



**INVER GROVE HEIGHTS CITY COUNCIL AGENDA**  
**MONDAY, JANUARY 25, 2010**  
**8150 BARBARA AVENUE**  
**7:30 P.M.**

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

A. Bill Wolston Day Proclamation

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 – January 11, 2009 Regular Council Meeting \_\_\_\_\_
- B. Resolution Approving Disbursements for Period Ending January 20, 2010 \_\_\_\_\_
- C. Change Order No. 2 and Pay Voucher No. 3 for City Project No. 2008–11, Southern Sanitary Sewer System, East Segment \_\_\_\_\_
- D. Final Pay Voucher No. 4, Engineer’s Final Report, and Resolution Accepting Work for City Project No. 2009–01, T.H. 3/80<sup>th</sup> (CR 28) Street Intersection Improvements \_\_\_\_\_
- E. Resolution Approving Amendment No. 1 to Agreements between the City and Charles A. Schroeder and Marolyn M. Schroeder \_\_\_\_\_
- F. Approve Irrigation Well Repairs at Inver Wood Golf Course \_\_\_\_\_
- G. Consider Disposal of City Owned Assets from Veterans Memorial Community Center \_\_\_\_\_
- H. Approve 2009 Pay Equity Report \_\_\_\_\_
- I. Approve Amended Agreement for Periodic Construction Observation Services for Roofing and Related Sheet Metal Services for the Public Safety Addition \_\_\_\_\_
- J. Resolution Approving Amendment No. 1 to Purchase Agreement related to the Sale of Cameron Park Property to George Cameron IV \_\_\_\_\_
- K. Accept Donation to Inver Grove Heights Fire Department from Kay Dickison \_\_\_\_\_
- L. Accept Donation to Inver Grove Heights Fire Department from John Dickison \_\_\_\_\_
- M. Accept Donation to Inver Grove Heights Fire Department from Deborah Dickison Whidden & Wayne Whidden \_\_\_\_\_
- N. 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:**

**COMMUNITY DEVELOPMENT:**

A. **JAMES BROWN;** Consider the following Resolutions for property located at 1186 90<sup>th</sup> Street:

- i) **Waiver of Plat** to create two parcels from the existing one tax parcel \_\_\_\_\_
- ii) **Variance** to allow the lots to be less than the required 2.5 acre min. \_\_\_\_\_
- iii) **Variance** to allow accessory structure on lot without a principle structure \_\_\_\_\_

**ADMINISTRATION:**

B. **CITY OF INVER GROVE HEIGHTS;** Consider Change Order No. 4 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation Project \_\_\_\_\_

8. **MAYOR AND COUNCIL COMMENTS**

9. **ADJOURN**

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, JANUARY 11, 2010 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, January 11, 2010, 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, Fire Chief Thill, Police Chief Kleckner and Deputy Clerk Rheume.

**3. PRESENTATIONS:**

Mayor Tourville reminded that there are fire hydrants to be taken care of.

**A. Fire Department Recognition – Kay Dickison**

Chief Thill recognized the fire fighters who assisted in the rescue of Kay Dickison after she fell through the on December 10<sup>th</sup>. She recounted the events of the day and highlighted the actions that were taken to rescue Ms. Dickison and the family dog, Rio.

Kay Dickison thanked her son, the DCC dispatcher, and the fire fighters that assisted in her rescue. She expressed gratitude for their efforts and presented Chief Thill with a donation to the Fire Department. She stated she hoped the money would be used for the purchase of additional water rescue suits.

Chief Thill recognized Kyle Dickison's role in the rescue and presented him with an "Award of Excellence" plaque. She stated she is very proud of the fire fighters for their involvement in the rescue and thanked the Council, City staff, and the Community for their support of the department.

Mayor Tourville commented on the importance of having Kay Dickison's son, Kyle call 911.

**B. Police Department Award – Bob O'Brien**

Mr. Bob O'Brien discussed the Inver Grove Heights Police Department's involvement in the "Safe and Sober" traffic safety program. He explained that highly visible traffic safety enforcement is very important to a community because it aids in crime prevention. He recognized the educational enforcement efforts of the IGHPD and presented Sgt. Sean Folmar with a radar gun valued at approximately \$3,000. He expressed his appreciation of the department.

**C. Council Appointments for 2010:**

- i) Official Newspaper
- ii) Official Depositories
- iii) Acting Mayor
- iv) Council Delegate to Association of Metropolitan Municipalities
- v) Deputy Weed Inspector – Mayor's Appointment

Councilmember Grannis questioned if there were any other alternatives for the Official newspaper.

Councilmember Piekarski Krech noted that the Sun Current went out of business.

Councilmember Grannis commented that the City would have received a better price if there were other options to consider.

**Motion by Piekarski Krech, second by Madden, to designate the South West Review as Official Newspaper; Bremer Bank, N.A., RBC Public Funds Services, US Bancorp Investments, Wells Fargo Securities LLC, Morgan Stanley Smith Barney, American Bank and Stifel, Nicolaus & Co., Inc. as Official Depositories; to rotate service as Acting Mayor, beginning with the senior Councilmember; and to reappoint Mayor Tourville and Councilmember Klein as delegates to the Association of Metropolitan Municipalities**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Klein, second by Madden, to designate Key Community Bank as an Official Depository.**

**Ayes: 4 (Grannis, Klein, Madden, Piekarski Krech)**

**Nays: 0**

**Abstain: 1 (Tourville)      Motion carried.**

#### **4. CONSENT AGENDA:**

Councilmember Piekarski Krech removed Item 4M, Approve Park Memorial Guidelines, from the Consent Agenda

- A.** Minutes – December 14, 2009 Regular Council Meeting
- B.** **Resolution No. 10-01** Approving Disbursements for Period Ending January 7, 2010
- C.** Pay Voucher No. 7 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- D.** Change Order No. 6 and Pay Voucher No. 15 for City Project No. 2003-15, Northwest Area Trunk Improvements
- E.** Pay Voucher No. 13 for City Project No. 2003-15A, Northwest Area Utility Improvements – Lift Station R-9.1
- F.** Change Order No. 2 and Pay Voucher No. 4 for City Project No. 2007-17, Clark Road Extension Improvements
- G.** Change Order No. 3 and Pay Voucher No. 4 for City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay
- H.** Change Order No. 6 and Pay Voucher No. 8 for City Project No. 2008-09D, South Grove Urban Street Reconstruction – Area 3
- I.** Change Order No. 5, Final Compensating Change Order No. 6, Final Pay Voucher No. 11, Engineer's Report of Final Acceptance, and **Resolution No. 10-02** Accepting Work for City Project No. 2003-03, Southern Sanitary Sewer System Improvements
- J.** Final Compensating Change Order No. 2, Final Pay Voucher No. 2, Engineer's Final Report of Acceptance, and **Resolution No. 10-03** Accepting Work for City Project No. 2009-15, Storm Water Facility Maintenance Program Zone 4
- K.** **Resolution No. 10-04** Declaring May 1, 2010 Silver Star Banner Day
- L.** Approve Contract with Dakota County for Sentence to Serve
- N.** Approve Agreement to Participate in Driving Diversion Pilot Program
- O.** Personnel Actions

**Motion by Madden, second by Piekarski Krech to approve the Consent Agenda.**

**Ayes: 5**

**Nays: 0      Motion carried.**

- M.** Approve Park Memorial Guidelines

Councilmember Piekarski Krech commented on Item 5 and questioned if the costs had been figured out.

Mr. Carlson responded that the City would have control over the items that are donated to the park system.

**Motion by Madden, second by Klein, to approve Park Memorial Guidelines**

**Ayes: 5**

**Nays: 0      Motion carried.**

5. **PUBLIC COMMENT:** None.

6. **PUBLIC HEARINGS:** None.

7. **REGULAR AGENDA:**

**ADMINISTRATION:**

**A. CITY OF INVER GROVE HEIGHTS;** Consider Awarding Bids for Cabling Infrastructure/AV Multimedia/Security Systems for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Ms. Teppen explained Elert and Associates was hired to write the bid specifications for the technology package for Phases One and Two of the Public Safety Addition/City Hall Renovation project. She stated the package included three components: network cabling, audio visual multimedia equipment, and premise security systems. She stated that Elert and Associates recommended awarding the cabling infrastructure contract to TriCom Communications in the amount of \$113,986, the contract for audio visual multimedia equipment to Dascom System Group in the amount of \$158,233 and the premise security systems contract to Low Voltage Contractors in the amount of \$237,000. She explained that City budgeted \$147,000 for the network cabling, \$343,580 for the audio visual multimedia component, and \$257,500 for the security component. She noted that the audio visual multimedia package does not include equipment for the City Council Chambers which will be bid at a later date. She stated there were two lower bids submitted for the premise security systems. She explained that one of the bids was incomplete and the product did not meet the technical specifications, while the other was withdrawn by the bidder after they realized a project labor agreement was required. She stated the funds for the contracts would come from internal sources previously identified by the Council, including: the MIS Fund, the City Facilities Fund, Water and Sewer Funds, the Closed Bond Fund and Host Community Funds.

**Motion by Klein, second by Madden, to award bid to TriCom Communications for Cabling Infrastructure in the amount of \$113,986, to Dascom System Group for AV Multimedia in the amount of \$158,233 and to Low Voltage Contractors for Premise Security Systems in the amount of \$ 237,000 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation**

Councilmember Grannis stated he will be voting against the motion because of the use of a Project Labor Agreement. He explained that the City would have seen more favorable pricing from bidders had a Project Labor Agreement not been required.

**Ayes: 4**

**Nays: 1 (Grannis) Motion carried.**

**COMMUNITY DEVELOPMENT:**

**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 76<sup>th</sup> St.

**C. KEITH KAEDER;** Consider Resolution relating to a Variance to allow a driveway within the required five (5) foot side yard setback for property located at 3396 76<sup>th</sup> St.

Mr. Link explained the current requirements of a five foot setback and paving the driveway are necessary because they: provide a buffer and open space between properties, keep private improvements out of the perimeter five foot public drainage and utility easement that exist on nearly all lots in the city and avoid grading within that five foot zone. He noted altering the swale or grade between properties can negatively impact a neighbor. He stated Planning staff and the Planning Commission recommended denial of the request due to lack of legal hardship. He stated because the City Council directed staff to look into the issue of driveways/parking areas it is recommended that the item be tabled for up to four months to allow staff time to conduct research and potentially develop alternative ordinance amendment options. He noted the applicant is aware of staff's recommendation and has agreed to table his request for up to four months.

Mr. Kuntz stated the applicant should submit a written notice of his agreement to table the request and extend the application deadline.

Bryan Bauman, 3920 76<sup>th</sup> St., confirmed that he was in favor of City staff further studying the issue and tabling the issue for up to four months. He indicated he would submit a written confirmation of his agreement to extend the application deadline.

Mayor Tourville commented that the next item on the agenda involved a similar driveway setback issue and asked if that applicant also agreed with the recommendation to table for additional research.

Keith Kaeder, 3396 76<sup>th</sup> St., agreed with the recommendation to table and to extend his application deadline.

**Motion by Klein, second by Madden, to table consideration of items 7B & 7C relating to variances to allow a driveway with the required five (5) foot side yard setback for up to four months to allow staff time to conduct additional research**

**Ayes: 5**

**Nays: 0      Motion carried.**

**PUBLIC WORKS:**

**D. CITY OF INVER GROVE HEIGHTS;** Consider Resolution Receiving Feasibility Report and Scheduling Public Hearing for the 2010 Pavement Management Program, Urban Street Reconstruction – City Project No. 2010-09D (South Grove Area 5)

Tom Kaldunski presented an amendment to the feasibility study that was previously accepted by the Council. He stated the project was initiated as part of the City's Pavement Management Program. He explained the project would involve reconstruction of all public streets in the project area including subgrade correction, new curb and gutter, replacing water main, and new storm sewer. He stated the total estimated project cost is \$4,681,000 and reviewed the proposed funding package that was prepared to cover the project costs. He noted the public hearing would be set for February 22<sup>nd</sup>.

Mr. Kaldunski noted that staff has had discussions with the "Oaks" townhome association regarding the existing water mains within the development. He explained the 2010 street improvement project would provide an opportunity to resolve the water main issue as a special add-on to the reconstruction project. He further explained that the townhome association requested that the City take over responsibility of the water mains in the area and past reviews and discussions indicated there are existing 6-inch and 3-inch water mains and individual service lines to each home. He stated the current City proposal would require an improvement agreement in which the City would accept ownership and maintenance responsibility on all existing and proposed 6-inch lateral water mains that feed fire hydrants and meet City standards. He noted the association would continue to be responsible for all 2-inch and 3-inch water mains as well as the service lines from all water mains to the townhome structures. He added the improvement agreement would be a variation from City Code because of access issues to many curb boxes that appear to be located under existing garages. He noted the City would retain the right to use and the existing curb boxes and access them on existing easements. He explained as part of the agreement the City has asked that the association pay for the 6-inch water main improvements on Conroy Trail at an estimated cost of \$151,800. He stated the City would provide up-front financing for the improvements from the Water Fund and would be reimbursed by the association via three equal payments starting in 2010.

Mr. Kaldunski stated the City was contacted by a property owner on Dehrer Ct. regarding surface improvements on Dehrer Ct., south of 75<sup>th</sup> St. He noted sanitary sewer and water service exists under Dehrer Ct. He explained the City maintains the utilities, but Dehrer Court is considered an unimproved alley and is not maintained by the City. He stated the adjacent landowners would have to execute waivers of assessment appeals for Dehrer Court to be improved, and would be expected to fund 100% of the initial cost to improve the road, estimated at \$53,000.

Mayor Tourville asked how Dehrer Court could not be maintained by the City if it is a City street.

Mr. Thureen clarified that there are a number of similar situations in the City and over time residents have put gravel down and use the unimproved alley to access their property. He stated that the City does not maintain the alley and cannot plow it given the dimensions.

Mr. Kuntz further clarified that the alley is not dedicated to the City and it is not under a City easement, therefore the City doesn't have a road to plow. He stated the titles to each property are being reviewed.

**Motion by Klein, second by Piekarski Krech, to approve Resolution No. 10-05 receiving the amended feasibility report and scheduling a public hearing for the 2010 Pavement Management Program, Urban Street Reconstruction – City Project No. 2010-09D (South Grove Area 5)**

**Ayes: 5**

**Nays: 0      Motion carried.**

**E. CITY OF INVER GROVE HEIGHTS; Consider Winter Maintenance Policy**

Mr. Thureen explained City staff has worked to put the current winter maintenance policy in writing to ensure it is consistent with applicable sections of the City Code, is followed consistently in the future, and is readily available for residents and property owners to review. He noted the policy would be placed on the City's website. He reviewed the components of the policy and clarified three changes that address payment for repair or replacement of a damaged mailbox, plowing sidewalks, and turf damage.

**Motion by Piekarski Krech, second by Grannis, to approve Winter Maintenance Policy**

**Ayes: 5**

**Nays: 0      Motion carried.**

**8. MAYOR AND COUNCIL COMMENTS:**

Councilmember Madden asked if the problem on 63<sup>rd</sup> Street was resolved.

Mr. Thureen stated that it is being plowed.

Councilmember Klein asked about signage at Highway 55 and 105<sup>th</sup> St.

Mr. Thureen stated he had a conversation with Mn/DOT regarding temporary signage. He noted it would be at the City's cost.

Mayor Tourville stated the review for Mr. Lynch is going to be on February 1<sup>st</sup> at 7:00 p.m.

**Motion by Madden, second by Piekarski Krech, to schedule a Special Meeting for the annual City Administrator review on February 1, 2010 at 7:00 p.m. at City Hall**

**Ayes: 4**

**Nays: 1 (Klein)      Motion carried.**

**Motion by Grannis, second by Piekarski Krech, to schedule the required Special Meeting with the school board on February 18, 2010 at 7:00 p.m. at the school district offices**

**Ayes: 4**

**Nays: 1 (Klein)      Motion carried.**

**9. ADJOURN:** Motion by Klein, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 9:00 p.m.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Meeting Date: January 25, 2010  
 Item Type: Consent  
 Contact: Cathy Shea 651-450-2521  
 Prepared by: Cathy Shea Asst. Finance Director  
 Reviewed by: N/A

<b>Fiscal/FTE Impact:</b>	
<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 January 8, 2010 to January 20, 2010.

**SUMMARY**

Shown below is a listing of the disbursements for the various funds for the period ending January 20, 2010. The detail of these disbursements is attached to this memo.

General & Special Reveune	\$200,402.22
Debt Service & Capital Projects	722,559.99
Enterprise & Internal Service	198,108.30
Escrows	<u>5,314.93</u>
Grand Total for All Funds	<u><u>\$1,126,385.44</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 January 8, 2010 to January 20, 2010 and the listing of disbursements requested for approval.

**DAKOTA COUNTY, MINNESOTA**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING DISBURSEMENTS FOR THE  
PERIOD ENDING JANUARY 20, 2010**

**WHEREAS**, a list of disbursements for the period ending January 20, 2010 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	\$ 200,402.22
Debt Service & Capital Projects	722,559.99
Enterprise & Internal Service	198,108.30
Escrow	<u>5,314.93</u>
Grand Total for All Funds	<u>\$ 1,126,385.44</u>

Adopted by the City Council of Inver Grove Heights this 25th day of January, 2010.

Ayes:

Nays:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheame, Deputy City Clerk

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/11/2010	98170	POTBELLY SANDWICH WORKS	COUNCIL SESSION	101-1000-413.50-75		1/2010 * Total	111.24 111.24
01/13/2010	98172	ACE PAINT & HARDWARE	500942 500944/5	101-6000-451.40-40 101-6000-451.40-40		1/2010 1/2010 * Total	25.62 10.37 35.99
01/13/2010	98177	ATOM	member; charles kleckner	101-4000-421.50-70		1/2010 * Total	25.00 25.00
01/13/2010	98180	BITUMINOUS ROADWAYS, IN	15235	101-5200-443.60-16		1/2010 * Total	2,638.10 2,638.10
01/13/2010	98181	BRINKMAN, AMY	ink	101-1100-413.60-65		1/2010 * Total	5.70 5.70
01/13/2010	98182	CARDIAC SCIENCE, INC.	1232408	101-4000-421.60-65		1/2010 * Total	158.18 158.18
01/13/2010	98184	CITY OF RED WING	ticket 629868	101-4000-421.60-65		1/2010 * Total	50.00 50.00
01/13/2010	98190	CULLIGAN	acct 157984591006	101-4200-423.60-65		1/2010 * Total	88.33 88.33
01/13/2010	98192	DAKOTA CTY CHIEFS OF PO	DUES 2010	101-4000-421.50-70		1/2010 * Total	325.00 325.00
01/13/2010	98193	DAKOTA CTY PROPERTY REC	ABSTRACT FEES	101-1100-413.50-25		1/2010 * Total	368.00 368.00
01/13/2010	98195	DAKOTA ELECTRIC ASSN	acct 4430542 acct 4267134	101-6000-451.40-20 101-5400-445.40-20		1/2010 1/2010 * Total	8.94 26.58 35.52
01/13/2010	98196	DAKOTA ELECTRIC ASSN	acct 3935632	101-6000-451.40-20		1/2010 * Total	237.80 237.80
01/13/2010	98197	DAKOTA ELECTRIC ASSN	acct 2501658	101-6000-451.40-20		1/2010 * Total	54.46 54.46
01/13/2010	98198	DAKOTA ELECTRIC ASSN	acct 2468379	101-6000-451.40-20		1/2010 * Total	364.23 364.23
01/13/2010	98200	EDWARDS, MICHAEL	boots	101-5100-442.60-45		1/2010 * Total	147.90 147.90
01/13/2010	98203	FBI - LEEDA	member; charles cleckner	101-4000-421.50-70		1/2010 * Total	50.00 50.00
01/13/2010	98205	GFOA	member; ann lanoue	101-2000-415.50-70		1/2010 * Total	225.00 225.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/13/2010	98206	HALFMOON LLC	attende; mike edwards	101-5100-442.50-80		1/2010 * Total	259.00 259.00
01/13/2010	98208	HENNING FIRE PROTECTION	police engineering streets parks	101-4000-421.60-65 101-5100-442.40-44 101-5200-443.60-16 101-6000-451.40-40		1/2010 1/2010 1/2010 1/2010 * Total	24.00 10.00 86.00 129.41 249.41
01/13/2010	98211	HOISINGTON KOEGLER GROU	00704710	101-3200-419.30-60		1/2010 * Total	881.43 881.43
01/13/2010	98212	IACP	member;larry stanger	101-4000-421.50-70		1/2010 * Total	360.00 360.00
01/13/2010	98223	LEXISNEXIS	acct 1369635	101-4000-421.50-20		1/2010 * Total	30.00 30.00
01/13/2010	98224	LILLIE SUBURBAN NEWSPAP	NTC JOHN TODD ORDINANCE 1199 ORDINANCE 1200 ORDINANCE 1203 ORDINANCE 1204 ORDINANCE 1205	101-3200-419.50-25 101-1100-413.50-25 101-1100-413.50-25 101-1100-413.50-25 101-1100-413.50-25 101-1100-413.50-25		1/2010 1/2010 1/2010 1/2010 1/2010 1/2010 * Total	14.40 208.00 203.20 19.20 209.60 275.20 929.60
01/13/2010	98225	MAIN STREET DESIGNS, IN	15892 15908	101-6000-451.60-65 101-6000-451.60-65		1/2010 1/2010 * Total	2,267.76 2,258.93 4,526.69
01/13/2010	98226	MARTIN-MCALLISTER	6782	101-1100-413.30-50		1/2010 * Total	2,000.00 2,000.00
01/13/2010	98228	METRO CITIES	membership	101-1000-413.50-70		1/2010 * Total	9,150.00 9,150.00
01/13/2010	98230	MN BOOKSTORE	inspections	101-3300-419.60-18		1/2010 * Total	610.04 610.04
01/13/2010	98231	MN CHIEFS OF POLICE ASS	2494	101-4000-421.60-65		1/2010 * Total	58.78 58.78
01/13/2010	98232	MN CHIEFS OF POLICE ASS	member:larry stanger member:gerald salmeyer	101-4000-421.50-70 101-4000-421.50-70		1/2010 1/2010 * Total	395.00 130.00 525.00
01/13/2010	98234	MN DEPT OF LABOR & INDU	cust 12982	101-4200-423.30-70		1/2010 * Total	10.00 10.00
01/13/2010	98235	MN FIRE SERVICE CERT BO	183	101-4200-423.30-70		1/2010 * Total	80.00 80.00
01/13/2010	98236	MPELRA	member; jenelle teppen	101-1100-413.50-70		1/2010	150.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/13/2010	98240	NATURE CALLS, INC.	14266	101-6000-451.40-47		* Total	150.00
						1/2010	244.13
						* Total	244.13
01/13/2010	98241	NORTH AMERICAN SALT	70425977	101-5200-443.60-16		* Total	31,263.44
						1/2010	31,263.44
						* Total	254.93
01/13/2010	98242	NORTHERN SAFETY COMPANY	cust 15831654	101-5200-443.60-16		* Total	254.93
						1/2010	41.38
						* Total	41.38
01/13/2010	98249	OWEST	acct 6514577671	101-6000-451.50-20		* Total	41.38
						1/2010	41.38
						* Total	500.00
01/13/2010	98250	OWEST	acct 6514577674	101-6000-451.50-20		* Total	500.00
						1/2010	500.00
						* Total	900.00
01/13/2010	98256	STERLING CODIFIERS	9781	101-1100-413.30-70		* Total	900.00
						1/2010	315.00
						* Total	315.00
01/13/2010	98257	STRAIGHT RIVER MEDIA	1229	101-1100-413.50-32		* Total	512.00
						1/2010	512.00
						* Total	165.00
01/13/2010	98259	TIMESAVER OFF SITE SECR	121409	101-1100-413.30-70		* Total	165.00
						1/2010	26.54
						* Total	26.54
01/13/2010	98263	TWIN CITIES OCCUPATIONA	101620832	101-1100-413.30-50		* Total	26.60
						1/2010	26.60
						* Total	257.40
01/13/2010	98264	U OF M - CCE REGISTRATI	attende; brian swoboda	101-6000-451.50-80		* Total	257.40
						1/2010	1,340.00
						* Total	1,340.00
01/13/2010	98266	USA MOBILITY WIRELESS I	acct 0317409 polcie	101-4000-421.50-20		* Total	60.70
						1/2010	60.70
						* Total	36.88
01/13/2010	98267	USA MOBILITY WIRELESS I	acct 03174091	101-4000-421.50-20		* Total	36.88
						1/2010	181.40
						* Total	181.40
01/13/2010	98270	VERIZON WIRELESS	acct 580565481	101-5100-442.50-20		* Total	60.70
						1/2010	60.70
						* Total	36.88
01/13/2010	98274	WSB & ASSOCIATES, INC.	16	101-5100-442.30-30		* Total	36.88
						1/2010	181.40
						* Total	181.40
01/13/2010	98275	XCEL ENERGY	acct 5188494737	101-5400-445.40-20		* Total	60.70
						1/2010	60.70
						* Total	36.88
01/13/2010	98277	XCEL ENERGY	acct 5170946691	101-5400-445.40-20		* Total	36.88
						1/2010	181.40
						* Total	181.40
01/13/2010	98281	ZEE MEDICAL SERVICE	54188486	101-6000-451.60-45		* Total	60.70
						1/2010	60.70
						* Total	36.88

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98285	ACE PAINT & HARDWARE	501001 501049 501078	101-4200-423.60-65 101-5200-443.60-16 101-4200-423.40-40		1/2010 1/2010 1/2010 * Total	86.73 29.87 5.87 122.47
01/20/2010	98287	AFSCME COUNCIL 5	12/26 - 1/08	101-0000-203.10-00		1/2010 * Total	820.89 820.89
01/20/2010	98288	AMERICAN PUBLIC WORKS A	RENEWAL 2010	101-5000-441.50-70		1/2010 * Total	580.00 580.00
01/20/2010	98291	AVCAM	member; corey thomas	101-4000-421.50-70		1/2010 * Total	30.00 30.00
01/20/2010	98300	DAKOTA ELECTRIC ASSN	acct 1093947	101-5400-445.40-20		1/2010 * Total	1,028.03 1,028.03
01/20/2010	98302	EHLERS AND ASSOCIATES,	340908 340909	101-2000-415.30-70 101-2000-415.30-70		1/2010 1/2010 * Total	307.50 2,327.50 2,635.00
01/20/2010	98305	ENVIRONMENTAL SYSTEMS R	92112329	101-5100-442.60-42		1/2010 * Total	5,321.01 5,321.01
01/20/2010	98309	G & K SERVICES	acct 7494701 acct 7494701	101-5200-443.60-45 101-6000-451.60-45		1/2010 1/2010 * Total	21.00 24.19 45.19
01/20/2010	98311	G & K SERVICES	acct 7494701 acct 7494701	101-5200-443.60-45 101-6000-451.60-45		1/2010 1/2010 * Total	21.54 24.83 46.37
01/20/2010	98321	HINDMAN, PETE	safety boots	101-5100-442.60-45		1/2010 * Total	165.00 165.00
01/20/2010	98328	INVERCITY PRINTING INC	91227	101-3300-419.50-30		1/2010 * Total	138.64 138.64
01/20/2010	98329	IJOE	12/26 - 1/08	101-0000-203.10-00		1/2010 * Total	1,433.31 1,433.31
01/20/2010	98330	J-C PRESS	295719	101-1100-413.50-32		1/2010 * Total	3,462.75 3,462.75
01/20/2010	98336	LELS	12/26 - 1/08	101-0000-203.10-00		1/2010 * Total	1,125.00 1,125.00
01/20/2010	98337	LELS SERGEANTS	12/26 - 1/08	101-0000-203.10-00		1/2010 * Total	210.00 210.00
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e client 81000e client 81000e	101-1000-413.30-40 101-1000-413.30-42 101-3200-419.30-42		1/2010 1/2010 1/2010	120.00 10,702.99 364.80

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	101-3300-419.30-42		1/2010	24.00
			client 81000e	101-4000-421.30-42		1/2010	32.00
			client 81000e	101-4200-423.30-42		1/2010	1,260.00
			client 81000e	101-5000-441.30-42		1/2010	2,303.00
			client 81000e	101-5100-442.30-42		1/2010	740.45
			client 81000e	101-6000-451.30-42		1/2010	280.00
					*	Total	15,827.24
01/20/2010	98340	LEVANDER, GILLEN & MILL	client 92000e	101-4000-421.30-41		1/2010	15,618.17
					*	Total	15,618.17
01/20/2010	98344	METROPOLITAN AREA MGMT	member; jenelle teppen	101-1100-413.50-70		1/2010	45.00
					*	Total	45.00
01/20/2010	98345	MN GLOVE & SAFETY, INC.	237350	101-5200-443.60-45		1/2010	39.60
					*	Total	39.60
01/20/2010	98347	MNFAM BOOK SALES	811	101-4200-423.60-18		1/2010	224.44
					*	Total	224.44
01/20/2010	98348	MPELRA	attende; jenelle teppen	101-1100-413.50-80		1/2010	215.00
					*	Total	215.00
01/20/2010	98349	MUNICIPAL LEGISLATIVE C	DUES 2010	101-1000-413.50-70		1/2010	6,840.00
					*	Total	6,840.00
01/20/2010	98351	NORTH COUNTRY INTERIORS	416995	101-3300-419.30-70		1/2010	320.00
					*	Total	320.00
01/20/2010	98360	S & T OFFICE PRODUCTS	CALENDARS 2010	101-5100-442.60-40		1/2010	95.01
			CALENDARS 2010	101-6000-451.60-40		1/2010	75.84
			ENGINEERING	101-5100-442.60-40		1/2010	126.13
			MONICA	101-4200-423.60-10		1/2010	74.11
			1129	101-5200-443.60-40		1/2010	19.37
			1201	101-3300-419.60-10		1/2010	16.28
			1201/60/CALENDA	101-3300-419.60-40		1/2010	472.00
			1252	101-1100-413.60-40		1/2010	47.20
			1255	101-3000-419.60-10		1/2010	2.44
			1259	101-1100-413.60-40		1/2010	29.22
					*	Total	957.60
01/20/2010	98363	SOUTH EAST TOWING	165022	101-5200-443.30-70		1/2010	50.00
					*	Total	50.00
01/20/2010	98368	STEWART PLUMBING INC	overpmt on permit	101-0000-322.20-00		1/2010	9.00
					*	Total	9.00
01/20/2010	98371	TOTAL CONSTRUCTION & EQ	46564	101-5400-445.40-42		1/2010	3,040.00
					*	Total	3,040.00
01/20/2010	98373	TWIN CITIES OCCUPATIONA	101623020	101-1100-413.30-50		1/2010	597.00
					*	Total	597.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98375	UNITED RENTALS (NORTH A	acct 66047 acct 66047	101-5200-443.60-16 101-5200-443.60-16		1/2010 1/2010 * Total	367.20 57.89 425.09
01/20/2010	98376	UNITED WAY	12/26 - 1/08	101-0000-203.13-00		1/2010 * Total	178.00 178.00
01/20/2010	98378	XCEL ENERGY	acct 5164318574 acct 5164318574	101-4200-423.40-10 101-4200-423.40-20		1/2010 1/2010 * Total	2,852.00 1,138.86 3,990.86
01/20/2010	98379	XCEL ENERGY	acct 5164351291	101-5400-445.40-20		1/2010 * Total	137.28 137.28
01/13/2010	98187	CORNER PIECE LLC	121 96	81 Checks 201-1600-465.30-70 201-1600-465.30-70	** Fund Total	1/2010 1/2010 * Total	126,585.12 1,200.00 275.00 1,475.00
01/13/2010	98202	ENSEMBLE CREATIVE & MAR	monthly installment	201-1600-465.50-25		1/2010 * Total	1,500.00 1,500.00
01/20/2010	98294	BURNSVILLE CONV & VISIT	2010 partnership	201-1600-465.50-25		1/2010 * Total	12,500.00 12,500.00
01/20/2010	98299	CRAGUN'S RESORT & HOTEL	nicole bengtson	201-1600-465.50-75		1/2010 * Total	84.53 84.53
01/20/2010	98306	EXPLORE MINNESOTA TOURI	nicole bengtson	201-1600-465.50-80		1/2010 * Total	204.00 204.00
01/20/2010	98372	TOUR MINNESOTA ASSOCIAT	member nicole bengtson	201-1600-465.50-70		1/2010 * Total	300.00 300.00
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	6 Checks 425-5922-725.30-42	** Fund Total	1/2010 * Total	16,063.53 35.60 35.60
01/11/2010	98171	SHAW-LUNDQUIST ASSOCIAT	city hall renovation	1 Checks 428-5918-728.80-20	** Fund Total	1/2010 * Total	35.60 556,303.37 556,303.37
01/20/2010	98293	BKV GROUP, INC.	26825 26826	428-5918-728.30-20 428-5918-728.30-20		1/2010 1/2010 * Total	14,012.75 15,190.00 29,202.75
01/20/2010	98318	HENNEN CONSTRUCTION COM	south sanitary sewer	428-5911-728.80-30		1/2010 * Total	83,039.53 83,039.53
01/20/2010	98332	KRECH, O'BRIEN, MUELLER	815301	428-5918-728.30-70		1/2010	8,039.60

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	428-5910-728.30-42	0810	* Total	8,039.60
						1/2010	25.50
						* Total	25.50
01/20/2010	98341	MCGHIE BETTS, INC	19414	428-5918-728.70-60	0818	1/2010	2,255.00
			19415	428-5918-728.70-60	0818	1/2010	1,532.50
						* Total	3,787.50
					** Fund Total		680,398.25
01/13/2010	98174	AMERICAN ENGINEERING TE	46618	429-5929-729.30-34	0929	1/2010	559.30
						* Total	559.30
01/13/2010	98273	WI INDIANHEAD TECH COLL	acct slki0823	429-5927-729.30-70	0927	1/2010	2,336.00
						* Total	2,336.00
01/13/2010	98274	WSB & ASSOCIATES, INC.	3	429-5901-729.30-30	0901	1/2010	17,965.75
						* Total	17,965.75
01/20/2010	98292	BERNARDY, DANIEL	calculators	429-5927-729.60-18	0927	1/2010	8.52
						* Total	8.52
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	429-5929-729.30-42	0929	1/2010	186.98
						* Total	186.98
01/20/2010	98377	WSB & ASSOCIATES, INC.	trunk hwy 3/80th	429-5901-729.80-30	0901	1/2010	18,017.09
						* Total	18,017.09
					** Fund Total		39,073.64
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	440-5900-740.30-42	1009D	1/2010	712.00
						* Total	712.00
					** Fund Total		712.00
01/13/2010	98274	WSB & ASSOCIATES, INC.	28	441-5900-741.30-30		1/2010	1,242.00
						* Total	1,242.00
					** Fund Total		1,242.00
01/20/2010	98302	EHLERS AND ASSOCIATES,	340910	446-5915-746.30-15	0315	1/2010	410.00
						* Total	410.00
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	446-5915-746.30-42	0315	1/2010	688.50
						* Total	688.50
					** Fund Total		1,098.50
01/13/2010	98175	AMERICAN WATER WORKS AS	order	501-7100-512.60-65		1/2010	141.00
						* Total	141.00
01/13/2010	98179	AUTOMATIC SYSTEMS CO.	21148	501-7100-512.40-42		1/2010	478.48

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/13/2010	98207	HD SUPPLY WATERWORKS LT	9766475	501-7100-512.40-43		1/2010	2,784.90
			utility			* Total	2,784.90
01/13/2010	98208	HENNING FIRE PROTECTION		501-7100-512.60-16		1/2010	206.09
						* Total	206.09
01/13/2010	98279	XCEL ENERGY	acct 5160987097	501-7100-512.40-10		1/2010	2,044.03
			acct 5160987097	501-7100-512.40-20		1/2010	11,074.48
						* Total	13,118.51
01/20/2010	98285	ACE PAINT & HARDWARE	500981	501-7100-512.60-16		1/2010	13.86
						* Total	13.86
01/20/2010	98296	CITY OF BLOOMINGTON	DECEMBER 2009	501-7100-512.30-70		1/2010	600.00
						* Total	600.00
01/20/2010	98309	G & K SERVICES	acct 7494701	501-7100-512.60-45		1/2010	29.91
			acct 7494701			* Total	29.91
01/20/2010	98311	G & K SERVICES	acct 7494701	501-7100-512.60-45		1/2010	4.93
						* Total	4.93
01/20/2010	98312	GOPHER STATE ONE-CALL	9120589	501-7100-512.30-70		1/2010	149.35
						* Total	149.35
01/20/2010	98365	SPRINT	acct 842483314098	501-7100-512.50-20		1/2010	281.09
						* Total	281.09
				11 Checks	** Fund Total		17,808.12
01/13/2010	98194	DAKOTA CITY TREASURER	DECEMBER 2009	502-0000-207.01-00		1/2010	40.00
						* Total	40.00
01/13/2010	98229	METROPOLITAN COUNCIL	917833	502-7200-514.40-15		1/2010	117,639.26
						* Total	117,639.26
01/13/2010	98279	XCEL ENERGY	acct 5160987097	502-7200-514.40-20		1/2010	380.58
						* Total	380.58
01/20/2010	98308	FIRST FINANCIAL TITLE	REQUESTED CREDIT REFUND	502-0000-116.00-00		1/2010	72.94
						* Total	72.94
01/20/2010	98309	G & K SERVICES	acct 7494701	502-7200-514.60-45		1/2010	12.83
			acct 7494701			* Total	12.83
01/20/2010	98311	G & K SERVICES	acct 7494701	502-7200-514.60-45		1/2010	2.12
						* Total	2.12
01/20/2010	98314	HALEY, HELEN	REQUESTED CREDIT REFUND	502-0000-116.00-00		1/2010	2.75
						* Total	2.75

City of Inver Grove Heights  
CHECK REGISTER BY FUND

Prepared: 01/20/2010, 10:54:32  
Program: GMI79L  
Bank: 00 City of Inver Grove Heights

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98317	HAZELETT, ERICKA	REQUESTED CREDIT REFUND	502-0000-116.00-00		1/2010 * Total	11.52 11.52
01/20/2010	98335	LEGEND TITLE LLC	REQUESTED CREDIT REFUND	502-0000-116.00-00		1/2010 * Total	37.43 37.43
				9 Checks	** Fund Total		118,199.43
01/13/2010	98199	DAKOTA ELECTRIC ASSN	acct 2013605	503-8600-527.40-20		1/2010 * Total	177.37 177.37
01/13/2010	98215	INTEGRA TELECOM	cust 5259	503-8500-526.50-20		1/2010 * Total	462.42 462.42
01/13/2010	98227	MCMURCHIE, AL	appt book/calendars	503-8500-526.60-10		1/2010 * Total	134.69 134.69
01/13/2010	98233	MN DEPT OF HEALTH	fbl 8905 6408	503-8300-524.50-70		1/2010 * Total	579.50 579.50
01/13/2010	98237	MPGMA	inverwood golf course	503-8300-524.50-70		1/2010 * Total	75.00 75.00
01/13/2010	98238	MTI DISTRIBUTING CO	700708	503-8600-527.60-08		1/2010 * Total	1,657.00 1,657.00
01/13/2010	98239	NAPA OF INVER GROVE HEI	181577	503-8600-527.40-42		1/2010	20.50
			182214	503-8600-527.40-42		1/2010 * Total	29.69 50.19
01/13/2010	98255	STATE OF MN-DEPT OF PUB	erc id 190710048 inverwoo	503-8600-527.50-70		1/2010 * Total	25.00 25.00
01/13/2010	98265	UNITED STATES GOLF ASSO	inverwood golf course	503-8500-526.50-70		1/2010 * Total	110.00 110.00
01/13/2010	98271	VGM CLUB	inverwood golf course	503-8500-526.50-70		1/2010 * Total	160.00 160.00
01/13/2010	98278	XCEL ENERGY	acct 5158775110	503-8600-527.40-20		1/2010 * Total	11.23 11.23
01/13/2010	98279	XCEL ENERGY	acct 5157543641	503-8500-526.40-20		1/2010	701.20
			acct 5157543641	503-8600-527.40-10		1/2010 * Total	624.02 1,325.22
01/13/2010	98280	XCEL ENERGY	acct 5158775121	503-8600-527.40-20		1/2010 * Total	58.14 58.14
01/20/2010	98285	ACE PAINT & HARDWARE	500933	503-8600-527.60-21		1/2010 * Total	77.77 77.77
01/20/2010	98310	G & K SERVICES	acct 0157401	503-8600-527.60-45		1/2010	55.83

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01/20/2010	98310	G & K SERVICES	acct 0157401	503-8600-527.60-45		1/2010 * Total	62.39 118.22
01/20/2010	98327	INVER GROVE LICENSE CEN	4 - TABS	503-8600-527.50-70		1/2010 * Total	58.00 58.00
01/20/2010	98360	S & T OFFICE PRODUCTS	1176	503-8500-526.60-10		1/2010 * Total	216.46 216.46
01/20/2010	98362	SOUTH BAY DESIGN	inverwood golf	503-8500-526.50-25		1/2010 * Total	230.00 230.00
				18 Checks	** Fund Total		5,526.21
01/13/2010	98185	CITY OF SHOREVIEW	4600	504-6100-452.50-90	R20100	1/2010 * Total	101.25 101.25
01/13/2010	98214	INDEPENDENT SCHOOL DIST	SENIOR TRIP	504-0000-227.10-00		1/2010 * Total	1,225.00 1,225.00
01/13/2010	98218	INVER GROVE HEIGHTS SEN	SENIOR TRIP	504-0000-227.10-00		1/2010 * Total	1,408.00 1,408.00
01/13/2010	98258	THOMPSON, NICK	last blast-movie tickets dilly bars-igh parade	504-6100-452.50-90 504-6100-452.60-09	R20680 R40140	1/2010 1/2010 * Total	276.22 728.61 1,004.83
01/20/2010	98301	DRKULAS 32 BOWL	holidgay bowling	504-6100-452.50-90	R20100	1/2010 * Total	48.00 48.00
01/20/2010	98370	THOMPSON, NICK	gift cards-volleyball	504-6100-452.60-09	R50250	1/2010 * Total	250.00 250.00
				6 Checks	** Fund Total		4,037.08
01/13/2010	98176	ASCAP	music royalties	505-6200-453.50-70	C10000	1/2010 * Total	312.00 312.00
01/13/2010	98186	COCA COLA BOTTLING COMP	3291552	505-6200-453.76-10	C16000	1/2010 * Total	100.00 100.00
01/13/2010	98188	CRARY, AMY	class materials labels	505-6200-453.60-18 505-6200-453.60-65	C70000 C70000	1/2010 1/2010 * Total	30.00 9.09 39.09
01/13/2010	98204	FERRELLGAS	acct 7757735	505-6200-453.60-21	C21000	1/2010 * Total	644.28 644.28
01/13/2010	98208	HENNING FIRE PROTECTION	utility	505-6200-453.50-55	C25000	1/2010 * Total	86.00 86.00
01/13/2010	98213	IDEARC MEDIA CORP	VMCC	505-6200-453.50-25	C91000	1/2010 * Total	87.00 87.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/13/2010	98248	PUSH PEDAL PULL	21021 21064	505-6200-453.40-42 505-6200-453.40-42	C70000 C70000	1/2010 1/2010 * Total	106.32 1,123.10 1,229.42
01/13/2010	98254	ST THOMAS ACADEMY	ADVERTISING	505-6200-453.50-25	C91000	1/2010 * Total	50.00 50.00
01/13/2010	98258	THOMPSON, NICK	party favors -nye party	505-6200-453.60-65	C15500	1/2010 * Total	89.99 89.99
01/13/2010	98260	TOLSMA, NICHOLAS	ach rtn	505-6200-453.10-30	C70000	1/2010 * Total	49.87 49.87
01/13/2010	98262	TREICHEL, BOB	membership membership	505-0000-207.03-00 505-0000-352.02-00	C110100	1/2010 1/2010 * Total	3.92 55.08 59.00
01/13/2010	98269	VANCO SERVICES LLC	DECEMBER 2009	505-6200-453.70-60	C110100	1/2010 * Total	45.80 45.80
01/13/2010	98282	1ST LINE/LEEWES VENTURE	85847	505-6200-453.76-10	C30100	1/2010 * Total	757.95 757.95
01/14/2010	98284	TOLSMA, NICHOLAS	ach return	505-6200-453.10-30	C70000	1/2010 * Total	160.00 160.00
01/20/2010	98285	ACE PAINT & HARDWARE	500918 500922 501063	505-6200-453.60-16 505-6200-453.60-16 505-6200-453.60-16	C21000 C21000 C25000	1/2010 1/2010 1/2010 * Total	17.86 33.10 1.09 52.05
01/20/2010	98289	APEC	115590	505-6200-453.60-16	C25000	1/2010 * Total	801.32 801.32
01/20/2010	98297	COCA COLA BOTTLING COMP	outlet 3291554 outlet 3291554	505-6200-453.60-65 505-6200-453.76-10	C30100 C30100	1/2010 1/2010 * Total	66.00 504.25 570.25
01/20/2010	98298	COMCAST	acct 8772105910277033	505-6200-453.50-70	C10000	1/2010 * Total	75.05 75.05
01/20/2010	98313	GRAINGER	9124423865 9153506242 9154342266	505-6200-453.60-16 505-6200-453.60-16 505-6200-453.60-16	C21000 C25000 C21000	1/2010 1/2010 1/2010 * Total	16.03 84.62 14.35 115.00
01/20/2010	98316	HAWKINS, INC.	3084102	505-6200-453.60-15	C25000	1/2010 * Total	1,989.31 1,989.31
01/20/2010	98319	HILLYARD INC	6167671	505-6200-453.60-11	C25000	1/2010 * Total	467.44 467.44
01/20/2010	98320	HILLYARD INC	7294696	505-6200-453.60-11	C25000	1/2010	50.70

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98322	HOME DEPOT CREDIT SERVI	acct 6035322017128343	505-6200-453.60-16	C21000	1/2010	76.79
						* Total	50.70
01/20/2010	98323	HUEBSCH SERVICES	2482661	505-6200-453.40-40	C25000	1/2010	105.57
						* Total	105.57
01/20/2010	98324	IDEARC MEDIA CORP	acct 390001924527	505-6200-453.50-25	C91000	1/2010	87.00
						* Total	87.00
01/20/2010	98331	JPS ENTERTAINMENT	nyc party	505-6200-453.60-65	C15500	1/2010	175.00
						* Total	175.00
01/20/2010	98353	OFFICEMAX INC	acct 687054	505-6200-453.60-65	C40000	1/2010	80.71
						* Total	80.71
01/20/2010	98354	OXYGEN SERVICE COMPANY,	acct 9684	505-6200-453.60-65	C16000	1/2010	12.59
						* Total	12.59
01/20/2010	98355	PETTY CASH - ATM	OCT-DEC FEES	505-6200-453.70-44	C10000	1/2010	8.82
						* Total	8.82
01/20/2010	98357	ROACH, RICK	mileage	505-6200-453.50-65	C25000	1/2010	20.63
						* Total	20.63
01/20/2010	98366	SPRUNG SERVICES	58309	505-6200-453.40-40	C25000	1/2010	630.50
						* Total	630.50
01/20/2010	98367	STERICYCLE INC	4001383411	505-6200-453.40-25	C10000	1/2010	217.56
						* Total	217.56
01/20/2010	98374	UNITED LABORATORIES	38384	505-6200-453.60-11	C25000	1/2010	560.81
						* Total	560.81
01/20/2010	98380	XCEL ENERGY	acct 5168679487	505-6200-453.40-10	C25000	1/2010	18,009.98
			acct 5168679487	505-6200-453.40-20	C25000	1/2010	25,899.01
						* Total	43,908.99
				34 Checks	** Fund Total		53,716.49
01/13/2010	98221	LEAGUE OF MN CITIES INS	lmcit claim 11070578	602-2100-415.70-20		1/2010	1,053.74
						* Total	1,053.74
01/13/2010	98172	ACE PAINT & HARDWARE	500924	603-5300-444.60-12		1/2010	21.35
			500964	603-5300-444.40-41		1/2010	10.13
						* Total	31.48
01/13/2010	98173	ADVANCED GRAPHIX, INC.	180739	603-5300-444.40-41		1/2010	176.34
			180740	603-5300-444.40-41		1/2010	18.70
						* Total	195.04

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/13/2010	98183	CARQUEST OF ROSEMOUNT	1596116632	603-5300-444.40-41		1/2010	63.18
			1596116906	603-5300-444.60-12		1/2010	19.00
			1596116930	603-0000-145.50-00		1/2010	44.42
			1596116936	603-5300-444.40-41		1/2010	2.30
			1596117014	603-5300-444.60-40		1/2010	10.68
			1596117213	603-0000-145.50-00		1/2010	22.50
						* Total	162.08
01/13/2010	98189	CRYSTEEL TRUCK EQUIPMEN	F27570	603-5300-444.60-40		1/2010	2,003.48
						* Total	2,003.48
01/13/2010	98201	EMERGENCY AUTOMOTIVE TE	1221093	603-5300-444.40-41		1/2010	148.86
						* Total	148.86
01/13/2010	98208	HENNING FIRE PROTECTION	maint shop	603-5300-444.40-42		1/2010	62.00
						* Total	62.00
01/13/2010	98209	HILLYARD INC	6156296	603-5300-444.60-11		1/2010	117.24
						* Total	117.24
01/13/2010	98217	INVER GROVE FORD	5026996	603-5300-444.40-41		1/2010	25.90
			5027195	603-5300-444.40-41		1/2010	313.06
						* Total	338.96
01/13/2010	98220	LANGULA HARDWARE INC	220300	603-5300-444.40-41		1/2010	22.43
						* Total	22.43
01/13/2010	98247	OXYGEN SERVICE COMPANY,	cust 4393	603-5300-444.60-12		1/2010	203.74
			cust 4393	603-5300-444.60-12		1/2010	100.86
						* Total	304.60
01/13/2010	98251	R & R CARPET SERVICE	DECEMER 2009	603-5300-444.40-65		1/2010	78.02
						* Total	78.02
01/13/2010	98252	R & R SPECIALTIES OF WI	44177	603-5300-444.40-41		1/2010	2,541.77
						* Total	2,541.77
01/13/2010	98253	SNAP-ON INDUSTRIAL	11682325	603-5300-444.60-40		1/2010	817.41
						* Total	817.41
01/13/2010	98272	WESTERN PETROLEUM COMPA	0151824	603-5300-444.60-22		1/2010	31.22
						* Total	31.22
01/20/2010	98285	ACE PAINT & HARDWARE	501027	603-5300-444.40-41		1/2010	15.39
			501028	603-5300-444.40-41		1/2010	12.80
						* Total	28.19
01/20/2010	98295	CARQUEST OF ROSEMOUNT	1596117117	603-5300-444.40-41		1/2010	69.81
			1596117117	603-5300-444.60-12		1/2010	19.86
			1596117118	603-5300-444.40-41		1/2010	7.80
			1596117426	603-5300-444.40-41		1/2010	44.87
			1596117440	603-5300-444.40-41		1/2010	17.68
			1596117463	603-5300-444.40-41		1/2010	13.86

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98295	CARQUEST OF ROSEMOUNT	1596117507 1596117555	603-5300-444.40-41 603-5300-444.40-41		1/2010 1/2010 * Total	51.60 38.35 263.83
01/20/2010	98304	EMERGENCY AUTOMOTIVE TE	CS0107104	603-5300-444.40-41		1/2010 * Total	147.38 147.38
01/20/2010	98307	FACTORY MOTOR PARTS COM	13246024 13250302 13263402	603-5300-444.40-41 603-5300-444.40-41 603-0000-145.50-00		12/2009 1/2010 1/2010 * Total	20.00- 10.00- 45.83 15.83
01/20/2010	98309	G & K SERVICES	acct 7494701 acct 7494701	603-5300-444.40-65 603-5300-444.60-45		1/2010 1/2010 * Total	59.95 22.54 82.49
01/20/2010	98311	G & K SERVICES	acct 7494701 acct 7494701	603-5300-444.40-65 603-5300-444.60-45		1/2010 1/2010 * Total	60.07 59.30 119.37
01/20/2010	98315	HANCO CORPORATION	502618 502795	603-5300-444.60-40 603-5300-444.60-14		1/2010 1/2010 * Total	88.44 9.94 98.38
01/20/2010	98327	INVER GROVE LICENSE CEN	67 - TABS	603-5300-444.40-42		1/2010 * Total	971.50 971.50
01/20/2010	98333	KREMER SERVICES LLC	538	603-5300-444.40-41		1/2010 * Total	3,037.95 3,037.95
01/20/2010	98334	LARSON COMPANIES	F200110031	603-0000-145.50-00		1/2010 * Total	78.44 78.44
01/20/2010	98343	METRO JANITORIAL SUPPLY	100100000	603-5300-444.60-11		1/2010 * Total	223.63 223.63
01/20/2010	98350	NAPA OF INVER GROVE HEI	186085	603-5300-444.40-41		1/2010 * Total	34.11 34.11
01/20/2010	98356	POMP'S TIRE SERVICE, IN	291134 297689 297753 297790 298558 302332	603-5300-444.60-14 603-5300-444.60-14 603-5300-444.60-14 603-5300-444.60-14 603-5300-444.60-14 603-5300-444.60-14		1/2010 1/2010 1/2010 1/2010 1/2010 1/2010 * Total	378.48 619.05 100.00- 300.00- 5,273.64 46.41 5,917.58
01/20/2010	98361	SCHARBER & SONS	1038529	603-5300-444.40-41		1/2010 * Total	149.79 149.79
01/20/2010	98363	SOUTH EAST TOWING	166931	603-5300-444.40-41		1/2010 * Total	534.38 534.38

City of Inver Grove Heights  
 CHECK REGISTER BY FUND

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/20/2010	98364	SOUTH ST PAUL STEEL SUP	01109071	603-5300-444.40-41		1/2010 * Total	183.30 183.30
01/20/2010	98369	STONEBROOKE EQUIPMENT I	14602	603-5300-444.40-41		1/2010 * Total	332.55 332.55
01/20/2010	98381	YOCUM OIL COMPANY, INC.	967397 967398	603-0000-145.60-00 603-0000-145.60-00		1/2010 1/2010 * Total	13,673.07 3,978.59 17,651.66
			32 Checks	** Fund Total			36,724.95
01/13/2010	98245	OFFICE EQUIPMENT FINANC	141244202 141254169	604-2200-416.40-50 604-2200-416.40-50		1/2010 1/2010 * Total	1,260.17 640.08 1,900.25
01/20/2010	98353	OFFICEMAX INC	acct 687054	604-2200-416.60-10		1/2010 * Total	85.38 85.38
01/20/2010	98360	S & T OFFICE PRODUCTS	110309 111809 111909 1129 1201A 1253 1253A 1254	604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10 604-2200-416.60-10		1/2010 1/2010 1/2010 1/2010 1/2010 1/2010 1/2010 1/2010 * Total	37.89 62.14 21.33 120.52 6.78 58.13 43.73 59.52 410.04
			3 Checks	** Fund Total			2,395.67
01/13/2010	98208	HENNING FIRE PROTECTION	city hall	605-3100-419.40-40		1/2010 * Total	55.00 55.00
01/13/2010	98216	INTEGRA TELECOM	acct 2129	605-3100-419.40-40		1/2010 * Total	75.00 75.00
01/13/2010	98243	NS/I MECHANICAL CONTRAC	W18710 W18822	605-3100-419.40-40 605-3100-419.40-40		1/2010 1/2010 * Total	419.67 464.00 883.67
01/13/2010	98244	NS/I MECHANICAL CONTRAC	W18798	605-3100-419.40-40		1/2010 * Total	1,080.44 1,080.44
01/13/2010	98251	R & R CARPET SERVICE	DECEMBER 2009	605-3100-419.40-65		1/2010 * Total	103.56 103.56
01/13/2010	98268	USA MOBILITY WIRELESS I	acct 03174935	605-3100-419.40-65		1/2010 * Total	9.87 9.87
01/13/2010	98276	XCEL ENERGY	acct 5142529960	605-3100-419.40-20		1/2010 * Total	3,325.93 3,325.93

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/13/2010	98281	ZEE MEDICAL SERVICE	54188485	605-3100-419.60-65		1/2010 * Total	153.87 153.87
01/20/2010	98319	HILLYARD INC	6160807	605-3100-419.60-11		1/2010 * Total	147.35 147.35
01/20/2010	98326	INTEGRA TELECOM	acct 2129	605-3100-419.60-40		1/2010 * Total	3,507.50 3,507.50
01/20/2010	98382	ZAYO ENTERPRISE NETWORK	acct 6514502500	605-3100-419.50-20		1/2010 * Total	998.39 998.39
01/13/2010	98222	LEIGHTON, KEVIN	30001	606-1400-413.30-70	** Fund Total	1/2010 * Total	3,125.00 3,125.00
01/13/2010	98224	LILLIE SUBURBAN NEWSPAP	BIDS TECHNOLOGY	606-1400-413.50-25		1/2010 * Total	54.40 54.40
01/13/2010	98246	OFFICE OF ENTERPRISE TE	acct 200b00171 acct 200b00171 acct 200b00171	606-1400-413.30-75 606-1400-413.30-75 606-1400-413.30-75		1/2010 1/2010 1/2010 * Total	311.81 362.18 311.81 985.80
01/20/2010	98286	ADVANCED TECHNOLOGY SYS	53523	606-1400-413.60-10		1/2010 * Total	402.59 402.59
01/20/2010	98303	ELERT & ASSOCIATES	0158841	606-1400-413.30-70		1/2010 * Total	980.00 980.00
01/20/2010	98346	MN OFFICE OF ENTERPRISE	NOV/DEC	606-1400-413.30-70		1/2010 * Total	200.00 200.00
01/20/2010	98352	OFFICE OF ENTERPRISE TE	DECEMBER	606-1400-413.30-75		1/2010 * Total	311.81 311.81
01/13/2010	98178	AUSTING, BECKY	HOLIDAY ON MAIN	702-0000-230.72-00	** Fund Total	1/2010 * Total	6,059.60 192.27 192.27
01/13/2010	98191	CULLIGAN	acct 157984732428	702-0000-228.63-00		1/2010 * Total	27.82 27.82
01/13/2010	98219	KLEIN, WILLIAM	cell phone/mileage	702-0000-230.72-00		1/2010 * Total	92.50 92.50
01/13/2010	98258	THOMPSON, NICK	gift cert-employee recog	702-0000-229.02-00		1/2010 * Total	50.00 50.00
01/13/2010	98261	TOWN SQUARE TELEVISION	SPONSORSHIP	702-0000-230.72-00		1/2010 * Total	499.00 499.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	INVOICE# / DESCRIPTION	G/L NUMBER	PROJECT	PERIOD/ YEAR	AMOUNT
01/14/2010	98283	RAMSEY COUNTY SHERIFF'S	huechee tyler ly	702-0000-229.10-00		1/2010 * Total	1,000.00 1,000.00
01/20/2010	98290	ARAWARK REFRESHMENT SER	57038 660309	702-0000-228.65-00 702-0000-228.65-00		1/2010 1/2010 * Total	196.09 135.44 331.53
01/20/2010	98325	IGH FIRE RELIEF ASSN	employee recognition-fire	702-0000-229.02-00		1/2010 * Total	100.00 100.00
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e client 81000e client 81000e	702-0000-228.73-00 702-0000-228.80-00 702-0000-228.92-00		1/2010 1/2010 1/2010 * Total	286.60 66.00 1,667.84 2,020.44
01/20/2010	98342	MCGROARTY, STEVE J AND	period jan - dec 2009	702-0000-229.68-00		1/2010 * Total	345.37 345.37
01/20/2010	98339	LEVANDER, GILLEN & MILL	client 81000e	703-5500-446.30-42	10 Checks	** Fund Total	4,658.93
						1/2010 * Total	656.00 656.00
					1 Checks	** Fund Total	656.00
					247 Checks	*** Bank Total	1,126,385.44
					247 Checks	*** Grand Total	1,126,385.44

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Change Order No. 2 and Pay Voucher No. 3 for City Project No. 2008-11 Southern Sanitary Sewer System, East Segment**

Meeting Date: January 25, 2010  
 Item Type: Consent  
 Contact: Thomas J. Kaldunski, 651.450.2572 *TJK*  
 Prepared by: Thomas J. Kaldunski, City Engineer  
 Reviewed by: Scott D. Thureen, Public Works Director *SAT CS*

<b>Fiscal/FTE Impact:</b>	
<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"/>	Special Assessments, Sewer Connection Fund, Closed Bond Fund

**PURPOSE/ACTION REQUESTED**

Consider Change Order No. 2 and Pay Voucher No. 3 for City Project No. 2008-11 Southern Sanitary Sewer System, East Segment.

**SUMMARY**

The contract was awarded in an amount of \$398,322.50 to Hennen Construction Company on April 29, 2009 for the project identified above.

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

Change Order No. 2 is mainly for additional pot holing prior to digging or boring within ten feet of Koch’s pipelines. Additional miscellaneous items are related to typical unforeseen conditions that occurred on the project. The project design was modified three times due to challenges beyond the City’s or contractor’s control related to the pipe installation and access to the commercial properties. These changes will be funded by the Project Contingency Fund.

Public Works/Engineering recommends approval of Change Order No. 2 in the amount of \$26,406.03 (for a revised contract amount of \$421,593.53) and Pay Voucher No. 3 in the amount of \$83,039.53 to Hennen Construction Company for work on City Project No. 2008-11 – Southern Sanitary Sewer System, East Segment

TJK/kf  
 Attachment: Change Order No. 2  
 Pay Voucher No. 3

## CHANGE ORDER NO. 2

Southern Sanitary Sewer East Segment Improvements  
City Project # 2008-11

<p>Owner: City of Inver Grove Heights 8150 Barbara Avenue Inver Grove Heights, MN 55077</p> <p>Contractor: Hennen Construction Company 2128 196<sup>TH</sup> Street East Clearwater, MN 55320</p>	<p>Date of Issuance: January 15, 2010</p> <p>Engineer: Kimley –Horn and Associates</p>
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You are directed to make the following changes in the Contract Documents:

Purpose of Change Order:

The contract has been modified to include the following:

See attached sheet

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$ 398,322.50	Original Contract Time:
Previous Change Orders -\$ 3,135.00	Net Change from Previous Change Orders
Contract Price Prior to this Change Order \$ 395,187.50	Contract Time Prior to this Change Order
Net <b>Increase</b> of this Change Order \$ 26,406.03	Net Increase (Decrease) of Change Order
Contract Price with all Approved Change Orders \$ 421,593.53	Contract Time with Approved Change Orders
Recommended	Approved
By:  Mike Edwards, Senior Engineering Technician	By: _____ Hennen Construction

Approved By:

Approved By:

Date of Council Action

  
Tom Kaldunski, City Engineer

\_\_\_\_\_  
George Tourville, Mayor

January 25, 2010

Attachment to Change Order Number 2  
 City Project 2008-11

Contractor: Hennen Construction Company  
 2128 196<sup>th</sup> Street East  
 Clearwater, MN 55320

Project: Southern Sanitary Sewer East Segment Improvements  
 City Project # 2008-11

Description of Changes:

1. Koch pipeline required pot holing prior to digging or boring within 10 feet of their existing pipelines. This project was redesigned 3 times due to problems that were beyond City or contractor control. The following is an itemization of the work for these Koch required pot holes.

September 8, 2009

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
Foreman w/ truck	HR	7	\$95.00	\$665.00
Laborer	HR	7	\$75.00	\$525.00
Air Compressor/Jackhammer	HR	7	\$50.00	\$350.00
Vacuum Truck	LS	1	\$1764.00	\$1764.00
Restoration	LS	1	\$77.00	<u>\$77.00</u>
			Sub total	\$3,381.00

September 23, 2009

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
Foreman w/ truck	HR	7	\$95.00	\$665.00
Laborer	HR	5	\$75.00	\$375.00
Air Compressor/Jackhammer	HR	7	\$50.00	\$350.00
Vacuum Truck	LS	1	\$1874.00	\$1874.00
Restoration	LS	1	\$77.00	<u>\$77.00</u>
			Sub total	\$3,341.00

October 9, 2009 (Service to I-State Trucking)

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
Foreman w/ truck	HR	3	\$95.00	\$285.00
Operator	HR	3	\$86.00	\$255.00
Laborer	HR	3	\$75.00	\$225.00
450 Excavator	HR	2	\$210.00	<u>\$420.00</u>
			Sub total	\$1,185.00

October 13, 2009

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
Foreman w/ truck	HR	3	\$95.00	\$285.00
Laborer	HR	3	\$75.00	\$225.00
Air Compressor/Jackhammer	HR	3	\$50.00	\$150.00
Vacuum Truck	LS	1	\$1764.00	\$1764.00
Restoration	LS	1	\$77.00	\$77.00
			Sub total	\$2,501.00

Total increase for Item 1 = **\$10,408.00**

2. Subgrade correction for jacking pit. American Engineering Testing recommended placing additional Class 5 and 3" minus rock to stabilize backfill of jacking pit.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
F&I Minus Rock	TON	101.18	\$25.00	\$2,529.50
F&I Class 5	TON	184.02	\$14.00	\$2,576.28
			Sub total	<b>\$5,105.78</b>

3. Additional cost for placing B624 curb and gutter instead of B618 curb and gutter.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
B624 cost adjustment	LF	948	\$3.00	\$2,844.00
			Sub total	<b>\$2,844.00</b>

4. Additional time required to work around water service not shown on plans (sta. 193+75). Crew had to remove and reset digging box.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
Crew Time	HR	1	\$1000.00	\$1000.00
			Sub total	<b>\$1,000.00</b>

5. Additional time required to work around hydrant lead that was not shown correctly in plans and lost crew time while waiting for redesign of area due to location of Koch gas line.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
Crew Time	HR	2	\$1000.00	\$2000.00
			Sub total	<b>\$2,000.00</b>

6. Repair of damaged valve box at Station 201+80.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
450 Excavator	HR	1	\$185.00	\$185.00
Laborers	HR	2	\$70.00	\$140.00
Materials	LS	1	125.00	<u>\$125.00</u>
			Sub total	<b>\$450.00</b>

7. Loading of fill material on City Trucks.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
450 Excavator	HR	5	\$185.00	<u>\$925.00</u>
			Sub total	<b>\$925.00</b>

6. Additional concrete placement costs incurred due to frost/weather conditions.

<u>Item Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
High Early Concrete	YD	155	\$14.00	\$2,170.00
Winter Heat Charge (water)	SF	6013	\$0.25	<u>\$1,503.25</u>
			Sub total	<b>\$3,673.25</b>

Total Change Order #2 **26,406.03**



CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**Consider Final Pay Voucher No. 4, Engineer's Final Report, and Resolution Accepting Work for City Project No. 2009-01 – Trunk Highway 3/80<sup>th</sup> (CR 28) Street Intersection Improvements**

Meeting Date: January 25, 2010  
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  
*SJK* *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: Project Fund

**PURPOSE/ACTION REQUESTED**

Consider Final Pay Voucher No. 4, Engineer's Final Report, and Resolution Accepting Work for City Project No. 2009-01 – Trunk Highway 3/80<sup>th</sup> (CR 28) Street Intersection Improvements.

**SUMMARY**

City Council awarded a contract on July 28, 2008 to Enebak Construction Company in the amount of \$869,859.71.

WSB & Associates Inc. and I recommend approval of Final Pay Voucher No. 4 in the amount of \$18,017.09, Engineer's Final Report, and Resolution Accepting Work for City Project No. 2009-01 – Trunk Highway 3/80<sup>th</sup> (CR 28) Street Intersection Improvements.

TJK/kf  
Attachments: Final Pay Voucher No. 4  
Engineer's Final Report  
Resolution Accepting Work



Owner: City of Inver Grove Heights  
 8150 Barbara Ave  
 Inver Grove Hghts, MN 55077-3410

Date: 1/12/2010

For Period: 12/9/2009 to 1/12/2010

Request No.: 4 & FINAL

Contractor: Enebak Construction  
 32825 Northfield Blvd  
 Northfield, MN 55057

Pay Voucher  
 IGH - TH 3/CR 28 Roundabout  
 Client Contract No.:  
 Project No.: 01702-20  
 Client Project No.: 2009-01

Project Summary			
1	Original Contract Amount		\$869,859.71
2	Contract Changes - Addition	\$36,554.45	
3	Contract Changes - Deduction	(\$5,559.37)	
4	Revised Contract Amount		\$900,854.79
5	Value Completed to Date		\$900,854.79
6	Material on Hand		\$0.00
7	Amount Earned		\$900,854.79
8	Less Retainage		\$0.00
9	Subtotal		\$900,854.79
10	Less Amount Paid Previously		\$882,837.70
11	Liquidated Damages		\$0.00
12	AMOUNT DUE THIS PAY VOUCHER NO. 4 & FINAL		\$18,017.09

I HEREBY CERTIFY THAT A FINAL EXAMINATION HAS BEEN MADE OF THE ABOVE NOTED CONTRACT, THAT THE CONTRACT HAS BEEN COMPLETED, THAT THE ENTIRE AMOUNT OF WORK SHOWN IN THE FINAL VOUCHER HAS BEEN PERFORMED AND THE TOTAL VALUE OF THE WORK PERFORMED IN ACCORDANCE WITH, AND PURSUANT TO, THE TERMS OF THE CONTRACT IS AS SHOWN IN THIS FINAL VOUCHER.

Recommended for Approval by:  
 WSB & Associates, Inc.

Construction Observer:

Approved by Contractor:  
 Enebak Construction

Approved by Owner:  
 City of Inver Grove Heights

Specified Contract Completion Date:  
 9/30/2009

Date:

Comment:

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

**ENGINEER'S REPORT OF FINAL ACCEPTANCE**

**2009 IMPROVEMENT PROGRAM  
CITY PROJECT NO. 2009-01  
TRUNK HIGHWAY 3/80<sup>TH</sup> (CR 28) STREET INTERSECTION IMPROVEMENTS**

January 19, 2010

TO THE CITY COUNCIL  
INVER GROVE HEIGHTS, MINNESOTA

HONORABLE MAYOR AND CITY COUNCIL MEMBERS:

This is to advise you that I have reviewed the work under contract to Enebak Construction. The work consisted of Trunk Highway 3/80<sup>th</sup> (CR 28) Street Intersection Improvements (Roundabout) 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	\$869,859.71
ADDITIONS (Change Orders 1 through 10)	\$36,554.45
DEDUCTIONS (Change Order No. 11)	(\$5,559.37)
FINAL CONTRACT AMOUNT	\$900,854.79
FINAL VALUE OF WORK	\$900,854.79
PREVIOUS PAYMENTS	\$882,837.70
BALANCE DUE	\$18,017.09

Sincerely,



Thomas J. Kaldunski, P.E.  
City Engineer

TJK/kf

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

**RESOLUTION ACCEPTING WORK OF ENEBAK CONSTRUCTION AND AUTHORIZING  
FINAL PAYMENT IN THE AMOUNT OF \$18,017.09**

**2009 IMPROVEMENT PROGRAM  
CITY PROJECT NO. 2009-01**

**TH 3/80<sup>TH</sup> STREET (CR 28) STREET INTERSECTION IMPROVEMENTS**

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, pursuant to a written contract with the City of Inver Grove Heights dated July 28, 2009, Enebak Construction satisfactorily completed improvements and appurtenances for the 2009 Storm Water Facility Maintenance Program, City Project No. 2009-01.

**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 25<sup>th</sup> day of January 2010.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: January 25, 2010  
 Item Type: Consent Agenda  
 Contact:  
 Prepared by: Joe Lynch, City Administrator  
 Reviewed by:

**Fiscal/FTE Impact:**

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

**PURPOSE/ACTION REQUESTED**

Consider request for time extension for lease of property at 1467 80<sup>th</sup> Street, between Marolyn and Charles Schroeder and the City of Inver Grove Heights.

**SUMMARY**

The city entered in to a lease back arrangement with Charles and Marolyn Schroeder at 1467 80<sup>th</sup> Street for the use of the property until January 31, 2010. The property was purchased by the City as a part of the 80<sup>th</sup> Street Utility work. The original time frame for vacation of the property was 18 months from the agreed upon purchase settlement date. This was done to allow the homeowners enough time to dispose of a large numbers of items on the property that were being stored in an outbuilding as well as on the property in various locations.

Mr. and Mrs. Schroeder have approached the City requesting an extension of the lease until March 31, 2010. They have completed the move from the home and relocated to another community. They indicate that due to the large amount of equipment/vehicles/ items on the property and the weather they do not think they will be able to complete the vacation by January 31<sup>st</sup>. In order not to be in violation of the Agreement and avoid the possibility of a \$250 per day fine from the City, they would like a time extension.

The City does not have an urgent need to occupy the property and would not begin to do any removal of any buildings until spring. The homeowners have asked not to have to remove an oil burning heater from the garage. We currently have ten days to notify the homeowner that we will make a claim on the property purchase escrow for costs to the City for cleanup of the property. We will probably remove the ‘pole” outbuilding first so we can make any improvements to the water storage pond and look to rent the home for the remaining portion of the year. Any new tenant will likely want to use the garage for storage of their vehicles. We will want to be sure that the oil tank for heating purposes does not get refilled and will remove it, along with the garage and principal structure sometime in 2011. I recommend that we allow the oil burning furnace to stay in place in the garage and pay for the removal of it, along with the demolition of the garage and home at a later date.

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING AMENDMENT NO. 1 TO AGREEMENTS BETWEEN  
THE CITY OF INVER GROVE HEIGHTS AND CHARLES A. SCHROEDER AND  
MAROLYN M. SCHROEDER**

**WHEREAS**, Charles A. Schroeder and Marolyn M. Schroeder (Seller) and the City of Inver Grove Heights (Buyer) entered into a Purchase Agreement dated April 14, 2008. The Purchase Agreement contained a defined Delivery Date. Seller and Buyer desire to amend the Delivery Date.

**WHEREAS**, Seller and Buyer entered into a Residential Lease Agreement dated July 31, 2008. The Residential Lease Agreement contained a defined Ending Date of Possession. Seller and Buyer desire to amend the Ending Date of Possession.

**WHEREAS**, Seller and Buyer entered into an Escrow Agreement dated July 31, 2008. The Escrow Agreement contained a defined Delivery Date. Seller and Buyer desire to amend the Delivery Date.

**WHEREAS**, Seller and Buyer also desire to amend the Agreements to allow Seller to leave the furnace and the oil tank in the garage building upon the Delivery Date.

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

1. The City Council hereby approves the attached Amendment No. 1 to Agreements.
2. The Mayor and Deputy City Clerk are authorized to execute the attached Amendment No. 1 to Agreements.

Passed this 25<sup>th</sup> day of January, 2010.

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheame, Deputy City Clerk

## AMENDMENT NO. 1 TO AGREEMENTS

This Amendment No. 1 to Agreements (Amendment No. 1) is made this 25<sup>th</sup> day of January, 2010, by and between Charles A. Schroeder and Marolyn M. Schroeder, husband and wife, (hereinafter individually and collectively referred to as the "Seller"), and the City of Inver Grove Heights ("City"), a municipal corporation organized under the laws of the State of Minnesota, hereinafter referred to as the "Buyer". Based on the covenants, representations and warranties herein contained, the Seller and Buyer agree as follows:

### SECTION 1 RECITALS

**Recital No. 1.** Seller and Buyer entered into a Purchase Agreement dated April 14, 2008. The Purchase Agreement contained a defined Delivery Date. Seller and Buyer desire to amend the Delivery Date.

**Recital No. 2.** Seller and Buyer entered into a Residential Lease Agreement dated July 31, 2008. The Residential Lease Agreement contained a defined Ending Date of Possession. Seller and Buyer desire to amend the Ending Date of Possession.

**Recital No. 3.** Seller and Buyer entered into an Escrow Agreement dated July 31, 2008. The Escrow Agreement contained a defined Delivery Date. Seller and Buyer desire to amend the Delivery Date.

### SECTION 2 AMENDMENTS

**2.1 Amendment of Purchase Agreement.** Section 5 of the Purchase Agreement is amended to read as follows:

**Delivery Date.** Seller shall deliver the Property to the Buyer in accordance with the Residential Lease Agreement on, or before, ~~the date which is eighteen (18) months after the Date of Closing~~ March 31, 2010.

**2.2 Amendment of Residential Lease Agreement.** Sections 5 and 6 of the Residential Lease Agreement are amended to read as follows:

5. **Starting Date of Possession** shall be on the Date of Closing as provided in the Purchase Agreement; Subject to the early termination by the Tenant, the **Ending Date of Possession** shall be on, or before, ~~the date which is eighteen (18) months after the Date of Closing~~ March 31, 2010.

6. **Term of Lease.** ~~Eighteen (18) months; terminating on, or before, the date which is eighteen (18) months after the Date of Closing~~ Terminating on March 31, 2010; provided however, Tenant may cancel this Lease upon thirty (30) days advance written notice to the Landlord.

**2.3 Amendment of Escrow Agreement.** The Escrow Agreement is amended by adding the following provision:

The Delivery Date, for purposes of this Escrow Agreement, shall be March 31, 2010.

**2.4 Amendment Relating to Oil Furnace in Garage Building.** The Purchase Agreement, Residential Lease Agreement and Escrow Agreement are amended by adding the following provision:

Notwithstanding anything to the contrary in the Purchase Agreement, Residential Lease Agreement or Escrow Agreement, the Seller may leave the furnace and the oil tank in the garage building upon the Delivery Date.

**2.5 Remaining Effect of Other Provisions.** The other provisions of the Purchase Agreement, Residential Lease Agreement and Escrow Agreement shall remain in full force and effect.

**[the remainder of this page has been intentionally left blank]**

**IN WITNESS WHEREOF**, the parties have hereto executed this Amendment No. 1 the day and year first above written.

**BUYER  
CITY OF INVER GROVE HEIGHTS**

By: \_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy City Clerk

STATE OF MINNESOTA    )  
  )       ss.  
COUNTY OF DAKOTA    )

On this 25<sup>th</sup> day of January, 2010, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Rheaume to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

\_\_\_\_\_  
Notary Public

**SELLER**

\_\_\_\_\_  
Charles A. Schroeder

\_\_\_\_\_  
Marolyn M. Schroeder

STATE OF MINNESOTA            )  
  )     ss.  
COUNTY OF DAKOTA            )

The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of January 2010, by Charles A. Schroeder and Marolyn M. Schroeder, husband and wife.

\_\_\_\_\_  
Notary Public

This Instrument was Drafted by:  
Timothy J. Kuntz  
LeVander, Gillen, & Miller, P.A.  
633 South Concord Street  
Suite 400  
South St. Paul, MN 55075  
651- 451-1831

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Approval of Irrigation Well Repairs at Inver Wood Golf Course

---

Meeting Date: January 26, 2010  
 Item Type: Consent Agenda  
 Contact: Al McMurchie – 651.457.3667  
 Prepared by: Al McMurchie  
 Reviewed by: Eric Carlson – Parks & Recreation

**Fiscal/FTE Impact:**  
 None  
 Amount included in current budget  
 Budget amendment requested  
 FTE included in current complement  
 New FTE requested – N/A  
 Other

**PURPOSE/ACTION REQUESTED**

Consider approval of the repair costs to golf course irrigation well equipment.

**SUMMARY**

The golf course irrigation well produced decreased water volume throughout the 2009 golf season. Analysis by well contractors indicates that the problem is related to the normal wear of the pumping equipment at the bottom of the 270 foot well. The submersible pump/motor was last removed, inspected, and repaired during the 1996 season.

Proposals for services were received from three (3) companies. The proposals include two sections: The base cost for known and probable repairs, and the costs for items or procedures that may be required once the submersible pump/motor is removed and all parts are inspected.

The chart below summarizes the proposals:

<b>TERM</b>	<b>Bergerson-Caswell Maple Plain, MN</b>	<b>E.H. Renner and Sons Elk River, MN</b>	<b>Kimmes-Bauer Inc. Hastings, MN</b>
Project Base Cost	\$ 12,900.00	\$ 9,515.79	\$ 8,920.00
<i>Additional Items as Required:</i>			
Hitachi 50 HP Replacement Motor	\$ 12,740.00	\$ 12,926.00	\$ 24,000.00
270 feet submersible wire	\$ 2,475.50	\$ 1,602.00	\$ 1,666.00
Airlift Equipment – Mobilization & Operation	\$ 7,900.00	\$ 9,600.00	\$ 1,800.00
<b>TOTAL</b>	<b>\$ 36,015.50</b>	<b>\$ 33,643.79</b>	<b>\$ 36,386.00</b>

We recommend the City Council approve the proposal as submitted by E.H. Renner and Sons of Elk River, Minnesota in the range of \$9,515.79 to 33,627.63 to be funded by the golf course fund. Due to the unknown nature of the repairs existing at the bottom of the well, staff would return for further council approval if the repair issues exceed \$40,000.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

Consider Disposal of City Owned Assets from the Veterans Memorial Community Center

---

Meeting Date: January 25, 2010  
 Item Type: Consent Agenda  
 Contact: Tracy Petersen – 651.450.2588  
 Prepared by: Tracy Petersen  
 Reviewed by: Eric Carlson – Parks & Recreation

**Fiscal/FTE Impact:**

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

**PURPOSE/ACTION REQUESTED**

It is recommended that we accept the bid in the amount of \$800 from Northern Restaurant Equipment for the selected items they bid on. . The City received unacceptable bids for items G & H and will keep those items for now.

**SUMMARY**

As a part of the 2010 budget process, the concession stand near the pool area was permanently closed. As a result the City owns concession equipment that it no longer needs for its operations. Staff did a complete inventory of equipment and determined which items were appropriate to be disposed of.

Nine (9) pieces of equipment were determined to be suitable for bidding. The pieces were bid in their current condition.

- A. Commercial Oven/Stove
- B. Auto Fryer
- C. Fryer w/4 baskets
- D. 2 nacho cheese machines
- E. 1 warming unit,
- F. coffee maker
- G. Ice machine
- H. Small sandwich refrigerator

To staff’s knowledge, only items A, C, G and H, are deemed in current working order. All equipment was advertised on the Minnesota Recreation and Park Association website, League of MN Cities website and RinkFinder.com (MN Ice Arena Managers Association) website.

The City received three (3) bids

Vendor/Bidder	Items Bid On	Sealed Bid Amount
City of Hastings	B, E, F, G, H	\$95.00
City of Rogers	B, E	\$273.00
Northern Restaurant Equipment	A, B, C, D, E, F	\$800.00

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

---

APPROVE 2009 PAY EQUITY REPORT

Meeting Date: January 25, 2010  
Item Type: Consent  
Contact: JTeppen, Asst City Admin  
Prepared by:  
Reviewed by:

<b>Fiscal/FTE Impact:</b>	
<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 the City's Pay Equity Implementation Report.

**SUMMARY** The City is due to file a Pay Equity Implementation Report with the Minnesota Department of Employee Relations (DOER) by January 31, 2010. The report details information for 2009, which is the City's reporting period designated by DOER.

# Pay Equity Implementation Report

Send completed report to:

Pay Equity Coordinator  
Department of Employee Relations  
200 Centennial Building  
658 Cedar Street  
St. Paul, MN 55155-1603

(651) 259-3761 (Voice)  
(651) 282-2699 (TDD)

For Department Use Only

Postmark Date of Report  
Jurisdiction ID Number

508

## Part A: Jurisdiction Identification

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

Jurisdiction Type: CITY

Contact: Assistant City Administrator Jenelle Teppen  
Fax: 6514502502  
Email: jteppen@ci.inver-grove-heights.mn.us

Phone: (651) 450-2512

## Part B: Official Verification

1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system used was: Consultant System (Specify)

Describe: Riley Dettman and Kelsy

2. Health Insurance benefits for male and female classes of comparable value have been evaluated and:

There is no difference and female classes are not at a disadvantage.

3.  Information in this report is complete and accurate.

4.  The report includes all classes of employees over which the jurisdiction has final budgetary approval authority.

5. No salary ranges/performance differences.

Leave blank unless BOTH of the following apply:

a. Jurisdiction does not have a salary range for any job class.

b. Upon request, jurisdiction will supply documentation showing that inequities between male and female classes are due to performance differences.

Note: Do not include any documentation regarding performance with this form.

6. An official notice has been posted at:

(prominent location)

informing employees that the Pay Equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library.

The report was approved by:

Inver Grove Heights City Council

(governing body)

George Tourville

(chief elected official)

Mayor

(title)

- Checking this box indicates legal signature by above official.

Date Submitted 01/19/2010

## Part C: Total Payroll

\$10,223,533.62

is the annual payroll for the calendar year just ended December 31.

Jurisdiction: City of Inver Grove Heights

Contact: Jenelle Teppen  
Assistant City Administrator

Phone: (651) 450-2512

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity Report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the guidebook.

**I. GENERAL JOB CLASS INFORMATION**

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	40	22	3	65
# Employees	96	34	7	137
Avg. Max Monthly Pay per Employee	\$5,534.63	\$5,128.89		\$5,407.94

**II. STATISTICAL ANALYSIS TEST**

	Male Classes	Female Classes
A. UNDERPAYMENT RATIO = 311.7 *		
a. # at or above Predicted Pay	23	19
b. # Below Predicted Pay	17	3
c. TOTAL	40	22
d. % Below Predicted Pay (b divided by c = d)	42.50	13.64

\* (Result is % of male classes below predicted pay divided by % of female classes below predicted pay)

**B. T -TEST RESULTS**

Degrees of Freedom (DF) = 128	Value of T =	-6.025
a. Avg. diff. in pay from predicted pay for male jobs =		-\$20
b. Avg. diff. in pay from predicted pay for female jobs =		\$206

**III. SALARY RANGE TEST = 82.10 % (Result is A divided by B)**

- A. Avg. # of years to max salary for male jobs = 3.77
- B. Avg. # of years to max salary for female jobs = 4.59

**IV. EXCEPTIONAL SERVICE PAY TEST 0.00**

- A. % of male classes receiving ESP 5.00
- B. % of female classes receiving ESP 0.00

\* (if 20% or less, test result will be 0.00)

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

---

APPROVE AMENDED AGREEMENT FOR PERIODIC CONSTRUCTION OBSERVATION SERVICES FOR ROOFING AND RELATED SHEET METAL SERVICES FOR THE PUBLIC SAFETY ADDITION

Meeting Date: January 25, 2010  
Item Type: Consent  
Contact: JTeppen, Asst City Admin  
Prepared by:  
Reviewed by:

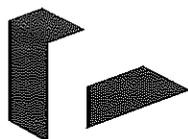
<b>Fiscal/FTE Impact:</b>	
<input type="checkbox"/>	None
<input type="checkbox"/>	Amount included in current budget
<input type="checkbox"/>	Budget amendment requested
<input type="checkbox"/>	FTE included in current complement
<input type="checkbox"/>	New FTE requested – N/A
<input checked="" type="checkbox"/>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

**PURPOSE/ACTION REQUESTED** Approve an amended agreement for periodic construction observation services for roofing and related sheet metal services for the Public Safety Addition.

**SUMMARY** On November 9<sup>th</sup> the City Council approved an agreement for a not to exceed price of \$3,600 with Inspec to provide roofing and sheet metal inspections for the roofing portion of the Public Safety Addition.

The contract requires amendment because the roof and insulation got wet and the roofing contractor had to remove the wet insulation and re-install the insulation and roofing.

The added contract amount is \$2,300 (\$2,000 for inspection services, \$300 for reimbursables). This is a not to exceed figure.



**INSPEC**

Smart engineering of  
roofs, walls, pavements  
and waterproofing

December 15, 2009

Mr. Michael Pederson, AIA  
Studio Five Architects  
420 North Fifth Street  
1170 Ford Centre  
Minneapolis, MN 55401

RE: Additional Fees Proposal for Periodic Construction Observation Services for Roofing and Related Sheet Metal Services for the Inver Grove Heights Public Safety Addition and City Hall Remodel

Dear Mr. Pederson:

We are grateful to have been given the opportunity to submit this proposal on the above-referenced services.

#### **A. DEFINITIONS**

1. Inspec: INSPEC, INC., Engineers/Architects
2. Client: City of Inver Grove Heights
3. Owner's Representative: Studio Five Architects

#### **B. PROJECT INFORMATION**

##### 1. Context

We thank you for the opportunity to submit this proposal for additional services on the above-referenced project. If approved by you, this proposal is in addition to, and becomes part of, the proposal dated November 3, 2009. The terms and provisions of the November 3, 2009, proposal that are not addressed herein, apply to this proposal as well.

##### 2. Client's Needs

The Client requires additional construction observation to determine that the roofing and sheet metal designed by the architect are being installed according to the construction documents and contractor submittals.

#### **C. BASIC SERVICES**

##### 1. Additional Periodic Construction Observation

Additional services will be construction observation visits during the continuing installation of the new roofing system and related sheet metal flashing installation on Phase 1 only. (Approximately two visits each week for up to six hours per week during roofing and sheet metal work for a duration of two weeks.) Sheet metal cannot begin until the masonry is completed. One final walkover at the completion of roofing and sheet metal is included.

5801 Duluth Street  
Minneapolis, MN 55422  
Ph. 763-546-3434  
Fax 763-546-8669

Chicago

Milwaukee

Minneapolis

[www.inspec.com](http://www.inspec.com)

**D. COMPENSATION – BASIC SERVICES**

1. Inspec will provide Additional Basic Services for a stipulated fee not to exceed \$2,000. Included in the Basic Services fee is all travel time between the project site and our office.

**E. COMPENSATION – REIMBURSABLES**

1. Reimbursables for mileage are not included. We anticipate reimbursables for mileage to total approximately \$300.

**F. ADDITIONAL SERVICES**

1. Based on our current knowledge of the existing conditions, we have, to the best of our ability, matched our Basic Services to the needs of your project. However, should the need arise for us to expand our services in response to conditions or events outside our control, we would, under your direction, submit a separate proposal covering such Additional Services.
2. Additional construction administration duties including, but not limited to, weekly reports, requests for information (RFI), architect's supplemental instructions (ASI), construction change directives (CCD), change orders (CO), and reviewing payment applications.
3. Any design, redesign, or drafting services.
4. Consultants (professional or otherwise) hired by Inspec, but not included under this proposal.
5. Additional meetings and/or site visits beyond those under Basic Services.
6. Material testing of membranes (etc.).
7. Preparation work and/or meetings related to arbitration, mediation, legal, or other conflict resolution proceedings of which Inspec is not a party.
8. Adapting the documents to modifications in the Scope of Work made necessary by situations or conditions outside of Inspec's control.
9. Adapting the documents to existing conditions discovered during construction (as-builts).
10. Submittal review.
11. Observing construction outside of Specification Sections 07 54 00 and 07 62 00.
12. Phase II (EPDM) work.
13. Phase I precast pavers on adjustable pedestals.
14. Parking fees, if applicable.

#### **G. COMPENSATION – ADDITIONAL SERVICES**

1. Compensation for Additional Services shall be established by separate Additional Services proposal(s) unless indicated otherwise herein.
2. Compensation for Additional Services provided directly by Inspec shall be based on Inspec's rate schedule that is current at the time that the Additional Services are provided.
3. Compensation for Additional Services that are provided by others but retained by Inspec shall be based on the amount billed to Inspec times a factor of 1.10.

#### **H. CLIENT RESPONSIBILITIES**

1. Client will return the signed proposal to Inspec prior to commencement of the above-mentioned services, and notify Inspec of commencement of roofing at least four days prior to said commencement.

#### **I. PAYMENT PROVISIONS**

1. Progress payment invoices for Inspec services shall generally be submitted monthly and are payable upon receipt. Invoices shall be considered past due if not paid within thirty (30) days of invoice date.
2. Payment of invoices for Inspec services shall not be contingent on payments received by the Client from other parties.

#### **J. SUSPENSION OR TERMINATION OF SERVICES**

1. This Agreement may be terminated by either party in the event of substantial failure to perform in accordance with the terms of this Agreement through no fault of the terminating party, but only after written notice of the specific nature of the failure to perform has been submitted and after seven days opportunity to cure such failure. If this Agreement is terminated, Inspec shall be paid for services performed to the termination notice date including reimbursable expenses due.

#### **K. DISPUTE RESOLUTION/RISK ALLOCATION**

1. All claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this Agreement, including, but not limited to, breach thereof, shall be referred for mediation under the then current Construction Industry Mediation Rules of the American Arbitration Association prior to any recourse to arbitration or litigation.
2. The Client agrees to compensate Inspec for reasonable expenses incurred if Inspec is required to respond to legal processes which are related to Inspec's services, but that arise out of a lawsuit or proceeding to which Inspec is not a party.

3. If the Client brings a lawsuit against Inspec that is dismissed or to which a verdict is rendered for Inspec, the Client will reimburse Inspec for costs of defense, including but not limited to reasonable attorney's fees.
4. Inspec's liability shall be limited to five times the amount of compensation for Basic Services and compensation for any Additional Services.

**L. REMARKS**

This proposal is valid for 30 days, after which time Inspec reserves the right to modify and resubmit.

This Agreement represents the entire and integrated agreement between Client and Inspec and supersedes all prior negotiation, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Inspec and Client. Nothing herein shall be construed to give any rights or benefits to anyone other than Client and Inspec.

This Agreement entered into as of the day and year first above written.

**For Client**

**For Inspec**

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

Jenelle Teppen

Chuck Schuh, RRO

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Printed Name*

Assistant City Administrator

Roof Observation and Testing Supervisor

\_\_\_\_\_  
*Printed Title*

\_\_\_\_\_  
*Printed Title*

City of Inver Grove Heights

INSPEC, INC.

CS/bap

Enclosure: Fee Schedule



CHICAGO  
MILWAUKEE  
MINNEAPOLIS

## FEE SCHEDULE

*Valid November 1, 2009 – October 31, 2010*

1 PERSONNEL SERVICES	Regular Time Per Hour	Overtime Per Hour
01 Principal .....	\$175.00	
02 Professional Engineer/Registered Architect .....	\$145.00	
03 Registered Roof or Waterproofing Consultant, Supervisor .....	\$130.00	
04 Senior Project Manager .....	\$120.00	\$150.00
05 Project Manager .....	\$110.00	\$140.00
06 Registered Roof Observer, Senior Construction Observer .....	\$110.00	\$140.00
07 Spec Writer .....	\$95.00	
08 Construction Observer .....	\$90.00	\$120.00
09 CAD Operator .....	\$90.00	
10 Technical Staff .....	\$75.00	
<b>2 EXPENSES</b>		
01 Automobile Mileage, per mile..... \$0.72	04 Airfare, Car Rental, Parking, other job-related costs..... Actual cost x 1.10	
02 Meals, per day ..... \$40.00	05 Infrared Camera, per hour ..... \$220.00	
03 Per Diem, Meals-Motel, per day ..... \$120.00	06 Additional Professional or Contractor Services..... Invoice x 1.10	
<b>3 FIELD SAMPLING</b>		
01 Personnel Services as in #1 above		
02 Built-up Roof Sample Analysis for Material Quantities and Workmanship, per sample .....		\$140.00
03 Single-ply Thickness Determination, per sample .....		\$75.00
04 Fastener Withdrawal Test, each .....		\$100.00
<b>4 LABORATORY TESTING</b>		
01 Built-up Roof Systems		
A. Roof Samples		
1. Without flood coat or gravel, Jennings Method .....		\$140.00
2. Without flood coat or gravel, ASTM D 3617 (12" x 12") .....		\$140.00
3. Surfacing inclusive, Jennings Method.....		\$320.00
4. Surfacing inclusive, ASTM D 2829, ASTM D 3617 .....		\$320.00
B. Analysis of Bitumen		
1. Softening Point, ASTM D 36.....		\$125.00
2. Penetration, ASTM D 5 .....		\$115.00
3. Flash Point, ASTM D 92.....		\$125.00
C. Moisture Tests		
1. Felt only, ASTM D95 .....		\$100.00
2. Built-up Roof Membrane, ASTM D 95 .....		\$160.00
3. Thermal Roof Insulation, oven dry method.....		\$160.00
D. Mineral Aggregate, ASTM D 1863, Sieve Analysis, ASTM C 136 .....		\$80.00
02 Single-ply Systems		
A. Membrane Thickness .....		\$85.00
B. Insulation Density .....		\$85.00
C. Ballast-mineral Aggregate, Sieve Analysis, ASTM C 136.....		\$80.00
03 Pavement Systems		
A. Coarse and Fine Aggregate Sieve Analysis, ASTM C 136 .....		\$80.00
B. Coarse and Fine Aggregate Wash Sieve, ASTM C 117 .....		\$80.00

---

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

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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: January 20, 2010**  
**RE: Sale of Cameron Park Property to George Cameron IV for Permanent  
Relocation of Cameron's Liquor Store – January 25, 2010, City Council  
Meeting**

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**Section 1. Background.** On September 28, 2009, the City and George W. Cameron IV (Cameron) entered into a Purchase Agreement for the property generally known as Cameron Park. The Purchase Agreement was contingent upon a number of land use approvals, re-platting and the issuance of an off-sale intoxicating liquor license for the site.

In December 2009, Cameron obtained preliminary plat approval, preliminary site approval, Comprehensive Plan amendment and a re-zoning of the property.

Cameron and the City are working on final plat approval, final site approval and the Development Contract. The city is also waiting for the Metropolitan Council to approve the Comprehensive Plan changes.

The Purchase Agreement called for all of the contingencies to be completed by January 31, 2010. The contingencies relating to final plat approval, final site approval, Metropolitan Council approval and issuance of liquor license will not be completed by that date. Cameron wants to close on the property in late summer or early fall so that he may begin construction in early fall.

The lawsuit between the County and Cameron with respect to relocation expenses is scheduled for June 2010.

The attached Amendment No. 1 extends until July 10, 2010 the contingencies relating to final land use approvals.

**Section 2. Council Action.** The Council is asked to consider the attached Amendment No. 1 to Purchase Agreement related to the sale of the Cameron Park property to Cameron.

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION EXTENDING THE COMPLETION DATES OF THE CONDITIONS  
PRECEDENT AS LISTED IN SECTIONS 1.4 AND 22 OF THAT CERTAIN PURCHASE  
AGREEMENT BETWEEN THE CITY OF INVER GROVE HEIGHTS AND  
GEORGE W. CAMERON IV DATED SEPTEMBER 28, 2009**

**WHEREAS**, the City of Inver Grove Heights (City) and George W. Cameron IV (Cameron) entered into a Purchase Agreement dated September 28, 2009, whereby the City agreed to convey to Cameron property commonly known as Cameron Park.

**WHEREAS**, the Purchase Agreement is contingent upon several Conditions Precedent being met or being waived by the parties, in writing, on or before the respective dates set forth in Section 22 of the Purchase Agreement.

**WHEREAS**, Cameron and the City desire to amend certain contingency dates as set forth in the attached Amendment No. 1 to Purchase Agreement.

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

1. The City Council hereby approves the attached Amendment No. 1 to Purchase Agreement.
2. The Mayor and Deputy City Clerk are authorized to execute the attached Amendment No. 1 to Purchase Agreement.

Passed this 25<sup>th</sup> day of January, 2010.

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy City Clerk

## **AMENDMENT NO. 1 TO PURCHASE AGREEMENT**

**THIS AMENDMENT NO. 1 TO PURCHASE AGREEMENT** (Amendment No. 1) is made this 25<sup>th</sup> day of January, 2010, by and between Seller and Buyer as hereafter defined. Based on the covenants, representations and warranties herein contained, the Seller and Buyer agree as follows.

### **Section 1. DEFINITIONS.**

**1.1 TERMS.** The following terms, unless elsewhere defined specifically in this Agreement, shall have the following meanings as set forth below.

**1.2 SELLER.** Seller shall mean the **City of Inver Grove Heights**, a Minnesota municipal corporation.

**1.3 BUYER.** Buyer shall mean **George W. Cameron IV**, a single person, and his successors and assigns.

**1.4 PURCHASE AGREEMENT.** Purchase Agreement means that certain Purchase Agreement between the Seller and the Buyer dated September 28, 2009.

### **Section 2. AMENDMENTS.**

**2.1 AMENDMENT OF SECTION 1.4 OF PURCHASE AGREEMENT.** Section 1.4 of the Purchase Agreement is hereby amended to read as follows:

**1.4 CLOSING DATE.** The closing shall occur within sixty (60) days of all the Seller Conditions Precedent stated in Section 1.8 and all the Buyer Conditions Precedent stated in Section 1.9 being met or waived, or by ~~March 12, 2010~~ September 10, 2010, whichever occurs first.

**2.2 AMENDMENT OF SECTION 22 OF PURCHASE AGREEMENT.** Section 22 of the Purchase Agreement is hereby amended to read as follows:

**Section 22. LAND USE AND LICENSE APPROVALS.** This Purchase Agreement is contingent upon the following Conditions Precedent being met or being waived by the parties, in writing, on or before the respective date set forth below. Each of the following Conditions Precedent is a Seller Condition Precedent, as well as a Buyer Condition Precedent:

a. Minn. Stat. § 462.356, subd. 2, provides that the City of Inver Grove Heights may not dispose of land without the City Planning

Commission first reviewing the proposed disposition to determine that the disposition is in compliance with the City's Comprehensive Plan. The Planning Commission has not as yet had the opportunity to make this review. The Seller will submit this disposition to the Planning Commission for its review prior to December 31, 2009. **The review by the Planning Commission is a Condition Precedent and must be completed by January 31, 2010.**

b. Final approval by the City of a Comprehensive Plan Amendment to change the land use designation of the 2030 Plan for the Real Property. **This Condition Precedent must be completed by January 31, 2010.**

Buyer, at its own expense, shall apply for the Comprehensive Plan Amendment no later than November 1, 2009.

c. Final approval by the City of a Comprehensive Plan Amendment to delete Cameron's Park from the City Park Plan. **This Condition Precedent must be completed by January 31, 2010.**

Buyer, at its own expense, shall apply for the Comprehensive Plan Amendment no later than November 1, 2009.

d. Re-Zoning of the Real Property from P-I (public institutional) to B-3 (general business). **This Condition Precedent must be completed by January 31, 2010.**

Buyer, at its own expense, shall apply for the re-zoning no later than November 1, 2009.

e. Final plat approval by the City of the Real Property. **This Condition Precedent must be completed by ~~January 31, 2010~~ July 10, 2010.**

Buyer, at its own expense, shall apply for plat approval no later than November 1, 2009.

f. Final City approval of Site Plan for off-sale liquor establishment use of Real Property. **This Condition Precedent must be completed by ~~January 31, 2010~~ July 10, 2010.**

Buyer, at its own expense, shall make application for Site Plan approval no later than November 1, 2009.

g. City Council resolution declaring that the Real Property is no longer needed for public use. **This Condition Precedent must be completed by January 31, 2010.**

Seller will cause this resolution to be considered by the City Council at the time the Council considers the re-zoning of the Real Property.

h. Approval by the City of an on-sale intoxicating liquor license for the Real Property in the name of Buyer or in the name of an entity owned or controlled by Buyer. **This Condition Precedent must be completed by ~~January 31, 2010~~ July 10, 2010.**

Buyer, at its own expense, will make application for the on-sale intoxicating liquor license and will request that the application be considered by the Council at the time the Council considers the re-zoning of the Real Property.

i. Approval by the Metropolitan Council of the Comprehensive Plan Amendment to change the land designation of the Real Property from P-I (public institutional) to Mixed Use and approval by the Metropolitan Council of the Comprehensive Plan Amendment to delete Cameron Park from the City Park Plan. **These Conditions Precedent must be completed by ~~March 12, 2010~~ July 10, 2010.** The City will submit the requests for approvals to the Metropolitan Council as soon as practicable after City approval.

j. Execution of a Development Contract between the City and the Buyer incident to the platting process and the delivery to the City by the Buyer of the letter of credit, inspection fees, planning fees and other cash deposits called for by the Development Contract. **This Condition Precedent must be completed by ~~March 12, 2010~~ July 10, 2010.**

k. The submittals and approvals are subject to Buyer's acceptance. As such, if the approvals contained in this Section 22 are not issued in a manner which Buyer in its sole discretion finds acceptable, Buyer may terminate this Agreement. This condition precedent shall coincide with each date specifically set forth above.

**2.3 REMAINING EFFECT OF OTHER PROVISIONS.** The other provisions of the Purchase Agreement remain in full force and effect.

**[the remainder of this page has been intentionally left blank]**

**IN WITNESS WHEREOF**, the parties have hereto executed this Agreement the day and year first above written.

**SELLER:**  
**CITY OF INVER GROVE HEIGHTS**

By: \_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy City Clerk

STATE OF MINNESOTA    )  
  )     ss.  
COUNTY OF DAKOTA     )

On this 25<sup>th</sup> day of January, 2010, before me a Notary Public within and for said County, personally appeared George Tourville and Melissa Rheaume to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and Deputy City Clerk of the City of Inver Grove Heights, the municipality named in the foregoing instrument, and that the seal affixed to said instrument was signed and sealed in behalf of said municipality by authority of its City Council and said Mayor and Deputy City Clerk acknowledged said instrument to be the free act and deed of said municipality.

\_\_\_\_\_  
Notary Public

**BUYER:**

\_\_\_\_\_  
George W. Cameron IV

STATE OF MINNESOTA    )  
  )        ss.  
COUNTY OF DAKOTA    )

On this \_\_\_\_\_ day of January, 2010, before me a Notary Public within and for said County, personally appeared **George W. Cameron IV**, a single person, to me personally known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

\_\_\_\_\_  
Notary Public

**THIS INSTRUMENT DRAFTED BY:**  
Timothy J. Kuntz  
LeVander, Gillen, & Miller, P.A.  
633 South Concord Street  
Suite 400  
South St. Paul, MN 55075  
(651) 451-183

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: January 25, 2010  
 Item Type: Consent  
 Contact: Judy Thill, 651-450-2495  
 Prepared by: Judy Thill, Fire Chief  
 Reviewed by: n/a

<b>Fiscal/FTE Impact:</b>	
<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 acceptance of a \$2500 donation from Kay Dickison and sons for the purchase of two cold water rescue suits and associated rescue equipment.

**SUMMARY**

At the Council meeting on January 9, 2010, Mrs. Dickison presented a check to the Inver Grove Heights Fire Department in appreciation for the water rescue on December 12, 2009. As Mrs. Dickison stated at that Council meeting, she was making a donation for the purchase of two more cold water rescue suits.

We very much appreciate the donation from Mrs. Dickison and her sons and thank them for their generosity. With all of the water in and around our City, these news suits will be a welcomed addition.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

---

Meeting Date: January 25, 2010  
 Item Type: Consent  
 Contact: Judy Thill, 651-450-2495  
 Prepared by: Judy Thill, Fire Chief  
 Reviewed by: n/a

**Fiscal/FTE Impact:**

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

**PURPOSE/ACTION REQUESTED** Consider acceptance of a \$100 donation from John Dickison to be put toward the purchase of two cold water rescue suits and associated rescue equipment.

**SUMMARY**

At the Council meeting on January 9, 2010, Mrs. Kay Dickison thanked the Inver Grove Heights Fire Department for the water rescue on December 12, 2009. Mr. John Dickison is Mrs. Kay Dickison's brother-in-law.

We very much appreciate the donation from Mr. Dickison and thank him for his generosity. This money will be combined with two other donations to purchase additional cold water rescue suits.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

---

Meeting Date: January 25, 2010  
Item Type: Consent  
Contact: Judy Thill, 651-450-2495  
Prepared by: Judy Thill, Fire Chief  
Reviewed by: n/a

<b>Fiscal/FTE Impact:</b>	
<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 acceptance of a \$25 donation from Deborah Dickison Whidden and Wayne Whidden to be put toward the purchase of two cold water rescue suits and associated rescue equipment.

**SUMMARY**

At the Council meeting on January 9, 2010, Mrs. Kay Dickison thanked the Inver Grove Heights Fire Department for the water rescue on December 12, 2009. Mrs. Whidden is Mrs. Kay Dickison’s sister-in-law.

We very much appreciate the donation from Mr. and Mrs. Whidden and thank them for their generosity. This money will be combined with two other donations to purchase additional cold water rescue suits.

**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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PERSONNEL ACTIONS

Meeting Date: January 25, 2010  
Item Type: Consent  
Contact: Jenelle Teppen, Asst. City Admin  
Prepared by: Amy Brinkman, H.R. Coordinator  
Reviewed by: n/a

<b>Fiscal/FTE Impact:</b>	
<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: Sarah Marsh

Please confirm the employment of: James Lanoue as paid-on-call Lieutenant at Fire Station 3.

Please confirm the resignation of Kent Zoya as paid-on-call Lieutenant at Fire Station 3.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

**JAMES BROWN**

Meeting Date: January 25, 2010  
 Item Type: Regular Agenda  
 Contact: Allan Hunting 651.450.2554  
 Prepared by: Allan Hunting, City Planner  
 Reviewed by:

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

**PURPOSE/ACTION REQUESTED**

Consider the following requests for property located at 1186 90<sup>th</sup> Street:

- a) A Resolution relating to a **Waiver of Plat** to create two parcels from the existing one tax parcel.
  - Requires 3/5th's vote.
- b) A Resolution relating to a **Variance** to allow the lots to be less than the required 2.5 acre minimum.
  - Requires 3/5th's vote.
- c) A Resolution relating to a **Variance** to allow an accessory structure on a lot without a principle structure.
  - Requires 3/5th's vote.
  - 60-day deadline: February 12, 2010 (extended by the applicant)

**SUMMARY**

The City Council last reviewed this item on October 12, 2009. The item was discussed but no decision was made and the item was tabled to November 23<sup>rd</sup> to provide the applicant time to review the historical information provided by the City Attorney and to identify a hardship. The applicant contacted staff and requested more time beyond that November date to review any background information. The applicant has submitted an additional letter for consideration. The applicant has extended the 60-day approval to February 12, 2010. Any further extension would require the applicant's consent.

**ANALYSIS**

The City recognizes the County tax parcel number or "PID" as the "official" lot size and boundary for zoning purposes. The property was divided into a number of lots per the survey dated 1955 that was submitted by the applicant. At some point in time, the subject lots, parcels #5 and #6 were combined into one tax parcel. It is not uncommon for a County tax parcel to contain a number of lots that have their own individual legal descriptions. Once lots are combined into a single tax parcel, they no longer are considered separate lots for subdivision or zoning purposes. In order to re-create the originally described parcels, a variance is necessary to create lots less than the required 2.5 acre minimum lot size. There are no "grandfathering" clauses in this type of situation to allow the tax parcel to be divided back to the original boundaries without City Council approval.

In staff's opinion, the applicant has failed to show a hardship for the lot size variance. Lot is conforming, has a house and accessory structure. The property is not being deprived of a reasonable use. Creating two non-conforming lot sizes would be contrary to the Zoning Ordinance. The existing accessory structure is oriented towards the other buildings on the lot and it does not have a driveway. It appears to be used to house animals. Its use for things not allowed in the Code would appear to be very limited.

Access to the property is achievable to the west and east via 90<sup>th</sup> Street, which is a private street. The main access to the lot was designed to be from an easement on the west side of the property. Both of these segments of 90<sup>th</sup> Street do not meet minimum standards for clear width and height for fire emergency. This same issue came up a couple of years ago when another land owner wanted to divided their property. Emergency vehicle access is main issue. If there is ever a fire or other catastrophic event, trees downed, there could be problems with emergency response. Allowing more individual lots only adds to the problem.

If Council finds the application acceptable, resolutions of approval are included that contain conditions to address the issues staff has raised in the planning report. A hardship must be stated for the variance.

#### **RECOMMENDATION**

Planning Staff. Recommends denial of the request. A valid hardship for the variance does not appear to be present.

Planning Commission. Also recommends denial of the request (9-0).

Attachments: E-Mail from James Brown dated 1/12/10  
Denial Resolution  
Waiver of Plat Approval Resolution  
Variance Approval Resolution  
Minutes from the October 12 City Council Meeting  
Planning Commission Recommendation  
Planning Report

## Allan Hunting

---

**From:** Brown, James E. (DLI) [James.E.Brown@state.mn.us]  
**Sent:** Tuesday, January 12, 2010 3:36 PM  
**To:** Allan Hunting  
**Subject:** letter

To: Mayor and City Council of Inver Grove Heights

RE: Jim Brown property, 1186 E 90th St IGH.

Dear Mayor Tourville and Council Members,

My position remains the same as when this started. There are 4 lots that touch this property and a number of lots in the surrounding 2 block area that are lots less than 2.5 acres in size.

When the property was purchased it was understood that there were 2 legal descriptions for the property. This was verified by the county at that time and further verified by Mr. Kuntz' research. When I bought the property I contacted the county and they indicated the property was 2 lots and for some reason it was combined into 1 property. Recent research shows something of this nature did occur.

The platting documents that were provided to planning/council show 2 lots. This entire plat (submitted) has been recognized as the legitimate document and other lots have been developed based on this document: egress road, # of lots and other lot sizes. My request is, again, only for the same opportunity and use of the land as my neighbors enjoy. I am only seeking fairness and equality.

Respectfully, James E. Brown  
1186 E 90th St  
I.G.H., MN 55077  
651-341-4414

James E Brown  
Senior Labor Investigator  
651-284-5380

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION DENYING A WAIVER OF PLAT TO CREATE TWO PARCELS FROM THE EXISTING TAX PARCEL, A VARIANCE FROM MINIMUM LOT SIZE REQUIREMENT IN THE E-1, ESTATE RESIDENTIAL DISTRICT AND A VARIANCE TO ALLOW AN ACCESSORY STRUCTURE ON A LOT WITHOUT A PRINCIPLE STRUCTURE**

**CASE NO. 09-25WAV  
(James Brown)**

Property located at 1186 90<sup>th</sup> Street and legally described as follows:

**Description #5**

**The south 207 feet of the North 1068 feet of the East 354 feet of the NW1/4 NW1/4 of Section 20, T 27N., R22W, subject to an easement for road purposes over the East 30 feet and the West 30 feet thereof.**

**Description #6**

**The East 354 feet of the NW1/4 NW1/4 of Section 20, T27N, R22W, except the North 1068 feet and subject to an easement for road purposes over the West 30 feet and the South 30 feet and the East 30 feet thereof.**

**WHEREAS**, an application has been received for Waiver of Plat and two Variances;

**WHEREAS**, the zoning for the aforescribed property is E-1, Estate Residential;

**WHEREAS**, the City of Inver Grove Heights Planning Commission reviewed the request on September 15, 2009, in accordance with City Code Title 10, Chapter 3;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS THAT THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS OF FACT, CONCLUSIONS AND DECISION:**

Findings of Fact

1. A Waiver of Plat is required to divide the single tax parcel into two tax parcels.
2. A lot size Variance is required because the two proposed lots would be less than 2.5 acres in size.
3. A second Variance is required to allow an accessory structure on a lot without a principle structure.

Conclusions

1. During the 1970's, the City processed a couple of lot size variances for this particular subject lot and the lot immediately to the north. In both cases the variances were approved to allow development on a substandard sized lot with the hardship no additional vacant lots were available for sale that could increase the size of the lot in question. The Council has made attempts to continue to consolidate the lots in this subdivision so they meet the requirements of the E-1 district rather than allow smaller lots to continue. In this case the request would be contrary to the City's efforts to combine the lots so they can meet the required 2.5 acre minimum lot size.
2. The property currently meets minimum lot size and contains a home and accessory structures. There is no burden being placed on the land owner by maintaining the two lots in one tax parcel, the lot meets and is required to meet minimum lot size. Allowing the division would be contrary to the City's efforts to combine the lots in this neighborhood to eliminate the substandard lots.
3. The State Fire Code and City Code both require driveways or roads serving more than two homes or structures to have a minimum unobstructed width of 20 feet and a vertical opening minimum of 13.5 feet. The current 90<sup>th</sup> Street private road does not comply with these minimums. Emergency vehicle access is the main issue. If there is ever a fire or other catastrophic event, trees downed, there could be problems with emergency response. Allowing more individual lots only adds to the problem.

Decision

**Based on the finds of fact and conclusions made above, the application for a Waiver of Plat, Variance from minimum lot size and Variance to allow an accessory structure before a principle structure on a lot is hereby denied.**

Resolution No. \_\_\_\_\_

Page 3

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

Adopted by the City Council of Inver Grove Heights this \_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
George Tourville, Mayor

Ayes:

Nays:

ATTEST:

\_\_\_\_\_  
Melissa Rheaume, Deputy Clerk

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A WAIVER OF PLAT TO ALLOW PARCELS #5 AND #6 PER  
THE SURVEY DATED 10/20/55 AS INDIVIDUAL TAX PARCELS**

**CASE NO. 09-25WAV  
(James Brown)**

**WHEREAS**, a Waiver of Plat application has been submitted to the City for property legally described as follows:

**Description #5**

**The south 207 feet of the North 1068 feet of the East 354 feet of the NW1/4 NW1/4 of Section 20, T 27N., R22W, subject to an easement for road purposes over the East 30 feet and the West 30 feet thereof.**

**Description #6**

**The East 354 feet of the NW1/4 NW1/4 of Section 20, T27N, R22W, except the North 1068 feet and subject to an easement for road purposes over the West 30 feet and the South 30 feet and the East 30 feet thereof.**

**WHEREAS**, a public hearing concerning the Waiver of Plat was held before the Inver Grove Heights Planning Commission in accordance with Minnesota Statutes, Section 462.357, Subdivision 3 on September 15, 2009;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that a Waiver of Plat is hereby approved subject to the following conditions:

1. Prior to release of and recording the Waiver of Plat Resolution, the applicant shall either move the existing driveway to the house on parcel #6 so it does not encroach onto parcel #5, or a driveway easement shall be required to be recorded allowing the driveway to encroach onto parcel #5. The applicant shall be responsible for providing

the driveway easement document including a legal description of the easement area. Said easement document shall be reviewed by the City prior to recording.

- 2. Park dedication shall consist of a cash contribution of \$4,011 payable at time of release of the Waiver of Plat Resolution to the County.
- 3. Prior to release and recording of the Waiver of Plat Resolution, the private road (90<sup>th</sup> Street) on the west side of the subject property shall be brought into compliance with City and State Fire Code requirements by the applicant relating to proper clear width and height.

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

Adopted by the City Council of Inver Grove Heights on this \_\_\_\_ day of \_\_\_\_\_, 2010.

AYES:

NAYS:

\_\_\_\_\_  
George Tourville, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Rheume, Deputy Clerk

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A VARIANCE TO ALLOW THE CREATING OF  
PARCELS LESS THAN THE MINIMUM LOT SIZE AND TO ALLOW AN  
ACCESSORY STRUCTURE ON A LOT WITHOUT A PRINCIPLE STRUCTURE**

**CASE NO. 09-25WAV  
(James Brown)**

Property located at 1186 90<sup>th</sup> Street and legally described as follows:

**Description #5**

**The south 207 feet of the North 1068 feet of the East 354 feet of the NW1/4 NW1/4 of Section 20, T 27N., R22W, subject to an easement for road purposes over the East 30 feet and the West 30 feet thereof.**

**Description #6**

**The East 354 feet of the NW1/4 NW1/4 of Section 20, T27N, R22W, except the North 1068 feet and subject to an easement for road purposes over the West 30 feet and the South 30 feet and the East 30 feet thereof.**

**WHEREAS**, an application has been received for two Variances to allow lots less than the required 2.5 acre minimum lot size and to allow an accessory structure on a property without a principle structure;

**WHEREAS**, the afore described property is zoned E-1, Estate Residential;

**WHEREAS**, a Variance may be granted by the City Council from the strict application of the provisions of the City Code Title 10, Chapter 3-4 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 10-3-4: D.;

**WHEREAS**, the City of Inver Grove Heights Planning Commission reviewed the request on September 15, 2009 in accordance with City Code 10-3-3: C.;

**WHEREAS**, a hardship, was found to exist not based on economic reasons. Rather the hardship consists of (NEEDS TO BE STATED).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF INVER GROVE HEIGHTS**, that the variance to allow lots less than the required 2.5 acre minimum lot size and to allow an accessory structure on a property without a principle structure is hereby approved with the following condition:

1. The accessory structure shall not be used for commercial uses or storage related to a commercial use.

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

Adopted by the City Council of Inver Grove Heights this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
George Tourville, Mayor

Ayes:

Nays:

ATTEST:

\_\_\_\_\_  
Melissa Rheame, Deputy Clerk

Mr. Lynch explained that the finance department often cuts checks in advance of Council action to expedite the payment process. He noted checks are always held by the finance department until after the City Council has approved the payment.

**Motion by Klein, second by Madden, to adopt Resolution No. 09-184 approving Disbursements for Period Ending October 7, 2009**

**Ayes: 5**

**Nays: 0 Motion carried.**

**M. Personnel Actions**

Allan Cederberg, 1162 E. 82<sup>nd</sup> Street, asked what the eleven people being hired for temporary employment would be doing.

Councilmember Piekarski Krech stated they were being hired to fill various temporary positions in the Parks and Recreation Department. She noted the eleven individuals would all be part-time, non-benefitted employees. She explained that means they only get paid for the hours they work.

Mr. Lynch stated the City employs 135 full-time employees.

**Motion by Madden, second by Klein, to approve Personnel Actions**

**Ayes: 5**

**Nays: 0 Motion carried.**

**5. PUBLIC COMMENT:**

Jim Huffman, 4247 Denton Way, asked that a drainage issue near Ernster Park be addressed by City staff as soon as possible.

Ed Gunther, 6671 Concord Boulevard, asked if a crosswalk could be installed for pedestrians at the intersection of 69<sup>th</sup> and Cahill. He also questioned when the final assessments would be known for the Concord project.

Mr. Thureen responded that the County has not sent the final invoice for Phase Two of the Concord project and the final assessments will not be known until the invoice is received.

Allan Cederberg, 1162 E. 82<sup>nd</sup> Street, commented on the potential sale of Cameron Park for the relocation of Cameron's liquor store. He suggested that the property could be used for affordable housing rather than commercial use.

Mayor Tourville stated the City has taken a number of steps to support the establishment of affordable housing, including the creation of a Housing Task Force.

Councilmember Madden explained that the property the business was originally located on was taken by the county and the business was forced to relocate temporarily. He stated the business owner would like to reestablish his business near the location it occupied for over 100 years. He added that relocation of the business provides an opportunity to retain the existing tax base in the community.

**6. PUBLIC HEARINGS:** None.

**7. REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT:**

**A. JAMES BROWN; Consider Resolutions for property located at 1186 90th Street:**

- i) Waiver of Plat to create two parcels from the existing one tax parcel
- ii) Variance to allow the lots to be less than the required 2.5 acre minimum
- iii) Variance to allow an accessory structure on a lot without a principle structure

Mr. Link explained staff was directed to determine the date when the two lots were combined into one tax parcel as well as who was responsible for the subdivision, determine if access to the property is available from the east to 90<sup>th</sup> Street, and determine whether or not an easement exists on the south side of the property. He stated that the applicant's deed indicates that the property is one tax parcel with two property descriptions and no further information was discovered after review of the abstract other than confirmation that the property has been recognized as one tax parcel since 1976. He noted that the abstract indicates the property does have a legal right to utilize the existing private road for access and a 1955 survey identifies a 30-foot road easement across the southerly border of the original parcel leading to South Robert Trail. He explained both planning staff and the Planning Commission recommended denial of the request due to lack of hardship.

James Brown, 1186 90<sup>th</sup> Street, stated that other lots in the immediate area are less than 2.5 acres, including one that borders his property. He suggested that the hardship could be that he did not initiate the combination of the parcels.

Councilmember Piekarski Krech questioned what would happen if the 30-foot easement on the southern end was removed.

Mr. Link responded that the easement was included in the proposed lot size.

Councilmember Piekarski Krech commented that this lot was created before the issues and concerns with wells and septic systems were fully understood. She stated that she does not want to create another lot that is less than 2.5 acres.

Councilmember Grannis stated that he would not approve the request without a legal hardship.

Councilmember Madden stated that there are four other lots in the area that are less than 2.5 acres and the creation of two parcels would fit into the character of the neighborhood. He added that the request should be approved because there is no record of the combination.

Mayor Tourville questioned if Council could make the determination that a variance is not needed for the creation of two lots.

Mr. Kuntz responded that Council would need to make an appeal to the Planning Commission for a reinterpretation of the zoning code.

Mayor Tourville questioned why there two property descriptions for one tax parcel.

Mr. Kuntz indicated it was not unusual to have a number of legal descriptions for one parcel.

**Motion by Grannis, second by Piekarski Krech, to approve resolution denying a waiver of plat to create two parcels from the existing one tax parcel, a variance to allow the lots to be less than the required 2.5 acre minimum, and a variance to allow an accessory structure on a lot without a principle structure due to lack of hardship.**

**Ayes: 2 (Grannis, Piekarski Krech)**

**Nays: 3 (Klein, Madden, Tourville) Motion failed.**

Mayor Tourville commented that he would not be in favor of sending it back to the Planning Commission for a reinterpretation because they already did what they were supposed to do.

**Motion by Madden to approve the resolution with the hardship being the difficulty determining how the plat came to be as it is.**

**Motion failed due to lack of a second.**

Mr. Kuntz stated that the fact the lots were not combined by the current property owner cannot be the legal hardship because the property was purchased as one parcel.

Councilmember Piekarski Krech stated that the request cannot be approved without a hardship.

Mr. Kuntz reviewed that the property was owned by Herb and Elsie Sacs and in October of 1955 they surveyed out ten lots, nine of which were approximately 1.5 – 2.0 acres in size. He noted that the tenth lot was three plus acres in size. He explained that when Herb Sacs died in June of 1961 there were five lots, running North and South, still owned by Herb and Elsie. He stated in 1974 Elsie Sacs remarried and still owned two of the original ten lots and when those two lots were conveyed the legal description described a single rectangle that was approximately 158,000 square feet. He explained that because of the description at the time of conveyance, a 3.63 acre lot was created and in 1977 a variance was granted to build a home with the condition that the property be rezoned as E-1.

Councilmember Piekarski Krech questioned if the property was surveyed or platted in 1955.

Mr. Kuntz stated that the property was never platted.

Councilmember Piekarski Krech clarified that the lot never was two parcels.

Mr. Brown reiterated that he wants parcels that are similar to what his neighbors have and pointed out parcels to the north of his property that were less than 2.5 acres.

Mr. Kuntz reviewed that a legal hardship must be something that is unique to the property and is a constraint to the use or ability to build on the property.

**Motion by Piekarski Krech to approve the resolution denying the three requests based on lack of a hardship.**

**Motion failed due to lack of a second.**

Mayor Tourville suggested that the item be tabled to give the applicant the opportunity to review the historical information provided by the City Attorney and identify potential hardship.

**Motion by Tourville, second by Klein, to table item to November 23, 2009.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**B. McDONALD CONSTRUCTION;** Consider Resolution regarding a Conditional Use Permit to allow for 27.5% impervious surface coverage to construct a single family home, garage, sidewalk and driveway for property located at 11617 Aileron Court

Mr. Link explained the property owner would like to construct a new home, driveway, sidewalk and porch with impervious coverage of approximately 27.5%. He stated the surrounding properties are all zoned single-family and the proposed home would aesthetically fit in with the neighborhood and all of the required setbacks would be met. He noted the applicant agreed to comply with the storm water treatment conditions to help maintain the drainage and storm water runoff on the applicant's property. He stated at the public hearing there was resident testimony expressing concerns about current drainage issues in the neighborhood. He explained in response to those concerns the Engineering department requested that the applicant install a larger rain garden on the property to help mitigate the runoff for the proposed new construction. He stated that planning staff recommending approval of the request with the conditions approval identified in the resolution, including the two conditions added by Engineering staff.

Councilmember Grannis clarified that if the conditional use permit was not required the applicant could apply for a building permit to start construction immediately. He questioned if the modified rain garden would be sufficient to handle the runoff and other water issues.

Mr. Link responded that the rain garden would be able to handle all the water.

Councilmember Klein asked about the topography of the lots.

Tom Kaldunski, City Engineer, explained that there was a 30-40 foot grade differential.

Bob McDonald, McDonald Construction, stated that the applicant has already met conditions 1-12 and feels that the addition of conditions 13 and 14 is onerous because they were added to mitigate drainage

**RECOMMENDATION TO  
CITY OF INVER GROVE HEIGHTS**

**TO:** Mayor and City Council of Inver Grove Heights  
**FROM:** Planning Commission  
**DATE:** September 15, 2009  
**SUBJECT:** **JAMES BROWN - CASE NO. 09-25WAV**

**Reading of Notice**

The public hearing notice was read at the September 1, 2009 Planning Commission meeting.

**Continuation of Public Hearing (public hearing remained open from September 1, 2009)**

Allan Hunting, City Planner, explained the request as detailed in the report. He explained that the request is for a waiver of plat, a variance from minimum lot size in the E-1 zoning, and a variance to allow an accessory structure on a lot without a principle structure. Mr. Hunting advised that the applicant is requesting to re-subdivide his property into two parcels based on the original legal descriptions when the property was platted in the 1950's. Mr. Hunting advised that at some point in time the two lots were combined into one tax parcel. The proposed parcels would each be smaller than the E-1 zoning minimum lot size of 2.5 acres and staff believes that allowing the waiver of plat would be contrary to past actions taken by the City in this particular area to reduce the number of substandard sized lots. Staff does not find a viable hardship and recommends that the applicant improve the access should the request be approved. Staff recommends denial of the request.

Commissioner Simon asked if this area had been part of the ghost platting era of the 90's, to which Mr. Hunting replied it was not.

Commissioner Simon asked if staff received any comments from the neighbors.

Mr. Hunting replied that he received one call from a neighbor who had questions in regards to the existing barn; no concerns were stated.

Commissioner Wippermann asked if the two lots in question were combined prior to the current owner purchasing the property, to which Mr. Hunting replied in the affirmative.

Chair Bartholomew asked if the applicant owned the lot to the west as well, to which Mr. Hunting replied in the affirmative.

Jim Brown, 1186 – 90<sup>th</sup> Street, stated he was unsure why the property was combined into one tax parcel but would like to return it to its original platting of two lots and for it to be allowed to be similar in size to the property to the north and west of his. Mr. Brown advised that he currently accesses his property from the east but the property could be accessed from the west as well, although the road configuration changed as it neared his property. He stated he would be hesitant to request that one of his neighbors remove their trees, etc. in order to do road improvements.

Commissioner Gooch asked why the applicant wanted to subdivide, to which Mr. Brown replied

he wanted to be allowed to have lots equal in size to some of those in his neighborhood. He noted there were some lots in the development south of him that were just under 2.5 acres as well.

Chair Bartholomew asked if the applicant's understanding was that the property was consolidated by the County, to which Mr. Brown replied he was unsure.

Chair Bartholomew asked if there would be an opportunity if necessary to procure easement rights on the road to the east across from the newly formed lot, to which Mr. Brown replied in the affirmative.

Chair Bartholomew asked if the City would require that Mr. Brown upgrade the easterly road all along the southern lot or could it be improved only to Mr. Brown's driveway opening, to which Mr. Hunting replied that Mr. Brown would likely have to improve the road only to the driveway opening.

Commissioner Wippermann stated that while the lots immediately to the west and the two lots immediately to the north of the subject property were smaller, the majority of the lots in the area appeared to be 2.5 acres or larger.

Mr. Hunting advised that Commissioner Wippermann's statement was correct.

Mr. Brown advised that the lot to the northwest was consolidated just a few years ago.

Commissioner Hark asked if the applicant knew of any hardship for this request, to which Mr. Brown replied the hardship was that the property was originally platted as two lots and there were other lots in the neighborhood less than 2.5 acres in size.

Commissioner Simon referred to the applicant's previous statement that there were two accesses to the property, and asked if emergency vehicles would be able to access the applicant's home from the western road.

Mr. Brown replied they would not.

Commissioner Simon stated there was actually only one access then.

Mr. Brown responded there would be two accesses to the northern lot, however, the only access to his existing home would be from the easterly road. Mr. Brown advised that he has seen larger trucks (FedEx, etc.) use the westerly road and large commercial vehicles use the easterly road with no difficulty.

#### **Planning Commission Discussion**

Chair Bartholomew asked if the requirement for improving the condition of the road would be addressed at the time of building permit issuance.

Mr. Hunting replied staff would prefer that the road be improved prior to the recording of the waiver of plat so as to avoid putting that burden on whoever purchases the property in the future.

Chair Bartholomew stated it would be difficult for him to support the request without a valid hardship.

**Planning Commission Recommendation**

Motion by Commissioner Wippermann, second by Commissioner Simon, to deny the request for a waiver of plat to create two parcels from the existing one tax parcel, a variance to allow the lots to be less than the required 2.5 acre minimum, and a variance to allow an accessory structure on a lot without a principle structure, due to lack of hardship and the fact that this would be a significant reduction in minimum lot size from what the zoning district would allow, for the property located at 1186 – 90<sup>th</sup> Street.

Motion carried (9/0). This matter goes to the City Council on September 28, 2009.

**P L A N N I N G     R E P O R T**  
**C I T Y   O F   I N V E R   G R O V E   H E I G H T S**

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**REPORT DATE:** September 10, 2009

**CASE NO:** 09-25WAV

**APPLICANT:** James Brown

**PROPERTY OWNER:** James Brown

**REQUEST:** Waiver of Plat and Variances

**HEARING DATE:** September 15, 2009

**LOCATION:** 1186 E. 90<sup>th</sup> Street

**COMPREHENSIVE PLAN:** RDR, Rural Density Residential

**ZONING:** E-1, Estate Residential

**REVIEWING DIVISIONS:** Planning

**PREPARED BY:** Allan Hunting  
City Planner

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**BACKGROUND**

The applicant is proposing to re-subdivide his land into two parcels based on the original legal descriptions when the property was platted sometime in the 1950's. The proposed parcels would both be less than the E-1 zoning minimum lot size of 2.5 acres. The northern lot would be 1.68 acres and the southern lot would be 1.95 acres. There is also an existing accessory structure that would end up being on the northerly lot without a principle structure. The applicant's house would then be located on the southern parcel. The applicant has no plans to sell or develop the proposed lot. The basis of the request is to allow the two legally described parcels to exist with their own tax parcel numbers.

The City recognizes the County tax parcel number or "PID" as the "official" lot size and boundary for zoning purposes. The property was divided into a number of lots per the survey dated 1955 that was submitted by the applicant. At some point in time, the subject lots, parcels #5 and #6 were combined into one tax parcel. Parcels #5 and #6 as described by legal description are no longer individual lots of record but exist as one single lot per the boundary of the tax parcel number. In order to re-create the originally described parcels, a variance is necessary to create lots less than the required 2.5 acre minimum lot size. There are no "grandfathering" clauses in this type of situation to allow the tax parcel to be divided back to the original boundaries without City Council approval.

The specific requests include the following:

1. A **Waiver of Plat** to create two parcels from the existing one tax parcel.
2. A **Variance** to allow the lots to be less than the required 2.5 acre minimum.
3. A **Variance** to allow an accessory structure on a lot without a principle structure.

### **EVALUATION OF THE REQUEST**

The property is surrounded by residential lots of varying sizes. All surrounding parcels are guided RDR and are zoned E-1, Estate Residential.

#### **WAIVER OF PLAT**

Lot Size. The waiver of plat consists of dividing a 3.63 acre parcel into two parcels. The submitted survey of the property identifies the parcels in question as Parcels #5 and #6 from a survey dated October 20, 1955. Parcel #5 would be recreated to its original 1.68 acres and the balance into its original Parcel #6 of 1.95 acres. The survey that was done in 1955 shows Parcels #1 - #9 to be between 1.67 and 1.95 acres in size. Some of these parcels remain in their original size and others have been combined into one tax parcel.

Staff looked into the history of why some of the lots have been combined and why some exist as originally divided. During a period in the 1980's, the County had a practice of combining adjacent lots if owned by the same party, into a single tax parcel. A property on the north end of the subdivision was affected by this practice and was re-divided in 1986. This practice however, did not affect the subject lot. In 1976, a previous owner of the subject property went through a variance process to build on the 3.63 acre lot that was zoned A, Agricultural at the time. The lot was substandard in size because it did not meet the 5.0 acre lot size. Council approved a variance to build on the lot but required a rezoning to be processed to E-1 to avoid inconsistency with lot sizes. County maps in the planning file at that time show parcels 5 and 6 as one tax parcel. Therefore, the combination of parcels 5 and 6 predated the County's old practice of combining lots and the lots must have been combined by an owner prior to 1976.

In 1977, the property owner of the lot immediately to the north of this subject property was granted a variance from minimum lot size to build a home on the 1.68 acre lot. The hardship being there was no way of combining two vacant lots to meet minimum lot size.

This past history shows that a previous owner combined the lots and that it was not done by a county action. Past city actions has shown that the Council has made attempts to continue to consolidate the lots in the subdivision so they meet the requirements of the E-1 district, rather than allow smaller lots to continue. In this case, the request to re-divide the parcels would be contrary to the City's efforts to combine the lots so they meet the minimum 2.5 acre minimum lot size.

Access. Access to the proposed lot would be via a private road that connects to 90<sup>th</sup> Street. There is an existing 60 foot wide access easement for all of the lots, so legal access for the lot currently

exists. The private road surface is gravel and is approximately 10-12 feet wide. The length of the road is approximately 1000 feet long and serves six homes. The Zoning Ordinance has a provision which is based on fire code requirements addressing minimum access widths for private roads and driveways. The code requires driveways or roads serving more than two homes or structures shall have a minimum unobstructed width of 20 feet and a vertical opening width minimum of 13.5 feet. Based on observations by the Fire Marshal and Planning staff, the current road does not comply with these minimums. The existing homes have been built at different times and some regulations may have changed along the way. However, if a new lot is being created, then the road should be brought up to standards, both city and state fire codes. This requirement could be addressed with a condition where the future land owner would be responsible for bringing the driveway into compliance as part of the building permit process. This however, puts the burden on a future landowner that may not be aware or have planned on needing to improve a private driveway beyond their own property line. Staff also looks at this situation as that in order to re-subdivide this parcel, the driveway should be brought into compliance by the applicant or developer when the property is divided and not shift the burden to the next landowner. The property also abuts another private road to the east, but the same issues came up when a landowner applied to divide their property. In that case also, the private road did not meet minimum standards and would have been required to be upgraded as part of the approval to subdivide their land.

A condition of approval could be that the driveway along 90<sup>th</sup> Street be brought into compliance with city code as part of a building permit and prior to certificate of occupancy. An alternative condition could be that prior to recording the waiver of plat, the applicant or developer shall bring the entire length of the private road into compliance with city code. That way, the lot would meet access requirements up front without defraying these costs to a future landowner.

The driveway to the existing house would end up on the separate lot if the lots are divided. In order to address this situation, the application has two options. Either move the existing driveway so it reconstructed wholly on the southerly parcel (parcel #6), or grant a driveway easement to allow the driveway to remain on the northerly lot (parcel #5). If the easement option is chosen, a legal description would be required to identify the actual location of the driveway and a driveway access easement would be required to be drafted and recorded along with the waiver of plat. The easement and the legal description would be the responsibility of the applicant and would be required to be submitted to the city and reviewed by the City Attorney prior to the waiver of plat being recorded.

Soil Borings. The applicant has provided soil borings for the vacant lot to verify the soils would be suitable for a septic system. The Building Inspections Department has reviewed the soil boring information and notes that the soil types would be suitable for septic systems.

Park Dedication. Park dedication would be required for the new lot. A cash contribution of \$4,011 is payable at the time of the release of the waiver of plat resolution.

## VARIANCES

As stated previously, two variances are being requested as part of this application. The first is to allow lots that would be less than the required 2.5 acre minimum lot size in the E-1 District. The other is to allow the exception of having an accessory structure on a lot before a principal structure exists.

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

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

In actuality, no new lot is being created. The overall impact is re-establishing the lots as originally surveyed. However, during the 1970's, the City processed a couple of lot size variances for this particular subject lot and the lot immediately to the north. In both cases the variances were approved with the hardship no additional vacant lots were available for sale that could increase the size of the lot in question. The Council has made attempts to continue to consolidate the lots in this subdivision so they meet the requirements of the E-1 district rather than allow smaller lots to continue. In this case the request would be contrary to the City's efforts to combine the lots so they can meet the required 2.5 acre minimum lot size.

The existing accessory structure is oriented towards the other buildings on the lot and it does not have a driveway. Its use for things not allowed in the Code would appear to be very limited.

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

The variance from minimum lot size does appear to be contrary to the Zoning Code as the intent is to minimize the impact of substandard size lots and combine where possible. Allowing the property to re-divide would be contrary to this intent.

Allowing the accessory structure on a lot without a principle structure does not appear to have a negative impact on the intent of the ordinance.

The

- 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.*

No hardship appears to exist to allow the parcel to be re-divided. The property currently meets minimum lot size and contains a home and accessory structures. There is no burden being placed on the land owner by maintaining the two lots in one tax parcel, the lot meets and is required to meet minimum lot size. Allowing the division would be contrary to the City's efforts to combine the lots in this neighborhood to eliminate the substandard lots.

- d. *Economic considerations alone do not constitute an undue hardship.*  
Economic considerations do not appear to be the sole basis for this request.

## **ALTERNATIVES**

The Planning Commission has the following actions available on the following requests:

- A. **Approval.** If the Planning Commission finds the application to be acceptable, the following action should be taken:
- Approval of the **Waiver of Plat** allowing Parcels #5 and #6 per the survey dated 10/20/55 as individual tax parcels subject to the following conditions:
    1. Prior to release of and recording the waiver of plat, the applicant shall either move the existing driveway to the house on parcel #6 so it does not encroach onto parcel #5, or a driveway easement shall be required to be recorded allowing the driveway to encroach onto parcel #5. The applicant shall be responsible for providing the driveway easement document including a legal description of the easement area. Said easement document shall be reviewed by the City prior to recording.
    2. Park dedication shall consist of a cash contribution of \$4,011 payable at time of release of the Resolution to the County.
  - Approval of the **Variiances** to allow Parcels #5 and #6 to be less than the required 2.5 acre minimum lot size and to allow an accessory structure on a lot prior to a principle structure subject to the following condition:
    1. The accessory structure shall not be used for commercial uses or storage related to a commercial use.
- 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 allowing the waiver of plat and creating two lots less than 2.5 acres in size would be contrary to past actions taken by the City in this particular area to eliminate or reduce the number of substandard sized lots. A valid hardship does not appear to be present. Staff does not recommend approval of the request.

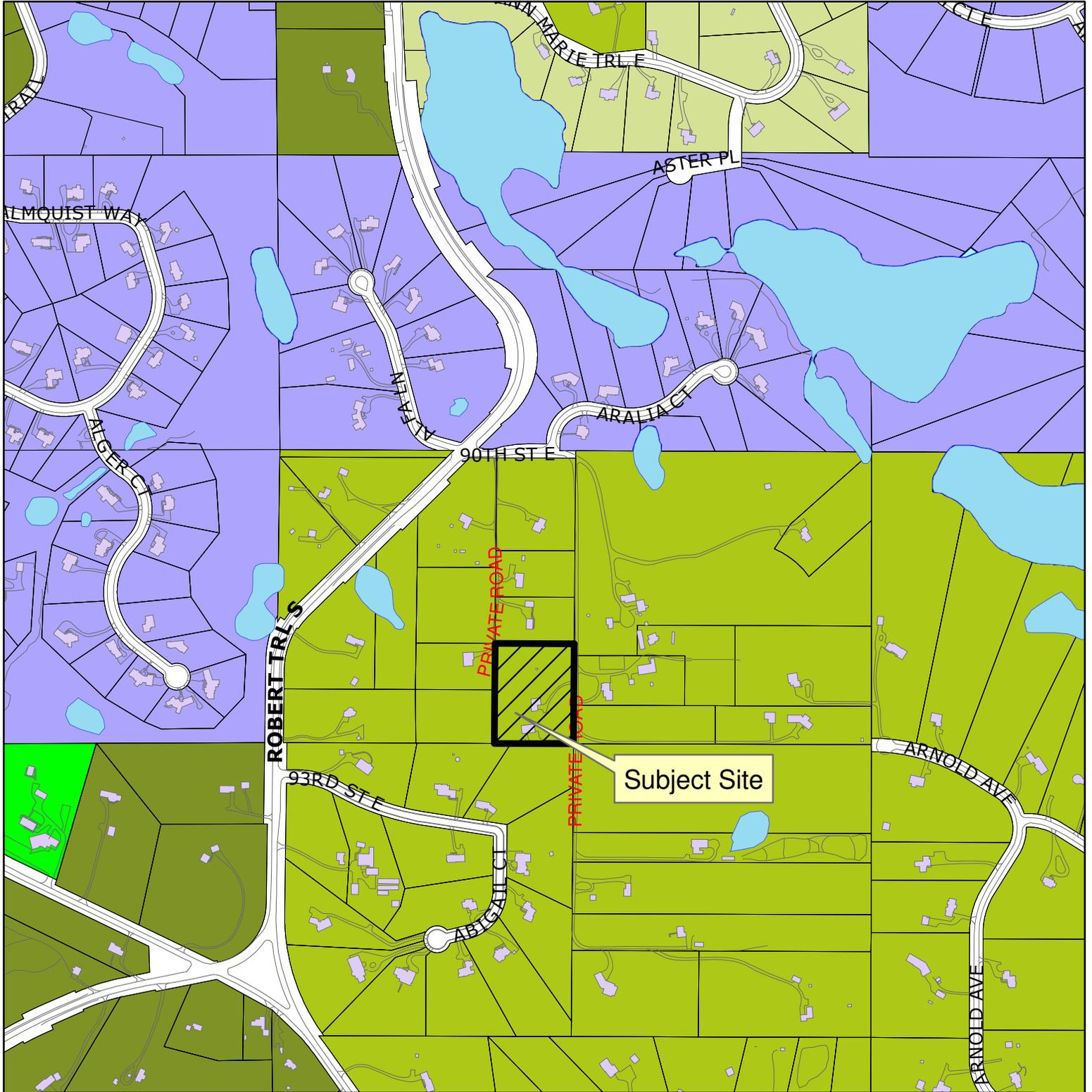
If the Planning Commission finds the request acceptable, staff has included conditions that would address the main issues that need to be handled. The Planning Commission should however, include a condition regarding the improvements to the existing private road as either a requirement of the developer or the future landowner.

Attachments: Location Map  
Waiver of Plat Map  
Surrounding Lot Size Map



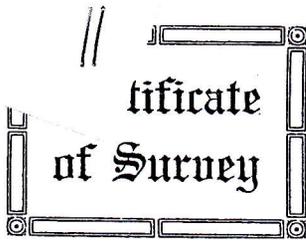
# Location Map

## Case No. 09-25WAV



### Legend

A, Agricultural	R-1C, Single Family (0.25 ac.)	R-4, Mobile Home Park	OP, Office Park	I-1, Limited Industrial
E-1, Estate (2.5 ac.)	R-2, Two-Family	B-1, Limited Business	PUD, Planned Unit Development	I-2, General Industrial
E-2, Estate (1.75 ac.)	R-3A, 3-4 Family	B-2, Neighborhood Business	OFFICE PUD	P, Public/Institutional
R-1A, Single Family (1.0 ac.)	R-3B, up to 7 Family	B-3, General Business	Comm PUD, Commercial PUD	Surface Water
R-1B, Single Family (0.5 ac.)	R-3C, > 7 Family	B-4, Shopping Center	MF PUD, Multiple-Family PUD	ROW



FROM THE OFFICE OF  
**P. R. McLAGAN**

DAKOTA COUNTY SURVEYOR  
233 Dakota Avenue WEST ST. PAUL 7, MINN.  
MINNESOTA REGISTERED LAND SURVEYOR

I Hereby Certify that this plat shows a survey made by me of the property described on this plat, and that the corners are correctly placed as shown, and that all locations, encroachments, etc., have been correctly shown.

Surveyed For Herb. Sachs  
Date October 20, 1955  
Scale 1 inch = 200 feet

**P. R. McLAGAN**  
COUNTY SURVEYOR  
By Wayne M. Legan  
*Deputy* Revised - 9-11-72  
WML

Road Easements

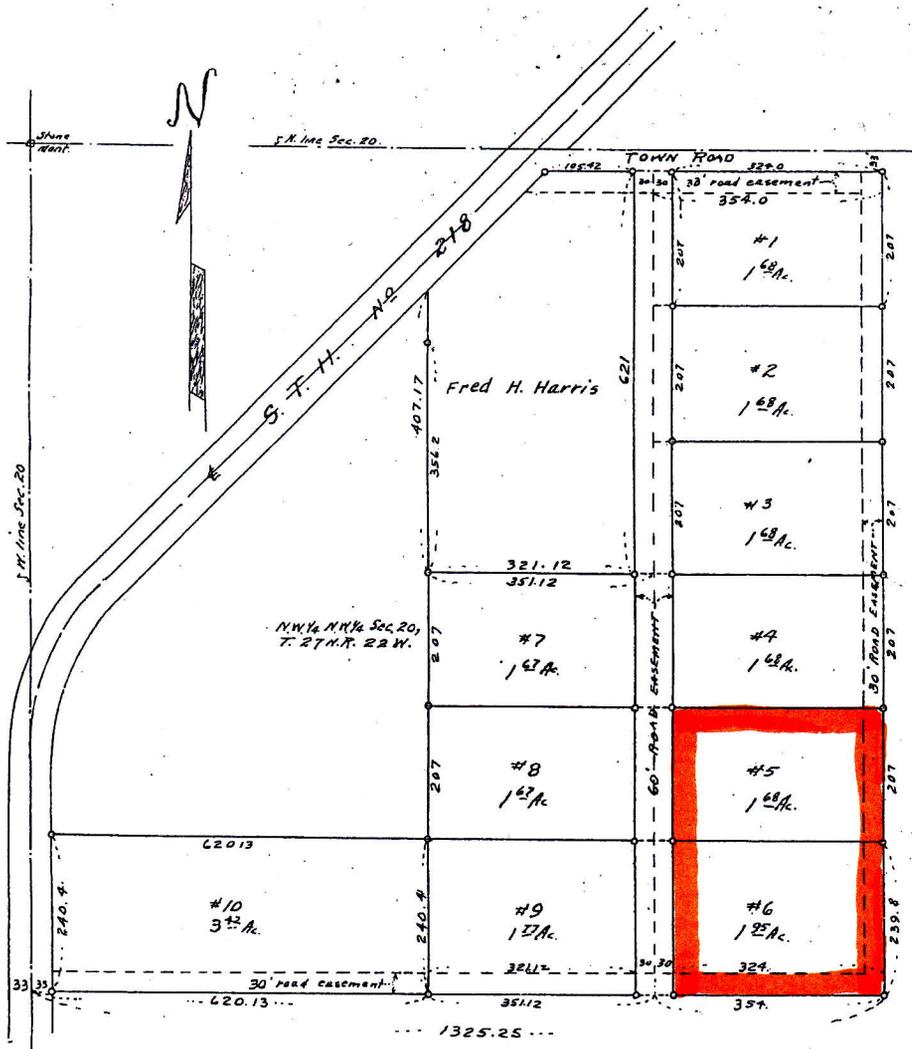
The South 33 feet of the North 66 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, T.27N.,R.22W., lying East of S.T.H. No. 218.

The East 30 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, T.27N.,R.22W.

The West 60 feet of the East 384 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, T.27N.,R.22W.

The South 30 feet of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 20, T.27N.,R.22W.

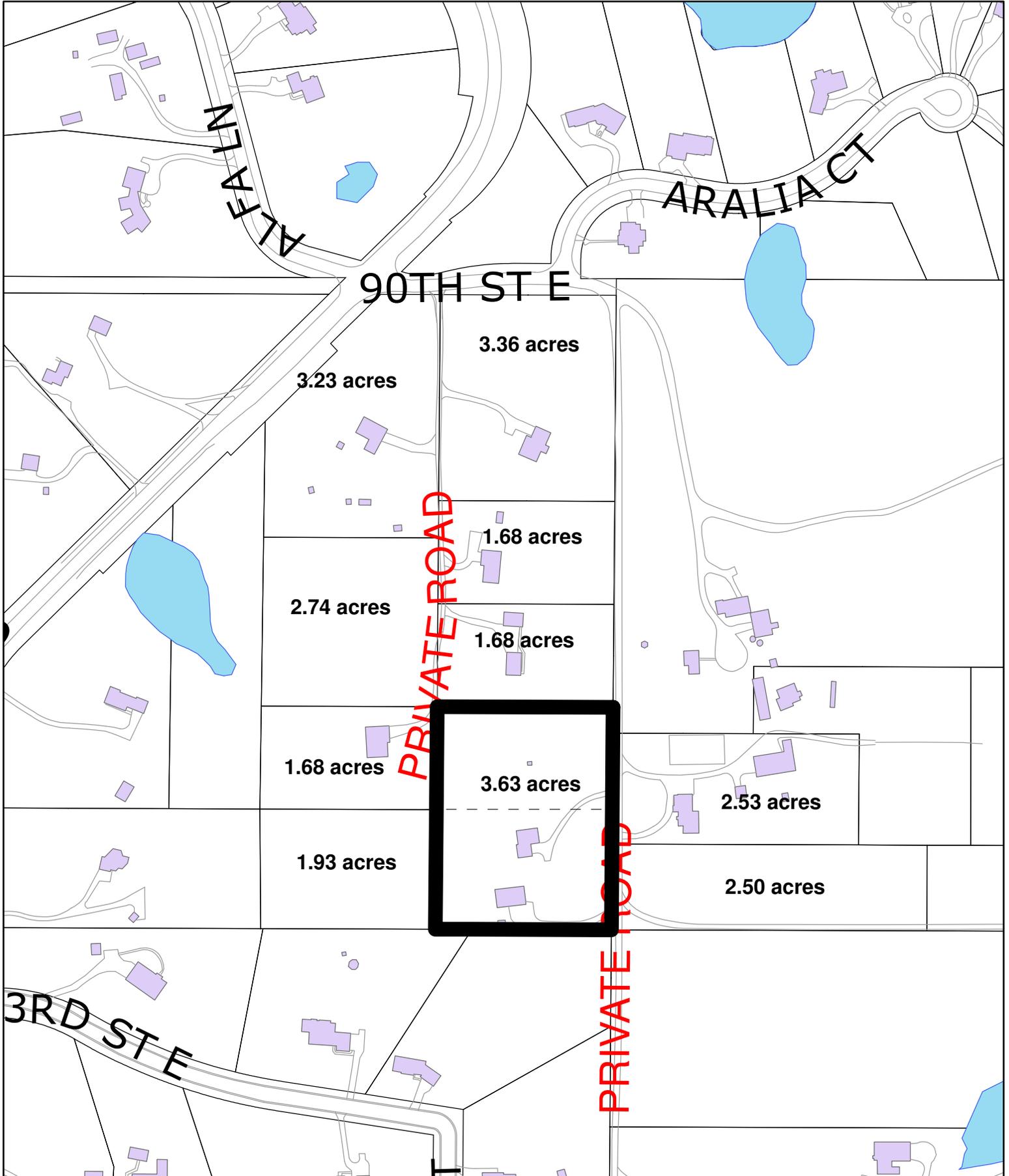
o Indicates iron monument





# Surrounding Lot Sizes

## Case No. 09-25WAV



**CITY OF INVER GROVE HEIGHTS**

**REQUEST FOR COUNCIL ACTION**

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

Meeting Date: January 25, 2010  
 Item Type: Regular  
 Contact: JTeppen, Asst City Admin  
 Prepared by:  
 Reviewed by:

Fiscal/FTE Impact:  
 None  
 Amount included in current budget  
 Budget amendment requested  
 FTE included in current complement  
 New FTE requested – N/A  
 Other

**PURPOSE/ACTION REQUESTED** Consider the attached Change Order No. 4 for City Project 2008-18 Public Safety Addition/City Hall Renovation.

**SUMMARY** As the Council will recall, throughout the length of this project we will be asking the Council to consider any change orders at the second meeting of the month, with a Pay Voucher request from the Contractor on the first meeting of the month with a revised contract amount.

As Council will also recall, the amounts reflected in these Change Orders have already been approved – either by the Council or by staff if the amounts fall under \$15,000. This action item simply formally approves the amounts so that the contract amount can be changed.

This Change Order request comprises twelve items. The Architect has provided a brief explanation of each of the items:

ASI 021 Increased size of hydronic piping. Piping coordination for an upgraded mechanical unit provided to the owner at no additional cost. \$5,900

PR 010 Revise masonry and concrete foundation walls. Coordination of foundation wall thickness and reinforcement with upper level wall construction. \$8,303

PR 011 Revise steel framing detail. Coordination of steel framing for current construction with extent of future third floor. \$1,540

PR 012 Add colored polished concrete flooring in alcove. Extend polished concrete flooring at the Fire Department office area service counter and door alcove recess. Polished floor was not indicated at alcoves. \$1,300

PR 015 Electrical coordination for AHU 4. Correct voltage compatibility for an upgraded mechanical unit provided to the owner at no additional cost. \$571

PR 019 Low Voltage modifications. Owner requested changes to security, audiovisual, and data/telecommunications (low voltage) systems require changes to electrical rough-ins. \$10,686

PR 020 Insulate underside of radiant heated concourse slab. Insulation added at the underside of the raised floor slab to direct the heat up into the concourse rather than down into the ceiling cavity below. \$1,692

PR 021 Change from concrete masonry backup wall to steel stud framing at Grid 9. Provides a more stable wall, consistent with construction on the west wall. Costs to provide lateral reinforcement at the top of the masonry wall was more costly than the change to steel stud framing. \$1,519

PR 023 Modify beam depth along Grid K, where exposed under exterior soffit plane. Structural beam required at building cantilever projected below the finished soffit. Modifications to the beam to provide greater strength with less depth. \$4,404

PR 025 Relocate door at police interview room 2137. Owner requested door relocation and associate electrical switches and indicator lighting relocation. \$703

GCPR 10 Add steel to brick relief angle. Extend the steel angle leg supporting the exterior brick veneer to provide adequate air space for cavity drainage. \$2,099

GCPR 11 Remove corner of roof slab Remove a corner of the roof slab/future third floor slab, added under PR 11 that inadvertently extended beyond the building line. \$1,303

The Contract amount is reflected to increase a total of \$40,020.00 for these twelve items for a revised contract total of \$11,676,143.00.

Change Orders are financed from the project contingency which started at \$613,601 and is now at \$439,358 with the above changes/amounts.

# CHANGE ORDER

OWNER \_\_\_\_\_  
ARCHITECT \_\_\_\_\_  
CONTRACTOR \_\_\_\_\_  
FIELD \_\_\_\_\_  
OTHER \_\_\_\_\_

AIA DOCUMENT G701

THIS DOCUMENT HAS IMPORTANT LEGAL CONSEQUENCES; CONSULTATION WITH AN ATTORNEY IS ENCOURAGED WITH RESPECT TO ITS COMPLETION OR MODIFICATION. AUTHENTICATION OF THIS ELECTRONICALLY DRAFTED AIA DOCUMENT MAY BE MADE BY USING AIA DOCUMENT D401.

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<b>PROJECT:</b>	Inver Grove Heights Public Safety & City Hall Remodel	<b>CHANGE ORDER NO.:</b>	<b>FOUR (04)</b>
		<b>DATE:</b>	January 26, 2010
<b>TO CONTRACTOR:</b>	Shaw-Lundquist Associates 2757 West Service Road St. Paul, MN 55121	<b>ARCHITECT'S PROJECT #:</b>	1643.01
		<b>CONTRACT DATE:</b>	May 19, 2009
		<b>CONTRACT FOR:</b>	Addition & Remodel

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The contract is changed as follows:

1.	ASI-021 Increase size of hydronic pipes	5,900.00
2.	PR-010 Revise concrete foundation walls to add brick ledge	8,303.00
3.	PR-011 Extend future third floor slab beyond column line	1,540.00
4.	PR-012 Add colored polished concrete in flooring alcoves	1,300.00
5.	PR-015 Electrical Coordination for Air Handling Unit #4	571.00
6.	PR-019 Low Voltage Modifications	10,686.00
7.	PR-020 Insulate underside of radiant heated raised slab	1,692.00
8.	PR-021 Change from masonry to steel framing at Grid 9	1,519.00
9.	PR-023 Modify beam depth at level 2 soffit along Grid K	4,404.00
10.	PR-025 Relocate door at Police Interview Room 2137	703.00
11.	GCPR-10 Add steel brick relief angle	2,099.00
12.	GCPR-11 Remove corner of future third floor slab	1,303.00

---

The original (Contract Sum)(Guaranteed Maximum Price) was	\$11,501,900.00
Net change by previously authorized Change Orders	\$134,223.00
The (Contract Sum)(Guaranteed Maximum Price) prior to this Change Order was	\$11,636,123.00
The (Contract Sum)(Guaranteed Maximum Price) will be	\$40,020.00
(increased)(decreased)(unchanged) by this change order in the amount of	
The new (Contract Sum)(Guaranteed Maximum Price) including this Change Order will be	<b>\$11,676,143.00</b>

---

The Contract time will be (~~increased~~)(~~decreased~~)(unchanged).

The date of Substantial Completion therefore is (~~increased~~)(~~decreased~~)(unchanged) .

---

Authorized:

ARCHITECT

Boarman Kroos Vogel Group, Inc.  
Address  
222 N. 2nd Street  
Minneapolis, MN 55401

CONTRACTOR

Shaw-Lundquist & Associates  
Address  
2757 West Service Road  
St. Paul, MN 55121

OWNER

City of Inver Grove Heights  
Address  
8150 Barbara Avenue  
Inver Grove Heights, MN 55077

BY \_\_\_\_\_

BY \_\_\_\_\_

BY \_\_\_\_\_

Ted Redmond, President

DATE

DATE

DATE

---

**AIA DOCUMENT G701** \* CHANGE ORDER \* 1987 EDITION \* AIA - COPYRIGHT 1987 \*

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, D.C. 20006-5292

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**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

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**TO: Mayor and City Council Members**  
**FROM: Timothy J. Kuntz, City Attorney**  
**DATE: January 25, 2010**  
**RE: Resolution Authorizing The Release of Various Development and Financing  
Related Documents Concerning the Southridge Center.**

---

**Section 1. Background.** In 1986 the City issued \$950,000 of tax increment bonds under Series 1986A to assist in the development of the Southridge Shopping Center generally located in the southeast corner of Mendota Road and Robert Street in the City of Inver Grove Heights.

As a part of that transaction the following documents were recorded against the shopping center land:

- a.) Terms and conditions of Developer's Agreement, dated August 18, 1986, filed October 2, 1986, as Document No. 745077, by and between the City of Inver Grove Heights, a Minnesota municipal corporation, and Vantage Properties, Inc., a Texas corporation.
- b.) The interest of Vantage Properties, Inc., was assigned to Vansouth Limited Partnership, a Minnesota limited partnership, by Assignment dated December 30, 1986, filed January 29, 1987, as Document No. 791347.
- c.) Amended by Agreement dated December 22, 1989, filed December 28, 1989, as Document No. 918758. (Lots 1 and 2)
- d.) Terms and conditions of Contract for Private Redevelopment, dated October 20, 1986, filed June 29, 1987, as Document No. 791346, by and between the City of Inver Grove Heights, a Minnesota municipal corporation, and Vansouth Limited Partnership, a Minnesota limited partnership.

- e.) Amended by Agreement dated December 22, 1989, filed December 28, 1989, as Document No. 918758. (Lots 1 and 2)
- f.) Terms and conditions of Assessment Agreement, dated October 20, 1986, filed June 29, 1987, as Document No. 791348. (Lots 1 and 2)

The documents essentially require that the shopping center be built and that a minimum market valuation of \$3,500,000 remain in place until the bonds are paid off.

The shopping center was built and a certificate of occupancy was issued.

The Series 1986A Bonds were refinanced by Series 1997C Bonds and later by Series 2003C Bonds.

The bonds relating to the shopping center were paid off in February 2006.

The owner of the shopping center has asked that the subject property be released from the documents identified above. The owner is refinancing the shopping center and wants to remove the documents from title.

The documents identified above are terminable upon the bonds being paid off and the shopping center being built.

The tax increment from the project is also being used to pay for the bonds that were issued for the Community Center. Under Series 1995C and Series 2000A, the City pledged tax increment from the project to assist in financing the Community Center. When Series 1995C and Series 2000A were refinanced by Series 2005A and Series 2005B, the Community Center bonds continued to be structured to have a portion of the bonds be paid from the tax increment from the project. We checked with Steve Apfelbacher (the City's Fiscal Advisor from Ehlers & Associates) and with Steve Bubul (the City's Bond Counsel) to confirm that release of the documents for Southridge Center will not terminate the development district or the TIF District and will not jeopardize the City's ability to collect the increment to pay the Community Center bonds. Both of them have confirmed that release of the documents for Southridge Center will not terminate the development district or the TIF District and will not jeopardize the City's ability to collect the increment to pay the Community Center bonds.

Under the above identified documents, the minimum value of the shopping center was to be not less than \$3,500,000.

The shopping center area has a present assessed valuation by the Dakota County Assessor of \$14,943,900.

The Home Depot site is valued at \$8,150,100 and the balance of the shopping center is valued at \$6,793,800 for a total of \$14,943,900.

**Section 2. Council Action.** The Council is asked to consider the attached Resolution which authorizes the release of the various documents.

**RESOLUTION NO. \_\_\_\_\_**

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

**RESOLUTION AUTHORIZING THE RELEASE OF VARIOUS  
DEVELOPMENT AND FINANCING RELATED DOCUMENTS  
CONCERNING THE SOUTHRIDGE CENTER**

**WHEREAS**, in 1986 the City issued \$950,000 of tax increment bonds under Series 1986A to assist in the development of the Southridge Shopping Center generally located in the southeast corner of Mendota Road and Robert Street in the City of Inver Grove Heights.

**WHEREAS**, as a part of that transaction the following documents were recorded against the shopping center land:

- a.) Terms and conditions of Developer's Agreement, dated August 18, 1986, filed October 2, 1986, as Document No. 745077, by and between the City of Inver Grove Heights, a Minnesota municipal corporation, and Vantage Properties, Inc., a Texas corporation.
- b.) The interest of Vantage Properties, Inc., was assigned to Vansouth Limited Partnership, a Minnesota limited partnership, by Assignment dated December 30, 1986, filed January 29, 1987, as Document No. 791347.
- c.) Amended by Agreement dated December 22, 1989, filed December 28, 1989, as Document No. 918758. (Lots 1 and 2)
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- e.) Amended by Agreement dated December 22, 1989, filed December 28, 1989, as Document No. 918758. (Lots 1 and 2)
- f.) Terms and conditions of Assessment Agreement, dated October 20, 1986, filed June 29, 1987, as Document No. 791348. (Lots 1 and 2)

**WHEREAS**, the documents essentially require that the shopping center be built and that a minimum market valuation of \$3,500,000 remain in place until the bonds are paid off.

**WHEREAS**, the shopping center was built and a certificate of occupancy was issued.

**WHEREAS**, the Series 1986A Bonds were refinanced by Series 1997C Bonds and later by Series 2003C Bonds.

**WHEREAS**, the bonds relating to the shopping center were paid off in February 2006.

**WHEREAS**, the owner of the shopping center has asked that the subject property be released from the documents identified above.

**WHEREAS**, the documents identified above are terminable upon the bonds being paid off and the shopping center being built.

**WHEREAS**, under the above identified documents, the minimum value of the shopping center was to be not less than \$3,500,000.

**WHEREAS**, the shopping center area has a present assessed valuation by the Dakota County Assessor of \$14,943,900.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Inver Grove Heights, Minnesota, as follows:

- 1.) The City Council approves the release of the Southridge Shopping Center from the above-identified documents.
- 2.) The Mayor and Deputy Clerk are authorized to execute a release. The form of the release is subject to the approval of the City Attorney.

Adopted by the City Council of the City of Inver Grove Heights this 25<sup>th</sup> day of January, 2010.

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George Tourville, Mayor

Attest:

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Melissa Rheaume, Deputy Clerk