

**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.