

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, JULY 26, 2010 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, July 26, 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 Deputy Clerk Rheume.

**3. PRESENTATIONS:** None.

**4. CONSENT AGENDA:**

Councilmember Grannis removed Item 4A, Minutes of July 12, 2010 Regular Council Meeting, and Item 4T, Consider Request of Kladek, Inc. for a Temporary Liquor License Extension to a Designated Outdoor Area on August 7, 2010, from the Consent Agenda.

Councilmember Madden removed Item 4G, Accept Grant for the Rock Island Swing Bridge from the State of Minnesota, from the Consent Agenda.

Citizen Ed Gunter requested that Item 4H, Approve the Purchase and Installation of Signs for the Way-Finding Signage Project, be removed from the Consent Agenda.

- B. Resolution No. 10-107** Approving Disbursements for Period Ending July 21, 2010
- C.** Set Monday, August 30, 2010 at 6:00 p.m. as a Special Meeting of the City Council
- D.** Consider Approval of Cart Path Replacement Plan for Inver Wood Golf Course
- E.** Accept Energy Grant from the State of Minnesota for the Veterans Memorial Community Center Energy Improvements
- F.** Authorize Specifications and Direct Staff to Seek Bids for Energy Improvement Projects at the Veterans Memorial Community Center
- I.** Accept Donation of Emergency Beacon Lights to the Inver Grove Heights Police Department from the Inver Grove Heights Days Committee
- J.** Consider Change Order No. 5 and Pay Voucher No. 7 for City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay
- K.** Consider Pay Voucher No. 8 for City Project No. 2009-09D, South Grove Urban Street Reconstruction – Area 4
- L.** Consider Change Order No. 2 and Pay Voucher No. 2 for City Project No. 2010-09D, South Grove Urban Street Reconstruction – Area 5
- M.** Request Authorization to Enter into an Agreement with Pioneer Engineering to Complete to as-built Record Plan for Southern Terrace Estates
- N. Resolution No. 10-108** Calling for Hearing on Proposed Assessments, Declaring Costs to be Assessed and **Resolution No. 10-109** Ordering Preparation of Proposed Assessments for 2008 Pavement Management Program – City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay
- O.** Request to Authorize Erosion Repairs on Inver Grove Trail per the Joint Powers Agreement with Dakota County
- P.** Request to Review and Authorize Geotechnical Services Agreement to Review Settlement on Clark Road
- Q. Resolution No. 10-110** Authorizing Feasibility Study for 2010 Pavement Management Program - City Project No. 2010-09J, 65<sup>th</sup> Street Improvements to serve Cameron's Liquor Store

- R. **Resolution No. 10-111** Accepting Individual Project Order No. 14B to Kimley-Horn & Associates, Inc. for Additional Construction Phase Services for City Project No. 2008-09F, Salem Hills Farm Street Reconstruction/Mill and Overlay
- S. Consider Approval of a Grant Agreement with Dakota County for Gap Study and Community Survey
- U. Personnel Actions

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

**Ayes: 5**

**Nays: 0 Motion carried.**

- A. Minutes – July 12, 2010 Regular Council Meeting

Councilmember Grannis asked that page six (6) of the minutes reflect that Councilmember Klein was in favor of pursuing a four-year mayoral term.

Councilmember Klein added that he supported the change to a four-year term because it would give the Mayor more time to see their agenda through to completion.

Mayor Tourville clarified that no formal action was taken on the item.

**Motion by Grannis, second by Madden, to approve the Minutes of the July 12, 2010 Regular Council Meeting with the suggested changes**

**Ayes: 5**

**Nays: 0 Motion carried.**

- G. Accept Grant for the Rock Island Swing Bridge from the State of Minnesota

Councilmember Madden explained that he wanted people to know that money was received from a number of outside sources for the Rock Island Swing Bridge project.

**Motion by Klein, second by Madden, to Accept a Grant for the Rock Island Swing Bridge from the State of Minnesota**

**Ayes: 5**

**Nays: 0 Motion carried.**

- H. Approve the Purchase and Installation of Signs for the Way-Finding Signage Project

Ed Gunter, 6671 Concord Boulevard, questioned if the new signage would be used to mark the trail as well as other points of interest such as parks and libraries.

Mr. Carlson responded that the intent of the project is to identify all of the public trails and to highlight public points of interest.

Mr. Gunter asked if the signs for the Mississippi River Trail would be removed now that the Mississippi River Regional Trail has been completed.

Mr. Carlson explained that the Mississippi River Trail is different from the regional trail. He indicated that signage would change once the Mississippi River Regional Trail has a complete connection through the community. He noted that would be handled by Mn/DOT and Dakota County.

**Motion by Klein, second by Grannis, to Approve the Purchase and Installation of Signs for the Way-Finding Signage Project**

**Ayes: 5**

**Nays: 0 Motion carried.**

- T. Consider Request of Kladek, Inc. for a Temporary Liquor License Extension to a Designated Outdoor Area on August 7, 2010

Councilmember Grannis clarified that the organization now has an active non-profit status.

**Motion by Madden, second by Grannis, to Approve the Request from Kladek, Inc. for a Temporary Liquor License Extension to a Designated Outdoor Area on August 7, 2010**

**Ayes: 5**

**Nays: 0      Motion carried.**

**5. PUBLIC COMMENT:**

Ed Gunter, 6671 Concord Boulevard, stated he was looking at the Mississippi River Trail at 66th and Concord and noticed that the county installed a water fountain, bench and trash barrel. He explained that over the weekend the trash barrel was completely filled up and he questioned who was responsible for picking up the garbage.

Mr. Carlson stated the county is responsible for maintenance and indicated he would follow up with them to rectify the issue.

**6. PUBLIC HEARINGS: None.**

**7. REGULAR AGENDA:**

**PARKS AND RECREATION:**

**A. CITY OF INVER GROVE HEIGHTS; Second Reading of an Ordinance Amending Title 5, Chapter 8 Regarding Diseased Trees**

Mr. Carlson stated the proposed ordinance amendment would make changes to the existing diseased tree ordinance. He explained minor language and grammatical changes were made since the first reading to provide the flexibility to order a removal once a tree becomes a threat to cause harm to a person or property as directed by MNDA.

**Motion by Klein, second by Madden, to Approve the Second Reading of an Ordinance Amending Title 5, Chapter 8 regarding Diseased Trees**

**Ayes: 5**

**Nays: 0      Motion carried.**

**PUBLIC WORKS:**

**B. CITY OF INVER GROVE HEIGHTS; Resolution Approving Joint Powers Agreement between Dakota County and the City of Inver Grove Heights for Right-of-Way Acquisition for the Realignment of 80<sup>th</sup> Street (C.R. 28) east of T.H. 3 (County Project No. CP 28-48)**

Mr. Thureen stated this item was discussed at the July 12<sup>th</sup> Council meeting and the Council requested additional information. He explained an email was sent to the Council earlier in the week to provide the additional information that was requested.

Councilmember Piekarski Krech opined that it is premature to spend the money on this now when the realignment may not occur for another three (3) to five (5) years. She stated there is no direct benefit to the city to move forward with the acquisition at this time.

Mr. Thureen stated that the realignment would be development driven. He noted that they have a willing seller and the property is needed for the realignment.

Councilmember Klein opined that if the property is needed for the realignment it makes sense to acquire it now and to start working on the preparation of the site.

Mayor Tourville commented that acquiring the property now would probably save the city money in the long run. He stated they have a willing seller and the county's policy of a 55/45 split could change in the future.

Mr. Lynch noted that gravel would need to be mined out of the site and the City would receive the financial benefit of that process.

Councilmember Grannis stated that now may be a good time to acquire the property because the real estate market values are so favorable. He noted that the need for the property is clear as the road is slated to go right through it.

Mr. Thureen stated that while the realignment will be development driven, the project is of a very high priority. He noted there is a high likelihood that remnants of this parcel could be used to trade for remnants of other parcels that may be need for the realignment as opposed to spending money to acquire those pieces in the future. He explained that possible funding sources for the project would be the Closed Bond Fund or the Host Community Fund.

**Motion by Klein, second by Grannis, to approve Resolution No. 10-112 Approving Joint Powers Agreement between Dakota County and the City of Inver Grove Heights for Right-of-Way Acquisition for the Realignment of 80<sup>th</sup> Street (C.R. 28) east of T.H. 3 (County Project No. CP 28-48)**

**Ayes: 4**

**Nays: 1 (Piekarski Krech) Motion carried.**

**C. CITY OF INVER GROVE HEIGHTS;** Consider Resolution Receiving Feasibility Study, Scheduling Public Hearing, Authorizing Appraisal Services, and Authorizing Preparation of Plans and Specifications for City Project No. 2010-09C, Blaine Avenue (South Area) Mill and Overlay and Consider Resolution Establishing City Project No. 2010-09I Blaine Avenue (North Area) Full Depth Mill and Repave and Authorizing Appraisal Services

Mr. Thureen explained that the project is proposed to be split into two parts. He stated that the portion south of Upper 55<sup>th</sup> street is proposed to receive a bituminous mill and overlay of Blaine Avenue from 64<sup>th</sup> Street East to 1100 feet south of Upper 55<sup>th</sup> St. He explained the north portion is expected to be a more complex and expensive full depth mill and repave due to heavy traffic and block cracking in the driving lanes. He stated that staff has suggested the creation of a new project for the north half to provide time to work out design, agreements for cost sharing with adjacent businesses, and appraisals for benefitting parcels. He noted they need to have discussions with the property owners to see if they would be willing to accept assessments for the improvement.

Mr. Thureen stated the total estimated project cost is \$203,990 for the south section and \$570,520 for the north section. He noted that the proposed funding sources would include the Pavement Management Fund, Utility Fund, and special assessments.

**Motion by Piekarski Krech, second by Grannis, to approve Resolution No. 10-113 Receiving Feasibility Study, Scheduling Public Hearing, Authorizing Appraisal Services, and Authorizing Preparation of Plans and Specifications for City Project No. 2010-09C, Blaine Avenue (South Area) Mill and Overlay and Resolution No. 10-114 Establishing City Project No. 2010-09I Blaine Avenue (North Area) Full Depth Mill and Repave and Authorizing Appraisal Services**

**Ayes: 5**

**Nays: 0 Motion carried.**

#### **ADMINISTRATION:**

**D. CITY OF INVER GROVE HEIGHTS;** Consider Change Order No. 12 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Ms. Teppen stated the total amount of the change order is \$6,212, which brings the contingency fund to \$264,462 with the changes.

**Motion by Klein, second by Madden, to Approve Change Order No. 12 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation**

**Ayes: 5**

**Nays: 0 Motion carried.**

**E. CITY OF INVER GROVE HEIGHTS;** Consider Third Reading of an Ordinance Amending City Code and Establishing Chapter 10 of Title 1 regarding Background Investigations for Applicants for City Employment and City Licenses

Ms. Teppen explained at the first reading of the proposed ordinance Council asked that current employees be included in the background investigation requirements. She stated that staff met with Union representatives and discussed Council's desire to require current employees to undergo background investigations. She noted that the Unions were opposed to the requirements and collectively questioned what the City will do with an employee who is convicted of a crime that is not job related. She stated that the Unions indicated they would file a grievance and proceed to arbitration on the matter. She explained staff recommended that the time and expense of arbitration on this issue would not be worth proceeding. She noted that the provision dealing with children's service workers would need to be bargained with the specific union groups. She explained that staff would propose language to incorporate these requirements during upcoming negotiations. She stated the Unions have indicated that they would not oppose the children's service worker requirements, and after negotiations have concluded the ordinance can be amended.

Mayor Tourville clarified that there is a background check done on every new employee. He asked if any other cities conduct background investigations on current employees.

Ms. Teppen responded that in checking with the League of MN Cities it was found that none of them perform background checks on current employees.

Willie Krech, 9574 Inver Grove Trail, stated in the construction business employees have to renew background checks every time they move to a new site. He estimated that the employees are probably checked about three times a year at the refinery. He stated this is a routine occurrence in the private sector.

**Motion by Madden, second by Klein, to adopt Ordinance No. 1216 Amending City Code and Establishing Chapter 10 of Title 1 regarding Background Investigations for Applicants for City Employment and City Licenses**

**Ayes: 5**

**Nays: 0      Motion carried.**

**8. MAYOR & COUNCIL COMMENTS:**

Mayor Tourville reminded everyone that City Hall would be closed on Friday, July 30<sup>th</sup> and the new entrance would be on the west side of the public safety building.

Mayor Tourville clarified that precinct four for the 2010 election cycle will be located at the Veterans Memorial Community Center in Community Room #1.

**9. ADJOURN:** Motion by Piekarski Krech, second by Grannis, to adjourn. The meeting was adjourned by a unanimous vote at 8:22 p.m.