

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JUNE 28, 2010 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, June 28, 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, and Recording Clerk Fox.

3. PRESENTATIONS:

A. Proclamation Designating July as Parks and Recreation Month

Mayor Tourville stated that Parks and Recreation serves a very important part of the City and proclaimed the month of July as Park and Recreation month.

4. CONSENT AGENDA:

Councilmember Grannis removed Item 4A, Minutes of June 14, 2010 Regular Council Meeting from the Consent Agenda.

Councilmember Piekarski Krech removed Item 4M, Consider Temporary Extension of Licensed Premises relating to On-Sale Intoxicating Liquor License held by Kladek, Inc. dba King of Diamonds, 6600 River Road, from the Consent Agenda.

- B. **Resolution No. 10-96** Approving Disbursements for Period Ending June 23, 2010
- C. Change Order No. 1 and Pay Voucher No. 1 for City Project No. 2010-09D, South Grove Urban Street Reconstruction – Area 5
- D. Pay Voucher No. 3 for City Project No. 2009-29, Well No. 9 – Phase 2
- E. Final Pay Voucher No. 14, Engineer's Final Report and **Resolution No. 10-97** Accepting Work for City Project No. 2003-15A, Northwest Area Utility Improvements – Lift Station R-9.1
- F. Change Order No. 4 for City Project No. 2008-11, Southern Sanitary Sewer East Segment for Time Extension
- G. Agreement for 2010 Citizen-Assisted Lake Monitoring Program (CAMP)
- H. Consider Proposals for Replacement of SCADA System Radios
- I. Approve 2010 Collective Bargaining Agreement between City of Inver Grove Heights and Law Enforcement Labor Services (LELS), Local 189 (Sergeants)
- J. Adopt the Emerald Ash Borer Management Plan
- K. **Resolution No. 10-98** Approving Agreement between the City of Inver Grove Heights and Independent School District No. 199 Providing School Resource Officer Services for Independent School District No. 199 Schools for the 2010-11 and 2011-12 School Years
- L. **Resolution No. 10-99** Establishing a "No-Parking" Zone on 60th St. W. at the Bus Turnaround
- N. **Resolution No. 10-100** Appointing Election Judges for the 2010 Primary Election
- O. **Resolution No. 10-101** – Approving Premises Permit for Inver Grove Heights Hockey Association
- P. Personnel Actions

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

Ayes: 5

Nays: 0 Motion carried.

A. Minutes – June 14, 2010 Regular Council Meeting

Councilmember Grannis asked that the reason why Mayor Tourville abstained from the vote on item 7A be included on page four (4).

Mayor Tourville explained that he abstained because he is now employed by SHE, Inc.

Councilmember Klein commented on the discussion regarding the purchase of task chairs and stated he would like the minutes to reflect that he did object to the cost of the chairs even though he voted in favor of the purchase.

Motion by Madden, second by Grannis, to approve the minutes of the June 14, 2010 Regular Council Meeting with the changes as noted.

Ayes: 5

Nays: 0 Motion carried.

M. Consider Temporary Extension of Licensed Premises relating to On-Sale Intoxicating Liquor License held by Kladek, Inc. dba King of Diamonds, 6600 River Road

Councilmember Piekarski Krech stated she has never heard of this organization and questioned how much of the proceeds from the event would go to the charity.

Mr. Lynch responded that organization's website indicates a non-profit status and staff would like the item tabled to gather additional information regarding the event.

Motion by Klein, second by Madden, to table the consideration of a temporary extension of licensed premises relating to the On-Sale Intoxicating Liquor License held by Kladek, Inc. dba King of Diamonds, 6600 River Road

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Allan Cederberg, 1162 East 82nd Street, commented on the meeting on June 16th regarding the mayoral term. He stated he would like to see a question regarding a change from a two-year to a four-year term put on the ballot this November. He also asked if the people running for office could make an agreement not to put up campaign signs.

Councilmember Madden stated he would also like to see a reduction in the number and size of campaign signs put up by each candidate.

Frank Rauschnott, 6840 Dixie Avenue, asked when campaign signs are allowed to be displayed.

Councilmember Grannis stated campaign signs could be posted 46 days prior to the primary.

6. PUBLIC HEARINGS: None.**7. REGULAR AGENDA:****PARKS AND RECREATION:****A. CITY OF INVER GROVE HEIGHTS;** Consider Process for Updating the Master Plan for Heritage Village Park Area

Mr. Carlson stated that this issue was discussed at the last regular Council meeting and staff was directed to obtain a revised proposal that would reduce the costs involved via a reduction in the number of meetings with the consultant, and limit the number of outside people involved in the process to the members of the Parks and Recreation Advisory Commission. He indicated that the recommended consultant, Brauer & Associates, reduced the proposal to an amount not to exceed \$13,000. He explained the update to the Master Plan would generally be worked on by City staff and three (3) Park and Recreation Commissioners. He noted the entire Parks and Recreation Advisory Commission would be involved in the process as would the City Council, and the revised proposal would include a number of

meetings between the consultant and each of the factions involved in the process.

Councilmember Madden stated he does not understand why a consultant is needed and questioned why the plan could not be updated with the resources the City currently has. He opined that City staff and the Parks and Recreation Commissioners are capable of handling the project and the consultant is not necessary.

Councilmember Grannis questioned who would be capable of doing the drawings that are needed if a consultant is not hired.

Councilmember Madden responded that he feels the project could wait until such time that more funding is available.

Councilmember Grannis stated he thinks the plan does need to be updated at this time, but would like to see a task force involved to represent the residents and business owners in that area.

Mayor Tourville stated that the update to the Master Plan is needed because the City is going to be forced to address issues such as comfort stations and parking as they relate to the completion of the Rock Island Swing Bridge project. He clarified that the plans that were previously presented to the Council were conceptual and need to be more definitive because the City is seeking additional funding from outside sources. He noted the consultant would provide a level of expertise to the project that may not be present if the updates are left to staff and the Parks commission.

Councilmember Madden asked if the project was really at the point of having to make definitive decisions for the area or if the update would continue to be conceptual plans for future development.

Mayor Tourville reiterated that the City will be asking for additional funding for the project in the next few months and should be able to include an explanation or a plan as to what the funding is specifically for. He explained that the development of the park is farther along than people realize because certain components, such as the trail and the swing bridge site, are going to have to be coordinated in terms of parking, restrooms, etc. in the next few months.

Councilmember Piekarski Krech stated she does not see why staff cannot combine the two master plans that were previously presented to the Council without the involvement of a consultant. She noted the county should do some of the planning because they are going to determine the location of the trail. She opined that the City does not have the funding to put in a band shell, community picnic area or other such amenities at this time. She suggested that the swing bridge site be looked at now because it will open before anything else and then the rest of the park can be designed once funding is available.

Mr. Carlson responded that there have been significant changes made to the Master Plan that was adopted in September of 2004, including the location of the entrance to the park, the location of the trail through the park, and the ownership of the Rock Island Swing Bridge site. He stated it is very important that the Master Plan be re-examined to account for all of the changes that have taken place since its original adoption.

Councilmember Klein stated he was under the impression that the conceptual plan that was voted on was going to be the first phase of the project for the development of the swing bridge site.

Councilmember Grannis clarified that the other plans that were presented focused on individual components of the overall project and they now need to look at how all of the pieces fit together.

Mr. Carlson responded in the affirmative and opined that an investment of \$13,000 now would pay dividends in the long run to make sure that the various pieces of the park fit together and operate cohesively rather than potentially spending more money in the future because duplicate features were installed throughout the park.

Mayor Tourville stated the coordination of the two sites as well as the development of each individual piece is what needs to be looked at and needs more involvement than just City staff or the commission.

Mr. Carlson noted the Parks and Recreation Advisory Commission is capable of developing those ideas but is not capable of putting them on paper and showing that all of those ideas actually related to each

other and will work in the future.

Councilmember Klein stated that the Swing Bridge site will be open in October and there will be no place to park or a way to get there.

Mr. Lynch responded that visitors could park at the end of 66th Street and walk along a path to get to the bridge. He noted as of right now there would be no restrooms or adequate parking.

Mayor Tourville reiterated that the City would continue to look for additional funding and it would help to have a plan in place that shows how the pieces of the plan fit together.

Councilmember Madden stated if the project is really at the point of needing to put all of the components together, he would support the request to hire a consultant. He noted he does not want to spend the money unless it really needs to be done.

Councilmember Piekarski Krech stated she thinks this process is still premature at this point. She commented on the scope of the work being proposed and asked how much different the new plan would be from the plan that is already in place.

Councilmember Madden stated that he does not want to have to hire a consultant every time something changes in that area. He opined that government has to start looking at ways to avoid spending money unless it is absolutely necessary. He stated a good point was made about needing more than a conceptual plan to have a chance at receiving additional funding for the project.

Ed Gunter, 6671 Concord Blvd., stated he thought the discussion at the last meeting was to have the Parks and Recreation Advisory Commission look at the plan and develop some ideas before a consultant was hired. He stated people are tired of seeing the dirt at Heritage Village Park and nothing being done. He suggested looking at some different ideas for temporary parking and bathroom facilities to accommodate the opening of the swing bridge site.

Frank Rauschnott, 6840 Dixie Avenue, stated the city has spent a lot of money on consultants when there are more than enough qualified people on staff and in the community to get the job done and do what is best for the citizens of Inver Grove Heights.

Mayor Tourville noted the consultant is not going to come in and dictate what is done. He stated the consultant would be working with the Parks and Recreation Commission to develop and design the ideas that are brought forth.

Councilmember Madden commented on the study being completed around October of 2010 and asked why this could not wait until next year. He stated there isn't going to be any development in the winter.

Mr. Gunther agreed and stated there should be input from the citizens and surrounding businesses before this is brought back to the City Council.

Mayor Tourville asked if critical time would be lost if the Parks Commission was asked to hold hearings to gather citizen input regarding the Swing Bridge and Heritage Village Park.

Mr. Carlson stated that without the help of a consultant he is not sure the process would be effective.

Mr. Lynch stated that many factors have changed that directly affect the Master Plan. He noted that part of the reason why staff wanted to move this process along was so the Council could consider the plans in their budget discussions for the implementation of some amenities in the spring of 2011. He stated the Rock Island Swing Bridge site will open in October and there will be visitors wondering what other amenities are available in the park. He explained that the City would be able to have some amenities available in the spring if the planning process is completed now.

Councilmember Piekarski Krech questioned if the county is asking for input on where buildings are going to be located or if the county has already decided where the buildings are going to be based on the location of the trail and is asking the city to cooperate with their plans.

Mr. Lynch responded that the county is asking if the city is willing to participate in a joint effort for the construction, operation, and maintenance of a building. He noted the county would like to locate the

building in an area that is most convenient for both entities.

Councilmember Piekarski Krech stated she is concerned with spending more money and opined that the city should not be looking at doing this large scale development until the economy picks up. She clarified that funds would be taken from the Park Acquisition and Development Fund. She stated she is okay with it coming out of that fund since there is money available that can't be used for anything else and if it is not to exceed a certain amount.

Mayor Tourville opined that the process will be very beneficial in the long-term development of the area.

Councilmember Madden opined that he can see how this may help in the long run, but would like to see a new approach to how government does things to reduce spending.

Motion by Tourville, second by Piekarski Krech, to approve the process for updating the Master Plan for the Heritage Village Park Area and to hire Brauer & Associates in an amount not to exceed \$13,000

Ayes: 4

Nays: 1 (Grannis) Motion carried.

B. CITY OF INVER GROVE HEIGHTS; Consider the First Reading of an Ordinance Amending Title 5, Chapter 8 of the City Code Regarding Diseased Trees

Mr. Carlson explained the existing ordinance regarding diseased trees specifically addresses Oak Wilt and Dutch Elm disease. He noted the proposed amendment to the ordinance would address Emerald Ash Borer.

Mr. Lynch explained the previous ordinance was mandated by state law because of the wide spread infection of trees with Dutch Elm and Oak Wilt disease. He noted the state legislature did not enact similar language during the most recent legislative session that would require cities to do the same as it relates to Emerald Ash Borer. He stated if a private property owner has a diseased tree they are required to remove it, and if they do not, the City will remove it and bill the property owner for the cost of remediation.

Mayor Tourville stated he does not want the City to be in the position of going out and looking for trees that are infected and mandating that they be cut down.

Councilmember Piekarski Krech suggested changing the language to say that a tree that dies from Emerald Ash Borer disease must be removed.

Mr. Carlson noted staff will work with the City Attorney to develop language that would allow flexibility. He stated the intent is not to remove every tree that is infected with Emerald Ash Borer.

Motion by Klein, second by Grannis, to approve the First Reading of an Ordinance Amending Title 5, Chapter 8 of the City Code regarding Diseased Trees.

Ayes: 5

Nays: 0 Motion carried.

COMMUNITY DEVELOPMENT:

C. CITY OF INVER GROVE HEIGHTS; Consider Resolution Adopting the Regional Roadway System Visioning Study Recommendations

Mayor Tourville stated this item is being pulled from the agenda for discussion at a later date.

ADMINISTRATION:

D. CITY OF INVER GROVE HEIGHTS; Approve Purchase of Ancillary Furniture

Ms. Teppen explained a RFP was posted for the ancillary furniture package and vendors were asked to quote on nine groups of furniture. She stated the total purchase price of the combined groups is just under \$110,000.00, though the total of each individual group is under \$25,000. She noted that for purchases under \$25,000 the City is required to get one quote per group in an open market situation. She

stated the vendors were given the opportunity to quote on any of the groups and two vendors provided the lowest quotes in more than one group. She added that the funds for this purchase come from internal sources previously discussed by the City Council.

Councilmember Piekarski Krech confirmed that the chairs were specialized for the police officers to accommodate them when they have all of their gear on.

Mayor Tourville stated the bid came in just under the estimate.

Ms. Teppen noted this is a significant purchase of furniture.

Councilmember Piekarski Krech asked if this is all the furniture needed for the public safety building.

Ms. Teppen responded that there would be also be a phase two occupancy purchase to fill out the remaining conference room areas after the City Hall renovation is complete.

Mayor Tourville asked what the estimate is for the additional furniture.

Kara Brown, BKV, stated the phase two purchase is estimated at \$166,233.00, including furniture for the renovated City Hall.

Frank Rauschnott, 6840 Dixie Avenue, opined that the furniture purchase is too expensive. He suggested buying the chairs for the police and then directing staff to look on the internet for cheaper options.

Allan Cederberg, 1162 East 82nd Street, stated he is concerned with the financing of the purchase.

Mayor Tourville responded that a plan was developed in which the Council decided that some items would not be paid for with money from the bonds. He added that the City has funds set aside in certain areas to pay for various items.

Mr. Cederberg questioned why a resolution was not drafted to approve the purchase.

Mr. Kuntz responded that only a record of the action taken is required.

Councilmember Klein stated the Council has had many discussions regarding the furniture purchase.

Councilmember Madden agreed that the Council has spent a lot of time on this item.

Motion by Klein, second by Grannis, to approve the purchase of ancillary furniture.

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS; Consider Change Order No. 11 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Ms. Teppen explained that Change Order No. 11 is comprised of items that all fall under the \$15,000 threshold. She explained this is an administrative piece to approve the change to the contract. She stated the total cost reflects a contract increase of \$17,798.

Councilmember Madden stated that the items included are all things that could happen very easily on a project of this scale.

Councilmember Piekarski Krech expressed frustration with the number change orders that resulted from discrepancies in the original plans.

Ms. Teppen reminded the Council that this is a large, complex project.

Councilmember Grannis stated he is also very frustrated with the whole process. He stated he is disappointed that some of these items were not caught by the Owner's representative.

John Love, BKV, stated the work is getting done and there will be further discussions regarding cost adjustments for items that have been brought forth on various change orders.

Councilmember Klein stated he toured the new facility and noticed items that are going to have to be dealt with prior to occupancy.

Councilmember Madden noted there would be a punch list of items to be completed that would be inspected and corrected.

Jack, Founder and CEO of BKV Group, explained that an action plan will be prepared and reviewed to help reduce and eliminate mistakes, and improve the cost as it relates to the base contract. He stated that he will be at each of the meetings to proactively ensure that there are zero net changes going forward.

Mayor Tourville noted there will still be negotiations with the architect at the conclusion of the project.

Motion by Klein, second by Madden, to approve Change Order No. 11 in the amount of \$ for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Ayes: 4

Nays: 1 (Piekarski Krech) Motion carried.

F. CITY OF INVER GROVE HEIGHTS; Consider Second Reading of an Ordinance relating to Background Investigation Authorization

Mr. Kuntz explained at the first reading there was a request to add the opportunity to run background checks on current employees from time to time. He explained a children service provider or an organization providing recreational services would be eligible for such checks. He stated the third reading would be at the second meeting in July to allow staff to gather input from various sources.

Motion by Klein, second by Piekarski Krech, to approve the Second Reading of an Ordinance relating to Background Investigation Authorization

Ayes: 5

Nays: 0 Motion carried.

8. MAYOR & COUNCIL COMMENTS:

Councilmember Klein commented on the rain and asked if the drain on 80th is open.

Mr. Thureen stated nothing major was reported.

Councilmember Klein asked about the dog park.

Mr. Carlson responded that there has been no further discussion on the issue because the Parks and Recreation Commission does not have a site.

Councilmember Grannis asked if the Mayor's term being two or four years should come back.

Mayor Tourville asked if this could be on the ballot this year.

Mayor Tourville reminded citizens the city hall will be closed on July 30th.

9. ADJOURN: Motion by Piekarski Krech, second by Klein, to adjourn. The meeting was adjourned by a unanimous vote at 9:30 p.m.