

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, AUGUST 9, 2010 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, August 9, 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, and Finance Director Lanoue.

**3. PRESENTATIONS:** None.

**4. CONSENT AGENDA:**

Councilmember Grannis removed Item 4H, Resolution Approving Professional Services Agreement with WSB & Associates, Inc. for City Project No. 2010-40, Northwest Area Collector Street System Study, from the Consent Agenda.

Councilmember Madden removed Item 4I, Resolution Identifying the Need for Livable Communities Demonstration Account Funding and Authorizing Application for Grant Funds for the Concord Neighborhood, from the Consent Agenda.

- A. Minutes – July 26, 2010 Regular Council Meeting
- B. **Resolution No. 10-115** Approving Disbursements for Period Ending August 4, 2010
- C. Pay Voucher No. 14 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation
- D. Pay Voucher No. 3 for City Project No. 2009-24, Rock Island Swing Bridge Project
- E. Approve Addendum No. 2 for Heritage Village Park Clean Fill and Topsoil Agreement with Carl Bolander & Sons
- F. Pay Voucher No. 4 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation – Low Voltage Contractors
- G. Pay Voucher No. 5 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation – Low Voltage Contractors
- J. Approve Contract for Geotechnical Services to Sample and Test Pond Sediments at Three Storm Water Facility Maintenance Locations
- K. **Resolution No. 10-118** Approving Parking Restrictions on Dehrer Court
- L. **Resolution No. 10-119** Authorizing Feasibility Study and Approving Individual Project Order No. 16 with Kimley-Horn & Associates, Inc. for City Project No. 2010-22, Ravine Pond Railroad Erosion Mitigation Improvements
- M. Accept Grant Money from the Minnesota Department of Public Safety to Purchase Five In-Squad Camera Systems
- N. Approve Individual Massage Therapist License – Jennifer Englin-Gillings
- O. Approve Temporary Liquor License – Inver Hills Community College
- P. Personnel Actions

**Motion by Madden, second by Grannis, to approve the Consent Agenda**

**Ayes: 5**

**Nays: 0      Motion carried.**

H. Resolution Approving Professional Services Agreement with WSB & Associates, Inc. for City Project No. 2010-40, Northwest Area Collector Street System Study

Councilmember Grannis asked that an addendum be attached to the agreement to allow the City to recover any potential litigation costs.

Mr. Thureen indicated that he would speak to the consultant regarding the addendum. He stated he did not anticipate that it would be a problem.

**Motion by Grannis, second by Klein, to adopt Resolution No. 10-116 Approving a Professional Services Agreement with WSB & Associates, Inc. for City Project No. 2010-40, Northwest Area Collector Street System Study**

**Ayes: 5**

**Nays: 0 Motion carried.**

I. Consider Resolution Identifying the Need for Livable Communities Demonstration Account Funding and Authorizing Application for Grant Funds for the Concord Neighborhood

Councilmember Madden asked Mr. Lynch to give a brief description of what the City is trying to do for the Concord neighborhood.

Mr. Lynch stated that this is an application for a demonstration account grant from the Metropolitan Council to assist the City in a study of the Concord neighborhood. He explained the study would assess the neighborhood from a redevelopment standpoint and would also identify potential options for new development plans in the Concord area. He noted that a market study of the neighborhood would also be included.

**Motion by Madden, second by Grannis, to adopt Resolution No. 10-117 Identifying the Need for Livable Communities Demonstration Account Funding and Authorizing Application for Grant Funds for the Concord Neighborhood**

**Ayes: 5**

**Nays: 0 Motion carried.**

**5. PUBLIC COMMENT:**

Allan Cederberg, 1162 E. 82<sup>nd</sup> Street, discussed an event that he saw on the news, Pine River Day, in which City officials rode bicycles to show that were saving energy. He stated that he thought this would be a new, fun event that would be worthwhile for the City of Inver Grove Heights. He suggested that this would be a good way for the Council to show residents that energy conservation is an important issue.

Ed Gunter, 6671 Concord Boulevard, thanked the residents who participated in the MN Night to Unite activities. He stated that on Concord Boulevard, near the Moose Lodge, he noticed a big fold in the asphalt to the east of the present drain sewer and suggested that the City look at the issue before the road is opened.

John Noble, Krech, O'Brien, Mueller and Associates, suggested that the City consider changes to the Planning Commission approval process. He indicated that there were possibly efficiencies to be gained. He explained in other cities when a vote is taken on an item at the Planning Commission level it only goes to the City Council if an appeal is filed. He stated that this would eliminate the need for the Council to hear routine items.

Mayor Tourville responded that Mr. Kuntz would have to determine if the City could legally do it that way.

Mr. Kuntz explained that in the City Code the Council has declared itself to be the board of adjustments and appeals. He stated that the Planning Commission is not a decision making body, it is a recommending body.

**6. PUBLIC HEARINGS: None.**

**7. REGULAR AGENDA:****COMMUNITY DEVELOPMENT:**

- A. GEORGE CAMERON;** Consider a Resolution Approving a Variance from Front Yard Setbacks to Construct a Building 20 Feet from the Front Yard Setback for Property Located at the Corner of Concord Boulevard and 65<sup>th</sup> Street

Mr. Link reviewed the location of the property. He stated the City Council approved the plans for a new liquor store at this location in 2008. He explained the applicant is proposing to increase the size of the liquor store which requires a variance from the front yard setback down to 20 feet. He stated the proposed addition would increase the size of the building by 1,000 square feet. He noted that allowing the reduced setback increases visibility of the building from the street and also enhances traffic safety. He stated both planning staff and the Planning Commission recommended approval of the request.

Councilmember Madden clarified that the proposed building addition would not go closer any residences.

Councilmember Piekarski Krech stated that a variance was previously approved to allow the building to be closer to the residential lots.

Mr. Link responded in the affirmative.

Mayor Tourville confirmed that there would be no problems with snow removal.

**Motion by Madden, second by Klein, to adopt Resolution No. 10-120 Approving a Variance from Front Yard Setbacks to Construct a Building 20 Feet from the Front Yard Setback for Property Located at the Corner of Concord Boulevard and 65<sup>th</sup> Street**

**Ayes: 5**

**Nays: 0      Motion carried.**

- B. VERMILLION STATE BANK;** Consider the following Resolutions for Property Located at 2975 80<sup>th</sup> St.

- i) A Major Site Plan Review to Construct a 2,000 Square Foot Addition to the Existing Bank Building
- ii) A Conditional Use Permit to Exceed the Maximum 25% Impervious Surface Requirement in the Shoreland Overlay District

Mr. Link explained the project consists of an approximately 2,134 gross square foot addition. He stated the addition would be to the west of the existing building. He noted that access to the site would not change and all setbacks would be met for the addition. He stated the property is located in a shoreland district, where the maximum impervious coverage is 25%, although it may be increased with a conditional use permit. He explained that with the proposed addition the impervious surface on the property would be 27%. He stated the DNR reviewed the plans and did not object to the request. He noted the applicant is working with the City to approve a storm water management plan for the parcel. He stated the request meets all the criteria for a conditional use permit and the site plan review, and both planning staff and the Planning Commission recommended approval of the requests.

Councilmember Piekarski Krech asked if the drainage issue had been resolved.

Mr. Link responded that the drainage goes to the northwest to a pond on the neighboring property, and that pond is going to be enlarged to handle the additional impervious coverage.

**Motion by Grannis, second by Klein, to adopt Resolution No. 10-121 Approving a Major Site Plan Review to Construct a 2,000 Square Foot Addition to the Existing Bank Building and Resolution No. 10-122 Approving a Conditional Use Permit to Exceed the Maximum 25% Impervious Surface Requirement in the Shoreland Overlay District**

**Ayes: 5**

**Nays: 0      Motion carried.**

**FINANCE:****C. CITY OF INVER GROVE HEIGHTS; Call for the Sale of Three Bond Issues**

Ms. Lanoue explained that the City has been working with Ehlers and Associates on bonding needs for 2010. She stated the issuance and sale of three bond issues is proposed. She explained that the first bond issue would be used to complete the financing of the sewer extension into the Northwest Area. She noted that approximately 50% of the project was financed when construction began in 2007. She stated the City will utilize development fees from the Northwest Area to repay the bonds. She noted that the City also intends to participate in the Minnesota Public Facilities Authority Credit Enhancement Program to provide credit enhancement for the bonds, pursuant to state statute. She stated participation in the program would also help with the interest rate.

Ms. Lanoue explained the second bond issue would be used to finance the South Grove Area 5 Street Reconstruction Project, and the third bond issue will be a current refunding of the Permanent Improvement Fund Bonds, Series 2002A. She stated based on current interest rate estimates the City expects to save 4.6% in future interest costs.

Ms. Lanoue stated the bonds will be sold on September 13, 2010 and the estimate closing date will be October 5, 2010. She explained the City's current bond rating is AA from Standard and Poor's and the City will request a rating for the 2010 bonds from Standard and Poor's.

Steve Apfelbacher, Ehlers and Associates, stated in addition to the funding for the completion of the sewer extension into the Northwest Area, the typical street reconstruction programs have also been included. He explained they have tried to consolidate financing to take advantage of the economy and reduce the costs of issuance. He reviewed the process going forward and recommended that the Council proceed with the credit enhancement program to take advantage of a lower interest rate on the first bond issue.

Councilmember Klein clarified the enhancement program would allow the City to qualify for a AAA bond rating.

Mr. Apfelbacher responded in the affirmative.

Councilmember Piekarski Krech clarified that if the bids come back and they are not favorable, the bonds don't need to be sold.

Mr. Apfelbacher confirmed that the City reserves the right to reject any bids.

Allan Cederberg, 1162 E. 82<sup>nd</sup> St., expressed concerns that the debt is going to be added to. He opined that the City cannot afford this and should use the investment fund to pay for the sewer extension.

Mr. Apfelbacher stated a 4% interest rate is projected on the first bond issue. He reiterated that all the debt service will be paid back from the development in the Northwest Area.

**Motion by Klein, second by Grannis, to adopt Resolution No. 10-123 Providing for the Sale of \$6,935,000 General Obligation Sewer Revenue Bonds, Series 2010A; Resolution No. 10-124 Providing for the Sale of \$4,975,000 General Obligation Improvement Bonds, Series 2010B; Resolution No. 10-125 Providing for the Sale of \$925,000 General Obligation Permanent Improvement Refunding Bonds, Series 2010 C; and Resolution No. 10-126 Authorizing the Execution of a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority**

**Ayes: 5**

**Nays: 0          Motion carried.**

**PARKS AND RECREATION:**

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

Mr. Carlson explained this is the third reading of an ordinance amendment that would incorporate the Emerald Ash Borer infestation into the existing diseased tree ordinance.

Mayor Tourville asked about the potential to treat some significant trees.

Mr. Carlson stated they will look at the quality of the tree before removal.

**Motion by Klein, second by Madden, to adopt Ordinance No. 1217 Amending Title 5, Chapter 8 Regarding Diseased Trees**

**Ayes: 5**

**Nays: 0      Motion carried.**

**8. MAYOR & COUNCIL COMMENTS:**

Mayor Tourville stated a meeting needed to be scheduled to canvass the election results on Friday morning.

**Motion by Madden, second by Klein, to schedule a special council meeting on August 13, 2010 at 7:30 a.m. in the City Council Chambers to canvass the primary election results.**

**Ayes: 5**

**Nays: 0      Motion carried.**

Councilmember Madden reminded everyone that the primary election would be held on August 10<sup>th</sup>.

Councilmember Klein commented on a permit for a sign and asked staff to look at that and get back to the resident. He also thanked everyone that participated in MN Night to Unite.

Ed Gunter reminded the citizens that live in Precinct 4 that their voting location has been changed to Community Room #1 at the community center.

Ms. Teppen announced that the city-wide clean-up day is scheduled Saturday, September 18<sup>th</sup> from 8:00 a.m. to 2:00 p.m. She noted that household hazardous waste disposal will also be available.

Councilmember Grannis commented on the right-of-way acquisition for 80<sup>th</sup> Street and indicated he did some research on other counties in the metro area and found that Anoka County pays 100% of the cost for right-of-way acquisition, Carver County negotiates on a project by project basis, Ramsey County pays 100% for federal projects and nothing for local, Hennepin County pays 50%, Scott County pays 100% and Washington County paid for none of the right-of-way acquisition costs.

**9. ADJOURN:** Motion by Piekarski Krech, second by Klein, to adjourn. The meeting was adjourned by a unanimous vote at 8:24 p.m.