 515.80 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.

- 3.2.97 515.80 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.~~
- 3.2.98 515.80 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 ~~105~~ 103A, 103B, 103C, 103D, 103E, 103F, and 103G.
- 3.2.99 515.80 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 of ~~Inver Grove Heights~~, on file in the office of the city clerk and the zoning administrator. (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.100 515.80 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)
- 3.2.101 515.80 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 of ~~Inver Grove Heights~~, on file in the office of the city clerk and zoning administrator. (Ord. 1098, 11-8-2004; amd. 2008 Code)
- 3.2.102 515.90 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.
- 3.2.103 515.90 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)

3.2.104 515.90 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.

3.2.105 510.03 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.

3.2.106 510.03 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°.~~

3.2.107 510.03 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.

3.2.108 510.03 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.

3.2.109 510.03 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 ~~10 feet~~ ten feet (10') in length, or if the lot forms a point at the rear, the rear lot line shall be a line ~~10 feet~~ ten feet (10') in length within the lot, and parallel to, and at the maximum distance from, the front lot line.

3.2.110 510.03 Subd. 26 to 11-1-2; Definition

Lot of Record – Any lot which is one (1) 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 recorded in the office of the registrar of deeds or registrar of titles for Dakota County, Minnesota, prior to ~~the effective date of this Ordinance~~ October 25, 1965.

3.2.111 510.03 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.

3.2.112 510.13 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)

3.2.113 515.90 to 10; Manufactured Homes and Parks

The term “mobile home” was replaced with “manufactured home” throughout the Zoning Ordinance provisions of the Code.

3.2.114 Section 1107 of the 1974 Code relating to Christmas Tree Sales has been deleted and repealed in its entirety.

3.2.115 Section 1110 of the 1974 Code relating to Cigarette Sales has been deleted and repealed in its entirety.

3.2.116 Section 1111 of the 1974 Code relating to Drive-In Theatres has been deleted and repealed in its entirety.

3.2.117 Section 1112 of the 1974 Code relating to Roller Skating Rinks has been deleted and repealed in its entirety.

3.2.118 Section 2015 of the 1974 Code Prohibiting the Possession, Manufacture, Delivery and Advertisement of Drug Paraphernalia has been deleted and repealed in its entirety.

3.2.119 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.

3.2.120 Section 2005.03 of the 1974 Code relating to Vagrancy has been deleted and repealed in its entirety.

3.2.121 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.

- 3.2.122 Section 600 of the 1974 Code relating to the Board of Health and Health Officer has been deleted and repealed in its entirety.
- 3.2.123 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.
- 3.2.124 Section 2030 relating to the Distribution and Display of Materials Harmful to Minors has been deleted and repealed in its entirety.
- 3.2.125 Section 2000.03 relating to Adoption by Reference of Provisions of the Criminal Code has been deleted and repealed in its entirety.

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 (l) 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 Libraries in Hastings and Apple Valley 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
DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. _____ ADOPTING FOR PUBLICATION THE
SUMMARY AND TITLE OF ORDINANCE NO. _____
ADOPTING THE RECODIFICATION OF THE
1974 CODE OF CITY ORDINANCES**

WHEREAS the City Council has, following three readings, adopted Ordinance No. _____ adopting the Recodification of the 1974 Code of City Ordinances on _____, 2009; and

WHEREAS Ordinance No. _____ is lengthy, consisting of more than forty pages; and

WHEREAS Minnesota Statutes Sections 331A.01, subdivision 10, and 412.191, subdivision 4, allow publication by title and summary of lengthy ordinances; and

WHEREAS the City Council desires to adopt the following summary of Ordinance No. _____ for publication purposes, which is in conformance with Minnesota Statutes Section 331A.01, subdivision 10; and

WHEREAS the City Council has determined that publication of the title and a summary of Ordinance No. _____ would clearly inform the public of the intent and effect of the ordinance;

NOW THEREFORE the City Council, by a four-fifths vote of its members, directs that only the title of Ordinance No. _____ and the summary listed below be published with notice that a printed copy of the entirety of Ordinance No. _____ is available for inspection at no cost during regular business hours at the Inver Grove Heights City Hall, located at 8150 Barbara Avenue, Inver Grove Heights, Minnesota, at the Inver Glen Library, located at 8098 Blaine Avenue, Inver Grove Heights, Minnesota, at the Veterans Memorial Community Center, located at 8055 Barbara Avenue, Inver Grove Heights, Minnesota, and by standard or electronic mail. Upon publication of this summary, Ordinance No. _____ shall be in full force and effect.

This resolution adopted by at least a four-fifths vote of the City Council this _____ day of _____, 2009.

Ayes:

Nays:

Mayor George Tourville

Attest

Melissa Rheame

SUMMARY AND TITLE OF ORDINANCE NO.
ADOPTING THE RECODIFICATION OF THE 1974 CODE OF CITY ORDINANCES

Purpose

On _____, 2009, the City Council of Inver Grove Heights adopted Ordinance No. _____ (the "Recodification Ordinance"), which adopted the recodification of the 1974 Code of City Ordinances, which recodification shall be known as the "2008 Inver Grove Heights City Code." Rather than publish the entire Recodification Ordinance, the City Council desires to adopt this summary of the Recodification Ordinance for publication purposes.

The Recodification Ordinance is available in its entirety for inspection at no cost during regular business hours at the Inver Grove Heights City Hall, located at 8150 Barbara Avenue, Inver Grove Heights, Minnesota, at the Inver Glen Library, located at 8098 Blaine Avenue, Inver Grove Heights, Minnesota, at the Veterans Memorial Community Center, located at 8055 Barbara Avenue, Inver Grove Heights, Minnesota, and via electronic and standard mail.

Summary of the Recodification Ordinance.

1.1 Table of Contents.

The Table of Contents for the 2008 Inver Grove Heights City Code is duplicated below:

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

1.2 Summary of General Changes.

Various non-substantive changes to the 1974 Code of City Ordinances were 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.

1.3 Summary of Specific Changes.

Specific changes have been made to the following sections of the 1974 Code of City Ordinances:

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; 910.31, 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; 1200.43, subd. 2c-Armory Intoxicating Liquor Sale; 1120.11-Bowling Alley License Provisions; 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; 430.21-Penalty Section for Storm Water Management; 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, 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. 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, 16, 19, 20, 23, 26, 32 - Definitions; 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; 600-Board of Health; 2030-Materials Harmful to Minors; 2000.03-Criminal Code Provision Adoption.

1.4 Summary of New Code Provisions

New sections have been added to the 2008 Inver Grove Heights 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)

1.5 Summary of General Changes.

- 1.5.1 The entire Code has been reformatted to a uniform numbering system, and references to various chapters, sections, subdivisions, and subparts have been adjusted accordingly.
- 1.5.2 Some of the text has been modified to be gender neutral.
- 1.5.3 References to Minnesota Statutes and Rules have been updated.
- 1.5.4 Various fees set by ordinance were deleted and are now to be set by Council resolution and listed in the fee schedule.
- 1.5.5 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.
- 1.5.6 Many changes in grammar, punctuation, and form have been made which did not alter the substance of the Code.
- 1.5.7 References to the City of Inver Grove Heights have been changed to “city”.
- 1.5.8 In many cases, the term exemption has been changed to exception.

- 1.5.9 The title Building Inspector has been changed to building official. *(See Section 1125.25, 1974 Code compared to 4-6-8B, 2008 Code)*
- 1.5.10 Throughout Section 1200 of the 1974 Code (4-1A of the 2008 Code) the term “non-intoxicating” has been changed to “3.2 percent”.
- 1.5.11 The Inspector has changed to building official. *(See Section 1125.25, 1974 Code compared to 4-6-8B, 2008 Code)*
- 1.5.12 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.
- 1.5.13 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)
- 1.5.14 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)*
- 1.5.15 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)*
- 1.5.16 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.
- 1.5.17 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)*
- 1.5.18 References to severability located at the end of various code sections have been removed and general language regarding the severability of all code provisions has been added.

1.6 Summary of Non-Substantive Changes.

Various non-substantive changes to the 1974 Code of City Ordinances 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.

Section 2 **Effective Date.**

Upon publication of this summary, Ordinance No. _____ shall be in full force and effect.

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
BRIDGET McCAULEY NASON
DAVID B. GATES
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

MEMO

*ALSO ADMITTED IN WISCONSIN
†ALSO ADMITTED IN NORTH DAKOTA
◦ALSO ADMITTED IN MASSACHUSETTS
◻ALSO ADMITTED IN OKLAHOMA

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: July 21, 2009
RE: Ordinance Amendment Relating To Off-Sale Intoxicating Liquor Licenses
July 27, 2009, City Council Meeting

Section 1. Background. The current liquor ordinance prohibits an off-sale intoxicating liquor establishment within 500 feet of a school or church. There are two (2) current exceptions:

1. Establishments that were already in existence prior to October 1, 1995 (this is the date that the distance restriction came into being); and
2. If the liquor establishment was already in place and the church or school was later built within 500 feet of the liquor establishment, then the liquor establishment could continue in its pre-existing location.

Section 2. Change to Restriction. The attached ordinance adds two (2) more exceptions. Both of the new exceptions relate to instances where the liquor establishment was acquired by a governmental entity.

In a situation where the government acquired the liquor store and the store was within 500 feet of a school or church, the new change would allow the liquor establishment to relocate within 500 feet of the same school or church as long as the relocation occurred within three (3) years of the acquisition. Thereafter, the liquor establishment could remain in its relocated site.

The second change would be to allow a liquor establishment acquired by the government to relocate within 500 feet of **any** church or **any** school for a temporary period of two (2) years if the liquor establishment was acquired by the government and if the relocation occurred within six (6) months after the government acquisition. After two (2) years at the relocated site, the relocated site would no longer be an eligible location for an off-sale intoxicating liquor license.

Section 3. Cameron's Liquor Store. Cameron's Liquor Store held an off-sale intoxicating liquor license for its location on Concord Street. On July 18, 2009, the establishment closed for

business. The building was purchased by Dakota County for the Concord Street Improvement Project.

The store on Concord was within 500 feet of a school, but the store was “grandfathered in”. Cameron’s Liquor Store wants to temporarily relocate to the old Snyder’s Drug Store site in the Village Square Shopping Center, but the Snyder’s location is within 500 feet of a school.

Cameron’s Liquor Store is in the process of preparing land use applications and submitting a Purchase Agreement for consideration by the Council with respect to a permanent relocation across the street from its old location. The proposed permanent site is within 500 feet of a school.

If the attached ordinance is adopted, Cameron’s will be able to relocate to the Snyder’s site and remain on that site for a period up to two (2) years. If the attached ordinance is adopted, Cameron’s could relocate to a location across the street from its old store and could remain at the relocated site thereafter.

Section 4. Council Action. The Council is asked to consider the first reading of the attached ordinance amendment at the July 27, 2009, Council meeting. The second reading would be August 10, 2009, and the third reading would be August 24, 2009.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE SECTION, 4-1A-6, J
RELATING TO OFF-SALE INTOXICATING LIQUOR LICENSES

The City Council of Inver Grove Heights does hereby ordain:

SECTION 1. AMENDMENT. Section 4-1A-6, J of the 2008 City Code is hereby amended to read as follows:

4-1A-6: INELIGIBILITY FOR LICENSE; RESTRICTIONS ON ISSUANCE:

- J. No off-sale intoxicating liquor license may be granted for a facility located on a parcel which lies within five hundred feet (500') of a parcel on which a school or church is located. The distance established herein shall be measured between the nearest property lines of the parcels.

For the purposes of this subsection, "parcel" means the lots on which the subject building exists, plus the adjoining lots used in conjunction with the liquor facility, church or school including any parking areas.

~~Provided, however, licenses that exist on October 1, 1995, for locations that do not meet the requirements of this subsection may nonetheless be renewed or transferred for such locations. Further, if a school or church in the future expands or is built within five hundred feet (500') of a licensed location that did meet the requirements of this subsection, the license may nonetheless be renewed or transferred for such location.~~

Provided, however, the following exceptions and qualifications to the above-stated distance requirement shall apply:

1. Licenses that existed on October 1, 1995, for locations that do not meet the requirements of this subsection may nonetheless be renewed or transferred for such locations.
2. If a school or church in the future expands or is built within five hundred feet (500') of a licensed location that did meet the requirements of this subsection, the license may nonetheless be renewed or transferred for such location.
3. If a government entity acquires a licensed location that was within five hundred feet (500') of a school parcel or church parcel, then the license may be transferred to another location within five hundred feet (500') of the same school parcel or the same church parcel as long as the relocation occurs within three (3) years after the acquisition by the government entity.
4. If a government entity acquires a licensed location that was within five hundred feet (500') of a school parcel or church parcel, then the license may be temporarily transferred to another location for a period up to two (2) years within five hundred feet (500') of any school parcel or any church parcel as long as the relocation occurs within six (6) months after the acquisition by the government entity; in such instance, the authorization for the temporary relocated site expires after two (2) years from the time that the City issued the license for the relocated site; after the two (2) year period, the relocated site is no longer eligible for an off-sale intoxicating liquor license.

Section 2. EFFECTIVE DATE. This ordinance amendment shall be effective from and after its passage and publication according to law.

Passed this 27th day of July, 2009.

George Tourville, Mayor

Attest:

Melissa Rheaume, Deputy City Clerk

CONSIDER THIRD AND FINAL READING OF AN ORDINANCE AMENDING SECTION 1500 OF THE CITY CODE

Meeting Date: July 27, 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 The Council is asked to consider the third and final 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 15 Z 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 THIRD AND FINAL READING OF AN ORDINANCE AMENDING SECTION 115 OF THE CITY CODE

Meeting Date: July 27, 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 The Council is asked to consider the third and final 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.

At the first reading, the City Council requested information on the number of citations issued and the nature of the violation. Since she began in June of 2008, the Code Compliance Specialist has opened 237 cases and has issued five citations. The citations were for the following:

- Junk vehicle with expired tabs, broken out back and side window.
- CUP violation relating to outdoor storage of vehicles by auto-repair shop. Prior to this citation, our PD notified the business of their violations 9 times since 2004 with 3 other summons issued during that time.
- Outdoor storage and two junk vehicles. Storage items include couches and dressers and major appliances such as a washing machine.
- Refuse including scrap wood and couch was left out at the dumpster and behind garage of duplex. Also, one of the garage doors was broken and propped open and a side service door to the garage was kicked in and spray painted.
- Outdoor storage of construction material and junk van in driveway with flat tire and exp tabs.

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

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

ATTORNEYS AT LAW

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
BRIDGET McCAULEY NASON
DAVID B. GATES
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

MEMO

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

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: July 27, 2009
RE: Peddler's and Solicitor's Ordinance – Third Reading – 7/27/09 City Council Meeting

Section 1. Background. The third reading of the Peddler's and Solicitor's Ordinance is on the agenda for July 27, 2009.

Section 2. Change from Second Reading. The Council directed one change from the second reading. The change was to exempt the following from application of the ordinance:

1. Students: Any student who resides in the City or any student that attends a school located in the City or any student attending a school inside or outside the City operated by a school district that has at least one school located within the City.

The change has been incorporated in the version for the third reading.

Section 3. Fees for Peddler's License. The ordinance imposes a fee for a peddler's license. The suggested fees for the peddler's license are as follows:

- \$50.00 – License Fee
- \$10.00 – Photo ID Badge
- \$20.00 – Background Investigation

The fees in surrounding cities are:

	License Fee	Photo ID Badge	Background Inv.
West St. Paul	\$83.50	\$11.50	\$55.00
So. St. Paul	\$50.00	N/A	\$10.00

Rosemount	\$90.00	N/A	\$20.00
	One-Day = \$20.00, 30-Day = \$60.00, Year =		
Hastings	\$120.00	N/A	\$25.00
Cottage			
Grove	\$100.00	N/A	\$0
Burnsville	N/A	\$10.00	N/A
Eagan	\$100 application Fee	N/A	Included

Section 4. Council Action. Attached to this memo is the ordinance for the third reading. I have also attached the ordinance in red-lined form that shows in shading the change from the second reading. The resolution setting the fees is also attached.

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

ORDINANCE NO. 09-_____

**AN ORDINANCE ENACTING CHAPTER 11 OF TITLE 4 OF THE CITY CODE
RELATING TO ESTABLISHING REQUIREMENTS FOR
PEDDLERS AND SOLICITORS
IN THE CITY OF INVER GROVE HEIGHTS**

The City Council of Inver Grove Heights hereby ordains:

SECTION 1. Chapter 11 of Title 4 of the 2008 City Code is hereby enacted to read as follows:

**TITLE 4
CHAPTER 11**

PEDDLERS AND SOLICITORS

4-11-1: 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.

4-11-2: DEFINITIONS: The following definitions shall apply in the interpretation and enforcement of this Ordinance:

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."

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.

POLICE CHIEF: Police Chief means the Inver Grove Heights Police Chief.

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 stated above. The term "Solicitor" also includes the term "canvasser."

4-11-3: EXCEPTIONS: For the purpose of this Section, the terms "Peddler" and "Solicitor" shall not apply to the following:

- A. Auctions: Any persons conducting an auction with a licensed auctioneer.
- B. Court-Ordered Sales: Any officer of the court conducting a court-ordered sale.
- C. 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.
- D. 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 4-11-4 and the registration requirements in Section 4-11-5.
- E. Isolated Sales: Any isolated or singular sale of property.
- F. Wholesalers: Any person selling or attempting to sell any goods, wares, products, merchandise or other personal property to a retailer at wholesale.
- G. Students: Any student who resides in the City or any student that attends a school located in the City or any student attending a school inside or outside the City operated by a school district that has at least one school located within the City.

4-11-4: PEDDLER'S LICENSE:

- A. **License Required:** Except as otherwise provided in Section 4-11-5 (B) or in Section 4-11-3, 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.

- B. **Contents of License Application:** The application shall contain the following information:
1. Name, address, date of birth, driver's license number and contact information of applicant.
 2. Name, address and contact information of employer.
 3. Description of the product being sold.
 4. Length of time desired for the business activity.
 5. Employer's Minnesota tax identification number.
- C. **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.
- D. **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.
- E. **Photo Identification Required:** No Peddler may conduct business within the City without obtaining a photo identification card authorized by the City.
- F. **Fee:** The applicant must pay the fee for the background investigation at the time the application is made. If a license is issued, the license fee and photo identification card fee must be paid upon issuance of the license. No license is effective unless all of the fees have been paid. The license fee, photo identification card fee, and background investigation fee shall be established by City Council Resolution.
- G. **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.

4-11-5: SOLICITOR'S REGISTRATION:

- A. **Registration Required:** Except as otherwise provided in Section 4-11-3, all Solicitors must obtain a Certificate of Registration from the City Clerk.
- B. **Registration In Lieu of License for Certain Entities:** Instead of obtaining a peddler's license, the following types of Peddlers must obtain a Certificate of Registration from the City Clerk, except as otherwise provided in Section 4-11-3:

1. Farmers selling produce from the lands of the farmer or cultivated by the farmer.
2. Non-profit, charitable, religious organizations or public or private schools.

C. Group Registration: In lieu of a registration application for each individual within a group or organization, a registration application for a Certificate of Registration may be submitted on behalf of a group or organization.

D. Contents of Registration Application: The application shall contain the following information:

1. Name, address, date of birth, driver's license number and contact information of applicant.
2. Name, address and contact information of employer, if related to the business activity.
3. Description of the product being sold.
4. Length of time desired for the business activity.
5. Employer's Minnesota tax identification number.
6. Name and address of each person who will be engaging in the proposed activity.

E. 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 or cultivated by the applicant shall provide the following additional information:

1. The address or specific location of the farm or garden upon which the produce was cultivated or obtained.
2. A written acknowledgment that the produce of the farm or garden was from lands of or cultivated by the applicant.

F. 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.

G. 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.

H. Registration Fee: No registration fee is required.

I. 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.

4-11-6: CONDITIONS OF LICENSES AND CERTIFICATES OF REGISTRATIONS:

- A. **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.
- B. **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.
- C. **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.
- D. **Conduct of Business:** No Peddler or Solicitor shall conduct business in any of the following manners:
1. 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.
 2. Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk or other public right-of-way.
 3. Conducting business in such a way so as to create a threat to the health, safety and welfare of any individual or the public.
 4. Conducting business before 8:00 a.m. or after 9:00 p.m.
 5. Failing to provide proof of license, registration, or identification, when requested.
 6. Using the license or registration of another person.
 7. 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.

8. 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.

E. **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.

4-11-7: REVOCATION, SUSPENSION OR DENIAL OF LICENSE OR CERTIFICATE OF REGISTRATION:

A. **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:

1. The proposed use does not comply with the Zoning Code.
2. The applicant has failed to pay any of the appropriate fees.
3. The applicant has made fraudulent statements, misrepresentations, or false statements on the application or as part of the background investigation.
4. 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.
5. 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.
6. Actions unauthorized or beyond the scope of the license or Certificate of Registration.
7. The applicant’s license or Certificate of Registration has been denied, revoked or suspended by the City or another governmental unit in the past.
8. 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.
9. Other good cause.

B. **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.

1. 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.
2. 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.
3. 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.

C. **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 4-11-7 (A).

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

ATTEST:

Melissa Rheume, Deputy City Clerk

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

ORDINANCE NO. 09-_____

**AN ORDINANCE ENACTING CHAPTER 11 OF TITLE 4 OF THE CITY CODE
RELATING TO ESTABLISHING REQUIREMENTS FOR
PEDDLERS AND SOLICITORS
IN THE CITY OF INVER GROVE HEIGHTS**

The City Council of Inver Grove Heights hereby ordains:

SECTION 1. Chapter 11 of Title 4 of the 2008 City Code is hereby enacted to read as follows:

**TITLE 4
CHAPTER 11**

PEDDLERS AND SOLICITORS

4-11-1: 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.

4-11-2: DEFINITIONS: The following definitions shall apply in the interpretation and enforcement of this Ordinance:

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."

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.

POLICE CHIEF: Police Chief means the Inver Grove Heights Police Chief.

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 stated above. The term "Solicitor" also includes the term "canvasser."

4-11-3: EXCEPTIONS: For the purpose of this Section, the terms "Peddler" and "Solicitor" shall not apply to the following:

- A. Auctions: Any persons conducting an auction with a licensed auctioneer.
- B. Court-Ordered Sales: Any officer of the court conducting a court-ordered sale.
- C. 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.
- D. 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 4-11-4 and the registration requirements in Section 4-11-5.
- E. Isolated Sales: Any isolated or singular sale of property.
- F. Wholesalers: Any person selling or attempting to sell any goods, wares, products, merchandise or other personal property to a retailer at wholesale.
- G. ~~Students: Any student who resides in the City or any student that attends a school located in the City or any student attending a school inside or outside the City operated by a school district that has at least one school located within the City.~~

4-11-4: PEDDLER'S LICENSE:

- A. **License Required:** Except as otherwise provided in Section 4-11-5 (B) or in Section 4-11-3, 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.

- B. **Contents of License Application:** The application shall contain the following information:
1. Name, address, date of birth, driver's license number and contact information of applicant.
 2. Name, address and contact information of employer.
 3. Description of the product being sold.
 4. Length of time desired for the business activity.
 5. Employer's Minnesota tax identification number.
- C. **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.
- D. **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.
- E. **Photo Identification Required:** No Peddler may conduct business within the City without obtaining a photo identification card authorized by the City.
- F. **Fee:** The applicant must pay the fee for the background investigation at the time the application is made. If a license is issued, the license fee and photo identification card fee must be paid upon issuance of the license. No license is effective unless all of the fees have been paid. The license fee, photo identification card fee, and background investigation fee shall be established by City Council Resolution.
- G. **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.

4-11-5: SOLICITOR'S REGISTRATION:

- A. **Registration Required:** Except as otherwise provided in Section 4-11-3, all Solicitors must obtain a Certificate of Registration from the City Clerk.
- B. **Registration In Lieu of License for Certain Entities:** Instead of obtaining a peddler's license, the following types of Peddlers must obtain a Certificate of Registration from the City Clerk, except as otherwise provided in Section 4-11-3:

1. Farmers selling produce from the lands of the farmer or cultivated by the farmer.
2. Non-profit, charitable, religious organizations or public or private schools.

C. Group Registration: In lieu of a registration application for each individual within a group or organization, a registration application for a Certificate of Registration may be submitted on behalf of a group or organization.

D. Contents of Registration Application: The application shall contain the following information:

1. Name, address, date of birth, driver's license number and contact information of applicant.
2. Name, address and contact information of employer, if related to the business activity.
3. Description of the product being sold.
4. Length of time desired for the business activity.
5. Employer's Minnesota tax identification number.
6. Name and address of each person who will be engaging in the proposed activity.

E. 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 or cultivated by the applicant shall provide the following additional information:

1. The address or specific location of the farm or garden upon which the produce was cultivated or obtained.
2. A written acknowledgment that the produce of the farm or garden was from lands of or cultivated by the applicant.

F. 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.

G. 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.

H. Registration Fee: No registration fee is required.

I. 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.

4-11-6: CONDITIONS OF LICENSES AND CERTIFICATES OF REGISTRATIONS:

- A. **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.

- B. **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.

- C. **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.

- D. **Conduct of Business:** No Peddler or Solicitor shall conduct business in any of the following manners:
 - 1. 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.
 - 2. Obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk or other public right-of-way.
 - 3. Conducting business in such a way so as to create a threat to the health, safety and welfare of any individual or the public.
 - 4. Conducting business before 8:00 a.m. or after 9:00 p.m.
 - 5. Failing to provide proof of license, registration, or identification, when requested.
 - 6. Using the license or registration of another person.
 - 7. 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.

8. 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.

E. **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.

4-11-7: REVOCATION, SUSPENSION OR DENIAL OF LICENSE OR CERTIFICATE OF REGISTRATION:

A. **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:

1. The proposed use does not comply with the Zoning Code.
2. The applicant has failed to pay any of the appropriate fees.
3. The applicant has made fraudulent statements, misrepresentations, or false statements on the application or as part of the background investigation.
4. 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.
5. 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.
6. Actions unauthorized or beyond the scope of the license or Certificate of Registration.
7. The applicant’s license or Certificate of Registration has been denied, revoked or suspended by the City or another governmental unit in the past.
8. 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.
9. Other good cause.

B. **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.

1. 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.
2. 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.
3. 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.

C. **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 4-11-7 (A).

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

ATTEST:

Melissa Rheame, Deputy City Clerk

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

**RESOLUTION NO. _____ ADOPTING FEES WITH RESPECT
TO A PEDDLER'S LICENSE**

WHEREAS, the City has adopted an ordinance requiring a peddler's license in certain instances.

WHEREAS, the ordinance states that by resolution the Council shall adopt fees with respect to the peddler's license, the photo identification badge and the background investigation.

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

The following fees are hereby adopted with respect to the peddler's license:

- \$50.00 – License Fee
- \$10.00 – Photo ID Badge
- \$20.00 – Background Investigation

Passed this 27th day of July, 2009.

George Tourville, Mayor

ATTEST:

Melissa Rheaume, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Graffiti Ordinance – Third Reading

Meeting Date: July 27, 2009
Item Type: Regular
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 Third Reading of a Graffiti Ordinance.

SUMMARY:

On July 13, 2009, The City Council approved the second reading of the draft ordinance on Graffiti.

Council is to consider the third and final reading of a Graffiti Ordinance.

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

ATTORNEYS AT LAW

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
BRIDGET McCAULEY NASON
DAVID B. GATES
•
HAROLD LEVANDER
1910-1992
•
ARTHUR GILLEN
1919-2005
•
• ROGER C. MILLER
1924-2009

MEMO

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

TO: Mayor and Councilmembers
FROM: Timothy J. Kuntz, City Attorney
DATE: July 27, 2009
RE: Third Reading – Graffiti Ordinance
July 27, 2009, Council Meeting

The third reading of the graffiti ordinance is on the Council agenda for July 27, 2009. There have been no changes since the second reading, other than to identify the section numbers of the new City Code. A copy of the ordinance is attached.

Thank you.

Attachment

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

ORDINANCE NO. _____

**AN ORDINANCE ENACTING CITY CODE SECTION, 5-5-9
RELATING TO GRAFFITI**

The City Council of Inver Grove Heights does hereby ordain:

SECTION 1. ENACTMENT. Section 5-5-9 of the 2008 City Code is hereby enacted to read as follows:

5-5-9 GRAFFITI:

A. 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:

1. 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.
2. 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.
3. 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.

B. DEFINITION:

GRAFFITI: 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.

C. 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.

D. REMOVAL OF GRAFFITI:

1. **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.
2. **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.

E. 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 criminal citation.

Section 2. EFFECTIVE DATE. This ordinance shall be effective from and after its passage and publication according to law.

Passed this 27th day of July, 2009.

Ayes _____

Nays _____

George Tourville, Mayor

Attest

Melissa Rheaume, Deputy City Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Consider Appointment of Alternate to the Gun Club Lake Watershed Management Organization Board

Meeting Date: July 27, 2009
Item Type: Regular
Contact: Scott D. Thureen, 651.450.2571
Prepared by: Scott D. Thureen, Public Works Director
Reviewed by: *SDT*

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 appointment of alternate to the Gun Club Lake Watershed Management Organization (GCLWMO) Board of Managers.

SUMMARY

The three-year term of the City's alternate to the GCLWMO Board of Managers, Mr. Allan Cederberg, has expired. The City advertised the vacancy in the Southwest Review. We received applications from Mr. Cederberg and Mr. Jim Huffman. Mr. Cederberg desires to continue as the City's alternate on the Board. Mr. Huffman indicated his interest in being involved in water resources issues.

Staff requests that the Council appoint one of the applicants to serve a three-year term as the City's alternate on the GCLWMO Board of Managers.

SDT/kf
Attachments: Applications

CITY OF INVER GROVE HEIGHTS
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077

**GUN CLUB LAKE WATERSHED MANAGEMENT
ORGANIZATION BOARD**

FULL NAME (Print or Type): ALLAN CEDERBERG

ADDRESS: 1162 E 82nd ST

YEARS AT ABOVE ADDRESS: 3/ YEARS LIVED IN IGH: 3/

HOME PHONE: 451-2283 WORK PHONE: _____

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: MECHANICAL
ENGINEER - NOW RETIRED

MEMBERSHIPS, QUALIFICATIONS, OTHER ACCOMPLISHMENTS: NAVY
WWII VET. WAS ASKED BY CITY COUNCIL
TO BE AN TASK FORCE MEMBER FOR THE

CITY HALL UPDATE.
LIST SKILLS & INTERESTS: HAVE BEEN WITH
HABITAT FOR HUMANITY SINCE
1990, NOW LIVE ON A LAKE & STORM WATER
CONTROL IS IMPORTANT TO ME,

PLEASE STATE REASONS FOR INTEREST IN SERVING ON BOARD:
WOULD LIKE VERY MUCH TO SERVE
ANOTHER 3 YEARS AS AN MEMBER
OF THE GUN CLUB MANAGEMENT BOARD,
I WOULD LIKE TO FINISH PROJECTS THAT I HAVE

Your response to any of the above may be continued on the back of this form STARTED
and you may attach other materials you would like the Council to review with this
application.

I LIVE WITHIN THE BOUNDARIES

Signature: Allan Cederberg Date: 6/13/09

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
8150 BARBARA AVENUE
INVER GROVE HEIGHTS, MN 55077

**GUN CLUB LAKE WATERSHED MANAGEMENT
ORGANIZATION BOARD**

FULL NAME (Print or Type): Jim HUFFMAN

ADDRESS: 4237 Denton way

YEARS AT ABOVE ADDRESS: 14 YEARS LIVED IN IGH: 14

HOME PHONE: 651-552-7082 WORK PHONE: _____

EMPLOYMENT, OCCUPATION OR OTHER EXPERIENCE: _____
RETIRED

MEMBERSHIPS, QUALIFICATIONS, OTHER ACCOMPLISHMENTS: _____

Bam on Park + REC comm, Past Pres ^{SKYLINE RES}
HUD, Fam on THE apac Bof Dir's ^{assoc}

LIST SKILLS & INTERESTS: ^{dy} Taking care of our
Park's + Trail systems, so the public
can enjoy them ALL year long

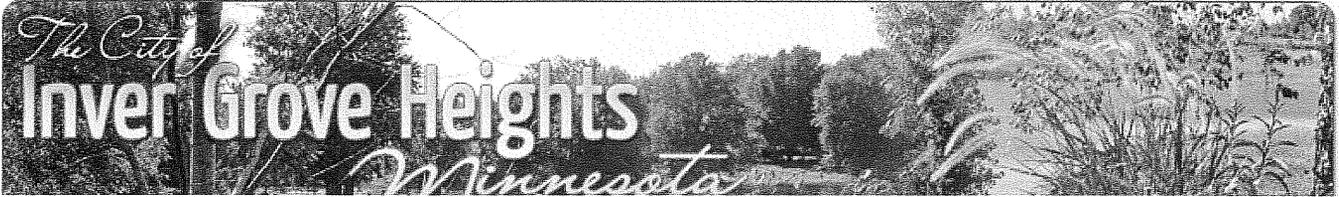
PLEASE STATE REASONS FOR INTEREST IN SERVING ON BOARD:

TO MAKE SURE our waters are
SAFE TO USE, That they, FREE OF
Toxics, plus other things, and safe to drink

Your response to any of the above may be continued on the back of this form and you may attach other materials you would like the Council to review with this application.

Signature: James Huffman Date: 6-10-09

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.



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City of Inver Grove Heights
21400 Lexington Ave.
Inver Grove Heights, MN 55076
Ph: (612) 461-2300
Fax: (612) 461-2300

You are here: [Home](#) > [Forms](#)

Commissioner's Application

Please indicate which Commission you are applying for. List only those you would be seriously interested in serving on.

1st Choice*	<input type="text" value="GON CLUB W.M.O"/>	2nd Choice	<input type="text"/>
3rd Choice	<input type="text"/>	4th Choice	<input type="text"/>

Name*	<input type="text" value="JAMES HUFFMAN"/>	Date	<input type="text" value="5/27/09"/>
Address	<input type="text" value="4237 DENTON WAY"/>	Zip Code	<input type="text" value="55076"/>
Home Phone*	<input type="text" value="651 5527082"/>	Work Phone*	<input type="text"/>
Email Address*	<input type="text"/>		

In order that they Mayor and Councilmembers can have a better understanding of your background and interests, please provide the following information.

How long have you lived in Inver Grove Heights?

Years/Months

Employment, occupation, or other experience

Please provide a short paragraph summarizing why you are seeking an appointment to an Advisory Commission.

Briefly describe your background and any other information not previously given which you believe should be considered regarding the appointment you are seeking.

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.

* indicates required fields.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Clayton Avenue Boulevard Restoration

Meeting Date: July 27, 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
SAT

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

The City has done several reconstruction projects that included Clayton Avenue from 67th Street to 75th Street. The east boulevard is relatively narrow due to the existing sidewalk. The boulevard sod has not survived after the typical maintenance periods. Residents have asked the City to take action to restore this boulevard. The City Council will review alternative methods of boulevard restoration and select the technique to be used.

SUMMARY

The City's South Grove Reconstruction projects (2006-09D, 2007-09D, 2008-09D) have included the reconstruction of Clayton Avenue between 67th Street and 75th Street. The east boulevard of Clayton Avenue is narrow (3 to 4 feet wide) and the sodding that has occurred has not survived after the maintenance periods.

The City received calls from local residents along Clayton Avenue after the original sod perished. The City contracted to remove some of the original sod in the 2006 project area under City Project No. 2008-09H. This sod has since perished in 2009. Residents have requested action by the City to restore this boulevard again. The City has sodded the boulevards using 3 original contractors and a 4th contractor to resod without success. Alternative methods to sodding have been reviewed.

Option 1

This option would include the sodding of the boulevard as we have in the past. Included in this option is the removal of the existing dead sod, excavation between the curb and the sidewalk, placement of 4 inches of select topsoil and installation of new sod grown in mineral soils per Mn/DOT 3878. Typical maintenance and watering would occur.

Clayton Avenue Boulevard Restoration
Page Two

Option 2

This option would include removal of the dead sod, excavation between the curb and sidewalk to remove compacted soils, placement of 4 inches of select topsoil and utilizing Terraseeding to place a seed mix that is a salt tolerant boulevard turf mix. Terraseeding includes a 1 to 1½ inch layer of compost/topsoil mix and salt resistant seeding mixture per Mn/DOT Table 3878-1. The purpose of the compost/topsoil mix is to retain moisture which will promote seed germination and turf growth. The compost mixture is also beneficial in the event that the turf establishment is not 100% complete. This mixture would allow for overseeding in the future at minimal cost on any bare spots that may occur. Typical maintenance and watering would occur.

Option 3

This option would include the removal of the dead sod, excavation between the curb and sidewalk to remove compacted soils, placement of 4 inches of selected topsoil and seeding of the boulevards. The boulevard seeding would use a custom blend of seed including alkali grass, fescue grass, rye grass and blue grass. This seeding mixture would be placed by hydroseeding and mulch about ½ inch thick. Typical maintenance and watering would occur.

The cost for the various options is as follows:

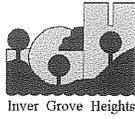
Option 1 – Sodding	\$12,595.00 estimate by Engineering Division. No quote secured.
Option 2 – Terraseeding	\$9,777.60
Option 3 – Hydroseeding	\$4,675.00

Since the City has had limited success with sodding in the east boulevard on Clayton Avenue, utilizing 4 different contractors, it is recommended that seeding options be considered. An advantage to seeding is the deep rooting that occurs within the select topsoil. The use of alkali seed mixtures will also resist the affects of road salt on this narrow boulevard. The use of a compost/topsoil mix as quoted in Option 2 provides an advantage to retain moisture and promote seed germination and turf growth.

It is recommended that the City Council authorize Windscares to vegetate the east boulevard of Clayton Avenue from 67th Street to 75th Street per their quote of \$9,777.60. The work would be funded from the Pavement Management Fund. This work would be completed in August 2009 to provide adequate growing season before the winter. The Engineering Division will review the success of Option 2 to determine if this method would be considered on future projects.

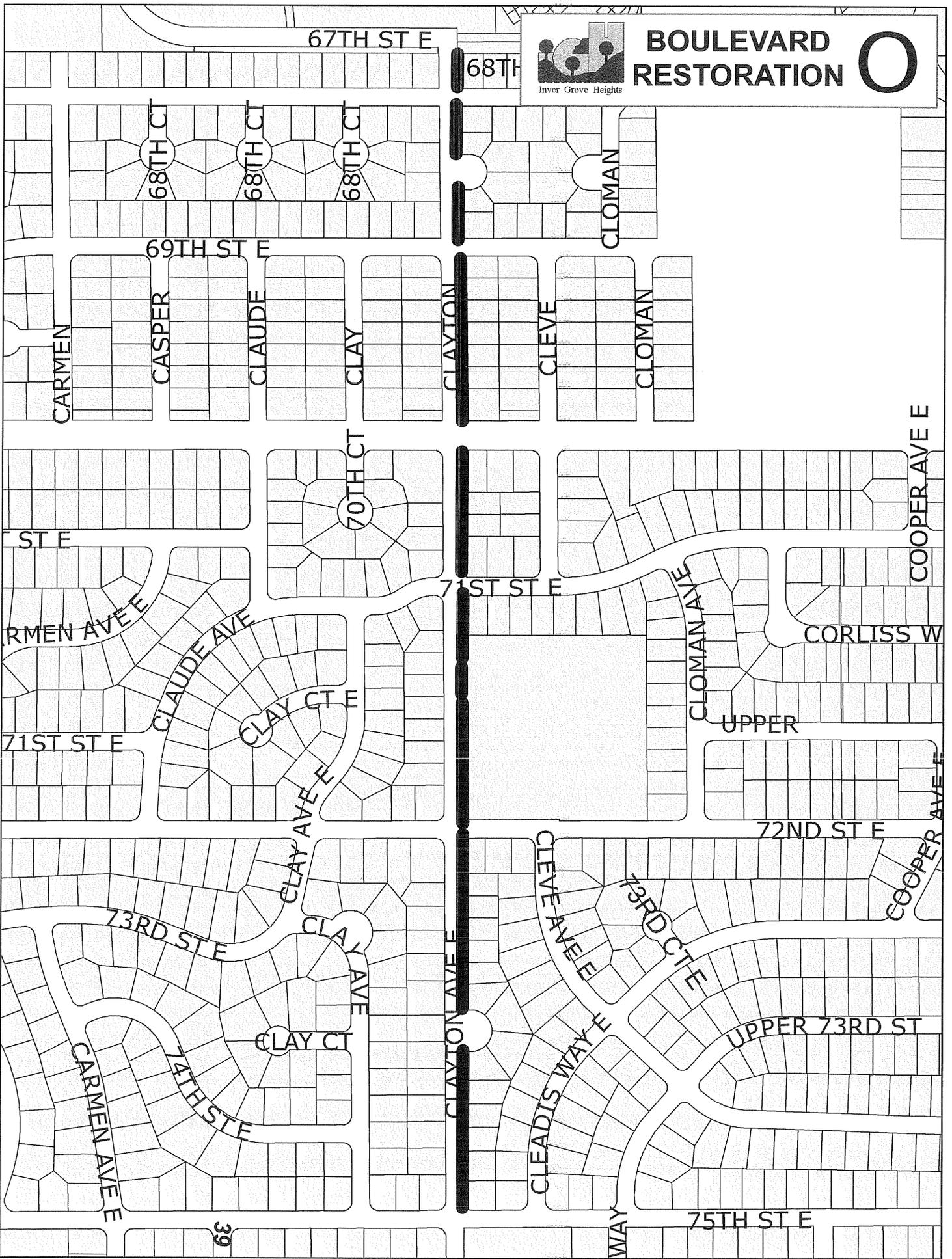
TJK/kf

Attachments: Map
Proposals



Inver Grove Heights

BOULEVARD RESTORATION



67TH ST E

68TH

68TH CT

68TH CT

68TH CT

CLOMAN

69TH ST E

CARMEN

CASPER

CLAUDE

CLAY

CLAYTON

CLEVE

CLOMAN

70TH CT

ST E

71ST ST E

CARMEN AVE E

CLAUDE AVE

CLAY CT E

71ST ST E

CLAY AVE E

CLOMAN AVE

CORLISS W

UPPER

COOPER AVE E

COOPER AVE E

72ND ST E

73RD ST E

CLAY AVE

CLAY CT

74TH ST E

CARMEN AVE E

CLEVE AVE E

73RD CTE

UPPER 73RD ST

CLAYTON AVE E

CLEADIS WAY E

75TH ST E

39

Proposal

www.mulchtruck.com



1848 50TH STREET E., SUITE 104
 INVER GROVE HEIGHTS, MN 55077
 (651) 455-3993 FAX (651) 455-2998

PROPOSAL SUBMITTED TO City of Inver Grove Heights		PHONE 651-450-2574	DATE 7/7/2009
STREET 8150 Barbara Ave.		JOB NAME 2007-08 Sod repair	
CITY, STATE and ZIP CODE Inver Grove Heights, MN 55077		JOB LOCATION Clayton Ave.	
ATTENTION Peter Hindman	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Quantity	Units	Type	Price
1056	Sq. Yds.	Existing dead sod removed and disposed of from area between the street and the sidewalk on the east side of Clayton.	
1056	Sq. Yds.	Terraseeding with a 1"-1.5" layer of compost topsoil and seed mix.	
1	LS	Watering for the 30 day maintenance period.	

Notes: Seed mix to be used is a salt tolerant blvd. turf mix.
 Starter fertilizer to be added to soil mixture.
 Seeding to be completed mid to late August to allow better establishment.

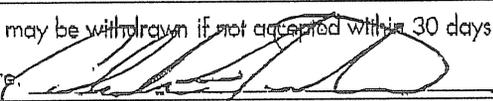
Please sign and send back the white copy of the contract, along with your check or credit card deposit of \$9,777.60 which will allow us to schedule your project. The remainder of the balance is due upon completion of the project with a check or credit card. Any seeding projects not paid within 30 days of completion will void any touchup or warranty work, and allows Windscribes the right to withhold any future services or warranty work.

TOTAL BID AMOUNT \$9,777.60

WE PROPOSE hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

TERMS: Half due now, remainder due upon completion of the job. dollars (\$ \$9,777.60).

Note: This proposal may be withdrawn if not accepted within 30 days.

Authorized Signature: 

We accept VISA MASTERCARD AMERICAN EXPRESS

Credit Card # _____ Exp. Date _____

Signature _____

After completion of job, please charge above c.c. for final payment

OUR GUARANTEE: All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. No retainer held in lieu of guarantee.

Acceptance of Proposal

I have read and understood the pre-lien notice on the reverse side of the pink copy of this proposal. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

OFFICE - WHITE & YELLOW COPIES • CLIENT - PINK COPY

HEIKES FARMS, INC.

19740 KENRICK AVENUE
 LAKEVILLE, MN 55044
 PHONE: 952-469-4755
 FAX: 952-469-2267

BID

DATE	BID NO.
6/22/2009	5158

CONTRACTOR NAME & ADDRESS
CITY OF INVER GROVE HEIGHTS ENGINEERING

Celebrating 20 Years!
1988 - 2008

FAX#	PROJECT	CONTACT
651-450-2502	Bld Seeding	Peter

NO.	UNIT/CODE	ITEM	QTY	PRICE	Total
1.	Sy. FS	Bld seeding per sy to include sod cutting and removing old dead sod, add topsoil, prepare seed bed, fertilize, seed with custom seed mix to include alkali grass, fescue grass, rye grass and blue grass. After seeding is complete we will hydro mulch with a 70% / 30% blend.	1,056	4.82	5,089.92
2.	Ea. FMob	Water for seeded area each time we water. (city to provide the water)	1	390.00	390.00

Exclusions: (Unless specifically included above) Topsoil for sod and seed, maintenance for sod and seed, final grade, maintenance and removal of silt fence, debris and rock picking, damages due to neglect or vandalism by others, work performed under winter conditions, traffic control, warranty outside of MNDOT seeding dates, and hand installation of silt fence.
 Changes: (Unless specifically included above) Changes in material placement and changes in specifications may alter bid. Prices are in effect for 60 days after bid date. Payment within 30 days required. If bonding is required, add an additional 1.5% to the total.

Total	\$5,479.92
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