

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, NOVEMBER 22, 2010 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, November 22, 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:**

**A. Inver Grove Heights Royalty**

Jessica Kalhammer, President of the Inver Grove Heights Royalty Program, explained this year marks the fourth anniversary of the program. She stated they have had the opportunity to award six ladies with scholarships.

The Royalty introduced themselves and discussed the activities they have participated in.

**B. Presentation by Decision Resources of the 2010 Community Survey Results**

Mr. Carlson said Bill Morris from Decision Resources would review some of the results from the community survey. He noted this is the first time the City has done a statistically accurate survey of the community in 20 years. He noted the information would also be available on the website.

Mr. Morris said they spoke with 400 randomly selected households across the community in October. He noted the non-response rate was very low. He stated one of the questions pertained to how residents felt about their quality of life and 91% categorized it as either excellent or good. He noted the 25% that responded excellent puts the City within the top half of suburbs across the metropolitan area.

He stated they asked residents what they like most about the community. He noted the highest scoring response was friendly people. He stated the most serious issue was high taxes at 21% and after that growth and crime.

Mr. Morris stated the survey asked how people feel about the direction of the community and the response was that 86% thought it was going in the right direction, which is one of the highest rates across the metro area. He explained the survey also question how people felt about property taxes and 44% indicated that the taxes were on the high side.

Mr. Morris stated 59% rated the value of City services positively, with Fire and Police services ranking as the most valued. He explained the Council received an approval rating of 83%, while City staff received an approval rating of 81%. He reviewed the outstanding ratings that were received in terms of customer service and explained the results denote that the City has very high quality customer service.

Mr. Morris concluded that the City's report was strong and the key that comes out of the survey is the perception of the community and the challenge to maintain the "small town" feel.

Councilmember Klein stated he would like to see a business survey done.

**Motion by Madden, second by Klein, to Receive and Accept the Report.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**4. CONSENT AGENDA:**

Councilmember Klein removed Item 4A (ii), Minutes of November 5, 2010 Special Council Meeting, from the Consent Agenda.

Mayor Tourville removed Item 4H, Approve Professional Service Agreement for Issues related to the Rock Island Swing Bridge Fire, from the Consent Agenda.

Councilmember Piekarski Krech removed Item 4J, Approve 2011 Advisory Commission Meeting Schedule, from the Consent Agenda.

- A. i) Minutes – October 25, 2010 Regular Council Meeting  
 iii) Minutes – November 8, 2010 Regular Council Meeting
- B. **Resolution No. 10-193** Approving Disbursements for Period Ending November 17, 2010
- C. Pay Voucher No. 1 for City Project No. 2010-19, Storm Water Facility Maintenance Program Zone 7
- D. Final Compensating Change Order No. 1, Final Pay Voucher No. 1, Engineer’s Final Report, and **Resolution No. 10-194** Accepting Work for City Project No. 2010-18, Storm Water Facility Maintenance Program Zone 6
- E. **Resolution No. 10-195** Setting Forth License Fees, Administrative Service Fees and Permit Fees for 2011
- F. **Resolution No. 10-196** Approving Housing Action Plan
- G. **Resolution No. 10-197** Approving the Application of the City of Inver Grove Heights for Fiscal Year 2011 Dakota County Community Development Block Grant Funding
- I. Schedule Public Hearing
- K. Personnel Actions

**Motion by Madden, second by Klein, to Approve the Consent Agenda**

**Ayes: 5**

**Nays: 0 Motion carried.**

- A. ii) Minutes – November 5, 2010 Special Council Meeting

Council members Klein and Piekarski Krech indicated they did not attend the meeting on November 5<sup>th</sup> and would abstain from the vote.

**Motion by Grannis, second by Madden, to approve the minutes of the November 5, 2010 Special Council meeting**

**Ayes: 3**

**Nays: 0**

**Abstain: 2 (Klein, Piekarski Krech) Motion carried.**

- H. Approve Professional Service Agreement for Issues related to the Rock Island Swing Bridge Fire

Mr. Carlson explained the agreement with SHE Inc. is for the preparation of plans and specifications for the fire assessment and deck replacement caused by the November 4<sup>th</sup> fire at the project site. He noted SEH, Inc. would also provide construction inspection observation services. He stated the fees are estimated not to exceed \$20,000. He explained the Council is also asked to approve an agreement with Lametti and Sons, Inc. that requires 100% reimbursement for all fees incurred by the City for the work performed by SEH, Inc.

Mayor Tourville noted he would abstain from the vote.

**Motion by Klein, second by Piekarski Krech, to approve Professional Service Agreement for issues related to the Rock Island Swing Bridge fire**

**Ayes: 4**

**Nays: 0**

**Abstain: 1 (Tourville) Motion carried.**

- J. Approve 2011 Advisory Commission Meeting Schedule

Councilmember Piekarski Krech made several corrections to the Parks and Recreation Advisory

Commission schedule. She noted that March 9<sup>th</sup> is Ash Wednesday and March 10<sup>th</sup> is a Thursday. Monday, March 7<sup>th</sup> should be the joint meeting with the City Council, and Thursday, March 10<sup>th</sup> should be the regularly scheduled PRAC meeting.

**Motion by Piekarski Krech, second by Klein, to approve the 2011 Advisory Commission meeting schedule with the changes as noted**

**Ayes: 5**

**Nays: 0 Motion carried.**

**5. PUBLIC COMMENT:** None.

**6. PUBLIC HEARINGS:** None.

**7. REGULAR AGENDA:**

**COMMUNITY DEVELOPMENT:**

**A. BITUMINOUS ROADWAYS, INC;** Consider a Resolution allowing a temporary change to hours of operation to allow the storage and retrieval of salt for snow plowing

Mr. Link reviewed the applicant's request. He explained the applicant has the contract to plow the parking lot at Thomson Reuters, and they typically start plowing at 4:00 a.m. He stated the applicant plans on storing salt at the gravel pit site and using one dump truck to make approximately two trips to the pit to pick up salt for the parking lot. The extension of hours for activity would be from December 1 to March 31<sup>st</sup>. He explained notices were sent out to all property owners within 1,000 feet and no comments were received. He stated staff recommended approval of the modified hours.

**Motion by Madden, second by Klein, to adopt Resolution No. 10-198 allowing a temporary change in hours of operation to allow the storage and retrieval of salt for snow plowing**

**Ayes: 5**

**Nays: 0 Motion carried.**

**B. CASTAWAYS MARINA, INC;** Consider the following actions:

- i) A Resolution approving a Waiver of Plat to divide a parcel into two lots
- ii) An Ordinance rezoning the property from I-1, Limited Industry to P, Public-Institutional

Mr. Link explained the Council previously approved a transfer of .36 acres of property from Castaway Marina to the City which would be part of the future Heritage Village Park. In return, the City would construct a six foot high chain link fence along property owned by Castaways. He stated prior to the conveyance of the transfer of property a waiver of plat and a rezoning should take place. He explained the waiver of plat consists of dividing a 3.74 acre parcel into two parcels, a .36 acre parcel and a 3.38 acre parcel. He stated the .36 acre parcel would be combined with the City- owned parcel to the west and rezoned as public-institutional.

**Motion by Madden, second by Klein, to adopt Resolution No. 10-199 approving a waiver of plat to divide a parcel into two lots and Ordinance No. 1222 rezoning the property from I-1, Limited Industry to P, Public-Institutional**

**Ayes: 5**

**Nays: 0 Motion carried.**

**C. CITY OF INVER GROVE HEIGHTS;** Consider the following Ordinance Amendments:

- i) The third reading of an Ordinance regulating certain materials located in the setback areas
- ii) The third reading of an Ordinance regulating materials located in the five foot side and rear setback areas
- iii) The third reading of an Ordinance regulating driveway permits

Mr. Link explained in order to clarify setback requirements, as well as to better inform and educate the public, new ordinance language was discussed that would prohibit bituminous pavement, concrete pavement, or paving blocks to be located within five feet of the side lot line or rear lot line. He stated an additional ordinance is also proposed that would establish current existing encroachments as legally established non-conformities.

Mr. Link explained the City has invested substantial money and time in its easements and in order to protect them, an ordinance requiring a permit to install or expand a driveway is proposed. He noted staff has discussed a \$25 permit/processing fee.

Councilmember Klein stated he would not vote in favor of the driveway permit ordinance.

Councilmember Grannis indicated he would vote against the setback ordinances because of the provision that would allow current existing encroachments to be deemed as legal non-conformities.

**Motion by Madden, second by Piekarski Krech, to adopt Ordinance No. 1223 regulating certain materials located in the setback areas and Ordinance No. 1224 regulating materials located in the five foot side and rear setback areas**

**Ayes: 4**

**Nays: 1 (Grannis) Motion carried.**

**Motion by Madden, second by Piekarski Krech, to adopt Ordinance No. 1225 regulating driveway Permits**

**Ayes: 4**

**Nays: 1 (Klein) Motion carried.**

#### **ADMINISTRATION:**

**D. CITY OF INVER GROVE HEIGHTS;** Consider First Reading of an Ordinance Amending City Code Title 3, Chapter 4, Sections 3-4-2-2 and 3-4-2-3 Adjusting Development Fees for 2011

Ms. Teppen stated the proposed ordinance would adjust development fees for the following year. She noted this is done on an annual basis.

Councilmember Piekarski Krech clarified that the third reading of the ordinance would be in January.

Mayor Tourville commented that it may not be the best time to adjust the fees because development is down.

Councilmember Grannis opined that the City needs to make the necessary adjustments to the fee structure in order to pay for the infrastructure that was put in place.

Councilmember Piekarski Krech agreed that the City needs to continue moving forward with the plan that was put in place to pay for the infrastructure.

Mr. Lynch explained that developers will pay the required fees at the time of connection. He noted the City incurred the debt to install the infrastructure system, with a plan in place to pay off that debt.

Ms. Lanoue explained that the bond payments were scheduled with conservative estimates. She stated they did not plan for development in the first several years of the project, and the payments are staggered to reflect the conservative development projections. She noted the City is able to make the bond payments.

**Motion by Klein, second by Grannis, to adopt the first reading of an Ordinance amending City Code Title 3, Chapter 4, Sections 3-4-2-2 and 3-4-2-3 Adjusting Development Fees for 2011**

**Ayes: 5**

**Nays: 0 Motion carried.**

**E. CITY OF INVER GROVE HEIGHTS;** Consider Change Order No. 16 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation Project

Ms. Teppen explained Change Order No. 16 is comprised of seven items totaling \$9,111 for a revised contract amount of \$11,890,442.10. She stated the project contingency has a balance of \$213,348.90.

Councilmember Piekarski Krech questioned why the item for the revised roof transitions was included when the roofing issue has not been finalized.

John Love, BKV Group, clarified that the item is not for roofing work it is for wall construction. He explained that existing building walls were not constructed as anticipated at the ends of a new high roof area, which resulted in additional demolition and reconstruction to accommodate the transition between new and existing construction.

**Motion by Klein, second by Madden, to approve Change Order No. 16 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation Project**

**Ayes: 5**

**Nays: 0      Motion carried.**

**F. CITY OF INVER GROVE HEIGHTS; Consider Additional Services with BKV Group for Reroofing Bid Package**

Ms. Teppen explained staff was directed to competitively bid the re-roofing at City Hall and BKV Group submitted a proposal for the additional work associated with that process. She reviewed the scope of additional work and stated the estimated cost is between \$10,280 and \$14,760. She stated staff recommended approval of the additional services as they are legitimate services that need to be performed in order for the City to seek bids, administer the process, contract, and construction if authorized by Council. She noted the funds to pay for the additional services could be taken from the City Facilities fund.

Councilmember Piekarski Krech opined that the scope of work seemed to be excessive and that some of the items should have already been completed as part of the original project.

Mr. Love explained that the scope of work associated with the re-roofing is very detailed. Because the original bid did not include the re-roofing of existing City Hall, many of the technical specifications and drawings required for this work did not need to be done. He stated that they have the basic technical specifications, but more detailed work is needed to ensure that contractors bidding on the project fully understand the scope of work that needs to be performed. He noted that if a bid were to be awarded to another contractor they would also have to administer the transition between contractors to make sure the City's current investment is being protected.

Mayor Tourville stated he was surprised by the estimated cost and the fact that there were no specifications prepared to begin with. He noted some direction had to be given to the current contractor. He questioned if the City would be better off waiting until Spring to make sure the work is done correctly.

Mr. Lynch stated that the City cannot afford to wait until Spring to complete the work. He explained the current investment needs to be protected and the problem needs to be resolved so that the project can continue to move forward on schedule.

Councilmember Piekarski Krech stated the work is too critical for mistakes.

Mr. Love stated their main concern is to protect the City's investment and ensure the current contractor maintains responsibility for the work that has already been completed.

Mayor Tourville stated he would like the specifications put together in a way that they are protected for temperature, snow and any other items that are suggested. He opined it is best to bid the package competitively.

**Motion by Klein, second by Grannis, to approve additional services with BKV Group for reroofing bid package**

**Ayes: 4**

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

**8. MAYOR & COUNCIL COMMENTS:**

Mayor Tourville explained the Council would be moving to a closed session to discuss potential property acquisition and would meet under the attorney-client privilege.

**9. EXECUTIVE SESSION:**

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