

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, DECEMBER 14, 2009 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, December 14, 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, Finance Director Lanoue and Deputy Clerk Rheaume.

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

Mayor Tourville removed Item 4M, Accept Proposal for Replacement of Windows and Water Damaged Sheetrock in the Maintenance Building Lunchroom, from the Consent Agenda.

Councilmember Piekarski Krech removed Item 4T, Approve a Members Code of Conduct for the Veterans Memorial Community Center, from the Consent Agenda

Councilmember Grannis removed Item 4W, Approve Joint Powers Agreement for the Dakota County Drug Task Force, from the Consent Agenda.

Councilmember Klein removed Item 4CC, Authorize Acknowledgement that the City Allows the Sale of Alcoholic Beverages until 2AM on Optional 2AM Liquor License Applications for Celts Pub, Major's Sports Café, Mississippi Pub, and Ruby Tuesday, from the Consent Agenda.

- A. Minutes – November 23, 2009 Regular Council Meeting
- B. **Resolution No. 09-233** Approving Disbursements for Period Ending December 9, 2009
- C. Pay Voucher No. 6 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- D. Final Compensating Change Order No. 1, Final Pay Voucher No. 1, Engineer's Final Report and **Resolution No. 09-234** Accepting Work for City Project No. 2009-13, Storm Water Facility Maintenance Program – Zone 2
- E. Change Order No. 4 and Pay Voucher No. 6 for City Project No. 2009-09D, South Grove Urban Street Reconstruction - Area 4
- F. Compensating Change Order No. 2, Final Pay Voucher No. 2, Engineer's Final Report, and **Resolution No. 09-235** Accepting Work for City Project No. 2008-22, Bohrer Pond Shoreland Protection
- G. Change Order No. 1, Final Compensating Change Order No. 2, Final Pay Voucher No. 2, Engineer's Final Report, and **Resolution No. 09-236** Accepting Work for City Project No. 2008-09G, Cahill Avenue/Brooks Boulevard Mill and Overlay
- H. Change Order Nos. 10, 11 and Pay Voucher No. 3 for City Project No. 2009-01, Trunk Highway 3/80th (CR 28) Street Intersection Improvements
- I. Pay Voucher No. 1 for City Project No. 2009-29, Well No. 9 Phase 2
- J. **Resolution No. 09-237** Approving Individual Project Order No. 11C with Kimley-Horn and Associates, Inc. for City Project No. 2008-11, Southern Sanitary Sewer East Segment
- K. Accept Proposal for Purchase of V-Plows
- L. Accept Proposal for Electrical Work in Maintenance Building
- N. **Resolution No. 09-238** Accepting Individual Project Order No. 12C to Kimley-Horn & Associates, Inc. for Additional Feasibility Study and Final Design Services for the Pavement Management Program, Urban Street Reconstruction – City Project No. 2009-09D (South Grove Area 4) and City Project No. 2010-09D (South Grove Area 5)

- O.** Allow Contractor to Occasionally Work Outside of Established Hours
- P.** **Resolution No. 09-239** Approving the Application of the City of Inver Grove Heights for Fiscal Year 2010 Dakota County Community Development Block Grant Funding
- Q.** **Resolution No. 09-240** Approving the Renewal of Health and Dental Insurance for 2010
- R.** Approve 2010 Park & Recreation Department Fees and Charges
- S.** Extend Clean Fill and Topsoil Agreement with Carl Bolander and Sons for Heritage Village Park
- U.** Approve Purchase of Floor Scrubbing Equipment for the Veterans Memorial Community Center
- V.** Approve Agreement with Inver Grove Heights Youth Hockey Association to Operate the VMCC Concession Stand
- W.** **Resolution No. 09-254** Approving a Joint Powers Agreement for the Dakota County Drug Task Force
- X.** Accept Donation to Inver Grove Heights Fire Department from Residential Mortgage Group
- Y.** Accept Donation to Inver Grove Heights Fire Department from Thompson-Reuters
- Z.** Accept Donation to Inver Grove Heights Fire Department from H.W. Michie
- AA.** Accept Donation to Inver Grove Heights Fire Department from Walmart
- BB.** Approve Massage Business License Application – 65th Street Salon
- DD.** Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

- M.** Accept Proposal for Replacement of Windows and Water Damaged Sheetrock in the Maintenance Building Lunchroom

Mayor Tourville explained the item would be brought back for Council consideration at another meeting.

No Action was taken on this Item.

- T.** Approve a Members Code of Conduct for the Veterans Memorial Community Center

Councilmember Piekarski Krech questioned what parameters and guidelines would be used to determine inappropriate conduct and who would be responsible for making that determination. She asked if patrons would be allowed to bring aluminum water bottles into the fitness area and commented on trying to reduce the amount of plastic being used and discarded.

Mr. Carlson responded that the main purpose of formally adopting a code of conduct is to establish a uniform process for dealing with issues requiring disciplinary action. He added that the majority of the guidelines and rules included in the code of conduct are already established at the facility. He stated he would seek further clarification regarding the use of aluminum water bottles in the fitness area.

Mayor Tourville questioned if the proposed code of conduct had been posted at the facility or if copies were made available for members to review and provide feedback.

Mr. Carlson stated the code of conduct was reviewed by the Parks and Recreation Advisory Commission and rules are always posted in the fitness center. He explained that staff intended to post the code of conduct throughout the facility after Council approval.

Mayor Tourville suggested that the proposed code of conduct be posted throughout the facility and made available to members to provide an opportunity for input.

This Item was Tabled until January 11, 2010

W. Approve Joint Powers Agreement for the Dakota County Drug Task Force

Councilmember Grannis stated that he is employed by Dakota County and would abstain from the vote.

Motion by Klein, second by Piekarski Krech, to adopt Resolution No. 09-254 approving a Joint Powers Agreement for the Dakota County Drug Task Force

Ayes: 4

Nays: 0

Abstain: 1 (Grannis) Motion carried.

CC. Authorize Acknowledgement that the City Allows the Sale of Alcoholic Beverages until 2AM on Optional 2AM Liquor License Applications for Celts Pub, Major’s Sports Café, Mississippi Pub, and Ruby Tuesday

Councilmember Klein asked if there were any outstanding applications for extended hours of sale.

Ms. Rheame explained the Optional 2AM licenses do not coincide with the calendar year. She stated there would be no optional licenses that would need to be considered until 2010.

Motion by Klein, second by Madden, to Authorize Acknowledgement that the City Allows the Sale of Alcoholic Beverages until 2AM on Optional 2AM Liquor License Applications for Celts Pub, Major’s Sports Café, Mississippi Pub, and Ruby Tuesday

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Allan Cederberg, 1162 E. 82nd Street, expressed concerns regarding the City’s green building initiative. He stated he was informed that the City would not be pursuing the LEED certification.

Mayor Tourville explained that the City decided not to pay for the certification because the cost estimates received were between \$30,000 and \$100,000. He noted the architects were still looking into meeting 60- 80% of the items listed in the brochure.

Mr. Cederberg asked that he be updated on the issue as new information becomes available from the architects.

Ron Burns, 8518 College Trail, commented on Neighborhood Electric Vehicles. He explained he was surprised to learn the vehicles are not allowed on Inver Grove Heights streets as they offer a green and economical option for transportation. He stated the vehicle is street legal on roadways with speed limits 35 mph or lower. He asked that the Council consider allowing the vehicles to be driven in Inver Grove Heights.

Mayor Tourville responded that the City Administrator would further research the issue. He stated that the technology may have been different when the use of the vehicle on City streets was originally considered.

6. PUBLIC HEARINGS:

A. CITY OF INVER GROVE HEIGHTS; Approve Final 2010 Tax Levies and Final 2010 Budgets

Ms. Lanoue explained the 2009 State Legislature eliminated the need for a separate Truth in Taxation Hearing to allow the public hearing to be conducted at a regularly scheduled meeting. She stated the City’s portion of the tax dollar, approximately .45 cents, will be discussed. She explained the tax levies have been reduced \$408,000 from the Proposed Tax Levies that were adopted in September, and this has reduced the city-wide tax levy increases 4.41% to 1.73%. She stated the 2009 collection tax collection rate was at 89.3% as of December 2, 2009 and the special assessment collection rate was at 95.49%.

Ms. Lanoue reviewed the components of the General Fund and stated the budget for this fund is \$17,531,700, 2.2% less than the 2009 amended budget. She noted a small surplus of \$38,000 is projected in the fund balance and no wage and salary increases were budgeted for 2010.

Ms. Lanoue provided overviews of the budgets for the City's Special Revenue Funds, Enterprise Funds, and Internal Service Funds. She explained the operating levy includes special levies and that the debt-service levy was reduced by \$202,000. She stated the City's tax capacity rate decreased to 6.7% and market values have declined. She explained that the water rate will increase by 2% and the sewer rate will increase by 3.5% as a response to rate increases from the Metropolitan Council.

Allan Cederberg, 1162 E. 82nd St., pointed out a typo on the resolution adopting the 2010 budgets.

Ms. Lanoue stated the Central Stores budget should be changed to \$150,500.

Mr. Cederberg asked for a definition regarding the contributions to or from retained earnings.

Ms. Lanoue explained that it either shows a deficit or a positive balance.

Mr. Cederberg commented that there were too many fund transfers.

Mr. Lynch stated the taxes would need to be increased without fund transfers. He noted that the finance department tracks fund transfers and is audited on an annual basis by an outside firm.

Councilmember Piekarski Krech commented that what is being discussed is the budget they levy in taxes.

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

Ayes: 5

Nays: 0 Motion carried.

Motion by Klein, second by Madden, to adopt Resolution No. 09-241 approving the Final 2010 Tax Levies

Councilmember Grannis stated he will not vote for the tax levies or the budgets because he wanted to see a 0% increase in this difficult economic time and feels that could have been achieved through internal restructuring and additional layoffs.

Councilmember Piekarski Krech commented that she would like staff to continuously review the budget in 2010 to look for ways to save money.

Ayes: 4

Nays: 1 (Grannis) Motion carried.

Motion by Klein, second by Madden, to adopt Resolution No. 09-242 approving the Final 2010 Budgets

Ayes: 4

Nays: 1 (Grannis) Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider 2010 Liquor License Renewal Applications

Ms. Rheame stated the Council is asked to consider liquor license renewal applications for the 2010 calendar year. She explained the public hearing notice identified the establishments seeking renewal and noted they were classified by the type of liquor license being sought. She noted that the Trestle Stop did not seek renewal for 2010 and should be removed from the list. She stated background investigations were completed and two violations were found and outlined in the Council memo.

Mr. Kuntz explained a case is pending against an employee of Starz Group Liquor, Inc. for an alleged illegal sale of alcohol to an underage person. He indicated that more information would be provided to the Council after completion of the criminal process.

Councilmember Klein asked if anything was found in the background checks that would warrant denial of any of the renewal applications.

Ms. Rheame reiterated that the background checks only revealed the two violations that were summarized in the Council memo .

Motion by Madden, second by Klein, to close the public hearing**Ayes: 5****Nays: 0 Motion carried.****Motion by Klein, second by Madden, to approve all 2010 Liquor License Renewal Applications as listed on the notice of public hearing with the exception of the Trestle Stop.****Ayes: 5****Nays: 0 Motion carried.****7. REGULAR AGENDA:****COMMUNITY DEVELOPMENT:****A. GEORGE CAMERON (CAMERON'S LIQUOR);** Consider the following for property located along Concord Boulevard and 65th Street:

- i) Resolution relating to a Comprehensive Plan Amendment to change the land use designation of the 2030 Comprehensive Plan from P, Park/Open Space to Mixed Use and to remove Cameron Park from the Parks, Trail and Open Space Plan
- ii) Ordinance relating to Rezoning from P, Institutional to B-3, General Business
- iii) Resolution relating to a Preliminary Plat for a one lot subdivision
- iv) Request for City Council to initiate a Vacation of the unimproved alley rights-of-way shown on the Preliminary Plat
- v) Resolution relating to a Major Site Plan Review for a 6,000 square foot liquor store
- vi) Resolution relating to three Variances to:
 - a) allow the building within the required 75 foot setback
 - b) allow the parking lot to be within the required 20 foot buffer zone
 - c) allow an eight (8) foot high screen fence
- vii) Resolution Approving Disposal of Park Property known as Cameron Park

Mr. Link explained the applicant is proposing to construct a new liquor store across the street from the old location on the Cameron Park site. He stated the Council previously entered into an agreement with the applicant to sell the Cameron Park property. He explained a 6,000 square foot building would be constructed in the southeast corner of the property. He stated the Comprehensive Plan change would be consistent with the Mixed Use guiding along the west side of Concord. He explained the property had a commercial designation in the 2020 plan and was changed to public because the property was city owned and it was unknown when any future redevelopment might occur. He stated the zoning change to B-3 would be consistent with properties along Concord and with the future guiding of the area. He explained the preliminary plat consists of a one lot subdivision that meets all code requirements. He added the applicant requested that the Council initiate the vacation of the unimproved alley right-of-way within the plat because he was unable to obtain the required majority of property owner signatures for the application. He noted an additional public hearing regarding the vacation would be required and Council could act on the vacation and the final plat in early 2010. He reiterated the alleys are unimproved and development of the site would be better served with the alleyways vacated. He explained variances were requested from building setback and parking lot screening requirements. He noted the Planning Commission added a third variance when they imposed a requirement for an eight-foot tall screening fence. He indicated that Planning staff supported the setback variances because the lot has limited building area and the abutting residential zoning creates additional setback limitations, and the higher screen fence would provide additional screening from the surrounding residential properties which are situated at a higher elevation than the subject site. Mr. Link concluded that the Planning Commission and Planning staff recommended approval of the requests with the conditions as listed in the ordinance resolutions.

Mayor Tourville commented that a higher screen fence may not be the best solution and suggested that further discussion may be necessary to determine the best solution for screening of the residential properties.

Jon LeNoble, Krech, O'Brien & Mueller, stated an eight foot high fence may not be sufficient to screen the surrounding residential properties because of the elevation difference. He suggested that a combination with landscaping may be a better solution and asked that the applicant be allowed to work with Planning staff on a landscaping plan.

Mayor Tourville suggested that the applicant, Planning staff and the surrounding neighbors get together to discuss the best screening solution.

Councilmember Madden suggested that different language be drafted regarding screening in condition number 6.

Councilmember Piekarski Krech questioned if the parking and traffic issues were addressed.

Mr. Link responded that the three conditions added by the Planning Commission dealt with the parking and traffic issues accordingly.

Mayor Tourville clarified that the applicant had no problems with the conditions as listed.

John Cameron stated the conditions regarding signage were acceptable and explained their concerns regarding the screening were already discussed. He stated the condition pertaining to parking lot lighting was acceptable as long as security lighting on the building would be allowed.

Mr. Kuntz confirmed it was the applicant's intent to develop a final light plan for review by Planning staff.

Mr. Cameron stated they fully plan to meet the requirements set forth by condition eight.

Mr. LeNoble indicated a photometric plan was completed for the proposed lighting design.

Mr. Link clarified that the parking lot lighting would go off after hours, but the security lighting on the building would be allowed to remain on overnight.

Mayor Tourville suggested that the light plan also be discussed with the neighbors.

Motion by Klein, second by Madden, to adopt Resolution No. 09-243 approving a Comprehensive Plan Amendment to change the land use designation of the 2030 Comprehensive Plan from P, Park/Open Space to Mixed Use and to remove Cameron Park from the Parks, Trail and Open Space Plan

Ayes: 5

Nays: 0 Motion carried.

Motion by Klein, second by Madden, to approve Ordinance No. 1203 relating to a Rezoning from P, Institutional to B-3, General Business, Resolution No. 09-244 relating to a Preliminary Plat for a one lot subdivision, a request for the City Council to initiate a Vacation of the unimproved alley rights-of-way shown on the Preliminary Plat, Resolution No. 09-245 relating to a Major Site Plan Review for a 6,000 square foot liquor store, Resolution No. 09-246 relating to three Variances to allow the building within the required 75 foot setback, allow the parking lot to be within the required 20 foot buffer zone across the street from a residential property, allow an eight foot high screen fence or other suitable screening, and Resolution No. 09-247 approving disposal of Park Property known as Cameron Park

Ayes: 5

Nays: 0 Motion carried.

B. BRYAN BAUMAN; Consider Resolution relating to a Variance to allow a driveway within the required five (5) foot side yard setback for property located at 3920 76th St.

Mr. Link stated the request is for a variance from the side yard setback requirements for a driveway. He explained the City resurfaced 76th Street in front of the applicant's house and prior to the resurfacing the

applicant had a paved driveway with a gravel section on the west side. He stated the applicant then paved the gravel section to stop the area from washing out into the street. He noted that the newly-paved section encroached into the five foot side yard setback as well as the drainage and utility easement. He explained the property does not have any special conditions that make it unique and the applicant is not being denied reasonable use of the property. He added that the applicant's primary reason for the driveway was for the storage of personal vehicles. He stated that both Planning staff and the Planning Commission recommended denial of the request due to lack of a hardship.

Mayor Tourville asked if asphalt could be removed from the portion of the driveway that encroaches.

Mr. Link responded that removal of asphalt would not solve the encroachment issue.

Councilmember Piekarski Krech suggested that the City may need to consider implementing a permit process for driveways.

Bryan Bauman, 3920 76th Street, stated he did not know he was violating the setback requirements because the driveway has been in place for over 23 years and the gravel was there from the beginning. He explained that he could not re-route the driveway to the east side due to the location of utilities on his property. He noted that he would sign an encroachment agreement.

Councilmember Klein clarified that the curb cut was not expanded. He commented that the City does not allow overnight parking on the street during winter months.

Mayor Tourville asked the applicant to identify a legal hardship.

Mr. Bauman reiterated that he cannot expand the driveway to the east because of the location of the gas lines and his family is unable to park vehicles on the street. He added that he was trying to improve the aesthetic value of his property by paving the entire driveway.

Councilmember Madden suggested that the item be tabled to allow the applicant time to identify a hardship. He explained that a legal hardship has to be something unique to the property.

Councilmember Piekarski Krech asked if the applicant met impervious coverage standards.

Mr. Link responded he was not sure what the impervious coverage on the property was and would get the information to the Council.

Motion by Madden, second by Piekarski Krech, to table consideration of the item until January 11, 2010

Ayes: 5

Nays: 0 Motion carried.

The City Council took a five minute recess.

C. SKB ENVIRONMENTAL, INC.; Consider Resolution relating to an Amendment to Resolution No. 07-116, the Non-Conforming Use Certificate for the SKB Demolition Landfill relating to changing the location of the storm water pond system along with an Improvement Agreement for property located along 117th Street

Mr. Link explained SKB is proposing to remove the existing storm water pond that is located on a parcel immediately to the west and replace it with additional ponds located on the landfill property. He stated three additional ponds would be constructed to replace the pond being removed on the west side of the railroad tracks. He explained the site would be graded to fill in the old pond with the intent to prepare the site for future industrial development. He noted the Engineering department reviewed the plans and found the design to be acceptable. He stated an Improvement Agreement was needed to address the pond construction and completion of the project as well as requiring a letter of credit to cover the cost of construction and an engineering escrow to cover the cost of inspections, consultant fees, and any potential correction measures. He added Planning staff and the Planning Commission recommended approval with the conditions listed in the resolution.

Rick O'Gara, SKB Environmental, Inc., explained they are trying to develop the property on the west side.

Bob, 11889 Rich Valley Blvd, expressed concerns regarding what would be placed on the property and the original landscape plan for the existing property.

Mayor Tourville stated they would have to come back to the City for approval of further development.

Mr. O’Gara commented that there was an original landscape plan that was followed and the trees that were required were planted.

Mayor Tourville asked that staff make sure that the original landscape plan was followed.

Motion by Piekarski Krech, second by Madden, to approve Resolution No. 09-248 relating to an Amendment to Resolution No. 07-116, the Non-Conforming Use Certificate for the SKB Demolition Landfill relating to changing the location of the storm water pond system along with an Improvement Agreement for property located along 117th Street

Ayes: 5

Nays: 0 Motion carried.

D. LIGHTHOUSE CUSTOM HOMES; Consider the following resolutions for property located at 11687

Azure Court:

- i) Conditional Use Permit to allow an increase to the impervious surface coverage on the lot to 28.4%
- ii) Variance to allow existing driveway to encroach into side yard setback

Mr. Link explained applicant requested a conditional use permit to construct a 144 square foot porch addition that would increase the impervious coverage from 27.1% to 28.4%. He stated the applicant also requested a variance to allow a portion of the existing driveway to encroach in the side yard setback. He explained Planning staff reviewed the request and found it met the general Conditional Use Permit criteria. He noted staff determined the hardship is that the configuration of the garage and house require a driveway that is wider near the garage and the area that encroaches is very small. He explained staff believes the applicant would not be able to access the garage without a wider driveway. He stated Planning staff and the Planning Commission recommended approval of the requests with the conditions as listed in the resolution and the Engineering department also recommended approval provided the applicant entered into an encroachment agreement.

Councilmember Piekarski Krech questioned how many feet it is from the property line.

Rob Mueller, Lighthouse Custom Homes, stated the driveway was installed approximately three years ago by another builder and the area that encroaches is approximately 2-3 feet from the property line. He noted there is no home located on the adjacent property.

Mayor Tourville asked if the driveway access is safer because of the area that encroaches.

Mr. Mueller responded in the affirmative.

Councilmember Grannis commented that this driveway only encroaches on a small area on the property line rather than along the entire length of the property line.

Councilmember Madden confirmed the applicant had no problem with the conditions of approval.

Motion by Klein, second by Madden, to adopt Resolution No. 09-249 approving a Conditional Use Permit to allow an increase to the impervious surface coverage on the lot to 28.4% and Resolution No. 09-250 approving a Variance to allow the existing driveway to encroach into the side yard Setback.

Ayes: 5

Nays: 0 Motion carried.

E. WADE SHORT; Consider Resolution relating to a Vacation and Dedication of drainage and utility easements within the plat of Short Properties

Mr. Link stated the applicant requested two changes to the drainage and utility easements on the property. He explained the first change is related to a problem caused by the encroachment of the building onto the dedicated drainage and utility easement due to a surveying error. He stated a portion of the easement needs to be vacated to avoid the building being located within the easement. He noted the request would not affect the drainage plans for the property. He explained the second change is due to a change in the field in which the City water main was installed. He stated both Planning staff and the Planning Commission recommended approval of the request.

Motion by Klein, second by Madden, to approve Resolution Nos. 09-251 and 09-252 relating to a Vacation and Dedication of drainage and utility easements within the plat of Short Properties

Ayes: 5

Nays: 0 Motion carried.

PARKS AND RECREATION:

F. CITY OF INVER GROVE HEIGHTS; Consider Approval of Plans and Specifications for the Rock Island Swing Bridge and Authorize Advertisement of Bid

Mr. Carlson explained the scope of the project would consist of the conversion of Dakota County side of the structure into a recreational pier that would include: reconstruction and refurbishment of two spans that would connect to the existing spans to the shore, construction of two 12-foot wide spans manufactured from naturally weathering steel, repair of existing piers and installation of lights on the finished pier for safety and security purposes. He stated the total project cost estimate is \$2,204,442 and noted the City was the recipient of a \$1.3 million dollar federal grant. He added the estimated City contribution to the project is approximately \$654,000. He noted the cost for the demolition of piers 6, 7 and 8 would be funded by Mn/DOT. He identified the City's long term costs to be maintenance and insurance. He explained at this point the City is not committed to the project and after bids are received the Council will have the opportunity to either accept or reject bids. He noted the Parks and Recreation Advisory Commission reviewed the item and voted to approve the plans and specifications as submitted.

Councilmember Klein asked about potential fundraising efforts and if there any additional funding sources had been identified.

Mayor Tourville commented that no formal fundraising had been conducted for the project, but could be if the Council chose to order the project.

Mr. Lynch noted that the Council would need to determine the method and manner in which fundraising efforts would be conducted.

Motion by Klein, second by Madden, to approve Plans and Specifications for the Rock Island Swing Bridge and Authorize Advertisement of Bid

Ayes: 5

Nays: 0 Motion carried.

G. CITY OF INVER GROVE HEIGHTS; Consider Executing Cooperative Agreement with Washington County for the Funding of the Rock Island Swing Bridge Demolition

Mr. Carlson explained the agreement is necessary for reimbursement of the costs associated with the removal of piers 6, 7, and 8. He noted the City Attorney reviewed the agreement and recommended approval.

Motion by Piekarski Krech, second by Klein, to approve Execution of a Cooperative Agreement with Washington County for the Funding of the Rock Island Swing Bridge Demolition

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:**H. CITY OF INVER GROVE HEIGHTS;** Consider Approval of Bolander (Kladek Property) Land Alteration Permit – Permit No. C-090-09

Mr. Thureen explained the property owner no longer has a need for the basin previously excavated for an irrigation pond and would like to hire a contractor to restore the basin to grade. He stated staff and the Environmental Commission recommended approval of the permit with the addition of three conditions.

Motion by Grannis, second by Piekarski Krech, to approve Bolander Land Alteration Permit No. C-090-09 for Kladek Property

Ayes: 5

Nays: 0 Motion carried.

I. CITY OF INVER GROVE HEIGHTS; Consider a Resolution Ordering the Preparation of a Feasibility Report for Street Improvements on 59th Street East, West of Concord Boulevard, City Project No. 2010-12

Mr. Thureen explained the project is being initiated in response to a request received from a resident on 59th Street East. He stated that it makes sense to prepare a feasibility report and gauge the interest of the surrounding property owners.

Motion by Klein, second by Grannis, to adopt Resolution No. 09-253 Ordering the Preparation of a Feasibility Report for Street Improvements on 59th Street East, West of Concord Boulevard, City Project No. 2010-12

Ayes: 5

Nays: 0 Motion carried.

ADMINISTRATION:**J. CITY OF INVER GROVE HEIGHTS;** Consider Accepting Bid from Pierce Manufacturing for Purchase of Ladder Truck

Mayor Tourville stated this item was also discussed at the work session.

Mr. Lynch stated staff recommended inclusion of the bid alternates.

Councilmember Madden noted that the pre-pay discount will saved approximately \$252,000.

Motion by Piekarski Krech, second by Madden, to accept bid from Pierce Manufacturing in the amount of \$727,236.55 for the Purchase of Ladder Truck

Ayes: 5

Nays: 0 Motion carried.

K. CITY OF INVER GROVE HEIGHTS; Consider Third Reading of Electric Franchise Ordinance with Dakota Electric

Mr. Kuntz stated no changes were made since the second reading.

Motion by Klein, second by Grannis, to adopt Ordinance No. 1204 relating to an Electric Franchise Ordinance with Dakota Electric

Ayes: 5

Nays: 0 Motion carried.

L. CITY OF INVER GROVE HEIGHTS; Consider Third Reading of an Ordinance Amending City Code Title 3, Chapter 4, Sections 3-4-2-2 and 3-4-2-3 and Title 10, Chapter 3, Section 10-3-8 Adjusting Development Fees for 2010

Ms. Teppen stated the ordinance would amend the City Code to adjust the fees and charges associated with development activities. She noted that the final version incorporates the language adopted by the

Council in mid 2007 as well as the fees originally adopted in December of 2007.

Motion by Madden, second by Grannis, to adopt Ordinance No. 1205 Amending City Code Title 3, Chapter 4, Sections 3-4-2-2 and 3-4-2-3 and Title 10, Chapter 3, Section 10-3-8 Adjusting Development Fees for 2010

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR AND COUNCIL COMMENTS:

Councilmember Klein talked about Holiday on Main Street on Saturday, December 19th from 2:00 p.m. to 5:30 p.m. and the holiday light tour.

9. EXECUTIVE SESSION:

A. Discuss Collective Bargaining

Mayor Tourville said they will be discussing collective bargaining and the only thing they will do when they come back is adjourn.

10. ADJOURN: Motion by Klein, second by Piekarski Krech, to adjourn. The meeting was adjourned by a unanimous vote at 10:30 p.m.