

**INVER GROVE HEIGHTS CITY COUNCIL MEETING
MONDAY, JULY 12, 2010 - 8150 BARBARA AVENUE**

CALL TO ORDER/ROLL CALL The City Council of Inver Grove Heights met in regular session on Monday, July 12, 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, City Engineer Kaldunski, Parks & Recreation Director Carlson, Community Development Director Link, Finance Director Lanoue, and Recording Clerk Fox.

3. PRESENTATIONS: None.

4. CONSENT AGENDA:

- A. Minutes – June 28, 2010 Regular Council Meeting
- B. **Resolution No. 10-103** Approving Disbursements for Period Ending July 7, 2010
- C. Pay Voucher No. 13 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- D. Pay Voucher No. 4 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation, TRICOM Communications
- E. Pay Voucher No. 1, for City Project No. 2010-09A, Cracksealing
- F. Consider Temporary Extension of Licensed Premises relating to On-Sale Intoxicating Liquor License held by Grove Bowl, Inc. dba Drkula's "32" Bowl, 6710 Cahill Ave. E.
- G. Approve Massage Therapist License – Katie Ballman
- H. Personnel Actions
- I. Approve 2010 Worksheets for Fire Relief Association
- J. Approve Funding for Asbestos Removal at City Hall prior to Renovation

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

Ayes: 5

Nays: 0 Motion carried.

5. PUBLIC COMMENT:

Ed Gunter, 6671 Concord Boulevard, stated in the last few weeks he has noticed a lot more bike traffic along the Mississippi River Regional Trail. He explained that there was a portable bathroom placed at 66th Street and Concord Boulevard that was subsequently removed and the cyclists were questioning if another satellite bathroom was going to be put in for the remainder of the summer. He opined that the City should put one in for those utilizing the trail.

Mayor Tourville stated that the bathroom was brought in for the construction crew involved in the Concord Boulevard street project. He noted the City could look into having something portable to put in the area.

Councilmember Klein stated the County may be able to do something as well.

Mr. Lynch noted that the County does plan to have portable restrooms available for those traveling along the Mississippi River Regional Trail. He explained the City is in the midst of conversations with the County to determine the best locations and quantities for the portable restrooms.

Mayor Tourville commented that the City Council will be planning a visit to Heritage Village Park.

6. PUBLIC HEARINGS:**A. CITY OF INVER GROVE HEIGHTS;** Consider Application of Edward Carlson dba Eddy's Bar & Grill for an On-Sale/Sunday Intoxicating Liquor License for premises located at 7537 Concord Blvd.

Mr. Teppen explained that Mr. Edward Carlson has made application for an On-sale/Sunday intoxicating liquor license for the premises located at 7537 Concord Boulevard. She stated the application submitted was only partially completed and on that basis staff has recommended denial of the application. She noted if the application were to be completed in its entirety, with all of the necessary supporting documentation, staff would bring the item back to the Council for further consideration.

A representative of the applicant questioned why denial of the request was recommended.

Mayor Tourville stated the application is extremely important and needs to be completed in its entirety in order to be considered for approval by the Council.

Motion by Madden, second by Grannis, to close the public hearing.**Ayes: 5****Nays: 0 Motion carried.**

Councilmember Klein asked if the applicant would need to pay another investigation fee if a new application was submitted.

Mr. Kuntz stated the applicant paid a fee for the background investigation and would not have to pay an additional investigation fee if a completed application was submitted within a reasonable time period.

Motion by Madden, second by Grannis, to deny the application of Edward Carlson dba Eddy's Bar & Grill for an On-Sale/Sunday Intoxicating Liquor License for premises located at 7537 Concord Boulevard due to an incomplete application.**Ayes: 5****Nays: 0 Motion carried.****7. REGULAR AGENDA:****COMMUNITY DEVELOPMENT:****A. INVER GROVE HEIGHTS HOUSING TASK FORCE;** Presentation of the Report and Recommendations for the Housing Action Plan

Jim Zentner, 8004 Delano Way, stated he is a member of the Housing Task Force. He explained that twelve individuals were appointed to the task force by the City Council and have worked for the past eleven months to develop a housing action plan. He stated the report contains fifteen individual recommendations that address three primary issues (housing education, senior housing, and affordable housing). He explained that the one universal recommendation, believed to be central to each of the primary issues, is the creation of a housing committee that would serve to research and make recommendations to the Planning Commission and the City Council regarding courses of action for housing in the City. He reviewed the recommendations included in the report which pertain to senior housing including development of a relationship with the CDA, and conducting an availability study. He stated the third issue addressed in the report, affordable housing, has five specific recommendations including the development of an incentive program for the development of affordable housing units, creation of affordable housing through the renovation and redevelopment of aging properties in the City, and to find innovative ways to partner with the CDA to bring affordable housing opportunities to the City.

Mayor Tourville commented that there have been numerous updates from the task force during the past eleven months as well as discussion with the City Council at various work sessions. He clarified that the primary recommendation of the task force is to develop a committee to work on and implement the housing action plan.

Councilmember Madden stated the report developed by the task force was excellent. He expressed supported for the recommendations regarding housing education and senior housing. Councilmember Piekarski Krech stated the Council discussed changing the wording of the resolution at the work session. She opined that there should be a group or committee formed that would continue to look at the issues identified in the report and work with the City to implement some of the recommendations.

Councilmember Grannis suggested changing the word “adopt” to “accept” or “receive” on the resolution. Councilmember Klein stated the one area he is interested in is the CDA liaison.

Mayor Tourville stated a new committee would need to be formed and new tasks or goals would have to be established because the goal of this task force has been achieved.

Mr. Lynch clarified the task force is asking for a permanent group or committee comprised of people appointed by the Council to assist the city with on-going housing issues.

Motion by Piekarski Krech, second by Klein, to approve Resolution No. 10-104 receiving the Housing Action Plan

Ayes: 5

Nays: 0 Motion carried.

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

Mr. Link stated the visioning study addresses a transportation system plan that can provide for future growth in Inver Grove Heights and surrounding communities. He explained the study analyzes the impacts of future growth and puts forth ideas and improvements regarding the existing transportation network at both local and regional levels. He stated the recommendations support further analysis on an interchange on 494, as well as on Highway 55 at Argenta Trail. He noted that a number of other Improvements are recommended including increasing the capacity of 70th Street and Robert Street from two lanes to four lanes. He explained the study also outlines a plan going forward for the implementation of the recommendations.

Motion by Klein, second by Grannis, to approve Resolution No. 10-102 adopting the Regional Roadway System Visioning Study Recommendations

Ayes: 5

Nays: 0 Motion carried.

C. CITY OF INVER GROVE HEIGHTS; Consider an Ordinance to Place a Moratorium on Electronic Billboards (Dynamic Display) and Signs

Mr. Hunting explained that Council directed staff to develop regulations that would control electronic or dynamic display billboards. He stated staff has proposed a six month moratorium on new billboards or signs to allow staff time to develop regulations and go through the public hearing process with the Planning Commission.

Councilmember Klein clarified that they are just looking at one area for these signs.

Mr. Hunting responded in the affirmative and added that new billboards are currently allowed only in the southern portion of the city.

Motion by Madden, second by Klein, to adopt Ordinance No. to Placing a Moratorium on Electronic Billboards (Dynamic Display) and Signs

Ayes: 5

Nays: 0 Motion carried.

PUBLIC WORKS:

D. CITY OF INVER GROVE HEIGHTS; Consider Resolution Approving Joint Powers Agreement between Dakota County and the City of Inver Grove Heights for Right-of-Way Acquisition for the Realignment of 80th Street (CR-28) East of TH 3 (County Project No. CP28-48)

Mr. Lynch explained the City has worked with the County and property owners to come up with a realignment of 80th Street and its connection with South Robert Trail. He stated staff is requesting approval of the joint powers agreement with Dakota County for the acquisition of a piece of property associated with the realignment. He noted the City would pay 45% of the acquisition cost.

Councilmember Piekarski Krech asked what would happen to the rest of the property.

Mr. Lynch explained the County and the City would acquire the whole property and use it to assist in the acquisition of other pieces of property needed for the realignment of 80th Street.

Councilmember Piekarski Krech expressed concerns regarding who will make decisions regarding the property going forward. She stated she knows they have a willing seller but she didn't see any appraisal information.

Mr. Kaldunski stated an appraisal was completed by the County and noted the estimate is for the purchase of the land.

Councilmember Piekarski Krech stated she would like to have all the information regarding the appraisal and the City's total cost before making a final decision.

Mr. Kaldunski noted that a contractor has approached the City regarding the mining of several of the properties.

Councilmember Piekarski Krech stated all of the property owners would have to agree in order for that to happen.

Councilmember Grannis stated he thinks now is a good time to do it because of the condition of the real estate market. He suggested that approval could be contingent on seeing the appraisal.

Councilmember Piekarski Krech questioned what agency has the authority to issue mining permits.

Mr. Kaldunski indicated that the City would be responsible for issuing the permit.

Motion by Klein, second by Piekarski Krech, to table consideration of the Resolution Approving a Joint Powers Agreement between Dakota County and the City of Inver Grove Heights for Right-of-Way Acquisition for the Realignment of 80th Street (CR-28) East of TH 3 (County Project No. CP28-48) for two weeks to receive appraisal information

Ayes: 5

Nays: 0 Motion carried.

E. CITY OF INVER GROVE HEIGHTS; Consider Resolution Authorizing Staff to Negotiate an Agreement for Professional Services with WSB & Associates, Inc. for the Northwest Area Collector Street System Study

Mr. Kaldunski stated the City has solicited proposals from four engineering firms to complete a study on the collector street system in the Northwest Area. He noted this study would be on the local collector streets that would support the development of Northwest Area. He stated the selection committee recommended that WSB & Associates be the consultant for the project. He explained the final agreement would be brought back to the Council for review and approval. He noted the estimated cost for the the service is under \$60,000.

Mr. Grannis stated he supported staff's recommendation after reviewing the proposals.

Motion by Grannis, second by Madden, to adopt Resolution No. 10-105 Authorizing Staff to Negotiate an Agreement for Professional Services with WSB & Associates, Inc. for the Northwest Area Collector Street System Study

Ayes: 5

Nays: 0 Motion carried.

F. CITY OF INVER GROVE HEIGHTS; Adopt Resolution Authorizing City to Send Default Notification Letter on Concord Hills Development with a 60-Day Cure Timeframe

Mr. Kaldunski stated this is a development project the City entered into agreements for in 2006. He explained the majority of the work was supposed to be completed in the fall of 2009. He stated the contractor approached the City and asked for a new completion date, which was subsequently extended to July 15, 2010. He noted the project has been moving forward but the developer has not completed the site. He stated the developer has asked for a second extension due to lack of sales in the housing market and delays with private utilities. He stated staff has recommended that a notice of default be issued with a 60-day cure timeframe.

Mayor Tourville noted the final lift of asphalt is one major item that needs to be completed.

Mr. Kaldunski reviewed the prioritization of the remaining items for completion.

Marley Danner, 8314 Delaney Way, stated the sewer and water has been installed. He explained that a lot of the landscaping was finished after the electrical work was completed.

Mayor Tourville asked when he thought the last lift of asphalt would be completed.

Mr. Danner responded that everything could be done in the next 60 days, except for the last lift of asphalt.

Councilmember Klein asked if there were any houses going in.

Mr. Danner responded in the negative. He noted they could not start selling properties until the utilities were installed.

Councilmember Grannis questioned why these items were not completed after the last extension.

Mr. Danner stated they were waiting for the utilities. He noted the last lift of asphalt would be done by June 30, 2011.

Mr. Kuntz reviewed all of the items that would need to be completed if the 60-day extension was granted. He stated one of the provisions of the development contract was that if the road was not put in before there was 80% build-out of the lots a cash deposit would be made by the developer for sealcoating. He explained this provision was included because it was anticipated that the road would have to be put in prior to the 80% build-out requirement. He questioned if Mr. Danner had already made that deposit.

Mr. Danner confirmed that \$14,000 was deposited at the time the plat was released.

Mr. Kuntz suggested that the phrase “except for the wear course of bituminous on the streets” be added to the beginning of the first sentence of number one (1) on the last page of the resolution, and to the first sentence of number (2), after the word “requirements”, on the last page of the resolution. He also suggested that a paragraph be added to address the developer’s responsibility to complete the wear course of bituminous on the streets by June 30, 2011.

Motion by Klein, second by Madden, to adopt Resolution No. 10-106 Authorizing the City to Send a Default Notification Letter on Concord Hills Development with a 60-Day Cure Timeframe with the additional language as suggested by the City Attorney.

Ayes: 5

Nays: 0 Motion carried.

PARKS AND RECREATION:

G. CITY OF INVER GROVE HEIGHTS; Consider Pay Voucher No. 2 for City Project No. 2009-24, Rock Island Swing Bridge Project

Mr. Carlson provided an update on the project and stated that the delivery of spans 4 and 5 would be delayed until October 10th or 15th. He noted the contractor anticipates still being able to meet the targeted October 30th completion date.

Councilmember Piekarski Krech asked if there would be extra costs because of the delay.

Mr. Carlson responded that the City may receive some compensation if the project is not completed by the deadline as a result of the delay incurred.

Motion by Klein, second by Grannis, to approve Pay Voucher No. 2 for City Project No. 2009-24, Rock Island Swing Bridge Project

Ayes: 5

Nays: 0 Motion carried.

H. CITY OF INVER GROVE HEIGHTS; Discuss and Provide Direction Regarding Four Year Mayoral Term

Ms. Teppen explained a work session earlier in the year the City Council discussed the process by which they might consider amending the Mayoral term from two years to four years. She stated there have been two informational pieces included in issues of "Insights", as well as advertisement of an open house held on June 16th. She explained that an inquiry was made as to whether or not such a question could be placed on the November ballot. She stated that staff researched the issue and in the opinion of the City Attorney such a question is not eligible to be placed on the ballot. She explained that an ordinance amendment would be needed to change the mayoral term and any change would not take effect until the next election cycle.

Councilmember Madden opined that it seems like a waste of time to have the Mayor run every two years. He stated that he feels a four year term would be a more efficient way to do things and highly recommended that the Council consider an ordinance amendment.

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

Councilmember Piekarski Krech stated she likes the two year term and would not be in favor of a change.

Councilmember Grannis stated he is strongly in favor of keeping the two year term.

Councilmember Madden suggested considering this next year or at a future date.

No Action was Taken on this Item.

8. MAYOR & COUNCIL COMMENTS:

Mayor Tourville reminded the citizens the City Hall will be closed Friday, July 30th. He stated that all other city services would still be available.

9. ADJOURN: Motion by Madden, second by Grannis, to adjourn. The meeting was adjourned by a unanimous vote at 8:45 p.m.