

**INVER GROVE HEIGHTS CITY COUNCIL MEETING  
MONDAY, DECEMBER 13, 2010 - 8150 BARBARA AVENUE**

**CALL TO ORDER/ROLL CALL** The City Council of Inver Grove Heights met in regular session on Monday, December 13, 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, Finance Director Lanoue, and Deputy Clerk Rheaume.

**3. PRESENTATIONS:**

**4. CONSENT AGENDA:**

Councilmember Madden removed Item 4A (iii), Minutes of November 29, 2010 Special Council Meeting, and Item 4F, Change Order No. 5 and Pay Voucher No. 6 for City Project No. 2010-09D, South Grove Urban Street Reconstruction – Area 5, from the Consent Agenda.

Mayor Tourville removed Item 4H, Pay Voucher No. 7 for City Project No. 2009-24, Rock Island Swing Bridge Project, from the Consent Agenda.

Councilmember Piekarski Krech removed Item 4J, Pay Voucher No. 18 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation from the Consent Agenda.

Councilmember Klein removed Item 4N, Approve Joint Powers Agreement with Dakota County for Closed Point Dispensing for Mission Critical Personnel, from the Consent Agenda.

Councilmember Piekarski Krech removed Item 4S, Approve Roof Inspection Agreement, from the Consent Agenda.

- A. i) Minutes – November 22, 2010 Regular Council Meeting  
ii) Minutes – November 23, 2010 Special Council Meeting
- B. **Resolution No. 10-201** Approving Disbursements for Period Ending December 8, 2010
- C. Approve 2011 Park & Recreation Fees
- D. Appointment of Auditors for Year Ending December 31, 2010
- E. Final Pay Voucher No. 1, Engineer's Final Report and **Resolution No. 10-202** Accepting Work for City Project No. 2010-13, Storm Water Facility Maintenance Program – Zone 1A
- G. Engineer's Final Report and **Resolution No. 10-197** Accepting Work for Briggs Drive Sanitary Sewer Extension
- I. Pay Voucher No. 3 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation to Dascom Group, LLC
- K. Accept Proposal for Wash Water Treatment System/ Pressure Washer for Maintenance Building
- L. Resolution to Amend the Park Point Development Agreement Pertaining to Completion Dates on Improvements
- M. Approve the 2011 City Council Meeting Schedule
- O. Accept Resignation from Environmental Commission
- P. Approve 30-Day Suspension of Firefighter
- Q. Authorize Donations to Churches Used as Polling Locations for the 2010 Primary & General Elections
- R. Personnel Actions

T. Approve Reimbursement Agreement with Lametti & Sons

**Motion by Klein, second by Piekarski Krech, to Approve the Consent Agenda**

**Ayes: 5**

**Nays: 0 Motion carried.**

A. iii) Minutes – November 29, 2010 Special Council Meeting

Councilmember Madden indicated he did not attend the meeting on November 29<sup>th</sup> and would abstain.

**Motion by Klein, second by Grannis, to approve the minutes of the November 29, 2010 Special Council meeting**

**Ayes: 4**

**Nays: 0**

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

F. Change Order No. 5 and Pay Voucher No. 6 for City Project No. 2010-09D, South Grove Urban Street Reconstruction – Area 5

Councilmember Madden questioned who the consultant was and asked for an explanation regarding the change order.

Mr. Thureen responded that the consultant for the project was Kimley Horn. He explained there were a number of changes made in the field throughout the course of the project and staff is having discussions on these items as well as the total amount. He stated staff notified the consultant that they feel the City should be provided with some funding.

**Motion by Madden, second by Grannis, to approve Change Order No. 5 and Pay Voucher No. 6 for City Project No. 2010-09D, South Grove Urban Street Reconstruction – Area 5**

**Ayes: 5**

**Nays: 0 Motion carried.**

H. Pay Voucher No. 7 for City Project No. 2009-24, Rock Island Swing Bridge Project

Mayor Tourville stated he would abstain from the vote because the item related to SEH, Inc.

**Motion by Klein, second by Grannis, to approve Pay Voucher No. 7 for City Project No. 2009-24, Rock Island Swing Bridge Project**

**Ayes: 5**

**Nays: 0 Motion carried.**

J. Pay Voucher No. 18 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation

Councilmember Piekarski Krech explained she has an issue with the Pay Voucher because it includes the work done on the driveway.

Mr. Lynch noted the driveway work is an item the City has not come to an agreement on with the contractor. He explained staff has the same concerns that were expressed by Councilmember Piekarski Krech and continue to have ongoing discussions with the contractor to resolve discrepancies.

**Motion by Klein, second by Grannis, to approve Pay Voucher No. 18 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation**

**Ayes: 4**

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

N. Approve Joint Powers Agreement with Dakota County for Closed Point Dispensing for Mission Critical Personnel

Councilmember Klein commented that Joint Powers Agreements are extremely beneficial to the City.

**Motion by Klein, second by Grannis, to approve Joint Powers Agreement with Dakota County for Closed Point Dispensing for Mission Critical Personnel**

**Ayes: 5**

**Nays: 0 Motion carried.**

**S. Approve Roof Inspection Agreement**

Councilmember Piekarski Krech questioned if this agreement pertained the proposed re-roofing of existing City Hall.

Ms. Teppen explained that the Owner's Representative contacted firms to provide roofing and sheet metal inspections for the new portion of the roof on the Public Safety Addition. She stated if the City Council approves a bid to re-roof the roof on the existing City Hall, additional inspection services would be required.

**Motion by Klein, second by Madden, to approve Roof Inspection Agreement**

**Ayes: 5**

**Nays: 0 Motion carried.**

**5. PUBLIC COMMENT:** None.

**6. PUBLIC HEARINGS:**

**A. CITY OF INVER GROVE HEIGHTS;** Approve Final 2011 Tax Levies & Final 2011 Budgets

Ms. Lanoue stated the city-wide tax levy of \$15,475,796 is a \$0 increase from 2010 and is \$488,500 under levy limits. She explained that the city's portion of the tax dollar is equivalent to .42 cents. She reviewed the 2011 proposed budgets and the proposed city tax levy. She stated there was a 3.36% increase in the city's tax capacity, while property values decreased 5.5%. She noted there were a few changes to the budget that was adopted in September, including an increase to the sewer fund to cover the required payment to the Metropolitan Council, Central Equipment purchases, and the addition of the Assistant Fire Chief position to be funded via decreased expenditures in the Fire budget. She stated the budget was prepared to reflect a 0% wage and salary increase for employees. She highlighted the main components of the General Fund and stated the proposed 2011 budget is \$17,615,900, an increase of 0.2% from the amended 2010 budget.

Mr. Lynch noted that the Central Equipment purchase does include the cost of a street sweeper.

**Motion by Klein, second by Madden, to close the public hearing**

**Ayes: 5**

**Nays: 0 Motion carried.**

Councilmember Grannis stated he would be voting against the proposed budget because the Council decided not to pursue a restructuring of the management organization and the privatization of cleaning services.

**Motion by Klein, second by Madden, to adopt Resolution No. 10-205 Approving the Final 2011 Tax Levies & Resolution No. 10-206 Approving the Final 2011 Budgets**

**Ayes: 4**

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

**B. CITY OF INVER GROVE HEIGHTS;** Consider Transfer of On-Sale/Sunday Intoxicating Liquor License BB Burger Adventures, LLC dba Major's Sports Café of Inver Grove Heights for property located at 5639 Bishop Avenue

Ms. Rheaume explained Major's Sports Café was sold and transfer of the liquor license to the new ownership is required. She stated the new owner has provided all necessary documentation, license fees and liability insurance information. A background investigation was completed by the Police Department and no basis for denial of the request was found.

**Motion by Piekarski Krech, second by Klein, to close the public hearing**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Piekarski Krech, second by Klein, to approve the Transfer of On-Sale/Sunday Intoxicating Liquor License to BB Burger Adventures, LLC dba Major's Sports Café of Inver Grove Heights for property located at 5639 Bishop Avenue**

**Ayes: 5**

**Nays: 0      Motion carried.**

**C. CITY OF INVER GROVE HEIGHTS;** Consider Transfer of 3.2 Off-Sale Liquor Licenses to Northern Tier Retail, LLC dba Super America #4411 & Super America #4548

Ms. Rheaume explained that Northern Tier Retail, LLC purchased 166 Super America franchise locations, and made application to transfer the existing 3.2 Off-Sale liquor licenses for each of the locations within Inver Grove Heights. She stated the background investigation was completed and no basis for denial of the request was found.

**Motion by Klein, second by Madden, to close the public hearing.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Klein, second by Madden, to approve the Transfer of 3.2 Off-Sale Liquor Licenses to Northern Tier Retail, LLC dba Super America #4411 & Super America #4548**

**Ayes: 5**

**Nays: 0      Motion carried.**

**D. CITY OF INVER GROVE HEIGHTS;** Consider Liquor License Renewals for 2011

Ms. Rheaume explained the City received applications for the renewal of 29 liquor licenses for the 2011 calendar year. She stated the Police Department completed background investigations on the applicants and found no basis for denial of the renewal requests.

**Motion by Klein, second by Madden, to close the public hearing.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Madden, second by Klein, to approve Liquor License Renewals for 2011**

**Ayes: 5**

**Nays: 0      Motion carried.**

**E. CITY OF INVER GROVE HEIGHTS;** Consider Second 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 explained this is the second reading of an ordinance that would amend the fees for 2011. She stated the water and sewer connection fees are proposed to increase between 3.5% and 4.5%. She noted the proposed fees are based on the financial plan developed by Ehlers and Associates for the Northwest Area.

Councilmember Klein questioned how development fees in Eagan and Rosemount compare to what is proposed.

Ms. Teppen reiterated that the fees being discussed are different because they are based on the financial model that was developed specifically for the Northwest Area.

Councilmember Piekarski Krech stated that the City made the commitment that the fees would be adjusted annually to help pay for the infrastructure in the Northwest Area.

Councilmember Grannis stated costs increase over time and the fees should increase as well.

Mayor Tourville reiterated that the financial plan for the fees associated with development in the Northwest Area was set up years ago.

**Motion by Klein, second by Madden, to close the public hearing**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Madden, second by Piekarski Krech, to approve the Second 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.**

**7. REGULAR AGENDA:**

**FINANCE:**

**A. CITY OF INVER GROVE HEIGHTS;** Resolution Adopting the City of Inver Grove Heights 2011 Capital Improvement Plan (CIP)

Ms. Lanoue explained the multi-year Capital Improvement Plan was designed to provide a context to determine which capital projects should be funded, the project timing and appropriate funding sources by projecting the financial impact of the projects to taxpayers.

Councilmember Grannis asked if there was a way to balance out the amounts so they would be more equal throughout the years.

Ms. Lanoue responded it is dependent upon Dakota County's Capital Improvement Plan and the particular timing of each project.

Mayor Tourville explained that each individual project on the list would need to come back to the Council for approval. He noted this is a planning tool.

Mr. Lynch noted the plan illustrates the effect of capital improvement projects and related debt levy on the tax rate.

Mayor Tourville stated the plan would be available for review on the city's website after it is adopted.

**Motion by Madden, second by Piekarski Krech, to approve Resolution No. 10-207 adopting the City of Inver Grove Heights 2011 Capital Improvement Plan (CIP)**

**Ayes: 5**

**Nays: 0      Motion carried.**

**B. CITY OF INVER GROVE HEIGHTS;** Approve Purchase of Software, Implementation and Conversion Services for the Finance Department

Ms. Lanoue explained earlier in the year the Technology Department was authorized to purchase software, hardware and consulting services for a data center consolidation for the city's desktop and server infrastructure. As a part of this process the Finance Department was asked to consider changing to software that would be able to be housed in this environment. She stated a business analysis was completed and Logisolve identified four vendors that could meet the city's needs. She explained the Finance Department's first choice, Tyler Technologies, provided a package price of \$198,937 for licensing,

implementation services, data and conversion fees, plus annual maintenance and licensing for \$34,976. She stated \$243,177 has already been accumulated in the Technology Fund for the replacement of finance software. She noted the new software would be compatible with Windows and easier to integrate with the software currently used for Recreation, the Community Center and the Golf Course.

**Motion by Klein, second by Madden, to approve the Purchase of Software, Implementation and Conversion Services for the Finance Department from Tyler Technologies.**

**Ayes: 5**

**Nays: 0      Motion carried.**

**COMMUNITY DEVELOPMENT:**

**C. STEVEN O'CONNOR;** Consider a Resolution approving a Conditional Use Permit to Expand a Legal Non-Conforming Use for Property Located at 3333 72<sup>nd</sup> Street

Mr. Hunting stated the applicant is proposing to convert his tuck under garage into living space. He explained the existing home is located 7 feet from the side property line whereas 10 feet is the required setback. Because the home was built prior to the City's adoption of setback requirements, the home is considered a legal non-conformity. He explained City code allows a lawfully existing non-conforming structure to conditionally expand its gross floor area by up to 30%. He stated the proposed expansion would result in a 27% increase and would not alter the existing footprint. He noted both Planning staff and the Planning Commission recommended approval of the request with conditions.

**Motion by Piekarski Krech, second by Klein, to adopt Resolution No. 10-208 approving a Conditional Use Permit to Expand a Legal Non-Conforming Use for Property Located at 3333 72<sup>nd</sup> Street**

**Ayes: 5**

**Nays: 0      Motion carried.**

**D. POVOLNY SPECIALTIES;** Consider the following actions for property located at 7350 Courthouse Boulevard:

- i) Resolution Approving a Conditional Use Permit for a manufacturing and assembly operation
- ii) Resolution Approving a Conditional Use Permit for outdoor storage

Mr. Hunting stated the applicant is proposing to construct a 19,000 square foot addition to the existing building plus a 2,100 square foot accessory building. He explained the project would be completed in two phases, with phase one being an 11,700 square foot addition to the west side of the building. Outdoor storage would consist of 4 company trucks and 4 trailers. He stated the project meets all performance standards with some minor changes that are addressed in the conditions approval. Both Planning staff and the Planning Commission recommended approval of the requests.

**Motion by Klein, second by Madden, to adopt Resolution No. 10-209 approving a Conditional Use Permit for a Manufacturing and Assembly Operation, and a Conditional Use Permit for Outdoor Storage**

**Ayes: 5**

**Nays: 0      Motion carried.**

**E. GERTENS GREENHOUSES;** Consider the following actions:

- i) An Ordinance amending Ordinance #946 to Rezone Additional Land to Commercial Planned Unit Development District and to Change the Site Plan and Allowed Uses for the Greenhouse Expansion
- ii) Resolution Approving a PUD Amendment to Change Resolution #98-210 to allow for the

## Greenhouse Expansion

Councilmember Madden clarified that the item was being tabled at the applicant's request.

**Motion by Madden, second by Grannis, to table consideration of the items until January 24, 2011**

**Ayes: 5**

**Nays: 0      Motion carried.**

**F. FRIENDS OF THE MISSISSIPPI RIVER;** Consider the following actions for property located at 10620 Courthouse Boulevard:

- i) Ordinance Amendment to the Critical Area Overlay District to allow a minimum 5.0 acre lot size for residential purposes when specifically associated with the land being designated by the DNR as part of the Pine Bluff Area Scientific and Natural Area
- ii) Variance from the Subdivision Code to allow a second waiver of plat on a property
- iii) A Waiver of Plat for a two lot subdivision

Mr. Hunting explained the DNR is proposing to purchase 66 acres from the Rehtzigels to be part of the Pine Bend Bluff Scientific Natural Area. A 7.0 acre parcel surrounding the Rehtzigel home would remain. He stated the minimum lot size in the Critical Area Overlay district is 10.0 acres and a variance from minimum lot size requirements is not an option. He explained that due to funding and time constraints, it was determined that the best solution was to draft an ordinance that would allow a parcel less than 10.0 acres. To that end, the City Attorney, DNR, and staff drafted language that would allow a lot less than 10.0 acres in size provided the balance of the property division was land to be purchased by the DNR to become part of the Pine Bluff Area Scientific Natural Area.

Mr. Hunting explained to divide the property a waiver of plat process is typically used, however only one waiver of plat process can be used for a property, and the City already used that process to purchase 7 acres from the Rehtzigels for storm water ponding in 2009. He stated because the variance criteria are different in the Subdivision Code they are not affected by the recent Supreme Court ruling. He noted Staff found the waiver to be a reasonable means to divide the property as it would not create any new buildable lots. He stated one reading of the ordinance is recommended because the DNR needs to get this done by the end of the year.

**Motion by Piekarski Krech, second by Klein, to adopt Ordinance No. 1226 amending the Critical Area Overlay District to allow a minimum 5.0 acre lot size for residential purposes when specifically associated with the land being designated by the DNR as part of the Pine Bluff Area Scientific and Natural Area**

**Ayes: 5**

**Nays: 0      Motion carried.**

**Motion by Piekarski Krech, second by Klein, to adopt Resolution No. 10-211 approving a Variance from the Subdivision Code to allow a second waiver of plat on a property and Resolution No. 10-212 approving a Waiver of Plat for a two lot subdivision.**

**Ayes: 5**

**Nays: 0      Motion carried.**

The City Council took a five minute break.

**G. CITY OF INVER GROVE HEIGHTS;** Consider the First Reading of an Ordinance Establishing Standards Regulating Dynamic Display Billboards and the Possibility of Prohibiting Dynamic Display Billboards

Mr. Hunting stated the ordinance amendment would only address dynamic display billboards and would not address electronic on-site free standing or monument signs, nor would it address wall signage. He explained in order to administer the proposed regulations an overlay district would be established to govern these signs because they are location specific. He stated dynamic display billboards would only be allowed along Hwy 52/55 in the same area that billboards are currently allowed. New billboards would be prohibited anywhere else in the City, and existing billboards located elsewhere in the City would not be allowed to be converted to dynamic display. He explained only static display billboards would be allowed, and the message must change without fade, pixilation, or other effects. He noted that the Planning Commission recommended a minimum of 20 second intervals between messages to minimize driver distraction, while Planning staff recommended a 10 second interval based on research done on the standards of existing dynamic display billboards in other communities. He recommended that the Council consider two options to address illumination. He noted that enforcement pertaining to illumination regulations would require specific and equipment that staff is not trained for. He stated that the proposed ordinance requires a minimum spacing between signs of 800 feet on the same side of the highway. Based on the proposed separations, a maximum of 3 signs could be constructed on each side of the highway. He explained a sign permit would be required for construction and the sign company would be required to submit illumination standards to verify illumination maximums. He stated Planning staff recommended approval of the ordinance amendment allowing dynamic display billboards with conditions as proposed and the Planning Commission also recommended approval of the ordinance amendment regulating dynamic display billboards with a minimum display time of 20 seconds.

Councilmember Klein commented on expanding the area in which dynamic displays would be allowed to the North.

Councilmember Piekarski Krech asked if there are illumination regulations currently in place.

Mr. Hunting responded in the negative.

Councilmember Piekarski Krech stated she thinks illumination regulations need to be established.

Councilmember Grannis questioned how staff would determine if a sign is too bright if there were no illumination standards or regulations in place.

Mayor Tourville stated that performance criteria could be established and the companies in the industry would know how to meet the standards.

Councilmember Madden stated he would be in favor of establishing regulations pertaining to the distance between signs.

Tom McCarver, Clear Channel, discussed regulations in other communities. He noted the industry standard for intervals between messages is 8 seconds.

Councilmember Klein asked if the technology is getting more efficient.

Mr. McCarver responded in the affirmative. He commented on the importance of having standards in place. He explained that communities typically are allowed to use the sign for five hours of public service per month.

Councilmember Klein asked how many signs you would see on an average stretch of highway.

Councilmember Madden questioned if the company cannot operate signs efficiently if the interval is longer than 8 seconds.

Mr. McCarver responded in the affirmative and stated MnDOT determined intervals less than 6 seconds were considered flashing and deemed as hazardous to drivers.

Councilmember Grannis stated spacing and performance standards are needed.

Mr. Hunting reviewed the overlay district and reiterated that anything outside of that would not be allowed by code.

Councilmember Grannis opined they should not be looking at expanding them to other areas at this point.

Councilmember Madden stated he is against the 8 second interval because he feels it is a safety hazard.

Mr. Kuntz questioned how many billboards, out of the 30 cities that are currently being serviced, are set at 8 second intervals. He asked if the interval could be set at anything.

Mr. McCarver stated they are all at 8 second intervals except in St. Paul where there are two that are at 12 second intervals. He stated the interval can be set at any interval. It is just a matter of whether or not it is worthwhile to the company.

**Motion by Piekarski Krech, second by Klein, to approve the First Reading of an Ordinance Establishing Standards Regulating Dynamic Display Billboards**

**Ayes: 5**

**Nays: 0      Motion carried.**

**H. CITY OF INVER GROVE HEIGHTS;** Consider Resolution Calling for a Public Hearing on a Proposed Amendment to the Enabling Resolution Establishing the City of Inver Grove Heights Economic Development Authority

Mr. Lynch stated this was discussed at a previous meeting. He explained they are asking to set the public hearing for January 24, 2011.

**Motion by Klein, second by Piekarski Krech, to adopt Resolution No. 10-213 Calling for a Public Hearing on a Proposed Amendment to the Enabling Resolution Establishing the City of Inver Grove Heights Economic Development Authority**

**Ayes: 5**

**Nays: 0      Motion carried.**

**PARKS AND RECREATION:**

**I. CITY OF INVER GROVE HEIGHTS;** Consider Approval of Updated Heritage Village/Rock Island Swing Bridge Master Plan

Mr. Carlson stated this was discussed at a Council study session. He explained after listening to comments they are recommending approval of the updated master plan for the park area. He reviewed some of the notable changes that were made.

Councilmember Klein clarified the costs will be reimbursed by the county.

Mr. Carlson explained the City would pay for it up front in 2011 and Dakota County would reimburse the City in 2012.

Councilmember Klein confirmed they would have an agreement in place before that.

**Motion by Piekarski Krech, second by Madden, to approve the Updated Heritage Village/Rock Island Swing Bridge Master Plan**

**Ayes: 5**

**Nays: 0      Motion carried.**

**PUBLIC WORKS:**

**J. CITY OF INVER GROVE HEIGHTS;** Consider Right-of-Way Proposal

Mr. Thureen stated the proposal would computerize the right-of-way permitting process. He explained this process would improve the efficiency of permit issuance for work in City right-of-way. He noted the program would have a GIS component to map permit locations. He stated the program is being used by a number of other cities in the metro area and will reduce the labor for permittees and decrease turnaround

time for issuance of a permit. He explained the City issues 70-75 permits annually, primarily to private utility companies. He stated staff proposed to increase the permit fee to \$200 to recoup the City's costs of managing the permits, along with a \$50 registration fee. He noted the purchase and installation of the software would cost \$1250, plus a monthly subscription fee of \$250 in 2011.

**Motion by Klein, second by Piekarski Krech, to approve Right-of-Way Proposal**

**Ayes: 5**

**Nays: 0          Motion carried.**

**K. CITY OF INVER GROVE HEIGHTS; Resolutions Establishing Utility Rates for 2011**

Mr. Thureen explained the City has adjusted water and sanitary sewer rates for the past several years based on recommendations in a rate study completed by Ehlers and Associates. Those rate adjustments have been 2.5% for water and 3.5% for sanitary sewer. He noted the water rate adjustment was reduced to 2.0% in 2010 and a 2.5% increase is recommended for 2011. He stated a sewer rate increase of 3.5% is also recommended.

Councilmember Grannis questioned what the City's sanitary sewer rate to Metropolitan Council would be in 2011.

Mr. Thureen responded that the City's fee to Metropolitan Council will increase 7.75%.

Councilmember Madden asked how the difference would be funded.

Mr. Thureen responded staff felt the proposed program increase could be sustained for one year due to current economic conditions.

**Motion by Klein, second by Madden, to adopt Resolutions No. 10-214 & 10-215 Establishing Utility Rates for 2011**

**Ayes: 5**

**Nays: 0          Motion carried.**

**L. CITY OF INVER GROVE HEIGHTS; Resolution Authorizing Feasibility Study Update and Various Professional Services for the 2011 Pavement Management Program, City Project No. 2011-09D, South Grove Area 6**

Mr. Thureen stated the Council is being asked to authorize an updated feasibility study and various professional services for South Grove Area 6. He explained that in addition to the feasibility study update the work will consist of preparation of various legal documents related to the project, additional geotechnical evaluations, appraisal services related to benefit analysis for assessments and easement acquisitions, a joint powers agreement with Dakota County Soil and Water Conservation for services related to rain gardens, rapid infiltration basins, grant applications, and subwatershed evaluation of the South Grove drainage basin. He noted in order to continue preparing for the 2011 project, the additional work needs to commence at this time.

**Motion by Klein, second by Madden, to adopt Resolution No. 10-216 Authorizing Feasibility Study Update and Various Professional Services for the 2011 Pavement Management Program, City Project No. 2011-09D, South Grove Area 6**

**Ayes: 5**

**Nays: 0          Motion carried.**

**M. CITY OF INVER GROVE HEIGHTS; Approve Proposal from Emmons Olivier Resources for Northwest Area Development Review Process and Implementation**

Mr. Thureen stated the City has adopted ordinances which regulate standards and methods used for development in the Northwest Area. He explained the City has a team of engineers, planners, inspectors, and attorneys that are working with Emmons Olivier Resources to review recent projects in the Northwest

Area and develop a proactive approach to share information with developers as development occurs in the coming years. He stated this proposal would ensure that the team has a good working knowledge of all the complex issues and challenges of the Northwest Area's development standards and has an improved process for guiding future development specific to the Northwest Area. He explained this proposal would allow the City to proactively serve developers by preparing documents for distribution early in the conceptual stages of development. He noted that processes for reviewing proposals and oversight of the construction would also be developed. He stated the proposal would be funded from the Engineering and Community Development budgets.

Councilmember Piekarski Krech commented that the proposal was costly. She stated she would like to see staff be able to handle these things in-house.

Mr. Thureen responded that this will aid in that process as it will combine information into one document.

Councilmember Klein stated a lot of money was spent on developing standards for the Northwest Area and opined that the City should already have a lot the deliverables that were listed in the proposal.

**Motion by Grannis, second by Madden, to approve Proposal from Emmons Olivier Resources for Northwest Area Development Review Process and Implementation**

**Ayes: 4**

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

**N. CITY OF INVER GROVE HEIGHTS; Consider Change Order No. 17 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation Project**

Ms. Teppen stated the Change Order was comprised of seven items totaling \$11,910. She noted the revised contract total is \$11,902,352.10 and the project contingency balance is \$201,438.90.

Councilmember Piekarski Krech stated that she is not happy with the builder and did not feel that the City should have to pay for the changes to fix the stairs.

Mr. Lynch clarified the preventative maintenance issues. He reiterated that staff would discuss the design flaw of the stairs with the architect and agreed that the City should not have to pay for the correction of an experimental design.

**Motion by Madden, second by Grannis, to approve Change Order No. 17 for City Project No. 2008-18, Public Safety Addition/City Hall Renovation Project**

**Ayes: 4**

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

**8. MAYOR & COUNCIL COMMENTS:**

**9. ADJOURN:** Motion by Klein, second by Madden, to adjourn. The meeting was adjourned by a unanimous vote at 10:50 p.m.